



**MINUTES  
REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
TUESDAY, AUGUST 22, 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 Steve Engstran, Heidi Hughes, Dan Jones and Bill Walsh. Councilmember Kevin Edberg was excused for the evening. Staff in attendance were City Manager Lindy Crawford, Assistant City Manager Rick Juba, Police Chief Julie Swanson, 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 Regular City Council Meeting on August 8, 2023

It was moved by Councilmember **Jones**, seconded by Councilmember **Engstran**, to approve the minutes. Motion carried 4-0.

B. Minutes of the City Council Work Session on August 15, 2023

It was moved by Councilmember **Engstran**, seconded by Councilmember **Hughes**, to approve the minutes. Motion carried 3-0. Councilmember Jones abstained.

**3. APPROVAL OF THE AGENDA**

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to approve the agenda. Motion carried 4-0.

**4. CONSENT AGENDA**

- A. Resolution authorizing a special event application for Carbone's Pizzeria & Pub **Res. No. 13230**
- B. Resolution approving a ditch repair agreement with Vadnais Lake Area Water Management Organization **Res. No. 13231**
- C. Resolution declaring costs to be assessed, ordering preparation of an assessment roll and setting public hearing on the assessment roll for the 2022 South Shore Boulevard Sanitary Sewer Extension Project **Res. No. 13232**
- D. Resolution renewing a lease agreement with White Bear Dance Center at 2462 County Road F E **Res. No. 13233**
- E. Resolution approving an extension for a conditional use permit and two variances for 4465 White Bear Parkway **Res. No. 13234**
- F. Joint resolution clarifying the legal description of real property to be detached from White Bear Lake and annexed into Mahtomedi **Res. No. 13235**

G. Resolution authorizing issuance of a massage therapy establishment license to Salons By JC **Res. No. 13236**

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to approve the consent agenda. Councilmember Walsh disclosed that he is distant relative of the applicant submitting the application for a massage therapy establishment license for Salons By JC. There was no perceived conflict of interest. Motion carried 4-0.

**5. VISITORS AND PRESENTATIONS**

A. Employee Recognition – Chief of Police

City Manager Crawford gave a speech and presented recognition to Police Chief Swanson for her years of service with the City and Police Department. Minnesota Association of Women Police Board Members Ashlee Lange and Christina Mignone presented Chief Swanson with the Recognition of Heritage Award. Chief Swanson gave a speech sharing her appreciation. Mayor Louismet and the Council shared their appreciation for Chief Swanson's leadership.

B. Prosecution Services Update

City Prosecutor Heather Monnens of GDO Law presented an annual update of the services provided to the City. She provided an overview of cases between July 2022 and July 2023. She said Ramsey County is still dealing with a back log of cases caused during the pandemic and shared they have been transitioning back to in-person. Monnens provided information on various topics. Mayor Louismet asked brief questions and thanked GDO Law for their work.

C. Community Development Department Bi-annual Report

City Manager Crawford presented the Community Development bi-annual report for January to June 2023. She reported there have been activity increases for all divisions of the Department. She said the Planning Division staff spent significantly more time on community engagement as part of the City's new Concept Plan Review process. The Building Division experienced a 17% increase in the number of permits issued for the first half of the year, compared to the first half of last year, and resulted in a 97% increase in plan and permit fees. The significant increase was due to the development of The Lochner apartment building and renovations of the White Bear Area Schools' North Campus. For code enforcement, complaints were steady, but proactive or city-initiated cases have been up compared to 2022, when there was a vacancy in the code enforcement officer position. The types of violations that experienced the most increases were in the areas of parking motor vehicles and miscellaneous (signs, animals, rental violations, etc.). When comparing the first half of 2022 to the first half of 2023, ward 2 had the most increases in violations. Zoning activity increased 5%, as well as a general increase in number of questions and inquiries and a decrease in the number of zoning permits and meetings.

**6. PUBLIC HEARINGS**

Nothing scheduled.

**7. UNFINISHED BUSINESS**

A. Second reading of an ordinance amending Chapter 1104 – Tobacco and Related Products

At the August 8 City Council meeting, City Manager Crawford presented the first reading of an ordinance that would amend City Code Chapter 1104, Tobacco and Related Products. She explained that the City currently doesn't expressly regulate tobacco shops as a separate use in the zoning code and current regulations for tobacco products need to be updated to keep pace with recent changes in both federal and state laws. She summarized the information she presented during the first reading.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Jones**, to approve **Ord. No. 23-08-2066**, amending the Municipal Code regarding tobacco and related products. Motion carried 4-0.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Walsh**, to approve **Res. No. 13237** approving summary publication of an ordinance amending the Municipal Code regarding tobacco and related products. Motion carried 4-0.

B. Second reading of an ordinance requiring licensing and imposing regulations on the sale of edible cannabinoid products

At the August 8 City Council meeting, City Manager Crawford presented the first reading of an ordinance that would require licensing and impose regulations on the sale of edible cannabinoid products. She summarized the information presented during the first reading, including the legislation legalizing cannabis and the establishment of the Office of Cannabis Management (OCM). The City's moratorium prohibiting the sale of edible cannabinoid products expires on September 27, 2023. Since the OCM won't start issuing licenses until March 2025, city administration is proposing a licensing structure for the City to regulate the sale of these products during an interim period until OCM takes over. Highlights of the ordinance include definitions, license qualifications, application procedure, product storage requirements, sale restrictions, information on compliance checks and adverse license actions. Mayor Louismet commented that it's good public policy to license and regulate the sale until OCM can take over. Councilmember Walsh thanked staff for their work and acknowledged the work that went into cleaning up the tobacco ordinance and creating the licensing and regulations for the edible cannabinoids.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Jones**, to approve **Ord. No. 23-08-2067**, requiring a license and imposing regulations on the retail sale of edible cannabinoid products. Motion carried 4-0.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Walsh**, to approve **Res. No. 13238** approving summary publication of an ordinance requiring a license and imposing regulations on the retail sale of edible cannabinoid products. Motion carried 4-0.

## 8. NEW BUSINESS

A. White Bear Area Food Shelf Lease Agreement

Assistant City Manager Juba presented a proposed three-year lease agreement with the White Bear Area Food Shelf (Food Shelf). The Food Shelf is currently located at 1884 Whitaker Street, and they are proposing to open a second location at 2446 County Road F East, which is part of a City-owned building. Juba said other occupants in the building include SCC TV, Comcast and White Bear Dance Center. The new location will be used for an in-person market. Food Shelf Executive Director Perry Petersen said food and support needs in the community continue to grow and the Food Shelf is serving double the number of people in one year compared to four years ago. He said inflation and reduction to SNAP benefits are factors causing this increase. Petersen shared information about plans for the new community market, which will include expanded culturally-connected foods. The location will also have offices for partnered non-profits, who can meet with individual families about other needs, such as rental and utility assistance. The in-person market will complement the existing curbside-pickup and mobile delivery programs.

Mayor Louismet thanked Petersen and the Food Shelf for their commitment and complimented the work of volunteers and staff. Councilmember Walsh asked if the in-person market will help alleviate the curbside pickup line at the Whitaker Street location. Petersen believes so, and shared that the current location has 13 parking spots and the new location has 45 parking spots. The market will also have expanded hours. Councilmember Walsh wondered what is causing the increased need. Petersen explained it's a variety of factors, including families experiencing medical emergencies, loss of a job, an increase in food costs and more. Petersen shared that 40% of distributed food is from local grocery stores that is fresh and would otherwise be wasted.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Jones**, to approve **Res. No. 13239** authorizing a three-year lease agreement with White Bear Area Food Shelf. Motion carried 4-0.

**B. First reading of an ordinance amending the Fee Schedule**

Based on the approval of Ordinance 23-08-2066, an ordinance requiring licensing and imposing regulations on the retail sale of edible cannabinoid products, City Manager Crawford proposed an amendment to the Fee Schedule to include associated fees. The added fees would include application fee, background fee, and various fees for administrative offenses.

A second reading and City Council vote of the ordinance is scheduled for the September 12 regular meeting.

**C. First reading of an ordinance prohibiting the use of cannabis products in public places**

Pursuant to Minnesota State Statutes 152.0263, Subd. 5, a local unit of government may adopt an ordinance prohibiting the use of cannabis in public spaces. City Manager Crawford explained that use of cannabis is prohibited where smoking is prohibited under the MN Clean Indoor Air Act, but there is not a general prohibition on use in public spaces. City administration is proposing an ordinance that would prohibit the use of cannabis products in public places. Mayor Louismet clarified that the ordinance will remain in place even after the Office of Cannabis Management takes over the regulation of the retail sale of cannabis. Councilmember Jones is

concerned that there is discrepancy between where people can smoke tobacco and where people can smoke cannabis. He would be open to the possibility of allowing it in public places so the Police Department isn't trying to determine what product is being smoked. Councilmember Hughes related smoking cannabis to drinking alcohol, as it relates to the intoxicating effects, and said the ordinance would be a resource for staff and City prosecutors.

A second reading and City Council vote of the ordinance is scheduled for the September 12 regular meeting.

**9. DISCUSSION**

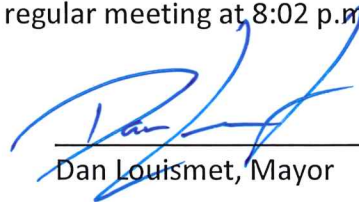
Nothing scheduled.

**10. COMMUNICATIONS FROM THE CITY MANAGER**

City Manager Crawford shared that Senator Heather Gustafson was among 15 senators selected as a League of Minnesota Cities Legislator of Distinction for 2023. She announced that a telephone survey on housing needs is underway by Morris Leatherman Company. Due to a DNR drought warning, Crawford reminded the public that watering lawns is prohibited from 10 a.m.-5 p.m. each day of the week during the months May through September. The 2<sup>nd</sup> Street entrance to City Hall will be closed for about a month due to construction of the Public Safety Facility, so visitors will need to follow the detour around to 3<sup>rd</sup> Street.

**11. ADJOURNMENT**

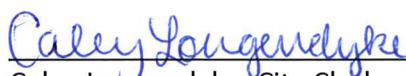
There being no further business before the Council, it was moved by Councilmember **Engstran**, seconded by Councilmember **Jones**, to adjourn the regular meeting at 8:02 p.m. Motion carried 4-0.



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Dan Louismet, Mayor

**ATTEST:**



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Caley Longendyke, City Clerk