

**City of Gem Lake
City Council Meeting – February 18, 2025
Meeting Minutes**

Mayor Gretchen Artig-Swomley called the meeting to order at 7:00 p.m. Councilmembers Jim Lindner, Len Cacioppo, Ben Johnson and Joshua Patrick were present. Also present: City Attorney Kevin Beck, City Treasurer Tom Kelly, City Engineer Justin Gese, Planning Commission Chair Don Cummings and Acting City Clerk Melissa Lawrence.

February 18, 2025, Agenda

A motion was introduced by Councilmember Linder to accept the agenda, seconded by Councilmember Cacioppo. Motion carried 5-0.

Minutes

A motion was introduced by Councilmember Lindner, seconded by Councilmember Johnson to approve the January 21, 2025, City Council Meeting minutes. Motion carried 5-0. Councilmember Cacioppo abstained because he was not present at the December meeting. Councilmember Patrick abstained because he was not a member of the Council in December 2024.

A motion was introduced by Councilmember Lindner, seconded by Councilmember Cacioppo to accept the January 14, 2025, Planning Commission Meeting minutes. Motion carried 5-0.

Special Presentations/Public Hearings

None

Consent Agenda

**Resolution #2025-006 February 2025 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, seconded by Councilmember Cacioppo. Motion carried 5-0.

Committee Reports

Planning Commission Chair Don Cummings summarized for the council the work that they will be doing on the Consolidated Land Use Ordinance over the course of 2025. The commission will go over it little by little and make sure it is consistent with the Comprehensive Plan and look towards the future to address anything else that may need to be updated. Commission Chair Cummings shared how happy the commission is to have a great support staff to work with to do the job.

Old Business

Newsletter Updates / Topics / Suggestions

A newsletter was given to the Council for edits. The Acting City Clerk will send the newsletter to the printers by Thursday, February 20, to have ready to send out for March.

White Bear Lake Public Safety Contract Discussion

During the January 21 City Council meeting the Council approved to pay White Bear Lake the Public Safety bills for interest that have been in dispute. A letter was sent to the City of White Bear Lake informing them that the deal they agree on for White Bear Township is the same deal the City of Gem Lake would be granted. Payment was sent to help keep the City of Gem Lake in good standing with the City of White Bear Lake and not an acceptance that Gem Lake should be being charged interest on the new building.

Code Enforcement Issues Discussion

The Acting City Clerk and Building Official have had a difficult time scheduling a rental inspection for 3930 Scheuneman Road. Mayor Artig-Swomley has asked City Attorney Kevin Beck to draft a letter for the city to send to the homeowner.

Mayor Artig-Swomley shared that she recently saw three (3) men in reflective vests picking up pallets along the railroad tracks on Hoffman Road near the back side of the rental property. She was unsure if someone reached out to the railroad company regarding all the pallets being stored in that area or if this was even related to city concerns. City Attorney Kevin Beck did not recall informing the railroad company, although the previous attorney might have.

Barnett KIA Project Update

The city is concerned about some potentially unprofessional behavior on the part of a contractor in their interactions with city staff. There have been several issues with process and permits on the KIA Barnett project. A meeting was held to discuss and resolve these issues. At this time the city and KIA are waiting on the developer's agreement to come over from legal.

NOAA Radio

Acting City Clerk Melissa Lawrence received requests for roughly 20 NOAA radios. Mayor Artig-Swomley plans to advertise again in the newsletter set to go out in March to see if there is any more interest.

New Business

Interim Use Permit (year 3) for Goats at 3944 Scheuneman Road

Ted and Nikki Pax of 3944 Scheuneman Road submitted their annual IUP for goats to be reviewed and approved. There have been no complaints over the past couple of years. Councilmember Lindner introduced a motion to approve the IUP for 3944 Scheuneman Road to continue to harbor goats on their property, seconded by Councilmember Cacioppo. Motion carried 5-0.

City Owned Storm Sewer Replacement Project

City Engineer Justin Gese informed the Council that when Barnett KIA opens up the road to replace their portion of the storm sewer pipe, if the city owned portion is in need of replacement that it be regarded to as an emergency replacement and City Engineer Justin Gese can be given permission to make that call. Mr. Gese received confirmation from a contractor that if the pipe does need to be replaced that it would be about \$90-\$100/LF of pipe and that \$15,000.00 is a good estimate.

Councilmember Lindner introduced a motion to approve City Engineer Justin Gese to make an emergency decision so as the price does not exceed \$20,000.00 for replacement, seconded by Councilmember Cacioppo. Motion carried 5-0.

RWMWD 2027 Watershed Management Plan Update and Request for City Input

The city has been asked to provide feedback to the Ramsey-Washington Metro Watershed District on its 2027 Watershed Management Plan Update. This plan will establish goals, policies, and actions for the RWMWD's management of the watershed. Mayor Artig-Swomley asked City Engineer Justin Gese about it and was informed that Emily Jennings from SEH can provide any feedback for the city.

Gateway District Met Council Discussion

Mayor Artig-Swomley is interested in setting up a meeting with the city's representative from the Metropolitan Council to discuss options for the Gateway District and what type of development can take place in certain areas.

Planning Commission Position Approval

The Commission is recommending Laurel Amlee be appointed to the Planning Commission for the City of Gem Lake. Councilmember Lindner introduced a motion to appoint Laurel Amlee as the newest commission member, seconded by Councilmember Cacioppo. Motion carried 5-0.

Ordinance No. 113 – Right-of-Way Updates

The City Council tasked the Planning Commission with reviewing Ordinance No. 113 regarding city right-of-way (typically shortened to ROW). ROW includes the street and area on either side of the street used to support the use of the street, such as sidewalks, shoulders, and ditches. ROW can also (per State Statute include cartways, bicycle lanes, other dedicated rights-of-way for travel purposes, and utility easements of local governments. Areas below and above the roadway are also part of the ROW. Private utilities (such as electric) and municipal utilities (such as water or sewer infrastructure) are typically constructed within a ROW. A ROW ordinance allows a city to manage the use and access to the ROW.

The current ordinance (No. 113) was adopted by the city in January of 2010. This version was consistent with the current (at that time) model ordinance available from the League of Minnesota Cities (LMC). Since 2010, State and Federal law related to management and access to ROW has changed, most notably with regards to telecommunications. One of the bigger changes is “small cell wireless facilities,” which is technology that allows for increased usage of wireless networks by cell phones. It is imperative that the city ensures their ordinances are consistent with current State and Federal law.

Staff has reviewed the current version of Ordinance No. 113 and proposes the following changes as summarized below. These changes are consistent with the latest model ordinance provided by LMC.

Section #	Comments
Throughout	<ul style="list-style-type: none"> Administration section is added (Section 3), with the City Engineer designated to administer the ordinance (consistent with current city practices). Replace references to “zoning administrator” with “city engineer.” New section (Section 7) added regarding small cell wireless facilities. Added references to small cell wireless facilities where needed in other sections. Move fees to the Fee Schedule.
2	New definitions proposed to be added to Section 2.
5	Updates to payments and permit application language.
10 & 11	New sections regarding Joint Applications for ROW work and obligations, consistent with language from model ordinance.
12 & 13	Revised language regarding permit denial and installation requirements, consistent with language from model ordinance.
18 & 19	Updated language on requirements for mapping data, locating facilities, and undergrounding, consistent with language from model ordinance.
24	Revised language regarding abandonment and removal of facilities within the ROW, consistent with language from model ordinance.

The Planning Commission reviewed the redlined and clean versions of the proposed revisions at their February 11th meeting and recommended the City Council approve of the changes.

Councilmember Lindner introduced a motion to approve the suggested revisions to Ordinance No. 113, seconded by Councilmember Cacioppo. Motion carried 5-0.

Generator Quote for Heritage Hall

Mayor Artig-Swomley suggested to table the discussion on generators to do more research and get quotes that are more comparable. Councilmember Lindner introduced a motion to table the discussion, seconded by Councilmember Cacioppo. Motion carried 5-0.

Mayor Artig-Swomley asked if Councilmember Patrick could reach out to the companies that already supplied quotes and ask for them to make them more comparable. Councilmember Patrick said he would take on the task and will reach out to other companies as well and will bring information to the March 18 meeting.

Future Charitable Gambling Donations

White Bear Lake Emergency Food Shelf

Mayor Artig-Swomley suggested that the Council donate in March \$1,500.00 to the White Bear Lake Emergency Food Shelf. Councilmember Lindner introduced a motion to request a donation in the amount of \$1,500.00 for the White Bear Lake Emergency Food Shelf, seconded by Councilmember Cacioppo. Motion carried 5-0.

Community Outreach to Other Cities and Government Bodies

Mayor Artig-Swomley shared that the Vadnais Heights Planned Unit Development Open House had about 8 attendees, all of whom were Gem Lake residents. One concern was about the traffic flow. There will be a traffic study conducted through Ramsey County. There will be a presentation of a formal plan on the development in the spring. This development is a possible opportunity for part of Gem Lake to hook up to city water.

Mayor Artig-Swomley shared that she received a very nice email from Vadnais Heights regarding the water billing at the Villas. The mayor will be meeting with Vadnais Heights on Thursday, February 27 to discuss.

Mayor Artig-Swomley shared that the Minnesota Department of Health (MDH) has a system that tracks public water systems. Gem Lake needs to have a certified utility operator to do the required testing. At this time the city is waiting on Dale of White Bear Township to get back to City Engineer Justin Gese. The Mayor will be meeting with Dale to discuss this and get things figured out.

Councilmember Johnson will have some feedback to report on for the corridor project in a couple of weeks.

Councilmember Lindner shared that the DNR has posted a grants program on the 3M PFAS settlement. It doesn't necessarily apply to Gem Lake but wanted to let the council know about it.

Presentation from the Public, 2 Minutes Maximum

None.

Open Items for Council Members to Bring Up

None

Future Council Meetings

City Council, Tuesday, March 18, 2025. City Council Workshop, Monday, March 10, 2025, is CANCELED.

Attendance Inquiry

At this time all in attendance will be at the March 0 meeting.

Adjournment

Being there no further business, following a motion from Councilmember Lindner, seconded by Councilmember Cacioppo, the meeting adjourned at 7:57 p.m.

Respectfully submitted, Melissa Lawrence