

**MINUTES OF MEETING
DELLWOOD CITY COUNCIL
DECEMBER 12, 2017**

The regular monthly meeting of the Council of the City of Dellwood was held at City Hall, 111 Wildwood Road, Willernie, MN on December 12, 2017, 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, City Treasurer Mike McGill and City Engineer Cara Geheren; and also the persons shown on the Sign-In Sheet attached to these Minutes.

Mayor Nuffort asked for public comment. Joe, a Washington County Deputy Sheriff was present to give an update on activities within the City. Stop Sign violations at Apple Orchard Road and Tamarisk still continue but not as frequent as before citations were initially issued. His Department will continue to monitor that intersection.

David Gunderson and Megan Gunderson were present to speak about the proposed ice rink on their lot which is on Pinehurst Drive and abuts the Dellwood Hills Country Club Golf Course. David stated that he has talked with Dennis Countryman at the Golf Club and also with his neighbors across the street. The location of the rink meets the setback from the street but does not meet the side yard setback from the common property line with Dellwood Country Club. This is a temporary use, will be in place only during the winter months and will be removed thereafter. Lighting will be minimal, if at all. David is asking to be allowed to place his rink as proposed. It will be used by his family, primarily his three small sons.

Pazlar noted that the boards surrounding the rink are two feet or less in height and are of white color, matching the snow which will be packed against them. It is a temporary structure and the property owners abutting Gunderson's lot on the north side have agreed to the location of the rink. David stated that he had discussed the situation with the neighbor to the west. Copeland has stated that he has discussed this matter with the neighbor and advised him to make his position known to the City by letter or by appearance at the Council meeting. Copeland noted that if any complaints were received they would likely involve noise and or lighting. He had advised the neighbor that if the activities amounted to a nuisance he could file a complaint on that basis.

St. Martin stated he would like to consider the matter again in January.

Pazlar moved to allow the placement of an ice rink in the proposed location on a temporary basis, with all structure to be removed in the spring. He noted that the property was unique; there is no other feasible location on the property; the Dellwood Country Club has agreed to the location of the rink alongside its boundary line. McCarthy seconded the motion and it was unanimously approved.

Mayor Nuffort asked for approval of the Agenda. Upon Motion by Cuff, second by St. Martin, the Agenda for the meeting was unanimously approved as submitted with no changes.

The Minutes of the November 14, 2017 Council meeting were reviewed. St. Martin moved to approve the Minutes of the November 14, 2017, Council meeting. McCarthy seconded the Motion and it was unanimously approved.

Annual Septic Report by Brian Humpal: Mr. Humpal discussed his written report to the City (copy on file). He stated that compliance on the part of the homeowners was very good this year. Only three properties appeared to be in need of pumping or repair. Mr. Humpal stated that he recommends that the City adopt a system of tracking the pumping of septic systems by way of a spreadsheet which would easily determine when any given system was due for pumping. He will work with the City Clerk to develop such a system. There are only a handful of pumpers who do pumping in the City and they can easily be notified of the need to file a pumping report with the City. He believes a fee of \$15 should be charged as an administrative cost of the City to maintain the system. This would be a pass-through charge to be collected by the Pumper and remitted to the City together with the report form. Mr. Humpal stated that systems for the 2 Golf Clubs, the Winery and the Orchard are managed systems. If a problem arises, the manager notifies Mr. Humpal. These systems are also inspected by Mr. Humpal annually. Mr. Humpal will work with the Clerk and this matter will be reviewed at the January 2018 Council meeting.

2018 Budget: The Public Hearing on the 2018 Budget was held. Mr. McGill stated the budget is the same as was reviewed and approved at the September Council meeting, with the addition of the \$19,000 item for payment to WSB for engineering and design work in connection with the proposed Lake Links Trail, and the \$19,000 reimbursement payment to be received from the State of Minnesota. Pazlar moved to approval of the 2018 Budget as submitted. Cuff seconded and the Council Members resolved unanimously to approve and adopt the 2018 Budget.

2018 Quail Road and Dwinnell Street Project: Cara Geheren discussed this project and how it combines with the Street Improvement Project to be carried out by the City of Mahtomedi. She reported that Dellwood's share of the Quail Road improvements to be done by Mahtomedi is limited to about \$32,000 which was agreed to in 2013. When the work is completed, Mahtomedi will bill Dellwood for that amount. Cara will review the cost figures proposed by Mahtomedi for Dwinnell Street which appear at this time to be \$60,000 for construction costs only; \$77,000 including soft costs. She will update the City Council with her recommendations at the January 2018 Council meeting. She will also report on the Peninsula Road improvement project. She stated that this will not be an easy project due to the elevation changes and narrowness of the Street, as well as trees within the right of way. She will have final recommendations in January as to which Streets are in need of work and how to prioritize the timing of the Street projects. She will give Ehlers and Associates a "heads up" so they are aware of the timing for bonding purposes. She submitted a copy of the Project Schedule for 2018 Street Improvements (copy on file).

Water Management Plan: The next Agenda item was the Water Management Plan to be submitted to RCWD for review and approval. Copeland stated that Plan is ready for submission upon receipt of certain maps from Planner Nate Sparks.

Pazlar noted that the most recent version differs from that which was presented at the November Council meeting; specifically the section addressing appeals. He stated he was not ready to vote in favor of the proposed Plan with that section in it.

McCarthy moved to approve the proposed Plan for submission to RCWD with the section entitled "Appeal" removed entirely. Upon Motion duly made and seconded, the Council resolved to approve the proposed Plan with the "Appeal" section deleted and then to be submitted to RCWD for review.

Mr. John Walker spoke to the Council about the funding for water related issues in the City. Mr. Walker is the Washington County appointed representative of the RCWD Board. He noted that the City of Dellwood contributes over \$70,000 yearly to the District but gets little or nothing in return. He urged the City to coordinate with other Cities in the District to see that monies available from RCWD are spent for the benefit of the Cities within the District and not for projects in Ramsey County or elsewhere. The City's updated Water Management Plan can be amended at any time to include projects which the City may wish to complete with funding from RCWD.

Cara Geheren stated that she will review city water-related issues and potential problem areas. She noted that WSB may be a good source of input in that regard. These projects can be addressed in an Amendment to the Water Management Plan.

Mr. Walker stated that the RCWD includes 28 Cities. 11 of which are within Washington County. Dellwood as well as other Cities in Washington County have not received a fair benefit from the monies paid into RWCD over the years. He urged the City to be more proactive in determining how the RCWD grant monies are spent.

Mayor Nuffort noted potential problems at Highway 244 and Peninsula Road which may be under control by the State. Mr. Walker stated that those issues should be identified along with other problem areas in the updated/amended Water Management Plan.

Timberline Tree Contract: The Timberline Tree Contract for year 2018 was reviewed. Cuff stated that Timberline has done a very good job in the past and is easy to work with. He moved to approve the renewal of the Contract with Timberline for 2018, which is the same contract as was in effect for year 2017. McCarthy seconded the motion and it was approved unanimously.

Designation of Polling Place Locations Resolution: Upon motion by St. Martin, second by McCarthy, the Council voted unanimously to adopt the Resolution attached hereto designating the Mahtomedi District Education Center as the official Polling Place for the City of Dellwood in 2018.

Agreement with the State of Minnesota regarding Funding of Contract by the State: Mr. Copeland stated that he has had correspondence with Victoria Dupre, Senior Planner for Regional Parks and Natural Resources at Metropolitan Council. He noted that the Agreement proposed by Met Council does not reflect the situation involving Dellwood at this time. It was a "one size fits all" standard form of Agreement which is used by Met Council in all cases. Based upon the correspondence between Mr. Copeland and Met Council, he believes it is clear as to what the funding agreement covers and what the City's obligations are under the Agreement. Those obligations are limited to payment to WSB for engineering and design work on the proposed trail through Dellwood, according to the terms of the Contract with WSB, in the sum of \$19,000. The City is not obligated beyond that. To attempt to change the terms of the Agreement with Met Council as proposed would likely result in major delay. He

recommended that the City approve the proposed Agreement to be forwarded to Victoria Dupre for further handling.

St. Martin moved approval of the proposed Agreement and Cuff seconded the motion. The Council members resolved unanimously to authorize the Mayor to proceed with the signing of the Agreement and to submit it to Met Council.

Discussion on Property Tax Valuations: A discussion was held regarding the new evaluations for property tax purposes in year 2018. Several residents have received increases in assessed market valuations which appear to be unreasonable. Copeland stated that City Assessor Dan Raboin believes the increases are due to new rules which are the result of a recent Court decision involving an eminent domain proceeding.

Copeland will obtain a copy of that Court decision and provide copies to the Council members. In order to be fully informed as to why assessment procedures have changed, Copeland recommended that Mr. Raboin be asked to appear at the January Council meeting to answer any questions which the Council members may have.

Claims and Receipts List was presented and reviewed for November 2017. Upon Motion by Pazlar, second by St. Martin, the Claims and Receipts List for the month of November 2017 was unanimously approved.

Reports of Commissioners:

Cuff stated that he and Mr. Copeland had made a tour of the entire City and found numerous apparent violations of the Exterior Storage Ordinance. Mr. Copeland stated that some letters have been sent to property owners. He made another tour and found that some violations had been addressed by the owners; whereas others were not. He believes that regular tours are needed by the City Building Inspector and that notices are given to the property owners immediately. Circumstances change on a weekly basis. Cuff stated that there is \$3,000 budgeted which could be used to compensate Jack Kramer for his services in seeing that the Ordinances are enforced. St. Martins suggested that Cuff talk with Mr. Kramer and determine whether he was willing to act in that regard and on what terms, and to report to the Council at the January meeting.

Pazlar reported four remodeling permits in November.

McGill reported that the second half property tax revenue had been received and that the balance in the bank after payment of November bills is \$660,044.

There being no further business, the meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Joanne Frane
Dellwood City Clerk / Administrator