

**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, JULY 10, 2018
7:00 P.M. IN THE COUNCIL CHAMBERS**

1. CALL TO ORDER AND ROLL CALL

Mayor Jo Emerson called the meeting to order at 7:00 p.m. Councilmembers Doug Biehn, Kevin Edberg, Steven Engstran, Dan Jones and Bill Walsh in attendance. Staff members present were City Manager Ellen Hiniker, Assistant City Manager Rick Juba, Police Chief Julie Swanson, Fire Chief Greg Peterson, City Engineer Mark Burch, Assistant City Engineer Jesse Farrell, Community Development Director Anne Kane, Finance Director Don Rambow, City Clerk Kara Coustry and City Attorney Andy Pratt.

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

It was moved by Councilmember **Biehn** seconded by Councilmember **Walsh**, to approve the Minutes of the Regular City Council Meeting on June 26, 2018 with correction spelling of the word “beanbag” on page 6.

Councilmember Edberg corrected the spelling of “beanbag” in the minutes on page 6.

Motion carried unanimously.

3. APPROVAL OF THE AGENDA

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

Motion carried unanimously.

4. VISITORS AND PRESENTATIONS

A. Time capsule from Clark Avenue Flagpole – Sara Hanson

Sara Hanson, Executive Director of the White Bear Lake Area Historical Society, gave a presentation on the opening of the 1940 time capsule, which was uncovered from behind the date stone on the base of the Clark Avenue flagpole. The capsule was made of 100% copper and was pre-cut open by Public Works without peaking. Ms. Hanson described sealing the box with evidence tape, which was signed by Mayor Emerson, and given to Chief Swanson until its reveal to the community at “Walk Down Memory Lane” during Marketfest on June 21, 2018.

Ms. Hanson explained that Chief Swanson presented the sealed time capsule to Mayor Emerson who verified her signatures had not be tampered with on the evidence tape. Lynn Farley of the Lions Club led fundraising efforts for the flagpole restoration. Both Lynn and Carol Farley were the “Volunteers of the Year” for Manitou Days and also assisted with the time capsule opening.

Ms. Hanson described the flagpole project was spearheaded in 1939 by W. A. Stickley, who was the publisher and owner of the White Bear Press at the time. As a Veteran, Mr. Stickley worked with community leaders to establish this flagpole as a memorial to Veterans. As such, the capsule contained a few editions of the White Bear Press, a personal letter from Mr. Stickley and his photo along with the photos of Mayor Charles Buckbee and Councilmember Lester Palmer. Enclosed was a financial statement of the 1940 flagpole project revealed the total cost was \$349.73.

Ms. Hanson explained that all of the items in the capsule were inventoried, labeled and are properly stored in an archival box. The copper box itself will be repurposed and put back into the flagpole base with new letters from those involved in the flagpole restoration project along with copies of all the old materials.

City Engineer Burch reported that masonry work on the flagpole project just started today and will take several weeks to complete. The flagpole base was installed and the sidewalk has been poured. He anticipates the flagpole will be set in place sometime in August. A flagpole rededication ceremony is scheduled for November 11.

B. Body camera demonstration

Chief Swanson explained how body cameras became the national trend two years ago and the process of getting them in place has been more lengthy than anticipated due to demand. She mentioned the body camera policy was established by the City Council in December. Motorola who works with Ancom Communications (a local vendor) was selected from three vendors to provide the body cameras and training.

Chief Swanson reported that the full department was trained and has been wearing the cameras since the end of May. According to the body camera policy, officers are required to wear the cameras when responding to all calls for service and all law enforcement related encounters. Cameras are also worn for medical calls as the ability exists to redact health sensitive data when needed.

Chief Swanson mentioned there has been additional staff time needed to manage the additional data, which has been handled by the evidence technician that was hired last year to manage other digital data. Both of the former dispatchers have also been trained to assist with the handling of this data.

One of the body cameras was passed around. Chief Swanson explained there are separate buttons to activate the microphone and the camera. A red light indicates when the camera is recording, which sometimes curbs bad behavior, but can also escalate it. Once a body camera is activated, the previous 30 seconds of footage is retained as part of the video, but without the sound.

Footage of a mock traffic stop from a body camera was played for the Council to demonstrate video quality.

5. PUBLIC HEARINGS

Nothing scheduled

6. LAND USE

A. Non-Consent

Nothing scheduled

B. Consent

1. Consideration of Planning Commission recommendation regarding a request by Festival Foods for a sign variance (Case No. 18-6-V). **Resolution No. 11262**
2. Consideration of Planning Commission recommendation regarding a request by Gillespie for a variance (Case No. 18-7-V). **Resolution No. 11263**

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to adopt the consent agenda as presented.

Motion carried unanimously.

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

Nothing scheduled

9. NEW BUSINESS

- A. Resolution authorizing final payment to Northwest Asphalt & Maintenance for completion of the 2018 Crack Sealing Program (City Project No. 18-03)

City Engineer Burch reported that Northwest Asphalt has completed all work specified in their contract for the 2018 Crack Sealing Program and the work has been inspected by the Engineering Department. He forwarded staff's recommendation that the City Council accept the work and authorize final payment in the amount of \$64,664.00. The original contract amount for this project was \$64,900.00 and the difference is due to the unit price nature of this contract. The quantity of sealant applied was slightly less than anticipated.

It was moved by Councilmember **Biehn**, seconded by Councilmember **Jones**, to adopt **Resolution No. 12264** authorizing final payment to Northwest Asphalt & Maintenance for completion of the 2018 Crack Sealing Program.

Motion carried unanimously.

- B. Resolution authorizing extension of a rental agreement with Comcast

City Manager Hiniker explained that this agreement with Comcast is the last of the tenant agreements to be finalized in the Bellaire Center. A 2% increase with a one-year term was established to coincide with the Ramsey Washington Suburban Cable Commission's negotiations for the City's franchise agreement with Comcast. She stated that both Comcast and Ramsey Washington Cable Commission desire to continue to utilize the

space, but it remains unclear in the future whether there will be one lease agreement with Comcast or if the space will be separated into two lease agreements next year.

It was moved by Councilmember **Jones**, seconded by Councilmember **Biehn**, to adopt **Resolution No. 12265** authorizing extension of a rental agreement with Comcast.

Motion carried unanimously.

10. CONSENT

- A. Acceptance of minutes from May White Bear Lake Conservation District; May Environmental Advisory Commission; June Planning Commission

It was moved by Councilmember **Biehn** seconded by Councilmember **Jones**, to approve the consent agenda as presented.

Motion carried unanimously.

11. DISCUSSION

- A. Public Safety update

- Dispatch conversion

Chief Swanson explained that county dispatch services began at 10:00 a.m. on May 1st with only minor glitches related to squad laptops that was corrected by 11:00 a.m. Police staff trained for the conversion in early April and began using a different number on the radio a month prior to the conversion to ease into the transition.

Chief Swanson reported that staff is happy with the change, which has been relatively minimal due to the retention of two dispatchers. She recalled that one of the dispatchers retired, one reverted back to CSO duties and one returned to patrol. Pictures of the remodeled dispatcher's area were displayed which showed a small kitchen area and opened up floorplan to provide additional seating for two officers.

Chief Swanson relayed that the hours for dispatch and records is from 7:30 a.m. – 10:00 p.m., Monday – Friday. In the event there is not coverage during this time, there is a phone in the lobby that automatically rings dispatch for assistance. Although foot traffic is down in the evening, Naomi, the evening dispatcher, has been working on special projects including scanning nearly 4,000 documents into LaserFiche to date. Dispatchers have assumed responsibility for solicitor's permits and background investigations for business licenses, the returning of property and animal control.

Chief Peterson reported that the conversion was more involved for the Fire Department. All new technology was purchased and placed in trucks, trucks were renumbered and a new fire station alerting system was put into place. Staff experienced changes in how to respond, what the units are called and who goes to what, where, when and why.

Chief Peterson noted that significant changes in such a short period are stressful for an organization, but overall the conversion has worked well. Ramsey County

Dispatch was very helpful; to address multiple computer related issues, they sent a team on site to troubleshoot IT implementation and provide education to staff.

Chief Peterson stated that the system runs well now and can be managed remotely. He explained that the entire system is automated based on GPS location of a unit and a station, which provides for efficient dispatch depending on current locations of various units throughout the City.

- Duty crews

Chief Peterson reported that the duty crew program has been relatively successful. Chief Peterson explained that everyone is required to sign up for a number of duty crew hours each quarter. Paramedics have the most hours required at 96 hours per quarter, given the smaller number of staff currently available. EMT's are expected to work 48 hours a quarter. At this time, duty crews respond only to medical calls.

Chief Peterson stated that despite the high number of hours required, there are shifts that do not have coverage due to the limited number of people overall from which to draw. When duty shifts are not covered, all medical calls become station calls. The duty crew program works well when the department is staffed, but holes in coverage are more apparent now as people are required to sign up. When the station is not manned, the call is paged-out. If there is no response, the call is directed to another agency to handle.

Councilmember Jones thanked both Chiefs for the update. He inquired about the high number of hours required of paramedics and asked whether that was short-term or contingent upon increasing the budget to pay for additional personnel. Chief Peterson confirmed that staffing within the current budget is the largest issue.

Councilmember Biehn conveyed his concern and understanding that if Council is asked to address staffing levels, it needs to be done. He further encouraged Council to take a look into doing something that address this sooner, rather than later. Mayor Emerson agreed.

Councilmember Jones inquired about updates to the Public Safety building. Ms. Hiniker relayed the City was able to utilize DUI forfeiture funds for many of the improvements in the Public Safety Building, and that funds set aside for the dispatch transition were diverted to cover many of the building updates at south fire station. She added that additional resources will be set aside in 2019 for overall public safety facility planning.

B. Charitable Gambling

City Manager Hiniker stated that staff is seeking direction from Council related to the City's current Charitable Gambling Ordinance. The City received a request from the White Bear Lake Hockey Association to amend the ordinance to allow an organization to operate at four (4) locations. The current ordinance limits the number of premises permits an organization can have to three (3).

Ms. Hiniker explained that municipalities have quite a bit of latitude to regulate charitable gambling. Some cities require 100% of proceeds to be returned back to the community while White Bear Lake only requires 50% to be returned back into the trade

area. The City's trade area is defined to include communities within the White Bear Lake School district and Mahtomedi.

Ms. Hiniker pointed out that not all organizations are requesting an increase to the number of premises permits. In fact, the Lions Club has expressed concerns about increasing the limit from three (3) to four (4).

Councilmember Walsh stated that the White Bear Hockey Association is a current partner with the City with regard to the Sports Center renovation project. Referring back to the Hockey Association's pledge for repayment of the Sports Center project, he sought clarification that their commitment was predicated on the current limit of three (3) gambling premises. Ms. Hiniker confirmed this and added that staff reviewed the Hockey Association's annual proceeds from current gambling operations, which supported the pledge under current conditions.

Councilmember Jones noted that the City is not limiting the Hockey Association from acquiring additional gambling locations outside of White Bear Lake and inquired as to the number of gambling premises permits the Hockey Association has in the state.

Councilmember Edberg agreed that the White Bear Lake Hockey Association is one of the City's partners, but they are also one of the primary beneficiaries of the Sports Center project. Councilmember Edberg inquired as to the criteria for the kinds of institutions that can host charitable gambling. Ms. Hiniker was unsure but mentioned that the City would need to endorse the location. For additional clarification, Ms. Hiniker pointed out that bingo halls are not a bar or restaurant.

Councilmember Edberg inquired about the history of why the City has chosen to designate only 50% of proceeds to remain in the broader trade area. Ms. Hiniker was not familiar with the history, but indicated that the charitable gambling associations draw membership from the broader area and, subsequently, give back to the broader. In response to Councilmember Edberg, Ms. Hiniker responded that the City does not currently specify the use of 10% of net receipts as enabled by law.

Councilmember Edberg noted a large disparity between the net receipts of each of the City's charitable gambling organizations. Ms. Hiniker explained that in 2017 there were 2.7 million in collective net gambling receipts generated in the City. Net receipts are the proceeds after prizes are paid out. An organization then deducts allowable expenses, such as rent, from net receipts to calculate net profit/loss.

Councilmember Walsh believes the City manages charitable gambling well and did not believe the current ordinance should be grown from three (3) to four (4) premises permits.

Councilmember Biehn inquired as to Maplewood's experience since they permit four (4) premises. Ms. Hiniker stated that Maplewood is a larger city and offered to look into this further if the Council desired.

Councilmember Jones listed a number of charitable gambling associations in the City that he believed would be willing to expand their premises permits. As a side note, he questioned the viability of a business that is dependent on pull-tabs. Councilmember Jones added that Maplewood has a larger population with more restaurants and bars. He mentioned Roseville only has three (3) and that he spoke to a former Roseville Hockey

Association member who stated they had no problem with being limited to three (3) premises. Councilmember Jones has no interest in increasing this limit.

Councilmember Edberg was intrigued with the portion of the statute that the City does not currently utilize in which 10% of net receipts can be designated by the City. He pointed out this could fund the Historical Society, Marketfest and a variety of others to the tune of \$270,000 based on 2017 net receipts. He stated he is not interested in changing the current ordinance but if it was changed, he would be more interested in making sure proceeds are spread around well.

Councilmember Engstran was good with the City's current limit of three (3) gambling premises permits per organization. Mayor Emerson concurred.

12. COMMUNICATIONS FROM THE CITY MANAGER

➤ Public Safety Updates

- Stop sign enforcement will occur between July 27 and July 30
- Pedestrian crosswalk enforcement will happen sometime in August and will be posted on Facebook in order to educate the public. Because White Bear Lake has chosen to enforce pedestrian crosswalks, Ramsey County will be providing \$5,000 toward this effort in 2019.

Mayor Emerson urged public to pay attention to cars that may be stopping for pedestrians. Councilmember Edberg added that more education is needed on what is permitted, what is not permitted and the standards in general.

- The City will likely be receiving one of the state's 15 DUI Enforcement Grants, which would fund a DUI enforcement officer beginning October 1, for two (2) years.

➤ Pioneer Manor BBQ – next Friday, July 20th from 11:00 a.m. – 2:00 p.m.

➤ Solar Workshop for residents – Expansion Room City Hall this Thursday at 6:30 p.m.

➤ Upcoming Council meetings and work sessions:

- August 14th Council meeting pushed back to Wednesday, August 15th to accommodate the Primary Election
- August 21st – 5:30 p.m. Budget Work Session in the Expansion Room

➤ Fourth of July – music and fireworks went very well and Ms. Hiniker commended the community, all the volunteers and staff who worked to make this event happen.

➤ Engineering Updates – Mark Burch

- Road construction is well underway, White Bear Avenue with decorative lighting arriving in about two weeks.
- Pictures of the Sports Center renovation project were reviewed.

➤ Community Development Updates – Anne Kane

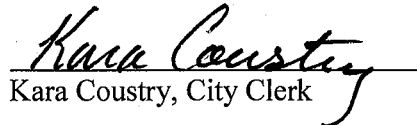
- The number of permits and value of projects is 30 % higher over last year, which indicates great investment in the community.

13. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Walsh** seconded by Councilmember **Jones** to adjourn the regular meeting at **8:18 p.m.**


Jo Emerson, Mayor

ATTEST:


Kara Coustry, City Clerk