



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, MARCH 22, 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, Heidi Hughes, Dan Jones and Bill Walsh. Councilmember Steven Engstran was excused. Staff in attendance were City Manager Lindy Crawford, 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 March 8, 2022

Mayor Louismet corrected the roll-call vote on page 7: Hughes Nay and Edberg Aye on the Purple Line item.

It was moved by Councilmember **Edberg** seconded by Councilmember **Jones**, to approve the Minutes of the March 8, 2022 City Council meeting as amended.

Motion carried unanimously.

3. APPROVAL OF THE AGENDA

Mayor Louismet moved item 4C to 8B and 4F to 8C under New Business.

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

Motion carried unanimously.

4. CONSENT AGENDA

A. Resolution approving extended hours for Tally's music night on the 4th of July. Resolution No. 12950

B. Resolution ordering a public hearing for the Storm Water Pollution Prevention Program (SWPPP). Resolution No. 12951

~~C. Resolution authorizing a letter of support for Ramsey County Parks' Regional Solicitation Application for funding to extend the Bruce Vento Trail.~~

D. Resolution authorizing a letter of support for Washington County's Regional Solicitation application for roadway reconstruction and modernization on Trunk Highway (TH) 120 (Century Ave). Resolution No. 12953

E. Resolution authorizing a letter of support for Twin Cities Habitat for Humanity Solicitation Application for funding from Ramsey County. Resolution No. 12954

- F. ~~Resolution of support for a legislative solution for the lake level of White Bear Lake.~~
- G. Resolution approving a request by Jacqueline Mager for a time extension to an approved Recombination Subdivision at 1996 Elm Street. **Resolution No. 12956**

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

Motion carried unanimously.

5. VISITORS AND PRESENTATION

Nothing scheduled

6. PUBLIC HEARINGS

Nothing scheduled

7. UNFINISHED BUSINESS

- A. Second reading of an Ordinance adopting a Redistricting Plan for the City of White Bear Lake

City Clerk Coustry reported that tonight is second reading of a Redistricting Ordinance, something that is done every 10 years after new Census populations are ascertained. She said, the purpose of redistricting is to balance ward populations as nearly as possible, in a compact and contiguous manner.

Ms. Coustry highlighted two changes to ward boundaries in which 117 Boatworks Commons residents moved from Ward 2 to Ward 1, and a population of 93 residents within a two-block area between Spruce Place & Dorothy Avenue and between McKnight Road & Howard Avenue were moved from Ward 5 into Ward 4. Ramsey County will be sending polling place notifications to residents affected by these Ward changes. She said, the Redistricting Ordinance before Council this evening consists of a written description of these changes along with a new boundary map.

As part of the Ordinance approval process, Mayor Louismet opened the public hearing at 7:05 p.m. There being no comments from the public, Mayor closed the public hearing.

Councilmember Hughes asked for clarification whether two homes directly north of the Boatworks Commons would be moving into Ward 2 as well. Redistricting Commission members Tim Geck and Mark Sather clarified that the homes, being north of the VFW, would remain in Ward 2.

It was moved by Councilmember **Edberg** seconded by Councilmember **Jones**, to adopt **Ordinance No. 22-3-2055** a Redistricting Plan which changes the boundaries between Wards in order to balance the number of residents in each Ward.

Motion carried unanimously.

It was moved by Councilmember **Edberg** seconded by Councilmember **Walsh**, to adopt **Resolution No. 12957** establishing the title and summary approval of Ordinance 22-3-2055.

Motion carried unanimously.

8. NEW BUSINESS

- A. Resolution reestablishing ward and precinct boundaries and designating polling places for elections

City Manager Crawford reported that as a result of the redistricting effort the City Council is required to reestablish ward and precinct boundaries and designate polling places for 2022 elections in the City of White Bear Lake. Noting a change in state legislative districts, Ms. Crawford explained that two precincts in Ward 3 are now combined into one precinct. She presented the polling locations as follows:

Ward 1, Precinct 1	City Hall Council Chambers, 4701 Highway 61
Ward 2, Precinct 1	Library, 2150 2nd Street
Ward 3, Precinct 1	Sunrise Middle School Gym, 2399 Cedar Avenue
Ward 4, Precincts 1 & 2	Golfview Building, 2449 Orchard Lane
Ward 5, Precinct 1	St. Stephen’s Lutheran Church, 1965 County Road E

It was moved by Councilmember **Jones** seconded by Councilmember **Hughes**, to adopt **Resolution No. 12958** reestablishing ward and precinct boundaries and designating polling places for elections.

Motion carried unanimously.

- B. Resolution authorizing a letter of support for Ramsey County Parks’ Regional Solicitation Application for funding to extend the Bruce Vento Trail.

City Engineer/Public Works Director Kauppi reviewed the history of the Bruce Vento Trail (BVT), a Ramsey County project, which predates the Rush Line (now Purple Line). He explained that the BVT is part of the US Bike Route 41, a national bike route that takes you from St. Paul to the Canadian border (basically along Hwy 61) and connects to US Bike Route 45 from St. Paul to the Gulf of Mexico.

Mr. Kauppi stated that in 2016, Ramsey County focused on the segment north of Buerkle Road to County Road J, which is being tackled in two phases. Phase I goes from Buerkle Road to Highway 96 along a trail that would be constructed immediately adjacent to the rail line. Phase II (north of 96) presented right of way constraints along the railway and Highway 61, which prompted Ramsey County to study alternate routes for reaching County Road J. Mr. Kauppi reported on several community engagement efforts by Ramsey County which led to the BVT being aligned on Bald Eagle Avenue north to Bald Eagle Lake, then following east around the lake to Bald Eagle Regional Park.

Ms. Crawford clarified that this resolution seeks permission for the City Manager to sign a letter of support for Ramsey County’s regional funding solicitation request. In addition to being part of the City’s Comprehensive Plan, she said, this letter is similar to two past letters of support, the most recent which was approved by Council last April.

In response to Councilmember Walsh, Mr. Kauppi explained that Ramsey County is requesting regional solicitation funding from the Metropolitan Council. Also, the trail portion along Bald Eagle Avenue, would be on the east side of the road where the sidewalk would be widened and upgraded to a multi-use trail.

In response to Mayor Louismet's question about the timeline for Phase II, Mr. Kauppi explained that Ramsey County kicked a study in 2021 for this portion and will continue to work with the City and the Township for another year or two.

Councilmember Jones attended both the pre-Covid BVT meetings and stated that all in attendance were adamant that the trail should follow the railroad along Highway 61. He stated the future is walking and biking and he supported this alternate design in the absence of the ability to acquire right-of-way from the railroad.

Councilmember Edberg added that the City has also provided public engagement opportunities related to the BVT in its adoption of the Comprehensive Plan and especially during the Highway 61 redesign. Extensive opportunity has been made available for the public to comment on the BVT and he supported this resolution.

It was moved by Councilmember **Jones** seconded by Councilmember **Edberg**, to adopt **Resolution No. 12952** authorizing a letter of support for Ramsey County Parks' Regional Solicitation Application for funding to extend the Bruce Vento Trail.

Motion carried unanimously.

C. Resolution of support for a legislative solution for the lake level of White Bear Lake.

City Manager Crawford reported that most recently the Department of Natural Resources (DNR) analyzed the maximum authorized volumes in groundwater use permits within a 5-mile radius of the lake, evaluated the impact of that use on water levels of the lake, and set a collective annual withdrawal limit for the lake. That analysis, she said, revealed a limit of 55 gallons per day, per person based upon 2020 census data, leaving no water for schools, hospitals, medical offices, government buildings, nor any other commercial, industrial or agricultural uses.

Seeking legislative relief from this court order, Ms. Crawford explained that Senator Housley introduced a bill with bipartisan support from Senators Chamberlain and Wiger as co-authors. In February, the bill was heard at the Senate committee, and in its draft form, was shared with and generally supported by other affected communities including Lake Elmo, Hugo, Lino Lakes, Oakdale, White Bear Township, Stillwater, Mahtomedi, Vadnais Heights, and North St. Paul.

Ms. Crawford forwarded a resolution of support for Council's consideration, which broadly encouraged the legislation to pass a bill to assist with this regional matter. To her knowledge, this resolution of support had already been adopted by the cities of Lake Elmo, Oakdale, Vadnais Heights, and North St. Paul.

Mayor Louismet added that he attended the initial Senate hearing with City Manager Crawford and, the bottom line is, the DNR's interpretation of the judge's order leaves cities with a water draw amount that just is not workable. He encouraged the City Council to pass the resolution for some relief from this court order.

Councilmember Jones mentioned the City of White Bear Lake had reduced its water usage by 20% and he did not know how the City was going to cut more water use, noting that we are giving away free toilets to save every drop. He supported this resolution whole-heartedly, stating he did not believe the judge looked at the science. That said, he noted that White Bear Lake residents use 75 – 90 gallons of water per person / per day and he asked people to picture what 90 gallons looks like – we can always do better.

Councilmember Edberg asked for this resolution to be pulled from the consent agenda in order to emphasize connections to the other exorbitantly expensive policy outcomes that would be detrimental to our community, including lake augmentation and systems conversions to implement the use of surface water. In his opinion, the judge may have gotten the law right, but it's not clear that the science was right, consequently he did not trust the math which means there cannot be a policy. He thanked Senators Housley, Chamberlain, Wiger and others who support this legislation.

Councilmember Walsh referenced posts on social media about cities circumventing the judicial branch of government with this legislative angle. He stated that there is a perfect balance between the branches of the government. In this case the plaintiffs took the DNR to court and won because the DNR was not enforcing the law as it was written. He explained that this is an opportunity for the legislature to add clarity to the law for the courts, with the correct intent.

It was moved by Councilmember **Edberg** seconded by Councilmember **Walsh**, to adopt **Resolution No. 12955** support for a legislative solution for the lake level of White Bear Lake.

Motion carried unanimously.

9. DISCUSSION - Nothing scheduled

10. COMMUNICATIONS FROM THE CITY MANAGER

A. Ramsey County Smoke-Free Housing Updates from the MN Association for Nonsmokers

11. 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 7:43p.m.

Motion carried unanimously.



Dan Louismet, Mayor

ATTEST:



Kara Coustry, City Clerk