



**MINUTES  
REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
TUESDAY, SEPTEMBER 27, 2022  
7 P.M. IN THE COUNCIL CHAMBERS**

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

Mayor Dan Louismet called the meeting to order at 7 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, City Engineer/ Public Works Director Paul Kauppi, Fire Chief Greg Peterson, City Clerk Caley Longendyke and City Attorney Troy Gilchrist.

**PLEDGE OF ALLEGIANCE**

**2. APPROVAL OF MINUTES**

A. Minutes of the Regular City Council Meeting on September 13, 2022

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to approve the minutes. Motion carried unanimously.

**3. APPROVAL OF THE AGENDA**

Mayor Louismet removed one consent agenda item per request of the applicant: Resolutions approving preliminary and final plats for Willow Ridge 2nd Addition – Schafer Richardson. It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to approve the agenda as amended. Motion carried unanimously.

**4. CONSENT AGENDA**

Nothing scheduled.

**5. VISITORS AND PRESENTATIONS**

A. Firefighter Appreciation Month Proclamation and Swear in Firefighters

Mayor Louismet read a proclamation declaring the month of October 2022 as Firefighter Appreciation Month in White Bear Lake. Five firefighters were then given the Oath of Service and were sworn in.

**6. PUBLIC HEARINGS**

A. Final Assessment Roll for the 2022 Pavement Rehabilitation Project, City Project No. 22-01

City Engineer/ Public Works Director Kauppi presented the final assessment roll for the 2022 Pavement rehabilitation Project. As a last official step to the final assessment roll, the City Council has to hold a public hearing prior to consideration of the assessment roll for parcels benefited by the project. Kauppi provided an overview of the project which included full pavement replacement, alley reconstruction, curb repairs, sidewalk additions, and storm sewer

repairs and additions. He shared the information in the letter that was sent to residents, which explained the project and the appeal process.

Mayor Louismet opened the public hearing. There being no members from the public wishing to speak, Mayor Louismet closed the public hearing.

It was moved by Councilmember **Walsh** seconded by Councilmember **Jones**, to adopt **Resolution No. 13057**, approving the assessments as presented. Motion carried unanimously.

B. Birch Lake Improvement District 2023 Service Charge

City Manager Crawford provided information about the proposed 2023 service charge for the Birch Lake Improvement District (BLID). BLID, which began in 2006 pursuant to state statute and a petition from lakeshore property owners, works to develop the financing and implement activities that improve and protect the quality of Birch Lake. Originating documents authorize the BLID's Board of Directors to approve an annual service charge not to exceed \$25,000. The board was requesting the City Council approve a service charge of \$21,700 for certification in 2022 and taxes collectible in 2023. Property owners would share the cost of the service charge for \$350 per property for 2023. Crawford said this is consistent with previous years' budgets and is based on residents' desire for special projects related to studies, restoration and chloride monitoring.

Mayor Louismet opened the public hearing at 7:19 p.m. BLID Chairperson Steve Laliberte shared information about the current year's budget and projects. Projects included weed harvesting, participation in a Vadnais Lake Area Water Management Organization grant to remove milfoil and a fish survey. There being no other members from the public wishing to speak, Mayor Louismet closed the public hearing at 7:22 p.m. Councilmember Edberg requested balance sheets to be included in the council packet in the future.

It was moved by Councilmember **Jones** seconded by Councilmember **Walsh**, to adopt **Resolution No. 13058**, certifying the BLID service charge of \$21,700. Motion carried unanimously.

**7. UNFINISHED BUSINESS**

A. Second Reading of an Ordinance Rezoning the Property Located at 2228 4<sup>th</sup> Street – Armory

City Manager Crawford summarized the information that was presented to the City Council at its September 13 meeting. The City was requesting the Council to approve the rezoning of 2228 4<sup>th</sup> Street from P-Public to B-5 – Central Business. This was in alignment with the sale of the City-owned Armory building to the White Bear Lake Area Historical Society.

It was moved by Councilmember **Walsh** seconded by Councilmember **Hughes**, to adopt **Ordinance No. 22-09-2056**, approving the rezoning of 2228 4<sup>th</sup> Street from P-Public to B-5 – Central Business. Motion carried unanimously.

B. Interim Moratorium Ordinance – Sale of Cannabis Products

City Manager Crawford summarized background information of the State on Minnesota legalizing the sale of edible cannabinoid products containing THC (cannabis products), effective July 1. She said the legislation did not address local regulation on the sale of products which has resulted in cities trying to determine their scope of authority and the need to study whether or not to adopt local regulations. She summarized the series of meetings involving the City Council discussing the legislation and the direction to City staff to develop an interim ordinance and moratorium for consideration. The first reading of the proposed interim ordinance and moratorium was conducted on July 26 and the second reading and public hearing was conducted at the August 10 meeting. During the second reading, it was the consensus of the Council to table the vote in order to separate cannabis products from tobacco shop language. A work session was scheduled for August 23 for additional discussion on the topics.

Mayor Louismet opened an opportunity for public comment at 7:28 p.m. Rajai Wazwaz, business owner of two White Bear Lake tobacco shops, shared about the livelihood of himself and his employees and the wellbeing of his customers. He shared concerns about customers seeking cannabis products elsewhere resulting in his shops being put out of business. White Bear Township resident Kevin Schoonover shared his advocacy of cannabis products as a holistic solution to address a variety of issues. Mayor Louismet closed the opportunity for public comment at 7:34 p.m.

Mayor Louismet clarified what products would be affected during the moratorium and said the moratorium was proposed to last one year, but it doesn't have to be a full year. He said City staff will be able to conduct a thoughtful and thorough study, and determine a regulatory structure for zoning and license procedures. Mayor Louismet voiced support for the moratorium. Councilmember Jones shared concern where it would be sold. Councilmember Edberg agreed about the need for zoning and requiring licensure. There was discussion about the effects of nicotine and alcohol and comparison to THC. Councilmember Edberg suggested a quarterly report on the City's progress on the study during the moratorium.

City Attorney Gilchrist responded to the request that businesses should be able to sell the products they sold before July 1, and said the moratorium will be focused on the edible cannabis products that became legal as of July 1. Mayor Louismet recognized the likelihood of legislative discussion and action that may take place during the next session. Councilmember Hughes expressed support for the moratorium. Councilmember Jones requested more frequent updates of the City's study during the moratorium. City Manager Crawford emphasized that City staff were already conducting research and doesn't expect the need for a full-year moratorium. Councilmember Walsh supported the idea of waiting for the legislature to discuss this topic. He explained it would seem to be a waste of time if the City adopts an ordinance, then changes it in the spring. He addressed an earlier remark and said it shouldn't be the City's responsibility to compare the effects of cannabis products to nicotine and alcohol. Councilmember Edberg said no matter what the legislature decides, the City has the right to zone where products could be sold and determine licensure, thus an opportunity to take action without waiting for the legislature.

It was moved by Councilmember **Walsh** seconded by Councilmember **Jones**, to adopt **Interim Ordinance No. 22-09-2057**, authorizing a study and imposing a moratorium on the sale of cannabis products. Motion carried unanimously.

It was moved by Councilmember **Walsh** seconded by Councilmember **Jones**, to adopt **Resolution No. 13059**, approving the summary publication of said interim ordinance by title and summary.

C. Interim Moratorium Ordinance – Establishment or Expansion of Tobacco Shops

City Manager Crawford provided information on the proposed interim ordinance and moratorium on the establishment or expansion of Tobacco Shops, as defined as retailers with a significant portion of their products being sales of tobacco-related products. She explained the City currently does not regulate Tobacco Shops as a separate land use and said the City has experienced retail businesses opening then transforming into Tobacco Shops, even though it is not recognized as a permitted use in the City's Zoning Code. The City also needs to update its regulations to keep pace with current changes in both federal and state laws. Crawford expressed the need to study current city regulations regarding Tobacco Shops, therefore the need for a moratorium to temporarily prohibit the establishment or expansion of Tobacco Shops. The definition of expansion was discussed and is defined as increasing the amount of shelf space, increasing the floor area or increasing the size of the building.

It was moved by Councilmember **Jones** seconded by Councilmember **Hughes**, to adopt **Interim Ordinance No. 22-09-2058**, authorizing a study and imposing a moratorium on the establishment or expansion of tobacco shops. Motion carried unanimously.

It was moved by Councilmember **Edberg** seconded by Councilmember **Jones**, to adopt **Resolution No. 13060**, approving the summary publication of said interim ordinance by title and summary.

**8. NEW BUSINESS**

A. Resolution authorizing a contract for embedded mental health services for the Police and Fire Departments

City Manager Crawford said the mental health and wellness of Minnesota public safety professionals is escalating, and the City is taking steps to support their staff. She presented statewide statistics about the increased need for mental health resources for public safety professionals to address the risk or experience of depression, anxiety, stress, and post-traumatic stress disorder. Crawford said the City currently has made mental health services available to employees through a third-party consulting therapist. She explained the goal is to become more proactive and embed the mental health services in the police and fire departments by bringing a professional to the departments to provide training, accompany crews on significant calls and be on-call during crisis situations to debrief events. The annual cost would be \$52,000. The consultant has been used by other cities that provided high remarks. The resources would be available starting October 13.

Mayor Louismet thanked city administration for bringing this forward and thinking about the needs of staff. He said the proactive resource will be more beneficial for employees than reactionary resources, and employees will be able to lead better lives. He added that this will

be a good resource for current public safety employees, as well as a recruitment tool for future employees.

Crawford answered City Councilmembers' questions and said Masa Consulting would be working exclusively with White Bear Lake Public Safety, Roseville Public Safety and the Burnsville Fire Department. The contract would need to be renewed every year.

It was moved by Councilmember **Edberg** seconded by Councilmember **Engstran**, to adopt **Resolution No. 13061**, authorizing the Mayor and City Manager to execute a contract with Masa Consulting for embedded mental health services in the Police and Fire departments. Motion carried unanimously.

## 9. DISCUSSION

Nothing scheduled

## 10. COMMUNICATIONS FROM THE CITY MANAGER

City Manager Crawford shared about a ribbon cutting for a Level-3 Electric Vehicle charging station, the first in the city, at the White Bear Lake Superstore, an upcoming ribbon cutting at Applied Care Services, the upcoming Fire Prevention Open House, and the upcoming County Road E Corridor Study Community Meeting Workshop. She shared that Fire Department staff will be a guest at an upcoming Ramsey County Library Story Time. The dedicated work of the City's Boards and Commissions members would be celebrated at an upcoming recognition banquet.

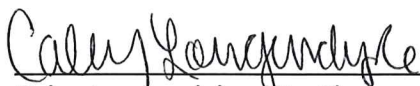
## 11. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to adjourn the regular meeting at 8:15 p.m. Motion carried unanimously.



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Dan Louismet, Mayor

ATTEST:



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Caley Longendyke, City Clerk