



MINUTES
REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, OCTOBER 24, 2017
7:00 P.M. IN THE COUNCIL CHAMBERS

1. CALL TO ORDER AND ROLL CALL

Mayor Emerson called the meeting to order at 7:00 p.m. Councilmembers Doug Biehn, Kevin Edberg, Steven Engstran, Dan Jones, Bill Walsh in attendance. Staff members present were City Manager Ellen Richter, Community Development Director Anne Kane, City Engineer Mark Burch, Assistant City Manager Rick Juba, City Clerk Kara Coustry and City Attorney Andy Pratt.

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

Minutes of the Closed City Council Meeting on September 26, 2017.

Minutes of the Regular City Council Meeting on October 10, 2017.

Councilmember Walsh requested the following amendment to the October 10, 2017, Regular City Council Meeting Minutes:

-Page 7, fourth paragraph from bottom, replace "Welsh" with "Walsh"

It was moved by Councilmember **Walsh** seconded by Councilmember **Biehn**, to approve the Minutes of the Closed Meeting on September 26, 2017.

Motion carried unanimously.

It was moved by Councilmember **Jones** seconded by Councilmember **Biehn**, to approve the Minutes of the Regular Meeting on October 10, 2017.

Motion carried unanimously.

3. APPROVAL OF THE AGENDA

Councilmember Walsh made a motion to remove the following Agenda item: 9B. Resolution in support of the proposed White Bear Lake School District #624 Operating Levy Referendum.

Councilmember Walsh stated he plans to vote in support of the referendum, but questioned whether it is appropriate for the City Council to publicly weigh in. He asked whether that is the role of the City's leadership as it is not a City tax increase, nor does it have direct budgetary impact on the City. He noted the School District Board does not vote to support City levies.

Councilmember Edberg disagreed, stating the City interacts directly with the School District in several capacities, and as the City's largest employer, their well-being is of concern to the City in terms of programming, space rental, and coordination between the City and school communities. He added the quality of White Bear Schools is the single most important driver of the City's property tax base as it draws people to White Bear Lake, creating demand for

homes, and maintaining the stability of the local economy. He noted the City Council should take a position in support of the referendum.

Councilmember Jones stated he respects Councilmember Walsh's position, but he agrees with Councilmember Edberg that it is appropriate for the City Council, as leaders of the community, to publicly recognize the importance of strong schools. He added the District's schools reflect positively and directly on the City of White Bear Lake. He noted he supports a City Council statement of support for the referendum.

Councilmember Biehn agreed, stating it is important to approve a Resolution of support for the School District, which shares the City's name. He added the School District draws people to the community, and he stressed the importance of City Council support for the School District's referendum.

Mayor Emerson stated she agrees that the City Council should support the School District, and publicly recognize that a strong school district makes for a healthy community.

The motion failed for lack of a second.

It was moved by Councilmember **Edberg** seconded by Councilmember **Jones**, to approve the Agenda as presented.

Motion carried 4:1. Councilmember Walsh voted abstained.

4. VISITORS AND PRESENTATIONS

A. Food Shelf – Andrea Kish-Bailey

Mayor Emerson welcomed Andrea Kish-Bailey, Executive Director of the White Bear Area Food Shelf, and invited her to address the City Council.

Ms. Kish-Bailey stated she has managed the Food Shelf for over two years. She thanked the City Council for their continued support of the work of the Food Shelf – for their volunteerism, donations, and daily support.

Ms. Kish-Bailey stated the Food Shelf has provided food and support to area residents for forty years. In any given month, over 600 families visit the Food Shelf and participate in their programs. Residents who use the Food Shelf must live within the School District boundaries and have self-identified a need for food.

Ms. Kish-Bailey reported on Food Shelf initiatives such as "Bonus Fridays", the "Kids Pack" program, school pantries and mobile markets.

Ms. Kish-Bailey stated 90% of the Food Shelf's financial support comes from individual donors, area foundations, local churches and civic groups. She added the Food Shelf partners with other local resources, such as the Auto Bremer Trust. She noted a Trust grant provides funding to implement the Food Shelf's Emergency Fund, to provide support for residents' basic needs such as rent and transportation

Ms. Kish-Bailey stated the support of the White Bear Lake community ensures that the Food Shelf can continue to provide food, support and hope for neighbors in need. She

thanked the City Council for their support for the work of the White Bear Area Emergency Food Shelf.

Councilmember Edberg thanked Ms. Kish-Bailey for her work in the community. He asked for her insight into efforts that would help the City better serve neighbors in the community.

Ms. Kish-Bailey stated the Food Shelf Board has recently engaged in a strategic planning process, as the organization continues to see an increasing need for food and support near the borders of White Bear Lake. She added this indicates an increase in the numbers of people the Food Shelf will serve in the future. She noted the Mobile Markets program recently acquired a new truck, and will continue to identify senior centers and locations where people have limited mobility. She stressed the importance of the Emergency Fund, and in-school food pantries.

Councilmember Walsh stated the Food Shelf brochure is very well-done. Ms. Kish-Bailey stated Peter Whitcomb, a local graphic designer and Food Shelf Board member, donates his time and talent to produce all the Food Shelf's promotional materials.

Mayor Emerson thanked Ms. Kish-Bailey for her presentation, and for all her work and efforts at the Food Shelf.

5. PUBLIC HEARINGS

A. Petition seeking reestablishment of Downtown Area Special Service District Levy for the years 2018 and 2019

Community Development Director Kane stated the City received a petition from property owners in the downtown Special Service District to re-establish their levy. She added some residential properties in this area are not included in the petition, which represents 30% of the land area, 46% of total tax capacity, and 36% of square footage. She noted the \$45,000 generated annually by the levy is used for marketing and promotional efforts for downtown White Bear Lake, as well as beautification of the District.

Community Development Director Kane stated the downtown Special Service District was one of the first to be established in the State of Minnesota, and has been renewed at least a dozen times since 1992. She added a public hearing notice was sent to all property owners, and assessment amounts provided to them. She noted one question was received, but no opposition has been expressed.

Mayor Emerson welcomed Dale Grambush to the podium at 7:24 p.m., and invited him to address the City Council. Mr. Grambush, 2415 Gisella Boulevard, stated he is currently the Main Street Organization's Co-Chair for Promotions. He added a bill was recently proposed at the State Legislature that challenges the authority of cities to establish a Special Service District. He added the bill was tabled. He thanked Mayor Emerson and City Manager Richter for providing their advice and support.

Mr. Grambush reviewed events and activities in the Main Street District, including "Ladies' Night Out", Thursday October 19, 2017, during which participating merchants host promotions and related events. He added the Holiday Open House will be held Thursday November 9, 2017, from 4:00-8:00 p.m. He noted November 25, 2017, is "Small

Business Saturday”, and Winter Fest will be held on Saturdays in December, featuring Photos with Santa and horse-drawn trolley rides, and donations for the Food Shelf will be accepted.

Mr. Grambush stated the Main Street Organization is engaged in web-based social media advertising, hosts monthly Board meetings, and has a good working relationship with the City of White Bear Lake.

Mayor Emerson stated the downtown area is vibrant and exciting, and the hard work of the Main Street Organization and its members is greatly appreciated.

Mayor Emerson closed the public hearing at 7:30 p.m.

It was moved by Councilmember **Biehn** seconded by Councilmember **Engstran**, to approve **Resolution No. 12105** reestablishing the Downtown Area Special Service District Levy for the years 2018 and 2019

Motion carried unanimously.

- B. Resolution establishing and imposing special assessment for the year 2017 with no interest on taxable property within the Birch Lake Improvement District

Finance Director Rambow reviewed the Birch Lake Improvement District (BLID)’s proposed special assessment. He added adjacent property owners would be assessed, and funds used for programs that are beneficial for Birch Lake, the surrounding community and the City of White Bear Lake.

Mayor Emerson welcomed Steve Laliberte at 7:31 p.m. and invited him to address the City Council. Mr. Laliberte, 1387 Highway 96, stated he lives on the south side of Birch Lake. He added the BLID was formed in 2006 to raise funds for projects to improve conditions in and around Birch Lake. He noted a substantial portion of the BLID’s budget goes into weed control and management.

Councilmember Jones stated the BLID is an outstanding organization. He added he is Chair of Vadnais Lake Watershed Management Organization (VLAWMO), and Birch Lake residents and volunteers are always ready to help, provide input, do water monitoring and generally assist with whatever is necessary. He added the hard work of the Birch Lake Improvement District is greatly appreciated by VLAWMO and the City of White Bear Lake.

Mayor Emerson closed the public hearing at 7:34 p.m.

It was moved by Councilmember **Walsh** seconded by Councilmember **Jones**, to approve **Resolution No. 12106** establishing and imposing special assessment for the year 2017 with no interest on taxable property within the Birch Lake Improvement District

Motion carried unanimously.

C. Resolution certifying delinquent charges related to the municipal utility system assessment

Finance Director Rambow reviewed the proposed utility assessment for residents who are delinquent on their utility charges. He stated customers are given a 30-day period to pay their utility bill, after which a notice is sent, and the charges are certified and collected through property taxes.

Finance Director Rambow stated 962 notices were sent, 450 of which have been resolved. He added residents are given the opportunity to defer their assessment, and staff's comments regarding residents who chose that option are included in the meeting packet for the City Council's review.

Councilmember Walsh commended staff for their consideration of the certified charges, addressing this issue with compassion and respect. He added he supports the resolution to certify delinquent utility charges.

It was moved by Councilmember **Jones** seconded by Councilmember **Walsh**, to approve **Resolution No. 12107** certifying delinquent charges related to the municipal utility system assessment.

Motion carried unanimously.

D. Resolution certifying delinquent 2017 miscellaneous private property assessment for recovery of city expenses

Finance Director Rambow reviewed a list of services provided by the City to private residential properties that have not been reimbursed. He added the residents have been notified of delinquent charges, which will be certified to the property for collection in a few weeks.

Councilmember Edberg stated he supports this recommendation. He requested clarification regarding an invoice for 2149 Roth for a total of \$838 that is being billed for \$497.50. Finance Director Rambow agreed to look into that.

It was moved by Councilmember **Edberg** seconded by Councilmember **Walsh**, to approve **Resolution No. 12108** certifying delinquent 2017 miscellaneous private property assessment for recovery of city expenses.

Motion carried unanimously.

6. LAND USE

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

Nothing scheduled

9. NEW BUSINESS

A. Resolution approving plans and ordering advertisement for bids for the Sports Center Project

City Engineer Burch reviewed proposed plans to renovate the Sports Center, which are outlined in the site plan. These include changes to the building's exterior and the refrigeration system which, along with the concrete floor, are nearing the end of their useful lives. Other proposed renovations, as included in the complete site plan, include the removal of the refrigerant system as well as concrete flooring; installation of a subsurface heating system; compressors; and switching to ammonia from Freon, which is being phased out by federal mandate.

The exterior will be constructed of metal with insulated panels and a new metal roof. A series of opaque windows add interest to the exterior, and all lighting will be converted to energy-efficient LED lightbulbs. The facility's restrooms will be renovated to comply with current ADA standards.

On the Sports Center's east side, the existing exterior drainage system requires improvements. The bleachers will be replaced, as they do not currently meet ADA standards. The interior ceiling is proposed to be covered with a system called Low-E Ceiling, reflecting energy back into the structure. The Low-E Ceiling panels, along with painting of the beams, will improve the appearance of the ceiling.

City Engineer Burch stated the proposed project is being designed with the designated budget of \$5.5 million, with a \$3 million commitment from the City of White Bear Lake, and a \$2.5 million commitment from the Hockey Association and Skating Community. He added current construction estimates include a \$223,000 contingency, landscape allowance, relocation of electric transformer, and removal of the bleachers, as well as an anticipated \$20,000 in energy rebates.

Staff recommends City Council authorize advertising for bids, which will be received on November 29, 2017, as the bid market is strong and competitive right now. He added the bids would be presented to the City Council for consideration of award at their December 12, 2017, Regular Meeting, and if approved, construction could commence by April 1, 2018.

City Manager Richter stated the Hockey Association has been a partner in this endeavor, and there has been ongoing communication regarding their commitment to funding the facility. She added an official agreement from the Hockey Association will be presented to the City Council at the December meeting.

Councilmember Jones commended engineering staff, as well as the Hockey Association and Skating Community, for maintaining the old facility for over 28 years. He asked where the polar bear would go.

City Manager Richter stated the polar bear will remain in its current location.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to adopt **Resolution No. 12109** approving plans and ordering advertisement for bids for the Sports Center Project.

Motion carried unanimously

- B. Resolution in support of the proposed White Bear Lake School District #624 Operating Levy Referendum

It was moved by Councilmember **Engstran**, seconded by Councilmember **Biehn**, to adopt **Resolution No. 12110** in support of the proposed White Bear Lake School District #624 Operating Levy Referendum.

Motion carried 4:1. Councilmember Walsh abstained

- C. Resolution approving LELS – Dispatchers Impact Agreement and 2018 Labor Contract

City Manager Richter reported that staff has begun the planning for transition to Ramsey County dispatch services. The Ramsey County Dispatch Policy Committee will forward a recommendation to the Ramsey County Board for final contract terms.

Staff and Law Enforcement Labor Services (LELS) and have arrived at an impact agreement that would sever current City employment at its closure and provides for hiring back City dispatchers based on seniority, but at the pay rate of a records clerk position.

The terms of employment for current City Dispatch employees are included in a memo in the meeting packet, securing staffing levels through the transition and ensuring maintenance of their employment.

Staff recommends City Council approval of the 2018 LELS Labor Contract and Impact Agreement.

Councilmember Walsh commended staff and all parties involved in reaching this agreement, and he supports the resolution.

Councilmember Edberg asked for clarification regarding 24/7 staffing in the lobby. City Manager Richter confirmed lobby hours will be considered when staffing requirements are determined, and it is a separate issue. She added the switchover is anticipated for the end of April 2018.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Jones**, to adopt **Resolution No. 12111** approving LELS – Dispatchers Impact Agreement and 2018 Labor Contract.

Motion carried 3:1, Councilmember Biehn abstained, Councilmember Engstran nay.

10. CONSENT

Nothing scheduled

11. DISCUSSION

A. Potential new tenants for restaurant space at 2125 4th Street

Community Development Director Kane reviewed a concept to lease City-owned property at 2125 4th Street. Staff was contacted by a local restaurant proprietor regarding a lease for the property and several concepts, including permanent improvements. The renovation proposal includes a potential \$250,000 investment, including \$100,000 from the City, which would be recouped over the five-year lease term. The interested party is proposing a craft beer and burger restaurant.

The proposed establishment would create additional energy and vitality in Downtown West, which was identified as a priority in the Comprehensive Plan. Negotiations have not been initiated as City Staff were unsure whether the City Council would support the lease proposal. If there is no interest from the City Council, City Staff recommends seeking bids for demolition of the structure, as it is becoming a problem property.

Councilmember Walsh stated the developer could be allowed to purchase the property, but the City should not be in the business of financing restaurants. He added if there is an opportunity to sell the property that might be a third option that is preferable for the City.

Councilmember Jones stated he agrees that economic development is desirable. He added there will be definite impact with the Rush Line and its potential terminus in the downtown area. He added this is a large piece of property owned by the City, and could be an opportunity for future investment and redevelopment. He noted he is interested in this proposal because the City would break even after five years. He would support holding onto the property and waiting to see what happens with the Rush Line.

Councilmember Biehn stated the property has potential for economic development that is vastly greater than any sales proceeds that might be obtained at this point. He added the City made a good financial move by purchasing the property as its price has been recouped in lease payments. He noted he supports holding onto the property and making it presentable until the implications of the Rush Line are more evident.

Councilmember Jones stated he agrees with Councilmember Walsh that the City should not be in the business of opening restaurants, but this could be considered an opportunity for future investment.

Councilmember Edberg added he supports maintaining the property for five years and doing some exploration. He noted that staff under previous City Council administrations have accumulated property for development, which is an important process. He stressed the importance of having a discussion at the City Council level regarding properties under City ownership, and a process or procedure for knowing how and when they should be sold.

City Manager Richter agreed. She added, with this property, its acquisition was a result of redevelopment on the west side of Highway 61.

12. COMMUNICATIONS FROM THE CITY MANAGER

- City Manager Richter stated the City received a Certificate of Achievement for Excellence in Financial Reporting after an annual review by the Government Finance Officers Association. She commended Finance Director Rambow and his staff for their hard work and efforts.
- City Manager Richter stated the City Council would receive the 2018 proposed budget at its November 14, 2017, Regular Meeting, and would be asked to vote on it at the December 2017 meeting. She noted the enterprise fund and its impact on 2018 rates will be reviewed, as well as the City's fee schedule
- City Manager Richter stated absentee balloting is still available at the Ramsey County Offices on Plato Boulevard in St. Paul. She added County residents can in-person early vote at the White Bear Lake Library, or any of the six locations within Ramsey County between October 31 – November 6, 2017. She noted the closest location is the local branch library on Clark Avenue.
- City Engineer Burch stated the City's street sweepers are busy every day removing leaves and will continue to do so. He added the engineering staff are focused on 2018 street reconstruction plans for the northeast corner of the City, with old infrastructure, and a public information meeting is scheduled on November 1st for residents of that area.
- Community Development Director Kane stated the City Council-approved roofing project at Pioneer Manor was recently completed. She added the roof was replaced as well as some gable façade improvements.
- Community Development Director Kane stated City Staff met recently with the South Shore Trail Planning Committee. She added the City received a \$50,000 grant from the State Legislature for preliminary engineering plans for the Lake Links Trail connection on South Shore Boulevard, from Old White Bear Avenue to Century Avenue. She noted there is a tremendous amount of community interest in this project. The first public meeting is scheduled for November 16, 2017, from 5:30-7:00 p.m. at South Shore Trinity Lutheran Church. She added two additional meetings are planned December 2017 and January 2018.

13. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Walsh** seconded by Councilmember **Biehn** to adjourn the regular meeting at 8:22 p.m.



Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk