

**MINUTES OF MEETING
DELLWOOD CITY COUNCIL
JULY 13, 2021**

The regular monthly meeting of the Council of the City of Dellwood was held at City Hall, 111 Wildwood Road, Willernie, MN on July 13, 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 rollcall. 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, City Engineer Cara Geheren, City Planner Nate Sparks and City Attorney Richard Copeland. Also present – Lin Lindbeck, Julie Whitaker, Joe Benson, Mike Brooks, Steve Wolgamot, Phoebe Leonard, John Carr and Ian Harding.

Absent: Treasurer Brian Beich

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.

Approval of the Agenda: On motion by McGill, second by Christopherson, 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 Minutes: Mayor McGill called for approval of the Minutes of the June 2021 Council Meeting. On motion by Ramsay, second by Boosalis, the Minutes were approved as submitted with the following corrections and the following votes were taken: Page 2 first paragraph, Highway “96” should be Highway “244”. Page 2 second paragraph from bottom, “care” should be “are”.

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

Update on Lake Links Trail: City Engineer Cara Geheren reported on her meetings with staff at Washington County, the County Engineer, Planner and Parks Director. There is a plan in place for a regional trail along Highway 96 from White Bear Lake to the Gateway Trail in Grant. The trail planned along Highway 244 is a "local" trail. It appears that there will be a turn-back of Highway 96 from the State to Washington County. The parties are now discussing the costs to upgrade the Highway before Washington County will accept the road. The costs could be approximately 20 million dollars. Cara reported that MNDOT is looking to years 2022-2024 to determine the fate of the Highway 96 and that Washington County Capital Improvement Plan may involve 3 to 5 years thereafter. She feels it is necessary for the City and Washington County to get together to discuss this, as Dellwood will have some obligations for some of the upgrade. Construction costs of the Recreational Trail in Dellwood may be shared 50/50 and the City must determine how to acquire the funds. Day to Day maintenance of the Trail in Dellwood would entirely be the City's responsibility. The County will not do snow removal. The City can decide whether or not the Trail will be open during winter months. Minor repairs will be up to the City. Significant repairs may be shared or paid by the County.

Like it or not, the City is going to be involved in the Trail business. Washington County has said they will meet with the City if requested.

Mayor McGill asked what are the options for the City. Cara stated that Dellwood could opt not to fund the Trail and in that event the County would have to decide what to do.

Ramsay asked if the City may decide not to build the Trail at all. Cara stated that the City has the option to do so. The legislative grant money of 2.6 million dollars can also be postponed, but none of it could be used for Trail purposes along Highway 96. The Grant Administrator could make an interpretation of the meaning of the language in the legislative appropriate and the scope of the restriction of the location of the Trail being "parallel" to the lakeshore. A new alignment may be agreed upon if it appears to work better for the City.

Cara suggested that City Staff make direct contact with the owners of the properties who will be affected by the construction in the proposed location of the Trail in Dellwood. The City needs to know who they are, have they agreed to donate land, are they for or against the Trail and under what conditions. Temporary construction easements may be required of some owners even if the Trail is not actually within their property. In general, all taxpayers in the City may be affected by reason of the on-going maintenance costs. Are they willing to pay for such? The City should solicit community input, either in person or remotely. A community survey could be done by U.S. Mail or online or by way of a combination of the two. Cara will have further information about the Highway 244 right-of-way and estimated on-going maintenance costs at the August Council meeting.

Cara emphasized that the City has four years to work through this project and there is no need to be in a rush. She will provide next month an exhibit showing which privately owned properties may be needed for Trail purposes.

Mr. Copeland stated that the prerequisite for any Trail in Dellwood is that it connects to a Trail on Highway 96. A Trail on Highway 96 is planned in Ramsey County even if a Trail in Washington County is not a done deal.

Boosalis asked how much money Dellwood would have to contribute in order to make the Trail a reality, above and beyond the 2.6 million appropriation. Cara responded that WSB projected a considerable gap of some kind. The legislative appropriation does not cover land acquisition. Boosalis asked if the Trail could be diverted to run northerly for Echo Street right-of-way from Highway 244 to Highway 96.

Cara stated that would be a question for the Grant Administrator.

St. Martin and Ramsay each opined that the City needs much more input, in particular from Washington County about the Highway 96 turn-back and Trail.

Mr. Copeland stated that one or two owners of properties needed for the Trail or for construction work could decide not to cooperate in which case the City would have to decide whether to conduct an eminent domain action in District Court to acquire the needed land. While that may be unlikely, it is a possibility. If MNDOT is to retain ownership of Highway 244, they have stated that they would not exercise their eminent domain authority to acquire private land for Trail purposes.

Julie Whitaker stated that she is disappointed as to the lack of information available at this point. She has never been contacted by the Trail Association but has received incomplete and inaccurate information which appears to have been put out in public by the Lake Links Trail Association. She questioned what have other Cities done so far with respect to Trail segments located in their areas. Cara said she is unaware of such information at this time but can reach out and report in August. Julie Whitaker stated she is very much concerned about the safety issues in particular the proposed crossing of Highway 244. Phoebe Leonard stated that a crossing near Meadow Lane is unsafe and makes no sense. She said she also has had no direct contact from the Lake Links Trail Association. St. Martin remarked that the City must determine first whether or not Trail access is even available, and the City needs to know its options, if any, if any segment of the Trail is not available.

Ramsay asked if WSB in its schematic report had assumed that the Trail between Meadow Lane and Highway 96 is entirely within Highway right-of-way. Cara stated that she is seeking more input from MNDOT as to what right-of-way is available and will report further in August. Cara stated that there are, in fact, places where Highway 244 just does not have sufficient width to accommodate a Trail. Private land will be needed.

Julie Whitaker stated the City has to know:

- 1) Can we afford a Trail?
- 2) What property needs to be acquired?
- 3) Who is willing to donate land for a Trail or a Temporary Easement?
- 4) Is the Trail as safe as it should be?

Mayor McGill stated that this project will take time. The City will get what is needed before making any decisions. The City wants to do it right. The City needs a map of the directly affected properties in order to make contact with those residents.

Steve Walgomot stated that a meeting of the Lake Links Trail Association is coming up shortly and that the issues raised tonight will be addressed and reports will be made to the City.

Road Project Update: Cara Geheren stated that the City engaged in a 5-year Planning Cycle for road repair/improvements. Some of the projects slated for work under the 2018 Planning Cycle have not been completed due to increased costs for repair of deteriorated streets. Some work has been or will be kicked over to the 2022 Planning Cycle, which will necessarily also involve the projects slated in 2023. The City will have to consider future financing plans with a new focus. Priorities need to be reviewed. The time is now to plan for the 2023 projects. She recommends a peer review of existing street conditions for those streets not yet completed under the 2018 Plan and those to be addressed under the 2023 Plan. She plans to do a geotechnical evaluation of subsoils, gravel underlayment, etc., to understand what the recommended improvement work will be under the 2023 Planning Cycle, and the

estimated costs and funding options available to the City. Cara recommended continuing with the Pine Tree Hills area seal coating, but she questions the efficiency of seal coating other roads. She believes crack sealing is more efficient and that the City should do some of that in year 2022. The cost would be about \$20,000.00 and should be included in the 2022 budget. Fenlea Court and Streets in Pine Tree Hills could benefit more by patching rather than pothole filling. The cost could be about \$9,500.00. Contractors should be contacted directly for quotes, and patching should be done as soon as reasonable. Better sooner than later, Cara hopes to do field evaluations next week. She noted that a geotechnical evaluation of the street underlayment can be done either by boring or by radar. Brady Ramsay asked Joanne to determine how much remains available in the current year's budget.

East Metro Water Resources: Cara Geheren explained that this contract gives the City the information and resources necessary to be informed as to water resources. It is a valuable tool for the City. Mr. Copeland stated that the contract is similar to that in which the City has participated in the past. The contract is in effect for two years and the annual cost to the City is \$742.84.

On motion by McGill, second by Christopherson, the Council resolved to approve the contract with EMWREP for two years.

McGill	Aye
Ramsey	Aye
Boosalis	Aye
St. Martin	Aye
Christopherson	Aye

Resolution Number 2021-5, Corona Virus Local Fiscal Recovery Fund: Upon motion by St. Martin, duly seconded, the Council unanimously approved Resolution 2021-5 attached hereto and authorized the Mayor to sign the Resolution as submitted with the amount of the allocation to the City to be inserted in the Resolution when such amount becomes available from the State of Minnesota.

The following votes were taken:

McGill	Aye
Ramsey	Aye
Boosalis	Aye
St. Martin	Aye
Christopherson	Aye

Temporary Gambling Permit – Canvas Health: Mr. Copeland stated that the Application is for a raffle to be held at Dellwood Country Club on July 26, 2021. The Application is in good order and the Applicant qualifies for a Permit. On motion by McGill, seconded jointly by Boosalis and Christopherson, the Council approved the issuance of a Temporary Gambling Permit to Canvas Health, a non-profit 501(c) tax exempt organization with no waiting period.

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

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

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

Reports:

Ramsay reported a tree downed by wind at the City property on Highway 96 and Highway 244 is too large for Ken Johnson to handle and will be removed by Woodchuck.

McGill stated that the trees at the entrance of Pine Tree Hills on Highway 96 have been removed.

St. Martin reported he is meeting with the White Bear Lake Fire Department on July 29th. They are adding more employees and consequently it is likely that our contract cost will increase.

Beich is absent and Mr. Copeland will get the current financial information from him.

McGill reported 8 remodel permits; no new or demo permits.

He noted that he would like to see Planning Commission Chairperson Lin Lindbeck stay in touch with the Council regarding the road situation and the proposed bike trail. He is hoping for an in-person meeting in September at a place which will accommodate as many citizens as possible who wish to attend. He noted that much more information is needed to sufficiently inform the residents.

There being no further business, Ramsay moved to adjourn, and Christopherson seconded. The Council Members voted unanimously by rollcall to adjourn the meeting at 7:26 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

**CITY OF DELLWOOD
RESOLUTION NO. 2021- 5**

A RESOLUTION TO ACCEPT THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND ESTABLISHED UNDER THE AMERICAN RESCUE PLAN ACT

WHEREAS, since the first case of coronavirus disease 2019 (COVID-19) was discovered in the United States in January 2020, the disease has infected over 32 million and killed over 575,000 Americans (“Pandemic”). The disease has impacted every part of life: as social distancing became a necessity, businesses closed, schools transitioned to remote education, travel was sharply reduced, and millions of Americans lost their jobs;

WHEREAS, as a result of the Pandemic cities have been called on to respond to the extraordinary needs of their communities through the prevention and treatment of COVID-19.

WHEREAS, city revenues, businesses and nonprofits in the city have faced economic impacts due to the Pandemic.

WHEREAS, Congress adopted the American Rescue Plan Act in March 2021 (“ARPA”) which included \$65 billion in recovery funds for cities across the country.

WHEREAS, ARPA funds are intended to provide support to state, local, and tribal governments in responding to the impact of COVID-19 and in their efforts to contain COVID-19 in their communities, residents, and businesses.

WHEREAS, \$ _____ has been allocated to the City of Dellwood (“City”) pursuant to the ARPA (“Allocation”).

WHEREAS, the United States Department of Treasury has adopted guidance regarding the use of ARPA funds.

WHEREAS, the City, in response to the Pandemic, has had expenditures and anticipates future expenditures consistent with the Department of Treasury’s ARPA guidance.

WHEREAS, the State of Minnesota will distribute ARPA funds to the City because its population is less than 50,000.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DELLWOOD, MINNESOTA AS FOLLOWS:

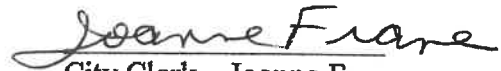
1. The City intends to collect its share of ARPA funds from the State of Minnesota to use in a manner consistent with the Department of Treasury’s guidance.

2. City staff, together with the Mayor, City Treasurer and the City Attorney are hereby authorized to take any actions necessary to receive the City's share of ARPA funds from the State of Minnesota for expenses incurred because of the Pandemic.
3. City staff, together with the Mayor, City Treasurer and the City Attorney are hereby authorized to make recommendations to the City Council for future expenditures that may be reimbursed with ARPA funds.

Adopted by the City Council of Dellwood, Minnesota this 13 day of July, 2021.


Mayor – Mike McGill

Attested:


City Clerk – Joanne Frane