



AGENDA
REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, MARCH 24, 2020
7:00 P.M. IN THE COUNCIL CHAMBERS

1. CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

[A. Minutes of the Regular City Council Meeting on March 10, 2020](#)

3. APPROVAL OF THE AGENDA

4. VISITORS AND PRESENTATIONS

5. PUBLIC HEARINGS

Nothing scheduled

6. LAND USE

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

Nothing scheduled

9. NEW BUSINESS

Nothing scheduled

10. CONSENT

[A. Resolution authorizing the City Manager to execute the Washington County Recycling Grant Agreement](#)

[B. Resolution authorizing a temporary liquor license for Bear Boating](#)

11. DISCUSSION

12. COMMUNICATIONS FROM THE CITY MANAGER

➤ Operational Update

13. ADJOURNMENT



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, MARCH 10, 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. Councilmembers Kevin Edberg, Steven Engstran and Bill Walsh were present. Councilmember Doug Biehn and Dan Jones were excused. Staff members present were City Manager Ellen Hiniker, 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 February 26, 2020

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to approve the Minutes of the Regular City Council Meeting on February 26, 2020.

Motion carried unanimously.

3. APPROVAL OF THE AGENDA

City Manager Hiniker added 9D.

It was moved by Councilmember **Edberg** seconded by Councilmember **Walsh**, to approve the agenda as amended.

Motion carried unanimously.

4. VISITORS AND PRESENTATIONS

Nothing scheduled

5. PUBLIC HEARINGS

Nothing scheduled

6. LAND USE

A. Consent

1. Consideration of a request by Hisdahl’s Trophies for a one year time extension of an approved PUD for 1978 Highway 96. **Resolution No. 12545**

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

Motion carried unanimously.

B. Non-Consent

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

- A. First reading of an amended ordinance setting Mayor and Councilmember compensation

City Manager Hiniker reported this proposed amendment established a regular review of Mayor and Councilmember compensation. Ms. Hiniker explained the staff recommendation was adjusted from four years down to two years so that the Council could visit this topic after each municipal election year, which could result in 2-3 new Councilmembers.

Councilmember Walsh preferred a review every four years, but was supportive of establishing a regular review.

City Attorney Gilchrist explained that if the Council does act on compensation, it would have to do so by ordinance, therefore he suggested a revision specifying modifications to compensation shall be effective upon passage of an ordinance.

- B. First reading of an amended ordinance adopting the MN State Fire Code by reference

City Manager Hiniker explained this code amendment would adopt the MN State Fire Code by reference. Ms. Hiniker reported that amendments to the State Fire Code are expected soon and this ordinance provides that the City’s Code also reflects adoption of subsequent amendments to the Fire Code.

9. NEW BUSINESS

- A. Resolution denying massage therapist license for Rumei Li

City Manager Hiniker reported that staff denied the applicant’s license based on provisions contained in the ordinance and consistent with past practice. As part of this process, the applicant has been provided an opportunity to speak to the Council in appeal of staff’s denial.

Rumei Li and Jason Iten of 5317 13th St. NE, Sauk Rapids, MN explained that in speaking with Rumei's employers in Washington and Texas, they told her there was no license requirement. She explained that as soon as she learned there were license requirements, she stopped working at these places. She took steps, by attending school and earning a certificate, to become licensed in Texas after she found out about the license requirement in that state.

Councilmember Walsh said that because of the nature of some massage businesses and the propensity for illegal activity, the City Council has taken a firm stance for approval of all massage licenses in White Bear Lake. He noted that the applicant may reapply in a year.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran** to adopt **Resolution No. 12546** denying massage therapist license for Rumei Li.

Motion carried 2:1. Councilmember Edberg nay.

Mayor Emerson added the City Council feels this is an important issue that requires protection of its citizens and also those working in this industry.

B. Resolution approving annual business license renewals

City Manager Hiniker stated that as part of annual business license renewals, compliance checks are conducted for alcohol and tobacco licenses. Ms. Hiniker noted all 24 tobacco compliance checks in both the spring and fall passed. She stated the same was true of liquor license compliance checks in 2019. Ms. Hiniker said that insurance, assessments and fees are collected in addition to inspections conducted by the Fire Department to ensure safety of the establishments.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Walsh** to adopt **Resolution No. 12547** approving annual business license renewals.

Motion carried unanimously.

C. Resolution approving annual liquor license renewals

It was moved by Councilmember **Edberg**, seconded by Councilmember **Engstran** to adopt **Resolution No. 12548** approving annual liquor license renewals.

Motion carried unanimously.

D. Resolution establishing Friday Fish Fries for Lent as a Community Festival

City Manager Hiniker stated this request is unusual as staff was navigating ways to work with the State of Minnesota and the Church of St. Pius through a new stricter interpretation of the statute. Ms. Hiniker said the Church of St. Pius submitted a temporary liquor license application for three Fridays over the Lent season, which has already been approved by Council, as in past years. This year the State denied the temporary liquor license because each event falls within 30 days of each other. She further explained that the statute does in fact include that restriction, it had not been interpreted that tightly by the State in the past.

Ms. Hiniker explained that as the Church of St. Pius had already planned and promoted these events, staff worked with the State to learn that if the event were designated as a community festival through resolution of the Council, the 30-day waiting period between dates was waived. She explained this is a one-time designation and the Church will plan accordingly next year.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran** to adopt **Resolution No. 12555** establishing Friday Fish Fries for Lent as a Community Festival.

Motion carried unanimously.

10. CONSENT

- A. Acceptance of Minutes: January Environmental Advisory Commission, January Park Advisory Commission, January White Bear Lake Conservation District, February Planning Commission
- B. Resolution approving a temporary liquor license for Church of St. Pius X's annual Xtravaganza. **Resolution No. 12549**
- C. Resolution approving a food truck at Podvin Park for the Touch a Truck event. **Resolution No. 12550**
- D. Resolution approving a special event for Tally's Dockside to have music on Saturday night, July 4, 2020. **Resolution No. 12551**
- E. Resolution amending the Pioneer Manor window replacement agreement. **Resolution No. 12552**
- F. Resolution authorizing the Mayor and City Manager to execute an extension of the due diligence period within an approved purchase agreement. **Resolution No. 12553**
- G. Resolution approving a single event extension to an on-sale liquor license for El Pariente Mexican Grill. **Resolution No. 12554**

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

Motion carried unanimously.

11. DISCUSSION

Nothing scheduled

12. COMMUNICATIONS FROM THE CITY MANAGER

- Annual Ramsey County Deer Survey reveals relatively the same numbers as previous years.
- COVID-19 preparation is underway and the City will take its lead from County and State agencies. Supervisors have been reviewing the City's emergency management and business continuity plans.

- Ramsey County South Shore Trail Design meeting on March 31st at South Shore Trinity from 4:00 p.m. – 6:30 p.m.
- Work Session on Monday, March 16 at 6:30 p.m. in the Expansion Room of City Hall to discuss the Capital Improvement Plan (CIP) and long range Financial Management Plan.

13. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Walsh** seconded by Councilmember **Engstran** to adjourn the regular meeting at **7:36** p.m.

Motion carried unanimously.

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Connie Taillon, Environmental Specialist

Date: March 11, 2020

Subject: **Washington County Recycling Grant Application**

SUMMARY

Under state law, proceeds from tax on solid waste are in part made available to local units of government to conduct recycling and waste reduction programs. A block grant is made available to Washington County from the State, which in turn appropriates a portion to municipalities on a per-capita basis. The expected 2020 funding allocation to White Bear Lake is \$1,894. These monies are used to help offset the City's recycling program and collection costs.

RECOMMENDED COUNCIL ACTION

Staff recommends the City Council adopt the attached resolution that requests the 2020 grant funding allocation and authorizes the City Manager to submit the grant application to Washington County.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION AUTHORIZING A MUNICIPAL RECYCLING GRANT AGREEMENT
BETWEEN THE CITY OF WHITE BEAR LAKE AND WASHINGTON COUNTY AND
REQUESTING THE MUNICIPAL RECYCLING GRANT FUNDING ALLOCATION**

WHEREAS, the State of Minnesota collects a tax on the waste hauling charges from each resident in the State; and

WHEREAS, the State of Minnesota has distributed said tax monies to each associated county; and

WHEREAS, Washington County Board of Commissioners approved the distribution of recycling funds to municipalities for use in residential recycling programs; and

WHEREAS, the City of White Bear Lake's 2020 per-capita share of the distribution is \$1,894.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of White Bear Lake that the City authorizes the Recycling Grant Agreement with Washington County Board of Commissioners and requests the grant funding allocation.

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
City Manager's Office

MEMORANDUM

To: Mayor and Council

From: Kara Coustry, City Clerk

Date: March 18, 2020

Subject: Temporary liquor license – new event date

BACKGROUND

Minnesota Statute section 340A.404, Subd. 10 states that municipalities may issue temporary on-sale liquor licenses to nonprofit organizations in existence for at least three (3) years. The license may not exceed more than four consecutive days. City Code requires proof of liquor liability insurance.

SUMMARY

Bear Boating of White Bear Lake had applied for, was approved and issued a temporary liquor license for their fundraiser event at the Armory on March 21, 2020. The event has been rescheduled to occur on July 18, 2020

Non-profit Organization	Event dates and times	Location
Bear Boating of White Bear Lake, Inc.	Bear Boating Fundraiser 7/18/2020, 5pm – 11pm	Armory 2228 4 th Street

The applicant meets State regulations for temporary liquor licenses. Bear Boating of White Bear Lake, Inc. is in the process of securing insurance, so this license approval is conditioned upon receipt of valid liquor liability insurance.

RECOMMENDED COUNCIL ACTION

Staff recommends approval of the temporary liquor license, conditioned upon receipt of valid liquor liability insurance.

ATTACHMENTS

Resolution

RESOLUTION NO.

**A RESOLUTION APPROVING A TEMPORARY LIQUOR LICENSE
FOR BEAR BOATING OF WHITE BEAR LAKE, INC**

WHEREAS an application for a temporary on-sale liquor license has been made by Deb McGuire on behalf of Bear Boating of White Bear Lake, Inc. for the dance/fundraiser; and

WHEREAS Bear Boating of White Bear Lake, Inc. is a nonprofit organization that intends to provide alcohol during the fundraising event at the White Bear Lake Armory on July 18, 2020 and

WHEREAS the organization has yet to provide the liquor liability insurance as required by City Code.

NOW THEREFORE, BE IT RESOLVED that the White Bear Lake City Council under authority of Minnesota Statute section 340A.404 Subd. 10, approves the temporary liquor license for the following organization for the date and location indicated:

Bear Boating of White Bear Lake, Inc.
July 18, 2020
on the premises of
the White Bear Armory at
2228 4th Street
White Bear Lake, MN 55110

BE IT FURTHER RESOLVED that this temporary license approval is contingent upon receipt of liquor liability insurance for the new date.

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

Dear Ellen:

After a thorough and thoughtful search, I am happy to announce that, effective May 4th 2020, Northeast Youth & Family Services will have a new leader. Please join me in welcoming Tara Jebens-Singh as our new President and CEO.

It has been a privilege to serve with you these past 17 years (including 10 as President and CEO) as we have worked to make our communities a great place to live, learn and do business. I want to assure you that I am leaving NYFS in very capable hands and am excited about what the future will bring.

Tara comes to us from the White Bear Lake Area School District, where she has served as the Adult Programs Coordinator since 2015. In that position, she oversaw the Adult Enrichment, Adults with Disabilities and Senior program - which includes Senior Recreation Center, Meals on Wheels and Elder Resource Services. She is deeply committed to our mission of transforming lives today – creating a better tomorrow for youth, adults and families. I value her expertise and know she will work hard to enhance our existing programs and meet emerging community needs.

More information regarding the transition process will be coming soon and Tara and I will be reaching out to all our partners in the coming weeks and months. As you know, due to coronavirus precautions, so much has changed quickly within our organization and our community. Be assured that NYFS staff will be working with Tara to ensure a smooth transition. If you have any questions about the process, please feel free to email me at jerry@nyfs.org or call my direct line at 651-379-3404.

In closing, I'd like to personally like to thank you for your continued partnership with NYFS as we work together to improve the lives of youth, families and adults in our community. Together we accomplish so much more than we ever could alone.

Sincerely,

Jerry Hromatka,
NYFS President and CEO

From: [Ellen Hiniker](#)
To: [Kara Coustry](#)
Subject: FW: Pandemic Response Overview
Date: Wednesday, March 18, 2020 5:04:50 PM
Attachments: [Pandemic Response Overview.pdf](#)

Please include this email and the attachment in the CC packets. Thank you.

From: Mathiasen, Beverly <BMathiasen@republicservices.com>
Sent: Wednesday, March 18, 2020 5:00 PM
To: Rick Juba <rjuba@whitebearlake.org>; Ellen Hiniker <ehiniker@whitebearlake.org>
Subject: Pandemic Response Overview

Hi Rick and Ellen,

I'm reaching out to let you both know that it's business as usual at Republic Services. We continue to complete our routes daily and do not anticipate any interruption. Enclosed is our pandemic response. Please feel free to share it with the Mayor and Council. In addition to the information within that document we have increased the number of truck washings weekly and the cabs of our trucks are now cleaned and sanitized daily. All Drivers have proper PPE and in-cab sanitation kits. Should you have any questions or concerns please don't hesitate to reach out. I'm working from home now but available via phone, text and email.

Thanks and stay healthy~

Bev

Beverly Mathiasen

Municipal Services Manager

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Eden Prairie, MN 55347

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o 952-946-5302 c 612-889-7324

w RepublicServices.com



We'll handle it from here.®



Republic Services Business Continuity Overview

- Republic Services has established plans for business continuity. Our plans include policies, procedures, and an organizational structure for responding to events that can cause a significant disruption to our operations. Our procedures are designed to protect lives and property through effective use of existing resources. Our business continuity plans are designed to continue business operations, or to resume them as soon as possible, following a natural disaster, strike, pandemic or other disruptive event.

Pandemic Response Actions

- We have activated our Corporate Pandemic Response Team, with Local Response Teams placed on alert, ready to respond.
- We are actively encouraging sick employees to stay home and we provide all of our employees with Paid Time Off (PTO).
- Our employees are equipped with all necessary Personal Protective Equipment (PPE), including gloves, masks, and disinfecting products.
- We have a well-developed system to remedy any Driver shortages that might occur across our workforce and we are prepared to implement that system. We have also implemented redundancy measures at our three national Customer Resource Centers.
- We have deep cleaning disinfection plans in place for any of our operating locations that are impacted by the coronavirus.
- We have reviewed our supply chain and assess our risk of supply interruption to be low.

Waste Collection During the Pandemic

- Federal health and safety agencies have determined that household and other municipal solid waste do not currently require special handling or separation. No additional disposal containers are necessary.
- We continue to collect waste from households and businesses in accordance with our existing safety protocols and we are monitoring guidance from the CDC, OSHA, and other federal, state, and local authorities.
- At this time, we do not anticipate a general impact to operations and waste collections will continue as scheduled. If an interruption in service is expected, we will promptly notify you and provide further detail.