



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, JULY 25, 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, Steve Engstran, Heidi Hughes, Dan Jones and Bill Walsh. Staff in attendance were City Manager Lindy Crawford, Police Chief Julie Swanson, Community Development Director Jason Lindahl, Public Works Director/City Engineer Paul Kauppi, Finance Director Kerri Kindsvater, 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 July 11, 2023

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

B. Minutes of the City Council Work Session on July 11, 2023

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

3. APPROVAL OF THE AGENDA

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

4. CONSENT AGENDA

A. Resolution approving an agreement with WBLA Schools for School Resource Officers

It was moved by Councilmember **Engstran**, seconded by Councilmember **Jones**, to approve the consent agenda. Motion carried unanimously.

5. VISITORS AND PRESENTATIONS

A. Finance Department Quarterly Report

Finance Director Kindsvater presented the quarterly report for the Finance Department. She said there wasn't anything exceptional to share for the finance report and reported that the City is on budget. In previous updates, she's shared about refuse funds and how the sale of the recyclables may or may not cover the costs of processing them. She was optimistic that the market appears it will be improving, therefore not having property owners bear additional costs. She said the License Bureau is very busy and said there are about 3,000 more transactions compared to the

same time last year. She said revenues increased in the months of May and June, which were due to a typical influx of transactions at the beginning of summer, as well as more customers due to the abrupt closure of the Maplewood Deputy Registrar. She said there is a line most days, but moves relatively quickly. Staff are processing transactions as fast as they can and will direct customers who are renewing tabs to a tab-only line, as those transactions are generally quicker. Customers filling out pre-registration paperwork also helps with efficient processing. She said there has been an increase in driver's license and dealership transactions. In general, she explained that there have been more transactions per hour.

Kindsvater talked about the transition in staffing structure. A recent full-time vacancy was posted as multiple part-time positions, which allows for better staff coverage and creates a more stable financial situation. She said the License Bureau will see impacts from legislative fee increases passed during the last session. Effective October 1, driver license filing fees will increase and the City will retain \$3 more for each renewal and \$8 for each new license. Current fees weren't covering costs of staff, so the increases are much needed. We will also receive an additional \$1 for motor vehicle tabs. Starting January 1, 2024, there will be \$1 surcharge for motor vehicle tab and title transactions, which will be retained by the License Bureau.

Councilmember Edberg asked if Kindsvater has a projection for net income for the year. She responded that she doesn't yet have a projection for additional revenue, but it appears the City is on track to have a balanced budget, which means the City is appropriately taxing its property owners just enough to cover its operations.

6. PUBLIC HEARINGS

A. Ramsey County Emergency Management and Homeland Security Grant for Unmanned Aerial Vehicles and Corresponding Use Policy

Police Chief Swanson provided a summary of a grant that was awarded to Ramsey County from the Urban Areas Security Initiative (UASI) grant program. The funds are intended to provide financial assistance to communities in urban areas, using a whole-community approach. Chief Swanson explained that the funds would help support the purchase of unmanned aerial vehicles (drones). In 2022, 98 police agencies in Minnesota reported using drones for 3,076 deployments. Of these deployments, 2,868 instances fell into the four primary reason codes. These reasons include training or public relations purposes, during or in the aftermath of an emergency that involves the risk of death or bodily harm to a person, to collect information from a public area where there is reasonable suspicion of criminal activity, or to collect information for crash reconstruction purposes after a serious or deadly collision. Several agencies within the metro area have implemented drones in the past few years, including the Ramsey County Sheriff's Department, Maplewood, New Brighton and North Saint Paul police departments.

Chief Swanson explained that drones would have been helpful in multiple incidents for the City's Police Department, and while it can request the use of a drone from another agency, it might not be available or there's a delayed response. The drones that the City would purchase would include thermal imaging technology, which she explained would be invaluable to search for missing adults or children. She said the City was selected to receive \$14,000 in grant funds, which will cover the costs of two drones and the necessary training and readiness for legal operation. A matching contribution would provide \$30,600 to the City over the next five years.

These funds include a portion of costs for equipment, software, licenses and training. The City's use of the drones will be guided by Minnesota State Statutes, Section 626.19, which governs the legal use of drones by law enforcement. She explained that the drones will belong to the Police Department, pursuant to State Statutes, but will be deployed when police are responding to emergencies alongside the Fire Department. Chief Swanson presented additional information about the use of drones and their capabilities, legal use of the drones, requirements and oversight, and costs. The initial costs will include the purchase of the two drone kits, training, five pilot licenses to cover each police shift, plus one sergeant, and the drone license. The first-year total is approximately \$19,764, with \$14,000 of that being covered by the grant. Ongoing costs are expected to be \$6,200 annually, which will be covered for almost five years with the matching contribution funds, then the City will use an alternative funding source, such as forfeiture funds or local government aid.

Mayor Louismet opened the public hearing at 7:29 p.m. There being no comment, the public hearing was closed. Mayor Louismet asked Chief Swanson about the need for two drones, instead of one. She contacted cities who have been using drones and said cities who started with one immediately purchased a second one to cover more ground. For example, one drone can search an area while the other drone can hover over one spot. A second drone can also be used as backup during maintenance. Mayor Louismet asked about the seemingly high costs for initial implementation and ongoing expenses. Chief Swanson broke down the costs and said training is more extensive for law enforcement compared to an average citizen obtaining a drone pilot license. She also talked about annual costs of data storage. Councilmember Edberg sought clarification whether the Fire Department could utilize the drones. Chief Swanson explained the State Statute and UASI provisions limit use of drones to the Police Department, but they assist the Fire Department and would operate the drone as needed. There was discussion on what happens if the drone catches criminal activity unrelated to the original objective of using the drones. Councilmember Walsh sought clarification on a provision that would allow other entities to use the drones. Chief Swanson explained other entities would involve Ramsey County Emergency Management and response to natural disaster events or other broad emergency response.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Jones**, to approve **Res. No. 13215** accepting the Ramsey County Emergency Management and Homeland Security 2022 Urban Areas Security Initiative Grant. Motion carried unanimously.

B. Second Reading of an Interim Moratorium Ordinance – Operation of Cannabis Businesses

City Manager Crawford presented a second reading of an interim moratorium ordinance as it relates to cannabis businesses. The moratorium would prohibit the establishment of operation of cannabis businesses and authorize City staff to conduct the study outlined above for purposes of protecting the planning process and the health, safety and welfare of its citizens. The moratorium would be effective immediately and until January 1, 2025 or until repealed by the City Council. She summarized Chapter 63-HF 100, which is comprehensive legislation relating to cannabis. The legislation outlines several areas of authority for local units of government, including adopting an interim ordinance. Since the time of the first reading of the ordinance on July 11, 2023, language was added to Article VI. (Exceptions) to address the City's active moratorium prohibiting the sale of cannabis products that was approved September 27, 2022.

Mayor Louismet opened the public hearing at 7:47 p.m. Solomon Hailes, business owner at 2000 County Road E East, shared frustration that he has to turn away customers to neighboring cities, who are allowing the sale of THC products, and wondered if the City staff are thinking about the impact it has on business owners. There being no other comments, Mayor Louismet closed the public hearing at 7:48 p.m. Mayor Louismet shared his displeasure with the State Legislature for passing a broad law while leaving no time for regulatory authorities to develop its local ordinances. Therefore, he shared his support for the moratorium in order to provide staff more time to prepare ordinances responding to the new law. Councilmember Walsh referenced the City's current, active moratorium prohibiting the sale of edible cannabinoid products and asked if businesses will be able to sell these products soon. Crawford confirmed there is a licensing structure being proposed in the next month for edible cannabinoid products. To provide clear understanding, she clarified that the current moratorium set to expire on September 27, 2023 is prohibiting the sale of edible cannabinoid products, or lower-potency hemp products, and the new moratorium will be prohibiting the establishment of cannabis retailers, such as dispensaries. Councilmember Jones made general comments about the legislation, zoning and the foreseen difficulty of managing it all.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Jones**, to approve **Interim Ordinance No. 23-07-2063** authorizing a study and imposing a moratorium on the operation of cannabis businesses. Motion carried unanimously.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Jones**, to approve **Res. No. 13216** approving summary publication of an interim ordinance authorizing a study and imposing a moratorium on the operation of cannabis businesses. Motion carried unanimously.

Councilmember Walsh asked about plans for an ordinance relating to public use. City Attorney Gilchrist explained it could be a standalone ordinance and reflect the same parameters as alcohol and tobacco use in a public park. Mayor Louismet, Councilmember Edberg and Councilmember Jones shared comments supporting staff to develop an ordinance regulating public use of cannabis products.

7. UNFINISHED BUSINESS

- A. Second Reading of an Ordinance Rezoning property located at 2687 County Road D, Planned Unit Development and Preliminary and Final Plat

At the July 11, 2023 City Council meeting, Community Development Director Lindahl presented a first reading of rezoning and Planned Unit Development for an undeveloped property located at 2687 County Road D. The proposal involves developing a 14-unit nursing home and would require a subdivision, a Planned Unit Development (PUD) and rezoning from B-2: Limited Business to R-B: Residential Business Transition. The proposal has been part of the Concept Plan Review Process, with the Concept Plan Review being presented to Council on April 11, 2023. Lindahl summarized the information once more for the second reading. He mentioned the northern parcel has been designated as an outlot to the southern parcel. Councilmember Edberg requested clarification on the two lots. Lindahl said that because the parcels have been separated with two separate owners, the northern parcel has been designated as an outlot as to not receive the same approvals or entitlements as the southern parcel. Any proposed

development for the northern parcel will have to go through City processes to plat it for a specific project.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Walsh**, to approve **Ord. No. 23-07-2064** rezoning the property at 2687 County Road D with PID 363022440312 from B-2, Limited Business to R-B, Residential Business Transition. Motion carried unanimously. Councilmember Walsh made an additional comment supporting the project.

It was moved by Councilmember **Jones**, seconded by Councilmember **Engstran**, to approve **Res. No. 13217** granting preliminary and final plat approvals for Dignisuites. Motion carried unanimously.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Engstran**, to approve **Res. No. 13218** granting general and development stage planned unit development approvals for the property located at 2687 County Road D. Motion carried unanimously.

B. Second Reading of an Ordinance Rezoning property located at 2502 County Road E, Planned Unit Development and Preliminary and Final Plat

Community Development Lindahl presented the first reading of an ordinance rezoning the property located at 2502 County Road E and PUD. At the March 14, 2023 City Council meeting, Lindahl presented a concept plan review involving the rezoning and redevelopment of the lot, transforming the abandoned gas station into a 15-unit apartment complex with three townhomes. At the May 9, 2023 City Council meeting, the first reading to rezone the lot from B-3 Auto-Oriented Business to R-6 Medium Density Residential was presented and the motion failed due to a lack of supermajority vote. The applicant resubmitted plans to develop townhomes with an application for rezoning to R-5 Single Family-Two Family Medium Density Residential. Lindahl presented a first reading at the July 11, 2023 regular meeting with information about the nine for-sale townhome development. He summarized the information again for the second reading. Mayor Louismet thanked the applicant for following the review process and taking community and Council feedback into consideration. Councilmember Edberg shared his support for the project and acknowledged the difficulty in working with this site. He shared appreciation for various components of the project.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Engstran**, to approve **Ord. No. 23-07-2065** rezoning the property at 2502 County Road E with PID 36.30.22.12.0027 from B-3, Auto Oriented Business to R-5, Single Family – Two Family Medium Density Residential, subject to conditions. Motion carried unanimously.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to approve **Res. No. 13219** granting preliminary and final plat approvals for the Wildwood Rowhomes addition. Motion carried unanimously.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Engstran**, to approve **Res. No. 13220** granting general and development stage planned unit development approvals for the property located at 2502 County Road E. Motion carried unanimously.

8. NEW BUSINESS

Nothing scheduled.

9. DISCUSSION**A. Planning & Land Use Regulations Working Group**

Community Development Director Lindahl presented information on the upcoming formation of a steering committee that will help guide staff in its zoning update process, and asked the City Council to provide feedback and to designate one of its members to be a part of the group. The group will provide feedback to staff and the consultant team throughout the review process of drafting the regulations. The process will include broader public engagement, including public open houses, focus groups and regular updates to both the Planning Commission and City Council. Lindahl shared the various representatives needed for its membership. He said the group will target issues that are critical in developing a zoning code while maintaining the character and design of the current community and thinking about future aspects that should be included as growth occurs.

Mayor Louismet nominated Councilmember Walsh to represent the City Council. Councilmember Jones recommended having two City Council representatives. Councilmember Edberg volunteered himself as a second representative. Councilmember Jones recalled there being value in having more than one City Council viewpoint during previous City initiatives. For other members, City Attorney Troy Gilchrist recommended that staff develop a list of recommended representatives for each of the categories and the Mayor approves the nominations. Staff will take next steps to develop a list for the Mayor to review.

10. COMMUNICATIONS FROM THE CITY MANAGER

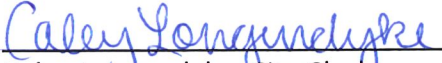
City Manager Crawford shared event information for Marketfest, Night to Unite, a ribbon cutting for the Lakewood Hills All-Abilities Park and Safety Camp. She shared information about the Downtown Mobility and Parking Study and said members of the public can learn more at an informational booth at Marketfest and an upcoming open house at City Hall. She said the exterior walls of the new Public Safety Building have been erected and the construction has been on schedule thus far. Mayor Louismet asked when the Downtown Mobility and Parking Study Committee will convene. Director Kauppi responded they will start meeting in mid- to late-August.

11. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Engstran**, seconded by Councilmember **Walsh**, to adjourn the regular meeting at 8:41 p.m. Motion carried unanimously.



Dan Louismet, Mayor

ATTEST:


Caley Longendyke, City Clerk