

**City of Gem Lake
City Council Meeting – December 20, 2022
Meeting Minutes**

Mayor Gretchen Artig-Swomley called the meeting to order at 7:00 p.m. Councilmembers Jim Lindner, Laurel Amlee and Ben Johnson were present. Councilmember Len Cacioppo was present via zoom from his home on Labore Road in Gem Lake. Also present: City Attorney Patrick Kelly, City Treasurer Tom Kelly, Acting City Clerk Melissa Lawrence, residents Patricia and Patrick Ryan.

December 20, 2022 Agenda

A motion was introduced 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 introduced by Councilmember Lindner, seconded by Councilmember Johnson to approve the November 15, 2022, City Council Meeting Minutes. Voice vote taken, all voted yes, motion passes, minutes approved. Councilmember Amlee and Cacioppo abstained because they were not present at the November meeting.

A motion was introduced by Councilmember Lindner, seconded by Councilmember Johnson to accept the November 15, 2022, Canvassing Board Meeting Minutes. Voice vote taken, all voted yes, motion passes, minutes accepted. Councilmember Amlee and Cacioppo abstained because they were not present at the November meeting.

Committee Reports – Planning Commission

Nothing to report, no meeting was held in December.

Newsletter

The Mayors new goal is to get a Newsletter out in January 2023. The Newsletter would contain topics such as the election results, the new restaurant on County Road E, an article written by Councilmember Lindner, MPCA, a feature story on White Bear Townships Public Works Director, winter parking, 2023 final budget and the Corridor study results.

New Business

Truth-in-Taxation Public Hearing

Councilmember Lindner introduced a motion to close the December 20, 2022 City Council meeting at 7:03 p.m., seconded by Councilmember Johnson. All in favor, motion carried.

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

Councilmember Lindner introduced a motion to open the Truth-in-Taxation public hearing at 7:03 p.m., seconded by Councilmember Johnson. All in favor, motion carried.

City Treasurer Tom Kelly gave an overview of the 2023 budget and property tax levy for the City of Gem Lake. The City Council is asked to approve (pass) Resolution 2022-0031, Adopting the Final 2023 General Fund Budget and Property Tax Levy. The 2023 Budget for expenditures is proposed at \$674,829, which is a 29.10% increase from the 2022 Budget. Major or large changes from the 2022 Budget to the 2023 Budget are as follows:

1. Based on the 2015 Refunding Bond schedule the debt levy for 2023 is set for \$77,873.00. In addition, in 2018, the City issued bonds for the improvements on Scheuneman Road and the 2023 debt levy for this issue is \$6,545.00. The two of these debt levies makes up the City's 2023 debt levy of \$84,418. This is a decrease of \$2,864.
2. City Council contingency was increased from \$8,000 to \$9,000.
3. Clerk/General Government budget includes a 5% COLA increase and \$10,350 for health insurance coverage.

4. Budget includes \$75,815 for new financial and permit software of which \$35,270 will be paid from ARPA (Covid) funds.
5. Police budget was increased 21.26% to \$115,200 based on budget numbers provided by the City of White Bear Lake.
6. The cost of fire services could increase 15.96% to \$34,025.00.
7. Building Inspections eliminated the part-time inspector, which results in a budget reduction of \$20,559.
8. Road Maintenance budget includes \$22,000 for sealcoating roads and \$15,000 for trimming boulevard trees.
9. Salt/sand and snow plowing expenditures left at \$15,000 and \$17,000.
10. Included a park maintenance budget of \$7,000 for maintaining park area of the Villas of Gem Lake.
11. The 2023 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 2023 property tax levy would \$669,115, which consists of the following:

General Fund levy	\$568,897
Fiscal Disparities	15,800
Total General Fund Levy	584,697
Debt Levy	82,324
Fiscal Disparities	2,094
 Total City Levy	 \$669,115

The total City levy is proposed to increase 19.868%. The other piece to the tax levy puzzle is the City’s tax capacity, which increased 12.287% to \$1,601,998. In addition, the median home value increase from \$352,000 to \$395,800. 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 \$242.24 or 19.384%.

The public had no comments on the public hearing.

Councilmember Lindner introduced a motion to close the Truth-in-Taxation public hearing at 7:24 p.m., seconded by Councilmember Johnson. Voice vote taken, all in favor, motion passes, the public hearing is closed at 7:29 p.m.

Councilmember Lindner introduced a motion to re-open the December 20, 2022 City Council meeting at 7:25 p.m., seconded by Councilmember Amlee. All in favor, motion carried.

Resolution #2022-0031 Approving 2023 Budget & Levy

City Treasurer Tom Kelly created a resolution for the City of Gem Lake to approve the 2023 Budget & Levy. The City Council was requested to pass a resolution adopting the 2023 property tax levy of \$674,829.00. The foregoing resolution was offered by Councilmember Linder and was supported by Councilmember Johnson and was declared adopted based upon unanimous vote in favor.

Resolution #2022-0032 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. Councilmember Lindner introduced a motion to approve the transfer of funds, seconded by Councilmember Amlee and was declared adopted based upon unanimous vote in favor.

BS&A Contract Proposal Approval

The Council reviewed all the possible options for the new office software and decided that it was best to approve the quote for all software packages which include Finance Management, Personal Management, Community Development and BS&A online in the total of \$81,165.00. The COVID funds the city has left

available are eligible to be used for this purchase because it is giving the City an opportunity to go paperless.

Councilmember Lindner introduced a motion to approve the quote for the total package at a total of \$81,165.00, seconded by Councilmember Johnson. Voice vote taken, all voted yes, motion passes, BS&A software package has been approved. Acting City Clerk Melissa Lawrence will contact the representative from BS&A to get started on the next steps.

Gem Lake Infrastructure Issues

BNSF Contract for Drainage Pipe Update

The contract with BNSF is valid for twenty-five (25) years upon acceptance. The City and BNSF have been negotiating a license fee with an initial request of \$7,000.00 and \$2,000.00 for insurance down to only a \$1,250.00 license fee and \$800.00 for services.

Councilmember Lindner introduced a motion to approve the BNSF contract and to pay the license fee, seconded by Councilmember Johnson. Voice vote taken, all voted yes, motion passes, contract is approved and license is authorized to be paid.

Birkeland Easement

Due to the drainage pipe issue that the City had, John Birkelands lots five (5) and seven (7) were impacted. Mr. Birkeland retained an attorney and negotiated an easement. The amount negotiated for the easement was determined to be the approximate value of the legal services provided to Mr. Birkeland, as determined by Birkeland's attorney. It was also determined to be appropriate when compared to the cost of purchasing easements in similar situations.

Councilmember Linder introduced a motion to move approval of the purchasing of the easement from Birkeland, seconded by Councilmember Johnson. Voice vote taken, 4 in favor and 0 against, motion passes, Mr. Birkeland will be issued a check. Councilmember Amlee abstains from the vote.

Internal Management

2023 Meeting Schedule

Acting City Clerk Melissa Lawrence prepared the 2023 meeting schedule and scheduled office closures for the City Council to review. Council reviewed it and found no issues.

Clerk Training

University of Minnesota – Permit Technician 1/23/23

Acting City Clerk Melissa Lawrence is interested in attending permit technician training on Monday, January 23, 2023 at the University of Minnesota. Early bird registration if done before January 5, 2023 is \$150.00 per day. City Council agrees that this is a great opportunity for training and encourage training whenever available.

ICC Region III Upper Great Plains – Administrative/PT Scope of Practice – 2/13/23-2/14/23

Acting City Clerk Melissa Lawrence is interested in attending administrative training on Monday, February 13, 2023 – Tuesday, February 14, 2023 at the Marriot Northwest in Minneapolis. Early Bird registration if done by January 6, 2023 is \$165.00 per day totaling \$330.00 for the training. City Council agrees that this is a great opportunity for training and encourage training whenever available.

2023 SCORE Agreement Final

Every year the City must approve an agreement with Ramsey County for a SCORE funding recycling grant. The term of this agreement shall be from January 1, 2023 – December 31, 202. Councilmember

Lindner introduced a motion to approve the agreement with Ramsey County, seconded by Councilmember Johnson. Voice vote taken, all voted yes, motion passes, SCORE agreement approved for 2023.

2023 Fee Schedule Approval

Each year the City Council has the authority to review and change the fee schedule as needed. Acting City Clerk Melissa Lawrence reviewed the current fee schedule and suggested several changes be made which help the City to align more with White Bear Township as they handle our inspections. Most building residential permits were changed from valuation to a flat fee and many items were added to the fee schedule that were not previously mentioned but the City had permits for.

Councilmember Lindner introduced a motion to approve the 2023 Fee Schedule updates, seconded by Councilmember Amlee. Voice vote taken, all voted yes, motion passes, 2023 Fee Schedule has been adopted and will take effect January 1, 2023.

Repeal Ordinance No. 110 Keeping of Pigeons & Ordinance No. 126 Domestic Fowl and replace with Ordinance No. 141 Domestic Fowl & Pigeons

Ordinance No. 141 was already approved by the Council earlier in the year, but Acting City Clerk Melissa Lawrence missed Ordinance No. 110 and No. 126 which needed to be repealed and replaced by it. Ordinance No. 141 has now been reworded to say it is repealing and replacing Ordinance No. 110 & No. 126.

Councilmember Lindner introduced a motion to repeal and replace Ordinance No. 110 & No. 126 with Ordinance No. 141, seconded by Councilmember Johnson. Voice vote taken, all voted yes, motion passes, Ordinances No. 110 & No. 126 have been repealed and replaced with No. 141.

Nuisance Ordinance No. 86 – Additional Parking Regulations Language

Acting City Clerk Melissa Lawrence added language to the Nuisance Ordinance No. 86 regarding winter parking. Councilmember Johnson had a question regarding the new language as to where the towed vehicles are taken. Acting City Clerk Melissa Lawrence will reach out to Lindy Crawford at the City of White Bear Lake to get the answer.

Councilmember Lindner introduced a motion to approve the new language regarding winter parking in the Nuisance Ordinance No. 86, seconded by Councilmember Amlee. Voice vote taken, all voted yes, motion passes, language has been added.

THC Ordinance Discussion

The City of White Bear Lake is currently looking at the City of Woodbury's THC ordinance as a template for theirs. At this time the City of Gem Lake will hold off on adopting an Ordinance until White Bear Lake approves theirs. Mayor Artig-Swomley is asking the Council to look at the City of Woodbury's Ordinance and read it as though Gem Lake is adopting it and think of anything that could be changed or added. The City will hold off until April or May before adopting an Ordinance.

Purple Line Discussion

The City of Vadnais Heights created a Resolution withdrawing their support of the Purple Line. The City of Gem Lake did not approve the 15% plan review and will not approve the 30% plan review.

Corridor Project Final Report

The final draft of the report is still being finalized. Councilmember Johnson will put something together that can be mentioned in the City Newsletter. Mayor Artig-Swomley has asked Councilmember Johnson to reach out to the committee again to see if they can attend a meeting and give the City and overview of the project. Councilmember Johnson will reach out and get back to the Mayor with their response.

Charitable Gambling Donations

Resolution #2022-0033 December 2022 Donation to White Bear Lake Area Food Shelf

The motion for adoption of the foregoing Resolution was introduced by Councilmember Lindner and seconded by Councilmember Amlee, and upon vote being taken thereon, the Resolution passed with a vote of 5 in favor and 0 against. A donation in the amount of \$1500.00 will be sent to the White Bear Lake Area Food Shelf.

Community Outreach to Other Cities and Government Bodies

City Attorney Patrick Kelly received a letter back from the City of Vadnais Heights regarding the proposal on the city water at the Villas. The City of Vadnais Heights suggested that the City of Gem Lake install a new irrigation meter that Vadnais can read and the bill will be divided between the 30 houses to create the quarterly bill to the City. Gem Lake is considering the proposal and is happy with the progress being made.

Vadnais Heights has new members on the VLAWMO board. With Councilmember Lindner already a member of the board he will work closely with the new members to continue to build that working relationship with Vadnais Heights.

Claims

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

Monthly Financial Reports

The financials for November were submitted and the Council had no comment.

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 shared that the go ahead has been given on the fly over deer survey. The office will be closed Thursday, December 22, 2022 due to the impending weather. The Mayor would also like to implement a consent agenda in order to move meetings along faster and has asked City Treasurer Tom Kelly for an example of what a consent agenda may look like.

The Mayor would also like to amend the amount that the Mayor can approve purchases for from \$500.00 to \$1,500.00, when necessary, without permission from the Council. Councilmember Lindner introduced a motion to approve the Mayor's request, seconded by Councilmember Johnson. Voice vote taken, all voted yes, the Mayor is now able to make purchases up to \$1,500.00, when necessary, without permission from the Council when necessary.

Future Council Meetings

City Council, Tuesday, January 17, 2023, Workshop, Monday, January 09, 2023 is CANCELED.

Attendance Inquiry

At this time all Councilmembers in attendance plan to be in attendance at the January 17, 2023 Council meeting.

Adjournment

Being there no further business, following a motion from Councilmember Lindner, seconded by Councilmember Johnson, the meeting adjourned at 8:16 p.m.

Respectfully submitted, Melissa Lawrence