

**City of Gem Lake
City Council Meeting – September 19, 2023
Meeting Minutes**

Mayor Gretchen Artig-Swomley called the meeting to order at 7:00 p.m. Councilmembers Jim Lindner, Len Cacioppo, Laurel Amlee and Ben Johnson were present. Also present: City Attorney Kevin Beck, City Treasurer Tom Kelly, City Engineer Justin Gese, Acting City Clerk Melissa Lawrence, Minnesota Pollution Control Agency (MPCA) representatives, Michael Ginsbach, Tim Grape, Planning Commission Member Don Cummings, and Gem Lake residents Daniel Epelboim, Jim Wilson, Paul Emeott, Tom Bolfig, Betsy DiFabio, Sharon Roland, Pat and Melissa Rottach, Steve Varley, Rick Bosak, Jean and Roys Andrews, Richard and Roberta Pientka, Sherrie O’Malley, Andre Yadeau, Carl Wallin, Pat Igo, and Kevin Cullen.

September 19, 2023 Agenda

A motion was introduced 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 introduced by Councilmember Lindner, seconded by Councilmember Cacioppo to approve the August 15, 2023, City Council Meeting Minutes. Voice vote taken, all in favor, motion carried, agenda accepted.

Special Presentations

Minnesota Legislative Session Update – Minnesota Senator Heather Gustafson, District 36, DFL
Senator Gustafson had a last minute emergency caucus and had to reschedule her visit to the City of Gem Lake. Acting City Clerk Melissa Lawrence will work on rescheduling the visit.

MPCA Water Report – Minnesota Pollution Control Agency Representatives Tim Grape and Michael Ginsbach

Since the last visit to the City the MPCA has taken samples again from the areas in Gem Lake affected by or near the affected areas of the 1,4 Dioxane pollution. Earlier readings taken had many of the affected properties above the Minnesota Department of Health’s (MDH) 1 ppb guidance value. These properties have been supplied bottled water since those results. The last set of recent samples taken in 2023 have showed signs that the concentrations of 1,4 Dioxane are either staying the same or decreasing. Many affected areas have dropped below the 1 ppb guidance value. These properties will still be supplied bottled water while the investigation continues. There have been no new impacted wells and the contamination was most likely from a one-time event. The MPCA is still investigating Cortec and is requiring the company to put together an evaluation stating how much contamination has been released.

Many of the residents in attendance asked questions along the lines of:

- Is the reduction in pollution expected to continue?
- What is Cortec and has the pipe been repaired?
- Will more well testing be conducted and will the testing be expanded to cover more homes or areas within Gem Lake?
- How long will it take the MPCA to come to a resolution?

A summary from Michael Ginsbach was the testing will continue until a resolution has been made. The MPCA hopes to come to a resolution sooner than later. This is an ongoing investigation and the MPCA will continue to look at other possible sources of contamination. Tim Grape shared that the MPCA has a current proposal for the 2024 session for \$170 million to help Minnesota cities come up with solutions to get wells taken care of.

Mayor Artig-Swomley with the help of our City Engineer has applied for federal funding. The House Capital Investment Committee has a tour scheduled for Thursday, September 28 to get some more information on the City’s request for funding.

2024 Preliminary Budget Presentation / Public Hearing – White Bear Township Finance Officer, Tom Kelly

Under state law, cities must adopt a proposed property tax levy by September 30 of each year. The proposed levy will be used to produce parcel-specific taxpayer notices, also referred to as truth-in-taxation notices, which will be distributed to taxpayers in November. If a city fails to certify its proposed levy to the county by September 30, the county auditor is required to use the authority's previous year's final levy as the levy for the following year.

City Treasurer Tom Kelly gave an overview of the 2024 preliminary property tax levy is proposed at \$717,742, which is a 7.291% increase from the 2023 certified preliminary property tax levy. The 2024 preliminary property tax levy consists of a debt levy of \$81,554.00 (a decrease from 2023 preliminary debt levy of \$2,864.00) and the general operating levy of \$636,188.00 (an increase of 8.806% from the 2023 preliminary tax levy).

The following changes were made from the 2023 adopted budget as a basis for the 2024 proposed preliminary property tax levy:

1. Based on the 2015 Refunding Bond schedule the debt levy for 2024 is set for \$76,269.00. In addition, in 2018, the City issued bonds for the improvements on Scheuneman Road and the 2024 debt levy for this issue is \$5,285.00. The two of these debt levies makes up the City's 2024 debt levy of \$81,554.
2. Did not include small government aid from the State since the City no longer qualifies. This reduces revenues by \$7,000.00.
3. City Council contingency was increased to \$10,000 (was \$9,000).
4. Clerk/General Government budget includes \$60,000.00 for wages and \$11,000 for health insurance coverage.
5. Clerk/General Government budget does not include \$75,815 for the new software.
6. Planning & Zoning budget increased \$5,000.00 based on past expenditures.
7. Police budget was increased 12.38% to \$129,466 based on the City of White Bear Lake budget provided us and includes \$115,877 for police services and \$13,589 for debt payments on the new public facilities building.
8. The cost of fire services could increase 43.04% to \$48,669.00. It includes \$31,982 for fire services, \$7,746 for fire marshal services, and \$8,941 for debt payments on the new public facilities building.
 - a. Overall, the City of White Bear Lake would like Gem Lake to pay \$22,530 for the next 20 years for their new facility.
9. Road Maintenance budget includes \$22,000 for road maintenance/repair and \$15,000 for trimming boulevard trees.
10. Salt/sand reduced \$3,000 to \$12,000 and snow plowing contract decreased from \$17,000 to \$15,000, both based on past expenditures.
11. Heritage Hall budget includes \$15,000 for building improvements to the office doors and front window for security and \$15,000 for the irrigation system.
12. Included a park maintenance budget of \$6,000 for maintaining park area of the Villas of Gem Lake.
13. The 2022 budget includes \$20,000.00 for future improvements.
14. Revenue and other expenditure line items adjusted based on past history.

These changes result in the City proposed preliminary tax levy of \$717,742.00 for 2024. This compares to 2023 preliminary levy of \$669,115.00 and 2023 final levy of \$651,221.00. Using a 2024 property tax levy of \$717,742.00 and the City's 2024 tax capacity (\$1,761,612.00) and median valued home (\$429,600.00) for Gem lake, that median valued home, would pay City property taxes of \$1,576.46 in 2024 compared to 2023 preliminary levy of \$1,491.95 (an increase of \$84.51) and the 2023 final levy amount of \$1,450.95 (an increase of \$125.51).

Councilmember Cacioppo has some concerns about the payment to White Bear Lake for the new building. White Bear Township and Gem Lake are writing a letter to White Bear Lake to see if what they are asking for payment is legal by putting it on a debt levy.

Mayor Artig-Swomley informed those in attendance that the Council would begin with the preliminary levy 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 7:50 p.m. on the 2024 preliminary budget, seconded by Councilmember Amlee. Voice vote taken, all in favor, motion carried, the public hearing is opened at 7:50 p.m.

Roys Andrews had a questions regarding the cracks along Goose Lake Road and if the City can reach out to Ramsey County to come out and fix them. Mayor Artig-Swomley shared that the project is on their list in the future around 2026, and there is nothing planned for the near future. The issue with the road is due to a pavement experiment aimed at creating longer road life. The public had no other comments.

Councilmember Lindner introduced a motion to close the public hearing at 7:54 p.m. on the 2024 preliminary budget, seconded by Councilmember Amlee. Voice vote taken, all in favor, motion carried, the public hearing is closed at 7:54 p.m.

Consent Agenda

Resolution #2023-0016 Gem Lake 2024 Preliminary Budget

Resolution #2023-0017 September 2023 Donation to White Bear Lake Area Food Shelf

Monthly Financial Report(s)

Claims

All items on the consent agenda were reviewed by the Council. Councilmember Lindner introduced a motion to approve all the items listed on the consent agenda as is, seconded by Councilmember Cacioppo. Voice vote taken, all in favor, motion carried.

Committee Reports

There was no Planning Commission meeting held in September, so there is nothing to report.

Old Business

Newsletter

The next issue of the Newsletter will include pieces on the MPCA presentation to the City Council, 2024 preliminary budget, Tessier Road, County Commissioners Report, dog license renewal reminder, VLAWMO, White Bear Lake police chief old and new.

Tessier Road Report

The project went a little over budget for sod repair that was not calculated into the total cost.

Irrigation System

White Bear Township agreed to go in at 50/50 for the system. The City would like to take advantage of VLAWMO's Smart Sprinkling Program. The two bids received are not comparable and the Mayor would like the Acting City Clerk to work on requesting new bids. Mayor Artig-Swomley suggest that the Council table this discussion until spring 2024 while new bids are requested and winter passes.

Councilmember Lindner introduced a motion to table the discussion on an irrigation system until spring 2024, seconded by Councilmember Cacioppo. Voice vote taken, all in favor, motion carried.

Gem Lake Street Assessment Policy

Gem Lake has borrowed White Bear Townships street assessment policy and edited it to include some City specific language regarding the appraisal method. Councilmember Lindner introduced a motion to adopt the policy, seconded by Councilmember Amlee. Voice vote taken, all in favor, motion carried.

Code Violation – 1621 Goose Lake Road Update

The property owner at 1621 Goose Lake Road has been served a court order. The homeowner has until September 26th to respond to the court order before follow up action will be taken.

New Business

Scheduling of Date and Time of Truth in Taxation Hearing

Cities with a population of 500 or more must hold a “Truth in Taxation” public meeting where the final 2024 budget and property tax levy will be discussed and public input is allowed. The meeting must occur after November 25th and before December 28th and must start after 6:00 p.m. The budget and levy cannot be approved by City Council until this meeting is held, but can be the same meeting.

Mayor Artig-Swomley stated that the December 19, 2023 City Council meeting is when the Truth in Taxation hearing will take place.

Resolution #2023-0018 Recognition of Service to Retired Police Chief Julie Swanson

The Gem Lake City Council would like to recognize retired Police Chief Julie Swanson for her service to the White Bear Lake Police Department and the City of Gem Lake.

Councilmember Linder introduced a motion to adopt the resolution recognizing retired Police Chief Julie Swanson, seconded by Councilmember Cacioppo. Voice vote taken, all in favor, motion carried.

Summit Farm Lane Miscellaneous Work

The area surrounding the Villas of Gem Lake is the City of Gem Lake property. Some of the drainage areas need attention. Rip rap will be removed from certain locations, grading will be done and sod restoration will be completed. City Engineer Justin Gese obtained quotes from Goettl Excavating LLC and Dresel Contracting Inc. Goettl quoted at \$37,535.35 and Dresel quoted at \$40,382.91. City Engineer Justin Gese recommends that Council accept the quote from Goettl. Work would be able to finish this fall.

Councilmember Lindner introduced a motion to accept the quote from Goettl in the amount of \$37,535.35, seconded by Councilmember Cacioppo. Voice vote taken, all in favor, motion carried.

BS&A Add Ons and Implementation Schedule

After the initial meeting with BS&A City Treasurer Tom Kelly suggests that the City add on two additional modules to the City’s software purchase. BSAO - Public Records Search which will give residents the ability to pay their utility bill online and search their account online and Cloud Business Licensing which will give the clerk the ability to put in business licenses, tobacco licenses and liquor licenses in the software. City Treasurer Tom Kelly said the payment would be split between 2023 and 2024.

Councilmember Lindner introduced a motion to accept the additional modules for the software package purchased, seconded by Councilmember Amlee. Voice vote taken, all in favor, motion carried.

Future Charitable Gambling Donations

White Bear Lake Emergency Food Shelf

Mayor Artig-Swomley suggested that the Council make a donation in October in the amount of \$1500.00 to the White Bear Lake Emergency Food Shelf. Councilmember Lindner introduced a motion to request a donation in the amount of \$1500.00 for the White Bear Lake Emergency Food Shelf, seconded by Councilmember Cacioppo. Voice vote taken, all voted yes, motion carried.

Community Outreach to Other Cities and Government Bodies

Councilmember Cacioppo shared with the Council his thoughts on the last Rush Line/Purple Line meeting. At this time he got the impression that they are starting over from the middle. The committee is asking for another 12 – 18 months.

Mayor Artig-Swomley shared that Ramsey County is updating their emergency management plan and that she has submitted another risk assessment to them based on their new criteria.

City Attorney Kevin Beck shared that the City is still at a standstill with Vadnais Heights on the Villas water. Another letter is being composed to present to their City Attorney. Mr. Beck is going to try to make more progress.

Presentation from the Public, 2 minutes maximum

Resident Tom Bolfing shared that there are some trees on Goose Lake Road between Labore Road and the golf course that Public Works may want to come and take a look at.

Resident Paul Emeott shared that his wife is concerned about water testing kits. Mayor Artig-Swomley recommend that he should reach out to the MPCA.

Open Items for Council Members to Bring Up

Councilmember Lindner shared that he got a call from the MPCA that they are going to audit the City's MS4 program to ensure it's compliant. Councilmember Lindner has been working with Emily and Justin from SEH.

Mayor Artig-Swomley shared with the council that the Planning Commission is going to begin reviewing the garbage ordinance as it is 40 years old. Acting City Clerk Melissa Lawrence is working on a survey to send out to all residents and business owners in Gem Lake to find out who everyone uses for a garbage hauler to help the City determine how many different haulers are entering the City each week. The City plans to consider limiting the number of haulers allowed and require them to be licensed with the City.

Future Council Meetings

City Council, Tuesday, October 17, 2023, Workshop, Monday, October 9, 2023 is CANCELED.

Attendance Inquiry

At this time all in attendance will be at the October meeting.

Adjournment

Being there no further business, following a motion from Councilmember Lindner, seconded by Councilmember Cacioppo, the meeting adjourned at 8:30 p.m.