

**MINUTES OF MEETING
DELLWOOD CITY COUNCIL
MAY 11, 2021**

The regular monthly meeting of the Council of the City of Dellwood was held at City Hall, 111 Wildwood Road, Willernie, MN on May 11, 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 June 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 – Scott St. Martin, Greg Boosalis, Deb Christopherson and Brady Ramsay were present. Also present were City Clerk Joanne Frane, Treasurer Brian Beich, City Engineer Cara Geheren, City Planner Nate Sparks and City Attorney Richard Copeland. Also, present – Phoebe Leonard of 18 Dellwood Ave.

Mayor Mike McGill called the meeting to order at 5:30 p.m.

Public Comment: Mayor McGill noted that there were no persons present for public comment.

Agenda: On motion by Boosalis, second by Ramsay, the Agenda for the meeting was approved with no changes. The following votes were taken:

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

Approval of April Council Minutes: Mayor McGill called for approval of the Minutes of the April 13, 2021 Council Meeting. On motion by Ramsay, second by McGill, the Minutes were approved as submitted, with correction of a typo on page 3, fifth paragraph, second line the word “not” should be “no”, and page 3, seventh paragraph, the word “land” should be inserted following the word “private”; and the following votes were taken:

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

Approval of Board of Review Minutes: Upon motion by McGill, second by Boosalis, the Minutes of the Board of Review Hearing of April 12, 2021, were unanimously approved.

McGill	Aye
Ramsay	Aye
Boosalis	Aye

St. Martin Aye
Christopherson Aye

Update on Lake Links Trail: City Engineer Cara Geheren gave an update on her contacts with MNDOT and Washington County. A meeting for June 11th with Washington County will include discussion of the proposed Trail along State Highway 96. She reported that MNDOT may have plans for the turn-back of Highway 244 to the Cities of Mahtomedi and Dellwood. She has met with representatives of the Lake Links Trail Association. It is essential that all parties have a clear understanding of the final location of the Trail through Dellwood where it will involve privately donated land. She will also be in touch with WSB to discuss that issue as well as anticipated project costs. She has provided to the City a sample Limited Use Permit which MNDOT used in connection with a public trail project in Hastings. She stressed that this L.U.P. is simply a representation of the terms which likely will be involved in a Trail along Highway 244, but each LUP is tailored to the particular situation.

It appears to be clear that MNDOT will not directly handle the design and construction, operation, and maintenance of the Trail, but will impose standards and requirements which the City must follow. At present we are in the “collection” stage of gathering whatever information is needed, as it becomes available. She stated that the City has a number of years in which to decide whether to accept grant money and the responsibilities which go with it.

McGill stated that the City has to determine if its residents do, in fact, want the Trail in the City. Dellwood residents should not have to pay for something that they do not want. McGill inquired whether Cara was aware of any situation where a City refused to accept the creation of a public trail within the right of way of any State Highway. Cara reported that it may be likely that Highway 244 will be turned over to Washington County or to the Cities of Mahtomedi and Dellwood. She believes that Mahtomedi would be in favor of accepting a turn-back. Cara will reach out to the City Engineers for Washington County and the City of White Bear Lake. Ramsay stated that he believes a part of Highway 244 has already been transferred to Washington County and will then in turn be transferred to Mahtomedi.

Boosalis asked Cara if an alternate route were to be chosen by the City, would it have to be located within the definition of “parallel” to White Bear Lake as that term is used in the legislative appropriation? Cara replied that would be a matter of interpretation and negotiation.

McGill noted that if a public trail is to be established along Highway 96, a Lake Links Trail should be located so as to “tie in” with the Gateway Trail.

St. Martin stated that the Resolution adopted by the City of Dellwood in 2017 approved a feasibility study and design work only. The City is not committed to any particular location or to the creation of a trail, at all, in the City. That Resolution clearly stated that the City did not wish to assume the duty to construct and maintain the Trail. Cara agreed that the 2017 Resolution was simply a summary of the City Council’s thoughts about a trail.

Dr. Leonard inquired about the ability of the Trail people to take private property from residents who are not in favor of a trail on their property. It was stated that the Trail Association itself does not have the authority. However, the State, County and City as political subdivisions do have the power of eminent domain and can condemn private property for a public purpose but must pay to the landowner the fair market value of any land so taken.

McGill stated that the next step is to be in touch with Washington County. Cara will report on that at the July Council meeting.

Temporary Liquor Permit for Rotary Club of WBL: Upon motion by McGill, second by Boosalis, the Council approved the issuance of a Temporary One-Day Permit to the Rotary Club of WBL to conduct sales of liquor at Pine Tree Orchard on September 11, 2021 between the hours of 2:00 p.m. and 5:00 p.m. on the following conditions:

- 1) A Certificate of Liability Insurance be filed with the City Clerk showing insurance to be in force as of September 11, 2021 with the City named as an additional insured.
- 2) The Applicant shall confirm to the City that two Washington County Deputy Sheriffs shall be present, in uniform, during the hours of the Permit.

Those items are to be furnished to the City Clerk prior to the August 2021 Council meeting.

Council member Ramsay, being a member of the Rotary Club, abstained from discussion and voting on the application.

The following votes were taken:

McGill	Aye
Boosalis	Aye
St. Martin	Aye
Christopherson	Aye

Claims and Receipts List: The Claims and Receipts List for the month of April 2021 was reviewed and discussed. On motion by Ramsay, seconded by Christopherson, the Claims and Receipts List for April 2021 was unanimously approved as submitted. The following votes were taken:

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

Reports:

Brian Beich reported a balance of \$745,693 in the general account before payment of April bills.

McGill reported 6 remodel Permits.

Ramsay reported 2 trees which need to be taken down and a small culvert on Eldorado Drive which needs replacement.

There being no further business, Christopherson moved to adjourn, and Ramsay seconded. The Council Members voted unanimously by roll-call to adjourn the meeting at 6:15 p.m., and the following votes were taken:

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

Respectfully submitted,



Joanne Frane
Dellwood City Clerk / Administrator