

**MINUTES OF MEETING  
DELLWOOD CITY COUNCIL  
MAY 10, 2016**

The regular monthly meeting of the Council of the City of Dellwood was held at City Hall, 111 Wildwood Road, Willernie, MN on May 10, 2016.

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

**PRESENT** were Mayor Nuffort, Councilpersons Frank Pazlar, Edwin McCarthy, James Cuff and Councilmember Scott St. Martin was delayed and joined the meeting at 6:03 p.m., City Clerk Joanne Frane, and City Attorney Richard Copeland.

**ABSENT:** Treasurer Mike McGill.

**ALSO PRESENT:** Deputy Jessica Stiffam of the Washington County Sheriff's Office was present to report recent law enforcement activities and to answer any questions the Council may have had. She stated that a new Sheriff's Sub-Station will be opened in the area of Long Lake which will provide faster response time for incidents occurring in Dellwood.

Mayor Nuffort asked if anyone wished to make public comment. No one came forward for public comment.

**AGENDA:** Mayor Nuffort called for approval of the Agenda. Upon Motion by Cuff, second by Pazlar, the agenda was unanimously approved.

**MINUTES:** Upon Motion by Pazlar, second by McCarthy, the April 12, 2016 Minutes were approved unanimously.

**BOARD OF REVIEW MINUTES:** Mayor Nuffort called for approval of the Board of Review meeting held on April 18, 2016. Frank Pazlar commented on the procedure used in the meeting and said he felt the format for this type of meeting could be improved. Mr. Pazlar feels that more information should be given to the Board by the Assessor's office prior to the meeting; also that the meeting should be conducted by the Board Chairman or the City Assessor; that relevant information should be obtained from those persons making appeals, and then the Assessor and the Review Board should discuss all of the information after the meeting has been closed and make any adjustments which appear to be appropriate or required. Mr. Copeland will research and submit a memo to the Council as to what the law requires for a Board of Review meeting; who is to conduct the meeting; can the meeting be closed in order for the Board and the Assessor to discuss in private the information submitted.

Upon Motion duly made and seconded, the Council resolved unanimously to approve the Minutes of the Board of Review meeting of April 18, 2016, as submitted.

**DELLWOOD/MAHTOMEDI – JOINT RESOLUTION FOR DETACHMENT AND ANNEXATION: MARKELL LOT:** Mr. Copeland explained that the City of Mahtomedi is looking for a Joint Resolution to be signed by the City of Dellwood and to be submitted to the Municipal Commission for approval, detaching the Markell lot from Dellwood and annexing it to the City Mahtomedi. Mayor Nuffort explained that he had met with Mahtomedi City Administrator Scott Nielsen. It is Mahtomedi's position that they are furnishing all

of the municipal services to the property including public sewer and water, street access to Tamarack Street, snow plowing and other maintenance services. Mahtomedi feels that this lot should be a part of the City. Mr. Pazlar asked what benefit would result to the City of Dellwood if the Joint Resolution were approved. Mr. McCarthy asked if this lot were made a part of Mahtomedi could it be further subdivided under Mahtomedi Ordinances. Mr. Pazlar stated that Dellwood would be losing property tax revenue. Mr. Copeland commented that depending on what size home is built on the property, annual property taxes could reach \$8000, but that the portion of tax received by the City of Dellwood would be a small percentage of that figure. Jim Cuff stated that that the City's share could be about 10%-15%. Mr. Copeland stated that this matter was initiated by the City of Mahtomedi and that the property owners, Markells, have indicated that they would prefer to be in the City of Mahtomedi. Mr. Copeland explained that a Joint Resolution for concurrent detachment and annexation is one way the Minnesota Municipal Commission can consider the matter. Another way is for the landowner and the City of Mahtomedi to file a Joint Petition with the Commission. Mr. Copeland stated that he is unsure of the kind of factors which the Commission would take into consideration in making its ruling. He will research and furnish a memo to the Council in that regard.

Upon Motion by Cuff, second by McCarthy, the Council resolved unanimously to table this matter to the June 2016 Council meeting and ask a representative from the City of Mahtomedi to appear and explain their position and why they feel annexation is needed.

**JOINT POWERS AGREEMENT REGARDING E-CHARGING OF CRIMINAL COMPLAINTS:**

Mr. Copeland explained that under new legislation all complaints which were formerly filed directly with the District Court of Washington County, the Sheriff's Office, are now required to be "E-charged" through the Bureau of Criminal Apprehension for record keeping purposes. The City must have a Joint Powers Agreement with the Department of Public Safety and the BCA in order to access the computer system used by the Criminal Justice Data Communications Network. For this access availability, the city will be charged a fee of \$100 every four years, plus \$15 each month. The District Court will not accept Complaints from the City except through the CJDCN system. Mr. Copeland states that his secretary has tried to obtain an exception for the City of Dellwood, with no success.

Upon Motion by St. Martin, second by Pazlar, the Council resolved unanimously to approve the Joint Powers Agreement submitted by Mr. Copeland and authorized by the Mayor and the Clerk to sign and deliver the Joint Powers Agreement and the Subscriber Agreement, together with the Resolution attached thereto. It will be Mr. Copeland's obligation to keep the records required by the Joint Powers Agreement.

**SOLAR ENERGY ORDINANCE:** Upon Motion by St. Martin, second by McCarthy, the Council resolved to table this matter to the June 2016 Council meeting for further consideration. Mr. McCarthy noted that he has concerns about ground mounted systems.

**STREET PROJECTS UPDATE:** The Council was provided with a copy of Cara Geheren's letter dated April 25, 2016 (copy attached). Her recommendation is that the City proceeds with crack sealing and seal coating of streets in the Pine Tree Hills Subdivision.

Upon Motion by St. Martin, second by cuff, the Council resolved unanimously to proceed with the crack sealing and seal coating of the streets in Pine Tree Hills and that quotes will be obtained and considered at the June Council meeting.

**TEMPORARY GAMBLING PERMITS:** The Application submitted by CampOdayin for a raffle event to be held at Dellwood Country Club on June 13, 2016 was reviewed and found to be in order. Upon Motion by St. Martin, second by Pazlar, the Council unanimously approved this permit without a waiting period required.

The Application submitted by Vadnais Heights Economic Development Corp. for a Temporary Gambling permit to allow a raffle to be held at Dellwood Country Club on June 20, 2016 was approved unanimously without any waiting period required.

**CLAIMS AND RECEIPTS LIST FOR APRIL 2016:** The Claims and Receipts List for the month of April 2016 was reviewed and discussed. Upon Motion by St. Martin, second by McCarthy, the Claims and Receipts List for April was approved unanimously.

**REPORTS OF COMMISSIONERS:**

St. Martin commented on Jack Kramer's report (copy attached).

Cuff noted that Mahtomedi is looking to complete street restoration work on Briarwood and elsewhere in year 2018. Dellwood has about \$32,500 set aside for its share of cost attributable to Quail Road.

Pazlar commented on several items shown in the Sheriff's Incident Report for April 2016.

There being no further business, the meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Joanne Frane  
Dellwood City Clerk / Administrator