

**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
June 11, 2013**

MINUTES

MEMBERS PRESENT: Mayor Mary Wingfield, Councilmembers; Randy LaFoy, Greg Donovan, Bill Hullsiek, Kevin Woolstencroft

STAFF PRESENT: Interim City Clerk & City Treasurer, Cindie Reiter

OTHERS PRESENT: John Lund, Parks & Planning Commissioner, Roads & Streets Committee Members Mark Anderson and Gene Ruehle.

Mayor Wingfield called the regular meeting to order @ 7:00 p.m. The Pledge of Allegiance was recited.

AGENDA APPROVAL:

Mayor Wingfield announced she had a few items to add to the agenda prior to the agenda approval. She asked if anyone else had any additions. There were no other additions. She then added the following items:

- Future Agendas
- Meeting minutes process
- Roads Committee
- Collection of Hockey Funds
- Engineering Maps

MOTION MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER HULLSIEK TO APPROVE THE AGENDA AS MODIFIED. ALL AYES. MOTION PASSED.

OPEN PUBLIC FORUM: No comments received.

CITY BUSINESS - CONSENT AGENDA:

- 1. Approval of the May 14, 2013 Regular Meeting Minutes**
Mayor Wingfield requested this item be tabled. It was decided to move the discussion to the end of this meeting.
- 2. Acceptance of Treasurers Report and Approval of Disbursements - Moved to Item #6**
Mayor Wingfield stated she would also like to pull the bills as well and in the future, make it as a line item rather than part of the Consent Agenda.
- 3. Approve Mayor & Clerk to sign amended Manship Plumbing & Heating contract.**
- 4. LMCIT Liability Coverage Waiver Form - Decline Waiving monetary limits on tort liability**

MOTION WAS MADE BY MAYOR WINGFIELD, SECONDED BY COUNCILMEMBER HULLSIEK TO APPROVE THE CONSENT AGENDA AS MODIFIED. ALL AYES. MOTION PASSED.

48 **CITY BUSINESS - REGULAR AGENDA:**

- 49
- 50 **5. Roads Committee Report: Gene Ruehle and Mark Anderson** gave an update. Mark Anderson
- 51 stated the road repairs have been pushed back due to the weather. Most the work has been
- 52 done. The crack and sealing will begin next week (June 17). He stated that they did an
- 53 inspection with T.A. Schifsky and found 20 more spots that need repairing. Notes were made
- 54 as to where the needed repairs are located.

55

56 There was some discussion regarding the drainage problem on one of the streets.

57

58 **Mark** announced there was a bulletin board in City Hall for people to post any concerns or

59 complaints or they could contact him by email.

60

61 **Mark** asked for verification of the approval of the crosswalks and the signs. He stated there are

62 some crosswalk signs in storage and that he was going to inventory them to see if any additional

63 signs are needed and or posts. The posts will be put in first and the signs will be added after the

64 chip/seal has been completed and the roads have been completed sometime towards the end

65 of July.

66

67 Councilmember Lafoy mentioned that there has been a rule in Birchwood there is a set number

68 of signs in the city. When new signs are put in, other signs should be taken down. Mayor

69 Wingfield agreed. Mark Anderson said they are going to try to do a single post with double-

70 sided signs to cut down on the number of signs. If that doesn't comply, then a single sign could

71 be done. The painting includes the crosswalks. The signs are \$40 each. Mayor Wingfield asked

72 Mark to coordinate sign purchases with Ken Johnson.

73

74 **Mayor Wingfield** explained that the original plan was to put a crosswalk in where the tennis

75 court path comes out to Cedar to the east of Oakridge. Another one would be where the Grotto

76 path comes out just across from White Pine. The last would be where Jay meets Wildwood at

77 Hall. There would be a total of three new crosswalks in town. The council could discuss

78 crosswalk pylons in the future.

79

80 **Councilmember LaFoy** raised a question regarding repairs to County Road 120. Mark said he

81 had asked Tom Wood about this. Tom Wood said they have nothing planned for this year;

82 possibly in 2014.

83

84 **Mark** then responded to some questions he has been asked regarding chip sealing over the

85 brand new asphalt. He stated that Tom Wood said that would protect it. Mark said the road

86 repair should all be completed by August. Any roads that were not repaired this year would be

87 attended to next year in addition to any minor repairs and crack sealing.

88

89 **Councilmember Donovan** then brought up the issue of Grotto Street having washout problems.

90 Mayor Wingfield stated there was a request that some Class 5 fill be brought in and filled in.

91 She stated that Schifsky is already planning to bring in some Class 5 fill. She asked if it would be

92 possible for them to put some on Grotto Street at the same time. Mark Anderson said he would

93 look into it.

94

95

96 **6. Acceptance of Treasurers Report and Approval of Disbursements (Originally Item #2)**

97
98 **Mayor Wingfield** stated she had one bill for \$230.42 from Thatcher to add on to the current list
99 of bills. They will be asked to submit their bills at the end of the month in the future.

100
101 **MOTION WAS MADE BY COUNCILMEMBER LAFOY, SECONDED BY COUNCILMEMBER**
102 **DONOVAN TO APPROVE PAYMENT OF THE BILLS. ALL AYES. MOTION PASSED.**

103
104 **7. MS4 Permit Birchwood Village Public Hearing June 11,2013**

105 (Permit completed by Mayor per 5/14/2013 council action)

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107 **MOTION WAS MADE BY COUNCILMEMBER DONOVAN, SECONDED BY COUNCILMEMBER**
108 **HULLSIEK TO OPEN THE PUBLIC HEARING AT 7:26 PM. ALL AYES. MOTION PASSED.**

109
110 *Open Public Hearing*

111
112 There were no comments or questions for the public hearing.

113
114 *Close Public Hearing*

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116 **MOTION WAS MADE BY COUNCILMEMBER HULLSIEK, SECONDED BY COUNCILMEMBER LAFOY**
117 **TO CLOSE THE PUBLIC HEARING. ALL AYES. MOTION PASSED.**

118
119 **Mayor Wingfield** stated that every year, a \$400 permit fee must be paid. This is required by
120 statute that tells the State that Birchwood is operating in a manner that is respectful of the
121 runoff and the water issues that are created in an urban environment. Last year the catch
122 basins were not cleaned out and they were not monitored. They were done this year in April
123 and cleaned out again in June. The Permit has been sent to the State.

124
125 **Councilmember LaFoy** brought up the issue of the grill which will be monitored.

126
127 **8. Council Action: Ordinance 2013-06-01 Code Section 202.100 Illicit Discharge & Elimination.**
128 **Repeal & Adopt new language**

129
130 **Resolution 2013 -12 - Summary Publication of Ordinance 202.100**

131
132 **Mayor Wingfield** stated that the State informed her that Birchwood is incomplete regarding the
133 code that addresses Illicit Discharge. This matter was drafted. The city is now in compliance if
134 the council adopts it. The wording has been approved and put on tonight's agenda. She stated
135 that Kevin Sandstrom, City Attorney, has done a summary for the council. She then asked for a
136 motion to adopt Section 202.100.

137
138 **MOTION WAS MADE BY COUNCILMEMBER DONOVAN, SECONDED BY COUNCILMEMBER**
139 **HULLSIEK TO ADOPT SECTION 202.100. NO COMMENTS. ALL AYES. MOTION PASSED.**

142 **Mayor Wingfield** confirmed WITH Councilmember LaFoy the ordinance needed to be published.
143 LaFoy noted the City Attorney provided documentation for the Summary Publication of Section
144 202.100.

145
146 **MOTION WAS MADE BY COUNCILMEMBER HULLSIEK, SECONDED BY COUNCILMEMBER**
147 **WOOLSTENCROFT TO PUT THE SUMMARY PUBLICATION OF SECTION 202.100 IN THE LEGAL**
148 **NEWSPAPER. NO FURTHER DISUSSION. ALL AYES. MOTION PASSED.**

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150 **9. Planning Commission Items:**

151
152 **Variance/Conditional Use Permit Request:**
153 **O'Loughlin (CUP & 7 Variances) - Resolution 2013-13**
154 **(Planning Comm. Presenter: John Lund)**
155 **(6/7/2013 REQUEST OF PROPERTY OWNER TO EXTEND UNTIL JULY 11, 2013 MEETING)**

156
157 **Councilmember Lafoy** stated that, as he understands the law, it doesn't matter if the owner
158 requested it be tabled or not, the 60 days is still counting so feels the request should be denied.
159 The request can always be brought back to the Planning Commission.

160
161 **Interim City Clerk Cindie Reiter** stated that the City Attorney said that the extension can be
162 granted at the request of the applicant.

163
164 Discussion was held regarding suspending or extending the decision on the request for variance.

165
166 **MOTION WAS MADE BY MAYOR WINGFIELD TO TABLE THE REQUEST OF THE PROPERTY**
167 **OWNER'S VARIANCE TO ACT WHEN THEY COME FORWARD WITH A REQUEST TO PROCEED**
168 **WHICH WILL BE JULY 9TH UNLESS THEY TELL THE COUNCIL OTHERWISE. COUNCILMEMBER**
169 **WOOLSTENCROFT SECONDED THE MOTION.**

170
171 **Councilmember Lafoy** recommended that, for reference purposes, the date the original
172 application was made be made a part of the Planning Commission minutes.

173
174 **THERE WAS NO FURTHER DISUSSION. ALL AYES. MOTION PASSED.**

175
176 **Definition "Structure" DRAFT presented for review (LaFoy)**
177 **Council direction to Planning Commission to hold Public Hearing July & Clerk to publish PHN**

178
179 **Councilmember LaFoy** stated that there were two sections in the code that needed to be
180 amended: What a Structure is and the Setback Requirements. The exhibits he presented have
181 been reviewed and vetted by the City Attorney. The procedure now is for the City Council to
182 send it back to the Planning Commission. The Planning Commission will hold a hearing, and
183 then the City Council can vote on it at the July City Council meeting.

184
185 **Mayor Wingfield** stated she didn't think it needed to be sent back to the Planning Commission
186 for an ordinance adoption.

187

188 **Councilmember LaFoy** stated that the way it was explained to him by the City Attorney was that
189 the Planning Commission has to hold a public hearing and then the City Council votes on it
190 following the Planning Commission's recommendations.

191
192 **Mayor Wingfield** asked Councilmember LaFoy if there was a review of how the State Building
193 Code addresses this issue.

194
195 **Councilmember LaFoy** responded that there was not.

196
197 **Mayor Wingfield** stated she would like to see what the State Building Code does.

198
199 **Councilmember LaFoy** said the City Council could ask the City Planning Commission to examine
200 that. He further stated that there is some suggested language that should be given to them and
201 then they could modify it and pass it back.

202
203 There was some additional discussion.

204
205 **MOTION WAS MADE BY COUNCILMEMBER LAFOY TO REFER THE AMENDMENT AND REVISING**
206 **OF THE STRUCTURE AND SETBACK REQUIREMENTS TO THE CITY PLANNING COMMISSION FOR**
207 **A PUBLIC HEARING AND FOLLOW UP. COUNCILMEMBER DONOVAN SECONDED THE MOTION.**

208
209 There was some additional discussion regarding adding the attachments when sending it to the
210 City Planning Commission.

211
212 **ALL AYES. MOTION PASSED.**

213
214 **10. Lift Storage Update - 423 Wildwood Ave. (Wingfield)**

215
216 **Interim City Clerk Cindie Reiter** stated she had the address as 419 and that an email was sent to
217 council last week that the lift has been removed.

218
219 **11. Review of inventory & tools on hand - (Wingfield)**

220
221 **Mayor Wingfield** stated she has talked with Manship regarding what the city wants to have on
222 hand with regard to the inventory for the water system repairs and about the tools. She
223 brought up the issue of the metal detector that was purchased a year ago that is no longer in
224 the city's possession.

225
226 **Interim City Clerk Cindie Reiter** stated she was told that John Manship had gotten the locator
227 equipment from Ken Johnson.

228
229 **Mayor Wingfield** stated that John Manship does have the locator. She said she has spoken with
230 John and he said he would have a report on what he would like to see purchased and kept in the
231 city's inventory. She stated some concern about the city monitoring their tool and equipment
232 inventory.

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Councilmember Donovan stated he has talked with Staffer Mary Sue. She is going to take pictures of each item and put it in a binder so the city will have a descriptive folder containing everything.

Councilmember LaFoy brought up the point that he thought the city should have a sign-out and sign-in sheet to make the people who take the equipment or tools responsible for returning them.

Councilmember Donovan then made the statement that he thought Ken Johnson and John Manship should be the only two people authorized to take out any equipment or tools.

12. Review of Locates - When required (Wingfield)

Mayor Wingfield suggested that in order to save the city money for placing unnecessary locators, John Manship be notified that the city does not expect locators to be placed for cable installations and signs. For other items, he should use his best judgment.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO TURN OVER THE DECISION REGARDING FUTURE PLACEMENT OF LOCATES TO JOHN MANSHIP AND HE IS TO USE HIS BEST JUDGMENT AS TO WHICH ONES NEED TO BE MARKED.

There was some additional discussion regarding the depth of placement i.e. cables, etc. and boundaries issues.

Councilmember Greg Donovan asked to have the procedure explained. For example: if someone wanted to do some excavating in their yard or wanted something located. He asked, "Who do they call? Do they call City Hall and Interim Clerk Cindie Reiter would refer them to John Manship?"

Mayor Wingfield stated she was under the impression the call had to go to Gopher One and then Gopher One spreads out to various companies i.e. gas, cable, etc. like a 911 for utilities.

Councilmember Donovan then asked after they call Gopher One, how does John Manship come in?

Mayor Wingfield explained that Gopher One then distributes or dispatches a memo to John Manship. John is on the contact list.

Interim City Clerk Cindie Reiter explained that Gopher One emails the ticket to the city and she then emails the tickets to John Manship. It wasn't that way when the city had Saint Paul Water. Gopher One emailed direct to Saint Paul Water.

Mayor Wingfield then asked if it is alright if John Manship works it out so that he gets the ticket direct from Gopher One.

280 **Interim City Clerk Cindie Reiter** stated that she didn't know if that's allowed because Saint Paul
281 Water made it sound like it had to go to the municipality. Maybe John can work with Gopher
282 One but right now, it comes to the city, the city forwards it to John Manship.
283

284 **Mayor Wingfield** stated that John Manship needs to clarify with Gopher One that the City of
285 Birchwood Village is in Washington County and not in Ramsey County.
286

287 **Councilmember Donovan** then brought up the time issue. Example: if Gopher One sends an
288 email to Cindie on Wednesday and she is not in the office until Thursday or Friday, what
289 happens?
290

291 **Interim City Clerk Cindie Reiter** stated that this can be an issue especially if it's an emergency
292 locate situation. She further stated she thinks the locate is only good for 48 hours.
293

294 **Councilmember Donovan** then asked if it would be possible to request that Gopher One send
295 two emails; one to Cindie and one to John Manship?
296

297 **Interim City Clerk Cindie Reiter** stated that as she recalls, John had to somehow work through
298 Saint Paul Water to get Gopher One signed up to send it to the city. She doesn't know if they
299 were able to send it to John. She stated that if John can work it out, that would be best. She
300 said she would talk with John to get this worked out with John so nobody has to wait.
301

302 **Mayor Wingfield** restated that the city is essentially giving John Manship the authority to act on
303 behalf of the city and what needs to be done.
304

305 There was no further discussion.
306

307 **ALL AYES. MOTION PASSED.**
308

309 **13. City Website Update (LaFoy)** 310

311 **Councilmember LaFoy** then brought up an exhibit on the TV screen in the room showing the
312 current web site Home page. He stated the current Home page is cluttered and contains too
313 much extraneous information. He then brought up the image of the proposed web site Home
314 page and explained the proposed changes which should make the web site easier to navigate.
315 He explained that the site is being done by Avenet free of charge. He asked for questions,
316 suggestions and discussion.
317

318 **Mayor Wingfield** asked if the main format will stay the same with changes within or will the
319 entire site change periodically?
320

321 **Councilmember LaFoy** stated the pieces would change within. His analysis showed that most
322 people who went to the site only looked at the Home page and not much else. Only 5% of the
323 people who visited the site went to any of the other links currently located on the left side of
324 the Home page. He stated he is in communication with the developer and once it is done, he
325 and Cindie can let people know there is an updated web site for the city. Soon, people will be
326 able to watch the council meeting videos on line. Once this part of the site is completed, the

327 links will be placed on the home page of the web site. There will be a link on the Home page to
328 the page where there would be links to the video.

329
330 **Councilmember Donovan** stated the video links are currently going through Beta testing. The
331 current completion time frame is estimated to be the end of July or August, 2013. He went on
332 to say that there are some upgrades coming to the city's software to enable enhancements to
333 the web site.

334
335 The video links page will ultimately become an historical document page. Eventually you will be
336 able to click on the Agenda and go right to an item of your particular interest.

337 338 **14. Administrative Fines vs. Tickets (LaFoy)**

339
340 **Councilmember LaFoy** reported that he has some investigation and that the City could follow
341 the same procedure as White Bear Lake. He then made the statement that he didn't see the
342 point. When he asked the White Bear Lake City Police, how many tickets were issued in
343 Birchwood, they did not know. He said he would like to wait and see how many tickets are
344 being issued in Birchwood and suggested this issue be tabled and considered again in six
345 months.

346
347 **Mayor Wingfield** agreed. She didn't think this was a problem at the present time.

348
349 **Councilmember LaFoy** stated that when he looked at the bills from the prosecutor, he noticed
350 they only had a few cases in the last few years. He then asked Interim City Clerk Cindie Reiter to
351 make note to have this issue brought up again in six months because by then, the city should
352 have a better idea of how many tickets are being issued in Birchwood. It may not even be worth
353 it to follow up on this.

354 355 **15. Law Enforcement – Incident Report on Street Sign Graffiti Damage** 356 **KEJ Estimate of replacement signs (Wingfield)**

357
358 **Mayor Wingfield** turned this item over to Interim City Clerk Cindie Reiter.

359
360 **Interim City Clerk Cindie Reiter** stated that there was some graffiti on some of the signs in town.
361 KEJ was able to remove some of it but there were some painted graffiti he was unable to
362 remove. KEJ is proposing to replace the signs where the graffiti paint was not removable. The
363 lowest vendor price he obtained was approximately \$30 each. KEJ would need to purchase two
364 Regulatory Speed Limit signs and one No Parking sign which is a total of three signs that need to
365 be replaced. KEJ said that the signage is up to current code regarding retro reflectivity. She
366 then mentioned the comment that Roads & Streets Committee member Mark Anderson had
367 made that the signs downstairs may not be up to the current retro reflectivity code. This is
368 important especially since they are used on pedestrian crossings. The engineer can tell the city
369 which signs need to be brought up to code. Cindie then asked if the council wanted to make a
370 motion to authorize KEJ to purchase the three signs that need to be replaced.

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372 **Mayor Wingfield** asked Councilmember Donovan if all options to remove the graffiti as opposed
373 to purchasing new signs have been exhausted.

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Councilmember Donovan responded that he doesn't know if they did or not.

There was some discussion regarding the signs and that some of them would eventually have to be replaced anyway. The cost is only \$30 each. It was also suggested that perhaps the signs that are reflective and up to current code that are painted with graffiti that couldn't be removed could be kept in case a remedy could be found in the future to remove the paint.

A MOTION WAS MADE BY COUNCILMEMBER LAFOY TO AUTHORIZE KEN JOHNSON TO GO AHEAD AND PURCHASE SOME NEW SIGNS TO REPLACE THE SIGNS THAT HAVE GRAFFITI THAT COULD NOT BE REMOVED. NO SECOND TO THE MOTION.

Mayor Wingfield stated she would like to add to the motion to authorize Ken Johnson to purchase an extra Yield sign for the block on Birchwood Avenue. There used to be one there which is now a Stop Sign.

Interim City Clerk Cindie Reiter commented that she thought the council would have to take action to make that change.

Mayor Wingfield stated she didn't think the council was required to act when the sign was changed from a Yield sign to a Stop sign.

Interim City Clerk Cindie Reiter said as far as she knew regarding other cities the issue was brought before the City Council as well as a Public Hearing.

There was further discussion.

Mayor Wingfield then brought up the issue regarding a No Parking sign that needs to be by the tennis courts. For about a year at the top of the tennis court path at Cedar, there was a small plastic sign on the grass stating No Parking. The person who gives tennis lessons has been parking there. This is an extremely hazardous area for parking on the street. In addition, it has been zoned for No Parking. There should be an official No Parking sign placed there. She requested this be put on Ken's Work Order.

Interim City Clerk Cindie Reiter asked for clarification on exactly where the Yield sign is supposed to go.

Councilmember LaFoy responded it was to be placed on the corner of Birchwood Avenue and Jay Street. He then restated his motion.

NEW MOTION WAS MADE BY COUNCILMEMBER LAFOY TO AUTHORIZE KEN JOHNSON TO PURCHASE REFLECTIVE CURRENT CODE REPLACEMENT "STOP" SIGNS TO REPLACE THE "STOP" SIGNS THAT HAVE GRAFFITI ON THEM THAT COULD NOT BE REMOVED AND A "YIELD" SIGN. KEN JOHNSON WOULD ALSO BE AUTHORIZED TO INSTALL A "NO PARKING" SIGN (ALREADY IN STOCK) ON HALL AVENUE BY THE TENNIS COURT.

AS PART OF THE MOTION, STAFF WOULD INVESTIGATE TO FIND OUT IF CITY COUNCIL ACTION IS REQUIRED TO REPLACE THE "STOP" SIGN WITH A "YIELD" SIGN ON BIRCHWOOD AVENUE AND JAY STREET.

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COUNCILMEMBER DONOVON SECONDED THE MOTION. ALL AYES. MOTION PASSED.

16. July Meeting Items

Manship – Hydrant Report from City Certified Water Operator

Mayor Wingfield stated John Manship will be presenting his report on the hydrants to the City Council at the July meeting. The report will indicate what needs to be repaired, what needs to be replaced and what needs to merely be flushed out.

Amended Structure Ordinance code section 300.010(51) and 302.020(4)

Mayor Wingfield stated this has already been dealt but it will be on the July meeting agenda for final approval.

17. Engineering Maps

Mayor Wingfield stated she has talked with John Manship about maps. John said that at one time, back in the 1960's, there were maps indicating the locations of the sewer and water connections by city block. When he recently asked for copies of these maps, they no longer exist. He already has the broad map that roughly indicates where the connections are but he wants the maps by city blocks. Those detailed maps are essential and expensive to replace. Mayor Wingfield then asked if anyone has any information about the missing maps.

Interim City Clerk Cindie Reiter stated John Manship is specifically looking for two by three laminated maps that can't be found. The maps were important to John because he had a lot of handwritten notes on them.

Mayor Wingfield asked if it would be possible to get digital copies of the maps and print them for John Manship.

Councilmember Hullsiek responded that it is possible to request digital maps from GIS and make printed copies.

Discussion ensued regarding the box of items received from Elfering & Associates (not sure of this name).

Interim City Clerk Cindie Reiter stated she called them and asked about laminated maps. The response was that they never had any laminated maps in their possession.

Councilmember Hullsiek and Mayor Wingfield stated that some time should be set aside to go through the items to see what is actually there.

18. Charitable Donations to the City of Birchwood

Mayor Wingfield stated the clerk provided a sample letter from the IRS regarding charitable funds. There was a Resolution form on the back of the letter that says the city is authorizing

471 accepting donations. She asked Interim City Clerk Cindie Reiter if the city is in a position to
472 begin accepting donations.

473
474 **Interim City Clerk Cindie Reiter** stated that she didn't think so. Last year, the City Attorney
475 advised that the city couldn't fund raise. John Lund has provided some information that
476 donations are tax deductible when given to the city for a recreational purpose (as an example.)
477 She said she has done some research and she thinks the Resolution has to come first and that
478 the city would be the fiscal agent for these donations. As she understands it, there is a form
479 from the IRS that, once people donate, the city can give the person who gave the donation a
480 copy of the letter the city receives from the IRS saying the money they received from that
481 person for a specific purpose (as stated in the form), is a tax deductible donation.

482
483 **Mayor Wingfield** said she feels the city does fit the IRS definition of a charitable organization
484 based on their code and that the city is in a position to accept charitable donations. The city has
485 a special fund for donations. The donations would be used as a city expense. People who
486 donate to the city can report the donation on their income tax, if they choose to do so. If they
487 require documentation, the city could provide it.

488
489 **MAYOR WINGFIELD MADE A MOTION THAT THE CITY SET UP A SEPARATE FUND TO ACCEPT**
490 **DONATIONS FOR THE HOCKEY HUT. ANY DONATIONS RECEIVED FOR THAT PURPOSE WILL**
491 **SPECIFICALLY PUT IN THAT FUND AND ACKNOWLEDGED. COUNCILMEMBER HULLSIEK**
492 **SECONDED THE MOTION. ALL AYES. MOTION PASSED.**

493 494 19. Future Agendas

495
496 **Mayor Wingfield** asked Interim City Clerk Cindie Reiter when can she give the council members
497 a rough draft of the Agenda for the next scheduled City Council meeting prior to publishing it in
498 the packet on the Thursday before the meeting. She asked if a rough draft could be given to the
499 council members the Wednesday prior to the next meeting.

500
501 **Interim City Clerk Cindie Reiter** stated the turnaround time would depend upon the number of
502 items and changes on the agenda and when she receives those changes.

503
504 There was some discussion regarding this issue. It was agreed that, in accordance with the
505 procedure manual, the council members would have all their agenda requests to the City Clerk
506 by the Tuesday before the next scheduled City Council meeting. Cindie would put the Agenda
507 together and email it to Mayor Wingfield. Mayor Wingfield could then make any corrections or
508 changes and send it back to Cindie to generate the final Agenda for the packet to be sent to the
509 council members prior to the next scheduled City Council meeting.

510 511 20. Meeting Minutes Process

512
513 **Mayor Wingfield** stated she would like to postpone this to a later date.

514
515 **Councilmember LaFoy** stated he had two minor corrections to make.

516
517 There was discussion regarding the May minutes. It was suggested by Councilmember Donovan
518 that only the motions part of the minutes be made as a summary of the minutes with the

519 detailed minutes behind as clarification. The councilmembers agreed that going forward, the
520 motions would be made a separate part of the minutes as a summary in addition to being
521 included in the entire minutes.
522

523 **21. Citizen Complaints about deer**

524 **Mayor Wingfield** stated she has received some complaints regarding deer.
525

526
527 There was some discussion. It was decided to put some suggestions in the newsletter as to how
528 people can combat this problem.
529

530 **22. Bills**

531 **Mayor Wingfield** revisited the issue of bills because she found several that were not in the
532 check roster. She stated that she did not feel that bills that have not already been presented to
533 the City Council for approval should be paid.
534

535
536 It was agreed that checks that have been written and/or signed that have not yet been
537 approved by the City Council by kept in the safe until the next City Council meeting.
538

539 **ADJOURN:**

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541 **MOTION WAS MADE BY COUNCILMEMBER LAFOY TO ADJOURN THE MEETING, SECONDED BY**
542 **COUNCILMEMBER HULLSIEK. ALL AYES. MOTION PASSED.**
543

544 Approval by the City Council

545 Attested to by:

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549

Cindie J Reiter, Interim City Clerk

CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
July 9, 2013

MINUTES

MEMBERS PRESENT: Mayor Mary Wingfield, Councilmembers Randy LaFoy, Greg Donovan, Bill Hullsiek, Kevin Woolstencroft

STAFF PRESENT: Interim City Clerk & City Treasurer, Cindie Reiter - Roads & Streets Committee
Members - Mark Anderson and Gene Ruehle, Planning Commission - John Lund

OTHERS PRESENT: Charles Moore, James and Margie Nelson, Jozef Hegedus, Terry O'Loughlin, Dave Reynolds, Bob Pavek, Sue Pavek, Paul Steinhauer, Terre Heiser – City of Roseville

Mayor Wingfield called the regular meeting to order @ 7:00 p.m. The Pledge of Allegiance was recited.

AGENDA APPROVAL: Mayor Wingfield asked if there were any additions or corrections to the agenda. She said she had a couple of additions to add to the end and one change:

- #18 - Potential new ordinances.
- #19 - Setting a Budget Workshop
- Change #7 - Tree damage in Nordling Park - removal required (J. Lund) to #20 - More Parks rather than just talk about the tree damages at Nordling Park.

MOTION MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE THE AGENDA AS MODIFIED. ALL AYES. MOTION PASSED.

CITY BUSINESS - CONSENT AGENDA: Mayor Wingfield stated should would like to pull Item C., "Approve Mayor & Clerk to sign amended Yard Works Mowing Contract", and move that to Parks. She then asked if anyone else has anything else to pull or change. There being none, she than asked for a motion to approve the Consent Agenda.

MOTION MADE BY COUNCILMEMBER LAFOY AND SECONDED BY MAYOR WINGFIELD TO APPROVE THE CONSENT AGENDA AS MODIFIED. ALL AYES. MOTION PASSED.

OPEN PUBLIC FORUM:

Jozeph Hegedus, 294, Jay Street, Birchwood: Mr. Hegedus asked the council to reconsider and possibly cancel the citation issued for an illegally parked vehicle, a 2001 Ford, that had been parked on Owl Street. The car belongs to his 88-year-old mother-in-law. He explained that while driving the car in an attempt to recharge the battery, the car died at the bottom of Wildwood and Owl Street . He had to leave it there. It took a few days to get the car fixed. In the meantime, the car was issued two citations; one for being parked illegally on the street and the other regarding the tag sticker. By this time the car was there close to a week. He said that had he known it would take that long to get it fixed, he would have had it towed away in the beginning.

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Councilmember Woolstencroft stated he had told Mr. Hegudus to call the White Bear Police but Mr. Hegudus called the phone number on the citation which is the citation office, not the police. Mr. Hegudus had left a message with the wrong department.

Councilmember LaFoy commented that the car was there three days before it got a ticket. He stated that he felt that it is irresponsible for someone to leave a car on the street in Birchwood for a week.

There was some additional discussion.

Mayor Wingfield suggested Mr. Hegedus go to Washington County and talk to them and explain the circumstances.

Councilmember Greg Donovan stated he didn't think there was anything the city could do about this at this time and the council agreed.

Margie Kronschnabel-Nelson, 256 Wildwood Avenue. (husband is James Nelson) She stated she would like to introduce a new interest in back yard chickens in Birchwood Village.

Mayor Wingfield stated this was already on the agenda for discussion later. It was decided to move the discussion on this issue to just before "Acceptance of Treasurer's Report".

There was no one else there for the Open Forum portion.

CITY BUSINESS - REGULAR AGENDA:

2. Planning Committee Items:

a. Variance/CUP Requests: O'Loughlin (CUP & 7 Variances) - Resolution 2013-13 (Extension by request of property owner to July 11, 2013)

John Lund proceeded to discuss the Resolution and Conditional Use Permit (CUP) and seven variances for 27 Birchwood Lane in the City of Birchwood Village. He stated that Proposal 13-2 SB has been submitted by Terrance and Mary Kay O'Loughlin who have requested a Conditional Use Permit and seven variances for the City of Birchwood zoning code. He explained that they need a Conditional Use Permit for the land disturbance activity where the slope of the land towards the lake and alternations is closer to the lake and structure setback requirements per Code Section 301-07.1.a. The seven variances are as follows:

1. A 50 foot variance from the 50 foot setback requirement for two retaining walls per 302.020.4.c to relocate a retaining wall at the ordinary high water level and second wall approximately 12 feet back from that and then a 20 foot variance grade within 20 feet of the ordinary high water mark per 302.55.2.a.4.
2. A 20-foot variance to grade within 20 feet of the Ordinary High Water Level, per 302.055.2.a.4;

- 96 3. A 6 foot variance from the 10 foot side yard setback in order to construct the new top flight
97 of stairs in the existing location 4 feet from the north property line.
98
- 99 4. A 2 foot 8 inch variance from the 4 foot height limit per 302.080.2.a in order to construct
100 one retaining wall at 6 feet 8 inches tall with only 5 feet 8 inches exposed and the secondary
101 retaining wall at 4 feet in height.
102
- 103 5. A 4 inch variance from 44 inch maximum width for a stairway per 302.080.2.a in order to
104 construct a stairway that is 48 inches wide.
105
- 106 6. A 70 foot square variance from 32 square feet of maximum size for a landing point or per
107 302.080.2.c in order to construct a landing that is no more than 102 square feet in size and 4
108 feet wide.
109
- 110 7. A 4.4% variance from 25% of the previous limit to allow 34.6% lot coverage - the site being
111 grandfathered in at 30.2% (per 302.050);
112

113 Whereas, the Planning Commission has held a public hearing required by the city zoning code on
114 June 4, 2013 and whereas the proposed wall will stabilize the soil while attempting to maintain
115 the natural slope of the land as such as safely as possible.
116

117 Using illustration slides on the overhead, he explained what this proposal and each variance
118 represents. During his presentation, there were questions and some discussion among council
119 members.
120

121 **Mayor Wingfield** asked John if anyone had appeared at the Planning Commission meeting held
122 on June 4, 2013 to object or have any issues? John said, "No."
123

124 **Mayor Wingfield** then asked John if everyone on the Planning Commission was in support of it
125 and John said, "Yes".
126

127 **Mayor Wingfield** asked if this goes with the recommendation of the White Bear Planner as well
128 and John said it did.
129

130 **Mayor Wingfield** stated she thought this was the third plan they've come up with in order to
131 meet all these conditions. She then asked if anyone had any additional questions. There were
132 no questions. She then asked for a motion to approve.
133

134 **MOTION WAS MADE BY COUNCILMEMBER HULLSIEK AND SECONDED BY COUNCILMEMBER**
135 **LAFOY TO APPROVE THE REQUEST FOR A CONDITIONAL USE PERMIT AND SEVEN VARIANCES**
136 **AS REQUESTED BY TERRENCE AND MARY KAY O'LOUGHLIN. ALL AYES. MOTION PASSED.**
137

138 **b. Amended Structure Ordinance code section 300.010(51) and 302.020(4). Planning**
139 **Committee's recommendation to City Council (PC draft minutes included) for approval of**
140 **Ordinance #2013-07-01.**
141

142 **Councilmember LaFoy made a motion to postpone Item #2 (item b) on the agenda regarding**
143 **the Structure Ordinance to next month and post a public hearing notice which has not yet**
144 **been done.**

145
146 **Mayor Wingfield** agreed that this issue did go before the Planning Commission but it was not
147 posted for a public hearing held by City Council and said she thought this was state law.
148

149 **No Second** to the motion with Mayor Wingfield stating it should be handled informally by re-
150 publishing the notice for the August meeting. All council members were in agreement. The
151 issue of the Amended Structure Ordinance will be postponed to the August, 2013 meeting with
152 a public hearing notice posted beforehand.
153

154 **2. Review removal of Cottonwood Trees on Highwood Easement (620 Birchwood Avenue) - per**
155 **request of neighboring property owner.**

156
157 **Robert Pavek, 612 Hall Avenue, Birchwood** stated he and his wife have some concerns allowing
158 people in the community to request trees that are on public property be cut down because of
159 personal needs. This sets a precedent for others in the future to request trees to be taken
160 down. It has been suggested to replace a 60 foot to 80 foot tree with a similarly planted small
161 tree. Unfortunately, the replacement tree will not be tall enough for anyone to be able to enjoy
162 for many, many years. He mentioned there are some Box Elder trees that are also a nuisance
163 but he does not feel all the Box Elder trees on public property should be cut down. Mr. Pavek
164 requested the city council rethink permission to cut down huge trees on public property.
165

166 **Mayor Wingfield** explained how this request came about from the resident. The council had
167 previously agreed until Mr. Pavek came forward with his objection. Due to Mr. Pavek's
168 objections, the council has agreed to revisit this issue. Paul Steinhauser was then asked to speak
169 on this issue.
170

171 **Paul Steinhauser of 600 Birchwood** stated he does not take removing trees lightly. He agreed
172 that the city does not want other people being able to impact public property by having trees
173 cut down. He felt the city could come up with a reasonable compromise. There are four
174 Cottonwood trees involved. He said there were three reasons he was behind this removal:
175

- 176 1. One of them is encroaching and breaking up the driveway.
- 177
- 178 2. All four of them are a future danger to the houses below them. There is a lot of that in
179 Birchwood that will be coming up in future decades.
- 180
- 181 3. He has a son with severe asthma. The trees cause problems for his son's asthma.
- 182

183 He stated he has talked with the people who have two of the four Cottonwood trees in question
184 located near their property. They wanted the city council to know that they would at least like
185 the two behind them removed. He stated he has a list produced by the Forest Ecology and Tree
186 Physiology at the Institute of Environment at the University of Minnesota that lists trees to
187 replant that are not susceptible to any of the diseases that are now killing the oaks and can
188 handle warmer climate if and when that occurs. He suggested that one of the four Cottonwood
189 trees in question (the one that has actually turned into two) that is perfectly centered in the

191 Easement near the Pavek's property be left where it is. He suggested the other three, including
192 the one that is breaking up the driveway and the other two, should be removed. He would then
193 come back to the council with the list of suggested trees to replace the ones that are removed.
194

195 The question came up in **discussion** as to whether or not there were any overhead lights or
196 wires in any of these trees.
197

198 **Paul** responded that there were not. He further stated he thought that the easement was an
199 abandoned easement from Birchwood Avenue.
200

201 **Mayor Wingfield** offered that the council members should go to the site and look at the trees
202 before making any decisions. All agreed. She then asked Mr. Steinhauser to mark the trees in
203 question on a map and bring some pictures the next time this issue comes up in the city council
204 meeting which will be scheduled for the August meeting.
205

206 **Mr. Pavek** said he was satisfied with the decision.
207

208 3. Roads Committee - Status Report 209

210 **Mark Anderson, 506 Wildwood - Roads committee** proceeded to give the Roads Committee
211 report. He stated the chip sealing will begin next week (Monday, July 15). The chip sealing is
212 scheduled for the 16th through the 18th depending upon the weather. The road crew from
213 Schifsky should be finished up by Thursday (July 11) of this week. After consulting with the
214 contractors, it has been decided they will not be chip sealing the brand new section of Cedar
215 because there could be problems because of the fresh asphalt and the chip seal sticking
216 properly. The road is fine for four years without chip seal but with high maintenance and high
217 traffic roads, it's better to do it sooner to help preserve the surface.
218

219 **Mayor Wingfield** asked if it should be scheduled for next year (2014).
220

221 **Mark** agreed. He further stated that whatever chip sealing isn't done this year, will be
222 scheduled for next year. Once that's done, it should be good for another couple of years.
223

224 **Councilmember LaFoy** asked if there were plans to build gutters or build up something so the
225 water doesn't run off Owl Street.
226

227 **Mayor Wingfield** then commented on the good job the crew has done. The contractor shaved
228 all of the extra dirt etc. that had accumulated on Iris Street which helps stop ponding of water
229 on the surface of the roads which in turn can cause road deterioration.
230

231 **Mark** went on to say that Schifsky should be done this week with the final 20 or 30 repairs
232 around town and some curb to add etc. The weather has held up the process. He then asked
233 Councilmember LaFoy if the sides of the road have been eroding (Owl Street) and asked if there
234 had previously been a gutter or curb?
235

236 **Councilmember LaFoy** responded that there was a curb before right across the McGinnis's
237 driveway.
238

239 **Mark** went on explain some of the additional things in the list that are being done.

240
241 **1. Washouts that fill up the drainage** down on the corner of Cedar and Cedar/Hall just beyond
242 the 3-way stop going down to Hall Avenue. They are going to push that back the same way, add
243 in some Class 5, compact it and then maybe add some section of curb there to get the water
244 flowing in the right direction. They will also look at Hall as well.

245
246 **2. Crosswalks.** Green paint has been put down at Jay/ Wildwood and also at White
247 Pine/Wildwood and at Oakridge/Cedar. He invited the council members to look over the
248 crosswalk markings and let the Roads Committee know if they have any comments and/or
249 suggestions as to if they felt the markings are in a good location Originally, they were going to
250 put crosswalk markings at the tennis courts next to the tennis courts and come across there but
251 the problem is you can't see pedestrians coming up the hill so the markings were moved down
252 to Oakridge to make it safer which is approximately 140 feet farther down towards East County
253 Line to Oakridge from the tennis courts but with the width of the new asphalt there, they
254 should have almost a 4 foot shoulder to the edge of the asphalt along that side where the No
255 Parking signs are which provides a nice walkway down to the new crosswalk area.

256
257 **3. Painting No Parking on the road along the side by the tennis courts.** This is an alternative
258 to adding additional signs in the City of Birchwood.

259
260 **Councilmember LaFoy** said he thought the issue of No Parking Signs versus painting No Parking
261 on the road is something that should discussed because there are some places around
262 easements where there are no No Parking Signs at all especially in areas where parking is not
263 allowed.

264
265 **Mark** agreed that this has caused confusion for years.

266
267 **Mayor Wingfield** asked how long the time frame is for the striping after the chip seal is
268 completed.

269
270 **Mark** responded it was about two weeks after the chip sealing. There will be sweeping then
271 right after that the striping should be done. It should be completed by the end of the month of
272 July or the beginning of August.

273
274 **4. Stop Signs.** Some people would like Stop signs added on Hall, Cedar, maybe by White Pine
275 and maybe by Jay and Wildwood because of the excessive speed, etc.

276
277 **5. Cleaning out the storm sewer drains after heavy rains.** Mark asked if there is a process in
278 place for someone to drive around after heavy rains and clean the debris out of the storm
279 sewer drains.

280
281 **Mayor Wingfield** said that process was in the Yardworks Mowing Contract but she wasn't sure
282 this was actually being done on a regular basis. She said this probably should be checked into.

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284 **Councilmember Donovan** asked Mark if when he is driving around, does he have a line-of-sight
285 problem coming in and out of any of these intersections. Is there a problem with regard to
286 foliage.

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Mark said regarding the foliage, he had intended to bring up this issue once the other items have been taken care of. He doesn't know what the city has on the books at the present time regarding laws and recommendations. He went on to say he felt the contractors can take care of this.

Councilmember Donovan said he thought this is something that is already in the books. It can just be ordered done up to a certain amount. It's a safety issue that is important to be taken care of and is critical that action on this be taken.

Mayor Wingfield stated it was on the "to do list" for Ken Johnson and just needs to be done. She said she didn't feel that this was a road issue.

There was some additional discussion.

Mark said he would like some clarification on this issue before they did anything like mistakenly cutting down something that should not be cut down.

6. New drainage through the City Hall parking lot. This will be taken care of in the next few days.

Councilmember LaFoy requested that, at next month's meeting, Mark bring a map of the town with him showing where he thinks the yellow striping should be.

Mayor Wingfield said that since the August city council meeting isn't until August 13th, they should get together sometime between now and then to discuss and expedite the striping.

4. Review removal of Cottonwood at the Hockey Rink

John Lund reported that the Cottonwood by the new warming house that is being built at the hockey rink will begin growing up under the slab and cause problems so it will have to be removed. Taking the tree down will also help with parking. He stated that the Willow tree on the other end also needs to be taken down because the roots will begin to grow under the slab and hockey rink. There are also additional trees that need to be removed because they are growing in the culvert that grows under the walking path and encroaching on the walking path. Nothing has been done in that area for approximately four years. The removal of these trees needs to be budgeted for some time in the coming year.

Mayor Wingfield stated she would like to see this included as a 2014 project because there is more than one tree and a lot of brush. She asked if anyone had expressed objections to the cottonwood by the new warming house being removed.

John responded that he didn't think so.

Mayor Wingfield then asked if the cottonwood by the tennis court has to be removed.

John responded that it would soon be removed. He reported that Schifsky has donated 90 linear feet of walking path at the hockey rink.

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Mayor Wingfield asked if everyone should go on record that they are in support of removing the cottonwood tree by the new warming house.

Everyone was in support that John should go ahead and remove the tree.

John then reported that the fundraising for the construction at the hockey rink is going well. The concrete is almost all paid for by donations. However, they still need money for the building materials. He then reported that they demolished the building and started putting in the base. The rain and the high water table have delayed further progress on the construction. They will have to wait until the water table goes down to resume putting in the slab and then the building.

5. Add John Lund and Jeff Irsfeld as emergency tree removal contractors

Mayor Wingfield explained that designating John Lund as a contract employee to handle emergency tree removals is essential when trees unexpectedly come down and cause an emergency situation. There would not be a contract rate established because John would then have to provide his own insurance. However, in an emergency situation where John has to go out to set up blockades and do whatever else is necessary to remove the tree or trees, the city would pay John \$25 an hour. Jeff Irsfeld would also be included as a contractor at \$45 an hour in case John was not available.

Councilmember LaFoy then mentioned there is already a bid to take down an elm tree that is just about ready to come down as well as a huge limb over the entrance to the Birch easement right on Wildwood. He then asked how these things can be expedited as opposed to holding off for another month?

Mayor Wingfield felt this should be added to the next council meeting agenda for discussion and consideration.

There was additional discussion.

John offered to generate a list of trees in all the parks and on city properties that should be removed and get it on the upcoming budget, if he can get it done in time.

It was agreed to put this issue on next month's agenda.

6. Tree damage in Nordling Park - removal required.

Mayor Wingfield mentioned some of the trees that she herself has seen that have become dangerous and need to be removed.

John then described what he had done so far with some of the hazardous trees. He mentioned there a few more that definitely need to come down.

Mayor Wingfield asked John about the cost he had previously mentioned. Was it \$500 or \$600 to clean up all of it?

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John stated that the cost for removing what needs to be removed right now would probably be approximately \$200. He said he can also haul it all way.

Councilmember Donovan brought up the issue of a tree that had fallen in someone's yard that had actually been on city property. The man cut up the tree and limbs and put it all in his fire pit. Greg's concern is that if this amount of wood and brush were burned it could cause a fire hazard and since the tree was originally on city property, he felt the city should be responsible for removing it.

It was agreed that since the fallen tree was originally city property, the city should be responsible for removing the debris. There was some additional discuss regarding the Birch easement.

Mayor Wingfield stated she felt there should be a collection agent to discuss and resolve tree and brush removals as opposed to taking up council meeting time. A procedure could be established regarding how to deal with this type of issue and delegate it.

Councilmember Hullsiek suggested the list of trees to be removed and the list of suggested replacement trees for Birchwood Avenue that John will put together should be published as a community service on the city's web site. He felt the city should have a good removal and replacement strategy.

There was some additional discussion.

Mayor Wingfield then brought up the issue of the mowing contract. She mentioned the city has never entered into a contract with a 15 day payment requirement because the city policy is 35 days by law. Some of the procedures in the contract need to be changed. The start date has been listed as April 15th but the service didn't actually start until May 15th. The ball field was supposed to be dragged every month as well as the path and to date, neither has been done.

John Lund said he had just received a text today from Jeff Irsfeld (Yardworks) that said they had sprayed and dragged it. The rain washed it off. He will be back to redo it this week. John said he also told Jeff about the rain catch basin that needs to be cleaned out according to the contract. Jeff said he would monitor it every week or every other week when they mow to be sure it's cleaned out. John said he would follow up and be sure that what was supposed to be done is taken care of.

Mayor Wingfield quoted from the contract, "The walking paths and the ball diamond will be kept clear of weeds and dragged at least once monthly." The drains on the easements need to be checked. Her concern is that the city is not getting the full value of what the city is paying for. She noted that the price of the contract was increased to be sure everything that was supposed to be done was done. She said that rather than sign the contract right now, she would circle the changes i.e. 15 days to 35 days, add a paragraph Jeff Irsfeld being available for emergency work at \$45 an hour and the start date. She asked John to talk with Jeff and ask him to make the necessary changes so the city can sign off on it.

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Mayor Wingfield then brought up the issue of the snow blower that is in the garage and getting possession of the garage back for the city for the remainder of the summer.

Councilmember Donovan stated that he has left a message for the person who is currently renting the garage, but he had not yet heard back.

Mayor Wingfield this issue should be looked into because the city doesn't have enough storage space and needs this garage.

John then gave a report on the condition of the two snow-blowers the city currently owns.

7. I-NET UPDATE AND POLICY REVIEW

Terre Heiser, City of Roseville stated this is a follow up of a meeting that was held back in May. Basically there are two separate agreements; one is the MIS Services Agreement which basically provides for support for the city's internet connection and the second agreement is for the IP component. There are two agreements because not all cities participate in the IP component so the agreements are kept separate. There are also some agencies that only participate in the IP component.

Another document is the Equipment Sale and Transfer which is for used equipment and some new equipment. It is usable equipment but it would be deficient if we made any significant changes in the network. At that point, the equipment would have to be replaced with new equipment. All of the equipment on the current list should be functional for at least 24 months.

Terre also provided the cost allocation breakdown. There are currently 23 cities currently in the group. He explained how they do their cost allocation which is divided among the group users. The City of Birchwood Village's share comes to .1 percent the total cost of the network. When they do their annual audit in May of each year, if any computers are added or removed, they redo the math. There is no cost adjustment for computers added or removed during the year. The cost allocation was provided to the users group in June so they could accommodate this in their 2014 budgets.

Councilmember Woolstencroft asked about the cost of replacing the older equipment that may have to be replaced to upgrade the equipment in 24 months.

Terre responded that they use Cisco equipment. The city would need a new 8-port power read Ethernet switch to run your phones and the devices in the building. This would run approximately \$800 for a new one. That would take care of the upgrade.

Councilmember Woolstencroft asked whether the city wanted to pay for used equipment now, then two years from now have to spend \$800 on a new unit to replace the older unit.

Terre responded that he had used the pricing on eBay to get a reference point as to the cost. He assured the council that the equipment had been tested and maintained and was good equipment. He explained the cost analysis regarding purchasing used equipment now instead of new equipment. Purchasing used equipment now would cost the city approximately \$75 for

477 two years whereas purchasing new equipment right now would cost the city approximately
478 \$100 per year over the eight year life of the equipment.

479
480 **Mayor Wingfield** then asked if the \$1,400 Master Technology Quote was a one-time quote.

481
482 **Terre** said it is a one-time quote to extend the network cabling, provide a drop for the wireless
483 access point, the IP phones and the desks. At the present time, there is no central wiring
484 location. There are several computers that are cross-connected with cables that are running
485 through a wire molding. The plan would be to terminate all that cabling in the network room
486 and the network switch would reside in another room.

487
488 **Mayor Wingfield** stated it looked like there are \$2,200 in up front costs to be approved at this
489 meeting and then there is another \$4,000 annual cost. There are also savings that will be
490 handled by the City Council at a later time. She asked if that was an accurate overview.

491
492 **Terre** agreed. He then added that they had not yet had a chance to look at the PC's the city has.
493 Since support for Windows XP will expire as of April, 2014, all computer operating systems will
494 need to be upgraded. He suggested they consider the cost of upgrading the city's computers in
495 their 2014 budget. It was provided the current computers were two years old. He noted if the
496 operating systems are less than three years old, the city should consider paying the \$125
497 Windows 7/8 upgrade. If the operating systems are much older than that, replacing the
498 operating system should be considered. Terre referred to the Policy Requirements that were
499 provided to the city and stated that all users have to abide by that policy because the city
500 operates on a single security network.

501
502 **Councilmember Lafoy** asked if when they are upgrading the computers, are they thinking about
503 upgrading the software at the same time? For example, would all computers be upgraded to
504 Microsoft Office 2013.

505
506 **Terre** responded that they pretty much let every user use any software that can still be
507 supported. He gave the example that if a user is still using Microsoft Office 2003 and Microsoft
508 is still providing back support for it, then they can use it. Windows XP is different because of
509 the risk of threats.

510
511 **Mayor Wingfield** stated the council needed to approve the Joint Powers Agreement and the
512 Shared Services Agreement.

513
514 **Councilmember Hullsiak** asked about the availability percentage.

515
516 **Terre** responded their Work Tickets are typically handled within 72 hours. They run a Help Desk
517 system.

518
519 **Councilmember Donovan** then asked if the city decided to upgrade their software, is that
520 something this company can assist with.

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522 **Terre** explained they get all the cities enrolled in the best contracts like the State of Minnesota
523 Microsoft contract for Microsoft Office and other vendors. He explained they try to help all

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users with their software upgrading and technology budget planning. They work on a 5 and 10 year caliber replacement program.

Mayor Wingfield then asked what numbers the council needs for next year that are different than what is obvious on the current quotes. She stated the perhaps Terre could work with Greg Donovan and come up with a plan for next year's budget.

Terre stated that when they add for the telephone and MIS Services, that is basically all the way through December 31, 2014. That is why there is a 2014 allocation.

Mayor Wingfield asked if there were any additional questions then asked for a motion to approve the Joint Powers Agreement.

MOTION WAS MADE BY COUNCILMEMBER HULLSIEK, SECONDED BY COUNCILMEMBER DONOVAN TO APPROVE THE JOINT POWERS AGREEMENT. THERE WAS NO FURTHER DISCUSSION. ALL AYES. MOTION PASSED.

Mayor Wingfield then asked for a motion to approve the Shared Services Agreement.

MOTION WAS MADE BY COUNCILMEMBER DONOVAN, SECONDED BY COUNCILMEMBER HULLSIEK TO APPROVE THE SHARED SERVICES AGREEMENT. THERE WAS NO FURTHER DISCUSSION. ALL AYES. MOTION PASSED.

Mayor Wingfield then asked about the Policy Statement. She asked if the council would essentially be adopting the policies as written and is there anything more formal than that required?

Terre said what he provided the council was template form of the Policies. If the city adopts the policies, he suggested incorporating them into the city's employee handbook. He stated nothing more needed to be done this evening. The city might want to consider formalizing it and formatting it into the city's current policies.

Councilmember Donovan stated the council could hold off on that.

Terre then asked that the city council sign two copies so he can submit it to his city council. Once they have counter-signed the copies, one original of each of the agreements will be returned to the City of Birchwood; the MIS Agreements consisting of the Joint Powers Agreement and the Shared Services Agreement. The Equipment Transfer is a record of the equipment and serial numbers owned by the city.

Mayor Wingfield asked when the policy procedures should be done.

Terre responded, the first of the year.

Councilmember LaFoy asked about the public access wireless the city currently has. He asked if the policy statement provided applies to this.

571 **Terre** responded it only applies to employees. He went on to explain that part of the policy
572 statement.
573

574 **8. Tree damage in Nordling Park - removal required**
575

576 **Mayor Wingfield** then asked Charlie Moore to come up and speak.
577

578 **Charles Moore, 421 Birchwood Courts** said he was there because Nordling Park was on the
579 agenda. He wanted to talk on that when that item. He brought some overhead slides with him
580 as illustration. He discussed his concerns about the accumulated debris, piles of brush and
581 downed trees from current and past storms in the area of the path. There are five property
582 owners on Birchwood Court. Some of these property owners have been trying to clean the park
583 up themselves. They are concerned about all of this debris becoming a fire hazard and would
584 like it removed. He also said there is still a lot of work to be done back.
585

586 **Mayor Wingfield** stated she would let John Lund know about this along with the other things
587 on the list that he needs to take care of.
588

589 There was some discussion about people using a part of the park to pile cut brush, dead trees
590 and tree limbs.
591

592 **9. Councilmember Randy Lafoy's Report**
593

- 594 ▶ **Farm Animals 605.11** - Randy mentioned redoing some of the ordinances regarding
595 nuisance driveways and houses. He then said he thought they could have chickens as long
596 as the neighbors approved and other restrictions and safeguards were in place. He then
597 asked Margie Kronschnabel to speak and give the council her ideas about this.
598

599 **Margie Kronschnabel-Nelson, 256 Wildwood Avenue.** Margie stated there are other cities
600 that allow chickens in regular sized back yards. For example: St. Paul, Minneapolis, Anoka,
601 Golden Valley, Eden Prairie, Richfield, Burnsville, Hastings, Farmington, Rosemont, Roseville,
602 Shoreview, Oakdale, West St. Paul, Maplewood and Stillwater. She suggested the council
603 could look at these other cities to get an idea of their guidelines to see if they could be
604 implemented in Birchwood. She would like to organize a group or committee to get this
605 project started. She said she wasn't sure how to proceed and that she and her husband
606 wanted to do whatever they could to set it up to make it happen.
607

608 **Mayor Wingfield** suggested an investigation be done to get some language from other cities
609 who allow chickens to be used in a policy to be set up for Birchwood Village. It was agreed
610 that this issue should be put on a city council meeting agenda.
611

612 **Councilman Donovan:** asked if she had a limit in mind.
613

614 **Margie** stated there would be as well as other restrictions. Most cities allowed 4 to 6 and
615 no roosters.
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Gene Ruehle, 262 Wildwood Avenue stated he has property bordering two sides of Margie who has five chickens and he has no complaints about them. He said he didn't think there was any reason not to allow chickens.

There was some additional discussion about the things to be considered when drafting the ordinance. It was agreed that Margie would send an email to Councilmember LaFoy and they would then get together to put something together to present to the city council.

10. Acceptance of Treasurer's Report and Approval of Disbursement

Mayor Wingfield stated the following three items needed to be added for approval:

\$550.00 for Manship for the month of July, 2013

\$1,153.00 for Yard Works for June, 2013

\$400.00 for Elfering & Associates. **Mayor Wingfield** questioned this bill. It was previously authorized for copying of all the documents that she has worked on that the city wanted returned because they were not in the city's files. When the box of documents from Elfering & Associates was checked, the documents contained appear to be the city's own documents— that should have been here.

MAYOR WINGFIELD THEN MOVED THAT THE COUNCIL STRIKE THIS CHECK FOR ELFERING FROM THE LIST OF BILLS TO BE PAID AND ADD THE CHECKS FOR MANSHIP AND YARD WORKS AND APPROVE THE BILLS ON THAT BASIS. COUNCILMEMBER LAFOY SECONDED THE MOTION.

Councilmember Hullsiek asked, doesn't Elfering have the responsibility of maintaining their own records for ten years and if they're referencing city documents, don't they need copies.

Councilmember Lafoy said he thought the council should ask for some clarification as to whether copies were actually made and why. This was agreed to by the other members.

Mayor Wingfield pointed out that the city still does not have documents showing "These were the sewers that were repaired", "These were the manholes that were repaired". These are the working documents that were used to contract. The city doesn't have any construction documents. There are no documents containing calculations either.

More discussion following regarding who should review the documents before discussing the bill and the copies again. It was agreed that the check would be pulled pending further investigation.

FRIENDLY AMENDMENT

MAYOR WINGFIELD MADE AN AMENDED MOTION TO PULL THE CHECK AND WAIT TO RESOLVE THE MATTER. COUNCILMEMBER LAFOY ACCEPTED THE FRIENDLY AMENDMENT TO THE MOTION. ALL AYES, MOTION PASSED.

664 **MAYOR WINGFIELD MADE A MOTION TO APPROVE PAYMENT OF THE BILLS WITH THE**
665 **ADDITION OF MANSHIP AND YARD WORKS. COUNCILMEMBER LAFOY SECONDED THE**
666 **MOTION. ALL AYES, MOTION PASSED.**
667

668 **Mayor Wingfield** then asked two questions regarding the bills:
669

670 1. Under special reviews revenue projects, \$1,900 for dock fees. She questioned why there
671 weren't more fees collected. She then said Mike should be contacted and asked about these
672 missing fees and ask him to follow through.
673

674 2. Two \$100 checks have been received for the hockey hut for a total of \$200; one in March and
675 one recently yet the balance in the account only shows a cash balance \$100. City Clerk Reiter
676 responded that in March, when the first check was received, the city didn't have an account to
677 put it into and then the person who wrote the check asked for the check to be returned to her.
678

679 There was some discussion at to whether these donations have to be acknowledged by
680 resolution for IRS purposes. Councilmember LaFoy to follow up with LMC for more information
681 on this issue.
682

683 **11. Update - WCSO Law Enforcement** 684

685 ▶ **Law Enforcement Agreement (copy) of Mahtomedi/Dellwood/Willernie**
686

687 ▶ **Estimate of 4 City Cost Allocation of WCSO Service**
688

689 **Councilmember Donovan** stated that as previously agreed to by the council before going
690 through with the city's plan to contract with Washington County, he and Councilmember
691 Lafoy met with the Sheriff and the other communities a few weeks ago. They met in
692 Mahtomedi with representatives from Willernie, Dellwood, Mahtomedi (the Mahtomedi
693 City Manager), and two representatives from the Sheriff's Department. We talked about
694 services, the pluses and minuses. Everyone seemed to be happy with the services they have
695 received from the Washington County Sheriff. The only downside request mentioned was
696 more traffic control which would necessitate adding another officer. The sheriff is going to
697 look into this. This service could perhaps be purchased on an ala carte basis but it isn't part
698 of the agreement.
699

700 Greg stated that he thought the most important thing of interest at the present time is the
701 amount which at 8.6 percent which comes out to about \$48,000 which is less than half of
702 what the city is currently paying for the same or perhaps even a higher level of service.
703

704 **Councilmember Lafoy** pointed out that the agreement is actually for several years.
705

706 **Councilmember Donovan** said no action by the council is necessary at this meeting.
707 Nothing becomes official until the other cities approve it. The agreement has to be put on
708 their agenda. A deadline of September was given for them to get back to the City of
709 Birchwood.
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711 **Mayor Wingfield** inquired about the September deadline date.

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Councilmember Donovan said the contract with White Bear runs through until the end of the year. However, as a courtesy, he thought the mayor should be authorized to write them a letter to advise them that after December 31st, 2013, the city will not be continuing services with them in 2014. Greg said White Bear is already aware the city has been looking elsewhere. [ed. Note: The deadline for notice pursuant to the contract is September 30, 2013].

Councilmember LaFoy said he asked them about 911 calls. They responded that after the new service begins, the 911 calls would be switched to the WA County Sheriff's office instead of to White Bear.

Mayor Wingfield stated that she thought the cost of the current service was \$89,000 this year which means this service will be approximately \$42,000 less than the current service.

Councilmember Donovan explained that the reason the city is making the switch is that the city is already paying property taxes in Washington County. The entire city budget for the Sheriff's Department in Washington County is \$27 million. The contract is out to 27 different communities in Washington County. The active portion is only \$3 million. So \$24 million is the city's tax dollars paying for bricks, mortar, the sheriff, detectives, crime labs, etc. White Bear Lake is unique in that they have their own communications system whereas everybody else shares the state by the county-wide system. There will be five full-time deputies that will be working strictly with the consortium here. They will be familiar with the communities, 24/7 service. There will always be somebody in the area. The change had nothing to do with the quality of service.

Councilmember LaFoy said he thought the city should thank White Bear Lake for their great service for many years by giving them a plaque.

Mayor Wingfield mentioned that the city still contracts with White Bear Lake for fire services.

Councilmember LaFoy mentioned that he thought a representative of the Sheriff's Department would attend the monthly council meetings.

Councilmember Donovan said the Sheriff did offer to come and explain some things after the contract has been approved.

12. Personnel Liaison Update

▶ Staffing Plan

Councilmember LaFoy reported that he and Councilmember Donovan had met with other small cities. He pointed out that because Birchwood Village is such a small city, they were always looking for city services and how the City of Birchwood can do things better.

Councilmember Donovan discussed the issue of the city needing a permanent City Clerk by statute. He reported on a discussion he had with the City of St. Anthony's City Manager regarding job sharing. The mayor of St. Anthony encourages job sharing with other cities.

760 St. Anthony is already job sharing services with other cities. Greg said he requested a
761 proposal regarding job sharing services which they subsequently sent to him. He handed
762 out copies of the proposal to all council members.
763

764 **Five minutes recess** was called by **Mayor Wingfield** as it was practice to take a break at
765 about 9:00 pm and that the break would provide time to review the proposal.
766

767 The City of St. Anthony proposed coming to Birchwood to take a look at the city's operations
768 and talk with the city's people to see how the city is currently being run. Greg said that in
769 the beginning, they would essentially be acting as consultants and partners to make some
770 suggestions regarding improvements and incorporate themselves into the city. This would
771 not be on a full-time basis. This could include financial issues i.e. long-term planning for
772 sewer funds, road funds, the 5, 10 and 15 year plans and how to best set these things up.
773 Greg stated they have a lot of experience in these areas.
774

775 Greg stated that because of the changes in staff in Birchwood the last five years. Due to the
776 current budget, the city can't afford to hire full-time replacements for staff positions when
777 someone leaves or retires. The city needs to consider hiring part-time replacement
778 employees when someone leaves which would not affect the current staff. He stated the
779 city needs some outside expertise to advise the city in all areas. The people from the City of
780 St. Anthony proposed being in Birchwood several days a week and would make
781 recommendations on staffing and other issues.
782

783 He went on to say he felt the price the city was getting was fair. All the cities he and Randy
784 talked with felt they too needed this kind of assistance. Greg stated that he and Randy are
785 one-hundred percent behind this. He would like the other council members' opinions on
786 this as well and asked if they would like to move forward and if they do, he suggested
787 forming a special meeting or workshop to discuss it. The people from St. Anthony's could be
788 asked to attend to answer questions and clarify the proposal.
789

790 **Councilmember LaFoy** said he felt that staff members like Cindie (Reiter) should be here
791 and other people in the community are concerned about it. Councilmember Donovan
792 agreed and noted that they should also be invited to attend whatever meeting council
793 decides to have.
794

795 **Councilmember Donovan** agreed. He said an announcement could be posted on the web
796 site. This will be a work in progress. They said they would do it for sixty days and then come
797 out and review and come up with a proposal as to how much they would want for a full-
798 time contract going forward. He asked for other council member's thoughts and opinions
799 on this.
800

801 **Councilmember Hullsiek** said he has the names of the St. Anthony Village people who do lift
802 station inspections that he will forward to Greg.
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804 **Councilmember Donovan** said they could talk to the people from St. Anthony about that
805 when they are here.
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Mayor Wingfield agreed that it costs the city a lot when they have to hire and retrain new employees. It's (proposal) more expensive per hour yet does not change what the city's cost would be per quarter. She agreed that this new proposal could make the city more efficient. Having access to this built-in knowledge and expertise could save Birchwood money in terms of new employee training etc. She stated she is anxious to see how this would work. She agreed that coordination of services is a much more efficient way to go.

She went on to say that she would like to have them come in and explain in detail exactly how they intend to function and what they intend to accomplish. A short-term contract in the beginning makes sense. She said she doesn't understand how they plan to implement their proposal and would like some interpretation and explanation.

Councilmember Donovan agreed there are many unanswered questions and explanations needed before going ahead. Some of the questions might be; does the city need an audit with something like this? Do we have a treasurer? Do we have a clerk? How does all of this play out? We may need to talk this over with the League, our attorney and/or League attorney for clarification of everything. He went on to say he didn't think they will have all the answers right away because they don't know how our city works or how our file systems work. They will have to go through and learn some of the things we currently do before they can make their recommendations. They will act as a consultant, once they make their recommendations after sixty days, we can either reject them or accept and implement them.

Mayor Wingfield then asked if a date was set, what kind of a time frame are we looking at.

Councilmember Donovan stated the proposal could be approved at this meeting or at a meeting or workshop. If we do have a workshop, or Special Meeting we could approve it at the August meeting.

Councilmember LaFoy said he felt the city should have a workshop first, then have something for approval at the city council meeting.

Mayor Wingfield said since there were other issues that need to be discussed for cross walks, trees and this issue should be discussed at that time also. She suggested a Special City Council meeting to discuss everything and take action if necessary. Action can still be taken later.

Councilmember **Hullsiiek** noted a worksession was scheduled for August 5, 2013. Mayor Wingfield noted it would be a very busy meeting for the budget numbers.

There was some discussion as to the date to set the meeting. The date of Wednesday, July 17 was agreed upon by all. The meeting would be a Special City Council meeting so action can be taken. It was agreed that, while the meeting did not have to be posted in the newspaper, it does have to be posted out on the front posting board three days in advance. It will also be posted on the web site.

Councilmember LaFoy proposed that he run the proposal by the City Attorney.

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Councilmember Donovan confirmed with Councilmember LaFoy that the city attorney should be in attendance.

Councilmember LaFoy stated that he should be in attendance at this Special City Council meeting. He said the people from the City of St. Anthony would also have to be invited to attend to see if they're available. It was agreed that they would be offered two date choices.

Interim City Clerk & City Treasurer Reiter asked Councilmember Donovan if he wanted to firm up the date with the City of St. Anthony first before posting it. Councilmember Donovan agreed.

The two dates of July 29th and July 30th were agreed upon as possible alternates.

Mayor Wingfield said the Special City Council meeting should include discussion of the Roads Committee recommendations and Personnel Committee recommendations.

MOTION WAS MADE BY COUNCILMEMBER DONOVAN THAT A SPECIAL CITY COUNCIL MEETING BE CALLED FOR WEDNESDAY, JULY 17TH, 2013 WITH ALTERNATE DATES OF JULY 29 OR JULY 30, 2013 DEPENDING UPON THE AVAILABILITY OF THE PEOPLE FROM THE CITY OF ST. ANTHONY. THE PURPOSE OF THE SPECIAL MEETING WOULD BE TO DISCUSS A PROPOSAL FROM THE CITY OF ST. ANTHONY VILLAGE FOR STAFFING, THE ROADS, PARKS AND TREES AND CHICKENS. THE MOTION WAS SECONDED BY COUNCILMEMBER LAFOY. NO DISCUSSION. ALL AYES. MOTION PASSED.

13. Resident Request for Reimbursement of Deer Carcass Removal

▶ Van Pelt letter and Wildlife Management Invoice.

Mayor Wingfield said this issue has already come up several years ago. It was discussed with Ken Johnson and he said he did do dead deer removal for about \$100. Ken works for \$45 an hour. She stated there needs to be a better job of communicating with residents regarding this issue especially because a time issue is involved to remove the dead animal. She said she had talked to Marilyn and agreed it would be reasonable to split the cost of the removal with Marilyn and asked the council if they agreed that this was fair.

Councilmember Donovan and Councilmember Hullsiek agreed.

Mayor Wingfield suggested a notice about this be included in the city's web site.

There was addition discussion.

Councilmember Hullsiek proposed and stated he was okay with the city paying up to \$150 for approximately three hours of Ken Johnson's time to do the removal. If the homeowner wants the service expedited, the city would pay up to \$150 of what it cost the homeowner for the dead deer removal or handle it through Ken, if possible. Someone mentioned \$100 and Bill agreed. He just felt there should be a policy in place so the homeowners know and can call Ken.

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Councilmember LaFoy stated this might be posted under City Government in the web site. He said he could put something in the web site that describes and outlines what the city's maintenance person does including lawn, sites and animal removal. He said he could look at the contract and list all the things that he does.

MOTION WAS MADE BY COUNCILMEMBER DONOVAN TO PAY HALF OF THE \$266 INVOICE SUBMITTED BY MARILYN VAN PELT FOR THE REMOVAL OF THE DEAD DEER CARCASS, SECONDED BY MAYOR WINGFIELD.

There was some additional discussion about the exact amount to pay for this one time instance only.

ALL AYES. MOTION PASSED.

Councilmember Donovan stated that moving forward, the city should put a policy in place that the city will pay \$100 towards removal of a dead deer carcass.

Mayor Wingfield suggested this issue be placed under the ordinance issues and deal with that when the animal issues are dealt with i.e. the chicken issue. She said she thought there was something currently in the code regarding animal or carcass removal.

14. Hockey Rink - PAINT BOARDS

Councilmember LaFoy reported that the hockey rink needs to be maintained. There currently is a schedule to do this. Some of the painting has been done but it needs two coats. Randy said he ran across a man who is going to send him a quote to paint the boards at the hockey rink. He said he thought it would cost approximately \$1,100 to paint the rink and the boards. Randy said he thought this cost should be built into the budget every three years.

Councilmember Woolstencroft asked why the boards that are damaged by hockey pucks are being repainted.

Councilmember LaFoy responded that he was told that either you never paint them or you paint them forever and they have been painted.

Mayor Wingfield asked if Randy meant for the year 2014. Randy said he thought they need to see what it will cost this summer first and go from there. She said the Parks Committee doesn't have the money because their budget is so tight.

There was some discussion about putting something down on top of the pavement before flooding the rink as an alternative to painting each year.

Mayor Wingfield asked Councilmembers LaFoy, Donovan and Woolstencroft to try to come up with a plan and a price to present to the council at a future meeting.

15. Review of minutes process

951 A discussion was held as to how the approval of the minutes process each month should be
952 done.

953
954 It was agreed by all councilmembers that in the future the original transcript document will be
955 submitted for changes and/or corrections to Interim Clerk Reiter. Cindie will highlight any
956 corrections and/or changes to be made and send copies to the mayor and all councilmembers
957 for their review. They will then make their changes and send it back to Cindie. The final copy of
958 the minutes will be included in the next city council meeting packets for all councilmembers.
959

960 **16. Review of Cable rebroadcast times (Tu 8:00 a.m., Tu 4:00 p.m., Th 8:00 p.m., Sat 10:00 a.m.,**
961 **Sat 10:00 p.m.)**

962
963 **Councilmember Donovan** stated there are several different channels. Channel 16, GTM, is
964 literally Birchwood's channel and is strictly a government channel. The city can do whatever it
965 wants to do with this channel. There is government programming out there regarding
966 Birchwood history that is run from time to time in addition to the city council meeting videos.
967 He said he has the information from Judy and will pick a couple of times for the video broadcast
968 and post it on the city's web site.

969
970 **Councilmember LaFoy** reported that he has added a link to the council meeting videos on the
971 city's web site under City Government, Video on demand. People can now watch the video any
972 time on their computer.

973
974 **17. Review of Locates notification to John Manship**

975
976 **Mayor Wingfield** stated that John has not been received any notices since June 26th. It was
977 anticipated he would be receiving notices daily.

978
979 **Interim City Clerk & City Treasurer, Cindie Reiter** stated she has been sending by email daily.
980 Most of them are audits which are not locates and have been commingled with the locate
981 requests. She said she has a complete list of what was sent with the sent dates.

982
983 **Mayor Wingfield** suggested that John be asked to respond with a reply acknowledgment
984 whenever he receives an email from the city to verify receipt. If Cindie doesn't receive an
985 acknowledgment response the same day, she should call him to let him know she sent an email
986 but never received an acknowledgment.

987
988 There was some discussion regarding possible alternatives. It was agreed that a different
989 system of email communication between John Manship and the city needs to be set up.

990
991 **Mayor Wingfield** then reported that John anticipated flushing hydrants in the coming week.

992
993 **18. Potential New Ordinances**

994
995 **Mayor Wingfield** reported that there doesn't seem to be any ordinances on the books regarding
996 vacant, unattended and foreclosed houses becoming unattractive nuisances etc. which detracts
997 from property values. Ordinances with regard to this issue need to be considered.

998

999 She also reported on the dirt coming into the city's system as a result of the runoff from
1000 driveways. The dirt is flowing into the streets then flows into the lake which it isn't supposed to
1001 do.

1002
1003 She said these are two areas that the city needs to address. She suggested an omnibus
1004 ordinance issue code approval then work through it. She said she and Randy LaFoy will work on
1005 the chickens issue as well as these additional two issues. If nuisance issues are addressed, it
1006 should include these issues as well.

1007
1008 **19. SCADA**

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1010 **Councilmember Hullsiek** said he had contacted some SCADA vendors.

1011
1012 Barr Engineering's proposal with their contingency was approximately \$11,000 per RPU or PLC
1013 which would be where the city's lift station is located. They range in price. There were two that
1014 stood out.

1015
1016 Councilmember Hullsiek later clarified that this proposal was from Barr Engineering, not White
1017 Bear Lake.

1018
1019 One was from ICS Healy. He met with John a week ago. John said their installed price would be
1020 from \$5,000 to \$6,000. They built the city's cabinets years ago and have a replacement unit in
1021 Boone connected to their cell phone. An annual cost per site would be \$600.

1022
1023 There is another one called a Scout which is a little bit lower in price.

1024
1025 He said he felt both proposals were good choices that were considerably cheaper than the
1026 original proposal from Barr Engineering into White Bear Lake.

1027
1028 Councilmember Hullsiek said he would like to engage the city's engineer, Steve Thatcher or Tom
1029 Meyer who charges \$75 an hour, and use about \$950 to \$1,000 of their time to go and look at
1030 all the lift stations and do the volume metric calculations that basically say this is the capacity of
1031 the holding cell, this is capacity of the pumps and give the city very tight requirements with
1032 which to make a good solid engineering selection on the alternatives.

1033
1034 He went on to say that both look like the two top ones and are half the cost of the ones looked
1035 at originally. It's time to get the engineers involved, have them do their engineering, make sure
1036 that we're specing this out clearly and take it from there. They quoted Bill seven hours to do the
1037 inspections. Bill said he's like to get a few more hours beyond that so they could look at some of
1038 these alternatives, rank them and come up with a recommendation.

1039
1040 Greg Donovan said he thought some of this work had been done before.

1041
1042 Councilmember Hullsiek said that all programming has been done. Part of the scope of their
1043 work will be to go out to each lift station because when you open them up, it's like remodeling.
1044 Some parts may have to be replaced. They will be inspecting the enclosure and the state of the
1045 wiring and where it's connected. They will be looking at the physics, not the electronics to
1046 determine what is it going to take to get this successfully installed. That will help the city price

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what type of contingency is necessary. The engineers are going to look at the existing lift station data with White Bear Lake, calculate what the reserve capacity is which will tell the city how often alarms will need to be looked at. They will be looking at what the alarm parameters are. The current budget is for once every fifteen minutes. The city could save money by going to once an hour. The ICS Healy goes once every two minutes - taking a reading which is probably overkill for our situation. We just want to make sure that we are only buying what we need.

Bill went on to say he has also been talking with General Repair. They do lift station inspection. He is expecting a quote from them. He also wants to talk to St. Anthony Village about the lift stations.

MOTION WAS MADE BY COUNCILMEMBER HULLSIEK TO APPROVE UP TO \$1,000 OF ENGINEERING SERVICES FOR THE INSPECTION AND EVALUATION OF THE LIFT STATIONS AND SECONDED BY LAFOY. ALL AYES. MOTION PASSED.

ADJOURN:

MOTION WAS MADE BY COUNCILMEMBER LAFOY TO ADJOURN THE MEETING AND SECONDED BY DONOVAN. ALL AYES. MOTION PASSED.

Attested to Approval of the City Council

Cindie J Reiter
Interim City Clerk

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CITY OF BIRCHWOOD VILLAGE
Special CITY COUNCIL MEETING
July 17, 2013

MINUTES

MEMBERS PRESENT: Greg Donovan, Bill Hullsiek, Randy LaFoy, Mary Wingfield

STAFF PRESENT:

OTHERS PRESENT: Mark Casey, St Anthony Village City Manager, Shelly Rueckert, St Anthony Village Finance director, Mark Anderson (roads committee), John Lund (Parks Committee), Margie Kronschnabel and Jim Nelson

Wingfield called the meeting to order @ 7 pm.

AGENDA APPROVAL: M/Lafoy, S/Donovan. Passed 4-0.

Staffing: Mark Casey was introduced and presented information on St Anthony Village's proposal to provide staffing for the city. Casey suggested that the first 60 days would analyze the city's current staffing and needs. After 60 days, SAV staff would make their findings and make a recommendation for staffing going forward. The current contract would be for 90 days and reviewed by both parties at that time.

The goal is to increase efficiencies for both cities. Other issues discussed include election coverage and county filings. Birchwood staff policies will still apply. Worker compensation (LMC) requirements will probably still apply.

Both cities agree the proposal needs to be reviewed by the state auditor to ensure the proposal meets state standards. The attorneys for both cities will review this issue and provide each council with a proposed Joint Powers Agreement by the next council meeting of August 13, 2013.

ROADS COMMITTEE:

Mark Anderson of the Roads Committee reported chip sealing would start tomorrow. The last repair on Cedar Street will be done as well.

Proposed crosswalks were suggested and agreed to at Jay/Hall, White Pine/Hall and Oakridge/Cedar.

Lane width will be reduced to 10 or 11 feet depending on the recommendation of MNDot .

Estimates for 2014 will be prepared in September for some minor repairs still pending.

It was noted that Schifsky provides street sweeping on an hourly basis that should result in a 40- 50% reduction in cost (about \$2000) next year.

46 The council again thanked the committee for its extensive work and analysis.

47 TREES: John Lund and Randy Lafoy presented estimates for tree removal for trees and branches that
48 pose a safety issue.

49

50 **M/Hullsiek, S/ Wingfield, authorize Steve Dean to remove trees pursuant to his bid for \$534. Motion**
51 **passed 4-0**

52

53 CHICKEN ORDINANCE: The council reviewed an updated draft that was reviewed by the WB police
54 department. Various changes were suggest and will be compiled by the mayor and forwarded to the
55 city attorney to prepare a summary publication resolution.

56

57 **M/ LaFoy, S/ Hullsiek. The clerk is directed to publish the notice for public hearing pursuant to the**
58 **city's policy. Motion passed 4-0.**

59

60 The publication must be at least 10 days prior to the public hearing August 13, 2013.

61

62 A fee of \$10 was suggested per permit/license. The city attorney will draft a resolution.

63

64 Other tree removal will be reviewed for the 2014 budget.

65

66 **ADJOURN: M/Donovan, S/Lafoy at 9:00 P.**

67

68

69

70 Attest to City Council Approval

71

72

73 _____
74 Cindie J Reiter
Interim City Clerk

**CITY OF BIRCHWOOD VILLAGE
SPECIAL CITY COUNCIL MEETING
Budget and Finance Committee Meeting
August 5, 2013**

WORKSESSION MINUTES

MEMBERS PRESENT: Mayor Wingfield; Councilmembers; Donovan, Hullsieck, LaFoy

STAFF PRESENT: None

OTHERS PRESENT: John Lund

Wingfield called the meeting to order @ 7:00pm.

1. Went through spreadsheet – line by line – updated amount.

Adjourn the Special Meeting @ 9:05 pm.

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	A	B	C	D	E	F	G	H	I
City of Birchwood Village Revenue and Expenditure Trends									
	2009	2010	2011	2012	2012	2012	2013 FINAL	2014	
	Actual	Actual	Actual	Budget	Actual	Levy	Other Revenue	PROPOSE	
RECEIPTS									
5	General Property Taxes (levy)	363,941	323,491	315,354	325,000	320,067	336,013		
6	LICENSES AND PERMITS								
7	Business Licenses and Permits	36,546	9,583		100	0			
8	Building Permits	0	0	10,659	8,500	7,792	8,500		
9	Plan Check Fee	0	0	0	0	0			
10	Variances	0	0	206	0	412			
11	Dog Licenses	0	0	25	1,000	617	200		
12	INTERGOVERNMENTAL REVENUES								
13	Federal Grants and Aids	0	0	0	0	0			
14	State Grants and Aid	7,201	32,985	0	0	0			
15	State of MN Pera	0	0	238	238	238	238		
16	Local Grants and Aids	0	3,500	13,404	0	0			
17	Recycle Grant	0	0	1,678	1,650	1,678	1,000		
18	Cable Commission Grant	0	0	7,595	7,000	6,496	7,000		
19	CHARGES FOR SERVICES	501	652	0	0	0			
20	GENERAL GOVERNMENT								
21	City Hall Rent & Garage Rent	0	340	350	500	375	500		
22	Certified Bills	8,053	1,116		0	0			
23	Delinquent Utilities - Garb/CEC	0	0		0	248			
24	PUBLIC SAFETY								
25	HIGHWAYS AND STREETS								
26	CULTURE AND RECREATION								
27	Park Fees		5,900	0	0	0			
28	OTHER CHARGES								
29	State & Misc Fees				0	0			
30	Sales Tax	0	0		0	0			
31	FINES AND FORFEITS								
32	Fines	2,474	1,277	735	1,000	453	650		

	A	B	C	D	E	F	G	H	I
33	Forfeits								
34	MISCELLANEOUS REVENUES							-	
35	Surcharge	0	0		0	0		-	
36	Interest Earnings	2,764	1,332	33	1,000	41		50	
37	Contrib. & Donations-Private	0	0	725	400	765		500	
38	Refunds and Reimbursements	0	0	250	0	2,428		-	
39	Sale of Investments	35,000	70,000		0	0		-	
40	Recycling Charge (Manu/Willemie)	0	0		0	0		-	
41	Cable/Excess Franchise Fee	0	0		0	0		-	
42	Miscellaneous	3,047	4,702	2,741	500	62		100	
43									
44									
45									
46									
47									
48									
49	GENERAL GOVERNMENT	2009	2010	2011	2012	2012	2013		
50	Publishing								
51	Printing and Binding	0	0	91	175	100	100	100	80
52	Legal Notice Publication	1,535	2,719	1,683	2,000	4,213	2,000	2,000	2,000
53	Subtotal Publication	1,535	2,719	1,774	2,175	4,313	2,100	0	2,080
54	City Council								
55	Wages and Salaries	4,300	1,847	4,415	2,700	2,442	4,200	0	4,200
56	Clerk								
57	Wages and Salaries	32,935	51,131	57,501	56,000	56,260	58,240		70,000
58	Federal Tax - Employee	0	0	0					
59	State Tax - Employee	0	0	0					
60	Employer Cont.-Retirement	0	0	0					
61	Retirement - Employee	0	0	0					
62	Medicare - Employer	0	0	0					
63	Social Security Employer	0	0	0					
64	Medicare - Employee	0	0	0					
65	Soc Security - Employee	0	0	0					

DISBURSEMENTS

incl. cap prj

	A	B	C	D	E	F	G	H	I
66	Other Pay	0	0	0					
67	Mileage			42					
68	Recording and Reporting	127	0	0					
69	Accounting (Treasurer)								
70	Professional Services	4,064	3,500	0					2,000
71	Admin. Staff Subtotal	37,126	54,631	57,543	56,000	56,260	58,240	0	72,000
72	Elections								
73	Wages and Salaries	0	4,311	0	3,500	3,715	0		3,500
74	Operating Supplies	0	0	0	100	358	0		250
75	Repair & Maint. Supplies	470	0	470	500	470	500		500
76	Mileage	0	0	0	50	114	0		
77	Legal Notice Publication	0	0	0	250	407	0		400
78	Elections Subtotal	470	4,311	470	4,400	5,064	500	0	4,650
79	Office Supplies								
80	Office Supplies	3,413	2,846	2,236	2,500	2,340	2,000		2,000
81	Operating Supplies	0	445	78	100	0	100		
82	Repair & Maint. Supplies	0	520	0	0	0	0		
83	Office Equipment	0	2,023	1,953	1,000	680	800		800
84	Small Tools & Minor Equip	0	70	0	300	0	250		
85	Contracted Services	0	59	1,425	375	295	375		375
86	Postage/Postal Permits			0					
87	Office Supplies	0	433	642	800	1,026	650		650
88	Refunds & Reimbursements	0	52	0		0	0		
89	Office Operations Subtotal	3,413	6,447	6,334	5,075	4,341	4,175	0	3,825
90	Financial Administration								
91	Auditing Services	0	22,874	15,143		0	0		0
92	Fees (banking)	170	472	393	400	375	400		400
93	Subtotal	170	23,346	15,536	400	375	400	0	400
94	Insurance - City								
95	Insurance	0	0						
96	General Liability Ins.	5,677	3,604	6,980	4,355	3,754	3,800		3,800
97	Property Insurance	930	2,160	2,619	2,500	2,183	2,200		2,200
98	Workers Comp (for employees & contract	676	690	2,447	1,800	3,234	1,100		1,100

	A	B	C	D	E	F	G	H	I
99	Vehicle Insurance	0	69	69	72	69	70		70
100	Excess Liability	0	900	900	927	900	900		900
101	Crime Coverage	0	133	118	125	118	120		120
102	Municipal	1,500	0		745	0	0		0
103	Insurance Subtotal	8,783	7,556	13,133	10,524	10,258	8,190	0	8,190
104	Assessing								
105	Contracted Services	5,978	5,164	5,324	5,325	5,436	5,450		5,450
106	Legal Services								
107	Professional Services	6,557	15,731	7,004	8,000	6,679	7,200		7,000
108	Engineer Service								
109	Professional Services	3,160	2,818	5,491	6,000	6,223	10,000		7,000
110	Per Diem (Planning Commission)	495	475	475	1,560	985	1,560		600
111	Grants THIS SECTION MOVED TO TRAINING & DEV (BELOW)								
112	Grants (pandemic 2008)	0	0	0	0	0	0		0
113	Grants Counseling Center 2011/2012 WC	0	0	0	0	0	0		0
114	Planning & Zoning			46	0	206	0		200
115	Services Subtotal	16,190	24,188	18,340	20,885	19,529	24,210	0	20,250
116	City Training & Development								
117	Training	660	40	1,609	700	210	1,200		
118	Transportation	32	0	247	100	0	100		100
119	Dues & Subscriptions	5,410	5,275	992	1,000	1,038	1,035		1,063
120	Grants (pandemic 2008)	0	0	200	0	0	0		0
121	Grants Counsel Center 2012/2012 WC He	0	0	2,022	3,200	2,941	1,825		2,000
122	T & D Subtotal	6,102	5,315	5,070	5,000	4,189	4,160	0	3,163
123	City Hall-Gov't Buildings								
124	Repair, Operating & Maint. Supplies	2,130	176	3,843	3,300	2,532	2,350		500
125	Professional Services	0	182	6,904	0	0	0		0
126	Contracted Services	0	418	924	700	624	700		500
127	Telephone	0	1,158	1,298	1,300	1,439	1,450		
128	Utility Services	6,631	3,249	3,298	4,000	2,219	2,500		3,500
129	Buildings & Structures	0	10,861	0	0	0	0		0
130	Computer/Internet	336	0	0	0	0	0		4,500
131	Gov't Bldgs Subtotal	9,097	16,044	16,267	9,300	6,814	7,000	0	9,000

	A	B	C	D	E	F	G	H	I
132	Cable Eqpmt and Service								
133	Contracted Services	990	1,106	1,064	1,200	839		800	
134	Communication	0	26,785	0	0	0	0	0	
135	Newsletter								
136	Operating Supplies	0		0		0	25		25
137	Contracted Services	0	302	446					
138	Printing and Binding	0	0	0	400	228	100		100
139	Communication Subtotal	990	28,193	1,510	1,600	1,067	125	800	125
140	TOTAL Gen Government	88,176	174,597	140,392	118,059	114,652	113,300	800	127,883
141	PUBLIC SAFETY								
142	Police								
143	Contracted Services	89,667	85,637	88,505	90,935	89,776	91,348		48,000
144	Fire								
145	Contracted Services	21,375	21,867	20,078	20,500	21,317	20,593		21,000
146	Building Inspection (non levy)								
147	Small Tools and Minor Equipment			175					
148	Contracted Services	22,387	15,664	8,237	8,700	9,623		8,200	8,000
149	Fees (variance, cond. use permits)	0	692	170	700	104		200	100
150	Other Protection								
151	Contracted Services (Code Red)	0	1,015	0	68	241	100		100
152	Dept. of Labor Fees	1,185	692	0		0			
153	County Environmental Charge	627		0		0			
154	Animal Control	1,237	304	857	925	882	697	200	600
155	Operating Supplies	0		0		0			
156	Refuse Collection	79	0	0		0			
157	Refunds & Reimbursements	0		0		0			
158	PUBLIC SAFETY TOTAL	136,557	125,871	118,022	121,828	121,943	112,738	8,600	77,800
159	PUBLIC WORKS								
160	Improv Other than Bldg	0	0	0	0	0			
161	Survey Public Spaces			0	6,800	4,124	0		0
162	Highways, Streets & Roadways								
163	Repair & Maint. Supplies	10,703	516		1,000	244	750		1,000

	A	B	C	D	E	F	G	H	I
164	Contracted Services (Pot Holes)	0	10,460	10,292	6,000	2,805	4,500		5,000
165	Street Sweeping	0	0		4,000	3,785	4,000		4,000
166	Seal Coat	0	35,739		0	0	12,500	12,500	
167	Crack Sealing	0	0	0	0	0	5,000	5,000	
168	Street Signs (Council action to place in Own Fund)			266	3,000	0	1,500		
169	Street Maintenance Subtotal	10,703	46,715	10,558	14,000	6,834	28,250	17,500	10,000
170	Street Lights								
171	Utility Services	12,979	14,847	14,679	15,000	14,002	15,600	0	15,000
172	Drainage - Structure Care								
173	Stormwater Pond								
174	Contracted Services (pd Jan 2013 \$2358	0	228	2,042	2,800	0	800		1,600
175	Fees (mpca)	0	400	117	600	0	400		400
176	Subtotal	0	628	2,159	3,400	0	1,200	0	2,000
177	Ice and Snow Removal								
178	Operating Supplies (salt, sand)	0	3,266	0	5,000	2,791	5,000		5,000
179	Contracted Services	18,404	17,646	10,319	12,000	5,800	11,000		11,000
180	Snow & Ice Subtotal	18,404	20,912	40,140	17,000	8,591	16,000	0	16,000
181	Water Utility								
182	Refunds & Reimbursements	0	554	474	0	0	0		0
183	Sewer Utility								
184	Refunds & Reimbursements	0	270	270	0	0	0		0
185	Weed Control \$135 moved to line 232			0	0	0	0		0
186	TOTAL - Public Works	42,086	83,927	744	56,200	33,551	61,050	17,500	43,000
187	CULTURE & RECREATION								
188	Recreation								
189	Operating Supplies	0	41	96	100	0	0		0
190	Dues & Subscriptions	0	0	0	200	200	200		200
191	Community Events (Music In Park)			1,325	1,700	1,500	1,700		1,500
192	TOTAL Recreation	0	41		2,000	1,700	1,900		1,700
193	Parks								
194	Wages and Salaries (Spvsr=volunteer 201	0	5,508	5,490	5,900	2,883	7,500		10,000
195	Federal Tax - Employee								
196	State Tax - Employee	0	34						

	A	B	C	D	E	F	G	H	I
197	Unemployment Compensation	0	174						
198	Medicare - Employer								200
199	Social Security - Employer								2,000
200	Social Security - Employee								
201	Medicare - Employee								
202	Office Supplies	0	30						
203	Operating Supplies	0	1,392	979	350	97	450		
204	Repair & Maint. Supply/Contractual	0	890	223	1,530	1,030	1,600		
205	Professional Services	0	190	374	0	590			
206	Contracted Services	0	1,902	3,438	360	4,526	1,600		1,000
207	Utility Services	0	507	901	900	973	1,150		1,000
208	Fees	0	35	0	0	0			800
209	Buildings & Structures	0	1,429	1,336	1,660	1,390	1,700		
210	Furniture and Fixtures	0	1,212	0	0	0			
211	Garbage Pickup			0	0	0			0
212	Tree Removal			0	600	0	0		0
213	Per Diem / Projects			0	0	0	0	9,900	1,000
214	Parks GF Subtotal	16,388	13,304	12,741	11,300	11,489	14,000		16,000
215	TOTAL Parks & Recreation	16,388	13,345	14,162	13,300	13,189	15,900	9,900	17,700
216	SANITATION								
217	Tree Care - Inspection & Removal								
218	Contracted Services	0	701	450	800	711	0		0
219	Tree Removal								
220	Operating Supplies	0	321	0	250	0			
221	Diseased Trees	4,218	0	0	0	0	0	0	0
222	Contracted Services	0	4,762	3,991	2,300	2,393	5,000		5,000
223	Sanitation - Recycling								
224	Contracted Services	8,849	12,537	11,047	11,050	11,389	12,000		10,000
225	Recycling grant projects				1,650	0	0		0
226	Lawn Care/Maintenance								
227	Contracted Services	0	4,480	5,065	6,000	4,900	6,000		13,000
228	Weed Control - MILLFOIL	0	4,480	135	1,700	927	1,200		
229	TOTAL - Sanitation	13,067	27,280	20,688	23,750	20,320	24,200	0	28,000

