

**AGENDA**  
**April 9, 2013**  
**7:00 PM**

1. Pledge of Allegiance
2. Approval of Agenda
3. Approval of Consent Agenda Items
  - a. Approval of the Minutes of the March 12, 2013 Meeting
  - b. Acceptance of the Financial Report and Approval of Disbursements
  - c. Direct the City Treasurer to denote all distributions and receipts which are different than amounts agreed to or contracted for to be denoted on the Financial Report, and that all payees that previously have been inactive for the past 6 months are to be denoted on the Financial Report
  - d. Order SWPPP MS4 public hearing for May 14, 2013; publish once in the White Bear Press
  - e. Authorize Mayor Wingfield to sign Tennis and KEJ contracts
  - f. Direct the City Coordinator to report to the Council all citizen complaints via e-mail within 5 days of complaint
4. RESOLUTION 2013-08 Approving ORDINANCE 2013-01 Repealing Ordinance 2012-13 Providing for a Special Election to Fill Certain Council Vacancies
  - a. Public Hearing
  - b. Council Discussion and Consideration of Approval
5. Report from the Roads and Streets Committee
6. Park Project Update (John Lund)
7. Review Assessors Report/2013 Property Taxation Values (Wingfield)
8. Elm easement repair options (Donovan/Mary Sue Simmons)
9. Review obtaining City engineering file/documents (Sandstrom)
10. Prosecuting Attorney Interviews: Report from Councilmember LaFoy
11. City Engineer Interviews (Hullsiek)
  - a. Focus Engineering
  - b. Thatcher Engineering
12. Comprehensive Water Management Services: Review of Proposals (Hullsiek)
13. Mayor/Council Reports
  - a. WINGFIELD: Review of staff procedure to obtain approval to contact city attorney
  - b. OTHER
14. Preliminary consideration of personnel issues relating to City Treasurer
15. Adjournment

March 12, 2013

The regular meeting of the Birchwood City Council was held Tuesday, March 12, 2013.

Present were Mayor Wingfield, Councilmembers Hullsiek, LaFoy, and Woolstencroft, Coordinator-Clerk Powers, Jerry Hromatka, Ken Johnson, Nick Kluge, and Rick Rud. Councilmember Donovan arrived at 7:09 p.m.

Mayor Wingfield called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

Approval of Agenda: M/LaFoy S/Hullsiek/Passed 4-0, move Agenda Item # 8 (Music In The Park: Possession/Consumption of Beer and Wine) from consent agenda for Council discussion. Councilmember Donovan was absent for this vote, and add under Agenda Item # 18 a report from Councilmember Hullsiek on wireless findings, and add under Agenda Item # 19 a report by Councilmember LaFoy on the website.

Open Public Forum: There were no comments from the public.

Consent Agenda: M/Hullsiek S/Woolstencroft/Passed 4-0, to approve the following consent agenda items:

1. Approval of the Minutes of the February 12, 2013 Council Meeting.
2. Acceptance of the Financial Report and Disbursement Register as prepared by the City Treasurer and presented to the City Council on March 12, 2013, including Check #'s 27664-27675 and 27681-27702; Direct Deposits 27676DD and 27677DD; and Electronic Funds Transfers LIFT022013, PERA021513, FED022013, MN022013, and PERA022813, in the amount of \$20,513.23.
3. Acceptance of the 2012 Year-End Financial Statements.
4. Direct the City Coordinator to publish notice of the Council workshop with the Parks & Natural Resources Committee by posting notice of the workshop meeting on the City's bulletin board and also by sending notice to those on the e-mail distribution list.
5. Approval of RESOLUTION 2013-06 accepting a donation of undetermined value from Boiler Exxperts, LLC. A copy of this RESOLUTION is attached to these minutes as an exhibit.
6. Approval of RESOLUTION 2013-07 accepting a donation of \$100.00 from Robert & Barbara Carson for the warming house facility. A copy of this RESOLUTION is attached to these minutes as an exhibit.
7. Approval of authorizing Alan Mitchell to organize the musicians for the 2013 "Music In The Park" series of concerts.

REGULAR ORDER

8. Approval to authorize persons of legal age to possess & consume beer & wine at "Music In The Park": Mayor Wingfield commented that she has heard some concerns from 2 neighbors near Tighe-Schmitz that they were not notified in advance when a Sunday

concert would take place, and would like to invite Alan Mitchell to the April Council meeting to discuss these concerns.  
M/Hullsiek S/Woolstencroft/Passed 4-0, to table this item until hearing from Alan Mitchell at the April Council meeting.

9. Sewer monitoring options - discussion with the Maplewood City Engineer: Mayor Wingfield said that she and Councilmember Hullsiek will research SCADA options with the Maplewood City Engineer and bring the matter back to the Council when their research is complete.

Councilmember Donovan arrived at the meeting at 7:09 p.m.

11. Northwest Youth & Family Services (NYFS) - remarks from President/CEO Jerry Hromatka: Mr. Hromatka addressed the Council and remarked on the merger of the White Bear Lake Counseling Center with NYFS; renaming the organization Northeast Metro Youth & Family Services; monetary request of the City for 2014 operations (\$1,738.00); revenue sources of the organization (55% service contracts, 25-30% fees, 15-20% grants/contributions); and that the City can have a representative on the NYFS Board.
12. Review of proposals for residential recycling: The Council reviewed the proposals submitted by Waste Management, Troje's, Walters, and Tennis. Remarks on their proposals were given by Rick Rud (Waste Management) and Nick Kluge (Troje's). Mayor Wingfield noted that while she is satisfied with Waste Management's service, she also is trying to save money. Mayor Wingfield also said that Tennis is locking in its prices for 4 years. Councilmember Donovan commented that he is happy with Waste Management and also is happy with the service Tennis provides in garbage pickup, and said the City is already doing business with Tennis. Councilmember Hullsiek said with Tennis there would be only one set of trucks in the City picking up garbage and recycling.

M/Wingfield S/LaFoy/Passed to award the contract for residential recycling to Tennis Sanitation, LLC for a 5-year period starting May 1, 2013 and ending May 1, 2018, at a rate of \$2.25 per residential structure with no escalator clause, and also provided that if a contract with Tennis can't be agreed upon that Troje's will be awarded the contract.

10. Grounds maintenance and snow plowing issues: Ken Johnson appeared before the Council to hear about issues relating to snow plowing and maintenance issues.
  - Mayor Wingfield commented that no one has contacted her on snow plowing concerns; commented about the amount of potholes - Johnson said he was taking care of them.

- Councilmember Donovan noted that there are issues with snowplowing on Hall Court - can't get to the mail boxes.
- Mayor Wingfield came up with a list called a "standing work order" - a list of things that need to get done.
- Councilmember Hullsiek said he would like to have City Coordinator Powers take more of the initiative in communicating maintenance needs to Ken Johnson.
- Mayor Wingfield also said that street sweeping is coming up, and asked Ken when that will be done - Ken said as soon as the snow and ice is gone.

M/Wingfield S/Hullsiek/Passed to direct KEJ to sweep the streets as soon as practical.

Mayor Wingfield commented that she had talked to John Lund about grass-cutting and that multiple estimates for this work will be forwarded to the Council in April.

Coordinator Powers advised the Council that the KEJ contract expired March 1, 2013 and the Council should entertain renewing the contract, absent the grass-cutting. Councilmember Donovan recommended that KEJ work under the current contract until a revised agreement can be drafted. Mayor Wingfield directed Coordinator Powers to draft a revised agreement for review by the Council in April.

M/Hullsiek S/LaFoy/Passed to create a standing work order for KEJ Enterprises, Inc. that may be amended on a case-by-case basis.

13. Review of proposals for prosecution services: The Council reviewed the proposals for prosecution services received by Alan Kantrud, LeVander Gillen & Miller, Campbell Knutson, Johnson Turner, and Eckberg Lammers.
- Mayor Wingfield reviewed the various proposals and noted that all of them came in at the \$120-\$145/hour range; she is not sure if the City gains efficiencies by switching firms; and commented that Kantrud's proposal was the only one that offered an alternative bid for a \$1,000.00 monthly retainer.
  - Mayor Wingfield recommends bringing Kantrud in at the April meeting to clarify his rate structure.
  - Councilmember Donovan commented that he is familiar with Kantrud and knows he does good work.
  - Councilmember LaFoy commented that he was impressed with the LeVander and Campbell Knutson firms.
  - Councilmember Hullsiek said he prefers a "single provider" and is comfortable with Eckberg Lammers.

M/Wingfield S/Woolstencroft/Passed to put Councilmember LaFoy in charge of reviewing the proposals and presenting a recommendation at the April Council meeting on which firms to interview.

14. Special Election repeal ordinance: Tabled until April in order to comply with the requirements of the Rules of Procedure.
15. 2013 Fire Contract with the City of White Bear Lake: Mayor Wingfield commented that she is satisfied and pleased with the service provided to the City by White Bear Lake and supports the contract extension.

M/LaFoy S/Woolstencroft/Passed to approve the fire contract with the City of White Bear Lake.

16. Review of proposals for engineering services: Councilmember Hullsiek reviewed the proposals received from Thatcher Engineering and Focus Engineering, and proposes that he and Powers interview each firm before the April Council meeting and make a recommendation to the Council at that time.
18. SCADA and wireless update: Councilmember Hullsiek updated the Council on his SCADA investigation, and commented that the City of White Bear Lake will be putting bids out for the new SCADA system this summer, so there isn't real time pressure on resolving this issue - the City can wait until the new engineer is on board so he/she can review SCADA options. Councilmember Hullsiek said he contacted several vendors and believes that there will be several lower-cost alarm options for the Council to review. Councilmember Hullsiek also informed the Council that the City's wireless router is a \$20.00 unit that is not suitable for a municipal operation, and the City will need to spend \$100.00 for a commercial-grade wireless router.
17. Review of RFP document for certified water operator services: Councilmember Hullsiek went over the proposed "request for information (RFI)" document for provisioning of "comprehensive water management services" that includes more than certified water operator services, and envisions the potential for multiple providers of parts of the service. Councilmember Hullsiek recommends sending the RFI to the City of White Bear Lake and to John Manship to gather more information for review at the April meeting.
- 19a. Budget/Finance Workshop: The Council discussed potential dates and times for rescheduling the workshop on budget/finance.

M/Donovan S/LaFoy/Passed to schedule the Council workshop on budget/finance for Tuesday, April 16, 2013 at 7:00 p.m.

- 19b. Facebook page: Mayor Wingfield commented that she heard from a resident that thought the City should have a Facebook page. Coordinator Powers said that many cities have them, but have experienced problems over content control.
- 19c. Use of city attorney by staff: Mayor Wingfield recommended that in the future, city staff needs to contact one of the Councilmembers for permission to contact the city attorney. Mayor Wingfield is concerned about running up unnecessary expenses.
- 19e. Councilmembers LaFoy and Donovan (Personnel Committee) reviewed the enclosed recap of their meeting with Powers.
- 20a. Coordinator Powers stated that a previous Council wanted him to go through the steps of becoming a "Minnesota Certified Municipal Clerk", and informed the Council that those steps are completed.
- 20b. Coordinator Powers informed the Council that he would be away from the office the week of March 18-22 to attend the clerk's conference.
- 20c. Coordinator Powers informed the Council that he would be away from the office from April 12 through April 18 to attend the American Planning Association Annual Conference in Chicago.
21. Mayor Wingfield announced two future meetings: March 25, 2013 joint meeting with the Parks Committee, and the next Council meeting on April 9, 2013.
22. Adjourn: M/LaFoy S/Donovan/Passed to adjourn the meeting at 9:26 p.m.

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Dale Powers, City Coordinator-Clerk

**Birchwood Village  
Treasurer's Report  
4-5-2013  
Council Meeting 4/9/2013**

To: City Council  
From: Cindie J Reiter, Treasurer

**Financial Report**

*Attached are the CTAS reports:*

The **DISBURSEMENTS REGISTER** is for those claims presented for approval and/or payment this eve. Disbursement Register includes check numbers or EFT identifier. **THE DISBURSEMENT REGISTER is for expenses of period between council meetings (March 13 – April 9, 2013).** Checks issued are #27678-27680 Park Payroll and 27703– 27727 and EFTs for Xcel Sewer LIFT, US Bank Service Charge (SC), PERA, FED and/or MN payroll taxes.

The **Interim Financial Report** shows the year to date totals for each revenue and expense of each Fund. The report is presented by ACCOUNT code. Fund 100 is the operating fund (General Fund) for which property taxes are levied, and also includes other revenues the city receives. In the disbursement section of this report you will find a running total (YTD) and variance (remaining balance) of the full year budgeted amount for each category of expense. **The Interim Financial Report is provided for 2013 through April 9, 2013.**

The **Cash Balance Statement** is the beginning balances (same as: prior year-end). The beginning balances are all cash balances – which reside at 4M Fund /US Bank (checking for operating funds, savings, enterprise fund accounts for various funds & reserves). Special Revenue Project FUND includes budget for special projects for Elm Easement (Assigned Fund #2011) & Turf Management projects established in 2012. The balance of the Special Revenue Fund includes \$3,200 (YE 2012) for deposits on reserve by the city for potential dock/slip holders.

**Current Items of Interest-**

- Water Utility Usage** – WBL invoices quarterly for water to City of Birchwood. Birchwood sells the water to the residents, which is invoiced to residents by St. Anthony Village. Due to the lack of a City Engineer – I will/have provided to St. Anthony Village the quarterly WBL water invoice for comparison to the usage billed to residents. BWD quarterly CTAS reports for water/sewer will also be provided to Shelly at SAV for receipt comparison.
- **SPRWS - \$797 outstanding invoice** needs confirmation of hydrant repair at rink. Clerk inquiry made –waiting for response 3-26.
  - **Pipe Services Corp invoice for \$840** televising sewer in late 2012 – received date of March meeting & reviewed with Councilmember Hullsiek (check date 3/14/2013 #27706). Pipe Services has now begun the dunning process seeking payment.
  - **Xcel Energy rate increase REVISED PROPOSED 8.2%** - to Public Utility Commission. Rate increase taken Jan. 1, 2013 and will credit or refund if rate increase is not allowed by PUC. Potential \$1,800 expense increase in 2013.
  - **Office of State Auditor YE 2012 CTAS Cash Reporting Form** submitted 3/26/2013. Hard copies provided also.
  - **US Bank shows 3 accounts to be inactive, forms to be provided to city to include these accounts in the 4MFund balance** (Mayor/Deputy mayor and Clerk/Treasurer signatures to be required). **WIP**
  - **OSA seeks delineation of street engineering**, therefore when city has hired an engineer, CTAS will reflect Street Engineering for street projects.
  - **POLICE & FIRE** invoices received from WBL. Payments for January – April are on disbursement list.
  - **White Bear Lake Fireworks Fund** – Request for \$200 contribution (**motion for payment or May agenda item**).
  - **Donation for Warming House received** – Is City seeking a 501.3C organization for collection of fundraising monies OR is this perceived to be a simple donation? Check is designated for “new shed/warming house”.  
**PLEASE PROVIDE DIRECTION FOR STAFF.**

- **Park Budget** – CTAS revised allocation (*service* is not considered *supplies* for the purpose of CTAS breakout. Items of service (weed control – ballfield & on sand beaches) have been entered as contracted service)
- **Unusual items or seldom paid vendors list.**
  1. John Fleck – Dock Deposit Refund CK#27707.
  2. Gary Oakins - Uncashed Election Judge Wage, check re-issued #27712 & US Bank stop payment fee incurred.

Please call/email with any questions.

*Cindie J. Reiter,*

Birchwood City Treasurer

Fund Name: All Funds  
Date Range: 03/13/2013 to 04/09/2013

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
03/13/2013	Metropolitan Council Env. Service	Wastewater Service April 2013	27705	\$3,658.96	605-43190-217	\$3,658.96
03/13/2013	Pipe Services Corp	Sewer TV Inspection	27706	\$840.00	605-43190-305	\$840.00
03/14/2013	Fleck, Jon	REimb - Dock Permit Fee 2011	27707	\$200.00	210-49200-810	\$200.00
03/14/2013	Xcel Energy	Street Lights Mar 2013	27708	\$1,315.45	100-43160-380	\$1,315.45
03/14/2013	Qwest/CenturyLink	Phone/Fax lines Mar 2013	27709	\$115.44	100-41940-321	\$115.44
03/15/2013	Payroll Period Ending 02/28/2013		27678	\$66.50	100-45200-100	\$66.50
03/15/2013	Payroll Period Ending 02/28/2013		27679	\$73.88	100-45200-100	\$73.88
03/15/2013	Payroll Period Ending 02/28/2013		27680	\$121.91	100-45200-100	\$121.91
03/15/2013	Payroll Period Ending 02/28/2013		27703	\$1,039.10	100-41400-100	\$1,039.10
03/15/2013	Payroll Period Ending 02/28/2013		27704	\$373.38	100-41400-100	\$373.38
03/16/2013	Oakins, Gary	Election Judge Wages - 2012 RE-ISSUED	27712	\$352.50	100-41410-100	\$352.50
03/18/2013	Xcel Energy	Lift Stn Mar 2013	LIFT032013	\$501.96	605-43190-380	\$501.96
03/20/2013	PERA	Staff Retirement PE 2/28/2013	PERA22813	\$274.06	100-41400-120	\$151.81
					100-41400-121	\$122.25
03/27/2013	U S Bank	Stop Pay Order - ck #27523	STPPY0313	\$35.00	100-41500-430	\$35.00
03/29/2013	Payroll Period Ending 03/15/2013		27710	\$1,039.10	100-41400-100	\$1,039.10
03/29/2013	Payroll Period Ending 03/15/2013		27711	\$492.45	100-41400-100	\$492.45
04/03/2013	Eckberg, Lammers, Briggs, Wolff	Legal Service -Feb 2013	27713	\$372.00	100-41600-300	\$372.00
04/03/2013	Ronnan, Kenny	Feb Service 2013 (reimb for 2x pay Dec)	27714	\$39.37	100-41950-305	\$39.37
04/03/2013	Ronnan, Kenny	Feb Service 2013	27715	\$26.63	100-41950-305	\$26.63
04/03/2013	City of White Bear Lake Police	Law Enforcement Jan - April 2013	27716	\$30,449.32	100-42100-305	\$7,612.33
					100-42100-305	\$7,612.33
					100-42100-305	\$7,612.33
04/03/2013	City of White Bear Lake Fire	Fire Srvc Jan - April 2013	27717	\$6,422.82	100-42200-305	\$1,605.83
					100-42200-305	\$1,605.83
					100-42200-305	\$1,605.33
					100-42200-305	\$1,605.83

City of Birchwood Village

Disbursements Register

04/04/2013

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
04/03/2013	City of White Bear Lake	Animal Control Services 2013	27718	\$897.00	100-42810-305	\$897.00
04/03/2013	City of White Bear Lake	Lift Strn Ck/REcords Feb 2013	27719	\$1,385.00	605-43190-305	\$1,105.00
					605-43190-305	\$280.00
04/03/2013	Ken Johnson	Plow & Sand Streets/Patch potholes - FEB 27 - Mar 18 2013	27720	\$2,815.75	100-43100-305	\$112.50
					100-43125-305	\$2,703.25
04/03/2013	Mobile Mini, Inc	Warm House February 2013	27721	\$230.32	100-45200-305	\$230.32
04/03/2013	TSE, INC	City Hall Cleaning 3/7/13	27722	\$19.00	100-41940-305	\$19.00
04/03/2013	Gopher State One Call	Locates -March 2013	27723	\$4.35	601-42805-305 605-42805-305	\$2.17 \$2.18
04/03/2013	S&T Office Supplies	Labels	27724	\$29.01	100-41420-200	\$29.01
04/03/2013	Xcel Energy	City Hall Gas/Elec Mar 2013	27725	\$305.52	100-41940-380	\$305.52
04/04/2013	IRS - US Treasury	FEDTaxes Mar 2013	FED032013	\$1,056.72	100-41400-110 100-41400-160 100-41400-162 100-41400-164 100-41400-166 100-45200-160 100-45200-162 100-45200-164 100-45200-166	\$389.36 \$59.13 \$252.84 \$59.13 \$252.84 \$4.11 \$17.60 \$4.11 \$17.60
04/04/2013	MN Department of Revenue	State W/H Mar 2013	MN032013	\$177.81	100-41400-115	\$177.81
04/04/2013	PERA	Staff Retirement PE 3/15/2013	PERA033113	\$286.50	100-41400-120 100-41400-121	\$153.86 \$132.64
04/09/2013	On-Site Sanitation Inc	Rental Unit -TS Pk Apr 2013	27726	\$86.95	100-45200-305	\$86.95
04/09/2013	Metropolitan Council Env. Service	Wastewater Service May 2013	27727	\$3,658.96	605-43190-217	\$3,658.96

**Total For Period** **\$58,762.72**

**Total Year To Date** **\$123,522.42**

Fund Name: All Funds  
 Date Range: 03/13/2013 to 04/09/2013

<u>Date</u>	<u>Remitter</u>	<u>Description</u>	<u>Receipt #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
03/15/2013	REsidents - via ST. Anthony Village	Utility Billing - SAV	919	\$2,667.72	601-34110	\$869.46
					601-34170	\$61.79
					605-34190	\$1,736.47
03/16/2013	Stop Pay Ck#	Oakins - Election Pay lost ck RE-ISSUED	911	\$352.50	100-36240	\$352.50
03/20/2013	REsidents - via St Anthony Village	Utility Billing - SAV	920	\$2,749.22	601-34110	\$844.80
					601-34160	\$3.30
					601-34170	\$44.64
					605-34160	\$41.37
					605-34190	\$1,815.11
03/22/2013	Residents - via St. Anthony Village	Utility Billing - SAV	921	\$3,089.66	601-34110	\$1,042.22
					601-34160	\$7.35
					601-34170	\$41.27
					605-34160	\$20.55
					605-34190	\$1,978.27
03/29/2013	Velin, John	Garage Rent - March 2013	912	\$21.00	100-34101	\$21.00
03/29/2013	Treeful, Linda	Hall Rental 2013	913	\$25.00	100-34101	\$25.00
03/29/2013	Appollo Heating	Bldg Permit #WB056692	914	\$93.50	100-32210	\$93.50
<b>Total For Period</b>				<b>\$8,998.60</b>		
<b>Total Year To Date</b>				<b>\$37,951.89</b>		

As of 12/31/2013

**General Fund**

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
General Property Taxes	\$336,013.00	\$3,970.86	(\$332,042.14)
Total Acct 310	\$336,013.00	\$3,970.86	(\$332,042.14)
Building Permits	\$8,500.00	\$412.13	(\$8,087.87)
Dog Licenses	\$200.00	\$25.00	(\$175.00)
Total Acct 322	\$8,700.00	\$437.13	(\$8,262.87)
Local Government Aids	\$238.00	\$0.00	(\$238.00)
Total Acct 334	\$238.00	\$0.00	(\$238.00)
Recycle Grant	\$1,000.00	\$0.00	(\$1,000.00)
Cable Comm. Grant	\$7,000.00	\$405.50	(\$6,594.50)
Total Acct 336	\$8,000.00	\$405.50	(\$7,594.50)
City Hall and Garage Rent	\$500.00	\$88.00	(\$412.00)
State and Misc fees	\$0.00	\$3.32	\$3.32
Total Acct 341	\$500.00	\$91.32	(\$408.68)
Fines	\$650.00	\$53.33	(\$596.67)
Total Acct 351	\$650.00	\$53.33	(\$596.67)
Miscellaneous	\$100.00	\$0.00	(\$100.00)
Total Acct 361	\$100.00	\$0.00	(\$100.00)
Interest Earnings	\$50.00	\$0.00	(\$50.00)
Contrib. and Donations-Private	\$500.00	\$700.00	\$200.00
Refunds and Reimbursements	\$0.00	\$352.50	\$352.50
Total Acct 362	\$550.00	\$1,052.50	\$502.50
<b>Total Revenues</b>	<b>\$354,751.00</b>	<b>\$6,010.64</b>	<b>(\$348,740.36)</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Publishing	\$2,100.00	\$334.65	\$1,765.35
Total Acct 411	\$2,100.00	\$334.65	\$1,765.35
City Council	\$4,200.00	\$252.70	\$3,947.30
Total Acct 413	\$4,200.00	\$252.70	\$3,947.30
Clerk - Treasurer	\$58,240.00	\$15,606.66	\$42,633.34
Elections	\$500.00	\$352.50	\$147.50
Office Operations/Supplies	\$3,525.00	\$324.23	\$3,200.77
Postage/Postal Permits	\$650.00	\$125.34	\$524.66
Total Acct 414	\$62,915.00	\$16,408.73	\$46,506.27
Financial Administration	\$400.00	\$35.00	\$365.00
Assessing	\$5,450.00	\$0.00	\$5,450.00
Total Acct 415	\$5,850.00	\$35.00	\$5,815.00

Legal Services	\$7,200.00	\$1,692.50	\$5,507.50
Engineer Service	\$10,000.00	\$0.00	\$10,000.00
Total Acct 416	\$17,200.00	\$1,692.50	\$15,507.50
Per Diem	\$1,560.00	\$0.00	\$1,560.00
Total Acct 418	\$1,560.00	\$0.00	\$1,560.00
Grants	\$1,825.00	\$0.00	\$1,825.00
City Training and Development	\$2,335.00	\$265.00	\$2,070.00
City Hall-Gov't Buildings	\$7,000.00	\$1,654.51	\$5,345.49
City Insurance	\$7,380.00	\$0.00	\$7,380.00
Cable Eqpmnt and Service	\$800.00	\$116.63	\$683.37
Newsletter	\$125.00	\$0.00	\$125.00
Total Acct 419	\$19,465.00	\$2,036.14	\$17,428.86
Police	\$91,348.00	\$30,449.32	\$60,898.68
Total Acct 421	\$91,348.00	\$30,449.32	\$60,898.68
Fire	\$20,593.00	\$6,422.82	\$14,170.18
Total Acct 422	\$20,593.00	\$6,422.82	\$14,170.18
Building Inspection	\$8,400.00	\$1,170.00	\$7,230.00
Total Acct 424	\$8,400.00	\$1,170.00	\$7,230.00
Other Protection	\$100.00	\$68.38	\$31.62
Animal Control	\$897.00	\$897.00	\$0.00
Total Acct 428	\$997.00	\$965.38	\$31.62
Streets and Road Mntnc	\$5,250.00	\$148.09	\$5,101.91
Crack Seal Project	\$10,000.00	\$0.00	\$10,000.00
Seal Coat project	\$25,000.00	\$0.00	\$25,000.00
Street Sweeping	\$4,000.00	\$0.00	\$4,000.00
Ice and Snow Removal	\$16,000.00	\$9,856.40	\$6,143.60
Tree Removal	\$5,000.00	\$50.00	\$4,950.00
Utility - Drain Structure Care	\$1,200.00	\$2,358.09	(\$1,158.09)
Street Signs	\$1,500.00	\$0.00	\$1,500.00
Street Lights	\$15,600.00	\$3,892.50	\$11,707.50
Total Acct 431	\$83,550.00	\$16,305.08	\$67,244.92
Weed Control - Milfoil	\$1,200.00	\$0.00	\$1,200.00
Total Acct 432	\$1,200.00	\$0.00	\$1,200.00
Sanitation - Recycling	\$12,000.00	\$2,873.16	\$9,126.84
Total Acct 441	\$12,000.00	\$2,873.16	\$9,126.84
Lawn Care/Mntnc	\$6,000.00	\$0.00	\$6,000.00
Total Acct 450	\$6,000.00	\$0.00	\$6,000.00
Recreation	\$1,900.00	\$0.00	\$1,900.00
Total Acct 451	\$1,900.00	\$0.00	\$1,900.00
Parks	\$14,000.00	\$6,122.14	\$7,877.86
Total Acct 452	\$14,000.00	\$6,122.14	\$7,877.86
CONSERVATION - NATURAL RESOURC	\$2,082.00	\$0.00	\$2,082.00
Total Acct 461	\$2,082.00	\$0.00	\$2,082.00
Unallocated Expenditures	\$8,050.00	\$0.00	\$8,050.00

**City of Birchwood Village Interim Financial Report by Account Number (YTD)**

**04/04/2013**

Total Acct 492	\$8,050.00	\$0.00	\$8,050.00
<b>Total Disbursements</b>	<b>\$363,410.00</b>	<b>\$85,067.62</b>	<b>\$278,342.38</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$525,009.93</b>	
<b>Cash Balance as of 12/31/2013</b>		<b>\$445,952.95</b>	

As of 12/31/2013

**Tree Canopy Care**

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
<b>Total Disbursements</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$8,350.00</b>	
<b>Cash Balance as of 12/31/2013</b>		<b>\$8,350.00</b>	

As of 12/31/2013

<b>Special Rev Projects</b>	<b><u>Budget</u></b>	<b><u>Actual</u></b>	<b><u>Variance</u></b>
Receipts:			
Dock/Lift Permit Fee	\$0.00	\$200.00	\$200.00
Total Acct 322	\$0.00	\$200.00	\$200.00
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$200.00</b>	<b>\$200.00</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Parks	\$5,900.00	\$0.00	\$5,900.00
Total Acct 452	\$5,900.00	\$0.00	\$5,900.00
Unallocated Expenditures	\$0.00	\$200.00	(\$200.00)
Total Acct 492	\$0.00	\$200.00	(\$200.00)
<b>Total Disbursements</b>	<b>\$5,900.00</b>	<b>\$200.00</b>	<b>\$5,700.00</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$13,756.91</b>	
<b>Cash Balance as of 12/31/2013</b>		<b>\$13,756.91</b>	

As of 12/31/2013

<b>Spec Project-Elm Easement</b>	<u><b>Budget</b></u>	<u><b>Actual</b></u>	<u><b>Variance</b></u>
<b>Receipts:</b>			
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Other Financing Sources:</b>			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
<b>Disbursements:</b>			
Parks	\$4,000.00	\$0.00	\$4,000.00
Total Acct 452	\$4,000.00	\$0.00	\$4,000.00
<b>Total Disbursements</b>	<b>\$4,000.00</b>	<b>\$0.00</b>	<b>\$4,000.00</b>
<b>Other Financing Uses:</b>			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$0.00</b>	
<b>Cash Balance as of 12/31/2013</b>		<b>\$0.00</b>	

As of 12/31/2013

<b>Sewer 2004 Bonds</b>	<b><u>Budget</u></b>	<b><u>Actual</u></b>	<b><u>Variance</u></b>
Receipts:			
Sewer Re-hab A&B	\$0.00	\$143.53	\$143.53
Total Acct 361	\$0.00	\$143.53	\$143.53
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$143.53</b>	<b>\$143.53</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Bond Payment	\$0.00	\$1,246.13	(\$1,246.13)
Total Acct 471	\$0.00	\$1,246.13	(\$1,246.13)
<b>Total Disbursements</b>	<b>\$0.00</b>	<b>\$1,246.13</b>	<b>(\$1,246.13)</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$0.00</b>	
<b>Cash Balance as of 12/31/2013</b>		<b>(\$1,102.60)</b>	

As of 12/31/2013

Birchwood In Re-hab Bond	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
<b>Total Disbursements</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$0.00</b>	
<b>Cash Balance as of 12/31/2013</b>		<b>\$0.00</b>	

As of 12/31/2013

<b>Sewer Re-hab 2008 Debt</b>	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Sewer Re-hab A&B	\$0.00	\$214.19	\$214.19
Total Acct 361	\$0.00	\$214.19	\$214.19
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$214.19</b>	<b>\$214.19</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
<b>Total Disbursements</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$0.00</b>	
<b>Cash Balance as of 12/31/2013</b>		<b>\$214.19</b>	

City of Birchwood Village Interim Financial Report by Account Number (YTD)

04/04/2013

As of 12/31/2013

<b>Cap Project - PW</b>	<u><b>Budget</b></u>	<u><b>Actual</b></u>	<u><b>Variance</b></u>
Receipts:			
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
<b>Total Disbursements</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$44,571.00</b>	
<b>Cash Balance as of 12/31/2013</b>		<b>\$44,571.00</b>	

As of 12/31/2013

<b>Capital Projects</b>	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
<b>Total Disbursements</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$58,587.99</b>	
<b>Cash Balance as of 12/31/2013</b>		<b>\$58,587.99</b>	

As of 12/31/2013

<b>Cap Proj - Catchbasin</b>	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
<b>Total Disbursements</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$0.00</b>	
<b>Cash Balance as of 12/31/2013</b>		<b>\$0.00</b>	

As of 12/31/2013

<b>Water Enterprise Fund</b>	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Water Fee	\$0.00	\$12,804.91	\$12,804.91
Penalty - Late Water/Sewer	\$0.00	\$217.20	\$217.20
State and Misc fees	\$0.00	\$426.31	\$426.31
Total Acct 341	\$0.00	\$13,448.42	\$13,448.42
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$13,448.42</b>	<b>\$13,448.42</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Utility Locates	\$0.00	\$63.87	(\$63.87)
Total Acct 428	\$0.00	\$63.87	(\$63.87)
Water Utility	\$0.00	\$15,110.22	(\$15,110.22)
Total Acct 431	\$0.00	\$15,110.22	(\$15,110.22)
<b>Total Disbursements</b>	<b>\$0.00</b>	<b>\$15,174.09</b>	<b>(\$15,174.09)</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$31,968.02</b>	
<b>Cash Balance as of 12/31/2013</b>		<b>\$30,242.35</b>	

As of 12/31/2013

<b>Sewer Enterprise Fund</b>	<b><u>Budget</u></b>	<b><u>Actual</u></b>	<b><u>Variance</u></b>
Receipts:			
Water Fee	\$0.00	\$1,958.60	\$1,958.60
Penalty - Late Water/Sewer	\$0.00	\$210.53	\$210.53
Sewer Fee	\$0.00	\$15,765.98	\$15,765.98
Total Acct 341	\$0.00	\$17,935.11	\$17,935.11
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$17,935.11</b>	<b>\$17,935.11</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Utility Locates	\$0.00	\$63.88	(\$63.88)
Total Acct 428	\$0.00	\$63.88	(\$63.88)
Sewer Utility	\$0.00	\$21,770.70	(\$21,770.70)
Total Acct 431	\$0.00	\$21,770.70	(\$21,770.70)
<b>Total Disbursements</b>	<b>\$0.00</b>	<b>\$21,834.58</b>	<b>(\$21,834.58)</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$115,000.00</b>	
<b>Cash Balance as of 12/31/2013</b>		<b>\$111,100.53</b>	

**STATE OF MINNESOTA  
COUNTY OF WASHINGTON  
CITY OF BIRCHWOOD VILLAGE**

**ORDINANCE 2013-01**

**AN ORDINANCE REPEALING CHAPTER 703 (SPECIAL ELECTION) OF THE CITY  
CODE OF THE CITY OF BIRCHWOOD VILLAGE**

The City Council of the City of Birchwood Village hereby ordains that Chapter 703 (COUNCIL VACANCY - SPECIAL ELECTION) of the Municipal Code of the City of Birchwood Village is repealed.

EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Adopted by the City of Birchwood Village City Council this 9<sup>th</sup> day of April, 2013

---

Mary Wingfield, Mayor

Attest:

---

Dale Powers, City Coordinator

**STATE OF MINNESOTA  
COUNTY OF WASHINGTON  
CITY OF BIRCHWOOD VILLAGE**

**RESOLUTION 2013-08**

**A Resolution Adopting Ordinance 2013-01 Repealing Ordinance 2012-13 Providing For a Special Election to Fill a Vacancy on the City Council at Times Other Than at the Regular City General Election**

**WHEREAS**, the City Council, in light of the resignation of a Council Member with more than two years left on his term, believed that any vacancy of more than a 16-month duration should be filled by the voters of the City of Birchwood Village through a special election; and

**WHEREAS**, pursuant to Minnesota Statutes § 412.02, subd. 2a, requiring the City to specify by ordinance under which circumstances it will hold a special election to fill a vacancy other than a special election held at the same time as the regular city election, reviewed the draft language of Ordinance 2012-13 and ordered a public hearing to be held on December 27, 2012 to solicit public input on the draft ordinance; after said public hearing, the proposed ordinance was deemed by the Council to be reasonable and appropriate and thus adopted by the City Council on December 27, 2012; and

**WHEREAS**, the City Council now believes that the costs of conducting any special election would be financially imprudent, given the scarcity of contested mayoral and council elections in the City, and desires to enact an ordinance repealing in total Ordinance 2012-13; and

**WHEREAS**, the City Council conducted a public hearing on April 9<sup>th</sup>, 2013 pursuant to the Council's Rules of Procedure to solicit public input on the draft ordinance; and

**WHEREAS**, after said public hearing, the proposed ordinance was deemed by the Council to be reasonable and appropriate.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BIRCHWOOD VILLAGE, AS FOLLOWS:**

1. That Ordinance 2013-01 is hereby adopted, and the text of said Ordinance is as indicated in the attached exhibit.
2. The effective date of this Ordinance shall be upon publication as required by law.
3. Upon the effect of Ordinance 2013-01, Ordinance 2012-13 (codified in the Birchwood City Code as Section 703) will be repealed in its entirety. The text of the repealed Ordinance is attached to this Resolution as an exhibit.

Adopted by the City Council on this 9<sup>th</sup> day of March, 2013.

Approved:

\_\_\_\_\_  
Mary Wingfield, Mayor

Attest:

\_\_\_\_\_  
Dale Powers, City Coordinator

**STATE OF MINNESOTA  
COUNTY OF WASHINGTON  
CITY OF BIRCHWOOD VILLAGE**

**ORDINANCE 2012-13**

**AN ORDINANCE ADOPTING A NEW CHAPTER 703 (SPECIAL ELECTION)  
PROVIDING FOR A SPECIAL ELECTION TO FILL A VACANCY ON THE CITY  
COUNCIL AT TIMES OTHER THAN AT THE REGULAR CITY GENERAL  
ELECTION**

The City Council of the City of Birchwood Village hereby ordains that Chapter 703 (COUNCIL VACANCY - SPECIAL ELECTION) of the Municipal Code of the City of Birchwood Village is hereby adopted to read as follows:

**703 COUNCIL VACANCY - SPECIAL ELECTION**

703.010. VACANCY ON CITY COUNCIL. A vacancy shall occur on the Birchwood City Council whenever the mayor or another city councilperson resigns from the office to which the person was appointed or elected. A vacancy may also occur for any of the other reasons specified in Minnesota Statutes section 351.02.

703.020. APPOINTMENT TO FILL VACANCY. Whenever a vacancy shall occur on the Birchwood City Council, the existing City Council shall appoint a person to fill the vacancy on a temporary basis until a replacement can be elected in a special or regular election. The existing City Council shall not appoint a replacement without first giving public notice of the vacancy in the same manner as notice of regular council meetings and allowing interested persons at least ten (10) days to submit an application for appointment. A replacement shall be appointed within sixty (60) days of the date of the vacancy but not prior to the date the vacancy exists unless no person has expressed a willingness to serve on a temporary basis. The appointed person shall serve until the person elected to fill the unexpired portion of the term or elected to a new term, whichever is applicable, is sworn into office.

703.030. SPECIAL ELECTION. Whenever a vacancy on the City Council occurs more than sixteen months before a regular election is scheduled, the Council shall hold a special election to elect a person to fill the remainder of the term. For prospective vacancies, preparations for the special election may begin immediately after the written resignation is received by the Council.

703.040. SPECIAL ELECTION PROCEDURES. If a special election is required under section 703.30 to fill a vacancy on the City Council, the Council shall follow the procedures below for holding the special election.

703.041. The City Council shall pass a resolution ordering a special election and providing all means for holding it. The procedure at such special election shall conform as nearly as possible to that prescribed for regular municipal elections.

703.042. The City shall give notice in whatever manner deemed appropriate by the Council that a special election will be held and shall allow interested persons at least ten (10) days and not more than twenty (20) days to file for the vacant office. Any person who files for the office shall have his or her name placed on the ballot at the special election without party designation. Each person filing for election to the vacant office shall pay the requisite filing fee as though the special election were a regular election.

703.043. The special election shall be held no more than 120 days after the vacancy occurs.

703.044. The City shall publish notice in the official newspaper at least ten days before the date of the special election of the time and place and purpose of the special election.

**EFFECTIVE DATE:** This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Adopted by the City of Birchwood Village City Council this 27<sup>th</sup> day of December 2012

**CITY OF BIRCHWOOD VILLAGE**

Alan Mitchell, Mayor

Attested: Cindie Reiter, Deputy Clerk

**To: Birchwood Council**  
**From: Roads and Streets Committee**  
**Subject: Committee Report**

The Roads and Streets Committee consists of five (5) members:

Mark Anderson, secretary/treasurer  
John Anderson  
Tom Patsy  
David Reynolds  
Gene Ruehle, chairperson

On January 24, 2013, we held our first meeting and elected officers. We also established the fourth Thursday of the month as our regular meeting date. The majority of our time that evening was spent reviewing the purpose of the Committee as stated in our bylaws. This is how the purpose is stated.

The purpose of the Roads and Streets Committee is to advise the City Council on the status of all roads within the city limits of Birchwood, including maintenance, upgrading and repair of such roads and streets and the funding of such work.

The past two (2) months, we have conducted our own 'crash course' in paving and repair techniques, getting acquainted with our task. We have had five (5) scheduled meetings.

The village has provided us excellent records that have shown us the history of past work (years), street statistics (length and width) and condition (PCI Rating Plus). We also found previous (2010) bids from asphalt companies on work that was being considered at that time.

The name of a key person that we found in the files is Thomas Wood. He is a research analyst at MN DOT.

We have approximately five (5) miles of street in Birchwood. Tom suggested that after we get the streets maintained up to the standard we want, that we budget for one (1) mile of street maintenance per year, (25-30K per year) based on his formula of normal maintenance. This would be in addition to the usual spring maintenance throughout the village. Tom Wood has been a great resource for us because of his expertise in the field of asphalt roads. His willingness to come and discuss the conditions of our streets and the corrective and preventative maintenance approach we should follow has been extremely valuable. Tom also spoke highly as to the quality of asphalt companies that are in the business. In reverse, the asphalt company representatives we spoke to also say he is also their 'go-to' person.

As of this writing, we are in process of interviewing asphalt companies regarding work to be done in the village. We have found it interesting that no one has recommended reconstruction of any of our streets and all recommend that with a bit of work they can last a few more years.

This is the worst time of the year for asphalt streets. The streets are wet from the melting of the snow. The wet surface freezes at night which loosens a miniscule plus amount of surface asphalt. The loose asphalt is washed away the next day and the process starts all over again. Also each day the cracks are filled with water. When the temperature falls below freezing, the water expands as ice, causing pieces of asphalt to break loose and a pot hole is born. The pot holes, as you know, come in many sizes and only get larger as time goes on.

The general procedure for maintaining our streets is to patch the broken areas, seal the cracks and over chip seal the completed roadway.

The patch work is best done this time of year by filling the potholes with hot asphalt (\$75/ton + \$45 hour labor, clean hole, tack, fill and then pack. The asphalt batch plants are just starting to open for the season (April 1) so this is all possible. The work is just a stop-gap solution.

When the full scale patch work is done there are several approaches and each company prefers their own way. From repairing a small area with a clean and fill method, or to heat the asphalt area and then fill. Large areas would be routed out and use a larger patch that seals better.

Crack seal can also be done in several ways. We have to admit, Fahrner Asphalt Company's method of filling cracks in 2010 has worked well. It was not the cheapest way to go, but other visiting asphalt companies have also mentioned that it has really held up well.

Chip seal is the next procedure when doing a complete project. Chip seal consists of applying an asphalt binder, which is immediately covered with an aggregate and then compacted. Chip seal prevents the rapid deterioration of asphalt due to oxidation and traffic wear. It is comparable to other resurfacing methods in durability and effectiveness, but costs less. Another option that Fahrner offers is a micro surfacing, a better product but more expensive.

We are probably two (2) weeks away from having all the bids in for these needed repairs, maybe a bit longer if the cool weather hangs in here and the snow drifts melt a bit slower.

**County Report:**

We held a special meeting with Ted Bearth, our County Commissioner, Wayne Sandberg, County Engineer, and their clerk. To make a long story short, they do not want Old Count Road 29 back. They had a litany of reasons why. As for our side, if they did take it back, they would hold us to their old road plan, which involved widening, curbs, gutters as well as a loss of some of our tree canopy.

The historical road preservation concept would not fit according to Wayne Sandberg. We also inquired as to obtaining some funds from the County 'Wheelage' tax, but were told that none of this money could ever be available to us, as it was always assigned to larger road projects.

**Resident Information:**

Some companies would provide opportunities for home owners to get driveway work done at a reduced rate while they are working in the area. The information regarding this could go out in the newsletter and homeowners could call the company for an estimate. This is something to consider that would be of additional benefit to our residents at no cost to the city.

**Items to Be Resolved:**

- Street right-of-way (width of street) and residential driveway connection... What do we do if the connection is not made?
- Owl Street was to be treated a little different than the other streets because it appears to have been missed the last go around.

For OWL street, The asphalt companies we interviewed suggested that we go with the procedure of clean, tack, and 1-1/2" to 2" over-lay. This is the same recommendation that Tom Wood had suggested.

The Roads and Streets Committee spent considerable time discussing traffic control on Cedar/Hall Streets with much thought toward slowing and/or reducing traffic. We think that the right signage, the addition of cross walks as well as narrower traffic lanes would be issues to consider that would reap larger benefits at low cost.



Thatcher Engineering, Inc.  
3055 Old Highway 8, Suite 103  
Minneapolis, MN 55418  
p612 781 2188 f612 781 2241  
www.thatcher-eng.com

March 28, 2013

Mr. Dale Powers, City Coordinator  
City of Birchwood Village  
207 Birchwood Avenue  
Birchwood, MN 55110

RE: Engineering Interview Questions

Dear Mr. Powers:

Thatcher Engineering, Inc. very much appreciates the opportunity to discuss your current municipal engineering needs. We are dedicated to providing quality engineering services and we will strive to be attentive and responsive to your needs. We see our function as accurately assessing the issues, working in partnership with you, and devising and implementing strategies to help you reach your community's objectives. The following is our response to your "Engineering Interview Questions" as outlined in a memorandum dated March 19, 2013:

1. *Describe briefly your process for starting a new engagement for small community such as Birchwood.*

Our process at Thatcher Engineering (Thatcher) for starting a new engagement with a small community is similar to our process for starting, establishing, and maintaining relationships with all of our clients. Our first desire is to meet with city staff and council members to learn about the specific challenges facing the city. This provides us an opportunity to get to know individuals better as well as to understand the issues for which our services may be beneficial to the city. This is also an opportunity to review any background data the city has available such as planning maps, past engineering reports, and information related to the city's infrastructure. Once we have established a general understanding of the city's needs, we like to work with the staff and council to prioritize how the needs will be addressed and identify appropriate solutions. We rely upon our broad range of skills and past experience to offer sound engineering recommendations and work with the city to review potential solutions to ensure cost effectiveness and long term reliability.

2. *Describe how you collaborate with City staff? The Birchwood City Coordinator has good planning experience – describe how you would best use his experience.*

Thatcher Engineering views our relationship with city staff as a true partnership. A successful partnership relies on open communication between all parties involved. We believe that the city staff has the pulse of the community and the intimate knowledge of the challenges facing the city. Our role is to listen when staff presents us with challenges, work closely with staff and community leaders to fully understand the challenges, and then advise the city with potential solutions that are creative, efficient and effective. We look forward to working with the City Coordinator and utilizing his planning experience to understand

the issues and formulate alternatives that not only address the immediate need, but also fit with long term planning goals for the community and the region.

3. *Describe how you would collaborate with engineering staff from other communities such as City of White Bear Lake. Please describe a situation where you were responsible for reviewing engineering proposals from another City. If you agreed with the proposal, what approach did you take in informing City staff and the City Council of the project's viability? If you disagreed with the proposal, did you propose an alternate proposal that met your client's needs without creating unnecessary alienation with the partner?*

Working with neighboring communities and regional entities is a critical planning tool to establish common goals and reduce duplication of resources whenever possible. Open communication between all parties is essential to achieve a complete understanding of regional challenges. Collaboration with other cities can be beneficial in reducing unnecessary overlap in city services.

Thatcher Engineering welcomes the opportunity to work with other engineers and municipalities to achieve common goals. Our approach to working with other engineering proposals starts with meeting all parties to clearly define the needs and goals. Once we have a clear understanding, Thatcher will analyze all relevant material to determine the proposal's viability. Our analysis also includes reviewing additional alternatives that may achieve the same goal. If these other alternatives appear viable, we will review all options, including the original proposal, to determine which option is most cost effective when analyzed for initial and long term maintenance costs, impact on residents, and the city's overall planning goals. If our analysis leads to an alternative different from the original proposal, we will meet with all parties involved to discuss our conclusions and recommendations. We will defend our position in the most courteous manner and discuss why we may have come to a different conclusion. Engineering challenges often have a number of alternative solutions. Our goal is to determine what alternative fits the given set of circumstances and find a solution that is creative, efficient and effective.

Steve Thatcher was involved in a similar situation while he was the consulting engineer for the city of Wykoff. The city of Spring Valley proposed that it would treat sanitary sewer wastewater from the city of Wykoff. Mr. Thatcher worked on behalf of Wykoff to analyze Spring Valley's proposal as well as alternatives. He discussed the advantages and disadvantages of all of the alternatives with Wykoff's city staff and council, and later with the staff, council and engineer for Spring Valley. Eventually Wykoff decided not to accept the original proposal, and Spring Valley understood the reasons for their decision and accepted it.

4. *As City Engineer, you are authorized to shut down work that violates safety practices. Describe how your firm keeps current with OSHA guidelines and how you enforce them.*

Thatcher Engineering takes workplace safety very seriously. The safety and health of all personnel, including contract workers, is extremely important to the company. Thatcher

employees have undergone hazardous materials and confined space training and keep updated on current guidelines with continuing education and training. It is the company's policy that no employee shall enter a confined space without proper training or permission from the company. While we don't typically direct or dictate the means and methods a contractor utilizes for completing a project, we will interject when necessary if we feel that the safety of workers or the public is being compromised.

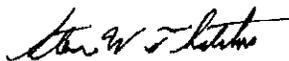
5. *The City has established a roads committee which will be making recommendations to Birchwood's roads. Describe your experience in working with citizen volunteer groups and how the engineering firm can add value to that process.*

Mr. Thatcher has 36 years of experience working with citizen volunteer groups. He has been the consulting engineer for numerous cities that have had volunteer committees to study and make recommendations concerning roads, parks, comprehensive land use plans, water and sewer, etc. He has met with the groups to hear their concerns, explain engineering concepts and procedures, suggest possible approaches for them to consider, and present information and research to help them analyze and evaluate various alternatives.

Our past experience with citizen groups can provide added value to similar groups in Birchwood Village. We believe that one key to meeting municipal goals is to work with the community as early in the process as possible. It is important that the citizens feel they have a voice in decisions regarding improvement projects. Our job is to listen to concerns and help develop plans to meet the city's goals.

Thank you once again for your consideration. We look forward to the opportunity of providing the City of Birchwood Village with high quality, cost effective engineering services.

Sincerely,



Steven W. Thatcher, P.E.  
Principal  
Thatcher Engineering, Inc.  
[sthatcher@thatcher-eng.com](mailto:sthatcher@thatcher-eng.com)

# FOCUS ENGINEERING, inc.

Cara Geheren, P.E. 651.300.4261  
Jack Griffin, P.E. 651.300.4264  
Ryan Stempki, P.E. 651.300.4267  
Chad Isakson, P.E. 651.300.4283

March 27, 2013

Mr. William Hullsiek, City Council Member  
Mr. Dale Powers, City Coordinator  
City of Birchwood Village  
207 Birchwood Avenue  
Birchwood Village, MN 55110

Re: City of Birchwood Village  
Engineering Interview Questions

Dear Dale and Bill:

Thank for the opportunity to share more information with you about FOCUS Engineering, inc. We look forward to talking with you and meeting in person to discuss how we can serve the City of Birchwood Village. The following is our response to your questions in your memorandum dated March 19, 2013.

- 1. Describe briefly your process for starting a new engagement for small community such as Birchwood.*

Our experience has shown us that we need to listen first. We would like to sit down with City staff and/or Council members to hear about your community; to learn about your goals and objectives; what is most important to the community, and to learn about the City's culture and values. All cities are not the same and as your City Engineer, part of city staff, it is imperative that we understand how the community measures success. From there, as engineers, we would want to learn about your infrastructure and your capital improvement plans. What is the city's view in terms of defining what public services are the responsibility of the city? What is the status of the infrastructure you own and operate? What records do you have? What standards and policies do you use? And what plans do you have or need going forward? And most importantly, what level of service are you requesting from your City Engineer?

- 2. Describe how you collaborate with City staff? The Birchwood City Coordinator has good planning experience – describe how you would best use his experience.*

For the small and growing communities we serve, we view ourselves as an extension of city staff and as part of the team. We work side by side with the planning staff, as well as the

administrative staff, building officials, commissions and workgroups and we understand that each professional offers expertise and experience that adds value to the team. In smaller communities, we understand that staff is often asked to wear many hats making it all the more essential to work together for the good of the city. It is our experience that the best solutions are often arrived at only after accessing the professional skills and knowledge of other city staff.

In both the cities of Lake Elmo and Victoria, we meet weekly with planning staff to discuss upcoming issues and to coordinate our efforts. In these meetings we often determine where each of us may provide support to the other. In Denmark Township, we prepare joint staff reports with the Township's consultant planner. When reviewing applications for conditional use permits and planning applications, their input is critical to our engineering review. We recommend contacting Holly Kreft, Victoria's Community Development Director and Kyle Klatt, Lake Elmo's Planning Director, to hear their perspective on this question.

*3. Describe how you would collaborate with engineering staff from other communities such as City of White Bear Lake. Please describe a situation where you were responsible for reviewing engineering proposals from another City. If you agreed with the proposal, what approach did you take in informing City staff and the City Council of the project's viability? If you disagreed with the proposal, did you propose an alternate proposal that met your client's needs without creating unnecessary alienation with the partner?*

We work closely with engineering staff from our neighboring cities, whether on outside-agency led projects or new developments impacting both communities, or on projects completed jointly. These relationships are important to both cities and maintaining professional working relationships is paramount to long-term success of the city. It is always easy when communities agree on an issue. However, relationships are either solidified or broken during the times when cities do not agree on an issue. Each city has its own culture and perspective that influences decision making. Working through these issues in a professional and respectful manor allows you to represent your community's interests without alienating your neighboring community.

FOCUS Engineering has many examples of successful collaboration efforts. The cities of Lake Elmo and Oakdale are currently working on a joint sanitary sewer extension project where the sewer utility owned and operated by Oakdale will be extended to serve 24 properties; 9 located in Oakdale and 15 located in Lake Elmo. FOCUS Engineering completed the joint Feasibility Report for both communities. For the project design, the cities have jointly selected an engineering consultant to complete the project design. Last year, the City of Lake Elmo worked jointly and collaboratively with Washington County on the DeMontreville Trail street reconstruction project, where FOCUS helped select the County's engineering consultant and provided engineering design review. In April, FOCUS will be part of the Washington County team to select an engineering consultant for the CSAH 15 Manning Avenue Safety Improvement Project.

To demonstrate the FOCUS shared resource model, FOCUS engineering leads the annual seal coat project for the City of Lake Elmo and through a joint project agreement, completes the seal coating for the streets in West Lakeland Township at the same time. This results in a significant cost savings to both communities by sharing the fixed project costs and lowering the seal coat unit price through economies of scale. In contrast, as the Denmark Township engineer, FOCUS has arranged with the City of Cottage Grove to perform seal coating services for Denmark Township resulting in significant savings to our client. All of these examples are only made possible by maintaining positive, professional and high trust relationships with our neighboring communities.

*4. As City Engineer, you are authorized to shut down work that violates safety practices. Describe how your firm keeps current with OSHA guidelines and how you enforce them.*

This question touches on a very delicate and important issue for the design and construction industry, an issue that FOCUS Engineering takes very seriously. As a design professional, each Engineer at FOCUS has a sworn responsibility to protecting the health and safety of the public. This results in a duty or public responsibility by the Engineer to take appropriate action in the event that the Engineer observes a site condition that the Engineer deems an imminent threat to life or safety. FOCUS Engineering also takes seriously its responsibility to follow industry best practices to insure that both the City and the Engineer are protected against liability claims for which they have limited control. Following industry best practices, FOCUS Engineering uses contract documents for construction projects that assign jobsite safety to the sole responsibility of the Contractor. Specifically, the contract documents should not give the engineer the authority to stop work upon discovery of a safety violation.

For use in all construction projects, FOCUS Engineering uses contract documents as published by the Engineers Joint Contract Documents Committee (EJCDC). These documents are the most widely used contract documents in the United States and have been systematically prepared, reviewed and analyzed by committees of experienced engineering design and construction professionals, owners, contractors, professional liability and risk management experts, with the participation and advice of legal counsel; including the American Council of Engineering Companies (ACEC); the American Society of Civil Engineers (ASCE); the Associated General Contractors of America (AGC); and the National Society of Professional Engineers (NSPE); as well as 15 other professional engineering design, construction, owner, legal, and risk management organizations. The EJCDC contract documents specifically address the project roles and responsibilities of the Owner, Engineer and Contractor and they specifically assign jobsite safety to the sole responsibility of the Contractor.

5. *The City has established a roads committee which will be making recommendations to Birchwood's roads. Describe your experience in working with citizen volunteer groups and how the engineering firm can add value to that process.*

Working with stakeholder groups is one of the most rewarding aspects of being a City Engineer and remains the primary reason that each of us at FOCUS Engineering has chosen this career path. Having spent our entire engineering career serving in the role of City Engineer, we are very experienced and comfortable working with volunteer groups, committees, stakeholder groups, homeowner associations, neighborhood groups, planning commissions, public works committees, park commissions, interagency work groups, and city councils.

The City Engineer adds significant value to these work groups by understanding and sticking to our proper role in the effort. Done right, the Engineer can add a significant level of knowledge, expertise and experience to the pool of information, and share the best practices and experiences of other similar communities. In this process, we believe it is the role of the City Engineer to gather, organize and present the facts regarding roadway design and maintenance. It would be the role and responsibility of the City Engineer to present all the alternatives available to the committee regarding a street program, including maintenance techniques; rehabilitation and reconstruction techniques; street design standards and requirements; street inventory and condition assessment processes; the capital improvement planning process; the funding and financial planning process to support the program; the options available for the assessment process (if desired); and the implementation process for the improvement projects. It would be the responsibility of the City Engineer to provide this information in a manner that informs the committee. Then it is the role of the City Engineer to step back and let the committee make informed decisions.

Thank you for your time in reviewing our responses. We hope that we have sufficiently addressed each of your questions and we look forward to talking with you more. We appreciate your consideration of our firm. Please feel free to contact me at 651.300.4261 with any questions you might have.

Regards,



Cara L. Geheren, P.E.  
President, Senior Municipal Engineer

**XFINITY Connect**

bwclerk@comcast.net

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**From :** Mark Burch <mburch@whitebearlake.org>

Tue, Apr 02, 2013 04:42 PM

**Subject :** <No Subject>**To :** Dale Powers (bwclerk@comcast.net) <bwclerk@comcast.net>**Cc :** Mark Sather <msather@whitebearlake.org>

Good morning Dale:

Per our discussion this morning the City of White Bear Lake is interested in working with the City of Birchwood Village on the operation and maintenance of it's water distribution system but we do not have time nor do we believe it is productive to continue to prepare and submit proposals every year and to have Birchwood continually change service providers. Birchwood must be aware that it requires time and effort to prepare proposals and to modify operations to start up or discontinue providing services to the City.

The City of White Bear Lake currently provides operation, maintenance and emergency response services to Birchwood for it's sanitary sewer collection system and a similar arrangement could be entered into for the water distribution system (we have done this in the past to the mutual benefit of both cities). If the City of Birchwood Village is interested in working with the City of White Bear Lake to provide water distribution services under such an agreement please contact our office and we can work on details.

Mark

Manship Plumbing and Heating Inc.  
1810 Briarwood Ave.  
Mahtomedi, Mn 55115  
651-426-9386

Re: RFI delivered March 28th concerning the one year request for  
Comprehensive water system management services dated March 2013

Manship Plumbing and Heating Inc (the company) has the ability to provide services as requested by the City of Birchwood Villiage(The City) to manage the public water system as specified in the RFI. John Manship holds an active Minnesota Class D water license since 1983 and has over 40 years experience working with water systems including Mahtomedi, Willernie, and Birchwood Villiage. The range of experience is from water meter install/repairs to water main repair under bitter cold weather conditions. John also holds a Minnesota Master plumbing license with 40 plus years experience in the plumbing service and construction industry. The company would be able to provide a 24hr response required to oversee the water system operation and emergency occurances as they present the need. A backup person and phone number would be available as needed.

The city will provide detailed sewer and water system maps along with a copy of the regulations, statutes, and rules as listed in the RFI prior to the start of the contract. Updates of notices, rules, and regulations will be provided to the company promptly as they become available to the city staff along with pending changes for the city that may affect the water system. Pipe locating equipment as specified by the company will be provided and maintained by the city for company use only. The locating equipment will be stored by the company for ease of use.

The City would set automatic payments each month for a flat rate of \$550.00 payable to Manship Plumbing and Heating Inc. Due to the unknown resources and time commitment of the duties as listed in the RFI a billed rate of \$120.00 per hour would apply to city water department work performed by the company. Water main breaks would have a minimum charge of 4 hours and other emergency dispatch calls would incur a 2 hour minimum charge. An accounting of the calls, work performed, and materials consumed will accompany the monthly billing. Water maps would be updated regularly by the comapany as changes dictate.

The City should have a secure temperature controlled storage area available 24hrs to the company. This area is for supplies necessary in operating the water system. This would include shutoff rods, reflective traffic cones, repair saddles, curb boxes, water meter and readers, fire hydrant parts, valve boxes, test equipment, and other misc. materials

John Manship