



**MINUTES  
REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
TUESDAY, APRIL 23, 2019  
7:00 P.M. IN THE COUNCIL CHAMBERS**

**1. CALL TO ORDER AND ROLL CALL**

Mayor Emerson called the meeting to order at 7:01 p.m. Councilmembers Doug Biehn, Kevin Edberg, Dan Jones, Steven Engstran and Bill Walsh were present. Staff members present were City Manager Ellen Hiniker, Community Development Director Kane, Finance Director Kerri Kindsvater, City Engineer Paul Kauppi, City Clerk Kara Coustry and City Attorney Troy Gilchrist.

PLEDGE OF ALLEGIANCE

**2. APPROVAL OF MINUTES**

A. Minutes of the Regular City Council Meeting on April 9, 2019

It was moved by Councilmember **Biehn** seconded by Councilmember **Walsh**, to approve the Minutes of the Regular City Council Meeting on April 9, 2019.

Motion carried. Councilmember Edberg abstained.

**3. APPROVAL OF THE AGENDA**

Mayor Emerson added the Police Week Proclamation as 4A under Visitors and Presentations.

City Manager Hiniker added 9D under New Business - a motion for a temporary Chair for the May 28<sup>th</sup> Council Meeting as both Mayor and Chair elect will be absent at this meeting.

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

Motion carried unanimously.

**4. VISITORS AND PRESENTATIONS**

A. Law Enforcement Week Proclamation

B. Special Olympics recognition of the White Bear Lake Police Department

Police Chief Julie Swanson introduced Maplewood's Police Commander Mike Shortreed, Keen Corkery from the Special Olympics and White Bear Lake Police Officer Kacie Allen. Chief Swanson announced that last week at the Minnesota Chiefs' of Police Conference the White Bear Lake Police Department was awarded the Law Enforcement Torch Run Award for supporting Special Olympics.

Chief Swanson thanked the members of the Police Department who participate and called out the special efforts of Officer Allen for extensive coordination of the largest Polar Plunge in the State, both for plungers and donations. The Polar Plunge takes place on the last Saturday in January and the Law Enforcement Torch Run happens during Manitou Days in June carrying the Flame of Hope through communities to culminate at the Summer Games – this year at St. Thomas University.

Commander Mike Shortreed with the Maplewood Police Department and Law Enforcement Torch Run Deputy Director of Events for the State of Minnesota stated that the Law Enforcement Torch Run is the largest grassroots fundraiser and public awareness vehicle for Special Olympics in the World. Commander Shortreed and Corkery from Special Olympics MN presented the 2019 Minnesota Law Enforcement Torch Run Guardian of the Flame Award to the White Bear Lake Police Department to recognize their outstanding contribution to the statewide event.

C. Jason Brown – White Bear Boat Works

City Manager Hiniker recognized intense efforts of Jason Brown of White Bear Boat Works who used the “SS Minnow” over several days in an effort to break up ice on White Bear Lake. He most certainly saved the municipal dock system from an ice collision and destruction. Ms. Hiniker also recognized members of the Fire Department who were prepared to shine lights overnight while overseeing Mr. Brown’s safety in strong winds on the water, however, the plan was called off due to dangerous conditions.

Jason Brown shared photos and videos of his experience on the lake. He expressed great relief for the ice stopping just short of the docks. Mr. Brown thanked the City for the brand new haul on the SS Minnow and for their support of his ice breaking efforts.

**5. PUBLIC HEARINGS**

A. Annual public meeting and 2018 Annual Report on the City’s Storm Water Pollution Prevention Program

Connie Taillon, P.E. and Environmental Specialist for the City provided a history of the Federal Clean Water Regulation and reported on City’s initiatives that supported the 2018 Storm Water Pollution Prevention Program. Ms. Taillon explained the purpose of the MS4 Permit is to reduce the amount of pollutants that enter surface and ground water from storm sewer systems. She highlighted the Minimum Control Measures as follows and provided 2018 accomplishments supporting each.

1. Public education and outreach
  2. Public participation and involvement
  3. Illicit discharge detection and elimination
  4. Construction site stormwater runoff control
  5. Post construction stormwater management (development projects)
  6. Pollution prevention/good housekeeping (municipal operations)
- Plus impaired waterbody requirements (if applicable)

Mayor Emerson 7:46 p.m. opened the public. As no one came forward, Mayor Emerson closed the public hearing.

## 6. LAND USE

- A. Consideration of a Planning Commission recommendation of approval of the DRAFT 2040 Comprehensive Plan and authorize distribution to affected jurisdictions for review. (Case No. 17-1-CP)

Community Development Director Kane explained that the Metropolitan Council requires every community within the 7-county metropolitan area to update its Comprehensive Plan every ten (10) years. She stated that White Bear Lake is expected to add 1,500 residents, 500 jobs, 1,200 additional households between 2020 and 2040. Ms. Kane reviewed the Housing portion of the DRAFT 2040 Comprehensive Plan and highlighted three principles intended to guide the City in support of anticipated regional growth as a nearly built out community:

- Existing Housing Stock: Enhance property values and livability by encouraging on-going maintenance and reinvestment
- Housing Options: Expand a range of lifecycle housing options to meet the needs of the current residents and attract new residents
- Compatible Design: Encourage design that reflects the character of the community while still increasing the quantity and variety of housing

Ms. Kane reviewed several statistics related to housing in White Bear Lake and relayed the following concerns related to meeting future housing needs in White Bear Lake:

- Limited opportunities for new development
- Diversity of housing stock to meet needs of changing demographics
- Community concerns about density & affordable housing
- Providing housing for households with 30% AMI and lower
- Difficult for new construction to be affordable unless subsidized
- Attracting developers with affordable housing experience

Within the Housing section, Ms. Kane covered the top housing need priorities as affordability, preservation of naturally occurring affordable housing (NOAH), redevelopment & infill, wider variety of housing options and investment & maintenance of existing stock.

As conveyed in past work sessions, Ms. Kane relayed a desire to solicit a comprehensive housing needs assessment to address challenges identified in the Housing section of the Comprehensive Plan. Such an assessment, she explained, would:

- Guide future housing developments and inform housing related policies and implementation tools
- Provide a demographic analysis including population data, employment projections and income trends
- Provide an analysis of the for-sale and rental market
- Contain a senior housing analysis including impacts of seniors 'aging in place' on quality and quantity of for-sale supply
- Provide a future housing demand analysis including rental and homeownership demand

Councilmember Jones inquired as to what happens if municipalities do not complete the Comprehensive Plan. Ms. Kane replied the city would not be eligible to apply for Livable Communities Demonstration Account grants (LCDA).

Councilmember Edberg noted there is not just a cost of housing problem, but there is an income and income distribution problem. He mentioned that the number of people per household could be addressed when aging and single folks vacate homes and new families fill up existing housing stock. He supports a housing study for a better understanding of the taxable value of the property in White Bear Lake, which is the economic driver for the City. Now with the housing priorities identified, he would like some strategies that address the opportunities, which may require Council's input. Lastly, Councilmember Edberg is preparing for a difficult conversation given the desire of homeowners and developers to sell for more money resulting in few housing opportunities for those without money.

It was moved by Councilmember **Jones**, seconded by Councilmember **Biehn**, to adopt **Resolution No. 12384** approving the DRAFT 2040 Comprehensive Plan and authorize distribution to affected jurisdictions for review (Case No. 17-1-CP).

Motion carried unanimously.

## 7. UNFINISHED BUSINESS

Nothing scheduled

## 8. ORDINANCES

Nothing scheduled

## 9. NEW BUSINESS

### A. Resolution extending the Cable Commission Franchise

Ramsey Washington Suburban Cable Commission's Executive Director Tim Finnerty explained Comcast and the Commission are asking for an extension to the franchise agreement through February 28, 2020. He stated the purpose is to provide more time for formal negotiations with Comcast. He explained the extension does no harm to the City or the Commission as it preserves all rights and obligations under the current franchise agreement.

As an update, Mr. Finnerty reported little negotiation has occurred as there was Federal Communications Commission (FCC) ruling last fall pertaining to local franchises and cable operators, which took some time. Mr. Finnerty also stated that Comcast's lead negotiator is based in Comcast Headquarters in Philadelphia and has limited availability.

Mr. Finnerty explained that the Cable Commission simultaneously has the option of triggering a formal franchise renewal process, which establishes deadlines for defined activities. His sense from the Cable Commission is they would like to begin planning for that possibility.

Mr. Finnerty offered to speak off-line regarding negotiation details. He mentioned meeting recently with Councilmember Jones and Councilmember Walsh. City Manager Hiniker added that once she has an opportunity to meet with both Councilmembers regarding that visit, she will provide a summary of those discussions to the rest of the Council.

Councilmember Edberg would be interested in learning the major sticking points. He would also like to know what can be gotten for improvement in service, access and affordability for the residents. He would also like an understanding of available strategies, if any, and an idea of what a win would look like for residents.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Jones**, to adopt **Resolution No. 12385** extending the Cable Commission Franchise.

- B. Resolution accepting bids and awarding contract for the 2019 Bituminous Seal Coating Project, City Project No. 19-02

Public Works Director/City Engineer Kauppi reported receiving three bids for the annual Seal Coating Project. He forwarded staff's recommendation to receive the lowest base bid of \$98,883.73 and award the contract to Allied Blacktop Company of Maple Grove, MN. He stated Allied is a reputable company who has completed work in White Bear Lake in the past and their bid was well within the 2019 Seal Coating budget of \$190,000.00.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Jones**, to adopt **Resolution No. 12386** bids and awarding contract for the 2019 Bituminous Seal Coating Project, City Project No. 19-02.

- C. Resolution accepting bids and awarding contract for the 2019 Crack Sealing Project, City Project No. 18-03

City Engineer and Public Works Director Kauppi reported receiving five bids for the annual Crack Sealing Program. He forwarded staff's recommendation to receive the lowest bid of \$35,400 and award the contract to MP Asphalt Maintenance LLC of Clear Lake, MN.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Jones**, to adopt **Resolution No. 12387** bids and awarding contract for the 2019 crack sealing program, City Project No. 18-03.

- D. Motion to appoint an alternate Chair for the May 14, 2019 City Council Meeting.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Biehn**, to appoint Councilmember Jones as the Council Chair for the May 14, 2019 City Council Meeting.

Motion carried unanimously.

## 10. CONSENT

- A. Acceptance of Minutes of the White Bear Lake Conservation District; Environmental Advisory Committee
- B. Resolution authorizing wine, 3.2 and Sunday liquor licenses for The Waters Senior Living Management, LLC. **Resolution No. 12388**
- C. Resolution authorizing extension of a rental agreement with Comcast. **Resolution No. 12389**

D. Resolution denying massage business establishment license. **Resolution No. 12390**

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

Motion carried unanimously.

(Councilmember Walsh was excused from the meeting at 8:41 p.m.)

**11. DISCUSSION**

A. Bruce Vento Trail update

City Manager Hiniker reported that based on community feedback, Ramsey County has been exploring various options for the Bruce Vento Trail extension route through downtown White Bear Lake along Highway 61.

Community Development Director Kane presented three options that Ramsey County provided for the trail extension along Highway 61 through downtown White Bear Lake and highlighted challenges with multiple street crossings and significant public and private infrastructure along the route. Mr. Kauppi added that snow removal along a trail abutted to Highway 61 would also present considerable challenges.

There was consensus amongst the Council was to advise Ramsey County to stop exploring the Bruce Bento Trail extension along the east side of Highway 61 due to significant impacts and numerous conflicts.


**12. COMMUNICATIONS FROM THE CITY MANAGER**

- Newsletter is out and the following events are of note:
  - April 27<sup>th</sup> Trash to Treasure Day – this Saturday
  - Take your water pledge by April 30<sup>th</sup> at [www.mywaterpledge.com](http://www.mywaterpledge.com)
  - May 4<sup>th</sup> Spring Clean Up, 7am – 1pm at the former Public Works Site
  - May 16<sup>th</sup> Second Annual Touch a Truck at Podvin Park
  - May 24 – June 4 is the Filing Period for Council positions Wards 1, 3 and 5
- Compensation for Mayor and Councilmembers will be on the May 28, 2019 agenda.
- Court of Appeals affirmed a decision to reverse the Lake Level Litigation ruling.
- The Police Department budgeted \$15,000 to support the hiring of another mental health social worker employed at Northwest Youth and Family Services. This is a shared position in partnership with Roseville, North St. Paul, Mounds View and Shoreview.
- Work Session to review Capital Improvement Program on Tuesday, April 30. The follow up Work Session on May 21 will merge the CIP discussion with the Long Range Financial Plan.
- Engineering updates from Paul Kauppi
  - The 2019 Street Rehabilitation Project is underway and as a result there may be reports of a number of water shut-offs.

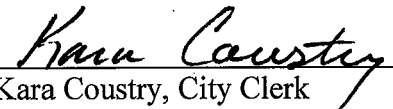
- Starting today, the water treatment plant is shut down to complete annual cleaning and maintenance. As a result, water softening activities are also shut down. After completed, water hydrant flushing will commence.
- Parks staff have begun preparing outdoor facilities and park amenities for summer.

### 13. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Jones** seconded by Councilmember **Engstran** to adjourn the regular meeting at 9:17 p.m.

  
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Jo Emerson, Mayor

ATTEST:

  
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Kara Coustry, City Clerk