

**MINUTES OF MEETING
DELLWOOD CITY COUNCIL
JANUARY 9, 2018**

The regular monthly meeting of the Council of the City of Dellwood was held at City Hall, 111 Wildwood Road, Willernie, MN on January 9, 2018, at the City Hall Offices located at 111 Wildwood Road, Willernie, MN.

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

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

Mayor Nuffort asked if anyone was present for public comment. Rylan Juran said that he received a letter from the City stating that there was a structure in his front yard which was in violation of City Ordinance. He presented a copy of the letter. The structure is a wood frame with a roof which was intended for the storage of wood. Mr. Juran does not agree that the structure violates any Ordinance. Pazlar stated that he would consult the City Property Compliance Officer about this situation, look at the structure himself and get back to Mr. Juran. There were no other persons present for public comment.

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

MINUTES: The Minutes of the December 12, 2017 Council meeting were reviewed. Cuff pointed out two typos which were noted and corrected. Pazlar moved to approve the Minutes of the December 12, 2017, as corrected, St. Martin seconded the Motion and it was unanimously approved with the corrections noted. (under Annual Septic Report on page 2, the word "as" in the last sentence should be "at". Under Quail Road/Dwinnell Street project, the last word from the end should be "on" rather than "of".

ASSESSOR'S REPORT: City Assessor Dan Raboin presented his summary of sales of property in Dellwood in year 2017. He stated that the ratio of estimated market value to actual sale prices was within 90%. His summary included 14 sales in all, none of which were lakeshore lots. Pazlar inquired about 10 Tamarisk and why that sale has not appeared in the summary. Raboin stated that sales after October go into the year 2018 study.

Mr. Raboin advised the Council that he was retiring as City Assessor on April 30, 2018. He noted that there has been an increase in valuations for smaller non-buildable lots which are contiguous to lakeshore lots. Those owners who do not agree with their valuations can file appeals in the Tax Court on or before March 31, 2018.

QUAIL ROAD / DWINNELL STREET 2018 IMPROVEMENTS PROJECT:

City Engineer Cara Geheren presented her Capital Improvement Summary for Street improvements 2017 – 2018. This includes improvements to be completed in years 2018, 2023 and 2029. A copy of her Summary is attached to these Minutes. She stated that the Improvement Program for year 2018 is similar to that carried out in 2013. She sought preliminary proposals for technical support services for

2018 improvements. Three firms responded, and a copy of Ms. Geheren's Memorandum is attached to these Minutes, with her recommendation to the City. She is recommending the firm of Bolton and Menk, Inc.

Upon Motion by St. Martin, seconded by Cuff, the Council resolved unanimously to adopt the proposed Capital Improvement Plan as submitted by Ms. Geheren and to approve the employment of Bolton and Menk, Inc. to provide technical assistance in the preparation of plans and specifications for obtaining contractor bids, and administration and observation of construction work, as set forth in the January 9, 2018 Memorandum from Cara Geheren.

With regard to the joint project by Mahtomedi for improvements to Quail Road and Dwinell Street, Ms. Geheren discussed the proposed Joint Powers Agreement submitted by WSB Engineering on behalf of the City of Mahtomedi. Copeland stated that he had reviewed the proposed Agreement and believed it to be in proper order, but recommended an addition of a clause giving the City of Dellwood to have the project, upon completion, inspected by the Dellwood City Engineer before final payment is made by the City of Mahtomedi to the Contractor. Ms. Geheren agreed that this would be proper and that WSB and Mahtomedi should have no objection. Copeland is to prepare a proposed clause to be added to the Agreement and submit to WSB.

Upon Motion by Cuff, seconded by St. Martin, the Council resolved unanimously to accept the Joint Powers Agreement as submitted by WSB with the inclusion of a clause giving Dellwood the right to inspect the work as set forth above.

Cuff noted that bonding for the 2018 Street improvements will be more than twice the amount for the previous bonding in year 2013. He suggested that the City have maps and other demonstrated material at the public meetings to show that everyone in the City is getting a fair benefit.

REQUEST FOR EXTENSION OF DEADLINE DATE FOR EXPIRATION OF VARIANCE AT 98 DELLWOOD AVENUE: There was no person present to speak to the Council on this matter. The Council reviewed and discussed the letter submitted by Gail Brown explaining their delay in moving forward with this project. The Variance was granted by Resolution dated February 14, 2017. The Ordinance provides that a Variance will lapse and become null and void if the conditions stated in the Variance are not met within one year. The Council may extend the one year limitation upon written request from the Applicants.

McCarthy recused himself from this matter.

St. Martin questioned why an extension is needed since more than enough time has passed since the Variance was granted in which something should have been done. St. Martin stated that no Building Permit has been applied for. The Applicants still have until February 14th in which to act.

St. Martin moved to deny any extension of the one-year period. Cuff seconded the Motion and Mr. Nuffort, Mr. Cuff, Mr. St. Martin and Mr. Pazlar voted to approve the motion. Mr. McCarthy did not participate in the discussion or the vote.

NEW SIGN ORDINANCE: Copeland presented the proposed Sign Ordinance. Pazlar noted that it would be clearer and more orderly if regulations governing real estate signs were lumped together under Section 94.05 of the proposed Ordinance. He also suggested that the last

sentence of paragraph 4, under Section 94.032 be deleted. The Council agreed that such changes should be made and that the proposed Ordinance be sent to the St. Paul Board of Realtors for comment. Copeland will make the revisions and send a corrected copy on to the Realty Board. He will present a proposed Ordinance after comments are received.

APPOINTMENT LIST: Mayor Nuffort presented the list of proposed appointments for year 2018. It was noted that City Assessor Dan Raboin will retire as of April 30, 2018. Also noted was the addition of Jack Kramer as Property Compliance Officer.

Pazlar moved approval of the revised Appointment List. St. Martin seconded and the revised List was approved unanimously. A copy of the Appointment List is attached to these Minutes.

TEMPORARY GAMBLING PERMIT FOR CHILDREN'S HEATH CARE FOUNDATION: The Application is for a raffle to be held at White Bear Yacht Club on June 25, 2018. The Application was found to be in proper order. Upon Motion and seconded, this application was unanimously approved with no waiting period.

CLAIMS AND RECEIPTS LIST: The Claims and Receipts List was presented and reviewed for December 2017. Upon Motion by St. Martin, second by McCarthy, the Claims and Receipts List for the month of December 2017 was unanimously approved, as submitted.

REPORTS OF COMMISSIONERS:

Cuff reported that Jack Kramer has agreed to act as Property Compliance Officer. There is \$3000 in the budget which could be used for such services. He will tour the City twice each month and note violations of Ordinances. Upon Motion by St. Martin, seconded by Cuff, the Council approved appointment of Jack Kramer as Property Compliance Officer in 2018 and that he is to be paid by way of a 2% increase in his fees charged for his services as City Building Inspector.

Pazlar reported three HVAC Permits and two significant remodel permits in December.

McGill reported the balance in the bank after payment of December bills is \$559,938. The City is in good shape financially.

Nuffort noted that an Open House will be held by the Bike Trail Association at the School District Administration Office Building in Mahtomedi on Wednesday January 10 from 6:00 – 8:00 p.m.

There being no further business, the meeting was adjourned at 7:19 p.m.

Respectfully submitted,

Joanne Frane
Dellwood City Clerk / Administrator