

MINUTES OF MEETING - DELLWOOD CITY COUNCIL
September 12, 2023

The regular monthly meeting of the Council of the City of Dellwood was held at City Hall, 111 Wildwood Road, Willernie, MN on September 12, 2023.

Present: Mayor Mike McGill called the meeting to order at 5:30 p.m. This meeting was held in-person with non-council members allowed to attend by remote means.

Councilpersons attending in-person were Scott St. Martin, Brady Ramsay, Deb Christopherson and Greg Boosalis.

City Staff members attending in person were City Clerk Joel Holstad, City Planner Nate Sparks, City Engineer Cara Geheren, City Treasurer Brian Beich, City Attorney Richard W. Copeland.

Others present in person were: Catherine Nicholson, Mary Gilbertson, Jo and Brett Baynton and Ben Roby.

Also present remotely were Mike Brooks and Blanche Hawkins.

Mayor McGill asked if anyone was present for public comment:

Catherine Nicolson gave a presentation regarding action being conducted by the City on the land owned by the City at the top of the Peninsula, and how they have affected the ecology of the property. There has been disturbance of more than 10,000 square feet of soil which would require a Permit from RCWD. Also that Washington County Conservation District Restoration Specialist Lisa Thompson has inspected the site and found a disturbed soil area of about 4 acres in size. She also noted that the septic mounds are a source of weeds. Catherine Nicholson claims the property needs more restoration and in a manner which complies with RCWD and WCED requirements, including a Permit.

Mary Gilbertson stated her agreement with Catherine Nicolson's comments and asked that the City be more transparent in reporting activities on the Peninsula and get the residents involved. Catherine asked that she be provided with a copy of the contract entered into by the City with the contractor hired to do clean up work on the Peninsula.

St. Martin stated that the property will likely be seeded in the fall.

Catherine asked for confirmation that the Petition submitted by the Peninsula residents had been received by the City. Mayor McGill stated that it had been received.

Jo Baynton stated that she and her husband Brett have resided in Dellwood for 35 years. In the neighborhood there is a resident with a truck which appears to have no muffler, and the noise emitted from the truck is unreasonable, likely in violation of the law.

The Mayor suggested she contact the City Attorney to see what could be done to resolve this problem.

Agenda: Mayor McGill stated that he has added number 8, being an update on 32 Evergreen Road right-of-way issues.

Upon motion by Boosalis, second by St. Martin, the Agenda for this meeting, with the addition of 32 Evergreen was unanimously approved.

August Council Minutes. Upon motion by Christopherson, second by Boosalis, the Minutes of the August 8, 2023 City Council Minutes were unanimously approved.

ITEM 1: 2023 Street Improvement Update.

City Engineer Cara Geheren stated that the work is on schedule and anticipated to be under budget. There are two items for Council action:

A Change Order regarding unforeseen expense resulting from watering to control excess dust due to extremely dry weather in the amount of \$4179. She is recommending payment. Also, there is a pay request from the Contractor in the amount of \$605,000. She is asking the Council to approve payment. St. Martin and Boosalis asked about a culvert on Many Levels Road which appears to have a large hold next to it. St. Martin noted that areas of erosion alongside the edges of some roads, and questioned the height of a culvert in front of 17 Overlook Drive. Cara said those would be addressed by the Contractor.

On motion by Ramsay, second by McGill, the Council voted unanimously to pay Change Order No. 2 in the amount of \$4179. The pay request in the amount of \$605,000 is in the Claims List.

Ramsay discussed speed signs. He noted that Ken Johnson is working directly with the Contractor to get them installed by the end of this month.

There was a discussion about speeding in general on Apple Orchard Road and whether the City should consider lowering speed limits. A study would be required.

ITEM 2: Public Services Contract

St. Martin explained the reasons behind the huge increase in fire and rescue services by the City of White Bear Lake. Basically due in large to the new building. Charges are allowed among participating Cities/Township according to population figures. St. Martin feels that the charges are fair and that the City is receiving good services from White Bear Lake.

Boosalis asked about services from Mahtomedi.

Holstad said that he has talked with the Clerk Kim Points and services may be about 20% less.

St. Martin stated that he feels the services available from White Bear Lake are of a higher quality, in particular medical services.

Holstad said that new grant money is available but not yet received to help pay for the increased costs.

St. Martin stated that the Sheriff's charges for police services have increased from about \$88,000 to \$112,000 and that one new Officer has been added to the City's Contract Area.

ITEM 3: Proposed 2024 Budget.

Brian Beich discussed the preliminary 2024 budget figures. The proposed levy is \$536,625. Fire and Police charges are up.

Ramsay stated that there have been extraordinary expenses recently and the City will get to the point where it can self fund road maintenance costs. A discussion was had regarding the ability of the City to transfer funds laterally from one project to another, where such funds are not earmarked for a specific use.

St. Martin moved to approve the preliminary budget. Christopherson seconded. The Council voted unanimously to approve the preliminary 2024 Budget as presented.

ITEM 4: Zoning Ordinance Changes.

City Planner Nate Sparks described the proposed changes in the Zoning/Shoreland Ordinance regarding sideyard setbacks and the location of accessory buildings. He reviewed for the Council his Planning Memo dated September 11, 2023 and presented proposed drafts of the changes to be made to sections of the Zoning/Shoreland Ordinance governing accessory structures and setback distances for such structures. He also presented a Resolution providing for Summary Publication of the Ordinance Amendments.

St. Martin asked if Mr. Sparks is of the opinion that these changes make good sense for Dellwood. Sparks stated they are completely in character for the City.

St. Martin moved to approve the Ordinance amending regulations regarding accessory buildings, their location on the property and their required setbacks, as stated in the proposed drafts presented by Mr. Sparks.

Christopherson seconded the motion and the Council unanimously voted to approve the Amended Ordinance as presented.

McGill moved to approve Resolution 23-___ authorizing summary publication authorizing summary publication of the Ordinance.

Boosalis seconded.

Upon vote the Council resolved unanimously to approve summary publication of the Ordinance.

ITEM 5: Lake Links Trail Update.

Boosalis reported that Washington County appears to be willing to work with the City in addressing trail issues. Also, he believes the trail association people are in the process of trying to identify residents who are willing to donate property for recreational trail purposes.

ITEM 6: 245 Dwinnell Avenue.

This home straddles the line between Dellwood and Mahtomedi. The septic system lies entirely in Mahtomedi, but Dellwood has agreed to be responsible for its inspection and directions for maintenance and replacement as needed. This property has two separate Property Tax parcels, one for Mahtomedi and one for Dellwood. Annual property taxes payable to Mahtomedi are approximately \$5900, and taxes payable to Dellwood are \$78.

The property owner appears to prefer being a resident of the City of Dellwood.

The Council decided to have the City Attorney for Dellwood discuss this situation with the City Attorney for Mahtomedi and report to the Council at its next meeting.

ITEM 7: 32 Evergreen Update.

Mayor McGill and Council member Scott St. Martin met with the owner who agreed to substantially comply with City safety concerns and setback requirements. Owner has already moved much of the encroach beyond setback lines. He agreed to apply for a permit for work remaining and agree to a liability waiver to City and parties who may have rights to the right of way potentially encumbered by recent landscape placement.

Claims and Receipts List: August 2023.

The Claims and Receipts List for August 2023 was reviewed and discussed. The Council approved the Claims and Receipts List as submitted.

Reports of Commissioners.

There being no further business, and on motion by St. Martin, second by Christopherson the meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Joel Holstad, City Clerk/Administrator