



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, AUGUST 10, 2021
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. The clerk took attendance for Councilmembers Doug Biehn, Kevin Edberg, Steven Engstran, Dan Jones and Bill Walsh. Staff in attendance were Assistant City Manager Rick Juba, Community Development Director Anne Kane, Finance Director Kerri Kindsvater, City Clerk Kara Coustry and City Attorney Troy Gilchrist.

PLEDGE OF ALLEGIENCE

2. APPROVAL OF MINUTES

A. Minutes of the Regular City Council Meeting on July 27, 2021

Councilmember Biehn called out a correction in the initial roll call.

It was moved by Councilmember **Jones** seconded by Councilmember **Engstran**, to approve the Minutes of the July 27, 2021 City Council meeting as amended.

Motion carried. Councilmember Biehn abstained.

3. APPROVAL OF THE AGENDA

Councilmember Edberg requested item 10E be moved to 9D.

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

Motion carried unanimously.

4. VISITORS AND PRESENTATIONS

A. Tara Jebens-Singh, Northeast Youth and Family Services

Executive Director Tara Jebens-Singh provided a presentation on the work performed by Northeast Youth and Family Services (NYFS). NYFS is a community-based, trauma-informed, nonprofit mental health and human services agency. Through partnerships with 15 municipalities and three (3) school districts, the agency supports low-income, under and uninsured youth, family and adults.

Ms. Jebens-Singh thanked the City of White Bear Lake for their support of NYFS through 2020 contractual services amounting to \$43,451 in addition to a \$10,000 Cares Act Grant which helped the organization transition to HIPPA compliant telehealth services during COVID. In

2020, as a result, 5,500 telehealth sessions were held. Ms. Jebens-Singh said 108 people received mental health services; 36 youth and their caregivers entered the diversion program; and 16 seniors were connected with three (3) youth in the Senior Chore program.

In 2021, the city contributed \$75,916, which now includes a cost of a Community Advocate. Ms. Jebens-Singh reported on service statistics for the first half of 2021 in which 67 received mental health services; nine (9) youth plus caregivers entered the diversion program; 10 seniors were served through Senior Chore and seven (7) people were served by the Community Advocate in an effort to reduce contact with the Police Department.

Ms. Jebens-Singh also thanked the city for passing along another \$20,000 in COVID funds, recognizing a unique situation impacting community mental health. Through this support, NYFS partnered with ReGrow WBL to host community workshops and provide online resources, free listening sessions, enhance NYFS website interaction and promote mental health services offered by NYFS.

Finally, Ms. Jebens-Singh summarized efforts moving forward to return to in-person mental health counseling with a hope that telehealth will continue to remain an option. She described planned expansion of the online services, the Community Connections and Senior Services programs. Lastly, the organization is undergoing a review of its services to ensure culturally responsive care is equitable and inclusive in the community.

Mayor Emerson, Council and staff thanked NYFS for their responsive role in the community.

5. PUBLIC HEARINGS

Nothing scheduled

6. LAND USE

A. Consent

1. Consideration of a Planning Commission recommendation for approval of a request by Paula Frost for a Special Home Occupation Permit extension at 1904 4th Street (Case No. 20-2-SHOPa)

It was moved by Councilmember **Biehn** seconded by Councilmember **Walsh**, to adopt **Resolution No. 12822** approving the Land Use Consent agenda.

Motion carried unanimously.

B. Non-Consent

1. Consideration of a Planning Commission recommendation for approval of a request by Tjernlund Products for a conditional use permit at 1601 9th Street. (Case No. 21-8-CUP)

Community Development Director described the applicant at 1601 9th Street is looking to expand its warehouse capacity to establish a relationship with U-Boxes, a new arm of U-Haul Truck Rental Service. In order for outside storage of trucks to exist in this General Industry zone location, a conditional use permit (CUP) is being sought. Tjernlund Products addressed neighboring residential concerns by limiting hours of U-Haul Truck

services to be confined within Monday – Friday, between business hours of 5:00 a.m. – 4:00 p.m., and concealing truck storage behind accessory buildings already on the property.

Believing that the concerns expressed by residents were satisfactorily addresses, Ms. Kane forwarded a unanimous recommendation by the Planning Commission to grant the CUP.

Mayor Emerson opened up a public hearing at 7:29 p.m. and there being no comments from the public, closed the public hearing.

It was moved by Councilmember **Jones** seconded by Councilmember **Biehn**, to adopt **Resolution No. 12823** approving a conditional use permit at 1601 9th Street.

Motion carried unanimously.

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

- A. Second Reading – A City-Initiated text amendment to Zoning Code Section 1303.160 to allow interim use permits in the B-5 zoning district.

Community Development Director Kane stated this proposed text amendment is in response to a variance request for relief from the 30% restriction on ground floor square footage retail space as property in the downtown business district. At the first reading, concern was expressed that there was not a time restriction within the text itself, which has now been addressed in subsection six (6) with a two-year maximum time limitation. Ms. Kane forwarded the Planning Commission’s recommendation for adoption of this text amendment to the city code.

Councilmember Edberg appreciated addition of a time constraint. He confirmed this would be retro-active in regard to the action Council took a couple of months ago. The City Attorney stated that the interim use permit has not been issued yet, but once it is issued, it will conform to the time limitation.

Councilmember Jones inquired as to a measurement to guide the next Council to ensure that the applicants do not appear before Council again in two years with another request to void the 30% retail requirement.

Councilmember Walsh believed this to be a temporary and extraordinary situation, which is why it is only being approved for a limited time. He added, the applicants should plan on a transition at the conclusion of the interim use permit rather than pursuing another extension because the zoning code for downtown promotes retail businesses and is smart.

Mayor Emerson opened a public hearing at 7:34 p.m.

Building owner, Gretchen Peterson of 12442 Everton Circle North, White Bear Lake, stated that both the tenant and she know this is a temporary arrangement and they have no intention to extend the variance. She relayed her thanks and appreciation to the Council for allowing this

temporary use permit to accommodate a business during COVID times.

Mayor Emerson closed the public hearing at 7:35 p.m.

It was moved by Councilmember **Biehn** seconded by Councilmember **Edberg**, to adopt **Ordinance. 21-8-2049** allowing interim use permits in the B-5 zoning district.

Motion carried unanimously.

It was moved by Councilmember **Walsh** seconded by Councilmember **Engstran**, to adopt **Resolution No. 12824** establishing the title and summary of approval of Ordinance 21-8-2049.

Motion carried unanimously.

- B. First Reading – Rezoning of two parcels: 35XX Rolling View Drive (PID #363022110026) from B-2 to R-3, and 35XX Rolling View Drive (PID # 363022110025) from R-B to R-3. (Case No. 21-3-Z)

Community Development Director Kane stated this is the first reading of an application by purchasers of the former Rockpoint Church parcel on County Road E and Rolling View Drive. The current property has four (4) different parcels with three (3) different zoning designations. The applicant, Level Up Academy is looking to rezone two (2) of the parcels along Rolling View to R-3, Residential, which will allow for the school. The Northern most property is zoned B-2 Limited Business District and the next property south is zoned R-B Residential Business Transition District.

Ms. Kane noted that part of this request included a conditional use permit (CUP), but the Planning Commission continued that portion of the request in order to review exterior building materials proposed and the design of the gymnasium. They did forward approval for the rezoning so it could undergo first reading, with intention to work through details of the CUP in time for approval of the full request at the second reading.

Ms. Kane mentioned one neighbor spoke in support of the request for residential rezoning such that it provides Level Up Academy greater flexibility to allow the area to be developed as residential in the future.

Councilmember Edberg inquired as to the playground on the larger parcel and any effects of this rezoning request related to public access of this equipment. Ms. Kane stated that the playground may be relocated closer to the gymnasium, but that this rezoning will ensure the elementary school remains in existence for continued use of that equipment by the neighborhood.

9. NEW BUSINESS

- A. Resolution authorizing advertisement for the City Manager position

Assistant City Manager Juba introduced Mark Casey and Liza Donabauer with David Drown Associates who has been retained by the City to carry out recruitment for the City Manager position. Ms. Donabauer mentioned the last few weeks have involved information gathering about the community and the position. She pointed to the draft Community Profile which will be

used to advertise the position for four (4) weeks and to screen candidates for alignment to stated goals and attributes captured within this document. Ms. Donabauer took feedback from the Council on word choice, order of information, salary range and inclusion of more information pertaining to the south side as well as business and industry in areas other than just the downtown.

It was moved by Councilmember **Biehn** seconded by Councilmember **Jones**, to adopt **Resolution No. 12825** authorizing advertisement for the City Manager position.

Motion carried unanimously.

B. Resolution authorizing execution of a Memorandum of Understanding with IAFF

Assistant City Manager Juba explained the IAFF is the Union Representative for the City's fulltime Firefighters and Paramedics. He described three shifts of crews that work for the Fire Department, in which each member are the same rank. This Memorandum of Understanding (MOU) will introduce a new rank of captain which will serve as the crew lead, taking responsibility for duties of each shift. He explained this does not add positions, instead it will elevate three people among twelve to a more responsible role with a slight increase in pay. Mr. Juba explained that the current year budget can support this adjustment and the Union has voted to accept this proposal as well.

It was moved by Councilmember **Walsh** seconded by Councilmember **Jones**, to adopt **Resolution No. 12826** authorizing execution of a Memorandum of Understanding with IAFF.

Motion carried unanimously.

C. Resolution authorizing the Mayor and City Manager to execute a lease agreement with the Hockey Association

Assistant City Manager Juba brought forward a proposal to lease a portion of the Sports Center to the White Bear Lake Area Hockey Association. They intend to lease the five (5) racquetball courts in the facility and convert each into five (5) separate dry land training facilities. Mr. Juba mentioned that a significant investment is needed in that area of the Sports Center and as a proposed tenant, the Hockey Association intends to investment significantly for this conversion. He noted the City needs to address work on the roof, HVAC and the fire suppression system. Mr. Juba explained this lease is one way to generate revenue while the tenant improves the area.

Councilmember Edberg asked where it details the relative responsibilities for capital expenditures in this arrangement. Mr. Juba explained that the lease clarifies who is responsible for what, without calling out specific improvements. He mentioned the Hockey Association is pulling a building permit to complete this work, so the permit could be referenced in a separate memorandum.

It was moved by Councilmember **Walsh** seconded by Councilmember **Biehn**, to adopt **Resolution No. 12827** the Mayor and City Manager to execute a lease agreement with the Hockey Association.

Motion carried unanimously.

D. Resolution approving acceptance of the American Rescue Plan Act funds.

Finance Director Kindsvater explained that due to the COVID-19 pandemic, the federal government recognizes the challenges endured by local entities. In 2020, they issued relief in the form of CARES Funding. In March 2021, Congress passed the American Rescue Plan Act (ARPA), which will allocate \$2.7 million in funding to White Bear Lake. Ms. Kindsvater reported that at its meeting in June, the Council approved the application process. This funding will be released to the City in two installments, the first of which was received in July and the rest will come this time next year. Ms. Kindsvater explained the City has through December 31, 2024 to spend the money, unless a contract is in effect prior to the deadline, for encumbrance of these funds for a specific project to be expended within another two years.

Ms. Kindsvater stated the resolution before Council tonight is to accept the first installment of funds. She explained that staff continues to research viable expenditures in order to inform the Council of all of the City's available uses for these funds.

It was moved by Councilmember **Edberg** seconded by Councilmember **Engstran**, to adopt **Resolution No. 12831** approving acceptance of the American Rescue Plan Act funds.

Motion carried unanimously.

10. CONSENT

- A. Acceptance of Minutes: June Environmental Advisory Commission; June Parks Advisory Commission; June White Bear Lake Conservation District; July Planning Commission
- B. Resolution approving an single event extension to an on-sale liquor license for Carbone's Pizzeria & Pub. **Resolution No. 12828**
- C. Resolution accepting a donation from the Lions Club for an All Abilities Park. **Resolution No. 12829**
- D. Resolution approving a lease extension agreement with Comcast Cable. **Resolution No. 12830**
- E. Resolution accepting quotes and awarding a contract for the 2021 miscellaneous concrete (City Project 21-05). **Resolution No. 12832**
- F. Resolution approving a grant award to Frassati Academy for purchase of playground equipment. **Resolution No. 12833**

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

Motion carried unanimously.

11. DISCUSSION

- A. Ramsey Washington Suburban Cable Commission organizational update

Assistant City Manager Juba stated that as a result of recent franchise negotiations with Comcast, there has been a reduction in revenue at the Suburban Cable Commission (SCC), which has led to

cuts in staffing and programming. He explained that SCC was to have adopted its 2022 budget by August 1, 2021, but have not yet come to an agreement on that document. SCC will be considering another budget proposal this Thursday evening. Mr. Juba explained that the SCC board and a couple of staff are hosting a brainstorming session with member cities tomorrow and he hopes to be in attendance with Councilmember Walsh.

12. COMMUNICATIONS FROM THE CITY MANAGER

- Erd-Giest Gazebo Ribbon Cutting, Saturday, August 14 at 10:00 a.m.
- Budget Work Session, August 17, 2021 at 6:00 p.m. in the Expansion Room.
- Caboose Committee hopes to have a budget for renovations next week so that fundraising with the Chamber for that project can begin. It is hoped the dilapidated roof will be repaired prior to another winter.

13. ADJOURNMENT

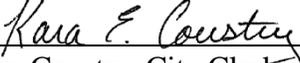
There being no further business before the Council, it was moved by Councilmember **Walsh** seconded by Councilmember **Jones** to adjourn the regular meeting at 8:11 p.m.

Motion carried unanimously.



Jo Emerson, Mayor

ATTEST:



Kara Coustry, City Clerk