

**MINUTES OF MEETING
DELLWOOD CITY COUNCIL
JANUARY 12, 2021**

The regular monthly meeting of the Council of the City of Dellwood was held at City Hall, 111 Wildwood Road, Willernie, MN on January 12, 2021.

The meeting was held by way of teleconferencing as provided by Minnesota Statute 13D.021. The U.S. Health and Human Services Department, on January 30, 2020, declared a Public Health Emergency in response to COVID-19. On March 13, 2020 President Trump declared COVID-19 to be a National Emergency. On March 20, Minnesota Governor Walz issued an Executive Order which is effective through January 11, 2021. Mayor McGill has determined that an in-person meeting is not practical because of a health pandemic. Accordingly, no Members of the Council or City Staff were physically present at the regular meeting location. All Council Members were able to participate in the meeting, could hear each other and did discuss business which came before the Council. All votes were conducted by roll-call. Due Notice of the Meeting to be held by teleconference was duly given as required by law.

Present: Mayor Mike McGill, Councilpersons – Brady Ramsay, Scott St. Martin, and Deb Christopherson. Greg Boosalis was absent. Also present were City Clerk Joanne Frane, Treasurer Brian Beich, City Planner Nate Sparks, City Attorney Richard Copeland, Jane Schneeweis and Mr. & Mrs. Gunderson

Mayor Mike McGill called the meeting to order at 5:32 p.m.

Oath of Office: Mr. Copeland administered the Oath of Office to Mr. McGill, Mr. St. Martin and Ms. Christopherson, as Mayor and City Council Members.

Mr. and Mrs. Gunderson were present for public comment. They asked why they need a Permit since the rink had been approved a few years ago. Mr. Copeland explained that the current rink is not in the same location as that which was approved and now has high netting at one end. The City Ordinance enacted in October 2020, requires an Administrative Zoning Permit to be issued for the rink. They have filed an Application for a Permit but the Application Fee has not been paid.

Mr. Copeland explained that Jack Kramer will act as the Zoning Administrator in this matter and will contact the Gundersons to get all information required by the Ordinance. He will also contact the complaining neighbor to obtain his objections to the rink. Mr. Kramer will then decide if the rink complies with all Ordinance regulations. Anyone who disputes his decision can appeal to the City Council.

Gundersons stated that they were being “singled out”; as there are other rinks in the City for which no Permit has been issued. Mr. Copeland explained that the City does enforce its Ordinances but does not proactively search the City for possible violations. He asked Gundersons for the locations of the rinks being referred to and they declined to give any information. Mr. Copeland stated that if the locations of any such rinks become known to the City Officials, action would be taken to require that Applications be filed for Administrative Permits, as the situations may require.

Mayor McGill asked for approval of the Agenda for the meeting.

On Motion by Ramsay, second by McGill, the Agenda for the meeting was approved with the removal of the hockey rink and the following votes were taken:

McGill	Aye
St. Martin	Aye
Christopherson	Aye
Ramsay	Aye

Mayor McGill called for approval of the Minutes of the December 2020 Council Meeting. On motion by St. Martin, second by Ramsay, the Minutes were approved as submitted, and the following votes were taken:

McGill	Aye
St. Martin	Aye
Christopherson	Aye
Ramsay	Aye

Appointment List: The first item of business was the Appointment List for year 2021. Greg Boosalis is to be the appointed Civil Defense Director in place of Scott St. Martin. On motion by McGill, second by Christopherson, the Appointment List was approved, copy attached. The following votes were taken:

McGill	Aye
St. Martin	Aye
Christopherson	Aye
Ramsay	Aye

Appoint Planning Commissioners: The next item of business was the appointment of Planning Commissioners. McGill moved the appointment of Lin Lindbeck, Beverly Driscoll and Keith White as members of the City Planning Commission. Christopherson seconded, and the appointments were approved unanimously.

McGill	Aye
St. Martin	Aye
Christopherson	Aye
Ramsay	Aye

Fee Schedule: The next item on the Agenda was the Ordinance setting forth the Fee Schedule to be followed in connection with various land use requests, permits, licenses, inspections, etc. and a proposed Resolution approving publication of a summary of the Ordinance. Nate Sparks discussed the purpose of the Ordinance and the amount of various fees. On motion made by St. Martin, seconded by McGill, the Council resolved to approve Ordinance 2021-01 and the Summary Publication of the Ordinance, copy attached. The following votes were taken:

McGill	Aye
St. Martin	Aye
Christopherson	Aye
Ramsay	Aye

Demolition Permit Ordinance: The next item to the Agenda was the Ordinance adding a Section Number 90.08 to require a Site Plan to be submitted together with any Application for a demolition permit where the property owner intends to rebuild on the same property. Nate Sparks discussed the purpose of the Ordinance was to ensure that the property owner is aware of the Ordinances and Regulations which will apply to any reconstruction project. It is better for the City and the property owner to address those issues before the demolition rather than after. St. Martin moved to approve Ordinance Number 2021-02, copy attached. The motion was seconded by Ramsay and unanimously approved. The following votes were taken:

McGill	Aye
St. Martin	Aye
Christopherson	Aye
Ramsay	Aye

December 2020 Claims List: The Claims and Receipts List for the month of December 2020 was reviewed and discussed. On motion by Ramsay, seconded by St. Martin, the Claims and Receipts List was unanimously approved as submitted.

McGill	Aye
St. Martin	Aye
Christopherson	Aye
Ramsay	Aye

Reports:

Brian Beich reported on the financial condition of the City.

St. Martin noted that efforts will be made to acquire more detailed information from the Sheriff’s Office with respect to any item shown in the monthly reports which the City deems needed for clarification.

Ramsay reported on current conditions in the area on Peninsula Road and Gardner Lane where a new home is being constructed. Some complaints have been received about parking and blocking of the roadway. He is keeping an eye on things. Brian Beich stated that it appears that the foundation for the new home is completed.

St. Martin reported on the fire and police protection services. All is in good order.

Ramsay reported that the dead tree at Highway 96 and Evergreen Road has not yet been removed. It has been reported to the City’s Tree Inspector and MN Dot.

McGill reported 2 remodel Permits.

Jane Schneeweis was present to introduce herself as the liaison person appointed by the City of Mahtomedi to interact with the City of Dellwood. McGill stated that this is a good idea, probably overdue. Dellwood will contact her should any issues arise.

Joanne Frane, City Clerk, noted that the Board of Review meeting is scheduled for Monday, April 12, 2021 at 5:00 p.m. A quorum of the Council is required, at least 1 of which must be certified. McGill is certified but it is recommended to have at least 2 Councilpersons certified. The process is done on-line with a brief tutorial quiz. The City must designate its certified Council Members. St. Martin and Ramsay stated that they would attend the Board of Review meeting.

There being no further business, St. Martin moved to adjourn, and Ramsay seconded. The Council Members voted unanimously by roll-call to adjourn the meeting at 6:18 p.m., and the following votes were taken:

McGill	Aye
St. Martin	Aye
Christopherson	Aye
Ramsay	Aye

The meeting was adjourned at 6:18 p.m.

Respectfully submitted,



Joanne Frane
Dellwood City Clerk / Administrator

APPOINTMENTS FOR 2021

OFFICIAL BANK	MIDWEST ONE BANK
OFFICIAL PAPER	WHITE BEAR PRESS
CITY ATTORNEY	RICHARD W. COPELAND
BUILDING, PLUMBING, HEATING INSPECTOR	JACK KRAMER
PROPERTY COMPLIANCE OFFICER	JACK KRAMER
SEPTIC INSPECTOR	BRIAN HUMPAL
DEPUTY MAYOR	SCOTT ST. MARTIN
WEED INSPECTOR	MIKE MCGILL
DEPUTY WEED INSPECTOR	SCOTT ST. MARTIN
SAFETY COMM. (POLICE, FIRE, & ANIMAL)	SCOTT ST. MARTIN
BUILDING & SEPTIC COMMISSISONER	MIKE MCGILL
ROAD COMMISSIONER	BRADY RAMSAY
SPECIAL PROJECTS COMMISSIONER	MIKE MCGILL
WBLCD REPRESENTATIVES	MARTY RATHMANNER and SCOTT O'CONNOR
CABLE COMMISSION REP.	ROBERT NUFFORT, JOANNE FRANE-ALTERNATE
CIVIL DEFENSE DIRECTOR	GREG BOOSALIS
CLERK/ADM/ZONING ADM	JOANNE FRANE
CITY INSURANCE	BEARENCE MANAGEMENT GROUP - MARK LENZ
CITY ENGINEER	FOCUS ENGINEERING- CARA GEHEREN
ACCOUNTANT	FOLEY KALSEIM & CO-DUSTIN MOELLER
TREASURER	BRIAN BEICH
CITY ASSESSOR	CHASE PELOQUIN
WEBMASTER	BEN ROBEY
TREE INSPECTOR	WOODCHUCK-TYLER JACOBSON
ANIMAL CONTROL OFFICER	COMPANION ANIMAL CONTROL-BRIT HARMON
ROAD MAINTENANCE (per contract)	KEJ ENTERPRISES, INC. - KEN JOHNSON
DATA PRACTICES COMPLIANCE OFFICIAL	JOANNE FRANE
CITY PLANNER	NORTHWEST ASSOCIATED CONSULTANTS-NATE SPARKS

ORDINANCE 2021-01

AN ORDINANCE AMENDING SECTION 30.11 REGARDING THE FEE SCHEDULE

THE CITY OF DELLWOOD ORDAINS:

Section 1. Code Amended. That Section 30.11 is hereby amended to read as follows:

30.11 FEES AND CHARGES. The City Council may adopt those fees and charges that are authorized by this code. Until a fee becomes effective, all fees and charges established by ordinance or resolution prior to the adoption of this code shall remain in effect. Once a fee has become effective any previous fee is no longer in effect. License fees are annual fees and permit fees are for each permit, unless specified otherwise. The following license fees and permit fees shall be paid to the City Clerk together with the application for license or permit:

- A. General Fees. For all licenses and permits not listed below: \$30
- B. Administrative Fees.
 - 1. Copies: \$0.25 per sheet (residents free within reason)
 - 2. Return Check Fee: \$30
- C. Business & License Fees.
 - 1. Garbage License (Section 50.12): \$200
 - 2. Vendor License Application Fee: \$1 per application
 - 3. Vendor License: \$200
 - 4. Liquor License (Chapter 112): \$600
 - 5. Temporary Liquor License: \$0 per permit
 - 6. Cigarette License (Chapter 114): \$40
- D. Animal Control Fees.
 - 1. Animal License (Section 91.02): \$10.00 for two years
 - 2. Animal Control Impound Fee (Section 91.07): \$90 per occurrence plus \$22 daily impound and any veterinary costs. All fees incurred by the City shall be born by the animal owner.
- E. General Permit Fees.
 - 1. Gambling Permit (Chapter 116): \$0
 - 2. Fireworks Application Permit Fee (Section 130.03): \$200
 - 3. Open Burning Permit (Section 130.09): Amount required by White Bear Lake Fire Department
 - 4. Public Dance Permit (Section 118.03): \$200
- F. Building Permits & Fees.
 - 1. Building Permits – On Valuation
 - 2. Plan Check Fee: 65% of building permit fee
 - 3. Recurring Plan Check Fee: 25% of building permit fee
 - 4. Plumbing (residential): \$100.00 & \$1.00 surcharge

5. Mechanical (residential): \$100.00 & \$1.00 surcharge
6. Air Conditioning Installation: \$100.00 & \$1.00 surcharge
7. Air Conditioning (part of mechanical installation): \$100.00 & \$1.00 surcharge
8. Gas piping (that is not part of mechanical installation): \$100.00 & \$1.00 surcharge
9. Fireplace (gas or wood): \$100.00 & \$1.00 surcharge
10. Re-roofing (residential): On Valuation & \$1.00 surcharge
11. Re-siding: On Valuation & \$1.00 surcharge
12. Window replacement (in existing opening): On Valuation & \$1.00 surcharge
13. Demolition: \$100.00 & \$1.00 surcharge
14. Other maintenance of minor projects as determined by the Building Official: \$80.00 & \$1.00 surcharge
15. Other Inspections and Fees:
 - a. Inspections outside of normal business hours: \$47.00 per hour*
 - b. Re-Inspection fees: \$47.00 per hour*
 - c. Inspections for which no fee is specifically indicated: \$47.00 per hour* (minimum charge one-half hour)
 - d. Additional plan review required by changes, additions or revisions to plans: \$47.00 per hour*
 - e. For use of outside consultants for plan checking and inspections or both: Actual costs**
 - * Or the total hourly cost to the jurisdiction, whichever is the greatest.

The cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

** Actual costs including administrative and overhead costs.
16. Septic Permit: \$600

G. Land Use & Zoning Fees.

1. Variance, Appeal, Conditional Use Permit, Interim Use Permit, Amendment, Minor Subdivision, Preliminary Plat, Final Plat (Section 152.13), Excavation, Grading & Filling Permits (Section 152.06.G), Stormwater Management Plan (Section 53.095): \$200 base fee plus \$1000 escrow. Escrow may be reduced to \$500 by the City Clerk for minor applications in the sole judgment of the City Clerk.
2. Antenna/Tower Conditional Use Permit (Section 155.05): \$1000
3. Antenna/Tower Annual Inspection Fee: \$300
4. WECS Annual Inspection Fee (Section 155.15.1.4): \$100
5. Zoning Permit (including Pool Permit in Section 153.04): \$75
6. Septic Site Plan Review: \$200
7. Zoning and Engineering Site Plan Review: \$100
8. Right-of-Way or Public Easement Vacation: \$200 plus \$600 escrow.

H. Right-of-Way Use Fees.

1. Right-of-Way Registration Fee (Section 56.05): \$100
2. Right-of-Way Excavation Permit (Section 56.12): \$500
3. Right-of-Way Construction Escrow (Section 55.01): \$1000

- 4. Right-of-Way Permits (Section 56.12): \$25

- I. Public Safety & Enforcement Fees.
 - 1. False Alarm Fees (Sections 135.03 and 135.05): Alarms 3-6 \$50, 7+ \$100
 - 2. Administrative Penalties (Section 30.16)
 - a. Building Code (Chapter 90): \$300
 - b. Sewer Ordinance (Chapter 51): \$300
 - c. Sign Ordinance (Chapter 94): \$100
 - d. Parking Regulations (Chapter 71): \$75
 - e. Road Escrow (Chapter 55): \$200
 - f. Fence (Chapter 93): \$200
 - g. Exterior Storage (Chapter 95): \$200
 - h. Peddlers (Chapter 113): \$200
 - i. Excavation/Filling (Chapter 152): \$150
 - j. Animal Licensing & Control (Chapter 91): \$150
 - k. All other offenses: \$75

Section 2. This Ordinance shall be effective upon passage and publication.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DELLWOOD THIS 12th DAY OF JANUARY, 2021.

APPROVED:



Mike McGill
Mayor

ATTEST:



Joanne Frane
City Clerk

(seal)

Summary
Published
on
January 20, 2021

CITY OF DELLWOOD
WASHINGTON COUNTY, MINNESOTA

RESOLUTION 2021-01

A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF
ORDINANCE NO. 2021-01 REGARDING THE FEE SCHEDULE

WHEREAS, as authorized by Minnesota Statutes, Section 412.191, subd. 4, the City Council has determined that publication of the title and summary of Ordinance No. 2021-01 will clearly inform the public of the intent and effect of the Ordinance; and

WHEREAS, a printed copy of the Ordinance is available for inspection during regular office hours in the office of the City Clerk.

NOW THEREFORE, BE IT RESOLVED that the following summary of Ordinance No. 2021-01 is approved for publication:

CITY OF DELLWOOD
ORDINANCE NO. 2021-01
REGARDING THE FEE SCHEDULE

*published on
January 20,
2021*

Section 1. The Dellwood City Code is hereby amended to include the following ordinance summarized below:

The City of Dellwood amended Section 30.11 of the City Code to regarding the fee schedule to include fees related to animal control and right-of-way vacations.

Section 2. The full ordinance will be in effect on the date of this summary publication.

Section 3. The full ordinance is available for review during regular office hours in the office of the City Clerk.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF DELLWOOD THIS 12TH DAY OF JANUARY, 2021.

APPROVED



Mike McGill
Mayor of Dellwood

Attest:



Joanne Frane
City Clerk

ORDINANCE 2021-02

AN ORDINANCE ADDING SECTION 90.08 REGARDING DEMOLITION PERMITS

THE CITY OF DELLWOOD ORDAINS:

Section 1. Code Amended. That Section 90.08 is hereby amended to read as follows:

90.08 DEMOLITION PERMIT SITE PLAN. All demolition permits shall be accompanied by a site plan depicting the intended construction on the site of the property after demolition, if any. Such site plan shall be reviewed by the City and the applicant shall be informed of, and acknowledge receipt of, relevant general zoning information regarding the proposed post-demolition construction. Such information is not guaranteed to include every potential outcome and does not abrogate potential responsibilities for any permits or land use requirements.


Section 2. Effective Date. This Ordinance shall be effective upon passage and publication.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DELLWOOD THIS 12th DAY OF JANUARY, 2021.

APPROVED:


Mike McGill
Mayor

ATTEST:


Joanne Frane
City Clerk

(seal)

Published on
January 20, 2021