



AGENDA OF THE
REGULAR MEETING OF THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
207 BIRCHWOOD AVENUE
WASHINGTON COUNTY, MINNESOTA
May 14, 2013
7:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

Recommended motion: "Move to adopt the agenda as presented"

OPEN PUBLIC FORUM

CITY BUSINESS – CONSENT AGENDA

1. Approval of the April 9, 2013 Regular Meeting Minutes (see exhibit)
2. Approval of the April 30, 2013 Special Meeting Minutes (see exhibit)
3. Acceptance of Treasurers Report and Approval of Disbursements (see exhibit)
4. Approval of the MS4 Public Hearing June 11, 2013 (see exhibit)
5. Approve/Sign Letter of Understanding with Thatcher Engineering, Inc.
6. Energy Saver Switch notice/request to Xcel (NO exhibit - past approval 12/2010)
7. Appoint Greg Donovan Acting Mayor (second alternate)
8. Frequency of bill payments monthly (except employee pay or when 5 weeks between council meetings)
9. DENY 483 Lake Avenue request to purchase portion of Kay easement/street encompassed in its legal description (per property owners attorney - NO exhibit)
10. Approve Resolution 2013-09 Approving Work comp coverage for elected officials, board and committee members and volunteers (see exhibit)

CITY BUSINESS – REGULAR AGENDA

11. Certified Water Operator – Proposed contract with John Manship
Copy of April 9, 2013 document included
12. Approve Roads Committee Contracts
Follow up on 4/30/13 special meeting discussion (- no exhibit available)
13. Mowing Contract KEJ – 2013 (*Proposal withdrawn by KEJ*)
Consider alternate bid
14. Music In The Park (Al Mitchell)
Mitchell and Insurance Agent Mark Lenz documents
15. Planning Commission Items –
Variance Requests: Tighe-Schmidt Park (setback)– Resolution 2013-10 (Lund see Exhibit)
Rahkola 545 Wildwood Avenue (fence) - Resolution 2013-11
Definition "Structure" Council direction to Planner S Crosby to initiate the procedure to
amend the zoning code to exempt nominal structures from setback regulations.

16. **Elm Easement – Erosion Control (riprap) Project (Donovan – see exhibit)**
Authorize mayor to sign DNR permit
17. **Steinhauser Request to Remove Cottonwood Trees –**
Highwood Easement 620 Birchwood Avenue (Resident exhibit included)
18. **Engineering (Hullsiek &/or Engineer Thatcher)**
Engineering Study Birchwood Lift Station (Hullsiek – see exhibit)
Approval to get an estimate from the city engineer to the study..
Sign Agreement between City & Thatcher (*may be duplicate of #4*)
19. **MS4 Ordinance Requirement Ordinance 202.100 (Wingfield – see exhibit)**
20. **MS4 permit 2012 – Authorize mayor to fill out (Wingfield)**
21. **Review Formal Policy Catchbasin Clean Out (Wingfield – see exhibit)**
22. **Catchbasin Report/Measurements Review and Infratech Contract to Clean out 7 (of 10)**
KEJ 4/29/2013 Catchbasin Cleaning Memo (not submitted as of 5/10/13)
23. **Institute Storm Water Monitoring Policy (Wingfield - see exhibit)**
24. **Catchbasin flooding & Hockey Rink (Wingfield – no exhibits)**
165 Wildwood (trap causes flooding)
Rink Flow Pipe (does not flow)
25. **Law Enforcement**
Citation Information (LaFoy see exhibit)
Police Contract – update on WCSO meeting (Wingfield – no exhibit)
26. **I-Net – Computer Services (Donovan – see exhibit)**
Cost summary & Initial Estimate
27. **Cablecast of Council Meetings (Wingfield – no exhibit)**
Additional replay days
28. **Council Budget Worksession April 16, 2013 Summary**
Summary (Wingfield – see exhibit)
29. **June Newsletter Items to include (Wingfield – no exhibit)**
Community Club dues envelope
Hockey Fundraising Flyer
30. **White Bear Lake Firework Fund**
Requester letter for donation (see exhibit)
31. **SPRWS – Revised Invoice for Hydrant Work**
(Provided for in Treasurers Report – possible duplicate or other action desired)

ADJOURN



CITY OF BIRCHWOOD VILLAGE
207 Birchwood Avenue
Birchwood Village, MN 55110
651-426-3403 tel
651-426-7747 fax
birchwoodvillage@comcast.net

May 10, 2013

To: City of Birchwood Village Councilmembers

From: Cindie

RE: Agenda Packet – May 2013

Enclosed is the agenda packet for May, I tried to accommodate all of the requested and/or submitted items according to the policy on agenda packet preparation. Thus what appears to be “like kind” items were placed near each other on the agenda in an attempt to be concise.

Also the items that were to be presented by non-councilmembers were placed near the beginning of the meeting to be respectful of those peoples time.

One thing that did not happen with this packet – supporting documentation has not been numbered. The reason for this was in an effort to save some time, as packet agenda items were received, they were printed. Also the agenda item #'s changed as time went on. We will do better next month on this.

For the items we did not have when the packet was assembled. We will try to email them to you if received before the council meeting.

One consent agenda item addresses frequency of bills to be paid. While wages are noted, another item is PERA (required to be paid within 14 days of pay date). Taxes (Fed & State) are paid electronically before the 15th each month and the Xcel bill for the Lift Stations is also paid electronic auto-pay.

I have found a Thatcher Agreement (addressed to Bill) and will research to confirm the changes I saw in an email are in this copy of the agreement. If it is the correct version I will have it at the meeting for signatures.

Other Items of interest:

- The Tennis Agreement was returned signed from them for our city copy.
- The engineering documents have arrived this week.
- There is a leak in the waterline coming into the building (John Lund will try to fix as the plumber could not get here until next week).

See you Tuesday – email with issues or concerns. Have a good weekend.

April 9, 2013

The regular meeting of the Birchwood City Council was held Tuesday, April 9, 2013.

Present were Mayor Wingfield, Councilmembers Donovan, Hullsiek, LaFoy, and Woolstencroft; Coordinator-Clerk Powers; John Anderson, Mike Anderson, Mike Evangelist, Cara Geheren, Chad Isakson, John Lund, Tom Meyer, Tom Patsy, David Reynolds, Gene Ruehle, and Steve Thatcher.

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

Approval of Agenda: M/LaFoy S/Donovan/Passed to approve the agenda for tonight's meeting, as amended to remove Item # 14 (Preliminary consideration of personnel issues relating to City Treasurer); add Item # 10b (Little Library at Birch Easement); move Item # 11 (City Engineer Interviews) to after Item # 5 (Report from Roads and Streets Committee); add Item #'s 13b (Grass Mowing) and 13c (Records Retention); move Item # 3b (Acceptance of the Financial Report and Approval of Disbursements) off of the Consent Agenda; add Item # 3g (Budget spreadsheet to be distributed to Council members no later than Thursday for next week's Workshop Meeting) to the Consent Agenda.

Open Public Forum: Evangelist addressed the Council as President of the Birchwood Dock Association, and said that with the lower water levels, fewer boats can be moored at the docks. Evangelist said that with the fixed costs of dock maintenance, etc. that each boat slip user is being charged higher amounts by the Dock Association, and wants the resource to have wider participation and make the experience more affordable. Wingfield commented that the Dock Association should come up with a proposal for presentation at a future Council meeting.

Consent Agenda: M/LaFoy S/Donovan/Passed to approve the following consent agenda items:

- a. Approval of the Minutes of the March 12, 2013 Council Meeting.
- b. Direct the City Treasurer to denote all distributions and receipts which are different than amounts agreed to or contracted for to be denoted on the Financial Report, and that all payees that previously have been inactive for the past 6 months are to be denoted on the Financial Report.
- c. Order SWPPP MS4 public hearing for May 14, 2013; publish once in the White Bear Press.
- d. Authorize Mayor Wingfield to sign Tennis and KEJ contracts.
- e. Direct the City Coordinator to report to the Council all citizen complaints via e-mail within 5 days of complaint.
- f. Direct staff to provide the Council with budget spreadsheets no later than Thursday for the upcoming Council Workshop meeting on Tuesday, April 16

REGULAR ORDER

4. RESOLUTION 2013-08 Approving Ordinance 2013-01 Repealing Ordinance 2012-13 Providing for a Special Election to Fill Certain Council Vacancies:

M/LaFoy S/Woolstencroft/Passed to open the public hearing at 7:12 p.m.

There were no comments from the public.

M/LaFoy S/Hullsiek/Passed to close the public hearing at 7:13 p.m.

M/LaFoy S/Hullsiek/Passed 4-0 (Councilmember Donovan abstaining) to approve Resolution 2013-08.

5. Report from the Roads and Streets Committee: Ruehle addressed the Council to inform them that the Committee talked with Tom Wood from MN/DOT, who advised them that none of the streets in the Village need to be rebuilt. Ruehle said that Wood advised them that the worst street in town is Cedar Street from Birchwood Avenue to East County Line Road. Mark Anderson noted that the Committee would like to have a workshop meeting with the Council to go over its findings and to get permission to get quotes for street repair. Mayor Wingfield commented that she will schedule a special workshop meeting sometime in the next two weeks for this matter.
11. City Engineer Interviews: The Council interviewed two firms - Focus Engineering and Thatcher Engineering - to be the City's consulting civil engineer. Councilmember Hullsiek introduced Cara Geheren and Chad Isakson from Focus, and Tom Meyer and Steve Thatcher from Thatcher Engineering. Each firm gave a short presentation on what they could offer the City. Council members asked about "green" engineering, SCADA, and each firm's rate structure. Councilmember Hullsiek stated that he thought highly of each firm, but recommended Thatcher Engineering as the City's best option.

M/Hullsiek S/LaFoy/Passed to hire Thatcher Engineering as the City's consulting civil engineer.

6. Park Project Update: John Lund, Chair of the Parks Committee, went over plans for the warming house at Tighe-Schmitz Park, and noted that the cost of the project is \$40,000.00, with \$17,689 currently budgeted for by the City. Lund is asking permission to proceed with tearing down the old warming house and installing a concrete slab for the new warming house right away, so we can start fund raising for the new warming house. Lund said that fund raising will go better when people see that the project is going

to happen. When asked about the costs of demolition and the slab, Lund said approximately \$6,300.00.

M/Hullsiek S/Donovan/Passed to authorize an expenditure not to exceed \$6,300.00 for demolition of the old warming house and installation of a concrete slab for the new warming house.

Lund also talked about weeding and seeding the ballfield, aeration at the lake easements, and the work that needs to be done at the Elm easement. Mayor Wingfield noted that the Council will discuss those items at next week's Council budget workshop.

7. Review Assessor's Report/2013 Property Taxation Values: Mayor Wingfield wanted to inform the public that the assessor's report indicated that property values have decreased and property taxes have increased.
8. Elm easement repair options: Mayor Wingfield said that Rice Creek Watershed District Advisory Committee member Mary Sue Simmons and Councilmember Donovan have been working on trying to secure some sort of grant funding for this project. Mayor Wingfield stated that the easements are under the authority of Councilmember Hullsiek, but noted that Bill's plate is full with the SCADA issue and would like to move this item over to Donovan and Simmons.

M/Wingfield S/Woolstencroft/Passed to take the Elm easement issue from Hullsiek and give it to Donovan.

9. Review obtaining City engineering files/documents: Mayor Wingfield said she had talked with the City Attorney on this issue, who advised her that the City's interests would best be served by paying the former City engineer the estimated \$400.00 copying charge for the records, as opposed to litigating the issue. The Council discussed whether to authorize an additional dollar amount in case the copying costs exceed \$400.00.

M/Hullsiek S/Donovan to authorize an expenditure of up to \$500.00 to pay for the photocopying costs of the City's engineering files.

The Council next discussed whether to have the City Attorney work directly with the former City Engineering firm or to have the City Coordinator act in that capacity.

M/LaFoy S/Donovan to authorize the City Coordinator to work with the former City Engineer to get the City's records back.

10. Prosecuting Attorney Interviews - Report from Councilmember LaFoy: Councilmember LaFoy updated the Council on his review of the proposals from the various law firms. Mayor Wingfield noted

that since there doesn't appear to be a pressing need for prosecuting services that the Council can wait on this matter until a future Council meeting.

- 10b. Little Library: Councilmember LaFoy said that Keri Pakonen, who lives next to the Birch easement, purchased a Little Library similar to that at City Hall and requested permission to place the structure on the easement. The Council discussed the matter of placing a privately-owned structure on public property and thought that the Little Library could be placed on her property immediately adjacent to the easement. Coordinator Powers advised the Council that placement of the structure at that location would require a variance. Councilmember LaFoy said that he would relay the Council's concerns to Ms. Pakonen.
- 13b. Birchwood Lane: Councilmember LaFoy said he met with residents at Birchwood Lane about the snow removal issues/challenges on that street. Mayor Wingfield noted that Birchwood Lane has the problem of going uphill in both directions, so snow removal and making sure the ice is melting is especially important there. Councilmember LaFoy will bring the concerns of the neighborhood to Ken Johnson.
- 13c. Banner for the Annual Plant Exchange: Councilmember LaFoy said he will be investigating getting a large banner to advertise the City's annual Plant Exchange.
- 13d. SCC Open House: Councilmember LaFoy stated that the Cable Commission (SCC) will be holding an open house on Thursday, April 25th, at the SCC offices at County Road F and Bellaire Avenue.
12. Comprehensive Water Management Services - Review of Proposals: Councilmember Hullsiek informed the Council that the only proposal received was from John Manship/Manship Plumbing and Heating. The Council directed staff to invite Manship to the May meeting to finalize terms.
- 13a. Review of staff procedure to obtain approval to contact City Attorney: Mayor Wingfield expressed a concern that staff is contacting the City Attorney on matters that Councilmembers have already contacted him/her on. Mayor Wingfield said that this isn't just a matter for staff but for the other Councilmembers as well. The consensus of the Council was that it and staff need to communicate with each other better so that there are no duplicate calls to the City Attorney.
- 13b. Grass Mowing: Mayor Wingfield noted that the City Coordinator provided copies of KEJ's proposal for grass mowing, along with a contract that incorporates the proposed fee structure.

M/Wingfield S/Hullsiek/Passed to approve the terms for grass mowing proposed by KEJ, Inc.

- 13c. Records Retention: Wingfield shared a concern that e-mails sent from the City's accounts were not stored permanently; Powers commented that he discovered that sent e-mails were stored for 30 days back in August 2012; since that time, the settings on the account have been changed to allow for permanent storage. Councilmember Donovan said he would investigate with Comcast on retrieval of the previous sent e-mails.
- 3b. Acceptance of the Financial Report and Approval of Disbursements: Mayor Wingfield noted that the costs of lift station inspection have increased from \$800.00 per month to \$1,400.00 per month; this is due to the amount of time spent on inspecting the lift stations having increased from 10 hours a week to 25 hours a week. Mayor Wingfield commented that the Sewer Fund is not holding its own and the rates may need to be re-evaluated. Mayor Wingfield also commented that the Water Fund appears to be OK for the winter; that the snow plowing account has used \$10,000.00 of its budgeted \$16,000.00 amount, so that appears to be fine; and that some thought should be given to the establishment of a 501 (c) 3 organization for warming house fund raising.

M/Wingfield S/LaFoy/Passed to accept the Financial Report and Disbursement Register as prepared by the City Treasurer and presented to the City Council on April 9, 2013, including Check #'s 27678-27680, 27703-27727; Electronic Funds Transfers LIFT032013, PERA22813, STPPY0313, FED032013, MN032013, and PERA033113, in the amount of \$58,762.72.

13. Mayor/Council Reports: Mayor Wingfield commented that she would like next week's budget meeting to be televised. Councilmember Donovan said that there is a conversion going on with the Comcast that may cause some problems, and directed residents to call 651-747-3801 if they have problems.
15. Adjourn: M/LaFoy S/Donovan/Passed to adjourn the meeting at 9:42 p.m.

Attest:

Cindie J. Reiter, Interim City Clerk

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CITY OF BIRCHWOOD VILLAGE
Special CITY COUNCIL MEETING
April 30, 2013

MINUTES

MEMBERS PRESENT: Greg Donovan, Bill Hullsiek, Randy Lafoy, Kevin Woolstencroft, Mary Wingfield

STAFF PRESENT: Cindie Reiter

OTHERS PRESENT: Mary Sue Simmons, Gene Ruehle, Mark Anderson, Dave Reynolds

Wingfield called the regular meeting to order @ 7 pm, and the Pledge of Allegiance was recited.

AGENDA APPROVAL: M/Lafoy, S/Donovan. Passed

Staffing: Motion to accept the resignation of Clerk Dale Powers. M/Lafoy, S/Donovan. passed

Donovan presented information on options going forward. His recommendation is employ Cindie Reiter as temporary clerk at an additional 10-15 hours per week at her current pay, and contract with Mary Sue Simmons for 8-10 hours per week at \$17.50 per hour. That way the council can examine what its needs are for long term staffing and determine how the city wants to go about filling the clerk position.

Motion: Employ Cindie Reiter as temporary clerk at an additional 10-15 hours per week at her current pay, and contract with Mary Sue Simmons for 8-10 hours per week at \$17.50 per hour. M/Donovan, S/LaFoy. Passed.

Donovan believed this option would be in place about three months so the city had time to develop a plan for long-term staffing.

Reiter believed the city treasurer duties required two staff in place to satisfy the state auditor. She said the three month period plan should not be a problem.

Donovan told the council he is looking to St Anthony Village to assist in the treasurer's duties.

Reiter informed the council she has a prior commitment for May 8-10 and will be unavailable. She and Simmons will work out coverage so the posted office hours are maintained.

The council directed Reiter to change the lock code on the office.

Donovan also informed the council that he has been working with City of Roseville technical support division. They offer services that would allow the city to coordinate its services currently provided

43 through outside sources and create opportunities for more efficient, long term coverage of the city's
44 services without interruptions caused by staff changes. Estimated cost: \$5600

45

46 Wingfield provided that she found a number of service providers for preparing the council's minutes.
47 The business lends itself to a cottage industry since all the data can be transmitted electronically. Gail
48 White of Tailored PC documents has experience in doing such (eg City of St Petersburg, FL) and charges
49 \$17 per hour with an expectation that it will take 2-3 hours to reduce an hour of meeting time to
50 writing...depending on tape clarity. Wingfield reminded the council earlier that everyone needs to be a
51 bit more deliberate in discussing items to reduce confusion by the transcriber. White will provide a draft
52 as soon as possible to allow the council to make corrections prior to the next regular council meeting.
53 The council can reevaluate the arrangement after a test period.

54

55 M/Wingfield, S/Kevin. Contract with Gail White to provide city council minutes at \$17 per hour. Passed.

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57 Personnel committee policy terms were reviewed. The designation of two council members Lafoy and
58 Donovan as a committee created a snag with potential open meeting law issues that would not
59 otherwise exist but for the policy language. (Two council members can talk about pending matters, but
60 a committee must post notice of meetings and provide public access to such discussions.) Council
61 agreed that the proper term would be to consider Lafoy and Donovan liaisons to staff.

62 M/Wingfield, S/Woolstencroft. Change "Personnel Committee" members to "Personnel Liaisons to
63 staff", Guidelines to use are paragraph II and V from the personnel committee bylaws. Personnel
64 committee is no longer active. Passed.

65

66 Lafoy and Donovan will try and present a progress report on staffing at the May 14, 2013 council
67 meeting.

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69 A 6:30 P workshop with the Roseville Tech rep will be held just prior to the regular city council meeting
70 May 14, 2013.

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72 **ROADS COMMITTEE:**

73 Gene Ruehle, chair, informed the council that the ice went out today. He also introduced Mark
74 Anderson of the Roads Committee to report their findings as to what action the city should take this
75 spring to protect the roads from further deterioration. The Roads Committee filed its report with the
76 council this week. Three roads (Hall/Cedar, Oakridge, and Wildwood) are in need of more extensive
77 repair to avoid a much larger repair bill in later years. All other roads will be crack filled and spot
78 repaired where necessary. The report was prepared with the assistance of Tom Wood, MNDOT
79 research agent, and will be posted on the website.

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81 The Committee looked for guidance of how much repair should be done along the edges of the existing
82 pavement. The council consensus was to repair the edges as further deterioration will creep into the
83 road surface without abatement.

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The committee also informed the council that the low bidder for such work has offered to provide repairs to individual homeowners who want to repair their driveways. This would be contracted for by the residents and paid separately. The thought was this would be a cheaper alternative that would not otherwise be available. Notice will be placed in the June 1, 2013 newsletter of the option.

The committee provided a spreadsheet of different repair and bids. The low estimate for asphalt repair is from TA Schifsky for \$31,532 for Hall/Cedar. Schifsky will provide additional repair work to Wildwood and Oakridge for \$23,571, and miscellaneous repairs in the rest of town for \$5450. Seal coating (chip sealing) from Pearson Brothers is estimated at \$41,382. Striping is an extra \$5000, including cross walk markings. These are estimates--the long winter has prevented the companies from fully evaluating the road surfaces. The council asked the committee to report back at the May council meeting with final figures from both contractors. Specifications will be to MNDOT standards.

The council discussed funding options at it workshop on April 16, 2013. The Hall/Cedar special fund has \$44,500 and those funds will be used as well as the 2013 budget of \$17,500 for seal coating and crack filling. The remaining funds will be taken from reserves with the expectation that a levy of \$25,000 will be instituted annually to pay for yearly maintenance and build the fund up to cover the next round of seal coating expected in approximately 3-4 years.

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

ADJOURN: M/Lafoy, S/Hullsiek at 8:10P.

Dale Powers
City Coordinator

Birchwood Village
Treasurer's Report
5-9-2013
Council Meeting 5/14/2013

To: City Council
From: Cindie J Reiter, Treasurer

Financial Report

Attached are the CTAS reports:

The **DISBURSEMENTS REGISTER** is for those claims presented for approval and/or payment this eve. Disbursement Register includes check numbers or EFT identifier. **THE DISBURSEMENT REGISTER is for expenses of period between council meetings (April 10 – May , 2013).** Checks issued are #27728-27768 (Payroll 27737– 27738 for 5/15) and EFTs for Xcel Sewer LIFT 042013, US Bank Service Charge (SC – if any), PERA041513, PERA043013 , FED042013 and MN042013 payroll taxes.

The **Interim Financial Report** shows the year to date totals for each revenue and expense of each Fund. The report is presented by ACCOUNT code. Fund 100 is the operating fund (General Fund) for which property taxes are levied, and also includes other revenues the city receives. In the disbursement section of this report you will find a running total (YTD) and variance (remaining balance) of the full year budgeted amount for each category of expense. **The Interim Financial Report is provided for 2013 through May 14, 2013.**

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

Current Items of Interest-

- **WA County Special Assessment Billing Invoice – \$471** WA Ccounty's charge for processing special assessments to 157 parcels on the property tax statements.
- **SPRWS - REVISED invoice \$462.67** of prior \$797 outstanding invoice for hydrant repair at rink. Clerk inquiry made –copy attached and SPRWS email response (*last agenda item listed*).
- **WBLCD – \$2081.97** community apportionment for the WBL Conservation District for 2013
- **Centurylink rate increase effect July 1, 2013** \$1/month line rate and \$1.25 per added service increase
- **Work Comp Quote (w/o volunteer quote yet)– \$677** Significant reduction as contractors carry own WC cvg.
- **Tree Canopy Care - 2012 GF Surplus Item (approved 12/2012 for 2013 service) Steve Dean Tree Trimming \$8350.**
- **St Paul Regional Water Service \$3,000** - Paid only 2/3 months as contract to end May 2013 (*Inv \$4500 – my note says end date is 5/22/13, however field conta ct at SPRWS noted they are the contract until 5/30/2013*)
- **US Bank shows 3 accounts to be inactive, forms to be provided to city to include these accounts in the 4MFund balance (Mayor/Deputy mayor and Clerk/Treasurer signatures to be required).** **WIP**
- **OSA seeks delineation of street engineering**, therefore when city has hired an engineer, CTAS will reflect Street Engineering for street projects.
- **City of WBL – Bldg Inspector Service – Qtr 1, 2013** \$1,163.00
- **White Bear Lake Fireworks Fund – Request for \$200 contribution (motion for approval May agenda item).**
- **Park Budget – CTAS revised allocation (service is not considered supplies for the purpose of CTAS breakout. Items of service {weed control – ballfield & on sand beaches} have been entered as contracted service)**
- **Receipts; RWSCC Redistribution Payment \$5687.42, LMCIT WC dividend \$232, WA County Recycle grant \$1678, Birchwood Dock Assn. \$500, Special Assessment PIF 710 Hall \$738.04 .**

Please call/email with any questions.

Cindie J Reiter. Birchwood City Treasurer

As of 12/31/2013

General Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
General Property Taxes	\$336,013.00	\$3,970.86	(\$332,042.14)
Total Acct 310	\$336,013.00	\$3,970.86	(\$332,042.14)
Building Permits	\$8,500.00	\$981.61	(\$7,518.39)
Dog Licenses	\$200.00	\$35.00	(\$165.00)
Zoning App Fee	\$0.00	\$206.00	\$206.00
Total Acct 322	\$8,700.00	\$1,222.61	(\$7,477.39)
Local Government Aids	\$238.00	\$0.00	(\$238.00)
Total Acct 334	\$238.00	\$0.00	(\$238.00)
Recycle Grant	\$1,000.00	\$1,678.00	\$678.00
Cable Comm. Grant	\$7,000.00	\$6,092.92	(\$907.08)
Total Acct 336	\$8,000.00	\$7,770.92	(\$229.08)
City Hall and Garage Rent	\$500.00	\$180.00	(\$320.00)
State and Misc fees	\$0.00	\$3.32	\$3.32
Total Acct 341	\$500.00	\$183.32	(\$316.68)
Fines	\$650.00	\$53.33	(\$596.67)
Total Acct 351	\$650.00	\$53.33	(\$596.67)
Miscellaneous	\$100.00	\$0.00	(\$100.00)
Total Acct 361	\$100.00	\$0.00	(\$100.00)
Interest Earnings	\$50.00	\$0.00	(\$50.00)
Contrib. and Donations-Private	\$500.00	\$700.00	\$200.00
Refund-Reimbursemnt-Dividend	\$0.00	\$584.50	\$584.50
Total Acct 362	\$550.00	\$1,284.50	\$734.50
Total Revenues	\$354,751.00	\$14,485.54	(\$340,265.46)

Other Financing Sources:

Sale of Investments	\$0.00
Transfers from other Funds	\$0.00

Disbursements:

Publishing	\$2,100.00	\$392.85	\$1,707.15
Total Acct 411	\$2,100.00	\$392.85	\$1,707.15
City Council	\$4,200.00	\$252.70	\$3,947.30
Total Acct 413	\$4,200.00	\$252.70	\$3,947.30
Clerk - Treasurer	\$58,240.00	\$22,236.03	\$36,003.97
Elections	\$500.00	\$822.50	(\$322.50)
Office Operations/Supplies	\$3,525.00	\$532.85	\$2,992.15
Postage/Postal Permits	\$650.00	\$225.34	\$424.66
Total Acct 414	\$62,915.00	\$23,816.72	\$39,098.28
Financial Administration	\$400.00	\$35.00	\$365.00
Assessing	\$5,450.00	\$0.00	\$5,450.00

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

05/10/2013

Total Acct 415	\$5,850.00	\$35.00	\$5,815.00
Legal Services	\$7,200.00	\$2,141.50	\$5,058.50
Engineer Service	\$10,000.00	\$0.00	\$10,000.00
Total Acct 416	\$17,200.00	\$2,141.50	\$15,058.50
Per Diem	\$1,560.00	\$0.00	\$1,560.00
Total Acct 418	\$1,560.00	\$0.00	\$1,560.00
Grants	\$1,825.00	\$0.00	\$1,825.00
City Training and Development	\$2,335.00	\$265.00	\$2,070.00
City Hall-Gov't Buildings	\$7,000.00	\$2,240.58	\$4,759.42
City Insurance	\$7,380.00	\$0.00	\$7,380.00
Cable Eqpmt and Service	\$800.00	\$195.38	\$604.62
Newsletter	\$125.00	\$0.00	\$125.00
Total Acct 419	\$19,465.00	\$2,700.96	\$16,764.04
Police	\$91,348.00	\$38,061.65	\$53,286.35
Total Acct 421	\$91,348.00	\$38,061.65	\$53,286.35
Fire	\$20,593.00	\$8,028.65	\$12,564.35
Total Acct 422	\$20,593.00	\$8,028.65	\$12,564.35
Building Inspection	\$8,400.00	\$2,333.00	\$6,067.00
Total Acct 424	\$8,400.00	\$2,333.00	\$6,067.00
Other Protection	\$100.00	\$68.38	\$31.62
Animal Control	\$897.00	\$897.00	\$0.00
Total Acct 428	\$997.00	\$965.38	\$31.62
Streets and Road Mntnc	\$5,250.00	\$866.39	\$4,383.61
Crack Seal Project	\$10,000.00	\$0.00	\$10,000.00
Seal Coat project	\$25,000.00	\$0.00	\$25,000.00
Street Sweeping	\$4,000.00	\$0.00	\$4,000.00
Ice and Snow Removal	\$16,000.00	\$11,493.40	\$4,506.60
Tree Removal	\$5,000.00	\$190.00	\$4,810.00
Utility - Drain Structure Care	\$1,200.00	\$2,403.09	(\$1,203.09)
Street Signs	\$1,500.00	\$0.00	\$1,500.00
Street Lights	\$15,600.00	\$6,496.30	\$9,103.70
Total Acct 431	\$83,550.00	\$21,449.18	\$62,100.82
Weed Control - Milfoil	\$1,200.00	\$0.00	\$1,200.00
Total Acct 432	\$1,200.00	\$0.00	\$1,200.00
Sanitation - Recycling	\$12,000.00	\$4,788.60	\$7,211.40
Total Acct 441	\$12,000.00	\$4,788.60	\$7,211.40
Lawn Care/Mntnc	\$6,000.00	\$1,050.00	\$4,950.00
Total Acct 450	\$6,000.00	\$1,050.00	\$4,950.00
Recreation	\$1,900.00	\$2,081.97	(\$181.97)
Total Acct 451	\$1,900.00	\$2,081.97	(\$181.97)
Parks	\$14,000.00	\$6,782.90	\$7,217.10
Total Acct 452	\$14,000.00	\$6,782.90	\$7,217.10
CONSERVATION - NATURAL RESOURC	\$2,082.00	\$0.00	\$2,082.00
Total Acct 461	\$2,082.00	\$0.00	\$2,082.00

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

05/10/2013

Unallocated Expenditures	\$8,050.00	\$0.00	\$8,050.00
Total Acct 492	\$8,050.00	\$0.00	\$8,050.00
Total Disbursements	\$363,410.00	\$114,881.06	\$248,528.94
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$525,009.93	
Cash Balance as of 12/31/2013		\$424,614.41	

As of 12/31/2013

Tree Canopy Care

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	\$0.00	\$0.00	\$0.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Tree Removal	\$0.00	\$8,350.00	(\$8,350.00)
Total Acct 431	\$0.00	\$8,350.00	(\$8,350.00)
Total Disbursements	\$0.00	\$8,350.00	(\$8,350.00)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$8,350.00	
Cash Balance as of 12/31/2013		\$0.00	

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

05/10/2013

As of 12/31/2013

Special Rev Projects	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Dock/Lift Permit Fee	\$0.00	\$1,600.00	\$1,600.00
Total Acct 322	\$0.00	\$1,600.00	\$1,600.00
Total Revenues	\$0.00	\$1,600.00	\$1,600.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Parks	\$5,900.00	\$0.00	\$5,900.00
Total Acct 452	\$5,900.00	\$0.00	\$5,900.00
Unallocated Expenditures	\$0.00	\$200.00	(\$200.00)
Total Acct 492	\$0.00	\$200.00	(\$200.00)
Total Disbursements	\$5,900.00	\$200.00	\$5,700.00
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$13,756.91	
Cash Balance as of 12/31/2013		\$15,156.91	

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

05/10/2013

As of 12/31/2013

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

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

05/10/2013

As of 12/31/2013

Sewer 2004 Bonds	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Sewer Re-hab A&B	\$0.00	\$143.53	\$143.53
Total Acct 361	\$0.00	\$143.53	\$143.53
Total Revenues	\$0.00	\$143.53	\$143.53
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Assessing	\$0.00	\$15.00	(\$15.00)
Total Acct 415	\$0.00	\$15.00	(\$15.00)
Bond Payment	\$0.00	\$1,246.13	(\$1,246.13)
Total Acct 471	\$0.00	\$1,246.13	(\$1,246.13)
Total Disbursements	\$0.00	\$1,261.13	(\$1,261.13)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$0.00	
Cash Balance as of 12/31/2013		(\$1,117.60)	

As of 12/31/2013

Birchwood In Re-hab Bond

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	\$0.00	\$0.00	\$0.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Assessing	\$0.00	\$183.00	(\$183.00)
Total Acct 415	\$0.00	\$183.00	(\$183.00)
Total Disbursements	\$0.00	\$183.00	(\$183.00)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$0.00	
Cash Balance as of 12/31/2013		(\$183.00)	

As of 12/31/2013

Sewer Re-hab 2008 Debt	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Sewer Re-hab A&B	\$0.00	\$952.23	\$952.23
Total Acct 361	\$0.00	\$952.23	\$952.23
Total Revenues	\$0.00	\$952.23	\$952.23
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Assessing	\$0.00	\$243.00	(\$243.00)
Total Acct 415	\$0.00	\$243.00	(\$243.00)
Total Disbursements	\$0.00	\$243.00	(\$243.00)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$0.00	
Cash Balance as of 12/31/2013		\$709.23	

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

05/10/2013

As of 12/31/2013

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

As of 12/31/2013

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

As of 12/31/2013

Cap Proj - Catchbasin

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

As of 12/31/2013

Water Enterprise Fund	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Water Fee	\$0.00	\$18,903.68	\$18,903.68
Penalty - Late Water/Sewer	\$0.00	\$309.32	\$309.32
State and Misc fees	\$0.00	\$670.63	\$670.63
Total Acct 341	\$0.00	\$19,883.63	\$19,883.63
Total Revenues	\$0.00	\$19,883.63	\$19,883.63
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Postage/Postal Permits	\$0.00	\$100.00	(\$100.00)
Total Acct 414	\$0.00	\$100.00	(\$100.00)
Assessing	\$0.00	\$15.00	(\$15.00)
Total Acct 415	\$0.00	\$15.00	(\$15.00)
Utility Locates	\$0.00	\$70.39	(\$70.39)
Total Acct 428	\$0.00	\$70.39	(\$70.39)
Water Utility	\$0.00	\$23,973.18	(\$23,973.18)
Total Acct 431	\$0.00	\$23,973.18	(\$23,973.18)
Total Disbursements	\$0.00	\$24,158.57	(\$24,158.57)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$31,968.02	
Cash Balance as of 12/31/2013		\$27,693.08	

As of 12/31/2013

Sewer Enterprise Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Penalty - Late Water/Sewer	\$0.00	\$320.13	\$320.13
Sewer Fee	\$0.00	\$26,610.07	\$26,610.07
Total Acct 341	\$0.00	\$26,930.20	\$26,930.20
Total Revenues	\$0.00	\$26,930.20	\$26,930.20
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Postage/Postal Permits	\$0.00	\$100.00	(\$100.00)
Total Acct 414	\$0.00	\$100.00	(\$100.00)
Assessing	\$0.00	\$15.00	(\$15.00)
Total Acct 415	\$0.00	\$15.00	(\$15.00)
Utility Locates	\$0.00	\$70.41	(\$70.41)
Total Acct 428	\$0.00	\$70.41	(\$70.41)
Wtr/Swr Emergency	\$0.00	\$329.13	(\$329.13)
Sewer Utility	\$0.00	\$27,280.13	(\$27,280.13)
Total Acct 431	\$0.00	\$27,609.26	(\$27,609.26)
Total Disbursements	\$0.00	\$27,794.67	(\$27,794.67)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$115,000.00	
Cash Balance as of 12/31/2013		\$114,135.53	

Fund Name: All Funds
Date Range: 04/10/2013 to 05/14/2013

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
04/10/2013	Hullsiek, William	REIMBURSEMENT - Wireless Router for City Hall	27730	\$162.98	100-41420-810	\$162.98
04/10/2013	Xcel Energy	Street Lights - April 2013 (rate increase)	27731	\$1,307.69	100-43160-380	\$1,307.69
04/10/2013	Waste Management of WI-MN	Recycle - March 2013	27732	\$957.72	100-44100-305	\$957.72
04/10/2013	Qwest/CenturyLink	Phone/Fax lines Apr 2013	27733	\$117.54	100-41940-321	\$117.54
04/15/2013	Payroll Period Ending 03/31/2013		27728	\$1,039.10	100-41400-100	\$1,039.10
04/15/2013	Payroll Period Ending 03/31/2013		27729	\$629.57	100-41400-100	\$629.57
04/15/2013	Xcel Energy	Lift Stn - April 2013	LIFT042013	\$575.97	605-43190-380	\$575.97
04/18/2013	PERA	Staff Retirement PE 3/31/2013	PERA041513	\$312.34	100-41400-120	\$167.74
					100-41400-121	\$144.60
04/23/2013	Ronnan, Kenny	March Service 2013	27736	\$78.75	100-41950-305	\$78.75
04/30/2013	Payroll Period Ending 04/15/2013		27734	\$1,039.10	100-41400-100	\$1,039.10
04/30/2013	Payroll Period Ending 04/15/2013		27735	\$470.81	100-41400-100	\$470.81
05/09/2013	IRS - US Treasury	FEDTaxes Apr 2013	FED042013	\$1,094.01	100-41400-110	\$420.03
					100-41400-160	\$63.87
					100-41400-162	\$273.12
					100-41400-164	\$63.87
					100-41400-166	\$273.12
05/09/2013	MN Department of Revenue	State W/H Apr 2013	MN042013	\$194.38	100-41400-115	\$194.38
05/09/2013	PERA	Staff Retirement PE 4/16/2013	PERA043013	\$282.42	100-41400-120	\$151.67
					100-41400-121	\$130.75
05/14/2013	City of White Bear Lake Police	Law Enforcement May 2013	27739	\$7,612.33	100-42100-305	\$7,612.33
05/14/2013	City of White Bear Lake Fire	Fire Srvc May 2013	27740	\$1,605.83	100-42200-305	\$1,605.83
05/14/2013	TA Schifsky & Sons, INC	Asphalt Winter mix 3/29/13	27741	\$30.78	100-43100-305	\$30.78
05/14/2013	Steve Dean Tree Trimming	Trim city - 14 ft clearance project (2012 surplus \$'s)	27742	\$8,350.00	110-43135-305	\$8,350.00
05/14/2013	City of St. Paul	Quarter 2 Mntnc & System Operation 2013 (2 months only)	27743	\$3,000.00	601-43180-305	\$3,000.00
05/14/2013	TSE, INC	City Hall Cleaning 3/14/13	27744	\$19.00	100-41940-305	\$19.00

City of Birchwood Village

Disbursements Register

05/10/2013

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
05/14/2013	Eckberg, Lammers, Briggs, Wolff	Legal Service -Mar 2013	27745	\$120.00	100-41600-300	\$120.00
05/14/2013	City of White Bear Lake	Bldg Inspections -Qtr 1 2013	27746	\$1,163.00	100-42401-305	\$1,163.00
05/14/2013	City of White Bear Lake	Lift Stn Ck/REcords/Lid Repair/Data Fail March 2013	27747	\$1,603.63	605-43185-305	\$152.63
					605-43185-305	\$176.50
					605-43190-305	\$994.50
					605-43190-305	\$280.00
05/14/2013	Ken Johnson	Plow-Sand Streets/Patch potholes/Signs/Trees/ Drains 2013	27748	\$2,373.00	100-43100-305	\$440.00
					100-43100-305	\$111.00
					100-43125-305	\$1,637.00
					100-43135-305	\$140.00
					100-43150-305	\$45.00
05/14/2013	Ken Johnson	May Summer Contract Payment 2013 (no breakout)	27749	\$1,050.00	100-45010-305	\$1,050.00
05/14/2013	Washington County	Election Eqpmt Mntnc 2013	27750	\$470.00	100-41410-400	\$470.00
05/14/2013	Washington County	Special Assesment Billing 2013	27751	\$471.00	301-41550-300	\$15.00
					303-41550-300	\$183.00
					305-41550-300	\$243.00
					601-41550-300	\$15.00
					605-41550-300	\$15.00
05/14/2013	WBL Conservation District	Community Apportion 2013	27752	\$2,081.97	100-45100-433	\$2,081.97
05/14/2013	TSE, INC	City Hall Cleaning 3/28/13	27753	\$19.00	100-41940-305	\$19.00
05/14/2013	Press Publications	Posting Notice - PH Planning	27754	\$58.20	100-41130-351	\$58.20
05/14/2013	City of White Bear Lake	Qtr 1 2013 - Water Fee	27755	\$5,862.96	601-43180-215	\$5,862.96
05/14/2013	On-Site Sanitation Inc	Rental Unit -TS Pk May r 2013	27756	\$86.95	100-45200-305	\$86.95
05/14/2013	Metropolitan Council Env. Service	Wastewater Service June 2013	27757	\$3,658.96	605-43190-217	\$3,658.96
05/14/2013	Gopher State One Call	Locates 9 -Apr 2013	27758	\$13.05	601-42805-305	\$6.52
					605-42805-305	\$6.53
05/14/2013	Qwest/CenturyLink	Phone/Fax lines May 2013	27759	\$107.24	100-41940-321	\$107.24
05/14/2013	Xcel Energy	Warm House/rink Mar/April 2013	27760	\$111.14	100-45200-380	\$105.54
					100-45200-380	\$5.60
05/14/2013	Xcel Energy	Street Lights May 2013	27761	\$1,296.11	100-43160-380	\$1,296.11
05/14/2013	Xcel Energy	City hall Apr 2013	27762	\$282.66	100-41940-380	\$282.66
05/14/2013	Waste Management of WI- MN	Recycle - apr 2013	27763	\$957.72	100-44100-305	\$957.72

City of Birchwood Village

Disbursements Register

05/10/2013

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
05/14/2013	Menards - Maplewood	City hall supplies TP/PT/Garbage Bags	27764	\$40.63	100-41940-210	\$40.63
05/14/2013	TA Schifsky & Sons, INC	Asphalt Fine mix 4/25/13	27765	\$136.52	100-43100-305	\$136.52
05/14/2013	Toshiba Business Solutions, USA Inc	Qtrly Mntnc Mar - May 2013	27766	\$45.64	100-41420-305	\$45.64
05/14/2013	Eckberg, Lammers, Briggs, Wolff	Legal Service -April 2013	27767	\$329.00	100-41600-300	\$329.00
05/14/2013	City of St. Paul	Hydrant Repair - Park rink water	27768	\$462.67	100-45200-305	\$462.67

Total For Period **\$51,681.37**

Total Year To Date **\$175,503.79**

Fund Name: All Funds
Date Range: 04/10/2013 to 05/14/2013

<u>Date</u>	<u>Remitter</u>	<u>Description</u>	<u>Receipt #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
04/12/2013	REsdients - via St Anthony	Utility Billing - SAV 4/12	944	\$1,808.40	601-34110 601-34160 601-34170 605-34160 605-34190	\$673.73 \$31.26 \$25.44 \$44.81 \$1,033.16
04/17/2013	Elias, John	Boat Slip - Elm 2013	924	\$200.00	210-32260	\$200.00
04/17/2013	LMCIT	WC Dividend YE 2012	925	\$232.00	100-36240	\$232.00
04/17/2013	RW C S Cable Comm	Cable Grant/Fee Disbursement 2012	926	\$5,687.42	100-33625	\$5,687.42
04/17/2013	Rahkola, Urho	Zoning Application 545 WWD	927	\$206.00	100-32280	\$206.00
04/17/2013	WA County	Recycle Grant 2013	928	\$1,678.00	100-33620	\$1,678.00
04/17/2013	Churchill, Angela	Hall Rental 2013	929	\$25.00	100-34101	\$25.00
04/17/2013	Velin, John	Garage Rental Apr 2013	930	\$21.00	100-34101	\$21.00
04/17/2013	Northrup, Inc	Bldg Permit #	931	\$456.75	100-32210	\$456.75
04/19/2013	Residents - via St Anthony	Utility Billing - SAV 4/19	945	\$1,201.71	601-34110 601-34160 601-34170 605-34160 605-34190	\$515.22 \$16.03 \$14.16 \$18.43 \$637.87
04/23/2013	Residents - via St anthony	Utliity Billing - SAV 4/19	946	\$586.19	601-34110 601-34160 601-34170 605-34160 605-34190	\$209.52 \$6.02 \$11.36 \$10.29 \$349.00
05/10/2013	Tell Jason	Dock Permit Fee & Storage Fee	932	\$300.00	210-32260 210-32260	\$100.00 \$200.00
05/10/2013	Thompson, Trevor	Dog License #65	933	\$10.00	100-32240	\$10.00
05/10/2013	Caron-Stadler, Desiree	Hall Rental	934	\$25.00	100-34101	\$25.00
05/10/2013	Riccar	Bldg permit #WB056892	935	\$92.13	100-32210	\$92.13
05/10/2013	Kline corp	Bldg permit #WB056908	936	\$20.60	100-32210	\$20.60
05/10/2013	Edina Realty - 30.030.21.42.0026	Spec assmt PIF 710 Hall AVe	937	\$738.04	305-36110	\$738.04
05/10/2013	Velin, John	Garage Rental - May 2013	938	\$21.00	100-34101	\$21.00
05/10/2013	Hanson, Lynn	Slip Fee 2013	939	\$200.00	210-32260	\$200.00
05/10/2013	Churchhill, Angela	Dock Slip Fee 2013	940	\$200.00	210-32260	\$200.00
05/10/2013	Birchwood Dock Assn	Dock Fees 2013	941	\$500.00	210-32260	\$500.00

Total For Period

\$14,209.24

Total Year To Date

\$63,995.13

As of 05/10/2013
Fiscal Year:2013

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursements</u>	<u>Ending Balance</u>
General Fund	\$525,009.93	\$14,485.54	\$114,881.06	\$424,614.41
Tree Canopy Care	\$8,350.00	\$0.00	\$8,350.00	\$0.00
Special Rev Projects	\$13,756.91	\$1,600.00	\$200.00	\$15,156.91
Spec Project-Elm Easement	\$0.00	\$0.00	\$0.00	\$0.00
Sewer 2004 Bonds	\$0.00	\$143.53	\$1,261.13	(\$1,117.60)
Birchwood In Re-hab Bond	\$0.00	\$0.00	\$183.00	(\$183.00)
Sewer Re-hab 2008 Debt	\$0.00	\$952.23	\$243.00	\$709.23
Cap Project - PW	\$44,571.00	\$0.00	\$0.00	\$44,571.00
Capital Projects	\$58,587.99	\$0.00	\$0.00	\$58,587.99
Cap Proj - Catchbasin	\$0.00	\$0.00	\$0.00	\$0.00
Water Enterprise Fund	\$31,968.02	\$19,883.63	\$24,158.57	\$27,693.08
Sewer Enterprise Fund	\$115,000.00	\$26,930.20	\$27,794.67	\$114,135.53
Total	\$797,243.85	\$63,995.13	\$177,071.43	\$684,167.55

**NOTICE OF ANNUAL PUBLIC INFORMATION MEETING
CITY OF BIRCHWOOD VILLAGE
STORM WATER POLLUTION PREVENTION PROGRAM
MS4 (MUNICIPAL SEPARATE STORM SEWER SYSTEM)**

NOTICE is hereby given that the Annual Public Information Meeting on the City's Storm Water Pollution Prevention Program (SWPPP) will be held on Tuesday, June 11, 2013 at 7:00 PM at the Birchwood Village Hall, 207 Birchwood Avenue

The purpose of the meeting is to present and discuss the City's Storm Water Pollution Prevention Program (SWPPP), which is a document required by the State and Federal government that outlines how the City will work towards reducing rainwater runoff. This plan will be reviewed at the meeting and public comment received.

Residents are strongly encouraged to attend as the city seeks your input into its SWPPP.

The City's SWPPP can be reviewed on the City's website birchwood.govoffice.com. A copy is available for review at City Hall.

For questions regarding the SWPPP, contact City Engineer Steve Thatcher at 612-781-2188. For other questions, contact Cindie Reiter, Interim City Clerk, at 651-426-3403.

/s/

Cindie J. Reiter, Interim City Clerk

RESOLUTION NO. 2013- 09 _

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

**RESOLUTION APPROVING COVERAGE FOR
CITY WORKER'S COMPENSATION INSURANCE POLICY**

WHEREAS, the City of Birchwood Village has worker's compensation insurance coverage through the League of Minnesota Cities; and,

WHEREAS, the City's worker's compensation insurance policy is up for renewal on June 12, 2013; and,

WHEREAS, the City desires to revise its worker's compensation coverage under its insurance policy to cover elected officials, advisory committee members, commission members, board members, and volunteers, to the extent such coverage is available.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF BIRCHWOOD VILLAGE that pursuant to Minnesota Statutes 176.011, subd. 9(6), the Minnesota Worker's Compensation Act, members of the following groups are included in the city's worker's compensation coverage effective as of policy renewal on June 12, 2013:

1. Members of the Birchwood City Council;
2. Members of all Birchwood boards, commissions, and advisory committees; and
3. Volunteers working for the City of Birchwood.

The amended worker's compensation coverage shall include benefits pursuant to a volunteer accident coverage policy for volunteers injured while performing volunteer services for the City.

The City Council hereby directs the City Clerk to complete forms and provide information necessary to effectuate the changes to the City's insurance coverage outlined above.

Passed and adopted by the City Council for the City of Birchwood Village this
14th day of _May_, 2013.

Mary Wingfield, Mayor

ATTEST:

Cindie J Reiter
Interim City Clerk

Subd. 9. **Employee.** "Employee" means any person who performs services for another for hire including the following:

(1) an alien;

(2) a minor;

(3) a sheriff, deputy sheriff, police officer, firefighter, county highway engineer, and peace officer while engaged in the enforcement of peace or in the pursuit or capture of a person charged with or suspected of crime;

(4) a person requested or commanded to aid an officer in arresting or retaking a person who has escaped from lawful custody, or in executing legal process, in which cases, for purposes of calculating compensation under this chapter, the daily wage of the person shall be the prevailing wage for similar services performed by paid employees;

(5) a county assessor;

(6) an elected or appointed official of the state, or of a county, city, town, school district, or governmental subdivision in the state. An officer of a political subdivision elected or appointed for a regular term of office, or to complete the unexpired portion of a regular term, shall be included only after the governing body of the political subdivision has adopted an ordinance or resolution to that effect;

This LMCIT coverage is automatic in the workers' compensation program. There is no additional premium charge for the coverage.

Elected Officials

Elected officials are not automatically covered by workers' compensation statutes. A city that wants to cover elected officials needs to pass an ordinance or resolution to make elected officials "employees" for purposes of workers' compensation coverage.

If the city doesn't pass an ordinance or resolution, workers' compensation benefits from the city won't be extended to the elected official injured on city business. Elected officials include mayors and council members, as well as other elected positions including clerks, treasurers, and other officers.

The 2013 workers' compensation premium rate for elected officials is \$.32 per \$100 of payroll. This rate is applied to the greater of either the elected official's actual salary, or an imputed annual salary of \$3,640. Using the imputed salary, the average premium is \$11.65 per elected official. In case of injury, an elected official gets the same workers' compensation benefits as any other city employee. Indemnity benefits are based on the sum of earnings from the official's regular employment, plus salary (if any) received from the city.

Boards and Commissions

Separate administrative agencies

Cities should consider whether a separate administrative agency will be covered under a stand-alone workers' compensation policy or as part of the city's workers' compensation policy. Examples of boards that could have separate coverage include HRAs, EDAs, port authorities, utilities commissions, and hospital or nursing home boards.

In some cases, the city may prefer entities managed by a separate administrative board have workers' compensation coverage separate from the city. Cities may choose separate coverage for these agencies for a couple reasons:

- It may make it easier to allocate costs appropriately between the two budgets.

Highlight

Elected officials are not automatically covered by workers' compensation statutes. A city that wants to cover elected officials needs to pass an ordinance or resolution to make elected officials "employees" for purposes of workers' compensation coverage.

Learn More

Read more about covering elected officials in:

[Workers' Compensation Coverage for City Officers](#)

Learn More

Read more about covering members of separate administrative boards in:

[Coordinating Coverages for Separate City Boards and Commissions](#)

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

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

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

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

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

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

John Manship

Place

Road Comm.

Report here.

PROPOSAL

KEJ Enterprises

611 Florence Ave
Mahtomedi, Minn 55115
651-775-0843

5/10/2013
WITHDRAWN
BY KEJ

TO:

City Of Birchwood

207 Birchwood Ave
Birchwood, Minn 55110
(651) 426-3403

PER JOHN LUND

We hereby submit specifications and estimates for;

Mowing of the Tighe-Schmitz park/baseball field **every week** from May through September 2013.

Mowing of Wildwood park, City Hall, tennis court area, Birch, Elm, Kay, Dellwood and Ash easements **every other week** from May through September 2013.

Mowing and weed whipping of above beach areas.

Spring and fall leaf blowing and clean-up of above areas.

Dragging path and ball field as needed.

Any other work will be as directed by city and billed at the regular \$45.00 per hr rate.

Payment to be made as follows;

Total \$7350.00 Billed in 7 monthly payments of \$1050.00 (May thru Nov, 2013)

Acceptance of Proposal:

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Signature _____

Date _____

TO: Birchwood City Council
FROM: Alan Mitchell, Mayor
SUBJECT: Music in the Park
DATE: April 23, 2013

For the past two years the City of Birchwood has sponsored a Sunday evening concert series called Music in the Park. In 2012 the City Council included \$1500 in the 2013 budget for the concerts in summer 2013, the same amount that was spent the previous two years.

At the April 9 City Council meeting the Council passed a motion on the consent agenda authorizing me to arrange for the musicians to perform over the summer. However, there are a couple of matters that require City Council action to finalize plans for Music in the Park this summer before I can begin making commitments to the musicians. These issues are discussed below and a proposed Motion is included at the end of this memo to carry out the requested action.

Funding. At the April 17 budget workshop, the Council indicated that it would go forward with funding of the concert series this year. However, more formal action should be taken to be sure that the Council has authorized the expenditure of \$1500 for the concert series.

It is money well spent. Over the past two summers between 30 and 70 people have attended each of the concerts and well over 100 individuals have attended at least one concert. Many of the attendees are Birchwood residents although the events are open to the general public. The public has expressed appreciation for the concerts and has indicated support for continued funding.

The practice has been to pay the musicians (whether a solo performer or a group) \$150 to perform from 6:00 to 7:30 on Sunday evenings. I anticipate paying the musicians the same \$150 again this year. There are no additional expenses beyond paying the musicians, as local neighbors have graciously allowed us to run an extension cord from their homes to the site to power the audio equipment. Volunteers have set up the equipment and the venues. The \$1500 will be enough for ten Sunday performances. There are actually 13 Sundays between the first Sunday in June (June 2) and the last Sunday in August (August 25). There will not be enough money for 13 Sundays but if private funding becomes available (as it has in previous years), we may be able to fill all Sundays in June, July, and August.

Beer and Wine. The past two years the Council has authorized the possession and consumption of beer and wine at the concerts. Attendees have enjoyed having a glass of wine or beer while listening to the music and no problems or complaints have occurred at the concert sites as a result. Many attendees also bring a full picnic lunch or other snacks to enjoy during the concert.

I request that the Council again approve the use of beer and wine at the concerts. Section 607.641 of the City Code allows the Council to authorize the use and consumption of beer and wine on public park spaces at designated times. The same restrictions would apply as last year – only beer and wine would be allowed, only during the concert, only at the concert site, and no person would be authorized to sell any intoxicating liquor. Of course, persons must be of legal age to consume beer and wine.

Mayor Wingfield has suggested that maybe a special permit is required to allow the use of beer and wine at the concerts. First of all, I am not the person sponsoring the Music in the Park concerts. It is the City of Birchwood doing that. If the city attorney says that the City needs a special permit to authorize itself to allow beer and wine, then the City can issue itself such a permit. A better interpretation of Section 607.641, and the one followed the past two years, is that formal City Council action is sufficient. The ordinance says a special permit is not needed to possess and consume beer and wine in areas and times designated by the Director (defined in section 607.120, item 3 as the Councilmember heading the Parks Committee). The full City Council can surely satisfy the requirements of the Director. In any event, the city attorney can advise the Council on how to implement its action approving beer and wine.

Locations. Last year concerts were held in the hockey rink, on Dellwood Beach, on Birch Beach, at the Village hall, and under the pavilion on Tighe-Schmitz Park. We will continue to move the concert sites around these various locations again this summer. Dellwood Beach and Birch Beach are the preferred sites because of the ability to see the lake while listening to the music. Kay Beach could also be used, although it's just across the street from the Tighe-Schmitz pavilion. Elm Beach and Ash Beach are not suited for a concert. The Village hall has been used only when the weather is threatening but is available if the Council would prefer more concerts indoors.

Notice. There was no defined method for notifying neighbors of specific concerts last year, although on some weekends I did contact neighbors directly in advance. A complete list of the concert series was on the City's webpage and there was discussion at numerous City Council meetings about upcoming concerts. In addition, each weekend there were signs posted around the community with information about the musicians and the location. The White Bear Press also announced the Birchwood concerts in the paper each week.

The City Council can certainly decide to provide more formal notice to neighbors near the concert sites if the Council thinks that is appropriate.

Conclusion. I am requesting that the City Council pass a Motion authorizing the expenditure of \$1500 for the Music in the Park concert series and allowing the possession and consumption of beer and wine at the concerts under the specified conditions. A draft Motion is attached for Council consideration

Motion

So moved: That the City Council hereby authorizes the expenditure of \$1500 for the Music in the Park concert series to be held on Sunday nights during summer 2013 and authorizes persons of legal age to possess and consume beer and wine during the Sunday evening concerts during 2013, but only in the park where the concert is being held and only during the hours of the concert, and provided further that no person shall offer for sale any intoxicating liquor at such places and at such times, and directs the volunteers handling the scheduling of musicians and the logistics of the concerts to hold the concerts at various locations around the community.

Mayor Wingfield, I am not aware of the City's requirements for permits for these types of activities. I believe that they would dictate the responsibilities and accordingly, the liabilities for the event. Your second paragraph indicates that the city may be merely a financial contributor to this event and is in no way its sponsor. Some municipalities allow for the consumption of alcoholic beverages in parks. Most issues associated with alcoholic beverages involve the sale and subsequent problems with incidents that occur afterward. Dram shop insurance typically is required when alcohol is sold. If not, then it appears that the city is allowing an activity by permit and the permit holder would have the responsibility. You may want to contact the Research Department at the LMCIT for some additional assistance on this. Lmnc.org or call 651.281.1200.

Mark D. Lenz, Sr. Risk Consultant
Bearence Management Group
2010 Centre Pointe Blvd.

Mendota Heights, MN 55120

P 651.379.7843 | C 612.201.0972 | F 651.379.7801

mlenz@bearence.com

Risk Investments Communications Consulting Outsourcing

<http://www.bearence.com>

Please consider the environment before printing this email

From: mary.wingfield@juno.com [mailto:mary.wingfield@juno.com]

Sent: Thursday, April 25, 2013 4:27 PM

To: Mark Lenz

Subject: Fw: RE: alcohol in the city parks

Hi Mark...

Well, in re-reading the former mayor's memo, it seems his position is the city does not need to issue a permit to itself, it can just authorize alcohol in the parks through the Parks "director" (i.e. council liaison), or presumably through council action. Obviously, under that scenario, there is no one to indemnify us. Then the question is what does that do to our insurance costs?

2

Additionally, from a legal standpoint, I would think the former mayor would be liable to suit as well since he is organizing the event, including absolute control over who is playing, when they are playing, how often they are playing, where they are playing as well as providing notice and publication of the events. The city has no roll in the process except agreeing to provide funding (pending the May city council meeting). Obviously, that is not your concern, but I would think any lawyer would be inclined look to the former mayor for accountability as he is not protected from the tort liability protection limits the city has under state law.

So do you have a recommendation how we should proceed to ensure the city incurs no additional costs for the use of alcohol at these events? And should we proceed with the permit process to ensure we are indemnified against any damage or loss?

thx,

m

----- Forwarded Message -----

From: Mark Lenz <MLenz@bearence.com>

To: "'mary.wingfield@juno.com'" <mary.wingfield@juno.com>

Cc: Tracy Haile <THaile@bearence.com>

Subject: RE: alcohol in the city parks

Date: Thu, 25 Apr 2013 10:38:05 -0500

If allowed by permit, and the city is held harmless and indemnified(I presume that there is something like this in your permit), there shouldn't be an issue.

Mark D. Lenz, Sr. Risk Consultant
Bearence Management Group
2010 Centre Pointe Blvd.

Mendota Heights, MN 55120

P 651.379.7843 | C 612.201.0972 | F 651.379.7801

mlenz@bearence.com

Risk Investments Communications Consulting Outsourcing

<http://www.bearence.com>

Please consider the environment before printing this email

From: mary.wingfield@juno.com [mailto:mary.wingfield@juno.com]

Sent: Wednesday, April 24, 2013 12:39 PM

To: Mark Lenz

Subject: alcohol in the city parks

Hi Mark...the former mayor is proposing a music in the parks series this summer (10 times at various city lake easements). He is requesting permission to have beer and wine allowed (to be brought by the consumers.) Our code allows alcohol w. a permit. Does allowing such increase our exposure to liability and change our insurance rates?

m

The following is the former mayor's memo on the subject. (I am not sure if I agree with his suggestion that Birchwood is sponsoring it means the city is also the permit seeker. The city is not organizing the event, but we are underwriting most of the cost).

"I request that the Council again approve the use of beer and wine at the concerts. Section 607.641 of the City Code allows the Council to authorize the use and consumption of beer and wine on public park spaces at designated times. The same restrictions would apply as last year – only beer and wine would be allowed, only during the concert, only at the concert site, and no person would be authorized to sell any intoxicating liquor. Of course, persons must be of legal age to consume beer and wine.

Mayor Wingfield has suggested that maybe a special permit is required to allow the use of beer and wine at the concerts. First of all, I am not the person sponsoring the Music in the Park concerts. It is the City of Birchwood doing that. If the city attorney says that the City needs a special permit to authorize itself to allow beer and wine, then the City can issue itself such a permit. A better interpretation of Section 607.641, and the one followed the past two years, is that formal City Council action is sufficient. The ordinance says a special permit is not needed to possess and consume beer and wine in areas and times designated by the Director (defined in section 607.120, item 3 as the Councilmember heading the Parks Committee). The full City Council can surely satisfy the requirements of the Director. In any event, the city attorney can advise the Council on how to implement its action approving beer and wine.

RESOLUTION NO. 2013 - 10_

**RESOLUTION APPROVING A VARIANCE FROM
THE CITY OF BIRCHWOOD VILLAGE ZONING CODE
FOR 401 LAKE AVENUE (TIGHE-SCHMITZ PARK)**

WHEREAS, a proposal (12-6-VB) has been submitted by John Lund on behalf of the Park and Recreation Committee for the City of Birchwood Village to the City Council requesting a variance from the City of Birchwood Village at the following site:

ADDRESS: 401 Lake Avenue

LEGAL DESCRIPTION: UNSUBDIVIDED BLOCK 5, LAKEWOOD PARK 3RD
DIVISION, BIRCHWOOD VILLAGE (PID # 3003021130038)

THE APPLICANT SEEKS THE FOLLOWING RELIEF: A 20-foot variance from the 40-foot front (street side) setback per Code Section 302.020, Subd.2, in order to construct a 432 square foot warming house 20 feet from the north lot line.

WHEREAS, the Planning Commission has held a public hearing as required by the City Zoning Code on May 1, 2012;

WHEREAS, the park is an existing development with certain established characteristics which would be wasteful to redesign and relocate; and

WHEREAS, the proximity of the structure to the rink and the roadway is a desirable amenity to serve both the handicap and the general public; and

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed conditional use permit upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Birchwood Village after reviewing the proposal, that the City Council accepts and adopts the following findings of the Planning Commission:

1. That granting the variance will be in harmony with the general purpose and intent of this Code.
2. That granting the variance will not impair an adequate supply of light and air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the City.

3. Because the site is a long-established city park, special conditions or circumstances exist which are peculiar to the land involved, including the existing utilities and drainage features.
4. That non-conforming use of neighboring lands, structures, or buildings is not the sole grounds for issuance of the variances.

FURTHER, BE IT RESOLVED, that the City Council of the City of Birchwood Village hereby approves the requested variance subject to the following conditions:

1. All application materials, maps, drawings and descriptive information submitted with this application shall become part of this permit.
2. The land alteration from the proposed project shall not cause adverse impacts upon or result in additional drainage onto abutting properties.
3. The applicant shall verify the property line and have the property pins exposed at the time of inspection.
4. The applicant shall obtain a building permit for the work prior to beginning any grading or construction activity.
5. An additional Class 5 parking area shall be provided directly in front of the warming house.

Prior to the issuance of a building permit, the property owner shall:

6. Sign the resolution and provide a copy to both the City Clerk and the Staff Planner.
7. Submit a grading plan, subject to review and approval by the City Engineer.
8. Insure that the nearby storm sewer inlet has adequate protection to prevent sediments from entering the system and discharging to White Bear Lake.

The foregoing resolution, offered by Councilmember _____ and supported by Councilmember _____, was declared carried on the following vote:

Councilmember Ayes:
Councilmember Nays:
Mayor
Absent:

Mary Wingfield, Mayor

ATTEST:

Cindie J Reiter, Interim City Clerk

Approval is contingent upon execution and return of this document to the City Clerk.

I have read and agree to the conditions of this resolution as outlined above.

Applicant's Signature

Date

Printed Name

Title

RESOLUTION NO. 2013-11

**RESOLUTION APPROVING A VARIANCE FROM
THE CITY OF BIRCHWOOD VILLAGE ZONING CODE
FOR 545 WILDWOOD AVENUE**

WHEREAS, a proposal (13-4-VB) has been submitted by Urho and Ramel Rahkola to the City Council requesting a variance from the City of Birchwood Village at the following site:

ADDRESS: 545 Wildwood Avenue

LEGAL DESCRIPTION: Lot 13 Block 7, LAKEWOOD PARK 3RD DIVISION
(PID # 30.030.21.13.0058)

WHEREAS THE APPLICANT SEEKS THE FOLLOWING: A 2-foot variance from the 6-foot maximum fence height per Code Section 302.070.4 in order to construct an 8-foot tall fence along the side property line; and

WHEREAS, the Planning Commission has held a public hearing as required by the City Zoning Code on May 7, 2013; and

WHEREAS, the lot is a narrow lot (substandard in width) which may make privacy between neighbors more difficult to obtain through other methods; and

WHEREAS, the adjacent property owner has provided written support for the variance; and

WHEREAS, there is a difference in grade between the entrance level of the two homes and the ground level; and

WHEREAS, a fence of this height has been existing in this location for many years with no known adverse impacts to the neighbors or neighborhood; and

WHEREAS, the additional fence height is somewhat mitigated by the design, which includes a lattice-type style along the top two feet, softening the wall-like appearance of the fence; and

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed conditional use permit upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Birchwood Village after reviewing the proposal, that the City Council accepts and adopts the following findings of the Planning Commission:

City of Birchwood Village Planning Commission
May 7, 2013 DRAFT Meeting Minutes

Date: May 8, 2013
From: Samantha Crosby
To: Planning Commission Members
City of Birchwood Village City Council

Commissioners present: Len Pratt, Randy Felt, Doug Danks

Other Attendees: Samantha Crosby, Staff Planner; Urho and Pamela Rahkola, Applicants

Pratt called the Planning Commission meeting to order at 7:00 pm.

1. May 7, 2013 Meeting Agenda.

Felt moved approval of the agenda as proposed. Danks seconded the motion and the agenda was approved.

2. February 5, 2013 PC Meeting Minutes.

Felt moved approval of the minutes and Pratt seconded the motion. On discussion, Danks pointed out that paving stones were not discussed during the structure setback item (item #3) and should be stricken from the fourth paragraph. With that one change the minutes were approved.

3. Case # 13-4-VB: Request by Urho and Pamela Rahkola for a 2-foot height variance from the 6-foot height limit for a fence in order to construct an 8-foot tall fence.

Crosby gave a brief introduction to the request. There being no questions for staff, Pratt opened the floor to the public.

Mr. Urho presented a signed statement from the adjacent property owner in support of the variance. Crosby accepted a copy for the file and Mr. Urho read the statement into the record, which is attached hereto.

Danks suggested that additional findings of fact be added to the resolution of approval, including:

- The difference in grade between the ground and the entrance level of the homes
- That a fence of this height has been existing in this location for many years with no known adverse impacts to the neighbors or neighborhood.

Pratt also suggested a finding about the style of fence, which features the lattice design on the top two feet.

Apr. 30, 2013
~~March 28, 2013~~

To whom it may concern:

We understand and have no objection to our neighbors, Pamela and Urho Rahkola (545 Wildwood Avenue, Birchwood, MN), replacing the existing 24' X 8' privacy fence on their property.

This 8' high privacy fence, between our two homes, has been in place for over 25 years.

Due to the fact that the end of our houses are aligned, our lots are narrow, and the height to our entrances are approximately 3 feet on each of our homes, a 6' high (or less) privacy fence would not be beneficial. We agree with the Rahkolas' proposal to replace their current fence with another of the same dimensions - 24' X 8'. Replacing the fence, with one lower in height, would not be tall enough to provide privacy.

Thank you for your understanding.

Sincerely,



549 Jay Street

Birchwood, MN 55110

**CITY OF BIRCHWOOD VILLAGE
MEMORANDUM**

TO: Birchwood Village Planning Commission

FROM: Samantha Crosby, Staff Planner

DATE: January 22, 2013 for the February 5, 2013 Planning Commission Meeting

RE: Definition of the Word "Structure"

BACKGROUND

The Harrods, who live at 483 Lake Avenue have a small ice house structure that they are currently using as storage for their lake accessories, such as oars and life-jackets. The shed-like structure does not meet the 50-foot setback from the Ordinary High Water Level. At the October 9, 2012 City Council meeting, the Council asked that the structure either be relocated to comply with code, or removed. (The third option would be to request a variance.)

Mr. Harrod, in considering his options, asked what CAN he have within the 50-foot setback? Could he have a small chest or lockbox? Code section 302.020.2 requires that all structures other than fences must be set back 50 feet from the OHWL and the definition of the word structure is:

"That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner."

With this definition, anything constructed is a structure. A chair is a structure. A chest or box would be a structure and the answer to Mr. Harrod's question is therefore "no".

Staff questions whether or not this was the true intent of the code – to limit non-building structures such as Adirondack chairs, picnic tables and storage boxes. It was suggested that perhaps the definition of the word structure needs to be revisited.

ANALYSIS

Staff conducted some research on how other cities and entities define the word structure (see attached). As you can see, Birchwood's definition is not inconsistent. Furthermore, the word structure is used approximately 82 times throughout the zoning code. Before an amendment to the definition could be considered, an analysis of how the change would affect the other uses of word would need to be conducted.

The City of White Bear Lake allows "lock boxes" for lake-front properties. These are "an accessory structure accommodating the storage of boat and beach equipment, not exceeding 28 square feet in area and 4 feet in height." They are grouped with docks, piers and other water-oriented uses which are not required to meet the 50-foot setback. Adopting something like this, however, would not address the issue of chairs and other portable amenities.

Section 302.020.2 could be amended to say "buildings", rather than "structures". The definition of building is "Any structure which is built for the support, shelter or enclosure of persons, animals, chattels or moveable property of any kind, which is permanently affixed to the land." This would have the effect of making any ice house, shed or non-founded structure exempt from the 50-foot setback requirement. Which I believe over-shoots the goal of allowing nominal items such as patio furniture.

A caveat could be added at this particular section of the code only. The caveat could specify that all structures less than a certain height (such as three or four feet) would be exempt from this regulation, unless stated otherwise elsewhere in the code. This would mean that buildings, fences and retaining walls would still be required to comply.

Finally, after consideration of the issue, the Commission could come to the determination that, yes, the original intent of Code Section 302.020.2 was to include everything, even chairs and that no changes are appropriate at this time.

SUMMARY

This is a discussion item only. Should a code amendment become the recommendation of the Planning Commission, and the City Council concurs, the City Council would need to authorize staff to initiate the text amendment process, so that the proper public notice can be given and the required public hearings held.

RECOMMENDATION

Staff recommends that a caveat be added to Section 302.020.2. See attached example.

ATTACHMENTS

1. Survey of Other Definitions for the Word Structure
2. Example of Staff's Recommendation

American Heritage Dictionary:

Structure: something made up of a number of parts that are held or put together in a particular way.

State Building Code:

2-78. **STRUCTURE** means a combination of materials to form a construction that is safe and stable; including among other, stadiums, gospel and circus tents, reviewing stands, platforms, stagings, observation towers, radio towers, water tanks and towers, trestles, piers, wharves, sheds, coal bins, fences and display signs; the term "structure" shall be contoured as though followed by the words "or part thereof". (NOTE: The distinction between "structure" and "building" should be noted. "Structure" is the broader term; "Building" is a restricted form of "structure".)

Mahtomedi:

Structure. That which is built or constructed, including, without limitation because of enumeration, buildings, fences, signs, billboards, fire escapes, chute escapes, railings, water tanks, towers, open-grade steps, sidewalks, stairways, tents and anything erected and framed of component parts which is fastened, anchored or rests on a permanent foundation or on the ground, including a mobile home, manufactured home, modular home or travel trailer.

White Bear Lake:

Structure. Anything which is built, constructed or erected; an edifice or building of any kind; or any piece of work artificially built up and/or composed of parts jointed together in some definite manner whether temporary or permanent in character including but not limited to decks, buildings, factories, sheds, screen porch, gazebos, detached garages, cabins, manufactured homes, and other similar items, except aerial or underground utility lines, such as sewer, electric, telephone, telegraph, gas lines, towers, poles, and other supporting facilities. (Ref. Ord. 745, 8/11/87; 915, 12/13/94)

Maplewood:

Structure means any building or appurtenance constructed or built on the ground or attached to the ground. This does not include aerial or underground utility lines, such as sewer, electric, telephone, telegraph, gas lines, towers, poles or other supporting facilities.

Vadnais Heights:

Structure. That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

White Bear Township:

3-70. **STRUCTURE**. Anything constructed or erected, the use of which requires a fixed location on the ground or an attachment to something having a fixed location on the ground, including, in addition to buildings, carports, porches, and other building features, but not including fences, mailbox poles, newspaper box poles, public utility uses, flagpoles, lawn ornaments, paving stones, off-premises advertising signs (billboards), and retaining walls.

2. MINIMUM SETBACK REQUIREMENTS:

<u>Lot line or Land Boundary</u>	<u>TYPE OF STRUCTURE</u>		
	<u>Fences</u>	<u>Driveways & Walkways</u>	<u>All Other Structures</u>
Municipal Street Front, Back, and Side	20 ft.	0	40 ft.
County Road Front, Back, and Side	20 ft.	0	50 ft.
Ordinary High Water Level of Lost Lake	75 ft.	75 ft.	75 ft.*
Ordinary High Water Level of White Bear Lake, Hall's Marsh, and other wetlands	50 ft.	50 ft.	50 ft.*
All Other Lot Lines	0 ft.	1 ft.	10 ft.

* The 50-foot structure setback shall not apply to structures three (3) feet in height or less, unless otherwise stated elsewhere in this code.

The ordinary high water levels of three water bodies have been established to be the following:

ORDINARY HIGH WATER LEVELS (Feet Above Mean Sea Level)

DNR ID #82-167	White Bear Lake	924.7 (NGVD, 1929)
DNR ID #82-134	Lost Lake	925.6 (NGVD, 1929)
DNR ID #82-480W	Hall's Marsh	924.7 (NGVD, 1929)

3. ACCESSORY STRUCTURES. No accessory building or structure, unless an integral part of the principal structure shall be erected, altered, or moved to, within five (5) feet of the principal structure except fences, driveways, walkways, and decks which may be as close as actually abutting the principal structure.

4. SETBACK REQUIREMENTS EXCEPTIONS.

- a. Street and Highway Setbacks: If structures on adjacent lots, existing as on January 1, 1975, have lesser street or highway setbacks from those required, the minimum setback of a new structure may conform to the prevailing setback in the immediate vicinity. The City Council shall, upon recommendation of the

Staff's Recommendation Option A
Staff's Recommendation Option B

- 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.
- c. 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.
- d. Water-Oriented Structures: Setback requirement from the ordinary high water levels shall not apply to structures three (3) feet in height or less, unless otherwise stated elsewhere in this code.

City of Birchwood Village Planning Commission

February 5, 2013 Meeting Minutes

Date: February 6, 2013
From: Samantha Crosby
To: Planning Commission Members
City of Birchwood Village City Council

Commissioners present: Len Pratt, Randy Felt, Doug Danks, John Winters

Other Attendees: Samantha Crosby, Staff Planner

Pratt called the Planning Commission meeting to order at 7:02 pm.

1. October 30, 2012 PC Meeting Minutes.

Winters moved approval of the minutes as written. Felt seconded the motion and the minutes were approved.

2. Case # 12-16-SB: Request by Terry O'Loughlin for a conditional use permit and seven variances in order to replace an existing retaining wall and stairs, and construct a second retaining wall and landings.

Crosby explained that the applicant had contacted her on Friday and requested that the item be postponed until March or April. She discussed the logistics of what that entailed with him. While it was possible, staff's preference at this point was to deny the request and then the applicant could re-apply with a new request when ready. Denial of the current request would stop the 60-day clock, simplify the public notice process, and secure an additional application fee, which would help buffer the costs of the additional notices and multiple plan reviews. Crosby then distributed a new resolution of denial which encompassed the applicant's entire request.

Winters asked the about the cause for the additional delay. Crosby said that O'Loughlin indicated that he was not completely satisfied with the most recently plan revisions, and she believed he may be thinking about engaging a landscape architect to help tweak the design.

Pratt agreed that wiping the slate clean was good idea.

Danks moved to recommend full denial, with the idea that the applicant is welcome to reapply in the near future. Winters seconded the motion, which passed unanimously (4-0).

3. Discussion Item: Definition of the word "Structure".

Crosby summarized her research: that the definition of the work structure is consistent with other agency uses and the dictionary definition – also it is used so frequently in the code that altering the definition would not be appropriate. Perhaps a more reasonable

approach would be to create a caveat that applies only to the 50-foot setback from the OHWL.

Danks pointed out that the OHWL is not the only setback area where this is an issue – the street side yard can also have structures which do not meet the setback requirements, such as mail boxes and flag poles.

The Commissioners discussed many possible criteria that could be used to group items intended for exemption together such as height, size, weight, whether or not they are permanently attached to the ground, and whether or not they provide shelter. Each criteria discussed was not quite right and it became apparent that there was no one magic “cover-all” attribute. Consequently, the Commissioners came to the conclusion that the items which are intended to be exempt should simply be listed as best as possible. The Commission crafted some draft language:

Exemptions: nominal structures such as small arbors, moveable yard furniture, moveable docks, storage boxes, dog houses, mail boxes, flagpoles, lawn ornaments and other similar items are exempt from setback regulations, but not including decks, platforms, or shelters such as pergolas.

Knowing that lists such as these are never all-inclusive, Crosby proposed and the Commission agreed that if there was any future confusion about an item not listed, the staff planner would have the authority for interpretation due to the inclusion of “and other similar items”. If the staff’s interpretation was not satisfactory to the resident making the inquiry, the question could always be brought to the Planning Commission for discussion free of charge.

The Commission finds that pursuing such a code revision is pertinent and encourages the Council to direct staff to initiate the formal amendment process.

4. Other / Misc

Pratt noted Hankins departure. After many years of service to the City, his insight and contributions will be missed. Pratt reminded the Commission that once a fifth Commissioner is appointed, officer elections should be held.

Pratt suggested that once the new City Council has had some time to settle in, it might be nice if the Planning Commission and City Council held a joint workshop to discuss issues and ideas.

5. Winters moved adjournment. With a second by Felt and a unanimous vote, the meeting adjourned at 7:45 pm.

NA-026620-03B

(V.2.02 for MS WORD) 9/17/2007

Minnesota Local/State/Federal Application Form for Water/Wetland Projects

For Internal Use Only			
Application No.	Field Office Code	Date Initial Application Received	Date initial Application Deemed Complete

PART I: BASIC APPLICATION

"See HELP" directs you to important additional information and assistance in Instructions, Page 1.

1. LANDOWNER/APPLICANT CONTACT INFORMATION (See Help 1)

Name: BIRCHWOOD VILLAGE Phone: 651/426-3403 E-mail: BIRCHWOOD VILLAGE@COMCAST.NET
 Complete mailing address: 207 BIRCHWOOD AVE, WHITE BEAR LAKE, MN 55110

1A. AUTHORIZED AGENT (See Help 1A) (Only if applicable; an agent is not required)

Name: JOHN LUND Phone: 651.426.3403 E-mail:
 Complete mailing address: 40 207 BIRCHWOOD AVE

2. NAME, TYPE AND SIZE OF PUBLIC WATERS or WETLANDS IMPACTED (Attach Additional Project Area sheets if needed)

Name or I.D. # of Waters Impacted (if applicable; if known): WHITE BEAR LAKE
 (Check all that apply): Lake River Circular 39 Wetland type: 1. 1L 2. 3. 4. 5. 6. 7. 8
 Wetland plant community type*: shallow open water, deep marsh, shallow marsh, sedge meadow, fresh meadow,
 wet to wet-mesic prairie, calcareous fen, open bog or coniferous bog, shrub-car/elder thicket,
 hardwood swamp or coniferous swamp, floodplain forest, seasonally flooded basin
 Indicate size of entire lake or wetland (check one): Less than 10 acres (indicate size) 10 to 40 acres Greater than 40 acres

3. PROJECT LOCATION (Information can be found on property tax statement, property title or title insurance):

Project street address: 299 WILLOWOOD AVE Fire #: City (if applicable): BIRCHWOOD VILLAGE
 1/4 Section: NW Section: 30 Township #: 30 Range #: 21W County: WASHINGTON
 Subdivision: LAKEWOOD PARK Watershed (name or #): RICE CR. UTM location: N B
 Attach a simple site locator map. If needed, include on the map written directions to the site from a known location or landmark, and provide distances from known locations. Label the sheet SITE LOCATOR MAP.

4. TYPE OF PROJECT: Describe the type of proposed work. Attach TYPE OF PROJECT sheet if needed.

INSTALL RIP RAP ON SHORE, BUT BELOW DRYWALL TO ELIMINATE EROSION/SLOWING

5. PROJECT PURPOSE, DESCRIPTION AND DIMENSIONS: Describe what you plan to do and why it is needed, how you plan to construct the project with dimensions (length, width, depth), area of impact, and when you propose to construct the project. This is the most important part of your application. See HELP 5 before completing this section; see What To Include on Plans (Instructions, page 1). Attach PROJECT DESCRIPTION sheet.

Footprint of project: 300 acres or 300 square feet drained, filled or excavated. SEE ABOVE - ATTACHED SITE DRAWING. ALL WORK IS IN ANGL LONG GRASS. EROSIONMENT IS 50 FEET WIDE X 200 FEET L.

6. PROJECT ALTERNATIVES: What alternatives to this proposed project have you considered that would avoid or minimize impacts to wetlands or waters? List at least TWO additional alternatives to your project in Section 5 that avoid wetlands (one of which may be "no build" or "do nothing"), and explain why you chose to pursue the option described in this application over these alternatives. Attach PROJECT ALTERNATIVES sheet if needed.

DO NOTHING - RESULTED IN FURTHER EROSION.
SMALLER PROJECT OF CURRENT PROPOSAL DID NOT SOLVE PROBLEM

7. ADJOINING PROPERTY OWNERS: For projects that impact more than 10,000 square feet of water or wetlands, list the complete mailing addresses of adjacent property owners on an attached separate sheet. (See HELP 7)

N/A

8. PORTION OF WORK COMPLETED: Is any portion of the work in wetland or water areas already completed? Yes No. If yes, describe the completed work on a separate sheet of paper labeled WORK ALREADY COMPLETED. (See HELP 8)

9. STATUS OF OTHER APPROVALS: List any other permits, reviews or approvals related to this proposed project that are either pending or have already been approved or denied on a separate attached sheet. See HELP 9.

CITY OF BIRCHWOOD APPROVED 5/14/13

10. I am applying for state and local authorization to conduct the work described in this application. I am familiar with the information contained in this application. To the best of my knowledge and belief, all information in Part I is true, complete, and accurate. I possess the authority to undertake the work described, or I am acting as the duly authorized agent of the applicant.

[Signature] (marked) _____ Date _____ Signature of agent (if applicable) _____ Date _____
 This block must be signed by the person who desires to undertake the proposed activity and has the necessary property rights to do so. If only the Agent has signed, please attach a separate sheet signed by the landowner, giving necessary authorization to the Agent.

¹See *Wetland Plants and Plant Communities of Minnesota and Wisconsin* (Eggers and Reek, 1997) as modified by the Board of Water and Soil Resources, United States Army Corps of Engineers.
 Minnesota Local/State/Federal Application Forms for Water/Wetland Projects
 Page 1

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT (33 CFR 325)

OMB APPROVAL NO. 0710-003 Expires Dec 31, 2004

The public burden for this collection of information is estimated to average 10 hours per response, although the majority of applications should require 3 hours or less. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003), Washington, DC 20503. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to PRIVACY ACT STATEMENT: Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research and Sanctuaries Act, 33 USC 1415, Section 103. Principal purpose: Information provided on this form will be used in evaluating the application for a permit. Routine uses: This information may be shared with the Department of Justice and other Federal, state, and local government agencies. Submission of requested information is voluntary; however, if information is not provided, the permit application cannot be evaluated nor can a permit be issued.

ITEMS 1 THROUGH 4 TO BE FILLED IN BY THE CORPS

1. APPLICATION NO. 2. FIELD OFFICE CODE 3. DATE RECEIVED 4. DATE APPLICATION COMPLETED

YOU DO NOT NEED TO COMPLETE ITEMS 6-10 and 12-25 in the SHADED AREAS. All applicants must complete non-shaded items 5 and 26. If an agent is used, also complete items 8 and 11. This optional Federal form is valid for use only when included as part of this entire state application packet.

5. APPLICANT'S NAME: CITY OF BIRCHWOOD VILLAGE
8. AUTHORIZED AGENT'S NAME AND TITLE (an agent is not required): TONY LUND - VICE PRESIDENT / PARKS CHAIR
6. APPLICANT'S ADDRESS
9. AGENT'S ADDRESS
7. APPLICANT'S PHONE NO.
10. AGENT'S PHONE NO.

11. STATEMENT OF AUTHORIZATION (if applicable, complete only if authorizing an agent) I hereby authorize TONY LUND to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application. MARY WINGFIELD

APPLICANT'S SIGNATURE: [Signature] DATE: 5/14/13

12. PROJECT NAME OR TITLE (see instructions)
13. NAME OF WATERBODY, IF KNOWN (see instructions)
14. PROJECT STREET ADDRESS (if applicable)
15. LOCATION FOR PROJECT
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions)
17. DIRECTIONS TO THE SITE
18. NATURE OF ACTIVITY
19. PROJECT PURPOSE
20. REASON(S) FOR DISCHARGE
21. TYPES OF MATERIAL BEING DISCHARGED AND THE AMOUNT OF EACH TYPE IN CUBIC YARDS
22. SURFACE AREA IN ACRES OF WETLANDS OR OTHER WATERS FILLED
23. IS ANY PORTION OF THE WORK ALREADY COMPLETED? YES NO IF YES DESCRIBE COMPLETED WORK
24. ADDRESSES OF ADJOINING PROPERTY OWNERS
25. LIST OF OTHER CERTIFICATIONS OR APPROVALS/DENIALS RECEIVED FROM OTHER FEDERAL, STATE OR LOCAL AGENCIES FOR WORK DESCRIBED IN THIS APPLICATION

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.
Signature of applicant: MARY WINGFIELD Date: 5/14/13
Signature of agent (if any): TONY LUND Date:

The application must be signed by the person who desires to undertake the proposed activity (applicant), or it may be signed by a duly authorized agent if the statement in Block 11 has been filled out and signed. 18 U.S.C. Section 1001 provides that: Whoever in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up with any trick, scheme, or disguise a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.
ENG FORM 4345, Jul 97 EDITION OF FEB 94 IS OBSOLETE. (Proponent: CECW-OR)

FOR LGU USE ONLY:

Determination for Part 1:

- No WCA Jurisdiction
- Exempt: No. _____ (per MN Rule 8420.0122)
- No Loss: _____ (A, B, ...G, per MN Rule 8420.0220)
- Wetland Boundary or type
- Replacement required – applicant must complete Part II

COMPLETE THE SECTION BELOW ONLY IF REPLACEMENT IS NOT REQUIRED:

Application is (check one): Approved Approved with conditions (conditions attached) Denied

Comments/Findings: _____

LGU official signature

Date

Name and Title

For Agricultural and Drainage exemptions (MN Rule 8420.0122 Subps. 1 and 2B), LGU has received proof of recording of restrictions (per MN Rule 8420.0115):

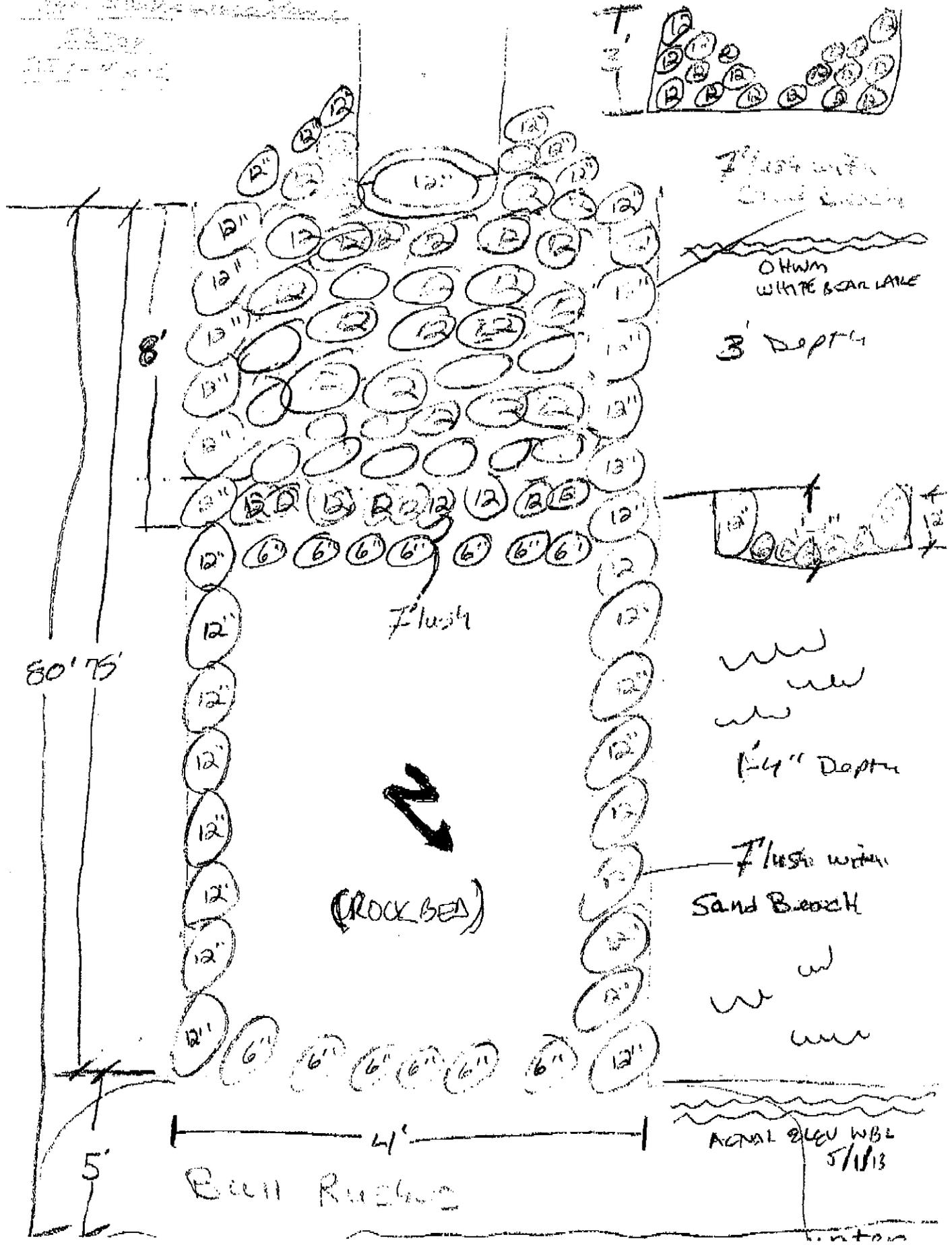
County where recorded

Date

Document # assigned by recorder

LGU official signature

Date



Engineering Study – Birchwood Lift Station

This is an outline of the requirements of an engineering study for the Birchwood Lift Station. Pending approval by the City Council.

1. Review current maintenance schedule on the Birchwood Lift Station and costs. Determine if the maintenance schedule and the O&M costs are in-line with Cities.
 - a. How many hours per week is required from a maintenance perspective?
 - b. Is Birchwood paying a market-rate for the Lift Station O&M?
2. Identify Lift Station maintenance service providers (alternatives to White Bear Lake) – this could be other cities or private firms.
 - a. Identify the cost structure (fixed fee or \$ per hour). Estimate monthly cost of service provider.
 - b. Identify their alarm (Notification / Acknowledgement) from a SCADA perspective.
 - c. Identify what SCADA systems are used by the maintenance service providers. Can they use a Web-service?
3. Review the current Lift Station Replacement Cycle – from Elfering & Associates and identify an updated replacement life-cycle.
 - a. When do we need to replace the current life stations.
4. Contact Healy-Ruff (current RTU vendor) – determine the estimated end-of-life for the current equipment at Birchwood. Identify their SCADA system and determine if that could be used to meet the SCADA requirements of the maintenance service providers.
5. Identify alternatives to the White Bear Lake SCADA system proposal such “SCADA in a cloud” or “Remote Monitoring” (OmniSite – used by Maplewood).

Resources:

- Bill Hullsiek, City of Birchwood Councilperson (William.hullsiek@gmail.com)
- Ted Field - fieldjackson@msn.com
-

Contacts:

- City of White Bear Lake – Mark Burch
- Mark Ziemer at Barr Engineering
- michael.thompson@ci.maplewood.mn.us
-

Vendors:

May 7, 2013

To: Mary Wingfield and the Birchwood City Council

Re: Removal of 3 cottonwood trees from the Birchwood Ave Easement

There are currently 3 large Cottonwood trees growing in the Birchwood Ave Easement, just off the north side of the Steinhauser Driveway at 600 Birchwood Ave (see attached plat map, and attached photo of subject trees marked with caution tape).

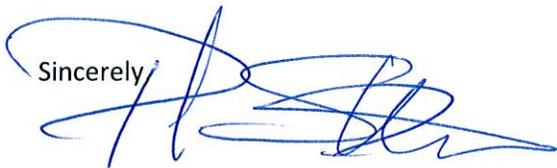
These trees totally shade the backyards of Mary and Louie Hauser and Sue and Bob Pavek. Both families would prefer sun returning to their yards. The trees also produce a substantial amount of "cotton" adding to the difficulty my 14 year old has with asthma. In addition, the middle tree of the three is starting to encroach upon and crack our driveway.

Assuming that one of the two bids we receive to remove the Cottonwoods is acceptable to the Hausers, Paveks and Steinhausers, we 3 families would like to share the cost and have them removed.

Kathy Blegen-Huntley and Steve Huntley reside at the home just east of 600 Birchwood, and too are on board with the removal of the 3 Cottonwoods.

Thank you for your consideration.

Sincerely,



Meryl and Paul Steinhauser

600 Birchwood Ave,

Birchwood, MN, 55110

612- 282 -5319



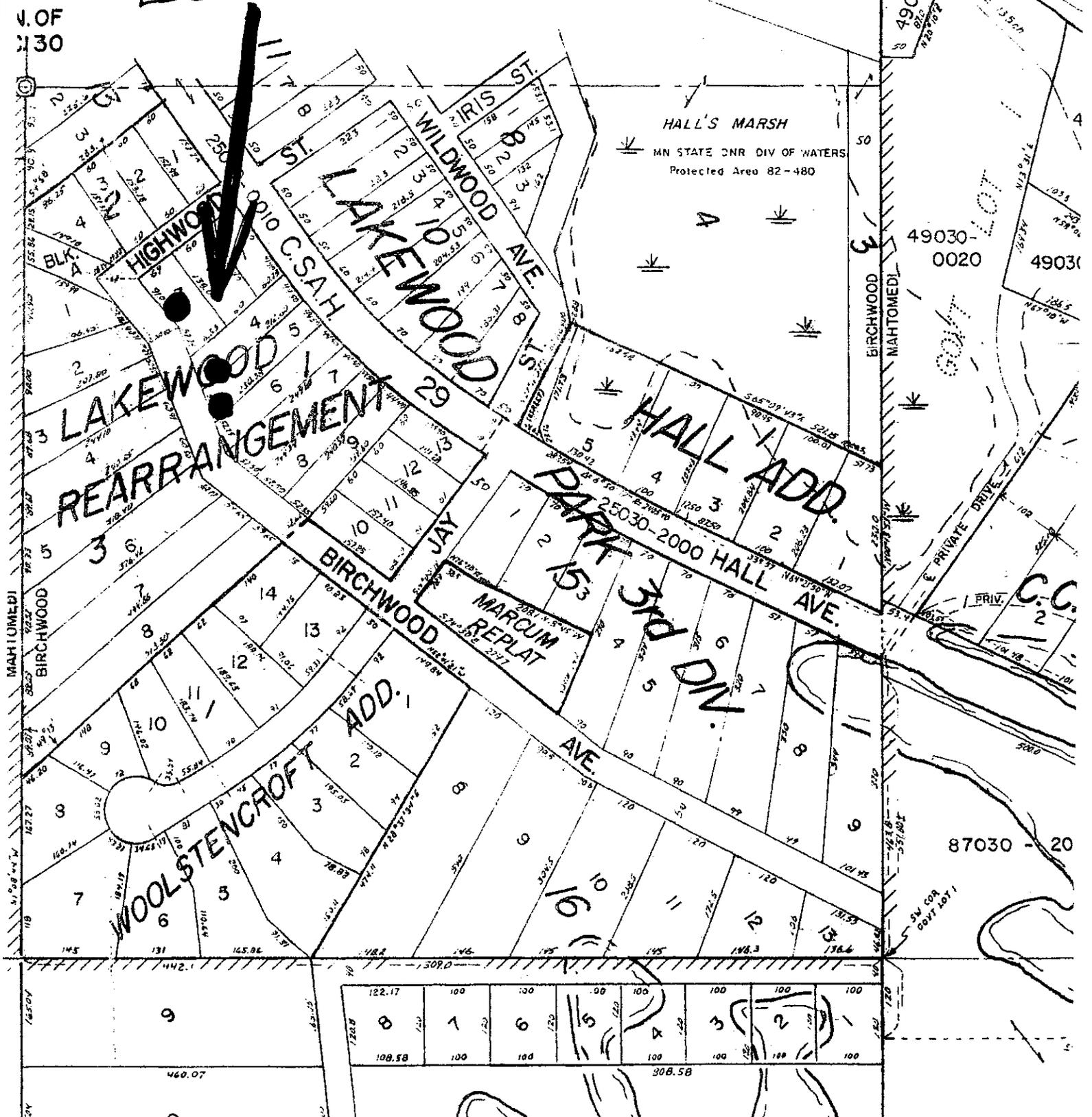
30 T.30 R.21

CITY OF WHI
CITY OF MAH.
CITY OF BIRU

Three Black Dots Approximate
Location of Cottonwoods - All in easment

1521 1/2 FT. N. OF SW
COR. GOVT LOT 1

(ALL I



ORDINANCE NO. 202.100 (repealing current 202.100 and adopting the following)

**AN ORDINANCE RELATING TO
ILLICIT DISCHARGE DETECTION AND ELIMINATION**

THE BIRCHWOOD VILLAGE CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

202.100. PURPOSE AND OBJECTIVES. The purpose of this Ordinance is to provide for the health, safety and general welfare of the citizens of Birchwood Village through the regulation of non-stormwater discharges to the storm drainage system to the maximum extent practicable as required by the State and Federal Law. This Ordinance establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with the requirements of the National Pollutant Discharge Elimination System (NPDES) MS4 permit process.

The objectives of this Ordinance are:

202.100.1. To regulate the contribution of pollutants to the municipal separate storm sewer system by stormwater discharges by any user.

202.100.1.2. To prohibit Illicit Connections and Discharges to the municipal separate storm sewer system.

202.100.1.3. To establish legal authority to carry out all inspection, surveillance, and monitoring procedures necessary to ensure compliance with this ordinance.

202.100.2. DEFINITIONS. For the purpose of this ordinance, the following terms shall have the following meanings:

202.100.2.1. Authorized Enforcement Agency: employees or designees of Birchwood Village or the Minnesota Pollution Control Agency (MPCA) as designated to enforce this Ordinance.

202.100.2.2. Best Management Practices (BMP's): Schedule of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly into stormwater, receiving waters, or stormwater conveyance systems. Best Management Practices also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

202.100.2.3. Clean Water Act: The Federal Water Pollution Control Act (33 U.S.C., 1251 et seq.), and any subsequent amendments thereto.

202.100.2.4. Construction Activity: Activities subject to NPDES Construction Permits. These include construction projects resulting in land disturbance of one acre or more and projects that disturb less than one acre if they are part of a larger common plan of development. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

202.100.2.5. Hazardous Materials: Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment, when improperly treated, stored, transported, disposed of, or otherwise managed.

202.100.2.6. Illicit Connections: An illicit connection is defined as either of the following: Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter a storm drain system including, but not limited to, any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by the City or, any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by the City.

202.100.2.7. MPCA: Minnesota Pollution Control Agency

202.100.2.8. National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit: A permit issued by the Environmental Protection Agency (EPA) (or by the State of Minnesota under the authority delegated pursuant to 33 U.S.C., 1342(b)) that authorizes the discharge of pollutants to Waters of the State, whether the permit is applicable on an individual, group, or general area-wide-basis.

202.100.2.9. Non-Stormwater Discharge: Any discharge to the storm drain system that is not composed entirely of storm water.

202.100.2.10. Person: Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

202.100.2.11. Pollutant: Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquids, solid wastes, and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

202.100.2.12. Premises: Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and boulevards.

202.100.2.13. Storm Drainage System: Publicly-owned facilities by which stormwater is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, infiltration, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

202.100.2.14. Storm Water: Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

202.100.2.15. Storm Water Pollution Prevention Plan (SWPPP): A document which describes the Best Management Practices and activities to be implemented by a person or business to identify sources of pollution and contamination at a site and the actions to eliminate or reduce pollutant discharges to Stormwater, Stormwater Conveyance Systems, and/or Receiving Waters to the maximum extent practicable.

202.100.2.16. City: Birchwood Village

202.100.2.17. Wastewater: Any water or other liquid, other than uncontaminated stormwater, discharged from a property.

202.100.2.18. Waters of the State: All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State of Minnesota or any portion thereof.

202.100.3. APPLICABILITY. This Ordinance shall apply to all water entering the storm drain system generated on any developed or undeveloped lands unless explicitly exempted by an authorized enforcement agency.

202.100.4. RESPONSIBILITY FOR ADMINISTRATION. Birchwood Village shall administer, implement, and enforce the provisions of this Ordinance. Any powers granted or duties imposed upon the MPCA may be delegated in writing by the City Engineer of Birchwood Village to persons or entities acting in the beneficial interest of or in the employ of the City.

202.100.5. ULTIMATE RESPONSIBILITY. The standards set forth herein and promulgated pursuant to this Ordinance are minimum standards; therefore this Ordinance does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

202.100.6. DISCHARGE PROHIBITIONS.

202.100.6.1. Prohibition of Illegal Discharges. No person shall discharge or cause to be discharged into the municipal storm drain system or Waters of the State any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater. The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:

202.100.6.1.1. The following discharges are exempt from discharge prohibitions established by this Ordinance: water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising groundwater, groundwater infiltration to storm drains, uncontaminated pumped groundwater, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wetland flows, swimming pools (if de-chlorinated-typically less than one PPM Chlorine), fire fighting activities, and any other water source not containing pollutants.

202.100.6.1.2. Discharges specified in writing by the MPCA as being necessary to protect the health and safety.

202.100.6.1.3. Dye testing is an allowable discharge, but requires a verbal notification to the City clerk 48-hours prior to the start of the test.

202.100.6.1.4. The prohibition shall not apply to any non-stormwater discharge permitted under the NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the MPCA or Federal EPA, provided that the other applicable laws and regulations, and provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

202.100.6.2. Prohibition of Illicit Connections.

202.100.6.2.1. The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.

202.100.6.2.2. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

202.100.6.2.3. A person is considered to be in violation of this Ordinance if the person connects a line conveying sewage to the MS4, or allows such a connection to continue.

202.100.7. SUSPENSION OF MS4 ACCESS.

202.100.7.1. Suspension due to Illicit Discharges in Emergency Situations. Birchwood Village may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or Waters of the State. If the violator fails to comply with a suspension order issued in an emergency, the City may take such steps as deemed necessary to prevent or minimize damage to the MS4 or the Waters of the State, or to minimize danger to persons.

202.100.7.2. Suspension due to the Detection of Illicit Discharge. Any person discharging to the MS4 in violation of this Ordinance may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The City will notify a violator of the proposed termination of its MS4 access.

202.100.7.3. Restoration of Access. A person violates this Ordinance by restoring MS4 access to a premises that had access suspended or terminated pursuant to this Section. Restoration of access may only occur with prior written approval of the City.

202.100.8. MONITORING OF DISCHARGES

202.100.8.1. Applicability. This section applies to all facilities that have stormwater discharges associated with industrial activity, or construction activity as defined in this Ordinance.

202.100.8.2. If an officer or agent of the City has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this Ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this Ordinance or any order issued hereunder, or to protect the

overall public health, safety, and welfare of the community, then the City may seek issuance of a search warrant from any court of competent jurisdiction.

202.100.9. REQUIREMENT TO PREVENT, CONTROL, AND REDUCE STORMWATER POLLUTANTS BY USE OF THE BEST MANAGEMENT PRACTICES. Birchwood Village has adopted requirements identifying Best Management Practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of stormwater, the storm drain system, or Waters of the State. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or Waters of the State through the use of these structural and non-structural best management practices. Further, any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural best management practices to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliant with the provisions of this section. These best management practices shall be part of a stormwater pollution prevention plan (SWPPP) as necessary for compliance with these requirements of the NPDES permit.

202.100.10. WATERCOURSE PROTECTION. Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

202.100.11. NOTIFICATION OF SPILLS. Notwithstanding any other requirements of law, as soon as any person responsible for a property has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into stormwater, the storm drain system, or Waters of the State, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such a release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. An owner or lessee is responsible for the residential property they own or occupy. For commercial and industrial property, responsible persons include an owner, but not be limited to the tenant, the operator, and an emergency response officer for the facility or operation. In the event of the release of non-hazardous materials, said person shall notify the City in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to Birchwood Village within three business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the

actions taken to prevent its recurrence. Such records shall be retained for at least three years.

202.100.12. ENFORCEMENT.

202.100.12.1. Whenever Birchwood Village finds that a person has violated a prohibition or failed to meet a requirement of this Ordinance, the City may order compliance by written Notice of Violation to the responsible person. Such a notice may require without limitation:

202.100.12.1.1. The performance of monitoring, analyses, and reporting;

202.100.12.1.2. The elimination of illicit connections or discharges;

202.100.12.1.3. The violating discharges, practices, or operations shall cease and desist;

202.100.12.1.4. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property; and

202.100.12.1.5. Payment of a fine to cover administrative and remediation costs; and

202.100.12.1.6. The implementation of source control or treatment best management practices; and

202.100.12.1.7. The deadline within which to remedy the violation.

202.100.12.2. If the abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.

202.100.13. **APPEAL OF NOTICE OF VIOLATION.** Any person receiving a Notice of Violation may appeal the determination of the City. The notice of appeal must be received by the City within 15 days from the date of the Notice of Violation. The appeal shall be heard by the City Council within 30 days from the date of the receipt of the notice to appeal. The decision of the Board of Supervisors shall be final.

202.100.14. **ENFORCEMENT MEASURES AFTER APPEAL.** If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, within the deadline extended by the decision of the City Council, then representatives of the City shall enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be declared unlawful for any person, owner, agent, or person in possession of any premises to refuse to allow the City or designated contractor to enter upon the premises for the purposes set forth above.

202.100.15. **COST OF ABATEMENT OF THE VIOLATION.** Within 30 days after the abatement of the violation, the owner of the property will be notified of the cost of the abatement, including administrative costs and a 25% surcharge, and the deadline to pay the abatement costs. The property owner may file a written protest objecting to the costs and payment terms of the abatement within 15 days. The appeal shall be heard by the City Council within 30 days from the date of the receipt of the notice of appeal. If the amount due is not paid within a timely manner as determined by the decision of the City Council after hearing the appeal, the charges will be filed with Washington County and shall

become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.

202.100.16. INJUNCTIVE RELIEF. The provisions of this Ordinance are intended to prevent the occurrence of events which would likely create immediate and irreparable harm to public facilities and the public health if they occurred. If a person has violated or continues to violate the provisions of this Ordinance, the authorized enforcement agency may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

202.100.17. COMPENSATORY ACTION. In lieu of enforcement proceedings, penalties, and remedies authorized by this Ordinance, the authorized enforcement agency may impose upon violator alternative compensatory actions, such as storm drain stenciling, attendance at compliance workshops, lake and/or creek cleanup, etc.

202.100.18. VIOLATIONS DEEMED A PUBLIC NUISANCE. In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this Ordinance is a threat to public health, safety, and welfare, and is declared and deemed a nuisance and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

202.100.19. CRIMINAL PROSECUTION. Any person that violates this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, may be subject to the maximum fine and imprisonment allowed by State law. Each day on which such violation exists or continues, shall constitute a separate offense punishable to the maximum extent of the law. The authorized enforcement agency may recover all attorney's fees, court costs, and other expenses associated with the enforcement of this Ordinance, including sampling and monitoring expenses.

202.100.20. REMEDIES NOT EXCLUSIVE. The remedies listed in this Ordinance are not exclusive of any other remedies available under any applicable Federal, State, or Local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

202.100.21. SEVERABILITY. The provisions of this ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not effect the other provisions or application of this ordinance.

202.100.22. EFFECTIVE DATE. This Ordinance shall take effect and be in full force from and after its passage and publication.

Passed by the City Council of Birchwood Village, Washington County, Minnesota, this ___ day of _____, 2013.

APPROVED:

MARY WINGFIELD, Mayor Birchwood Village

ATTEST:

City Clerk

SUPPORTING NOTES: (to be included with packet info for background info)

INSTITUTE STORM WATER MONITORING (WINGFIELD)

.#1 Storm Water Pollution prevention program policy (previously adopted 12/14/2010, not implemented): "The council shall be advised of the effectiveness of the catch basin/sump systems. After receipt, the clerk shall forward a copy of the maintenance report to each council member as part of the next regularly-scheduled council meeting packet."

REVIEW FORMAL POLICY – CATCH BASIN CLEAN OUT (WINGFIELD)

#2 Catch Basin/Sump cleaning policy (previously adopted 12/14/2010, not implemented): "In order to be in compliance with the city's MS4 permit, and to effectively manage costs and maximize the efficiency of cleaning the city's sumps, catch basins will be checked for sediment twice a year in the spring and the fall. Recordings shall be reduced to writing and provided to the clerk and kept permanently on file. Sumps will be cleaned when the water depth is 26 inches or less in at least three catch basins."

From: **Lynne T. Bankes** <lbankes@whitebearlake.org>
Date: Thu, Apr 18, 2013 at 2:55 PM
Subject: RE: WBL and BW 2012 year end report
To: Randy LaFoy <rlafoy@gmail.com>

Randy,

Our records management system does not permit us to examine traffic tickets by location given. Citations issued by offense are listed in the report under traffic enforcement. If we issued a citation in Birchwood it would go to Washington County Court. It would be possible for us to issue an administrative citation in Birchwood and that fine would go directly to the City of WBL. Frankly, not many citations are issued in Birchwood. The County/State does return a small percentage of citation monies to the respective cities. I could check with Don Rambow to determine how much we average per year. I know it isn't very much. The majority of the fine goes to the County and State and the courts.

We are researching a new records management system in conjunction with Ramsey County Sheriff's office and a few of the other Ramsey County suburbs. We realize the need for better accountability of reports and citations and should not have to rely on St. Paul PD to provide crystal reports for our data. This project is underway and may come to fruition by 2014.

I will have a revised and final version of the Year end report shortly and will forward it to you. I would appreciate it if the new one would replace any copies of the last one I sent and may be on the website of Birchwood.

Lynne T. Bankes

Chief of Police

City of Birchwood Village

Cost Summary based on initial estimate of hardware and user support:

Systems Support

Network Computers (2) - \$1,063

Network Systems (2) - \$979 (includes primary network switch and 1 wireless access point)

User Accounts (2) - \$125

Server Support (Shared Server – 50GB) - \$2,061

Internet Access – Direct/VPN Support - \$40

Administrative Charges - \$196

Telephony

(4) Devices @ \$13.85/month - \$665

Virtual Server & Storage

Shared Server (35GB) - \$320 (includes primary storage, server licensing and backup)

Wireless LAN Equipment Charge (1 WAP) - \$72 (Capital and Operating charge for the Enterprise

Wireless LAN Controllers)

Total Annual \$5,521

SUMMARY OF APRIL 16, 2013 CITY COUNCIL BUDGET WORKSHOP

Council Present: Greg Donovan, Bill Hullsiek, Randy Lafoy, Kevin Woolstencroft, Mary Wingfield

Also present: Shelly Rueckert, Al Mitchell

The purpose of the meeting was to review current expenses and anticipated costs and develop a plan to ensure financial stability to the sewer, water and general funds.

WATER FUND: \$30,000 currently

- No water main breaks this winter, so the fund has rebounded
- The CWO needs to inventory the status of all hydrants when flushing this spring. There were 18 hydrants in need of various states of repair as noted in a 9/17/2010 WBL memo to the city. Original WBL estimate of repair costs: about \$15,000- \$18,000. A December 4, 2012 St Paul Water Works noted at least 9 still had issues
- Net savings in changing CWO contract: about \$6000-8000 annually...to be considered at May 2013 meeting
- WBL informed us that we will be charged for their SCADA upgrade. Estimated cost: \$10,000

The finance committee needs to review annual maintenance expenses and determine necessary fund balance to cover CIPs and recommend rate adjustments, if any

SEWER FUND: \$110,000 currently (debt \$200,000 and projected revenue \$100,000). (Debt liability: \$200,000...revenue projected \$100,000) Net value at end of 2018: \$10,000

- To clarify the 2012 numbers: Income was \$82,000...expenses were \$110,000. Net loss: \$28,000... THIS DOES NOT INCLUDE BOND PAYMENTS.
- SCADA COSTS: \$20,000-40,000 for 2013-14
- WBL increase in monthly maintenance charges: \$8000 (?) annually
- Other CIP costs: 2017 \$5000 televising remaining 10% of lines. Potential sewer project if deterioration is seen; sewer jetting every three years. Cost TBD.
- Unknown at this time: estimated life of Birchwood Lane and Dellwood pumps (one Wildwood pump is new in 2012, the other replaced in 2009?)

The finance committee needs to review annual maintenance expenses and CIP needs and determine appropriate method(s) to cover. Also, Fund balance target range needs to be determined.

GENERAL FUND: \$525,000 as of 1/1/2013

2013 expenses incurred, not levied: \$8300 tree trimming, \$2400 WBL pond clean out.

2013 expenses anticipated and not levied: Road maintenance of \$97,500. (\$17,500 was levied). This figure includes repairing Cedar; seal coating Hall/Cedar, Oak Ridge and Wildwood per 2012 road survey; crack filling all roads; repairing Owl Street; and painting lines and cross walks. Cedar Street has incurred more substantial potholing this spring...raising the cost from the \$30,000 bid for maintaining all of Hall/Cedar in 2010 to double the cost now. (The 2010 proposal was rejected by the council on a split vote). The large expenditure now should put us ahead of the curve for maintenance. A maintenance schedule will be established to ensure regular maintenance occurs avoiding more expensive repairs.

Total expenses not levied: \$108,000

SOLUTIONS:

- Use funds from general fund to cover road expenses this year.
- Create an annual road improvement levy to build up a reserve and cover regular road maintenance in the future
- Review Police contract options with Washington County and Ramsey County
- Review insurance policies to ensure proper liability coverage
- Review Animal control contract with ACS to provide on-call service
- Review technical support through Roseville to create stable service
- Use attorney and engineering services when necessary and with council approval. Use LMC as a first option for legal information
- Review city code to address places where the code requires city engineer review, but appears to be unwarranted...state mandates must be reviewed to ensure the code remains in compliance
- Institute a moratorium on training (now uncertain with clerk resignation)
- Manage public notices with publication on city bulletin board and web site and with newspaper publication being used when mandated. i.e. put water quality report in city newsletter, publish summary ordinances when possible
- Consider billing utilities 3x/year (to be considered later after further input from residents)

White Bear Lake

4701 Highway 61 • White Bear Lake • MN 55110

Fireworks Fund

Spring 2013

Dear White Bear Area Resident:

Several years ago our long-standing tradition of a 4th of July fireworks display over beautiful White Bear Lake was threatened due to funding. Therefore a committee of volunteers was formed to make sure this great tradition continued. We are thrilled to say with the generous donations of so many our celebration of an amazing fireworks display along with a band concert has become a patriotic tradition and family event for our community. Each year, the committee joins forces with the White Bear Lake and Mahtomedi Fire Departments as well as other civic-minded residents to raise the necessary donations needed to continue this great event.

So again this year we ask for your help. All donations are tax deductible. The City of White Bear Lake has agreed to continue the operation of a separate account which is used only for the fireworks program and is audited annually. To ensure that your contribution is **tax deductible**, please enclose a separate check along with your utility bill, payable to **"White Bear Lake Fireworks Fund"**. Please note on the check that it is for the 4th of July Fireworks. If you participate in the City's electronic payment for utility bills, we ask that you send a separate check for your donation.

As committee members, we take great pride in the continuation of this long-standing civic tradition in White Bear Lake. Your generosity is greatly appreciated and will help to keep this tradition alive. If you have any questions, please contact Bill Foussard, Fundraising Coordinator, at 651-429-5393. **We look forward to another great summer and 4th of July!** On behalf of the White Bear Lake Fireworks Committee and all the volunteers that make this amazing event happen we extend our most sincere thank you.

Sincerely,



Dick Galena
Fireworks Committee Chair

Committee Members

Jeff Lair
Bill Matschke
Mark Sather
Terry Fischer
Tim Vadnais
Dick Galena
Bill Foussard
Mike Turnbull
Julie Swanson
Frank Watson
Diane Krinkie
Gene Altstatt

Presenting Sponsor

JL Schwieters Construction
& Building Supply's

Major Sponsors

White Bear Super Store
Helgeson Enterprises, Inc.
Michael & Nora
McNeely-Hurley
Anonymous

Business Sponsors

Trade Press, Inc.
White Bear Boat Works
Press Publications
Shoreview Northern Lights
Variety Band
Rudy's Red Eye Grill/
White Bear Country Inn

Agency Sponsors

City of White Bear Lake
White Bear Lake Fire Dept.
Mahtomedi Fire Dept.
White Bear Lake
Police Department
Ramsey County Sheriff
Water Patrol

XFINITY Connect

birchwoodvillage@comcast.net

± Font Size ±

Fwd: Invoice #126455 - \$797.68**From :** bwclerk@comcast.net

Thu, May 02, 2013 02:25 PM

Subject : Fwd: Invoice #126455 - \$797.68**To :** birchwoodvillage@comcast.net**CITY OF BIRCHWOOD VILLAGE**

Dale Richard Powers, MCMC, MA, AICP
 City Coordinator
 207 Birchwood Avenue
 Birchwood Village, MN 55110
 651-426-3403 tel
 651-426-7747 fax

Notice: E-mail correspondence to and from the City of Birchwood Village may be public data subject to the Minnesota Data Practices Act and/or may be disclosed to third parties.

From: "Dave Wagner (CI-StPaul)" <dawagner@stpaul.mn.us>**To:** bwclerk@comcast.net**Cc:** "Lund, John" <j.lund.612@comcast.net>, "Wingfield, Mary" <mary.wingfield@juna.com>, cindie311@gmail.com, "Judy Tavares (CI-StPaul)" <judy.tavares@ci-stpaul.mn.us>, "Kou Vang (CI-StPaul)" <kouvang@ci-stpaul.mn.us>**Sent:** Tuesday, April 23, 2013 11:21:09 AM**Subject:** RE: Invoice #126455 - \$797.68

The bill was for 12 labor hours and we will cut it in half to 6 labor hours since we will not be charging you for the time we attempted to fix the hydrant and the hydrant broke. The revised bill would include:

- both supervisor time and staff time. In this case it would include 2 hours of time each for a supervisor and two staff.
- This includes driving time
- overhead charges as follows: 71% on labor, 47% on material (although none charged here), 14% on equipment. These are our standard overhead rates determined by Accounting that get billed on all charge jobs.
- No material will be charged to the job as we did break the hydrant while attempting to fix it.
- No additional time will be charged to the job for steaming it out as it was frozen.
- No time was charged to stop out and meet with your staff originally on this.

If you have additional questions, please let me know.

Thanks,
 Dave

From: bwclerk@comcast.net [mailto:bwclerk@comcast.net]**Sent:** Monday, April 22, 2013 11:08 AM**To:** Wagner, Dave (CI-StPaul)**Cc:** John Lund; Mary Wingfield; cindie311@gmail.com**Subject:** Invoice #126455 - \$797.68

Good morning, Dave. We have been playing telephone tag on this issue, and I want to go over the particulars on it.

Two of the City's rink attendants, in shutting off the hydrant after flooding the rink, broke a part on the hydrant. A representative of SPRWS came out and said a part needed to be ordered, and that it would be easier for us to order the part direct from the supplier, which we did. Upon receiving the part, we contacted SPRWS to install the part in the hydrant. It was during that installation that the SPRWS rep apparently broke another part on the hydrant. John Lund, Birchwood Parks Committee Chair, informed me that SPRWS ordered the part itself this time and repaired the hydrant.

It was agreed upon with SPRWS that, since your rep broke the hydrant while installing the part that we paid for, that the labor charges would be waived. In talking with John Lund today, he indicated that the City agreed to pay one (1) hour labor for repairing the hydrant.

The contract refers me to <http://stpaul.gov/index.aspx?NID=757> for review of applicable labor rates. In reviewing the document, the basis for the \$707.55 labor charge is unclear. In a conversation with a SPRWS rep last week, he indicated that SPRWS would reduce the labor rate from 4 hours to 2 hours. Based on that statement, it appears that the hourly labor rate is calculated to be \$176.89. Adding in the \$90.13 equipment charge, it appears that the proper billing from SPRWS to the City for this repair should be \$267.02.

I look forward to hearing back from you on this matter.

CITY OF BIRCHWOOD VILLAGE

Dale Richard Powers, MCMC, MA, AICP
City Coordinator
207 Birchwood Avenue
Birchwood Village, MN 55110
651-426-3403 tel
651-426-7747 fax

Notice: E-mail correspondence to and from the City of Birchwood Village may be public data subject to the Minnesota Data Practices Act and/or may be disclosed to third parties.

* A D J U S T E D *

1

I N V O I C E

#126455

CITY OF ST. PAUL

DEPARTMENT OF REGIONAL WATER SERVICES
DIVISION OF ACCOUNTING

I DATE ISSUED: 02/25/13
S
S CITY OF BIRCHWOOD VILLAGE
U TO C/O ELFERING & ASSOCIATES
E 10062 FLANDER CT NE
D BLAINE MN 55449

AMOUNT DUE 462.67

DESCRIPTION:

REPAIRED HYDRANT @ ICE RINK ON 1/14/2013
\$ 417.60 LABOR (ADJ'D FROM 707.55)
45.07 EQUIPMENT (ADJ'D FROM 90.13)
\$ 462.67 TTL DUE

QUESTIONS REGARDING THIS INVOICE SHOULD BE DIRECTED TO:
KIM @ 651-266-6285

** THIS INVOICE IS DUE AND PAYABLE UPON RECEIPT **

CITY USE ONLY

ACCOUNT NUMBER	REFER#	AMOUNT
850*28905*5628*00000	1300338	462.67

PAYMENT OPTIONS: AMOUNT DUE \$462.67

1. PAY ONLINE AT <http://www.stpaul.gov/depts/ofs/epay/>
2. RETURN 1 COPY OF THIS INVOICE WITH YOUR CHECK PAYABLE TO:

CITY OF SAINT PAUL
15 W KELLOGG BLVD
700 CITY HALL
SAINT PAUL MN 55102

NOTIFICATION REGARDING CHECK CONVERSION
WHEN YOU PROVIDE A CHECK AS PAYMENT, YOU AUTHORIZE US TO
EITHER USE THE INFORMATION FROM YOUR CHECK TO MAKE A
ONE-TIME ELECTRONIC FUNDS TRANSFER FROM YOUR ACCOUNT OR TO
PROCESS THE PAYMENT AS A CHECK TRANSACTION. FOR INQUIRIES,
PLEASE CALL 651-266-8800.

CHAPTER 96.06 OF THE CITY'S ADMINISTRATIVE CODE PROHIBITS
FURTHER SERVICES, PERMITS OR EXTENSIONS OF ADDITIONAL CREDIT
BY THE CITY UNTIL OVERDUE BILLS ARE PAID OR CANCELLED IN
ACCORDANCE WITH THE PROVISIONS OF THE CHAPTER.