



AGENDA OF THE REGULAR MEETING OF  
THE CITY COUNCIL  
CITY OF BIRCHWOOD VILLAGE  
WASHINGTON COUNTY, MINNESOTA  
October 11, 2016  
7:00 P.M.

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**APPROVE AGENDA**

**OPEN PUBLIC FORUM**

**ANNOUNCEMENTS**

Patty Wetterling presentation will be November 1 at 7:00 p.m. at the regular City Council meeting.

Elections to be held at City Hall on November 8 from 7 a.m. until 8 p.m.

**CITY BUSINESS – CONSENT AGENDA**

- A. Approval of Regular Meeting Minutes from September 13, 2016\*
- B. Approval of Special Meeting Minutes September 7, 2016\*
- C. Approval of Treasurer's Report\*
- D. Sheriff's Report\*

**CITY BUSINESS – REGULAR AGENDA**

- A. First Reading: Ordinance 302.045 and 302.070 (Fence language)\* pages 22-25
- B. Dock Association: Mike Evangelist  
-council to review Dock Application for submission to WBLCD\* pages 26-61
- C. Council Member Lafoy
  - a. Generator decal\* pages 62-64
  - b. AED Update
- D. Wetterling Signs/Postings

- E. Noise Complaints
- F. Plaque for Jeffrey Lutz at Hockey Rink
- G. Special Revenue Account #210\* page 65
- H. City Administrator's Report
  - a. AC Unit at City Hall\* page 66
  - b. Leaf Pick-Up Update\* page 67
  - c. JPA- WBT and John Manship\* pages 68-69

**ADJOURN**

**CITY OF BIRCHWOOD VILLAGE  
REGULAR CITY COUNCIL MEETING  
September 13, 2016**

**MINUTES**

**MEMBERS PRESENT:** Mayor Mary Wingfield; Council members: Kevin Woolstencroft, Mark Anderson Randy LaFoy and Bill Hullsiek.

**STAFF PRESENT:** Mike Anderson, City Administrator; Alan Kantrud, City Attorney; and Jack Kramer, Building Official

**OTHERS PRESENT:** Kathy Blegen-Huntley, Steve Schad, Megan Malvey, John Waller, Gene Ruehle, Doug Danks, James and Margie Nelson, and others.

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

**AGENDA APPROVAL:**

**Mayor Wingfield:** She informed those in attendance that Patty Wetterling, who was scheduled to speak at the meeting, would not be able to make it. She will reschedule her visit for a future City Council meeting - to be determined.

**MOTION WAS MADE BY COUNCIL MEMBER LAFOY AND SECONDED BY COUNCIL MEMBER HULLSIEK TO APPROVE THE AGENDA. ALL AYES. MOTION PASSED.**

**OPEN PUBLIC FORUM:**

**John Waller (14010 Homestead Ave, Hugo MN):** He is the manager of the Washington County Rice Creek Watershed. He invited a representative from the City to attend the Watershed meeting - time and date to be determined. To date, Birchwood has not been represented at these meetings.

**Gene Ruehle (262 Wildwood Ave):** He gave an update from the Road Committee. The Committee suggests converting part of Hall Ave into a walk path.

**Mayor & Council Members:** Would like to wait and analyze the effects of the new stop signs before approving additional safety measures.

**ANNOUNCEMENTS:** The Fall Plant Exchange will take place on September 24th at 10AM.

**CITY BUSINESS – CONSENT AGENDA**

- A. Approval of Special Meeting Minutes July 26, 2016
- B. Approval of Treasurer's Report

**C. Sheriff's Report**

**MOTION WAS MADE BY COUNCIL MEMBER HULLSIEK AND SECONDED BY COUNCIL MEMBER LAFOY TO APPROVE THE CONSENT AGENDA AS AMENDED. ALL AYES. MOTION PASSED.**

**D. Approval of Regular Meeting Minutes from July 12, August 17, 2016**

**Mayor Wingfield:** She asked that the word "pervious *service*" on p. 8 be corrected to read "pervious surface." She also confirmed with Administrator Anderson how the leaf pickup will work this Fall. Anderson will contact H&B Services to confirm correct procedure for leaf pickup.

**MOTION WAS MADE BY COUNCIL MEMBER LAFOY AND SECONDED BY COUNCIL MEMBER HULLSIEK TO APPROVE THE JULY REGULAR MEETING MINUTES, AS DISCUSSED. ALL AYES. MOTION PASSED.**

**CITY BUSINESS - REGULAR AGENDA**

**A. Second Reading Safety Committee Ordinance**

**Administrator Anderson:** He provided the procedural history of this ordinance.

**Mayor Wingfield:** Opened the floor to public hearing on this issue.

**MOTION WAS MADE BY COUNCIL MEMBER LAFOY AND SECONDED BY COUNCIL MEMBER HULLSIEK TO CLOSE THE PUBLIC HEARING. ALL AYES. MOTION PASSED.**

**Mayor Wingfield:** Invited Kathy Blegen-Huntley to stand and explain the proposed ordinance.

**Kathy Blegen-Huntley:** She further explained the intent for this ordinance and the effort that has been expended by the Safety Committee to make the ordinance fair and legally defensible.

**Mayor and Council Members:** Thanked the committee for their efforts.

**MOTION WAS MADE BY COUNCIL MEMBER HULLSIEK AND SECONDED BY COUNCIL MEMBER LAFOY TO APPROVE THE CODE AS PRESENTED BY THE SAFETY COMMITTEE. ALL AYES. MOTION PASSED.**

**Administrator Anderson:** Presented the summary resolution for this code and made corrections per Council's instruction.

**MOTION WAS MADE BY COUNCIL MEMBER LAFOY AND SECONDED BY COUNCIL MEMBER HULLSIEK TO APPROVE THE SUMMARY RESOLUTION AS AMENDED. ALL AYES. MOTION PASSED.**

**B. Second Reading of Ordinance 605.043 and Striking Language 607.360 (Dogs in the Parks)**

**Mayor Wingfield:** She provided a background on this issue stating that there have been issues with dogs at the beach and residents would like to see Kay beach off limits to dogs. She also mentioned

that dogs can enter the other easements on a leash as well as Tighe Schmitz Park. Then she stated that having a safe zone at Kay beach for kids is necessary for parents to not have to worry about their kids being bitten or getting sick from feces in the sand. She then opened the floor for a public hearing.

**MOTION WAS MADE BY COUNCIL MEMBER LAFOY AND SECONDED BY COUNCIL MEMBER WOOLSTENCROFT TO CLOSE THE PUBLIC HEARING. ALL AYES. MOTION PASSED.**

**Administrator Anderson:** Presented the proposed ordinance language as approved by the Planning Commission. Commissioners voted to keep 605.043 as written, strike 607.360 altogether, and change the definition of restraint under 605.040 to mean "leashed."

**Mayor and Council Members:** Deliberated over the Planning Commission's recommendation and accepted the recommendation to strike 607.360 but not to change 605.040.

**MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCIL MEMBER LAFOY TO STRIKE 607.360 FROM CITY CODE. ALL AYES. MOTION PASSED.**

**MOTION WAS MADE BY COUNCIL MEMBER LAFOY AND SECONDED BY COUNCIL MEMBER HULLSIEK TO APPROVE CHANGES TO 605.043 AS DISCUSSED. FOUR AYES. MAYOR WINGFIELD OPPOSED. MOTION PASSED.**

**Mayor Wingfield:** Requested Administrator Anderson publish the code as changed; no need to publish a summary.

**C. Approval of Ordinance 2016-08-16: Opting Out of Temporary Family Health Care Dwellings**

**Attorney Kantrud:** Provided background to this ordinance.

**Mayor Wingfield:** Opened the floor for public hearing on this issue.

**MOTION WAS MADE BY COUNCIL MEMBER LAFOY AND SECONDED BY COUNCIL MEMBER HULLSIEK TO CLOSE THE PUBLIC HEARING. ALL AYES. MOTION PASSED.**

**Doug Danks:** He explained that the Planning Commission agreed with opting out of this statute but also felt that the underlying intent of this statute was worth the City's attention to solving the problem in another way.

**Mayor and Council Members:** Agreed that they would support the Planning Commission looking into this issue further and find another solution.

**MOTION WAS MADE BY COUNCIL MEMBER LAFOY AND SECONDED BY COUNCIL MEMBER WOOLSTENCROFT TO APPROVE THE ORDINANCE AS PROPOSED. ALL AYES. MOTION PASSED.**

**D. Patty Wetterling Presentation .**

**Mayor Wingfield:** Explained the need to vote on a new November Council Meeting date due to the conflict with Election Day. She suggested holding Council Meeting on November 1 and offered to

coordinate rescheduling Patty Wetterling. She also asked Administrator Anderson to publish the Wetterling visit on the City website and possibly in the White Bear Press newspaper.

**MOTION WAS MADE BY COUNCIL MEMBER HULLSIEK AND SECONDED BY COUNCIL MEMBER ANDERSON TO MOVE THE NOVEMBER COUNCIL MEETING TO NOVEMBER 1. ALL AYES. MOTION PASSED.**

**E. Resolution 2016-19, Establishing the Preliminary Levy Certification for the City's 2016 General Fund at \$326,299.**

**Mike Anderson:** Explained the proposed Levy is consistent with previous years which the City has been operating at and sees no need to raise the Levy based on the cost the City needs to operate.

**Mayor and Council Members:** Deliberated potential programs that could increase the Levy but decided the budget had enough money for miscellaneous expenses to cover these programs. Any programs exceeding the budget will be funded through private donations.

**MOTION WAS MADE BY COUNCIL MEMBER HULLSIEK AND SECONDED BY COUNCIL MEMBER WOOLSTENCROFT TO APPROVE RESOLUTION 2016-19. ALL AYES. MOTION PASSED.**

**F. First Reading: Impervious Surface**

**Mayor Wingfield:** She explained that the Planning Commission reviewed the Dellwood impervious ordinance and felt it was too complicated. The DNR requires that Shoreland overlay districts, which Birchwood is, cap their impervious surface at 25%. The problem is that Birchwood Village doesn't currently include impervious surfaces that are common to almost every other City's ordinances, such as swimming pools and decks. The DNR, for example applies pools and decks to its impervious figure.

**Doug Danks:** Dellwood's ordinance is not too complex, rather it is too vague and general. The Planning Commission gives a unanimous and strong recommendation to keep the language as it currently exists. If need be, the Commission would be willing to add a line item to the existing language to include swimming pools. The Planning Commission deals with impervious surface more than any other issue - it's part of everything they do. The existing language is well tested and has served the Commission and City well. Birchwood's current ordinance is more specific than others the Commission looked at. With smaller lot sizes and greater density, such as White Bear Lake and Birchwood Village, these ordinances get tested. The current policy in Birchwood is that decks should not count as impervious surface unless they are solid surface or have an impervious layer under the deck. Otherwise, the open spaces between the deck allows water to drain beneath. The Commission wants to leave room in the ordinance for partially pervious products because Birchwood has such small lot sizes.

**Attorney Kantrud:** He likes the idea of adding to the specificity of the existing ordinance, rather than replacing the existing ordinance with a more general ordinance.

**Mayor Wingfield:** Her concern is with the engineered pavement products that are only pervious if maintained - if these surfaces are not maintained then they should be treated as impervious.

**Doug Danks:** We could go back to having the City Engineer review these. Engineered products become less pervious but not completely impervious. He has reservations about backing the Commission into a corner where they don't have the tools necessary to help them make a determination. The Commission could take a look at including decks and pavers as impervious surfaces if they can also allow mitigating measures that would make them pervious. He requests that the Council table any movement on this topic until the Planning Commission can meet with Sherry.

**Mayor Wingfield:** This topic is beyond everyone's experience at the meeting. Accordingly, city planner Sherry Buss should be invited to give input.

The council agreed that Ms. Buss should to come to joint City Council/Planning Commission meeting to help resolve this issue.

**MOTION WAS MADE BY COUNCIL MEMBER LAFOY AND SECONDED BY COUNCIL MEMBER HULLSIEK TO TABLE THIS TOPIC. ALL AYES. MOTION PASSED.**

**MOTION WAS MADE BY COUNCIL MEMBER LAFOY AND SECONDED BY COUNCIL MEMBER HULLSIEK TO HOLD A JOINT COUNCIL WORKSHOP WITH THE PLANNING COMMISSION AND SHERRY. ALL AYES. MOTION PASSED.**

**Council Member LaFoy:** He asked Administrator Anderson to schedule this Workshop

#### **G. Siltation at 232 Wildwood Ave Discussion**

##### **PLEASE EXPLAIN THE PROBLEM**

**James and Margie Nelson (256 Wildwood):** Showed and explained a video of silt runoff from 232 Wildwood during a rainstorm.

**Jack Kramer (Building Official):** Provided the history behind the 232 Wildwood project and efforts that had been made by City staff to stop the siltation.

**Attorney Kantrud:** Provided a legal analysis and advice.

**Doug Danks:** Compared the project differences from 232 Wildwood to other projects.

**John Waller:** He offered Council advice for solving siltation within constructions sites. He will also check the permit for this site.

**Mayor and Council Members:** Deliberated this issue. Attorney Kantrud will work with Administrator Anderson to establish code language to resolve siltation and work with the building Official to initiate a formal complaint.

#### **H. Mayor Wingfield:**

##### **a. Halls Marsh**

**Mayor Wingfield:** She provided a background to the Halls Marsh situation. Currently the pipe running from the Marsh to the Lake has been clogged and does not allow for proper drainage. Rice Creek Watershed has stated that it is the next budget item to get fixed in late 2016 or early 2017.

**John Waller:** He explained the relationship between Halls Marsh and the Rice Creek Watershed District. The Watershed District owns Halls Marsh and is responsible for maintaining and repairing it.

**MOTION WAS MADE BY COUNCIL MEMBER WOOLSTENCROFT AND SECONDED BY COUNCIL MEMBER HULLSIEK TO APPROVE THE RESOLUTION. ALL AYES. MOTION PASSED.**

**b. Impeller/Swiffer Cost Issue**

**Mayor Wingfield:** She provided an update of her conversation with City Engineer Steve Thatcher regarding the lift station / impeller problem. The waste stream seems to be the cause of the problem - improper sewer disposal practices of "flushables" and other items not permitted to be flushed go down into the lift stations, causing the lift station pump to work harder which wears on the impellers at a faster rate than normal.

**Mayor and Council Members:** Discussed ways to educate residents on sewer practices.

**c. Letter to Mahtomedi**

**Mayor and Council Members:** Discussed a letter the Mayor has drafted to Mahtomedi, inviting them to join Birchwood in working to reduce traffic speeds and add safer pedestrian options throughout the two communities. The discussion revolved around the increased speed once motorists got past Hall & Jay Street. It appears that they speed up heading towards Mahtomedi to make up for lost time travelling through Birchwood. Council would like Mahtomedi to help decrease speed along Hall to disinterest motorists from using Hall as a pass through from WBL to Mahtomedi.

**I. First Reading: Ordinance 302.045 and 302.070 Discussion - Fence**

**Jack Kramer:** Introduced proposed ordinance language that included a requirement that the fence not be placed more than 3" above grade.

**Administrator Anderson:** He pointed out that Jack's proposed language is included in the memo but the two subsequent pages after the memo was added by Anderson and was based off of the direction given at the past City Council meeting.

**Mayor Wingfield:** She asked Attorney Kantrud if there be any good reason for having fence height governed by two separate codes; 302.045 and 302.070. If not, she proposes cutting out fence height language from 302.045.

**Attorney Kantrud:** He said there is no need to have both ordinances cover fences. He recommends the ordinance stipulate 6'-6" (78") for any part of the fence, be it post or pickets.

**Council Member Hullsiek:** Said that he interprets the current ordinance to include fence posts in the 6'-6" height maximum.

**Larry and Susan Mahoney (479 Lake Ave):** Introduced their interpretation of the code and showed pictures of various fences throughout the City.

**Attorney Kantrud:** Said he would draft an ordinance revising height restrictions to 6'-6" (78") for the highest part of the fence or post. He will present this at next month's meeting to be read as a first reading.

**J. Planning and Zoning: Permission to begin discussions with White Bear Lake**

**Mayor and Council Members:** Discussed whether to have Administrator Anderson ask the City of White Bear Lake about performing Birchwood's Planning and Zoning duties.

**MOTION WAS MADE BY COUNCIL MEMBER WOOLSTENCROFT AND SECONDED BY COUNCIL MEMBER HULLSIEK TO APPROVE ASKING THE CITY OF WHITE BEAR LAKE ABOUT ENTERING A JOINT POWERS AGREEMENT FOR PLANNING AND ZONING . ALL AYES. MOTION PASSED.**

**K. Dock Association presentation at October meeting**

**Mayor and Council Members:** Discussed the need to update the dock usage and the waiting list and specific information the council is requesting from the dock association. They also discussed the status of the docks and the beaches. Administrator Anderson will find out when the next Dock Association meeting will take place.

**L. WBLCD: Appointment of Paul Steinhauser as Birchwood Representative**

**Mayor and Council Members:** Paul Steinhauser submitted a letter requesting consideration for the position of WBLCD board member. The council discussed appointing Paul Steinhauser as Birchwood's representative with the White Bear Lake Conservation District.

**MOTION WAS MADE BY COUNCIL MEMBER LAFOY AND SECONDED BY COUNCIL MEMBER ANDERSON TO APPOINT PAUL STEINHAUSER AS BIRCHWOODS WBLCD REPRESENTATIVE. ALL AYES. MOTION PASSED.**

**M. City Administrator's Report**

**a. City Portable Restrooms**

**Administrator Anderson:** He introduced a quote received from AirFresh Industries to maintain the City's portable restrooms.

**Mayor and Council Members:** Discussed whether to accept the quote to replace Onsite Sanitation's services and if so, when.

**b. AC Unit at City Hall**

**Administrator Anderson:** Informed the Council of the need to replace City Halls A/C unit. The existing unit is over 18 years old and has experienced several problems recently.

**Mayor and Council Members:** Discussed a quote received to replace the entire A/C unit. Administrator Anderson will seek quotes from additional companies.

**ADJOURN**

**MOTION WAS MADE BY COUNCIL MEMBER LAFOY AND SECONDED BY COUNCIL MEMBER ANDERSON TO ADJOURN THE MEETING. ALL AYES. MOTION PASSED. MEETING ADJOURNED AT 9:59 P.M.**

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Mary Wingfield  
Mayor

ATTEST:

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Mike Anderson  
City Administrator-Clerk

**CITY OF BIRCHWOOD VILLAGE  
CITY COUNCIL WORKSHOP MEETING  
September 7, 2016**

**MINUTES**

**MEMBERS PRESENT:** Mayor Mary Wingfield; Council members, Randy LaFoy and Bill Hullsiek. **Absent:** Mark Anderson, Kevin Woolstencroft

**STAFF PRESENT:** Mike Anderson, City Administrator; Alan Kantrud, City Attorney

**OTHERS PRESENT:** Jim & Debbie Herrod, Terry: Midwest Fence Representative

**Mayor Wingfield** called the regular meeting to order at 7 p.m.

**Administrator Anderson:** some issues came about with the construction of a fence at 483 Lake Ave. The issue was with the structure height allowed by City Code and what was built on site. After the construction of the fence, some complaints had been registered regarding the height of the fence/design and what is allowed in City Code 605.043.

**CITY BUSINESS - REGULAR AGENDA**

**A. Review Ordinance 302.045 (Fence Height) and 302.070 City Fence Ordinance**

**Administrator Anderson:** Presented a summary of the fence at 483 Lake Ave from the start of the permit process to the current state of the construction.

**Mayor and Council:** Discussed the ordinance language.

**Resident Harrod:** Explained their situation on the fence and believe the fence is in compliance with city code. She believes the posts are in compliance, but some of the boards might be too tall. After speaking with Midwest Fence and standard fence construction she believes the fence is to code.

**Terry MWF:** boards are cut at a standard 6" and placed a few inches off the ground. Midwest Fence installs 3400-3600 fences per year. All of those installations vary in style but standard process applies to all. The open air space is compliant to the 30% required by the City. The fence posts are always placed higher than the boards. We use 9" posts and place them in the ground to stand over the boards. We never recommend the fence boards be placed on the ground as they are not treated.

**Mayor Wingfield:** Discussed the language and expressed the need for it to be revamped. She asked Attorney Kantrud where the City stands tonight on the fence at 483 Lake Ave according to current code language.

**Attorney Kantrud:** Gave his comments about the fence ordinance and how the City uses common practice in determining fence height. He mentioned how he likes St. Paul's language on how they give an overall height. He recommends changing our language to give an overall height and table this manner until a future meeting while council looks at alternative language.

**Mayor Wingfield:** Would like to see posts included in the overall height and until then table the matter.

**Attorney Kantrud:** Stated that this is a zoning issue, the Planning Commission will need to review it to give their comments and recommendations to Council.

**Mayor Wingfield:** Agreed to table this matter, have this reviewed at a Planning Commission Meeting and will present a first reading at the October meeting.

**ADJOURN:** The meeting ended at 7:30 p.m.

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Mary Wingfield  
Mayor

ATTEST:

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Mike Anderson  
City Administrator-Clerk

For the Period : 9/6/2016 To 10/6/2016

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>	<u>Less Deposits In Transit</u>	<u>Plus Outstanding Checks</u>	<u>Total Per Bank Statement</u>
General Fund	\$573,468.33	\$15,924.67	\$17,826.13	\$571,566.87	\$2,471,382.69	\$2,434,842.63	\$535,026.81
Road and Bridge	\$0.00	\$0.00	\$0.00	\$0.00	\$8,350.00	\$8,350.00	\$0.00
Special Rev Projects	\$115.02	\$1,500.00	\$0.00	\$1,615.02	\$50,983.91	\$51,018.89	\$1,650.00
Library	\$0.00	\$0.00	\$0.00	\$0.00	\$325.00	\$325.00	\$0.00
Spec Rev - Warm House	\$0.00	\$0.00	\$0.00	\$0.00	\$15,388.53	\$15,388.53	\$0.00
General Debt Service (Identify)	\$0.00	\$0.00	\$0.00	\$0.00	\$294,162.45	\$424,147.45	\$129,985.00
Birchwood In Re-hab Bond	\$0.00	\$0.00	\$0.00	\$0.00	\$4,621.11	\$4,438.11	(\$183.00)
Sewer Re-hab 2008 Debt	\$8,424.62	\$0.00	\$0.00	\$8,424.62	\$147,776.84	\$139,109.22	(\$243.00)
General Capital Projects	\$40,108.91	\$0.00	\$0.00	\$40,108.91	\$212,002.43	\$214,314.52	\$42,421.00
Municipal State Aid Streets - Construction	\$0.00	\$0.00	\$0.00	\$0.00	\$18,087.00	\$120,547.00	\$102,460.00
Open Spaces Acquisition (Optional)	\$0.00	\$0.00	\$0.00	\$0.00	\$32,543.00	\$32,543.00	\$0.00
Water	\$27,172.52	\$500.00	\$9,629.89	\$18,042.63	\$431,428.91	\$490,047.78	\$76,661.50
Gas	\$61,564.77	\$0.00	\$6,469.21	\$55,095.56	\$664,544.73	\$777,296.67	\$167,847.50
Transit System	\$3,845.00	\$0.00	\$0.00	\$3,845.00	\$30,000.00	\$26,155.00	\$0.00
<b>Total</b>	<b>\$714,699.17</b>	<b>\$17,924.67</b>	<b>\$33,925.23</b>	<b>\$698,698.61</b>	<b>\$4,381,596.60</b>	<b>\$4,738,523.80</b>	<b>\$1,055,625.81</b>

City of Birchwood Village

Receipts Register

10/6/2016

Fund Name: All Funds

Date Range: 09/09/2016 To 10/05/2016

<u>Date</u>	<u>Remitter</u>	<u>Receipt #</u>	<u>Description</u>	<u>Deposit ID</u>	<u>Void Account Name</u>	<u>F-A-P</u>	<u>Total</u>
09/12/2016	R&S Underwood Heating & A/C	1815	Permit	(09/12/2016) -	N Building Permits (Excludes surcharge)	100-32210-	\$ 78.75
09/12/2016	Standard Heating	1816	Permit	(09/12/2016) -	N Building Permits (Excludes surcharge)	100-32210-	\$ 78.75
09/12/2016	Bruette Roofing Inc	1817	Permit	(09/12/2016) -	N Building Permits (Excludes surcharge)	100-32210-	\$ 171.34
09/20/2016	RWSCC	1819	Annual Distribution	(09/20/2016) -	N Cable Comm. Grant	100-33625-	\$ 13,543.05
09/20/2016	MN STATE	1821	Court Fine	(09/20/2016) -	N State and Misc fees	100-34170-	\$ 298.31
09/26/2016	Southview Design, Inc.	1820	Permit	(09/26/2016) -	N Building Permits (Excludes surcharge)	100-32210-	\$ 298.31
10/03/2016	Hanson, Lynn	1653	Boat Slip	(10/06/2016) -	N Dock/Lift Permit Fee	210-32260-	\$ 414.91
10/03/2016	Morehead, Troy	1786	Boat Slip	(10/06/2016) -	N Dock/Lift Permit Fee	210-32260-	\$ 200.00
10/03/2016	Schaffhausen, Megan	1825	Boat Slip Wait List Fee	(10/06/2016) -	N Dock/Lift Permit Fee	210-32260-	\$ 200.00
10/03/2016	Lund, John	1826	Boat Slip/Dock fee	(10/06/2016) -	N Dock/Lift Permit Fee	210-32260-	\$ 200.00
10/03/2016	Klump, Dana	1827	Boat Slip	(10/06/2016) -	N Dock/Lift Permit Fee	210-32260-	\$ 300.00
							\$ 300.00
							\$ 200.00
							\$ 200.00

Fund Name: All Funds

Date Range: 09/09/2016 To 10/05/2016

<u>Date</u>	<u>Remitter</u>	<u>Receipt #</u>	<u>Description</u>	<u>Deposit ID</u>	<u>Void Account Name</u>	<u>F-A-P</u>	<u>Total</u>
10/04/2016	Lori Mahler	1822	Hall Rental	(10/04/2016) -	N City/Town Hall Rent	100-34101-	\$ 25.00
							\$ 25.00
10/04/2016	Apollo Heating	1823	Permit	(10/04/2016) -	N Building Permits (Excludes surcharge)	100-32210-	\$ 32.50
							\$ 32.50
10/04/2016	Allstar Construction	1824	Permit	(10/04/2016) -	N Building Permits (Excludes surcharge)	100-32210-	\$ 155.90
							\$ 155.90
							\$ 15,882.37

Total for Selected Receipts



Fund Name: All Funds

Date Range: 09/09/2016 To 10/05/2016

Date	Vendor	Check #	Description	Void	Account Name	F-A-O-P	Total
10/04/2016	Gopher State One Call	29315	Locates (22 Tickets)	N	Utility Locates	100-42805-305-	\$ 29.70
		<b>Total For Check</b>					<b>\$ 29.70</b>
10/04/2016	LMCIT	29316	Remaining Worker's Comp Premium 6/15-6/16	N	City Insurance	100-41945-150-	\$ 138.00
		<b>Total For Check</b>					<b>\$ 138.00</b>
10/04/2016	TSE, INC	29317	City Hall Janitorial Services X2	N	General Government Buildings and Plant	100-41940-305-	\$ 25.00
		<b>Total For Check</b>					<b>\$ 25.00</b>
10/04/2016	On-Site Sanitation Inc	29318	Rental Monthly Units x 2	N	Supervision	100-45201-305-	\$ 99.13
		29318				100-45201-305-	\$ 99.13
		<b>Total For Check</b>					<b>\$ 198.26</b>
10/04/2016	City of Roseville	29319	Sept 2016 IT/Phone Services	N	Phone/IT	100-41955-320-	\$ 274.75
		29319				100-41955-320-	\$ 60.47
		<b>Total For Check</b>					<b>\$ 335.22</b>
10/04/2016	Ronnan, Kenny	29320	Council Meeting Services 9/13/16	N	Cable Eqpmnt and Service	100-41950-305-	\$ 84.37
		<b>Total For Check</b>					<b>\$ 84.37</b>
10/04/2016	City of White Bear Lake	29321	Fire Services - September 2016	N	Fire	100-42201-305-	\$ 1,568.75
		<b>Total For Check</b>					<b>\$ 1,568.75</b>
10/04/2016	Xcel Energy	EFTa100416	Electric for Street Lights	N	Street Lighting	100-43160-380-	\$ 1,231.20
		<b>Total For Check</b>					<b>\$ 1,231.20</b>
10/04/2016	Xcel Energy	EFTb100416	Electric for Generator	N	Street Lighting	100-43160-380-	\$ 71.74
		<b>Total For Check</b>					<b>\$ 71.74</b>
10/04/2016	Xcel Energy	EFTc100416*	Electric for Lift Stations/Warminghouse	N	General Government Buildings and Plant	100-41940-380-	\$ 124.04
		EFTc100416*			Supervision	100-45201-380-	\$ 12.56
		EFTc100416*			Sewer Utility	605-43190-380-	\$ 28.58
		<b>Total For Check</b>					<b>\$ 165.18</b>
		<b>Total For Selected Checks</b>					<b>\$ 13,654.95</b>

As on 10/6/2016

Special Rev Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
<b>Receipts:</b>			
Dock/Lift Permit Fee	0.00	2,700.00	2,700.00
<b>Total Acct 322</b>	<b>0.00</b>	<b>2,700.00</b>	<b>2,700.00</b>
<b>Total Revenues</b>	<b>0.00</b>	<b>2,700.00</b>	<b>2,700.00</b>
<b>Other Financing Sources:</b>			
<b>Total Other Financing Sources</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Disbursements:</b>			
Recreation			
Miscellaneous: Dues and Subscriptions	0.00	200.00	(200.00)
Community Events	0.00	900.00	(900.00)
<b>Total Acct 451</b>	<b>0.00</b>	<b>1,100.00</b>	<b>(1,100.00)</b>
Supervision			
Professional Services: Medical and Dental Fees	0.00	260.00	(260.00)
REPAIRS AND MAINTENANCE - CONTRACTUAL (401 through 409)	0.00	2,325.00	(2,325.00)
<b>Total Acct 452</b>	<b>0.00</b>	<b>2,585.00</b>	<b>(2,585.00)</b>
Unallocated Expenditures			
Refunds and Reimbursements	0.00	200.00	(200.00)
<b>Total Acct 492</b>	<b>0.00</b>	<b>200.00</b>	<b>(200.00)</b>
<b>Total Disbursements</b>	<b>0.00</b>	<b>3,885.00</b>	<b>(3,885.00)</b>
<b>Other Financing Uses:</b>			
<b>Total Other Financing Uses</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Beginning Cash Balance</b>		<b>2,800.02</b>	
<b>Total Receipts and Other Financing Sources</b>		<b>2,700.00</b>	
<b>Total Disbursements and Other Financing Uses</b>		<b>3,885.00</b>	
<b>Cash Balance as of 10/06/2016</b>		<b>1,615.02</b>	

As on 10/6/2016

Water

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
<b>Receipts:</b>			
Water Fee	0.00	44,259.95	44,259.95
Penalty - Late Water/Sewer	0.00	246.29	246.29
State and Misc fees	0.00	1,415.74	1,415.74
<b>Total Acct 341</b>	<b>0.00</b>	<b>45,921.98</b>	<b>45,921.98</b>
<b>Total Revenues</b>	<b>0.00</b>	<b>45,921.98</b>	<b>45,921.98</b>
<b>Other Financing Sources:</b>			
<b>Total Other Financing Sources</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Disbursements:</b>			
Postage/Postal Permits			
OFFICE SUPPLIES (201 through 209)	0.00	125.34	(125.34)
<b>Total Acct 414</b>	<b>0.00</b>	<b>125.34</b>	<b>(125.34)</b>
Financial Administration			
Professional Services: Medical and Dental Fees	0.00	5,694.05	(5,694.05)
<b>Total Acct 415</b>	<b>0.00</b>	<b>5,694.05</b>	<b>(5,694.05)</b>
Water Utility			
Professional Services: Medical and Dental Fees	0.00	31,939.46	(31,939.46)
Miscellaneous (431 through 499)	0.00	1,658.00	(1,658.00)
Sewer Utility			
Sewer - Wastewater Charge	0.00	4,080.09	(4,080.09)
<b>Total Acct 431</b>	<b>0.00</b>	<b>37,677.55</b>	<b>(37,677.55)</b>
<b>Total Disbursements</b>	<b>0.00</b>	<b>43,496.94</b>	<b>(43,496.94)</b>
<b>Other Financing Uses:</b>			
<b>Total Other Financing Uses</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Beginning Cash Balance</b>		<b>15,617.59</b>	
<b>Total Receipts and Other Financing Sources</b>		<b>45,921.98</b>	
<b>Total Disbursements and Other Financing Uses</b>		<b>43,496.94</b>	
<b>Cash Balance as of 10/06/2016</b>		<b>18,042.63</b>	

As on 10/6/2016

## Gas

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
<b>Receipts:</b>			
Penalty - Late Water/Sewer	0.00	513.72	513.72
Sewer Fee	0.00	71,877.75	71,877.75
<b>Total Acct 341</b>	<b>0.00</b>	<b>72,391.47</b>	<b>72,391.47</b>
<b>Total Revenues</b>	<b>0.00</b>	<b>72,391.47</b>	<b>72,391.47</b>
<b>Other Financing Sources:</b>			
<b>Total Other Financing Sources</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Disbursements:</b>			
Postage/Postal Permits			
OFFICE SUPPLIES (201 through 209)	0.00	250.68	(250.68)
<b>Total Acct 414</b>	<b>0.00</b>	<b>250.68</b>	<b>(250.68)</b>
Sewer Utility			
Sewer - Wastewater Charge	0.00	36,720.81	(36,720.81)
Professional Services: Medical and Dental Fees	0.00	39,974.41	(39,974.41)
Utility Services (381 through 389)	0.00	11,786.60	(11,786.60)
Misc	0.00	1,000.00	(1,000.00)
<b>Total Acct 431</b>	<b>0.00</b>	<b>89,481.82</b>	<b>(89,481.82)</b>
<b>Total Disbursements</b>	<b>0.00</b>	<b>89,732.50</b>	<b>(89,732.50)</b>
<b>Other Financing Uses:</b>			
<b>Total Other Financing Uses</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Beginning Cash Balance</b>		<b>72,436.59</b>	
<b>Total Receipts and Other Financing Sources</b>		<b>72,391.47</b>	
<b>Total Disbursements and Other Financing Uses</b>		<b>89,732.50</b>	
<b>Cash Balance as of 10/06/2016</b>		<b>55,095.56</b>	

Washington County Sheriff's Office  
CONTRACT ICR's  
Contract Report for BIRCHWOOD  
For the Period 9/01/16 To 9/30/16

Date	Time	ICR #	ID#	Street Name	Complaint
9/01/16	16:12:38	116032761	0095	WILDWOOD AV	BARKING DOG COMPLAINT
9/01/16	17:01:16	116032770	0118	WILDWOOD AV	BARKING DOG COMPLAINT
9/06/16	13:15:58	116033333	0115	BIRCHWOOD AV	911 MISDIAL
9/07/16	10:37:19	116033458	0077	WILDWOOD AV	ORD ISSUE *RESTACK-CALL COMP
9/08/16	20:06:04	116033622	0095	WILDWOOD AV	RES BURG ALARM
9/09/16	9:55:28	116033655	0081	WILDWOOD AV	FRAUD REPORT
9/11/16	20:45:12	116033914	0093	BIRCHWOOD RD	THEFT AND RECOVERED PROPERTY
9/13/16	19:09:46	116034192	0999	WILDWOOD AV	FIRE ALARM
9/14/16	16:55:48	116034294	0147	WILDWOOD AV	ALARM
9/16/16	12:04:18	116034497	0096	WILDWOOD AV	COYOTE SIGHTING/ORDINANCE QUES
9/19/16	14:16:20	116034909	0068	CEDAR ST	IRS SCAM REPORT
9/22/16	1:30:05	116035291	1202	HALL AV	INFO / SUSP ACTIVITY
9/22/16	8:48:02	116035316	0115	WILDWOOD AV	BUILDING CODE VIOLATION
9/22/16	9:37:55	116035318	0096	WILDWOOD AV	MEDICAL LEVEL 1
9/23/16	19:17:11	116035601	0067	BIRCHWOOD AV	LOUD MUSIC CALLE
9/24/16	8:19:51	116035645	0063	WILDWOOD AV	DRIVING COMPLAINT **21 COMP**
9/24/16	18:23:41	116035692	0118	WILDWOOD AV	DOMESTIC
9/25/16	10:44:26	116035746	1264	HALL AV	TRAFFIC: SPEED
9/25/16	22:27:46	116035788	0095	WILDWOOD AV	NOISE COMPLAINT
9/26/16	11:27:33	116035837	0068	BIRCHWOOD AV	SUSP ACTIVITY
9/27/16	11:37:35	116035978	0198	OAKHILL CT	SNOWMOBILE QUESTION
9/28/16	18:21:31	116036154	0076	WHITE BEAR LAKE	SINKING BOAT
9/29/16	13:23:52	116036253	0115	BIRCHWOOD AV	CONCERN FOR WELFARE **21 LYNN
9/29/16	19:47:07	116036294	0147	WILDWOOD AV	ALARM
9/29/16	20:07:12	116036295	0082	CEDAR ST	PUBLIC CONCERN
9/29/16	20:11:27	116036299	0091	BIRCHWOOD CT	BURG ALARM
9/29/16	22:15:14	116036305	0197	BIRCHWOOD CT	EMERGENCY LOCATE

Total ICRs Processed: 27

\*\* END OF REPORT \*\*



## MEMORANDUM

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**TO:** Birchwood City Council  
**FROM:** Mike Anderson, City Administrator  
**DATE:** October 6, 2016  
**SUBJECT:** Ordinance 302.045 & 302.070 Fence Language

The City of Birchwood is currently looking at amending the code language regarding fences. Attached is the current language striking and adding additional language to better help interpretation of this code.

At the joint September Council /Planning Commission meeting it was recommended that the limit on fence height would be 78 inches with posts not to exceed 12 inches above the adjacent fence.

The discussion included striking "fence" from 302.045: Structure Height Limitations and "Method B: Fences" considering City Code 302.070 lists the height requirements for the fence. Please see attachment with the striking and addition of the proposed language.

If you have questions please contact Mike Anderson at 651-426-3403 or

[Mike.Anderson@cityofbirchwood.com](mailto:Mike.Anderson@cityofbirchwood.com)

b. Dock and Pier Setbacks: Setback requirements from the ordinary high water levels shall not apply to piers and docks. Locations of piers and docks shall be controlled by applicable state and local regulations.

b. Retaining Wall Setbacks: Front, back, side street and other lot line setback requirements shall not apply to retaining walls except that the ordinary high water level setback requirements shall apply to retaining walls.

5. STRUCTURES IN WETLANDS. No structures are allowed within any wetlands.

**“AMENDED BY ORDINANCE 1997-2; August 12, 1997.”**

**“AMENDED BY ORDINANCE 2003-1; February 12, 2003.”**

302.030. HIGH WATER ELEVATIONS. All buildings shall be located such that the lowest floor surface is at a level at least three (3) feet in elevation above the highest known water level of any lake, pond, or wetland adjoining the lot. For three water bodies the high known water levels are:

**HIGHEST KNOWN WATER LEVELS (Feet Above Mean Sea Level)**

DNR ID #82-167	White Bear Lake	926.7 (NGVD, 1929)
DNR ID #82-134	Lost Lake	927.0 (NGVD, 1929)
DNR ID #82-480W	Hall's Marsh	926.7 (NGVD, 1929)

302.040. STRUCTURE REQUIREMENTS.

1. Each dwelling unit must have a floor area of at least 900 square feet.
2. The maximum square footage of a storage shed is 144 square feet. No person shall place automobiles, vans, or trucks in a storage shed.

302.045 STRUCTURAL HEIGHT RESTRICTIONS

1. STRUCTURAL HEIGHT LIMITATION: The maximum height of a structure as calculated by Method A or Method B (see below) is as follows:

<u>Structure type</u>	<u>Structure Height Limitation</u>
Principal Structure/attached garage	30 feet
Detached garage	18 feet
Detached storage shed	12 feet
Fences	6 feet

METHOD A: (Most applicable to 3-dimensional structures, e.g. houses and garages.) The maximum height of a structure is the difference between the elevation of the highest point of the structure and the average elevation of the grade plane. The grade plane shall be calculated based on the method shown in Exhibit A below. Elevation points at the ground level shall be evenly distributed along each façade.

METHOD B: (Most applicable to structures which are mainly 1- or 2-dimensional, e.g. towers, fences, and walls.) The maximum height of a structure is the difference in elevation between any point on the structure and the ground directly below that point.

## 2. Grading/Fill Limitation

The existing grade of the property shall not be raised around a new building or foundation in order to comply with the height requirements of this code.

## 3. Tallest Point Limitation

Regardless of the structure height limitations for principal structures specified in section 302.045 subsection 1 above, the lowest point on the façade to the tallest point of a structure shall not exceed 35 feet. Also, the tallest point of an attached garage shall not exceed the height of the tallest point of the principal structure.

## 4. Exceptions.

The structure height and tallest point limitations established herein shall not apply to chimneys and flues provided the footprint or horizontal area of the chimney or flue does not exceed 16 square feet and the top of the chimney or flues and does not extend more than three feet above the tallest point of the structure.

Exhibit A:

control on any property within the City, is a nonconformity. When a development permit is sought for property with non conforming vegetative or erosion conditions, a recovery plan must be submitted by the permit applicant and approved prior to permit issuance. The recovery plan must provide for reasonable screening of shoreland development, protection of soil from erosion, surface water shading and a schedule for implementation.

#### 302.070 CITY FENCE ORDINANCE.

1. Zoning Permit. A Zoning Permit (see Sections 301.080.1.b and 307) shall be obtained from the City before installing or constructing any fence for any purpose. A site drawing showing the location of the fence shall be submitted with the permit application.

2. Notice to Neighbors. Any applicant for a Zoning Permit to construct a fence shall notify all abutting property owners at least five (5) days prior to submitting the application for a Zoning Permit.

3. Location. All fences shall be located entirely upon the property of the fence owner.

4. Height. ~~No fence may exceed six (6) feet in height.~~

No fence shall exceed six feet six inches (78") in height above grade at any point. Posts shall not exceed 12 inches above the adjacent fence.

5. Retaining Walls. Solid walls in excess of four (4) feet high shall be prohibited unless they are part of a building.

6. Materials. Fences in excess of four (4) feet in height shall be at least thirty percent (30%) open through the entire surface area of the fence. All fences shall be constructed and maintained in a substantial manner and of material reasonably suited for the purpose for which the fence is proposed to be used. That side of the fence considered to be the face (or most attractive side of the fence) shall face toward abutting properties.

#### **"AMENDED BY ORDINANCE 1997-2; August 12, 1997."**

302.080. STAIRS AND LIFTS TO LAKE OR WATER BODY - STANDARDS. A stairway or lift to enable access from land properties to White Bear Lake or pond or recreational body of water shall be constructed and maintained in compliance with the standards and requirements of Section 302.080 parts 2 and 3.

1. The applicant shall obtain a Zoning Permit before any construction takes place.

2. Standards and requirements for stairways are as follows:

a. Stairways may not exceed 44 inches in width.

b. Landings may be permitted at a minimum vertical interval of 20 feet.

**APPROVAL FORM FOR ASSOCIATION DOCK PLANS  
CITY OF BIRCHWOOD VILLAGE  
(TO BE SUBMITTED TO CITY CLERK PRIOR TO OCTOBER 25, 2016)**

Date 10-6-2016

Beach Association Name Birchwood Dock Association

Beach Association Contact Person Mike Evangelist

Phone # 651-605-5873

Beach Association Officers:

President - Mike Evangelist Phone # 651-605-5873

Vice President - Randy Felt Phone # 651-274-3880

Secretary - Mary Sue Simmons Phone # 651-429-6259

Treasurer - Lynn Hanson Phone # 651-426-0848

Member At Large-- Debra Harrod Phone # 612-246-4612

Amount of Association Dues: \$35 Non Boating - \$650 Boating

Include the following when submitted form:

1. Drawing to scale of dock configuration, boat slip placement, length of boats, and property lines of easement.
2. A current membership list including identification of officers.
3. Current bylaws/changes of association.  
**(NOTE: ONLY NEEDED IF CHANGES HAVE BEEN MADE.)**
4. Treasurer's report from the current year.
5. Minutes from the last annual meeting.
6. Placement plan if lifts are stored on easement in the winter.

Beach club members with boats or lifts at any of the easements are reminded that a certificate of liability insurance is required to be turned into City Hall by May 1<sup>st</sup> of every year.

IS THERE A CHANGE FROM PREVIOUS YEAR?  YES  NO  
*No Kay Beach*

**APPROVAL FORM FOR ASSOCIATION DOCK PLANS  
CITY OF BIRCHWOOD VILLAGE  
(TO BE SUBMITTED TO CITY CLERK PRIOR TO OCTOBER 25, 2016)**

Date 10-6-2016

Beach Association Name Birchwood Dock Association

Beach Association Contact Person Mike Evangelist

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Member At Large-- Debra Harrod Phone # 612-246-4612

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Include the following when submitted form:

1. Drawing to scale of dock configuration, boat slip placement, length of boats, and property lines of easement.
2. A current membership list including identification of officers.
3. Current bylaws/changes of association.  
**(NOTE: ONLY NEEDED IF CHANGES HAVE BEEN MADE.)**
4. Treasurer's report from the current year.
5. Minutes from the last annual meeting.
6. Placement plan if lifts are stored on easement in the winter.

Beach club members with boats or lifts at any of the easements are reminded that a certificate of liability insurance is required to be turned into City Hall by May 1<sup>st</sup> of every year.

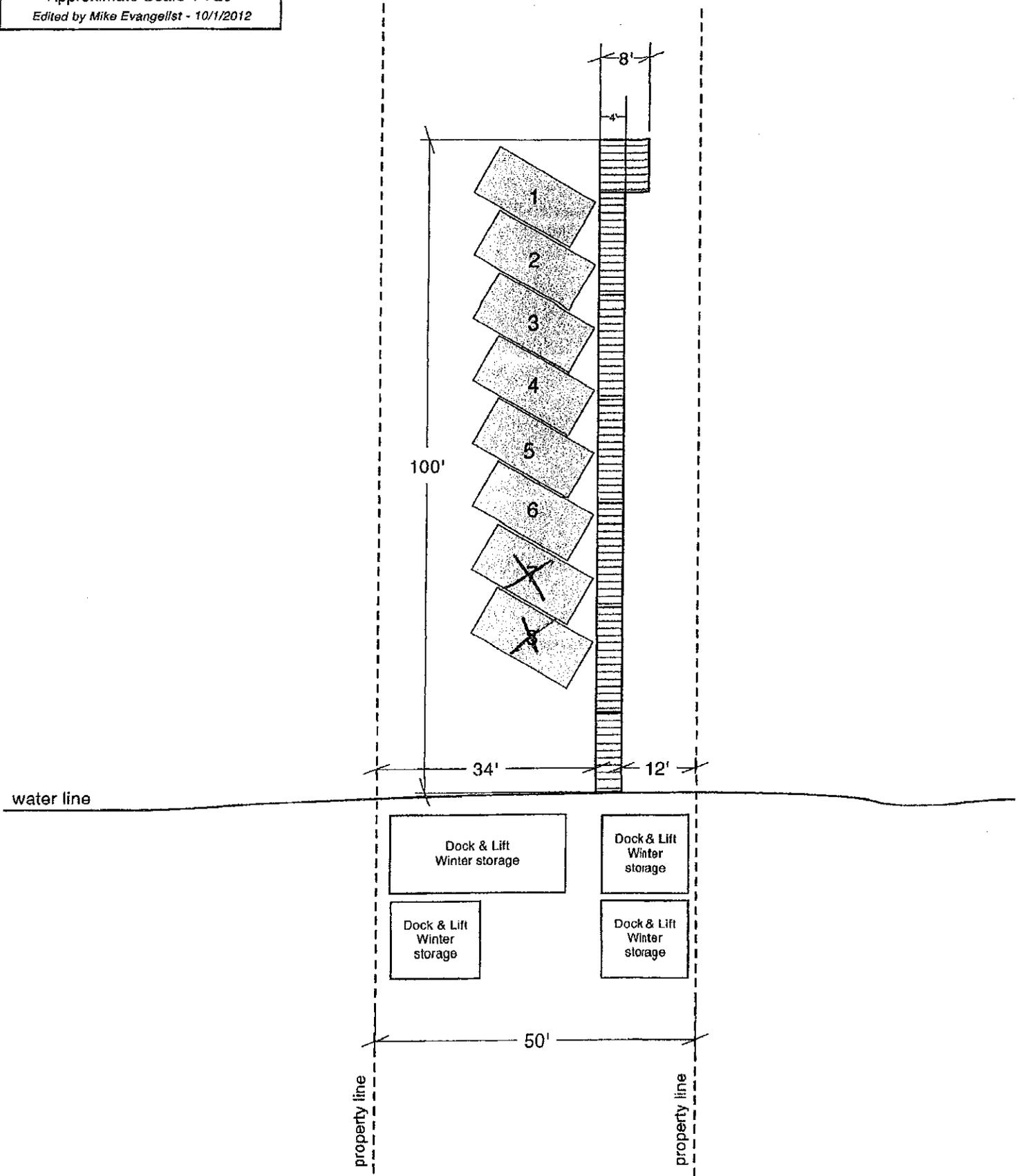
IS THERE A CHANGE FROM PREVIOUS YEAR?        YES   X   NO  
*No Kay Beach*



# Ash Beach

Approximate Scale 1" = 20'

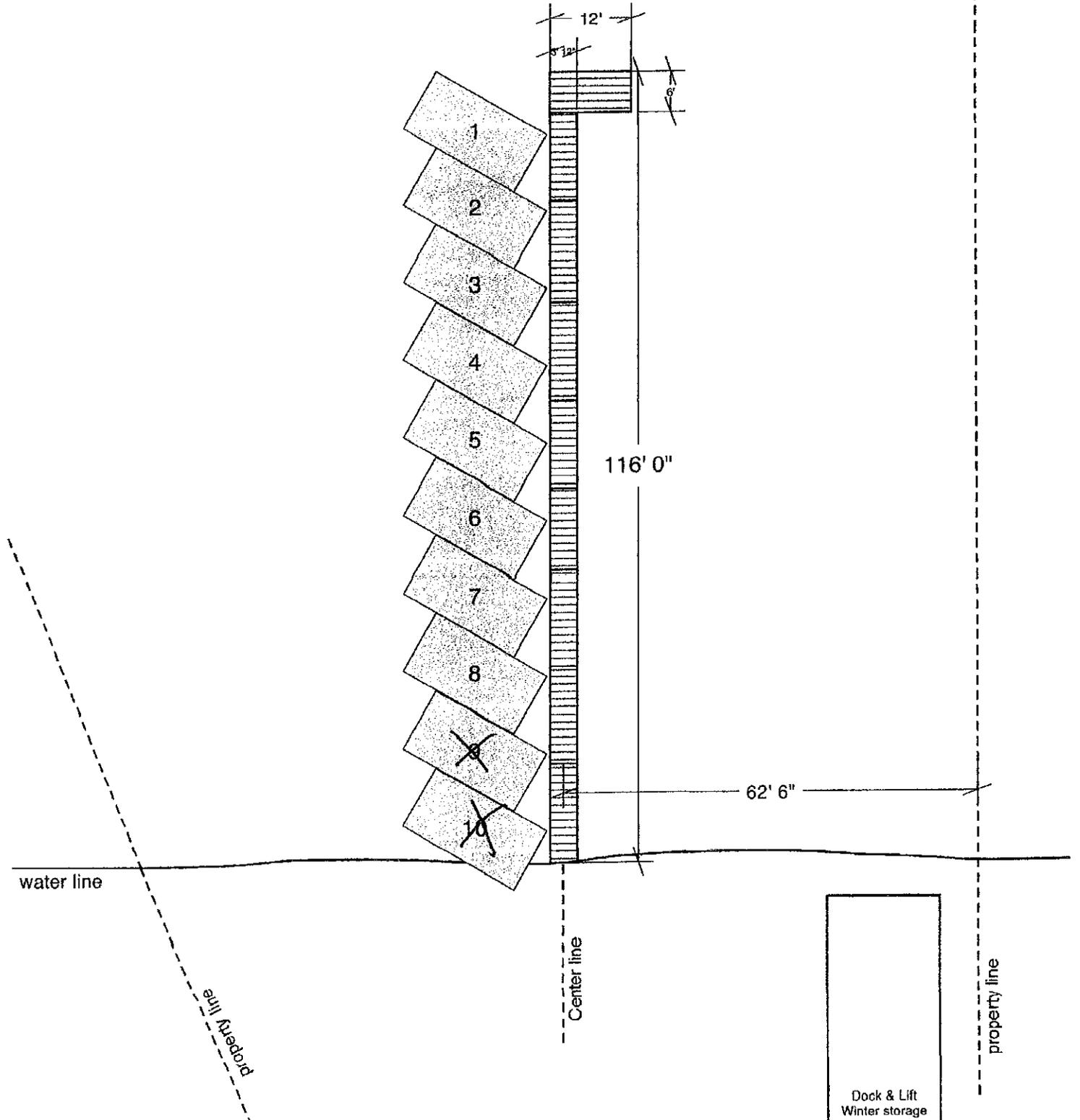
Edited by Mike Evangelist - 10/1/2012



# Birch Beach

Approximate Scale 1": 20'

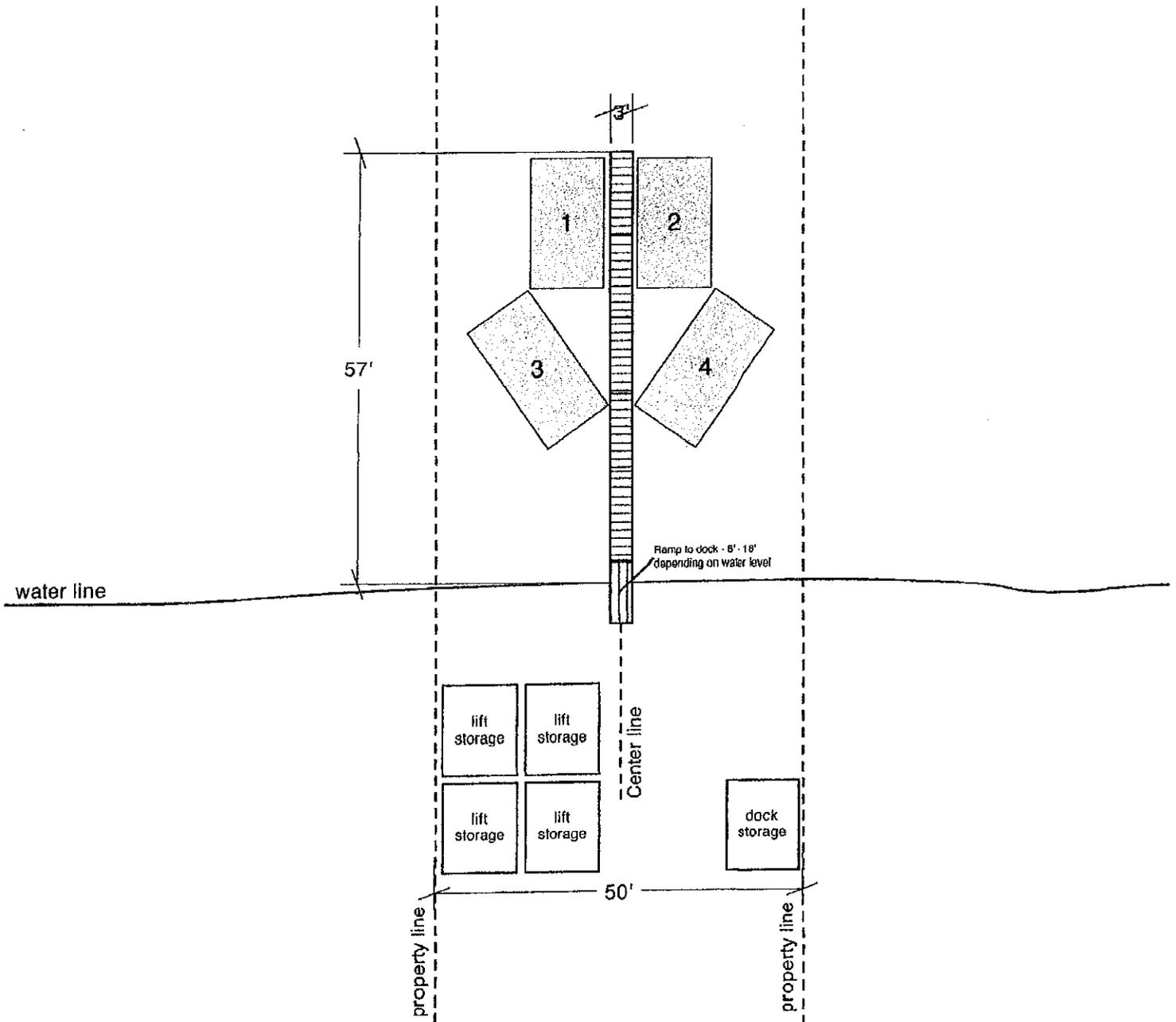
Edited by Mike Evangelist - 8/25/2012



# Elm Beach

Approximate Scale 1" = 20'

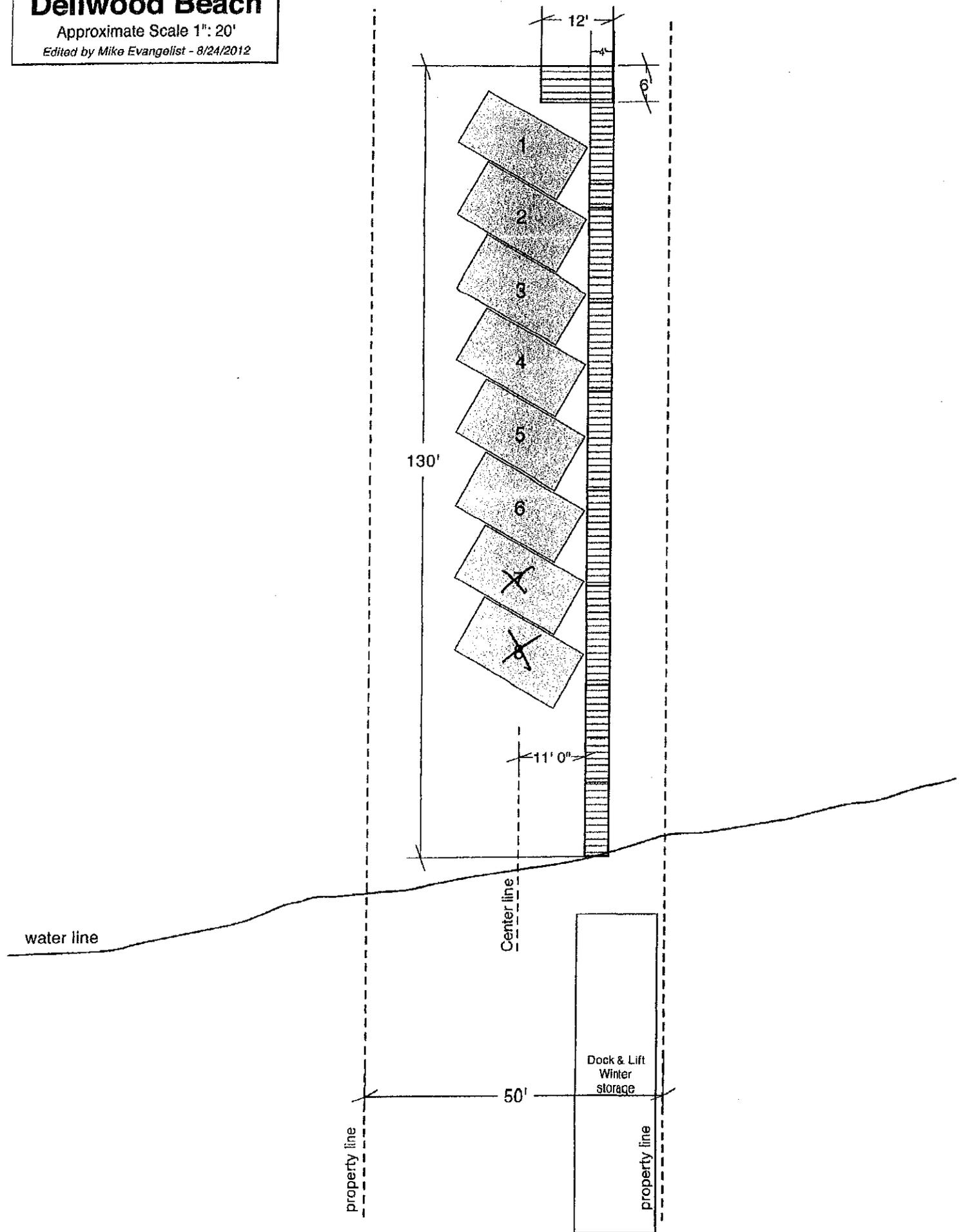
Edited by Mike Evangelist - 10/1/2012



# Dellwood Beach

Approximate Scale 1" = 20'

Edited by Mike Evangelist - 8/24/2012



**Birchwood Dock Association 2016 Membership**

	<u>First Name</u>	<u>Last Name</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
1	John & Martha	Arlandson	19 Oakridge Dr.	Birchwood	MN	55110
2	Peter & Michelle	Atakpu	201 Birchwood Ave.	Birchwood	MN	55110
3	Keith & Kathleen	Barton	28 Oaakridge Drive	Birchwood	MN	55110
4	Jim & Judy	Berg	889 Barbara Court	Mendota Heights	MN	55118
5	Gene & Sandy	Bowar	11 White Pine Lane	Birchwood	MN	55110
6	Barb	Brenny	364 Hall Ave.	Birchwood	MN	55110
7	Robert	Brydges	1 Oakhill Ct.	Birchwood	MN	55110
8	Bob & Barb	Carson	704 Hall Ave.	Birchwood	MN	55110
9	Chris & Angie	Churchill	140 Birchwood Ave	Birchwood	MN	55110
10	Houston	Clinch	164 Wildwood Ave.	Birchwood	MN	55110
11	Houston	Clinch	164 Wildwood Ave.	Birchwood	MN	55110
12	Robert & Mary	Cummins	296 Jay St.	Birchwood	MN	55110
13	Sandy & Claudio	Danus	430 Wildwood Ave.	Birchwood	MN	55110
14	Anthony & Christina	Demars	58 Juniper St	Mahtotedi	MN	55115
15	Ralph	Ebbott	409 Birchwood Ave.	Birchwood	MN	55110
16	John	Elias	9 Oakhill Ct.	Birchwood	MN	55110
17	Mike	Evangelist	364 Wildwood Ave.	Birchwood	MN	55110
18	Randy & Jackie	Felt	286 Jay St.	Birchwood	MN	55110
19	Stephen & Nancy	Ferry	191 Wildwood Ave.	Birchwood	MN	55110
20	Mark & Susan	Glander	5 Oakview Ct.	Birchwood	MN	55110
21	Vashti & Taylor	Graphenteen	2 Oakhill Ct.	Birchwood	MN	55110
22	Lynn & Dyanne	Hanson	700 Hall Ave.	Birchwood	MN	55110
23	Jim & Debbie	Harrod	483 Lake Ave.	Birchwood	MN	55110
24	Mark & Mary	Haupt	520 Hall Ave.	Birchwood	MN	55110
25	Mary	Hauser	616 Hall Ave.	Birchwood	MN	55110
26	David & Steph	Heiden	242 Wildwood	Birchwood	MN	55110
27	Greg & Bonnie	Hubbard	6 Oakhill Ct.	Birchwood	MN	55110
28	Bill & Mary	Hullsiek	290 Jay St.	Birchwood	MN	55110
29	Andrew & Alicia	Jackola	2016 Eldridge Ct.	North St. Paul	MN	55109
30	Jerry Carlson & Jackie	Jarosz	409 Lake Ave.	Birchwood	MN	55110
31	Tyler & Gretchen	Johnson	10 White Pine Ln	Birchwood	MN	55110
32	Dana & Lori	Klimp	414 Birchwood Ct	Birchwood	MN	55110
33	Robert & Diane	Landberg	531 Hall Ave.	Birchwood	MN	55110
34	John & Patti	Lauer	138 Wildwood Ave.	Birchwood	MN	55110
35	Mitch	Leammukda	179 Cedar St	Birchwood	MN	55110
36	Karen Hagen & Brian	Lind	401 Wildwood Ave.	Birchwood	MN	55110
37	John	Lund	608 Wildwood Ave	Birchwood	MN	55110
38	Roger & Donna	Madison	158 Wildwood Ave.	Birchwood	MN	55110
39	Ron	Malles	420 Wildwood Ave.	Birchwood	MN	55110
40	Laura	Manske	706 Birchwood Ave	Birchwood	MN	55110
41	John	McCormick	110 Birchwood Ave	Birchwood	MN	55110
42	Bryan & Karin	McGinnis	194 Wildwood Ave.	Birchwood	MN	55110
43	Joseph & Yoshiko	Miller	709 Hall Ave.	Birchwood	MN	55110
44	Alan	Mitchell	23 Oakridge Dr.	Birchwood	MN	55110
45	Charles & Linda	Moore	421 Birchwood Court	Birchwood	MN	55110
46	Troy & Naomi	Morehead	505 Wildwood Ave	Birchwood	MN	55110
47	Karen Holmen & Nino	Nardeccchia	706 Hall Ave.	Birchwood	MN	55110
48	Tom & Carly	Nelson	4 Five Oaks Ln	Birchwood	MN	55110
49	Gary & Judith	Oakins	291 Jay St.	Birchwood	MN	55110
50	Richard & Traci	Oni	152 Wildwood Ave.	Birchwood	MN	55110
51	Anna	Perry	429 Wildwood Ave.	Birchwood	MN	55110
52	Urho & Pam	Rahkola	545 Wildwood Ave.	Birchwood	MN	55110
53	Kraig & Erica	Rasmussen	3 White Pine Ln.	Birchwood	MN	55110
54	Bev	Ringsak	107 Birchwood Ave.	Birchwood	MN	55110
55	Gene & Shirley	Ruehle	262 Wildwood Ave.	Birchwood	MN	55110
56	Jim	Rupert	710 Hall Ave.	Birchwood	MN	55110
57	Rachel	Schuler	22 Oakridge Dr.	Birchwood	MN	55110
58	Maureen	Seibert	425 Birchwood Court	Birchwood	MN	55110
59	Mark & Julie	Simanski	32 Oakridge Dr.	Birchwood	MN	55110
60	Mary Sue	Simmons	418 Birchwood Ct.	Birchwood	MN	55110
61	Chris	Sorenson	5 Oakridge Dr.	Birchwood	MN	55110
62	Andrew	Sorenson	411 Birchwood Ave.	Birchwood	MN	55110
63	Robert Dean	Stanton	538 Hall Ave.	Birchwood	MN	55110
64	Paul & Meryl	Steinhauser	600 Birchwood Ave.	Birchwood	MN	55110
65	Ron & Mary	Sternal	6 Hall Court	Birchwood	MN	55110
66	David & Kelly	Strobel	401 Birchwood Ave.	Birchwood	MN	55110
67	Philip	Sutherland	106 Wildwood	Birchwood	MN	55110
68	Ted & Joanne	Thornquist	205 Wildwood Ave.	Birchwood	MN	55110
69	Linda	Treeful	PO Box 10830	White Bear Lake	MN	55110
70	David & Patricia	Trepanier	439 Birchwood Court	Birchwood	MN	55110
71	Nicole Pladson & Matt	Tschider	509 Wildwood Ave	Birchwood	MN	55110
72	John	Velin	146 Wildwood Ave.	Birchwood	MN	55110
73	Amy	Vreeland	360 Wildwood Ave.	Birchwood	MN	55110
74	Daniel & Sarah	Webber	4 Oak Ridge Dr.	Birchwood	MN	55110
75	Philip & Karen	Winter	1 Five Oaks Lane	Birchwood	MN	55110
76	Emma	Worthley	127 Birchwood Ave.	Birchwood	MN	55110

**Birchwood Dock Association Officers - 2017**

**President**

Mike Evangelist  
364 Wildwood Ave.      651-605-5873      [mike.evangelist@me.com](mailto:mike.evangelist@me.com)

**Vice President**

Randy Felt  
286 Jay Street      651-274-3880      [rfelt@comcast.net](mailto:rfelt@comcast.net)

**Treasurer**

Lynn Hanson  
700 Hall Ave.      651-426-8567      [lhanson54@comcast.net](mailto:lhanson54@comcast.net)

**Secretary**

Mary Sue Simmons  
418 Birchwood Cts.      651-429-6259      [simmo001@umn.edu](mailto:simmo001@umn.edu)

**Member at Large**

Debbie Harrod  
483 Lake Ave.      612-246-4612      [debbieharrod@hotmail.com](mailto:debbieharrod@hotmail.com)

**Complaint Managers**

Mike Evangelist      651-605-5873      [mike.evangelist@me.com](mailto:mike.evangelist@me.com)  
Randy Felt      651-274-3880      [rfelt@comcast.net](mailto:rfelt@comcast.net)



Fall 2016 Treasure's Report

9-Apr Balance Spring Meeting - 4-9-2016 **4,093.26** **4/9/2016**

15-Apr Deposits 4-29-2016 - 9-31-2016 11,755.00 15,848.26

12-May Dock In (2,600.00) 13,248.26

Insurance (1,545.81) 11,702.45

Misc. Dock Supplies (106.05) 11,596.40

Office Supplies (148.62) 11,447.78

1-Oct Balance Fall Meeting - 10-1-2016 **11,447.78** **1-Oct**

Future Fall Expense's

October Dock Out (2,600.00) **11,447.78**

October City Dock Application (400.00) 8,847.78

December WBLCD (600.00) 7,847.78

7,847.78

Expected Spring 2017 Balance

Elm Dock Purchase? (5,600.00) **7,847.78** **Spring 2017**

Insurance (1,800.00) 447.78

## MEETING MINUTES

### Fall 2016 Birchwood Dock Association Meeting Oct. 1, 2016. Village Hall

Meeting called to order at 9:30 by President Evangelist

Agenda review: Looks good.

Minutes from Spring 2016 - approved.

Treasurer's Report: \$11,000 in bank. Anticipated fall expenses. \$3600. Reviewed dock replacement costs for Elm and Birch. Approved.

#### Boat slip availability

- 11 openings coming for 2017 season.
- Officers need to reach out to folks on waiting list so BDA knows slip assignments earlier in the season. Folks need to declare use of slip so BDA knows by Jan. 1 or sooner so lifts can be sold or bought.
- Folks coming off the dock this year, can go into a BDA lottery for order to go onto wait list.
- Evangelist will contact people who lose slips this year and get their names into a lottery and those will be on the list in the order drawn. Unresponsive people on wait list should possibly be removed. People need to take responsibility rather than relying on officers to handle everything.
- BDA plan - notices of availability go out to wait list folks by Oct. 15, response due by Nov 1. BDA will do lottery after Oct 11 council meeting. Folks need to complete application with City.

Other Business - Add a ladder at Ash. Possible insurance issue.

Length limits put pontoons at Birch dock. 19' is limit for boats at all docks but Birch has 22' boat size restriction. Agreed that we should work to change length limits to allow more flexible allocation at each dock.

Once a person accepts a spot, it is for 6 years.

Maybe we need to move smaller boats at Birch to make more room for larger ones.

We need to start docks at the water line so water depth may change during season. If have to pull boat off due to shallow water, partial refund from City and BDA.

Paradise, Johnson, Danus, Werra, Greseth, Hagedis (needs to get on list) may want slips.

Evangelist should be notified of lift availability for sale or wish to buy.

- Notice to current slip holders whose terms are up. Evangelist will send soon.
- They notify him prior to Oct 11. Evangelist will do lottery and notify Council at Oct 11 meeting, of folks to add to list in order determined by lottery (meet with city administrator)
- Oct 15 send notices of slip availability to all on wait list. Respond by Nov 15.
- After Nov 15, Evangelist will let people know who got spots.

Motion approved regarding the above.

Dock out dates: October 15. Oct 22 is back up date.

Should BDA take out Kay Beach dock? We might do it this year as volunteers and City could ask for volunteers too. Do it only for this fall. BDA has lost revenue once Kay became free. As a dock association, we do not take out the dock at Kay: motion made and passed.

Kay Beach does the application and it can be submitted with other applications to City and WBLCD.

Spare parts at Dellwood easement - move to Evangelist's yard.

Respectfully submitted, Mary Sue Simmons

**Birchwood Dock Association  
2017  
Boating Season  
WBLCD  
Application Fee**

<u>Lake Tract - Boats</u>	<u>Dock</u>	<u>Add. Boats \$50</u>	<u>Shore Ramps \$10</u>	<u>Total</u>
Ash - 6	\$ 50	\$ 100	\$ -	\$ 150
Birch - 8	\$ 50	\$ 200	\$ -	\$ 250
Elm - 4	\$ 50	\$ -	\$ -	\$ 50
Dellwood - 6	\$ 50	\$ 100	\$ -	\$ 150
			<b>WBLCD FEE</b>	<b>\$ 600</b>
		<u>Same as Last Year</u>		
		<u>Without Kay Beach -</u>	<u>City Owned</u>	



FORM #2: Application for new or renewed multiple user dock, ramp and/or mooring license. Governed by WBICD Ordinance #5&12.

**Office Use Only**

Application Number: \_\_\_\_\_ Other permits obtained Yes NO  
 Date Received in Office \_\_\_\_\_ Insurance Yes No  
 Amount of Fee Received \$ \_\_\_\_\_ Balance Due \_\_\_\_\_

Approval Date \_\_\_\_\_ Conditions/Stipulations Yes No

(Type or print all of the following information in black ink to insure good copies)

1. STATUS New Renewal--Identical to last year  
 City Owned Kay Beach Not Included

(NOTE: All next year renewals are due by October 15 to avoid Late Fee.)

2. SITE OWNER INFORMATION:

Name City of Birchwood Village \_\_\_\_\_ Day Phone \_\_\_\_\_  
 Street Address: 207 Birchwood Ave. Evening Phone \_\_\_\_\_  
 City: Birchwood State MN Zip 55110 \_\_\_\_\_  
 Email \_\_\_\_\_

3. APPLICANT INFORMATION (if different from owner)

Name Birchwood Dock Association Day Phone 651-426-0848  
 Street Address 700 Hall Ave. Evening Phone \_\_\_\_\_  
 City Birchwood State Zip 55110 \_\_\_\_\_  
 Email LHanson54@comcast.net

[The above site information describes property which is riparian to White Bear Lake; and applies pursuant to White Bear Lake Conservation District's Ordinance #5 for a new, renewed or revised Multiple Dock, Ramp or Mooring License, in accordance with all data and other information submitted herewith and made a part hereof.]

4. DRAWING INFORMATION The following must accompany all applications, please check boxes for each as you attach them to the application. All must include accurate dock lengths, widths, and mooring positions. If neighboring Authorized Dock Use Areas (ADUAs) have docks or other structures in the lake=accurately show their position on your drawing. Indicate your ADUA with a dashed line. The line may start from where your property lines touch the shoreline and should surround the area you intend to use D Certified survey and legal description (Note: if certified survey is not available, a drawing (to scale) may be acceptable if accurate and detailed.

- Site plan of dockage to overlay survey  Dock construction detail sheet
- Gas storage detail sheet (if applicable)

5. MULTIPLE USER TYPE: (Please check one)

- Outlot Association       Multiple Dwelling       Municipal  
 Private Municipal       Commercial       Private Club  
 Other (please explain) \_\_\_\_\_ Marina \_\_\_\_\_

6. SITE USAGE:

A. Intended use of facility: *Provide boating and swimming access to White Bear Lake for property owners of Birchwood Village. This includes docks and boat slips.* \_\_\_\_\_

B. Current use of facility: *Same* \_\_\_\_\_

C. Historical use of facility: *Same* \_\_\_\_\_

7. ABUTTING PROPERTY OWNERS: (all lakeshore within 200 feet either side)

North or West Owner(s):

Name \_\_\_\_\_ Day Phone \_\_\_\_\_  
Mailing Address *Full List Attached* Evening Phone \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_ Zip \_\_\_\_\_

Name ~----- Day Phone \_\_\_\_\_  
Mailing Address \_\_\_\_\_ Evening Phone \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_ Zip \_\_\_\_\_

South or East Owner(s):

Name ~----- Day Phone \_\_\_\_\_  
Mailing Address \_\_\_\_\_ Evening Phone \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_ Zip \_\_\_\_\_

Name \_\_\_\_\_ Day Phone \_\_\_\_\_  
Mailing Address \_\_\_\_\_ Evening Phone \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_ Zip \_\_\_\_\_

Any other affected parties

Name \_\_\_\_\_ Day Phone \_\_\_\_\_  
Mailing Address \_\_\_\_\_ Evening Phone \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_ Zip \_\_\_\_\_

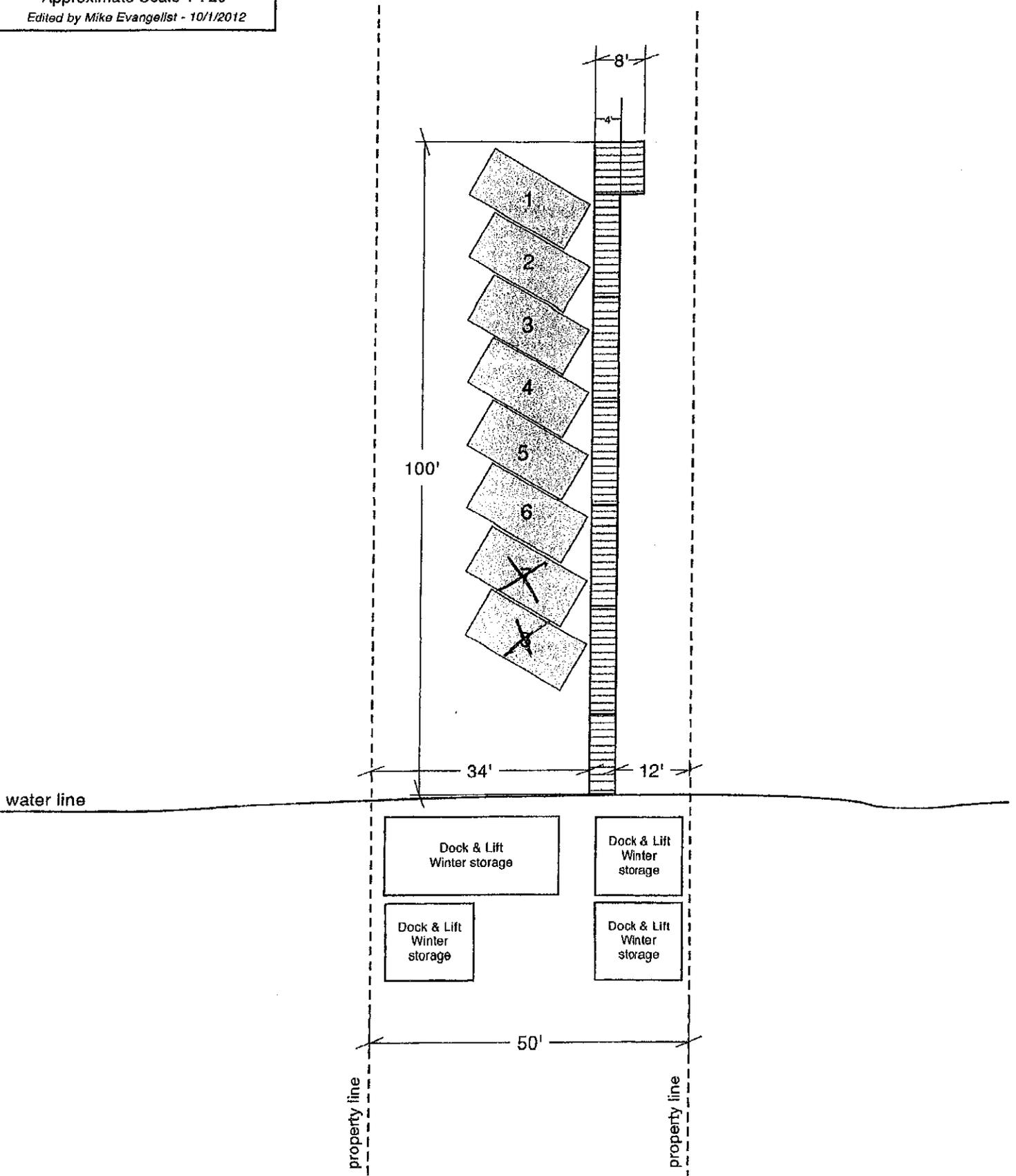
**Birchwood Lake Tract Neighbors**

	<b><u>First Name</u></b>	<b><u>Last Name</u></b>	<b><u>Address</u></b>	<b><u>City</u></b>	<b><u>Zip</u></b>	<b><u>Public Lake Tract</u></b>	
1	James & Patsy	Ramberg	131 Wildwood Ave.	Birchwood	MN 55110	Ash - Neighbor	West
2	Ross & Evanna	Judkins	135 Wildwood Ave.	Birchwood	MN 55110	Ash - Neighbor	West
3	John	Kruse	139 Wildwood Ave.	Birchwood	MN 55110	Ash - Neighbor	West
4	Tom	Delmont	143 Wildwood Ave.	Birchwood	MN 55110	Ash - Neighbor	West
5	Suzanne	Walfoort	145 Wildwood Ave.	Birchwood	MN 55110	Ash - Neighbor	East
6	Joseph	Allaben	153 Wildwood Ave.	Birchwood	MN 55110	Ash - Neighbor	East
7	Roger & Mary	Kurtz	159 Wildwood Ave.	Birchwood	MN 55110	Ash - Neighbor	East
8	David	Malger	161 Wildwood Ave.	Birchwood	MN 55110	Ash - Neighbor	East
1	Steven & Nancy	Ferry	191 Wildwood Ave.	Birchwood	MN 55110	Birch - Neighbor	West
2	Nancy	Calderon	195 Wildwood Ave.	Birchwood	MN 55110	Birch - Neighbor	West
3	Keri	Pakonen	199 Wildwood Ave.	Birchwood	MN 55110	Birch - Neighbor	West
4	Thomas & Susan	Schway	201 Wildwood Ave.	Birchwood	MN 55110	Birch - Neighbor	East
5	Ted & Joanne	Thornquist	205 Wildwood Ave.	Birchwood	MN 55110	Birch - Neighbor	East
6	Richard	Galena	217 Wildwood Ave.	Birchwood	MN 55110	Birch - Neighbor	East
7	David Vail & Ann	Butler Vail	221 Wildwood Ave.	Birchwood	MN 55110	Birch - Neighbor	East
1	Kenneth	Broen	243 Wildwood Ave.	Birchwood	MN 55110	Elm - Neighbor	West
2	Trude	Harmon	780 Como Ave.	St. Paul	MN 55103	Elm - Neighbor	West
3	Craig & Peggy	Witthaus	259 Wildwood Ave.	Birchwood	MN 55110	Elm - Neighbor	West
4	Brian	Kraft	267 Wildwood Ave.	Birchwood	MN 55110	Elm - Neighbor	West
5	Ellen Maas & Len	Pratt	301 Wildwood Ave.	Birchwood	MN 55110	Elm - Neighbor	East
6	David	Pratt	309 Wildwood Ave.	Birchwood	MN 55110	Elm - Neighbor	East
7	Ralph & Patricia	Liebsch	315 Wildwood Ave.	St. Paul	MN 55101	Elm - Neighbor	East
8	Paul	Edwards	321 Wildwood Ave.	Birchwood	MN 55110	Elm - Neighbor	East
1	Terry & Jessica	Granec	363 Lakewood Lane	Birchwood	MN 55110	Dellwood -Neighbor	West
2	Chris & Natalie	Olson	365 Lakewood Lane	Birchwood	MN 55110	Dellwood -Neighbor	West
3	Anthony & Christina	Demars	407 Lake Ave.	Birchwood	MN 55110	Dellwood -Neighbor	West
4	Jerry Carlson & Jackie	Jarosz	409 Lake Ave.	Birchwood	MN 55110	Dellwood -Neighbor	East
5	Don & Kathleen	Madore	413 Lake Ave.	Birchwood	MN 55110	Dellwood -Neighbor	East
6	Coyleen	Davidson	425 Lake Ave.	Birchwood	MN 55110	Dellwood -Neighbor	East

# Ash Beach

Approximate Scale 1" = 20'

Edited by Mike Evangelist - 10/1/2012



8. OTHER PERMITS: All required permits, licenses and approvals have been obtained

from the Minnesota Department of Natural Resources and the municipality in which the access to or the dock, ramp or mooring is located, other:

Yes Please list: City of Birchwood Village

No Please explain: \_\_\_\_\_

9. MAXIMUM NUMBER OF WATERCRAFT:

*Ash Beach - Birchwood Village will allow 8 Maximum- Applying for 6*

<u>By Location</u>	<u>By Use</u>
At slips	For rent, lease, etc.
At slides	For service work
At lifts <b>6</b>	For company use
At moorings	For private use <b>6</b>
At tie-ons	For transient use
At off-lake storage	
Other (describe)	Other (describe)
TOTAL <b>6</b>	TOTAL <b>6</b>

10. SITE INFORMATION:

Site lake frontage = **50 Feet**

Water depth 100 feet from shore

*Varies due to lake elevation*

200 feet from shore =

300 feet from shore =

Water depth above measured on \_\_\_\_\_ (date)

Ramsey County Lake elevation \_\_\_\_\_ (date)

(to be filled in by WBLCD)

11. SERVICES PROVIDED: (Check all that apply) *N/A*

- Boat Storage  Boat Rentals  
 Boat Sales  Boat Service  
 Restaurant  Launching Ramp

Other (Explain) \_\_\_\_\_

Times open to the public: \_\_\_\_\_

12. DOCK INFORMATION:

*Ash Beach*

- A. Total dock length (into the lake) **100 ft.**
- B. Length from water's edge  
(including T's and L's) 100 ft.
- C. Width of Dock 4 ft.
- D. Projections from dock:
  - 1. Number of projections **1**
  - 2. Length and width of T's, L's or fingers  
**4'**
  - 3. Other projection(s)

13. ADJOINING PROPERTY OWNERS' INFORMATION:

- A. Distance from (including ends of T's and L's)  
immediate property lines \_\_\_\_\_ ft.
  - North / West **34Ft.**
  - South / East **8 Ft.**
- B. Distance from (including ends of T's and L's)  
adjoining docks. \_\_\_\_\_ ft.
  - North / West \_\_\_\_\_ ft.
  - South / East \_\_\_\_\_ ft.
- C. Lake frontage size of adjoining property owners \_\_\_\_\_ ft.
  - North / West
  - South / East '

14. INSURANCE:

Yes No We have Public liability insurance. Amount \$ **2,000,000** \_\_\_\_\_  
Expires (date) \_\_\_\_\_ Company **Ekblad, Pardee & Bewall, Inc.** \_\_\_\_\_

15. PARKING:

Total parking spaces: **None** \_\_\_\_\_ Parking not required (explain) \_\_\_\_\_

16. SANITARY FACILITIES:

Facilities are provided Yes  No \_\_\_\_\_ Number of units: \_\_\_\_\_

17. PUMPING SERVICE:

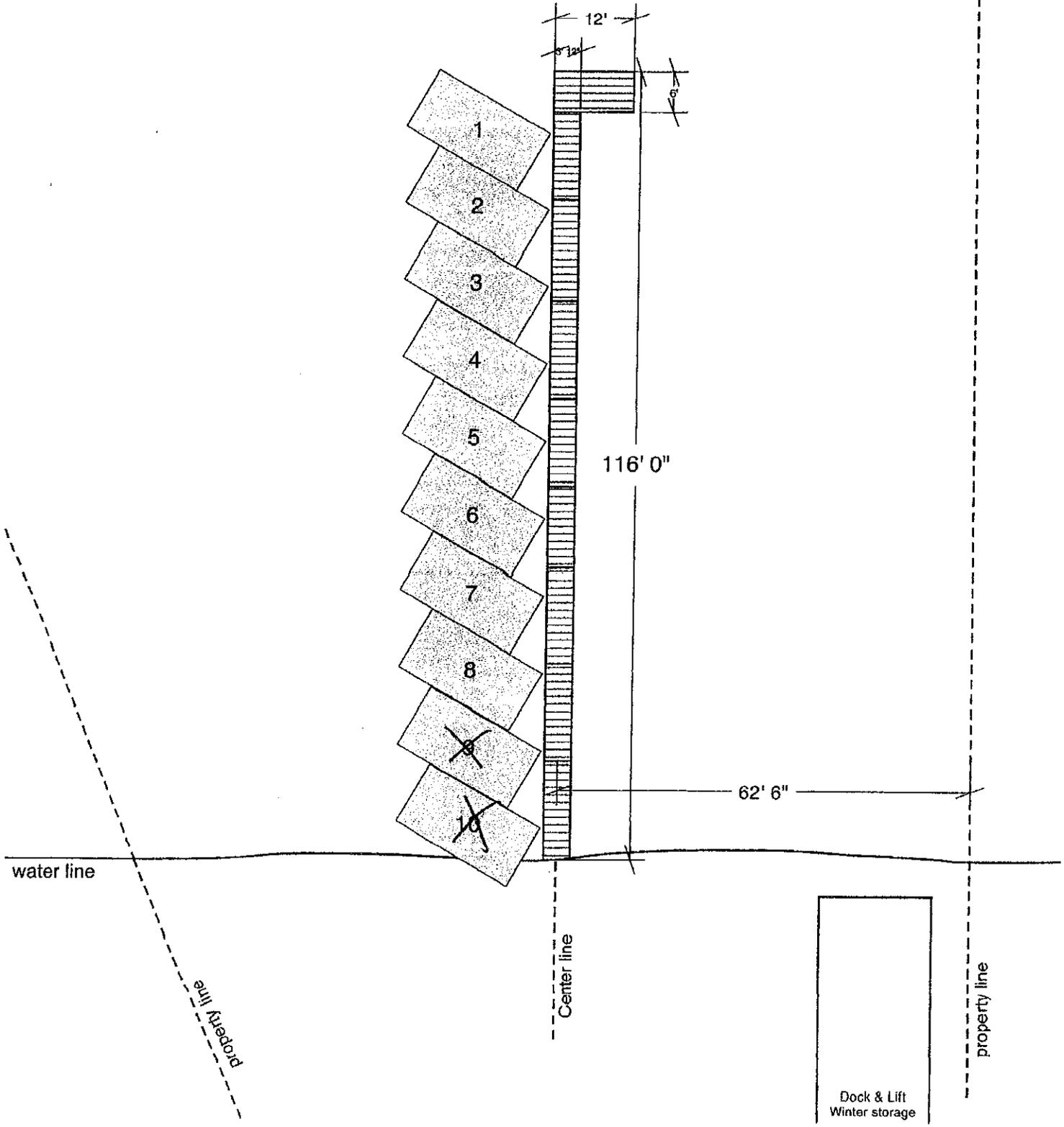
Boat toilet pumping service is provided  Yes  No



# Birch Beach

Approximate Scale 1" = 20'

Edited by Mike Evangelist - 8/25/2012



8. OTHER PERMITS: All required permits, licenses and approvals have been obtained

from the Minnesota Department of Natural Resources and the municipality in which the access to or the dock, ramp or mooring is located, other:

Yes Please list: City of Birchwood Village

No Please explain: \_\_\_\_\_

9. MAXIMUM NUMBER OF WATERCRAFT:

*Birch Beach – Birchwood Village will allow 10 Maximum- Applying for 8*

<u>By Location</u>	<u>By Use</u>
At slips	For rent, lease, etc.
At slides	For service work
At lifts 8	For company use
At moorings	For private use 8
At tie-ons	For transient use
At off-lake storage	
Other (describe)	Other (describe)
TOTAL 8	TOTAL 8

10. SITE INFORMATION:

Site lake frontage = **125 Feet**  
Water depth 100 feet from shore  
*Varies due to lake elevation*  
200 feet from shore =  
300 feet from shore =  
Water depth above measured on \_\_\_\_\_ (date)  
Ramsey County Lake elevation \_\_\_\_\_ (date)  
(to be filled in by WBLCD)

11. SERVICES PROVIDED: (Check all that apply) *NA*

Boat Storage  Boat Rentals  
Other (Explain) \_\_\_\_\_

Boat Sales  Boat Service  
 Restaurant  Launching Ramp

Times open to the public: \_\_\_\_\_

12. DOCK INFORMATION:  
*Birch Beach*

- E. Total dock length (into the lake) **116** ft.
- F. Length from water's edge (including T's and L's) 116 ft.
- G. Width of Dock 4 ft.
- H. Projections from dock:
  - 4. Number of projections 1
  - 5. Length and width of T's, L's or fingers 8'
  - 6. Other projection(s)

13. ADJOINING PROPERTY OWNERS' INFORMATION:

- A. Distance from (including ends of T's and L's) immediate property lines
  - North / West 60 Ft. \_\_\_\_\_ ft.
  - South / East 60 Ft. \_\_\_\_\_ ft.
- B. Distance from (including ends of T's and L's) adjoining docks.
  - North / West \_\_\_\_\_ ft.
  - South / East \_\_\_\_\_ ft.
- C. Lake frontage size" of adjoining property owners
  - North / West \_\_\_\_\_ ft.
  - South / East ' \_\_\_\_\_ ft.

14. INSURANCE:

Yes No We have Public liability insurance. Amount \$ 2,000,000  
Expires (date) \_\_\_\_\_ Company Ekblad, Pardee & Bewall, Inc.

16. PARKING:

Total parking spaces: None Parking not required (explain) \_\_\_\_\_

17. SANITARY FACILITIES:

Facilities are provided Yes  No \_\_\_\_\_ Number of units: \_\_\_\_\_

17. PUMPING SERVICE:

Boat toilet pumping service is provided  Yes  No

**18. FEES: (See attached License Fee Schedule)**

Application Fee: \$50.00	\$	50	_____
Fee for each approved slip over four: \$50.00	\$	200	_____
Late Fee: \$50.00 (Renewals sent after 12/31/07)	\$		_____
Watercraft storage racks: \$5.00 for each craft stored	\$		_____
License deposit (if applicable)	\$		_____
<i>Birch Beach</i> TOTAL FEE ENCLOSED	\$	250	

This application is for a commercial dock or mooring area:

Yes No

If yes, an additional \$50.00 per slip or mooring and an additional \$10.00 per ramp/skid is due as follows:

112 of total fee amount in April

DUE IN APRIL \$ \_\_\_\_\_

and final 112 (or adjusted balance) in August of this license year.

DUE END OF AUGUST \$ \_\_\_\_\_

I certify that the information provided herein and the attachments hereto are true and correct statements. I understand that any License issued may be revoked by the District for violation of any WBLCD Code. I agree to reimburse the District for any legal, surveying, engineering, inspection, maintenance or other expenses incurred by the district. I, also, understand that the District may require a deposit to cover these expenses. I consent to permitting officers and agents of the District to enter the premises at all reasonable times to investigate and to determine whether or not there is compliance with the codes of the District.

Authorized Signature: *Mike Evangelist* Date *Fall 2016* \_\_\_\_\_

Print name and title: *Mike Evangelist -- President Birchwood Dock Assoc.*

Phone: *651-605-5873*

Relationship to riparian owner *Citizen of Birchwood Village* \_\_\_\_\_

Any questions, call Administrative Secretary at: (651) 429-8520 FAX (651) 429-8500

Email: [wblcd@msn.com](mailto:wblcd@msn.com) website <http://www.wblcd.org>

Return this application and all attachments to: White Bear Lake Conservation District

4701 Highway 61

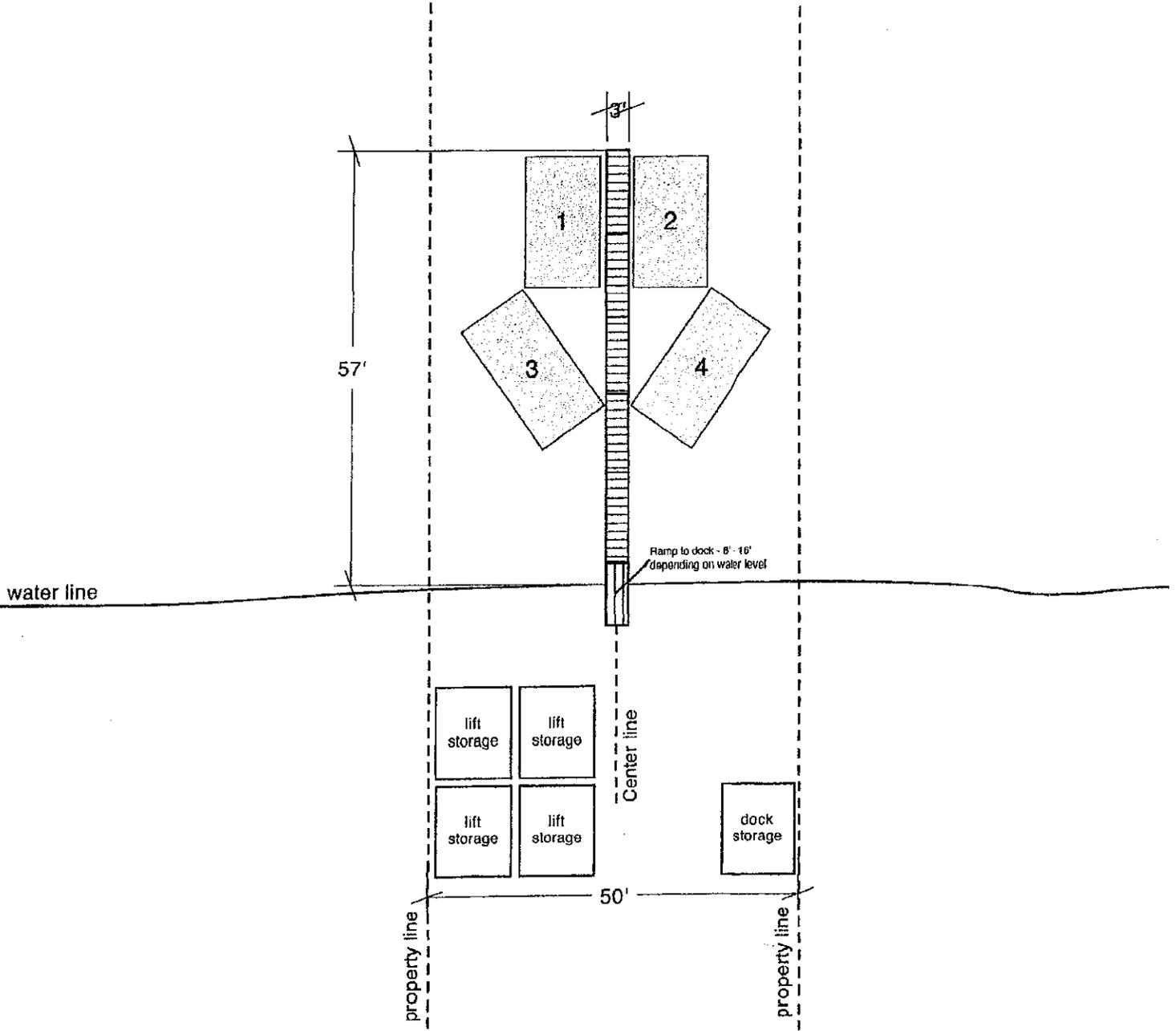
White Bear Lake, MN 55110

(All applications approved at a board meeting; meetings are held 3rd Tuesday of the month at 7:00 p.m. in White Bear Lake City Hall.)

# Elm Beach

Approximate Scale 1" = 20'

Edited by Mike Evangelist - 10/1/2012



MULTIPLE USER DOCK, RAMP AND/OR MOORING LICENSE  
Applicant, Birchwood Dock Association

APPLICATION:  
Date, Fall 2016

8. OTHER PERMITS: All required permits, licenses and approvals have been obtained

from the Minnesota Department of Natural Resources and the municipality in which the access to or the dock, ramp or mooring is located, other:

Yes Please list: City of Birchwood Village

No Please explain: \_\_\_\_\_

9. MAXIMUM NUMBER OF WATERCRAFT:

Elm Beach - Birchwood Village will allow 6 Maximum- Applying for 4

<u>By Location</u>	<u>By Use</u>
At slips	For rent, lease, etc.
At slides	For service work
At lifts <u>4</u>	For company use
At moorings	For private use <u>4</u>
At tie-ons	For transient use
At off-lake storage	
Other (describe)	Other (describe)
TOTAL <u>4</u>	TOTAL <u>4</u>

10. SITE INFORMATION:

Site lake frontage = 50 Feet

Water depth 100 feet from shore

Varies due to lake elevation

200 feet from shore =

300 feet from shore =

Water depth above measured on \_\_\_\_\_ (date)

Ramsey County Lake elevation \_\_\_\_\_ (date)

(to be filled in by WBLCD)

11. SERVICES PROVIDED: (Check all that apply) NA

Boat Storage  Boat Rentals

Other (Explain) \_\_\_\_\_

Boat Sales  Boat Service

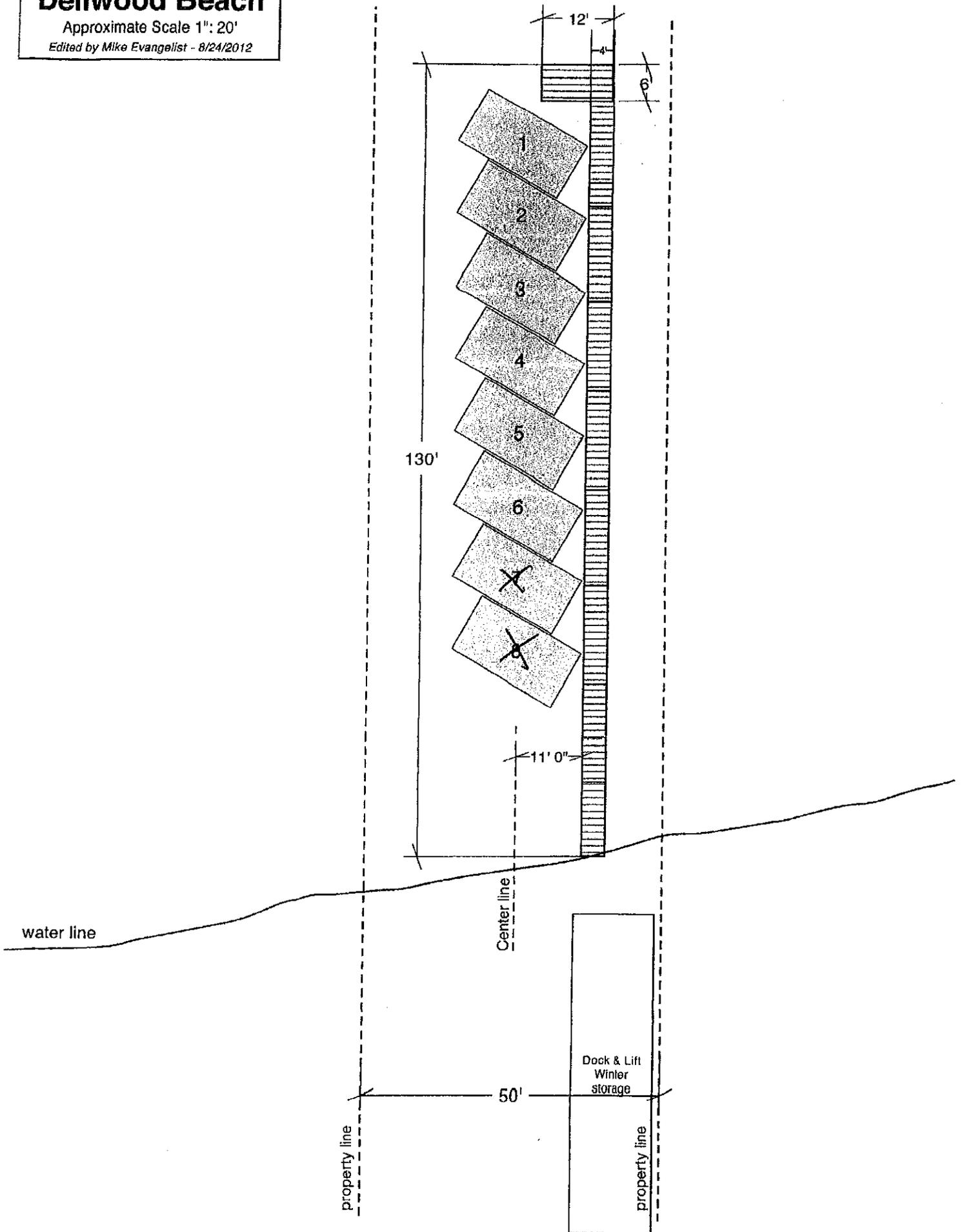
Restaurant  Launching Ramp

Times open to the public: \_\_\_\_\_

# Dellwood Beach

Approximate Scale 1" = 20'

Edited by Mike Evangelist - 8/24/2012



12. DOCK INFORMATION:

*Dellwood Beach*

- M. Total dock length (into the lake) 130 ft.
- N. Length from water's edge  
(including T's and L's) 130 ft.
- O. Width of Dock 4 ft.
- P. Projections from dock:
  - 10. Number of projections 2
  - 11. Length and width of T's, L's or fingers  
8'
  - 12. Other projection(s)

13. ADJOINING PROPERTY OWNERS' INFORMATION:

- A. Distance from (including ends of T's and L's)  
immediate property lines ft.
  - North / West *28 Ft.* ft.
  - South / East *10 Ft.* ft.
- B. Distance from (including ends of T's and L's)  
adjoining docks. ft.
  - North / West *Varies upon placement* ft.
  - South / East *Varies upon placement* ft.
- C. Lake frontage size of adjoining property owners ft.
  - North / West + or - 60 Ft.
  - South / East + or - 90 Ft.

14. INSURANCE:

Yes No We have Public liability insurance. Amount \$ *2,000,000*  
Expires (date) \_\_\_\_\_ Company *Ekblad, Pardee & Bewall, Inc.*

18. PARKING:

Total parking spaces: *None* Parking not required (explain) \_\_\_\_\_

19. SANITARY FACILITIES:

Facilities are provided Yes  No  Number of units: \_\_\_\_\_

17. PUMPING SERVICE:

Boat toilet pumping service is provided  Yes  No

18. FEES: (See attached License Fee Schedule)

Application Fee: \$50.00	\$	50	_____
Fee for each approved slip over four: \$50.00	\$	100	_____
Late Fee: \$50.00 (Renewals sent after 12/31/07)	\$		_____
Watercraft storage racks: \$5.00 for each craft stored	\$		_____
License deposit (if applicable)	\$		_____
<i>Dellwood Beach</i> TOTAL FEE ENCLOSED	\$	150	_____

This application is for a commercial dock or mooring area:

Yes No

If yes, an additional \$50.00 per slip or mooring and an additional \$10.00 per ramp/skid is due as follows:

112 of total fee amount in April

DUE IN APRIL

\$ \_\_\_\_\_

and final 112 (or adjusted balance) in August of this license year.

DUE END OF AUGUST

\$ \_\_\_\_\_

I certify that the information provided herein and the attachments hereto are true and correct statements. I understand that any License issued may be revoked by the District for violation of any WBLCD Code. I agree to reimburse the District for any legal, surveying, engineering, inspection, maintenance or other expenses incurred by the district. I, also, understand that the District may require a deposit to cover these expenses. I consent to permitting officers and agents of the District to enter the premises at all reasonable times to investigate and to determine whether or not there is compliance with the codes of the District.

Authorized Signature: *Mike Evangelist* \_\_\_\_\_ Date *Fall 2016* \_\_\_\_\_

Print name and title: *Mike Evangelist -- President Birchwood Dock Assoc.*

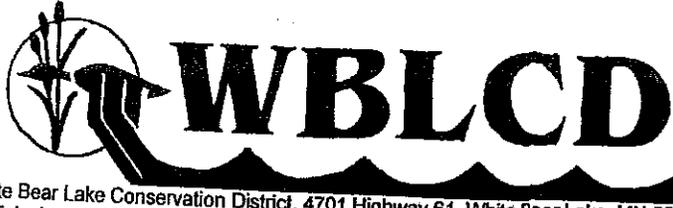
Phone: *651-605-5873*

Relationship to riparian owner: *Citizen of Birchwood Village* \_\_\_\_\_

Any questions, call Administrative Secretary at: (651) 429-8520 FAX (651) 429-8500  
Email: [wblcd@msn.com](mailto:wblcd@msn.com) website <http://www.wblcd.org>

Return this application and all attachments to: White Bear Lake Conservation District  
4701 Highway 61  
White Bear Lake, MN 55110

(All applications approved at a board meeting; meetings are held 3rd Tuesday of the month at 7:00 p.m. in White Bear Lake City Hall.)



White Bear Lake Conservation District, 4701 Highway 61, White Bear Lake, MN 55110  
Telephone: (651) 429-8520 Email: wblcd@msn.com Web: www.wblcd.org

**FORM #5: Application for new or renewed multiple user dock, ramp and/or mooring license. Governed by WBLCD Ordinance #5 & 12**

*Office Use Only*

Application Number: \_\_\_\_\_ Other permits obtained  Yes  No

Date Received in Office \_\_\_\_\_ Insurance  Yes  No

Amount of Fee Received \$ \_\_\_\_\_ Balance Due \_\_\_\_\_

Approval Date \_\_\_\_\_ Conditions/Stipulations  Yes  No

(Type or print all of the following information in black ink to insure good copies)

1. STATUS  New  *Renewal--Identical to last year* *Kay Beach Only*
- Renewal--Changed from last year*
- (NOTE: All next year renewals are due by October 15 to avoid Late Fee.)

2. SITE OWNER INFORMATION:

Name City of Birchwood Village Day Phone 651-747-3775

Street Address 207 Birchwood Ave Evening Phone \_\_\_\_\_

City Birchwood Village State MN Zip 55110

Email info@cityofbirchwood.com

3. APPLICANT INFORMATION (if different from owner)

Name \_\_\_\_\_ Day Phone \_\_\_\_\_

Street Address Same Evening Phone \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Email \_\_\_\_\_

[The above site information describes property which is riparian to White Bear Lake; and applies pursuant to White Bear Lake Conservation District's Ordinance #5 for a new, renewed or revised Multiple Dock, Ramp or Mooring License, in accordance with all data and other information submitted herewith and made a part hereof.]

4. DRAWING INFORMATION The following must accompany all applications, please check boxes for each as you attach them to the application. All must include accurate dock lengths, widths, and mooring positions. If neighboring Authorized Dock Use Areas (ADUAs) have docks or other structures in the lake--accurately show their position on your drawing. Indicate your ADUA with a dashed line. The line may start from where your property lines touch the shoreline and should surround the area you intend to use
- Certified survey and legal description (Note: if certified survey is not available, a drawing (to scale) may be acceptable if accurate and detailed.)
- Site plan of dockage to overlay survey  Dock construction detail sheet
- Gas storage detail sheet (if applicable)

Applicant City of Birchwood Village

5. MULTIPLE USER TYPE: (Please check one)

- Outlot Association
- Private Municipal
- Other (please explain) \_\_\_\_\_
- Multiple Dwelling
- Commercial Marina
- Municipal
- Private Club

6. SITE USAGE:

A. Intended use of facility: Recreational use dock for  
~~Boat dock for~~ residents of  
Birchwood Village. No boats are permitted  
to use this dock - only foot traffic.

B. Current use of facility: Same

C. Historical use of facility: Same

7. ABUTTING PROPERTY OWNERS: (all lakeshore within 200 feet either side)

North or West Owner(s):

Name Gerald Duffy Day Phone 651 429-9703  
 Mailing Address 505 Lake Ave Evening Phone \_\_\_\_\_  
 City City of Birchwood Village State MN Zip 55110

Name Michael McKenzie Day Phone 651-429-0353  
 Mailing Address 509 Lake Ave Evening Phone \_\_\_\_\_  
 City City of Birchwood Village State MN Zip 55110

South or East Owner(s):

Name Jim Harrod Day Phone 651-482-9418  
 Mailing Address 483 Lake Ave. Evening Phone \_\_\_\_\_  
 City City of Birchwood Village State MN Zip 55110

Name Susie Mahoney Day Phone 651-429-3505  
 Mailing Address 479 Lake Ave Evening Phone \_\_\_\_\_  
 City City of Birchwood Village State MN Zip 55110

Any other affected parties

Name \_\_\_\_\_ Day Phone \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ Evening Phone \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

8. OTHER PERMITS: All required permits, licenses and approvals have been obtained from the Minnesota Department of Natural Resources and the municipality in which the access to or the dock, ramp or mooring is located, other:

Yes Please list: \_\_\_\_\_  
\_\_\_\_\_

No Please explain: \_\_\_\_\_  
\_\_\_\_\_

9. MAXIMUM NUMBER OF WATERCRAFT:

<u>By Location</u>		<u>By Use</u>	
At slips	_____	For rent, lease, etc.	_____
At slides	_____	For service work	_____
At lifts	_____	For company use	_____
At moorings	_____	For private use	_____
At tie-ons	_____	For transient use	_____
At off-lake storage	_____		
Other (describe)	_____	Other (describe)	_____
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL		TOTAL	

10. SITE INFORMATION:

Site lake frontage = \_\_\_\_\_  
Water depth 100 feet from shore = 0-5'  
200 feet from shore = \_\_\_\_\_  
300 feet from shore = \_\_\_\_\_  
Water depth above measured on \_\_\_\_\_ (date) \_\_\_\_\_

Ramsey County Lake elevation \_\_\_\_\_ (date) \_\_\_\_\_  
(to be filled in by WBLCD)

11. SERVICES PROVIDED: (Check all that apply)

- Boat Storage
- Boat Rentals
- Boat Sales
- Boat Service
- Restaurant
- Launching Ramp
- Other (Explain) Public Beach

Times open to the public: Sunrise - 9pm

**12. DOCK INFORMATION:**

- A. Total dock length (into the lake) 70' ft.
- B. Length from water's edge (including T's and L's) \_\_\_\_\_ ft.
- C. Width of Dock 3' ft.
- D. Projections from dock:
  - 1. Number of projections 0
  - 2. Length and width of T's, L's or fingers 10' x 6'
  - 3. Other projection(s) 0

**13. ADJOINING PROPERTY OWNERS' INFORMATION:**

- A. Distance from (including ends of T's and L's) immediate property lines
  - North / West 25' ft.
  - South / East 25' ft.
- B. Distance from (including ends of T's and L's) adjoining docks. N/A
  - North / West \_\_\_\_\_ ft.
  - South / East \_\_\_\_\_ ft.
- C. Lake frontage size of adjoining property owners
  - North / West 50' ft.
  - South / East 50' ft.

**14. INSURANCE:**

Yes  No We have Public liability insurance. Amount \$ \_\_\_\_\_  
Expires (date) June 2017 Company \_\_\_\_\_  
*renews each June*

**15. LOCAL ORDINANCES:**

By signing this Application, individually or on behalf of the entity applying, it is certified to the WBLCD that the signor and/or the entity is in compliance with all local laws, ordinances, policies and zoning requirements of the underlying City. If evidence of any failure to comply is brought to the attention of the District, it may modify or revoke said Permit in its sole discretion.

**16. SANITARY FACILITIES:**

Facilities are provided  Yes  No Number of units: \_\_\_\_\_

**17. PUMPING SERVICE:**

Boat toilet pumping service is provided  Yes  No

**18. FEES:** (See attached License Fee Schedule)

Application Fee: \$50.00 (Non-refundable) \$ \_\_\_\_\_  
Fee for each approved slip over four: \$50.00 \$ \_\_\_\_\_  
Late Fee: \$50.00 \$ \_\_\_\_\_  
Watercraft storage racks: \$5.00 for each craft stored \$ \_\_\_\_\_  
License deposit (if applicable) \$ \_\_\_\_\_  
TOTAL FEE ENCLOSED \$ \_\_\_\_\_

This application is for a commercial dock or mooring area:

Yes  No

If yes, an additional \$50.00 per slip or mooring and an additional \$10.00 per ramp/skid is due as follows:

1/2 of total fee amount in April

DUE IN APRIL \$ \_\_\_\_\_

and final 1/2 (or adjusted balance) in August of this license year.

DUE END OF AUGUST \$ \_\_\_\_\_

I certify that the information provided herein and the attachments hereto are true and correct statements. I understand that any License issued may be revoked by the District for violation of any WBLCD Code. I agree to reimburse the District for any legal, surveying, engineering, inspection, maintenance or other expenses incurred by the district. I, also, understand that the District may require a deposit to cover these expenses. I consent to permitting officers and agents of the District to enter the premises at all reasonable times to investigate and to determine whether or not there is compliance with the codes of the District.

Authorized Signature: \_\_\_\_\_ Date \_\_\_\_\_

Print name and title \_\_\_\_\_ Phone \_\_\_\_\_

Relationship to riparian owner \_\_\_\_\_

Any questions, call Administrative Secretary at: (651) 429-8520 FAX (651) 429-8500

Email: [wblcd@msn.com](mailto:wblcd@msn.com) website <http://www.wblcd.org>

Return this application and all attachments to: White Bear Lake Conservation District

4701 Highway 61

White Bear Lake, MN 55110

(All applications approved at a board meeting; meetings are held 3rd Tuesday of the month at 7:00 p.m.)

**SCHEDULE A**  
**WBLCD LICENSE FEES**  
 (As authorized by Ordinances #5, #7, #9, #12, #16, #17 and amendments)  
 (Board approved 10/16/07)

All fees are due with application for next license year by **October 15** of current year except those commercial operations {For commercial operations the initial license application fee is due with the application; 1/2 of the total use fee is due by April 15 of license year; final fee balance is due by August 15 of license year.}

Single dock or mooring area (non commercial with 5 or more boats) <b>Application fee of</b> <b>\$50.00 for approved slips over 4</b>	<b>\$50.00</b> <b>\$50.00 ea</b>
Multiple docks or mooring areas (non commercial with 5 or more boats) <b>Application fee of</b> <b>\$50.00 for approved slips over 4</b>	<b>\$50.00</b> <b>\$50.00 ea</b>
Commercial dock or mooring area <b>Application fee of</b> <b>\$50.00 for approved slips</b>	<b>\$50.00</b> <b>\$50.00 ea</b>
Municipal skid fee (for each skid) <b>Municipal Skid fee</b>	<b>\$10.00</b>
Watercraft on storage racks (for each craft stored) <b>Watercraft storage racks</b>	<b>\$5.00</b>
<b>Public Dock or mooring area</b>	<b>\$50.00</b>
<b>Commercial Sales, Services or Rental License Fee</b>	<b>\$100.00</b>
<b>License Fee for swim floats, etc,</b>	<b>\$50.00</b>
<b>License fee for Water-ski course</b>	<b>\$50.00</b>
<b>License fee for permanent docks, etc</b>	<b>\$5000.00</b>
<b>Annual renewal for permanent docks, etc.</b>	<b>\$1000.00</b>
<b>Fee for variance approval</b>	<b>\$ 50.00</b>
<b>Special event fee</b>	<b>\$ 50.00</b>

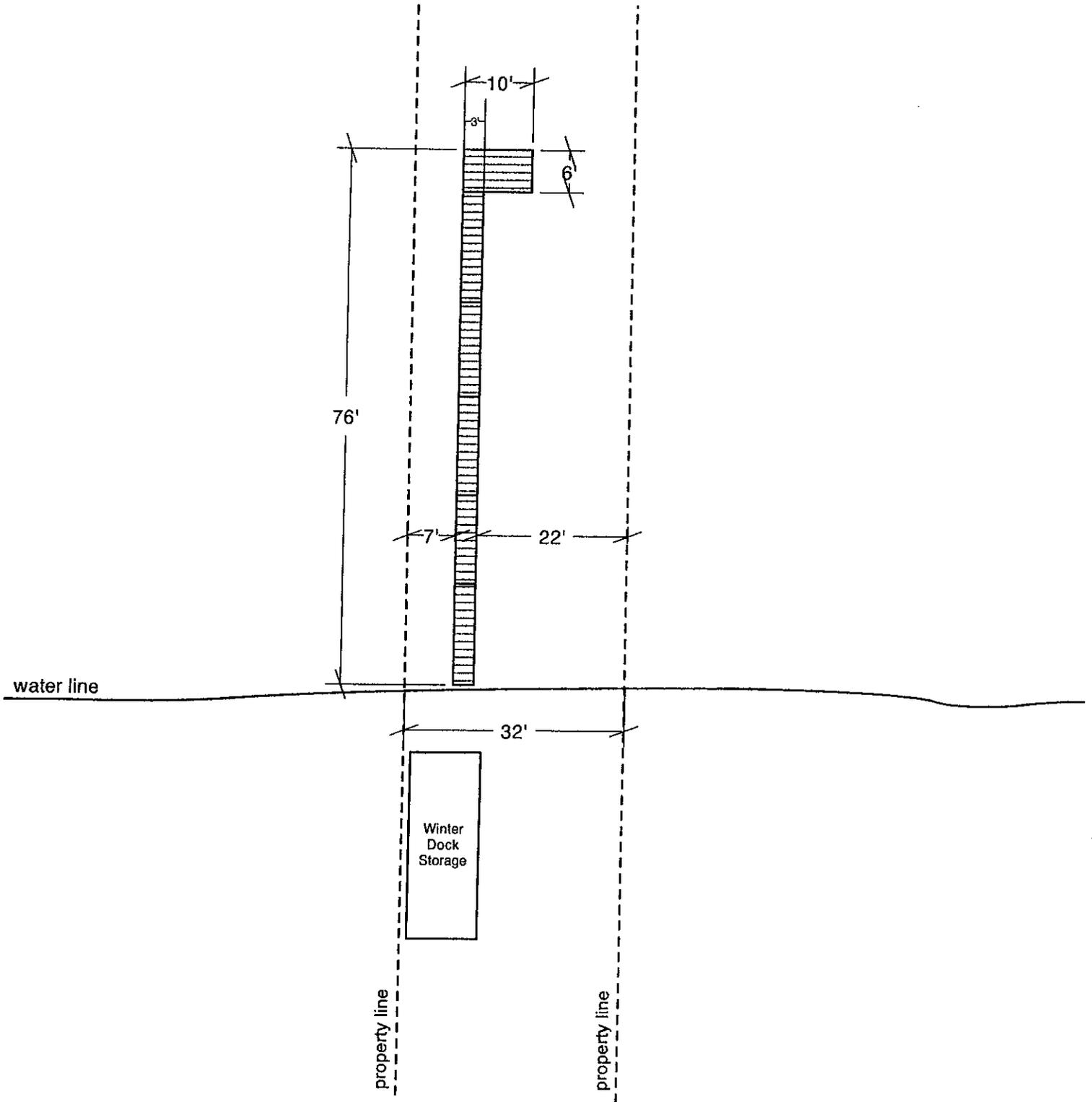
**LATE FEE**

**Renewals Only** Additional late fee for applications received after October 15 of current year for next year's license.....\$50.00

# Key Beach

Approximate Scale 1" = 20'

Edited by Mike Evangelist - 10/7/2011





www.brandink.net

Office 612-256-2786  
Fax 612-234-4287

99 Fifth Avenue NW, Suite 300  
St. Paul, MN 55112

**Project Quoted**  
**Lift Station Wrap**

Randy LaFoy  
Birchwood Village

**Date** 9/28/2016  
**Quote #** 1005257

Product Name	Cost	Tax	Unit	Quantity	Total
132 in. x 74 in. Front Wrap, 3M Longterm w/Gloss	\$508.97	x	Item	1	\$ 508.97
132 in. x 74 in. Back Wrap, 3M Longterm w/Gloss	\$508.97	x	Item	1	\$ 508.97
48 in. x 74 in. Left Side Wrap, 3M Longterm w/Gloss	\$185.08	x	Item	1	\$ 185.08
48 in. x 74 in. Right Side Wrap, 3M Longterm	\$185.08	x	Item	1	\$ 185.08
Professional Installation	\$531.49	x	Item	1	\$ 531.49

Terms: Quote is valid for 30 days from quote date. This quote applies only to the project and services detailed above. Modifications, additions, or other changes to the services listed may require additional charges. Design time is not included in the above quote and will be billed at \$75 per hour.

Payment: Full Payment on Order.

Please make all checks payable to Brand ink. If you would prefer pay by credit card, we can accept mastercard and visa via phone. Any payments over 30 days late may be subject to interest charges and other penalties, and that payments over 90 days late may result in collections actions being taken against the account holder(s).

Rights: All work products including, but not limited to, photos, graphics, designs, and design documents are the exclusive property of Brand ink. Exclusive copyright is reserved by Brand ink. Upon full payment of all fees and costs, copyright to products invoiced above shall transfer to Client for his or her use.

Billable Expenses: In addition to the fees and costs estimated herein, any costs incurred by Brand ink for services necessary to complete the project including, but not limited to, messenger or courier services, mailing or shipping expenses, and necessary license or permit fees are billable at cost. Wherever applicable, state and local sales taxes will be included.

Purchasing: All purchases made on client's behalf will be billed to client. Charges for sales tax, insurance, storage, and shipping and handling are additional to the price of each purchase. In the event client purchases materials, services, or any items other than those specified by Brand ink, Brand ink is not responsible or liable for the cost, quality, workmanship, condition, or appearance of such items.

Termination Policy: Brand ink may stop work and/or unilaterally terminate this agreement if Client should become more than 30 days late on any payment due to Brand ink. Additionally, the agreement may be terminated based on the mutual agreement of Client and Brand ink. In the event of any work stoppage or termination, all fees for work performed and expenses incurred by Brand ink as of the date of stoppage or termination shall remain due and payable by Client.

By my signature, I consent to the terms of this agreement and authorize Brand ink to begin work immediately. I also agree to pay any amounts listed above in full according to the terms on this agreement.

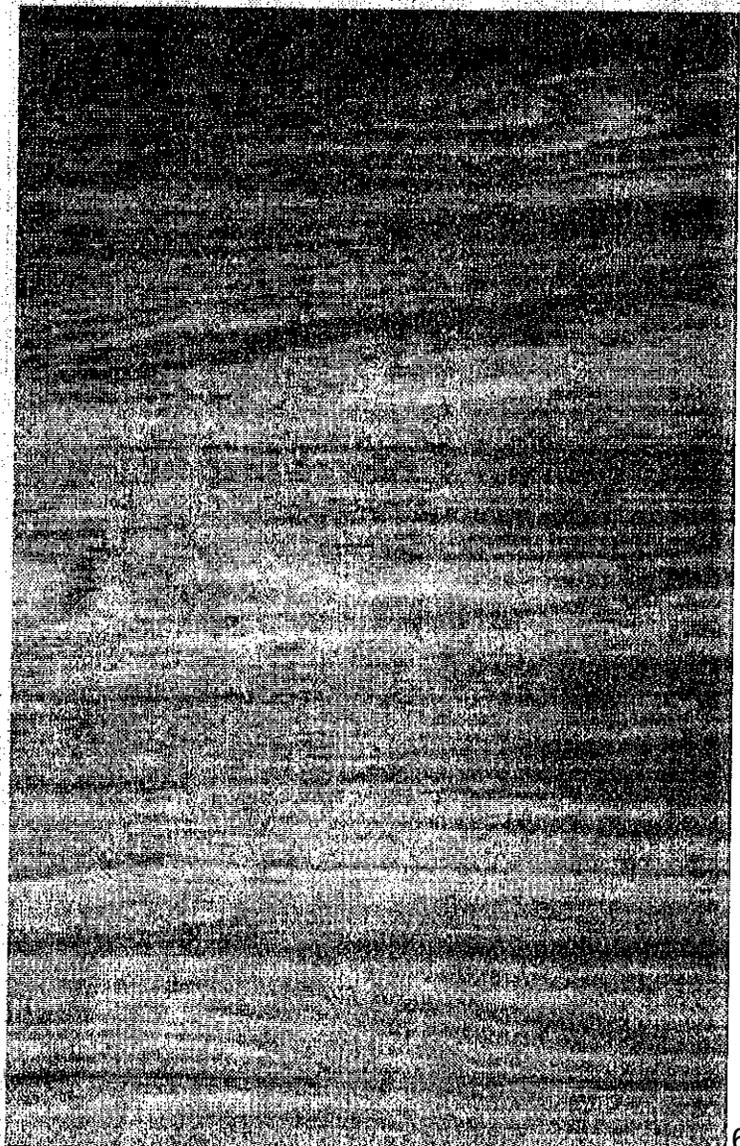
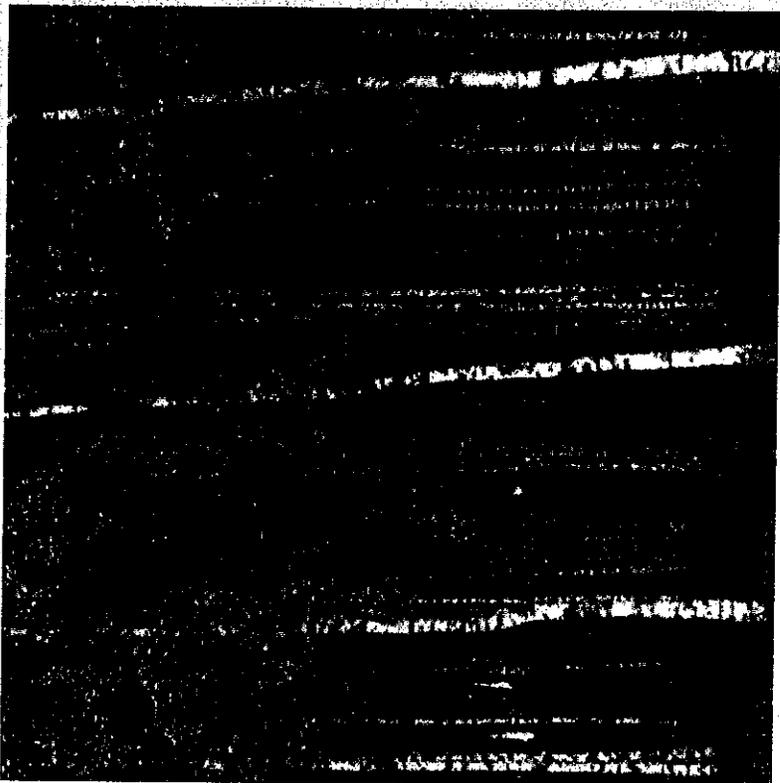
**Order Total** \$ 1,919.59

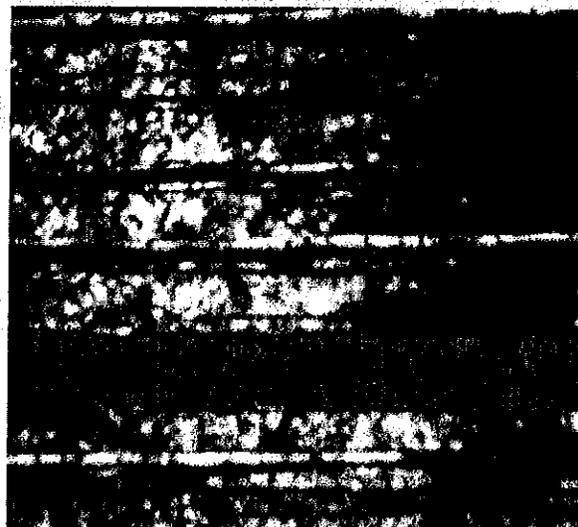
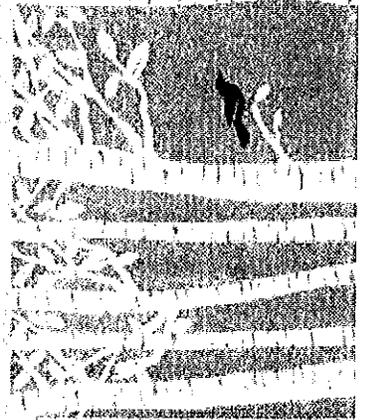
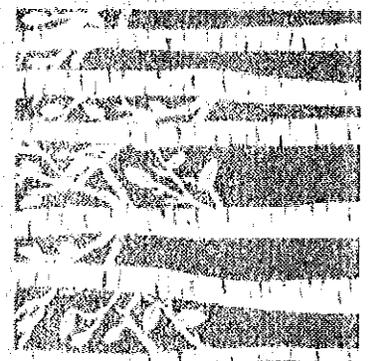
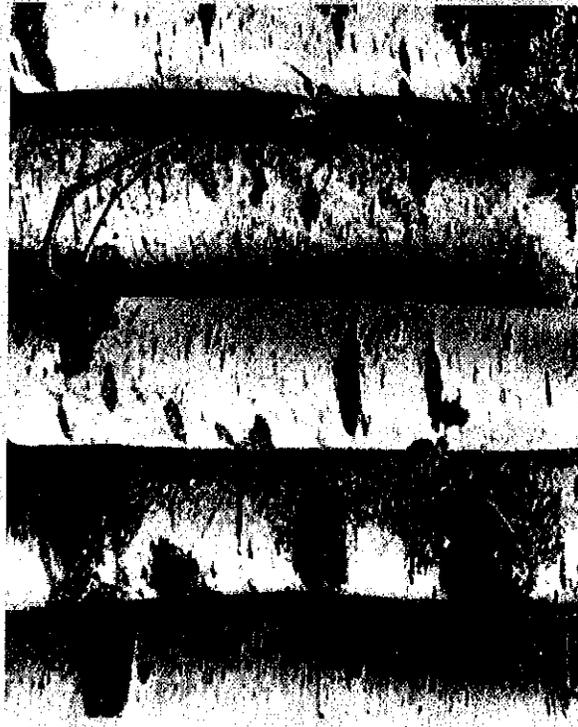
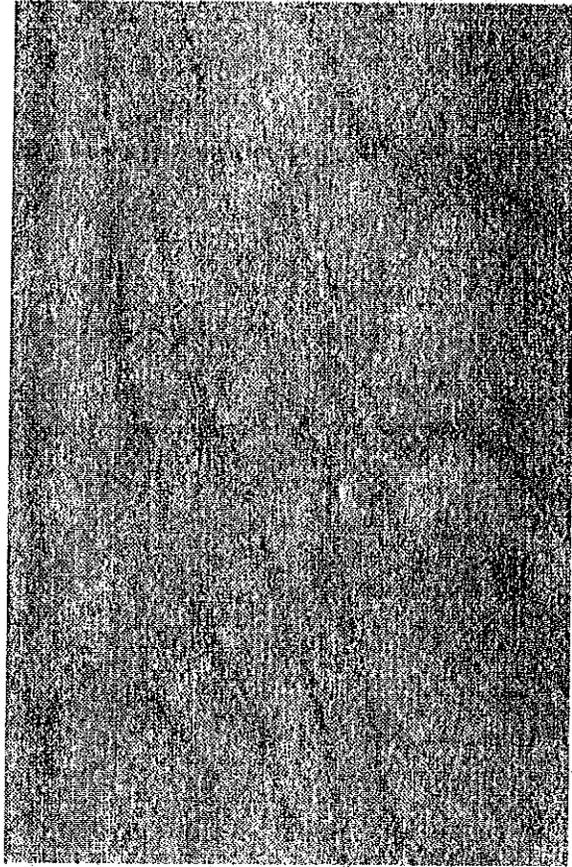
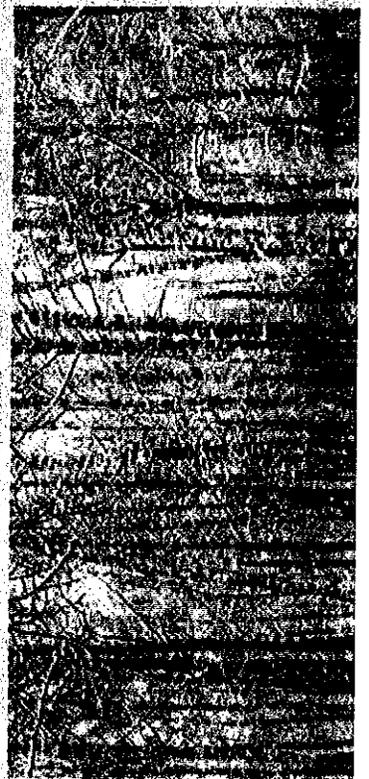
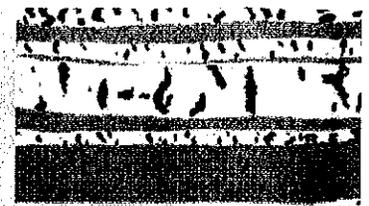
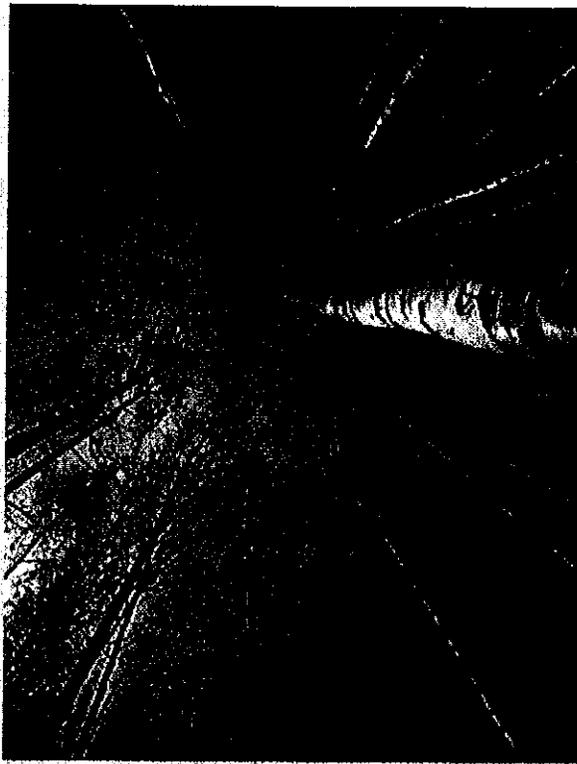
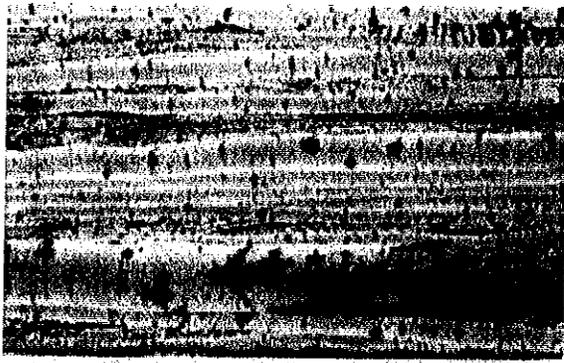
**Tax** \$ 131.97

**Grand Total** \$ 2,051.56

**Down Payment**

Signature \_\_\_\_\_ Date \_\_\_\_\_ Amount Paid Today \_\_\_\_\_







## MEMORANDUM

---

**TO:** Birchwood City Council  
**FROM:** Mike Anderson, City Administrator  
**DATE:** October 7, 2016  
**SUBJECT:** Special Revenue Projects: Acct #210

**This memo is to address Special Revenue Account #210**

This account is set up to receive payments from residents who wish to get their names on the waiting list for boat slips each year. That fee to the City is \$200 to reserve your spot on the list. At the end of September I was informed that each slip holder is to pay the City an annual fee of \$200 and an additional \$100 if they store their lift on the easement over the winter.

This information was unknown by City staff throughout 2016 in which all the current slip payments of 2016 were not accounted for. I was informed that in the past the City would receive a list of slip users from the Dock Association early in the year and the City would collect these payments by adding them onto the users Utility Bills. The City did not receive this list until early October and again, fees have not been collected for lift storage last winter or this past summer's slip users.

I was able to find some letters that were issued in 2013 to slip users who didn't pay their annual fee collecting those payments. I took the initiative to send letters on October 6, 2016 and gave the payment deadline of October 21, 2016. Once these payments are accounted for, a report for Special Revenue Account #210 will be formally written up and send out to members of the Council.

If you have further questions please contact Mike Anderson at 651-426-3403 or

[Mike.Anderson@CityofBichwood.com](mailto:Mike.Anderson@CityofBichwood.com)



## MEMORANDUM

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**TO:** Birchwood City Council  
**FROM:** Mike Anderson, City Administrator  
**DATE:** October 6, 2016  
**SUBJECT:** A/C Quote from Four Seasons

### Quote Information

Hi Mike,

Thanks for taking the time to see me today regarding your ac needs there at the city building. I did find an evaporation coil that will fit below your current furnace jsyk. The ac model I would like to propose that is matched to that coil is Allied Air/Aire-Flo 4AC13N24P.

It is 2 ton (same capacity as now) and 13 seer. Your warranty will be 10 year parts/2 years of labor and 10 year compressor. Our installed cost to the city for that model will be \$2970 less \$150 from Xcel Energy

Rebate/\$2820 net.

Howard Anderson  
Four Seasons Air Specialists, Inc.  
"Expect 100% satisfaction from a quality product installed properly!"  
612-501-1009



CITY OF BIRCHWOOD VILLAGE  
207 Birchwood Avenue  
Birchwood Village, MN 55110  
651-426-3403 tel  
651-426-7747 fax  
[info@cityofbirchwood.com](mailto:info@cityofbirchwood.com)

September 29, 2016

**Residents of Birchwood:**

Fall lead pick up will be two separate Monday's in October. Services will be provided by H&B Services. Signs will be placed out a week prior informing you that pick up will occur. This year payments will be added to your next utility bill (\$2 service charge added) in the form of either \$25 for a small pile, \$50 for a large pile, or a price to be determined for an over sized pile. If you have questions please call City Hall.

Sincerely,

Mike Anderson  
City Administrator  
651-426-3403  
[Mike.Anderson@CityofBirchwood.com](mailto:Mike.Anderson@CityofBirchwood.com)

**Joint Powers Agreement for Stand  
By Birchwood Water System  
Supervision**

**THIS AGREEMENT**, is made to be effective \_\_\_\_\_, 2016, between the TOWN OF WHITE BEAR, a statutory Township under the laws of the State of Minnesota (TOWN), the CITY OF BIRCHWOOD VILLAGE (CITY), a municipal corporation under the laws of the State of Minnesota.

**Recitals:**

- A. The CITY currently has maintenance equipment or personnel available to maintain their city water system.
- B. The TOWN has the personnel available to supervise the repairing of the CITY water system.
- C. It is feasible for the TOWN to supervise the repair of the CITY water system when the CITY water operator is on vacation or unavailable to perform such services as arranged.

**Purpose:**

Minnesota Statutes, Section 471.69, provides that two or more governmental units, by agreement entered into through action of their governing bodies, may jointly or cooperatively exercise any power common to the contracting parties or any similar powers, including those which are the same, except for the territorial limits within which they are exercised.

**Agreement:**

Now, therefore, in consideration of the foregoing recitals and mutual undertakings, set forth herein, the TOWN and CITY agree as follows:

- 1. **Water System Stand By.** The TOWN shall supervise all necessary repairs to the City water system for the CITY while the contracted water operator is unavailable to perform such services.
- 2. **Protection of Water Lines.** The CITY agrees that it will assist the TOWN in the repairing of the water system and will cooperate with the TOWN as may be necessary for the supervision of repair work performed by the outside contractors to the water system.

3. **Emergency On-Call Services.** The TOWN shall provide twenty-four (24) hour, seven (7) day a week emergency service to oversee and manage outside contractors repairing of the City water system when the contracted water operator is unavailable to perform such services on a prearranged basis.
4. **Charges for Maintenance.** The charges for maintenance and repairs performed pursuant to this Agreement. The TOWN shall be invoiced at the TOWN staff prevailing hourly rate while onsite.
5. **Term.** This Agreement shall remain in force and effect unless terminated as follows:

Either the TOWN or the CITY may terminate this Joint Powers Agreement by giving thirty (30) Days written termination notice to the other as follows:

To the TOWN:

Town Clerk  
 Town of White Bear  
 1281 Hammond Road  
 White Bear Township, MN 55110

To the CITY:

City Clerk  
 City of Birchwood Village  
 207 Birchwood Avenue  
 Birchwood, MN 55110

IN WITNESS WHEREOF, the Town of White Bear and the City of Birchwood Village have caused this Agreement to be executed on their behalf by their proper officers, Board, and Council.

TOWN OF WHITE BEAR

By: \_\_\_\_\_  
 It's Chair

ATTEST:

By: \_\_\_\_\_  
 It's Town Clerk-Treasurer