

City of Dellwood
Council Meeting Minutes

November 12, 2024

The regular meeting of the Council of the City of Dellwood was held on November 12, 2024, at the city offices in Dellwood, MN 55090. This meeting was held in person, and non-council persons were able to attend remotely. Mayor McGill called the meeting to order at 5:30 PM.

Council Members Present (in person):

- Scott St. Martin
- Brady Ramsay
- Greg Boosalis

Council Members Absent:

- Deb Christopherson

Staff Members Present (in person):

- City Clerk: Joel Holstad
- City Planner: Nate Sparks
- City Treasurer: Brian Beich
- City Attorney: Richard Copeland

Others Attending in Person:

- John Carr
- Edward McCarthy
- Susan McCarthy
- John Sacchi Mahtomedi City Engineer

Others Attending Remotely:

- Dr. Phoebe Leonard
- Julie Whitaker

Public Comment: *There were no people present for public comment.*

Agenda:

- On a motion by Scott St. Martin, seconded by Greg Boosalis, the revised agenda for this meeting was unanimously approved.

Minutes:

- On a motion duly made and seconded, the minutes of the October 8, 2024, council meeting were unanimously approved with the clarification to reflect that the potential turnback of the ROW (Right of Way) of State Hwy 244 in the City of Dellwood only includes that part of the roadway lying between Tamarack St. and Dwinnell Ave.
-

Item No. 1 - Election Certification:

- City Clerk Joel Holstad presented the canvass of votes received in the 2024 general election. A copy is attached. On motion by Scott St. Martin, seconded by Brady Ramsay, the election results were unanimously approved and accepted.
-

Item No. 2 - Statutory Tort Damages Limit:

- On motion by Greg Boosalis, seconded by Scott St. Martin, the council resolved that the City does not waive the statutory upper liability limits applicable to tort claims which may be made against the City.
-

Item No. 3 - Temporary Gambling Permit:

- An application was submitted by Children's Health Care Foundation to conduct a raffle at White Bear Yacht Club on June 23, 2025 only. Mr. Copeland stated that he reviewed the material submitted by the applicant and finds that the application is in good order. The applicant currently qualifies for a permit as a tax-exempt non-profit charitable organization under the IRS Code. The city council may approve this application with no waiting period. On motion by McGill, seconded by St. Martin, the application for a temporary gambling permit with no waiting period was unanimously approved.

Item No. 4 - Discussion of JPA between Dellwood and Mahtomedi:

- City Planner Nate Sparks discussed his memorandum addressing the options available to the city in connection with the request by Mahtomedi seeking Dellwood's agreement to a joint detachment and annexation of that segment of State Highway 244's ROW between Tamarack St. and Dwinnell Ave. Mahtomedi intends to construct significant improvements that ROW including a segment which lies in the City of Dellwood. Construction costs would be covered in part by grant funding from the state. Mahtomedi qualifies for such funding, but Dellwood does not due to lack of 5000 population.
- John Sacchi answered some of the questions raised by the council members, Greg Boosalis stated his concerns regarding possible unanticipated consequences, including potential extensions of sewer lines into Dellwood. Mr. Saachi explained that all of these concerns could be addressed in the Joint Powers Agreement (JPA) documents for the protection of Dellwood. Nothing could be done without the consent of Dellwood. Mahtomedi cannot, by law, assess any Dellwood properties for the cost of improvements made by Mahtomedi. Cara Geheren and Joel Holstad are to follow up with MnDOT and the County Commissioner Fran.
- St. Martin asked if the approximate Twelve Million Dollars in construction costs include everything as planned to be done by Mahtomedi. Sacchi stated there could be a shortfall, which would be Mahtomedi's responsibility. St. Martin said he does not want to see construction begin according to plans and then see certain items not being completed.
- Boosalis asked if it would be possible for that segment of the ROW to revert to Dellwood at some point in the future. Sacchi stated that reversion would require a joint detachment and annexation process.
- The Council decided to have Nate Sparks draft a letter to be sent to all residents of Dellwood whose property could be affected by a detachment and annexation of the proposed segment. Such a letter to inform the residents about the consequences of a detachment and annexation, the pros and cons involved, and seeking their comments.
- St. Martin said he would like to see Boosalis and Sacchi come to an agreement which would be beneficial to Dellwood residents, yet protective of their rights and interests.

- Sacchi stated that the build-out, if approved, would take place in years 2026 and 2027. At this point, it is up to Dellwood to commit to the proposal or to nullify it.

Sidewalk Discussion:

- McGill asked if a sidewalk is to be constructed along the lake side of 244.
 - The diagram presented by Mahtomedi shows a sidewalk in that location. Sacchi said a sidewalk would not be in place without Dellwood's approval.
 - On motion by McGill, seconded by Ramsay, this matter was unanimously tabled to the December council meeting.
-

Item No. 5 - Lake Links Trail Report:

- Boosalis noted that the White Bear Yacht Club appeared to be in firm opposition to a trail located along the easterly side of Hwy 244, into the area of the Club's golf house facility. He proposed a motion to adopt a trail route. Others stated that they were not sufficiently informed at this point to commit to a location.
- Julie Whitaker and Phoebe Leonard stated that a letter was supposed to be sent to residents seeking comments. McGill stated that a letter to the residents is necessary, and preferably a "town meeting" sort of setup whereby residents could be involved in real-time discussions.
- John Carr of Lake Links Trail Association was asked if he is aware of any survey of the ROW of Hwy 244 that is available. Mr. Carr said he was not entirely sure if an actual survey of 244 through Dellwood exists. Mr. Copeland said he has been trying to obtain a survey of 244 for years. He has seen various surveys of privately owned lots, which appear to include the ROW of 244. He believes the route map used by WSB in the original design plan was based primarily on aerial photos. One survey of the WBYC/J.P. Potter properties shows the ROW of 244 to be 33 feet in width.
- Ed McCarthy stated that he is not in favor of a trail on 244 and that it should be located elsewhere. The council agreed that Cara Geheren's recent report should be published on the city's website.

- Julie Whitaker asked who will be responsible for ongoing maintenance of any trail, as the city planner had earlier stated that the City would not maintain a trail.
 - The council discussed the benefits of having a committee formed which could set up a meeting for all residents. Boosalis stated that he agrees to the concept of a Citizens' Committee and that he would work with Julie and Phoebe to make the city website available to all who wish to comment on the trail and its location. Comments should be open to Dellwood residents only. Clerk Holstad will prepare a proposed notice to be posted on the City website.
 - The published agenda for City meetings will be expanded to fully describe the issues to be addressed.
-

Item No. 6 - Joint Powers Agreement re: Emergency Alert System:

- This proposed Agreement was presented to the City by Washington County. Mr. Copeland explained that there are several obligations imposed upon the City under the Agreement, which he believes are too onerous and cannot or should not be agreed to by the City. He has made those objections known to the County by letter sent on October 4th. He has received no response from the County, in spite of two follow-up emails.
 - He will continue efforts to end up with a JPA which is agreeable to the City. If no response from the County by the next December council meeting, he will likely recommend that the City decline to sign the proposed JPA.
-

Claims and Receipts List:

- Ramsay moved to approve the claims and receipts for the month of October 2024 as submitted.
- St. Martin seconded the motion, and the council voted unanimously to approve the list as submitted.

Reports of Commissioners:

- St. Martin stated that he is satisfied with the performance of the sheriff's office and its reports.
- McGill reported five new permits, two of which are for remodeling, two for re-roofing, and one for construction of a deck.
- There being no further business, and on motion by Boosalis, seconded by Ramsay, this meeting was adjourned at 7:01 PM by unanimous vote.