

**City of Gem Lake
Gem Lake City Council, October 19, 2021
Meeting Minutes**

Mayor Gretchen Artig-Swomley called the City Council Meeting to Order at 7:00 p.m. The following members of the council were in attendance: Gretchen Artig-Swomley, Laurel Amlee, Jim Lindner and Len Cacioppo. Ben Johnson was not present. Others in attendance included the following: City Attorney Patrick Kelly, City Treasurer Tom Kelly, Planning Commission Chairman Don Cummings, Summit Farm Villas HOA Board President Sharon Roland, residents Paul Emeott, Patrick Rottach, Brad Naylor and Minnesota Pollution Control Agency (MPCA) representatives: Tim Grape, Tom Higgins, Michael Ginsbach and Jason Hawksford.

Approval of Agenda

Councilmember Lindner introduced a motion to approve the agenda for the meeting, Councilmember Cacioppo seconded the motion, all in favor, motion approved.

Approval of Minutes

Councilmember Lindner introduced a motion for approval of the minutes of the September 21, 2021 City Council meeting, Councilmember Cacioppo seconded, all in favor, motion approved.

Councilmember Lindner introduced a motion for approval of the minutes of the October 12, 2021 City Council Workshop, Councilmember Amlee seconded, all in favor, motion approved.

Committee Reports

Cummings updated the council on the Planning Commission's work on proposed changes to the city ordinance on home occupations. He anticipated a completed product in the next few months, but hopes for more expert help from a planner. Work continues on expanding the list of permitted uses in the city's Gateway District. Two items will be considered at the November Planning Commission meeting, including a request for an accessory structure, in which a variance and a Conditional Use Permit may be needed, and a request for renewal of an expired Interim Use Permit.

Mayor Artig-Swomley added that the services of a new city planner are being retained by the city through the engineering firm TKDA, and that this would be discussed later in the agenda. The planner would be available to assist the Planning Commission with the projects listed above.

Old Business

Mayor Artig-Swomley suggested topics for the upcoming newsletter, to be published in late November or early December. These topics could include an update on the well situation and the latest data from the MPCA, a story on the municipal water report that is being contracted for, the new set of trees planted on the city's trail, the MS-4 public hearing, which was held at the last council meeting, and other topics that come up. There were no other suggestions.

New Business

Resolution 2021-009

Councilmember Linder introduced a motion for approval of Resolution #2021-009, which covers Certification to the Tax Rolls of Overdue Water and Sewer Bills. Councilmember Amlee seconded the motion, all in favor, motion approved.

Resolution 2021-010

Councilmember Lindner introduced a motion for approval of Resolution #2021-010, which covers Certification to the Tax Rolls of Overdue Septic Inspection Fees. Councilmember Cacioppo seconded the motion, all in favor, motion approved.

It was noted that after these two certifications at the meeting, residents would still have 30 days to pay their bills before the information was conveyed to the county for the tax bills.

Gem Lake Infrastructure Issues

Scheuneman Road Stormwater Workshop-Recap and Next Steps

The October 12 Workshop on Stormwater was well attended and there were significant discussion of the Scheuneman Road Stormwater Report, which was prepared by SEH to address flooding problems that happened in 2019. Two problem areas were addressed in the area. On the northern portion of the road, flooding issues affected three homes, due to very unusual weather conditions. Solutions would range in cost from around \$100,000 to around \$700,000, and would not be guaranteed to significantly change the outcome of a 100 year flooding event. The solutions would primarily benefit these three houses. Based on the data and after many questions, there was consensus in the audience that the solutions not be implemented. Residents in the area felt they were too costly for a once in a lifetime event. On the southern portion of the road, costs were approximately the same, two or three homes were primarily affected by the waterflow, although there was some discussion as to the fact that the topography of these particular lots could be the primary cause of issues. It was decided that issues on the south end of the road needed some further study before decisions were made. Justin Gese of SEH suggested a future workshop to focus on this end of the road.

Gem Lake Trail/Tree Trust Report

Councilmember Cacioppo reported that the Tree Trust had begun planting the 72 trees that were part of the settlement with Water Gremlin over pollution issues. These trees were being planted on city property surrounding the Gem Lake Villas project and were being planted according to an agreed upon plan. Issues regarding clean-up of dog waste were briefly discussed. Owner responsibility for dog clean-up was re-emphasized.

Hoffman Road Slope Failure Update

Mayor Artig-Swomley presented a brief report from City Engineer Justin Gese, who could not be present at the meeting. Two bids were received for the slope failure project. The work was awarded to the lowest bidder, Dresel Company. Work has not officially started due to difficulties with obtaining necessary supplies and the need to finalize the easement necessary to do the work. Patrick Kelly is set to begin working on the easement. Gese is working with Ramsey County on cost sharing for the project.

Proposal to Update Gem Lake Water Plan

Recent events regarding Gem Lake wells have caused the city council to request an update to the 2006 Municipal Water Plan for the City of Gem Lake. This plan was written to explore options for bringing municipal water to some or all of the city in coming years. With this in mind, the city's engineering firm, SEH, submitted a proposal to bring the 15-year-old plan update and take a fresh look at options. This proposal lays out steps for re-examining issues surrounding potential water sources and presenting a water feasibility report to the council on or around January 18, 2022. The total cost of the report would be \$21,590. Councilmember Lindner introduced a motion to approve the proposal and go ahead with the study. Councilmember Cacioppo seconded the motion, all in favor, motion approved.

Minnesota Pollution Control Agency Report/Recap of Zoom Call

Tim Grape of the MPCA thanked the council for allowing the agency to participate in the full meeting and to be available for private meetings with citizens from 6-8:00 p.m. tonight at Heritage Hall. About 10 people took advantage of the opportunity to meet in the small conference rooms with MPCA officials. Grape reported that the zoom call garnered a significant audience and many questions were asked and answered. A recording of the call will be available on the agency web-site soon.

Work continues to find the source of 1,4 Dioxane in 15 Gem Lake wells. The agency is following leads and is working closely with city officials to comb files for clues. Additional wells are in the process of being tested in the city and results will be available in coming weeks. Although it might take a little time, Grape felt confident that the origin of the problem will probably be found. He encouraged citizens of Gem Lake to call the agency with any questions and he provided contact information to those in attendance.

Heritage Hall Update

Councilmember Lindner reported that most of the repairs and improvements to Heritage Hall, which were approved by the council at previous meetings, have been completed with a few exceptions. A new sink and motion activated faucet will be installed soon in the kitchenette area. Outdoor lights will be finished as soon as necessary parts are received by the supplier. Countertop and cabinet expansion in the office area is expected to be completed in November.

Internal Management Update

Melissa Lawrence, Acting City Clerk, was unable to attend tonight's meeting due to a family emergency. Mayor Artig-Swomley reported that Lawrence was able to attend and successfully complete a city clerk training course sponsored several weeks ago by the League of Minnesota Cities.

Work continues on insuring ordinances are up to date, in searchable formats and are posted on the web-site in their most current version. Lawrence is also working on renewals for rental property licenses in Gem Lake. She is also in the process of determining if there are any new rental properties and sending them the license application form to complete.

Fire and Burning Issues

Mayor Artig-Swomley and Councilmember Lindner had a meeting with Fire Chief Greg Peterson and Asst. Fire Chief/Fire Marshall Kurt Frison of the City of White Bear Lake in September. At this meeting, the Fire Department made many helpful suggestions on how the two cities could coordinate efforts on fire safety and ordinance enforcement. The Fire Inspector agreed to provide suggested updates to the Gem Lake Fire Ordinance and to submit them back to the Mayor prior to the next council meeting. Also discussed at the meeting were burning permits, recreational burning activities and guidelines and the suggestion that Gem Lake adopt Minnesota State Code #1306, which would require fire sprinklers in all new and significant remodeling or expansion projects in commercial buildings. A total burning ban was not put into place during the very dry summer months in White Bear Lake, but Peterson said it was discussed. The group talked about coordinating efforts if a burning ban ever needed to be put in place.

Councilmember Lindner introduced a motion to put a burning ban in place automatically if the City of White Bear Lake ever had to institute one, and that the burning ban would have the same conditions and duration as White Bear Lake's ban. Councilmember Cacioppo seconded the motion, all in favor, motion approved.

Councilmember Linder introduced a motion to adopt the suggested changes as presented for Gem Lake Ordinance #77, also known as the Fire Ordinance. Councilmember Cacioppo seconded, all in favor, motion approved.

Councilmember Lindner introduced a motion to adopt Minnesota Ordinance #1306 into Gem Lake's building ordinance, which covers the need for fire sprinklers in commercial buildings. Councilmember Cacioppo seconded the motion, all in favor, motion approved.

Public Works and White Bear Township

Mayor Artig-Swomley presented a spreadsheet prepared by Tom Kelly, that detailed public works type costs over the past ten years spent by Gem Lake to various contractors to cover things like snowplowing, sanding, street sweeping, lawn mowing, tree trimming, etc. Mayor Artig-Swomley asked for the council's approval to meet with the Township on this matter. The goal of the meeting would be to begin discussing the idea of getting all public works services from White Bear Township if they were agreeable and if mutually satisfactory terms could be arrived at. The council was in favor of the idea. Mayor Artig-Swomley said she would pursue the matter as soon as possible.

Snowplowing Contract for 2021-2022 Season

Mayor Artig-Swomley presented a proposal from T.A. Schifsky and Sons, Inc. to perform snowplowing and sanding services for the upcoming winter season on City of Gem Lake roads. The estimated average cost for the season would be \$14,000, based on hourly rates listed in the proposal for various snow related services and materials. Councilmember Lindner introduced a motion to accept the proposal with the insertion of Summit Farm Lane and the Gem Lake trail on the list of streets and areas that would be covered. Councilmember Cacioppo seconded the motion, all in favor, motion approved. Mayor Artig-Swomley would ask Lawrence to make the necessary changes to the proposal before signing and sending it back.

City Planner Proposal

Mayor Artig-Swomley presented a proposal from TKDA to provide the services of city planner Evan Monson to Gem Lake at a rate of \$86 per hour on an as needed basis. She noted that Monson's schedule and projects with other cities would rarely make it possible for him to be able to attend City Council and Planning Commission meetings. Councilmember Lindner introduced a motion to accept the proposal. Councilmember Cacioppo seconded the motion, all in favor, motion approved.

Estimate for Laptops

Mayor Artig-Swomley introduced a proposal to purchase two laptops that could be used by Lawrence or city council members on an as-needed basis for remote work. The cost of the two laptops would be \$2,378 and would be covered by the city's COVID relief funds. Councilmember Lindner introduced a motion to approve the purchase. Councilmember Cacioppo seconded the motion, all in favor, motion approved.

Gem Lake Emergency Planning

Mayor Artig-Swomley suggested asking a representative from the Ramsey County Emergency Services Department to attend a future council meeting or workshop to explain how their services are provided in the event of a major emergency. Council members felt this topic would be best served through the workshop format. Councilmember Lindner introduced a motion that Ramsey County Emergency Services be contacted and invited to a future meeting. Councilmember Cacioppo seconded the motion, all in favor, motion approved. Mayor Artig-Swomley said she would get in touch with the department.

Outreach to Other Cities and Government Agencies

Mayor Artig-Swomley felt progress had been made with building bridges and improving working relationships with White Bear Township, the Ramsey County Sheriff's Department, the City of White Bear Lake, Ramsey County Election Services and others. Several ideas were being discussed to approach the City of Vadnais Heights regarding potential improvements or clarifications regarding the mutual water contract.

Claims

Councilmember Lindner introduced a motion to approve the claims for the month. Councilmember Cacioppo seconded the motion, all in favor, motion approved.

Monthly Financial Reports

The council briefly reviewed the monthly financial reports covering September, 2021. There were no questions.

Presentations from the Public

Patrick Rottach asked about a bike path or widening of Goose Lake Road to accommodate bikers. Mayor Artig-Swomley said this was a subject covered in the Gem Lake Comprehensive Plan, but that Goose Lake Road is a county road and decisions about expansion or widening would be done on a county level.

Open Items from Council Members

Mayor Artig-Swomley made note of an interesting article that appeared in the Pioneer Press on the future of mass transit in the metro area and projections about remote work and ridership. Most council members said they had read the article.

Future Council Meetings

The next Gem Lake City Council Meeting is scheduled for November 16, 2021. The November workshop is cancelled.

Adjournment

Being there no further business, a motion for adjournment was made by Councilmember Lindner at 8:24 p.m. Councilmember Amlee seconded the motion, all in favor, motion approved.

Respectfully submitted, Gretchen Artig-Swomley