



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, JANUARY 23, 2024
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, Bill Walsh, and Andrea West. Staff in attendance were City Manager Lindy Crawford, Finance Director Kerri Kindsvater, Public Works Director/City Engineer Paul Kauppi, Community Development Director Jason Lindahl, Housing and Economic Development Coordinator Tracy Shimek, 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 January 9, 2024

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

B. Minutes of the City Council Work Session on January 16, 2024

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

3. APPROVAL OF THE AGENDA

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

4. CONSENT AGENDA

A. Resolution approving an Authorized Dock Use Area Agreement with Docks of White Bear Lake

Res. No. 13306

B. Resolution approving temporary liquor licenses for Church of St. Pius X events **Res. No. 13307**

C. Resolution authorizing a Cooperative Agreement with Ramsey County for pedestrian signal

Res. No. 13308

D. Resolution renewing the Dignisuites of White Bear Lake Final Plat **Res. No. 13309**

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

5. VISITORS AND PRESENTATIONS

A. Quarterly Finance Department Report

Finance Director Kindsvater provided the quarterly report for the Finance Department. She noted that the financial statements ending December 31, 2023 are unaudited, and staff are still in the process of recording receivables, paying incoming invoices, recording entries, and allocating interest to funds. Kindsvater said budget trends are still identifiable. She talked about supply chain challenges still being prevalent, which shifts purchases slotted for 2023 to 2024. The budget reflects this as decreased expenditures, even though the purchase will still happen. The City's general fund hasn't received the final property tax payment, which is expected in January. Kindsvater reported that permit revenues are higher than projected in the budget, which she explained as being a trend in the last couple years during the school district's construction projects. Fees for the apartment project near 3600 Hoffman Road also surpassed projected amounts. Additionally, six new homes each valued over \$450,000 generated substantial building permit revenue.

Kindsvater reported that Sports Center revenues are still being recorded and is expected to be close to budget. Kindsvater explained the recycling fund and how the market impacts the revenue amount. She explained the recycling market has been down, meaning the City's residents pay a small fee to offset processing costs. When the market is good, the processing organization makes money off of the City's recyclables and shares revenues back with the City. The market was down in 2023, so a small fee will be added to utility bills, which is reflected in the 2024 Fee Schedule. The License Bureau is very active, Kindsvater reported. She said the increased number of transactions, totaling 85,994 in 2023 compared to 78,575 transactions in 2022, were due to the closing of the DMV in Maplewood, whose staff referred customers to White Bear Lake. The additional transactions and the state's fee increases helped overall revenues.

Mayor Louismet asked if the recycling fee is added to both residential and commercial utility bills. Kindsvater said the fee is just residential, because commercial entities contract with their own hauling services. He asked if the operation costs for the License Bureau have increased with greater customer volume and if it has impacted staffing needs. Kindsvater said it has been good so far. She said lines may be a little longer, but they move through pretty quickly. She shared a reminder that the beginning and end of week are busier. She added that the shift in staffing structure from vacant full-time positions to three part-time positions helps with more coverage. When asked about the state's fee increases implemented in October and whether they would help the License Bureau's budget, Kindsvater confirmed it has helped so far, and there will be better indication after a full year of the increased fees. Councilmember Edberg also referenced the increase in revenues during the last quarter of 2023 and wondered if that increase will be sustained into the future.

6. PUBLIC HEARINGS

None

7. UNFINISHED BUSINESS

- A. Second reading of an ordinance amending the Zoning Code regarding notice and voting requirements

Community Development Director Lindahl presented a second reading of an ordinance that would amend the Zoning Code in relation to notice and voting requirements for zoning amendments and Planned Unit Development (PUD) applications. He said the proposed change will align the Zoning Code with the City Charter and State Statutes. The amendment involves changing the vote of the City Council from super majority (fourth-fifths) vote to a simple majority (three-fifths) vote for zoning amendment changes, rezoning and PUD applications. Per State Statute, applications for rezoning from residential to commercial would still require a super majority vote. The public hearing at the Planning Commission didn't generate any comment. The Council received a first reading at the January 9 regular meeting.

Mayor Louismet asked City Attorney Gilchrist about amending the City Charter and how it needs to align with state statutes. City Attorney Gilchrist said there is some flexibility for requiring a greater vote for PUD applications, but he recommended aligning other voting requirements with state statutes when addressed, such as zoning amendments. Mayor Louismet referenced the discussion at the January 9 Council meeting about interest in amending the City Charter and said he was open for that discussion.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Walsh**, to adopt **Ordinance No. 24-01-2072** amending the Zoning Regulations in the Municipal Code regarding notice and voting requirements. Motion carried unanimously.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to approve **Res. No. 13310** approving the summary publication of the ordinance amending the Zoning Code regarding notice and voting requirements. Motion carried unanimously.

Councilmember Edberg also expressed interested in pursuing an amendment to the City Charter regarding PUD application voting requirements. He asked about next steps for proposing an amendment. Lindahl said the advisory committee for the Zoning Code review process will review the PUD process, so he will ensure the committee reviews and discusses voting requirements. City Attorney Gilchrist and City Manager Crawford provided direction on next steps for communicating to the Charter Commission about a proposed amendment.

8. NEW BUSINESS

A. 2502 County Road E Redevelopment Grant Application on behalf of Element Design-Build

Housing and Economic Development Coordinator Shimek presented a resolution approving a grant application, on behalf of a developer, to the Minnesota Department of Employment and Economic Development's (DEED) Redevelopment Grant Program. The grant program was created by the legislature to help facilitate the redevelopment of old industrial, residential, or commercial properties, and brings blighted sites back into productive use. Eligible applicants must be public agencies (i.e. cities), but they are allowed to apply for a grant on behalf of a private developer. Element Design-Build approached the City and asked staff to apply for the grant on their behalf for their project at 2502 County Road E East. The grant's required 50% local match will be covered by Element Design-Build. With an anticipated redevelopment cost of \$230,000, the grant application would seek approximately \$115,000. Shimek summarized several areas of redevelopment areas to be funded, such as demolition of existing structures

and installation of a biofiltration basin. The resolution will approve the grant application and authorizes the Mayor and City Manager to enter into contracts and execute agreements for the grant on behalf of the developer.

It was moved by Councilmember **Engstran**, seconded by Councilmember **West**, to approve **Res. No. 13311** approving the application to the Minnesota Department of Employment and Economic Development's Redevelopment Grant Program, committing the local match, and authorizing the Mayor and city manager to enter into contracts and execute necessary agreements. Councilmember Edberg added that the improvements are not just for the private property, but will improve some City infrastructure, such as the additional sidewalk, that will serve public purpose. Motion carried unanimously.

B. 2024 Legislative Priorities

City Manager Crawford presented the 2024 Legislative Priorities Agenda. She said the Council discussed the potential priorities at a January 16 work session and requested that five priorities be brought forward for consideration. The five proposed legislative priorities were presented as follows:

1. Support legislation providing funding assistance for building capacity for urban forest management and meeting the costs of preparing for, and responding to emerald ash borer.
2. Continued funding support for lead water service remediation.
3. Support legislation to allow Chief Law Enforcement Officers the ability to access to the National Criminal History Database.
4. Oppose legislation that would limit or pre-empt local government zoning authority.
5. Clarify laws pertaining to the authority School Resource Officers have in schools.

Crawford noted that the proposed legislative priorities align with current or previous legislative priorities of the League of Minnesota Cities and Metro Cities Association of Metropolitan Municipalities.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Edberg**, to approve **Res. No. 13312** adopting the 2024 Legislative Priorities Agenda. Councilmember Walsh reiterated a comment he made at the January 16 work session, explaining that he was not enthusiastic about the legislative priority opposing legislation that would limit or pre-empt local government zoning authority. He said he felt the legislative priority doesn't apply to the City, which is mostly built out, and explained what the legislation addresses, including material requirements and lot sizes. He also pointed out a supporting bullet point under the legislative priority expressing support for increasing funding for state housing programs, but he noted that program revenue wouldn't necessarily bring down housing costs. Overall, he shared his general support. Motion carried unanimously.

9. DISCUSSION

None

10. COMMUNICATIONS FROM THE CITY MANAGER

None

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 7:34 p.m. Motion carried unanimously.

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk