

**City of Gem Lake
City Council Meeting – January 16, 2024
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, Acting City Clerk Melissa Lawrence, Planning Commission Chair Joshua Patrick, and Gem Lake resident Jim Wilson.

January 16, 2024 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 December 19, 2023, City Council Meeting Minutes. Voice vote taken, all voted yes, motion carried.

Special Presentations/Public Hearings

None

Consent Agenda

Resolution #2024-001 2024 Gem Lake Appointments List

Resolution #2024-002 January 2024 Donation to White Bear Lake Area Food Shelf

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

Commissioner Chair Joshua Patrick shared that the Commission is looking for more information in regards to garbage haulers in Gem Lake and have requested that City Planner Evan Monson get some quotes from the garbage most used garbage haulers in the city to present at the next Planning Commission meeting. This will help the Commission decide if the topic on a single garbage hauler for the city should be put to rest or if it should be pursued some more. Mayor Artig-Swomley informed Commissioner Chair Patrick that at this time the Council is more concerned about getting the ordinance straightened out than it is looking into a potential city contracted garbage hauler. Commissioner Chair Patrick agreed, but also shared that the Commission is interested to see what the numbers may be as the city was split on the survey regarding have a city contracted hauler.

Commissioner Patrick also shared that the Commission has begun to look over the city's current tree policy and have requested that City Planner Evan Monson search for samples from other cities. He also stated that the City Planner and City Attorney both feel like instead of creating a new ordinance or even adding to the current policy it might be better to create a Q&A page on the city website instead for some common homeowner related topics regarding trees on personal property.

Old Business

Newsletter Updates / Topics / Suggestions

The February newsletter is ready to go pending review from the council and any suggestions for edits. There is room for one additional story and the Mayor would like to put a note in there letting the City know that the Council will begin reviewing the current domestic animal ordinance at the February meeting and invite the residents to come and give input on the topic. Suggestions for the next newsletter will be discussed at the February City Council meeting.

Code Violations Update

At this time the city has been dealing with two different code violation issues at two different properties.

Property 1: Located on Goose Lake Road is in the process of being resolved by the courts for a large semi-trailer parked on the property. A court date is set for January 26 and the city is hoping to have a date for removal assigned at that hearing. If it is possible, the Mayor would like to have law enforcement present at the time of removal to ensure that everything goes smoothly. Without knowing what will be decided during this court session, the Council and neighboring residents are happy to see some progress being made to resolve this issue. Gem Lake's city attorney will continue to talk with the property owner's attorney regarding the issue to hopefully be able to handle this without a court order.

Property 2: Located on Scheuneman Road has had many complaints brought to the city regarding the property. The property in question is a rental property and each complaint has been investigated by the City code Enforcement Officer. Many inspections have taken place. A recent rental property license renewal was issued contingent that the property pass a monthly grounds inspection. The tenants have been known to clean-up and get rid of all the potential code violation items before inspections and then bring them back on the property once the inspection has been completed. The Code Enforcement Officer is hoping that this required monthly inspection will help resolve the problem. The City of White Bear Lake has also expressed their frustration with this property and the vehicles that are being parked along Hoffman Road that have been getting towed recently for being parked on that road. The Ramsey County GIS system shows a clear trail from the back of the property leading to Hoffman Road where the vehicles are being parked. This trail also goes over the railroad tracks. Mayor Artig-Swomley has asked City Attorney Kevin Beck to reach out the railroad company and inform them of what is happening to see if they will get involved in this issue. The tenants have removed almost 100% of the backyard trees to create this trail which violated the city's tree preservation ordinance. Councilmember Cacioppo thinks that the city clerk should keep track of how much time is being spent on this problem property and to seek reimbursement for that time, which is easier said than done. The Mayor suggested that language be added to the rental ordinance to include language on the number of police calls before revocation and to build in language for fees depending on the amount of inspections needed on a property over the year.

New Business

Metro-INET Acceptable Use Policy

On page 8 of Metro-INET's Acceptable Use Policy it has a section on personal devices. The first paragraph states "Employees may choose to use their own equipment to read or compose email or other agency data as governed in this policy. Employees understand that by connecting their personal equipment to the Metro-INET resources, their personal devices could be searched during an e-discovery or other court-ordered scenarios and agree to grant access to their personal devices should such a situation arise." This is pretty standard boiler plate language.

Councilmember Cacioppo has two concerns with this. The first being, how long will they need to have access our personal equipment for if the situation arises? And the second being, what remedy is there for this situation? All Councilmembers are not given a device (laptop or phone) to use for city business, so personal devices are used to view and respond to emails. While there are no answers to those questions at this time, Councilmember Cacioppo suggested that "...and agree to grant access to their personal devices should such a situation arise." be removed from the paragraph. Mayor Artig-Swomley volunteered to make the request to Metro-INET before signing the policy.

Councilmember Lindner introduced a motion to have Mayor Artig-Swomley remove the last bit of language from the first paragraph regarding personal devices and submit it to Metro-INET for approval before agreeing and signing the policy, seconded by Councilmember Cacioppo. Voice vote taken, all voted yes, motion carried.

Metro-INET Training Courses

Some members of the Council are behind on the required training courses. Mayor Artig-Swomley will reach out to those that are behind and let them know which courses need to be completed ASAP.

2024 SCORE Agreement Final

Each 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, 2024 – December 31, 2024. Councilmember Lindner introduced a motion to approve the agreement with Ramsey County, seconded by Councilmember Cacioppo. Voice vote taken, all voted yes, motion carried.

MS4 Audit Meeting Results

On Friday, January 5, 2024 the City of Gem Lake’s Municipal Separate Storm Sewer System (MS4) permit was audited by the Minnesota Pollution Control Agency (MPCA). The audit consisted of a review of the approximately 75 items identified on the permit. Most items concern various “best practices” intended to safeguard against discharging chemicals or other toxins into the public water system. Since storm drains transport storm water directly into rivers and lakes, there is no treatment process involved. The permit emphasizes preventive measures such as construction site inspections, or physical berms or retention ponds that are designed to filter water before it enters the main storm sewer network.

Gem Lake’s city engineers, representatives from the firm Short Elliott Hendrickson (SEH), along with councilmember Jim Lindner, the city’s designated MS4 contact, met with two members from MPCA and reviewed several pieces of documentation submitted prior to the audit. While Gem Lake did not have a flawless audit, the deficiencies cited were limited to cases of staff training documentation and the need for a formal snow and ice policy. A draft of a temporary snow and ice policy will be approved at tonight’s meeting as a temporary measure while Gem Lake works to create one more tailored to Gem Lake.

MPCA Snow & Ice Policy

A temporary snow and ice policy based on a sample ordinance from the MPCA is being presented to the Council for approval while the city works to create one more tailored to Gem Lake. Councilmember Lindner introduced a motion to adopt the snow & ice policy being presented, seconded by Councilmember Cacioppo. Voice vote taken, all voted yes, motion carried.

Domestic Animal Ordinance Discussion

The city’s domestic animal ordinance is in need of an update. The mayor would like the council to look at subjects such as the number of domestic animals that any city household can have, whether cats should be licensed, how commercial kennels might be handled, and related topics. The mayor will put a piece in this upcoming newsletter inviting the public to the February City Council meeting to provide feedback. It is expected that the revision of this ordinance will take place over a number of months.

Future Charitable Gambling Donations

White Bear Lake Emergency Food Shelf

Mayor Artig-Swomley suggested that the Council make a donation in February 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

City Attorney Kevin Beck is continuing to work with the City of Vadnais Heights on the water proposal with the City Attorney. Vadnais Heights has made it clear that no progress will be made until the court proceeding’s with the DNR have been settled.

Mayor Artig-Swomley has requested that City Attorney Kevin Beck write a letter to the City of White Bear Lake on the city’s behalf informing them that the city will not be making payments towards the debt levy until a meeting has been scheduled to sit down and discuss it in more depth. Councilmember Lindner introduced a motion to authorize City Attorney Kevin Beck to send a letter to the City of White Bear Lake requesting a meeting, seconded by Councilmember Amlee. Voice vote taken, all in favor, motion carried.

Presentations from the Public, 2 Minutes Maximum

None

Open Items for Council Members to Bring Up

Councilmember Johnson shared with the council that the County Road E corridor committee received 44 responses to the RFP request. After many zoom interviews the list has been narrowed down to 5 applicants. The committee has someone in mind at this point and Councilmember Johnson hopes to have more to share at the March City Council meeting. There may be enough information to include in the next edition of the city newsletter.

Future Council Meetings

City Council, Tuesday, February 20, 2024. City Council Workshop, Monday, February 12, 2024 is CANCELED.

Attendance Inquiry

Councilmember Johnson will not be in attendance. All other members have no conflict.

Adjournment

Being there no further business, following a motion from Councilmember Lindner, seconded by Councilmember Cacioppo, the meeting adjourned at 7:55 p.m.

Respectfully submitted, Melissa Lawrence