



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, OCTOBER 27, 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 7:00 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, Assistant City Manager Rick Juba, Community Development Director Anne Kane, Economic Development Coordinator Tracy Shimek, 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 October 13, 2020

It was moved by Councilmember **Biehn** seconded by Councilmember **Jones**, to approve the Minutes of the Regular City Council Meeting on October 13, 2020.

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

3. APPROVAL OF THE AGENDA

City Manager Hiniker noted item 10E, which was included in the Council packet, was not on the agenda and should be considered as part of the Consent Agenda.

Councilmember Jones asked to add the Traffic Policy Committee under Discussion.

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

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

4. VISITORS AND PRESENTATIONS

Nothing scheduled

5. PUBLIC HEARINGS

A. Resolution certifying delinquent charges related to the municipal utility system assessment

Finance Director Kindsvater reported, the City bills property owners or renters for water, sewer and refuse utilities on a quarterly basis, and payments are due within 35 days. She explained that each year, accounts with outstanding charges beyond 30 days as of June 30 receive delinquency notices informing them of the possible assessment and payment option in order to avoid certification to the appropriate County Auditor.

Ms. Kindsvater described that Council's March 24, 2020 decision to suspend late payment penalties was the reason for a lower number of potential assessments this year. She noted that payments on accounts will be accepted through Friday, November 20 and forwarded a resolution authorizing the City to forward delinquent accounts still not paid by that date to the appropriate County for assessment on 2021 property tax statements.

In response to Councilmember Edberg, Ms. Kindsvater confirmed approximately 15% of residents had unpaid utilities as of September. She also noted that the utility billing clerk, refers callers to available help through the Cares program. Ms. Hiniker mentioned there were utility bill inserts provided about Cares funding but agreed it would be timely to relay those programs to customers again.

Mayor Emerson opened the public hearing at 7:09 p.m. There being no public comment, the Mayor closed the public hearing.

It was moved by Councilmember **Edberg** seconded by Councilmember **Walsh**, to approve **Resolution No. 12647**, certifying delinquent charges related to the municipal utility system assessment.

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

B. Resolution certifying delinquent 2020 miscellaneous private property assessment for recovery of city expenses

Finance Director Kindsvater explained that when property owners do not take care of issues such as tree removal and lawn care, after a series of notifications the City pays for the service and then

invoices homeowners. She said, though most invoices are promptly paid, this year seven (7) property owners still have outstanding invoices. Ms. Kindsvater forwarded a resolution to assess those unpaid invoices as of November 20 to the 2021 property taxes.

Mayor Emerson opened the public hearing 7:11 p.m. There being no public comment, the Mayor closed the public hearing.

It was moved by Councilmember **Biehn** seconded by Councilmember **Jones**, to approve **Resolution No. 12648**, certifying delinquent 2020 miscellaneous private property assessment for recovery of city expenses.

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

6. LAND USE

A. Consent

1. Consideration of a resolution granting a one year time extension for a setback variance at 2687 County Road D (19-9-Ve). **Resolution No. 12649**

It was moved by Councilmember **Jones** seconded by Councilmember **Walsh**, to approve the Land Use Consent Agenda.

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

B. Non-Consent

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

Nothing scheduled

9. NEW BUSINESS

A. Resolutions related to the City’s CARES programs:

City Manager Hiniker provided a brief review of Cares Act Funding, noting many community partnerships as a result of the City’s Cares programs. She explained that the United States Department of the Treasury provided, as an administrative accommodation, that public safety employees meet the substantially dedicated test, therefore qualifying for reimbursement from Cares Act Funding. In consultation with the City’s auditors and attorney, staff identified a means to assign the remaining \$1,489,375 that had not yet been reported to the State, as qualified Public Safety payroll expenses. Staff would then recommend that an amount equal to that be transferred from the General Fund to the Economic Development Fund for cleaner accounting of COVID related expenditures, as suggested by the auditors. The ability to report public safety payroll expenditures for CRF expenses streamlines accounting and reduces future single audit expenses. Ms. Hiniker further recommended that \$106,000 of the funds be transferred to the Ambulance Fund to cover a drop in calls during the stay at home order.

Tracy Shimek, Housing and Economic Development Coordinator, reviewed the status of community based relief programs previously approved by Council in August, along with recommendations for changes and/or additions.

Program	Allocation as of 10/14/2020	Change	Proposed Allocation
Emergency Assistance Program	\$250,000	0	\$250,000
Business Relief Grant	\$341,000	(\$15,000)	\$326,000
Mental Health Assistance (NYFS)	\$30,000	0	\$30,000
Non-Profit Relief Grant	\$100,000	(\$50,000)	\$50,000
House of Worship PPE	\$25,000	(\$8,000)	\$17,000
Restaurant Meal Delivery (Newtrax)	\$20,000	\$20,000	\$40,000
White Bear Area Food Shelf	0	\$10,000	\$10,000
White Bear Lake YMCA	0	\$10,000	\$10,000
Early Childhood Screening	0	\$5,000	\$5,000
Totals	\$766,000	(\$28,000)	\$738,000

Councilmember Walsh expressed interest in pausing before assigning further dollars to programming in light of the City’s ability to allocate CRF funding to public safety payroll expenses, and hence, further support the General Fund. After considerable discussion, Council agreed to revisit discussion related to new program expenditures, but concurred with staff’s recommendation to assign \$106,000 to the ambulance fund.

It was moved by Councilmember **Walsh** seconded by Councilmember **Biehn**, to approve **Resolution No. 12650**, authorizing assignment of \$1,489,375 in qualified Public Safety payroll expenses to the Coronavirus Refund Fund.

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

Motion carried unanimously.

It was moved by Councilmember **Edberg** seconded by Councilmember **Biehn**, to approve an amended **Resolution No. 12651**, striking all additional allocations, but authorizing a transfer of \$1,489,375 from the General Fund to the Economic Development Fund to be used for COVID-19 related expenditures and relief programs.

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

Councilmember **Edberg** made a motion to allocate \$106,000 to the Ambulance Fund, seconded by Councilmember **Jones**.

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

- B. Resolution providing benefits for employees of the City of White Bear Lake who are not covered by employment agreements

Finance Director Kindsvater reported:

The majority of the City's workforce is not represented by a collective bargaining agreement. These non-union members are classified as clerical/technical or management/exempt. Each year the City Council establishes compensation parameters for these employees through the Position Classification and Compensation Plan. The other benefit changes for non-bargaining employees, including medical/life insurance, have historically been established by Council to coincide with premium rate adjustments and market conditions effective January 1 of the following year. The renewal period also allows employee benefits to be coordinated with union contract negotiations, which all have a January 1 renewal date.

The City Council approved Medica's 2021 insurance proposal at the last meeting. Staff recommends the City pay the 3% increase in insurance premiums to remain competitive in the benefits offered for both existing and prospective employees. There is no recommended change to the City's contribution for employees utilizing the Health Savings Account high-deductible plan or employee deferred insurance benefit contribution. The attached resolution to establish a benefit package for the non-bargaining employees effective January 1, 2021.

It was moved by Councilmember **Biehn** seconded by Councilmember **Jones**, to approve **Resolution No. 12652**, providing benefits for employees of the City of White Bear Lake who are not covered by employment agreements.

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

- C. Resolution ordering preparation of a feasibility report for the 2021 Mill & Overlay Project (City Project Nos. 21-01, 21-06 & 21-13)

City Engineer and Public Works Director Kauppi reviewed the scope of proposed 2021 Mill and Overlay Projects, noting there is one alley between 6th and 7th Streets downtown, which will be undergoing full reconstruction. He mentioned there are two parking lots at Matoska and Lakewood Hills Parks that are not assessable and can be pulled from this project if bids are too high. He noted that downtown White Bear Lake, south of 4th Street, is slotted for reconstruction in 2022 in which the City plans no Mill and Overlay projects that year.

It was moved by Councilmember **Jones** seconded by Councilmember **Engstran**, to approve **Resolution No. 12653**, ordering preparation of a feasibility report for the 2021 Mill & Overlay Project (City Project Nos. 21-01, 21-06 & 21-13).

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

- D. Resolution authorizing an agreement with Ramsey County for 2021 – 2026 Election Services

City Manager Hiniker recalled that after the 2016 Presidential Election, the City began contracting with Ramsey County for Election Administration. She explained this was primarily done to address increasing complexities of election activities along with management of extended early voting. She reported, the current Elections contract with Ramsey County expires in December, and this new contract covers 2021 – 2026, with 2021-2022 invoiced quarterly in even amounts. Ms. Hiniker attributed an increase in costs to competitive Election Judge wages and a spike in early voting activities, and forwarded staff's recommendation for another contract term with Ramsey County.

It was moved by Councilmember **Edberg** seconded by Councilmember **Engstran**, to approve **Resolution No. 12654**, authorizing an agreement with Ramsey County for 2021 – 2026 Election Services.

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

10. CONSENT

- A. Resolution establishing 2021 polling place designations. **Resolution No. 12655**
- B. Resolution accepting work and authorizing final payment to Forest Lake Contracting, Inc. for completion of the 2019 Street Reconstruction Project, City Project Nos.: 19-01 & 19-06. **Resolution No. 12656**
- C. Resolution approving a deferred special assessment for properties at 1782 Elm Street (PIN 353022230164) and 1852 Elm Street (PIN 353022230115), City Project No.: 20-13. **Resolution Nos. 12657, 12658, 12659**
- D. Resolution approving contract extension with White Bear Boatworks for operation of the city's marina. **Resolution No. 12660**
- E. Resolution approving a temporary liquor license for White Bear Lake Main Street. **Resolution No. 12661**

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

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

11. DISCUSSION

- A. Traffic Committee

Mayor Emerson introduced this by explaining that Councilmember Jones had an idea for community engagement as it relates to the City's Traffic Committee.

Councilmember Jones noted an increase in calls of concern related to duties undertaken by the Traffic Committee. He sees this as an opportunity for community engagement by adding residents to the traffic committee, and explained that this will provide the ability for the community to voice their concerns and be heard.

Councilmember Edberg expressed concern for the lack of expertise and technological understanding of safety rules of a citizen's traffic committee and was not interested in having sound policy overturned by popular vote.

Councilmember Biehn cautioned that citizens might not be making decisions without full understanding of the logistics, thereby resulting in a potentially more dangerous traffic pattern. He supported a residential speed limit of 25 miles per hour.

Mayor Emerson saw value in the residents attending so they could hear from the experts regarding the technicalities behind these types of decisions.

City Manager Hiniker suggested bringing this back as a future discussion item. She noted that perhaps a formalized process for consideration of requests at Council level would be helpful when staff denies a request.

Mayor Emerson asked staff to explore further the idea of having citizens participate on the traffic committee.

12. COMMUNICATIONS FROM THE CITY MANAGER

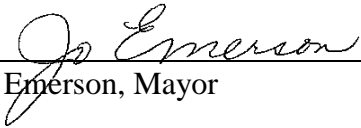
- Welcoming and Inclusive community work – The sub-committee of Council and staff are reviewing proposal for work from Barbara Raye and will be bringing something at an upcoming Council meeting.
- Elections – The hours for early voting and ballot drop-off were provided for all Ramsey County residents at the Ramsey County Library in White Bear Lake.
- Rights of Way – The City will continue to work with businesses and support extension of creative uses of public right-of-way
- City Engineer/Public Works Director Kauppi reported that Public Works staff has been winterizing facilities and equipment. They will be removing the Gazebo steps to the second floor for safety purposes. Ms. Hiniker relayed a community interest in this facility and mentioned bringing a plan back to the Council as this moves forward.
- Community Development Director Kane provided a preview of upcoming Planning Commission cases, most going forward under the Consent Agenda. She will be bringing forward another element of the Comprehensive Plan as it pertains to affordable housing.

13. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Biehn** seconded by Councilmember **Jones** to adjourn the regular meeting at 8:40 p.m.

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Nay

Motion carried unanimously.



Jo Emerson, Mayor

ATTEST:



Kara Coustry, City Clerk