

**MINUTES OF MEETING
DELLWOOD CITY COUNCIL
FEBRUARY 9, 2021**

The regular monthly meeting of the Council of the City of Dellwood was held at City Hall, 111 Wildwood Road, Willernie, MN on February 9, 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, 2020 Minnesota Governor Walz issued an Executive Order which is effective through February 20, 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 – Greg Boosalis, Brady Ramsay, Scott St. Martin, and Deb Christopherson were present. Also present were City Clerk Joanne Frane, Treasurer Brian Beich, City Planner Nate Sparks, City Engineer Cara Geheren and City Attorney Richard Copeland and Planning Commission Chairman Lin Lindbeck. Also present were officers of the Lake Links Trail Association, Steve Wolgamot, Dennis Lindeke, Dorian Grilley, Mike Brooks, Ian Harding and Blanche Hawkins. Also present were Edwin McCarthy, Christi Loida, Keith White, Meredith Walburg and Tony Yocum.

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

Public Comment: Christi Loida stated that they are progressing with their plans and that there will be a driveway from the street to the building, and that the building will be the setback requirements. She noted that the City's website does not give the information as to the front, rear and side lines and other setback distances.

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

On Motion by Boosalis, second by Ramsay, the Agenda for the meeting was approved as submitted and the following votes were taken:

McGill	Aye
St. Martin	Aye
Christopherson	Aye
Ramsay	Aye
Boosalis	Aye

Mayor McGill called for approval of the Minutes of the January 2021 Council Meeting. On motion by Ramsay, second by McGill, the Minutes were approved as submitted, and the following votes were taken:

McGill	Aye
St. Martin	Aye
Christopherson	Aye
Ramsay	Aye
Boosalis	Aye

Lake Links Bike Trail Update: Members of the Lake Links Trail Association were present to give an update. Steve Wolgamot introduced Dorian Grilley who made a presentation with maps showing the proposed location of the trail from Highway 96 through the City to the Mahtomedi City line. The location begins on the westerly side of Highway 244 (Dellwood Avenue) and crosses over to the easterly side near Meadow Lane. For the most part, the proposed trail would lie within the right-of-way of Highway 244, the parcels donated or to be donated for trail purposes by individual property owners, and the tax forfeited parcels owned by the City of Dellwood. There is a need to acquire additional land from private owners along the proposed route. It appears there may be an overlap of abandoned railroad right of way and the right of way of Highway 244.

St. Martin raised the question of whether the land donated so far by private owners was given to the City of Dellwood. Steve Wolgamot stated that there are no formal documents or deeds for any donated parcels at this time, but the individuals have given assurances to the Trail Association that legal transfers will be made when requested. He pointed out that Dellwood has not official accepted any donation of land for trail purposes and has not officially given land to the Trail Association specifically for such purposes.

Mr. Grilley and Mr. Wolgamot noted that the State grant money has been appropriate for development of the trail within Dellwood and that the City will not have to expend general City funds for that purpose. The amount appropriated to date is 3.6 million dollars, and is in effect for the next 4 to 5 years.

Boosalis asked about crossings over Highway 244 and whether existing traffic lanes will be narrowed. Wolgamot stated that no final decisions have been made yet. The goal is to put the trail on existing road right of way and abandoned railroad right of way as far as possible.

McGill asked about old plans to run the trail along Highway 96 and Quail Road to meet up with the existing Gateway Trail. Wolgamot stated that there is a proposed Regional Corridor to link up the trails from the City of white Bear Lake to the Gateway Trail, but the attraction for the public is the proximately of the lake itself. Wolgamot stated that there are alternatives to be explored. It is possible that all Cities in which part of the proposed Trail is to be located will enter into a Joint Powers Agreement to address the development and maintenance and use of the Trail through the various Cities involved. St. Martin stated that the Dellwood Council and Planning Commission need to have more concrete information as to the ownership and maintenance of the Trail, and what degree of control the Cities will have to regulate its location, construction, maintenance and use.

Wolgamot acknowledged that the unique nature of the City of Dellwood, in that it may have 9000 lineal feet of Trail within its limits, to be supported by only 1000 residents.

McGill noted that the problem with the railroad right of way near the "swamp" area may need considerable work, perhaps including widening of the shoulder. Mr. Grilley stated that the Trail in that area would likely be an asphalt surface separated from the roadway by curb.

A discussion was held regarding the Trail crossings and private driveways, of which there will be several. Wolgamot stated that their engineers are working on that issue for safety reasons.

Edwin McCarthy asked what would happen if the City of Dellwood does not accept the funds which have been allocated by the State? Mr. Wolgamot stated that the City could not be forced to accept the

money or to be involved in the ownership of the Trail. The Trail, if possible, could be located entirely within existing Highway 244 right of way in which case the City may not have much control. Boosalis questioned whether any part of the 3.6 million could be held back, to be used for maintenance of the Trail. Mr. Grilley stated that any surplus not used for development and construction could be used for on-going maintenance. Mr. Wolgamot stated that the Trail Association wants the City to be comfortable with the proposal and not to be concerned with costs of maintenance as that issue will be worked out eventually to the satisfaction of the City.

Boosalis questioned whether a private organization could own and operate the Trail.

Mr. Wolgamot stated that perhaps he could have done a better job of communicating with the City and will do his best to do so in the future. He stated that anyone can contact the Trail Association people at its website: www.lakelinks.net.

Lin Lindbeck stated that information has been difficult to come by and that he gets of it by way of the White Bear Press. He stated further that the City needs to have input from its residents and does not have sufficient information from the Trail Association to adequately inform its residents as to what is happening.

McGill stated that it is his intention to have a Special Meeting at which the City Officials and Staff can dialog with residents. Boosalis noted that he has individually had some discussion with Mr. Wolgamot.

17 Peninsula Road: Nate Sparks stated that the “as built” survey was reviewed by an on-site inspection and the inspector found that a private improvement has been made on the right of way of Peninsula Road which had not been shown on the site plan. This consists of an area of impervious surface, not permitted by City Ordinance or City approval.

Cara Geheren stated that the fabric underlayment may be pervious but that the trap rock placed on top of it renders the area impervious. Tony Yocum described the improvement was to prevent surface water run-off down Peninsula Road toward the O’Connor property, where complaints of flooding have been made. Cara Geheren remarked that the creation of an additional parking area within the right of way on Peninsula Road is not permitted. The City could not allow any additional impervious surfaces in that area. She and Tony agreed that they would work together to resolve those issues and report at a future Council meeting.

Upon motion by McGill, second by Ramsay, the Council unanimously resolved to continue in effect the Temporary Certificate of Occupancy until such time as a further report is available.

The following votes were taken:

McGill	Aye
St. Martin	Aye
Christopherson	Aye
Ramsay	Aye
Boosalis	Aye

WBL Conservation District Board Appointment: Upon motion by McGill, second by Boosalis, the appointment of Meredith Walburg to serve as Dellwood’s Representative on the WBL Conservation District Board was unanimously approved. She is to fill the position previously held by Marty Rathmanner.

Temporary Gambling Permit: This Application is for a Temporary Gambling Permit to conduct a raffle at the White Bear Yacht Club. Mr. Copeland noted that the Application is in proper order, except that the location of the event is shown to be Hennepin County. The Application needs to be corrected before this is sent to the State.

Upon motion by Boosalis, second by Christopherson, the Application was unanimously approved, with no waiting period to be required, and the foregoing correction made.

The following votes were taken:

McGill	Aye
St. Martin	Aye
Christopherson	Aye
Ramsay	Aye
Boosalis	Aye

January 2021 Claims List:

The Claims and Receipts List for the month of January, 2021 was reviewed and discussed. On motion by Ramsay, seconded by Christopherson, the Claims and Receipts List was unanimously approved as submitted.

McGill	Aye
St. Martin	Aye
Christopherson	Aye
Ramsay	Aye
Boosalis	Aye

Reports:

Brian Beich reported a balance of \$831,179 in the general account plus \$315,000 in the Certificates of Deposit.

Ramsay reported no significant issues with parking or access in the construction area on Gardner Lane. He checks on it regularly as does the Washington County Sheriff.

McGill reported 3 remodel Permits.

Cara Geheren asked that the Bike Trail matter be put on the March Council Agenda. She will contact the State grant money administrator to determine how the City is to be involved in the eventual decision to accept or not accept the funds allocated for Trail purposes.

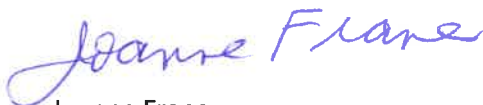
St. Martin also noted that he has serious concerns about ownership, maintenance, driveways, safety issues, and so forth.

Boosalis noted his concerns about liability on the part of the City and regulations as to its use.

There being no further business, Boosalis moved to adjourn, and Ramsay seconded. The Council Members voted unanimously by roll-call to adjourn the meeting at 7:23 p.m., and the following votes were taken:

McGill	Aye
St. Martin	Aye
Christopherson	Aye
Ramsay	Aye
Boosalis	Aye

Respectfully submitted,



Joanne Frane
Dellwood City Clerk / Administrator