

**CITY OF DELLWOOD
WASHINGTON COUNTY MINNESOTA**

RESOLUTION 2023

**RESOLUTION SUPPORTING EFFORTS FOR A BIKE PATH OR BIKE TRAIL
AROUND WHITE BEAR LAKE IN THE CITY OF DELLWOOD**

WHEREAS the City of Dellwood passed a Resolution in 2017 supporting efforts for a bike trail/path around White Bear Lake in the City of Dellwood (Exhibit A); and

WHEREAS the 2017 Resolution provided that the bike trail be located along MNDOT TH 244 in Dellwood; and

WHEREAS the 2017 Resolution provided that any path or trail be placed in the existing public right of way and not encroach upon any private lands; and

WHEREAS Dellwood as a small city has little or no revenue available to fund construction of improvements having a region-wide benefits but located within Dellwood borders; and

WHEREAS Dellwood resolved to support a bill that provided funding to complete a preliminary design for Lake Links Trail through the City of Dellwood; and

WHEREAS the 2017 Resolution provided several specific factors and limitations, such as:

- a.) Construction within the existing public land and right-of way as permitted by Rice Creek Watershed District.**
- b.) Does not affect any buildings or structures, if any, that may exist in the public land and right-of-way as defined by future roadway surveys.**

- c.) Designed to maximize the year-round safety of both residents and trail users**
- d.) Limited to the speed of bicycles on the trail.**
- e.) Respectful of the environment and the rights of those who live on or near the route including signage and sound.**
- f.) Constructed without financial support from the City of Dellwood**
- g.) Maintained and repaired as required in the future without support from the City of Dellwood; and**

WHEREAS the City of Dellwood is the recipient of a State Bonding pass through grant for the Lake Links Trail (LLT) in the amount of \$2,600,000 to design, engineer, construct, and equip trail improvements consistent with the preliminary engineering along or parallel with the shore of White Bear Lake between the Mahtomedi city limits and the west line of Washington County; and

WHEREAS the State Bonding grant had several limitations including that none of the funds could be used for preliminary design and none of the funds could be used to purchase private property; and

WHEREAS the State Bonding grant cannot be used for continued maintenance; and

WHEREAS in February 2018, the City of Dellwood, obtained from WSB & Associates Inc. for the purpose of conducting a feasibility, design and cost analysis to construct a bike path through the City of Dellwood.

WHEREAS the February 2018 WSB & Associates Inc. analysis/report provided two alternative routes, one along the north side of Hwy 244 and covering much of the abandoned railway now largely private property and an alternative route within the Hwy 244 right-of-way.

WHEREAS the February 2018 WSB & Associates Inc. analysis/report indicated the cost for such a project would be \$3,350,786.00 with an additional reserved cost add on estimate of \$500,000.00 for power line bury; (Exhibit B) and

WHEREAS a review of the US Department of Transportation, Federal Highway Administration, National Highway Construction Cost Index indicates that from February 2018 to the second quarter in 2022, there is approximately a 46% increase in costs for highway construction(Exhibit C); and

WHEREAS based upon the National Highway Construction Index and the cost estimate provided by the 2018 WSB & Associates Inc. analysis/report, there is a shortfall of state funding of over 2.5 million dollars and the City of Dellwood has insufficient funding to support the bike trail/path; and

WHEREAS the City of Dellwood acknowledges that Hwy 244, is a state-owned highway and it has no jurisdiction over such right-of way; and

WHEREAS the City of Dellwood does not wish to acquire Hwy 244 as a city owned street; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DELLWOOD that:

- 1.)The City of Dellwood reinstates all the guiding principles articulated in the Dellwood 2017 Resolution pertaining to supporting the Bike Trail/Path through the City of Dellwood.**
- 2.)The City of Dellwood will continue to support the development of a bike trail/path through the City of Dellwood.**
- 3.)The City of Dellwood will consider donating city owned property for the establishment of a bike trail/path through the City of Dellwood.**
- 4.)The City of Dellwood supports a trail provided it stays on one side of the Hwy 244 or the other and that no road crossing be allowed at Meadow Lane.**
- 5.)The City of Dellwood shall not take any legal action such as eminent domain to acquire any private property from Dellwood Property owners for the purposes of establishing a bike trail/path.**
- 6.)The City of Dellwood shall not accept transfer of Highway 244 from the State of Minnesota for a city street.**

7.)The City of Dellwood will work with the State of Minnesota to help facilitate the transfer the 2.6 million dollars grant to the Minnesota Department of Transportation to establish a bike trail/path on the Hwy 244 right-of way.

8.)In the alternative, the City of Dellwood will work with Washington County to transfer the 2.6 million dollars grant to Washington County Minnesota, for the County to establish a bike trail/path on the Hwy 244 right-of way.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF DELLWOOD THIS 10TH DAY OF JANUARY 2023.

APPROVED

Michael McGill

Mayor of Dellwood

Attest:

Joel Holstad

City Clerk