



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, JANUARY 10, 2023
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, Finance Director Kerri Kindsvater, Community Development Director Jason Lindahl, Public Works Director/City Engineer Paul Kauppi, City Clerk Caley Longendyke, and City Attorney Troy Gilchrist.

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

A. Minutes of the City Council Work Session on December 13, 2022

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

3. APPROVAL OF THE AGENDA

Mayor Louismet noted the addition of a special event application submitted by Carbone's Pizzeria & Pub (consent agenda item 4I). He moved the resolution establishing regular meeting dates of the White Bear Lake City Council for 2023 (consent agenda item 4D) to new business. It was moved by Councilmember **Edberg**, seconded by Councilmember **Jones**, to approve the agenda with the addition and moving of consent agenda items. Motion carried unanimously.

4. CONSENT AGENDA

- A. Accept Minutes – November Environmental Advisory Commission
- B. Resolution designating bank depository, authorizing staff to invest and transfer funds, and designation of brokers for handling city investments **Res. No. 13120**
- C. Resolution authorizing the City Manager to pay claims made against the City **Res. No. 13121**
- D. ~~Resolution establishing regular meeting dates of the White Bear Lake City Council~~ **Moved to New Business**
- E. Resolution fixing amount of surety bonds and providing for approval of the same **Res. No. 13122**
- F. Resolution accepting restricted donations from the White Bear Lake Lions Club Foundation **Res. No. 13123**
- G. Resolution authorizing reimbursement of travel and business expenses while conducting city business **Res. No. 13124**
- H. Resolution approving lease with Dish Wireless, LLC for placement of communications equipment on City property **Res. No. 13125**
- I. Resolution approval a special event application for Carbone's Pizzeria & Pub **Res. No. 13126**

It was moved by Councilmember **Walsh**, seconded by Councilmember **Hughes**, to approve the consent agenda as presented. Motion carried unanimously.

5. VISITORS AND PRESENTATIONS

Nothing scheduled.

6. PUBLIC HEARINGS

A. Vacation of Easement at 3600 and 3646 Hoffman Road

Community Development Director Lindahl summarized the requests from SRD 2.0, LLC, an affiliate of Schafer Richardson Development Company, for the vacation of easements on the properties located at 3600 and 3646 Hoffman Road. The applicant received approval to redevelop the site into a 244-unit apartment complex. Lindahl said the vacations are necessary to remove two easements that served the previous establishment and are no longer necessary. It is also necessary in order to clear the title work and allow the developers to begin construction.

It was moved by Councilmember **Jones**, seconded by Councilmember **Walsh**, to approve **Res. No. 13127** vacating public easements located at 3600 and 3646 Hoffman Road. Motion carried unanimously.

B. Issuance of General Obligation Capital Improvement Bonds and Adoption of a Capital Improvement Plan

Finance Director Kindsvater presented an overview of the process for the issuance of General Obligation Capital Improvement Bonds and presented a resolution adopting the Capital Improvement Plan (CIP) for the second bond issue to complete financing plans for the renovation and expansion of the City's public safety facility. She said the City is in the final step of the process to issue bonds for the construction. The City is using a combination of revenues to cover the project's expenses, including two bond issues issued in 2022 and 2023. She said the City will be using the interest earned on the bond proceeds during the life of the project and the sales tax refunds that the City receives on items purchased for the project. She explained that there are two bond issues, because the City Council chose to divide the bond issues into two separate years, keeping the annual issuance amount below the \$10 million threshold that allows banks to bid on the City's bonds, resulting in more bidders and possibly lower interest rates.

Kindsvater explained that when the City issues Capital Improvement Bonds, there needs to be a CIP that goes with the bond issue. The original financing for this project began in December 2021 with a public hearing for the adoption of the CIP to begin the process to issue the bonds. The City Council authorized the issuance of the bonds for an amount up to \$14,315,000. When the actual bids were opened in October 2022, the bids came in higher due to cost increases. The total project costs were \$17.8 million. After reviewing the amount of the bonds that were authorized with the first CIP process, she explained that the City has to amend the CIP so it has authorization to issue all of the bonds to cover the project costs. The amendment would

authorize additional bond funding of \$3,765,000. Kindsvater explained that the bond funding includes \$715,000 in contingency funds. Staff outlined the list of projects that would be funded with the contingency funds, should there be any remaining.

For the bond issuance, she provided an overview of the pre-sale schedules. The schedules were built with a true interest cost of 4.489%, which is the market rate of 3.73% at the time the reports were run with an additional 0.75% for any interest rate changes before the bond sale. The annual tax levy to pay the debt service for the 2023 Capital Improvement Bonds will range between \$630,000 and \$842,000 per year. She explained the reverse referendum process will take place for 30 days following the approval of the CIP. Councilmember Walsh sought clarification on the resolution referring to the list of projects in the CIP. When Councilmember Edberg asked who would make decisions on what projects to prioritize with the contingency funds, Kindsvater said staff would present recommendations to the City Council for approval.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Hughes**, to approve **Res. No. 13128** adopting a Capital Improvement Plan, providing preliminary approval for the issuance of bonds thereunder and taking other actions in connection therewith. Motion carried unanimously.

7. UNFINISHED BUSINESS

A. Second Reading – Development Review Process Zoning Ordinance Text Amendment

At the November 9 City Council meeting, Community Development Director Lindahl discussed proposed changes to the Development Review Process and presented a first reading of the changes at the December 13 City Council meeting. The purpose of the changes is to expand and enhance the dissemination of information to the public, encourage more public participation in the development review process and provide an opportunity for members of the public to provide feedback to developers. In response to earlier concern about individual homeowners having to follow the neighborhood meeting process, Lindahl explained that certain conditional use permit applications in residential zones that would exempt from the neighborhood meeting process, but would still follow a process for a public hearing with the Planning Commission and City Council approval. A change that was added since the first reading was the elimination of the word “concept” from the Planned Unit Development regulations to avoid perceived confusion from language regarding the Concept Plan.

Councilmember Edberg asked for clarification on the required distance for who needs to be notified for the neighborhood meeting process and how it relates to the state minimum. Lindahl said the state requires a minimum distance of 350 feet for a public hearing notice, and this ordinance would have similar requirements. Councilmember Edberg expressed concern about the distance being inadequate to properly inform property owners for large projects. He suggested the City does a better job with empowering its residents on how to understand the development process and the steps they can take to get involved. City Manager Crawford said there are plans to create simplified documents that are 1-2 pages to outline these processes. City Attorney Gilchrist clarified that the City is currently doing more than what state statute requires, but it’s common for planning departments to impose requirements for even more notice. Lindahl said there is language in the ordinance that allows staff to increase the area of

notification based on the project. He said staff will use much more than a paper mailing to inform its community members. As a broader topic, Lindahl talked about the upcoming project to update the zoning code and assured councilmembers that there will be extensive conversation on how to make processes more streamlined and how information will be made clearer.

Councilmember Walsh agreed that notification for property owners within 350 feet of a project is not enough. He suggested taking advantage of the White Bear Press to share information about upcoming projects. Councilmember Edberg recognized the ordinance includes language for staff discretion, including the ability to increase the notification area depending on the project, but was concerned that issues could continue if the sentiments of the current councilmembers are not carried forward. Councilmember Hughes, stating that the new process should be addressing his concerns as it will create more transparency and opportunity for members of the community. Mayor Louismet trusts the new process and knows that community members will get involved, especially for projects they show displeasure towards.

It was moved by Councilmember **Walsh** seconded by Councilmember **Hughes**, to adopt **Ordinance No. 23-01-2060** amending the Municipal Code of the City of White Bear Lake related to the Development Review Process. Mayor Louismet directed staff to strike the language pertaining to the Park Advisory Commission. Motion carried unanimously.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Jones**, to approve **Res. No. 13129** approving an ordinance amending the Municipal Code of the City of White Bear Lake related to the Development Review Process and authorizing its publication. Motion carried unanimously.

8. NEW BUSINESS

A. 2023 Annual Appointments

City Manager Crawford provided an overview of the proposed appointments for 2023. City Council approves appointments every year for various areas of government, including City Council representatives to various organizations, city attorney, city prosecutor, administrative hearing officer and the official newspaper. Crawford brought attention to the descriptions of the various organizations and the City Council representatives who were designated for 2022. For city attorneys, she explained that the City Charter assigns the City Council the responsibility to annually appoint city attorneys, and said staff recommends reappointment for both Kennedy & Graven and GDO Law as the City Attorney-Counselor and City Attorney-Prosecutor, respectively. She recommended the City Council reappoint Jim Rathburn as the administrative hearing officer. She reviewed the costs of the city attorneys and administrative hearing officer. She recommended the City Council designate the White Bear Press as the City's newspaper for another year.

Mayor Louismet opened up discussion for each area of the annual appointments. There was no discussion and no proposed changes to the City Council representatives to various organizations. There was no discussion or opposition to appointing Kennedy & Graven as the City Attorney and GDO Law as the City Prosecutor. Mayor Louismet said GDO Law reduced their

costs after he and Crawford compared costs for other cities. He acknowledged their graciousness and flexibility in honoring those findings. Crawford informed councilmembers that GDO Law will continue providing an annual update to the City Council on their work. Publisher Carter Johnson of Press Publications shared a report to councilmembers about the organization and the White Bear Press. Councilmember Dan Jones expressed thanks to Mr. Johnson, new reporter Randy Paulson and retiring reporter Deb Neutkens for their work.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Walsh**, to approve **Res. No. 13130** approving the 2023 appointments for City Council representatives to various organizations, city attorneys, administrative hearing officer and the designation of the official newspaper.

B. Resolution establishing regular meeting dates of the White Bear Lake City Council

In accordance with the City Charter, the City Council shall set the dates of its regular meetings for the year at its first regular meeting in January. City Manager Crawford shared that the City Council meets on the second and fourth Tuesday of every month. When an election is scheduled on the same day as a City Council meeting, the meeting will be scheduled the next day. Following past practice, there is only one meeting in December. Regular meetings start at 7 p.m. and end by 10:30 p.m., and may be extended later upon City Council vote. Crawford said City Council work sessions are tentatively scheduled for 6 p.m. on the third Tuesday, with the exception of December, and are cancelled when not needed. She brought attention to the public meeting calendar that was shared with Councilmembers, outlining meetings dates for City Council and the Boards and Commissions.

Mayor Louismet acknowledged there were many work sessions during 2022, but believes there will be fewer in the coming year. He proposed shorter work sessions to be scheduled the same evenings as regular meetings and take place immediately following the regular meeting. Topics requiring more discussion would be scheduled during the designated work session evenings. Councilmember Jones thanked staff and the Mayor for more concise discussion during meetings, resulting in shorter meetings, and agreed with the idea of scheduling work sessions at the end of regular meetings, not before. Councilmember Edberg requested notice as soon as possible when cancelling the work sessions. Mayor Louismet anticipates the City Council will need several work sessions, but agreed that meetings will be cancelled when not needed.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Hughes**, to approve **Res. No. 13131** establishing the 2023 regular meeting dates and times of the City Council. Motion carried unanimously.

9. DISCUSSION

Nothing scheduled.

10. COMMUNICATIONS FROM THE CITY MANAGER

Mayor Louismet informed members of the public that there will be a closed session at the January 24 City Council meeting for purposes of discussing the annual performance evaluation of City Manager Crawford. He reminded Councilmembers to submit their evaluations to the Assistant City

Manager by January 19.

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 8:06 p.m. Motion carried unanimously.



Dan Louismet, Mayor

ATTEST:



Caley Longendyke, City Clerk