



AGENDA
REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, MAY 26, 2020
7:00 P.M. IN THE COUNCIL CHAMBERS

1. CALL TO ORDER AND ROLL CALL

2. APPROVAL OF MINUTES

A. Minutes of the Regular City Council Meeting on May 12, 2020

3. APPROVAL OF THE AGENDA

4. VISITORS AND PRESENTATIONS

Nothing scheduled

5. PUBLIC HEARINGS

Nothing scheduled

6. LAND USE

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

Nothing scheduled

9. NEW BUSINESS

A. Resolution authorizing regulatory flexibility and use of city property by local businesses

B. Resolution approving cooperative agreement PW 2019-16 with Ramsey County for County State Aid Highway (CSAH) 96 Trail Reconstruction, City Project No. 19-14

C. Resolution approving cooperative agreement PW2019-15 with Ramsey County for White Bear Avenue (County State Aid Highway 65) Trail Reconstruction, City Project No. 19-14

10. CONSENT

Nothing scheduled

11. DISCUSSION

Nothing scheduled

12. COMMUNICATIONS FROM THE CITY MANAGER

- Update on City operations related to Stay Safe Order
- Technology update for City Council meetings

13. ADJOURNMENT



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, MAY 12, 2020
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. under MN Statute Section 13D.021, in which the City Council will be conducting its meetings during this emergency by electronic means until further notice. The clerk took roll call attendance for Councilmembers: Doug Biehn, Steven Engstran, Dan Jones and Bill Walsh. Kevin Edberg arrived at 7:03 p.m. Staff in attendance were City Manager Ellen Hiniker, Assistant City Manager Rick Juba, Community Development Director Anne Kane, Housing and Economic Development Coordinator Tracy Shimek, Public Works Director/City Engineer Paul Kauppi, Finance Director Kerri Kindsvater, City Clerk Kara Coustry and City Attorney Jason Hill and Troy Gilchrist (arrived 8:25 p.m.).

2. APPROVAL OF MINUTES

A. Minutes of the Regular City Council Meeting on April 28, 2020

It was moved by Councilmember **Jones**, seconded by Councilmember **Biehn**, to approve the Minutes of the Regular City Council Meeting on April 28, 2020.

Walsh Aye
Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously.

3. APPROVAL OF THE AGENDA

City Manager Hiniker added 9G, a resolution to provide financial support for Marketfest. Under Discussion, she added the License Bureau and local business support efforts.

It was moved by Councilmember **Biehn** seconded by Councilmember **Walsh**, to approve the Agenda as amended.

Walsh Aye
Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously.

4. VISITORS AND PRESENTATIONS

A. Marketfest and Manitou Days Presentation

Lisa Beecroft, Event Director for Marketfest, provided an overview of the events planned for a delayed 2020 Marketfest. In its 30th year, Marketfest is planned from 6-9 p.m. on Thursdays from July 30 – August 20, 2020. She reviewed COVID-19 safety measures in addition to other preparations for the event.

On behalf of Marketfest, Ms. Beecroft requested \$7,000 in funding from the City, its use of the streets and sidewalks in downtown White Bear Lake, and assistance from the Public Works and Public Safety Departments.

Dale Grambush spoke on behalf of Manitou Days and reported a downsized parade is being planned for August 21st. They suggested to the Fireworks Committee to consider August 22nd should those need to be pushed back. He mentioned Bears That Roar would be announced on August 23rd. He noted that events can sign up online at manitoudays.com and mentioned a few events have gone virtual, while some have cancelled including the Rotary/Explore White Bear Beach Dance and the Classic Boat Show.

On behalf of Manitou Days, Mr. Grambush requested support from the City through the use of staff time and public spaces throughout the City.

B. Presentation of Business Survey Results

Housing and Economic Development Coordinator Tracy Shimek reported on the results of a recent business survey from April 24 – May 5, which received 90 responses during that time. She explained that the Economic Development Corporation (EDC) partnered with the City to create and help disseminate the survey which provided a pulse of community businesses as they respond to COVID-19.

Councilmember Edberg asked what a helpful response by the City might look like. Ms. Shimek reported that of the 16 businesses that asked for follow-up, the City reached out to those with specific questions, while the EDC divided the remaining businesses for additional follow up.

Reed Vanderzee reported reaching a few of those who requested follow up. He mentioned that once the EDC has had more time to digest the information they can make recommendations for next steps that the City might take to better assist the business community. He noted that many business owners are passively running their businesses and not seeking all of the assistance that is available to them, which is an opportunity.

5. PUBLIC HEARINGS

Nothing scheduled

6. LAND USE

A. Consent

1. Consideration of a Planning Commission recommendation for approval of a request by Mark Olson on behalf of Charles and Ginny Schroeder for a variance at 3790 Cranbrook Drive. (Case No. 20-4-V). **Resolution No. 12577**
2. Consideration of a Planning Commission recommendation for approval of a request by Ranee Kostron for a variance at 3576 Jerry Street. (20-5-V). **Resolution No. 12578**
3. Consideration of a Planning Commission recommendation for approval of a request by Lake Area Marina for a conditional use permit at 4453 Lake Avenue. (20-3-CUP). **Resolution No. 12579**
4. Consideration of a Planning Commission recommendation for approval of a request by John Grant on behalf of Robert Gross and Lydia Najera for a variance at 1885 Orchard Lane. (20-7-V). **Resolution No. 12580**

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

Walsh Aye
Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously.

B. Non-Consent

1. Consideration of a Planning Commission recommendation for approval of a request by Brett and Emily Witter for a conditional use permit at 2281 Lilac Lane. (20-2-CUP)

Community Development Director Kane reported that the owners of 2281 Lilac Lane wish to convert the north end of the garage into an efficiency apartment, which requires a conditional use permit for an accessory dwelling. She explained the owners reside in the principal structure, have sufficient off street parking and have a plan for a conforming secondary entrance as required by code.

Ms. Kane reported the code requires all accessory apartments cease upon transfer of title, meaning if the applicant ever sells the home, the new owner will need to reapply for Council approval to utilize the accessory unit.

Mayor Emerson opened the public hearing at 7:57 p.m.

The applicants, Brett and Emily Witter needed another bathroom, but were unable to connect this portion of the garage to their split level, therefore an external entrance had to be

considered. Mr. Witter said they decided to make this into an efficiency apartment, primarily for visiting family.

Councilmember Jones appreciated the level of detail in the application.

There being no further public comment, Mayor Emerson closed the public hearing at 7:59 p.m.

It was moved by Councilmember **Biehn**, seconded by Councilmember **Jones** to adopt **Resolution No. 12581** approval of a request by Brett and Emily Witter for a conditional use permit at 2281 Lilac Lane. (20-2-CUP).

Walsh Aye
Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously.

2. Consideration of a Planning Commission recommendation for approval of a request by Celine Carlson for a conditional use permit and four variance at 4312 Cottage Park Road. (20-4-CUP & 20-8-V)

Community Development Director Kane reported the subject site, 4312 Cottage Park Road, is located on the east side of Cottage Park at the south end of Circle Drive. She said the subject site used to be the private tennis court of the neighboring lot to the north, which was subdivided in 2018. Ms. Kane relayed the new owner desires to construct a 5-bedroom, two story residence with a 995 square foot garage, which would require the following:

- A 14 foot variance from the 20 foot setback for an attached garage,
- A 3 foot variance from the 77.6 foot average lakeside setback for the home,
- A 6.5 foot variance from the 69.6 foot lakeside setback for the unenclosed porch,
- A 6.5 foot variance from the 72.6 foot lakeside setback for the second floor balcony,
- A conditional use permit for a second curb cut.

Councilmember Biehn asked Ms. Kane if staff had specific concern with the proximity of the garage to the road. Ms. Kane confirmed the garage is not out of scale or character in this neighborhood.

Mayor Emerson opened the public hearing at 8:11 p.m.

Celine Carlson of 4312 Cottage Park Road expressed gratitude for staff and the community.

Councilmember Jones expressed concern over what he felt was inconsistent staff recommendations, noting a recent fence just down the road that was built too high. Ms. Kane stated that particular case had different circumstances and noted that staff has been consistent

in its application of the Zoning Code, it has been at the recommendation of the Planning Commission to grant approval and ultimately the decision of the City Council.

Jean Raykamp Larson 2732 West 43rd Street, Minneapolis the architect opined that the job of these Commissions is to take the blanket rule in the context of the situation, which is a bigger driver than a broad rule. She explained that the placement of the garage felt good in the neighborhood spatially as did the other features of the home such as the turnaround.

Councilmember Biehn noted that this makes sense in the neighborhood and it was applied for, while the fence was built without a permit.

Mayor Emerson closed the public hearing at 8:22 p.m.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Biehn** to adopt **Resolution No. 12582** a request by Celine Carlson for a conditional use permit and four variance at 4312 Cottage Park Road. (20-4-CUP & 20-8-V).

Walsh Aye
Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously.

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

- A. First Reading of a City-initiated request to amend the Zoning Code to clarify the intent of the language that relates to accessory structures in commercial and industrial districts. (20-1-Z)

Community Development Director Kane explained this is a text amendment to the accessory uses language for commercial and industrial zoned districts. The intent of the amendment is to clarify that this section of code does not allow for any use, but only applies to the accessory structures themselves. She noted a second reading would be scheduled in June.

9. NEW BUSINESS

- A. Resolution accepting bids and awarding contracts for the 2020 Bituminous Seal Coating Project, City Project No. 20-02

City Engineer/Public Works Director Kauppi reported receiving three bids with the low bid going to Pearson Bros, Inc., \$119,182.78, and well below the \$200,000 budget. He explained, seal coating is a surface rejuvenator that fills in smaller cracks, and is done every five to seven years to keep pavement in good shape.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Jones** to adopt **Resolution No. 12583** accepting bids and awarding contracts for the 2020 Bituminous Seal Coating Project, City Project No. 20-02.

Walsh Aye
 Biehn Aye
 Jones Aye
 Edberg Aye
 Engstran Aye

Motion carried unanimously.

B. Resolution accepting bids and awarding contract for the 2020 Crack Sealing Program, City Project No. 20-03

City Engineer/Public Works Director Kauppi reported receiving three bids with the low bid going to Allied Black Top Company, \$38,800.00, and well within the budget of \$100,000. He explained that crack sealing is typically completed one year prior to seal coating.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Walsh** to adopt **Resolution No. 12584** accepting bids and awarding contract for the 2020 Crack Sealing Program, City Project No. 20-03.

Walsh Aye
 Biehn Aye
 Jones Aye
 Edberg Aye
 Engstran Aye

Motion carried unanimously.

C. Resolution approving the sale of General Obligation Bonds for 2020 Street Improvement Projects

Finance Director Kindsvater reported that the City’s 2020 budget incorporates bond issuance as the funding source for a fire truck ladder, painting of the water tower, a dump truck and the annual street reconstruction and maintenance projects. She explained that the City’s Municipal Advisor, Ehlers, Inc., recommended combining the three bond types into one combined General Obligation Bond of \$4,880,000 in order to reduce the costs associated with each issue.

Bond Type	Amount	Term	Annual debt service payment
Equipment Certificates	\$ 1,275,000	10 Years	\$153,200 – \$157,200
Water Revenue Bonds	930,000	20 Years	\$56,400 - \$61,400
Street Improvement Bonds	2,675,000	20 Years	\$108,000 - \$220,010
	4,880,000		

She noted that an annual tax levy will provide payment for the equipment certificates and a portion of the street improvement bonds. In addition to the tax levy, the City will collect special assessments from benefiting property owners to pay the street improvement bonds. Water revenue bonds will be paid with water utility rates.

Ms. Kindsvater forwarded staff recommendation that the Council adopt the resolution authorizing Ehlers to assist in the bond sale, establishing June 23, 2020 as the meeting for considering the bond sale proposal, setting June 23, 2020 as the date for awarding the bond sale, and authorizing Ehlers and City staff to participate in preparation of an official statement for the bonds.

In response to Councilmember Edberg's inquiry as to the savings from a combined issue, Shelly Eldridge with Ehlers, Inc. noted efficiencies with one issue and provides approximately \$30,000 in savings of bond and financial advisor fees, annual agent fees, maintenance costs, and disclosure requirements for each issue.

Councilmember Walsh asked if timing of a bond issue was being considered given the economy and Ms. Kindsvater explained that the issue is timed to meet contract payments for the street reconstruction projects.

In response to Councilmember Biehn, Ms. Eldridge explained that the bonds are repayable in 2030, so that would be the point at which the City could consider re-bonding at a lower rate. She stated that market has recently stabilized and the bond rate has been lower than in November 2018.

It was moved by Councilmember **Biehn**, seconded by Councilmember **Edberg** to adopt **Resolution No. 12585** approving the sale of General Obligation Bonds for 2020 Street Improvement Projects.

Walsh Aye
Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously.

D. Resolution approving the carryover of expenditures from the 2019 Budget to the 2020 Budget

Finance Director Kindsvater reported the City's 2019 revised budget included funding for the replacement of a police squad car to replace one that was involved in an accident. She explained the vendor had to revise delivery from 2019 to 2020. She added that, in addition to the vehicle purchase, expenditures include the replacement of the in-squad DVR unit also damaged in the accident. Ms. Kindsvater asked the City Council to consider adopting the resolution allowing carryover of the budgeted expenditures to the 2020 Budget year based upon prior approval of the above expenditures in the 2019 Revised Budget.

It was moved by Councilmember **Biehn**, seconded by Councilmember **Walsh** to adopt **Resolution No. 12586** approving the carryover of expenditures from the 2019 Budget to the 2020 Budget.

Walsh Aye
Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously.

E. Resolution authorizing a liquor extension license for Brickhouse Restaurant on City Right of Way

Community Development Director Kane reported that Elizabeth Lawin, on behalf of Brickhouse Restaurant has requested permission to install an outdoor dining patio on the public sidewalk in front of the restaurant and neighboring business, Rust Architects, just for the 2020 summer season. She explained that as the restaurant prepares to reopen to diners following COVID-19 closures, safe distance requirements will result in a 50% reduction in seating, therefore they propose installing temporary outdoor dining on the sidewalk and street, allowing the cobblestone area open to pedestrians.

Ms. Kane reported that Brickhouse understands they will need to remove the outside seating to accommodate the Farmers' Market, Marketfest and Manitou Days events, should they occur. She relayed similar conversations with Main Street and the Economic Development Corporation to encourage dining facilities to explore use of private property and/or public right of way to replace lost internal seating and adequate safe space for customers and employees. Given the limited duration of this request and the economic challenges at this time, Ms. Kane did not recommend a formal lease or financial exchange for use of the public space for the 2020 year.

It was moved by Councilmember **Jones**, seconded by Councilmember **Walsh** to adopt **Resolution No. 12587** authorizing a liquor extension license for Brickhouse Restaurant on City Right of Way.

Walsh Aye
Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously.

F. Resolution supporting Ramsey County’s placement of no parking signs along Hoffman Road

City Engineer/Public Works Director Kauppi reported that Ramsey County asked the City for a resolution of support to restrict parking along the east side of Hoffman Road along West Goose Lake. He explained the reason for this is for the safety of motorist and pedestrian along a curved road with narrow shoulders and poor visibility around parked cars. He also reported that vehicles are also pulling on the gravel shoulders which is accelerating shoreline erosion.

Mr. Kauppi mentioned that when the Bruce Vento Trail is established, the County will reassess the side of the road that should restrict parking at that time.

It was moved by Councilmember **Jones**, seconded by Councilmember **Walsh** to adopt **Resolution No. 12588** supporting Ramsey County’s placement of no parking signs along Hoffman Road.

Walsh Aye
Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously.

G. Resolution authorizing financial participation in Marketfest 2020

City Manager Hiniker noted \$7,000 of financial support is budgeted in the City’s Economic Development Fund, which is not paid for through tax payer dollars, but from leases throughout the City and other non-tax revenue.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Biehn** to adopt **Resolution No. 12589** authorizing financial participation in Marketfest 2020 with revised dates of July 30 – August 20, 2020.

Walsh Aye
Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously.

10. CONSENT

A. Acceptance of Minutes: February Environmental Advisory Commission, February White Bear Lake Conservation District, April Planning Commission

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

Walsh Aye
Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously.

11. DISCUSSION

A. License Bureau Update

City Manager Hiniker reported the layoff of four license bureau positions now that only limited services are provided through dropbox and dealer work. Ms. Hiniker touched on the 2017 MNLARS glitch, which increased transaction times threefold and the peak demand for REAL ID in 2019. She said DMV's are lobbying to increase state set driver's license fees, and the City's breakeven under the current level of service would mean \$15-16 reimbursements for driver's license transaction.

Ms. Hiniker stated the License Bureau Fund can be carried in the near term due to a recent state reimbursement of staff time as a result of the MNLARS roll out. She said soon the City would offer full driver's license services on a limited staffing basis with one employee processing appointments. She expected they could process approximately 16 driver's licenses per day until that time in which car sales return and dealer work can sustain a larger work force. Dealer work is more profitable per transaction, which in a good economy helps to subsidize the cost of other services for which the City does not get adequately reimbursed.

Councilmember Edberg stated, the City is running a loss-leader not recovering costs for a system that the state designs and maintains. He said the state decrees the level of service and what the end product needs to look like, so how best to get the state to increase the fees, the services allowed or reimburse City's for their losses.

Ms. Hiniker mentioned conversations with local representatives and heavy engagement by the League of Minnesota Cities. She said the City is involved in the DMV lobby and welcomed ongoing conversations that Council might have with local elected officials.

Councilmember Jones shared the importance of people coming to the License Bureau and into City Hall and downtown. He expressed desire to put forward a formal resolution and asked if it was time to move forward as a Council.

Ms. Hiniker noted that the 2020 budget reflected a \$75,000 transfer to the construction fund, but is now operating at a monthly deficit with operations impacted by COVID restrictions. Ms. Kindsvater reviewed various options for revised service levels to maximize revenues. Ms. Hiniker mentioned this information will be reviewed in more detail with Council at the upcoming Work Session (June 2).

Councilmember Biehn expressed desire to retain the License Bureau noting that other entities

are pulling together for change. He said there will be a time in the future that the License Bureau will be profitable and fund street projects again.

B. Report on Local Business Support Efforts

Ms. Kane provided an overview of the City's efforts support local businesses since the third week of March when the pandemic and stay at home order began impacting businesses.

Ms. Hiniker highlighted the importance of staying in touch and supporting local businesses. She mentioned a select few cities have offered financial assistance to businesses, and asked for Council's direction regarding this.

After hearing the extent of staff engagement with businesses, Mayor Emerson stated that the City cannot be everything to everybody and suggested the City can be a resource for Main Street and the Chamber of Commerce. She reminded staff about the non-profits as well and said that if staff spreads too thin, nothing will get accomplished.

Councilmember Biehn appreciated all the information and was supportive of the City temporarily removing barriers for businesses to the extent possible, such as allowing for more signs and use of public property and/or parking lots. Not knowing how long this will last, he does not believe the City is in a position to provide financial support to businesses.

Councilmember Jones agreed with Councilmember Biehn and did not want to get into financial support. He said staff has done a great job being that connection point and the City should continue to be the vehicle for information and awareness. He has been leaning more toward opening businesses as well.

Councilmember Walsh also agreed with taking down the barriers for businesses and providing information, and that the City is not geared to provide loans to businesses. He said all of these things are just bandages unless businesses are allowed to open back up again and suggested a legislative action requesting the Governor to reopen.

Councilmember Edberg did not believe the City should provide financial assistance to businesses. He believes the City should be flexible in permitting and allow for innovations through reasonable accommodations. Regarding technical assistance, he stated the City's role is to know who is doing what in order to make those connections for businesses. Finally, he noted that these businesses are not those of the City and cautioned that way of thinking.

12. COMMUNICATIONS FROM THE CITY MANAGER

Nothing scheduled.

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 10:08 p.m.

Walsh Aye

Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and City Councilmembers
From: Ellen Hiniker, City Manager
Date: May 21, 2020
Subject: Use of City property by local businesses

SUMMARY

At its last regular meeting, the City Council conveyed its desire to temporarily relax regulatory restrictions and extend use of public right of way to businesses as they navigate social distancing and other requirements related to the Governor's COVID-19 response plan.

The attached resolution grants staff this flexibility to administratively approve use of public right of way, temporary liquor license extensions, temporary signage variances and related requests to accommodate the reopening of businesses in their attempts to conduct business within the parameters of the Governor's Stay Safe Order.

Staff is already working with several businesses on creative approaches for use of the public right of way, and is finalizing a comprehensive approach to use of public space in the downtown. Staff will report on these details at the City Council meeting next Tuesday.

RECOMMENDED COUNCIL ACTION

Staff recommends adoption of the attached resolution authorizing regulatory flexibility and use of City property by local businesses.

ATTACHMENTS

Resolution

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING REGULATORY FLEXIBILITY
AND USE OF CITY PROPERTY BY LOCAL BUSINESSES**

WHEREAS, the President of the United States and the Governor of the State of Minnesota have declared states of emergency as a result of the spread of COVID-19;

WHEREAS, on March 23, 2020, the Mayor of the City of White Bear Lake issued a declaration of local emergency and on March 24, 2020 the City Council acted by resolution to extend the local emergency declaration;

WHEREAS, the City Council recognizes this emergency has had a devastating effect on local businesses required to close pursuant to the Governor's orders, particularly restaurants and other businesses that were the last to be allowed to reopen;

WHEREAS, businesses are required to have a plan in place to safely reopen to the public that reflects social distancing requirements and complies with limits imposed on the number of customers that may be served at one time;

WHEREAS, the Governor's office has encouraged local governments to be creative in working with businesses as they reopen, particularly restaurants who are initially limited to outdoor service only;

WHEREAS, in order to support the continued viability of local business, maximize the number of customers allowed to access businesses in light of the state's operating restrictions, and to exercise the creativity encouraged by the Governor's office, the City Council determines it is in the best interests of the City to allow the granting of regulatory flexibility as part of an approved plan submitted by each business seeking such flexibility;

WHEREAS, it is not practical under the circumstances of this emergency to require businesses to pursue what can be a several month process to seek amendments and other approvals to obtain the flexibility they need now to safely reopen their businesses; and

WHEREAS, delegating authority to the City Manager to grant flexibility to local regulations as part of a plan a business submits to the City Manager for approval is the only workable solution for expeditiously providing the assistance local businesses need as they start to reopen and put their employees back to work.

NOW, THEREFORE, BE IT RESOLVED, by the White Bear Lake City Council as follows:

1. The City Manager is hereby delegated the authority to grant, on behalf of the City, flexibility in City regulations as the City Manager determines is appropriate to support the operations of local businesses as they reopen to the customers and resume operations under the limitations

imposed by the Governor's emergency orders. Regulatory flexibility may only be granted as part of a written plan the City Manager approves for a particular business entity.

2. For the purposes of this Resolution, the "regulatory flexibility" the City Manager is authorized to grant includes, but is not limited to, the following:
 - (a) Allow the expansion of the licensed "premises" of a business holding an on-sale liquor license to allow the service and consumption of alcohol in an expanded area identified in the approved plan;
 - (b) Allow the expansion of existing business operations without requiring amendments to existing zoning approvals or new zoning approvals;
 - (c) Allow a business to use adjacent City property for customer seating, the display of its products for sale, or for other similar uses upon entering into a license agreement with the City; and
 - (d) Such other flexibility in the City's regulations and the enforcement of those regulations as the City Manager determines is appropriate under the particular circumstances of the business to reasonably allow it to conduct its business in a manner that maximizes its operations while complying with its plan, the Governor's emergency orders, and applicable guidelines.
3. The City Manager has the discretion to deny any request for regulatory flexibility. If approved, the City Manager shall place such conditions on the approval as the City Manager determines are reasonable under the circumstances. The City Manager is authorized to issue written approvals of regulatory flexibility to execute license agreements on the City's behalf. The City Manager may immediately repeal any approved regulatory flexibility if the City Manager determines the business violated the scope of the regulatory flexibility, any conditions placed on the granted flexibility, or the expanded business operations interfere with public safety or unreasonably obstructs the use of public property.
4. The regulatory flexibility allowed under this Resolution is intended to temporarily allow a business to overcome local regulatory hurdles that interfere with its efforts to implement its plans to reopen and operate in accordance with social distancing and other federal and state safety requirements. This Resolution, and regulatory flexibility granted hereunder, does not exempt a business from:
 - (a) Complying with all applicable federal and state laws, rules, regulations, and emergency orders;
 - (b) Fully implementing its COVID-19 Preparedness Plan;
 - (c) Complying with local regulations not directly related to the regulatory flexibility granted in the plan approved by the City Manager; or

- (d) Immediately returning to full compliance with all applicable local regulations upon the expiration or termination of the regulatory flexibility.
- 5. The authority delegated herein to the City Manager shall take effect immediately and shall continue through October 31, 2020.
- 6. The City Manager shall submit one or more reports to the City Council identifying the businesses granted regulatory flexibility and the types of flexibility granted, including whether the business entered into a license agreement with the City to utilize City property.
- 7. The regulatory flexibility granted, and license agreements entered into, by the City Manager with local businesses prior to the date of this Resolution are hereby approved and ratified.

The foregoing resolution offered by Council Member _____ and supported by Council Member _____ was declared carried on March 24, 2020 by the following vote:

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
City Engineer Department

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Paul Kauppi, Public Works Director/City Engineer

Date: May 20, 2020

Subject: **Resolution Approving a Cooperative Agreement for Trail Reconstruction and Maintenance on County State Aid Highway (CSAH) 96 between White Bear Parkway and Birch Lake Boulevard South, City Project 19-14**

SUMMARY

The City of White Bear Lake and Ramsey County would like to enter into a cooperative agreement for the trail reconstruction completed on County State Aid Highway (CSAH) 96 between White Bear Parkway and Birch Lake Boulevard South as part of the 2019 Mill and Overlay Project.

The Engineering Department has been working with Ramsey County, since the spring of 2019, to draft an agreement which splits the construction costs equally between the City and the County. The City will be responsible for all maintenance after the trail is constructed. In order to receive the County's share of the funding, which is \$29,399.76, the City needs to enter into a Cooperative Agreement with Ramsey County.

RECOMMENDED COUNCIL ACTION

Staff recommends that the City Council adopt the attached Resolution approving the cooperative agreement for trail construction on Highway 96 between White Bear Parkway and Birch Lake Boulevard South.

ATTACHMENTS

Resolution

RESOLUTION NO.:

**RESOLUTION APPROVING COOPERATIVE AGREEMENT PW2019-16 WITH
RAMSEY COUNTY FOR COUNTY STATE AID HIGHWAY (CSAH) 96 TRAIL
RECONSTRUCTION, CITY PROJECT NO. 19-14**

WHEREAS, CSAH 96 is located within the City of White Bear Lake; and

WHEREAS, the City of White Bear Lake, sought to implement significant improvements on the CSAH 96 trail; and

WHEREAS, the City, in partnership with the County, facilitated the design and construction of the trail improvements on CSAH 96; and

WHEREAS, the City of White Bear Lake completed trail improvements on CSAH 96 during the 2019 construction season; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of White Bear Lake, Minnesota that,

1. The Council hereby approves Cooperative Agreement PW2019-16 with Ramsey County for trail construction for CSAH 96 between White Bear Parkway and Birch Lake Boulevard South.

The foregoing resolution offered by Councilmember _____ and supported by Councilmember _____, was declared carried on the following vote:

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
Engineering Department

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Paul Kauppi, Public Works Director/City Engineer

Date: May 20, 2020

Subject: **Resolution Approving a Cooperative Agreement for Trail Reconstruction and Maintenance on White Bear Avenue (County State Aid Highway 65) between Truck Highway 61 and South Shore Boulevard, City Project 19-14**

SUMMARY

The City of White Bear Lake and Ramsey County would like to enter into a cooperative agreement for the trail reconstruction completed on White Bear Avenue (County State Aid Highway 65) between Truck Highway 61 and South Shore Boulevard as part of the 2019 Mill and Overlay Project.

The Engineering Department has been working with Ramsey County, since the spring of 2019, to draft an agreement which splits the construction costs equally between the City and the County. The City will be responsible for all maintenance after the trail is constructed. In order to receive the County's share of the funding, which is \$43,632.30, the City needs to enter into a Cooperative Agreement with Ramsey County.

RECOMMENDED COUNCIL ACTION

Staff recommends that the City Council adopt the attached Resolution approving the cooperative agreement for trail construction on White Bear Avenue between Truck Highway 61 and South Shore Boulevard.

ATTACHMENTS

Resolution

RESOLUTION NO.:

**RESOLUTION APPROVING COOPERATIVE AGREEMENT PW2019-15 WITH
RAMSEY COUNTY FOR WHITE BEAR AVENUE (COUNTY STATE AID HIGHWAY
65) TRAIL RECONSTRUCTION, CITY PROJECT NO. 19-14**

WHEREAS, White Bear Avenue is located within the City of White Bear Lake; and

WHEREAS, the City of White Bear Lake, sought to implement significant improvements on the White Bear Avenue trail; and

WHEREAS, the City, in partnership with the County, facilitated the design and construction of the trail improvements on White Bear Avenue; and

WHEREAS, the City of White Bear Lake completed trail improvements on White Bear Avenue during the 2019 construction season; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of White Bear Lake, Minnesota that,

1. The Council hereby approves Cooperative Agreement PW2019-15 with Ramsey County for trail construction for White Bear Avenue between Trunk Highway 61 and South Shore Boulevard.

The foregoing resolution offered by Councilmember _____ and supported by Councilmember _____, was declared carried on the following vote:

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

White Bear Lake Conservation District
Balance Sheet
As of December 31, 2019

	<u>Dec 31, 19</u>
ASSETS	
Current Assets	
Checking/Savings	
1010 · US Bank Checking	94,428.29
1120 · Petty Cash	3.68
1411 · Lake Area Bank Money Market	50,651.45
Total Checking/Savings	<u>145,083.42</u>
Total Current Assets	<u>145,083.42</u>
TOTAL ASSETS	<u><u>145,083.42</u></u>
LIABILITIES & EQUITY	145,083.42

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Cash Basis

**White Bear Lake Conservation District
Profit & Loss Budget vs. Actual
January through December 2019**

	Jan - Dec 19	Budget	\$ Over Budget	% of Budget
Income				
4010 · City of Birchwood Village	1,788.15	1,788.15	0.00	100.0%
4020 · City of Dellwood	4,886.63	4,866.63	20.00	100.4%
4030 · City of Mahtomedi	14,541.43	14,541.43	0.00	100.0%
4040 · City of White Bear Lake	36,580.55	36,580.55	0.00	100.0%
4050 · White Bear Township	19,383.24	19,383.24	0.00	100.0%
4150 · License Application Fees	1,155.00	1,500.00	-345.00	77.0%
4151 · License Unit Fees	19,819.00	21,000.00	-1,181.00	94.4%
4200 · Interest Income	40.41	20.00	20.41	202.1%
4501 · Insurance Refunds	83.00			
Total Income	98,277.41	99,680.00	-1,402.59	98.6%
Expense				
6010 · Water Patrol Costs	4,920.00	6,000.00	-1,080.00	82.0%
6034 · EWM Treatment / Control	28,246.92	36,000.00	-7,753.08	78.5%
6036 · EWM Plant Survey	3,300.00	3,100.00	200.00	106.5%
6036a · EWM Buoys	812.88			
6050 · General Public Info / Education	600.00	850.00	-250.00	70.6%
6060 · Lake Mgmt Misc	0.00	600.00	-600.00	0.0%
6060a · Swimmers Itch Control Costs	622.00	600.00	22.00	103.7%
6110 · Administrative Services	29,294.21	31,000.00	-1,705.79	94.5%
6111 · MN Unempl. Compensation	54.00	50.00	4.00	108.0%
6113 · US IRS	2,084.65	1,500.00	584.65	139.0%
6120 · Legal Services	12,000.00	12,000.00	0.00	100.0%
6130 · Insurance Premiums	1,173.00	1,100.00	73.00	106.6%
6140 · Misc. Professional Services	1,056.62	1,500.00	-443.38	70.4%
6145 · Bank Charges	25.00			
6150 · Application Fee Refunds	170.00			
6210 · Office Rent	1,100.00	1,200.00	-100.00	91.7%
6320 · Info Systems Software	118.10			
6410 · Office Supplies	701.42	200.00	501.42	350.7%
6440 · Copying Costs	0.00	300.00	-300.00	0.0%
6450 · Postage Costs	172.78	550.00	-377.22	31.4%
6460 · Telephone Costs	815.45	750.00	65.45	108.7%
6510 · Memberships/Seminars	2,054.00	1,700.00	354.00	120.8%
6520 · Misc. Operating Expense	15.35	100.00	-84.65	15.4%
6530 · Meeting Cablecast	1,077.50	600.00	477.50	179.6%
Total Expense	90,413.88	99,700.00	-9,286.12	90.7%
Net Income	7,863.53	-20.00	7,883.53	-39,317.7%

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Cash Basis

White Bear Lake Conservation District
Profit & Loss
November 20 through December 31, 2019

	<u>Nov 20 - Dec 31, 19</u>
Income	
4200 · Interest Income	15.20
Total Income	<u>15.20</u>
Expense	
6050 · General Public Info / Education	50.00
6110 · Administrative Services	5,221.91
6111 · MN Unempl. Compensation	2.00
6113 · US IRS	371.61
6120 · Legal Services	1,000.00
6140 · Misc. Professional Services	44.92
6210 · Office Rent	100.00
6410 · Office Supplies	159.31
6450 · Postage Costs	54.95
6460 · Telephone Costs	69.21
6530 · Meeting Cablecast	50.00
Total Expense	<u>7,123.91</u>
Net Income	<u><u>-7,108.71</u></u>

White Bear Lake Conservation District**Cumulative total Assets Balance Summary 1996 - Present**

Sep-19	2019 Budget	Actual
Actual	\$ 99,700.00 income	\$ 90,718.21
	\$ 99,700.00	\$ 63,770.56
Plus special project income carried over: USG:	\$ 599.60	\$ 26,947.65
MM Acct	\$ 50,636.25	
Total Assets Begin YR		\$ 137,219.89
Total Assets End		\$ 164,167.54

White Bear Lake Conservation District**Cumulative total Assets Balance Summary 1996 - Present**

Oct-19	2019 Budget	Actual
Actual	\$ 99,700.00 income	\$ 92,113.21
	\$ 99,700.00	\$ 74,493.16
Plus special project income carried over: USG:	\$ 599.60	\$ 17,620.05
MM Acct	\$ 50,636.25	
Total Assets Begin YR		\$ 137,219.89
Total Assets End		\$ 154,839.94

White Bear Lake Conservation District**Cumulative total Assets Balance Summary 1996 - Present**

Nov-19	2019 Budget	Actual
Actual	\$ 99,700.00 income	\$ 98,262.21
	\$ 99,700.00	\$ 83,289.97
Plus special project income carried over: USG:	\$ 599.60	\$ 14,972.24
MM Acct	\$ 50,636.25	
Total Assets Begin YR		\$ 137,219.89
Total Assets End		\$ 152,192.13

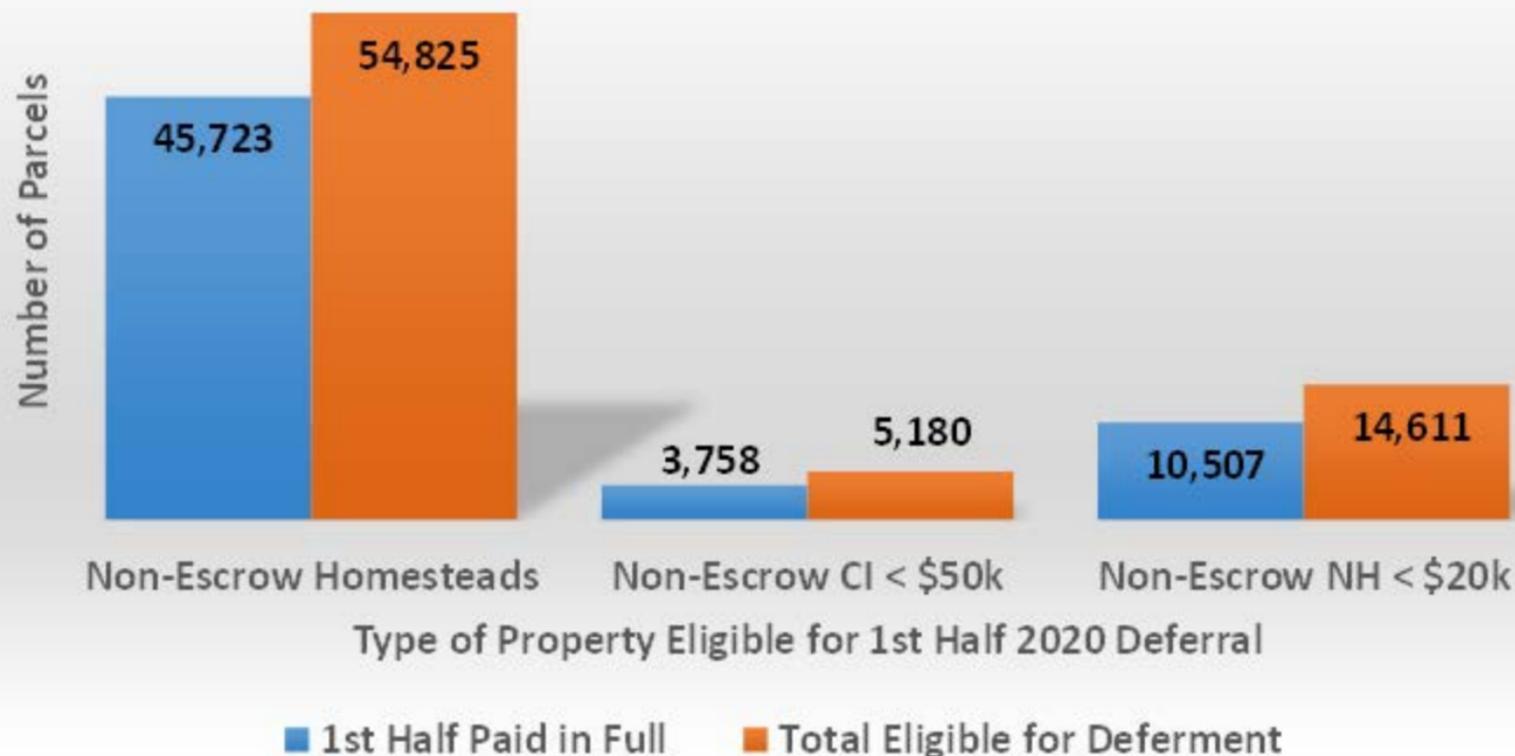
White Bear Lake Conservation District**Cumulative total Assets Balance Summary 1996 - Present**

Dec-19	2019 Budget	Actual
Actual	\$ 99,700.00 income	\$ 98,277.41
	\$ 99,700.00	\$ 90,413.88
Plus special project income carried over: USG:	\$ 599.60	\$ 7,863.53
MM Acct	\$ 50,651.45	
Total Assets Begin YR		\$ 137,219.89
Total Assets End		\$ 145,083.42

Total 1st Half Property Tax Collections as of 5/20



Number of Properties Eligible for Deferment That Have Paid 1st Half Taxes in Full as of 5/20



Impact of Payment Deferral of Covid-19 Affected Taxpayers
of Non-escrow homesteads, small businesses less than \$50k in taxes and Residential Non-homestead less than \$20k in taxes
On Property Tax Cash Flow by Governmental Unit

Government Unit/Type of Tax	Total Taxes on Pay 2020 Tax Statements	Pay 2020 Taxes on Non-escrow homesteads, small businesses (less than 50k in taxes) and Res Non-homestead (less than 20k in taxes)	May 15th Payment Assuming 50% of Total Due	At 20% Utilization			At 30% Utilization			At 50% Utilization		
				Revised May 15th Expected Payment	Reduction to Expected May 15th Payment	Percentage of May 15th Payment Reduction to Total Tax Due	Revised May 15th Expected Payment	Reduction to Expected May 15th Payment	Percentage of May 15th Payment Reduction to Total Tax Due	Revised May 15th Expected Payment	Reduction to Expected May 15th Payment	Percentage of May 15th Payment Reduction to Total Tax Due
Ramsey County	270,875,874	96,112,840	48,056,420	38,445,136	(9,611,284)	3.5%	33,639,494	(14,416,926)	5.3%	24,028,210	(24,028,210)	8.9%
County Library	12,544,110	4,694,854	2,347,427	1,877,942	(469,485)	3.7%	1,643,199	(704,228)	5.6%	1,173,714	(1,173,713)	9.4%
Regional Rail Authority	22,096,001	7,839,625	3,919,813	3,135,851	(783,962)	3.5%	2,743,869	(1,175,944)	5.3%	1,959,907	(1,959,906)	8.9%
State of Minnesota	78,888,778	12,346,869	6,173,435	4,938,748	(1,234,687)	1.6%	4,321,405	(1,852,030)	2.3%	3,086,718	(3,086,717)	3.9%
Fiscal Disparity pool	106,636,586	18,667,238	9,333,619	7,466,895	(1,866,724)	1.8%	6,533,533	(2,800,086)	2.6%	4,666,810	(4,666,809)	4.4%
Met Council & Met Mosquito	13,566,899	4,813,514	2,406,757	1,925,406	(481,351)	3.5%	1,684,730	(722,027)	5.3%	1,203,379	(1,203,378)	8.9%
Other special taxing districts (watersheds, HRA's, EDA's, Port Authority, etc.)	21,124,471	7,241,828	3,620,914	2,896,731	(724,183)	3.4%	2,534,640	(1,086,274)	5.1%	1,810,457	(1,810,457)	8.6%
Contamination Tax	40,717	40,717	20,359	16,287	(4,072)	10.0%	14,251	(6,108)	15.0%	10,180	(10,179)	25.0%
Arden Hills (inc TIF and Spec Asmnts)	4,581,773	1,521,656	760,828	608,662	(152,166)	3.3%	532,580	(228,248)	5.0%	380,414	(380,414)	8.3%
Blaine	233,842	60,154	30,077	24,062	(6,015)	2.6%	21,054	(9,023)	3.9%	15,039	(15,038)	6.4%
Falcom Heights (inc TIF and Spec Asmnts)	2,138,472	796,008	398,004	318,403	(79,601)	3.7%	278,603	(119,401)	5.6%	199,002	(199,002)	9.3%
Gem Lake (inc Spec Asmnts)	652,377	342,035	171,018	136,815	(34,203)	5.2%	119,713	(51,305)	7.9%	85,509	(85,509)	13.1%
Lauderdale (inc Spec Asmnts)	796,604	260,590	130,295	104,236	(26,059)	3.3%	91,207	(39,088)	4.9%	65,148	(65,147)	8.2%
Little Canada (inc TIF and Spec Asmnts)	4,287,325	1,465,903	732,952	586,362	(146,590)	3.4%	513,067	(219,885)	5.1%	366,476	(366,476)	8.5%
Maplewood (inc TIF and Spec Asmnts)	23,265,220	6,592,484	3,296,242	2,636,994	(659,248)	2.8%	2,307,369	(988,873)	4.3%	1,648,121	(1,648,121)	7.1%
Mounds View (inc TIF and Spec Asmnts)	6,572,412	1,423,827	711,914	569,531	(142,383)	2.2%	498,340	(213,574)	3.2%	355,957	(355,957)	5.4%
New Brighton (inc TIF and Spec Asmnts)	12,211,630	3,941,887	1,970,944	1,576,755	(394,189)	3.2%	1,379,661	(591,283)	4.8%	985,472	(985,472)	8.1%
North Oaks (inc Spec Asmnts)	2,277,980	1,329,288	664,644	531,715	(132,929)	5.8%	465,251	(199,393)	8.8%	332,322	(332,322)	14.6%
North St Paul (inc TIF and Spec Asmnts)	5,256,220	1,763,143	881,572	705,258	(176,314)	3.4%	617,101	(264,471)	5.0%	440,786	(440,786)	8.4%
Roseville (inc TIF and Spec Asmnts)	23,134,452	6,801,056	3,400,528	2,720,422	(680,106)	2.9%	2,380,370	(1,020,158)	4.4%	1,700,264	(1,700,264)	7.3%
Shoreview (inc TIF and Spec Asmnts)	14,517,816	5,855,771	2,927,886	2,342,309	(585,577)	4.0%	2,049,520	(878,366)	6.1%	1,463,943	(1,463,943)	10.1%
Spring Lake Park (inc Spec Asmnts)	74,815	38,946	19,473	15,578	(3,895)	5.2%	13,631	(5,842)	7.8%	9,737	(9,736)	13.0%
St Anthony (inc TIF and Spec Asmnts)	4,327,351	926,632	463,316	370,653	(92,663)	2.1%	324,321	(138,995)	3.2%	231,658	(231,658)	5.4%
St Paul (inc TIF and Spec Asmnts)	194,477,817	55,681,182	27,840,591	22,272,473	(5,568,118)	2.9%	19,488,414	(8,352,177)	4.3%	13,920,296	(13,920,295)	7.2%
Vadnais Heights (inc TIF and Spec Asmnts)	5,267,803	1,837,280	918,640	734,912	(183,728)	3.5%	643,048	(275,592)	5.2%	459,320	(459,320)	8.7%
White Bear Lake (inc TIF and Spec Asmnts)	7,985,238	2,755,723	1,377,862	1,102,290	(275,572)	3.5%	964,504	(413,358)	5.2%	688,931	(688,931)	8.6%
White Bear Town (inc TIF and Spec Asmnts)	4,564,993	1,915,786	957,893	766,314	(191,579)	4.2%	670,525	(287,368)	6.3%	478,947	(478,946)	10.5%
ISD 282	2,645,138	870,662	435,331	348,265	(87,066)	3.3%	304,732	(130,599)	4.9%	217,666	(217,665)	8.2%
ISD 621	57,801,432	22,689,205	11,344,603	9,075,683	(2,268,920)	3.9%	7,941,222	(3,403,381)	5.9%	5,672,302	(5,672,301)	9.8%
ISD 622	23,959,125	7,565,559	3,782,780	3,026,224	(756,556)	3.2%	2,647,946	(1,134,834)	4.7%	1,891,390	(1,891,390)	7.9%
ISD 623	35,204,262	13,253,028	6,626,514	5,301,211	(1,325,303)	3.8%	4,638,560	(1,987,954)	5.6%	3,313,257	(3,313,257)	9.4%
ISD 624	39,774,775	16,132,824	8,066,412	6,453,130	(1,613,282)	4.1%	5,646,488	(2,419,924)	6.1%	4,033,206	(4,033,206)	10.1%
ISD 625	149,227,600	49,651,664	24,825,832	19,860,666	(4,965,166)	3.3%	17,378,082	(7,447,750)	5.0%	12,412,916	(12,412,916)	8.3%
Total	1,151,009,908	357,229,778	178,614,895	142,891,919	(35,722,976)	3.1%	125,030,430	(53,584,465)	4.7%	89,307,454	(89,307,441)	7.8%