



**MINUTES  
REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
TUESDAY, MARCH 24, 2021  
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, Assistant City Manager Rick Juba, Community Development Director Anne Kane, Public Works Director/City Engineer Paul Kauppi, City Clerk Kara Coustry and City Attorney Troy Gilchrist.

**2. APPROVAL OF MINUTES**

A. Minutes of the Regular City Council Meeting on March 9, 2021

It was moved by Councilmember **Jones** seconded by Councilmember **Edberg**, to approve the Minutes of the March 9, 2021 as presented.

Biehn Aye  
Edberg Aye  
Jones Aye  
Walsh Aye

Motion carried.

**3. APPROVAL OF THE AGENDA**

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

Biehn Aye  
Edberg Aye  
Jones Aye  
Walsh Aye

Motion carried.

**4. VISITORS AND PRESENTATIONS**

A. Marketfest and Manitou Days Presentations

**5. PUBLIC HEARINGS**

Nothing scheduled

**6. LAND USE**

Nothing scheduled

**7. UNFINISHED BUSINESS**

Nothing scheduled

## 8. ORDINANCES

### A. Second reading of an ordinance adopting a Cable Franchise Agreement with Comcast

City Manager Hiniker gave a brief summary of the franchise renewal process, which was reviewed in greater detail during the March 9, 2021 City Council meeting. She explained the City, along with eight area municipalities, are members of a Joint Powers agreement with Ramsey Washington Suburban Cable Communications (SCC) as a means for management of the cable franchise. Ms. Hiniker reported that as a result of negotiations between SCC and Comcast, a ten-year franchise agreement has been agreed upon and is recommended for approval.

Mayor Emerson opened the public hearing at 7:36 p.m. There being no comment by the public, Mayor closed the public hearing at 7:37 p.m.

It was moved by Councilmember **Walsh** seconded by Councilmember **Jones**, to adopt Ordinance **21-3-2047** establishing a Cable Franchise with Comcast.

Biehn Aye  
Edberg Aye  
Engstran Aye  
Jones Aye  
Walsh Aye

Motion carried unanimously.

It was moved by Councilmember **Walsh** seconded by Councilmember **Biehn**, to approve **Resolution No. 12739**, establishing the Title and Summary Approval of Ordinance 21-3-2047.

Biehn Aye  
Edberg Aye  
Engstran Aye  
Jones Aye  
Walsh Aye

Motion carried unanimously.

### B. First reading of an ordinance adopting Critical Water Deficiency provisions

Public Works Director/City Engineer Kauppi explained that the Critical Water Deficiency Ordinance is a required component of the City's Water Supply Plan. As a requirement of state statute 103G.291, the City must update its Water Supply Plan every ten years, which focuses on demand reduction and water conservation. Mr. Kauppi explained, the Water Supply Plan would take effect upon executive order of the governor in the event he/she determined there to be a critical water deficiency.

Councilmember Biehn asked if the restrictions were mandated, to which Mr. Kauppi explained the state defined restriction is on all non-essential water. Essential meaning necessary for life sustaining needs such as sanitation, drinking and cooking, opposed to non-essential water for gardens and washing cars.

City Manager Hiniker added that discussions about water restrictions related to the DNR lawsuit are separate and unrelated to this Ordinance, and still yet to come.

Mayor Emerson mentioned the second hearing will occur at the second meeting in April.

## 9. NEW BUSINESS

### A. Resolution establishing members of a Housing Task Force Committee

As recommended by the consultants, Community Development Director Kane asked the Council to confirm 20 applicants as members of the Housing Task Force Committee. She explained the purpose of this Task Force is to study, inform and provide recommendations to the City Council and the Housing and Redevelopment Authority (HRA) on the formulation of Housing Policy priorities in White Bear Lake. Ms. Kane mentioned there were 44 applications total and members were selected to achieve the most balanced representation.

It was moved by Councilmember **Biehn** seconded by Councilmember **Jones**, to approve **Resolution No. 12740**, establishing members of a Housing Task Force Committee.

Biehn Aye  
Edberg Aye  
Engstran Aye  
Jones Aye  
Walsh Aye

Motion carried unanimously.

### B. Resolution authorizing extension of Emergency Relief Fund Program; to include update on relief programs

Community Development Director Kane and City Manager Hiniker provided an update on CARES funding as follows:

#### Relief for Residents

- Direct Resident Relief for Mortgage/Rental Assistance/Utility Bills
- Administered in partnership with CAP-RW
- \$125,000 CARES funds allocated by Council last fall
- Approximately \$108,000 in total grant funds awarded
- Currently scheduled to conclude March 31<sup>st</sup> - request extension/lifting of deadline to fully expend all funds (likely April or May)
- Rental Relief Program anticipated to be available through the State by end of March
- American Rescue Plan also includes provisions for assistance with Mortgage Relief; however, details are not clear when and how those funds will be made available

#### Business Relief

- \$250,000 CARES funds allocated last Fall
- Administered in partnership with SPEDCO
- Approximately \$320,000 in total grant funds awarded
- Results of second Business Survey:
  - Still face considerable challenges and uncertainty
  - Most have successfully navigated federal assistance (PPP)

- Many reflect some level of cautious optimism

American Rescue Plan Act of 2021

- Local economic support is identified as an acceptable use; however, details are not clear when and how those funds will be made available
- PPP – growing support for extension of approaching deadline
- Restaurant, Bar and Brewery Grant Assistance
- Ability to formulate a program that is more intentional, multi-pronged, and aimed at building resiliency

Ms. Kane asked for authorization to extend the emergency relief fund program for residents in order to utilize the remaining program allocation of approximately \$17,000. Ms. Hiniker added that White Bear Lake will be receiving approximately \$2.5 million from the federal American Rescue Plan and staff will provide additional updates to the City Council as federal Treasury guidelines for use of these funds become available.

In response to Councilmember Walsh, Ms. Kane acknowledged that more work needs to be done to reach out to the small businesses in the City which may not be members of the Chamber.

It was moved by Councilmember **Walsh** seconded by Councilmember **Jones**, to approve **Resolution No. 12741**, authorizing extension of Emergency Relief Fund Program.

Biehn Aye  
Edberg Aye  
Engstran Aye  
Jones Aye  
Walsh Aye

Motion carried unanimously.

C. Resolution authorizing regulatory flexibility and use of City property by local businesses

City Manager Hiniker asked Council for administrative flexibility to temporarily relax regulatory restrictions and extend use of public right of way to businesses as they navigate social distancing and other requirements related to the pandemic. She also sought approval to re-establish “Picnic in the Park” with the exception that Washington Square would remain open to parking. Rather than closing Washington Square, she explained, picnic tables would be placed in Railroad Park to allow an outdoor space in downtown White Bear Lake for restaurant customers to sit while eating and drinking takeout obtained from local restaurants.

It was moved by Councilmember **Biehn** seconded by Councilmember **Engstran**, to approve **Resolution No. 12742**, authorizing regulatory flexibility and use of City property by local businesses.

Biehn Aye  
Edberg Aye  
Engstran Aye  
Jones Aye  
Walsh Aye

Motion carried unanimously.

D. Receiving Proposals and Authorizing Contract for Consultant Services for amending Part I of the City’s Wellhead Protection Plan

Public Works Director/City Engineer Kauppi explained that separate and apart from water restrictions as a result of the DNR court order, state statute requires the City update its Wellhead Protection Plan (WPP) every eight years. He said this plan assesses how much water is used and what degree of well drawdown might lead to contamination. Mr. Kauppi described two phases of the Wellhead Protection Plan amendment, the first involving an assessment of all Wellheads, their drawdown levels and identifying vulnerabilities to be studied further in Phase II.

Mr. Kauppi reported proposals were received from four of two firms in the area, and forwarded staff's recommendation to receive those proposals and authorize a contract for consultant services to WSP USA Inc. for amending Part I of the City's Wellhead Protection Plan, in the lowest bid amount of \$15,237.

It was moved by Councilmember **Edberg** seconded by Councilmember **Jones**, to approve **Resolution No. 12743**, receiving proposals and authorizing contract for consultant services for amending Part I of the City's Wellhead Protection Plan

Biehn Aye  
Edberg Aye  
Engstran Aye  
Jones Aye  
Walsh Aye

Motion carried unanimously.

## 10. CONSENT

- A. Resolution ordering a public hearing for the SWPPP. **Resolution No. 12744**
- B. Resolution correcting the schedule within the adopted revised 2020 budget. **Resolution No. 12745**
- C. Resolution authorizing the City Manager to execute the Washington County Recycling Grant Agreement. **Resolution No. 12746**
- D. Resolution authorizing the Mayor and City Manager to execute an ambulance billing contract. **Resolution No. 12747**

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

Biehn Aye  
Edberg Aye  
Engstran Aye  
Jones Aye  
Walsh Aye

Motion carried unanimously.

## 11. DISCUSSION

Nothing scheduled

## 12. COMMUNICATIONS FROM THE CITY MANAGER

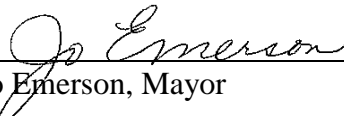
- Environmental Updates, provided by Connie Taillon in the packet, noted a VLAWMO survey pertaining to management of Goose Lake water quality. The survey will be open until March 31<sup>st</sup>. East Goose Lake Web Hub provides more information at <http://vlawmo.org/eastgooselakeAM>
- Welcoming & Inclusive Community Task Force (WE) – Mayor Emerson, Councilmembers Jones and Walsh attended the first WE Committee meeting with the City’s newly established WE Task Force. The initial focus is on smaller group community conversations, which are happening virtually and the task force is advising on a community survey.
- Work Session scheduled Tuesday, March 30, 2021 at 6:00 p.m. for an update and status on Fire and Ambulance Services.
- Public Works Director Mr. Kauppi said spring street sweeping activities are underway and aeration at the marina has opened up water around the docks.
- Community Development Director Kane reminded Council that the Conditional Use Permit (CUP) for the North Campus Expansion Project will be before the City Council at the April 13 meeting.

## 13. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Jones** seconded by Councilmember **Edberg** to adjourn the regular meeting at 8:21 p.m.

Biehn Aye  
Edberg Aye  
Engstran Aye  
Jones Aye  
Walsh Aye

Motion carried unanimously.

  
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Jo Emerson, Mayor

**ATTEST:**

  
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Kara Coustry, City Clerk