



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, JANUARY 14, 2019
7:00 P.M. IN THE COUNCIL CHAMBERS**

1. CALL TO ORDER AND ROLL CALL

Mayor Jo Emerson called the meeting to order at 7:00 p.m. Councilmembers Doug Biehn, Kevin Edberg, Steven Engstran, Dan Jones and Bill Walsh were present. Staff members present were City Manager Ellen Hiniker, Assistant City Manager Rick Juba; City Engineer Paul Kauppi, Community Development Director Anne Kane and City Attorney Troy Gilchrist

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

A. Minutes of the Regular City Council Meeting on December 10, 2019

It was moved by Councilmember **Edberg**, seconded by Councilmember **Engstran**, to approve the Minutes of the Regular City Council Meeting on December 10, 2019.

Motion carried unanimously.

City Manager Hiniker administered the Oath of Office to:
Councilmember Bill Walsh – Ward 1
Councilmember Dan Jones – Ward 3
Councilmember Steven Engstran – Ward 5

3. APPROVAL OF THE AGENDA

It was moved by Councilmember **Engstran** seconded by Councilmember **Biehn**, to approve the agenda with the additions of items 9A1 Election of Council Chair and 9H authorizing release of bids for the water tower project.

Motion carried. Councilmember Walsh was not present for this vote.

4. VISITORS AND PRESENTATIONS

Nothing scheduled

5. PUBLIC HEARINGS

Nothing scheduled

6. LAND USE

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

- A. Second reading of a Charter Commission recommendation to amend the City Charter pertaining to assessment of code enforcement penalties and fines

In accordance with State Statute, the City Council may enact a charter amendment upon the recommendation of the Charter Commission. On November 13, 2019, the Charter Commission voted unanimously to adopt resolution 19-1, amending Section 8.05 and adding Section 8.11 of the City Charter pertaining to administrative penalties and the collection of fees and penalties.

City Manager Hiniker stated City Council held first reading of the ordinance to amend the City Charter at its December 10, 2019 meeting. Notice of the public hearing scheduled for this evening was published in the December 25, 2019 edition of the White Bear Press. This amendment would provide the City Council the authority to assess fines for code enforcement violations. She noted the City Council would still need to enact an Ordinance to amend the Municipal Code in order to affect this change. If approved, the ordinance amending the Charter would not become active until 90 days after passage and publication to provide opportunity for residents to submit a petition requesting a referendum.

Mayor Emerson opened a public hearing at 7:08 p.m. There being no comments from the public, Mayor Emerson closed the public hearing.

It was moved by Councilmember **Jones** seconded by Councilmember **Biehn**, to adopt **Ordinance No. 20-1-2042** the City Charter pertaining to assessment of code enforcement penalties and fines.

Motion carried unanimously.

It was moved by Councilmember **Edberg** seconded by Councilmember **Engstran**, to adopt Summary **Resolution No. 12506** establishing title and summary approval of Ordinance No. 20-1-2042.

Motion carried unanimously.

- B. Second reading of a City-initiated request to amend the Zoning Code to clarify that only one stairway to a waterbody is permitted per property (19-9-Z)

Community Development Director Kane recalled first reading was held on December 10, 2019 and explained this amendment was initiated by staff in response an issue in a neighboring community in which lakefront owners were selling access easements. Ms. Kane explained the construction of additional staircases in these instances would change the landscape along the lake.

Ms. Kane stated the Planning Commission received no public comment at its meeting November and forwarded a recommendation for approval. Ms. Kane clarified that all commercial properties are required to obtain Conditional Use Permits for docks, for

which many do have more than one staircase, including the City's Boatworks property.

Mayor Emerson opened a public hearing at 7:11 p.m. There being no comments from the public, Mayor Emerson closed the public hearing.

It was moved by Councilmember **Biehn** seconded by Councilmember **Walsh**, to adopt **Ordinance No. 20-1-2043** to clarify that only one stairway to a waterbody is permitted per property (19-9-Z).

Motion carried unanimously.

It was moved by Councilmember **Edberg** seconded by Councilmember **Jones**, to adopt Summary **Resolution No. 12507** establishing title and summary approval of Ordinance No. 20-1-2043.

Motion carried unanimously.

9. NEW BUSINESS

- A. Resolution appointing City representatives to Ramsey County League of Local Governments, Ramsey County Dispatch Policy Committee, Vadnais Lake Area Water Management Organization, Rush Line Task Force and Northeast Youth and Family Services

It was moved by Councilmember **Biehn**, seconded by Councilmember **Jones** to adopt **Resolution No. 12508** appointing City representatives to Ramsey County League of Local Governments, Ramsey County Dispatch Policy Committee, Vadnais Lake Area Water Management Organization, Rush Line Task Force and Northeast Youth and Family Services

Motion carried unanimously.

- A.1. Resolution appointing City Council Chair

It was moved by Councilmember **Walsh**, seconded by Councilmember **Jones** to adopt **Resolution No. 12509** appointing Councilmember Edberg as Chair of the City Council.

Councilmember Jones suggested moving this election to the odd years rather than the even years so that an experienced Council is voting on this item.

Councilmember Edberg added the Council should be more intentional in planning for leadership succession in general.

Motion carried unanimously.

- B. Resolution authorizing purchase of a ladder truck for the Fire Department

City Manager Hiniker noted that a ladder truck was included in the budget to replace existing ladder truck 914. She reported that in anticipation of this purchase, Fire Department staff researched and recommended the truck be built by Pierce Manufacturing at a cost of \$1,020,096. Ms. Hiniker stated this purchase will take

approximately ten months to build and by ordering prior to February, a discount is provided.

In response to Councilmember Biehn, City Manager Hiniker stated the current ladder truck will be sold for an anticipated fee of \$20,000.

Councilmember Walsh asked about the ladder's height. Fire Chief Peterson said the current ladder reached 75 feet, while this new ladder will reach 107 feet.

Councilmember Walsh received clarification that the taller ladder will be able to service the height of the City's buildings in the future without the need to call in mutual aid.

Councilmember Edberg stated he was supportive of the purchase. He asked, as the City amortizes the depreciated cost for assignment to contracting cities, is the City at risk of not covering equipment costs purchased to serve cities that may pull out of service contracts early? City Manager Hiniker confirmed this is a risk, in addition to the impact on operational revenues. Councilmember Edberg suggested structuring service agreements for recuperation of capital equipment purchased on behalf of service to others.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Biehn** to adopt **Resolution No. 12510** authorizing purchase of a ladder truck for the Fire Department.

Motion carried unanimously.

C. Resolution naming the official newspaper to perform official publications

City Manager Hiniker explained that State Statute requires the City to designate its official newspaper for publications. She forwarded a recommendation for the White Bear Press, a local newspaper, as the City's official newspaper noting an 8% increase in the cost of legal publications in order to cover employee health care costs.

It was moved by Councilmember **Jones**, seconded by Councilmember **Engstran** to adopt **Resolution No. 12511** naming the White Bear Press as the official newspaper for publishing legal publications.

Motion carried unanimously.

D. Resolution establishing regular meeting nights of the City Council of the City of White Bear Lake

City Manager Hiniker noted that official meeting dates are proposed to be on the second and fourth Tuesdays each month with the exception of Caucus Day on February 25th and the Primary Election on August 11th. She explained that on these two days with election activities, the City Council meeting will be scheduled for the following Wednesday, February 26 and August 12, 2020.

Councilmember Jones mentioned that February 26th is a Vadnais Lake Area Management Watershed Organization meeting. Councilmember Edberg suggested adopting this schedule for now and returning with staff's recommendation for an alternate second February meeting date.

It was moved by Councilmember **Biehn**, seconded by Councilmember **Walsh** to adopt **Resolution No. 12512** establishing regular meeting nights of the City Council of the City of White Bear Lake.

Motion carried unanimously.

E. Resolution designating City Attorney – Prosecutor and Counselor for 2020

City Manager Hiniker provided a strong staff recommendation to reappoint Kennedy and Graven with Troy Gilchrist as lead Counselor at an increase of 2.25%.

It was moved by Councilmember **Jones**, seconded by Councilmember **Edberg** to adopt **Resolution No. 12513** designating City Attorney – Counselor for 2020.

Motion carried unanimously.

Ms. Hiniker noted the City has worked with GDO Law for many years, and although representation has changed over that time, staff is very pleased with the performance and recommends reappointment of Robb Olson for the next three years at a rate increase just under 3% over each consecutive years.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Jones** to adopt **Resolution No. 12514** designating City Attorney – Prosecutor for 2020.

Motion carried unanimously.

F. Resolution authorizing bid advertisement for window replacement project at Pioneer Manor

Community Development Director Kane reported that staff is requesting authorization to advertise and accept bids for the replacement of all windows at Pioneer Manor. She stated that the rental inspector identified windows difficult to operate and that replacement of them would enhance the lives of residents as well as extend the life of the facility. Ms. Kane stated staff was hopeful to receive funding estimated at \$325,000 from the Ramsey County Community Development Block Grant (CDBG) to cover most if not all of the cost of window replacement at the facility.

Ms. Kane expressed confidence in the approval of CDBG funds for this project, which will be considered by the County Board on January 21st. With deadlines fast approaching, she said, staff initiated publication contingent upon receipt of funds with the right to cancel in the event CDBG funds are not granted. Ms. Kane stated that City staff have been working with Walker Methodist, the management company, who will oversee this project. If authorized, Ms. Kane said, sealed bids would be opened February 5th and a recommendation to award the contract presented to the City Council on February 11th.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Biehn** to adopt **Resolution No. 12515** authorizing bid advertisement for window replacement project at Pioneer Manor.

Motion carried unanimously.

- G. Resolution authorizing the City Manager and Mayor to execute an agreement for Social Services with Northwest Youth and Family Services.

City Manager Hiniker described the relationship with Northwest Youth and Family Services (NYFS), which started in 2012 when the White Bear Lake Community Counseling Center merged with NYFS. She relayed staff support for the City's ongoing partnership with NYFS and mentioned that the director, Jerry Hromatka, will provide a presentation to the Council at a future City Council meeting at which time perhaps more will be relayed regarding Mr. Hromatka's retirement and transition plan for the organization.

Councilmember Walsh spoke in support of this funding as revenues from other sources are down. He mentioned a special meeting to review ideas such as repurposing, merging, growing or shrinking to deal with the revenue shortfalls. Councilmember Walsh mentioned that if anyone is in need of mental health services with insurance pay, NYFS is a great resource.

City Manager Hiniker added that NYFS is not only a resource for youth, but for all ages.

Councilmember Edberg holds this organization in high esteem. He would like to see more community funding of the organization because early intervention and mental health services benefit the community greatly both through the individual payoff and the community cost avoidance payoff.

Councilmember Walsh agreed and mentioned laying the groundwork for more funding from all of the surrounding community members in the future. All of the cities are partners in this organization and the organization could grow its presence in the school districts with more support and integration of services.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Biehn** to adopt **Resolution No. 12516** the City Manager and Mayor to execute an agreement for Social Services with Northwest Youth and Family Services.

Motion carried unanimously.

- H. Resolution approving plans and specifications and authorizing advertisement for bids for the Centerville Road Water Reservoir Painting Project.

City Engineer Kauppi stated the Centerville Road, a one-million gallon water reservoir, is in need of painting. He reported it was constructed in 1985 and still has its original coating with the exception of some exterior touch-up painting. Mr. Kauppi stated that inspections reveal the need to paint both the interior and exterior of the tower for preservation. He noted the City's Capital Improvement Plan and budget estimate this project will cost \$1.3 million.

Mr. Kauppi explained that Short Elliott and Hendricks (SEH) prepared plans and specifications for sandblasting and recoating of the water tower. He asked for the Council's approval to advertise the bid and set bid opening on February 4 with a recommendation for award of contract in February.

Councilmember Biehn asked how the City will get along without a water tower and for how long. Mr. Kauppi stated that the City has excess well capacity, reserve capacity in

the water treatment plant, and emergency inter-connections with adjacent communities sufficient for this project expected to take roughly three months depending on the contractor.

It was moved by Councilmember **Jones**, seconded by Councilmember **Walsh** to adopt **Resolution No. 12517** approving plans and specifications and authorizing advertisement for bids for the Centerville Road Water Reservoir Painting Project.

Motion carried unanimously.

Mayor Emerson recessed the City Council meeting at 7:52 p.m.

10. HOUSING AND REDEVELOPMENT AUTHORITY

Refer to the HRA Minutes for an account of the following:

- A. Call to Order / Roll Call
- B. Approval of the December 10, 2019 HRA Meeting Minutes
- C. Approval of the Agenda
- D. Election of a Chair and Vice Chair of HRA
- E. Adjournment

Mayor Emerson reconvened the City Council meeting at 7:55 p.m.

11. CONSENT

- A. Resolution authorizing City Manager to invest and transfer funds for the City, designation of bank depository and depositing for investments. **Resolution No. 12518**
- B. Resolution fixing surety bonds for various City Officials and providing for approval of the same. **Resolution No. 12519**
- C. Resolution authorizing the City Manager to pay claims made against the City. **Resolution No. 12520**
- D. Resolution authorizing 2020 travel reimbursement amounts. **Resolution No. 12521**
- E. Resolution approving gas station and tobacco license to White Bear Express, Inc. **Resolution No. 12522**
- F. Resolution approving massage establishment licenses. **Resolution No. 12523**
- G. Resolution approving temporary liquor licenses for various qualifying non-profit groups. **Resolution No. 12524**
- H. Resolution accepting work and authorizing final payment to T.A. Schifsky & Sons, Inc. for the completion of the 2019 Mill and Overlay Project, City Project Nos.: 19-04 & 19-13. **Resolution No. 12525**
- I. Resolution appointing an administrative hearing officer through January 2021. **Resolution No. 12526**

- J. Resolution authorizing a food truck at Lakewood Hills Park pavilion for Redeemer Lutheran Church. **Resolution No. 12527**

It was moved by Councilmember **Jones** seconded by Councilmember **Engstran**, to approve the consent agenda as presented.

Motion carried unanimously.

12. DISCUSSION

Nothing scheduled

13. COMMUNICATIONS FROM THE CITY MANAGER

- Work Plan for 2020: City Manager Hiniker reported on projects planned for 2020 including, but not limited to, participation with planning for the school district facility build-out, finalizing the Public Safety facility study, Housing Study, the downtown street reconstruction planning process, work with Trane on energy assessment and planning, utility rate study, recodification
- Mayor Emerson remembered Donald Strange who served on the White Bear Lake City Council from 1962-69 and 1972-78. She announced his passing and funeral this week and expressed sympathies to the family.
- Councilmember Edberg requested that Council review Mayor and Council compensation in 2020, proposing that any increases be set for two years out.
- Mr. Kauppi reminded residents to remove vehicles from the streets during plow events.
- Ms. Kane announced that the consultant will present a summary of the City's Comprehensive Housing Study at the next City Council meeting.

14. ADJOURNMENT


There being no further business before the Council, it was moved by Councilmember **Engstran**, seconded by Councilmember **Edberg** to adjourn the regular meeting at 8:05 p.m.

Motion carried unanimously.



Jo Emerson, Mayor

ATTEST:



Kara Coustry, City Clerk