

**MINUTES OF MEETING
DELLWOOD CITY COUNCIL
JULY 12, 2016**

The regular monthly meeting of the Council of the City of Dellwood was held at City Hall, 111 Wildwood Road, Willernie, MN on July 12, 2016.

Mayor Nuffort called the meeting to order at 5:32 p.m.

PRESENT were Mayor Nuffort, Councilpersons Frank Pazlar, Edwin McCarthy, James Cuff and Scott St. Martin, City Clerk Joanne Frane, City Attorney Richard Copeland, Treasurer Mike McGill, City Sewer Inspector Brian Humpal.

ALSO PRESENT: Bryan DeSmet – White Bear Lake

Mayor Nuffort asked if anyone wished to make public comment. Bryan DeSmet stated that he was present on behalf of 7 Vines Winery.

AGENDA: The Agenda for this meeting was reviewed and upon Motion by Cuff second by St. Martin, the Agenda was approved as submitted.

MINUTES: The Minutes of the June 2016 Council meeting were reviewed. Upon Motion by Pazlar, second by Cuff, the Council voted unanimously to approve the June, 2016 Council Minutes without any changes or additions.

ASSESSOR'S REPORT: Assessor's Report dated July 5, 2016, copy attached hereto. Mr. Copeland suggested that the Assessor be asked to leave his business card at the property whenever he has been there in order to inform the residents of that fact.

The Assessor, Dan Raboin, was not able to attend this meeting, and upon Motion by Pazlar, second by McCarthy, this matter was table to the August Council meeting.

REGULAR COUNCIL MEETING DATE CHANGE: There is a change needed for the regular Council meeting in August, 2016, due to a primary election being held on Tuesday, August 9, 2016. Upon Motion by McCarthy, second by Pazlar, the Council resolved unanimously to change the August Council meeting to Monday August 8th at 5:30 p.m. Mr. Cuff noted that he would not be able to attend that meeting.

SEVEN VINES WINERY SEPTIC SYSTEM: Brian Humpal explained that the Winery is asking approval for the use of a holding tank for the waste from the wine processing operations. This would be a completely separate system apart from the regular septic system from the Winery building. The waste from the wine processing operations is of such nature that it does not lend itself to standard treatment by way of an individual septic tank/drainfield system. The tank is to be pumped and waste taken to the Met Council facility for disposal. Further, the limited time period in which the waste from the wine processing will be entering the holding tank (about 8 weeks per year) does not justify requirement of a full blown septic system. Projected flows from the retail operations are estimated to be less than 150 gallons per day averaged over the year.

Mr. DeSmet stated that the 10,000 square foot building to be constructed for processing, storage and sale of wine is projected to produce domestic waste of approximately 1000 gallons on a weekend day, say 200 people at 5 gallons each. Numbers would be much less than that on weekdays.

Brian Humpal stated that those estimated volumes are calculated for a typical 10,000 square foot building and are based on experienced flows for every building size. That information will be taken into consideration in the design of the system for domestic waste.

Mr. Humpal stated that Washington County Code, which has been adopted by the City of Dellwood, allows the type of holding tank which is requested here. He stated that the projected flow of 45,750 gallons per year is not a surprising number. The Winery anticipates production levels of about 2500 cases in the first few years, perhaps reaching 5000 cases per year within 5 years or so. Even at 5000 cases, the daily average flow of waste from wine production could be less than 150 gallons. Washington County Ordinance allows for holding tanks on a "permanent" basis for systems generating 150 gallons per day or less.

Mr. Copeland stated that allowance of a holding tank for wine production waste only could be added to the Winery's existing Interim Use Permit by way of an agreement. The Interim Use Permit is subject to review at the end of 5 years from February 10, 2015. At the time the City and the Winery will have actual flow rates to work with.

St. Martin had questions about the building itself, how it is to be used, location of the building and parking area, location of the septic system and holding tank, etc. Mr. DeSmet stated that an updated site plan will be provided to the City. Design and construction of the building will be done in accordance with the requirements of the City. Mr. DeSmet said they would come back to the Council with further information on the basis of two separate systems, one being a standard septic system for domestic waste and one being a holding tank to receive waste from the wine processing operations.

REVISED SEPTIC ORDINANCE: Mr. Copeland presented proposed Ordinance Number 51A which is an updated version of the Septic System Ordinance. This updated version has been reviewed and approved by MPCA/Met Council. Brian Humpal has reviewed the draft and believes it to be in proper order. This Ordinance adopts the Washington County Code and adds some more restrictive requirements such as annual inspection of each system in the City. Mr. Cuff noted a typo near the bottom of page 3, where the figure of 5.000 square feet should be 5000 with no decimal point. Upon Motion by Pazlar, second by Cuff, the Council resolved unanimously to approve Ordinance Number 51A as submitted, with the correction noted above.

DELLWOOD/MAHTOMEDI JOINT POWERS AGREEMENT: Mr. Copeland explained that he has had discussions with Jay Karlovich, Mahtomedi City Attorney, and they are both of the opinion that no Joint Powers Agreement is needed at this time. (See copy of Mr. Copeland's email to the City dated July 11, 2016 attached.)

SOLAR ENERGY ORDINANCE: Mr. Copeland presented a revised draft of the proposed Solar Energy Ordinance which allows roof mounted residential systems only. Ground mounted systems are not allowed in the City. Upon Motion by McCarthy, second by Pazlar, the Council unanimously resolved to adopt the revised Solar Energy Ordinance as submitted with no allowance of ground mounted systems.

GAMBLING PERMIT: The Application by Solid Ground for a raffle to be held at Dellwood Country Club on October 28, 2016, was reviewed and discussed. Upon Motion by St. Martin, second by McCarthy, the Council unanimously approved the issuance of a temporary Permit to allow a raffle at Dellwood Country Club on October 28, 2016, no waiting period required.

CLAIMS AND RECEIPTS LIST FOR MAY 2016: The Claims and Receipts List for the month of June 2016 was reviewed and discussed. Mr. Cuff noted a payment from the Cable Commission of \$22,000. Mr. McGill noted this amount is in excess of the amount budgeted. Last year's payment was about \$15,000. Pazlar comment that the fire contract expense for the second quarter of \$8448.75 is correct. Upon Motion by St. Martin, second by Pazlar, the Claims and Receipts List for June 2016 was approved unanimously.

REPORTS OF COMMISSIONERS:

St. Martin submitted a summary of Building Permit activity, copy attached hereto.

Cuff reported that no evidence of emerald ash borer has been discovered in the City.

Pazlar reviewed several items shown on the Sheriff's ICR report for June, 2016.

McCarthy suggested that the Mayor, in his letter to all of the residents in the City, clarify that the private publication Dellwood News is not something which the City is associated with and does not pay for it. Pazlar noted that this is published by a couple in Blaine, MN, under some sort of franchise arrangement and is primarily dependent upon advertising revenue.

McGill reported that the City has \$476,355 in Money Market after payment of June claims. There is a Budget Committee meeting scheduled for August 2, 2016 at 10:00 a.m.

There being no further business, the meeting was adjourned at 7:00 p.m.

Respectfully submitted,

Joanne Frane
Dellwood City Clerk / Administrator