

**City of Gem Lake  
City Council Meeting – March 15, 2022  
Meeting Minutes**

Mayor Gretchen Artig-Swomley called the meeting to order at 7:01 p.m. Councilmembers Laurel Amlee and Jim Lindner were present. Councilmembers Len Cacioppo and Ben Johnson were not present. Also present: City Attorney Patrick Kelly, Acting City Clerk Melissa Lawrence, Planning Commission Member Joshua Patrick and Planning Commission Chair Don Cummnigs, Summit Farm Villas HOA Board President Sharon Roland, residents Jim Wilson, Emily and Brent Messing, Jenny Danielson, Steve Varley, Isaac Nelson, Cindy Scruggs and Brad Naylor.

**March 15, 2022 Agenda**

A motion was made by Councilmember Linder to accept the agenda, seconded by Councilmember Amlee. Voice vote taken, all voted yes, motion passes, agenda accepted.

**Minutes**

A motion was made by Councilmember Lindner, seconded by Councilmember Amlee to approve the February 15, 2022, City Council Meeting Minutes. Voice vote taken, all voted yes, motion passes, minutes approved.

A motion was made by Councilmember Lindner, seconded by Councilmember Amlee to accept the March 8, 2022, Planning Commission Meeting Minutes. Voice vote taken, all voted yes, motion passes, minutes accepted.

**Committee Reports – Planning Commission**

A public hearing was held to discuss the CUP for a detached garage structure at 3984 Scheuneman Road and the Commission is recommending approval to the City Council based on 5 of the 6 conditions recommended by City Planner Evan Monson:

1. The applicant is permitted to build the proposed detached accessory structure according to the plans submitted to the city and reviewed with this request.
2. The applicant is required to acquire a building permit from the city for the proposed structure and to submit a grading and erosion control plan to city staff for review prior to issuance of a building permit, so as to ensure drainage issues are mitigated.
3. The applicant would not be allowed to turn this structure into a secondary residence on the property and would remodel the existing nearby shed to match the siding of the new garage within one year of garage completion.
4. Any connections of the proposed accessory structure to city utilities would adhere to applicable city requirements.
5. The applicant is required to adhere to all applicable local, State or Federal regulations.
6. The applicant is required to acquire any other applicable local, State or Federal permits for this request.

The Luther Cadillac project was discussed including the next steps that need to be taken before the public hearing can be held on April 12, 2022. Minimal changes were made, but the applications have expired and Luther Cadillac needs to reapply. The project was previously approved in 2019 by the Gem Lake City Council.

The 2020 Gem Lake Comprehensive Plan was discussed and a plan has been made to have a joint meeting of the Planning Commission and City Council once the final version has been re-submitted to the Metropolitan Council. The meeting will take place at the May 17, 2022, City Council meeting.

## **Old Business**

Mayor Artig-Swomley stated that she has completed the first draft of the Newsletter and will send it out for proofing before it is sent to the printer the next week.

## **New Business**

### **Resolution #2022-0005 – Reestablishing Precincts and Polling Places**

Minnesota Statute section 204B.14 Subd. 3 (d) requires that precinct boundaries must be reestablished within 60 days of when the legislature has been redistricted or at least 19 weeks before the state primary election, whichever comes first. Although there were not boundary changes in Gem Lake the City must reestablish their already existing precinct(s).

The motion for adoption of the foregoing Resolution was offered by Councilmember Lindner and was supported by Councilmember Amlee and upon vote being taken thereon, the Resolution passed with a vote of 3 in favor and 0 against.

### **Luther Cadillac Project**

Luther Cadillac is finally moving forward with their plans, but since then there have been minor changes and the applications on file for Gem Lake have expired. The building itself has reduced in size and more trees are being put in. Luther Cadillac has gotten approval from Vadnais Heights and the watershed district for this plot. The City of Gem Lake still has the escrow money from the previous applications, so the City will only require the base fees to be paid for the applications. This topic will be discussed at the April 12, 2022, Planning Commission Meeting.

### **Conditional Use Permit for a detached garage at 3984 Scheuneman Road**

The applicants are looking to build a detached accessory structure on their property at 3984 Scheuneman Rd. The proposed structure would be 2,176 square feet in size, and located to the east of the existing house. The structure would have a second floor for additional storage, which would result in a maximum height of 25 feet for the structure.

The applicant is proposing to build a structure that would be 2,176 SF in size. The structure would be two stories in size, with a maximum height of 25 feet. The applicants are proposing to use the structure for storage, woodworking, as well as a potential home office in the upstairs space. The applicants would like to connect the building to utilities, which would include extending gas, water, and electric to the building. The applicant has included designs of the structure, showing a dark gray roof and siding, with doors and columns having a wood finish. The structure would have a lean-to along on the south side, providing a covered porch area of 680 SF. The footprint of the garage, plus the covered porch, would total 2,856 SF. The applicant is not planning on extending a driveway to the proposed garage at this time.

The Planning Commission found the request meets the criteria for a CUP, and recommended approval of the Conditional Use Permit request to build a detached accessory structure exceeding 1,000 SF in size, at 3984 Scheuneman Rd. The following conditions for approval were recommended by the commissioners:

1. The applicant is permitted to build the proposed detached accessory structure to a size of 2,176 square feet, and with a covered porch of 680 SF on the south side, according to the plans submitted to the city and reviewed with this request.
2. The applicant is required to acquire a building permit from the city for the proposed structure, and to submit a grading & erosion control plan to city staff for review prior to issuance of a building permit, so as to ensure drainage issues are mitigated.
3. The existing detached shed on the site shall remain on-site, provided the exterior is remodeled to be consistent with the new detached accessory structure.

4. Any connections of the proposed accessory structure to city utilities shall adhere to applicable city requirements.
5. The applicant is required to adhere to all applicable local, State, or Federal regulations.
6. The applicant is required to acquire any other applicable local, State, or Federal permits for this request.

Councilmember Lindner made a motion to approve the CUP for a detached garage structure at 3948 Scheuneman Road based on the recommended conditions, seconded by Councilmember Amlee. Voice vote taken, all voted yes, motion passes, CUP for 3984 Scheuneman Road is approved.

## **Gem Lake Infrastructure Issues**

### **Water Study/Well Situation Update**

Bringing municipal water to all of Gem Lake is an option and SEH is currently in the 2<sup>nd</sup> phase of looking where the City can get water from. The MPCA will be conducting more tests in the wells in Gem Lake during the summer of 2022. Until these steps have been completed there is no new information to report.

### **MS4 Proposal – SEH**

Each year, the City of Gem Lake is required to complete annual reporting and host an annual meeting as part of their MPCA National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) MS4 Permit. The Annual Report requires a summary of all MS4 related activities, requirements, and inventories by the City in the given year. The Annual Report is due June 30th of each year covering the previous calendar year.

In November of 2020, the MS4 general permit was reissued and permittees were required to submit the MS4 Part 2 Permit Application by April 15, 2021. The City of Gem Lake completed and initially submitted their application on April 15, 2021. The City received authorization to discharge stormwater under the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) MS4 General Permit (MNR040000), effective November 12, 2021. Any necessary updates to the City's existing MS4 program to satisfy the requirements of the 2020 MS4 permit must be complete by November 12, 2022.

SEH submitted a proposal to undertake the writing of the MS4 report. The scope of services is described in two major tasks, including:

1. MS4 Annual Reporting Assistance
2. MS4 Program Updates

Although these tasks are part of the City's MS4 permit, the final deliverable for each task is independent of one another. Please note that wherever possible, SEH staff will combine meeting instances, questions or information outreach, and deliverables to the City to streamline efforts outlined within this proposal.

Councilmember Lindner made a motion to approve the proposal by SEH for \$22,825, seconded by Councilmember Amlee. Voice vote taken, all voted yes, motion passes, SEH's proposal for \$22,825 is approved.

### **Stormwater Discharge and Pipeline License Update**

Railroad companies are very possessive of their land, and usually before you enter railroad property there are agreements that are discussed. Because of the issue Gem Lake faced with the emergency situation, the City was given the go ahead to complete the work on a slope failure

situation and now that work has finished the City is in the process of looking through a 16 plus page agreement document.

The agreement being brought to the City by the railroad company is requesting that the City use their insurance and pay a very large licensing fee. City Attorney Patrick Kelly has been communicating with the railroad contact and has worked out an agreement that the City can use the insurance it has through the League of Minnesota Cities Trust. He also went through the contract and took items out that no longer applied and submitted it to the railroad to review. The railroad company is open to the City offering an amount that should be paid for the license. City Attorney suggested that we open it up and start at \$100.00.

Councilmember Lindner made a motion to offer \$100 for the license, seconded by Councilmember Amlee. Voice vote taken, all voted yes, motion passes, City Attorney will pass along the City's offer of \$100 for the license fee.

### **Septic Inspection Discussion**

The City pays a contractor to do annual maintenance inspections and the City then charges the septic residents \$40.00 to cover the inspection and administrative costs. The City has received some concerns and complaints over the last year concerning this issue. Mayor Artig-Swomley suggested the Council develop expectations for our inspector as to what should be covered or looked at during an inspection better. Also, the City should set a broad schedule for when these inspections should take place. This will help to insure that resident's access points are available for the inspector. The City will also advertise the topic better.

## **Internal Management Update**

### **Records Management Discussion**

The City spends far too much time looking for things when they should be filed away neatly organized and easy to find. The City may be holding on to files longer than is necessary taking up storage space in the file room. The Acting City Clerk and the Mayor are going to look into the records management requirements and will begin disposing of items properly if possible. It is also a possibility that more storage cabinets are needed. The Acting City Clerk is going to work on organizing the records room. Both the Mayor and Acting City Clerk would be interested in any training available through the LMC on records management if it were to ever become available.

### **City Clerk Annual Review Preparation**

The Mayor shared with the Council some of the employee annual review that she had completed on Acting City Clerk Melissa Lawrence. The Mayor recommended that a \$5.00 an hour raise be given. Councilmember Lindner suggested that because the Council is short two members tonight that the discussion on the wage increase be tabled until the April 19, 2022 meeting. The Mayor agreed.

Councilmember Lindner made a motion to table to Acting City Clerks wage discussion until the April 19, 2022 City Council meeting, seconded by Councilmember Amlee. Voice vote taken, all voted yes, motion passes, the wage discussion will be tabled until the April City Council Meeting.

### **Federal Holiday List/Manual Update**

Mayor Artig-Swomley presented to the Council that the federal holiday, Freedom Day or Juneteenth, was added to the employee handbook based on the discussion and vote at the February 15, 2022 City Council Meeting. This holiday is observed annually on June 19<sup>th</sup> and the City will observe the holiday as stated in the employee manual in the case that it falls on a weekend.

Councilmember Lindner made a motion to accept the amendment to the employee manual holiday schedule, seconded by Councilmember Amlee. Voice vote taken, all voted yes, employee manual updates approved.

### **City Wide Clean Up Event May 21 Planning**

The City is planning to hold a City Clean-up Day. The Day will consist of two different events. The first event will be the Street Clean-up. Residents can volunteer and come down to Heritage Hall and grab some industrial strength bags and return them full at the end of the event. It will run from 9-noon and hotdogs, chips and soft drinks will be served after.

The second event will be Trash to Treasure. Residents are asked to place items at the end of their driveway that they have been wanting to get rid of and place a free sign. Residents can then get into their cars and ride around Gem Lake and see if there may be something of interest to them. This event will run from 9 a.m. – 4 p.m., and at the end of the day anything that has not been taken must be taken back up from the curb.

### **Letter of Support for Bruce Vento Trail Extension**

A resolution was passed in October 2020 showing the City's support of the Bruce Vento Trail. Mayor Artig-Swomley typed up a letter to be sent to the Director of Planning and Development showing our support. Included in the letter will be the passed Resolution No. 2020-0013.

Councilmember Lindner made a motion to send the letter and Resolution in support of the Bruce Vento Trail again, seconded by Councilmember Amlee. Voice vote taken, all voted yes, motion passes, letter of support will be sent.

### **2018 Comprehensive Plan City of Gem Lake Update**

When a City submits a Comprehensive Plan to the MET Council for review it usually goes back and forth until all changes have been completed. The plan is currently at the MET Council for final approval. The City had its last public hearing on the topic a year ago. More information will be shared at the May 17, 2022 City Council meeting with a presentation of the plan. This will be a joint meeting of the Planning Commission and City Council.

### **Discussion of County Road E Corridor Study**

Mayor Artig-Swomley suggested to the Council that this discussion be tabled until the April 19, 2022 City Council Meeting when Councilmember Johnson will be here and the representatives from the corridor group can attend.

Councilmember Lindner made a motion to table to discussion on the County Road E Corridor Study until all others are able to attend, seconded by Councilmember Amlee. Voice vote taken, all voted yes, motion passes, discussion has been tabled until the April 19, 2022 City Council Meeting.

### **Public Works and White Bear Township**

White Bear Township has agreed to take on out Public Works tasks. The City is waiting on a time to negotiate prices. Once the audits have been completed they will have more time to discuss this.

### **Discussion on Turkey Hunting in Gem Lake**

The City has received a request for turkey hunting within the City. At this time the City is not in favor of allowing this action. The current Ordinance No. 124B would need to be amended to include information on turkey hunting and it is not something the City is interested in taking on right now.

### **Community Outreach to Other Cities and Government Bodies**

There has been great progress improving relationships with the Ramsey County Election Board and Ramsey County Sheriff's Department. The City Attorney met with Vadnais Heights on March 14, 2022 to discuss the water bills on Summit Farm Lane. He seems to have made some progress with Vadnais Heights and they have asked the City to suggest options.

### **Claims**

Councilmember Lindner made a motion to pay the bills, seconded by Councilmember Amlee. Voice vote taken, all voted yes, motion passes, bills will be paid.

### **Monthly Financial Report**

February financials were submitted for review. No questions from City Council.

### **Presentations from the public, 2 minutes maximum**

Residents in attendance had no comments or questions.

### **Open Items for Councilmembers to Bring Up**

Mayor Artig-Swomley brought up the issue of the City's recycling hauler not picking up on time. The City is being told that it is due to "operational issues". In the case that the recycling is not picked up on time residents are being asked to leave their bins out and to call Heritage Hall if it has been more than 2 days and no pickup has happened.

Mayor Artig-Swomley suggested that the City add tree trimming back on to the City's contractor license list. It has not been listed on their in the past, but tree trimmers are required to be City licensed in Gem Lake.

Mayor Artig-Swomley suggested that at the April City Council meeting there be an item for charitable donations and scholarships. She suggested that the City possibly make donations to the White Bear Area Food Shelf and NewTrax again.

Mayor Artig-Swomley brought up the Purple Line Bus Route and Minnesota Senator Roger Chamberlain's bill stating that all cities affected by projects such as this would need to be in favor in the future. The City helped provide testimony for this bill.

### **Future Council Meetings**

City Council, Tuesday April 19, 2022, Workshop, Monday April 11, 2022 CANCELED.

### **Adjournment**

Being there no further business, following a motion from Councilmember Lindner, seconded by Councilmember Amlee, the meeting adjourned at 8:18 p.m.

*Respectfully submitted, Melissa Lawrence*