



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, OCTOBER 24, 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, 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 October 10, 2023

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

B. Minutes of the City Council Work Session on October 10, 2023

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

C. Minutes of the Special City Council Meeting on October 17, 2023

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

D. Minutes of the City Council Work Session on October 17, 2023

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

3. APPROVAL OF THE AGENDA

Mayor Louismet said a partial settlement agreement relating to the lake level litigation is being added to the *Consent Agenda*. Councilmember Walsh requested to move the resolution relating to edible cannabinoid products licenses from the *Consent Agenda* to *New Business*. Councilmember Edberg requested to move the partial settlement agreement relating to the lake level litigation from the *Consent Agenda* to *New Business*. It was moved by Councilmember **Walsh**, seconded by Councilmember **Hughes**, to approve the agenda as amended. Motion carried 4-1. Councilmember Jones voted in opposition.

4. CONSENT AGENDA

- A. Resolution establishing employee benefit options for January 1, 2024- December 31, 2024 **Res. No. 13257**
- B. Resolution establishing 2024 benefit contributions for non-bargaining employees **Res. No. 13258**
- C. Resolution accepting the 2024 Enforcement Grant from the Department of Public Safety **Res. No. 13259**

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

5. VISITORS AND PRESENTATIONS

- A. Ramsey-Washington Suburban Cable Commission Check-in and 2024 Budget

John Johnston, Ramsey-Washington Suburban Cable Commission (RWSCC) representative for White Bear Lake, provided an introduction and introduced SCC staff. Business Manager Cindy Arko said the cable commission operates Suburban Community Channels (SCC), which provides community media for member municipalities. Ms. Arko provided background information on RWSCC, which provides service for nine cities. She said RWSCC will be going through a building remodel this year and redesigning its website. They will also be obtaining a new high-definition production van to replace their 21-year-old production van. Eric Strouse, a transition consultant for SCC, shared information about the programming technology and the cable franchise. He explained the Municipal Equipment Grand Fund, which began in 2014 and provided funds to member cities for purchasing and upgrading production equipment for city meetings. The grant program will conclude at the end of the month. For an overview of the budget, he reported that the operating budget will decrease due to staff downsizing and reduction in cable funding. With declining cable subscribers, Mr. Strouse shared about the modernization of the funding model of cable television and said there are several legislative efforts to address the issue.

Production Content Manager Mary Kline shared information about the video productions created by Channel 16 and Channel 19. More than half of the production content created by SCC is for White Bear Lake. She shared a video highlighting the services provided by SCC and the production content created for the community. Mayor Louismet thanked SCC and recognized the content they've created for the City. Councilmember Edberg addressed emerging technology and asked how SCC is responding. Ms. Kline acknowledged the evolution of ways people get content, and SCC has responded with making video content shorter. Councilmember Jones thanked Ms. Kline and SCC staff for their partnership, including highlighting non-profit organizations and the arts district. City Manager Crawford shared her appreciation with Ms. Kline and thanked Mr. Johnston for representing the City.

- B. Finance Department Quarterly Report

Finance Director Kindsvater provided an overview of the Finance Department quarterly report. She referred to the staff report that outlines more details on the City's finances. She shared that the License Bureau continues to stay busy. In 2023, the Minnesota Legislature approved one-time funding for deputy registrars based on their 2022 motor vehicle transactions, and the

City received \$61,257. She said the additional revenue was helpful for the License Bureau's funds. She said the legislative session also resulted in an increase in fees for services. This was a part of the City's legislative priorities. For example, the City's incurred fees from a driver's license renewal increased from \$8 to \$11. Director Kindsvater said the fee increases weren't as high as staff had hoped, but it does help cover more costs. She said the closing of the Maplewood deputy registrar office has impacted the License Bureau and all types of transactions have experienced an increase. She said the License Bureau lines are busiest at the beginning and end of the week, and at the beginning and end of the month. When Councilmember Edberg asked Director Kindsvater if she anticipates a surplus in revenues with the increased fees, she explained that a breakeven scenario is more realistic. Councilmember Jones was impressed at the minimal overtime hours.

6. PUBLIC HEARINGS

A. Certification of Delinquent Utility Accounts, Miscellaneous Private Party Assessments

Finance Director Kindsvater provided an overview of the process for certifying delinquent utility accounts and miscellaneous private party assessments. Property owners receive notice of the possible assessment and options for payment. If unpaid, the charges are assessed to the next year's property taxes. A total of 842 notices for delinquent utility accounts were sent and nearly half made payments to bring their accounts current. Property owners are given until the end of November to make payments, after which the certification notices are submitted to Ramsey County. She also noted that there are energy assistance programs available for those who need it. Director Kindsvater reported that five property owners submitted correspondence requesting their delinquent utility accounts not be certified.

For miscellaneous private party assessments, the City provides services requiring reimbursement, including property maintenance, tree removal and lawn care, in response to unresolved code enforcement issues. She also explained an assessment for reoccurring false security alarms, which pays for the service of police response. The services have been billed and the property owners have been notified of the possible assessment if they haven't been paid. Director Kindsvater asked Council to approve both corresponding resolutions.

Mayor Louismet opened the public hearing at 7:45 p.m. There being no comment, the public hearing was closed. He provided feedback about the five correspondents and recommended those accounts are not certified. Councilmember Edberg asked about the interest rate on special assessments, and Director Kindsvater responded 5.72%, which is 2% above the interest rate the City received in its last bond sale, consistent with other special assessment interest rates. Councilmembers discussed the procedure for amending the resolution to remove the five correspondents from the certified delinquent utility accounts. Councilmember Hughes was not in favor of removing the five correspondents, due to their collective history of regularly receiving forgiveness from the certification process.

It was moved by Councilmember **Jones**, seconded by Councilmember **Engstran**, to amend the resolution to remove from the assessment the five residents who sent correspondence regarding their accounts. Motion carried 4-1. Councilmember Hughes voted in opposition of the amendment.

It was moved by Councilmember **Jones**, seconded by Councilmember **Engstran**, to approve **Res. No. 13261** certifying delinquent charges related to the municipal utility system assessments, as amended. Motion carried unanimously.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to approve **Res. No. 13260** certifying delinquent 2023 miscellaneous private property assessments for recovery of City expenses. Motion carried unanimously.

B. Final Assessment Roll for the 2022 South Shore Boulevard Sanitary Sewer Extension Project

Public Works Director/City Engineer Kauppi shared information on the last phase of the South Shore Boulevard Sanitary Sewer Extension Project, which addressed 13 remaining properties that were still on septic systems in lieu of City sanitary sewer. The project was completed as part of the Ramsey County street and trail construction project. The total cost for the sanitary sewer extension project was \$170,644, assessing each parcel \$11,000 for a total assessment amount of \$143,000. Of the 13 parcels, five parcels have been connected, with one parcel soon to follow, five parcels need connections, and two parcels are vacant lots.

Mayor Louismet opened the public hearing at 7:57 p.m. Jayne Kurpius, representing South Shore Trinity Lutheran Church, addressed their vacant property adjacent to the church at 2464 South Shore Boulevard. Ms. Kurpius asked if there has been consideration of lowering the assessment interest rate based on interest rate projections or decreasing the assessment for parcels without structures. Director Kauppi noted that the total assessment amount is lower than the total cost of the project and individual property assessments were determined with the help of a property appraiser, who ensures a fair price based on the appraised value and the property benefit. Director Kindsvater addressed the interest rate and said the City follows a consistent policy for setting the interest rates. She said the added 2% to the interest rate covers costs for the certification process and maintaining special assessment records. There being no further comment, Mayor Louismet closed the public hearing at 8 p.m.

Councilmember Walsh asked what happens to septic systems once the properties are connected to City sanitary sewer. Director Kauppi said the abandonment process is overseen by Ramsey County and consists of emptying the system, filling it with sand and sealing it. Councilmember Edberg asked how the City will pay the difference between the total assessment cost and the cost of the project, and Director Kauppi said it will be paid through City funding, specifically the Sanitary Sewer Fund. When asked about the rationale of assessing a vacant lot, Director Kauppi said vacant lots, once developed, will be required to connect to the sanitary sewer and will have the ability to do so.

It was moved by Councilmember **Jones**, seconded by Councilmember **Engstran**, to approve **Res. No. 13262** adopting an assessment roll for 2022 South Shore Boulevard Sanitary Sewer Extension Project. Motion carried unanimously.

7. UNFINISHED BUSINESS

Nothing scheduled.

8. NEW BUSINESS

A. Resolution approving edible cannabinoid products licenses for multiple eligible businesses

City Manager Crawford provided background information on the 2023 legislation that legalized the retail sale of cannabis and established the Office of Cannabis Management (OCM). Until the OCM is running, the City of White Bear Lake will temporarily be the issuing authority for business licenses relating to the retail sale of cannabis. The City Council approved the licensing structure at its August 22, 2023 regular meeting. Seven eligible establishments applied for an edible cannabinoid products license. The establishments are as follows: Cellars Wine & Spirits, Cub Wine & Spirits, Elevated Beer Wine & Spirits, Lunds & Byerlys Wine & Spirits, MNJ Tobacco, Nothing But Hemp, and Summit Liquor.

Consistent with their other business licenses, the license term for edible cannabinoid products will end March 31, 2024. The Police Department conducted background investigations and found nothing to preclude the issuance of the licenses. MNJ Tobacco Inc. and Nothing But Hemp were cited for failed compliance checks in November 2022 relating to the sale of edible cannabinoids, prior to the adoption of the edible cannabinoid products licenses and during the City's moratorium regarding sales of low potency hemp products.

Councilmember Walsh referenced the failed compliance checks for the two businesses and wondered why there is a recommendation for issuing their license. City Attorney Gilchrist said the ordinance allowing the sale of edible cannabinoids doesn't prevent a business with past failed compliance checks to obtain a license, unless there was a conviction.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to approve **Res. No. 13263** approving edible cannabinoid products licenses for multiple eligible businesses. Motion carried unanimously.

B. Execution of partial settlement agreement relating to water level in White Bear Lake

City Attorney Troy Gilchrist provided a brief summary of the lake level litigation.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Engstran**, to approve **Res. No. 13264** authorizing execution of a partial settlement agreement and related documents. Motion carried unanimously.

9. DISCUSSION

A. 25 mph Speed Limit for Certain Residential Roadways

Public Works Director/City Engineer Kauppi provided an update regarding speed limits on certain local roadways. During a Minnesota Department of Transportation pilot project involving automated vehicles, the City reduced speed limits to 25 miles per hour along the pilot route to meet safety requirements for the project. As part of the process to reduce the speed limits, the City conducted a speed study of the roadways. He provided an overview of the findings of the speed study conducted in 2022. Similar to surrounding communities that also

reduced speed limits from 30 mph to 25 mph, Director Kauppi said the results of the reductions didn't show a notable reduction in drivers' speed. The reduction of speed for the automated-vehicle pilot will expire at the end of 2023. Director Kauppi said staff supports letting the speed reduction expire and revert back to 30 miles per hour. City staff requested Council feedback.

Mayor Louismet reaffirmed the findings of the study and felt it would be appropriate to let the 25-mph speed limit expire. Councilmember Jones and Councilmember Edberg asked about public safety enforcement and if there are other strategies for helping reduce speeds. Director Kauppi said the City would take advantage of opportunities when reconstructing current or building newer roadways. He explained that certain design configurations naturally reduce drivers' speed, like narrower roadways and more tree canopy. Councilmember Jones recalled Police Chief Dale Hager's recent comments on staffing shortages and understood there aren't enough officers to always patrol residential streets. Councilmember Hughes received feedback from constituents to add more stop signs, and she inquired about speed bumps. Director Kauppi explained the guidance of the Manual of Uniform Traffic Control Devices and it states stop signs should not be used for speed control. Speed bumps aren't used in roadways because it would impact the City's ability to plow snow.

10. COMMUNICATIONS FROM THE CITY MANAGER

City Manager Crawford shared information on the annual recognition banquet for the City's Boards & Commissions members, an informational neighborhood meeting for the proposed 2024 pavement rehabilitation project, and an open house hosted by Washington County for a reconstruction project of TH 120 / Century Avenue.

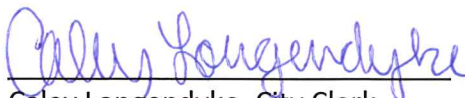
11. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Engstran**, seconded by Councilmember **Hughes**, to adjourn the regular meeting at 8:38 p.m. Motion carried unanimously.



Dan Louismet, Mayor

ATTEST:



Caley Longendyke, City Clerk