



**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL OF**  
**THE CITY OF WHITE BEAR LAKE, MINNESOTA**  
**TUESDAY, JULY 11, 2017**  
**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. Councilmembers Doug Biehn, Kevin Edberg, Steven Engstran, Dan Jones and Bill Walsh were present. Staff members present were City Manager Ellen Richter, City Engineer Mark Burch, Community Development Director Anne Kane, Finance Director Don Rambow, City Clerk Kara Coustry and City Attorney Roger Jensen.

PLEDGE OF ALLEGIANCE

**2. APPROVAL OF MINUTES**

It was moved by Councilmember **Jones** seconded by Councilmember **Edberg**, to approve the Minutes of June 27, 2017, as presented.

The motion carried unanimously.

**3. APPROVAL OF THE AGENDA**

Councilmember Jones requested the following addition to the Agenda:

Item 11B. Public Works Department - Appreciation

It was moved by Councilmember **Edberg** seconded by Councilmember **Biehn**, to approve the Agenda as amended.

The motion carried unanimously.

**4. VISITORS AND PRESENTATIONS**

**A. Lake Links Trail – Mike Brooks**

Michael Brooks, Ramsey County Chairperson of the Lake Links Association, presented a Certificate of Appreciation to Mayor Emerson and the City Council for the unanimous Resolution of Support for the Lake Links Trail. He stated this support resulted in much-needed funding for completion of the trail network from Lions Park to South Shore Boulevard. He added the important project would not have been possible without the support of the cities of White Bear Lake, Dellwood, Mahtomedi, Willernie and Birchwood Village. Mayor Emerson accepted the Certificate of Appreciation on behalf of the City Council.

B. Executive Director League of Minnesota Cities – Dave Unmacht

Dave Unmacht, Executive Director of the League of Minnesota Cities, gave a presentation regarding the League's mission and focus. He introduced Casey Cassella, the League's Administrative Intern, and thanked her for her hard work and dedication, which exceeds that of a typical intern.

Mr. Unmacht expressed his thanks to the City Council, City Staff and community of White Bear Lake for making it possible for Mayor Emerson to serve as the League's current President. He added, in 2018, Mayor Emerson will have served on the League Board for seven years, in various capacities. He thanked her for her commitment to the League's efforts and success.

Mr. Unmacht stated he hopes to engage with member communities to provide information about projects undertaken by the League of Minnesota Cities. He added the League staff utilize a database of contacts with cities to identify areas of focus and provide resources to help cities make sound decisions. He noted the City of White Bear Lake has contacted the League 35 times over the past year.

Mr. Unmacht reviewed the League's current priorities for the communities it represents: leadership equity; access to technology; and racial equity. He added these priorities are not mandated services, but rather optional areas of focus as the needs for these services vary from city to city. He noted the League strives to be relevant and representative of current local governments.

Councilmember Edberg expressed his appreciation for the work done by the League of Minnesota Cities at the State Legislature on behalf of the City. He added there is an increasing trend at the State level to attempt to reduce the authority and autonomy of local governments. He noted the Small Cell Wireless Bill is an example of egregious interference from State government in an area which is funded solely by the City itself. He asked what cities can do to remain autonomous.

Mr. Unmacht stated he has worked in local government since 1984 in a variety of roles, currently in Association Management. He added he has never experienced a threat to local autonomy like the current legislative trend. He noted this is not just a local issue, but it is more obvious in Minnesota because cities have historically maintained more local government control.

Mr. Unmacht stressed the importance of cultivating a strong collaborative message across all local governments, but also an understanding that compromise is necessary to get things done.

Councilmember Walsh asked, from a best practices standpoint, whether the League has any data on the issues of body cameras and data collection, which the City of White Bear Lake is currently exploring. Mr. Unmacht stated the League has a model body camera policy that was created by a group of local law enforcement officials. He added this is an ever-changing topic, but the League's model policy is a good starting point.

Councilmember Jones stated the City of White Bear Lake has funded its own infrastructure projects over the years, thanks to current and previous City Councils and City Staff. He

added it seems unfair for communities to expect and receive State funding for projects while other communities pay for themselves.

Mr. Unmacht stated the need for infrastructure funding is not limited to the smallest communities, although smaller cities often lose their tax base and are not able to begin projects. He added this issue appears to be prominent because there are currently many such communities in Minnesota.

Councilmember Edberg stated the City of White Bear Lake would not be able to fund infrastructure projects without substantial State investment in programs like Housing, the Community Development Block Grant program, and State Aid funding for some of the City's roadways.

Councilmember Edberg asked for Mr. Unmacht's opinion regarding the resources that will be available to municipalities in the next 2-5 years, and what the City can anticipate from a planning perspective.

Mr. Unmacht stated it is becoming increasingly clear that State and Federal governments are not reliable funding sources, and local municipalities can pursue funding with limited expectations. He added, from a strategic standpoint, a policy of self-sufficiency is advised.

Councilmember Biehn expressed concern that cities like White Bear Lake, that fund many of their own projects, miss out on the benefits of funding available at the State and Federal level. Mr. Unmacht agreed, adding every City faces that question.

Mayor Emerson thanked Mr. Unmacht for his presentation.

## 5. PUBLIC HEARINGS

- A. Second reading of a request by Spade Landscaping to amend the text of the B-3 zoning district to allow contractor's yards as a Conditional Use.

Community Development Director Kane stated a Public Hearing was held on a proposed text amendment to the B-3 zoning district was held at a recent Planning Commission meeting. She added the proposed amendment would allow a contractor's yard as a Conditional Use in the B-3 Auto-Oriented Business District. The draft text amendment was carefully crafted to allow such uses on just a handful of eligible sites.

Community Development Director Kane stated the Planning Commission forwarded a unanimous recommendation for approval of the text amendment.

It was moved by Councilmember **Edberg** seconded by Councilmember **Walsh**, to approve **Resolution No. 15057** establishing the title and summary approval of **Ordinance No. 17-07-2026**, an ordinance amending the City of White Bear Lake Zoning Code at Section 1303.140, "B-3 – Auto Oriented Business" District, as it related to establishment of contractor's yards.

The motion carried unanimously.

## 6. LAND USE

A. Consent

1. Consideration of a Planning Commission recommendation for approval of a request by Jassmin Hochhalter for a Special Home Occupation Permit for the property located at 4844 Peggy Lane. (17-3-SHOP). **Resolution No. 12058**
2. Consideration of a Planning Commission recommendation for approval of a request by Cox Contracting on behalf of Reed Vanderzee for a variance for the property located at 4976 Stewart Avenue. (17-15-V). **Resolution No. 12059**

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

The motion carried unanimously.

**7. UNFINISHED BUSINESS**

Nothing scheduled

**8. ORDINANCES**

Nothing scheduled

**9. NEW BUSINESS**

A. Resolution authorizing the Armory Application for National Register of Historic Places

City Manager Richter stated an application has been prepared nominating the White Bear Lake Armory for listing on the National Register of Historic Places. She added, if successful, there would be no additional restrictions on future building modifications, as a preservation easement on the property already exists from its original purchase. She noted the building can be requested to be removed from the Register at any time, although inclusion on the Register provides additional grant funding opportunities.

Councilmember Walsh requested clarification regarding the process that would be necessary to pursue any future development of the property.

City Manager Richter stated City Council approval would be required to remove the building from the Register. She added she is unsure how the existing preservation easement would affect development of the site, as there may be some restrictions, and further research is necessary.

Councilmember Walsh stated, in his opinion, preservation of the Armory should not take precedence over future potential development. He added he would support consideration of another potential use for the property rather than preserving the building in its current state.

City Manager Richter stated the Historical Society occupies the building's second floor, and this designation may help them with their ongoing records preservation efforts.

It was moved by Councilmember **Edberg** seconded by Councilmember **Jones**, to adopt **Resolution No. 12060** authorizing the Armory application for National Register of Historic Places.

The motion carried 4:1. Councilmember Walsh nay.

## 10. CONSENT

- A. Acceptance of May Park Advisory Commission Minutes, May Environmental Advisory Commission Minutes and June Planning Commission Minutes

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

The motion carried unanimously.

## 11. DISCUSSION

- A. Sports Center Update

City Manager Richter stated she has provided planning documents and preliminary budget estimates for the City Council's review prior to this meeting. She added the City Council, at its July 25, 2017, Regular Meeting, will be asked to consider whether to move forward with the next phase of planning.

City Engineer Burch stated a construction start date of April 1, 2018, is planned. He added a proposed project design will be presented at the City Council's July 25, 2017, Regular Meeting, for consideration of approval to proceed to final design stage.

City Engineer Burch presented architectural renderings of the building's proposed renovated exterior, including the west façade, which incorporates both metal and translucent exterior wall panels. He added corrugated metal panels, proposed for exterior walls and roof, can be manufactured in a variety of colors. He noted the west façade rendering features graphics and signage.

City Engineer Burch stated the south façade rendering features a large dark stripe with graphics to highlight the main entrance. He added that if it is decided to add capacity to the refrigeration system for a future 2<sup>nd</sup> sheet of ice, a small facility would be located on the south side perpendicular to the existing sheet. No major entrance improvements are planned since they would need to be removed in the event of a second sheet addition.

City Engineer stated the roof manufacturer brochures show styles, sizes and colors of exterior metal panels and insulated Super Saver panels. He added improvements to the building's interior will include Building Code-compliant upgrades, additional restrooms, increased accessibility, and accommodation for portable bleachers.

City Engineer Burch stated the total estimated project cost, provided by Kraus-Anderson's estimating team, is \$5,747,000. The design team is investing potential deductions that would reduce that by \$272,000. He added this estimate includes measures that would

prepare the facility for a second sheet of ice and larger refrigeration room. He noted these improvements total \$385,000 and include: a new refrigerator room (\$230,000); electrical panel for refrigeration skid (\$85,000), demolition of the green house on the site (\$20,000); and water and sanitary sewer improvements (\$50,000).

City Manager Richter stated seating for 750 people was included in the original proposal. She added seating is proposed to be maintained at the current total number of 400 seats.

City Engineer Burch stated Sports Center staff and the Hockey Association are comfortable with maintaining 400 seats. He added the Hockey Association would be responsible for implementation and funding of the Memory Wall. He noted a new line item not in the original estimate was conversion of lighting to LED for the entire facility, for a total of \$35,000.

In response to a question by Councilmember Biehn, City Engineer Burch stated other items were removed as a cost savings measure, such as changing the radius of rink boards, and the addition of White Bear Lake colors to the changing top rail and kick rail. He added very little change is proposed for the south side entry.

Councilmember Walsh asked whether the savings that is realized on the project, such as energy rebates, can be included in funding that will contribute to ongoing maintenance costs and paying off the debt. He asked whether the house will be demolished, and if it is currently occupied or vacant.

City Engineer Burch stated the house was acquired by the City a few years ago, and a tenant, who is a White Bear Lake firefighter, currently lives there at a reduced rate. He added there is a 30-day lease extension and staff has already spoken with the tenant about this project.

City Engineer Burch stated he has not included potential energy rebates that are available for high efficiency systems, LED lighting, and electrical panels. He added Xcel Energy is engaged in this project, but equipment rebates have not been determined yet.

Councilmember Walsh asked whether there are any estimates regarding maintenance costs. City Engineer stated Burch there will be higher maintenance costs, because the proposed refrigeration system uses ammonia rather than Freon, and City Staff will need to be trained in the use and handling of ammonia.

Councilmember Walsh asked whether more employees would be hired. City Manager Richter stated the sports center facility operations will not change and no additional employees will be required. It is expected that significant savings will be realized in energy rebates and building efficiencies. Kraus-Anderson is working through these estimates.

Councilmember Biehn asked how much the second sheet of ice would cost if it were to be completed in the future. City Engineer Burch stated that has not been determined. He added another refrigeration skid would be necessary, which would increase operational and maintenance costs. He added larger refrigeration equipment would be installed.

City Manager Richter stated Kraus-Anderson is finalizing cost estimates for review at the City Council's July 25, 2017, meeting, and will at that time provide a better estimate of costs avoided by preparing for a second sheet of ice.

Councilmember Biehn asked whether there is an advantage to preparing for a second rink as far as existing usable space in the building. City Engineer Burch stated existing building space would not matter in terms of a future second sheet of ice.

Councilmember Biehn asked what would be done with the current refrigeration equipment space. City Engineer Burch stated that space would probably be used for additional restrooms.

Councilmember Walsh stated there is enough room for a single refrigeration system in the existing space. City Engineer Burch agreed, adding equipment safety requirements were taken into consideration.

Mayor Emerson introduced Kevin McFarlane, representing the Hockey Association, and invited him to the podium.

Councilmember Jones stated his only concern is whether the Hockey Association's funding could fall through in the next six months. Mr. McFarlane stated their funding is solid, and he hopes to present a Letter of Credit to the City Council at their July 25, 2017, meeting.

Councilmember Jones asked whether their voting could change. Mr. McFarlane confirmed this, adding that could happen with any organization.

Councilmember Edberg asked whether there are any project components that the Hockey Association feels are of high priority.

Mr. McFarlane stated the interior dedication wall is a high priority. He added it will mean a lot to the Association and its families and players to have a wall that commemorates past presidents, board members, players and teams. He noted the Association wants the interior of the building to have identifying features and colors, orange and black, so visitors know they are in White Bear Lake.

Councilmember Edberg asked whether seating for 400 is sufficient. Mr. McFarlane stated 400 seats is more than sufficient for youth hockey, and temporary bleachers can be brought in as needed for larger events.

Councilmember Edberg stated the original agreement of a 50/50 split in terms of cost included one sheet of ice. He added the City Council respects that the Hockey Association has a different vision. He noted there have been discussions about preparing the building for a potential second sheet of ice. He asked how that additional cost would affect the Hockey Association's understanding of the 50/50 split.

Mr. McFarlane stated the Association has indicated their total cannot exceed \$2 million. He added since the budget amount has increased, this will be discussed at the Hockey Association Board meeting on July 12, 2017. He noted it is imperative that the School District become involved in discussion for future second sheet of ice, and that Ramsey

County re-opens the White Bear County Arena, to provide desperately needed ice for the area's 600+ youth hockey players, 10 years old and under.

Councilmember Edberg stated, in his opinion, the contingency is reasonable. He added he still supports the City's portion of 50% of the total costs, and he does not support funding preparations for a second sheet of ice.

Councilmember Edberg asked Finance Director Rambow whether the increased project cost is still within the City's capacity.

Finance Director Rambow stated an internal loan was used to fund the YMCA project from the annual tax levy, as well as tax and slip rental, which provides funds of approximately \$285,000. He added these funds were utilized to set up the internal loan: \$1 million from a non-bonded fund; \$1 million from the insurance fund; and \$725,000 from the Parks Improvement Fund. He noted funds could be re-assigned to a new debt obligation of \$285,000 which could support the additional cost of this project based on the 50/50 split.

Councilmember Edberg stated the City would forego repayment of some of its own funds to provide an updated community asset, and extend that debt for a period of time. He asked whether the City's cost will be the inter-fund that will not be repaid. Finance Director Rambow confirmed this, adding it is an "opportunity cost" – making the decision to spend money on a project rather than another project.

City Manager Richter stated that reassigning the dollars currently dedicated to repaying the inter-fund loan would support a \$4 million bond paid over a 20-year period.

Councilmember Jones asked whether interior improvements fall within the proposed budget. City Engineer Burch stated interior areas are included in the budget, including paint, carpet and updated ceiling in general use areas, as well as upgraded spaces to accommodate accessibility.

Councilmember Jones stated the current entryway should be updated so that it is a nice area, with better materials. He stated, in his opinion, the racquetball space could be repurposed.

City Engineer Burch stated larger accessible restrooms will impact the layout of other areas of the building. He added the racquetball area is not part of this project.

Councilmember Jones asked whether exterior signage will be replaced. City Engineer Burch confirmed this.

Councilmember Jones stated he supports the interior memory wall, which is a key element, and both interior and exterior finishes can be simple. He added he supports the 50% cost share.

City Manager Richter stated, for purposes of clarification, the Hockey Association's original contribution was agreed at 50% up to a project cost of \$2 million. She added, with increased costs, the City's share is \$3 million, which is not a 50/50 split.



Councilmember Jones stated he would like the City's share to remain at 50% no matter the project cost.

Councilmember Walsh stated he supports the 50/50 split, but he also supports planning for the future to support a second sheet of ice. He added it would be possible to provide \$2 million plus \$385,000 rather than 50/50 on the total project. He noted this provides a commitment that the City is planning for the second sheet in the future, and he would support that. He expressed the importance of doing it right the first time.

Councilmember Biehn stated he supports planning for the future second sheet of ice, even though it is more money than was originally intended. He added he supports the 50/50 split, and he supports preparing now for a second sheet of ice.

Councilmember Edberg stated this City Council, as well as recent City Councils, have been able to make significant investments in the community because of the financial stability inherited from their predecessors. He added these investments include the YMCA; arts facilities design and support; the Boatworks Marina; lakeside trails and boardwalk; new Main Street area along Highway 61; and the current proposed project for a newly renovated Sports Center. He noted these projects were and are important and appropriate.

Councilmember Edberg expressed concern that if the inter-fund loan is not repaid, money that would be available for other projects will be gone. He stated the City Council should consider what could be accomplished with that money, although there may not be many such large projects left. He added he supports planning for the future, but the ability to do new things will be limited.

#### B. Public Works - Appreciation

Councilmember Jones expressed his thanks and appreciation to City Engineer Burch, Superintendent Pawlenty, and the Public Works Department. He added he walked around town with Community Development Director Kane, noting the many improvements to the downtown area, and remembering what it looked like 30 years ago. He noted the City's landscaping and greenery look great, and credit goes to City Engineer Burch and the Public Works Department Staff.

Councilmember Jones stated, to re-iterate a point made by Councilmember Edberg, City improvement projects are financially possible because of the efforts of previous City Councils.

## 12. COMMUNICATIONS FROM THE CITY MANAGER

- City Manager Richter stated tall weeds lining the railroad tracks along Highway 61 will be treated by Minnesota Commercial Railway.
- City Manager Richter stated the City Council's first meeting in August will be held August 8, 2017, as there is no primary election.
- City Manager Richter stated the City of White Bear Lake is planning crosswalk safety initiatives with the assistance of the St. Paul Police, modeled on the City of St. Paul's "Stop for Me" program. She added on Monday, July 16, 2017, there will be extra detail at

crosswalks at Cup & Cone and the intersection at 4<sup>th</sup> Street and Banning Avenue, to ensure that cars are stopping for pedestrians. She noted additional detail is planned for some school crossings, and this initiative will be implemented at various times of the year at critical areas.

- Community Development Director Kane stated the Public Art Selection Committee requested an increase in the size and scale of the approved sculpture for the Boatworks Commons. She added that the project remains within the original budget of \$65,000.

She added costs for footings and electrical work were removed from the budget as that portion of the project will be administered by the City. She noted the City's share of costs will be covered by a Metropolitan Council Livable Communities Placemaking Grant.

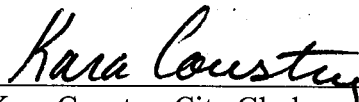
- City Engineer Burch explained that street reconstruction programs are on schedule and the City Hall renovation is nearly complete. He added there has been an unusually high amount of vandalism in City parks and on buildings, both public and private. He noted City Staff are reviewing possible ways to deter and prevent this expensive and time-consuming problem.

### 13. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Edberg** seconded by Councilmember **Jones** to adjourn the regular meeting at 8:52 p.m.

  
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Jo Emerson, Mayor

ATTEST:

  
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Kara Coustry, City Clerk