



**MINUTES  
REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
TUESDAY, SEPTEMBER 22, 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 (7:02 p.m.) Steven Engstran, Dan Jones and Bill Walsh. Staff in attendance were City Manager Ellen Hiniker, Assistant City Manager Rick Juba, Community Development Director Anne Kane, Public Works Director/City Engineer Paul Kauppi, Finance Director Kerri Kindsvater, City Clerk Kara Coustry and City Attorney Troy Gilchrist.

**2. APPROVAL OF MINUTES**

A. Minutes of the Regular City Council Meeting on September 8, 2020

It was moved by Councilmember **Jones** seconded by Councilmember **Edberg**, to approve the Minutes of the Regular City Council Meeting on September 8, 2020.

Walsh Aye  
Biehn Aye  
Jones Aye  
Edberg Aye  
Engstran Aye

Motion carried unanimously.

**3. APPROVAL OF THE AGENDA**

City Manager Hiniker requested the Public Hearing for the Birch Lake Improvement District be moved from 5C to 5A. She also asked to add 9A to reschedule the Truth in Taxation Hearing.

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

Walsh Aye  
Biehn Aye  
Jones Aye  
Edberg Aye  
Engstran Aye

Motion carried unanimously.

#### 4. VISITORS AND PRESENTATIONS

##### A. Toastmasters Proclamation

Mayor Emerson read the proclamation declaring October 2020 as Toastmasters Month.

Robin Eberlein and Linda Schmidt were present on behalf of Toastmasters and thanked the Mayor for the recognition.

#### 5. PUBLIC HEARINGS

##### A. Resolution establishing and imposing special assessment for the year 2020 with no interest on taxable property within the Birch Lake Improvement District

Ms. Kindsvater reported that as a result of a petition by lakeshore property owners, the Birch Lake Improvement District (BLID) formed in 2006 to develop, finance and implement activities that improve and protect the quality of Birch Lake. Ms. Kindsvater explained that the City is hosting a public hearing for the proposed annual service charge of \$18,972 assessing BLID properties in 2020, collectible in 2021 to support the district's recently adopted budget.

Ms. Kindsvater stated the City mailed a public notice to affected property owners on September 2, 2020 notifying them of the proposed \$306 annual service charge to all property owners with access to Birch Lake. She forwarded a recommendation to Council to adopt the resolution certifying the service charge for the Birch Lake Improvement District and noted that both Steve LaLiberte and Terry Huntrods from the Birch Lake Improvement District were available to answer any questions.

Mr. LaLiberte, BLID Chairman reported that Birch Lake is shallow and after selling the weed harvester last year, are relying on contractors for cutting. He reported the organization has a lake plan and monitors vegetation, conducts fish surveys, participates in the Vadnais Lake Watershed Management Organization and plans to participate in next year's improvements of Otter Lake Road for to ensure a good bike and walking path around the lake.

Mr. Huntrods noted this proposed levy is the same as for the last two years.

Mayor Emerson opened the public hearing at 7:08 p.m. and closed the hearing as no one came forward to speak.

It was moved by Councilmember **Walsh** seconded by Councilmember **Jones**, to approve **Resolution No. 12632**, establishing and imposing special assessment for the year 2020 with no interest on taxable property within the Birch Lake Improvement District.

Walsh Aye  
Biehn Aye  
Jones Aye  
Edberg Aye  
Engstran Aye

Motion carried unanimously.

B. Resolution adopting an assessment roll for 2020 Mill and Overlay Project (City Project Nos: 20-13)

City Engineer Kauppi provided an overview of 2020 Mill and Overlay Project work and said the last phase of this public improvement process is to hold an assessment hearing according to state statute 429 for Council's consideration toward adoption of final assessment rolls. He noted this hearing notice was mailed to affected residents and posted in the newspaper as required.

Mr. Kauppi stated that residents have the right to appeal their assessments with written notice submitted by the end of the Council meeting, and then following up within 30-days with the District Court. He added, the City has followed the same assessment policy since 1983 and had each assessment verified by an independent property appraiser.

Mr. Kauppi reported, the interest rate this year is low, at 3.46% per annum for ten (10) years for residential properties and fifteen (15) years for apartments and commercial properties. He noted receipt of an objection to the assessment amount in general on Elm Street, and explained options available for senior and hardship to defer payments over 30 years, or at time of sale.

Mayor Emerson opened the public hearing at 7:16 p.m. and closed the hearing as no one came forward to speak.

It was moved by Councilmember **Biehn** seconded by Councilmember **Engstran**, to approve **Resolution No. 12633**, adopting an assessment roll for 2020 Mill and Overlay Project (City Project Nos: 20-13).

Walsh Aye  
Biehn Aye  
Jones Aye  
Edberg Aye  
Engstran Aye

Motion carried unanimously.

C. Resolution adopting an assessment roll for 2020 Street Reconstruction Project (City Project Nos: 20-01 & 20-06)

City Engineer Kauppi provided an overview of 2020 Street Reconstruction Project work and noted the same process and steps were followed as for 2020 Mill and Overlay Project work. He noted longer payment terms for street reconstructions, with fifteen (15) years for residential properties and twenty (20) years for apartments and commercial properties. Mr. Kauppi reported receipt of four assessment appeals related to this project, primarily because properties abutted the Mill and Overlay Project, which drew assessments for both projects.

Mayor Emerson opened the public hearing at 7:23 p.m.

Al Rivard of 3590 Glen Oaks Avenue noted his property does back up to Bellaire Avenue, however there is a huge hill and some amount of distance to that street. He mentioned a steep

drop-off from Bellaire and inquired as to liability should someone fall over the edge. He mentioned the City left tree stumps, 6 – 8 inches high but also expressed concerns with erosion if they were to be ground out.

City Attorney Gilchrist, while not familiar with this situation said generally, if the slope is within the right-of-way, and the design underwent an engineering review, he noted people are used to large drop-offs on Minnesota roads and he was not overly concerned with the City’s liability.

Mr. Kauppi said he would send staff out to look at the tree stumps, which should ground out. He added that this design will divert water into a storm sewer now, which should lessen erosion on that hill, but erosion blankets can be utilized as well if needed.

There being no others wishing to speak, Mayor Emerson closed the public hearing at 7:48 p.m.

Councilmember Walsh stated he read the appeals, and while sympathetic, he explained there is value in the deep lot with privacy and no others behind you. He noted a precedent in application of the assessment policy and the need for longitudinal fairness in the City.

It was moved by Councilmember **Walsh** seconded by Councilmember **Jones**, to approve **Resolution No. 12634**, adopting an assessment roll for 2020 Street Reconstruction Project (City Project Nos: 20-01 & 20-06).

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

Motion carried unanimously.

**6. LAND USE**

Nothing scheduled

**7. UNFINISHED BUSINESS**

Nothing scheduled

**8. ORDINANCES**

Nothing scheduled

**9. NEW BUSINESS**

**A. Resolution rescheduling the Truth-in-Taxation Hearing for December 8, 2020**

City Manager Hiniker explained that the date of the City’s Truth-in-Taxation Hearing did not fall within the statutory requirement for the hearing, therefore staff is asking to reschedule this hear from November 24 to December 8, 2020.

It was moved by Councilmember **Engstran** seconded by Councilmember **Biehn**, to approve **Resolution No. 12635**, rescheduling the Truth-in-Taxation Hearing for December 8, 2020.

Walsh Nay  
Biehn Aye  
Jones Aye  
Edberg Aye  
Engstran Aye

Motion carried unanimously.

## 10. CONSENT

Nothing scheduled

## 11. DISCUSSION

Nothing scheduled

## 12. COMMUNICATIONS FROM THE CITY MANAGER

- A proposal for the Housing Policy engagement process and the equity and inclusion work with Barbara Raye will be brought forward for council consideration in October.
- City Newsletter being mailed to homes and includes information about:
  - Many Faces scheduled events and information.
  - General Election information:
    - In-person voting is available now at: Ramsey County Elections Office, New Brighton Community Center and Ramsey County Library, Roseville
    - Beginning October 27<sup>th</sup>, the Ramsey County Library in White Bear Lake will be open for direct ballot casting and also serve as a ballot drop off location.
    - Ramsey County will also be hosting ballot dropbox events, yet to be announced.
  - Rotary hosting its second computer drive on September 25<sup>th</sup> from 10am – 2pm at the South Campus parking lot in partnership with PCs for People.
  - Fall Clean-up on October 3<sup>rd</sup>
- Bruce Vento Trail Update - City Engineer/PW Director Paul Kauppi
  - Comments are being taken on the Bruce Vento Master Plan Amendment through September.
  - North of Highway 96, efforts to continue along the rail alignment have been abandoned for an alternate route on Bald Eagle, and around Bald Eagle into Hugo.
  - Ramsey County has asked for a Resolution of Support for the project, which will be brought for consideration in October.
- Partnership Study of Northwest Quadrant in downtown White Bear Lake - Community Development Director Anne Kane.
  - A partnership study with the City, School District, Ramsey County, the Arts District and stakeholders on Long Avenue and the Bruce Vento Trail will utilize HKGI to assist in

coordinating many new and anticipated activities in this compact area. This facilitated study will help identify potential infrastructure opportunities to mitigate impacts and tap into shared goals that could benefit everyone in the district. It will also assist the Planning Commission in establishing zoning regulations in the newly designated Arts District. This work is expected to last six months, with the City's portion of this study expected to be \$5,000 from the Economic Development fund.

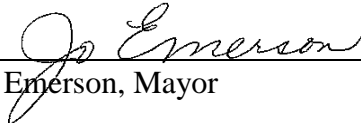
- The School District plan to present their Conditional Use Permit (CUP) for the North Campus to the Planning Commission with in the first half of 2021.

### 13. ADJOURNMENT

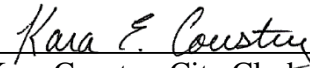
There being no further business before the Council, it was moved by Councilmember **Walsh** seconded by Councilmember **Biehn** to adjourn the regular meeting at 7:58 p.m.

Walsh Aye  
Biehn Aye  
Jones Aye  
Edberg Aye  
Engstran Aye

Motion carried unanimously.

  
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Jo Emerson, Mayor

**ATTEST:**

  
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Kara Coustry, City Clerk