



AGENDA
REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, MAY 23, 2023
7 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 May 9, 2023

3. ADOPT THE AGENDA *(No item of business shall be considered unless it appears on the agenda for the meeting. The Mayor or Councilmembers may add items to the agenda prior to adoption of the agenda.)*

4. CONSENT AGENDA *(Those items listed under Consent Agenda are considered routine by the City Council and will be acted upon by one motion under this agenda item. There will be no separate discussion of these items, unless the Mayor or a Councilmember so requests, in which event, the item will be removed from the consent agenda and considered under New Business.)*

A. Accept minutes: April White Bear Lake Conservation District

B. Resolution authorizing a massage therapy establishment license for Wildwood Chiropractic Center

5. VISITORS AND PRESENTATIONS

A. Public Works Week Proclamation

B. 2022 Financial Audit

6. PUBLIC HEARINGS

None

7. UNFINISHED BUSINESS

None

8. NEW BUSINESS

None

9. DISCUSSION

None

10. COMMUNICATIONS FROM THE CITY MANAGER

11. ADJOURNMENT



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, MAY 9, 2023
7 P.M. IN THE COUNCIL CHAMBERS**

1. CALL TO ORDER AND ROLL CALL

Mayor Dan Louismet called the meeting to order at 7 p.m. The City Clerk took attendance for Councilmembers Kevin Edberg, Steve Engstran, Dan Jones and Bill Walsh. Councilmember Hughes joined the meeting at 7:25 p.m. Staff in attendance were City Manager Lindy Crawford, Community Development Director Jason Lindahl, Public Works Director/City Engineer Paul Kauppi, City Clerk Caley Longendyke, Police Chief Julie Swanson, and City Attorney Troy Gilchrist.

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

A. Minutes of the City Council Meeting on April 25, 2023

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to approve the minutes. Motion carried 4-0. Councilmember Jones abstained.

B. Minutes of the City Council Work Session on April 25, 2023

It was moved by Councilmember **Jones**, seconded by Councilmember **Edberg**, to approve the minutes. Motion carried unanimously.

3. APPROVAL OF THE AGENDA

It was moved by Councilmember **Walsh**, seconded by Councilmember **Edberg**, to approve the agenda. Motion carried unanimously.

4. CONSENT AGENDA

- A. Accept minutes: March Environmental Advisory Commission, March White Bear Lake Conservation District, April Planning Commission
- B. Resolution approving a refuse and recyclables collectors license to Veit Container Corporation
Res. No 13194
- C. Resolution accepting Bids and Awarding Contract for the 2023 Bituminous Seal Coating Project
Res. No 13195
- D. Resolution accepting Bids and Awarding Contract for 2023 Joint & Crack Sealing Project **Res. No 13196**
- E. Resolution approving a Memorandum of Understanding with VLAWMO for Oak Knoll Pond Spent Lime Demonstration Project **Res. No 13197**
- F. Resolution granting a minor subdivision and two variances for 4593 Shady Lane **Res. No 13198**
- G. Resolution approving a professional services agreement with Bolton & Menk, Inc. to update Planning & Land Use Regulations **Res. No 13199**

- H. Resolution approving a professional services agreement with the Morris Leatherman Company to conduct a community housing survey **Res. No 13200**

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to approve the consent agenda. Motion carried unanimously

5. VISITORS AND PRESENTATIONS

- A. Law Enforcement Memorial Proclamation

Mayor Louismet read a proclamation recognizing the service of law enforcement officers in the community and the observation of Police Week in White Bear Lake from May 9 to 20, 2023. Chief Swanson accepted the proclamation on behalf of the White Bear Lake Police Department.

6. PUBLIC HEARINGS

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. NEW BUSINESS

- A. 2502 County Road E Planned Unit Development and Rezoning

Community Development Director Lindahl summarized the application by Element Design-Build for the rezoning and Planned Unit Development (PUD) at 2502 County Road E in anticipation of building a 17-unit residential complex. The Planning Commission voted 7-0 to recommend approval to the City Council. Lindahl summarized background information on the property, which currently stands as an abandoned gas station that has been vacant since 2009. He summarized the review process of the concept plan, which was presented at a Neighborhood Meeting on February 2, at the Planning Commission meeting on February 27 and at the City Council meeting on March 14. He noted that most comments were in opposition. Based on the feedback from the meetings, the developer modified their plan to address the concerns, including reducing number of units, decreasing the building height, added off-street parking, incorporating higher quality exterior materials, and more. The new development proposal was summarized and presented with these improvements.

Lindahl explained the process for rezoning and the analysis of the six criteria that the rezoning must meet. He explained each of the standards and the findings from staff for this request. Public Works Director/City Engineer Kauppi presented information about the site's stormwater management and how it currently flows into Peppertree Pond. He shared diagrams for both the existing state and the proposed drainage and impervious surface areas. The new development would add a stormwater treatment system, which currently doesn't exist. Kauppi shared more about stormwater management requirements and stated the proposal meets City and Ramsey-Washington Metro Watershed District stormwater management design standards for rate control and water quality.

Lindahl provided information about the PUD application that is being concurrently proposed with the rezoning application. A PUD provides more flexibility from standard zoning in exchange for a higher-quality development. The developer is requesting more than one building on the property and decreased street and side setbacks, and in exchange modified several components of their plans. Ryan McKilligan of Element Design-Build LLC shared images of the modified plan and explained the changes in more detail. He acknowledged the opposition from neighbors and the difficult decisions needing to be made, and also explained the meaningful purpose behind the proposal and the need to provide housing options.

Mayor Louismet opened up the meeting for public comment at 8:10 p.m. The following spoke and shared comments:

- Joe Pavcovich – 3517 Bellaire Ave – Pavcovich thought it was a bad concept and felt it was too compressed in the space. He expressed concern about traffic on Jansen Ave.
- Larry Behm – 3511 Bellaire Ave – Behm thought the development would be too much for the property. He would be more in support of just townhomes, instead of the current plan for both apartments and townhomes.
- Allen Rivard – 3590 Glen Oaks Ave – Rivard circulated a petition in the neighborhood south and southeast of the property and reported that no one was in support of the development. His concerns included the limited setback, water runoff, parking on Bellaire Ave and snow removal.
- Mark Bigalk – 3594 Glen Oaks – Bigalk pointed out that the images don't depict the change in elevation around the neighborhood and is concerned that the tall building will tower over nearby homes. He is curious about the plan for additional lighting around the development considering the children in the area.
- Lisa Sikich – 3537 Glen Oaks Ave – Sikich complimented the design, but shared concerns of the traffic and congestion generated at the intersection of Bellaire Ave and County Road E. She expressed concern for children around the area.
- Chris Greene – 3587 Glen Oaks Ave – Greene addressed the potential traffic and believed the concern could be alleviated if the development was smaller and the entry to the parking lot would be off of Bellaire Ave instead of Jansen Ave.
- Lee Branwall – 3583 Glen Oaks Ave – Branwall clarified that the measurement of the building height doesn't include the measurement of the gable, so he noted it will be taller than what is being presented. He referenced pictures he took of the area, noting the height of surrounding buildings. He also referenced the submitted petition and letters opposing the plan.
- Kathy Povolny – 3527 Glen Oaks – Povolny believes the development would attract college students who would room together, thus parking would overflow into the neighborhood. She expressed concerns about surrounding schools and the number of children in the area.
- Caley Longendyke – 2579 Elm Drive – Longendyke generally supported the plan. She expressed concern that alternative developments could generate worse traffic or a new developer won't consider feedback from the neighbors.
- John Noll – 2571 Elm Drive – Noll shared concern about density and wondered about the discrepancy in the number of units allowed based on what is provided in the zoning

code. He believes it is too small of an area and believes the neighborhood would be more supportive of a development with 6-8 units.

- Matt Rivard – 2276 Lakeridge Dr – Rivard shared concerns about the street setback from Bellaire Ave regarding blocked vision and being able to turn safely onto the road. He suggested the development be moved to the City-owned lot north of Bellaire Ave where he believed it would fit better.
- Richard Opseth – 2564 Mayfair Ave – Opseth sought clarification on the location of the biofiltration basin. He was concerned that people would park on the street in the event that the developer sells the apartments to someone else who decides to charge for parking.
- Frank Watson – 3569 Glen Oaks Ave – Watson was concerned about how many gallons the biofiltration basin could hold compared to the amount of rain accumulation during weather events. He is also concerned for potential flooding to homes when the slope of the property is changed.

Mayor Louismet closed public comment at 8:47 p.m.

Councilmember Jones asked about where the current runoff is directed. Kauppi explained that both the runoff that goes onto County Road E and Jansen Ave from that property currently runs into Peppertree Pond and there is no runoff control or rainwater retention. The development would provide both. Councilmember Jones asked about the engineering for 100-year storms and wondered if 500-year storms were taken in consideration. Kauppi said while other agencies are considering the new measurement, it currently isn't a recognized engineering standard for regulating agencies. The City studied emergency overflows in the event that the basin fills up to ensure it doesn't affect surrounding homes, and the overflow would follow proper drainage patterns to be discharged to Peppertree Pond. Kauppi said the neighborhood was not designed with any stormwater controls and it drains to the pond unregulated, and the development would limit and regulate the rate of runoff. In response to Councilmember Hughes asking about stormwater management requirements for potential single-family homes on the site, Kauppi said it wouldn't trigger stormwater management requirements and it would remain how it is now. Councilmember Walsh referred to a couple comments made by residents and asked for clarification. Regarding the runoff that flows onto County Road E, Kauppi showed a map of the flow and stormwater system, showing how it flows into Peppertree Pond. Referencing a comment about the development entrance needing to be on the less busy road, Kauppi said an entrance off of Bellaire Ave, where traffic volume and speed limit is higher, would create a more unsafe condition. He also mentioned a commercial business would generate a higher volume of traffic at the intersection compared to a residential development.

In response to a comment about the number of units allowed per the zoning ordinance, Lindahl explained the difference between the zoning ordinance and the 2040 Comprehensive Plan, which includes descriptions for future land use. He explained that City staff will be reviewing and updating its Zoning Ordinance so it reflects the updated 2040 Comprehensive Plan and, in the meantime, staff will rely on the Comprehensive Plan for future land use applications. Mayor Louismet asked about the traffic generated prior to the gas station closing in 2009. Without having the details at hand, Kauppi pointed out that commercial generates more traffic throughout the day, while residential is less traffic and only certain times of the day.

Councilmember Edberg pointed out that there are only a few properties designated under the Neighborhood Mixed Use category, and that it is new to the City's Comprehensive Plan. When Councilmember Hughes asked about the difference of the R-5 and R-6 zoning districts, Lindahl said they each have many of the same standards, like setback, density and height limit, but R-6 zoning allows apartments.

Mayor Louismet opened Council deliberation with his thoughts. First, he acknowledged the intersection is a blighted area. He explained there are not a lot of developers interested in this property, and that the current developer is informed about what the market demands. Second, he recognized that the developer has been closely working with City staff and the design adjustments show they've taken into consideration the feedback from residents. Third, he felt it's most important hearing from the residents who live in the area and thanked them for their testimony. He did comment about the concern for safety, and felt that the traffic generated by the residential development would not pose a greater safety concern than the traffic generated by the gas station when it was open. While he didn't oppose the idea, he understands it might not be the most ideal proposal for that lot based on density. He questioned what else could go there. He weighed the options of moving forward with this plan or waiting for a different idea and not knowing when that would happen.

Councilmember Jones brought attention to other areas of the City where it is mixed with single-family homes, apartments, townhomes and businesses, specifically County Road F and Bellaire Ave. He said a different builder could come on the lot, keep the zoning the same and build a three-story building. He recognized that the Planning Commission voted 7-0 and he felt that needed to be considered. Regarding parking, he said residents have a right to park on the street and it can happen anywhere, even in front of single-family homes with multiple vehicles. He expressed confidence in the plan for stormwater management. He said only two developers have presented a proposal in his tenure as Councilmember of over 15 years. Regarding setback, he noted there is less setback on the streetside to push it away from the neighborhood side. He has heard from real estate agents that say they avoid bringing potential buyers through that intersection because they don't want them to see it.

Councilmember Walsh said the lot being vacant since 2009 is an issue and said this is a good proposal. He pointed out that the developers have listened and their plan meets the standards. He mentioned it is a decision made for the City, not just the neighborhood. He said Council and staff have been discussing housing and development goals, and that this specific intersection has been identified as a priority and there is a good proposal in front of Council. He said he will question how serious the Council is about County Road E and the intersection if the proposed plan is not approved.

Councilmember Edberg shared his history with the area and shared his appreciation with the developer. In his experience, he feels the most tension involves boundary properties, or properties between different zoning areas. He acknowledged that the developer has rights to their property, but also wanted to recognize if there are protections to surrounding property owners. He noted that in the Comprehensive Plan, the designation of Neighborhood Mixed Use is described as having townhomes and villas in transitional areas abutting surrounding residential neighborhoods. He said based on this information, he wouldn't support apartments

on the property and wouldn't support rezoning to R-6. He made the comment that there is a risk that something else could be built that is worse than what is being proposed, and he wouldn't be open to neighborhood complaints if there is other development that meets all the standards. He wouldn't support rezoning to R-6, but hopes another option will be presented.

Councilmember Walsh challenged the idea that the entire property needed be townhomes and pointed out that the apartments are on the street side and it transitions to townhomes that abut to residential properties. Councilmember Edberg reiterated that the plan doesn't seem to match with what is outlined in the Comprehensive Plan and believes it's too dense for the size of the property. Councilmember Jones cautioned those who oppose the current plan to be careful what they wish for and explained what could be built based on the zoning. He brought attention that an alternative plan for just townhomes could be just as physically dense with building size. Councilmember Hughes inquired about the zoning options for the property and what would happen after the City updates its zoning code. Lindahl said he wouldn't be able to speculate what happens, as it is an extensive process for updating the zoning code. He said the staff will refer to the Comprehensive Plan as the guiding tool to determine zoning.

It was moved by Councilmember Walsh, seconded by Councilmember Jones, to adopt the resolution granting the general and development stage PUD approvals. A roll call vote was conducted with Councilmembers Hughes, Jones and Walsh voting in favor and Councilmembers Edberg and Engstran voting against. Motion failed due to a lack of supermajority vote.

The Council welcomed the applicant to make comments on whether they intend to amend their plan based on the vote. McKilligan said he does see opportunity in offering an alternative plan, but he will have to determine the risk of the additional time and effort in trying to design an alternative plan meeting parameters of zone R-5. He summarized his sense of what it would look like and explained it would have to be economically feasible to move forward. He would plan to request roadside setback variances. City Attorney Troy Gilchrist advised the Council on next steps, explaining that the application is approved by default if the Council doesn't formally deny it. Therefore, Council directed staff to prepare a resolution denying the application for rezoning and PUD.

9. DISCUSSION

Nothing scheduled.

10. COMMUNICATIONS FROM THE CITY MANAGER

City Manager Crawford shared upcoming events, including Heart 4 Art Fundraiser at the Center for the Arts, Ramsey County Law Enforcement Memorial Ceremony, Lakeshore Players Theatre Gala celebrating 70 years, and the City's Touch-a-Truck event. She shared about the Public Safety Building groundbreaking event and thanked Kauppi and other staff for coordinating the event. Crawford thanked the Council and community for a healthy debate and conversation during this meeting regarding the County Road E land use application.

Councilmember Walsh reminded community members that election filing for Wards 1, 3 and 5 of the City Council is open May 16-30.

12. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Edberg** seconded by Councilmember **Engstran** to adjourn the regular meeting at 10:01 p.m. Motion carried unanimously.

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



**White Bear Lake Conservation District
Regular Board Meeting – Approved Minutes**

Apr. 18, 2023, 7:00 p.m., White Bear Lake City Hall Council Chambers
(6:00 pm LUC meeting)

1. **Roll Call/Quorum** – Present: Chair Bryan DeSmet, Vice Chair Meredith Walburg, Treasurer Mike Parenteau, Chris Churchill, Scott Costello, Darren DeYoung, Diane Longville, Susie Mahoney, Mark Wisniewski, and Alan Kantrud. Absent: Mark Ganz. A quorum was present.
2. **Call to Order** – The meeting was called to order at 7:01 pm by Bryan DeSmet.
3. **Approval of Agenda** – Add Driscoll Docks to LUC section. Motion to approve the amended agenda was made by Darren DeYoung, seconded and passed.
4. **Approval of March Board Meeting minutes** – Motion to approve the March 2023 Board meeting minutes was made by Darren DeYoung, seconded, and passed.
5. **Public Comments**
 - Nathan Hanson – did not get a chance to speak at the last Board meeting on behalf of Docks of WBL. Chair DeSmet explained that the LUC reviews applications and brings recommendations to the Board. The speaker was informed, at the last LUC meeting, that they were welcome to stay for the Board meeting should they have questions, which they did not, so Board procedures were followed.
6. **New Business**
 - Board appointments
 - Mark Wisniewski was welcomed to the Board of Directors as the new representative from Dellwood.
 - Bryan DeSmet and Diane Longville were reappointed to the Board of Directors as representatives from White Bear Township.
 - Presentation and acceptance of 2021 Audit – Jim Eichten, MMKR
 - Jim Eichten, MMKR presented the results of the 2020 audit noting that it was excellent and, in the future, audits need only to be conducted every five years. It was recommended that districts such as the WBLCD conduct their own internal audit on the off years, using similar processes.
 - Motion to accept the results of the 2020 audit report was made by Brian DeSmet, seconded, and passed.
 - 2023 Ramsey County supplemental law enforcement services contract
 - Main differences from last year's contract: a rate increase to \$50 from \$41.50 an hour, and an increase in service hours, requested by the WBLCD to be used in the Commercial Bay area to help enforce permits.
 - Jeremy Bolen, Ramsey County Water Patrol, presented information on staffing, how enforcement is handled on the lake, and answered questions regarding primary issues they deal with during the summer. He confirmed that the Ramsey County Sheriff's Office has jurisdiction over both the Ramsey County and Washington County sides of the lake.
 - A new DNR conservation officer has been assigned to White Bear Lake, Matthew Paavola. Alan and Cheri will connect with him to introduce himself at next month's Board meeting.
 - Chair DeSmet clarified that once the Board confirms proper dock lengths for the marinas that the Sheriff's office will just monitor to be sure no changes have been

- made to the structures over time. Alan will ask them to provide monthly information on their findings at a Board meeting or in a report.
 - Motion to approve the 2023 RCSO supplemental law enforcement contract using reserves to pay in excess of the amount budgeted in 2023 was made by Bryan DeSmet, seconded and passed.
- Donation proposal – Manitou Clothing Co. – Dave Autrey, Manitou Clothing Co., presented his proposal to support the WBLCD’s goal of conserving and preserving the by making a 5% donation from the proceeds of his online clothing sales. He would acknowledge that on his website, and would only use the WBLCD name or logo on his social media and website with its approval. It was recommended that he make donations only a few times during the year as a resolution needs to be drafted to accept it every time.
- Commercial Bay
 - ADUA survey discussion - The Board received draft survey results that included two perspectives using the OHWL mark: one extending property lines on the shore into the water; the other that angles the lines to an imaginary center point of the lake. Motion to accept the surveys was made by Bryan DeSmet, seconded and passed.
 - The option that continues the property lines into the water seems to fit everything better, and is more in line with how the Board views things. The one area where that doesn’t work well is the boundary between the City’s Lions Park property and the Docks of WB property. The Board asked the two properties to meet together to come to a consensus as to how the line should be looked at. A zoom meeting will be set up to discuss, with several WBLCD Board members attending. If the parties cannot come to an agreement, the WBLCD will need to step in.
 - After discussing whether the Ordinary High Water Level (OHWL) should be marked on land with a marker, or at a five (5) offset (due to the rip rap), it was decided that the Board will ask for the surveyor’s recommendation and defer to their decision as to what would work best, as long as it does not interfere with the aesthetics of the waterfront. Once the decision is made, the CAD file will be updated with the information.
 - It was suggested that after the Commercial Bay marina docks are installed, that the surveyor come back to check docks lengths to be sure they are properly within 300 feet of the OWHL.
 - ADUA survey invoice approval - Motion to approve the invoice was made by Bryan DeSmet, seconded, and passed.
 - Dock installation two-week notification process – The Board provided guidance to the LUC as to expectations for the review of installation of Commercial Bay marina docks which is currently underway, or imminent. Several LUC members will confirm the number of slips, and number of docks, orientation, and length.

7. Unfinished Business

- 2024 Application Form 5/watercraft storage fees – Discussion was tabled until the May Board meeting.

8. Reports/Action Items

- Executive Committee – Discussion at their April 4 meeting included survey results, the donation from Manitou Clothing Co., how to confirm compliance in Commercial Bay, and treasurer items.
- Lake Quality Committee
 - EWM Assessment – A quote from Blue Water Science, Steve McComas, for services to include an EWM survey and special assessment for Starry Stonewort, a report, and a Board presentation of his findings was discussed. The cost is \$150 more than last year. Motion to accept the services of Blue Water Science to do the EWM survey, and other surveys included in his bid for \$3,750 was made by Mike Parenteau, seconded and passed.
 - Lake statistics - The lake elevation today is 922.77 ft., which is one ft lower than last year at this time, and water temperature is 42 °F.
 - Ice Out – Today, April 18, is the official ice out date. The lake froze over Dec. 6, 2022, and had 23 inches of ice. Last year ice out date was April 20, and in 2021 it was March

29. Mike Parenteau was thanked for his service in observing the ice-in and ice-out dates.

- **Lake Utilization Committee** – The LUC reviewed the following 2023 applications, and submitted recommendations to the Board. Motion to approve or table the following applications, was made by Chris Churchill, with each voted on individually:
 - Black Bear Yacht Racing Association – The 2023 event permit application for amateur sailboat racing (May – Sept) was approved.
 - Wildwood Beach Manor Condominiums – A request for variance to revise the dock configuration from its previously approved multiple user dock permit was approved.
 - East Shore Dock Association – Several comments from neighboring properties were read in dissent of the variance requesting an alternate boat slip configuration. The request for variance was tabled until the association can meet with neighbors and come to a consensus.
 - Forest Heights Improvement Assn – The 2023 multiuser dock permit application, with no changes from 2022, was approved.
 - Driscoll Docks – The 2023 multiuser dock permit application, with a decrease in number of boats and dock length from last year, was approved with a waiver of the late fee.
 - VFW Dock Expansion – The VFW is seeking to increase its dock length to 300 ft and add 16 boats. The DNR is asking the WBLCD, as the Regulating Governmental Unit (RGU), if we want an Environmental Assessment Worksheet (EAW) to be completed for this plan. The EAW rule states that if an expansion is greater than 20,000 sq. ft, causes a total of more than 20,000 sq. ft, or if a new dock was added that was over 20,000 sq. ft., then an EAW would be triggered. In reviewing the statutes discussion on including the use of surface area for maneuvering watercraft, Chair DeSmet considers that the 20,000 ft rule is not only a measure of the docks, but also of the area required to navigate out of the ADUA. This area would be 110 ft wide by 300 ft long and would create total about 33,000 sq. ft. Based on that language, an EAW would be appropriate in this situation.
 - While the LUC recommended waiving the EAW, it was decided to delay the decision on an EAW until Alan could get more information and clarification from the DNR.
 - Mike Parenteau noted that there were some inaccuracies in the VFW's scaled diagram that needed to be addressed.
 - Chair DeSmet outlined the steps on the VFW's proposed project: 1) find out if an EAW is required; 2) perform the EAW, if required; and 3) a revised application would come before the Board for comment. If EAW is not required, then an amended permit would come to the Board prior to approval.
 - City of WBL – The DNR has asked for comments by May 7 on the City of White Bear Lake's permit that is being amended to be in compliance with what the WBLCD has approved over the last few years with dock length and number of slips. Motion to make no comments was made by Darren DeYoung, seconded and passed.
 - Docks of White Bear Lake application status update – The Board has asked for, and has not received, a new diagram for 300' docks, and assurances that concerns are addressed on the ADUAs with Lions Park and Tally's Dockside.
 - Brian McGoldrick, Docks of WB – concerned that Docks of WB does not have the depth of water that the other marinas have, and would like to manage the property according to the DNR permit that allows for his docks to be longer than 300 ft, and have 260 boat slips.
 - Chair DeSmet explained that even if the property holder has a DNR permit, the WBLCD has the option of being more limiting than the DNR permit, but cannot go beyond it. The Board is not obligated to give Docks of WB the 260 slips if it doesn't think that's the best approach. Historically, the WBLCD has permitted Docks of White Bear Lake 240 slips.
 - After acknowledging that Docks of WB was not going to send in a revised dock layout to be within the 300 ft, and with 240 slips as stipulated in its permit, Mr. McGoldrick said he would contact property owner Ron Tract, Tract Properties, the next day, and get back to the Board.

- The Board discussed that this would become an enforcement action if the docks are installed without meeting the conditions of the permit.

- **Lake Education Committee**

- Educational outreach – The LEC has been working on a WBLCD educational piece, targeting lake shore owners, and users of the lake. Having discussed the pros and cons of creating and mailing a brochure, or purchasing space in a new summer publication of the White Bear Press that would be distributed by them, the LEC recommended going with the new publication. At a cost of around \$1,375, it is a less expensive option than a \$1500-\$2,000 brochure, reach a wider audience, will have more staying power, and uses the creative and graphic abilities of the newspaper. The publication could also be placed in places such as bait shops, and libraries. Also, the summer publication could potentially have two more issues, and the WBLCD could have a page in each of those issues, at no cost. Motion to spend up to \$2,000 from the LEC budget for a public education campaign purchasing space in a publication to be published by the White Bear Press was made by Meredith Walburg, seconded and passed. The LEC asks to send any input on the draft content to the LEC (Scott, Susie, Meredith), and Cheri within the next 10 days.
- Social media update – Meredith will post this month about Earth Day, and lake level and water temperature.
- Rice Creek Watershed District workshops – Scott and Mike attended workshops where participants created responses to climate change in the watershed and prioritized them. Outcomes will be shared by the Board when received.

- **Treasurer Reports**

- Approval of April Treasurer's Report – Motion to approve the April Treasurer's Report and check numbers 4832-4836 was made by Mike Parenteau, seconded, and passed.
- MN Lakes and Rivers membership renewal - Motion to renew membership in the MN Lakes and Rivers association was made by Mike Parenteau, seconded and passed.
- 2024 budget worksheet handout – Board members should read through the worksheet and note any areas that need to be expanded, or changed for 2024. Any additions or changes should go to Cheri or Mike. Mike will contact each committee chairperson. A draft budget is created in May, and then approved in June. The municipalities will be sent the approved 2024 budget by July 1 along with their estimated 2024 community assessment. Invoices for a municipality's community assessment are typically sent out in January of the year they are due.


9. **Board Council Report** – Alan Kantrud


- There were no citations made this month, and thanks to Ramsey County for getting the 2023 contract out to the Board.
- Will contact the DNR regarding the VFW permit and possible EAW.

10. **Announcements** – Be prepared for a group Board photo at the next month's meeting on May 16; and individual WBLCD emails will be created for Board members by this summer.

11. **Adjournment** – Motion to adjourn at 9:23 pm was made by Bryan DeSmet, seconded and passed.

ATTEST:

Bryan DeSmet, Chair  Date 5-16-2023

Cheri Howe, Administrator  Date 5/16/2023



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Caley Longendyke, City Clerk
Date: May 23, 2023
Subject: **Massage Establishment License for Wildwood Chiropractic Center**

SUMMARY

The City Council will consider adopting a resolution approving a massage establishment license to Wildwood Chiropractic Center at 3580 Linden Avenue, Suite 200 in White Bear Lake.

BACKGROUND INFORMATION

Pursuant to City Ordinance Chapter 1127, the City regulates massage businesses and practitioner's licenses to ensure they meet minimum qualifications and basic insurance coverages. Heidi Salonek submitted an application for a massage establishment license for Wildwood Chiropractic Center, located at 3580 Linden Avenue, Suite 200. The applicant submitted all necessary materials. A massage therapist license application was submitted by a different applicant, who will be providing the massage services at the location, and will be approved administratively contingent on the approval of the establishment license.

The Police Department completed a background investigation on Heidi Salonek and found nothing to preclude issuance of a massage establishment license to the applicant.

The location is zoned DBD: Diversified Business Development. Although massage is not a permitted use at this location, the services are provided within a chiropractic office and not as part of a separate and distinct massage therapist business.

RECOMMENDATIONS

Staff recommends the City Council adopt the attached resolution authorizing a massage establishment license be issued to Wildwood Chiropractic Center at 3580 Linden Avenue, Suite 200 in White Bear Lake.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION AUTHORIZING ISSUANCE OF A MASSAGE THERAPY ESTABLISHMENT
LICENSE TO WILDWOOD CHIROPRACTIC CENTER**

WHEREAS, Heidi Salonek (Applicant) submitted an application for a massage establishment license for Wildwood Chiropractic Center, located at 3580 Linden Avenue, Suite 200, White Bear Lake; and

WHEREAS, the property is zoned DBD: Diversified Business Development, and although massage is not a permitted use at this location, the services are provided within a chiropractic office and not as part of a separate and distinct massage therapist business.; and

WHEREAS, the Applicant submitted all required materials with the application; and

WHEREAS, the White Bear Lake Police Department found nothing in the background investigation to preclude the issuance of a massage establishment license to the Applicant.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota, it hereby issues a massage establishment license as follows:

Heidi Salonek
Wildwood Chiropractic Center
3580 Linden Avenue, Suite 200
White Bear Lake, MN 55110

BE IT FURTHER RESOLVED, that the Applicant and the business at the location will follow the provisions of Chapter 1127 Massage Therapists/Massage Therapist Business of the Municipal Code to maintain a massage establishment license.

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

Ayes:
Nays:
Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and Council
From: Lindy Crawford, City Manager
Date: May 23, 2023
Subject: **National Public Works Week Proclamation**

SUMMARY

The Mayor will read a proclamation recognizing public works professionals and the observation of National Public Works Week, May 21-27.

BACKGROUND INFORMATION

National Public Works Week recognizes the professionals who focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the White Bear Lake Community. The City publicly recognizes its public works professionals for their service to the City of White Bear Lake and in communities across the nation.

ATTACHMENTS

None



City of White Bear Lake
Finance Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Kerri Kindsvater, Finance Director
Date: May 23, 2023
Subject: **2022 Annual Comprehensive Financial Report**

SUMMARY

Abdo, the City's financial auditor, will be attending the meeting to present the results of the 2022 Annual Comprehensive Financial Report and answer questions the City Council may have.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution accepting the 2022 Annual Comprehensive Financial Report as presented.

ATTACHMENT

Resolution
2022 Comprehensive Financial Report

RESOLUTION NO.

**RESOLUTION ACCEPTING THE 2022 ANNUAL COMPREHENSIVE FINANCIAL REPORT
FOR THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS the City's auditing firm, Abdo conducted their annual audit of White Bear Lake Financial Statements for the year ended December 31, 2022; and

WHEREAS through the audit process, Abdo determined the financial statements referred to above were presented fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund and the aggregate remaining fund information of the city as of December 31, 2022 and the respective changes in financial position and, where applicable, cash flows thereof for the year ended in accordance with accounting principles generally accepted in the United States of America; and

WHEREAS Abdo issued an unmodified opinion on the City's Annual Comprehensive Financial Report; and

WHEREAS Abdo presented their report on the 2022 audit and its results to the City Council on May 23, 2023; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, that the 2022 Financial Audit Report be accepted as presented.

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

Ayes:

Nays:

Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk