



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, JANUARY 11, 2022
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 City Clerk took attendance for Councilmembers Doug Biehn, Kevin Edberg, Steven Engstran, Dan Jones and Bill Walsh. Staff in attendance were City Manager Lindy Crawford, Assistant City Manager Rick Juba, Planning and Zoning Coordinator Sam Crosby, Public Works Director / City Engineer Paul Kauppi, Finance Director Kerri Kindsvater, City Clerk Kara Coustry and City Attorney Troy Gilchrist.

PLEDGE OF ALLEGIENCE

Mayor Emerson introduced the new City Manager, Lindy Crawford.

2. APPROVAL OF MINUTES

A. Minutes of the Regular City Council Meeting on December 14, 2021

It was moved by Councilmember **Biehn** seconded by Councilmember **Walsh**, to approve the Minutes of the December 14, 2021 City Council meeting as presented.

Motion carried unanimously.

B. Minutes of the Special City Council Meeting on December 29, 2021

It was moved by Councilmember **Jones** seconded by Councilmember **Biehn**, to approve the Minutes of the Special City Council meeting December 29, 2021 as presented.

Councilmember Engstran abstained. Motion carried.

Councilmember Dan Jones presented outgoing Mayor Jo Emerson with a Bear Plaque in recognition of service to the community. Chair Edberg presented outgoing Councilmember Ward 2 Doug Biehn with a Bear Plaque in recognition of service to the community.

The City Clerk administered the Oath of Office to Mayor Dan Louismet, Councilmember Ward 2 Heidi Hughes, Councilmember Ward 4 Kevin Edberg, and new City Manager Lindy Crawford.

3. APPROVAL OF THE AGENDA

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

Councilmember Walsh pulled 4E, 4H, 4J from the Consent Agenda and placed them under New Business.

Motion carried unanimously.

4. CONSENT AGENDA

- A. Acceptance of Boards and Commission Minutes: November Environmental Advisory Commission
- B. Resolution authorizing City Manager to invest and transfer funds for the City, designation of bank depository and depositing for investments. **Resolution No. 12917**
- C. Resolution authorizing the City Manager to pay claims made against the City. **Resolution No. 12918**
- D. Resolution establishing regular meeting nights of the City Council of the City of White Bear Lake. **Resolution No 12919**
- ~~E. Resolution naming the official newspaper to perform official publications~~
- F. Resolution authorizing travel reimbursement amounts. **Resolution No. 12921**
- G. Resolution appointing the Administrative Hearing Officer. **Resolution No. 12922**
- ~~H. Resolution designating City Attorney, Counselor and Prosecutor~~
- I. Resolution fixing surety bonds for various City Officials and providing for approval of the same. **Resolution No. 12924**
- ~~J. Resolution approving the purchase of the capital equipment items per the City's 2022 Budget and Capital Improvement Plan~~

It was moved by Councilmember **Edberg** seconded by Councilmember **Walsh**, to approve the Consent Agenda as presented with the exception of items 4E, 4H and 4J, which were moved to New Business.

5. VISITORS AND PRESENTATION

Nothing scheduled

6. PUBLIC HEARINGS

Nothing scheduled

7. UNFINISHED BUSINESS

- A. Resolution approving a request by Green Halo Builds for Final Plat approval of Rooney 2nd Addition

Planning and Zoning Coordinator Sam Crosby reported as follows:

“The subject site, 1800 County Road E, is located on the south side of County Road E, between Linden Avenue and Auger Avenue. The 4.6 acre property contains a single-family residence with 3 accessory structures. The property, which is also known as Rooney’s Farm, contains an often humorous changeable copy message sign. After the owner’s passing in 2020, the family of the estate is working to plat the property into 9 single-family residential lots and one outlot for stormwater.

The family desires to keep the original residence and associated structures, therefore, Lot 4 is about an acre in size. All the other lots meet or exceed code size. Lots 4 and 5 are the only lots that will access County Road E. All the other lots will be served by a new public cul-de-sac road, constructed directly across

from Rooney Place. An outlet for stormwater control is located in the southwest corner of the property.

Since the Preliminary Plat was approved, a new builder has taken over the project who does not intend to have a homeowners association, but envisions net zero home designs. Each home will be outfitted with solar panels, a car charging wall in the garage, energy efficient appliances, and built with structurally insulated panels which create a building envelop superior to standard framing practices.

As indicated in the applicant's marketing brochure, all homes will be Energy Star Certified and stamped with the EPA indoor air plus seal. The neighborhood would be called Eco Woods. The proposed final plat is identical to the approved preliminary plat, and therefore it may be approved by the City Council without further review by the Planning Commission.

This is one of the first projects in a long time that has included a new public roadway, which triggers the need for a development agreement. A draft copy of the agreement was included in your packet and has been reviewed and approved by both the City Attorney and the applicant. In addition to approving the final plat, the resolution also permits staff to enter into that agreement.

The Comprehensive Plan has long envisioned the development of this property as a single-family residential subdivision which mirrors the neighborhood to the south, and this project provides just that. The proposed final plat complies with all the City's regulations and is consistent with the approved preliminary plat, consequently staff recommends approval."

It was moved by Councilmember **Walsh** seconded by Councilmember **Engstran**, to adopt **Resolution No 12926** approving the Rooney 2nd Addition Final Plat.

Noting the sign located on the Rooney property has provided approximately 60-80 years of humor to the community, Councilmember Edberg inquired as to its continued use. Ms. Crosby reported that that the sign will need to be moved back in order to be retained, but believed that the builder intended to do so.

In response to Councilmember Jones, Ms. Crosby said the name of the street will be Rooney Place, without and north or south references as there is only one Rooney Place street.

Councilmember Hughes inquired as to whether there was any opposition to this development. Ms. Crosby explained there was some concern expressed related to stormwater drainage, but that was resolved at the Planning Commission level.

Motion carried unanimously.

8. NEW BUSINESS

A. Resolution electing the Chair of the White Bear Lake City Council

City Manager Crawford reported that pursuant Section 4.13 of the City Charter the City Council shall, at its first regular meeting of January following a municipal election, elect one of its members as Chair of the City Council to serve in cases when the Mayor is unable to do so.

It was moved by Councilmember **Walsh** seconded by Councilmember **Jones**, to adopt **Resolution No. 12927** electing Councilmember Edberg as the Chair of the White Bear Lake City Council.

Motion carried unanimously.

B. Resolution appointing City representatives to various organizations

City Manager Crawford stated that annually the Council appoints representatives to various organizations of which the City is a member. She relayed the organizations for which the Council established the following appointments for 2022:

<u>Organization</u>	<u>Representative</u>	<u>Alternate</u>
Ramsey County League of Local Governments	Walsh	Engstran
Vadnais Lake Area Water Management Organization	Jones	Walsh
Ramsey County Dispatch Policy Committee	Hughes	Jones
Northeast Youth and Family Services	Hughes	n/a
Ramsey/Washington Suburban Cable Commission	Walsh	none
METRO Purple Line Corridor Management Committee	Walsh	Edberg

It was moved by Councilmember **Walsh** seconded by Councilmember **Engstran**, to adopt **Resolution No. 12928** appointing City representatives to various organizations.

Motion carried unanimously.

C. Resolution naming the official newspaper to perform official publications

City Manager Crawford forwarded staff's recommendation to Council to adopt the City's official newspaper as the White Bear Press.

Councilmember Walsh said he pulled this item from the consent agenda to discuss this as an item for the Legislative Agenda. He explained, this is a state mandate which requires the City to publish all its legal requirements in a newspaper. He said the City can provide notice to residents in a much cheaper way online, rather than placing column ads in the newspaper.

It was moved by Councilmember **Walsh** seconded by Councilmember **Jones**, to adopt **Resolution No. 12920** naming the White Bear Press as the official newspaper to perform the City's legal publications.

Councilmember Jones agreed with Councilmember Walsh on the financial aspects of wasting tax payer dollars, also noting issues with timing of publications which delay Council action. He relayed an argument for free access, but said that newspapers are not free just as internet is not, but both are available for free at the library.

Councilmember Hughes shared her opposition to this as a legislative item, noting that she would have no way of knowing to go to the website to look for these types of legal notices and appreciated having them available in the local newspaper. She felt it important to keep people informed of what is going on in the community. She said, that while wasting tax payer dollars is a nuisance, moving everything to the internet is not necessarily in the best interest of the community.

Councilmember Edberg respected Councilmember Walsh antennas related to the Legislative Agenda but asked that when policy conversations are prompted, that suggestions and/or alternatives are included as well. In this case, on behalf of residents in the city, what suggested alternatives are there for providing open access to information while retaining other benefits that a local newspaper provides.

Motion carried unanimously.

D. Resolution designating City Attorney, Counselor and Prosecutor

City Manager Crawford explained that the City has a three year contract with the Prosecuting Attorney through January 31, 2023. She forwarded staff's recommendation to reappoint Kennedy & Graven with Attorney Troy Gilchrist, as the lead Counselor through January 31, 2023. She explained that the firm has recommended a 3% rate increase in 2022, which is reflective of the City's wage adjustments.

Councilmember Walsh noted he has been happy working both with Kennedy & Graven and Mr. Gilchrist. He appreciated the depth of the firm, as it was helpful in a recent real estate challenge. He thought there ought to be a vote on this decision and the proposed rate increase.

Councilmember Edberg asked for a review and assessment of services regarding reappointment of the Prosecuting Attorney prior to the next January meeting.

It was moved by Councilmember **Walsh** seconded by Councilmember **Jones**, to adopt **Resolution No. 12923** designating Kennedy and Graven as the City Attorney, Counselor.

Motion carried unanimously.

E. Resolution approving the purchase of the capital equipment items per the City's 2022 Budget and Capital Improvement Plan

Finance Director Kindsvater provided the following report:

"The City maintains a 10-year Capital Improvement Plan to support the financial planning for the Financial Management Plan and annual budget document. Each

year staff updates the Capital Improvement Plan to review prioritization of purchases or projects and ensure appropriate costs are included for each item. Staff presents both the CIP and the FMP to the City Council for discussion and approval before using them as the basis for beginning the annual budget process. Our practice is to notify the City Council as departments are planning to purchase equipment items with a value greater than \$100,000 that were included in the capital improvement plan and approved budget document.

Recently, we began bringing these items to you early in the year to assist departments as they prepare for the purchases as this prevents delays in placing orders to coincide with the Council meeting schedule and ensures the City will receive the equipment before yearend since most of these items have a long build time.

Unique situation this year. The list of equipment items included in the budget for this year contains three items that were originally approved in the 2021 Budget; however, part or all of the expenditure amounts had to be pushed to 2022 due to supply chain delays in the current economic environment.

These items are listed here again because the amounts were moved to the 2022 Budget and have an individual value greater than \$100,000.

Multi-use truck with garbage capabilities	153,000	EA
Body portion of a tandem axle dump truck	150,795	EA
Ice resurfacers for Sport Center	115,000	EA

There are three new equipment items included in the 2022 budget based on the Capital Improvement Plan and Financial Management Plan process approved by the City Council last year.

Single axle dump truck	230,000	ARPA
PW Facility Backup Generator	125,000	ARPA
Ambulance	250,000	Amb

I will not present a discussion of each piece of equipment since the Council memo includes key points about each purchase. As noted in the memo, the amounts included for each item are estimates from last year's budgeting process. Staff will work to find or negotiate a lower price if possible; however, if the purchase price is higher than the amount listed here, staff will bring the item back to Council for approval.

Financing for these 2022 purchases are a combination of current revenues and funds received from the Federal Government through the revenue loss recapture section of American Rescue Plan Aid (ARPA). Use of the ARPA Funds eliminates the need for the City to issue bonds to purchase two of the items planned for in the CIP and FMP."

It was moved by Councilmember **Jones** seconded by Councilmember **Walsh**, to adopt **Resolution No. 12925** approving the purchase of the capital equipment items per the City's 2022 Budget and Capital Improvement Plan.

Motion carried unanimously.

Councilmember Edberg stated that the process of using the consent agenda is modestly new and he did not object to its use, or the right of any Councilmember to pull an item from consent. He said it would be wise for Council to provide some guidance to the City Manager and Mayor as to the kinds of items that should and should not be under consent. To that end, he asked Councilmember Walsh why this particular item was pulled for discussion.

Councilmember Walsh stated that the reason he pulled this item was because it approves the spending of money – in this case \$1 million in total. He understood that the Council, through the planning and budget process, had already approved the expense of these funds, but he believed this was another opportunity to provide communication to the public for added transparency. He liked the \$100,000 threshold for returning to Council to obtain approval to spend approved budgeted items.

Councilmember Edberg responded that when the Council provides approval of the budget, there are basic assumptions and authorities that accompany that approval. If the bids for these items come in at or below the budget, he said, staff should proceed with its purchase as budgeted. He explained that bringing these items back again for discussion is redundant, and while he appreciated the communication aspect, he said further conversation provides opportunity for mischief.

Mayor Louismet welcomed these comments and welcomed continued conversation of effective utilization of the consent agenda process.

Motion carried unanimously.

Mayor Louismet recessed the City Council meeting at 7:53 p.m.

9. HOUSING AND REDEVELOPMENT ASSOCIATION

Refer to the HRA Minutes for an account of the following:

- A. Call to Order / Roll Call
- B. Approval of the Agenda
- C. Approval of the December 14, 2021 HRA Meeting Minutes
- D. Election of a Chair and Vice Chair of the HRA
- E. Adjournment

Mayor Louismet reconvened the City Council meeting at 7:57 p.m.

10. DISCUSSION

Nothing scheduled

11. COMMUNICATIONS FROM THE CITY MANAGER

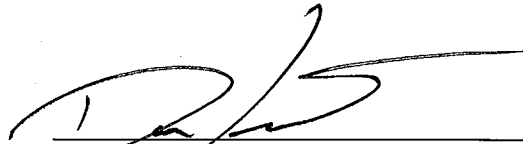
- A. Finance & License Bureau Reports
- B. Zoning & Code Violation Reports
- C. January 18th Work Session – Legislative Priorities and Council/City Manager Protocols

Mayor Louismet shared his positive observations of the White Bear Lake City Council and commended the group on their past level of civility and decorum even when there is disagreement. As a process priority, he encouraged the continuation of that tradition. He referenced some contentious items coming down the pipeline, for which he expected lively debate, but expressed confidence that the White Bear Lake City Council will continue its tradition of respect and civility while engaging in these issues.

12. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Jones** seconded by Councilmember **Walsh** to adjourn the regular meeting at 8:01 p.m.

Motion carried unanimously.



Dan Louismet, Mayor

ATTEST:



Kara Coustry, City Clerk