



**MINUTES  
REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
TUESDAY, MARCH 8, 2022  
7:00 P.M. IN THE COUNCIL CHAMBERS**

**1. CALL TO ORDER AND ROLL CALL**

Mayor Dan Louismet called the meeting to order at 7:00 p.m. The City Clerk took attendance for Councilmembers Kevin Edberg, Steven Engstran, Heidi Hughes, Dan Jones and Bill Walsh. Staff in attendance were City Manager Lindy Crawford, Police Chief Julie Swanson, Fire Chief Greg Peterson, Planning and Zoning Coordinator Sam Crosby, Public Works Director / City Engineer Paul Kauppi, 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 22, 2022

It was moved by Councilmember **Walsh** seconded by Councilmember **Hughes**, to approve the Minutes of the February 22, 2022 City Council meeting as presented.

Motion carried unanimously.

**3. APPROVAL OF THE AGENDA**

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

Motion carried unanimously.

**4. CONSENT AGENDA**

- A. Acceptance of Minutes: November Park Advisory Commission; January Environmental Advisory Commission; February Planning Commission
- B. Resolution amending the Purpose and Regulations of the White Bear Lake Farmers' Market
- C. Resolution approving use of Railroad Park Gazebo by Sunrise Park Middle School
- D. Resolution approving annual business and liquor license renewals

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

Motion carried unanimously.

## 5. VISITORS AND PRESENTATION

### A. Bi-annual Fire Department Report

In addition to the City, Chief Peterson reviewed other areas of coverage by the Fire Department including the Township, Dellwood, Birchwood, Gem Lake – roughly 35 square miles with a service population of 40,285+. The Department realized another record year with a 14% increase in call volume at a total of 4,914 in 2021. He revealed that 81% of calls are medical and 19% are fire / rescue with an average emergency call response time of 5:52. As to Mutual Aid, the Fire Department provided aid for 38 fires and 297 medical calls, while receiving aid for 25 fires and 108 medical calls in 2021. Chief Peterson reviewed staffing, new equipment, training, community engagement and recent recognition of the White Bear Lake Fire Department.

Councilmember Walsh acknowledged progress over the last five years with adequate staffing and improved response times, and asked if the Fire Department has stabilized. Chief Peterson affirmed that things have stabilized, however, the calls per full-time employee is still high, which creates stress and exhaustion.

Councilmember Edberg noted recent changes in the staffing model, but continued increases in the number of calls and asked regarding future staffing needs. Chief Peterson said there is still a need to add full-time staff as part-time staff tend to come and go more frequently. Councilmember Edberg asked further about the stress and mental health of the community and staff. Acknowledging a stressful year with COVID, Chief Peterson mentioned there is a lot of mental health support for staff, but they are tired and suffer from chronic stress, which is a never ending issue.

### B. Bi-annual Police Department Report

Chief Swanson reported that the Police Department is fully staffed with 31 sworn officers and 10 civilian staff that serve Gem Lake in addition to the City of White Bear Lake. She reviewed the calls for service, which actually declined over the past two years due to COVID and changes to the Fire Department staffing model. The City will be entering into a contract with Woodbury Animal Humane Society for animal control in rare instances when Facebook is not successful at finding pet parents. She reviewed substantial training requirements for officers in the areas of crisis intervention, mental illness, conflict management, mediation, diversity, use of force and emergency vehicle operations. Chief Swanson highlighted recruitment efforts, multiple partnerships and task forces with other agencies, and numerous community outreach efforts of the Police Department.

In response to Councilmember Edberg, Chief Swanson acknowledged that both Police and Fire staff are under extreme stress, but that the City is very supportive by providing mental health services from a therapist specializing in Public Safety. She explained that use of mental health services is anonymous and over and above the standard Employee Assistance Program provided to all City employees.

Councilmember Edberg asked for insight on catalytic converter thefts. Chief Swanson stated that the Police Department hosted a catalytic converter event last summer on which they spray

painted the license plate number, making them invalid for scrap metal. There is focus on this at the state level, and she added that dealers are providing guards for about \$300.00.

Noting his day job involves working with Auto Dealers, Mayor Louismet expounded that the issue with catalytic converters is they are not traceable in anyway. He relayed there is a bill in Congress to address this issue, State level efforts, and a grass roots effort by franchise car dealers that are working on a pilot program that provides labels free of charge for the ability to better track catalytic converters if they are stolen.

Councilmember Edberg asked about car-jacking in White Bear Lake to which Chief Swanson stated this issue is rare, with a delivery driver as the only victim last year. His car was recovered.

Councilmember Hughes asked about drug overdoses and who gets those calls. Chief Swanson explained that both EMS and Police are dispatched to address the medical component as well as the illegal aspect of these of calls.

## **6. PUBLIC HEARINGS**

- A. Resolution ordering improvements, approving plans and specifications and authorizing advertisement for bids for the 2022 Pavement Rehabilitation Project, City Project No. 22-01

City Engineer Kauppi reviewed the City's 22-01 Pavement Rehabilitation Projects in which roads are reviewed each year and prioritized on a five-year cycle. He covered this year's proposed projects, which address 2.9 miles of roadway immediately west of Highway 61 and north of Highway 96. Because 4<sup>th</sup> Avenue is a Municipal State Aid road between Highway 96 and Birch Lake Avenue is not wide enough for parking on both sides, so in order to meet criteria for gas tax dollars, this road would need to restrict parking along one side.

Mr. Kauppi noted the City's 2040 Comprehensive Plan has a sidewalk network identified to make pedestrian connections. He reviewed proposed sidewalks on 4<sup>th</sup> Avenue intended to connect Cerenity to the Yost Park trail and the trail along Birch Lake Avenue. The Florence Street sidewalk would connect Cerenity to 4<sup>th</sup> Avenue as well as to the Birch Lake Elementary School. Mr. Kauppi explained the Florence sidewalk is proposed on the north side of the street to minimize impacts related to trees, utilities, grading, etc. Lastly, a sidewalk is proposed on Karen from Eugene south to Highway 96.

With a total project cost of just under \$3 million, Mr. Kauppi reviewed proposed assessments for each type of work and explained that policy assesses 1/3 of the costs to property owners, minus the cost of sidewalks. Assessments are payable up front, or financed over 15 years with an interest rate of 2% over the bond rate (2021 was 3.29%), payable on 2023 taxes. He was hopeful the contingency would cover recent rising gas prices and project costs.

Mr. Kauppi reviewed the project schedule in which next steps would be to advertise for bids in the local newspaper. Assuming bids are reasonable and Council awards a contract, construction would begin in May and conclude in October with a final assessment hearing in September.

Mayor Louismet opened the public hearing at 8:05 p.m.

Cindy Hering a 36 year resident at 1819 Florence Street is opposed to the proposed sidewalk on Florence noting that the street is not a busy street, no children have been injured walking in the street, and traffic is slow because vehicles park on both sides. The reasoning provided by the City was to connect to Birch Lake Elementary and provide safety for children walking to school, however, the majority of the school year is in the winter when sidewalk conditions are poor and not safe to walk. Being told that the City would maintain the sidewalk, she said that the sidewalks in White Bear Lake are ice covered and not passable, forcing people to walk in the street. Ms. Hering said it is unreasonable to expect residents to maintain sidewalks and she chose to live here because there were no sidewalks and the liability that comes with maintaining them. There are many trees that would be removed, and she said that would devalue their homes. She explained, there are alternate sidewalks and the one on Florence is not needed or wanted. Ms. Hering added her irrigation system would need to be torn up and the expense of this is a hardship and she believed the funds for a sidewalk could be better used somewhere else.

Carrie Arcand of 1784 Florence Street is opposed to the sidewalk. Having worked from home last year, there were only three kids walking on the street to and from school, and this year there are no kids. Ms. Arcand noted the speed of cars along Birch Lake and was afraid the same would happen on Florence with the addition of a sidewalk. She asked if gas drives up the cost of the project, would homeowners be expected to assume those increases through assessment, to which Mr. Kauppi and Mayor Louismet explained the Council will consider bids when they come in and decide from there how best to proceed.

Ellen Titus of 4579 Carolyn Lane spoke in favor of the sidewalks and it would be nice if kids and adults could have something that keeps them off the street, especially if the City is paying for them.

Inga Christensen of 1723 Florence Street is opposed the sidewalk on Florence Street.

Emily Otis of 1619 Eugene Street stated that sidewalks are not regularly maintained and therefore are not passable and as a result her family walks in the streets. She did not think the sidewalk was worth the Florence Street homeowners' yards being torn up for this reason.

Mark Heller of 1749 Florence Street stated there are only occasionally kids on the street walking from school, but there are safety guards to assist them at crossings. He was opposed to the Florence Street sidewalk.

Judy Nelson a 36 year resident of 1808 Florence Street agreed that sidewalks are not necessary on Florence Street as there are no kids and no issues have resulted from use of the street in the past.

Kathryn Keating 1792 Florence lives on the side without the sidewalks and said is it a great place to work from home because it is quiet. She said that adding a sidewalk would add traffic to the neighborhood.

Cliff Ecklund, 1905 Webber expressed concern about trucks backing into Cerenity and blocking the sidewalk around Cerenity. He suggested they could parallel park instead of tearing up the road and even blocking the road completely, which poses a public safety concern.

Mayor Louismet closed the public hearing 8:27 p.m.

There was considerable discussion about sidewalks, expectations, safety, improved property values, traffic counts, the need for an investment in sidewalk maintenance, the challenge of keeping them clear during freeze/thaw cycles in winter, and the balance between the walkability needs of the entire community versus the desire of current occupants.

It was moved by Councilmember **Walsh** moved, seconded by Councilmember **Jones** to adopt **Resolution 12946** ordering improvements, approving plans and specifications and authorizing advertisement for bids for the 2022 Pavement Rehabilitation Project, City Project No. 22-01.

Councilmember Edberg was open to removing the sidewalk from Florence, because he did not believe the City does a good enough job maintaining its sidewalks. Councilmember Hughes called to question whether the City should ever build another sidewalk based on our inability to maintain them. Self-proclaimed sidewalk guy, Councilmember Jones explained that connectivity in this case is achieved via alternate routes and he was open to removing the Florence sidewalk from this project scope.

Councilmember **Jones** made a motion, seconded by **Walsh** to amend the plans to exclude the Florence Street sidewalk.

Roll Call Vote

Hughes aye

Walsh aye

Engstran aye

Edberg aye

Jones aye

Motion carried unanimously.

Councilmember Edberg encouraged staff to focus on a plan over the next few years for funding the remaining 1.6 miles of total street reconstruction required to complete the entire road system in White Bear Lake.

Mayor Louismet called for a vote on Resolution 12946 as amended. Motion carried unanimously.

Councilmember **Walsh**, seconded by Councilmember **Engstran** to adopt **Resolution 12947** designating "No Parking" restrictions on Fourth Avenue from C.S.A.H 96 to Birch Lake Avenue, City Project No. 22-01.

Motion carried unanimously.

B. Second reading of the proposed Water Meter Ordinance

City Engineer Kauppi recalled that this project was brought forward in order to get everyone within the City on the same meters throughout. He said that some people were against having radio read meters and/or have not responded to the City's request to replace non-functioning meters. In anticipation of this, he explained that this Ordinance is being modified in order to charge two fees that were established in the 2022 Fee Schedule to address non-compliance with the meter switch out program.

Mr. Kauppi explained, staff added a \$100/quarter non-compliance fee as a solution to address those unwilling to respond to the City's request to replace meters. The second fee was a \$50/manual read, which would be charged when meters cannot be read by driving by them—they require physically exiting the vehicle and use of special equipment for those reads. Mr. Kauppi explained this amendment would authorize the City to use those fees set forward in the fee schedule.

Mr. Kauppi forwarded staff's recommendation to adopt the Ordinance and the Summary Resolution to facilitate publication. Attorney Gilchrist noted that the Ordinance before the City Council this evening is new language being adopted in its entirety and that the strikethrough and underline presented with tonight's packet simply note changes made since first reading.

Mayor Louismet opened the public hearing at 8:56 p.m. There being no public comment, he closed the public hearing.

Councilmember **Jones** motioned, seconded by Councilmember **Engstran** to adopt the Water Meter **Ordinance 22-3-2054**.

Motion carried unanimously.

Councilmember **Engstran**, seconded by Councilmember **Edberg** to adopt **Resolution No. 12948** establishing the Title and Summary approval of Ordinance No. 22-3-2054.

Motion carried unanimously.

7. **UNFINISHED BUSINESS**

A. Resolution opposing the proposed Purple Line (formerly Rush Line) Bus Rapid Transit route

Mayor Louismet stated that the Council had motioned to table this item at the last meeting to allow time to make modifications to the proposed resolution opposing the Purple Line. He explained that, based on discussion at the past City Council meeting, a revised resolution was prepared for consideration tonight.

Councilmember **Walsh** moved, seconded by Councilmember **Engstran** to amend the prior resolution to replace it with the resolution provided in tonight's packet.

Roll Call Vote

Jones nay  
Edberg nay  
Walsh aye  
Hughes aye  
Engstran aye

Motion carried 3:2.

Councilmember **Walsh** made a motion, seconded by **Hughes** to adopt the amended resolution, **Resolution No. 12949** opposing the Purple Line (formally Rush Line) Bus Rapid Transit Route.

Councilmember Walsh read a handful of emails he received from constituents both for and against the Purple Line.

Councilmember Engstran thanked the Council for modifying the resolution.

Roll Call Vote

Hughes aye  
Jones nay  
Engstran aye  
Walsh aye  
Edberg nay

Motion carried 3:2.

**8. NEW BUSINESS**

- A. Resolution denying a request by the Pitlick's for a setback variance at 4264 Cottage Park Road

Planning and Zoning Coordinator Crosby explained the applicant would like to construct a bedroom addition off of the north side of the home and is consequently requesting a 31.5 foot variance from the 35 foot setback along a side abutting a public right-of-way, in order to expand the residence northward by 22 feet. The rough average street-side setback of neighboring properties is 12.25 feet.

Ms. Crosby explained that staff did not believe the layout was designed to minimum the amount of variance needed. Also, there is sufficient room to push the addition a little eastward before encroaching upon the existing deck or patio. She said the applicant did not provide a compelling practical difficulty as to why the proposed floor plan could not be redrawn and as such, the Planning Commission also recommended denial of the requested variance.

Pete Edmonson, owner of the design company, spoke on behalf of the applicants' requested setback. He stated that as a practical difficulty, no homes in this area meet the required 35 foot setback. He added, the existing home is on the lot line and the requested addition if the variance were approved, would be set four feet back from the existing home. He stated that unless the Pitlick's were to resurvey and relocate the lot line, they will never be in compliance.

Councilmember Walsh agreed with Mr. Edmonson, however, he did not feel the hardship was addressed. He believed they could adjust the design, either north or further east. Mr. Edmonson referenced significant landscaping, impediment to the lake view, along with strange roof and gutter lines as a hindrance to such changes.

Councilmember Hughes stated that they just bought the house knowing it was on the property line, and there is no guarantee you get to continue to build on the property line.

Councilmember Jones asked if the applicants were agreeable to expanding on the west side. Mr. Edmonson stated they are agreeable to another two-foot variance, for a total of six, however, anything further would not fit well with the design and appearance of the home.

In response to Councilmember Edberg, Ms. Crosby stated there are two underlying parcels tied together to make this one parcel. Given the impervious area and other setback requirements, she did not believe the two parcels could be separated. City Attorney Gilchrist said that if the Council were inclined to approve a variance in this case, he would recommend that the Council implement a condition to ensure that the two lots are properly combined, not just joined by PID.

It was moved by Councilmember **Walsh** seconded by Councilmember **Engstran**, to deny a request by the Pitlick's for a setback variance at 4264 Cottage Park Road. Councilmember Walsh stated that if the request was revised to provide another two feet, he'd be in favor of it.

In response to Councilmember Edberg, Ms. Crosby explained that, if denied, the applicant would need to re-apply and pay the \$310 fee.

Councilmember **Walsh**, seconded by Councilmember **Jones** made a motion to withdraw his original motion and continue this to the first meeting in April in order to provide the applicant time to review the plans.

Motion carried unanimously.

B. First Reading of a proposed Ordinance adopting a redistricting plan

Tim Geck of 4560 Lake Avenue came forward as the Chair of the City's Redistricting Commission which is comprised of members of the Charter Commission. He covered key points related to the redistricting process, displayed a map of the proposed changes to wards and for informational purposes, displayed the same maps showing voter age and BIPOC populations.

Due to changes in state legislative boundaries, Ward 3 no longer requires two precincts, otherwise its boundaries are proposed to remain unchanged. In order to balance ward populations as nearly as possible, two slight modifications to boundaries are proposed in which the Boatworks Commons apartment complex would shift from Ward 2 into Ward 1, and two city blocks are proposed to shift from Ward 5 into Ward 4.

Mr. Geck stated that the Redistricting Plan consists of a modified written description of five ward boundaries and accompanying map depiction. He explained that the City Council shall



adopt the Redistricting Plan by Ordinance in which tonight is the first reading. He noted that the City Council will be holding its second reading of this Ordinance on March 22, 2021.

Councilmember Walsh stated that moving the Boatworks Commons apartment complex into Ward 1 from Ward 2 made sense.

**9. DISCUSSION**

Nothing scheduled

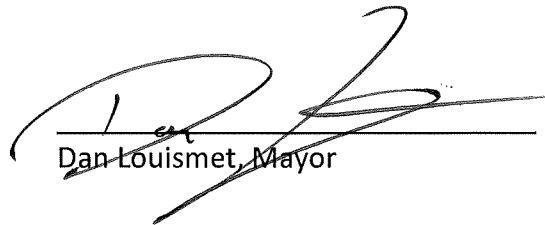
**10. COMMUNICATIONS FROM THE CITY MANAGER**

- A. White Bear Area Chamber of Commerce 2022 Legislative Issues
- B. City Manager Crawford attended a Senate Committee hearing with Mayor Louismet on Housley's bill, which was co-authored by Senator Chamberlain. There are two proposed bills, one in the Senate and one in the House regarding lake levels. A resolution of support for those bills may be coming forward at an upcoming City Council meeting.

**11. ADJOURNMENT**

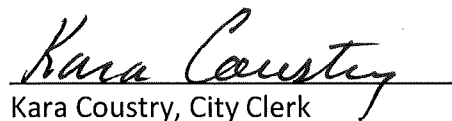
There being no further business before the Council, it was moved by Councilmember **Walsh** seconded by Councilmember **Hughes** to adjourn the regular meeting at 10:09 p.m.

Motion carried unanimously.



Dan Louismet, Mayor

**ATTEST:**



Kara Coustry, City Clerk