

**MINUTES OF MEETING
DELLWOOD CITY COUNCIL
MARCH 13, 2018**

The regular monthly meeting of the Council of the City of Dellwood was held at City Hall, 111 Wildwood Road, Willernie, MN on March 13, 2018.

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

PRESENT: were Mayor Bob Nuffort, Councilpersons - James Cuff, Frank Pazlar, Edwin McCarthy and Scott St. Martin; also present were City Planner Nate Sparks, Treasurer Mike McGill, City Engineer Cara Geheren, City Clerk/Administrator Joanne Frane, and members of the public on the sign in sheet.

PUBLIC COMMENT: Mayor Nuffort asked for public comment. There were no persons present for public comment.

APPROVAL OF AGENDA: Mayor Nuffort asked for approval of the Agenda. Motion by Cuff to approve the Agenda, second by McCarthy. Motion carried 5-0.

APPROVAL OF MINUTES: Mayor Nuffort asked for approval of the Minutes of the February 13th Council Meeting. Motion by Pazlar to approve the minutes, second by St. Martin. Motion carried 5-0.

WHITE BEAR LAKE CONSERVATION DISTRICT UPDATE: WBLCD representative Brady Ramsay gave an update on the Conservation District activities.

KEJ ROAD CONTRACT: Cuff said that the contract was structured similar to previous years with a 2.7% cost increase and confirmed the liability insurance was up to date. Motion by St. Martin, second by Pazlar to approve the maintenance contract. St. Martin added that Ken Johnson provides the best service and Cuff concurred. Motion carried 5-0.

RESOLUTION CALLING FOR PUBLIC HEARING - 2018 STREET IMPROVEMENT BOND: Geheren said that Ehlers has provided a draft resolution regarding the proposed street improvement bond. The amount in the bond is based on the estimate from the CIP plus the Dwinnell Road project. Motion by Cuff, second by McCarthy to approve a public hearing for a \$1.6 million bond offering. Motion carried 5-0.

JOINT POWERS AGREEMENT – DWINNELL AVE: Geheren stated that the City of Mahtomedi requested an increase in the proposed interest rate by 0.5% to better cover their administrative costs. Pazlar asked if this request was reasonable and Geheren said it appeared to be. Motion by Cuff to approve the agreement with the proposed change, second by Pazlar. Motion carried 5-0.

23 APPLE ORCHARD ROAD VARIANCE: Nuffort stated that Andre Peltier of 23 Apple Orchard Road had a request for a variance to allow for a 2,000 square foot garage to be built on a property with an existing 792 square foot garage. The ordinance allows for a total maximum garage size of 1,200 square feet. Sparks stated that this request was prompted by the applicant receiving a code enforcement letter regarding outdoor storage of materials and parking of a commercial vehicle. The Planning Commission recommended denial because they struggled to find practical difficulties. One Planning Commissioner abstained and one voted for denial but wished to pass favorable comments to the Council.

Don Peltier, the father of the applicant, stated that the site has 3 acres, the Planning Commission was discussing an increase for the size of garage allowed, and that it would be a bad idea to tear down the existing smaller garage.

St. Martin said the comment letter from the City Attorney suggested that there did not appear to be practical difficulties present. The size of garage proposed is a big variance.

Cuff said the request was large and that the Planning Commission is reviewing the garage/storage ordinance.

Pazlar said the property was greatly improved after Peltier purchased it, but that the variance was too great, and there are no practical difficulties present.

McCarthy stated that he agrees with others. Over the last few years the variances keep growing in size. This is a big jump and not a close call. Having too many things is not a practical difficulty.

Nuffort said that the request was too great and that he didn't see the practical difficulties in this case.

Cuff asked if the items could be stored off-site. Don Peltier said it is difficult to store off-site when you are on call. Cuff asked how often Andre Peltier gets called in. Don Peltier said once a week and it's very inconvenient to have to go get a vehicle. St. Martin said part of this request is related to providing for storage of a business vehicle and he is concerned about the precedence.

Motion by McCarthy to deny the variance request based on there being no practical difficulties present and that the requested variance was too great, second by Cuff. Motion carried 5-0.

St. Martin requested that Staff provide information on what constitutes an emergency vehicle and permissible storage.

LAKE LINKS – DELLWOOD SEGMENT: Jason Amberg from WSB and Associates, Inc. introduced the preliminary trail route for the Lake Links Trail along Highway 244 in Dellwood. Some of the right-of-way is narrow and he discussed acquiring right-of-way in a former railroad right-of-way that is now privately owned. The White Bear Yacht Club would need a pedestrian crossing. The trail would be a separated trail where possible.

St. Martin asked if the trail connected to anything on the north side or is it just taking people to nowhere. Amberg said there are temporary bike lanes on Highway 96. Steve Wolgamot of the Lake Links Association said they would like to see a more formal trail in that area and said there is a bill pending to allocate for funding. McCarthy said Highway 96 has heavy traffic and is not ideal for bicycle riding and said that this trail is bringing a lot of people in with hopes that they can eventually go somewhere.

Nuffort asked about the ADA compliance requirements for crosswalks. Amberg said it requires certain slopes, sightlines, and that flashers are not required but proposed. Nuffort asked if the flashers would make sound. Amberg said it would be minimal.

McCarthy asked if both bikers and walkers would be using the same trail. The bikers would likely go on the road which will now be narrowed to accommodate the trail. St. Martin said bikers on a reduced road is a safety issue especially on a road which already has a lot of pinch points moving bikers closer to cars. Amberg said it is intended to be a standard multi-use trail similar to other projects. Wolgamot said narrowing lanes slows vehicles and will lessen bicycle deaths. Avid bikers that will use the road are likely only 5% of all bikers. Amberg said bikers will use the lane with fewer conflicts.

St. Martin asked about state funding. Amberg said maintenance costs are likely to fall to the City or County. St. Martin asked if maintenance costs were calculated. Amberg said no. Wolgamot gave some sample maintenance costs and said the Lake Links Association may raise money for such a purpose. St. Martin asked about plowing. Wolgamot said they would like to have it plowed. St. Martin said there may not be enough room for snow storage in many places. Cuff said Mahtomedi plows some trails.

McCarthy said cars and bikes don't get along and the bikes should have a lane on the road. Amberg said that multi-use trails have a free flowing nature for all users. Mike Brooks from the Lake Links Association said that many cities have signs to help users avoid conflicts and suggested such signage could be added to this trail.

Nuffort asked if the costs provided include rebuilding the highway where impacted. Amberg said it did not except in the section by the White Bear Yacht Club. Nuffort said he was skeptical of the estimates because there will likely need to be drainage work associated with this project as it is increasing impervious and changing the direction of the

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water flow in places. With curb and water being introduced it is important to discuss where the water will go and it may have impacts on private property.

St. Martin asked if the public comments were addressed. Amberg said some were and alternate routes are being explored in some cases. Wolgamot said that may include using Park Avenue for a portion in Mahtomedi. McCarthy asked how the public was notified. Amberg said in the local paper and on the internet.

Wolgamot said the preliminary engineering shows that this can be done, and there is a need to act quickly to get funding for a comprehensive project. The Lake Links Association may have to raise funds for portions of the project. If bonded, only 50% of the money can come from the State and there may be a need to lower costs in some areas. Bond funds can only go to government agencies. The City of Dellwood can accept funds.

Nuffort said that State dollars cannot flow directly to the Lake Links Association, but rather must come through the City.

McCarthy asked about lighting and said too much lighting would be a bad idea. Wolgamot said that no additional lighting is currently proposed.

UPDATE ON 98 DELLWOOD BUILDING PERMIT: Sparks stated that the applicant has provided engineering plans for review. The City Engineer has requested revisions. Easement documents need to be drafted for the drainage system.

McCarthy asked who would pay for repairs to the drainage system. Sparks said it would be the responsibility of the property owner.

APPROVAL OF CLAIMS: Motion by St. Martin, second by Pazlar to approve the claims for February. Motion carried 5-0.

REPORTS OF COMMISSIONERS:

St. Martin said there were 13 ICR's, mostly lockouts and nothing major.

Cuff said that the response to the O'Connor request for reimbursement was not viewed favorably by the Council.

Pazlar stated that Staff prepared the requested appeal form. Staff is still working with Seven Vines about the potential lighting violations.

McCarthy stated that Ordinances need to be reviewed. People need to fit their equipment in their garages. Variance requests are getting excessive. Cuff said one resident pointed out that their neighborhood was beginning to look like industrial.

Treasurer Mike McGill reported a balance of \$506,113 after paying the claims.

There being no further business, motion by Nuffort, second by McCarthy to adjourn the meeting, motion carried 5-0. The meeting was adjourned at 7:30 pm.

Respectfully submitted,

Joanne Frane
Dellwood City Clerk / Administrator