

**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
FEBRUARY 12, 2019**

MINUTES

Members Present: Mayor Mary Wingfield and Council Members Randy LaFoy, Kevin Woolstencroft, John Fleck and Jessi Aakre.

Staff Present: City Treasurer-Deputy Clerk Paul Carroll and City Attorney Alan Kantrud. City Administrator Tobin Lay was absent.

Others Present: Mr. Barton Winter.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

Mayor Wingfield: Called the regular meeting to order at 7:00 pm. The Pledge of Allegiance was recited.

APPROVE AGENDA

Mayor Wingfield: Added snow removal and lift station damage to the agenda and ice rink to administrator's report.

Barton Winter (1 Five Oaks Ln.): Requested to address council regarding lake level, ice rink and additional items.

Mayor and Council Members: Agreed to include Mr. Winter's report to council in item A of the regular agenda.

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

OPEN PUBLIC FORUM

ANNOUNCEMENTS

- A. Street Snow Removal comments should be sent to: info@cityofbirchwood.com
- B. Community Club Yoga Class – Suspended until further notice
- C. Thank you to residents who have taken it upon themselves to clear snow from fire hydrants
- D. We are social. Follow us on Facebook and Twitter and/or register for the email listserv

ADMINISTRATIVE PRESENTATION

- A. Sheriff Report

CITY BUSINESS – CONSENT AGENDA

- A. Approve Regular Meeting Minutes from January 8, 2019
- B. Approve Treasurer's Report
- C. Approve Resolution 2019-05, Approving Special Assessment Abatements
- D. Approve SL-serco Water Meter Reading Contract
- E. Approve Renewal of Tennis Sanitation Contract

Mayor Wingfield: Requested to approve consent agenda items A, C & E.

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

Mayor Wingfield: Stated the Treasurer's Report is acceptable minus the incomplete grading at the hockey rink and contractor has agreed to suspend payment until complete.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER AAKRE TO APPROVE THE TREASURER'S REPORT AS AMENDED. ALL AYES. MOTION PASSED.

Mayor Wingfield: Requested additional language on the SL-serco water meter reading contract stating the city may approach a city billings reading reduction of frequency from four times per year to three or in the alternative, the city is considering opting for an estimated billing for the spring quarter.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE THE SL-SERCO WATER METER READING CONTRACT AS AMENDED. ALL AYES. MOTION PASSED.

CITY BUSINESS – REGULAR AGENDA

A. Lake Level Lawsuit Update

Barton Winter (1 Five Oaks Ln): Detailed status of lake level litigation, local conservation and the status of a recent domestic water conservation grant. Summarized concerns about rink maintenance practices, lighting and ice condition.

Mayor and Council Members: Discussed presented issues.

Mayor Wingfield: Invited Mr. Winter to contact Mayor Wingfield or Administrator Lay to follow up.

B. Sewer Lift Station #1 Update

a. Council Deliberation and Approval

Mayor Wingfield: Updated council on City Engineer Thatcher's plans and the project status. Construction should start sometime this spring. Requested authorization to proceed by contacting private landowners to grant easements for the project via the letter enclosed in the agenda packet.

MOTION WAS MADE BY COUNCILMEMBER FLECK AND SECONDED BY COUNCILMEMBER LAFOY TO AUTHORIZE CITY ENGINEER THATCHER TO PROCEED WITH PROJECT AND USE THE LETTER PRESENTED IN AN OFFICIAL CAPACITY TO CONTACT THE PERTINENT LANDOWNERS ON POSSIBILITY OF GRANTING EASEMENT FOR THE SEWER LIFT STATION #1 PROJECT. ALL AYES. MOTION PASSED.

C. Post Opening Commission/Committee Seats

- a. Suburban Cable Commission Director**
- b. WBLCD Representative**

Mayor Wingfield: Stated reason for including on agenda is to make the appointments as transparent as possible.

Mayor and Council Members: Agreed and determined to post the open commission/committee seats.

D. Second Reading Utility Rate Increases

a. Public Hearing

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

b. Approve Rate Increases

Mayor Wingfield: Detailed reasons for proposed rate increases. Billing changes to occur beginning March 1, 2019.

Mayor and Council Members: Discussed water usage, cost of water, lake level litigation and conservation practices.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE THE PROPOSED UTILITY RATE INCREASES. ALL AYES. MOTION PASSED.

E. Roads Committee Recommendations

a. Road Escrow/Bond

Mayor, Council Members and Attorney Kantrud: Discussed road escrow/bond language, endorsements and changes.

Mayor and Council Members: Decided more work should be done before first reading. Councilmember LaFoy will send comments to Attorney Kantrud. A first reading and public hearing will occur in March with Planning Commission review.

b. Snow Removal

Mayor and Council Members: Discussed snow removal, issues, traffic, lane width and managing challenging areas.

Mayor Wingfield: Stated no more salt is available from Washington County. Market rates may be anticipated.

Mayor and Council Members: Agreed city administration would send letters to residents on snow removal as needed.

Councilmember LaFoy: Stated for the record Council has agreed to proceed as discussed.

c. Lift Station #2 Damage

Mayor and Council Members: Discussed damage to Lift Station #2 and using barriers from easements as reinforcement. Decided Roads Committee will recommend policy for stakes and landscaping items as well as a recommendation for barriers for lift station #2 and generator.

F. Special Assessment Policy

a. Council Deliberation and Approval

Mayor Wingfield, Council Members and Attorney Kantrud: Discussed policy language, notable items, changes and possible conflicts with city code in detail.

Mayor and Council Members: Decided a public hearing and second reading will occur in March per the changes discussed, with Attorney Kantrud to be copied on any notes and recommendations.

G. Committee/Commission Guidelines

Councilmember Aakre: Summarized the need for the proposed template and briefly reviewed the document.

Mayor and Council Members: Discussed the usefulness of the document and agreed to adopt it's use as a policy.

a. Council Deliberation

MOTION WAS MADE BY COUNCILMEMBER AAKRE AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO ADOPT THE USE OF THE COMMITTEE/COMMISSION GUIDELINES AS OFFICIAL CITY POLICY FOR ANY COMMITTEE/COMMISSION ACTIONS. ALL AYES. MOTION PASSED.

H. Second Reading Ordinance 2019-01-02, Animals

a. Council Deliberation and Approval

Mayor, Council Members and Attorney Kantrud: Discussed definitions, ordinance enforcement, animal control and highlighted recent dog incidents in lieu of interpreting possible changes or improvements to the ordinance language.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER FLECK TO EXTEND DISCUSSION BY TEN MINUTES. ALL AYES. MOTION PASSED.

Mayor, Council Members and Attorney Kantrud: Discussed terminology, licensing, vaccination requirements, impact of ordinance terms as-is and explored general questions and specific points of the ordinance in detail.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO EXTEND DISCUSSION BY FIVE MINUTES. ALL AYES. MOTION PASSED.

Mayor, Council Members and Attorney Kantrud: Continued discussion.

Mayor and Council Members: Determined final reading and public hearing must occur in March's meeting as amended.

- I. Second Reading Ordinance 2019-01-01, Easement Usage
 - a. Council Deliberation and Approval

Mayor, Council Members and Attorney Kantrud: Discussed ordinance 2019-01-01. Commended and discussed notes made by Alan Mitchell, specifically regarding section 607.

Mayor and Council Members: Decided to post Ordinance 2019-01-01 and ask Parks Committee to review section 607 with recommendations on edits and universal park rules and park hours of operation. Decided final reading and public hearing will occur in March with comments to be sent to Attorney Kantrud.

- J. Kayak Rack Reservation Fee Increase
 - a. Council Deliberation and Final Vote

Mayor Wingfield: Summarized the issues and background that suggests a minor fee increase is warranted.

MOTION WAS MADE BY COUNCILMEMBER FLECK AND SECONDED BY COUNCILMEMBER AAKRE TO APPROVE THE KAYAK RACK RESERVATION FEE INCREASE. ALL AYES. MOTION PASSED.

- K. Council Member Reports
 - a. Mayor Wingfield
 - i. City Hall Inspection Update

Mayor Wingfield: Summarized recent City Hall inspection report. Recommended assembling a committee. Stated she is attempting to determine building's historical status and funds or grants are available but carry predetermined stipulations.

Mayor and Council Members: Agreed forming a city hall improvements committee would be beneficial.

Mayor Wingfield: Offered to post for city hall improvement committee volunteers in the city newsletter.

- L. City Administrator's Report
 - a. Lift Station #2 Damage

Treasurer Carroll: Provided a background of the incident and status of repairs.

Mayor and Council Members: Discussed damage to lift station, repair status and repair offer from White Bear Township.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE REPAIRS TO LIFT STATION #2 USING WHITE BEAR TOWNSHIP AS THE REPAIR PROVIDER. ALL AYES. MOTION PASSED.

- b. City Investment Update

Treasurer Carroll: Provided a brief status report on the bid comparison status for city investment services.

- c. Lake Links Update

Mayor and Council Members: Discussed the Lake Links project and highlighted Mahtomedi's plan. Decided a member from the Roads Committee should contact the City of Mahtomedi and report back to City Council in March's meeting.

- d. Lakewood Lane Update

Treasurer Carroll: Updated council that MNDOT is presently assembling a project consultation team.

Mayor, Council Members and Attorney Kantrud: Discussed snow management options along Lakewood Lane.

Mayor and Council Members: Decided administration will pursue snow management solutions along Lakewood Lane.

e. Comprehensive Plan Update

Treasurer Carroll: Recommended approval of Comprehensive Plan with public hearing and posting notice in March.

Mayor, Council Members and Treasurer Carroll: Discussed Comprehensive Plan, gathering public feedback, the process for collecting and organizing input and approving a final document.

Mayor and Council Members: Decided city administration will review and filter items for inclusion by topic and note items not included for further consideration possibly outside of the comprehensive plan process.

f. Ice Rink Management

Mayor, Council Members, Treasurer Carroll and Attorney Kantrud: Discussed personnel and staff performance issues, ice condition and rink maintenance.

Mayor and Council Members: Decided Administration will use Maintenance staff to open, close and maintain the rink. Council and city staff will explore staffing needs going forward for 2019-2020.

MOTION WAS MADE BY COUNCILMEMBER FLECK AND SECONDED BY COUNCILMEMBER AAKRE TO AUTHORIZE CITY ADMINISTRATION TO CEASE THE SCHEDULING OF HOURLY ICE RINK ATTENDANTS AND INSTEAD USE CITY MAINTENANCE STAFF FOR THE OPENING, CLOSING AND GENERAL MAINTENANCE OF THE ICE RINK. ALL AYES. MOTION PASSED.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER AAKRE TO INCREASE THE PAY OF THE CITY STAFF MAINTENANCE PERSON ALSO SERVING AS THE SENIOR ICE RINK ATTENDANT TO SIXTEEN DOLLARS PER HOUR FOR ANY ICE RINK RELATED DUTIES PERFORMED. ALL AYES. MOTION PASSED.

ADJOURN

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER FLECK TO ADJOURN THE MEETING. ALL AYES. MOTION PASSED. MEETING ADJOURNED AT 9:03PM CST.

ATTEST:

Mary Wingfield
Mayor

Paul Carroll
City Treasurer – Deputy Clerk