



Gem Lake News



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Special Interest Articles:

- Federal Grant Received for Potential Future Water System
- Gem Lake Annual Clean-Up Days
- Tree FAQ's
- Ordinance Revisions
- Gem Lake Scholarship Program
- City News, Page 7

Scheduled Recycling Dates:

- April 10
- April 24
- May 8
- May 22

Federal Grant Received for Potential Future Water System

Last year, the City of Gem Lake applied for various state and federal funding programs to subsidize the cost of a municipal water system. This system would potentially serve several homes, generally in the northwest part of the city, where small amounts of the chemical 1,4-dioxane was found in 20-22 wells.

Recently, notification was received that Gem Lake was awarded \$959,757 in federal funding through support by Congresswoman Betty McCollum and Senator Amy Klobuchar. The current estimated cost of the water project is about \$6.8M, meaning the award comprises roughly 14% of what is needed. The original federal request was \$5,488,000, which was 80% of the project cost and the maximum amount that could be requested. Due to the competitive nature of the funding awards, many, if not most, of the project requests received less than applied for, according to Community Development Specialist Kristin Prosofski of SEH, the city's engineering firm.

Potential next steps for finding more funding sources was the subject of discussion at the March Gem Lake City Council meeting on March 19.

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MARK YOUR CALENDAR: City Clean-Up Days: May 11 and May 18

The City of Gem Lake is once again partnering with White Bear Township to be part of their Annual Clean up Days. This year, the event will happen over two Saturdays in May at Otter Lake Elementary School. The event will be free to all Gem Lake residents. (With proof of residency).

May 11 will focus on Mainly hazardous chemicals, and May 18 will focus on larger items such as tires and furniture.

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Federal Grant Received for Potential Future Water System

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A bonding bill request was submitted in June of 2023 to the Minnesota Legislature and is currently being considered. An outcome on this request is expected this coming May. Based on feedback from Prosocki, it was suggested that the city reapply for Community Project Funding through the State of Minnesota, in the amount of \$4,528,243. If awarded, true combined federal amount would be 80% of the project cost, which is the maximum that can be obtained. If state bonding bill funds are obtained, they would be part of the required non-federal match.



Other possible strategies were also discussed, such as awaiting next steps from the Environmental Protection Agency assigned to oversee funding requests. In the past few years there hasn't been any immediate need for the community to make a decision about municipal water or proceed with next steps within a certain deadline. This allows time to find out the results of the Minnesota bonding bill and whether a funding gap remains.



SEH has also suggested that the city apply for another round of government earmarks, which are expected to open to applications very soon.

City Clean Up Days – May 11 and May 18

(Continued from page 1)

Here is a complete list of acceptable items for each date, with the hours and address of where to bring them:

May 11

9:00 a.m. to 3:00 p.m. at Otter Lake Elementary School at 1401 County Road H2 in White Bear Township.

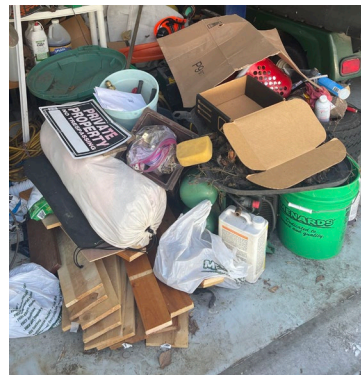
Accepted items: antifreeze, batteries (vehicle and rechargeable) fluorescent lamps, old gasoline, paint, paint stripper, thinners, wood stains, rodent poison, mercury items (thermostats, CFLs, thermometers, etc.), old cell phones, pesticides, propane tanks, aerosol spray cans, used motor oil, filters, wood preservatives, weed killer solvents.



May 18

7:00 a.m. to 2:00 p.m. at Otter Lake Elementary School, 1401 County Road H2 in White Bear Township.

Accepted items: tires, carpeting, furniture, tv sets, household fixtures, electronics, mattresses, appliances, building materials, scrap metal, limbs and brush, lawn mowers (all fluids must be drained.)



Take advantage of this once-a-year opportunity to get rid of that junk you've been hanging onto for free. Questions: call the City of Gem Lake at the number listed on page 8.

Tree Damage/Ownership/Liability Questions Tackled by Planning Commission

In response to tree situations and questions that came up after last summer's two massive storms, the Gem Lake Planning Commission decided to look at what could be done to bring some clarity to tree questions. The two windstorms in 2023 happened less than a week apart and caused major tree damage in and around Gem Lake. Many trees fell down, some spanning property lines, others landing in streets and pathways. One tree almost clobbered city hall!



After much discussion, and a look at how other cities handle these questions, the Planning Commission decided a short list of Frequently Asked Questions (FAQs) and answers to those questions was the best solution. The following FAQs will be posted on the Gem Lake website and will be referenced on the city Facebook page.

Who owns a tree that straddles a property line?

Generally, the location of the trunk is used to determine ownership. When a tree straddles a property line, however, various factors are used to determine ownership, including the intention of the property owners. For example, was the tree planted jointly? Do the neighbors treat it as common property through a written agreement or course of conduct sharing responsibility for caring for the tree (e.g., splitting costs for pruning and maintenance).

What if a tree is located on my property but its limbs hang over a neighboring property?

Branches that overhang or roots that enter a neighboring property could be considered a nuisance. "Anything which is injurious to health, or indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, is a nuisance." Minn. Stat. 561.01.

For instance, if a tree planted on your property grows across the boundary line impacting your neighbor's use and enjoyment of their property, it could be considered a nuisance, and the remedy could be monetary or removal of the tree.

Can I trim branches that overhang onto my property?

You can prune branches of a neighbor's tree that encroaches onto your property. However, you should take several precautions when doing so. Prune only to the property line. Get permission from your neighbor if you need to enter their property to conduct the pruning. Do not cut down the trunk.

Take reasonable steps to ensure that the pruning will not be harmful to the tree. For example, pruning at a time of year that will not leave the tree susceptible to disease. When in doubt, seek an opinion from a certified arborist for proper tree maintenance advice.

Can I cut down a tree on my neighbor's property that overhangs my yard?

No. Cutting down a tree on another's property without permission is trespass and carries a specific penalty—Minnesota law provides that whoever intentionally cuts down a tree without the tree owner's permission can be assessed three times the amount of monetary loss suffered by the tree owner. Monetary loss can be measured in terms of the replacement cost for a similar tree (species, size, health, and location). If the tree damage is unintentional, then the penalty would not be tripled but would be the replacement.

Can I be liable if my tree falls and causes damage?

Possibly. If you know, or reasonably should have known, that your tree is unsound, you could be liable if it falls and causes damage. You are expected to recognize obvious symptoms of a potential issue (e.g., dead limbs, visible decay, leaning perilously). You should also be aware of targets in the path of a falling like fences, buildings, cars, etc.

What should I do if I have issues or concerns with my neighbor's tree?

Talk to your neighbor. It is almost always better to reach an amicable agreement than to expend the time, effort and money in court.

City Pet Ordinance Gets an Overhaul

Gem Lake's Planning Commission recently completed an overhaul of the city's Domestic Animals Ordinance No. 140. After much discussion and several meetings, the group presented a series of suggested changes to the city council in February. These changes were accepted and incorporated into the ordinance.



Much of the work centered around better and more consistently defining who owns, controls, manages and cleans up after domestic animals. Other matters tackled included how they must be licensed, what happens when an animal is considered dangerous, procedures for dealing with lost or impounded pets, etc.

The newly revised Ordinance No. 140 can be found on the city's website.

Beekeeping now Allowed in Gem Lake

A new section on beekeeping has been added to Gem Lake Ordinance No. 142, which deals with Agricultural and Wild Animals. The city's Planning Commission took on the task of researching beekeeping regulations in surrounding cities and determining how Gem Lake should deal with the subject. Based on their recommendations, the Gem Lake City Council incorporated their suggested changes into city Ordinance No. 142 on March 19, during the city's monthly meeting.

The Minnesota Hobby Beekeepers Association's sample ordinance for beekeeping was used as a model, with a nod to similar ordinances used by St. Paul Park, White Bear Lake and Shakopee.

Here is a summary of additions and changes on this subject to Ordinance 142:

1. Beekeeping and related terms are defined in Section 2.4.2
2. A new section 4 was added to the ordinance on beekeeping operations.
3. Section 4.1 includes Permitted Operations, such as Location Requirements, Colony Density and Standards of Practice.
 - a. Hives will be permitted in rear yards.
 - b. Hives must meet a minimum setback of 25 feet from property lines, and a 100-foot minimum setback from principal structures on adjacent properties.
 - c. The number of colonies permitted is determined by lot size. (From 0-8 colonies)
 - d. The Standards of Practice are similar to requirements found in other communities.
 - i. The on-site sale of 'apiary products must follow the requirements of the city's Home Occupation Ordinance.
4. Section 4.2 includes Permitting and Inspections
 - a. The ordinance amendment requires a permit for beekeeping be renewed on an annual basis.
 - b. The application must include a site plan of the lot showing the location of the hives, a signed agreement that the property may be inspected for compliance, a certificate of completion from a beekeeping training course, and a mailing list of neighbors within 350 feet of the apiary lot.



Garbage and Refuse Ordinance Gets a Clean-Up

Under the direction of the City Council, the Gem Lake Planning Commission discussed potential updates to the city's garbage and refuse ordinance (Ordinance No. 45) over the last few months. The ordinance was adopted in 1983 and has not been updated since. The commissioners reviewed different examples of garbage ordinances from nearby communities, discussed the pros and cons of requiring licenses, and reviewed results of a survey that was sent out by city staff last fall to residents and businesses regarding their garbage hauling service.

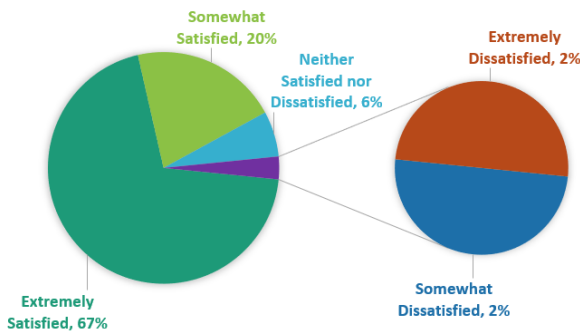
The Planning Commission researched the issue of requiring licensing of haulers in the City, and potentially joining White Bear Township in their contract for garbage hauling services. A licensing framework could apply citywide to both residential and commercial services, or just residential. The consensus from the commissioners was to not pursue it at this time, although the ordinance could be amended to allow this in the future.



Satisfaction

Residents

Extremely Satisfied: 44
Somewhat Satisfied: 13
Neither: 4
Somewhat Dissatisfied: 1
Extremely Dissatisfied: 1



Based on the results of the survey and direction from the Council, the commissioners focused on updates to the ordinance language to ensure the rules work for the community today. At their March meeting, the Planning Commission recommended the council approve an amended ordinance. This draft included mostly minor changes and edits.

Here are some highlights:

- Size limitations for garbage containers was increased from 32 gallons to 96 gallons.
- Sections regarding multiple dwelling residences and commercial establishments were reformatted to help with ease of reading and interpretation.
- Hours for hauling were revised to be consistent/similar with neighboring communities.
- Text was reviewed to address redundancies, to correct problems with formatting and to update references to other ordinances and statutes.

Gem Lake Hills Golf Course

Our wacky winter this year had one bright side. The Gem Lake Hills Golf Course opened for business over one month earlier than 2023. Enthusiastic golfers turned out in droves on March 1, to enjoy the balmy weather and a course that was in surprisingly good shape. The course continued to be open most days in March, although there were some weather-related exceptions.

This year, the course will undergo some exciting improvements that will enhance the golfing experience. Early spring included major work to remove dead trees and conduct tree trimming. Some of the work was related to two summer storms in 2023, including a significant number of stumps that had to be removed.



White Bear Montessori School Plans Major Expansion

The White Bear Montessori School (WBMS), which is located at the corner of County Road E and LaBore Road, is about to undertake a major expansion. The school was founded in 1970 by a group of parents who wanted to bring Montessori to the White Bear Area. It was originally located on Bloom Avenue in downtown White Bear, moving to its current location in the late 1990's. The remodeling of the church that was located at that site was partially funded at that time by an Educational Revenue Note through the City of Gem Lake.



Due to customer demand for Montessori schooling, enrollment has grown rapidly, especially in the last few years. "We often have a parent in our community who attended here as a child, this year we have three," says Marnie McPherson, Head of School. "Taking into consideration a retention rates of over 85%, wait lists (paid applications) of over 30, we are outgrowing our current facilities."



The school's board of trustees felt this was a good time expand facilities to keep up with the market for Montessori services. (The school offers educational services for toddler through elementary school age children.) In January of this year, these trustees voted to approve a major expansion, that will involve the addition of two large classroom, a storm shelter, expanded office space, a Home Economics Kitchen and other features. It is expected that the \$3 Million dollar expansion will pay for itself through increased enrollment over the next number of years. Currently the school has 125 students, up significantly from 2020 covid enrollment of 87.



It is hoped that the expansion project will be funded through the issuance of what is called Conduit Debt Financing. The City of Gem Lake allows the school to use its tax-exempt status to get a better rate on bonds, in exchange for a fee that is paid to the city for administrative costs. On closing of the initial financing, the city has no liability for the bonds, and the arrangement is basically between the school and their lender. (In this case, Premier Bank) This financing arrangement was used in 1998 when the school moved to Gem Lake.



The Gem Lake City Council reviewed details of the arrangement at the March City Council meeting and voted to advance the project to the next step. This involves holding a public hearing on the matter at the April or May City Council meeting, depending upon processing deadlines.

**WHITE BEAR
MONTESSORI
SCHOOL**

City News

2024 Flat Rate Sewer Rate Changes

Annually, the City’s Treasurer and City Council reviews the City’s utility rates as rate changes are made to both Vadnais Heights and White Bear Lake rates. The usage rates listed below generate revenue for operating costs. The new rates take effect in 2024 – 1st quarter utility bill for service in January through March.

Residential Customers:

Sewer Only Accounts

Flat Rate Per Quarter	2023 Rate	2024 Rate
Sewer Base Rate (flat fee)	\$50.00	\$55.00

Commercial & Industrial Customers:

Sewer Only Accounts

Flat Rate Per Quarter	2023 Rate	2024 Rate
Sewer Base Rate (flat fee)	\$50.00	\$55.00



Gem Lake Has a Facebook Page

Acting City Clerk Melissa Lawrence has designed and published a Facebook page for the City of Gem Lake. The address is: www.facebook.com/CityofGemLakeMN

The Facebook pages focus primarily on special announcements and news items, events, etc. It is intended to compliment rather than replace the city website. Please check it out and “like” and “follow” the page. We are also looking for a few appropriate Gem Lake photos. Your feedback is welcome!

Charitable Gambling Donations

Donations of \$1500 and \$500 were approved by the Gem Lake City Council in February and March 2024 to be given to the White Bear Area Food Shelf. These donations come from charitable gambling receipts that result from pull-tab and bingo sales within city limits.



Have You Licensed Your Dog?

Dog license renewals were due by January 1, 2024. Gem Lake Ordinance No. 140 requires the licensing of all dogs who reside within city limits. All residents were sent a letter outlining the requirements and provided the application form to get the job done. It’s quick and easy and costs \$10. You will need to include your current rabies certificate. In return you will get a dog tag with a number on it. This could come in handy if your dog ever relocates itself.

You can mail in the form with payment or call the office to arrange for credit card payment. Call the Acting City Clerk at 651-747-2790.

Just a reminder: if you are keeping chickens, driving a golf cart along city streets or have a rental property, you also need a license. Call for more information.

Gem Lake Scholarship Program

Applications are due April 30 for the Gem Lake Scholarship Program. To qualify, you must be graduating from high school this year, and a resident of the City of Gem Lake. The scholarship program began 15 years ago and has provided an average of \$1000 per winner each year. The program is funded through charitable gambling receipts received by the city that result from pull-tab and bingo sales within city limits.

Applicants must fill out the application form, which is available through high school guidance counselors and/or by stopping by Heritage Hall and picking up a copy. The completed form must be returned by April 30 with at least two letters of reference from school staff. Awards are typically made in May.

The City of Gem Lake

Phone:
(651) 747-2790

Fax
(651)-747-2795

City Hall Address:
4200 Otter Lake Road
Gem Lake, MN 55110

General E-mail:
city@gemlakemn.org

Newsletter E-mail:
Gretchen.artig-swomley@gemlakemn.org

This newsletter is also posted on the city's website under the "Documents" section and the "News and Updates" section.
www.gemlakemn.org

**After Hours Public Works
Emergency Number:**
651-755-9828

(For water main breaks, main city sewer back up, collapse of manhole, etc. Or call 911)

Meetings: April and May 2024

The following Gem Lake meeting will be held in the months of April and May. All meetings are held at Heritage Hall unless otherwise indicated.

April 8, 2024

City Council Workshop is **CANCELED**

April 9, 2024

Planning Commission Meeting is **CANCELED**

April 16, 2024

City Council Meeting is at 7:00 p.m.

May 13, 2024

City Council Workshop is **CANCELED**

May 14, 2024

Planning Commission Meeting is at 7:00 p.m.

May 21, 2024

City Council Meeting is at 7:00 p.m.

See also the Gem Lake web-site for more information.

Your Gem Lake City Council

Mayor:

Gretchen Artig-Swomley
Email: gretchen.artig-swomley@gemlakemn.org

City Council Members:

Laurel Amlee
Email: laurel.hynes-amlee@gemlakemn.org

Len Cacioppo

Email: len.cacioppo@gemlakemn.org

Ben Johnson

Email: ben.johnson@gemlakemn.org

Jim Lindner

Email: jim.lindner@gemlakemn.org

You can also reach each city council member by calling 651-747-2790. After hours you can follow the prompts for the city council directory.

CITY OF GEM LAKE
4200 Otter Lake Road
Gem Lake, MN 55110