



**MINUTES  
REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
TUESDAY, JULY 12, 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 Assistant City Manager took attendance for Councilmembers Kevin Edberg, Steven Engstran, Heidi Hughes, Dan Jones and Bill Walsh. Staff in attendance were City Manager Lindy Crawford, Assistant City Manager Rick Juba, Public Works Director / City Engineer Paul Kauppi, Community Development Director Jason Lindahl and City Attorney Troy Gilchrist.

**PLEDGE OF ALLEGIANCE**

**2. APPROVAL OF MINUTES**

A. Minutes of the City Council Work Session on June 21, 2022

It was moved by Councilmember **Edberg** seconded by Councilmember **Engstran**, to approve the Minutes of the June 21, 2022 City Council Work Session as presented. Motion carried unanimously.

B. Minutes of the Regular City Council Meeting on June 28, 2022

It was moved by Councilmember Jones seconded by Councilmember **Engstran**, to approve the Minutes of the June 28, 2022 City Council Meeting as presented. Motion carried unanimously.

C. Minutes of the City Council Work Session on June 28, 2022

It was moved by Councilmember **Walsh** seconded by Councilmember **Engstran**, to approve the Minutes of the June 28, 2022 City Council Work Session as presented. Motion carried unanimously.

**3. APPROVAL OF THE AGENDA**

Councilmember Edberg requested to move acceptance of the Park Commission Minutes to 8A. THC Regulation was added as 9A by Mayor Louismet.

It was moved by Councilmember **Edberg** seconded by Councilmember **Jones**, to approve the Agenda as amended. Motion carried unanimously.

**4. CONSENT AGENDA**

- A. Acceptance of Minutes: April & May Environmental Advisory Commission, May White Bear Lake Conservation District, June Planning Commission, ~~May Park Advisory Commission~~
- B. Resolution approving a request by Kris and Kasey Birch for four variances at 4324 Cottage Park Rd

- C. Resolution approving a request by Rollo Strand for a minor subdivision and variance at 1986 Webber St
- D. Resolution accepting bids and awarding a contract for the 2022 Crack Sealing Project 22-03
- E. Resolution accepting bids and awarding a contract for the 2022 Bituminous Seal Coating Project 22-02
- F. Resolution approving a tobacco license for MNJ Tobacco Inc at 4074 White Bear Ave.
- G. City Manager Performance Evaluation Summary

It was moved by Councilmember **Edberg** seconded by Councilmember **Jones**, to approve the Consent Agenda as amended. Motion carried unanimously.

## 5. VISITORS AND PRESENTATIONS

- A. Quarterly Community Development Report

Community Development Director Lindahl presented the Community Development Department's Quarterly Report. Councilmember Jones requested future reports provide historical comparisons to provide more context to emerging trends in code enforcement activity.

## 6. PUBLIC HEARINGS

- A. Vacation of a Portion of 5<sup>th</sup> Avenue

Community Development Director Lindahl summarized that staff is recommending the City Council consider vacating portions of 5<sup>th</sup> Avenue right-of-way between the north side of Clarence Street and the north side of Whitaker Street, including:

- From the south of Clarence Street to the north of Park Street
- From the south of Park Street to the north of Hinckley Street
- From the south of Hinckley Street to the north of Whitaker Street

Neighborhood concerns were raised during the Rose Park View Addition (Tice) Preliminary Plat review in 2021. Both City staff and the City Attorney have reviewed the proposed vacation and find it is in the best interests of the public to vacate most, but not all, of the southern portion of the 5<sup>th</sup> Street right-of-way. The City should retain the street ends of Clarence, Park and Hinckley Streets to allow continued public access and on-going maintenance.

Mayor Louismet opened the public hearing at 7:10 p.m.

Paul Moody - 1823 Park - requested clarification that the City is maintaining the right-of-way at the end of Park Street and Clarence Street. Staff confirmed that the City will still maintain the street ends.

Pat Kenny – 1800 Park Street – is concerned that the City owned property next to his residence is a former dump site and what pollutants might be present on the property.

Councilmember Jones serves on the Board for Vadnais Lake Area Water Management Organization. The property that Mr. Kenny is referring to receives drainage from 800 acres of land is regularly tested for pollutants.

Closed Public Hearing at 7:15

Councilmember Edberg requested that Staff address the concerns about snow plowing around these street ends. Councilmember Edberg also questioned the City's obligation is for maintenance of the City owned property at the end of Park Street. City Engineer/Public Works Director Kauppi stated that now that there is no more question surrounding ownership of the street ends, staff will plow to the end of them, which will address the concerns raised tonight. The use of the City property can be addressed in a future discussion.

It was moved by Councilmember **Walsh** seconded by Councilmember **Hughes**, to approve the Resolution vacating a portion of 5<sup>th</sup> Avenue as presented. Motion carried unanimously.

## 7. UNFINISHED BUSINESS

Nothing scheduled

## 8. NEW BUSINESS

A. Acceptance of Minutes of the May Park Advisory Commission

Councilmember Edberg expressed his gratitude for receiving the various commission minutes. He would like to explore having annual discussions with the Commissions at a City Council meeting. He is interested in engaging citizens more intentionally regarding commission participation. Councilmember Edberg specifically wanted to thank the Park Commission members for their work visiting parks and gathering information on park improvements desired in the community.

City Manager Crawford will follow up on the idea to have annual discussions between the City Council and Commissions. Mayor Louismet supported this concept.

It was moved by Councilmember **Edberg** seconded by Councilmember **Jones**, to accept the May Park Advisory Commission Minutes as presented. Motion carried unanimously.

## 9. DISCUSSION

A. THC Regulation

City Attorney Gilchrist summarized the law that went into effect July 1, 2022 allowing the sale of certain products featuring THC in the State of Minnesota. The City has the ability to license the sale of such items or regulate where the sale of such products can take place through the zoning code. Because of the lack of information surrounding this new law and the lack of details within the new law, he recommends an interim moratorium ordinance to allow staff to research and the Council to review this issue.

The consensus of the Mayor and City Council was to have staff draft an interim ordinance that will create a moratorium on the sale of products containing THC within the City of White Bear Lake. City Attorney Gilchrist also recommended doing some updating to the City's tobacco ordinance to include some changes to laws at a state level. City Attorney Gilchrist clarified that a moratorium should be limited to no longer than one year.

**10. COMMUNICATIONS FROM THE CITY MANAGER**

A. 4<sup>th</sup> of July Fireworks Recap

City Manager Crawford recapped the 4<sup>th</sup> of July and expressed appreciation for all involved.

Upcoming City events include Fridays with Firefighters, A/V pilot project kick off, Chamber meet and greet, Cops on the Course and Floats with the Fuzz.

**11. 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 7:39 p.m. Motion carried unanimously.

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Dan Louismet, Mayor

**ATTEST:**

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Lindy Crawford, City Manager