

**MINUTES OF MEETING  
DELLWOOD CITY COUNCIL  
SEPTEMBER 13, 2016**

The regular monthly meeting of the Council of the City of Dellwood was held at City Hall, 111 Wildwood Road, Willernie, MN on September 13, 2016.

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

**PRESENT:** Mayor Nuffort, Councilpersons James Cuff, Frank Pazlar, Edwin McCarthy; City Clerk Joanne Frane, City Attorney Richard Copeland, Treasurer Mike McGill

**ABSENT:** Councilmember Scott St. Martin

**ALSO PRESENT:** Please see attached sign-in sheet.

**PUBLIC COMMENT:** Beverly Driscoll was present on behalf of the League of Women Voters. Her organization visits various City Council meetings in the area and submits a report. She noted that the Dellwood Council is a pleasant place to visit and that they are doing a good job. She mentioned that the Council could consider name plates to be set on the table in front of the Councilperson's chair; that copies of material being considered at the meeting be made available to persons in attendance. Pazlar asked if the Council could receive a copy of her report of the Dellwood meeting and Mrs. Driscoll stated she would see that a copy was provided to the City.

Michael Borowski, of 9 Augusta Lane, thanked the Council for its work on behalf of the City which he stated was very well run.

**AGENDA:** Mayor Nuffort asked for approval of the Agenda. Upon Motion by Cuff, second by McCarthy, the Council unanimously approved the Agenda for this meeting.

**MINUTES:** Mayor Nuffort called for the approval of the August Council Minutes. Upon Motion by Pazlar, second by McCarthy, the August 8, 2016 Council Minutes were unanimously approved as submitted.

**ADOPT 2017 BUDGET:** Mike McGill stated that the proposed 2017 Budget had not changed from that which was reviewed and discussed at the August Council meeting. This being the final version and cannot be increased after today. Mayor Nuffort noted about a 1% increase from previous years. Cuff noted that about 11% of the City's revenue comes from fees, permits, fines, etc.; 89% comes from tax revenue. McGill stated this is due to lack of commercial properties in the City. Upon Motion by Pazlar, second by Cuff, the 2017 Budget as shown was unanimously approved.

Mayor Nuffort stated that the Truth in Taxation Meeting is scheduled to be held on December 13, 2016 at 6:00 p.m. in conjunction with the City Council Meeting.

**CLAIMS AND RECEIPTS LIST FOR AUGUST 2016:** The Claims and Receipts List for the month of August 2016 was reviewed and discussed. Upon Motion by Pazlar, second by Cuff, the Claims and Receipts List for August 2016 was approved unanimously.

**REPORTS OF COMMISSIONERS:** Cuff reported on seal coating work in Pine Tree Hills, and that the tree situation is well in hand with no current issues.

Cuff asked about the Solar Energy Ordinance and the request filed by the owners of 11 Apple Orchard Court (Moffitt) for a Variance to construct a ground-mounted solar energy system. Pazlar asked if the fact that Jack Kramer had preliminarily approved the system would have any effect on the City's decision to deny reconsideration of its earlier decision to deny the ground-mounted system. Copeland stated that to his knowledge, Kramer acted under the proposed initial draft of an Ordinance which allowed ground-mounted systems. That version was not acceptable to the Council, and the Ordinance was re-drafted into its present form which was approved by the Council at its July 12, 2016 meeting. There was no detriment to the Applicant in reliance upon Kramer's approval. Copeland stated that it could result that the Council may approve a further revision of the Ordinance to approve ground-mounted systems under well defined conditions. Pazlar suggested that the City seek professional advice on this subject, and volunteered to contact the City Planner for input which could be of assistance to the Council in addressing the request for a Variance or a change to the Solar Energy Ordinance regarding ground-mounted systems. The council agreed that Pazlar should make the contact and inform the other Council members. It is possible that a joint working meeting of the Council and the City Planning Commission may be held prior to October 4<sup>th</sup>.

The Council discussed certain properties including 11 LaCosta Drive, 10 Tamarisk, 96 Many Levels Road and Peninsula Road. Copeland stated that the property at 11 LaCosta Drive is in bad condition and that he is in contact with the U.S. Bank people who have promised to clear up the property and secure the dwelling. Copeland will talk to the owners of 10 Tamarisk about cleaning up the rear yard and secure the gate to the back-yard pool. Copeland will also get information from the owners as to when repairs and/or construction will be completed. Copeland stated the property at 96 Many Levels Road is of such size as to allow for a minor lot split. He is waiting for a certified survey to be filed with the City. There may be issues regarding the location of Long Lake and wetlands on the property.

Two homes are being constructed on Peninsula Road. Cuff noted that a tree at the entrance to the Peninsula has again been struck by a vehicle. He noted that the City plans to do road improvement work in that area in 2017, and that the tree or trees may be removed at that time.

Mayor Nuffort noted that Xcel Energy is in the process of updating municipal lighting and that Dellwood should be in line for such work in 2017.

Copeland reported that the proposed Ordinance regulating signs in the City are for review by Councilpersons. He will seek to have this Ordinance approved to be effective in January 2017. He believes the revisions made under the proposed Ordinance will satisfy the constitutional requirement of free speech and equal protection under the law.

Michael Borowski commented that the property at 10 Tamarisk appears to have been abandoned for the past two years and that the condition of the rear yard is a "disaster". No progress has been made for a considerable time.

Mayor Nuffort noted that the Apple Orchard has contracted with the County Sheriff's Office for extra Deputies to assist in traffic control during the fall season.

Mike McGill reported a balance of \$430,316 in Money Market funds after payment of August claims.

September 13, 2016 Council Meeting

There being no further business, the meeting was adjourned at 7:47 p.m.

Respectfully submitted,

Joanne Frane  
Dellwood City Clerk / Administrator