



AGENDA
REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, JUNE 22, 2021
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 June 8, 2021

B. Minutes of the Works Session on June 15, 2021

3. APPROVAL OF THE AGENDA

4. VISITORS AND PRESENTATIONS

A. Police Officer swearing in Connor Dillon

B. Ramsey County Economic Development Initiative Presentation, Kari Collins - Ramsey County Community Development Director

5. PUBLIC HEARINGS

A. Public hearing for vacation of Miller Street between 2nd and 3rd Streets

6. LAND USE

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

Nothing scheduled

9. NEW BUSINESS

A. Resolution authorizing the execution of a consultant contract with David Drown Associates

B. Resolution approving the cooperative agreement for the Minnesota Statewide All-hazards Incident Management Organization

10. CONSENT

- A. Resolution authorizing an agreement for Temporary Building Inspection and Plan Review services with Inspectron, Inc.

11. DISCUSSION

12. COMMUNICATIONS FROM THE CITY MANAGER

13. ADJOURNMENT



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, JUNE 8, 2021
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, Kevin Edberg, Steven Engstran, Dan Jones and Bill Walsh. Staff in attendance were Community Development Director Anne Kane, Public Works Director/City Engineer Paul Kauppi, City Clerk Kara Coustry and City Attorney Jason Hill.

2. APPROVAL OF MINUTES

A. Minutes of the Regular City Council Meeting on May 25, 2021

It was moved by Councilmember **Jones** seconded by Councilmember **Edberg**, to approve the Minutes of the May 25, 2021 City Council meeting as presented.

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

3. APPROVAL OF THE AGENDA

It was moved by Councilmember **Biehn** seconded by Councilmember **Edberg**, to approve the Agenda as presented

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

4. VISITORS AND PRESENTATIONS

A. Wold Architects – status on design phase for Police Squad Garage and Fire Apparatus Bay Project

Joel Dunning reviewed the Police Squad Garage and Fire Apparatus Bay renovation project timeline, noting they are currently in the middle of schematic design. By July, more detail will be added to the design and upon receipt of Council approval, Wold Architects will proceed with the full design package completed in September.

Wold Architect Derek Gallagher walked through the preliminary site plan and building site plans for the project. He reviewed next steps including refining the site plan, developing the exterior building design, continued building code and planning analysis and finalizing a schematic design with the core planning group.

Councilmember Walsh received confirmation from City Engineer Kauppi that the design incorporates room for future growth sufficient to add one more piece of equipment in the fire bay, ten more vehicle parking, and swing spaces for additional support staff and officers to accommodate future growth 15 – 20 years out.

Councilmember Edberg inquired about the outside parking lot being added behind the public safety building, noting that the argument for an enclosed police garage was for officer safety. Ms. Hiniker clarified that this space is intended for employee parking as a relief to overall campus parking. Councilmember Edberg also received confirmation from Mr. Gallagher that offices have been designated for all staff.

In response to Councilmember Jones, who expressed desire to see the LaFrance Fire Engine displayed through exterior glass, Mr. Gallagher explained the core planning group has been weighing this feature against a paradigm shift in security. Councilmember Jones indicated his support for maintaining the display design.

5. PUBLIC HEARINGS

Nothing scheduled

6. LAND USE

A. Consent

1. Consideration of a Planning Commission recommendation for approval of a request by Therese Faison for a Special Home Occupation Permit extension at 4445 Lincoln Avenue (Case No. 20-1-SHOPa). **Resolution No. 12792**
2. Consideration of a Planning Commission recommendation for approval of a request by Beckmann Custom Homes, LLC for a minor subdivision and two variances at 4783 Otter Lake Road. (Case No. 21-2-LS & 21-10-V). **Resolution No. 12793**
3. Consideration of a Planning Commission recommendation for approval of a request by Len Schreier for two variances at 4775 Brooke Court. (Case No. 21-12-V). **Resolution No. 12794**
4. Consideration of a Planning Commission recommendation for approval of a request by Susan Welles on behalf of Molly Theno for three variances at 4870 Johnson Avenue. (Case No. 21-13-V). **Resolution No. 12795**
5. Consideration of a Planning Commission recommendation to adopt the 2040 Comprehensive Plan. **Resolution No. 12796**

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

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

B. Non-Consent

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

Nothing scheduled

9. NEW BUSINESS

A. Resolution accepting bids and awarding contract for Sewer Lining Projects (21-07)

City Engineer / Public Director Kauppi explained these projects are extremely important given the age of the city's sewer system. Since starting this program in 1994 a little over 15 miles of sanitary sewer pipe have been lined. He explained that 90% of the city's sewer system has been televised with approximately .75 miles of failing sewer being lined this year, bringing the total to approximately 16 miles of lined sanitary sewer pipe to date.

Mr. Kauppi reported receiving five (5) bids and forwarded staff's recommendation to accept the bid and award the 2021 Sanitary Sewer Lining Project to the lowest bidder – Hydro-L;ean, LLC in the amount of \$97,222.00.

In response to Councilmember Edberg, Mr. Kauppi stated there are 120 miles of sanitary sewer in the city, with approximately 20 miles being comprised of more modern PVC, and 85 miles of older sewer pipe remaining. He believed the city is keeping up with the failing portions of sewer pipe, noting that backups have gone from 10-20/year to nothing reported last year.

It was moved by Councilmember **Walsh** seconded by Councilmember **Engstran**, to adopt **Resolution No. 12797**

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

B. Resolution approving the issuance of a massage therapist license

City Manager Hiniker forwarded a recommendation to approve a massage applicant whose school was registered through the State of New Mexico Board of Massage Therapy. She explained that the city's current massage ordinance states specifically that applicants' massage schools are either registered with the State of Minnesota's Higher Education, or through a federally recognized agency. She further explained that staff intends through codification to add language indicating that massage schools which are registered with a State or Federal agency shall be considered valid for purposes of issuing massage related licenses.

It was moved by Councilmember **Biehn** seconded by Councilmember **Jones**, to adopt **Resolution No. 12798**

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

10. CONSENT

- A. Acceptance of Minutes: April Environmental Advisory Commission, April Park Advisory Commission, April White Bear Lake Conservation District, May Planning Commission
- B. Acceptance of proposed revisions to Article III of the Municipal Code

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

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

11. DISCUSSION

Nothing scheduled

12. COMMUNICATIONS FROM THE CITY MANAGER

- In-person City Council meetings will continue to operate under the Mayor’s electronic notice until the Governor lifts the emergency order. This will continue to allow some flexibility for remote attendance
- June 15, 2021 Work Session at 6:00 p.m. in the Expansion Room to discuss the East Goose Adaptive Lake Management Program
- Schedule July Work Session to review License Bureau operations – July 20, 2021 at 6:00 p.m. in City Hall. Discussion about the South Shore Blvd project will also be added to this work session.
- City Engineer / Public Works updates by Director Paul Kauppi
 - Mill and Overlay Projects are underway and on schedule
 - Gazebo roof has been lifted off and the columns and stairwell are being fixed. After which the building will be sandblasted, primed and painted next week. The floor will be delivered next week for a test fit and lower column fiberglass covers are expected in a couple weeks.
 - Lack of rain and the heat wave are putting pressure on the water supply system, but depleted water storage are being replenished overnight. Residents are asked to conserve water use and observe watering restrictions during daytime hours. One of three primary wells has been fixed after two weeks being down.
- Councilmember Walsh asked for the water fountains to be returned to service.
- Community Development updates by Director Anne Kane
 - Thursday at 7:00 p.m. is the first Community Housing Forum (registration required)
 - Planning Commission will return to in-person meetings in the Council Chambers beginning June 28, 2021 with a large agenda
 - School projects plans are in the process of review currently
 - New Assistant Building Official starts Monday
- Modeled after a similar initiative with the City of Roseville and Roseville School District, the City of White Bear Lake and the White Bear Lake School District in partnership with the Humanities Center plan to prepare four monthly community sessions on the topic of racism. Members of the Welcoming and Inclusive Community Task Force will attend these sessions will help to inform their summary report to Council. All Councilmembers expressed support of the City’s involvement, with the understanding the potential for a financial contribution not to exceed \$5,000.
- Mayor Emerson reported receiving a letter from a Birch Lake School fourth-grader expressing concern with racism, who suggested an essay contest on the topic of ending racism – the results of which he hoped would be given to the President of the United States. Mayor Emerson suggested the Welcoming and Inclusive Committee take on this initiative.

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 7:45 p.m.

Biehn Aye
 Edberg Aye
 Engstran Aye
 Jones Aye
 Walsh Aye

Motion carried unanimously.

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



**MINUTES
WORK SESSION OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, JUNE 15, 2021
6:00 P.M. IN THE EXPANSION ROOM OF CITY HALL**

6:13 PM Meeting Opened

In Attendance: Mayor Jo Emerson, Councilmember Bill Walsh, Councilmember Doug Biehn, Councilmember Dan Jones, Councilmember Kevin Edberg, City Manager Ellen Hiniker, City Engineer/Public Works Director Paul Kauppi and Connie Taillon. Councilmember Walsh participated via phone and Councilmember Engstran was absent (excused)

Guests: Phil Belfori, Dawn Tanner and Nick Voss from the Vadnais Lake Area Management Watershed Organization (VLAWMO)

Council and staff received results from a community outreach survey conducted by the VLAWMO on the topic of cleaning up East Goose Lake.

City Manager Hiniker discussed her intention to retire from City Management work by the end of this year and reviewed a proposal for consulting services to facilitate the recruitment and hiring of a new City Manager.

No action was taken at this meeting.

8:25 PM Meeting Adjourned

RAMSEY COUNTY HRA LEVY

Preserving and providing homes for all.



Starting in 2022, funds collected would preserve and create affordable housing for Ramsey County residents, providing a long-term resource to combat the existing housing crisis.

Ramsey County is exploring a property tax levy for its Housing and Redevelopment Authority (HRA) to address the longstanding housing crisis that has been exacerbated due to the COVID-19 pandemic and the subsequent economic downturn.

Our challenge

Many Ramsey County residents live in poverty and struggle to find or afford stable housing. The current market is not building or preserving enough affordable housing to meet the needs of these residents, including seniors, low-wage workers and others who make less than \$25,000 annually. This challenge is anticipated to grow, placing further strain on the housing market and county services for all households.



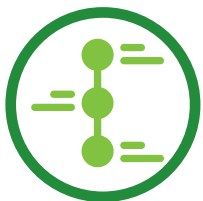
Housing and redevelopment authorities

To help solve these challenges, many local units of government levy for affordable housing through their Housing Redevelopment Authorities – public entities that specifically focus on housing and redevelopment. While Ramsey County has an HRA, it is the only county in the Twin Cities metropolitan area that does not actively levy for affordable housing.



What will the levy fund?

Funds collected through a Ramsey County HRA Levy would support the preservation of existing and creation of new affordable housing developments and build community wealth by creating pathways to homeownership. This would be done by offering gap financing and land acquisition funds as well as allocating resources to increase the competitiveness of local community housing projects in Ramsey County applying for state grants.



Timeline

Ramsey County's HRA plans to begin levying in 2022. However, communities that had active HRA levy authorities prior to 1971 are statutorily required to pass a resolution to participate in Ramsey County's levy as well. This currently applies to the cities of Saint Paul and North St. Paul.



Learn more at ramseycounty.us/HRA

Contact: Kari Collins, *Community and Economic Development Director*
Kari.Collins@ramseycounty.us | 651-266-8010

Additional information



RAMSEY COUNTY



65,000 households in Ramsey County pay more than 30% of their income on housing.

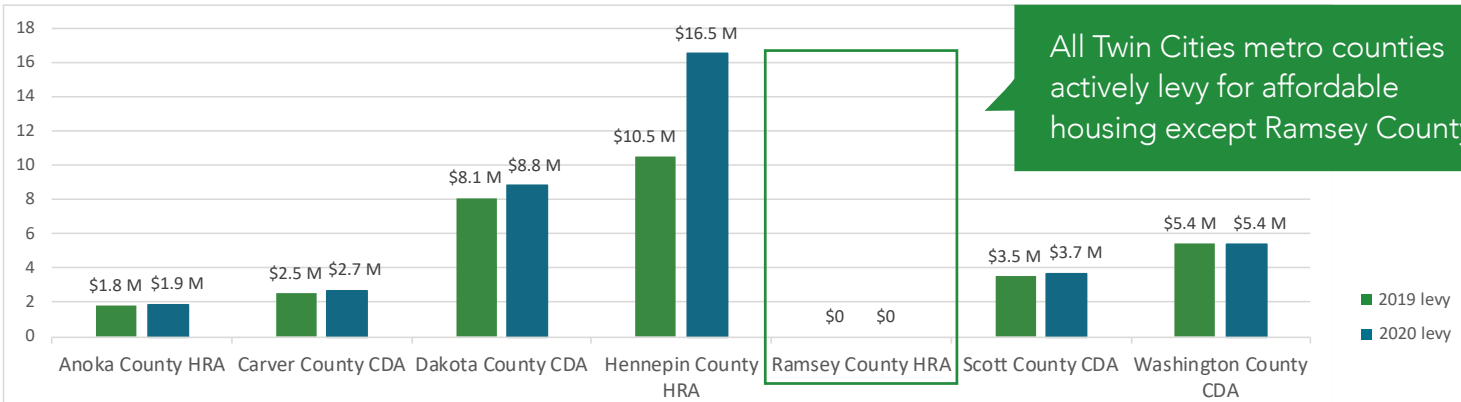
There are 209,000 households in Ramsey County.*

*Source: U.S. Census Bureau, 2019.

An HRA levy in Ramsey County could raise up to **\$11.6 million a year** to fund affordable housing.



HRA Levies by Metro County (2019 and 2020)



There is currently a shortage of **15,000+ homes** that are affordable for Ramsey County households making between \$30,000-\$50,000 per year and **50,000+ homes** that are affordable for households making less than \$30,000 per year.



New construction would take **20-50 years** to meet the current need, and would still require subsidies.

The proposed HRA Levy would increase annual taxes on a median value residential property **by about \$45.**

“ **THE COST OF INACTION IS TOO GREAT.**

If we wish to chart a path toward recovery and create a more resilient future, then we must ensure our commitment to our most vulnerable residents.

When our most vulnerable residents thrive, we all thrive. ”

– Economic Competitiveness and Inclusion Plan participant

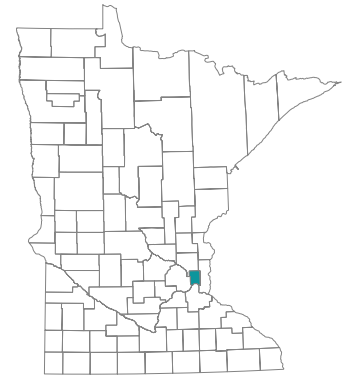


Learn more: ramseycounty.us/HRA

2021 County Profile

Ramsey

209,043 Households | TWIN CITIES REGION



Access to safe, affordable homes builds a strong foundation for families and communities. But too many Minnesotans lack good housing options.

Mirroring the state trend, the price of rent continues to rise and incomes are not keeping up, making it increasingly challenging for renters to make ends meet.

The income for families is not rising at the same pace as home values, making it more difficult for families to purchase and own a home.



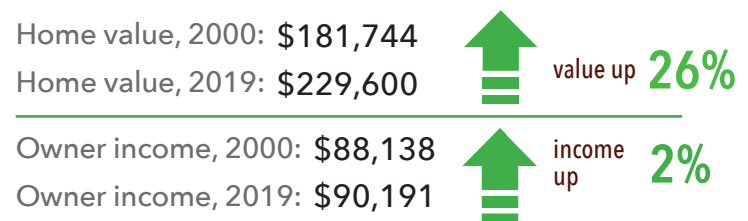
RENTER HOUSEHOLDS

84,789 | 41% of all households



OWNER HOUSEHOLDS

124,254 | 59% of all households



HOUSING STOCK: While a significant portion of the rental and owner-occupied housing is aging (built before 1970), new construction is not keeping up with demand. Of particular concern is the gap between the number of available units for extremely low income households – and the number of people who need them.

Disparities: Disparities are stark for BIPOC residents of all 87 counties. Homeownership disparities are above 65% in every county in Minnesota with most over 90%. Cost-burden is higher for BIPOC renters (53%) than white renters (44%) in the Twin Cities.



% of homes built before 1970 **62%**

Single-family units permitted in 2019 **264**



% of rental units built before 1970 **50%**

Multi-family units permitted in 2019 **2461**

Number of extremely low income households **28,070**

Units affordable to extremely low income households **9,775**

Gap between ELI households and units in Ramsey county **18,295**

Twin Cities	Renter Cost Burden	Severe Renter Cost Burden
White	44%	21%
Black	57%	28%
Indigenous	59%	48%
Hispanic	54%	25%

Homeownership in Ramsey County

BIPOC Homeowners **19,214**

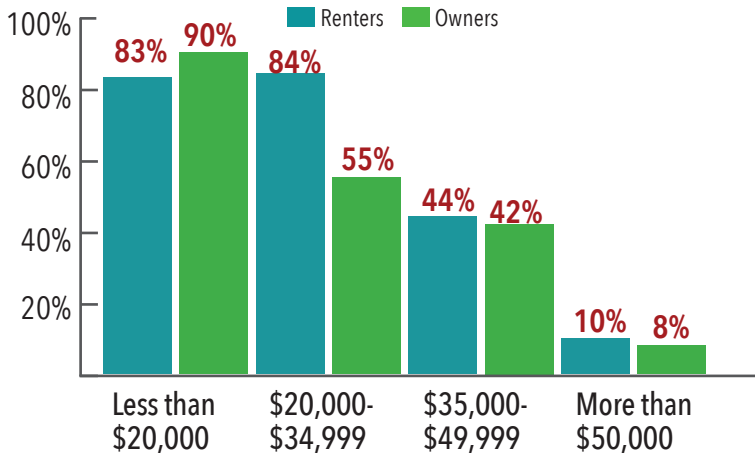
15%

85%

White Homeowners **105,040**

63,218 households in Ramsey County pay more than 30 percent of their income toward housing costs, putting them at risk of being unable to afford basic needs like food and medicine. 28,275 are severely cost-burdened and pay more than 50 percent of their income on housing.

COST BURDEN Percentage of households paying more than 30% of their income toward housing.



Number of households paying more than 30% of their income toward housing

	RENTERS	OWNERS
Under \$20,000	16,239	5,576
\$20,000-34,999	14,188	5,226
\$35,000-49,999	6,020	5,015
Over \$50,000	3,074	7,880
Seniors	8,520	8,917
All cost-burdened households	39,521	23,697

SEVERE COST BURDEN Number and percent of households paying more than 50% of their income toward housing.

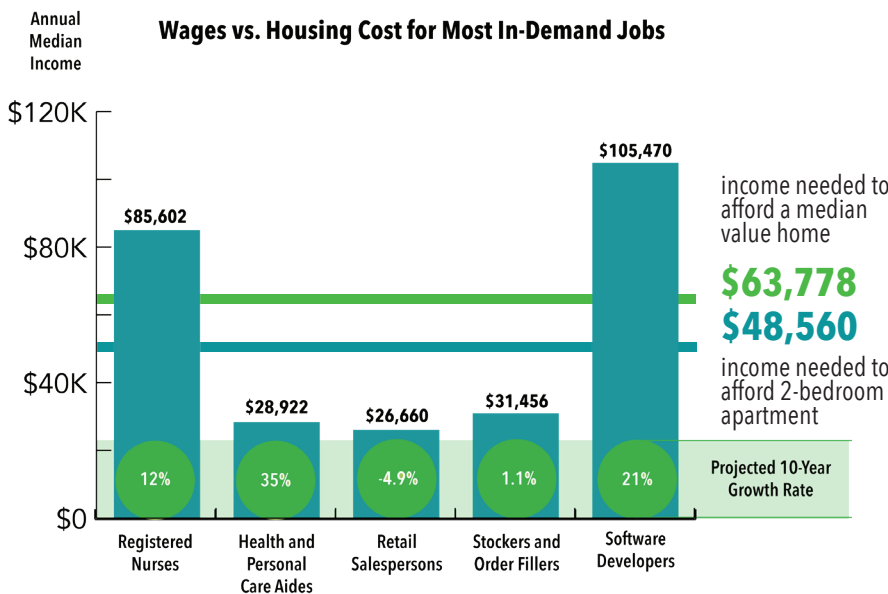
Severe Renter Cost Burden **19,705** households or **24%** of all renter households

Severe Owner Cost Burden **8,570** households or **7%** of all owner households

WAGES: Housing remains a challenge even for Minnesotans who are fully employed. The median earnings for most of the top in-demand and high-growth jobs in the 7 County Metro region do not cover housing costs at an affordable level. Those working at the median wage – and especially those earning the minimum wage – cannot afford a two-bedroom apartment or the mortgage for a median price home.

HOMELESSNESS: In the Twin Cities region, too many families, seniors and children are still suffering the devastating consequences of having no place to call home.

7 County Metro Region Data



Median household income for county **\$64,660** Hours / week minimum wage employee must work to afford 1- bd apartment **75**

of homeless on a given night in 2018 **6,763**
 Change in homeless since 2000 **9%**
 Number of homeless children **2,277**
 Number of homeless seniors **798**



SOURCES – Renter households: Rent and income adjusted for inflation. U.S. Census Bureau, American Community Survey
 Owner households: Home value and income adjusted for inflation. U.S. Census Bureau, American Community Survey 2019, 5 year estimates | Cost burden: U.S. Census Bureau, American Community Survey 2019, 5 year estimates | ELI Units and Renters: MHP Analysis of HUD's CHAS Portal Data using the NLIHC methodology | Wages: Minnesota Department of Employment and Economic Development (MN DEED), Occupations in Demand, November 2020; Employment Outlook, MN DEED | Housing Stock: U.S. Census Bureau, American Community Survey 2019, 5 year estimates, U.S. Census Bureau, Building Permits Survey, 2019 | Homelessness: Wilder Research Center, 2018 Minnesota Homeless Study

2019, 5 year estimates | Owner households: Home value and income adjusted for inflation. U.S. Census Bureau, American Community Survey 2019, 5 year estimates | Cost burden: U.S. Census Bureau, American Community Survey 2019, 5 year estimates | ELI Units and Renters: MHP Analysis of HUD's CHAS Portal Data using the NLIHC methodology | Wages: Minnesota Department of Employment and Economic Development (MN DEED), Occupations in Demand, November 2020; Employment Outlook, MN DEED | Housing Stock: U.S. Census Bureau, American Community Survey 2019, 5 year estimates, U.S. Census Bureau, Building Permits Survey, 2019 | Homelessness: Wilder Research Center, 2018 Minnesota Homeless Study



City of White Bear Lake
City Engineer's Office

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Paul Kauppi, Public Works Director/City Engineer

Date: June 22, 2021

Subject: Vacating Miller Avenue between 2nd Street and 3rd Street

BACKGROUND / SUMMARY

The City is planning to construct a police squad garage and replace its fire apparatus bay within the next few years. Staff has reviewed preliminary design concepts that would meet all needs for this expansion. In order to construct an attached secure, indoor parking facility for Public Safety vehicles, the City will need to vacate the right of way on Miller Avenue between 2nd Street and 3rd Street. The vacated right of way and the two City owned properties along Miller Avenue will provide enough space for the City to expand the Public Safety facility to meet its needs.

The resolution, if adopted, will vacate right of way on Miller Avenue between 2nd Street and 3rd Street. If this portion of Miller Avenue is vacated, the street will close immediately to all public traffic and only be accessible to Public Safety vehicles. If for any reason the building expansion does not occur, staff would still recommend closure of this section of Miller Avenue off to public traffic to minimize conflicts with public safety vehicles and operations.

RECOMMENDED COUNCIL ACTION

Staff recommends adoption of the attached resolution vacating this portion of Miller Avenue. Council previously adopted a resolution setting a public hearing for the June 22 meeting, which has been publicized in the local paper.

ATTACHMENT

Resolution

RESOLUTION NO.

A RESOLUTION VACATING A PORTION OF MILLER AVENUE

WHEREAS, the City Council pursuant to Minnesota Statutes Section 412.851 desires to consider the vacation of that certain portion of Miller Avenue that lies between Third Street and Second Street within the City of White Bear Lake, Minnesota, and as legally described on the attached **Exhibit A** and further as depicted as **Exhibit B** (the “Street”); and

WHEREAS, the City Clerk published, posted, and mailed notice of a hearing as required by law and a public hearing was held on the proposed vacation on the 22 day of June, 2021; and

WHEREAS, after due notice and public hearing, the City Council has determined that the remaining portion of the Street is no longer needed and therefore the vacation of the Street is in the public interest; and

WHEREAS, four-fifths of all members of the City Council concur in this resolution.

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

1. The City hereby declares that the Street as described in the attached Exhibit A and as depicted on the attached Exhibit B is hereby vacated.
2. The City Clerk is directed to prepare a Notice of Completion of Vacation Proceedings and to record it with the Ramsey County Recorder.

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

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

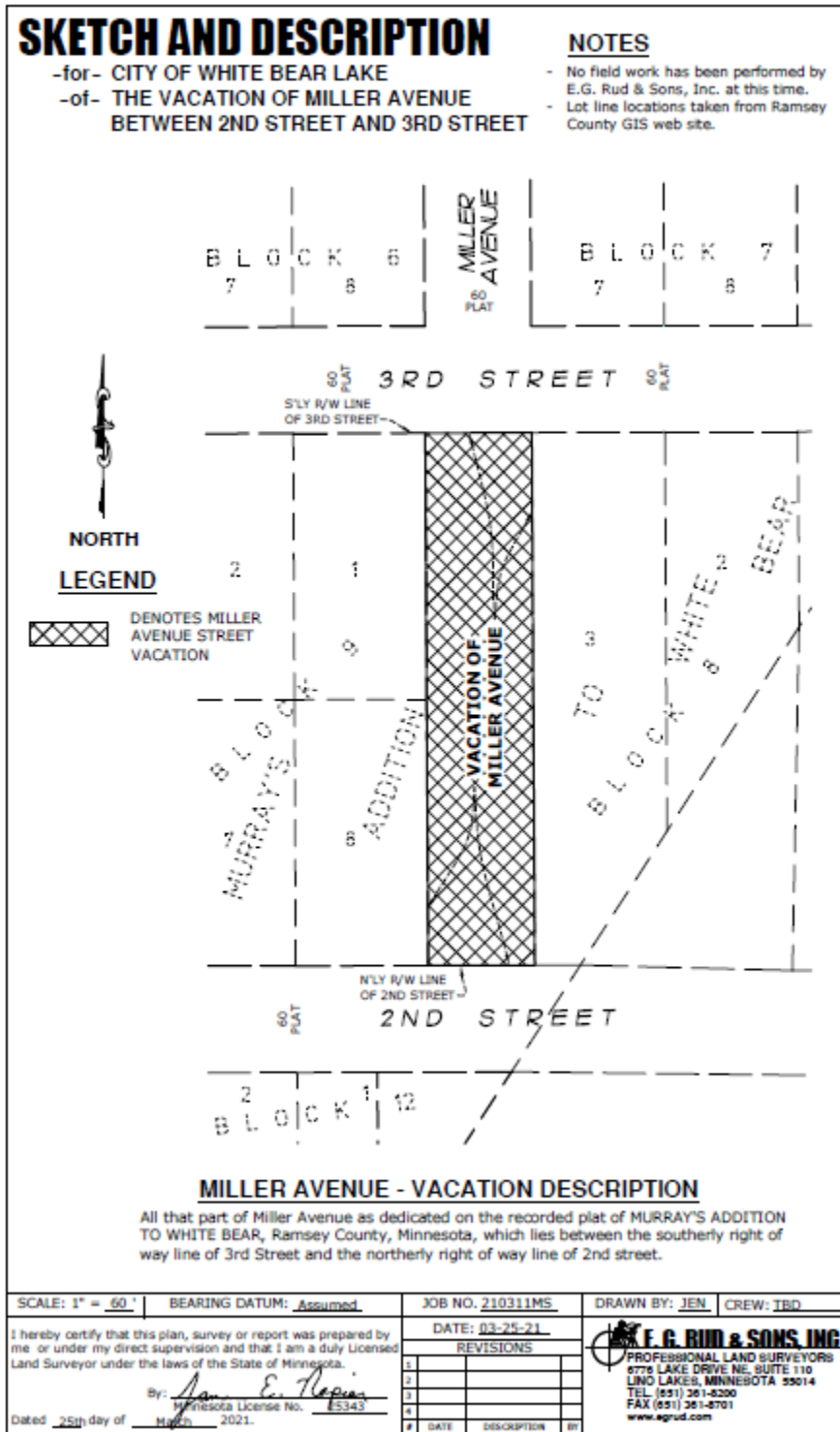
Kara Coustry, City Clerk

Exhibit A

Legal description of the Vacated Street

All that part of Miller Avenue as dedicated on the recorded plat of MURRAY'S ADDITION TO WHITE BEAR, Ramsey County, Minnesota, which lies between the southerly right of way line of 3rd Street and the northerly right of way line of 2nd street.

Exhibit B
Depiction of the Vacated Street



SCALE: 1" = 60'	BEARING DATUM: Assumed	JOB NO. 210311MS	DRAWN BY: JEN CREW: TRD
I hereby certify that this plan, survey or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.		DATE: 03-25-21	
By: <i>Jan E. Hoppe</i>		REVISIONS	
Minnesota License No. 5343		1	
Dated 25th day of March, 2021.		2	
		3	
		4	
		5	



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and Council
From: Ellen Hiniker, City Manager
Date: June 18, 2021
Subject: **City Manager Recruitment & Hiring Process**

BACKGROUND / SUMMARY

I have now had a chance to speak with each of you regarding my decision to retire from City Management at the end of this year, a very difficult decision indeed. As stated in my letter of resignation, I carry with me the warmest and most sincere gratitude for the opportunity to have served this Mayor and Council, and my hometown community.

I will do all I can, of course, to facilitate a smooth transition. In that spirit, I met with the Mayor early January to share my plans, at which time we discussed the option of hiring an outside consultant to facilitate the recruitment and hiring process for a new City Manager. We have since had an opportunity to discuss this with Council at our recent work session.

Attached is a proposal from Mark Casey and Liza Donabauer of David Drown Associates (DDA). The Mayor has met with Mark Casey, a project co-lead, and is confident in that he and Ms. Donabauer will add great value to this process. Included in the proposal is a description of the firm, approach to the process, background of project co-leads and a draft timeline. Among the benefits of utilizing an outside service to manage this process, DDA employs a comprehensive screening process that includes multiple assessments. It is important that the fit is right for not only for the Mayor and Council, but also for the candidate. To instill further confidence in the process, DDA provides a guarantee that if the candidate leaves within two years of their appointment for any reason, they will conduct another process at no charge.

All firms providing similar services are comparable in cost. Selection of a firm primarily comes down to reputation and style preferences. Mark Casey is a former City Administrator for the City of St. Anthony Village and was active on the League of Minnesota Cities board. Highly regarded by his peers for his professional and compassionate leadership style, Mr. Casey received City Manager of the Year recognition from the Minnesota City Manager's Association in 2018. As described in the proposal, Liza Donabauer, project co-lead, brings years of Human Resource experience to the process and is also highly regarded in her field.

RECOMMENDED COUNCIL ACTION

Attached is a resolution authorizing the Mayor to enter into contract with David Drown Associates for professional services to facilitate the recruitment and hiring process for the position of City Manager.

ATTACHMENT

Resolution

RESOLUTION NO.

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH DAVID DROWN ASSOCIATES (DDA) FOR CONSULTING SERVICES TO FACILITATE THE RECRUITMENT AND HIRING OF A NEW CITY MANAGER

WHEREAS, the City Manager has discussed with the Mayor and City Council her intent to leave her position as City Manager in December, 2021; and

WHEREAS, it is the City Council's desire to engage the professional services of a consulting firm for the recruitment and hiring of a new City Manager; and

WHEREAS, David Drown Associates (DDA) is a full-service consulting firm with more than 20 years experience working with local governments, providing executive search services since 2013; and

WHEREAS, DDA will provide a full-menu of services to include, but no limited to, gathering and assembling background information, developing a position profile, advertising and recruiting, initial screening and review of candidates, comprehensive background checks of finalists and negotiation of contract.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of White Bear Lake authorizes the Mayor and City Manager to enter into contract with David Drown Associates for comprehensive search and hiring services in the amount of \$21,000.

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
Fire Department

MEMORANDUM

To: Ellen Hiniker, City Manager
From: Greg Peterson, Fire Chief
Date: June 9, 2021
Subject: Minnesota Statewide All Hazard Incident Management Team

BACKGROUND / SUMMARY

As you are aware, I am part of the Minnesota Statewide All Hazards Incident Management Team (AHIMT). This team is comprised of emergency management professionals from throughout the state that work collectively together to train for and help to mitigate large and complex incidents. These may include, but is not limited to natural disasters such as flooding, tornados or manmade disasters such as the large fire that took place at the vehicle recycling plant in Becker, MN. Training takes place on a regular basis. The team is deployed on missions for assistance as requested and needed.

Since I was part of the team before being hired by the City of White Bear Lake, we were not part of the JPA that was mentioned in the attached memorandum. Therefore, there is no need to withdraw from the JPA. We will need to join the cooperative agreement so that I can remain a member of the team.

Participating members may withdraw from the Cooperative Agreement upon thirty (30) days' written notice to the other participants and the Operating Committee.

RECOMMENDED COUNCIL ACTION

Staff recommends the City Council adopt the attached resolution authorizing the City Manager to execute a Cooperative Agreement establishing the Minnesota Statewide All-Hazards Incident Management Organization.

ATTACHMENTS

Resolution
Memorandum from AHIMT
Cooperative Agreement

RESOLUTION NO.

**A RESOLUTION APPROVING THE COOPERATIVE AGREEMENT FOR THE
MINNESOTA STATEWIDE ALL-HAZARDS INCIDENT MANAGEMENT
ORGANIZATION**

WHEREAS, the Minnesota Statewide All-Hazards Incident Management Organization is an organization of Minnesota cities, counties, certain nonprofits, and other governmental entities who agree to make available their employees, agents, volunteers, or contractors to be rostered for deployment and activated to respond to incidents inside and outside the State of Minnesota as requested by another local agency or unit of government; and

WHEREAS, the Minnesota Statewide All-Hazards Incident Management Organization Cooperative Agreement governs the organization and outlines the duties and responsibilities of the participants in the organization; and

WHEREAS, The City of White Bear Lake participation in the Minnesota Statewide All-Hazards Incident Management Organization will benefit the City of White Bear Lake and other governmental units and agencies in the State of Minnesota.

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

1. The City of White Bear Lake participation in the Minnesota Statewide All-Hazards Incident Management Organization is hereby approved.
2. The Cooperative Agreement for the Minnesota Statewide All-Hazards Incident Management Organization is hereby approved and a signature page shall be executed by the City Manager and delivered to the Operating Committee as provided in the Cooperative Agreement.

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

**COOPERATIVE AGREEMENT
MINNESOTA STATEWIDE ALL-HAZARDS INCIDENT MANAGEMENT
ORGANIZATION**

1. PURPOSE

The purpose of this Cooperative Agreement is to establish the Minnesota Statewide All-Hazards Incident Management Organization for the purpose of training, equipping, maintaining, and deploying Team Members to incidents inside and outside the State of Minnesota as may be requested by a local agency or other governmental unit. The intent of this Cooperative Agreement is to make equipment, personnel, and other resources available from Participants to the requesting agencies and governmental units. The Participants hereto do not intend, and this Cooperative Agreement shall not be construed, to form a joint powers entity pursuant to Minn. Stat. § 471.59.

2. DEFINITIONS

The following definitions apply to this Cooperative Agreement:

- 2.1 “Minnesota Statewide All-Hazards Incident Management Organization” or “IMO” – The Participants who will or may provide Team Members who may be available to be rostered or activated to provide Assistance to support incident management activities pursuant to this Agreement.
- 2.2 “All-Hazards Incident Management Team” or “IMT” – A group of Team Members who are rostered for deployment or are deployed to provide Assistance to support incident management activities pursuant to this Agreement.
- 2.3 “Team Member” – A trained and qualified person who is employed by, contracted to, or volunteering with a Participant, who is or may be available to be activated to support incident management activities pursuant to this Agreement.
- 2.4 “Participant(s)” – Any “governmental unit” as that term is defined in Minn. Stat. § 471.59, subd. 1(b) that is a signatory to this Agreement.
- 2.5 “Requesting Entity” – Any public agency or governmental unit, whether located within or outside of the State of Minnesota, that requests incident management support from the IMO.
- 2.6 “Assistance” – Incident management support activities, which may include but are not limited to: public works personnel and equipment; fire and/or emergency medical services personnel and equipment; law enforcement personnel and equipment; utility personnel and equipment; incident organization; command; operations; planning; logistics; and finance/administration.

- 2.7 “Operating Committee” – The group of individuals designated in this Agreement to receive requests for Assistance from a Requesting Entity and organize the deployment of an IMT.

3. **Operating Committee**

- 3.1 Functions. The IMO will be administered by the Operating Committee. The Operating Committee will receive requests for Assistance from a Requesting Entity and facilitate the deployment of an IMT to provide the requested Assistance. The Operating Committee may also organize and facilitate the training of Team Members to provide incident management support.

- 3.2. Composition. All members of the Operating Committee must be employees or representatives of a Participant. The initial Operating Committee will be comprised of the following individuals:

Terry Stoltzman, Anoka County
Chris Breitbach, Allina Health
Lance Ross, North Memorial
Wayne Kewitsch, Anoka County
Jeff Lanenberg, Allina Health
Trevor Hamdorf, City of New Brighton
Marlyn Halverson, Carlton County
Kristi Rollwagen, Metropolitan Airports Commission
Greg Hayes, Mdwakenton Public Safety
Scott Gerber, City of Eden Prairie

- 3.3 Vacancies. A vacancy on the Operating Committee must be filled by the majority vote of the remaining members of the Operating Committee.
- 3.4 Meetings. The Operating Committee will meet as needed, but at least quarterly, to discuss any matters related to the IMO.
- 3.5 Operations Manager. The Operating Committee must designate one of its members as the “Operations Manager,” who will be the contact person for receiving requests for Assistance. The initial Operations Manager will be Terry Stoltzman from Anoka County. The Operating Committee may designate a different Operations Manager at any time by the majority vote of its members.
- 3.6 No Other Power or Authority. The Operating Committee will have no authority to receive or expend funds, to enter into contracts, to hire employees, to purchase or otherwise acquire and hold real or personal property, or to sue another entity or individual.
- 3.7 Procedure. Upon receiving a request for Assistance, the Operations Manager must report the request to the other members of the Operating Committee. The Operating

Committee will then consult with the Participants to assemble an IMT to respond to the request. A Participant is not required to provide Team Members to respond to any particular request.

4. Participants; Liability; Insurance; Indemnification

- 4.1 Participants. Any governmental unit (as defined in Minn. Stat. § 471.59, subd. 1(b)) may become a Participant in the IMO by providing a signature page to the Operating Committee that has been duly executed by those person(s) having authority to enter into this Cooperative Agreement on behalf of the unit or entity. The Operating Committee must maintain a current roster of all Participants.
- 4.2 Responsibility for Employees. Any employee, agent, volunteer or contractor of a Participant engaged in providing Assistance under this Cooperative Agreement shall not be considered an employee, agent, volunteer or contractor of any other Participant for any purpose, including worker's compensation and other claims that may or might arise out of the employment context. All claims made against a Participant as a result of any act or omission of an employee, agent, volunteer or contractor of the Participant while the employee is engaged in providing Assistance under this Cooperative Agreement are not the obligation or responsibility of any other Participant.
- 4.3 Indemnification. No Participant is liable for the acts or omissions of another Participant under this Cooperative Agreement, unless the Participant has agreed in writing to be responsible for the acts or omissions of another Participant. Each Participant agrees to defend, indemnify, and hold harmless the other Participants against any and all claims, liability, loss, damage, or expense, including reasonable attorney's fees, resulting from or arising under this Cooperative Agreement and caused by or resulting from negligent acts or omissions of the Participant and/or those of its employees, agents, volunteers, or contractors. To the extent a Participant is a "municipality" covered by Minnesota Statutes Chapter 466, under no circumstances may the Participant be required to pay on behalf of itself and any other Participant any amounts in excess of the limits on liability established in Minnesota Statutes Chapter 466 applicable to any one Participant. To the extent a Participant is a federally recognized sovereign Native American tribe or a department or agency thereof (a "Tribal Participant"), under no circumstances may such Tribal Participant be required to pay on behalf of itself and any other Participant any amounts in excess of the limits on liability established by a tribal ordinance or law limiting the tort liability of such Tribal Participant.
- 4.4 Worker's Compensation. No Participant will be responsible for injuries to or death of any employee, agent, volunteer, or contractor of another Participant who provides Assistance as part of an IMT. Each Participant must maintain workers' compensation insurance or self-insurance coverage, covering its own employees and volunteers while they are providing Assistance pursuant to this Cooperative Agreement and must require contractors and agents to provide workers'

compensation coverage as required by law. Each Participant waives the right to sue any other Participant for any workers' compensation benefits paid to its own employees, agents, volunteers, contractors, or their dependents, even if the injuries were caused wholly or partially by the negligence of any other Participant or its officers, employees, agents, volunteers, or contractors.

- 4.5 EMAC Deployment. Any Team Member engaged as a member of the IMO and deployed as part of a request under the Interstate Emergency Management Assistance Compact ("EMAC") is afforded all the protections and coverage as stated in Minnesota Statutes Sections 192.89–192.91.
- 4.6 Specialized Emergency Response Team Deployment. Any Team Member engaged as a member of the IMO and deployed as part of a specialized emergency response team under Minnesota Statutes Section 12.351 shall be deemed an employee of the state as provided by section 12.351.
- 4.7 No Compensation from IMO. Participants and Team Members are not entitled to compensation from the IMO for providing Assistance under this Cooperative Agreement.

5. Equipment

- 5.1 Ownership. Neither the IMO nor the Operating Committee shall own or control any personal property that may be used by an IMT in providing Assistance under this Cooperative Agreement. Individual Participants may purchase and maintain equipment designated exclusively or non-exclusively for IMT purposes, but such equipment will be owned and deployed solely by that Participant. A Participant owning property designated for IMT purposes is solely responsible for the maintenance, repair, replacement, and insurance of the property.
- 5.2 Damage. Each Participant will be responsible for damages to or loss of its own equipment. Each Participant waives the right to sue any other Participant for any damages to or loss of its equipment even if the damages or losses were cause wholly or partially by the negligence of any other Participant or its officers, employees, agents, volunteers, or contractors.

6. Effective Date; Duration; Withdrawal; Termination

- 6.1 Effective Date. This Cooperative Agreement will become effective upon the approval and signature of any two Participants and will become binding upon the remaining Participants on the dates of the approval of each of them.
- 6.2 Duration. This Cooperative Agreement will remain in full force and effect until it is terminated in the manner provided in section 6.4.

- 6.3 Withdrawal. Any Participant may withdraw from this Cooperative Agreement upon thirty (30) days' written notice to the other Participants and the Operating Committee.
- 6.4 Termination. Notwithstanding the Participants' authority to withdraw, this Cooperative Agreement and the IMO created hereby will continue in force until all remaining Participants mutually agree to terminate or revise this Cooperative Agreement. If only one Participant remains, this Cooperative Agreement will terminate automatically and the IMO will cease to exist.

IN WITNESS WHEREOF, each Participant has executed this Cooperative Agreement on the date indicated.

**Signature Page to
Statewide All-Hazards Incident Management Organization
Cooperative Agreement**

PARTICIPANT: City of White Bear Lake

Contact Person: Greg Peterson, Fire Chief

Email: gpeterson@whitebearlake.org

Phone Number: (651) 429-8567

Executed by:

Printed Name: Ellen Hiniker

Title: City Manager

Date: _____

Printed Name: _____

Title: _____

Date: _____

Please provide executed signature pages to the Operating Committee, attention Terry Stoltzman, at 2100 3rd Avenue, Suite 700, Anoka, MN 55303.

MEMORANDUM

TO: AHIMT Members

FROM: AHIMT Leadership Team / Operating Committee

DATE: May, 20, 2021

RE: Minnesota Statewide All-Hazards Incident Management Organization
Cooperative Agreement

Beginning in late 2008, several local jurisdictions signed the Joint Powers Agreement Establishing the Regional All-Hazards Incident Management Organization (“IMO”), referred to in this memo as the “JPA”, which created a joint powers entity that could deploy an All-Hazards Incident Management Team (“AHIMT”). An AHIMT is comprised of employees of the various participants in the JPA who could be deployed to support incident management activities both within and outside of the State of Minnesota. The JPA was governed by a Board of Directors that had broad powers, including the power to establish, train, equip, maintain and govern the IMO; purchase and maintain equipment for the IMO; and enter into contracts related to the IMO.

This proposal to terminate the JPA and enter into a new Cooperative Agreement restructuring the IMO is based in insurance and liability concerns. The League of Minnesota Cities Insurance Trust (“LMCIT”), which insures several of the JPA city-participants, excludes liability coverage for actions that arise out of a joint powers entity. This means that cities that are members of the JPA would not have liability coverage for matters that arise from the actions of their employees while deployed or acting on behalf of an AHIMT.

At some point, it appears that the JPA Board of Directors purchased errors and omissions coverage for the actions of the Board and separate liability coverage from LMCIT for the joint powers entity. As part of that liability coverage, city employees working as part of the AHIMT would have been covered for liability purposes. In early 2019, management of the IMO was moved from the City of Bloomington to Anoka County and it was discovered that neither of these insurance coverages were still in place. The Board of Directors has not been operating in any formal manner for some time.

To address this issue and avoid the need for separate liability coverage for the organization, IMO leadership has determined that the IMO does not need to be structured as a joint powers entity to function effectively. Accordingly, we have prepared a new “Cooperative Agreement” to govern the IMO going forward. Rather than a Board of Directors, the IMO will be governed by an operating committee with limited powers to receive requests for assistance and facilitate deployment of an AHIMT. Each participant will supply and be responsible for its own equipment and employees. The LMCIT has reviewed the Cooperative Agreement and confirmed that cities providing equipment and employees to the AHIMT under the new agreement will be covered

April 26, 2021

Page 2

under their LMCIT liability coverage. The Minnesota Counties Insurance Trust has also reviewed the Cooperative Agreement.

The intent is to terminate the JPA and have all participants sign on to the new Cooperative Agreement. Included with this memo is the Cooperative Agreement, a sample resolution that JPA participants can use to withdraw from the JPA and approve the new Cooperative Agreement, and a sample resolution approving the Cooperative Agreement for those entities not previously participants in the JPA.



City of White Bear Lake
Community Development Department

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Anne Kane, Community Development Director

Date: June 18, 2021 for the June 22nd City Council Meeting

Subject: Agreement for Temporary Plan Review and Building Inspection Services

BACKGROUND

As the Council will recall, in the fall of 2019 White Bear Lake ISD #624 voters supported a \$326 million building bond referendum to provide the funding to undertake the comprehensive capital improvement plan throughout the District. The CIP includes the construction of extensive improvements to North Campus, South Campus, all elementary and middle schools located in the City.

CURRENT REQUEST

In order to accommodate this surge in plan review and building inspection activity, staff sought proposals from two private firms that offer supplemental services to City's experiencing similar peaks in construction activity. Inspectron, Inc. located in Rosemount submitted a written proposal to provide such services on an hourly basis at a flat rate of \$75.00 with a maximum cap of \$10,000. The Building Permit fee expected for the North Campus project will be more than adequate to cover this expense.

RECOMMENDED COUNCIL ACTION

Staff recommends the Council adopt the attached resolution that authorizes the City Manager to execute the Temporary Building Inspection Services Contract/ with Inspectron, Inc. in an amount not to exceed \$10,000 subject to final language acceptable to the City Attorney.

ATTACHMENT

Resolution

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING AN AGREEMENT FOR
TEMPORARY PLAN REVIEW AND BUILDING INSPECTION SERVICES
WITH INSPECTRON, INC.**

WHEREAS, the White Bear Lake ISD #624 will be completing a comprehensive capital improvement plans to upgrade all the educational facilities on campuses located throughout the City of White Bear Lake; and

WHEREAS, the City Council welcomes this investment in our community's educational facilities and desires to accommodate this surge in plan review and building inspection services through an arrangement with an independent building inspection service firm that can supplement the City's Building Inspection capacity; and

WHEREAS, Inspectron, Inc. proposes to provide the supplemental plan review and building inspection services on an interim basis at an hourly rate of \$75.00, in a total amount not to exceed \$10,000 and not to extend beyond a twelve month time frame; and

WHEREAS, the Plan Review Fee and Building Permit fee expected for the \$152 million North Campus expansion and renovation project will be more than sufficient to cover this additional expense.

BE IT RESOLVED, by the City Council of the City of White Bear Lake authorizes the City Manager to execute the Temporary Building Inspection Services Agreement with Inspectron, Inc. subject to final language acceptable to the City Attorney.

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

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

MAY 2020**CODE VIOLATIONS**

Ward	1	2	3	4	5	Total
Refuse / Exterior Storage	2	6	0	3	0	11
Inoperable Vehicle(s)	0	1	0	0	0	1
Parking (including on grass)	0	2	0	1	1	4
Weeds	6	1	2	3	4	16
Miscellaneous	1	2	0	1	9	13
Structure Maintenance	0	0	0	0	0	0
Complaints	3	9	1	7	14	34
Proactive / City Initiated	6	3	1	1	0	11

Ward	1	2	3	4	5	Total
# of Cases Open	1	8	0	1	5	15
# of Cases Closed	8	4	2	7	9	30

Ward	1	2	3	4	5	Total
County Citations	0	0	0	0	0	0

LICENSE BUREAU PERFORMANCE INDICATORS

May 31, 2021

FEES AND TRANSACTION COUNTS

	MONTHLY				CUMULATIVE		
	<u>2021</u>	<u>2020</u>	<u>%</u>		<u>2021</u>	<u>2020</u>	<u>%</u>
FEES	\$63,437	\$29,755	113.2%		\$266,734	\$252,856	5.5%
TAB RENEWALS	1,886	1,224	54.1%		8,813	14,087	-37.4%
TITLE TRANSACTIONS	2,424	1,638	48.0%		10,953	9,361	17.0%
DEALERS	2,519	1,128	123.3%		10,546	7,034	49.9%
TOTAL MV	4,310	2,862	50.6%		19,766	23,448	-15.7%
D.L.	184	41	348.8%		1,010	5,226	-80.7%
DNR	809	448	80.6%		2,218	2,048	8.3%
GAME & FISH	55	11	400.0%		125	36	247.2%
GRAND TOTAL	5,358	3,362	59.4%		23,119	30,758	-24.8%

PERFORMANCE BY HOURS

	MONTHLY				CUMULATIVE		
	<u>2021</u>	<u>2020</u>	<u>%</u>		<u>2021</u>	<u>2020</u>	<u>%</u>
TOTAL EMPLOYEE HRS	1,382.00	1,702.66	-18.8%		6,761.79	7,895.23	-14.4%
OVERTIME HOURS	1.00	0.00	#DIV/0!		12.85	70.00	-81.6%
TRANS PER HOUR*	3.88	1.97	96.8%		3.42	3.90	-12.3%

PASSPORTS PERFORMANCE INDICATORS

	MONTHLY				CUMULATIVE		
	<u>2021</u>	<u>2020</u>	<u>%</u>		<u>2021</u>	<u>2020</u>	<u>%</u>
APPLICATION #	0	0	#DIV/0!		0	420	-100.0%
APPLICATION \$	\$0	\$0	#DIV/0!		\$0	\$14,700	-100.0%
PHOTO #	0	0	#DIV/0!		0	429	-100.0%
PHOTO \$	\$0	\$0	#DIV/0!		\$0	\$6,435	-100.0%