

**City of Gem Lake**  
**City Council Meeting – December 21, 2021**  
**Meeting Minutes**

Mayor Gretchen Artig-Swomley called the meeting to order at 7:00 p.m. Councilmembers Len Cacioppo, Laurel Amlee, Ben Johnson and Jim Lindner were present. Also present: City Attorney Patrick Kelly, City Treasurer Tom Kelly, Planning Commission Member Joshua Patrick and Planning Commission Chair Don Cummnigs, and Resident Rick Bosak.

**December 21, 2021 Agenda**

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

**Minutes**

A motion was made by Councilmember Lindner, seconded by Councilmember Cacioppo to approve the November 16, 2021, City Council Minutes. Voice vote taken, all voted yes, motion passes, minutes approved.

A motion was made by Councilmember Lindner, seconded by Councilmember Cacioppo to accept the December 7, 2021, Planning Commission Meeting Minutes. Voice vote taken, all voted yes, motion passes, minutes accepted.

**Committee Reports – Planning Commission**

Planning Commission Chair Don Cummings gave an overview of the Planning Commission Meeting on December 7, 2021. At the December meeting the Commission voted on moving their meeting dates from the first Tuesday of each month to the second Tuesday of each month to accommodate the City Planners schedule. A public hearing has been scheduled for the January 11, 2022 meeting date to discuss a CUP at 3825 Scheuneman Road and to discuss changes to the Home Occupation Ordinance. Discussion on beginning work on the next Comprehensive Plan was also discussed.

**Old Business**

Mayor Artig-Swomley presented ideas for the next edition of the Newsletter to include pieces such as information regarding the MPCA joining the January 2022 City Council Meeting, a story about hydrology and why certain areas became polluted and others did not and their ideas on how it got from here to there. Deer harvest report, fire ordinance procedure changes, 2022 budget, and VLAWMO issues regarding smart salting.

**New Business**

**Truth-in-Taxation Public Hearing**

City Treasurer Tom Kelly gave an overview of the 2022 budget for the City of Gem Lake. Gem Lake now has a population of more than 500 people and is required to hold a Truth-in-Taxation hearing. The City Council is asked to approve (pass) Resolution 2021-15, Adopting the Final 2022 General Fund Budget and Property Tax Levy. The 2022 Budget is proposed at \$523,278, which is a 6.27% increase from the 2021 Budget. Major or large changes from the 2021 Budget to the 2022 Budget are as follows:

1. Based on the 2015 Refunding Bond schedule the debt levy for 2022 is set for \$79,477.00. In addition, in 2018, the City issued bonds for the improvements on Scheuneman Road and the 2022 debt levy for this issue is \$7,805.00. The two of these debt levies makes up the City's 2022 debt levy of \$87,282.
2. Licenses and Permits decreased \$900 for less building activity.

3. City Council contingency was reduced from \$10,000 to \$8,000.
4. Clerk/General Government budget includes \$18,000 for health insurance coverage.
5. Police budget was increased 10.85% to \$95,000. The City of White Bear Lake has not set their budget as of today.
6. The cost of fire services would increase 14.40% to \$29,343.00.
7. Building Inspections includes \$14,579 for a part-time inspector.
8. Road Maintenance budget includes \$15,000 for trimming boulevard trees.
9. Salt/sand reduced to \$15,000 and snow plowing contract decreased from \$18,500 to \$17,000.
10. Included a park maintenance budget of \$5,000 for maintaining park area of the Villas of Gem Lake.
11. The 2022 budget includes \$20,000.00 for future improvements.
12. Revenue and other expenditure line items adjusted based on past history.

Based on the changes listed above the City's proposed 2022 property tax levy would \$558,210, which consists of the following:

General Fund levy	\$460,202
Fiscal Disparities	10,726
Total General Fund Levy	470,928
Debt Levy	84,777
Fiscal Disparities	2,505
 Total City Levy	 \$558,210

The total City levy is proposed to increase 4.25%. The other piece to the tax levy puzzle is the City's tax capacity, which decreased 0.85% to \$1,426,695. In addition, the median home value increase from \$335,850 to \$352,000. Based on these increased tax capacities and the City's proposed tax levy, the median valued home would have a City property tax increase of \$118.92 or 10.52%.

Mayor Artig-Swomley informed those in attendance that the Council would begin with the Truth-in-Taxation public hearing, and that the public would have a chance to provide input on the topic.

Councilmember Lindner introduced a motion to open the public hearing at 7:28 p.m. on the Truth-in-Taxation 2022 budget, seconded by Councilmember Cacioppo. Voice vote taken, all in favor, motion passes, the public hearing is opened at 7:28 p.m.

The public had no comments on the public hearing.

Councilmember Lindner introduced a motion to close the public hearing at 7:29 p.m. on the Truth-in-Taxation 2022 budget, seconded by Councilmember Cacioppo. Voice vote taken, all in favor, motion passes, the public hearing is closed at 7:29 p.m.

#### **Resolution #2021-0015 – Approving 2022 Budget & Levy**

City Treasurer Tom Kelly created a resolution for the City of Gem Lake to approve the 2022 budget & levy. The City Council was requested to pass a resolution adopting the 2022 property tax levy of \$558,210.00. The foregoing resolution was offered by Councilmember Linder and was supported by Councilmember Cacioppo and was declared adopted based upon unanimous vote in favor.

#### **Resolution #2021-0016 – Approving Operating Transfers**

The City Council has the discretion to use unrestricted City funds in the best interest of the City. From time to time, the City transfers money from one fund to another for various reasons. In order to complete

these transfers, the City must pass a resolution authorizing these transfers prior to the end of the fiscal year. A motion was made by Councilmember Lindner and was seconded by Councilmember Cacioppo and was declared adopted based upon unanimous vote in favor.

### **Resolution #2021-0017 – Country Lounge Tobacco License 2022**

The City of Gem Lake is authorized by the State of Minnesota to issue tobacco licenses to approved and authorized establishments within their municipality. The Country Lounge, 3590 Hoffman Road West, Gem Lake, has met all the requirements set forth with the City of Gem Lake and the State of Minnesota for a tobacco license for 2022. The motion for adoption of the foregoing Resolution was duly introduced by Councilmember Lindner and seconded by Councilmember Cacioppo, and upon vote being taken thereon, the Resolution passed with a vote of 4 in favor and 0 against. Councilmember Amlee abstains from the vote.

### **Charitable Gambling License Procedures**

The City has been charging a charitable gambling fee each year in the amount of \$500.00 in error. The City Clerk was able to track down six years' worth of receipts to show that the payment had been accepted from the Country Lounge. Mayor Artig-Swomley suggested to the Council that the City should refund the Country Lounge for the last six years' worth of charges, which totals \$3,000.00. Mayor Artig-Swomley would also like to reach out to John Birkeland and explain the situation to him.

Councilmember Lindner made a motion to refund the Country Lounge for the last six years' worth of fees, seconded by Councilmember Cacioppo. Voice vote taken, 4 in favor, Councilmember Amlee abstains from the vote, motion passes, refund is approved for the Country Lounge.

Councilmember Lindner made a motion to authorize the Mayor to discuss the situation and come up with a payment plan with John Birkeland, owner of the Country Lounge, seconded by Councilmember Cacioppo. Voice vote taken, 4 in favor, Councilmember Amlee abstains from the vote, motion passes, the Mayor is authorized to discuss the situation with John Birkeland.

### **Charitable Gambling Donations**

Mayor Artig-Swomley suggested to the Council that the City make a large donation to the White Bear Area Food Shelf and NewTrax. NewTrax has been helping the White Bear Area Food Shelf by delivering food to clients five days a week. Each address they deliver to receives a 25 pound box of food. Mayor Artig-Swomley recommends a donation of \$2,500.00 to each organization. Councilmember Linder made a motion to donate \$2,500.00 to both the White Bear Area Food Shelf and NewTrax, seconded by Councilmember Cacioppo. Voice vote taken, all voted yes, motion passes, checks will be prepared.

Mayor Artig-Swomley also made mention that Merrick, the Country Lounges Charitable Gambling Manager, made a donation to the White Bear Area Food Shelf in the amount of \$500.00 on behalf of the City of Gem Lake. This donation was made as a request by the owner of the Country Lounge, John Birkeland. Councilmember Linder made a motion to acknowledge the donation from Merrick on behalf of the City of Gem Lake, seconded by Councilmember Cacioppo. Voice vote taken. All voted yes, motion passes, donation acknowledged.

### **Gem Lake Infrastructure Issues**

#### **Hoffman Road Slope Failure Cost Update**

Additional work performed was necessary to complete the final project. The original scope included work for an emergency fix. Given the timeline of the project, additional quotes were prepared and solicited to ensure the City was receiving the best possible price. The estimated fee is subject to a not-to-exceed amount of \$9,000.00 including expenses and equipment.

Councilmember Linder made a motion to approve the additional charge for the work to complete the project, seconded by Councilmember Cacioppo. Voice vote taken, all voted yes, motion passes, additional charge approved.

### **Water Supply Report Update – Justin Gese**

Documents are being compiled and SEH is hoping to present at the January 18, 2022 City Council Meeting.

### **Scheuneman Road Storm Water Study – South End – Justin Gese**

The culverts that were located on the South end of Scheuneman Road are non-functioning and water cannot get to them due to grading changes over the years. A potential solution to the issue is a ditch made that would drain into a culvert, which would hopefully provide some relief. An application for public funding has been submitted and Mr. Gese is currently waiting for the results of the application. SEH will hear back in late January, if awarded, the grant would be for planning studies, not the actual construction. Councilmember Johnson asked Mr. Gese if he had any concerns about opening those culverts back up to the rail. Mr. Gese stated that the culverts in question are grandfathered in and SEH has not addressed these completely yet.

### **Villas of Gem Lake Update**

Mr Gese and City Attorney Patrick Kelly are in communication with Hanson Builders and have had discussion regarding the punch list items that still need to be completed. There are areas in the Villas that the Ramsey Washington Watershed is unhappy with and trees need to be replanted, until that happens the Watershed will not release their escrowed funds. Mr. Gese and City Attorney Patrick Kelly are working on getting payment for the water used during construction from Hanson Builders.

### **Gem Lake Well Update**

The MPCA tested every well they could and the total went from 20-22 wells that have trace contamination of 14 Dioxane. The MPCA does not feel there is a link between this pollution and the pollution caused by Water Gremlin. The MPCA will be attending the January 18, 2022 meeting and will be available for individual meetings an hour before the scheduled City Council Meeting. Resident Rick Bosak asked if the MPCA is testing Vadnais Heights as well. The MPCA will test any and all areas they believe that could be the source of the pollution.

### **Heritage Hall – Jim Lindner**

Councilmember Lindner shared that compared to last year Heritage Hall's energy consumption is down, however because of price changes, the bills are still running about the same. Councilmember Linder also noticed that it is taking longer than it should to get hot water and that a circulating pump may be necessary to speed up the process and that he can reach out to Metro Heating and Plumbing to request a quote. COVID Funds may be able to be used if it helps improve the water quality.

### **Internal Management Update**

#### **2022 Meeting Schedule**

The City Clerk prepared the Gem Lake City Council and Planning Commission Meeting Schedule for the 2022 year. Also included on the sheet is a list of scheduled office closures for the year. Councilmember Lindner made a motion to approve the 2022 schedule, seconded by Councilmember Cacioppo. Voice vote taken, all voted yes, motion passes, 2022 schedule is approved and accepted.

On the topic of schedules Mayor Artig-Swomley asked the Council how they felt about closing the office for the last week of 2021. Councilmember Lindner made a motion to close Heritage Hall for the remainder of 2021 beginning December 23, 2021, seconded by Councilmember Cacioppo. Voice vote taken, all voted yes, motion passes, Heritage Hall will be closed for the remainder of 2021 beginning December 23, 2021.

### **City Council Clerk Training**

The City Clerk has almost completed a full year in the position and will have completed all tasks that usually come up throughout the year.

### **City Council/Planning Commission Training Manual**

Mayor Artig-Swomley stated that she would like to create a training binder containing documents that can be given to the Planning Commission and City Council and new members that come in. Three sections being suggested are: 1) Council Conduct; 2) Land Use; and 3) Meetings. City Attorney Patrick Kelly has some suggestions that he will send over to the Mayor and Councilmember Lindner wanted to make sure that all documentation in the manual is as current as possible.

### **Health Insurance Stipend Concept**

Councilmember Johnson suggested a cost of living increase (COLA) at the beginning of the year.

Mayor Artig-Swomley feels that the Council should do that plus an insurance stipend.

Councilmember Cacioppo feels that the Council should agree on a number that would still be decent after taxes are taken out. Councilmember Amlee brought up the idea of an HRA, but that would require the employee to get a certain type of insurance without option, but it would be untaxed and the employee would be reimbursed.

Councilmember Cacioppo made a motion to apply a COLA salary increase based on the Social Security Administration, seconded by Councilmember Johnson. Voice vote taken, all voted yes, motion passes, employees will receive a COLA increase starting with the first paycheck of 2022.

Councilmember Amlee made a motion to approve a \$750.00 monthly amount based on averages from MNsure.gov for an additional benefit amount on any Gem Lake employees' paycheck that would be taxed starting January 1, 2022 for purposes of purchasing insurance, seconded by Councilmember Cacioppo. Voice vote taken, all voted yes, motion passes, employees will be given an additional \$750.00 per month to cover the cost of buying any insurance they require.

### **November Credit Card Machine Statement**

The Council reviewed the statement for November and decided that the City will need to charge a fee for each transaction instead of eating the fee. Councilmember Cacioppo suggested after reviewing the statement that a 3% fee per transaction would be sufficient. Councilmember Lindner made a motion to charge a 3% fee per transaction to process credit card payments, seconded by Councilmember Cacioppo. Voice vote taken, all voted yes, motion passes, the City will not charge a 3% fee for all credit card transactions.

### **Historical Documents and Photo Library**

Mayor Artig-Swomley has been collecting and copying historical photos and newspaper clippings from the several residents of Gem Lake and sending them to the City Clerk. The scans are all saved in a folder on the drive and there is also a folder of prints at the office.

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

White Bear Township is happy to take over Gem Lakes public work's needs. At this time the City is working on an agreed upon billing system. The cost will most likely end up being slightly more than what the City currently pays but the work will all be streamlined.

## **Initial Discussion of Fee Schedule for 2022**

All Councilmembers have been given a copy of the current fee schedule to look over and come prepared with suggested changes to the January 18, 2022 City Council Meeting.

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

Things are going well with White Bear Township. The Mayor and City Attorney have reached out to Vadnais Heights regarding the water billing and Vadnais is asking the City to write a formal proposal and will run it by their engineer. The Mayor also wrote to the Governor about Purple Line and spoke to a representative. Councilmember Johnson has been in contact with White Bear Lake.

## **Claims**

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

## **Monthly Financial Report**

November 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 Council Members to Bring Up**

Mayor Artig-Swomley brought up an anonymous complaint from a resident regarding a property on Scheuneman Road. The City is in the process of handling the situation. Councilmember Lindner expressed interest in being the back-up Mayor. Councilmember Lindner also expressed interest in attending training being conducted by the League of Minnesota Cities in February 2022 with a total cost of \$275.00 a person.

## **Future Council Meetings**

City Council, Tuesday January 18, 2022, Workshop, Monday January 10, 2022 canceled.

## **Adjournment**

Being there no further business, following a motion from Councilmember Lindner, seconded by Councilmember Cacioppo, the meeting adjourned at 9:09 p.m.

*Respectfully submitted, Melissa Lawrence*