



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, MARCH 10, 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 Kevin Edberg, Steven Engstran and Bill Walsh were present. Councilmember Doug Biehn and Dan Jones were excused. Staff members present were City Manager Ellen Hiniker, 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 26, 2020

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to approve the Minutes of the Regular City Council Meeting on February 26, 2020.

Motion carried unanimously.

3. APPROVAL OF THE AGENDA

City Manager Hiniker added 9D.

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

Motion carried unanimously.

4. VISITORS AND PRESENTATIONS

Nothing scheduled

5. PUBLIC HEARINGS

Nothing scheduled

6. LAND USE

A. Consent

1. Consideration of a request by Hisdahl’s Trophies for a one year time extension of an approved PUD for 1978 Highway 96. **Resolution No. 12545**

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

Motion carried unanimously.

B. Non-Consent

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

- A. First reading of an amended ordinance setting Mayor and Councilmember compensation

City Manager Hiniker reported this proposed amendment established a regular review of Mayor and Councilmember compensation. Ms. Hiniker explained the staff recommendation was adjusted from four years down to two years so that the Council could visit this topic after each municipal election year, which could result in 2-3 new Councilmembers.

Councilmember Walsh preferred a review every four years, but was supportive of establishing a regular review.

City Attorney Gilchrist explained that if the Council does act on compensation, it would have to do so by ordinance, therefore he suggested a revision specifying modifications to compensation shall be effective upon passage of an ordinance.

- B. First reading of an amended ordinance adopting the MN State Fire Code by reference

City Manager Hiniker explained this code amendment would adopt the MN State Fire Code by reference. Ms. Hiniker reported that amendments to the State Fire Code are expected soon and this ordinance provides that the City’s Code also reflects adoption of subsequent amendments to the Fire Code.

9. NEW BUSINESS

- A. Resolution denying massage therapist license for Rumei Li

City Manager Hiniker reported that staff denied the applicant’s license based on provisions contained in the ordinance and consistent with past practice. As part of this process, the applicant has been provided an opportunity to speak to the Council in appeal of staff’s denial.

Rumei Li and Jason Iten of 5317 13th St. NE, Sauk Rapids, MN explained that in speaking with Rumei's employers in Washington and Texas, they told her there was no license requirement. She explained that as soon as she learned there were license requirements, she stopped working at these places. She took steps, by attending school and earning a certificate, to become licensed in Texas after she found out about the license requirement in that state.

Councilmember Walsh said that because of the nature of some massage businesses and the propensity for illegal activity, the City Council has taken a firm stance for approval of all massage licenses in White Bear Lake. He noted that the applicant may reapply in a year.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran** to adopt **Resolution No. 12546** denying massage therapist license for Rumei Li.

Motion carried 2:1. Councilmember Edberg nay.

Mayor Emerson added the City Council feels this is an important issue that requires protection of its citizens and also those working in this industry.

B. Resolution approving annual business license renewals

City Manager Hiniker stated that as part of annual business license renewals, compliance checks are conducted for alcohol and tobacco licenses. Ms. Hiniker noted all 24 tobacco compliance checks in both the spring and fall passed. She stated the same was true of liquor license compliance checks in 2019. Ms. Hiniker said that insurance, assessments and fees are collected in addition to inspections conducted by the Fire Department to ensure safety of the establishments.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Walsh** to adopt **Resolution No. 12547** approving annual business license renewals.

Motion carried unanimously.

C. Resolution approving annual liquor license renewals

It was moved by Councilmember **Edberg**, seconded by Councilmember **Engstran** to adopt **Resolution No. 12548** approving annual liquor license renewals.

Motion carried unanimously.

D. Resolution establishing Friday Fish Fries for Lent as a Community Festival

City Manager Hiniker stated this request is unusual as staff was navigating ways to work with the State of Minnesota and the Church of St. Pius through a new stricter interpretation of the statute. Ms. Hiniker said the Church of St. Pius submitted a temporary liquor license application for three Fridays over the Lent season, which has already been approved by Council, as in past years. This year the State denied the temporary liquor license because each event falls within 30 days of each other. She further explained that the statute does in fact include that restriction, it had not been interpreted that tightly by the State in the past.

Ms. Hiniker explained that as the Church of St. Pius had already planned and promoted these events, staff worked with the State to learn that if the event were designated as a community festival through resolution of the Council, the 30-day waiting period between dates was waived. She explained this is a one-time designation and the Church will plan accordingly next year.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran** to adopt **Resolution No. 12555** establishing Friday Fish Fries for Lent as a Community Festival.

Motion carried unanimously.

10. CONSENT

- A. Acceptance of Minutes: January Environmental Advisory Commission, January Park Advisory Commission, January White Bear Lake Conservation District, February Planning Commission
- B. Resolution approving a temporary liquor license for Church of St. Pius X's annual Xtravaganza. **Resolution No. 12549**
- C. Resolution approving a food truck at Podvin Park for the Touch a Truck event. **Resolution No. 12550**
- D. Resolution approving a special event for Tally's Dockside to have music on Saturday night, July 4, 2020. **Resolution No. 12551**
- E. Resolution amending the Pioneer Manor window replacement agreement. **Resolution No. 12552**
- F. Resolution authorizing the Mayor and City Manager to execute an extension of the due diligence period within an approved purchase agreement. **Resolution No. 12553**
- G. Resolution approving a single event extension to an on-sale liquor license for El Pariente Mexican Grill. **Resolution No. 12554**

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

Motion carried unanimously.

11. DISCUSSION

Nothing scheduled

12. COMMUNICATIONS FROM THE CITY MANAGER

- Annual Ramsey County Deer Survey reveals relatively the same numbers as previous years.
- COVID-19 preparation is underway and the City will take its lead from County and State agencies. Supervisors have been reviewing the City's emergency management and business continuity plans.

- Ramsey County South Shore Trail Design meeting on March 31st at South Shore Trinity from 4:00 p.m. – 6:30 p.m.
- Work Session on Monday, March 16 at 6:30 p.m. in the Expansion Room of City Hall to discuss the Capital Improvement Plan (CIP) and long range Financial Management Plan.

13. ADJOURNMENT

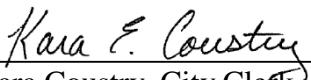
There being no further business before the Council, it was moved by Councilmember **Walsh** seconded by Councilmember **Engstran** to adjourn the regular meeting at **7:36** p.m.

Motion carried unanimously.



Jo Emerson, Mayor

ATTEST:



Kara Coustry, City Clerk