

**MINUTES OF MEETING
DELLWOOD CITY COUNCIL
OCTOBER 8, 2019**

The regular monthly meeting of the Council of the City of Dellwood was held at City Hall, 111 Wildwood Road, Willernie, MN on October 8, 2019.

Present: Mayor Mike McGill, Councilpersons – Scott St. Martin, Brady Ramsay, and Greg Boosalis, City Clerk Joanne Frane, Treasurer Brian Beich, City Sewer Inspector Brian Humpal, City Planner Nate Sparks and City Attorney Richard Copeland and also the persons shown on the Sign-In Sheet attached to these Minutes.

Absent: Elsbeth Howe

Mayor Mike McGill called the meeting to order at 5:33 p.m.

Mayor McGill asked if anyone was present for public comment. Richard Galena stated that he wished to address the Council regarding apparent violations of the City Code which exist upon the access easement on the Jensen property at 99 Dellwood Avenue. He distributed a memo outlining the nature of the alleged violations on the part of the access easement holder Carl Rindelaub (a copy of the memo on file).

Copeland stated that some of the matters contained in the memo are the subject of a lawsuit pending in Washington County District Court between Dr. Robert Jensen and Dr. Carl Rindelaub, in which Jensen claims, among other things, that Rindelaubs have no valid easement. In Copeland's opinion, the City should take no action until that litigation has been decided either by a Stipulation or by Court Order. He noted that the matter is scheduled for trial on October 28th. In the meantime, City Inspector Jack Kramer can inspect the property to determine if any Code violations exist and report to the City.

Mayor McGill asked for approval of the Agenda for this meeting. The Agenda for this meeting was unanimously approved as submitted.

Mayor McGill asked for approval of the Minutes of the Special Meeting of the Council held on September 26, 2019. Upon motion by Ramsay, second by St. Martin, the Minutes of the Special Meeting of the Council held on September 26, 2019 were unanimously approved as submitted.

Mayor McGill asked for approval of the Minutes of September 12, 2019 Council meeting. Upon motion by St. Martin, seconded by Boosalis, the Minutes of the September 12, 2019 Council meeting were approved unanimously as submitted.

Update on Use of City Land on Peninsula Road: This was an update on the proposed use of the City land on the Peninsula for septic system purposes. Brian Humpal stated that preliminary engineering services are needed to determine what is the best use of the land; multiple individual systems or a community type system; how many systems and/or homes can the land safely accommodate; what are the criteria to determine which properties will be allowed to connect to the City Land, and other issues. Brian stated that he is working with a firm to obtain estimates of cost.

St. Martin moved to direct Nate Sparks, Mr. Copeland and the City Engineer Cara Geheren to work with Mr. Humpal to arrive at a recommendation to the City Council together with a “ball park” estimate of costs. Ramsay seconded and the motion was unanimously approved.

City Updated Comprehensive Plan: This was the proposed Resolution for submission of the City’s updated Comprehensive Plan to Met Council. Nate Sparks presented a proposed Resolution. St. Martin moved to proceed with the submission of the updated Plan. Boosalis seconded the motion and it was unanimously approved (Resolution attached). Mr. Sparks noted that the City has received comments from neighboring Cities with no objections. Nothing has been heard from Washington County or DNR as yet. Copeland asked if comments received from DNR or Washington County may change Dellwood’s submission. Nate Sparks stated that remarks from the County and/or DNR usually involve minor things for which changes to the Comprehensive Plan are not needed.

Short Term Rentals Ordinance: This was a discussion regarding Short Term Rental issues. Nate Sparks presented a proposed Amendment to the City Code for the purpose of regulating short-term rental of homes in Dellwood. The Amendment would prohibit rental of any dwelling unit for a period of less than 30 consecutive days. On motion by Ramsay, second by St. Martin, the Council unanimously resolved to adopt the Ordinance to prohibit short-term rentals in all zoning districts (Ordinance attached).

Appointment: Appointment of Rylan Juran as the City’s representative on the White Bear Lake Conservation District Board was discussed. St. Martin moved to approve and Ramsay seconded. The Council unanimously approves the appointment of Rylan Juran as one of the City’s representatives on the White Bear Lake Conservation District Board to be effective immediately upon his taking the Oath of Office.

Claims and Receipts List: The Claims and Receipts List for the month of September 2019 was reviewed and discussed. Upon motion by Boosalis, second by Ramsay, the Claims and Receipts List for September 2019 was approved unanimously as submitted.

REPORTS:

St. Martin reported on the Sheriff’s ICR’s for the month of September.

Ramsay reported two culverts replaced and streets repaved.

Cara Geheren’s memo was discussed regarding participation in the improvements to Grenelefe Street, partially in Grant and partially in Dellwood. This will be considered at the November Council meeting.

Copeland reported on the apparent erosion on the south side of Highway 96 across from the Winery building, which has existed for several months. Ramsay noted another erosion point just easterly of the Winery. Copeland stated he would contact Adam Josephson of MNDOT about these areas.

McGill reported 5 Remodel Permits.

Boosalis agreed to attend monthly meetings of the Lake Links Trail Association.

Beich distributed a Statement summarizing the current financial conditions of the City, showing among other things a balance in the City’s Money Market account of \$682,413.

St. Martin noted the new City Web Site design will be considered at the November Council meeting.

Nate Sparks stated that Jack Kramer had met with Ron Peltier of Seven Vines Winery regarding the renewal of the Winery’s Interim Use Permit for the Winery operations, etc., expires in February and will be discussed at the November/December Council meetings. St. Martin proposed that the term of the extended IUP be for three years. Kramer has inspected the perimeter fence crossing the wetland and has found no issues regarding algae, flow of surface water, etc.

October 8, 2019 City Council Meeting

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

Respectfully submitted,

Joanne Frane
Dellwood City Clerk / Administrator