



AGENDA
REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, OCTOBER 10, 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 September 26, 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: August Environmental Advisory Council, August Park Advisory Commission, August White Bear Lake Conservation District
- B. Resolution ordering preparation of a feasibility report for the 2024 Pavement Rehabilitation Project
- C. Resolution approving on-sale 3.2% liquor, on-sale wine, and Sunday liquor licenses for Golf Nerd LLC

5. VISITORS AND PRESENTATIONS

A. Swear-in Police Officer + Bi-annual Police Department Report

6. PUBLIC HEARINGS

None

7. UNFINISHED BUSINESS

A. Resolution regarding School Resource Officer Agreement with White Bear Lake Area Schools

8. NEW BUSINESS

None

9. DISCUSSION

None

10. COMMUNICATIONS FROM THE CITY MANAGER

11. ADJOURNMENT



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, SEPTEMBER 26, 2023
7 P.M. IN THE COUNCIL CHAMBERS**

1. CALL TO ORDER AND ROLL CALL

Mayor Dan Louismet called the meeting to order at 7 p.m. The City Clerk took attendance for Councilmembers Kevin Edberg, Steve Engstran, Heidi Hughes, Dan Jones and Bill Walsh. Staff in attendance were City Manager Lindy Crawford, Fire Chief Greg Peterson, Police Chief Dale Hager, Community Development Director Jason Lindahl, Public Works Director/City Engineer Paul Kauppi, Finance Director Kerri Kindsvater, Housing and Economic Development Coordinator Tracy Shimek, City Clerk Caley Longendyke, and City Attorney Rachel Tierney, who sat in for City Attorney Troy Gilchrist.

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

- A. Minutes of the Regular City Council Meeting on September 12, 2023

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

3. APPROVAL OF THE AGENDA

The resolution suspending the School Resource Officer Agreement with White Bear Lake Area Schools was moved on the agenda from *New Business* to *Visitors and Presentations*. It was moved by Councilmember **Engstran**, seconded by Councilmember **Jones**, to approve the agenda as amended. Motion carried unanimously.

4. CONSENT AGENDA

- A. Resolution authorizing exclusive use of Podvin Park ice rink for White Bear Lake Area Hockey Association annual tournament **Res. No. 13247**
B. Resolution granting massage establishment license for Massage by Couture LLC **Res. No. 13248**
C. Resolution approving jurisdictional transfer agreement from MNDOT for a portion of Country Road D **Res. No. 13249**

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

5. VISITORS AND PRESENTATIONS

- A. Firefighter Appreciation Month Proclamation and Swear-in Firefighters

Mayor Louismet read a proclamation declaring the month of October 2023 as Firefighter Appreciation Month in White Bear Lake. Four new firefighter / paramedics were given the Oath of Service and were sworn in.

B. Fire Department Bi-annual Report

Fire Chief Peterson presented the Fire Department's bi-annual update. He shared that call volume has increased steadily over time, but he anticipates the number of calls this year will be relative to the total amount in 2022. He explained that the calls should remain steady, instead of increasing, due to not regularly sending out the last ambulance out of the service area and decrease in repeat callers. The categorical breakdown of calls continues to be around an 80-20 ratio for medical- and fire-related calls, respectively, a ratio that is a national trend. Chief Peterson reported data for Fire Mutual Aid and said the Department was called 20 times to emergencies, and the department called for aid 16 times. For EMS Mutual Aid, the Department was called out 275 times, and the department called others 57 times. Almost identical to last year, the top five types of calls, in order, are the following: sick person, fall, breathing problem, unconscious and psychiatric. For patient disposition, 66% are treated and transported, 16% are evaluated with no treatment and transported, and 18% are transported by other means or the call was cancelled. Chief Peterson gave a staffing update, stating there are 16 full-time firefighter/paramedics and 21 part-time employees. The goal is to continue adding full-time positions, which would help achieve proper coverage, increase service level, reduce employee stress and injuries, and help with employee retention.

Mayor Louismet asked about the status of the Department's new boat. Chief Peterson is hopeful that it will arrive in November. When asked about the typical involvement of the Fire Department following a damaging storm, Chief Peterson explained that responders may help move branches, but more importantly will tape off areas where there are downed power lines, and inform nearby residents. Councilmember Walsh asked about full-time staff that work for multiple cities, and Chief Peterson explained that they may be on-call with other cities. Part-time firefighters could have multiple part-time positions with various cities. Councilmember Edberg asked if increased opportunities for full-time positions increases retention. Chief Peterson believed that having more full-time positions is appealing for retaining employees as they share coverage. Councilmember Edberg asked about the proportionality of giving and receiving services, and Chief Peterson said this is common throughout the EMS and fire industry. Councilmember Jones and Councilmember Edberg asked clarifying questions about the services provided outside the City.

C. Resolution suspending School Resource Officer Agreement with White Bear Lake Area Schools

City Manager Crawford introduced the resolution suspending a School Resource Officer (SRO) agreement with White Bear Lake Area Schools. Earlier in the year, the Minnesota Legislature included multiple provisions in the education bill that impacts SROs and other officers providing contracted services to public schools. Since then, there continues to be ongoing updates and interpretations of the language. Since the publishing of the City Council meeting packet, the Attorney General's Office issued another statement about the controversial provisions. Until the statement is interpreted, City administration changed their recommendation of the resolution,

and asked that the City Council table it until the October 10, 2023 regular meeting. The goal is to allow more time to seek additional clarification in hopes that the City can continue its services and partnership with the school district.

Chief Hager summarized information about the legislative changes and how they could negatively impact police officers. While City administration wants to continue providing services in schools, they have pulled SROs out of school buildings until clarification can be made on the legislative language. If no additional information becomes available, City staff will present the resolution for vote at the October 10 City Council meeting. Councilmember Edberg sought clarification on the City's authority to suspend the agreement. City Attorney Tierney explained that the City is within its rights, since the request doesn't involve termination.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Jones**, to table the resolution until the October 10, 2023 regular meeting. Motion carried unanimously.

6. PUBLIC HEARINGS

A. Special Service District Renewal – Downtown Service District

Housing and Economic Development Coordinator Shimek presented a resolution authorizing the 2024 and 2025 Special Service District (SSD) Levy for Downtown White Bear Lake. The SSD allows the City to establish an annual levy, which is collected by Ramsey County with real estate taxes from business properties in the district. The funds raised are specific to the promotion and beautification efforts that go above and beyond customary municipal services and help ensure that downtown White Bear Lake remains an appealing and exciting commercial destination for the larger Twin Cities metropolitan area.

The Main Street Board of Directors approved a petition seeking renewal of the special tax levy totaling not more than \$45,000 a year for a two-year period, and submitted to the City a petition in favor of the levy for 2024 and 2025, signed by owners representing 34% of the land area, 33% of the total tax capacity and of the owners, individuals, businesses or organizations subject to 33% of the special levy requesting renewal of the special service district for 2024 and 2025. Main Street Inc. President Lisa Beecroft and Vice President Kristin Cranmer shared how the funds help the organization promote and market the downtown area. Some of the promotion areas include sending out mass email notifications, maintaining the website, updating the reader board display on Highway 61, coordinating annual events, launching advertising campaigns, staying active on social media and more. No one spoke during the public hearing.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Walsh**, to approve **Res. No. 13250** establishing and imposing special assessment for the years 2024 and 2025 with no interest on taxable property within Special Services District No. 1 for special services pursuant to Ordinance No. 92-10-879. Motion carried unanimously.

B. Special Service District Renewal – Birch Lake Improvement District

Finance Director Kindsvater presented a resolution to certify the Birch Lake Improvement District (BLID) service charge of \$22,511 to the tax roll of benefiting properties to support BLID's

budget expenditures of \$27,000 for fiscal year 2024. She explained that BLID began in 2006 pursuant to state statutes and a petition from the lakeshore property owners. The mission of the service district is to develop, finance and implement activities that improve and protect the quality of Birch Lake. Property owners pay an equal amount of the annual service charge, which will be \$363.08 per property for 2024.

Mayor Louismet opened the public hearing at 7:57 p.m. Scott Samuelson, resident of 1291 Hedman Way, explained that he does not live on Birch Lake and is being assessed the service charge. He is looking for resolution on not being included in BLID. Director Kindsvater said she will work to get him in touch with the BLID president. Being no further persons wishing to speak, Mayor Louismet closed the public hearing at 8:03 p.m.

Councilmember Edberg is interested in learning more about the financial performance and by-laws for local entities like BLID, and the involvement of the City.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to approve **Res. No. 13251** imposing a service charge for the year 2024 with no interest on the properties within the Birch Lake Improvement District. Motion carried unanimously.

7. UNFINISHED BUSINESS

- A. Second reading of an ordinance amending zoning regulations regarding tobacco and cannabis uses

At the August 8 City Council meeting, Community Development Director Lindahl presented the first reading of an ordinance that would amend zoning regulations as it relates to tobacco and cannabis uses. The zoning code text amendment, which was initiated by staff at the direction of Council, would create two new uses, Tobacco Products Shops and Cannabis Retailers. A second reading was conducted at the September 12 regular meeting. There being no consensus among Councilmembers on the two options, the Council voted 3-2 to table the proposed ordinance options to the September 26 regular meeting.

Director Lindahl summarized the information presented at the first and second readings. He summarized the analysis of the zoning text amendment as it relates to the 2040 Comprehensive Plan, present and future land uses, and zoning standards. Following staff analysis, City staff concluded that B-4, General Business District, is the most appropriate district to locate the two new uses. Buffers would be applied so that the businesses are not within 1,000 feet of a school or 500 feet of a daycare, residential treatment facility or a public park with amenities regularly used by minors. The existing six Tobacco Products Shops are currently not in the B-4 zoning district, so they would become legal non-conforming uses, or “grandfathered.” Presented at the August 8 and September 12 meetings, there have been two options for the Council to consider. The first option restricts all cannabis-related businesses to the B-4 zoning district. The second option separates edible cannabinoid products, or lower-potency hemp edibles, from cannabis retailers and the products could be sold in any zoning district from an establishment that is licensed to sell liquor and tobacco products. Director Lindahl displayed maps of the zoning districts, buffers and locations of establishments with liquor and tobacco licenses. He explained that additional maps were created in response to Councilmember Edberg’s request, specifically

highlighting what properties would be eligible for a cannabis retailer (i.e., dispensary). Councilmember Edberg pointed out that the number of properties is limited, and he was concerned that the restrictive buffers could have a negative impact on business opportunities.

There were clarifying questions on where cannabis retailers could operate. Since there is an active moratorium that prohibits the establishment and operation of cannabis retailers, there was general consensus to delay decision-making in zoning these businesses, and to focus on the zoning of tobacco products shops and edible cannabinoid retailers. As a last comment to zoning cannabis retailers, Councilmember Jones argued that it doesn't make sense that cannabis dispensaries will be zoned out of areas where there are bars, liquor stores and tobacco shops, specifically referencing a potential site at the southwest corner of County Road E and White Bear Avenue. Councilmember Edberg agreed that the Council should just take action on tobacco products shops and edible cannabinoid sales. He requested that staff and Council, while considering a future zoning proposal for cannabis retailers, should evaluate the role and impact of buffering, and whether it's a useful construct. There was discussion on the outcome of limiting the number of properties for cannabis businesses and the market value impact.

Councilmember Walsh asked clarifying questions and made general comments. He recognized the Council doesn't have much control in restricting the sale of edible cannabinoid products. He appreciated staff's explanation for choosing B-4, General Business District, for cannabis businesses, instead of neighborhood areas. He pointed out that if the City considers limiting the number of cannabis businesses, there will need to be discussion on how many, and also understanding that Ramsey County could meet the limit before the City meets their limit. He doesn't foresee the Office of Cannabis Management to reveal new information that isn't already addressed in law. He said he is more interested in the policy discussions around the availability of cannabis products than the business factors and the competitive market for limited properties for cannabis retailer. Councilmember Jones commented that if the Council moves forward with voting on cannabis retailer zoning, then he would not vote in support of the ordinance, unless there was a change to allow a cannabis business in the strip mall located at the intersection of White Bear Avenue and County Road E. Mayor Louismet invited Solomon Haile, businessowner of Summit Liquor at 2000 County Road E, to speak. Mr. Haile wondered why there couldn't be a cannabis business in the same building where he sells liquor, and eventually edible cannabinoid products, and said a cannabis business would be more secure than a liquor store as it relates to legal sales.

It was determined that the Council would move forward with zoning tobacco products shops and edible cannabinoid products, but delay discussion about zoning cannabis businesses. There was a motion to adopt the second ordinance option, removing Subdivision 4 regarding zoning cannabis businesses. Councilmember Edberg stated he would request that staff and the Council address zoning for cannabis businesses in an appropriate timeline.

It was moved by Councilmember **Jones**, seconded by Councilmember **Edberg**, to approve **Ord. No. 23-09-2070**, an ordinance amending the zoning regulations in the Municipal Code regarding tobacco product shops and edible cannabis businesses, as amended with Subdivision 4 removed. Motion carried unanimously.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Engstran**, to approve **Res. No. 13252** approving summary publication of an ordinance amending the zoning regulations in the Municipal Code regarding tobacco products shops and edible cannabis businesses. Motion carried unanimously.

8. NEW BUSINESS

A. County Road E Ramsey County Critical Corridor Grant & Request for Proposals

Housing and Economic Development Coordinator Shimek presented a resolution authorizing the acceptance of a Critical Corridors - Commercial Corridor Initiative Grant from Ramsey County and authorizing the issuance of a request for proposals (“RFP”) to carry out the services for which the grant was awarded. Coordinator Shimek talked about the County Road E Corridor Action Plan, created in partnership with the cities of Gem Lake and Vadnais Heights, and how goals for the corridor included safety, connectivity and fostering a sense of place and purpose. City representatives from the three partnering cities worked together to apply for the Ramsey County Critical Commercial Corridor Initiative Grant. Among the grant eligible activities, staff believed “district-wide marketing, branding, and promotion initiatives” and “design and implementation of wayfinding, signage, street furniture or other public realm enhancements” were largely aligned with recommendations focused on the Corridor Action Plan goal of fostering a sense of place and purpose. A \$30,000 grant was awarded to fund professional services to establish a brand identity and create marketing and placemaking strategies for the County Road E Corridor. The three cities will work together to put forward a request for proposals for the services.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Edberg**, to approve **Res. No. 13253** accepting Critical Corridor Funds from Ramsey County, authorizing the City manager to enter into grant agreements, and City staff to issue a request for proposals for professional services for branding, marketing and placemaking strategies for the County Road E Corridor. Motion carried unanimously.

B. Otter Lake Road Cooperative Agreement for Right-of-Way Acquisition

Public Works Director / City Engineer Kauppi presented a resolution approving a Cooperative Agreement with Ramsey County for right-of-way (ROW) acquisition for Otter Lake Road improvements. Director Kauppi explained that Ramsey County roadway projects involve a cost participation policy with the city where the roadway is located, helping pay for urbanization components. The improvement to Otter Lake Road is long-awaited by the City and is slated for 2024 in Ramsey County’s transportation plan. The project, which involved public input, includes replacing aging pavement and adding a trail from Highway 96 to 4th Street, connecting to other networks of sidewalks. The City’s cost participation for this portion of the project is estimated to be \$263,818.95, an equal amount to Ramsey County’s cost participation. Once the plans are complete, a construction cooperative agreement will be presented to the Council at a future meeting. Councilmember Walsh asked about the acquisition as it relates to residential property owners. Director Kauppi explained that all the easements acquired will be temporary, with exception to one permanent easement. He estimates about 25 property owners will be temporarily impacted. Councilmember Jones asked about the road improvements and shared

his concern about the County taking precautions with protecting Birch Lake. Director Kauppi shared the increased stormwater treatment will meet or exceed current standards and will increase protection of Birch Lake from what it is currently.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to approve **Res. No. 13254** approving a cooperative agreement between Ramsey County and the City for right-of-way acquisition for improvements of Otter Lake Road between Highway 96 and 4th Street. Motion carried unanimously.

- C. ~~Resolution suspending School Resource Officer Agreement with White Bear Lake Area Schools Presented during Visitors and Presentations.~~

9. DISCUSSION

Nothing scheduled.

10. COMMUNICATIONS FROM THE CITY MANAGER

City Manager Crawford reported that the taskforce for the Planning & Land Use Regulations (Zoning Code) Update convened for their first meeting. She shared information on the upcoming Fire Department Open House and the White Bear Lake Area Schools' homecoming parade and fireworks after the football game. She recognized Assistant City Manager Rick Juba and Human Resources Specialist Sandy Tauer for their hard work, as the City celebrates Human Resources Professional's Day.

11. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Edberg**, seconded by Councilmember **Jones**, to adjourn the regular meeting at 9:06 p.m. Motion carried unanimously.

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



**MINUTES
ENVIRONMENTAL ADVISORY COMMISSION
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
WEDNESDAY, AUGUST 16, 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 6:36 p.m.

MEMBERS PRESENT: Chris Greene, Bonnie Greenleaf, Rick Johnston (Vice Chair), Jeff Luxford, Gary Schroeher (Chair)

MEMBERS ABSENT: Sheryl Bolstad, Chris Frye

STAFF PRESENT: Connie Taillon, Environmental Specialist

VISITORS PRESENT: None

2. APPROVAL OF AGENDA

The commission members reviewed the agenda and had no changes.

It was moved by member **Johnston** seconded by member **Luxford**, to approve the agenda as presented.

Motion carried 5:0.

3. APPROVAL OF THE MINUTES

A. Minutes of the Environmental Advisory Commission meeting on July 19, 2023.

The commission members reviewed the draft July 19, 2023 meeting minutes and had the following changes: Item 5A third paragraph, change "Commission member left the meeting at 7:30pm" to "Member Luxford left the meeting at 7:00pm". Item 7C, second paragraph, first sentence, change 'her' to 'she' and delete 'Railroad Park'; third paragraph, third sentence, replace the word 'He' with 'Chair Schroeher'; fourth paragraph, second sentence, add 'at Bossard Park' after 'He stated that'.

It was moved by member **Greenleaf** seconded by member **Johnston**, to approve the minutes of the July 19, 2023 meeting as amended.

Motion carried, 4:0. Member Luxford abstained.

4. VISITORS AND PRESENTATIONS

None

5. UNFINISHED BUSINESS

A. Environmental Resources Expo

The commission members recapped the Environmental Resources Expo that was held on July 27th:

- The League of Women Voters and their wheel spinner game was popular.
- A few people stopped by the electric yard equipment display, but it was not heavily attended. Some thoughts to increase interest next year include adding more equipment, an interactive activity or giveaway, or possibly moving the yard equipment to the car area to have more of an 'electric avenue' display. Giving out candy was a good idea to bring people over to the exhibit.
- The electric car display was really good this year, with a wide variety of makes and models.
- The MPCA 'Get the lead Out' exhibitor was happy with the number of lead free tackle he gave away.
- The information on plastics at the Zero Waste exhibit was interesting.
- People had a lot of questions for the Master Gardeners.
- Member Greenleaf noted that Member Johnston's recycling game was 'spot on'. Member Johnston said that people would flip over the card but didn't take the time to read the information but the game did generate discussion. The kids knew more about recycling than the adults.
- Ramsey County Recycling Ambassador Program had 3 or 4 giveaways including pencils made out of shredded money.
- Ramsey Washington Metro Watershed District said that they had more people stop by their table this year.
- There was no interest on the volunteer sign-up sheet. Chair Schroeher asked if the volunteer sign up could be announced in the newsletter and Member Luxford mentioned putting an article in the White Bear Press.
- There are enough seed packets left over for next year's game.
- Member Greenleaf suggested looking in the Eco Building at the fair for Expo ideas.

B. Park visit reports

Each commission member circled areas on their respective Parks maps where there is potential for native plant restorations and/or invasive species removal. Once the remaining commission members that were not at the August meeting add their areas to the maps at the September meeting, Taillon will have the GIS staff person add this information to the maps in preparation for a joint meeting with the Parks Commission.

Taillon stated that she will connect with the Parks Commission staff liaison to set up a joint meeting in November or early next year.

Chair Schroeher suggested that he invite Metro Blooms to a future meeting to talk about their program on how to plant a native plant demonstration garden.

6. NEW BUSINESS

A. Budget

- EAC shirts

Taillon stated that the total remaining 2023 budget is \$163.40 after the purchase of a lawn equipment banner and native seed packets for the Expo. Commission members discussed purchasing embroidered shirts with the remaining 2023 budget. Taillon will ask staff if the commission members can place a partial order in 2023 and the remaining order in 2024 to utilize the remaining 2023 budget. Taillon stated that she will bring the apparel catalog to the September meeting so the commission members can choose a style of shirt.

7. DISCUSSION

A. Urban and Community Forestry Grant Funding Programs

Chair Schroeher mentioned that Conservation Minnesota sent out an email about two Community Forestry Grants available from the DNR. He asked if the City could utilize these grants for Emerald Ash Borer projects. Taillon stated that she will talk with the City Engineer about applying for one or both grants to help cover the cost of Ash tree removal and replacement.

B. Staff updates

- Fall newsletter

Taillon requested a list of environmental topics for the fall newsletter. Commission members agreed that recycling contamination education should be included. Chair Schroeher also suggested adding a request for volunteers to be included on a volunteer list for upcoming buckthorn removal projects.

Member Greenleaf mentioned that the City of Lake Elmo has buckthorn removal tools available for residents to use.

- Rotary Nature Preserve Phase 2 project

Taillon provided an update on the status of the phase 2 project. Parks staff completed the Amur maple removal in the phase 2 area, from the west edge of the trail to the wetland. Natural Shore Technologies treated the cleared area for weeds prior to seeding, then mulched and planted a narrow strip along the trail with over 2,000 native plants. Parks staff will water the plants as needed for the remainder of the season.

C. Commission member updates

None

D. Do-outs

New do-out items for August 16, 2023 include:

- Chair Schroeher to invite Metro Blooms to a future meeting.
- Taillon to set up a joint meeting with the Parks Commission for November or early next year.
- Taillon to inquire about paying for EAC shirts in two installments.
- Taillon to forward Community Forestry Grant information to the City Engineer.
- Taillon to add volunteer request and recycling contamination article in newsletter.

E. September agenda

Commission members discussed the September agenda and asked Taillon to add 2024 work plan, park visit reports and shirt discussion to the September agenda.

8. ADJOURNMENT

There being no further business before the Commission, it was moved by member **Greene** seconded by member **Johnston** to adjourn the meeting at 8:36 p.m.

Motion carried, 5:0



**MINUTES
PARK ADVISORY COMMISSION
CITY OF WHITE BEAR LAKE, MINNESOTA
THURSDAY, AUGUST 17, 2023
6:30 P.M. AT ROTARY NATURE PRESERVE
AT 4840 WHITE BEAR PARKWAY**

1. CALL TO ORDER AND ATTENDANCE

Chair Bill Ganzlin called the meeting to order at 6:30 p.m.

MEMBERS PRESENT: Bryan Belisle, Victoria Biehn, Mark Cermak, Bill Ganzlin,

MEMBERS ABSENT: Anastacia Davis, Ginny Davis and Mike Shepard

STAFF PRESENT: Andy Wietecky, Parks Working Foreman; Paul Kauppi, Public Works Director/City Engineer

VISITORS PRESENT: None

2. APPROVAL OF AGENDA

It was moved by member **Bryan Belisle** seconded by member **Mark Cermak**, to approve the agenda with the addition of handicap parking at Matoska/West Park Pavilion Access added under New Business.

Motion carried 4:0.

3. APPROVAL OF THE MINUTES

Minutes of July 20, 2023

It was moved by member **Mark Cermak** seconded by member **Victoria Biehn**, to approve the minutes of the July 20, 2023 meeting.

Motion carried, 4:0.

4. VISITORS AND PRESENTATIONS

Nothing scheduled

5. UNFINISHED BUSINESS

Nothing scheduled

6. NEW BUSINESS

A. Park Inspection Reports

Due to the absences of three Commission members, the discussion of park inspection reports will be moved to the September meeting.

B. Park Tour – Rotary Nature Preserve

The Park Advisory Commission spent the majority of the meeting walking the area where the native restoration project is taking place. Andy explained that Parks staff removed the invasive trees and shrubs in a week's time. Natural Shore Technologies came after the removal to treat the area and plant over 1,000 plants along with seeding in the wetland area. Once fall arrives, the Parks staff will remove the invasive trees and shrubs on the opposite side of the trail.

The Commission asked if turf grass would be planted on the pavilion side of the trail. Andy advised that the White Oaks and Burr Oaks with understory shrubs like Red Twig Dog Wood would be planted. The idea is to recreate what naturally would have been in this area. As the Park Commission walked from the parking area to Birch Lake Boulevard North, Andy continued explaining what other phases were currently being planned along the wetland and trail. The Park Advisory Commission is impressed with the progress thus far and is excited to see the transformation continue over the next few years.

C. Handicap Parking at Matoksa/West Park Pavilion Access

Bill Ganzlin had a resident reach out to him about adding handicap parking at the Matoska Boat Launch. Paul told the Commission that they can review this request but there are many factors to consider when adding handicap spots. The parking lot was reconstructed just two years ago so reconfiguring now is not easy. The City will look into the area by the Speiss Boat Landing Historical Monument but cannot guarantee that area will work.

Bill also had another request for better access to the West Park Pavilion. In this year's capital improvement budget, we will be installing a new trail that will lead from the existing trail by the restrooms along the playground and through the park to Lake Avenue. It will line up across from the steps that were installed during the beach retaining wall project. After receiving the quotes for the project, there is enough in the budget to also pave a trail from 11th Street to the pavilion to make access easier. Andy told the Commission this project is slated for the middle of September.

7. DISCUSSION

- A. Staff updates
- B. Commission member updates

8. ADJOURNMENT

There being no further business before the Commission, it was moved by member **Bryan Belisle** seconded by member **Victoria Biehn** to adjourn the meeting.

Motion carried, 4:0



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

August 15, 2023, 7:00 p.m., White Bear Lake City Hall Council Chambers
(6:00 pm LUC meeting)

1. **Roll Call/Quorum** – Present: Chair Bryan DeSmet, Vice Chair Meredith Walburg, Treasurer Mike Parenteau, Chris Churchill, Scott Costello, Darren DeYoung, Diane Longville, Susie Mahoney, Mark Wisniewski, and Alan Kantrud. Absent: Mark Ganz. A quorum was present.
2. **Call to Order** – The meeting was called to order at 7:04 pm by Bryan DeSmet.
3. **Approval of Agenda** – The lake shallow water buoy map was added under Unfinished Business, and Board emails was added to New Business. A motion to approve the agenda as amended was made by Mark Wisniewski, seconded and passed.
4. **Approval of July Board Meeting minutes** – A motion to approve the July 18, 2023 Board meeting minutes was made by Chris Churchill, seconded, and passed.
5. **Public Comments**
 - Mike Kirkwood and Denny Newell, Lake Minnetonka Conservation District (LMCD) Board members, stated they were here to observe our meeting and share information about their organization. They instituted a 300 ft set back regulation to reduce the damage caused by wakeboards, but the regulation is not being followed.
 - Brian McGoldrick, Docks of White Bear Lake (WBL) – McGoldrick stated he did not know that Docks of WBL would be on the agenda last month and wasn't there, but appreciated the Board's flexibility in going up to 250 slips. A variance application to extend dock lengths was submitted to the WBLCD too late to be reviewed and will go on the September Board meeting agenda. McGoldrick was told that a public hearing needs to take place, and adjacent property owners, and the DNR will be given a two-week notice of the application review to give them time to review it, and/or make plans to attend the Board meeting. He was referred to Board Counsel Alan Kantrud for any questions he may have going forward with his variance application. It was noted that Docks of WBL was given a grace period to get its docks within the 300 ft from the OHWL distance, and reduce the number of slips from 260 to 250. A compliance check will be scheduled on or after Aug. 19. McGoldrick said they are doing their best to come into compliance.

McGoldrick also discussed: the possibility of dredging in Commercial Bay; notifying Commercial Bay marinas that when the lake level is below elevation 922.0 feet in April (of any year), dock structures can be extended to the limit in their DNR permit; and putting triggers in place during winter before the April deadline to help marinas prepare for low water levels.
6. **New Business**
 - Commercial Bay boat count status – Aerial photos of Commercial Bay were sent to the Executive Committee in July, and another set will be taken around Aug. 19. While Alan Kantrud has not heard back from the Ramsey County Sheriff's Water Patrol regarding their contracted work to do boat counts, no citations have been written.

- Enforcement in Commercial Bay
 - Discussed under Commercial Bay boat count status.
 - Susie Mahoney's asked if there will be any enforcement for marinas who are not permitted. It was discussed that our ordinances need to be enforced, even if there's a minimal penalty, though the process needs to be fine-tuned, and that permit applications should no longer be conditionally approved, and, if denied, applicants can come back with changes to be reviewed again.
- Carpet installation quote approval – Mike Parenteau
 - A motion to approve the purchase and installation of new carpet in the WBLCD office up to \$2,000 (under #6470) was made by Mike Parenteau, seconded and passed. Cheri will need help moving furniture, and will send an email out to the Board when the installation date has been set.
- Board emails – Darren DeYoung asked what the expectations will be for using the new WBLCD email accounts that are being created for Board Directors. The Executive Committee will discuss a policy or guidance on this topic at its next meeting.

7. Unfinished Business

- VFW expansion-EAW: additional information needed Bryan DeSmet stated that because this is a mandatory EAW, that the Board is the entity that will complete the application. All Board members had an opportunity to contribute to the list of additional information that is needed from the applicant. A motion to send the comments to the VFW for response back to the WBLCD was made by DeSmet, seconded and passed.
- 2024 draft permit application form 5 (Commercial/non-commercial), license fee schedule, and terminology – A request was made to add the verbiage "Number of watercraft" to Unit Fees, #7-slips, mooring, lifts, and tie-ons on the application. Also requested was the removal of watercraft storage rack fees from the license fee schedule and application, although this data is requested on the permit application as informational data only for the lake use study.

A motion to approve the amended permit application forms and license fee schedule was made by Chris Churchill, seconded and passed. It was noted that commercial operations with any type of rental watercraft, including those that are beached or stored on racks, are still required to pay the commercial sales, services or rental fee (\$125) listed on the permit application and license fee schedule.

Beached watercraft, watercraft stored on racks, and temporary public use parking do count toward the slip count.

The LUC is still working on definition to terms that are not defined in the WBLCD Ordinances, and Churchill asked the Board to give the Administrator any input on the draft terms as soon as possible. The document will be used for clarification to WBLCD Board directors, committee members, permit applicants, and the general public. The term "Slip" or "Slip structure" has been defined as "a structure designed solely to secure a watercraft for the purpose of storage of one watercraft." The term 'transient parking' will no longer be used, and instead is defined as "any slip/mooring or tie-on that is for temporary public use with no overnight parking." This type of 'parking' is only requested on the permit application as informational data only for the lake use study.

- Shallow Water Buoy Map – Meredith Walburg shared that if anyone on the Board has a request to add additional buoys on the lake to send any feedback to the Administrator. A map will be published for public use before the 2024 boating season.

8. Reports/Action Items

- **Executive Committee** – There was no meeting.

- **Lake Quality Committee**
 - Lake level – The lake level today is 922.58 ft, last month it was 922.61 ft, and one year ago it was at 923.23 ft.
 - Lake temperature – The lake temperature today is 72 °F, last month it was 74 °F, and one year ago it was 71 °F.
 - Phragmites survey and treatment approval – Next week Julia Bowen (Univ. of MN), and her assistant, will survey for phragmites on the shoreline and in the reeds. Mike Parenteau noted that last year’s treatment worked as there are brown spots where it was treated. A motion to approve \$1,500 for phragmites treatment was made by Parenteau, seconded and passed.
- **Lake Utilization Committee**
 - 4955 Lake Ave. follow-up – Chris Churchill said that a letter was sent to the caretaker about floating debris and possible signage lodged in the lake bed. However, an inspection of the site last week showed no floating debris (there is deteriorating rooted terrestrial vegetation), and the signage is not embedded, and appears to have been there a long time. Churchill will follow up about the letter sent by a constituent regarding this issue. Churchill also noticed a 10 inch diameter steel-sheathed cable that runs along the property line about 75 ft into the water and then stops.
- **Lake Education Committee**
 - Educational outreach update – Scott Costello reported that content was provided to the White Bear Press for their third of four Laker issues which is going to press this week.
 - Social media update – On social media this month, Meredith Walburg will post information about: lake temperature and lake level: the next August Laker; a lost WBLCD white shallow water buoy (in hopes someone found it); the phragmites survey and treatment; and the office will be closed.

Information about the September variance public hearing will go on social media and the website. It was noted that adjacent property owners and other interested parties need to be notified one week to 10 days prior to a public hearing to make comments and/or attend the meeting.

- **Treasurer Reports** - A motion to approve debit card purchases #11 and #12, and checks #4886 through #4892, was made by Mike Parenteau, seconded and passed.

9. Board Council Report

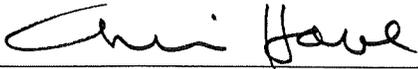
- When Water Patrol reports come in, Alan Kantrud will get them to the Board.

10. Announcements

- The Administrator asked that if anyone has a painter reference to let her know.
- There will be no office hours on Tues. Aug 22, and Thurs Aug. 24; emails will be monitored during that time.
- The next Board meeting will be held on Sept. 19, 2023

- 11. Adjournment** – A motion to adjournment at 8:20 pm was made by Chris Churchill, seconded and passed.

ATTEST:

Bryan DeSmet, Chair  Date 8-15-2023
 Cheri Howe, Administrator  Date 8/15/2023



City of White Bear Lake
Engineering Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Paul Kauppi, Public Works Director/City Engineer
Date: October 10, 2023
Subject: **Feasibility Report for Proposed 2024 Pavement Rehabilitation Project, City Project Nos.: 24-01, 24-08**

SUMMARY

The City Council will consider adopting a resolution ordering the preparation of a feasibility report of the 2024 Pavement Rehabilitation Project.

BACKGROUND INFORMATION

The City of White Bear Lake has been reconstructing streets since the mid-1980's, replacing deteriorated streets with new engineered gravel bases, concrete curb and gutter and bituminous pavements. Street reconstruction projects also include improvements to the storm sewer system and installation of storm water treatment facilities. The reconstruction program is ongoing, and the City has reconstructed over 94% of its streets (80 miles) which leaves just over five (5) miles remaining to be improved to an urban design and current engineering standards.

Once streets have been reconstructed to current engineering standards, they can be maintained by routine maintenance techniques such as crack sealing, sealcoating, and minor patching. These maintenance techniques should keep bituminous pavements in good condition for approximately 25 years before another major rehabilitation technique such as milling and overlaying is necessary. The life of the pavements between major rehabilitation techniques depends largely on traffic types and volumes. Streets which carry larger vehicles with heavy loads and higher daily volumes of traffic can show signs of wear more than low volume residential streets.

There are streets in the City in which the wearing course (top surface of pavement) is deteriorating to the point where routine patching is no longer able to maintain the street in an acceptable driving condition, making milling and overlaying necessary. Milling and overlaying is a process where the upper 1-1/2 to 2 inches of asphalt is "milled" (removed with a large grinding machine) and then a new bituminous wearing course is placed, creating a new road surface. Use of this pavement maintenance technique is necessary to ensure the preservation of our street pavements. This type of project extends the length of time required between street reconstructions. As reconstructed pavements age, the City will need to increase the

number of mill and overlay projects in order to maintain the serviceability of its pavement infrastructure.

The City has reached a point in its pavement management program where the implementation of a mill and overlay program is necessary to preserve the investment it has made in its pavement infrastructure. The City incorporated a mill and overlay component into its overall Pavement Management Program for the first time in 2011. The mill & overlay program is starting now even though we have not yet completed the street reconstruction program (approximately 6% or 5 miles of streets remain). The City will be challenged as it works to complete the street reconstruction program while undertaking mill and overlay projects at the same time to maintain streets reconstructed 20- 30 plus years ago. Staff anticipate that the two programs could overlap for the next four to six years before the street reconstruction program is completed as we continue to undertake mill and overlay projects.

Each year, the City Council selects streets for inclusion in the City's Street Reconstruction Program. The Council receives recommendations for pavement rehabilitation projects from the Engineering / Public Works Department based upon pavement conditions, among other factors. The proposed 2024 Pavement Rehabilitation Project map is attached. Streets proposed for reconstruction are highlighted in red, which includes one alley. Streets proposed for full pavement replacement are highlighted in blue.

Based upon staff analysis, the following are recommended to the Council for inclusion in a Feasibility Report for the 2024 Pavement Rehabilitation Project. In addition to the streets listed below, the City's parking lots at the Sports Center will also be included in the project. This portion of the project will not be assessed and will be funded by the City.

Campbell Avenue

(Birch Lake Avenue to Fourth Street)

Third Street

(Campbell Avenue to Bald Eagle Avenue)

Second Street

(West Cul-De-Sac to Wood Avenue)

Third Street

(West Cul-De-Sac to Wood Avenue)

Wood Avenue

(Birch Lake Avenue to Fourth Street)

Krech Avenue

(Birch Lake Avenue to Fifth Street)

Sports Center Drive

(Birch Lake Boulevard South to Highway 96)

The next step in the improvement process is the preparation of a Feasibility Report to determine if the projects are advisable from an engineering standpoint, and how they could best be constructed and funded.

A portion of the project cost will be assessed to benefitting properties in accordance with the City's Special Assessment Policy. The assessment rates for 2024 will be reviewed in consultation

with the City's appraisal consultant to ensure the proposed assessments are fair, uniform, and provide benefit in the amount of the proposed assessments. Staff has asked the appraiser to specifically look at the large and irregular shaped parcels. A copy of the appraisal report will be provided to the Council upon completion.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution ordering the preparation of a Feasibility Report for the 2024 Pavement Rehabilitation Project.

ATTACHMENTS

- Resolution
- Proposed Street Projects 2024 Maps

RESOLUTION NO.

**RESOLUTION ORDERING PREPARATION OF A FEASIBILITY REPORT
FOR THE 2024 PAVEMENT REHABILITATION PROJECT
CITY PROJECT NOS. 24-01, 24-08**

WHEREAS, the City has made a commitment to improving and preserving its bituminous pavement street system by reconstructing deteriorated streets and undertaking maintenance programs such as patching, crack sealing, sealcoating and milling and overlaying; and

WHEREAS, streets which have been reconstructed and maintained with routine maintenance techniques still require periodic major rehabilitation to maintain a smooth driving surface and protect the integrity of the structural components of the road; and

WHEREAS, it is proposed to improve Campbell Avenue (from Birch Lake Avenue to Fourth Street), Third Street (from Campbell Avenue to Bald Eagle Avenue), Second Street (from West Cul-De-Sac to Wood Avenue), Third Street (from west Cul-De-Sac to Wood Avenue), Krech Avenue (from Birch Lake Avenue to Fifth Street), Wood Avenue (from Birch Lake Avenue to Fourth Street), and Sports Center Drive (from Birch Lake Boulevard South to Highway 96) by installation of utilities, storm sewer improvements and rehabilitating the bituminous pavement, and to assess the benefited properties for all or a portion of the cost of the improvements, pursuant to Minnesota Statutes, Chapter 429; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that the proposed improvements be referred to the City Engineer for study.

BE IT FURTHER RESOLVED, that the City Engineer is hereby instructed to report to the City Council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvements are necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvements as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

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

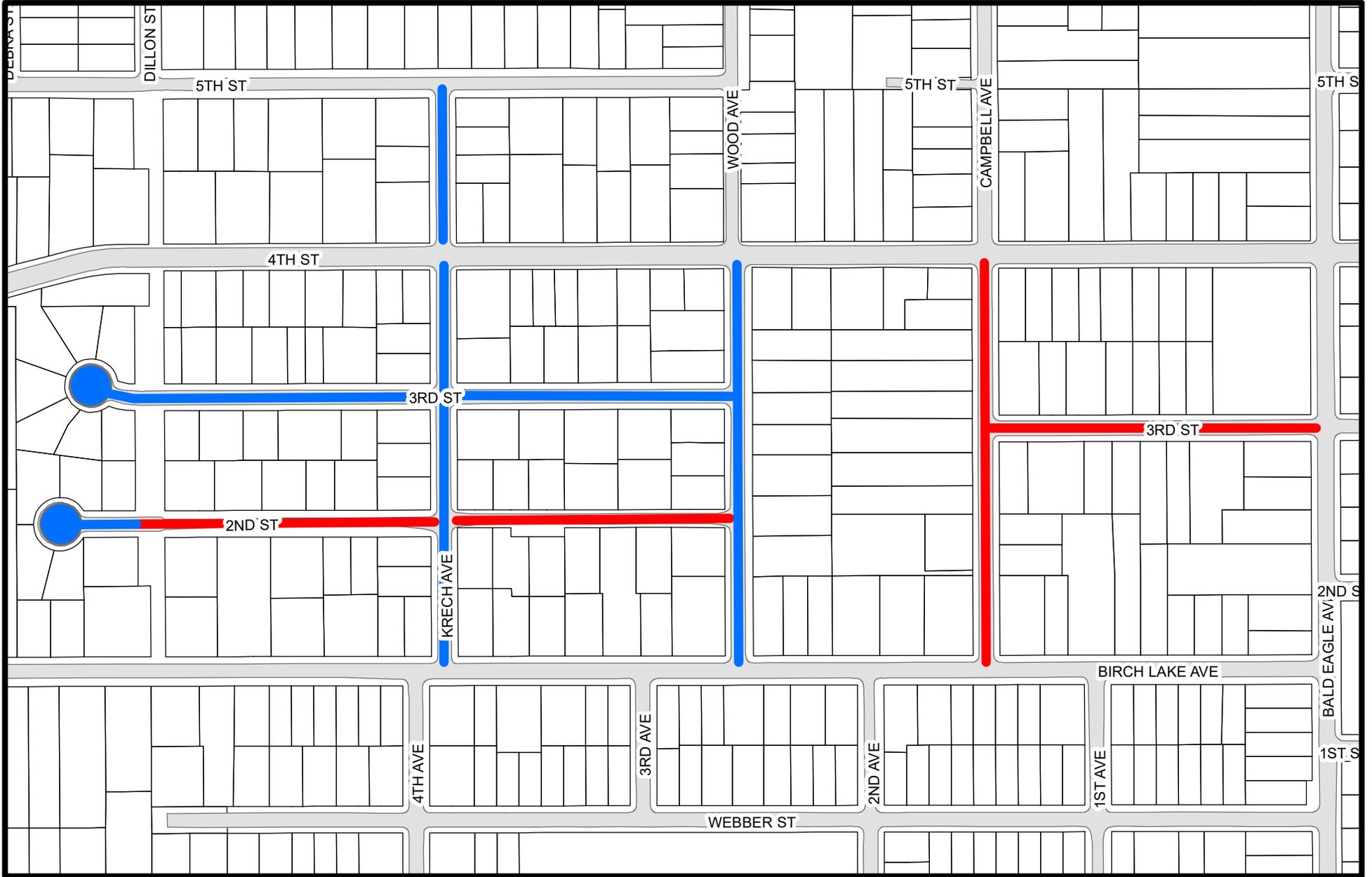
Ayes:
Nays:
Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk

2024 Street Rehabilitation Project 24-01



 **Reconstruction**

 **Full Pavement Rehabilitation**

2024 Street Rehabilitation Project 24-08



 Full Pavement Rehabilitation



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Caley Longendyke, City Clerk
Date: October 10, 2023
Subject: **On-sale 3.2% liquor, on-sale wine and Sunday liquor licenses for Golf Nerd**

SUMMARY

The City Council will consider adopting a resolution approving an on-sale 3.2% liquor, on-sale wine and Sunday liquor license for Golf Nerd LLC.

BACKGROUND INFORMATION

Joel Hall, owner of Golf Nerd (Golf Nerd LLC), submitted an application for an on-sale 3.2% liquor, on-sale wine license and Sunday liquor license. Golf Nerd is a new business located at 937 Wildwood Road and will be a golf simulator business, where golfers can practice indoors in a high-tech, virtually simulated golf environment. The owner will offer snacks and prepared frozen pizza with beverages, and will have the appropriate facilities and seating to serve food to customers.

Pursuant to Minnesota Statutes 340A.404, Subd. 5(b) and White Bear Lake Municipal Code Chapter 1002, Subd. 2, the combination of an on-sale 3.2% malt liquor and on-sale wine allows for the on-sale of intoxicating malt liquor. The liquor licenses will take effect immediately and would be valid through the end of the business cycle on March 31, 2024.

The Police Department conducts background investigations on Liquor/Tobacco License applicants to provide the City Council with objective data regarding any concerns with the applicant. These elements have been shown to contribute significantly to the successful and legal operation of our community business establishments. The Police Department conducted a background investigation and found nothing to preclude the issuance of liquor licenses to Golf Nerd.

RECOMMENDATIONS

Staff recommends the City Council adopt the attached resolution approving an on-sale 3.2% liquor, on-sale wine and Sunday liquor license to Golf Nerd.

ATTACHMENTS

Resolution

RESOLUTION NO.

RESOLUTION APPROVING ON-SALE 3.2% LIQUOR, ON-SALE WINE, AND SUNDAY LIQUOR LICENSES FOR GOLF NERD LLC D.B.A. GOLF NERD

WHEREAS, the City of White Bear Lake received an application from Joel Hall on behalf of Golf Nerd LLC, doing business as Golf Nerd, for an on-sale 3.2% liquor, on-sale wine and Sunday liquor licenses at 937 Wildwood Road, White Bear Lake, MN; and

WHEREAS, the city clerk has reviewed all submittals and found the application to be in conformance with the criteria for issuing an on-sale 3.2% liquor, on-sale wine and Sunday liquor license; and

WHEREAS, upon completion of the applicants' background checks, the White Bear Lake Police Department found nothing to preclude issuance of these liquor licenses; and

WHEREAS, these approved licenses would take effect immediately and 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 approves the issuance of an on-sale 3.2% liquor, on-sale wine and Sunday liquor license for the following:

Joel Hall on behalf of
Golf Nerd LLC
d.b.a. Golf Nerd
937 Wildwood Road
White Bear Lake, MN 55110

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, Chief of Police
Date: October 10, 2023
Subject: Swear-in Police Officer + Bi-annual Police Department Report

SUMMARY

The City Clerk will administer the oath of office to our newest police officer – Swenson. A pinning ceremony will conclude the presentation.

After, Chief Hager will present the bi-annual police department report, which will include police related statistics and highlight department activities for 2023.

BACKGROUND INFORMATION

The Police Department continues to provide a high level of service to the community while transitioning under new leadership. One of the greatest challenges for law enforcement and our department is the struggle to fill current vacancies.

The Department continues to build strong relationships and mutual trust with those we serve. We hosted several community engagement events over the past several months, which helps foster strong partnerships. Staff and I are grateful for the support and strong partnerships with all community stakeholders, including the City Manager's Office and City Council.

RECOMMENDATION

None – Information sharing only.

ATTACHMENTS

None



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and City Council
From: Lindy Crawford, City Manager
Dale Hager, Chief of Police
Date: October 10, 2023
Subject: **Suspension of School Resource Officer Agreement with White Bear Lake Area Schools**

SUMMARY

At the September 26 regular meeting, staff requested the City Council table the resolution suspending the School Resource Officer (SRO) Agreement with White Bear Lake Area to the October 10 regular meeting. The goal was to allow more time to seek additional clarification in hopes that the City could continue its services and partnership with the District.

Staff received further clarification from the League of Minnesota Cities on September 28, and made the decision to send SROs back into White Bear Lake schools on September 29. Furthermore, the Chief received clarification from Ramsey County Attorney Choi on October 4 stating that he agrees with the Attorney General's supplemental opinion letter.

RECOMMENDATIONS

The request to suspend the agreement no longer stands, and staff requests the Council remove this item from the October 10 agenda all together.

ATTACHMENTS

None