

MINUTES
REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, JULY 25, 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 **Biehn** seconded by Councilmember **Jones**, to approve the Minutes of July 11, 2017, as presented.

The motion carried unanimously.

3. APPROVAL OF THE AGENDA

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

The motion carried unanimously.

4. VISITORS AND PRESENTATIONS

A. Bear Pay Galaxy presentation – Melanie Galloway

Mayor Emerson welcomed Melanie Galloway in recognition of women in science, and invited her to address the City Council about the Bear Paw Galaxy. She added Ms. Galloway is a graduate of White Bear Lake High School and obtained a Bachelor's degree from Hamline University in Physics and Religion, as well as advanced degrees in physics.

Ms. Galloway stated she is currently a Ph.D. candidate in Physics at the University of Minnesota, and her research involves the study of galaxy evolution. She added she often posts interesting photos of galaxies on her social media pages for friends and family to enjoy. She recently posted a photo of the Bear Paw Galaxy, and her father suggested she try to make it the official Galaxy of the City of White Bear Lake.

Ms. Galloway stated the Bear Paw Galaxy, which is shaped like a bear paw, is in the northern hemisphere near the Big Dipper in the constellation Ursa Major. She added its official name is NGC-2537, and it is classified as a dwarf irregular galaxy. She noted the young stars in the galaxy give it the blue patchy regions which are visible via satellite

imagery. She expressed her hope that the Bear Paw Galaxy can become the Official Galaxy of the City of White Bear Lake.

Councilmember Edberg asked whether it is possible to adopt a galaxy. Ms. Galloway stated she is unsure, but currently researching the possibility.

Mayor Emerson thanked Ms. Galloway for her interesting presentation, and wished her the best of luck in her future endeavors.

B. Comprehensive Plan update – Elizabeth Showalter

Elizabeth Showalter gave a presentation on the Metropolitan Council Comprehensive Plan review, including elements that are required for inclusion: land use, transportation, housing, parks and water resources. She added the City of White Bear Lake's Comprehensive Plan will also address the issues of resilience and economic competence, as recommended by the Metropolitan Council. She noted the formal process of engaging residents and gathering information includes recent open house events, a mapping of parks, playgrounds and facilities, and an online survey of community members.

Ms. Showalter stated the online survey identified key concerns and priorities, including pedestrian safety, water conservation, downtown parking, affordable housing, attracting younger residents, and increased diversity. She added City Staff talked to residents at Marketfest recently to get feedback and comments, and pop-up meetings are planned throughout the summer. She noted City Staff will draft the chapters for approval by the City Council, and the final draft must be submitted to the Metropolitan Council by the end of 2018.

Councilmember Jones asked how the survey was done. Ms. Showalter stated the survey was available at open houses, but most of the responses were received online, via the City's Facebook page. Some businesses also shared it with others via email.

Mr. Edberg stated the opportunity to influence the appearance of homes and developments is only available if there are new developments built. Ms. Showalter stated it is helpful to know what residents are looking for, and be prepared in case any new development occurs.

Mayor Emerson thanked Ms. Showalter for her presentation.

5. PUBLIC HEARINGS

A. Consider a resolution supporting the Locally Preferred Alternative for the Rush Line Corridor

Mayor Emerson welcomed Andrew Gitzlaff, Ramsey County Railroad Authority, and invited him to address the City Council.

Mr. Gitzlaff presented an update on the Locally Preferred Alternative (LPA) for the proposed Rush Line Rapid Transit project. He stated the Rush Line meets Federal Transit Administration requirements for cost effectiveness, and will create jobs and provide access to health services along its route. He added the Rush Line will provide frequent and reliable access to transportation for area commuters with a total of 18 new stops, as well as provide

access to White Bear Lake as a destination. He noted the next phase of the project will be environmental and engineering analyses to determine impacts and necessary mitigation.

Mr. Gitzlaff stated approval for the LPA has been obtained from Gem Lake, White Bear Township, Maplewood and Vadnais Heights. He added hearings are scheduled with the City of St. Paul on August 13, 2017, and Ramsey County Rail Authority on August 22, 2017.

Councilmember Jones expressed frustration at the unknown factors associated with the Rush Line, especially the downtown area terminus. He stated there is no space there, and he is unsure where and how that would be accomplished. He noted he supports the project but has concerns about that issue.

Mr. Gitzlaff stated the endpoint is not completely defined, and project design is still ongoing. He added the end station does not have to be located on Highway 61. He added there could be a parking facility that may be a shared use with another business or businesses in the area.

Community Development Director Kane stated the City will have ultimate control over zoning and land use for the three stations that will be located within the City's jurisdiction. She added residents want to retain the small-town character, particularly of the downtown area, and ultimately the City will decide if changes are to be made.

Councilmember Edberg stated he is excited at the possibility of bringing more people to the City. He asked whether there is a sense of what kind of facility for parking will be considered, and where it would be located.

Mr. Gitzlaff stated existing infrastructure for bikes and pedestrians will be reviewed, and there are Federal requirements related to proximity of and access to stations. He added that will be addressed in the next phase.

Councilmember Walsh requested clarification regarding the overall cost of \$420 million. Mr. Gitzlaff stated the rough layout is 50% Federal funding, 10% from Ramsey County Rail Authority and the remaining 40% will be local sales tax that goes into effect in October 2017. He added operating costs will be split through the Metropolitan Council's funding stream from the State of Minnesota.

Councilmember Walsh stated he does not like the decision-making process used for this project, noting that this is the first time the Council has had an opportunity to officially weigh-in, after considerable resources have already been expended. He indicated that he does not have particular concerns with the preferred route and is pleased that it is bus and not rail.

Mayor Emerson opened the Public Hearing at 7:36 p.m.

There being no one to comment, Mayor Emerson closed the Public Hearing at 7:36 p.m.

Councilmember Walsh stated there has not been a proper conversation at the City level about the major changes this project will bring to the community. He added more conversation is necessary with White Bear Lake residents about the importance of

maintaining the small-town character, which is a priority as expressed in the Comprehensive Plan survey. He added the new transit line will not improve travel times. He noted discussions should be initiated with law enforcement to determine impacts and issues. He added City staff time and talents will be used over the next year to plan transit stations within the City's jurisdiction, and that there are many other priorities and initiatives that require focus. He reiterated the need for further discussion before any decisions can be made.

Councilmember Jones stated he does not have any objections to the plan, but he wants more discussion and conversation.

Councilmember Edberg stated public transport offers the opportunity take in new experiences and locations, and visitors can be encouraged to take in plays at the Lakeshore Players Theatre, visit the arts area and shop downtown, walk along the boardwalk, and take advantage of the amenities available in the City of White Bear Lake. He agreed with Councilmember Jones that further conversation is necessary.

Councilmember Biehn stated he has been on many rapid transit systems throughout the country and throughout the world. He expressed his disappointment that this will not be a rail line, although the City did not make that decision. He added there will be multiple benefits for the City and its businesses. He added he understands the need for further discussion and planning.

Councilmember Edberg stressed the importance of remembering the City's history, and the fact that railroads brought City residents to the original resort community. He stated it is intriguing to think about how the City's past can serve as an indicator into what the future might look like.

Councilmember Walsh stated he thinks the City is good the way it is right now, and while he understands that some people want the City to grow, this rail line will change the community in very significant ways. He stressed the importance of understanding that impact on the City and its residents. He added, for instance, Marketfest is great the way it is, in his opinion, and its growth and expansion may not actually be a positive thing for downtown area commercial businesses.

Councilmember Jones expressed concern regarding the focus on negative changes that could occur. He stated many positive elements should also be considered, that the transit line will bring to the community. He added the transit line could trigger more affordable housing and redevelopment opportunities, as well as provide transportation options to the area's senior citizens.

It was moved by Councilmember **Jones** seconded by Councilmember **Biehn**, to approve **Resolution No. 12061** authorizing a resolution supporting the Locally Preferred Alternative for the Rush Line Corridor.

The motion carried 3:2. Councilmember Engstran and Councilmember Walsh nay.

City Manager Richter stated many of the questions posed by the City Councilmembers would be addressed in the City's community-wide Strategic Plan Process, which occurs every five years, and is slated to kick off again in early 2018.

6. LAND USE

A. Consent

1. Consideration of a request for approval of a final plat for "Hawkins Addition" for the Polar Mazda project (Case #17-1-P) **Resolution No. 12062**

It was moved by Councilmember **Biehn** seconded by Councilmember **Walsh**, 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 receiving Phase I Design Plans and authorizing Kraus-Anderson/JLG Architects to proceed with Phase II for the Sports Center

City Manager Richter stated the Sports Center Phase 1 Design Plans prepared by Kraus-Anderson require City Council approval so final plan preparation can be ordered and bids advertised for a total of approximately \$80,000. She added Kevin McFarlane, representing the Hockey Association, was at tonight's meeting to present a check to the City Council for half of the bid amount, or \$40,000.

City Manager Richter stated, as previously discussed by the City Council, the original project estimate of \$4.5 million was exceeded due to costs associated with refrigeration system upgrades that could accommodate a future second sheet of ice, as well as ADA requirements and project contingency. She added \$219,000 in cost reductions have been identified since preliminary estimates were first provided in June. She noted that if the refrigeration system does not include the upgrades, it would then be located within the existing structure. There would be some costs associated to this option that have not yet been identified.

City Manager Richter shared a letter from the Hockey Association stating its commitment to contribute \$2.5 million to the project, a minimum \$1 million of which will be available prior to construction.

City Engineer Burch stated City Staff is requesting that the City Council review the project design phase and decide whether to proceed. He added plans are 60% prepared. He noted

final plans would be available at the City Council's October 25, 2017, meeting, and bids would be advertised and brought to the City Council at its December 12th meeting.

Councilmember Walsh requested clarification regarding the proposed new refrigeration system and whether there are any additional costs.

City Manager Richter stated that if the refrigeration is not upgraded to accommodate a future second sheet of ice, it would be located inside the existing structure. The current mechanical room may not be large enough, so it is possible that it would have to be located in a different portion of the building. City Engineer Burch confirmed this, adding the refrigeration system design includes strict safety and code requirements.

Mayor Emerson asked whether there was still a plan for additional restrooms.

City Engineer Burch stated the Zoning Code requires additional restrooms due to the size of the proposed facility, but locations have not been finalized in the preliminary plans.

Councilmember Biehn asked what is the potential for a second sheet of ice.

City Manager Richter stated the School District remains very interested in this discussion, although they will be engaging in a comprehensive facilities study in 2018. She emphasized, however, the need to move forward due to the deterioration of the current facility. She noted the skating community has stressed the need for a future second sheet of ice, and the Hockey Association is discussing that next phase. She stressed that the option for a second sheet of ice would not be pursued by the City, but there is considerable outside interest.

Councilmember Biehn asked whether investing in the infrastructure now will increase the chances of getting the second sheet of ice. He expressed concern that the City has put a lot into this plan, and a second sheet is not necessary from the City's perspective. He added, however, he would support the ability to add a second sheet in the future if there is a good chance that it would happen.

Councilmember Engstran stated the locker rooms and restrooms should not be located near the ammonia refrigeration system. He expressed his support of moving it outside.

Kevin McFarlane, representing the Hockey Association, stated the safety of the ammonia system has been discussed. He added Kraus-Anderson has indicated the existing refrigeration room would have to be completely reconstructed. He noted he supports the idea of turning the existing racquetball facility into a privately funded studio ice arena. He stressed the importance of a second sheet of ice, although no one expects the City to pay for it.

Councilmember Edberg stated he supports the proposal including the \$385,000 in additional capacity. He stressed that this is the last cash investment that he will support for additional rink capacity beyond that which has already been agreed upon. He asked, regarding the second sheet of ice, whether it will be on City property, and how ongoing costs will be covered.

Mr. McFarlane confirmed the second sheet would be on City property, although that is a discussion for further down the road.

Councilmember Biehn asked whether there is enough parking for a second sheet of ice. Mr. McFarlane confirmed there are 258 parking spaces planned which is adequate parking.

City Manager Richter stated while design work associated with a potential second sheet of ice and additional parking are not part of the City's current project, enough preliminary work was done to identify where a second sheet would be located so that the refrigeration system is placed accordingly to accommodate this possibility.

Councilmember Jones thanked the skating community for its support for and commitment to the project. He stated, that after 9.5 years on the City Council, he is frustrated that the City of White Bear Lake continues to support projects in the School District on many levels, with little or no contribution from other communities.

Councilmember Jones stated he supports the potential for a future second sheet of ice, but he does not want to spend any more money beyond this commitment. He reiterated his appreciation for the Hockey Association and the Skating Community, as well as Bruce Bates for his commitment to the project.

Councilmember Edberg requested clarification regarding the time frame for approval for a second sheet of ice. Mr. McFarlane stated that will depend upon School District participation as well as Hockey Association fundraising efforts. He added the current facility will remain in operation, and he would hope to begin construction on the second rink in summer 2019.

Councilmember Edberg stated the ownership and use of this facility offers a unique value to the City of White Bear Lake in terms of investment on behalf of its residents and businesses. He added he believes this will accrue and spill over to other businesses and exceed the allocated cost that would be the result of not having other partners. He noted he does not believe that anger and frustration are useful in maintaining relationships that will yield the necessary cooperation.

Councilmember Jones stated other communities – their residents and businesses - will benefit from the new sports facility as well.

Mr. Jensen asked Mr. McFarlane whether he has a letter of credit to secure obligation and financial commitment, as previously referenced.

Mr. McFarlane stated he met with City Staff and potential bankers, and there are many available options. He added the hope is that financing will not be required, and it is not possible to obtain a letter of credit without a required specified amount of financing. He added the Hockey Association's obligation is \$1 million in cash.

City Manager Richter stated due to high interest rates, an alternative arrangement was discussed, if financing is necessary, under which the City could bond on behalf of the Hockey Association, which would then pledge repayment based on gambling revenues.

Councilmember Edberg asked whether the Hockey Association is amenable to a commitment for their share of the costs other than verbal. Mr. McFarland confirmed this.

Councilmember Jones requested that Kraus-Anderson and the project architects attend an upcoming City Council meeting.

Councilmember Edberg asked whether City Manager Richter can advise the City Council on this vote. City Manager Richter stated there is intrinsic value in assuring that the Hockey Association remains viable and recognizes that loss of the Sports Center would detrimental to its program. She believes the advantages of upgrading the refrigeration system outweigh the risks, but noted she would not recommend the City financially participate any further in a second sheet of ice.

It was moved by Councilmember **Walsh** seconded by Councilmember **Engstran**, to adopt **Resolution No. 12063** receiving Phase I Design Plans and authorizing Kraus-Anderson/JLG Architects to proceed with Phase II for the Sports Center.

The motion carried unanimously.

- B. Resolution accepting work and authorizing final payment to Precision Sealcoating, Inc. for the 2017 Crack Sealing Program, City Project No. 17-03

It was moved by Councilmember **Jones** seconded by Councilmember **Edberg**, to adopt **Resolution No. 12064** accepting work and authorizing final payment to Precision Sealcoating, Inc. for the 2017 Crack Sealing Program, City Project No. 17-03.

The motion carried unanimously.

- C. Resolution accepting work and authorizing final payment to Urban Companies, Inc. for demolition of 2511 County Road E East (City Project No.: 17-17)

It was moved by Councilmember **Biehn** seconded by Councilmember **Jones**, to adopt **Resolution No. 12065** accepting work and authorizing final payment to Urban Companies, Inc. for demolition of 2511 County Road E East (City Project No.: 17-17).

The motion carried unanimously.

- D. Resolution authorizing execution of an agreement for fiber with the White Bear Lake Area School District

City Manager Richter stated, in an effort to improve network connectivity, City facilities are proposed to be connected to the School District's existing fiber optic cable system. The cost of integrating into its system an monthly fee fall within what was budgeted.

Councilmember Walsh indicated the City may be eligible for State funding available for broadband network improvements.

It was moved by Councilmember **Jones** seconded by Councilmember **Edberg**, to adopt **Resolution No. 12066** authorizing execution of an agreement for fiber with the White Bear Lake Area School District.

The motion carried unanimously.

10. HOUSING AND REDEVELOPMENT AUTHORITY

HRA Acting Chair Doug Biehn called the Housing and Redevelopment Authority to order at 8:39 p.m. (please refer to the minutes of the Housing and Redevelopment Authority for action taken that included the following items):

1. Call to order
2. Roll call
3. Approval of the agenda
4. Approval of the May 23, 2017 Minutes
5. Consider Development Agreement between White Bear Lake HRA and Habitat for Humanity for improvements to the 3695 St. Regis Drive property
6. Adjournment

Mayor Emerson reconvened the City Council meeting at 8:44 p.m.

11. CONSENT

- A. Resolution approving temporary liquor license for St. Mary of the Lake's Outdoor Concert.
Resolution No. 12067
- B. Resolution approving temporary liquor license for St. Mary of the Lake's Fall Festival.
Resolution No. 12068
- C. Resolution approving the special assessment of sewer service connection fees and construction costs at 2505 Lake Avenue. **Resolution No. 12069**

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

The motion carried unanimously.

12. DISCUSSION

- A. Nothing scheduled

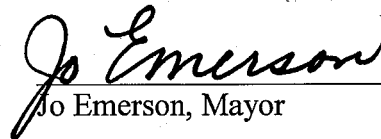
13. COMMUNICATIONS FROM THE CITY MANAGER

- City Manager Richter stated the City Council's next meeting will be held on August 8, 2017 as there will be no primary this election cycle. She added the meeting will be preceded by a reception at 5:00 p.m. for retiring City Attorney Roger Jensen. She noted Andy Pratt from Eckberg Lammers will be present at the August 8, 2017, meeting.
- City Manager Richter reminded the Council National Night Out will be August 1, 2017, and any Council interested in riding with an officer to attend some neighborhood parties should contact Chief Swanson to arrange. She added there are currently about 50 neighborhood parties planned for National Night Out in White Bear Lake.

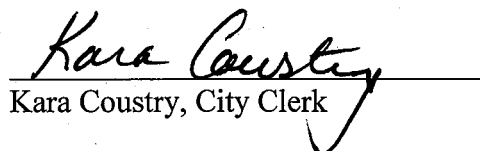
- City Manager Richter stated the Fire Chief selection process is under way, and applications have been accepted and finalists are being reviewed. She added final candidates are required to respond to a series of essay questions prior to interviews in mid-August, and it is hoped that a new Fire Chief will be selected in September 2017.
- City Engineer Burch stated construction projects within the City are on schedule, including concrete that is being poured around the City Hall complex. He added Public Works employees are doing a great job keeping up with activities and maintenance in the City's parks.
- Community Development Director Kane stated a large construction crane is installed at the Lakeshore Players Theatre. She added it is exciting to see it in place.
- City Manager Richter stated the City Council received a reminder in their meeting packet regarding the August 21, 2017, budget session.
- Councilmember Edberg stated, regarding the St. Regis property, City Councilmembers have been receiving questions from neighbors. He requested that City Staff reach out to residents in that neighborhood to update them on the progress of that property, especially in light of tonight's agreement regarding the proposed transfer to Habitat for Humanity.
- Mayor Emerson stated the Relay for Life will be held Friday, July 28, 2017, at the White Bear Lake High School – South Campus.

14. 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 8:51 p.m.


Jo Emerson, Mayor

ATTEST:


Kara Coustry, City Clerk