



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, NOVEMBER 28, 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, Assistant City Manager Rick Juba, Finance Director Don Rambow, City Engineer Mark Burch, City Clerk Kara Coustry and City Attorney Andy Pratt.

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

Minutes of the Regular City Council Meeting on November 14, 2017.

It was moved by Councilmember **Edberg** seconded by Councilmember **Jones**, to approve the Minutes of the Regular City Council Meeting on November 14, 2017.

Motion carried unanimously.

3. APPROVAL OF THE AGENDA

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

Motion carried unanimously.

4. VISITORS AND PRESENTATIONS

A. Mike Greenbaum – New Trax Senior Shuttle

Mike Greenbaum explained that New Trax is a non-profit transport company formed over 5 years ago to create a more efficient transportation system in the northeast metro. The concept was initiated through the White Bear Community Forum on Seniors' Transportation Sub-committee. Newtrax in conjunction with the White Bear Senior Center conducted focus groups to hear priorities. They met with DARTS to hear about their community circulars and learn best practices.

Scott Olson, Community Transportation Coordinator, explained that as of October 5, 2017, New Trax operates a pilot program on the south loop, Thursdays from 10:00 a.m.- 12:30 p.m. The County Road E corridor is covered through nine stops at residential facilities and five retail centers, in which three buses reach the site every 20 minutes. Ridership is growing as route timing and confidence in the service grows.

Mr. Olson shared future plans including expansion into the northern loop focused on downtown and Highway 96 corridor with the White Bear Senior Center as a connection

point with the incorporation of elementary school volunteering into the route. To those living independently in their homes, access would be provided on a pre-scheduled basis.

Mr. Greenbaum explained that the cost of operations only (driver wages and fuel) to run the south loop is approximately \$15,000 annually. Newtrax makes in-kind contribution through use of vehicles at no cost. Adding a north loop would cost approximately \$5,000 per vehicle per year as currently constructed.

Mr. Greenbaum reported that financial contributions have come from the dismantled Lionmobile program, Kowalski's Lake Area Bank, Greater White Bear Lake Community Foundation, Vadnais Heights Area Community Foundation and Vadnais Heights Lions Club. There may be some capacity for future financial support through assistance from senior residential partners (subsidized facilities within routes will be included at no cost) and voluntary contributions from riders. Mr. Greenbaum explained that with this pilot program in place, it is hopeful the need will be recognized and more private and public support will contribute to fund its ongoing success.

5. PUBLIC HEARINGS

A. Consideration of Body Worn Camera policy

Ms. Richter explained that a draft policy has been available and posted on the City website for the public comment as required by state statute prior to consideration of a recommendation to purchase. After providing a brief legislative summary, Ms. Richter asked Chief Swanson to report on the process of selecting cameras and developing a policy.

Chief Julie Swanson explained that as the City explores body cameras, other agencies' policies have been reviewed. Officers are used to turning on a microphone from their squad camera already, so she believes that activating a camera will not be a significant change of practice. Chief Swanson described the camera review process.

Chief Swanson explained that the department demoed cameras from three vendors, and ultimately concluded that the Motorola product was better suited for the department. Their product provides superior sound recording and its local vendor has been very responsive in the past.

Chief Swanson explained that in the process of developing the draft policy, the department consulted with other law enforcement agencies, worded with the MN Chiefs of Police Association, consulted with the MN BCA and solicited input from the Sergeants. The most frequent topic of discussion with the body camera policy tends to be how a critical incident is handled and when an officer will have the opportunity to view the footage from the critical incident. Chief Swanson explained the importance of having an officer give their statement of the event prior to reviewing the footage with their union representation to allow for them to account for the event as they experienced it, rather than as captured on video. After giving an initial statement, then viewing the footage, the officer will have an opportunity to provide a public statement regarding the event.

Councilmember Biehn expressed concern with law enforcement not viewing the footage prior to make a statement. Chief Swanson explained that if there is a collaborative decision among the Prosecuting Attorney, the BCA and the Chief of Police, there could be circumstances in which the officer may be permitted to review the footage prior to giving

a statement. Councilmember Biehn wanted the policy to reflect the reasoning behind why officers will not be permitted to view recorded footage prior to providing their account of an incident.

Mayor Emerson expressed that with there being no objections from officers, she believes the policy is acceptable.

In response to Councilmember Jones, Chief Swanson explained that Maplewood, Roseville, and St. Paul, Washington County, Bayport, and Woodbury currently have body worn cameras. Lino Lakes is in the process of getting them. Ramsey County does not have body worn cameras.

Councilmember Walsh asked how the periodic review of footage in regard to job performance would be managed. Chief Swanson explained this would typically be used in training rather than scrutinizing performance, and is very similar to the current squad camera policy.

Mayor Emerson opened a public hearing at 7:45 p.m. No one came forward and the Mayor closed the public hearing at 7:45 p.m.

Chief Swanson explained the intent is to equip all 29 officers, including the Chief and other Administrative staff. Community Service Officers will not be equipped at this time due to the costs.

B. Truth in Taxation Hearing

Ms. Richter explained this meeting is to provide an opportunity for the public to comment on the budget and no action will be requested of the Council until the December 12 meeting. The tax levy represents 50% of general fund revenues for which 42% funds the police department.

Ms. Richter reviewed trends, economic conditions, the allocation of tax dollars and sources of revenue for the General Fund, and explained how property tax rates are calculated. The proposed tax levy has been kept relatively flat since 2007 by using a drawdown of reserves to offset operations, shifting the levy from infrastructure to operations, and reallocating a portion of LGA from infrastructure to operations.

Ms. Richter reported on the proposed 2018 tax levy, which anticipates three central elements that will require additional resources. The proposed tax levy will eliminate reliance on Reserves for operations, which amounts to \$226,000 or 50% of the proposed levy increase; commit resources to help fund capital replacement of \$146,000 or 32% of the levy increase; provide additional funding for general operations to the tune of \$80,000 or 18% of the proposed increase. The General Fund increase represents a 1.6% increase over 2017.

Mayor Emerson opened the Public Hearing at 8:13 p.m. As no one came forward to speak, Mayor Emerson closed the Public Hearing and brought the discussion back to the City Council. She explained that the Council will be asked to take action at the December 12, 2017 City Council Meeting.

6. LAND USE

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

Nothing scheduled

9. NEW BUSINESS

- A. Resolution accepting the work and authorizing final payment to Insituform Technologies USA, LLC for the Sanitary Sewer Main Lining Program, City Project No.: 17-07

City Engineer Burch reported that Insituform Technologies USA, LLC has completed construction of the 2017 Sanitary Sewer Main Lining Project (City Project 17-07). All of the work specified in the contract has been accomplished and the sanitary sewer mains are back in service. The original contract amount for this project was \$84,084.80 and the final revised contract amount is \$90,402.20. The revised contract amount is due to addition of work required due to a manhole located in Trunk Highway 61.

It was moved by Councilmember **Jones**, seconded by Councilmember **Biehn**, to adopt **Resolution No. 12122** accepting the work and authorizing final payment to Insituform Technologies USA, LLC for the Sanitary Sewer Main Lining Program, City Project No.: 17-07

Motion carried unanimously.

- B. Resolution authorizing execution of the 2018 labor agreement with International Union of Operating Engineers Local No. 49; Public Works

City Manager Richter reported that City, through good faith negotiations, has reached an agreement on the terms of its 2018 labor agreement with the International Union of Operating Engineers Local 49 – Public Works. Of particular note, wages are set to increase 2.75% and the vacation accrual schedule was accelerated as a tool for better recruitment and retention of employees.

It was moved by Councilmember **Jones**, seconded by Councilmember **Biehn**, to adopt **Resolution No. 12123** authorizing execution of the 2018 labor agreement with International Union of Operating Engineers Local No. 49; Public Works

Motion carried unanimously.

10. CONSENT

- A. Resolution approving massage therapy establishment and massage therapist licenses.
Resolution No. 12124

It was moved by Councilmember **Biehn**, seconded by Councilmember **Edberg**, to adopt the Consent Agenda as presented.

Motion carried unanimously.

11. DISCUSSION

A. Utility rates – review of options

Finance Director Rambow reviewed two options for sewer rate adjustments. One option relies on use of reserve funds to balance the utility fund deficit; the other increases rates enough to provide revenues for reimbursement of the non-bonded fund.

Councilmember Edberg felt the proposed water and sewer rate increases needed to reimburse the non-bonded fund were not onerous, amounting to \$10 more per year for water usage and \$20 more per year for sewer usage.

Councilmember Jones agreed that citizens should pay what it costs for the services they get.

Councilmember Walsh also agreed, however he stated that rates are increasing everywhere and he believed the City should ease into the rate increases and was okay with use of the non-bonded fund to support the utility account in the meantime to give some relief to residents.

12. COMMUNICATIONS FROM THE CITY MANAGER

➤ Small cell wireless

City Attorney Pratt stated he is drafting an agreement on a Small Cell Wireless Ordinance for the City of White Bear Lake, which will be forthcoming.

➤ Sports Center

City Manager Richter explained that City Attorney Pratt is writing a contract to outline the Hockey Association debt service payment anticipated with the Sports Center project.

➤ Works sessions – 2018

City Manager Richter shared topics for 2018 work sessions in the works including CIP/Financial Planning, Fire Services, Economic Development, a budget work session and strategic planning meeting in the fall.


➤ City Engineer Burch shared there is a public information meeting tomorrow night in City Hall to discuss the 2018 Mill and Overlay projects.

➤ City Engineer Burch reported that the bids for the Sports Center will opened tomorrow, but it will take some time to evaluate the bids to discover which one maximizes a tax implication identified by the Finance Director.

- City Manager Richter shared information about an indoor winter market at Tamarack Nature Center on Saturday, December 9th from 10:00 a.m. – noon.
- City Manager Richter shared a customer appreciation award that was presented to the City of White Bear Lake on behalf of MINNCOR Industries for the City's use of their services to construct the marina dock system, which was completed and installed in 2017.

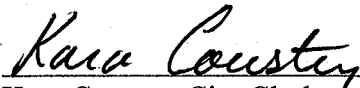
13. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Biehn** seconded by Councilmember **Jones** to adjourn the regular meeting at 8:45 p.m.



Jo Emerson, Mayor

ATTEST:



Kara Coustry, City Clerk