

**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
AUGUST 13, 2019**

MINUTES

MEMBERS PRESENT: Mayor Mary Wingfield; Council Members: Kevin Woolstencroft, Jonathan Fleck, Randy LaFoy, and Jessi Aakre.

STAFF PRESENT: Tobin Lay, City Administrator; Alan Kantrud, City Attorney; Steve Thatcher, City Engineer.

OTHERS PRESENT: Judy Duffy (505 Lake Avenue), Justin McCarthy (515 Lake Avenue), Joe Mereness.

Mayor Wingfield called the regular meeting to order at 7:00pm. The pledge of allegiance was recited.

AGENDA APPROVAL

- A. **Mayor Wingfield:** Added discussing the cable contract to the agenda.

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

OPEN PUBLIC FORUM

- A. **Judy Duffy (505 Lake Avenue):** Addressed agenda item regarding posts on Kay Beach and provided history. She spoke on other safety concerns as well.
- B. **Justin McCarthy (515 Lake Avenue):** Agreed with the concerns made by Mrs. Duffy; particularly regarding unleashed dogs at Kay Beach and motorized boats picking people up at the Kay Beach dock within close proximity to swimmers. He suggested placing signage.

ANNOUNCEMENTS

- A. White Bear Lake Conservation District Meetings now streaming on Birchwood Cable Channel every 3rd Tuesday. Also available on playback Tuesdays at 3:00pm, Thursdays at 5:00pm, & Saturdays at 7:00pm.
- B. 2019 Tree Inspections to take place in August 2019. Each property in Birchwood Village will be inspected for tree diseases.
- C. Deer Management Town Hall Meeting will take place September 12th, 2019 at 7:00pm in City Hall.
- D. Reminder to check lost and found at City Hall if you have lost something; bring to lost and found if you find something.
- E. Follow Birchwood on Facebook, Twitter, & sign up for email newsletter.

CONSENT AGENDA

- A. Approve Regular Meeting Minutes from July 9, 2019
- B. Appoint Tree Inspector & Tree Disease Ordinance
- ~~C. Approval of Resolution 2019-20, Hiring & Appointment of Treasurer Deputy Clerk~~
- ~~D. Approve Treasurer's Report~~

MAYOR WINGFIELD REQUESTED TO PULL CONSENT AGENDA ITEMS C AND D TO DISCUSS INDIVIDUALLY. MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCIL MEMBER FLECK TO APPROVE THE CONSTENT AGENDA AS AMMENDED. ALL AYES. MOTION PASSED.

PULLED CONSENT AGENDA ITEMS

- A. **Approval of Resolution 2019-20, Hiring & Appointment of Treasurer-Deputy Clerk**
 - 1. **Administrator Lay:** Recapped that he and Councilmember Fleck interviewed 4 candidates for the position. Both he and Fleck recommend Council hire candidate Andy Gonyou effective 8/14/2019 and be paid \$17.00 per hour. Stated candidate had already cleared background check.
 - 2. **Mayor Wingfield:** Confirmed with councilmember Fleck that the recommendation was unanimous.

MOTION WAS MADE BY COUNCILMEMBER AAKRE AND SECONDED BY COUNCILMEMBER FLECK TO APPROVE RESOLUTION 2019-20. AYES: COUNCILMEMBERS AAKRE, FLECK, WOOLSTENCROFT, MAYOR WINGFIELD. OBSTENSION: LAFOY. MOTION PASSED.

- B. **Approve Treasurer's Report**
 - 1. **Mayor Wingfield:** Reminded council and administration that Birchwood Village signed contract with a solar energy provider in 2018 and stated the solar company recently began producing power. She asked that the Treasurer investigate why the City is still paying for Excel Energy.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER AAKRE TO APPROVE TREASURER'S REPORT. ALL AYES. MOTION PASSED.

CITY BUSINESS – REGULAR AGENDA

- A. City Engineer Report
 - 1. Lift Station #1 Update & Approve Joint Powers Agreement
 - a. **Steve Thatcher; City Engineer:** Approval from Washington County, Ramsey County, & Rice Creek Watershed District have been received to begin the work. White Bear Township has agreed to Joint Powers Agreement. Waiting for MPCA permit. Advertisement for bids has been published and will close Sept 5, 2019.

- b. **Engineer Thatcher:** The township requests Birchwood confirm no infiltration to sewer lines at the house connections and be responsible for future costs caused by infiltration.
 - c. **Mayor Wingfield:** Asked Attorney Kantrud to research who is responsible for televising lines from sewer main to house and advise in October 2019.
2. Lake Ave Mill, Overlay & Drainage Update
- a. **Engineer Thatcher:** T.A. Schifsky Quote to remain unchanged from February 2018, but the city engineer had not received updated information by the beginning of the city council meeting.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEBER FLECK TO ADD 15 ADDITIONAL MINUTES TO AGENDA ITEM. ALL AYES. MOTION PASSED.

- b. **Justin McCarthy (515 Lake Avenue):** Made public comment requesting explanation on drainage engineering with catch basins. City Engineer Steve Thatcher addressed question.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEBER FLECK TO AWARD MILL AND OVERLAY CONTRACT TO T.A. SCHIFSKY TO BE COMPLETED BY END OF 2019 ROAD CONSTRUCTION SEASON. ALL AYES. MOTION PASSED.

- c. **Mayor Wingfield, City Council, City Engineer, & City Attorney:** Discussed possibility of adding Iris Street to Mill and Overlay contract, adding \$11,000.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER FLECK TO ADD 5 ADDITIONAL MINUTES TO AGENDA ITEM. ALL AYES. MOTION PASSED.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER FLECK TO APPROVE T.A. SCHIFSKY TO CONDUCT ROADWORK ON IRIS STREET IF IT CAN BE KEPT BENEATH \$6,000.00. ALL AYES. MOTION PASSED.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER FLECK TO APPROVE THE JOINT POWERS AGREEMENT WITH WHITEBEAR TOWNSHIP. ALL AYES. MOTION PASSED.

- B. Water Meter Upgrades (Wingfield) – Joe from Badger Water Meters
 - 1. **Joe from Badger Water Meters:** Introduced and explained several radio water meter technology options for the City to consider.
 - 2. **Administrator Lay:** Explained that with cellular option, data could be sent directly to St. Anthony Village, which conducts utility billing for Birchwood.
 - 3. **Mayor Wingfield:** Directed City Administrator Lay to request RFP information from City of Mahtomedi, then send to City Engineer Thatcher to adjust and publish.

C. Parks Committee Update

1. **Administrator Lay:** Via the notes from the Committee Chair, informed council of what topics will be discussed at town hall meeting on September 12th, 2019 with DNR. Stated professional bow hunters association will also be present at town hall.

D. Second Reading Ordinance 2019-03-01, Permit Requirements and Standards (Road Escrow)

1. **Mayor Wingfield:** Tabled until September.

E. First Reading Ordinance 2019-04-01, Amending Permit Requirements (203)

1. **Mayor Wingfield:** Tabled until September.

F. First Reading Ordinance 2019-05-01, Repealing Public Improvements Financing and Assessment Sec 805

MOTION MADE BY COUNCILMEMBER FLECK AND SECONDED BY COUNCILMEMBER AAKRE TO STRIKE SECTION 805 FROM CITY ORDINANCE. ALL AYES. MOTION PASSED.

MOTION MADE BY COUNCILMEMBER FLECK AND SECONDED BY COUNCILMEMBER AAKRE TO WAIVE SECOND READING OF ORDINANCE 2019-05-01. ALL AYES. MOTION PASSED.

MOTION MADE BY COUNCILMEMBER FLECK AND SECONDED BY COUNCILMEMBER AAKRE TO APPROVE RESOLUTION 2019-21 APPROVING SUMMARY PUBLICATION OF SECTION 805 AS AMENDED. ALL AYES. MOTION PASSED.

G. 2020 Budget Proposal

1. **Administrator Lay:** Provided highlights of 2020 budget proposal. Official preliminary budget will be ready for review in September.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER FLECK TO HOLD A CITY BUDGET WORKSHOP AT 6:00 P.M. ON SEPTEMBER 10, 2019. ALL AYES. MOTION PASSED.

H. Outdated & New Signs

1. **Administrator Lay:** Discussed the list of signs that Mayor Wingfield and Councilmember Fleck recommend be removed. Informed council that removal could be conducted if approved. Also informed council that signs would need to be placed on docks at Kay beach before Washington County Sheriff would enforce no motorized boating rule.
2. **Mayor Wingfield:** Stated that city is required for insurance reasons to post "No Lifeguard On Duty" signs on swimming beaches. She suggested purchasing updated signs.
3. **Councilmember Woolstencroft:** Asked whether it would be pertinent to post "No Lifeguard On Duty" signs at all beaches.

4. **Mayor Wingfield:** Stated renaming Nordling Park could potentially be considered. Stated posts on Kay beach are causing citizens to not realize full width of beach that is available for public use.
5. **Judy Duffy (505 Lake Avenue):** Stated that previous legal settlements and property deed state it is private property at the point the posts are located.
6. **Mayor Wingfield:** Directed City Attorney Kantrud to research Duffy's deed for City easement on beach – report back in September.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO AUTHORIZE UP TO \$750.00 FOR PURCHASING REQUIRED SIGNAGE. (1:55:00 – 02:03:27, NO VOTE MADE)

7. **Mayor Wingfield:** Suggested repealing City Code Section 617.225 and 230 to comply with signage changes.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE FIRST READING OF REPEALING CITY CODE 617.225 AND 617.230 AND TO HOLD PUBLIC HEARING AND SECOND READING AT THE SEPTEMBER CITY COUNCIL MEETING FOR SAME. ALL AYES (ABSENT: AAKRE). MOTION PASSED.

I. Council Member Reports

a. Mayor Wingfield

1. Sentence to Serve: Discussed use of Sentence-to-Serve program to clear brush from the community.

MOTION WAS MADE BY COUNCILMEMBER LAFLOY AND SECONDED BY COUNCILMEMBER FLECK TO APPROVE USE OF SENTENCE-TO-SERVE PROGRAM. ALL AYES (ABSENT: AAKRE). MOTION PASSED.

2. Basket Ball Backboard at Rink: Discussed installing matching backboard at hockey rink with local neighbor's assistance. Council members agreed.
3. Solar Garden Task Force: Discussed having Mike Lundgren head up a task force to research additional solar opportunities within Birchwood.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER FLECK TO APPROVE CREATION OF A SOLAR GARDEN TASK FORCE HEADED UP BY MR. LUNDGREN TO RESEARCH POTENTIAL SOLAR GARDEN OPPORTUNITIES WITHIN BIRCHWOOD. ALL AYES (ABSENT: AAKRE). MOTION PASSED.

4. Cable: Informed council that City of Vadnais Heights voted to leave the Suburban Cable Commission and suggested Birchwood look into this deeper.

- b. John Fleck
 - 1. School District Boundary Survey: Requested to have a survey sent out with upcoming water bill to gauge interest in redistricting.
 - i. **Councilmember Woolstencroft:** Raised concern to council of potential for large increase in property taxes if switch to City of Mahtomedi School District.

MOTION WAS MADE BY COUNCILMEMBER FLECK AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE A SURVEY BE CONDUCTED TO GAUGE RESIDENT INTEREST IN SCHOOL REDISTRICTING. AYES: LAFOY, WINGFIELD, FLECK; NAYS: WOOLSTENCROFT. ABSENT: AAKRE. MOTION PASSED.

J. City Attorney's Report

- a. Letter to Washington County Commissioners
 - 1. **Mayor Wingfield:** Expressed urgency of letter needing to be sent to have East County Line repaired and to have drainage repaired.

K. City Administrator's Report

- a. Cedar/Hall Shoulder Clean Up
 - 1. **Mayor Wingfield:** Explained that prior attempts to clean shoulder with street sweeper were unsuccessful. Will be requesting bids to scrape dirt from road shoulders with potential start in Spring 2020.
- b. Wildwood Avenue Generator (Lift Station #2)
 - 1. **Administrator Lay:** Explained that the Wildwood lift station generator has multiple alarms; none of which are connected to the SCADA system. Recommended making these connections so that White Bear Township will be notified when alarms go off.
 - 2. **Mayor and Council Members:** Agreed with Lay's recommendation and directed him to requesting bids for work to be completed.
- c. Warming House AED
 - 1. **Administrator Lay:** Has received quote to install new AED in warming house (details provided in agenda meeting supplemental materials).
 - 2. **Mayor and Council Members:** Determined not to install AED at warming house at this time.
- d. Wildwood Avenue Lift Station Seals
 - 1. **Administrator Lay:** Informed Council that two seals on the lift station are in need of being replaced. Will cost approximately \$2,500 per seal.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE WHITE BEAR TOWNSHIP TO REPLACE SEALS AS NECESSARY AT LIFT STATIONS 2 AND TO INSPECT LIFT STATION 3 FOR SAME. ALL AYES (ABSENT: AAKRE). MOTION PASSED.

ADJOURN

MOTION WAS MADE BY COUNCILMEMBER FLECK AND SECONDED BY COUNCILMEMBER LAFOY TO ADJOURN THE MEETING. ALL AYES (ABSENT: AAKRE). MOTION PASSED. MEETING ADJOURNED AT 9:46 PM.

ATTEST:

Mary Wingfield

Mayor

Tobin Lay

City Administrator - Clerk