



AGENDA OF THE REGULAR MEETING OF
THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
May 13, 2014
7:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

PRESENTATION: REPRESENTATIVE FROM WASHINGTON COUNTY SHERIFF'S OFFICE

OPEN PUBLIC FORUM

ANNOUNCEMENTS

1. CITY BUSINESS – CONSENT AGENDA

- A. Approval of Regular Meeting April 8, 2014 Minutes*
- B. Resolution 2014-12, Declining to Waive the Statutory Monetary Limits on Municipal Tort Liability Established by Minnesota Statutes 466.04*
- C. Resolution 2014-13, Authorizing Persons of Legal Age to Possess and Consume Beer and Wine During 2014 Summer Evening Concerts*

2. CITY BUSINESS – REGULAR AGENDA

- A. Approval of Treasurer's Report*
- B. Excessive Use Discussion*
- C. First Reading of Ordinance 2014-05-01, Adding Dangerous Dog Language to City Code*
- D. First Reading of Ordinance 2014-05-02, Adding Penalty for Misdemeanor Language to City Code*
- E. Resolution 2014-14, Authorizing a Transfer of \$40,739.44 to Capital Projects - Public Works*
- F. Resolution 2014-15, Accepting the Budget Handbook for 2014*

* Denotes items that have supporting documentation provided

- G. Resolution 2014-16, Adding \$25.00 to Individuals' Q2 2014 Utility Billing Accounts For Spring Leaf Collection Services When Pre-payment Was Not Received*
- H. Resolution 2014-17, Adding \$200.00 to Individuals' Q2 2014 Utility Billing Accounts That Have Not Paid for 2014 Dock Fees*
- I. Tennis Court Repair Discussion
- J. Staff Reports
 - a. Frozen Service Line Update
 - b. Utility Billing Water Rate Update
 - c. Reimbursable Expenses Through RWSCC

ADJOURN

* Denotes items that have supporting documentation provided

**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
April 8, 2014**

MINUTES

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

STAFF PRESENT: Alan Kantrud, City Attorney; Chris Mickelson, City Clerk

OTHERS PRESENT: Loren Sederstrom, 9330 107th St., Grant, MN 55082; Larry Lanoux, 9711 Keswick Ave N, Grant MN 55082; Timothy DeWuske, 170 View Road, Montomedi, MN 55115

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

AGENDA APPROVAL:

Mayor Wingfield added a discussion on improving drainage on the lower end of Cedar Street and a summary of the County Assessor's report to the agenda.

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

OPEN PUBLIC FORUM:

Loren Sederstrom commented on potential mercury contamination in the region and distributed binders with information to the Birchwood City Council.

Larry Lanoux provided comments on Wildwood Elementary School and open enrollment in the region.

Timothy DeWuske commented on potential mercury contamination in the region.

ANNOUNCEMENTS:

Mayor Wingfield stated that the volunteer recognition event at City Hall will be held on May 1st at 7:00 p.m. Also, spring leaf pick-up dates have not been finalized but will occur sometime in late April or early May.

Councilmember LaFoy stated the city-wide garage sale will be on June 7th, and the plant exchange will take place on June 14th.

PUBLIC HEARING - STORMWATER POLLUTION PREVENTION PROGRAM

No comments from the public were received.

Mayor Wingfield stated the City renewed its SWPPP permit with the State of Minnesota and now has five years before it will need to be renewed.

CITY BUSINESS - CONSENT AGENDA

Mayor Wingfield pulled item C. Resolution 2014-11, Adopting a Sign Retroreflectivity Policy from the Consent Agenda.

- A. Approval of Regular Meeting March 11, 2014 Minutes
- B. Resolution 2014-10, Approving Coverage for City Workers' Compensation Insurance

Mayor Wingfield stated the deadline given in the March 11, 2014 Minutes for the Sign Policy needs to be changed to June 30, 2014.

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

- C. Resolution 2014-11, Adopting a Sign Retroreflectivity Policy

Mayor Wingfield stated the policy must be adopted by June 30, 2014 rather than June 13, 2014. Also, language in the resolution should be changed from "draft policy" to "model policy."

MOTION WAS MADE BY COUNCILMEMBER LAFOY, SECONDED BY COUNCILMEMBER HULLSIEK TO APPROVE RESOLUTION 2014-11 AS AMENDED. ALL AYES. MOTION PASSED.

CITY BUSINESS - REGULAR AGENDA

- A. Approval of Treasurer's Report

Councilmember Donovan asked when City Treasurer Jason Foutz's first day would be.

Clerk Mickelson replied that Jason Foutz's first day would be April 9th.

MOTION WAS MADE BY COUNCILMEMBER LAFOY, SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE THE TREASURER'S REPORT. ALL AYES. MOTION PASSED.

- B. Amendment to City Policy 7.02

Clerk Mickelson stated that City Policy 7.02 currently requires the City Council to hear ordinances at two or more meetings before they can be adopted. State Statute does not require multiple readings, and by adding language it would allow the City Council flexibility to hear ordinances multiple times, or vote on ordinances at the meeting where they are first heard.

Mayor Winfield stated that a resident of Birchwood was recently bitten by a dog and Birchwood's City Code could benefit from additional dangerous dog language. But because of current policy, the City would be unable to make ordinance changes of an administrative on the evening in which they are heard.

City Attorney Kantrud stated that the City could suspend its rules in the case of an emergency when City Code needs to be amended. By doing this, an ordinance would only need to be heard at one meeting and the City Policy would not need to be amended.

Councilmember Donovan stated that the city policy to hear an ordinance at multiple meetings was created by a past Council because residents complained they were not being included in ordinance discussions.

Councilmember LaFoy stated he would rather have ordinance discussions move slower so more residents can be involved in the decision making process

MOTION WAS MADE BY MAYOR WINGFIELD, SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO AMEND CITY POLICY 7.02. TWO AYES, THREE NAYS. MOTION DID NOT PASS.

C. Lake Augmentation Discussion

Mary Wingfield stated that Tom Snell of the White Bear Lake Chamber of Commerce asked that Birchwood consider supporting measures to augment White Bear Lake.

Councilmember Woolstencroft stated he does not support lake augmentation and would rather the County and State look at drinking water issues.

Councilmember LaFoy stated that he does not support lake augmentation. In 1935, a canal running from the Mississippi River to the lake was considered because the water level was low. This is a cyclical issue.

Councilmember Hullsiek stated he does not support lake augmentation measures and would be more likely to consider addressing possible contamination issues.

Councilmember Donovan stated he does not support lake augmentation because there does not seem to be a firm understanding of the problem.

Mayor Wingfield stated the WLB conservation district was presented with the same letter asking for support, which they passed on a 6-3 vote. Both Birchwood representatives voted no.

No action was taken.

D. Culvert Issue on Cedar Street

Mayor Winfield stated that John Winters mailed the Council information on improving the issue of the culvert on lower Cedar Street freezing up in the winter, causing water to pool in the spring. Winters recommended that heat tape be installed to keep an opening large enough to allow a steady stream of water to flow.

Councilmember Woolstencroft stated that this improvement makes good sense.

Councilmember LaFoy stated that he's in favor of this improvement.

Councilmember Hullsiek stated that this would be a very cost effective way to take care of this problem.

Councilmember LaFoy stated that as citizens have good ideas like this solution; please direct them to the Council or City Hall.

E. Washington County Assessor's Report

Mayor Wingfield stated overall valuations of property in the City went down 1.3% which is based on 9 home sales, however, two thirds of all properties in town increased in value. Because one home in Birchwood was torn down and not rebuilt, the overall valuation of property in Birchwood skews lower.

ADJOURN:

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT, SECONDED BY COUNCILMEMBER HULLSIEK, TO ADJURN THE MEETING. ALL AYES. MOTION PASSED. MEETING ADJOURNED AT 7:45 P.M.

Mary Wingfield
Mayor

ATTEST:

Chris Mickelson
City Clerk

DRAFT

RESOLUTION 2014-12

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

**A Resolution Declining to Waive the Statutory Monetary Limits on Municipal Tort
Liability Established by Minnesota Statute 466.04**

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, May 13, 2014, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Greg Donovan, Bill Hullsiek, Randy LaFoy, and Kevin Woolstencroft, and the following absent: none, the Birchwood City Council resolved:

WHEREAS, cities obtaining liability coverage from the League of Minnesota Cities Insurance Trust must decide whether or not to waive the statutory tort liability limits to the extent of coverage purchased.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby does not waive the monetary limits on municipal tort liability established by Minnesota Statute 466.04.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 13th day of May, 2014.

Mary Wingfield
Mayor

Attest:

Chris Mickelson
City Clerk

SECTION I: LIABILITY COVERAGE WAIVER FORM

Cities obtaining liability coverage from the League of Minnesota Cities Insurance Trust must decide whether or not to waive the statutory tort liability limits to the extent of the coverage purchased. The decision to waive or not to waive the statutory limits has the following effects:

- o *If the city does not waive the statutory tort limits*, an individual claimant would be able to recover no more than \$500,000. on any claim to which the statutory tort limits apply. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether or not the city purchases the optional excess liability coverage.
- o *If the city waives the statutory tort limits and does not purchase excess liability coverage*, a single claimant could potentially recover up to \$1,500,000. on a single occurrence. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to \$1,500,000., regardless of the number of claimants.
- o *If the city waives the statutory tort limits and purchases excess liability coverage*, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

This decision must be made by the city council. **Cities purchasing coverage must complete and return this form to LMCIT before the effective date of the coverage.** For further information, contact LMCIT. You may also wish to discuss these issues with your city attorney.

_____ accepts liability coverage limits of \$ _____ from the League of Minnesota Cities Insurance Trust (LMCIT).

Check one:

- The city **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minnesota Statutes 466.04.
- The city **WAIVES** the monetary limits on tort liability established by Minnesota Statutes 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of city council meeting _____

Signature _____ Position _____

Return this completed form to LMCIT, 145 University Ave. W., St. Paul, MN. 55103-2044

466.04 MAXIMUM LIABILITY.

Subdivision 1. **Limits; punitive damages.** (a) Liability of any municipality on any claim within the scope of sections 466.01 to 466.15 shall not exceed:

(1) \$300,000 when the claim is one for death by wrongful act or omission and \$300,000 to any claimant in any other case, for claims arising before January 1, 2008;

(2) \$400,000 when the claim is one for death by wrongful act or omission and \$400,000 to any claimant in any other case, for claims arising on or after January 1, 2008, and before July 1, 2009;

(3) \$500,000 when the claim is one for death by wrongful act or omission and \$500,000 to any claimant in any other case, for claims arising on or after July 1, 2009;

(4) \$750,000 for any number of claims arising out of a single occurrence, for claims arising on or after January 1, 1998, and before January 1, 2000;

(5) \$1,000,000 for any number of claims arising out of a single occurrence, for claims arising on or after January 1, 2000, and before January 1, 2008;

(6) \$1,200,000 for any number of claims arising out of a single occurrence, for claims arising on or after January 1, 2008, and before July 1, 2009;

(7) \$1,500,000 for any number of claims arising out of a single occurrence, for claims arising on or after July 1, 2009; or

(8) twice the limits provided in clauses (1) to (7) when the claim arises out of the release or threatened release of a hazardous substance, whether the claim is brought under sections 115B.01 to 115B.15 or under any other law.

(b) No award for damages on any such claim shall include punitive damages.

Subd. 1a. **Officers and employees.** The liability of an officer or an employee of any municipality for a tort arising out of an alleged act or omission occurring in the performance of duty shall not exceed the limits set forth in subdivision 1, unless the officer or employee provides professional services and also is employed in the profession for compensation by a person or persons other than the municipality.

Subd. 1b. **Total claim.** The total liability of the municipality on a claim against it and against its officers or employees arising out of a single occurrence shall not exceed the limits set forth in subdivision 1.

Subd. 2. **Inclusions.** The limitation imposed by this section on individual claimants includes damages claimed for loss of services or loss of support arising out of the same tort.

Subd. 3. **Disposition of multiple claims.** Where the amount awarded to or settled upon multiple claimants exceeds the applicable limit under subdivision 1, paragraph (a), clauses (2) to (4), any party may apply to any district court to apportion to each claimant a proper share of the total amount limited by subdivision 1. The share apportioned each claimant shall be in the proportion that the ratio of the award or settlement made to each bears to the aggregate awards and settlements for all claims arising out of the occurrence.

History: 1963 c 798 s 4; 1976 c 264 s 1-3; 1983 c 121 s 28; 1983 c 331 s 2,3; 1986 c 444; 1989 c 325 s 50; 1997 c 210 s 3,4; 2006 c 232 s 2

RESOLUTION 2014-13
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA

**A Resolution Authorizing Persons of Legal Age to Possess and Consume Beer and Wine
during 2014 Music in the Park Summer Evening Concerts**

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, May 13, 2014, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Greg Donovan, Bill Hullsiek, Randy LaFoy, and Kevin Woolstencroft, and the following absent: none, the Birchwood City Council resolved:

WHEREAS, each summer, the City of Birchwood Village sponsors Sunday evening concerts located within City parks; and,

WHEREAS, City Code Section 607.641 allows the Birchwood City Council to authorize the use and consumption of beer and wine in public park spaces during designated times; and,

WHEREAS, the Birchwood Parks Commission recommends the City Council approve Resolution 2014-13.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby authorizes persons of legal age to possess and consume beer and wine during 2014 summer evening concerts.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 13th day of May, 2014.

Mary Wingfield
Mayor

Attest:

Chris Mickelson
City Clerk

Fund Name: All Funds
Date Range: 04/09/2014 to 05/09/2014

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
04/10/2014	Wingfield, Mary	Community Club Dues for Vic & Molvipa Liengswangwong	28266	\$8.00	100-49000-810	\$8.00
04/10/2014	Birchwood Dock Association	Membership for Charlene Engebretson (refund)	28267	\$35.00	210-49000-810	\$35.00
04/11/2014	Metropolitan Council Env. Service	Wastewater Service December 2013	28268	\$3,658.96	605-43190-217	\$3,658.96
04/14/2014	MN Department of Revenue	State W/H Q1 2014 EFT	EFT4.14.14	\$75.44	100-45200-115	\$75.44
04/16/2014	Ronnan, Kenny	April 2014 (2 Hours)	28269	\$55.00	100-41950-305	\$55.00
04/16/2014	White Bear Lake Fireworks Fund	Annual Contribution - 2014	28270	\$200.00	100-45100-433	\$200.00
04/16/2014	Xcel Energy	Electric for Street Lights	28271	\$971.80	100-43160-380	\$971.80
04/16/2014	City of Roseville	April 2014 IT/Phone Services	28272	\$417.50	100-41420-305	\$368.75
					100-41420-305	\$48.75
04/16/2014	S&T Office Supplies	Office Supplies	28273	\$200.98	100-41420-200	\$200.98
04/16/2014	City of White Bear Lake	April 2014 Fire Services	28274	\$1,496.25	100-42200-305	\$1,496.25
04/16/2014	Water Conservation Service Inc.	Leak Located on 03/15/2014 @ 3870 East County Line	28275	\$372.40	601-43185-300	\$372.40
04/16/2014	CAPRA'S UTILITIES, INC	Repair Broken Water Main at 3870 E County Line 03/15/2014	28276	\$5,294.60	601-43185-305	\$5,294.60
04/16/2014	City of White Bear Lake	Jan - Mar Building Inspections	28277	\$953.00	100-41910-305	\$75.00
					100-42401-305	\$878.00
04/16/2014	City of White Bear Lake	Water Purchase 12/26/13 - 03/31/14	28278	\$8,126.58	601-43180-380	\$8,126.58
04/16/2014	STATE OF MN	Unemployment Insurance Bill	28279	\$616.52	100-41400-140	\$616.52
04/23/2014	Xcel Energy	Electric/Gas for City Hall	28282	\$224.20	100-41940-380	\$224.20
04/23/2014	City of White Bear Lake	Lift station inspections for Jan/Feb	28283	\$3,329.60	605-43190-380	\$3,329.60
04/23/2014	TSE, INC	City Hall Janitorial Services 04/02/14	28284	\$19.00	100-41940-305	\$19.00
04/25/2014	MN DNR	Chemical Control Kay Beach Permit	28285	\$35.00	100-45200-400	\$35.00

City of Birchwood Village

Disbursements Register

05/09/2014

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
04/25/2014	MN DNR	Beach Maintenance Permit	28286	\$35.00	100-45200-400	\$35.00
04/29/2014	Hisdahl Inc.	Warming House Plaque	28287	\$1,064.00	100-49000-520	\$101.57
					225-49000-520	\$962.43
04/29/2014	TSE, INC	City Hall Janitorial Services 04/17/14	28288	\$19.00	100-41940-305	\$19.00
04/30/2014	Xcel Energy	Electric/Gas for City Hall	28289	\$73.18	100-41940-380	\$73.18
05/02/2014	Manship Plumbing & Heating Inc	locate services/ Monthly Standby April 2014	28290	\$925.00	601-43180-305	\$925.00
05/02/2014	Lund, John	Reimburse - keys	28291	\$8.53	100-41940-220	\$8.53
05/07/2014	Payroll Period Ending 04/30/2014		28292	\$339.38	100-41400-100	\$339.38
05/07/2014	Menards - Maplewood	Steel Door for warming house	28293	\$159.72	100-41940-220	\$159.72
05/07/2014	Metropolitan Council Env. Service	Wastewater Service May 2014	28294	\$3,701.31	605-43190-217	\$3,701.31
05/07/2014	Companion Animal Control LLC	March/April 2014	28295	\$100.00	100-42810-305	\$100.00
05/07/2014	Gopher State One Call	Locates - April 2014 (21 emails)	28296	\$30.45	601-42805-305	\$30.45
05/07/2014	Steve Dean Tree Trimming	Emergency Tree Removal	28297	\$300.00	100-43135-305	\$300.00
05/07/2014	City of Roseville	May 2014 IT/Phone Services	28298	\$417.50	100-41420-305	\$48.75
					100-41420-305	\$368.75
05/07/2014	Tennis Sanitation, LLC	Recycling Mar/April 2014	28299	\$1,656.00	100-43300-305	\$1,656.00
05/07/2014	On-Site Sanitation Inc	Rental Monthly Unit - April 2014 - TS Park	28300	\$76.26	100-45200-305	\$76.26
05/07/2014	City of Oakdale	First quarter 2014 shared services agreement	28301	\$17,679.54	100-41400-305	\$17,679.54
05/09/2014	TSE, INC	City Hall Janitorial Services 05/01/2014	28302	\$19.00	100-41940-305	\$19.00
05/09/2014	KEJ Enterprizes	December plowing	28303	\$3,157.00	100-43125-305	\$3,157.00
Total For Period				\$55,850.70		
Total Year To Date				\$183,180.01		

Fund Name: All Funds
 Date Range: 04/09/2014 to 05/09/2014

<u>Date</u>	<u>Remitter</u>	<u>Description</u>	<u>Receipt #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
04/09/2014	Wingfield, Mary	Dog License	1191	\$10.00	100-32240	\$10.00
04/09/2014	Burke, Molly	Dog License	1192	\$15.00	100-32240	\$15.00
04/09/2014	Engebretson, Charlene	Dog License	1193	\$10.00	100-32240	\$10.00
04/09/2014	Strobel, David	Dog License	1194	\$10.00	100-32240	\$10.00
04/09/2014	Winter, Phillip	Dog License	1195	\$10.00	100-32240	\$10.00
04/09/2014	Mitchell, Kim	Dog License	1196	\$10.00	100-32240	\$10.00
04/09/2014	Capra Utilities Inc.	Building Permit	1197	\$35.00	100-32210	\$35.00
04/09/2014	Engebretson, Charlene	Dock Assn	1198	\$35.00	210-36200	\$35.00
04/09/2014	Wash. County Courts - Fines	MMB ACH Mar 2014	1199	\$221.65	100-35100	\$221.65
04/16/2014	Trent's Mechanical Inc.	Building Permit	1200	\$92.00	100-32210	\$92.00
04/16/2014	Edwards, Paul	Building Permit	1201	\$99.75	100-32210	\$99.75
04/16/2014	Elias, John	Boat slip Permit Fee	1202	\$200.00	210-32260	\$200.00
04/16/2014	Hagan, Karen	Dog License	1203	\$10.00	100-32240	\$10.00
04/16/2014	Wyland, John	Dog License	1204	\$10.00	100-32240	\$10.00
04/16/2014	Herold, Gregroy	Building Permit	1205	\$70.25	100-32210	\$70.25
04/16/2014	CenturyLink	Refund	1206	\$146.85	100-36240	\$146.85
04/16/2014	Winters, John	Donation of Per Diem	1207	\$95.00	100-36230	\$95.00
04/23/2014	Freeberg, Scott	Leaf Pickup	1208	\$25.00	100-32250	\$25.00
04/25/2014	Miller, Joseph	Leaf pickup	1209	\$25.00	100-32250	\$25.00
04/25/2014	A Bear Heating & Air Conditioning	building permit - Donovan	1210	\$61.55	100-32210	\$61.55
04/25/2014	Residents - via St Anthony Village	U/B	1211	\$979.30	601-34110	\$288.80
					601-34170	\$12.63
					605-34190	\$677.87
04/25/2014	Residents - via St Anthony Village	U/B 04/25/14	1212	\$475.03	100-32250	\$25.00
					601-34110	\$205.79
					601-34170	\$4.77
					605-34190	\$239.47
04/30/2014	Winters, John	Leaf collection	1213	\$25.00	210-32250	\$25.00
04/30/2014	Pratt, Leanord	Leaf colection	1214	\$25.00	210-32250	\$25.00
05/02/2014	Newman, Mary	Leaf Pickup	1215	\$25.00	100-32250	\$25.00
05/07/2014	Mahoney, Susan	Leaf Pick up 2014	1216	\$25.00	100-32250	\$25.00
05/07/2014	Hanson, Lynn	Boat Slip fee 2014	1217	\$200.00	210-32260	\$200.00
05/07/2014	Klimp, Lori	Boat Slip Fee 2014	1218	\$200.00	210-32260	\$200.00

City of Birchwood Village

Receipts Register

05/09/2014

<u>Date</u>	<u>Remitter</u>	<u>Description</u>	<u>Receipt #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
05/07/2014	Ramsey/Washington Cable Commission	Cable Commission Annual Franchise fee Distribution	1219	\$5,428.88	100-33625	\$5,428.88
05/07/2014	Simmons, Mary Sue	Boat Slip Fee 2014	1220	\$200.00	210-32260	\$200.00
05/09/2014	Barnum, Jean Hegedus,, Noel	1221	\$25.00		\$25.00	
05/09/2014	Kaufmann, Charles	Case #14-9-vb	1222	\$206.00	100-36220	\$206.00
05/09/2014	Cox Contracting, LLC	Building Permit	1223	\$99.25	100-32100	\$99.25
Total For Period				\$9,105.51		
Total Year To Date				\$68,733.84		

As of 12/31/2014

General Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
General Property Taxes	\$326,299.00	\$4,579.87	(\$321,719.13)
Total Acct 310	\$326,299.00	\$4,579.87	(\$321,719.13)
Business Licenses and Permits	\$0.00	\$99.25	\$99.25
Total Acct 321	\$0.00	\$99.25	\$99.25
Building Permits	\$0.00	\$1,572.42	\$1,572.42
Dog Licenses	\$0.00	\$335.00	\$335.00
Spring Leaf Collection	\$0.00	\$900.00	\$900.00
Total Acct 322	\$0.00	\$2,807.42	\$2,807.42
Cable Comm. Grant	\$0.00	\$6,205.14	\$6,205.14
Total Acct 336	\$0.00	\$6,205.14	\$6,205.14
City Hall and Garage Rent	\$0.00	\$8.00	\$8.00
Total Acct 341	\$0.00	\$8.00	\$8.00
Fines	\$0.00	\$308.31	\$308.31
Total Acct 351	\$0.00	\$308.31	\$308.31
Miscellaneous	\$0.00	\$110.00	\$110.00
Total Acct 361	\$0.00	\$110.00	\$110.00
Interest Earnings	\$0.00	\$47.87	\$47.87
Zoning Permits	\$0.00	\$206.00	\$206.00
Contrib. and Donations-Private	\$0.00	\$495.00	\$495.00
Refund-Reimbursemnt-Dividend	\$0.00	\$1,055.98	\$1,055.98
Total Acct 362	\$0.00	\$1,804.85	\$1,804.85
Total Revenues	\$326,299.00	\$15,922.84	(\$310,376.16)
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
GENERAL GOVERNMENT	\$0.00	\$3,822.26	(\$3,822.26)
Total Acct 410	\$0.00	\$3,822.26	(\$3,822.26)
Publishing	\$2,080.00	\$300.46	\$1,779.54
Total Acct 411	\$2,080.00	\$300.46	\$1,779.54
City Council	\$4,200.00	\$954.90	\$3,245.10
Total Acct 413	\$4,200.00	\$954.90	\$3,245.10
Clerk - Treasurer	\$70,000.00	\$25,124.60	\$44,875.40
Elections	\$4,650.00	\$470.00	\$4,180.00
Office Operations/Supplies	\$3,175.00	\$2,841.71	\$333.29
Postage/Postal Permits	\$650.00	\$550.68	\$99.32
Total Acct 414	\$78,475.00	\$28,986.99	\$49,488.01
Financial Administration	\$400.00	\$300.00	\$100.00

City of Birchwood Villagerim Financial Report by Account Number (YTD)

05/09/2014

Accounting	\$2,000.00	\$0.00	\$2,000.00
Assessing	\$5,450.00	\$0.00	\$5,450.00
Total Acct 415	\$7,850.00	\$300.00	\$7,550.00
Legal Services	\$7,000.00	\$360.00	\$6,640.00
Engineer Service	\$7,000.00	\$2,911.05	\$4,088.95
Total Acct 416	\$14,000.00	\$3,271.05	\$10,728.95
Per Diem	\$600.00	\$475.00	\$125.00
Total Acct 418	\$600.00	\$475.00	\$125.00
OTHER GENERAL GOVERNMENT	\$0.00	\$917.85	(\$917.85)
Grants	\$0.00	\$919.00	(\$919.00)
Planning and Zoning	\$200.00	\$75.00	\$125.00
City Training and Development	\$3,163.00	\$0.00	\$3,163.00
City Hall-Gov't Buildings	\$9,000.00	\$2,140.17	\$6,859.83
City Insurance	\$8,190.00	\$0.00	\$8,190.00
Cable Eqpmt and Service	\$0.00	\$290.00	(\$290.00)
Newsletter	\$125.00	\$0.00	\$125.00
Total Acct 419	\$20,678.00	\$4,342.02	\$16,335.98
Police	\$48,000.00	\$68.38	\$47,931.62
Total Acct 421	\$48,000.00	\$68.38	\$47,931.62
Fire	\$21,000.00	\$5,985.00	\$15,015.00
Total Acct 422	\$21,000.00	\$5,985.00	\$15,015.00
Building Inspection	\$8,100.00	\$1,814.35	\$6,285.65
Total Acct 424	\$8,100.00	\$1,814.35	\$6,285.65
Other Protection	\$100.00	\$0.00	\$100.00
Animal Control	\$600.00	\$263.69	\$336.31
Total Acct 428	\$700.00	\$263.69	\$436.31
PUBLIC WORKS	\$0.00	\$1,561.50	(\$1,561.50)
Total Acct 430	\$0.00	\$1,561.50	(\$1,561.50)
Streets and Road Mntnc	\$6,000.00	\$316.80	\$5,683.20
Street Sweeping	\$4,000.00	\$0.00	\$4,000.00
Ice and Snow Removal	\$16,000.00	\$18,136.34	(\$2,136.34)
Tree Removal	\$5,000.00	\$510.00	\$4,490.00
Utility - Drain Structure Care	\$2,000.00	\$0.00	\$2,000.00
Street Lights	\$15,000.00	\$6,628.57	\$8,371.43
Sewer Utility	\$0.00	\$641.45	(\$641.45)
Total Acct 431	\$48,000.00	\$26,233.16	\$21,766.84
Recycle	\$10,000.00	\$4,968.00	\$5,032.00
Total Acct 433	\$10,000.00	\$4,968.00	\$5,032.00
Lawn Care/Mntnc	\$13,000.00	\$293.56	\$12,706.44
Total Acct 450	\$13,000.00	\$293.56	\$12,706.44
Recreation	\$1,700.00	\$2,115.78	(\$415.78)
Total Acct 451	\$1,700.00	\$2,115.78	(\$415.78)
Parks	\$16,000.00	\$6,981.52	\$9,018.48
Total Acct 452	\$16,000.00	\$6,981.52	\$9,018.48
CONSERVATION - NATURAL RESOURC	\$1,916.00	\$0.00	\$1,916.00
Total Acct 461	\$1,916.00	\$0.00	\$1,916.00

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

05/09/2014

MISCELLANEOUS	\$0.00	\$109.57	(\$109.57)
Total Acct 490	\$0.00	\$109.57	(\$109.57)
Total Disbursements	\$296,299.00	\$92,847.19	\$203,451.81
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$568,328.07	
Cash Balance as of 12/31/2014		\$491,403.72	

As of 12/31/2014

Special Rev Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Dock/Lift Permit Fee	\$0.00	\$1,800.00	\$1,800.00
Total Acct 322	\$0.00	\$1,800.00	\$1,800.00
MISCELLANEOUS REVENUES	\$0.00	\$35.00	\$35.00
Total Acct 362	\$0.00	\$35.00	\$35.00
Total Revenues	\$0.00	\$1,835.00	\$1,835.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Parks	\$0.00	\$674.70	(\$674.70)
Total Acct 452	\$0.00	\$674.70	(\$674.70)
MISCELLANEOUS	\$0.00	\$35.00	(\$35.00)
Total Acct 490	\$0.00	\$35.00	(\$35.00)
Total Disbursements	\$0.00	\$709.70	(\$709.70)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$11,477.21	
Cash Balance as of 12/31/2014		\$12,602.51	

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

05/09/2014

As of 12/31/2014

Spec Rev - Warm House

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
MISCELLANEOUS REVENUES	\$0.00	\$412.43	\$412.43
Contrib. and Donations-Private	\$0.00	\$550.00	\$550.00
Total Acct 362	\$0.00	\$962.43	\$962.43
Total Revenues	\$0.00	\$962.43	\$962.43
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
MISCELLANEOUS	\$0.00	\$962.43	(\$962.43)
Total Acct 490	\$0.00	\$962.43	(\$962.43)
Total Disbursements	\$0.00	\$962.43	(\$962.43)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$0.00	
Cash Balance as of 12/31/2014		\$0.00	

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

05/09/2014

As of 12/31/2014

Sewer 2004 Bonds	<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:			
Bond Payment	\$0.00	\$629.07	(\$629.07)
Total Acct 471	\$0.00	\$629.07	(\$629.07)
Total Disbursements	\$0.00	\$629.07	(\$629.07)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$30,184.92	
Cash Balance as of 12/31/2014		\$29,555.85	

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

05/09/2014

As of 12/31/2014

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:			
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		\$745.04	
Cash Balance as of 12/31/2014		\$745.04	

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

05/09/2014

As of 12/31/2014

Sewer Re-hab 2008 Debt

	<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		\$2,499.10	
Cash Balance as of 12/31/2014		\$2,499.10	

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

05/09/2014

As of 12/31/2014

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		\$5,726.27	
Cash Balance as of 12/31/2014		\$5,726.27	

As of 12/31/2014

Water Enterprise Fund	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Water Fee	\$0.00	\$17,908.83	\$17,908.83
Penalty - Late Water/Sewer	\$0.00	\$175.41	\$175.41
State and Misc fees	\$0.00	\$709.34	\$709.34
Total Acct 341	\$0.00	\$18,793.58	\$18,793.58
Interest Earnings	\$0.00	\$0.90	\$0.90
Total Acct 362	\$0.00	\$0.90	\$0.90
Total Revenues	\$0.00	\$18,794.48	\$18,794.48
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Office Operations/Supplies	\$0.00	\$106.64	(\$106.64)
Postage/Postal Permits	\$0.00	\$126.06	(\$126.06)
Total Acct 414	\$0.00	\$232.70	(\$232.70)
Financial Administration	\$0.00	\$1,732.01	(\$1,732.01)
Total Acct 415	\$0.00	\$1,732.01	(\$1,732.01)
Utility Locates	\$0.00	\$187.50	(\$187.50)
Total Acct 428	\$0.00	\$187.50	(\$187.50)
Water Utility	\$0.00	\$22,790.04	(\$22,790.04)
Wtr/Swr Emergency	\$0.00	\$26,295.00	(\$26,295.00)
Total Acct 431	\$0.00	\$49,085.04	(\$49,085.04)
Total Disbursements	\$0.00	\$51,237.25	(\$51,237.25)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$23,834.51	
Cash Balance as of 12/31/2014		(\$8,608.26)	

As of 12/31/2014

Sewer Enterprise Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Penalty - Late Water/Sewer	\$0.00	\$273.73	\$273.73
Sewer Fee	\$0.00	\$30,940.86	\$30,940.86
Total Acct 341	\$0.00	\$31,214.59	\$31,214.59
Interest Earnings	\$0.00	\$4.50	\$4.50
Total Acct 362	\$0.00	\$4.50	\$4.50
Total Revenues	\$0.00	\$31,219.09	\$31,219.09
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Office Operations/Supplies	\$0.00	\$106.64	(\$106.64)
Postage/Postal Permits	\$0.00	\$126.06	(\$126.06)
Total Acct 414	\$0.00	\$232.70	(\$232.70)
Financial Administration	\$0.00	\$1,732.01	(\$1,732.01)
Total Acct 415	\$0.00	\$1,732.01	(\$1,732.01)
Engineer Service	\$0.00	\$225.00	(\$225.00)
Total Acct 416	\$0.00	\$225.00	(\$225.00)
Sewer Utility	\$0.00	\$34,604.66	(\$34,604.66)
Total Acct 431	\$0.00	\$34,604.66	(\$34,604.66)
Total Disbursements	\$0.00	\$36,794.37	(\$36,794.37)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$40,829.33	
Cash Balance as of 12/31/2014		\$35,254.05	

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

05/09/2014

As of 12/31/2014

Sewer Infrastructure

	<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		\$30,000.00	
Cash Balance as of 12/31/2014		\$30,000.00	

As of 05/09/2014
 Fiscal Year:2014

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursements</u>	<u>Ending Balance</u>
General Fund	\$568,328.07	\$15,847.84	\$92,847.19	\$491,328.72
Special Rev Projects	\$11,477.21	\$1,910.00	\$709.70	\$12,677.51
Spec Rev - Warm House	\$0.00	\$962.43	\$962.43	\$0.00
Sewer 2004 Bonds	\$30,184.92	\$0.00	\$629.07	\$29,555.85
Birchwood In Re-hab Bond	\$745.04	\$0.00	\$0.00	\$745.04
Sewer Re-hab 2008 Debt	\$2,499.10	\$0.00	\$0.00	\$2,499.10
Cap Project - PW	\$5,726.27	\$0.00	\$0.00	\$5,726.27
Water Enterprise Fund	\$23,834.51	\$18,794.48	\$51,237.25	(\$8,608.26)
Sewer Enterprise Fund	\$40,829.33	\$31,219.09	\$36,794.37	\$35,254.05
Sewer Infrastructure	\$30,000.00	\$0.00	\$0.00	\$30,000.00
Total	\$713,624.45	\$68,733.84	\$183,180.01	\$599,178.28



MEMORANDUM

TO: Birchwood City Council
FROM: Chris Mickelson, City Clerk
DATE: April 29, 2014
SUBJECT: Excessive Use Discussion

At the January 14, 2014 Birchwood City Council meeting, the Council discussed potential City Code language that could be implemented to address nuisance properties located in Birchwood Village. City Attorney Alan Kantrud provided language from Maplewood's City Code that is used to address similar issues in Maplewood.

Following the January meeting, Mayor Wingfield, Councilmember LaFoy, and City Attorney Kantrud continued with efforts to address problem properties in Birchwood Village. Possible options for addressing recurring landlord and tenant issues were also discussed.

At the Council meeting on May 13, 2014, the Council will revisit this discussion and consider delegating the next steps of this process to City Attorney Kantrud.

ORDINANCE 2014-05-01

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

AN ORDINANCE ADDING DANGEROUS DOG LANGUAGE TO CITY CODE

The City Council of the City of Birchwood Village hereby ordains that Chapter 605 (Animals) of the Municipal Code of the City of Birchwood Village is hereby adopted to read as follows:

605.085. REGULATION OF DANGEROUS DOGS. The city shall, by reference, adopt the provisions of Minnesota Statute 347.50-347.565 with respect to the regulation of dangerous dogs. Where statute makes reference to "county" regulating authority it is the intention of the city to adopt a reference to "city" regulating authority.

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

Adopted by the City of Birchwood Village City Council this ___ day of _____, 2014

Mary Wingfield
Mayor

Attest:

Chris Mickelson
City Clerk

ORDINANCE 2014-05-02

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

**AN ORDINANCE ADDING PENALTY FOR MISDEMEANOR LANGUAGE TO CITY
CODE**

The City Council of the City of Birchwood Village hereby ordains that Chapter 619 (Penalty) of the Municipal Code of the City of Birchwood Village is hereby adopted to read as follows:

619.015. PENALTY. Whenever in this Code or in any ordinance of the city any act is prohibited, or is made or declared to be unlawful or a misdemeanor, or whenever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful or a misdemeanor, where no specific penalty is provided therefore, the violation of any such provision of this Code or any ordinance shall be punishable by a fine of not more than One Thousand Dollars (\$1000.00) or imprisonment for a period of not exceeding ninety (90) days, or both. Each day any violation of any provisions of this Code or of any ordinance shall constitute a separate offense.

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

Adopted by the City of Birchwood Village City Council this __ day of _____, 2014

Mary Wingfield
Mayor

Attest:

Chris Mickelson
City Clerk

RESOLUTION 2014-14

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

A Resolution Authorizing a Transfer of \$40,739.44 to Capital Projects - Public Works

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, May 13, 2014, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Greg Donovan, Bill Hullsiek, Randy LaFoy, and Kevin Woolstencroft, and the following absent: none, the Birchwood City Council resolved:

WHEREAS, each year staff budgets certain operating and debt service transfers between funds; and,

WHEREAS, each year, staff evaluates existing funds and identifies those funds in which all activity has concluded and obligations have been satisfied; and

WHEREAS, excess funds in the amount of \$40,739.44 from the 2013 budget remain in the General Fund (refer to the attached Cash Control Statement).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby authorizes the transfer of \$40,739.44 from the General Fund to Capital Projects - Public Works to cover costs associated with 2014 road maintenance.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 13th day of May, 2014.

Mary Wingfield
Mayor

Attest:

Chris Mickelson
City Clerk

For the Period 01/01/2013 to 12/31/2013

Name of Fund	Beginning Balance	Total Receipts	Total Disbursed	Ending Balance	Less Deposits In Transit	Plus Outstanding Checks	Total Per Bank Statement
General Fund	\$527,588.63	\$362,424.05	\$321,684.61	\$568,328.07			
Special Rev Projects	\$13,756.91	\$19,426.39	\$21,706.09	\$11,477.21			
Spec Rev - Warm House	\$0.00	\$14,426.10	\$14,426.10	\$0.00			
Sewer 2004 Bonds	\$0.00	\$58,706.05	\$28,521.13	\$30,184.92			
Birchwood In Re-hab Bond	\$0.00	\$1,673.08	\$928.04	\$745.04			
Sewer Re-hab 2008 Debt	\$0.00	\$27,926.30	\$25,427.20	\$2,499.10			
Cap Project - PW	\$44,571.00	\$58,262.99	\$97,107.72	\$5,726.27			
Water Enterprise Fund	\$31,968.02	\$64,052.55	\$72,186.06	\$23,834.51			
Sewer Enterprise Fund	\$115,000.00	\$87,234.62	\$161,405.29	\$40,829.33			
Sewer Infrastructure	\$0.00	\$30,000.00	\$0.00	\$30,000.00			
Total	\$732,884.56	\$724,132.13	\$743,392.24	\$713,624.45	\$2,797,997.33	\$3,258,739.45	\$1,174,366.57

RESOLUTION 2014-15

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

A Resolution Accepting and Implementing the Budget Handbook for 2014

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, May 13, 2014, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Greg Donovan, Bill Hullsiek, Randy LaFoy, and Kevin Woolstencroft, and the following absent: none, the Birchwood City Council resolved:

WHEREAS, the Birchwood City Council is charged with providing services for the Village residents; and,

WHEREAS, to pay for these services, the City has the authority to levy taxes, impose fees, receive intergovernmental grants, and accept donations; and

WHEREAS, the Birchwood Levy Budget Handbook was developed to provide insight to persons charged with producing future budgets for the City of Birchwood Village.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby accepts and implements the Birchwood Levy Budget Handbook.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 13th day of May, 2014.

Mary Wingfield
Mayor

Attest:

Chris Mickelson
City Clerk

Birchwood Levy Budget Handbook
October 2009
Revised April 2014

Purpose of This Handbook

This handbook is developed to provide insight to those persons charged with producing future budgets for Birchwood. The handbook captures factors that affect how much should be budgeted for each service and obligation of the village. It is not intended to set the budget, but to guide the process for creating the budget.

In the future (hopefully, for the 2015 budget cycle), an explanation of the non-levy line expenditures will be added.

Budget Justification

As the local governing body, the Birchwood Council and Mayor are charged with providing services for the Village residents. To pay for these services, the city has the authority to levy taxes, impose fees, receive intergovernmental grants, and accept donations.

Desired Outcomes of the Birchwood Budget

It is important to describe what outcomes the budget will be used to achieve. Once the outcomes are identified, the next step is to determine how much budget should be allocated to each. Following is an initial draft of potential outcomes:

- o Promote the health, safety, and quality of life of citizens.
 - Provide for public safety.
 - Create an environment that makes the village an attractive place to live.
 - Provide facilities for recreational activities.
- o Provide accessible, high-quality services in a timely and respectful manner.
 - Provide the basic services essential to making the village a more desirable place to live.
- o Address today's needs while proactively planning for the future.
- o Maintain the public trust through responsible use of public resources, accountability, and openness of government.
- o Satisfy mandates from other government bodies.

Guidelines for Managing the Budget

This is an important section to the handbook-- it is the policy guidance for crafting the budget. The statements that have been included are a good place for the Council to start in agreeing to a set of guidelines. Specifically:

- o Use zero-based budgeting process.
- o Keep taxes at a justifiable level

- Published budget will explain '*why*' the item is funded at this amount.
- Published budget will support a need for the funded amount
- Budget items will be transparent, i.e. each item will reside in proper category.
- Service contracts will be reviewed and managed for effectiveness.
- Services will be provided that meet the city's expectations.
- When practicable, contracts should be awarded after obtaining three competing bids.
- Any budget surplus should be carried over to the next year to reduce the same line item expense for the following year.
- Year-to-date expenses must be reported to support the item above
- Budget growth forward should be less than or equal to the rate of inflation as reflected by the Consumer Price Index (CPI).
- Set a target for the budget amount the city hopes to achieve
 - E.g. Year 2010 budget attempted to get back to the \$300k level.
 - E.g. In general no growth, but add amount for major improvement.
 - In general, these improvements will be identified in the Capital Improvement Plan (CIP), a subsection of the Village's Comprehensive Plan.
- Budget must factor in dock usage income.
- Budget will be drafted by August each year - timely for the taxing process.
- Expenses must balance with the levy amount. Deficit spending should be avoided, but if done, must be supported by council resolution justifying the net loss.
- Finance Committee should set target balances for funds that consider state guidelines as well as village needs.

Birchwood is a community of fixed size with no commercial activity. As a general rule, there is little reason why the village budget would grow more than the rate of inflation. If the community does, however, decide to embark on a major improvement, that item should be highlighted and covered in the budget and then removed in the year the improvement is finished.

Here is a list of financial management guidelines from the Washington County Budget. We suggest adopting some of these for Birchwood.

- *To focus on providing core services and programs well*
- *To distinguish between programs that are critical to perform versus those that are not*
- *To identify programs that could be reduced or phased out over time*
- *To focus on tangible outcomes*
- *To foster excellence in customer service*
- *To maintain financial integrity*
- *To identify areas where technology could improve service, reduce the need for additional staff, or streamline operations*
- *To maintain a stable property tax levy when securing large expenditures*

At the time this Handbook is written, Birchwood is well positioned with financial reserves in multiple funds. Thanks to strong stewardship, the village is financially secure, presenting a strong position from which to practice zero-based budgeting.

Budget Analysis

We recommend that Birchwood carefully analyze its budget each year. This would involve two separate processes: one for outside service contracts and one for line items handled directly by the city.

We recommend that each service be reviewed every three years. This review should be set up on a rotating basis, so about 2-3 service contracts are evaluated each year.

Budgeted item amounts should be determined by scrutinizing each line item and answering the following questions:

- o How much was this line item last year?
- o What is its historical level looking back over the past 5-10 years?
 - How does the increase in amount compare to inflation over this period?
- o Why do we need this line item?
- o If we do need it, does it need to cost this much?
 - What do our neighboring communities pay per capita on this item?
 - Can we get the same service elsewhere at a lower cost?
 - Share with a neighboring community?
 - Put the service out for bid?

Collaborating with Outside Providers of Services

As Birchwood is a small community, it reaches outside itself for the provision of many services. Effective collaboration with these outside providers requires effective dialog with each during each budget cycle. The following is a list of organizations that Birchwood has historically worked with to obtain services. These organizations will provide an estimate for budgeting purposes.

- o League of Minnesota Cities
- o White Bear Transit
- o Northeast Youth and Family Services
- o LMCIT (insurance)
- o White Bear Fire
- o Washington County Sheriff's Office
- o Tennis Sanitation
- o Washington County - Assessor's fees

Budgeting Procedure

The following factors relate to properly preparing the yearly budget:

- o The Council is responsible for setting the Budget.

- o The Council should review the following prior to setting the Budget
 - Prior budget and year-end expenditure report.
 - Current budget and year-to-date expenditures.
- o The certified preliminary budget must be submitted to the County by 15 September.
 - The amount submitted can be lowered later, but not increased.

The first year of the budget analysis process incorporated a different approach to drafting the city budget. Target numbers were based on expected bids for contracts using industry standards or alternative contract expectations. Relying on past practices and expenditures was not used as a determinative factor to future spending. Zero based budgeting also allows better tracking of sums paid out to service providers. For example, in 2008 the city paid \$20,000 for miscellaneous expenses for handyman services, \$8000 for lawn services, and approximately \$1300 for locates. By bidding out the position on a flat fee, the city can budget it expenses more precisely as well as obtain a better price by competitive bidding. The city can then use quarterly expense reports for making an accurate analysis for future years.

Budget Components

The following sections represent the components of the budget year. The items have been grouped under: required services, discretionary services, and other government mandates. It is certainly possible that budget line items may come and go, but this list should be a good starting point for any budget setting discussions.

1. Core Services

Required services are those things residents would expect their community to provide, i.e. those things essential to community living. The following items fit this category:

- o **Public Safety**

Public safety is a primary concern for any community. It is essential that the community has fire and police protection. Fortunately, such services can be procured from neighboring communities without the high costs associated with having the community provide these services on its own.

 - **Fire**

For some time now, Birchwood has obtained fire protection services from White Bear Lake. These charges have been reasonable when compared to our peer communities. Future budgets should watch that the rate of growth does not exceed the rate of inflation.

The current fire contract was renewed January 1, 2013. The term of the contract is five years. If the city wants to terminate the contract it must give two years notice.

- **Police**

The new law enforcement contract was entered into with the Washington County Sheriff's Office for 2014. It is an annual contract with a 180 day notice provision for termination.

- o **Roads**

The village roads are essential and are the responsibility of the village. The following costs must be covered:

- Street Sweeping - \$5,000 for 2010, \$4,200 for 2013
- Snow Removal (including sand and salt) - \$13,000 for 2010, \$13,500 for 2013
- Crack Sealing - \$2,000 for 2010, \$8,500 for 2013
- Miscellaneous - \$4,000 for 2010, \$1,300 for 2013
- Seal all village roads in 2013 and 2014 – estimated at \$60,000 total.
 - Set \$30,000 aside in road capital improvements each year so the streets can resealed every five or six years without a bump in the levy

The roads committee, formed in 2013, has done much work in ensuring the long-term viability of our infrastructure. As a result we anticipate much lower repair costs and have eliminated the need for rebuilding any roads in the next two decades.

- o **Street Lights**

Birchwood contracts with Xcel Energy for its streetlights. Birchwood has 23 ornamentals, which cost 76% more than the norm and give off substantially less light, so they are closer together. We have 62 others that cost \$9.30/mo. or about \$112/year. With new, more efficient technology (e.g. LED lights), the city should research what is the most cost effective approach to providing this service.

When looking into ways to reduce street light costs, Xcel provided the following recommendations:

My upfront recommendation would be to see how receptive the residents in Birchwood would be to having a streetlight removed, especially if the streetlight has been in front of their home for a long time. In my experience, residents get comfortable with having a streetlight; it makes them feel safe at night. With crime plastered all over the news, some people may not like the idea of reducing street lighting. My recommendation is the following:

- *Determine how much of a financial reduction you want from removing the street lights*
- *Hold a citizen forum or council meeting to determine potential road blocks*
- *Identify potential areas that need to have street lighting, i.e. high crime areas, highly traveled area etc. The direction you take will more than likely get from the citizen forum or council meeting.*

- *Communication plan - How will you let the citizen of Birchwood know the plan of council and the plans to move forward?*
- *Long range street lighting planning. Develop a long-range plan for street lighting to will hold for many years. This could be the following:*
 - *Max wattage per streetlight - 100W HPS, 150W HPS...*
 - *Street light locations - mid block, corner...*
 - *Requesting a streetlight.*
 - *Who pays for the installation*

o **Garbage**

Whereas garbage used to be handled through the village, it now is handled by private agreements between the residents and Tennis Sanitation. There is, therefore, no line item for this in the budget. The garbage contract was recently renewed for four years with no price increase. The next renewal is January 1, 2018.

The village incurs no garbage collection cost at this time as the contract specifies that collection of the village's garbage is done for no charge.

o **Elections**

Birchwood serves as the polling station for its residents for elections. Elections require paid election judges in even years only. There is also some maintenance expense associated with elections.

- **Judges** (even years only)
- **Maintenance**

The yearly budget should include a line item for elections that averages the cost of elections. This avoids a continuing fluctuation between even and odd years and ensures a stable source of funding.

o **General Government**

Birchwood must cover the costs of running its own government. These costs include the following:

- **Staff Salaries**

Clerk—contract price through the City of Oakdale at a flat fee of \$70,700 per year, no costs for unemployment, workers comp, seminars and training. The increase for 2015 will be 2.5%.

Treasurer—contract price through the City of Oakdale at a hourly rate that averages 24 hours per month at \$17.50 for a total of \$5,000 per year.

- **Mayor**

The Mayor receives a small stipend for serving.

- **Council**

There are 4 council members who receive a small stipend each.

- **Planning Commission**
In 2010, the budget committee recommended the Planning Commission be paid a per diem. The matter has not been addressed by the council
 - **Legal (Civil and Criminal)**
As a government body, Birchwood must fulfill certain civil legal responsibilities. The League of Minnesota Cities sometimes represents the city in civil legal claims.
The city council initiated an RFP for legal services and retained Alan Kantrud as of January 1, 2014 for all legal needs.
 - **Village Handyman**
The city contracts with KEJ for general labor, including mowing, at a rate of \$45/hour.
 - **Hall Maintenance**
Hall maintenance (cleaning) is contracted through TSE, Inc.
 - **Supplies**
Birchwood requires a modest amount of supplies for its operation.
 - **Insurance**
Insurance for the village is a requirement and is purchased through LMCIT
- o **Sewer & Water**
Sewer and Water are other required services. They, however, are not part of the yearly budget, but are handled through a separate billing process (done on a quarterly basis). Also, there is a separate reserve fund in place for each of these services. These funds are viewed as essential as both sewer and water systems can experience failures that result in very high costs. The fund balances have been reviewed from time to time by St Anthony staff and the city clerk. Together, they will continue to address any needed fee changes.

In addition, the city incurs the following sewer and water costs:

Certified water operator

As of 2013, the city contracts with John Manship for this service. John has over 40 years of experience working in Birchwood. He provides 24/7 coverage for water breaks and other plumbing problems. He also provides water samples to the Department of Health as required. These costs are covered through the water fund and are not levied.

Sewer Maintenance

The city contracts with the City of White Bear Lake for these services. The current coverage is for inspections three times per week with additional repair services provided as needed. These costs are covered through the sewer fund and are not levied.

2. Discretionary Services

Discretionary services are those things that the Council chooses to pursue, but are not essential services for the village. If the budget were extremely tight for some reason, these are items that could be reconsidered.

- o **League of Minnesota Cities**

The League of Minnesota Cities is an excellent resource if ever the village encounters an issue or situation that it does not know how to handle. The fee to belong appears to be money well spent.

- o **White Bear Transit**

White Bear Transit provides transportation for Birchwood residents who are not able to drive themselves. Again money well spent.

- o **Northeast Youth and Family Services**

Formerly known as White Bear Community Counseling, NYFS provides mental health services to those communities who join. Birchwood residents do use the service. Better visibility of the service should be provided.

The fee for this service is based upon a 3-year sliding average that combines the city population as a percent of the service area with the actual usage of services over the 3-year period.

- o **Engineer**

From time to time Birchwood requires engineering advice on how to proceed with certain projects. These services can be contracted for. It is important to obtain the services of someone who does not profit from recommending projects for the village to undertake.

The city council sought RFPs for engineering services and retained Thatcher engineering in 2013 for all its engineering needs.

- o **Equipment**

The village has a very modest amount of equipment and needs very little.

- o **Capital Improvements**

The city has a 10-year capital improvement plan (CIP). The capital improvement line item in the levy budget should come from the CIP. The CIP then needs to be updated on an annual basis as part of the budget process.

In 2009, a Finance Committee was formed to develop a recommended strategy to fund the capital needs of the city. That strategy will become a part of an overall Financial Management strategy.

Having not yet seen the report from the Finance Committee, it is our recommendation that these projects be specifically named and their costs

estimated in advance. If quite large, the money for them can then be accumulated over a number of years in advance of the project.

- E.g. the budget now contains \$30,000 each year for sealing and crack filling all roads in Birchwood.
- E.g. money has been accumulated in the past to refurbish the tennis courts.

o **Culvert/Catch Basin Cleanouts**

Culverts may need cleaning occasionally. Catch basins need cleanout on a regular basis. This cleanout requirement means the village should carefully consider how many catch basins it installs, as this becomes an ongoing cost.

o **Continuing Education**

It is useful for the mayor, council, and/or clerk to receive continuing education related to governing the village. Someone should attend useful conferences or seminars each year to remain up-to-date.

o **Trees**

Trees in Birchwood require inspection on a yearly basis to identify diseased trees on either private or public land. When on public land, the village will also need to cover the tree removal cost.

o **Parks**

Birchwood parks require yearly upkeep. The city contracts with KEJ at an hourly fee of \$45 as needed to keep the city parks maintained. Mowing services were shifted to an hourly rate in 2014. This was done to avoid mandatory mowing during extended dry spells. The annual cost should be reviewed regularly to ensure costs are within reason. The cost in 2013 was about \$7500, not including spring and fall clean-up.

The city council manages the maintenance and ongoing yearly expenses (e.g. port-a-potties) and regular maintenance. The Parks committee gives the city clerk input as to which items it is requesting be addressed; the city clerk is ultimately responsible for all decisions.

The Hockey rink is funded by the budget levy. Annual operating expenses have fluctuated between \$5000 - \$8000 per season. Although many outside the city benefit from this resource, the council believes it is a good use of public monies to fund the rink. The Parks committee has now requested the city take over management of the rink. The city council will do so starting in the winter of 2014-15. The budget committee recommends the city inquire as to what other communities are paying for maintaining the rink and providing supervision to aid in its decision of how to manage the rink.

The city receives approximately \$5000 per year from boat and lift storage fees. The Parks committee has been asked to propose projects that will utilize those funds for projects that enhance the city's parks and recreation.

Music in the Parks was started in 2011. Ten concerts at \$150 per event are held. In 2014, the Parks committee has been charged with overseeing the events and reporting back to the council on the amount of participation and support for each event. The Budget committee believes these events enhance the city's lifestyle and would be appropriately funded through the dock fees.

In 2012, the council opted to adopt a policy to pay a per diem of \$10 per meeting. The parks committee opted out of that program for 2014.

The council is now holding an annual volunteer recognition event to bring parity to the various volunteer groups and show proper recognition. Staff should review per diems (planning commission and parks and roads committees) and make a recommendation to the council for how it should address volunteer recognition for future years.

o **Zoning and Building Inspections**

The city currently contracts with White Bear Lake for these services. Industry standards provide that building permit fees cover inspection costs and generate a small amount of income for the city. In most years the city has run a deficit with the current arrangement. Staff should investigate alternative services to ensure the most cost effective approach.

The annual contract renew as of September 30 for the following calendar year.

o **Animal Control**

Animal control is an on-call service and is provided, as needed, for dog pick up. The cost is \$50 per month for such and is an expense in the Levy Budget. Costs are partially covered by dog license fee. Pick up/impound charges are borne by the animal's owner.

3. Other Government Mandates

Birchwood is required to support mandates passed by other governmental bodies. Such mandates lead to the following budget items:

o **Recycling**

Recycling is a state mandate. The city should periodically solicit bids for this service. Birchwood contracts for this service with Tennis Sanitation. The contract was competitively bid and expires April 30, 2018.

- o **WBL Conservation District**
As community located on White Bear Lake, Birchwood is obligated to support the White Bear Lake Conservation District, which addresses issues that affect all communities located on the lake.
- o **Met Council Environmental fund (sewer processing costs)**
Birchwood is obligated to support the Metropolitan Council Environmental fund. This money, however, comes out of the sewer fund that is managed separately from this general budget.
- o **Legal Publishing**
As an established government body, Birchwood is obligated to publish certain actions in order to conform to the law.
- o **Assessor**
Birchwood is obligated to re-evaluate 1/5 of its properties each year. The assessor also determines if the city's valuations should go up or down as a whole based on the market sales ratio. This service is currently provided by Washington County. This is a service that could be let out for bid.

3. Other Financial Considerations.

Other items that relate to village finances:

- o **Reserve Funds**
Birchwood has five reserve funds in place: sewer, water, public works, capital improvements, and general fund.
- o **Dog Licenses**
Dog license fees are based on being self-sustaining. The licenses now cover a two year period. Rabies vaccines are required every three years.
- o **Leaf Pick up**

The city council approved a pilot leaf pick-up program in the fall of 2013. The city council believes this is a mutual benefit to the residents and the city by reducing the impact of nutrients decaying and entering White Bear Lake. The cost was borne by the city to gauge the level of interest and evaluate what type of payment system it would adopt in future years. The city is looking for a cost sharing approach to future fall leaf pick up. A voluntary cost splitting for the fall pick up has not been resolved yet. The cost for 2013 was \$6000.

A spring pick up for 2014 was approved with costs being borne 100% by the individual users.

RESOLUTION 2014-16

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

**A Resolution Authorizing the Addition of \$25.00 to Individuals' Second Quarter 2014
Utility Billing Accounts for Spring Leaf Collection when Pre-Payment was not Received**

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, May 13, 2014, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Greg Donovan, Bill Hullsiek, Randy LaFoy, and Kevin Woolstencroft, and the following absent: none, the Birchwood City Council resolved:

WHEREAS, the City of Birchwood Village provided spring leaf collection services for residents living in Birchwood Village; and,

WHEREAS, this leaf collection was a pre-pay service with a cost of \$25.00; and

WHEREAS, residents who chose to not pre-pay had the option to have their leaves collected and be billed by the City at a later date; and,

WHEREAS, the most convenient billing mechanism is to add this \$25.00 cost for residents who have not paid for leaf collection services to their second quarter 2014 utility bill.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby authorizes the addition of \$25.00 to individuals' second quarter 2014 utility billing accounts for spring leaf collection when pre-payment was not received.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 13th day of May, 2014.

Mary Wingfield
Mayor

Attest:

Chris Mickelson
City Clerk

RESOLUTION 2014-17
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA

**A Resolution Authorizing the Addition of \$200.00 to Individuals' Second Quarter 2014
Utility Billing Accounts for Dock Use when Individuals have not Paid by June 1, 2014**

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, May 13, 2014, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Greg Donovan, Bill Hullsiek, Randy LaFoy, and Kevin Woolstencroft, and the following absent: none, the Birchwood City Council resolved:

WHEREAS, residents of the City of Birchwood Village using boat lifts at City easements pay the City \$200 each year; and,

WHEREAS, not all residents pay this \$200.00 cost at the beginning of the summer season; and

WHEREAS, the most convenient billing mechanism is to add this \$200.00 cost for residents who have not paid for dock use by June 1, 2014 to second quarter 2014 utility bills.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby authorizes the addition of \$200.00 to individuals' second quarter 2014 utility billing accounts for dock use when payment has not been received by June 1, 2014.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 13th day of May, 2014.

Mary Wingfield
Mayor

Attest:

Chris Mickelson
City Clerk