



**AGENDA**  
**REGULAR MEETING OF THE CITY COUNCIL OF**  
**THE CITY OF WHITE BEAR LAKE, MINNESOTA**  
**TUESDAY, JUNE 27, 2023**  
**7 P.M. IN THE COUNCIL CHAMBERS**

*Navigable agenda*

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

PLEDGE OF ALLEGIANCE

**2. APPROVAL OF MINUTES**

A. Minutes of the Regular City Council Meeting on June 13, 2023

B. Minutes of the City Council Work Session on June 13, 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 Environmental Advisory Commission, April Park Advisory Commission

B. Resolution approving a special event application for White Bear Lake Area Schools at Railroad Park

C. Resolution accepting bids and awarding contract for the 2023 Sanitary Sewer Lining Project

D. Resolution adopting the updated Ramsey County Comprehensive Emergency Operations Plan

E. Resolution approving a polling place change for Ward 5 for 2023 elections

**5. VISITORS AND PRESENTATIONS**

None

**6. PUBLIC HEARINGS**

None

**7. UNFINISHED BUSINESS**

A. Second Reading of an Ordinance Amending the City Charter

**8. NEW BUSINESS**

A. On-Sale Intoxicating Liquor License Application for The Minnesotan Productions Co.

**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, JUNE 13, 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 Steve Engstran, Heidi Hughes, Dan Jones and Bill Walsh. Staff in attendance were City Manager Lindy Crawford, City Clerk Caley Longendyke, and City Attorney Troy Gilchrist. Councilmember Edberg joined the meeting at 7:08 p.m.

**PLEDGE OF ALLEGIANCE**

**2. APPROVAL OF MINUTES**

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

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

**3. APPROVAL OF THE AGENDA**

It was moved by Councilmember **Jones**, seconded by Councilmember **Hughes**, to approve the agenda. Motion carried 4-0.

**4. CONSENT AGENDA**

- A. Accept minutes: May Planning Commission
- B. Resolution granting a minor subdivision for 2241 8<sup>th</sup> Street **Res. No. 13203**
- C. Resolution granting a setback variance for 18xx Clarence Street **Res. No. 13204**

It was moved by Councilmember **Engstran**, seconded by Councilmember **Hughes**, to approve the consent agenda. Motion carried 4-0.

**5. VISITORS AND PRESENTATIONS**

Nothing scheduled.

**6. PUBLIC HEARINGS**

A. First Reading of an Ordinance Amending the City Charter

Charter Commission Vice President Marc Aune presented proposed amendments to the City Charter. In Fall 2021, the Charter Commission started preparing revisions needing to be made, including correcting references to elections, removing gender-specific terms and making State Statute references more general to allow room for changes at the state level. Those revisions were presented to Council at the January 25, 2022 regular meeting for a first reading. Additional modifications were recommended by the City Attorney, so the Charter Commission redeveloped its revisions. Aune explained that City staff also requested the Commission to consider amending the

term limit of the city attorneys to multiple years. The Charter Commission reviewed the proposal at a meeting on May 3, 2023 and voted 9-2 to allow the City Council to appoint city attorneys for multiple years, but not to exceed five years. Mayor Louismet asked how the Charter Commission determined a limit of five years. Aune explained that the original proposal was “multiple years” and that it seemed too ambiguous, so Commission members believed five years would be appropriate while still setting a limit. Mayor Louismet noted that the proposal to review the city attorney term limits was initiated by City Manager Crawford and himself. He said it became clear during negotiations with the city attorneys that multi-year agreements would be financial advantageous and more efficient for staff.

The City Council is expected to vote on the ordinance following a second reading scheduled for the June 27 regular meeting. Charter amendments require a 5-0 vote from City Council

**7. UNFINISHED BUSINESS**

Nothing scheduled

**8. NEW BUSINESS**

Nothing scheduled

**9. DISCUSSION**

Nothing scheduled

**10. COMMUNICATIONS FROM THE CITY MANAGER**

City Manager Crawford shared information about Marketfest, a “Bear Building Community” Exhibit, the Manitou Days Parade, a ribbon cutting for Beecroft Marketing & Events, and Free Bike Rodeo. She shared that she will be attending the League of Minnesota City’s Annual Conference in Duluth along with Councilmember Bill Walsh.

**12. ADJOURNMENT**

There being no further business before the Council, it was moved by Councilmember **Jones** seconded by Councilmember **Hughes** to adjourn the regular meeting at 7:11 p.m. Motion carried unanimously.

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Dan Louismet, Mayor

**ATTEST:**

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Caley Longendyke, City Clerk



**CITY COUNCIL WORK SESSION MINUTES  
TUESDAY, JUNE 13, 2023  
IMMEDIATELY FOLLOWING REGULAR MEETING  
2<sup>ND</sup> FLOOR BOARD ROOM**

Mayor Louismet opened the meeting at 7:19 p.m. Councilmembers in attendance included: Kevin Edberg, Steve Engstran, Heidi Hughes, Dan Jones and Bill Walsh. Staff members in attendance included: City Manager Lindy Crawford, City Clerk Caley Longendyke and City Attorney Troy Gilchrist.

**1. THC/Cannabis Legalization Discussion**

Gilchrist provided a summary of the new cannabis bill that was passed during the 2023 Legislative Session. The new bill legalizes adult-use cannabis and creates a statewide regulatory framework to govern the industry. He shared information about the impending creation of the Office of Cannabis Management (OCM) and their role in regulation of cannabis businesses and the role of local government in registration of cannabis retailers. There are 16 types of cannabis business licenses, with four of those licenses being retail and will involve the City for review, feedback and local registration. A cannabis business applies for a license through OCM, then OCM consults the city for zoning approval and feedback. The city will issue registrations once the business receives a license from OCM. Using checklists created by OCM, cities will conduct compliance checks. Administrative rules are forthcoming from OCM and will provide more information to cities to help shape their local ordinances. While the law goes into effect on July 1, 2023, OCM will not be established until at least 2024, with an expected licensing start date of January 2025. Gilchrist shared other provisions of the bill, including cities being allowed to limit the number of cannabis businesses to one (1) per 12,500 residents.

Gilchrist discussed the difference between cannabis retailers and current establishments selling edible cannabinoid products (low-potency edible retailers). The State of Minnesota is continuing to allow the sale of edible cannabinoids based on 2022 passed legislation, but those establishments will have to register with the Minnesota Department of Health by October 1. However, sales are not allowed in cities that have active moratoriums prohibiting the sale of cannabis products, such as White Bear Lake. Councilmembers and staff discussed how to handle registration of businesses who want to sell these products in the interim period before there is a State regulatory structure in place. There was general consensus by the Council that staff should prepare an ordinance to address zoning for the locations of these businesses, as well as prepare an ordinance that would create a registration process for businesses selling edible cannabinoid products during the time that there is no regulatory agency to provide a license.

Starting July 1, cities are allowed to adopt an interim moratorium ordinance to “regulate, restrict, or prohibit the operation of a cannabis business within the jurisdiction or a portion thereof until January 1, 2025.” Councilmembers discussed this and shared general support for this moratorium to allow staff time to study the issues associated with the impending registration process, develop land-use regulations and to allow the time for OCM to establish itself.

Staff will prepare three ordinances for Council consideration at an upcoming Council meeting.  
Adjourned 8:44 p.m.



**MINUTES  
ENVIRONMENTAL ADVISORY COMMISSION  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
WEDNESDAY, APRIL 19, 2023  
6:30 P.M. IN THE CITY HALL CONFERENCE ROOM**

**1. CALL TO ORDER AND ATTENDANCE**

Chair Schroeher called the meeting to order at 6:42 p.m.

**MEMBERS PRESENT:** Sheryl Bolstad, Bonnie Greenleaf, Chris Greene, Jeff Luxford, Gary Schroeher (Chair)

**MEMBERS ABSENT:** Chris Frye, Rick Johnston

**STAFF PRESENT:** Connie Taillon, Environmental Specialist

**VISITORS PRESENT:** None

**2. APPROVAL OF AGENDA**

The commission members reviewed the agenda and had no changes. Taillon added item 7C: SWPPP Public Hearing – April 25, 2023.

It was moved by member **Greene** seconded by member **Greenleaf**, to approve the agenda as amended.

Motion carried 5:0.

**3. APPROVAL OF THE MINUTES**

A. Minutes of the Environmental Advisory Commission meeting on March 15, 2023.

The commission members reviewed the draft March 15, 2023 meeting minutes and had the following changes:

Item 5B, last two sentences change to “Taillon mentioned that she received an email from the League of Women Voters asking if they could table at the Expo because of their involvement with climate initiatives. She will update the Expo spreadsheet and include in the April agenda packet.”

Item 6A, second to last sentence: add the word “habitat” after “The discussion topic will focus on invasive species removal and creating pollinator...”

Item 7B, second paragraph: change to “Chair Schroeher also reported that the webinar he attended held by the League of Women voters identified that the Minnesota legislatures priorities are a climate impact analysis, supporting communities impacted by pollution such as along I94 where asthma attack rates are higher, and reducing/eliminating PFA’s. Other initiatives include the Right to Repair, and a bottle deposit bill. Member Greene

noted that the MN Department of Health is in the process of revising its drinking water guidance for PFOA and PFOS (commonly described as “forever chemicals”). “

Item 7B, RCWD Climate Resiliency Workshop, first and last sentence: change “Frye” to “Luxford”

It was moved by member **Bolstad** seconded by member **Luxford**, to approve the minutes of the March 15, 2023 meeting as amended.

Motion carried, 5:0.

#### 4. VISITORS AND PRESENTATIONS

None

#### 5. UNFINISHED BUSINESS

##### A. 2023 work plan

The commission members reviewed the parks maps for the upcoming joint meeting with the Parks Commission and discussed restoration and invasive species removal opportunities.

- Ebba Park: This park is not used often and certain areas may be appropriate for restoration.
- Heiner’s Pond: This may be a great area to remove mowed grass and plant a prairie.
- Bossard Park: The steep slope and lower southeast corner are potential locations for restoration.
- Hidden Hollow: This park is not level so it might be a good candidate for restoration.
- Lakewood Hills: There is Buckthorn around Handlo’s Pond and on the YMCA property. The park is also a good candidate for a woodland restoration.

Commission members discussed ways to prioritize ideas for these parks such as reduced mowing, public enjoyment, pollinator habitat, etc.

Member Greene noted that the City should get buy in from the residents around each park prior to implementing a project, and receive feedback on the restoration project and location and how the park is currently used.

Chair Schroeder asked if it would be possible to coordinate a community event for buckthorn/invasive species removal. Member Luxford suggested providing an opportunity to sign up to volunteer at the Environmental Expo. Member Greenleaf suggested to also approach churches for volunteers. Chair Schroeder stated that the scouts may also be interested in volunteering.

Chair Schroeder shared that the Decorah Community Prairie in Decorah Iowa is a great example of a restoration project on City property that includes unpaved trails for recreation.

## B. Environmental Resources Expo

The commission members reviewed the Expo list and discussed exhibitor invitations. Member Bolstad stated that she will forward invite language for each member to use as a template and to start inviting exhibitors this month. Taillon stated that the League of Women Voters contacted her to inquire about exhibiting at the Environmental Expo. Member Bolstad stated that if the commission is agreeable to inviting them, that they focus on climate work and not election forms and voting information. Chair Schroeher and Member Greenleaf also noted that they will need to provide an interactive display. The members all agreed to extend an invitation to the League of Women voters. Member Greene asked if it would be appropriate to invite dealers to exhibit electric cars. Chair Schroeher is okay with this if the dealers can provide information on the environmental benefits and if they refrain from sales.

## 6. NEW BUSINESS

### A. Valley Branch Watershed District questionnaire

Taillon mentioned that the Valley Branch Watershed District (VBWD) Board of Managers is in the early stages of updating its Watershed Management Plan. As part of the Plan development, the Managers are initially seeking input regarding water and natural resource concerns and priorities within the district's boundaries through an online survey. Responses to this survey will guide the early stages of Plan development. Feedback is requested from city staff, city council, environmental commissions, and other relevant city representatives. Taillon invited the Environmental Advisory Commission members to take the survey. In response to Member Greenleaf's question about how much of the City is within the VBWD, Taillon stated that only a small portion of the City in the southeast corner is within the VBWD boundary. Member Greenleaf suggested that since only a small portion of the City is within VBWD, the environmental advisory commission would choose not to complete the survey. Commission members agreed, and requested that staff take the survey instead.

### B. Downtown Mobility and Parking Study steering committee representative

Taillon stated that the Mayor is requesting that a member the Environmental Advisory Commission be selected to serve on a Steering Committee for the Downtown Mobility and Parking Study. Committee members will provide input, review concepts, and help shape the future of the City's downtown area. The committee will remain active from May 2023 to January 2024, and will convene monthly in the evenings. The members discussed who should represent the commission and chose Member Bolstad, with Chair Schroeher as the alternate.

## 7. DISCUSSION

### A. Staff updates

- SWPPP Public Hearing April 25th

Taillon noted that she will be presenting on the City's Storm Water Pollution Prevention Program 2022 activities at the City Council meeting on April 25<sup>th</sup>. All are welcome to attend.

B. Commission member updates

- MN Environment Commissions Conference

Chair Schroeher announced that the Minnesota Environment Commissions Conference is on May 20, 2023 in Minnetonka, and he encouraged the members to attend.

- RCWD Climate Resiliency Workshop

Member Luxford provided a summary of the RCWD Climate Resiliency Workshop held on March 22, 2023.

- Emphasis on communication and building on what is already being done. Suggest shifting messaging to focus on the end result/outcome/goal instead of trying to dictate behavior changes and steer individuals' actions.
- Build community groups for cohesiveness and enhanced productivity (both knowledge transfer and to share physical implements, e.g. tool library).
- Emphasize regional support and collaboration: don't need every local group to solve every problem; work cooperatively.
- Consider utilizing invasives for revenue stream (e.g. harvest and sell carp); perhaps monies can be earmarked for specific conservation purposes

Chair Schroeher mentioned that the Ramsey-Washington Metro Watershed District Waterfest event is scheduled for June 3<sup>rd</sup> on Lake Phalen. He also mentioned that he watched the Down to Earth series on Netflix that included topics such as solar and green walls in London.

C. Do-outs

New do-out items for February 15, 2023 include:

- Members to attend joint meeting with the Parks Commission on April 20<sup>th</sup>
- Member Bolstad to email Expo invite language to all members.
- Members to start inviting exhibitors to the Expo
- Staff to complete VBWD survey
- Members to attend the MN Environmental Commissions Conference on May 20<sup>th</sup>

D. May agenda

Commission members discussed the May agenda items and asked Taillon to include the Environmental Resources Expo and Parks Commission joint meeting update on the agenda.

**8. ADJOURNMENT**

There being no further business before the Commission, it was moved by member **Greenleaf** seconded by member **Greene** to adjourn the meeting at 8:48 p.m.

Motion carried, 5:0





**MINUTES  
PARK ADVISORY COMMISSION  
CITY OF WHITE BEAR LAKE, MINNESOTA  
THURSDAY, APRIL 20, 2023  
6:30 P.M. AT CITY HALL CONFERENCE ROOM**

**1. CALL TO ORDER AND ATTENDANCE**

Vice Chair Mike Shepard called the meeting to order at 6:30 p.m.

**MEMBERS PRESENT:** Bryan Belisle, Victoria Biehn, Mark Cermak, Anastacia Davis, Ginny Davis and Mike Shepard

**MEMBERS ABSENT:** Bill Ganzlin

**STAFF PRESENT:** Paul Kauppi, Public Works Director/City Engineer, Connie Taillon, Environmental Specialist / Water Resources Engineer

**VISITORS PRESENT:** Environmental Advisory Commission – Sheryl Bolstad and Chris Greene

**2. APPROVAL OF AGENDA**

It was moved by member **Bryan Belisle** seconded by member **Mike Shepard**, to approve the agenda as presented.

Motion carried 6:0.

**3. APPROVAL OF THE MINUTES**

Minutes of February 17, 2022

It was moved by member **Ginny Davis** seconded by member **Bryan Belisle**, to approve the minutes of the February 17, 2022 meeting as amended.

Motion carried, 6:0.

**4. VISITORS AND PRESENTATIONS**

Environmental Advisory Commission

Connie introduced the topic of pollinator friendly habitat and potential desire for additional ones in unused areas of the City's parks along with invasive species management. The EAC would like to brainstorm park areas to see if there are good locations in the parks. Connie provided the PAC with maps of each park to review. Bryan asked if burning was used as a maintenance technique. Connie stated that burning is not typically used due to neighbor concerns and that we hire contractors for maintenance and use mowing. Hired contractors typically treat for invasive species and weeds. For example, at Cub Foods it costs approximately \$800 per year for maintaining ½ acre of native area. Typically maintenance is more intense the first 2 years to allow for establishment, then scaled back in future years. Bryan asked who will maintain the Rotary Park area when complete. Connie stated that Natural Shore Technologies is assisting with the installation and money will be budgeted for maintenance in the future. The EAC is looking for additional areas to possibly construct and maintain but will require additional budgeting. Paul gave an overview of budgets for Parks and Storm Water and

how they are funded and planned for. Connie stated that staff seeks out grants to help as well when available. Bryan asked why we need these natural areas and pollinator friendly areas and Connie stated that we need them to maintain a healthy ecological balance and projects are actually just restoring areas to what was there pre-development providing additional habitat for many different species. Connie stated that these areas can be used for educational purposes as well. Mike asked how big do they need to be? Connie stated that they can be just about any size, everything helps. Chris stated that they can be put just about anywhere that they can be protected and educate others. Anastacia asked what should they should look for and offered to have EAC members join PAC members on their annual park tours to help identify locations. Contact information will be shared between the groups to coordinate. Staff will look at parks that may have potential areas and skip ones that are not viable.

## 5. UNFINISHED BUSINESS

Nothing scheduled

## 6. NEW BUSINESS

- A. Park inspections have been assigned, see sheet and should be completed in June / July timeframe.
- B. Arbor Day will be observed at the next meeting on May 18<sup>th</sup>.
  - Project will be to remove evergreen trees at Ebba Park and replace with deciduous trees along the boulevard
- C. Selection of Commission Member for Downtown Mobility and Parking Study Steering Committee
  - Bryan Belisle volunteered to serve on this committee.
- D. 2023 Summer Park Tours will be held as follows
  - May – Ebba Park for Arbor Day Event
  - June – McCarty Park
  - July – Lions Park
  - August – Rotary Park
  - September – Veterans Memorial Park

## 7. DISCUSSION

### A. Staff updates

Paul mentioned that the all abilities playground preparations are underway and Mike gave out the dates of the volunteer build of June 3<sup>rd</sup> and 4<sup>th</sup> and will need volunteers. Mike will send out the link to register to volunteer.

### B. Commission member updates

The question was asked if the commission would be doing Marketfest in 2023. Paul stated the Commission can discuss at the May meeting when Andy is back.

Bryan asked if anything can be done to the Gazebos at the boardwalk to deter birds from nesting, staff will look into this.

Commission members suggested to revisit the dog beach once all of the fence, buoys and signage are in place to see how things are working.

## 8. ADJOURNMENT

There being no further business before the Commission, it was moved by member **Mike Shepard** seconded by member **Mark Cermak** to adjourn the meeting.

Motion carried, 6:0



**City of White Bear Lake**  
City Manager's Office

# MEMORANDUM

**To:** Lindy Crawford, City Manager  
**From:** Caley Longendyke, City Clerk  
**Date:** June 27, 2023  
**Subject:** White Bear Lake Area Schools Homecoming Coronation at Railroad Park

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## SUMMARY

The City Council will consider adopting a resolution approving the free use of Railroad Park Gazebo by White Bear Lake Area Schools for Homecoming Coronation on October 2, 2023 from 6:30- 8:00pm.

## BACKGROUND INFORMATION

Staff received a special event application from White Bear Lake Area Schools for this year's Homecoming Coronation. They propose use of Railroad Park for the community-wide event and have requested electricity be turned on at the facility in order to provide amplified sound for the event. They have no other requests for City resources related to the event. Event organizers will also work closely with Mainstreet, Inc. who has supported the event in the past.

## RECOMMENDATION

Staff recommends the City Council adopt the attached resolution approving free use of Railroad Park and electricity by White Bear Lake Area Schools for Homecoming Coronation on October 2, 2023 from 6:30- 8:00pm.

## ATTACHMENTS

Resolution

**RESOLUTION NO.**

**RESOLUTION APPROVING THE USE OF RAILROAD PARK BY WHITE BEAR LAKE AREA SCHOOLS  
FOR HOMECOMING CORONATION**

**WHEREAS**, a special event application has been submitted by White Bear Lake Area Schools to utilize Railroad Park for the 2023 Homecoming Coronation on Monday, October 2, 2023 from 6:30 p.m. – 8:00 p.m.; and

**WHEREAS**, use of the Railroad Park Gazebo would include the use of electricity at the facility; and

**WHEREAS**, the City Council desires to promote free, family-friendly community events in downtown White Bear Lake.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of White Bear Lake, Minnesota approves the free use of Railroad Park as follows:

White Bear Lake Area Schools  
Homecoming Coronation  
Monday, October 2, 2023  
6:30 p.m. – 8:00 p.m.

**BE IT FURTHER RESOLVED** that use of Railroad Park Gazebo includes electric at the facility.

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**  
Engineering Department

# MEMORANDUM

**To:** Lindy Crawford, City Manager  
**From:** Paul Kauppi, Public Works Director/City Engineer  
**Date:** June 27, 2023  
**Subject:** **Awarding Contractor for the 2023 Sanitary Sewer Lining Project  
 City Project 23-07**

## SUMMARY

The City Council will consider adopting a resolution accepting bids and awarding a contract for the 2023 Sanitary Sewer Lining Project.

## BACKGROUND INFORMATION

The City of White Bear Lake owns and maintains roughly 95 miles of sanitary sewer mains. The City began lining sections of sanitary sewer mains in 1994 and has found this a very cost-effective way to improve flow in sanitary sewer mains, reduce maintenance problem areas and eliminate the infiltration of ground water into the sanitary sewer system. Since 1994, the City has lined almost 17 miles of its sanitary sewer mains. The work consists of installing liners inside sanitary mains which have been identified by the Public Works Department as high risks for backups due to misaligned joints, root problems, pipe deterioration or inaccessible locations.

The Engineering Department prepared specifications for the 2023 Sanitary Sewer Lining Project (City Project No. 23-07). The Project will include the lining of sanitary sewer mains on Cranbrook Drive, Cedar Avenue, Floral Drive, Lombardy Lane, Myrle Avenue, Oak Terrace, and Wood Avenue.

Bids were received at 11 a.m. on June 14, 2023 for the 2023 Sanitary Sewer Lining Project. Three (3) bids were received with Insituform Technologies USA, LLC submitting the lowest bid of \$109,202.00. This contract amount is well within the 2023 Sanitary Sewer Lining budget. Based on our past experience with Insituform Technologies USA, LLC, they are qualified to complete this work.

## RECOMMENDATION

Staff recommends the City Council adopt the attached resolution accepting bids and awarding a contract to Insituform Technologies USA, LLC for \$109,202.00 for construction of the 2023 Sanitary Sewer Lining Project.

**ATTACHMENTS**

Resolution

2023 Sanitary Sewer Lining Project Map

**RESOLUTION NO.**

**RESOLUTION ACCEPTING BIDS AND AWARDING CONTRACT  
FOR THE 2023 SANITARY SEWER LINING PROJECT  
CITY PROJECT NO. 23-07**

**WHEREAS**, pursuant to resolutions of the City Council, plans and specifications were drawn and advertisement for bids were made; and

**WHEREAS**, the following sealed bids complying with the advertisement and specifications were received, opened, and tabulated according to law at 11 a.m. on June 14, 2023; and

<b>Contractor</b>	<b>Total Base Bid</b>
Insituform Technologies USA, LLC	\$109,202.00
Visu-Sewer	\$112,479.00
Hydro-Klean	\$116,279.00

**WHEREAS**, it appears that Insituform Technologies USA, LLC is the lowest responsible bidder.

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

1. The Mayor and City Clerk are hereby authorized and directed to enter into contract with Insituform Technologies USA, LLC in the amount of \$109,202.00 according to the plans and specifications therefor approved by the City Council and on file in the office of the City Engineer.
2. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract is signed.

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**  
Police Department

# MEMORANDUM

**To:** Lindy Crawford, City Manager  
**From:** Dale Hager, Administrative Captain (and designated Emergency Manager)  
**Date:** July 11, 2023  
**Subject:** **Comprehensive Emergency Operations Plan**

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## **SUMMARY**

The City Council will consider adopting the update to the Ramsey County Comprehensive Emergency Operations Plan (CEOP).

## **BACKGROUND INFORMATION**

The Ramsey County CEOP details all comprehensive emergency management efforts within the County. It is designed to comply with all applicable federal and state regulations and to provide the policies and procedures to be followed in dealing with a significant emergency and/or disaster which requires a multi-jurisdictional response. The CEOP identifies the hazards that could affect the county and the city, sets forth the responsibilities of local government departments and agencies, and outlines a means for local and state resources to be used to support impacted populations.

This is a countywide document that will provide cohesive, coordinated, and cooperative interoperability among and between the municipal governments and the county. Approving the updated plan maintains the City's eligibility for FEMA hazard mitigation grants should some sort of disaster occur in White Bear Lake. There is no direct City cost associated with participating in the CEOP. All cities in the County participate in this centralized approach to emergency management which has been used for the past two decades.

Pursuant to Minnesota Statutes Chapter 12, this plan will be reviewed annually and updated as necessary by Ramsey County's Department of Emergency Management. Future updates will require City Council adoption.

## **RECOMMENDATION**

Staff recommends the City Council adopt the attached resolution adopting the updated Ramsey County Comprehensive Emergency Operations Plan.

## **ATTACHMENTS**

Resolution



RESOLUTION NO.

**RESOLUTION ADOPTING THE UPDATED  
RAMSEY COUNTY COMPREHENSIVE EMERGENCY OPERATIONS PLAN**

**WHEREAS**, the City of White Bear Lake has participated in the hazard mitigation planning process as established under the Disaster Mitigation Act of 2000 (“the Act”); and

**WHEREAS**, the Act establishes a framework for the development of a multi-jurisdictional County Hazard Mitigation Plan; and

**WHEREAS**, the Act as part of the planning process requires public involvement and local coordination among neighboring local units of government and businesses; and

**WHEREAS**, the Ramsey County Comprehensive Emergency Operations Plan (CEOP) includes a risk assessment including past hazards, hazards that threaten the County, an estimate of structures at risk, a general description of land uses and development trends; and

**WHEREAS**, the CEOP includes a mitigation strategy including goals and objectives and an action-plan identifying specific mitigation projects and costs; and

**WHEREAS**, the CEOP includes a maintenance or implementation process including plan updates, integration of the plan into other planning documents and how Ramsey County will maintain public participation and coordination, and

**WHEREAS**, the CEOP has been shared with the Minnesota Division of Homeland Security and Emergency Management and Federal Emergency Management Agency for review and comment; and

**WHEREAS**, the CEOP will make the county and participating jurisdictions eligible to receive FEMA hazard mitigation assistance grants; and

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of White Bear Lake, Ramsey County, Minnesota supports the emergency operations planning effort and wishes to adopt the CEOP.

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

Ayes:

Nays:

Passed:

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Dan Louismet, Mayor

**ATTEST:**

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Caley Longendyke, City Clerk



**City of White Bear Lake**  
City Manager's Office

# MEMORANDUM

**To:** Lindy Crawford, City Manager  
**From:** Caley Longendyke, City Clerk  
**Date:** June 27, 2023  
**Subject:** **Polling Place Change for Ward 5 for 2023 Elections**

## SUMMARY

The City Council will consider adopting a resolution changing the Ward 5 polling place for 2023 elections.

## BACKGROUND INFORMATION

In 2017, the legislature enacted a new provision, 204B.16 Polling Places; Designation, that requires all municipalities to designate their polling place locations for an upcoming election year by December 31 of the previous year. If the authorized polling place becomes unavailable for use, the new law does permit changing polling place locations in the year of the election.

At the November 22, 2022 regular meeting, City Council approved polling places for the 2023 elections. St. Stephen Lutheran Church is no longer available to be a polling place for Ward 5. Therefore, a new polling place must be identified and approved by City Council. Ramsey County, who conducts the City's elections, helped City staff identify White Bear Lake Area Schools – South Campus as an alternative location for Ward 5. School district staff have executed a polling place agreement for the location to be used as a polling place.

The following polling places, with the described change, are recommended for 2023 elections:

Ward 1	White Bear Lake City Hall – Council Chambers 4701 Highway 61, White Bear Lake, MN 55110
Ward 2	White Bear Lake Library 2150 2nd Street, White Bear Lake, MN 55110
Ward 3	Sunrise Middle School Gym 2399 Cedar Avenue, White Bear Lake, MN 55110
Ward 4, Precinct 1	White Bear Lake Area Learning Center 2449 Orchard Lane, White Bear Lake, MN 55110

Ward 4, Precinct 2     White Bear Lake Area Learning Center  
2449 Orchard Lane, White Bear Lake, MN 55110

Ward 5 - **UPDATED**     White Bear Lake Area Schools – South Campus  
3551 McKnight Road, White Bear Lake, MN 55110

**RECOMMENDATION**

Staff recommends the City Council adopt the attached resolution approving the change to the polling location for Ward 5.

**ATTACHMENTS**

Resolution

**RESOLUTION NO.**

**RESOLUTION APPROVING A POLLING PLACE CHANGE FOR WARD 5 FOR 2023 ELECTIONS  
FOR THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, Minnesota Statutes 204B.16 requires the City Council to designate polling places for the upcoming year by resolution; and

**WHEREAS**, changes to polling place locations may be made at least 90 days before the next election if one or more of the authorized polling places becomes unavailable for use; and

**WHEREAS**, changes to the polling place locations may be made in the case of an emergency when it is necessary to ensure a safe and secure location for voting; and

**WHEREAS**, the City Council approved a resolution on November 22, 2022 designating the polling places for the 2023 elections; and

**WHEREAS**, St. Stephen Lutheran Church is no longer available to be used as a polling place for Ward 5; and

**WHEREAS**, Ramsey County and City staff identified White Bear Lake Area Schools – South Campus as the best alternative solution for the ward and a polling place agreement was executed by school district staff.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of White Bear Lake, Minnesota hereby approves changing the polling place for Ward 5 and designates the following polling places for all elections conducted in the city in 2023:

Ward 1	White Bear Lake City Hall – Council Chambers 4701 Highway 61, White Bear Lake, MN 55110
Ward 2	White Bear Lake Library 2150 2nd Street, White Bear Lake, MN 55110
Ward 3	Sunrise Middle School Gym 2399 Cedar Avenue, White Bear Lake, MN 55110
Ward 4, Precinct 1	White Bear Lake Area Learning Center 2449 Orchard Lane, White Bear Lake, MN 55110
Ward 4, Precinct 2	White Bear Lake Area Learning Center 2449 Orchard Lane, White Bear Lake, MN 55110
Ward 5 - <b>UPDATED</b>	White Bear Lake Area Schools – South Campus 3551 McKnight Road, White Bear Lake, MN 55110

**RESOLUTION NO.**

**BE IT FURTHER RESOLVED** that the city clerk is hereby authorized to designate a polling place replacement that meets the requirements of the Minnesota Election Law for any of the designated polling places in this resolution that becomes unavailable for use by the City; and

**BE IT FURTHER RESOLVED** that the city clerk is hereby authorized to designate an emergency replacement polling place meeting the requirements of the Minnesota Election Law for any polling place designated in this resolution when necessary to ensure a safe and secure location for voting; and

**BE IT FURTHER RESOLVED** that the city clerk is directed to send a copy of this resolution and any subsequent polling place designations to the Ramsey County Elections Office.

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 City Council  
**From:** Lindy Crawford, City Manager  
**Date:** June 27, 2023  
**Subject:** **Second Reading of an Ordinance Amending the City Charter**

---

## SUMMARY

The City Council will conduct its second reading of an ordinance amending the City Charter as it pertains to correcting references to municipal elections, removal of gender-specific references and amending the term length of city attorney appointments.

## BACKGROUND INFORMATION

At the City Council meeting on January 25, 2022, the Charter Commission presented a first reading of proposed edits to the City Charter correcting election- and gender-related terminology. In response to additional suggested edits by the City Attorney, the Charter Commission incorporated the proposed changes and approved the final amendments at its annual meeting on September 14, 2022. Due to a request to consider an amendment to *Section 4.20 City Attorney*, initiated by City administration, the Commission delayed presenting the final terminology amendments to the City Council.

At the Charter Commission meeting on May 3, 2023, members considered the recommendation to amend the Charter to allow the City Council to appoint attorneys for multiple-year terms. The Charter currently allows the Council to appoint an attorney for one year. City staff explained that multi-year contracts for legal representation is often financially beneficial to the City and its taxpayers and is common practice in municipal government. The Charter Commission voted 9-2 to adopt Resolution 23-2 proposing an amendment to City Charter, *Section 4.20 City Attorney* that would authorize the Council to appoint attorneys for up to five years.

The Charter Commission requests the City Council consider the proposed Charter amendments relating to election- and gender-related terminology in multiple sections and to *Section 4.20 City Attorney* relating to appointed term length, and request that the Council direct preparation of an ordinance perfecting the amendment pursuant to State Statutes, following a public hearing and opportunity for reverse referendum action by citizens.

Pursuant to Minnesota Statutes, Section 410.12, Subd. 7, the City Council may enact a Charter amendment upon the recommendation of the Charter Commission and adhere to strict

timelines for amending a Charter, including publication of a public hearing within one month of a recommendation made by the Charter Commission, a scheduled public hearing within 2-4 weeks of the publication and a final vote within one month of the public hearing.

The first reading was conducted at the June 13, 2023 regular meeting. The City Council must vote on the proposed ordinance, and an affirmative vote of all members of the Council is required for approval. If approved, an ordinance amending the Charter does not become active until 90 days after passage and publication to provide opportunity for residents to submit a petition requesting a referendum.

#### **RECOMMENDATIONS**

Staff recommends the City Council conduct a second reading of the proposed ordinance and approve the ordinance as presented.

#### **ATTACHMENTS**

Ordinance

Letter to the Mayor from Charter Commission Vice President

Charter Commission Resolution 23-1

Charter Commission Resolution 23-2



## ORDINANCE NO.

### AN ORDINANCE AMENDING THE CITY CHARTER OF THE CITY OF WHITE BEAR LAKE, MN AS IT RELATES TO MUNICIPAL ELECTIONS, GENDER-SPECIFIC TERMINOLOGY, CITY ATTORNEY APPOINTMENT TERM LENGTH, AND STATE STATUTE REFERENCES

THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE, MINNESOTA DOES ORDAIN THE FOLLOWING:

#### ARTICLE I. Legislative Findings.

1. The City of White Bear Lake ("City") is governed by home rule charter adopted pursuant to the Constitution of the State of Minnesota and Minnesota Statutes, Chapter 410.
2. The City Charter of the City of White Bear Lake, Minnesota ("Charter") was originally adopted by its citizens at the 1921 referendum election.
3. The White Bear Lake Charter Commission ("Commission") determined it was necessary to update terminology related to municipal elections to align with Minnesota Statutes and accepted an additional amendment proposal from staff relating to city attorney terms.
4. The Commission reviewed proposed amendments to the Charter and reached consensus on the proposed amendments.
5. Minnesota Statutes, Section 410.12, Subd. 7 allows the City Council to amend the Charter by ordinance after recommendation from the Commission. Such an ordinance may only be adopted upon an affirmative vote of all members of the City Council.
6. The Commission acted at its May 3, 2023 meeting to forward the proposed Charter amendments to the City Council with a recommendation that they be adopted by ordinance.
7. The City provided a public hearing notice at least 10 days prior to the hearing and held a public hearing on June 13, 2023 regarding the proposed Charter amendments.

#### ARTICLE II. Adoption of Amendments.

Section 1. Upon recommendation of the Charter Commission, and pursuant to the authority in Minnesota Statutes, Section 410.12, Subd. 7, the City Charter of the City of White Bear Lake, Minnesota is hereby amended by deleting the ~~stricken~~ material and adding the double underlined material as shown on Appendix A, which is incorporated in and made part of this ordinance.

Section 2. The City Clerk is authorized and directed to work with the City Attorney to insert into the City Charter the appropriate references to the amended sections, correct any typographical errors and make any other non-substantive corrections as may be needed to

**ORDINANCE NO.**

place the Charter into final form, and to keep and post on the City’s website an official copy of the revised City Charter.

**ARTICLE III. Effective Date.**

Section 1. This ordinance shall become effective after adoption and upon ninety (90) days following its legal publication, except that if within sixty (60) days after publication a petition requesting a referendum on this ordinance, signed by the number of registered voters of the City required by Minnesota Statutes, Section 410.12, Subd. 7 is filed with the City Clerk, this ordinance will not be effective until approved by a majority of the voters voting on the question of its adoption at the special election called by the City Council for that purpose.

Section 2. On the effective date of this ordinance, the City Clerk is authorized and directed to file copies of the amendment with the Secretary of State of the State of Minnesota, the Ramsey County Recorder, and the City Clerk's office together with the certificate required by Minnesota Statutes, Section 410.11.

The foregoing ordinance offered by Councilmember \_\_\_\_\_ and supported by Councilmember \_\_\_\_\_, was declared carried on the following vote:

Ayes:

Nays:

Passed:

\_\_\_\_\_  
Dan Louismet, Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk, City Clerk

First Reading: June 13, 2023

Second Reading: June 27, 2023

Council Adoption: \_\_\_\_\_

Publication: \_\_\_\_\_

Effective: \_\_\_\_\_

## ORDINANCE NO.

### APPENDIX A

*Proposed amendments to City Charter Sections 2.02, 4.04, 4.12, 4.13, 4.14, 4.17, 4.20, 4.26 and 5.16 as it relates to municipal elections, gender-specific terms, city attorney appointment terms and state statute references, as follows (deleted text is ~~stricken~~ and added text is underlined):*

**Sect. 2.02. Municipal Elections.** The Uniform Municipal Election Day Law, ~~205.07 (2010)~~, set forth in Chapter 205 of Minnesota Statutes, is hereby adopted by reference and made a part of the City Charter of the City of White Bear Lake. The Uniform Municipal Election Day shall be the first Tuesday after the first Monday in November in odd numbered years. Officials elected on that date shall take office on the first business Monday of January succeeding the election for the term which is provided by law. In the event that more than two individuals file for the position of Mayor or City Council for the same ward, a primary election shall be held on the second Tuesday of August of the year the election is scheduled. (Revised by Ord. 90-09-820, 9/25/90; 12-11-1082A, 2/25/13)

Pursuant to Ordinance No. 90-09-820, the Offices of Mayor and City Council members for Ward 2 and 4 shall be held in November, 1993 and every four (4) years thereafter and the individual elected to said offices shall assume office the following January, as provided by this Charter or State Law, for a term of four years. The election for the offices of City Council members for Wards 1, 3 and 5 shall be held in November, 1995 and every four years thereafter and the individuals elected shall assume office as provided above for a term of four (4) years.

**Sect. 4.04. Mayor -- Vacancy of Office.** When the office of Mayor becomes vacant, the Council shall appoint, by majority vote, a qualified person as Mayor if the remaining term of office is less than six (6) months. Notice of the vacancy shall be published by the City Clerk in the official newspaper one week prior to the meeting for the appointment. The appointed Mayor shall exercise all the powers and perform all the duties of Mayor until a Mayor is elected at the next ~~annual~~ municipal general election. The office of Mayoral vacancy shall be filled by a special municipal election when the remaining term of office is six (6) months or greater. The City Clerk shall, within fifteen (15) days of the vacancy, give legal notice in the official newspaper of the vacancy with dates for filing and the date(s) of the special municipal election(s). The period for filing for the vacancy shall be ten (10) calendar days from (including) the date of the legal notice. The special municipal election shall occur within fifteen (15) to twenty (20) days after the close of filing. If more than two (2) candidates have filed for the vacancy, the first election date shall be considered the primary municipal election with the general municipal election date occurring fourteen (14) days later. When two (2) or fewer candidates have filed for the vacancy, the general municipal election shall occur on the first election date. (Ref. Ord. 898, 8/24/93)

**Sect. 4.12. Council -- Meetings and Procedures.** The Council shall make its rules of procedure and shall be the judge of the qualifications and election of its members and of the grounds for forfeiture of their offices, and for this purpose shall have the power to subpoena witnesses, administer oaths, and require the production of evidence. A member charged with conduct constituting grounds for forfeiture of office shall be entitled to a public hearing on demand, and notice of such hearing shall be published in the official newspaper at least one week in advance

## ORDINANCE NO.

of the hearing. Decisions made by the Council under this section shall be subject to review by the courts.

Council vacancies shall be filled by appointment when the remaining term of office is less than six (6) months. The appointment shall be by majority vote of the Council. Notice of the vacancy shall be published by the City Clerk in the official newspaper one week prior to the meeting for the appointment.

Council vacancies shall be filled by special municipal election when the remaining term of office is six (6) months or greater. The City Clerk shall, within fifteen (15) days of the vacancy, give legal notice in the official newspaper of the vacancy, with dates for filing and the date(s) of the special municipal election(s). The period for filing for the vacancy shall be ten (10) calendar days from (including) the date of the legal notice. The special municipal election shall occur within fifteen (15) to twenty (20) days after the close of filing. If more than two (2) candidates have filed for the vacancy, the first election date shall be considered the primary municipal election with the general municipal election date occurring fourteen (14) days later. When two (2) or fewer candidates have filed for the vacancy, the general municipal election shall occur on the first election date.

The Council at its first regular meeting in January, ~~following the annual municipal election~~ shall set the ~~day~~ dates of its regular ~~monthly~~ meetings for the year. Special meetings may be called by the Mayor or by the Chair of the Council at any time. Reasonable public notice shall be given for all special Council meetings through the media. (Ref. Ord. 898, 8/24/93)

Three (3) members shall constitute a quorum for the transaction of business, but a lesser number may adjourn from time to time. The Council shall have the power to compel the attendance of its members at regular and special meetings. The absence of a member from three (3) consecutive regular meetings shall be deemed as sufficient cause for removal from office.

**Sect. 4.13. Chair of the Council -- Acting Mayor.** At the first regular meeting of the Council in January following the ~~annual~~ municipal general election, the Council shall elect one of its members as Chair of the Council. The Chair of the Council shall appoint all committees of the Council. The Chair shall preside over the meetings of the Council only in the absence of the Mayor and shall maintain the right and authority to vote on all motions, resolutions and ordinances considered by City Council. (Rev. by Ord. 90-09-819, 9/25/90; Ord. 16-12-2021, 12/13/16)

The Chair shall, under the title of Acting Mayor, assume, exercise, and perform all the powers and duties of the Mayor during the Mayor's temporary absence or disability, and the acts of such Chair, as Acting Mayor, shall have the same force and validity as though performed by the Mayor except the Acting Mayor shall not have veto authority on any action on which the Acting Mayor has voted which continues to be the prerogative of the Mayor. (Rev. by Ord. No. 90-09-819, 9/25/90; Ord. 16-12-2021, 12/13/16)

**Sect. 4.14. Ordinances and Resolutions.** All legislation shall be by ordinance, except as otherwise provided in this Charter. Every proposed ordinance shall be submitted in writing and a full reading

## ORDINANCE NO.

or summary thereof shall be made at the meeting at which it is introduced. A copy of every proposed ordinance shall be made available to each Councilmember and there shall be on file a reasonable number of copies in the office of the City Clerk, City Hall, and the local Public Library, for public inspections. Notice that such ordinance is to be considered shall be published in the official newspaper prior to its adoption. Such notice need only include the title of the ordinance. No ordinance, except an emergency ordinance, shall be passed at the meeting at which it is introduced.

All other Council action shall be by resolution or motion. Every proposed resolution shall be submitted in writing and a full reading or a summary thereof shall be made at the meeting at which it is introduced. A copy of every resolution shall be made available to each Councilmember and a copy shall be posted at the City Hall.

An affirmative vote of a majority of all members of the Council shall be required for the passage of all ordinances, motions and resolutions, except as otherwise provided in this Charter. Every vote thereon shall be by ayes and nays, which shall be duly recorded.

Any ordinance or resolution passed by the Council shall within five (5) days be presented to the Mayor for approval. The Mayor shall approve and sign such measure or veto and return it with objections to the City Clerk within ten (10) days after receiving the same. Should the Mayor fail to return said measure to the City Clerk within ten (10) days of the date of receiving same, it shall become effective as though signed by the Mayor.

Any ordinance or resolution vetoed by the Mayor may be reconsidered by the Council, but only at its next regular meeting that takes place more than seven (7) days after the measure is vetoed and returned. If after such reconsideration it shall be passed by a four-fifths vote of all the members, it shall become as effective as though signed by the Mayor. (Rev. Ord. 16-08-2016, 8/26/16)

Every ordinance or resolution passed by the Council shall, before taking effect (except as herein provided), be signed by the Mayor and attested to by the City Clerk, who shall endorse thereon the date of its passage.

Except for emergency ordinances as hereinafter defined, no ordinance shall become effective until after one publication in the official city newspaper. An affidavit of such publication shall be made by the ~~foreman or~~ publisher of the newspaper, which affidavit shall be filed in the office of the City Clerk.

Every ordinance or resolution shall after enactment be fully recorded by the City Clerk in a book kept for that purpose, which book shall constitute a public record.

**Sect. 4.17. Ordinances -- Codification.** Notwithstanding the provisions of Sections 4.14 and 4.16, the Council may codify the ordinances of the City, and enact such code of Ordinances as a single comprehensive ordinance, repealing and replacing all prior ordinances (except as may be specifically retained by particular reference in the Code). Such Code, when duly enacted by the

## ORDINANCE NO.

Council in accordance with the provisions of this Charter, need not be published in the official newspaper of the City, but shall be effective at whatever date the Code may prescribe, provided that: (1) notice of adoption of said Code shall have been published for at least one week in the official newspaper of the City, which publication shall be proved by the affidavit of the ~~foreman~~ ~~or~~ publisher of such paper, and (2) copies of said Code shall have been available at the City offices for distribution to the public at a reasonable price for at least one week prior to said effective date, which fact shall be proved by affidavit of the City Clerk on file with the Code in the office of the City Clerk.

After the adoption of a Code of Ordinances, subsequent ordinances may be incorporated into the Code from time to time at the direction of the Council without any further publication of said ordinances. In so doing the form of said ordinances may be changed to conform to the form of the Code, but no change in the substantive meaning of any ordinance shall be made upon its incorporation into the Code.

**Sect. 4.20. City Attorney.** The City Council shall have the power to appoint a City Attorney or Attorneys and fix the compensation to be paid said City Attorney or Attorneys, who shall be a member or members of the bar of the State of Minnesota. Such attorney or attorneys may be appointed for ~~one year~~ terms up to five years, but shall be removable at the pleasure of the Council.

**Sect. 4.26. Official Publications.** The Council shall at its first regular meeting in ~~the~~ January following the annual municipal election, or as soon thereafter as practicable, designate, in accordance with Minnesota Statutes, the official newspaper of the City for publication of all notices required by this Charter. In all other cases, the City Council may designate the manner of publication of notices. (Ref. Ord. 898, 8/24/93)

**Sect. 5.16. Equipment -- Certificates.** The City Council may by four-fifths vote finance the purchase of the fire, police, ambulance, street construction and street maintenance equipment, through the use of certificates of indebtedness as provided for in Minnesota Statutes. ~~Section 412.301.~~



## City of White Bear Lake

4701 Highway 61 N.  
White Bear Lake, Minnesota 55110  
651-429-8526 | [www.whitebearlake.org](http://www.whitebearlake.org)

May 9, 2023

Mayor Dan Louismet  
City of White Bear Lake  
4701 Highway 61 N  
White Bear Lake, MN 55110

Dear Mayor Louismet,

At the City Council meeting on January 25, 2022, the Charter Commission presented a first reading of proposed minor edits to the City Charter relating to election- and gender-related terminology. In response to additional suggested edits by the City Attorney, the Charter Commission revised the proposed changes and approved the final amendments at its annual meeting on September 14, 2022. Due to a request to consider an amendment to Section 4.20, *City Attorney*, initiated by City administration, the Commission delayed presenting the final terminology amendments to the City Council.

At the Charter Commission meeting on May 3, 2023, members considered the recommendation by City administration to amend the Charter to allow the City Council to appoint attorneys for multiple-year terms. The Charter currently allows the Council to appoint an attorney for one year. City administration explained that multi-year contracts for legal representation is often financially beneficial to the City and its taxpayers and is common practice in municipal government.

The Charter Commission voted 9-2 to adopt Resolution 23-2, as amended, proposing an amendment to City Charter, Section 4.20 *City Attorney* that would authorize the Council to appoint attorneys for up to five years.

In closing, the Charter Commission requests City Council consider the proposed Charter amendments relating to election- and gender-related terminology in multiple sections and to Section 4.20 *City Attorney* relating to appointed term length, and request that the Council directs preparation of an ordinance perfecting the amendment pursuant to State Statutes, following public hearing and opportunity for reverse referendum action by citizens.

Sincerely,

Marc Aune, Vice President  
White Bear Lake Charter Commission

c.c. White Bear Lake City Council  
Lindy Crawford, City Manager  
Caley Longendyke, City Clerk

**CHARTER COMMISSION  
RESOLUTION NO. 23-1**

**RESOLUTION OF THE WHITE BEAR LAKE CHARTER COMMISSION  
SUPERSEDING RESOLUTION 22-2 PROPOSING AN AMENDMENT OF SECTIONS  
2.02, 4.04, 4.12, 4.13, 4.14, 4.17, 4.26 AND 5.16 OF THE CITY CHARTER**

**WHEREAS**, in 1990, City Charter Section 2.02 Municipal Elections was amended to reflect a decision that municipal elections be held in odd years, opposed to annually; and

**WHEREAS**, during review of the City Charter document, it was discovered that several other Sections still refer to municipal elections as being conducted annually; and

**WHEREAS**, during said review certain dispensable gender-specific terms were found which may be deleted without a material change in meaning; and

**WHEREAS**, during said review certain specific references to state statutes were found and considered prone to cause confusion in the event of state statute amendments but for which a general reference may be made without change in context.

**NOW, THEREFORE, BE IT RESOLVED** by the Charter Commission of the City of White Bear Lake that the following amendments of the City Charter are hereby proposed to the City Council for enactment pursuant to Minnesota Statutes Section 410.12, Subd. 7.

**Sect. 2.02. Municipal Elections.** The Uniform Municipal Election Day Law, ~~205.07 (2010)~~, set forth in Chapter 205 of Minnesota Statutes, is hereby adopted by reference and made a part of the City Charter of the City of White Bear Lake. The Uniform Municipal Election Day shall be the first Tuesday after the first Monday in November in odd numbered years. Officials elected on that date shall take office on the first business Monday of January succeeding the election for the term which is provided by law. In the event that more than two individuals file for the position of Mayor or City Council for the same ward, a primary election shall be held on the second Tuesday of August of the year the election is scheduled. (Revised by Ord. 90-09-820, 9/25/90; 12-11-1082A, 2/25/13)

Pursuant to Ordinance No. 90-09-820, the Offices of Mayor and City Council members for Ward 2 and 4 shall be held in November, 1993 and every four (4) years thereafter and the individual elected to said offices shall assume office the following January, as provided by this Charter or State Law, for a term of four years. The election for the offices of City Council members for Wards 1, 3 and 5 shall be held in November, 1995 and every four years thereafter and the individuals elected shall assume office as provided above for a term of



**CHARTER COMMISSION  
RESOLUTION NO. 23-1**

four (4) years.

**Sect. 4.04. Mayor -- Vacancy of Office.** When the office of Mayor becomes vacant, the Council shall appoint, by majority vote, a qualified person as Mayor if the remaining term of office is less than six (6) months. Notice of the vacancy shall be published by the City Clerk in the official newspaper one week prior to the meeting for the appointment. The appointed Mayor shall exercise all the powers and perform all the duties of Mayor until a Mayor is elected at the next ~~annual~~ municipal general election. The office of Mayoral vacancy shall be filled by a special municipal election when the remaining term of office is six (6) months or greater. The City Clerk shall, within fifteen (15) days of the vacancy, give legal notice in the official newspaper of the vacancy with dates for filing and the date(s) of the special municipal election(s). The period for filing for the vacancy shall be ten (10) calendar days from (including) the date of the legal notice. The special municipal election shall occur within fifteen (15) to twenty (20) days after the close of filing. If more than two (2) candidates have filed for the vacancy, the first election date shall be considered the primary municipal election with the general municipal election date occurring fourteen (14) days later. When two (2) or fewer candidates have filed for the vacancy, the general municipal election shall occur on the first election date. (Ref. Ord. 898, 8/24/93)

**Sect. 4.12. Council -- Meetings and Procedures.** The Council shall make its rules of procedure and shall be the judge of the qualifications and election of its members and of the grounds for forfeiture of their offices, and for this purpose shall have the power to subpoena witnesses, administer oaths, and require the production of evidence. A member charged with conduct constituting grounds for forfeiture of office shall be entitled to a public hearing on demand, and notice of such hearing shall be published in the official newspaper at least one week in advance of the hearing. Decisions made by the Council under this section shall be subject to review by the courts.

Council vacancies shall be filled by appointment when the remaining term of office is less than six (6) months. The appointment shall be by majority vote of the Council. Notice of the vacancy shall be published by the City Clerk in the official newspaper one week prior to the meeting for the appointment.

Council vacancies shall be filled by special municipal election when the remaining term of office is six (6) months or greater. The City Clerk shall, within fifteen (15) days of the vacancy, give legal notice in the official newspaper of the vacancy, with dates for filing and the date(s) of the special municipal election(s). The period for filing for the vacancy shall be ten (10) calendar days from (including) the date of the legal notice. The special municipal election shall occur within fifteen (15) to twenty (20) days after the close of filing. If more than two (2) candidates have filed for the vacancy, the first election date shall be considered the primary municipal election with the general municipal election date

**CHARTER COMMISSION  
RESOLUTION NO. 23-1**

occurring fourteen (14) days later. When two (2) or fewer candidates have filed for the vacancy, the general municipal election shall occur on the first election date.

The Council at its first regular meeting in January, ~~following the annual municipal election~~ shall set the day dates of its regular ~~monthly~~ meetings for the year. Special meetings may be called by the Mayor or by the Chair of the Council at any time. Reasonable public notice shall be given for all special Council meetings through the media. (Ref. Ord. 898, 8/24/93)

Three (3) members shall constitute a quorum for the transaction of business, but a lesser number may adjourn from time to time. The Council shall have the power to compel the attendance of its members at regular and special meetings. The absence of a member from three (3) consecutive regular meetings shall be deemed as sufficient cause for removal from office.

**Sect. 4.13. Chair of the Council -- Acting Mayor.** At the first regular meeting of the Council in January following the ~~annual~~ municipal general election, the Council shall elect one of its members as Chair of the Council. The Chair of the Council shall appoint all committees of the Council. The Chair shall preside over the meetings of the Council only in the absence of the Mayor and shall maintain the right and authority to vote on all motions, resolutions and ordinances considered by City Council. (Rev. by Ord. 90-09-819, 9/25/90; Ord. 16-12-2021, 12/13/16)

The Chair shall, under the title of Acting Mayor, assume, exercise, and perform all the powers and duties of the Mayor during the Mayor's temporary absence or disability, and the acts of such Chair, as Acting Mayor, shall have the same force and validity as though performed by the Mayor except the Acting Mayor shall not have veto authority on any action on which the Acting Mayor has voted which continues to be the prerogative of the Mayor. (Rev. by Ord. No. 90-09-819, 9/25/90; Ord. 16-12-2021, 12/13/16)

**Sect. 4.14. Ordinances and Resolutions.** All legislation shall be by ordinance, except as otherwise provided in this Charter. Every proposed ordinance shall be submitted in writing and a full reading or summary thereof shall be made at the meeting at which it is introduced. A copy of every proposed ordinance shall be made available to each Councilmember and there shall be on file a reasonable number of copies in the office of the City Clerk, City Hall, and the local Public Library, for public inspections. Notice that such ordinance is to be considered shall be published in the official newspaper prior to its adoption. Such notice need only include the title of the ordinance. No ordinance, except an emergency ordinance, shall be passed at the meeting at which it is introduced.

All other Council action shall be by resolution or motion. Every proposed resolution shall be submitted in writing and a full reading or a summary thereof shall be made at the

**CHARTER COMMISSION  
RESOLUTION NO. 23-1**

meeting at which it is introduced. A copy of every resolution shall be made available to each Councilmember and a copy shall be posted at the City Hall.

An affirmative vote of a majority of all members of the Council shall be required for the passage of all ordinances, motions and resolutions, except as otherwise provided in this Charter. Every vote thereon shall be by ayes and nays, which shall be duly recorded.

Any ordinance or resolution passed by the Council shall within five (5) days be presented to the Mayor for approval. The Mayor shall approve and sign such measure or veto and return it with objections to the City Clerk within ten (10) days after receiving the same. Should the Mayor fail to return said measure to the City Clerk within ten (10) days of the date of receiving same, it shall become effective as though signed by the Mayor.

Any ordinance or resolution vetoed by the Mayor may be reconsidered by the Council, but only at its next regular meeting that takes place more than seven (7) days after the measure is vetoed and returned. If after such reconsideration it shall be passed by a four-fifths vote of all the members, it shall become as effective as though signed by the Mayor. (Rev. Ord. 16-08-2016, 8/26/16)

Every ordinance or resolution passed by the Council shall, before taking effect (except as herein provided), be signed by the Mayor and attested to by the City Clerk, who shall endorse thereon the date of its passage.

Except for emergency ordinances as hereinafter defined, no ordinance shall become effective until after one publication in the official city newspaper. An affidavit of such publication shall be made by the ~~foreman~~ or publisher of the newspaper, which affidavit shall be filed in the office of the City Clerk.

Every ordinance or resolution shall after enactment be fully recorded by the City Clerk in a book kept for that purpose, which book shall constitute a public record.

**Sect. 4.17. Ordinances -- Codification.** Notwithstanding the provisions of Sections 4.14 and 4.16, the Council may codify the ordinances of the City, and enact such code of Ordinances as a single comprehensive ordinance, repealing and replacing all prior ordinances (except as may be specifically retained by particular reference in the Code). Such Code, when duly enacted by the Council in accordance with the provisions of this Charter, need not be published in the official newspaper of the City, but shall be effective at whatever date the Code may prescribe, provided that: (1) notice of adoption of said Code shall have been published for at least one week in the official newspaper of the City, which publication shall be proved by the affidavit of the ~~foreman~~ or publisher of such paper, and (2) copies of said Code shall have been available at the City offices for distribution to the public at a reasonable price

**CHARTER COMMISSION  
RESOLUTION NO. 23-1**

for at least one week prior to said effective date, which fact shall be proved by affidavit of the City Clerk on file with the Code in the office of the City Clerk.

After the adoption of a Code of Ordinances, subsequent ordinances may be incorporated into the Code from time to time at the direction of the Council without any further publication of said ordinances. In so doing the form of said ordinances may be changed to conform to the form of the Code, but no change in the substantive meaning of any ordinance shall be made upon its incorporation into the Code.

**Sect. 4.26. Official Publications.** The Council shall at its first regular meeting in ~~the~~ January ~~following the annual municipal election~~, or as soon thereafter as practicable, designate, in accordance with Minnesota Statutes, the official newspaper of the City for publication of all notices required by this Charter. In all other cases, the City Council may designate the manner of publication of notices. (Ref. Ord. 898, 8/24/93)

**Sect. 5.16. Equipment -- Certificates.** The City Council may by four-fifths vote finance the purchase of the fire, police, ambulance, street construction and street maintenance equipment, through the use of certificates of indebtedness as provided for in Minnesota Statutes Section ~~412.301~~.

The foregoing resolution, offered by Commission Member Amundsen and supported by Commission Member Berry, was declared carried on the following vote:

Ayes: Amundsen, Aune, Barone, Berry, Biehn, Boyd, Costello, Jones, Lang,  
LeMire, Sather  
Nays: None  
Absent: Bill, Emerson, Geck, Grambush  
Passed: May 3, 2023



\_\_\_\_\_  
Marc Aune, Vice President

ATTEST:



\_\_\_\_\_  
Mark Sather, Secretary

**CHARTER COMMISSION  
RESOLUTION NO. 23-2**

**A RESOLUTION OF THE WHITE BEAR LAKE CHARTER COMMISSION PROPOSING AN  
AMENDMENT OF SECTION 4.20 OF THE CITY CHARTER**

**WHEREAS**, City Charter Section 4.20 City Attorney authorizes the City Council to appoint city attorneys for one-year terms; and

**WHEREAS**, City administration is requesting to amend the City Charter to allow the City Council the ability to appoint city attorneys for terms up to five years.

**NOW, THEREFORE, BE IT RESOLVED** by the Charter Commission of the City of White Bear Lake that the following amendments of the City Charter are hereby proposed to the City Council for enactment pursuant to Minnesota Statutes Section 410.12, Subd. 7:

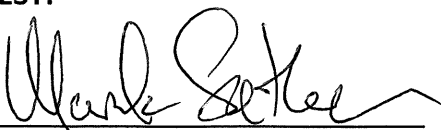
**Sect. 4.20. City Attorney.** The City Council shall have the power to appoint a City Attorney or Attorneys and fix the compensation to be paid said City Attorney or Attorneys, who shall be a member or members of the bar of the State of Minnesota. Such attorney or attorneys may be appointed for ~~one-year~~ terms up to five years, but shall be removable at the pleasure of the Council.

The foregoing resolution, offered by Commission Member Barone and supported by Commission Member Jones, was declared carried on the following vote:

Ayes: Amundsen, Aune, Barone, Berry, Biehn, Boyd, Costello, Jones, LeMire  
Nays: Lang, Sather  
Absent: Bill, Emerson, Geck, Grambush  
Passed: May 3, 2023

  
\_\_\_\_\_  
Marc Aune, Vice President

**ATTEST:**

  
\_\_\_\_\_  
Mark Sather, Secretary



**City of White Bear Lake**  
City Manager's Office

# MEMORANDUM

**To:** Lindy Crawford, City Manager  
**From:** Caley Longendyke, City Clerk  
**Date:** June 27, 2023  
**Subject:** On-Sale Liquor License Application for The Minnesotan

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## SUMMARY

The City Council will consider adopting resolution approving an on-sale intoxicating liquor license application and Sunday liquor license application for The Minnesotan Productions Co., dba. The Minnesotan.

## BACKGROUND INFORMATION

Corey Roberts, owner of The Minnesotan Productions Co., submitted an application for an on-sale intoxicating and Sunday liquor license for his business The Minnesotan, located at 2186 4<sup>th</sup> Street in White Bear Lake.

Located in downtown White Bear Lake, The Minnesotan has been known as a retail clothing store that will soon be transitioning into a bar. For background, Roberts inquired about obtaining a liquor license to allow customers to consume alcoholic beverages on site while shopping in the retail store. A retail clothing store is not eligible for a liquor license, so Roberts was interested in pursuing opportunities to convert the retail store into a bar in order to be eligible for an on-sale liquor license, with the desire to still be able to sell retail merchandise. With direction from staff, Roberts underwent the land use application process for a Conditional Use Permit (CUP) for this conversion. At the February 14 regular meeting, the City Council approved the CUP (Case No. 23-3-CUP) to allow the conversion of the retail establishment into a Liquor Lounge, with the Liquor Lounge as the primary use and a retail store as the accessory use. Detailed information about the CUP, as it relates to zoning standards and staff findings, can be found in the February 14, 2023 City Council packet materials.

Under the Zoning Code, the Liquor Lounge must be the principal use of the property, with no less than 70% of the establishment's square footage being the Liquor Lounge, while retail activity may be allowed as an accessory use, amounting to no more than 30% of the square footage. After modifications were made to the floor plan design and considering net square footage of the space, a final version complied with the square-footage parameters with 70% of the layout being Liquor Lounge and 30% of the layout being the retail space. Although the retail is accessory to the Liquor Lounge, staff anticipates that the amount of retail sales will not be

incidental to liquor sales, and will continue to be successful, as the business originally started out as a retail clothing store.

The square footage of the primary- and accessory-use conditions outlined in the CUP is relevant for the liquor license application, because only the Liquor Lounge is eligible for a liquor license. Minnesota Rules, Chapter 7515.0430, Subp. 3, reads *“No license shall be granted for any premises with inside access to another business establishment unless the combination is permitted under Minnesota Statutes, Chapter 340A.”* A clothing store is not outlined in state statute. Therefore, the Liquor Lounge area needs to be physically separated from the retail space as to not allow alcohol consumption in the accessory area and to make it visibly clear to customers where alcohol is allowed to be consumed. City staff directed Roberts to delineate the accessory retail space from the Liquor Lounge by incorporating physical separation between the two areas. The type of physical separation can vary. The separation proposed in the final floor plan is comprised of three feet of a constructed full-height wall extending in from the west building wall, 11 feet of checkout and glass-pickup counters extending in from the east building wall, and approximately 12 feet of open passageway in the center. Roberts is required to display signage *“No Alcohol Beyond This Point”* on the edge of the Liquor Lounge area before entering the retail space and must enforce consumption being confined to the Liquor Lounge area. Roberts noted that he will address the signage by placing a visible tabletop sign on the end of the *“glass pickup”* counter and will instruct staff to enforce this requirement.

In addition to physical separation, transaction of sales will remain separated with two cash registers as no alcohol can be purchased in the accessory retail area. Liquor laws prohibit employees under the age of 18 years from selling alcohol, so the establishment needs to have appropriate staff to handle such transactions. Since alcoholic beverages will be self-poured by the customer from a beverage-dispensing system, it is the responsibility of the employees to not only verify age of those checking in, but to monitor the customers of the self-pour system, for reasons including that customers are at least 21 years old and are not overly intoxicated, as described in City Ordinance §1002.110, Subd. 1.

Roberts also applied for a Sunday liquor license. To be eligible for a Sunday liquor license, the establishment is required to serve food. To be consistent with other liquor establishments in the City, the Liquor Lounge would have to at least serve prepared frozen pizza. Roberts has incorporated appropriate facilities into the floor plan to do so.

City staff acknowledges the uniqueness of the business idea and took proper care to research Minnesota Rules, Statutes and City Ordinances, and inquire with Alcohol and Gambling Enforcement Division agents of the Minnesota Department of Public Safety to ensure the City is appropriately issuing its on-sale liquor license, while concurrently trying to support a local business owner with their new concept. The attached resolution outlines conditions for maintaining the liquor licenses and reiterates certain conditions of the CUP as they relate to the liquor licenses.

The Police Department conducted a background investigation, as it does with all liquor license applicants, and found nothing to preclude the issuance of liquor licenses to The Minnesotan Productions Co.

**RECOMMENDATION**

Staff recommends the City Council adopt the attached resolution approving an on-sale intoxicating liquor license and Sunday liquor license for The Minnesotan Productions Co. with the conditions of a signed resolution by the applicant and submission of a Certificate of Liquor Liability for the licensed premise.

**ATTACHMENTS**

- Resolution
- Exhibit A – Conditional Use Permit, Case No. 23-3-CUP
- Exhibit B – Floor Plan



**RESOLUTION NO.**

**RESOLUTION APPROVING ON-SALE INTOXICATING AND SUNDAY LIQUOR LICENSES TO THE MINNESOTAN PRODUCTIONS CO. DBA THE MINNESOTAN**

**WHEREAS**, the City of White Bear Lake received an application from Corey Roberts (“Applicant”) on behalf of The Minnesotan Productions Co., dba The Minnesotan for an on-sale intoxicating liquor license and Sunday liquor license at 2186 4<sup>th</sup> Street, White Bear Lake, MN; and

**WHEREAS**, Resolution 13151 (attached hereto as Exhibit A) granting a Conditional Use Permit (CUP) allowing the retail establishment to convert from a retail clothing establishment into a Liquor Lounge was adopted by City Council on February 14, 2023; and

**WHEREAS**, the Liquor Lounge must be the principal use of the property, making up no less than seventy percent (70%) of the establishment’s square footage, while retail activity is allowed as an accessory use and is no more than thirty percent (30%) of the establishment’s square footage; and

**WHEREAS**, a Liquor Lounge is eligible for a liquor license, but the accessory retail area is not, therefore, pursuant to Minnesota Rules, Part 7515.0430, Subp. 3 and Minnesota Statutes, Section 340A.410, Subd. 7, the liquor-licensed premises is confined to the Liquor Lounge and must be physically separated from the accessory retail area; and

**WHEREAS**, the Applicant has submitted a floor plan displaying the physical separation from the accessory retail area (attached hereto as Exhibit B); and

**WHEREAS**, the proposed separation of the Liquor Lounge and retail space will include three feet of a constructed full-height wall extending in from the west building wall, 11 feet of checkout and glass-pickup counters extending in from the east building wall, and about 12 feet of open passageway in the center; and

**WHEREAS**, visible signage with “No Alcohol Beyond This Point” is required and the Applicant plans to install this on the glass-pickup counter on the edge of the Liquor Lounge; and

**WHEREAS**, since the retail accessory area is not eligible for a liquor license, transactions of sales between the two uses must be separate, and transactions for alcoholic beverages need to be made by staff that are at least 18 years-old; and

**WHEREAS**, the method for serving alcoholic beverages will be a self-serve beverage-dispensing system with customers using a wristband or card that is connected to a form of payment; and

**RESOLUTION NO.**

**WHEREAS**, in order to be eligible for a Sunday liquor license, the establishment has to serve food and will be required to serve at least frozen pizza, consistent with the other liquor establishments in the City, and the Applicant has incorporated into their floor plan the appropriate facilities to meet this requirement; and

**WHEREAS**, upon completion of the Applicant's background check, the White Bear Lake Police Department found nothing to preclude issuance of the liquor licenses; and

**WHEREAS**, the City Clerk has reviewed the application and found it to be in conformance with the criteria for issuing an on-sale intoxicating liquor license and Sunday liquor license for the Liquor Lounge area; and

**WHEREAS**, approved licenses would be valid through the end of the business cycle on March 31, 2024.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of White Bear Lake, Minnesota, based on the findings contained herein, hereby approves the issuance of on-sale intoxicating liquor and Sunday liquor licenses for the following:

Corey Roberts  
The Minnesotan Productions Co.  
dba The Minnesotan  
2186 4<sup>th</sup> Street  
White Bear Lake, MN 55110

*Licensed premises: Liquor Lounge area, located south of accessory retail area as shown on the plan attached hereto as Exhibit B.*

**BE IT FURTHER RESOLVED**, that the following conditions must be upheld for the Applicant to maintain its liquor licenses:

1. The Minnesotan will maintain the conditions of the CUP including, but not limited to, seating restrictions, primary-use and accessory-use square footage, and retail sales limited to bar-branded items.
2. The attached floor plan will not be altered without City staff review and approval.
3. Liquor consumption, alcoholic beverages and seating shall be limited to the Liquor Lounge primary-use area and no alcoholic beverages are allowed to be carried or consumed in the accessory retail area.
4. Transactions of liquor sales will remain separate from retail sales by a separate point-of-sale system.
5. The Applicant, The Minnesotan and its employees will comply with all applicable liquor laws in Minnesota Statutes and City Ordinances including, but not limited to, employees who are selling self-dispensary credits being at least 18 years-old and the customers dispensing and consuming alcohol being at least 21 years-old.

**RESOLUTION NO.**

- 6. The Minnesotan will offer at least prepared frozen pizza to its customers in the Liquor Lounge during all business hours to continue its eligibility for a Sunday liquor license.
- 7. The Certificate of Liability Insurance will include Liquor Liability, which covers only the liquor-licensed floor area of the Liquor Lounge.

**BE IT FINALLY RESOLVED**, that the City is the issuing authority for the on-sale liquor license and Sunday liquor license and, pursuant to Minnesota Statutes, Section 340A.509, may impose further restrictions and regulations on the sale and possession of alcoholic beverages at the property. Failure to comply with all applicable federal, state, and local laws, rules, regulations, and ordinances, or failure to comply with all of the conditions imposed by this Resolution, may result in the revocation of the licenses.

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

\*\*\*\*\*

Approval is contingent upon execution and return of this document to the City Clerk's Office. I have read and agree to the conditions of this resolution as outlined above.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

EXHIBIT A

RESOLUTION NO. 13151

**RESOLUTION GRANTING A CONDITIONAL USE PERMIT  
FOR 2186 4<sup>th</sup> STREET WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, Corey Roberts (Case No. 23-3-CUP) has requested a conditional use permit, per code section 1303.160, in order to convert an existing retail business into a Liquor Lounge with accessory retail located at:

LOCATION: White Bear E 28 1/10 Ft of W 53 1/10 Ft Of Lot 1 And E 28 1/10 Ft ...Ft Of N 25 Ft Of Lot 2 Blk 53 Ramsey County, Minnesota. (PID # 143022410058)

**WHEREAS**, the Planning Commission held a public hearing as required by the Zoning Code on January 30, 2023; and

**WHEREAS**, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed conditional use permit upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of White Bear Lake that the City Council accepts and adopts the following findings of the Planning Commission:

1. The proposal is consistent with the city's Comprehensive Plan.
2. The proposal is consistent with existing and future land uses in the area.
3. The proposal conforms to the Zoning Code requirements.
4. The proposal will not depreciate values in the area.
5. The proposal will not overburden the existing public services nor the capacity of the City to service the area.
6. The traffic generation will be within the capabilities of the streets serving the site.

**BE IT FURTHER RESOLVED**, that the City Council of the City of White Bear Lake hereby approves the request, subject to the following conditions:

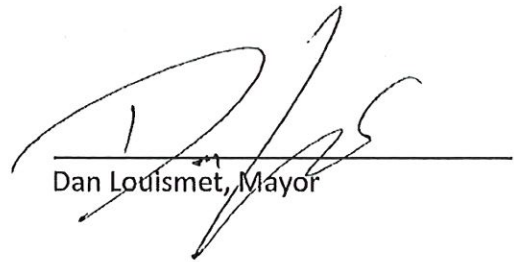
1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
2. Per Section 1301.050, Subd.4, if within one (1) year after approving the Conditional Use Permit, the use as allowed by the permit shall not have been completed or utilized, the CUP shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. The Conditional Use Permit shall become effective upon the applicant tendering proof (ie: a receipt) to the City of having filed a certified copy of the signed resolution of approval with the County Recorder pursuant to Minnesota State, Statute 462.3595 to ensure the compliance of the herein-stated conditions.

RESOLUTION NO. 13151

4. A building permit shall be obtained before any work begins.
5. The applicant shall receive all necessary permits from the Engineering, Fire and Police Departments.
6. Prior to issuance of a building permit, the applicant shall revise their plan to include not less than 30 nor more than 35 seats within the 70 percent of the floor plan eligible for use as a Liquor Lounge.
7. Signage is approved though a separate administrative sign permit and must comply with the sign standards for the B-5 district detailed in Section 1202.040.
8. Use of the subject property shall conform to all requirements for properties in the B-5, Central Business District, Liquor Lounges as a conditional (principal) use and accessory retail.
9. Products sold as part of the accessory retail use must be marked with the specific name, brand, or identifying logo of the business and have no other name, brand, or identifying logo.
10. Prior to issuance of a building permit, the applicant shall request a sewer access charge (SAC) and water access change (WAC) determination from the Metropolitan Council and pay all applicable fees prior to issuance of a building permit.
11. Prior to issuance of a building permit, the applicant shall receive approval of a separate liquor license. This liquor license must be maintained in good standing.

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

Ayes: Edberg, Engstran, Hughes, Jones, Walsh  
 Nays: None  
 Passed: February 14, 2023




\_\_\_\_\_  
 Dan Louismet, Mayor

ATTEST:

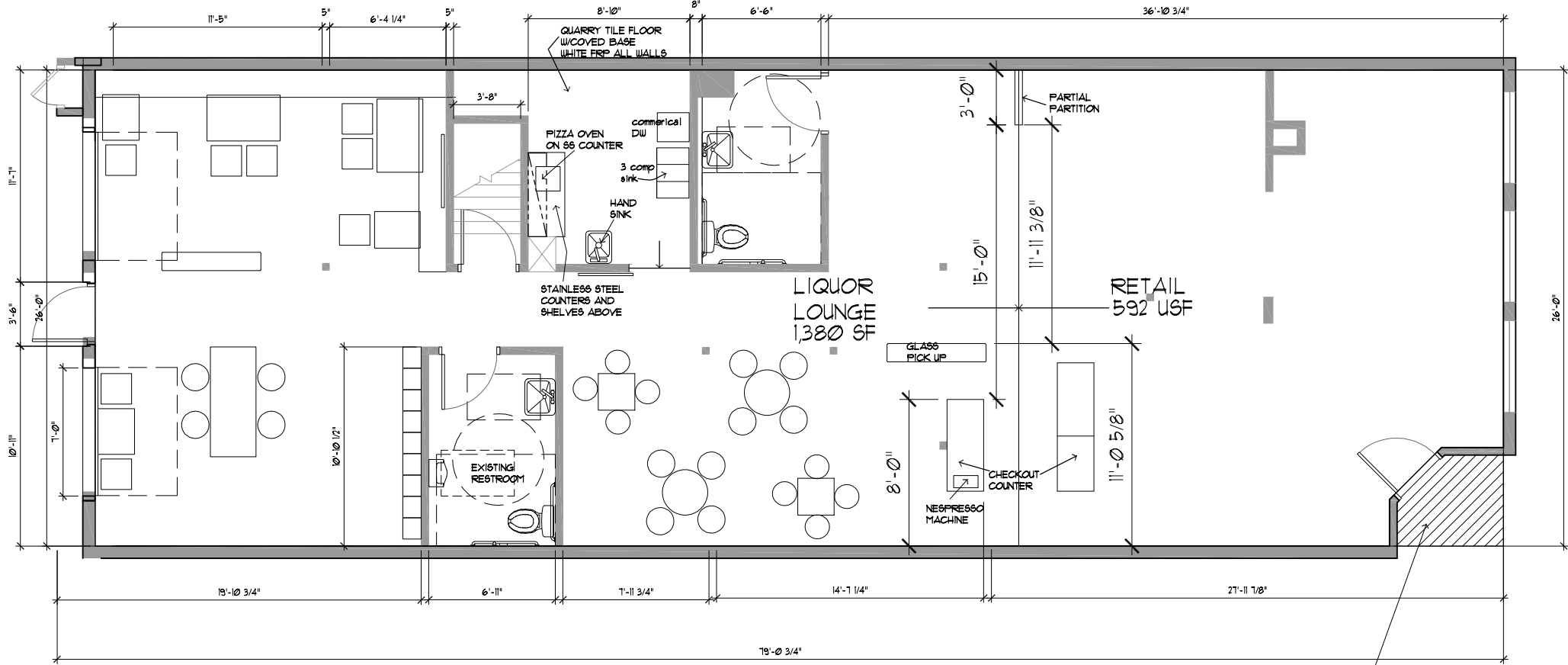


\_\_\_\_\_  
 Caley Longendyke, City Clerk

\*\*\*\*\*  
 Approval is contingent upon execution and return of this document to the City Planning Office.  
 I have read and agree to the conditions of this resolution as outlined above.

 \_\_\_\_\_  
 Applicant's Signature Date

# EXHIBIT B



OVERALL INTERIOR SQ. FT. = 1,972  
 LIQUOR LOUNGE = 1,380 SQ. FT.  
 RETAIL ACCESSORY = 592 SQ. FT.

EXTERIOR STOOP =  
 29.4 SQ.FT.