



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, AUGUST 12, 2020
7:00 P.M. VIA ZOOM OR TELEPHONE**

1. CALL TO ORDER AND ROLL CALL

Mayor Jo Emerson called the meeting to order at 7:01 p.m. under MN Statute Section 13D.021, in which the City Council will be conducting its meetings during this emergency by electronic means until further notice. The clerk took roll call attendance for Councilmembers: Doug Biehn, Kevin Edberg, Steven Engstran, Dan Jones and Bill Walsh. Staff in attendance were City Manager Ellen Hiniker, Community Development Director Anne Kane, Public Works Director/City Engineer Paul Kauppi, Finance Director Kerri Kindsvater, City Clerk Kara Coustry and City Attorney Ron Batty.

2. APPROVAL OF MINUTES

A. Minutes of the Regular City Council Meeting on July 28, 2020

It was moved by Councilmember **Walsh** seconded by Councilmember **Edberg**, to approve the Minutes of the Regular City Council Meeting on July 28, 2020 with correction to the meeting location.

- Walsh Aye
- Biehn Aye
- Jones Aye
- Edberg Aye
- Engstran Aye

Motion carried unanimously.

B. Minutes of the Closed City Council Meeting on July 28, 2020

It was moved by Councilmember **Walsh** seconded by Councilmember **Jones**, to approve the Minutes of the Closed City Council Meeting on July 28, 2020 with correction to the meeting location.

- Walsh Aye
- Biehn Aye
- Jones Aye
- Edberg Aye
- Engstran Aye

Motion carried unanimously.

3. APPROVAL OF THE AGENDA

It was moved by Councilmember **Jones** seconded by Councilmember **Biehn**, to approve the Agenda as presented.

Walsh Aye
Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously.

4. VISITORS AND PRESENTATIONS

Nothing scheduled

5. PUBLIC HEARINGS

Nothing scheduled

6. LAND USE

A. Consent

1. Consideration of a Planning Commission recommendation for approval of a request by Birch Lake Animal Hospital for a conditional use permit amendment and a variance at 4830 White Bear Parkway. (Case No. 94-6-Sa & 20-9-V). **Resolution No. 12612**
2. Consideration of a Planning Commission recommendation for approval of a request by Warren & Amanda Peyton for a variance at 1943 Oak Knoll Road. (Case No. 20-12-V). **Resolution No. 12613**
3. Consideration of a Planning Commission recommendation for approval of a request by Lakewood Place Apartments for two variances at 3100 Glen Oaks Avenue. (20-13-V). **Resolution No. 12614**

It was moved by Councilmember **Biehn** seconded by Councilmember **Edberg**, to approve the Land Use Consent Agenda as presented.

Walsh Aye
Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously.

B. Non-Consent

1. Consideration of a Planning Commission recommendation for approval of a request by Charles & Chad Lowell for three variances at 2189 12th Street. (20-11-V).

Community Development Director Kane explained that Charles and Chad Lowell are seeking a variance to lot width in order to construct a duplex on the property at 2189 12th Street. Ms. Kane forwarded the Planning Commission's unanimous recommendation to approve the lot width variance noting that the neighbor to the west had requested a shared privacy fence along the property line. Ms. Kane said that since the Planning Commission meeting, the two neighbors mutually agreed to plant a row of evergreens along the shared property line.

Councilmember Edberg inquired as to an agreement for maintenance of the privacy hedge. Ms. Kane agreed to work with the applicants and attorney to draft maintenance language comparable to other development agreements.

Councilmember Jones received clarification from Ms. Kane that based on lot size, if this were a single-family home, no trees would be required – this duplex is still a normal setback from the neighbor to the west. He appreciated the neighbor's concern, but he felt this condition was not needed.

Mayor Emerson opened the public hearing at 7:09 p.m.

Chuck Lowell of 5238 East Bald Eagle Blvd stated that the neighbors to the west already have a lot of shrubbery. He was agreeable to adding more shrubbery, which will also help shield the view of two garages that are close to the property line.

Mayor Emerson closed the public hearing at 7:10 p.m.

It was moved by Councilmember **Jones** seconded by Councilmember **Engstran**, to approve **Resolution No. 12615** a request by Charles & Chad Lowell for three variances at 2189 12th Street. (20-11-V).

Councilmember Edberg received clarification that Ms. Kane will work with the applicants to resurrect language in comparable agreements related to maintenance of the shrubbery.

Walsh Aye
Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously.

2. Consideration of a Planning Commission recommendation for approval of comments from adjacent and relevant jurisdictions on the final draft of the 2040 Comprehensive Plan and recommendation for submittal to Metropolitan Council for review. (Case No. 17-1-CP)

Community Development Director Kane recapped the 2040 Comprehensive Plan timeline as follows and described the community outreach and public input and review process.

Phase One – 2017 Community Outreach & Public Input	Phase Two – 2018 Plan Preparation & Advisory Committee Review	Phase Three – 2019 Public Hearing & Public Review Period
Four open houses	Planning Commission	Residents/Stakeholders
EDC Kick off meeting	Environmental Commission	Property Owners
Online survey	Parks Commission	Neighbors within 350'
Pop-up Meetings	Economic Development Corp	Planning Commission
		City Council

Ms. Kane noted 2020 marks the final phase consisting of review by affected jurisdictions, which wrapped up on March 22, 2020. She reported that six entities provided comments primarily related to stormwater, invasive species and native species, and explained that many of these items will be addressed in the City’s Surface Water Management Plan, future projects or map revisions.

Ms. Kane reported that over the next 20 years, the City is anticipated to add 1,500 residents, 500 jobs, and an additional 1,200 households. She explained a requirement of the Comprehensive Plan is to identify where that development could occur. She highlighted five land use principles that were used to guide the comprehensive plan: diversity, downtown, redevelopment, complete community, resilience and sustainability.

Ms. Kane provided the Planning Commission’s unanimous recommendation to adopt the 2040 Comprehensive Plan and sought Council’s approval to forward the plan to the Metropolitan Council.

Councilmember Edberg received confirmation from Ms. Kane that the Comprehensive Plan is not guiding or encouraging the Rockpoint Church/Level Up Academy site toward high density, however, Ms. Kane explained that any developer has a right to request a comprehensive plan amendment to change the guiding. Ms. Kane clarified that changes in land use designations such as the Rockpoint Church/Level Up Academy site were identified as opportunity sites in the plan for transparency. She explained that in this case, the land use designation changed from commercial to public/semi-public and low density residential.

It was moved by Councilmember **Jones** seconded by Councilmember **Biehn**, to approve **Resolution No. 12616** accepting review comments from adjacent and relevant jurisdictions on the final draft of the 2040 Comprehensive Plan and a recommendation for submittal to Metropolitan Council for review. (Case No. 17-1-CP).

- Walsh Aye
- Biehn Aye
- Jones Aye
- Edberg Aye
- Engstran Aye

Motion carried unanimously.

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

Nothing scheduled

9. NEW BUSINESS

A. Resolution accepting Lions Club donation toward an All Abilities Park

City Manager Hiniker thanked the White Bear Lake Lions Club for another \$25,000 donation toward an All Abilities Park. She noted this is their third donation for a total of \$75,000 toward this project which could cost as much as \$200,000 on the low end.

City Engineer Kauppi mentioned one of the City's playground equipment manufactures has a matching \$100,000 grant available. He mentioned Public Works could do some of the earth work in house and if the Lions continues with these contributions, this work might begin as soon as next year.

Mayor Emerson thanked the White Bear Lake Lions Club and expressed pride in having an All Abilities Park in White Bear Lake.

It was moved by Councilmember **Engstran** seconded by Councilmember **Biehn**, to approve **Resolution No. 12617** accepting Lions Club donation toward an All Abilities Park.

Walsh Aye
Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously.

Councilmember Edberg asked for more information on the White Bear Lake Conservation Minutes about a Study of Commercial Bay.

10. CONSENT

A. Acceptance of Minutes: May White Bear Lake Conservation District, June Park Advisory Commission, July Planning Commission

B. Resolution authorizing a single event extension for Carbone's 4th Annual Tent Party a liquor license. **Resolution No. 12618**

- C. Resolution authorizing a liquor license extension in the West Parking lot for Lakeshore Player's for an outdoor summer concert series. **Resolution No. 12619**

It was moved by Councilmember **Edberg** seconded by Councilmember **Engstran**, to approve the Consent Agenda as presented.

Walsh Aye
 Biehn Aye
 Jones Aye
 Edberg Aye
 Engstran Aye

Motion carried unanimously.

11. DISCUSSION

- A. Coronavirus Relief Funds – Summary of work session discussion and staff update

City Manager Hiniker provided a summary of information that was discussed during the August 4, 2020, City Council Work Session related to allocation of Coronavirus Relief Funds (CRF). She reported that through federal COVID-19 economic relief distributions, the City of White Bear Lake received \$1.918 million based on \$75.34 per capita for qualifying costs, which may not be used for government revenue replacement and must be spent by November 15, 2020.

<i>Proposed CRF Expenses/Programs</i>	
City expenses - actual & anticipated thru 11/15/2020	\$ 677,000
Business Relief Grants	\$ 250,000
Emergency Relief Grants	\$ 250,000
Non-profit Relief Grants	\$ 100,000
Mental Health Assistance	\$ 30,000
Other special programs	-
Century College - student technology; distant learning	\$ 30,000
Newtrax - transportation for meal delivery; partnership with restaurants	\$ 20,000
Total	\$ 1,357,000
<i>Reserve for distribution</i>	\$ 561,000
<i>Total Coronavirus Relief Fund allocation</i>	\$ 1,918,000

Related to the reserve amount, Ms. Hiniker mentioned revisiting the status of COVID-19 funds and grant programs in September to determine which program(s) might need more funding. She reviewed each of these proposed expenses/programs above and under "Other Special Programs", she added an allocation of \$2,000 - \$3,000 for "File of Life" refrigerator magnets. Ms. Hiniker indicated a request for formal Council approval of a funding allocation plan will be brought forward for Council consideration at the next meeting.

Councilmember Biehn inquired as to an allocation for unanticipated daycare expenses. City

Manager Hiniker offered to explore more regarding in-home care for children in the face of possible school closures.

Councilmember Walsh relayed the following suggestions from other cities for spending:

- Technology to pay for technology for better broadcast and communication with citizens
- Duct systems cleaning for improved air exchange quality
- Childcare expenses
- Election expenses
- Money for marketing of free mental health check-ins at Northwest Youth and Family Services (NYFS) – receive three visits for free
- Mental health training by NYFS for various organizations

Councilmember Walsh learned from businesses that the Ramsey County grant programs have reporting requirements that indicate a financial audit by the County to prove benchmarks set by their programs. He cautioned establishing a program that would require an audit and said the rules should be clear for businesses on how they can spend the money. Finally, he asserted that national chains are businesses that serve customers and employ workers who pay property taxes – these should not automatically be eliminated from consideration. He also thought Churches should be able to apply, either as businesses or non-profits.

Councilmember Edberg noted a distinction between locally owned compared to organizations that are nationally traded and have access to capital markets. Councilmember Biehn mentioned that a locally owned franchise business actually pays to have access to supply chains and marketing and he cautioned the Council about exclusions.

12. COMMUNICATIONS FROM THE CITY MANAGER

- County Rd E Corridor – Community Development Director Kane explained the City received grant funds from Ramsey County for a multi-jurisdictional planning effort along the County Rd E Corridor. She stated LISC, the consultant of choice for the corridor study, was not able to conduct meaningful public engagement at this time due to COVID-19, and as a result, Ramsey County has extended the deadline for use of grant funds.
- Housing Policy – Community Development Director Kane reported the housing policy discussion will continue with a steering committee that would identify feedback from a variety of sectors of the community. The City is required to have a Housing Policy in place by the end of this year in order to re-enroll in Metropolitan Council’s Livable Communities Demonstration Act for continued grant eligibility.

City Manager Hiniker received approval to invite representatives from LISC to the August 25th City Council meeting to present an overview of the Housing Policy Study process.

- Equity & Inclusion work – Ms. Hiniker reported meeting with Councilmembers Walsh and Jones on developing a structure for conversations about equity and inclusion. Since then she connected with a couple of consultants and will report more on August 25th.
- South Shore Blvd update – City Engineer/Public Works Director Kauppi reported that Councilmember Jones and he recently attended a meeting with representatives from Ramsey

County and the Town of White Bear to discuss a hybrid option with one-way at the east end of the project. He represented the City would consider a turn-back based on County's design standards for the work. Ramsey County had considered this to be a mill and overlay project, but both the City and the Town requested the road be upgraded to an urban section with curb and gutter. Ramsey County is seeking cost estimates from Kimley-Horn in order to meet City's design standards for this road improvement.

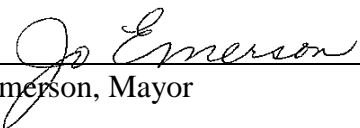
- Mayor's Annual Water Challenge – visit mywaterpledge.com to pledge through August 31st. West St. Paul was in 8th place and White Bear Lake was in 3rd place as of today.
- Budget Work Session – Tuesday, August 18, 2020 at 6:00 p.m.
- Work Session to discuss a development project on August 25, 2020 at 6:00 p.m.
- Councilmember Jones shared beautiful drone flyovers video of White Bear Lake.

13. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Edberg** seconded by Councilmember **Jones** to adjourn the regular meeting at 8:27 p.m.

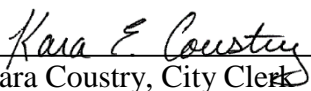
Walsh Aye
Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously



Jo Emerson, Mayor

ATTEST:



Kara Coustry, City Clerk