

**MINUTES OF MEETING
DELLWOOD CITY COUNCIL
December 14, 2021**

The regular monthly meeting of the Council of the City of Dellwood was held at City Hall, 111 Wildwood Road, Willernie, MN on December 14, 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 Sewer Inspector Brian Humpal, and City Planner Nate Sparks. Also present were Jake and Patty Gibbs, Shelly Lindstrom, Jason Hohn, Blanche Hawkins and Ryan Zahler.

Absent: City Attorney Richard Copeland

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 Christopherson, second by Boosalis, the Minutes of the November 2021 Council meeting were approved as submitted.

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

Yearly Septic Report: Humpal gave the annual septic report. He stated there were no imminent environmental threats. Maintenance reminders are going out in the Spring. The City may need to consider fees to offset costs of sending reminders and keeping records. He said that the City still needs to discuss the Peninsula Road community septic lot. McGill asked about how many new systems were installed in the last year. Humpal said twelve.

Public Hearing-Adopt 2022 Budget: The next item on the agenda was the public hearing on the 2022 Annual Budget. Treasurer Brian Beich presented and discussed the 2022 budget. There are no changes from the budget that was approved in September. No members of the public wished to comment. On motion by McGill, seconded by Christopherson, the final 2022-year Budget was approved unanimously. The following votes were taken:

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

Land Use Application – 80 Dellwood Ave: Sparks stated that Jacob Gibbs has made a variance request to build a new house at 80 Dellwood Avenue. The new house would exceed the impervious surfaces and be built within the side yard setbacks. There would also be retaining walls in the side yards. The front and lake yards would be met for both the house and the septic. The driveway would be moved, as well, to be more centered on the lot. The garage is to be side loaded and they are proposing landscaping along the driveway. The Planning Commission reviewed the request at their November meeting and recommended approval. No public comment was received. The DNR found that the request was acceptable provided that a drainage swale be placed between the house and the lake.

Upon motion by St. Martin, second by McGill, Resolution 2021-09 (Resolution attached) approving the variances at 80 Dellwood Avenue was approved by the following roll call vote:

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

ARPA Grant – Discussion of Purchase of External Cameras: Boosalis stated that in the interest of safety and reducing crime, he suggested that the City use ARPA funding to install cameras in key locations in the City. The estimated cost was about \$78,000 for the cameras and \$7,000 for installation. Total cost would not exceed \$90,000 without license plate readers. Beich stated that the City has three years to spend the money. McGill asked if this was just a basic system. Boosalis said yes and that the cost is higher for constant streaming and it is less expensive to have a server at each location with 30 day storage. Ramsay said that the City should ensure that this cost is covered. St. Martin said that the City should look into this further. Christopherson said the City should make sure there aren't extra costs to access data. McGill said the City should look into the basic system and ensure that the grant covers the cost. Boosalis added that he would get a quote for license plate readers, too.

Pay Equity Report: Upon motion by Ramsay, second by Christopherson, the Pay Equity Report, as attached, was accepted by unanimous roll call vote:

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

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

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

Reports:

Beich reported the balance in the City's general fund is now \$1,140,247.

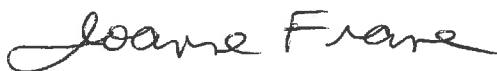
McGill reported 4 Remodel Permits; no new construction; no demolition.

Boosalis stated that there was no new information regarding the bike trail on Highway 244.

There being no further business, Ramsay moved to adjourn, and McGill seconded. The Council Members voted unanimously by roll call to adjourn the meeting at 6:29 p.m., and the following votes were taken:

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

Respectfully submitted,



Joanne Frane
Dellwood City Clerk / Administrator

CITY OF DELLWOOD
WASHINGTON COUNTY, MINNESOTA

RESOLUTION 2021-09

A RESOLUTION APPROVING LOT SIZE, IMPERVIOUS SURFACE, AND SIDE YARD
SETBACK VARIANCES AT 80 DELLWOOD AVENUE FOR THE CONSTRUCTION OF A
NEW HOUSE

WHEREAS, Jake Gibbs (“the Applicant”) has made a request for variances from the lot size requirements, impervious surface standards, and side yard setbacks for the construction of a new house at 80 Dellwood Avenue in the City of Dellwood (“the City”); and

WHEREAS, the subject site (“the Property”) is located at 80 Dellwood Avenue and is legally described as:

The following part of Lot 47, Block 12 of Dellwood according to the plat thereof on file and of record in the office of the Register of Deeds of Washington County, Minnesota, to-wit: Beginning at a point on the shore of White Bear Lake, 10 feet northwesterly at right angles to the southeasterly line of Lot 47; thence northeasterly and parallel to the southeasterly line of said Lot 47, 198 feet, more or less to the northeasterly line of said Lot 47; thence northwesterly on the northeasterly line of said Lot 47, 55.39 feet; thence southwesterly 111.18 feet to the northeasterly line of Lake Side Avenue at a point 50 feet northwesterly from the intersection of the northeasterly line of Lake Side Avenue with the first line of this description; thence in the same southwesterly direction, 78 feet more or less to the shore of White Bear Lake and thence southeasterly 47.50 feet to the place of beginning;

Also that part of Lot 47, described as follows: Commencing on a point on the shore of White Bear Lake, 57.50 feet northwesterly and at right angles to the southeasterly line of said Lot 47; thence northeasterly to a point on the northeasterly line of said Lot 47, 65.78 feet distant from the easterly corner thereof; thence northwesterly along the northeasterly line of said Lot 47, 15.59 feet; thence southwesterly to a point on the shore of White Bear Lake, 15 feet from the place of beginning measured at right angles; and thence along the shore of said Lake to the place of beginning, intending hereby to convey a strip of land 15 feet wide through said Lot 47 immediately adjoining on the northwesterly side of that portion of said Lot 47 conveyed to Joseph B. Little by Newton R. Frost and wife by deed dated December 15, 1890, recorded April 14, 1891, in Book "33" of Deeds, page 65, and first herein described.

Together with so much of Lake Side Avenue which accrued to the property hereinbefore described upon its vacation, by resolution of the Village Council of the Village of Dellwood, adopted and passed at its meeting held September 4, 1917, and subject to all rights in public highways upon the land and premises above described, and subject to the rights, if any, thereto, of the Northern Pacific Railroad. It being understood that all references to Lake Side Avenue in the foregoing description is to said Avenue as it appears upon the plat of Dellwood.

and

That portion of the right of way of the Northern Pacific Railway Company for its Stillwater Branch in Government Lot Two (2), Section Eighteen (18), Township Thirty (30) North, Range Twenty-one (21) West, Fourth P.M. bounded on the Northeasterly (NE'ly) side by the Southwesterly (SW'ly) line of a strip of land granted the Village of Dellwood for highway purposes by easement dated August 25, 1917; on the Southwesterly (SW'ly) side by the Northeasterly (NE'ly) line of Lot Forty-seven (47), Block Twelve (12) of Dellwood, according to the recorded plat thereof, said Northeasterly (NE'ly) line of Lot 47 being parallel with and distant 50 feet Southwesterly (SW'ly) measured at right angles from the center line of the original main track of said Railway Company as formerly constructed and operated; on the Southeasterly (SE'ly) side by a line parallel with and distant 10.39 feet Northwesterly (NW'ly) from the Southeasterly (SE'ly) line of said Lot 47 and Northeasterly (NE'ly) production thereof, measured along said Northeasterly (NE'ly) lot line; and on the Northwesterly (NW'ly) side by a line parallel with and distant 81.37 feet Northwesterly (NW'ly) from the Southeasterly (SE'ly) line of said Lot 47 and a Northeasterly (NE'ly) production thereof, measured along said Northeasterly (NE'ly) lot line; subject to the rights of the Northern Pacific Railway Company and other persons, if any, as set forth in decree recorded in Register of Deeds office on May 3, 1943, in Book 142 of Deeds, Page 522.

WHEREAS, the Property is located within the R-1 Zoning District; and

WHEREAS, the site is currently occupied by a house with an attached garage that has a footprint of 1,542 square feet and is located about 8.9 and 9.5 feet from the side lot lines with about 28% impervious surfaces; and

WHEREAS, Section 152.5.B.7 of the Dellwood Zoning Ordinance states that the required side yard setback for all structures is 30 feet; and

WHEREAS, Section 152.7.B of the Zoning Ordinance states that impervious surfaces on a lot cannot exceed 25%; and

WHEREAS, Section 152.10.C of the Zoning Ordinance states that a nonconforming lot of record may be allowed as a building site without variances from lot size requirements provided that:

- a. All structure and septic system setback distance requirements can be met.
- b. A Type I sewage treatment system consistent with Minnesota Rules, chapter 7080, can be installed.
- c. The impervious surface coverage does not exceed 25% of the lot; and

WHEREAS, the Applicant is proposing a Type III sewage treatment system in addition to not meeting structure setbacks and impervious surface standards; and

WHEREAS, the Applicant has requested to build a house that would be 40 feet from the right-of-way, 108 feet from the lake, and 10 and 15 feet from the side lot lines with 29.7% impervious surfaces; and

WHEREAS, the proposed house has a footprint of about 1,283 square feet with a garage of 811 square feet, porch of 295 square feet, and a deck of 302 square feet; and

WHEREAS, the Applicant is proposing to have retaining walls within the side yard setback as depicted on the site plan at about 2 and 10 feet from the property line; and

WHEREAS, the Planning Commission held a duly noticed public hearing on November 17, 2020 and recommended approval of the requested variances with conditions; and

WHEREAS, the Dellwood City Council reviewed the request at the November 16, 2021 meeting; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dellwood hereby approves the variance based on the following findings of fact:

1. The proposed variance is consistent with the Comprehensive Plan.
2. The proposed construction is a reasonable use of the Property.
3. Due to the lot being only about 73 feet in width, there are practical difficulties present in building a conforming structure on the Property.
4. The lot has been established and used for a single family residence.
5. The Applicant is reducing the amount of encroachment into the side yard setbacks for the structure.
6. The proposed construction will not alter the essential character of the neighborhood.

BE IT FURTHER RESOLVED that the City Council of the City of Dellwood hereby approves the variance with the following conditions:

1. The applicant shall provide a stormwater feature, as approved by the City Engineer, between the house and the lake.
2. Drainage and utility easements on the front and side lot lines shall be provided, as well as over the storm water management feature.
3. All comments from the City Sewer Inspector shall be addressed. No variances are granted for the location of the septic system.
4. All comments from MnDOT, DNR, RCWD, and other relevant agencies shall be addressed.
5. All fees and costs incurred by the City regarding the review of this request and implementation of this approval shall be reimbursed by the Applicant.
6. The applicant shall receive a building permit within one year of this approval or it is null and void.

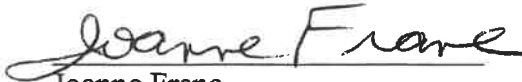
ADOPTED BY THE CITY COUNCIL OF THE CITY OF DELLWOOD THIS 14TH DAY OF DECEMBER, 2021.

APPROVED



Mike McGill
Mayor of Dellwood

Attest:



Joanne Frane
City Clerk

Attached:

Applicants Plans

Minnesota Pay Equity Management System - Dellwood(22-No Submission)

[Home](#)

[Utilities](#)

[Go To](#)

[Log Out](#)

Pay Equity Implementation Form

Information entered on this page is not submitted until you click "sign and submit." This page may be printed and shared with your governing body for approval. After you receive approval, you will need to come back to this page, complete the necessary information, then click "sign and submit."

Part A: Jurisdiction Identification

Jurisdiction: Dellwood

Jurisdiction Type: CITY - City

111 Wildwood Road
Willernie

Contact: Name	Title	Phone	Email
Joanne Frane		651-429-1356	cityhall@dellwood.us

Part B: Official Verification

1. The job evaluation system used measured skill, effort responsibility and working conditions and the same system was used for all classes of employees.

The system used was:

State Job Match

Describe below if the job evaluation system used is: "The same as last year", "A new system", "A substantially modified system from last year", or another descriptor not listed here: (*less than 240 characters)

3. An official notice has been posted at:

City Hall
(prominent location) (*less than 60 characters)

informing employees that the Pay equity Implementation Report has been filed and is available to employees upon request. A copy of the notice has been sent to each exclusive representative, if any, and also to the public library. *mailed to library 12-6-2021*

The report was approved by:

City Council
(governing body) (*less than 60 characters)

Mike McGill
(chief elected official)(*less than 60 characters)

Mayor
(title) (*less than 60 characters)

2. Health Insurance benefits for male and female classes of comparable value have been evaluated and

There is no difference and female classes are not at a disadvantage.

Checking this box indicates the following:

- signature of chief elected official
- approval by governing body
- all information is complete and accurate, and
- all employees over which the jurisdiction has final budgetary authority are included

Part C: Total Payroll

25,452.00 is the annual payroll for the calendar year just ended December 31.

Submitted 12-16-2021