

**MINUTES OF MEETING
DELLWOOD CITY COUNCIL
AUGUST 8, 2017**

The regular monthly meeting of the Council of the City of Dellwood was held at City Hall, 111 Wildwood Road, Willernie, MN on August 8, 2017, at the City Hall Offices located at 111 Wildwood Road, Willernie, MN.

PRESENT: Mayor Nuffort, Councilpersons - Frank Pazlar, Edwin McCarthy, James Cuff and Scott St. Martin; also present were City Clerk Joanne Frane, City Attorney Richard Copeland, City Engineer Cara Geheren and also the persons shown on the Sign-In Sheet attached to these Minutes.

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

ABSENT: Mike McGill, City Treasurer.

Mayor Nuffort asked for public comment. There was no person present for public comment.

Mayor Nuffort asked for approval of the Agenda. Upon Motion by Pazlar, second by Cuff, the Agenda for the meeting was unanimously approved.

The Minutes of the July 11, 2017 Council meeting were reviewed. Upon Motion by Cuff, second by Pazlar, the Minutes of the July 11, 2017 Council meeting were approved unanimously, without changes.

35 EVERGREEN ROAD: The first item of business was the flooding issue at 35 Evergreen Road. Cara Geheren discussed the Memorandum of Jake Newhall of WSB & Associates dated August 1, 2017 and the quote letter from Mr. Newhall dated August 2, 2017. Cara stated that the drain pipe in place appears to be an old clay field pipe which has deteriorated over time and is no longer effective. There are several possible solutions for the City to consider. She feels that the City should participate in whatever action is finally decided upon. There are several properties involved in the problem, possibly eight to ten. Easements will be needed in any case. WSB is recommending drilling of a storm sewer pipe from the low area under driveways and into a landlocked basin (Option No. 1 - WSB Memo of 08/01/17).

Cara noted that there may be other similar situations in the City, or which may arise in the future. The City may be establishing a precedent in dealing with such issues. It has not been determined when the existing drain pipe was installed, or by whom. This information may never be found.

The next phase would be the design work for which estimates have not been obtained. WSB has noted that soil borings will first have to be made to assist in the design work.

Cara noted that the City has the authority to order the work and improvements to be done under a Special Assessment Project. A 4/5ths vote of the Council is required. However, easements will need to be obtained from private owners. If no agreement is reached, the City would need to exercise its power of eminent domain to acquire easements.

A discussion was had as to whether all improvements, other than the O'Connor property could be located within existing street rights of way.

Cuff noted that an assessment could be spread over a ten-year payment period, or more.

Cara noted that Rice Creek Watershed District will have to be involved in the permitting process.

Mr. and Mrs. Elvestrom of 37 Evergreen Road were present. Mr. Elvestrom stated that they have had standing water on their property for period of two or three weeks in the spring time, but that the water eventually disappears. He does not appreciate having a mosquito swamp on his property, but feels that the existing drainpipe was probably installed improperly at the beginning, but no one knows by whom. He stated that the City should look at drainage from higher lots in the area, which may be due to the owner's actions and not simply the natural flow patterns.

Mr. St. Martin noted that some of the problem may be due to the fact that drainage ditches have filled in over the years there by impeding drainage.

Mr. Elvestrom stated that he feels the system should be improved; the pipe replaced, but in the same location or as it now exists. Cara Geheren and Attorney Copeland stated that the City could not agree to maintain the system if it were to continue under the O'Connor house.

Mr. Nuffort stated that soil borings should be done to determine the nature of the subsoils in the low-lying area. There may be sand under the clay layer which would provide drainage naturally without the need to run drain pipes from the low land along Shady Woods Road to the large wetland area.

Mr. Cuff stated that he believes this is a neighborhood problem in which the City should participate.

Mr. O'Connor stated that surface water run-off comes on to their property from public streets and right of way.

Mr. Pazlar noted that he believes the City Council had decided the problem was not confined to the O'Connor property and that the City should participate in whatever solution is decided upon. He asked Cara Geheren what she would do and what the City should do from this point on.

Ms. Geheren stated that she should take another look at soil borings and routing the water from the O'Connor property to the low point, the landlocked basin shown on the drainage map attached to the WSB Memorandum.

Cara Geheren stated that if borings disclose the presence of sand under the clay layer at the low point, the clay could be excavated to provide a natural filtration of surface water.

Upon Motion by St. Martin, second by Pazlar, the Council resolved unanimously to approve spending up to \$5,000 for soil borings, if needed, in Cara Geheren's estimation.

STOP SIGN - APPLE ORCHARD ROAD AND TAMARISK ROAD: The next item of business was the Stop Sign at the intersection of Apple Orchard Road and Tamarisk Road.

Richard Quant of 12 Tamarisk Road discussed the problem with vehicles going both South and North on Apple Orchard Road. He submitted a Memo and recommendations which the Dellwood Hills Homeowners have put forth. He noted that additional traffic volume will be forthcoming with the Winery in operation.

St. Martin stated that a preliminary "Stop Ahead" sign should be installed and the Washington County Sheriff asked to monitor the intersection on a regular but random basis. He noted that visibility is poor

for traffic approaching the intersection from the North; and vegetation should be trimmed back or removed.

Cara Geheren noted that white painted "Stop Bars" could be placed at a point North of the intersection and that double stripping of Apple Orchard Road may help to slow down traffic going South.

Pazlar inquired about flashing yellow lights. Cara stated that yellow or red flashing stop signs could be installed with a power supply of some sort.

Cuff moved as follows:

- To increase Sheriff's patrol on a random basis, at least once per week for six weeks.
- To ask the Sheriff to issue citations rather than warnings.
- Install a "Stop Sign Ahead" sign for traffic approaching the intersection from the North.
- Have Apple Orchard Road striped with double yellow "No Passing" lanes.
- Paint White Stop Bars on Apple Orchard Road for traffic coming South approaching Tamarisk.

Mr. Pazlar seconded the Motion. The Council voted unanimously in favor of Mr. Cuff's Motion.

2018 PRELIMINARY BUDGET: Mr. Pazlar noted that changes made in the initial budget committee session have been reconciled in the packet for this meeting.

Mayor Nuffort noted that the 2018 budget will exceed 2017 by about \$18,000, due to an increase in investments.

Mr. Cuff stated that last year's property tax levy is about the same as this year's levy.

Mr. Pazlar inquired about the difference in certain items of disbursements. There was a discussion on this and the discrepancies were reconciled. Final approval of the 2018 budget is to be made at the September Council meeting.

VENDOR'S LICENSE APPLICATION BY POLAR BUILDERS: This was a continuation of a prior meeting at which the Applicant failed to appear and the Application was deemed to be incomplete. There was no appearance by anyone at tonight's meeting and there has been no communication from the Applicant. Mr. St. Martin moved to deny the Application on the grounds that the Applicant has not submitted all of the information required by the Ordinance and has failed to appear at two meetings.

Mr. Cuff seconded the motion and the Council resolved unanimously to deny the Application on the foregoing grounds.

CLAIMS AND RECEIPTS LIST FOR JULY 2017: The Claims and Receipts List for the month of July, 2017 was reviewed and discussed. Mayor Nuffort noted certain additions to the list which was contained in the mailed packet. Upon Motion by St. Martin, second by McCarthy, the Claims and Receipts List for July 2017 was unanimously approved as submitted.

REPORTS OF COMMISSIONERS:

St. Martin reported one complaint of excessive noise at the open air concert held at Dellwood Country Club, reported to Sheriff approximately 12 minutes after 10:00 p.m.

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Cuff reported on his contact with MNDOT regarding the repairs to the culvert under Peninsula Road which drains the wetland area between North and South Peninsula Roadways and Highway 244. The City is seeking a delay in repair work to coincide with future street improvement work to be done on Peninsula Road. He has not received a response as yet. There are three culverts under Highway 244, two of which are clean and one which needs work. The State is likely to do work this Fall.

Pazlar reported three remodel and one demolition permits.

Copeland has submitted a preliminary draft of the updated Dellwood Water Management Plan mandated by the State. He is awaiting review and comment from Rice Creek Watershed District.

There being no further business, the meeting was adjourned at 8:04 p.m.

Respectfully submitted,

Joanne Frane
Dellwood City Clerk / Administrator