

**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
WEDNESDAY, FEBRUARY 26, 2020
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, City Clerk Kara Coustry and City Attorney Troy Gilchrist

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

A. Minutes of the Regular City Council Meeting on February 11, 2020

It was moved by Councilmember **Jones**, seconded by Councilmember **Engstran**, to approve the Minutes of the Regular City Council Meeting on February 11, 2020.

Motion carried unanimously.

3. APPROVAL OF THE AGENDA

It was moved by Councilmember **Walsh** seconded by Councilmember **Edberg**, to approve the agenda as presented.

Motion carried unanimously.

4. VISITORS AND PRESENTATIONS

A. Swearing in Officers Jordan Blevins, Melissa Schmidt and Sergeant Isaac Tuma

Chief Swanson introduced new Officers Jordan Blevins, Melissa Schmidt and noted Isaac Tuma's promotion to Sergeant. Sergeant Isaac Tuma, a police officer of the past eight years. Officer Melissa Schmidt earned her degree in Law Enforcement and has worked security for Children's Hospital and as a Dispatcher for Ramsey County. Officer Jordan Blevins earned his degree in Law Enforcement and is a member in the Army National Guard, and has worked as a Minneapolis Park Patrol Agent.

The City Clerk administered the oath of office.

B. The Gathering and 2nd Half with Lyngblomsten

Helen Gehrenbeck, one of more than 60 volunteers from ten community churches representing The Gathering, expressed sincere gratitude to Cub Foods, Cup and Cone, Donatelli's, Festival Foods, Grandma's Bakery, Keys, Kowalski's Manitou Grill, Panera Bread, Subway and VFW Post 1782 for stepping up to cover lunches in 2020 to dementia program volunteers. She said, the overwhelming generosity of these businesses is a testimony to the overarching goal of encouraging White Bear Lake in becoming a dementia-friendly city.

Lynn Amon on behalf of 2nd Half with Lyngblomsten provided a brochure explaining the organization connects adults over 50 to resources and opportunities to enhance their quality of life and help them remain as independent as possible for as long as possible. She noted, The Gathering consists of members from area churches and has been serving the community for 11 years. They are one of the resources under the umbrella of 2nd Half with Lyngblomsten.

5. PUBLIC HEARINGS

A. Resolution ordering improvements, approving plans and specifications and authorizing advertisement for bids for the 2020 Street Reconstruction Project, City Project Nos. 20-01 & 20-06

City Engineer Kauppi recapped the scope of 2020 Street Reconstruction Projects. He stated, notices were sent to project homes and the public hearing was noticed in the newspaper. Mr. Kauppi explained the assessment period is 15 years with an interest rate of 2% over the City's bond rate, payable on 2021 taxes. He reviewed the project schedule, which if the project moves forward, bids would be opened in March with contract award in April and construction beginning in May.

Mayor opened a public hearing at 7:38 p.m. As no one came forward to speak, the public hearing was closed.

It was moved by Councilmember **Jones** seconded by Councilmember **Biehn**, to approve **Resolution No. 12540** ordering improvements, approving plans and specifications and authorizing advertisement for bids for the 2020 Street Reconstruction Project, City Project Nos. 20-01 & 20-06.

Motion carried unanimously.

B. Resolution ordering improvements, approving plans and specifications and authorizing advertisement for bids for the 2020 Mill and Overlay Project, City Project No. 20-13

City Engineer Kauppi recapped the scope of 2020 Mill and Overlay Projects. Mr. Kauppi reported that sidewalks are proposed along Elm (Willow to White Bear Ave.) and along Highland (Elm to County Rd E), consistent with the Comprehensive Plan. He said, Elm has two schools, feeds parks and is a major thoroughfare. Mr. Kauppi noted that an enhanced crosswalk and signalized pedestrian crossing are being considered by Ramsey County on White Bear Avenue, but has not yet been approved as part of this plan. He said the sidewalk on Highland

would connect the Elm sidewalk to Council Rd E and should only be done if the Elm sidewalk is approved. Mr. Kauppi reiterated that the City maintains sidewalks and the cost is not assessed as part of this project.

He stated, notices were mailed to project homes and the public hearing was noticed in the newspaper. Mr. Kauppi explained the assessment period is ten (10) years with an interest rate of 2% over the City's bond rate, payable on 2021 taxes. He covered the project schedule, which if the project moves forward, bids would be opened in March with contract award in April and work beginning in May.

Mayor Emerson opened the public hearing at 8:01 p.m.

Jeff Papas of 3526 Highland Ave. stated that mill and overlay is good public policy, but he does not believe a sidewalk on the east side of Highland Avenue is needed because people do not walk along this road. He stated this is a time to consider wants versus needs. He noted fire hydrants and electrical along the east side of Highland as well, and mentioned that maintaining additional sidewalk will increase fixed costs of the City.

Anne Danielson of 3442 Willow Ct. stated the sidewalk does not affect her property, but as a paper delivery person, she said she walks the streets because the sidewalks are not safe. She said no sidewalk committees were put together for this project like in Cottage Park. She asked about the sewer wye, to which Mr. Kauppi explained is only undertaken with street reconstruction and not with less intrusive mill and overlay projects.

Fred Thompson of 1852 Elm Street believed the sidewalk being proposed is as a result of the apartment building and did not understand why a sidewalk is needed now after 50 years of not having one. He said nobody will walk on the icy sidewalk, they will walk and ride bikes in the street like they do now. He also expressed concern over paying for the project to which Mr. Kauppi directed folks to contact the Engineering Department regarding the senior and hardship deferment program.

Scott Bill of 4882 Woodcrest asked if assessment rates will change and will a better cost estimate be provided as the project begins. Mayor Emerson stated that the assessment estimates that were mailed to residents will not go any higher, but they may be adjusted down lower.

Kerry Troske of 3535 Rooney Place wondered when properties would know if they are getting more extensive work or just the basic mill and overlay. Mr. Kauppi asked folks wishing to know specifics about the work being completed to call the Engineering Department. City Manager Hiniker reiterated that assessments will not be any higher than were mailed out to residents already.

Jim Fisher 3510 Highland Avenue stated he is getting hit hard as a corner lot. He said that no one will even use the sidewalk. He did agree that the mill and overlay portion of the project needs to be done, but he wonders if it is worth it for the cost of it.

John Smith of 3536 Highland Avenue does not understand the need for a sidewalk, stating that with the stop signs every block traffic does not fly down the road. He said occasionally you see

a kid on a bike or dog walkers and noted there are more families on County Road E that would benefit from a sidewalk and the City must have better things to do with money.

Bob Hager of 3506 Auger Avenue did not agree with the City spending \$225,000 on sidewalks that are not going to be used. He received clarification that anyone can utilize the ten (10) year repayment and the interest is rate is 5.25%.

Lona Peterson of 3390 Oak Terrace stated that sidewalk or no sidewalk, they are never cleared to the pavement so people do not walk on them, but rather walk in the street.

Diane and Scott Frankenberg of 3455 Willow Court are in a townhome association and questioned who gets assessed for the corners of the association lot. Mr. Kauppi stated that generally speaking all the common areas of the association are added together and proportioned out to all townhome owners. She is disturbed by the kids walking on Elm Street all the time and supported the sidewalk on that street.

Jeff Papas of 3626 Highland Ave added that no one expressed concerns about kids walking in yards. He views the spending of \$225,000 in public money to build sidewalks that will not be used as a poor use of public dollars.

Dan Piilola of 3562 Highland Avenue does not see the need for a sidewalk and said the money could be used elsewhere. He also did not wish to lose his front yardage and expressed concern over the loss of landscaping and a tree as well as to his slanted driveway. He noted kids and dog walkers in the street, but because of the stop signs, has never been concerned about the traffic.

Sue Hager of 3506 Auger Avenue mentioned the sidewalk would create an issue with water runoff into the sewer system rather than into the groundwater system.

Bob Ohman of 1801 Elm Street inquired as the criteria for deciding to place a sidewalk. Mayor Emerson stated the Comprehensive Plan has called for these sidewalks since 2009 and there were no objections at that time when public hearings were held. City Manager Hiniker added that when the Comprehensive Plan is drafted, connectivity to schools, parks and major areas are considered and this area was identified as having gaps. Mr. Kauppi added that during the 2010 Comprehensive Plan update the Metropolitan Council required cities to look at improving non-motorized means of transportation.

Mr. Ohman, as a school bus driver, stated there are 326 students that are set up for bus transportation out of 350, which is 93% of students who are delivered directly to the school. He said of the students that do walk, most head north to the new development west of Willow, with very few walking on Elm Street. He said \$225,000 is a lot to spend on something that will get little to no use. He added the sidewalk will mess up his yard and require trees to be removed.

City Manager Hiniker asked Mr. Kauppi to explain, the City only clears sidewalks to an inch or two of snow to avoid the risk of equipment damage. He stated that since being with the City, he has tasked Public Works to improve the snow removal process through better mapping and control of plow routes.

John Smith of 3536 Highland Avenue added, he and others will lose 15 feet off the end of their driveways, which will make parking trucks with trailers and boats challenging.

Sara Johnson of 3568 Highland Avenue does not want to lose front yard and the driveway is steep already, losing more driveway will make it that much more treacherous in the winter.

Anne Danielson of 3442 Willow Ct. stated the sidewalks are scary and she wanted to know if the City holds the liability if someone slips and falls. She added she and others walk in the streets because it is safer.

Larry Bradbury 3514 Highland Avenue does not believe the sidewalks are needed. He said going down Elm, it is suicide to attempt to cross four lanes on White Bear Avenue.

Teresa Strobel of 1956 Elm Street mentioned emailing Councilmember Engstran, the City Engineer and Ramsey County regarding a button activated pedestrian crossing on Elm Street to facilitate children going to school. She stated that in the winter, she would rather walk on the street because of the icy sidewalks, but noted the difficulty of navigating around parked cars and worries the children and parents with strollers will get hit in the streets.

Brenda Stabenow at 3506 Midland Court is for the sidewalk on Elm Street noting that cars go fast on Elm, but sympathies with the landowners who are losing their front yards and trees.

Scott Hill of 3487 Midland Court does not think a sidewalk is needed. He uses the street because he cannot walk on the sidewalks in winter.

Councilmember Engstran believes the sidewalk on Elm Street is necessary for kids attending school, but he does not believe the sidewalk on Highland Avenue is necessary and should be removed from the scope of the project.

In response to Councilmember Biehn, City Engineer Kauppi stated there may be a lost opportunity cost if it is decided later to construct the sidewalk and the larger the project, generally the better the bids. Mr. Kauppi also mentioned that deciding in the future to construct sidewalk would mean another disruption to homeowners. Councilmember Biehn agreed with Councilmember Engstran that the sidewalk on Elm is needed, but he was not convinced that Highland needs a sidewalk, noting the number of people speaking against them.

Councilmember Edberg stated he generally supports sidewalks noting the need for non-motorized connections around the city. He said the City's capacity to fund public works projects has become challenging, although White Bear Lake does a much better job covering the assessments compared to others. He stated he is not in favor of the Highland sidewalk and is becoming more sensitive to the cost of built infrastructure. He suggested deeper conversation regarding non-core essentials in future reviews of the Comprehensive Plan.

Councilmember Jones did not disagree, but noted that as more sidewalks and trails make up the system, the City needs to do a better job maintaining its sidewalks. Councilmember Jones added that his 87 year old father shovels his sidewalks after the City clears them, and he is glad the City does something. He believed residents could scrape the remaining two inches of snow after the City clears them.

Councilmember Jones mentioned traffic on Elm Street in addition to the elementary school and the future middle-school adding to the foot-traffic. He expressed concern over no enhanced pedestrian signal on the sidewalk at Highland Avenue and County Road E. He said he would not support the Highland sidewalk right now, but would in the future as it connects to other neighborhoods. Although not a fan of Metropolitan Council, he relayed positive comments from others in past contentious projects and noted the housing stock is turning over quickly and families buying these homes want sidewalks, which add value to homes. Lastly, Councilmember Jones stated the City's assessment policy is among the most generous.

Councilmember Walsh agreed with the other Councilmembers, but added that sidewalks are for the benefit of the entire City, the connections throughout and the asset to the City as a whole. He is generally in support of sidewalks and their connectivity, but supports the direction not to proceed with the Highland sidewalk at this time.

It was moved by Councilmember **Walsh** seconded by Councilmember **Engstran**, to approve **Resolution No. 12541** ordering improvements, approving plans and specifications and authorizing advertisement for bids for the 2020 Mill and Overlay Project, City Project No. 20-13 without the Highland Avenue sidewalk, but with the Elm Street sidewalk.

Motion carried unanimously.

6. LAND USE

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

Nothing scheduled

9. NEW BUSINESS

- A. Resolution authorizing the Mayor and City Manager to execute two memorandums of understanding with the Local 49 Public Works Union

City Manager Hiniker reported on the recent restructuring of Public Works in which funding as a result of not filling one of the superintendent's position was divvied up among existing talent, thereby converting lead positions into foreman positions with increased supervisory capacity. She explained this cost-neutral restructuring provides others the future ability to work toward leadership positions. She stated the other memorandum provides a central public employment pension fund investment option for the Local 49 Public Works Union employees.

It was moved by Councilmember **Biehn**, seconded by Councilmember **Engstran** to adopt **Resolution No. 12542** authorizing the Mayor and City Manager to execute two memorandums

of understanding with the Local 49 Public Works Union, which would be administered by the City.

Motion carried unanimously.

B. Resolution supporting the TH 244 jurisdictional transfer from MnDOT to Washington County

City Engineer Kauppi stated this is a formality to allow Washington County to change the designation of Trunk Highway 244 to County State Aid Highway 12 for increased maintenance funding opportunities. He stated the actual road name would not change from Wildwood Road, but the City has two abutting properties, which is why the City has been asked to provide a resolution of support for this jurisdictional transfer.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Jones** to adopt **Resolution No. 12543** supporting the TH 244 jurisdictional transfer from MnDOT to Washington County.

Motion carried unanimously.

10. CONSENT

A. Resolution approving gas station and tobacco licenses at 4648 Highway 61 to Mahmood Enterprises, LLC. **Resolution No. 12544**

It was moved by Councilmember **Walsh**, seconded by Councilmember **Biehn** to approve the Consent agenda as presented.

Motion carried unanimously.

11. DISCUSSION

A. Compensation for Mayor and City Council positions

City Manager Hiniker reported that since 1977 the City Council increased compensation four times and recommends the Council consider amending the municipal code to include a provision for periodic review of Mayor and Council compensation. She suggested that Council review compensation at minimum every four years in advance of an election year, which would take effect the following year to avoid the appearance of self-promotion.

Councilmember Jones mentioned a review every two years would be fairer to the full Council.

Councilmember Edberg suggested reviewing compensation every four years, stating that once there is a regular process for review, this task loses its edge and becomes a way of doing business.

Councilmember Biehn supported a review every two years so that compensation increases are more in line with employee salary increases, without the need to catch up for lost time.

Councilmember Jones added it would be beneficial to have a policy in place for some set formula.

Councilmember Edberg added there are at least three factors to considering compensation: general economy, employee compensation and comparison to other cities. He suggested not choosing a set criteria but to rely on staff to pick a number based on a full analysis. In review of current compensation levels, he did not see the Council's compensation needed an adjustment, but felt the Mayor's compensation was a bit lower in comparison to others.

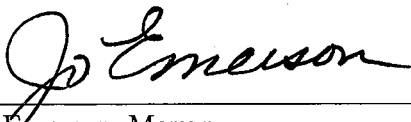
12. COMMUNICATIONS FROM THE CITY MANAGER

- One of several 'Coffee with the Cops' occurred today
- Touch a Truck at Podvin Park on May 21st
- Fire Banquet on Saturday, May 16th
- Bike Rodeo on Saturday, June 20th
- Safety Camp on Monday, August 10th
- Chief Peterson, as a certified emergency manager, helped coordinate firefighting operations in Becker, MN
- St. Paul is stepping out of the Closest Unit Dispatch agreement but will continue to provide mutual aid when asked.
- March 16, April 21 and June 2 are Work Sessions set aside for long range planning and capital improvements.

13. ADJOURNMENT

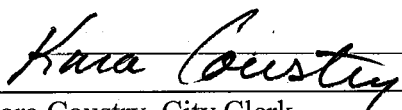
There being no further business before the Council, it was moved by Councilmember **Walsh** seconded by Councilmember **Biehn** to adjourn the regular meeting at **9:25** p.m.

Motion carried unanimously.



Jo Emerson, Mayor

ATTEST:



Kara Coustry, City Clerk