

**MINUTES OF MEETING  
DELLWOOD CITY COUNCIL  
November 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 November 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 September 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, Deb Christopherson, Scott St. Martin and Brady Ramsay were present. Also present were City Clerk Joanne Frane, Treasurer Brian Beich, City Engineer Cara Geheren, City Sewer Inspector Brian Humpal, City Attorney Richard Copeland and City Planner Nate Sparks. Planning Commission Chairman Lin Lindbeck was present. Also present – Mike Brooks, John Carr and Blanche Hawkins of the Lake Links Trail Assoc., Karen Quaday and Tony Yocum, Ryan Zahler and Luke Martone.

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

Public Comment: There were no persons present for public comment regarding any matter not on the Agenda for this meeting.

Upon motion by Boosalis, seconded by Ramsay, the Agenda for the meeting was approved with no changes.

The following votes were taken:

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

Upon motion by Ramsay, second by McGill, the Minutes of the October 2021 Council meeting were approved as submitted.

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

**Renewal of Septic Inspector's Contract:** Septic Inspector Brian Humpal explained the reasons for minor changes and updates to the previous Contract. The new Fee Schedule is based on an annual retainer fee rather than on individual inspections/reviews. This represents a 10% increase from the current Fee Schedule but he has not increased his fee since year 2015. Fees collected for permits are split 80% Mr. Humpal, 20% to the city, which is not a change. The Annual Site Review of all septic systems in the City is included in the retainer which is payable \$650 per month. Copeland stated that he has worked with Mr. Humpal drafting this new Contract and is recommending its approval.

Upon motion by McGill, second by Christopherson, the Council resolved unanimously to approve the new Contract as submitted.

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

**Yocum / Quaday Lot Line Adjustment:** City Planner Nate Sparks presented a proposed Resolution 2021-08 for consideration by the Council. He recommends approval of the Resolution regarding the transfer of a small part of Yocum's property to Quaday's. It will not tend to affect the impervious surfaces of the Yocum property for which a Variance had been granted earlier. The Resolution requires that the property being conveyed be combined with the main Quaday parcel and not to be sold or transferred separately. No further impervious surfaces can be placed on the respective parcels.

Copeland stated that the parties are required to enter into an Easement Agreement in the form attached to the Resolution. He will see that the Easement Agreement is signed and recorded in accordance with the Resolution. Karen Quaday and Tony Yocum each state that the proposed Resolution was satisfactory to them.

Upon motion by McGill, second by Boosalis, the Council resolved unanimously to approve Resolution No. 2021-08 (Resolution attached).

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

**Lake Links Trail Update:** Cara Geheren discussed her Memorandum dated November 9, 2021. Met Council requirements for approval of funding include that the City confirm the project is feasible, that the City is committed to completing the trail and that it is supported by the residents of Dellwood. It was noted that there was an apparent shortfall of \$750,000 between the legislative appropriation of 2.6 million and WSB's estimate of costs. The question is where this money will come from; and the answer is not clear at this time. Cara noted that inflation since the WSB Schematic was prepared and will add to the shortfall. The exact location of the trail route has not been determined and it is unknown at this time what costs may be involved for acquisition of private land situated outside of road right-of-way. Boosalis remarked that it appears that no major obstacles exist on alternate routes as compared to the problems associated with a route along Highway 244.

McGill stated that there are too many unknowns at this time. The 2017 Resolution allowing for a design study to proceed was based upon no cost to the City. He is adamantly opposed to the City having to

cover a potential shortfall of \$750,000 or more to construct a trail along Highway 244. In his opinion, the City Council is not ready to commit to anything at this point. St. Martin stated that he agreed. The City needs much more information including when and under what conditions the turn-back of Highway 244 is to happen. Ramsay stated that it was essential that we engage the City of Mahtomedi in joint discussions regarding the turn-back issues. Mahtomedi appears to be ready to accept a turn-back from MNDOT of the segment of 244 from Stillwater Road to the Dellwood City line and is currently negotiating with MNDOT for funding.

Copeland remarked that he had received an email last week from John Carr, indicating that LLTA had an "alternate solution" to the problems presented by a trail along Highway 244 and that this alternative had not yet been presented to the Dellwood Council. Mike Brooks discussed that email and suggested that the City have an in-person meeting with LLTA to explain the alternative solution.

McGill stated that the City will provide a letter to LLTA listing the concerns the City has regarding a trail along 244 including the segment from Meadow Lane to Highway 96 and the proposed crossing of Highway 244. Mr. Brooks stated that LLTA has had a safety study completed by a traffic engineer to evaluate those problems.

Ramsay remarked that the segment from Meadow Lane to Highway 96 is only feasible if a trail is located on Highway 96, and when is that likely to happen? Brooks stated that things cannot wait for 96 to happen. Highway 244 has to be done before that time.

St. Martin moved to table this matter pending receipt of further information, or in this alternative to refer it to the Planning Commission. McGill seconded and stated that the City will use its best efforts to gather all information needed by the Council before making any commitments to MNDOT, including discussions with Mahtomedi officials and an in-person meeting with LLTA. The Council resolved to table discussions or negotiations with MNDOT pertaining to turn-back and funding issues, until the January 2022 Council meeting.

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

**Street Improvements Update:** Cara reported that it appears that maintenance work in the Pine Tree Hills area can be completed this Fall. She is awaiting an update from Schifsky regarding the quote previously received. The Geo-Tech evaluation has been completed. It is 81 pages and can be distributed to the Council Members. Cara will analyze the report and prepare a proposed time schedule including estimated costs.

Maintenance work on El Dorado, LookOut and Fenlea Circle can be deferred to next Spring. She stated that the Council should keep staff informed as to discussions which may take place with Mahtomedi and LLTA. There are lots of technical issues involved with Highways 244 and 96. It was noted that the City could appoint two Council Members to head up contacts with Mahtomedi. Ramsay as Road Commissioner should be involved. St. Martin and Boosalis said they would be happy to help.

**ARPA Grant Money:** Discussion was held regarding the possible uses for this money. Beich stated that use in connection with infrastructure such as stormwater drainage, culverts, etc. would be an authorized expenditure. St. Martin wanted to explore public health aspects which may include speed signs and speed monitoring equipment. St. Martin was not in favor of using ARPA Funds for septic treatment purposes at the City owned property on the Peninsula, as it benefits only a few private owners.

**Peninsula Property:** St. Martin said the Peninsula property needs to be cleaned up as it is becoming a dumping place. He is working with Ken Johnson on that, and it may cost about \$15,000. He feels that the placement of a gate is needed to prevent access by the public. Copeland will review the Deed from Gardners to the City to determine the restrictions placed upon the use of the property.

**Liquor License Renewals:** Copeland stated that he has reviewed the Applications submitted by Dellwood Country Club and White Bear Yacht Club, and found them to be in property order. The Washington County Sheriff's Office has conducted background checks on each Applicant and found no violations.

Upon motion by St. Martin, second by Christopherson, the Council approved the renewal of the licenses for Dellwood Country Club and White Bear Yacht Club for year 2022.

McGill	Aye
Ramsay	(had left the meeting)
Boosalis	Aye
Christopherson	Aye
St. Martin	Aye

**Resolution Designating Polling Place:** McGill presented proposed Resolution 2021-07, designating the location of the polling place for year 2022 for Dellwood residents as being:

Mahtomedi District Education Center  
1520 Mahtomedi Avenue  
Mahtomedi, MN 55115

Said location is within one mile of the City boundary.

Upon motion duly made and seconded, the Council resolved to approve Resolution 2021-07 (attached).

McGill	Aye
Ramsay	(had left the meeting)
Boosalis	Aye
Christopherson	Aye
St. Martin	Aye

**Claims and Receipts List:** Boosalis moved to approve the Claims and Receipts List as submitted. Christopherson seconded and the Claims and Receipts List for October 2021 was unanimously approved as submitted. The following votes were taken:

McGill	Aye
Ramsay	(had left the meeting)
Boosalis	Aye
Christopherson	Aye
St. Martin	Aye

**Reports:**

**Beich** reported the balance in the City's general fund is now \$806,874. He stated that radar monitoring speed signs have been purchased at a cost of \$7640. The neighbors in the area of Apple Orchard Road are working with a traffic expert to recommend the location for the signs.

**McGill** reported 11 Remodel Permits; no new construction; no demolition.

There being no further business, St. Martin moved to adjourn, and McGill seconded. The Council Members voted unanimously by roll-call to adjourn the meeting at 7:20 p.m., and the following votes were taken:

McGill	Aye
Ramsay	(had left the meeting)
Boosalis	Aye
Christopherson	Aye
St. Martin	Aye

Respectfully submitted,



Joanne Frane  
Dellwood City Clerk / Administrator

**RESOLUTION 2021-07**

**A RESOLUTION DESIGNATING POLLING LOCATION FOR THE 2022 ELECTIONS IN  
THE CITY OF DELLWOOD, WASHINGTON COUNTY, MINNESOTA**


**WHEREAS**, there was a change made during the 2017 legislative session to State Statute 204.16 which discusses polling place designations; and,

**WHEREAS**, state law now requires municipalities to designate precinct polling places for all elections for the year by December 31 of the prior year; and,

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Dellwood hereby designates the polling location for 2022 as follows:

Mahtomedi District Education Center  
1520 Mahtomedi Avenue  
Mahtomedi, MN

**ADOPTED** by the Dellwood City Council this 9<sup>th</sup> day of November 2021.

  
Mike McGill, Mayor

ATTEST:

  
Joanne Frane, City Clerk

CITY OF DELLWOOD  
WASHINGTON COUNTY, MINNESOTA

RESOLUTION 2021-08

A RESOLUTION APPROVING AN AMENDMENT TO THE VARIANCE APPROVAL IN  
RESOLUTION 2018-08 FOR 17 PENINSULA ROAD

WHEREAS, Tony Yocum (the “Owner”) was granted a variance to construct a house at 17 Peninsula Road in the City of Dellwood (the “City”); and

WHEREAS, the subject site (the “Property”) is located at 17 Peninsula Road and is legally described as:

Tract B, Registered Land Survey No. 23, Washington County, Minnesota; and

WHEREAS, the Property Owner owns additional property (the “Additional Property”) north of Peninsula Road that is approximately 0.49 acres in size and legally described as:

Tract A, Registered Land Survey No. 23 and Lot 2, Dwinnell Peninsula Addition No. 1 except that part thereof included in Registered Land Survey No. 23, Washington County Minnesota; and

WHEREAS, one of the conditions of approval of the variance, as stated in Resolution 2018-08, requires that the Additional Property remain with the Property in perpetuity; and

WHEREAS, the Property Owner wishes to convey a portion of the Additional Property to a neighboring property owner, James Quaday (the “Receiver”), at 12 Peninsula Road; and

WHEREAS, the property (the “Conveyed Property”) that the Property Owner wishes to convey to James Quaday is legally described as:

Lot 2, Dwinnell Peninsula Addition No. 1 except that part thereof included in Registered Land Survey No. 23, Washington County, Minnesota; and

WHEREAS, the Dellwood City Council reviewed the request against the variance approval in Resolution No. 2018-08 and found the request to be reasonable and to not conflict with the intent of the variance approval; and


NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dellwood hereby approves the conveyance of the Conveyed Property from the Property Owner to the Receiver with the following conditions:

1. The Property Owner shall not convey the remaining portion of the Additional Property separately and apart from Tract B, RLS No. 23.
2. The Receiver shall combine the Conveyed Property with their primary parcel at 12 Peninsula Road.


3. The Development Agreement tying the Additional Property to the Property shall be revised to include the removal of the Conveyed Property.
4. The Property Owner shall have entered into an Easement Agreement in the form of Exhibit A attached hereto, preserving Developer's rights to maintain the existing portions of the septic system and associated grading on the land described as "Lot 2, Dwinnell Peninsula Addition No. 1, except that part thereof included in Registered Land Survey No. 23, Washington County, Minnesota, for the benefit and to serve the property described as Tracts A and B, Registered Land Survey No. 23, Washington County, Minnesota, and having a street address of 17 Peninsula Road, Dellwood, Minnesota.
5. The Receiver herein shall not create or allow to be created upon Lot 2, Dwinnell Peninsula Addition No. 1, any impervious surfaces.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF DELLWOOD THIS 9<sup>TH</sup> DAY OF NOVEMBER, 2021.

APPROVED

  
Mike McGill  
Mayor of Dellwood

Attest:

  
Joanne Frane  
City Clerk