

**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
February 14, 2017**

MINUTES

MEMBERS PRESENT: Mayor Mary Wingfield; Council members: Kevin Woolstencroft, Trilby White, Randy LaFoy and Megan Malvey.

STAFF PRESENT: Alan Kantrud, City Attorney; John Manship, City Water Specialist

OTHERS PRESENT: David Prunty, Michelle Atakpu, Terry Granec, Jerry Hromatka, Jozsef Hegedus, Analeisha Vang, Stan Karwoski, John McCormick, Andrew Jackola, and Bridget Sperl.

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

AGENDA APPROVAL:

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

OPEN PUBLIC FORUM:

- A. Commissioner Stan Karwoski (Washington County):** He introduced himself, answered questions, and invited Council Members and residents to contact him for any needs. There are several openings on County committees and he invited Birchwood residents to join them.
- B. David Prunty (624 Birchwood Ave):** He expressed concerns about the City's tree inspection process. Mayor Wingfield invited him to sit down with herself, the inspector, and the City Administrator to discuss this further; he accepted.
- C. Michelle Atakpu (201 Birchwood Ave):** She expressed concern about the delay in staffing the Parks Committee. She believes that a Dog Park should be handled by the Parks Committee.
- D. Terry Granec (363 Lakewood Ln):** He expressed concerns about the way the streets have been maintained during the winter months. Even with sand applied to Lakewood Lane, it is still not enough. He also supports staffing the Parks Committee now. He supports candidate Andrew Jackola for the vacant Council position.
- E. John McCormick (110 Birchwood Ave):** He requested that the Council make appointments to the Parks Committee now. He has served on the Committee and is interested in being reappointed.

ANNOUNCEMENTS:

- A.** The deadline for the upcoming newsletter is February 17.
- B.** Due to warm weather forecast, the ice rink / warming house will be closed for the season.

COUNCIL MEMBER APPOINTMENT:

- A. Andrew Jackola (candidate):** He introduced himself and answered questions.

B. Trilby White (candidate): He introduced herself and answered questions.

Mayor & Council Members: They deliberated between the two candidates.

MOTION WAS MADE BY COUNCILMEMBER MALVEY TO APPOINT ANDREW JACKOLA TO THE CITY COUNCIL. NO SECOND. MOTION FAILED.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY MAYOR WINGFIELD TO APPOINT TRILBY WHITE TO THE CITY COUNCIL. THREE AYES. COUNCILMEMBER MALVEY OPPOSED. MOTION PASSED.

City Attorney Kantrud & Councilmember White: Councilmember White was sworn in by City Attorney Kantrud and then joined the Council at the bench.

CITY BUSINESS – CONSENT AGENDA

- A. Approval of Regular Meeting December 13, 2016 Minutes**
- B. Request to Table Approval of Regular Meeting January 10, 2017 Minutes to March**
- C. Approval of Treasurer's Report**
- D. Xcel Energy Streetlight Conversion Update**
- E. Sheriff Report**
- F. City Safe Update**
- G. Water/Utility Committee Update/Minutes**

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

CITY BUSINESS - REGULAR AGENDA

- A. NYFS Partnership Agreement – Presentation by Jerry Hromatka**

Jerry Hromatka (NYFS CEO): He introduced NYFS and provided a history of its relationship with the City.

Mayor & Council Members: They asked questions and Mr. Hromatka answered. They deliberated the partnership agreement.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO APPROVE THE PARTNERSHIP AGREEMENT BETWEEN THE CITY AND NYFS. ALL AYES. MOTION PASSED.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER MALVEY TO APPROVE THE 2017 FEE OF \$1,429 THAT IS ASSOCIATED WITH THE PARTNERSHIP AGREEMENT. ALL AYES. MOTION PASSED.

- B. Water Main Break Discussion – John Manship**

John Manship (City Water Specialist): He discussed the recent water main break at Wildwood Ave and Lake Ave. He explained the history and purpose behind using a temporary storage site

for debris from the project site. He explained that the soil from the last break was not placed where he had instructed the driver to put it – he apologized for the mistake.

Mayor Wingfield: She explained that John Lund has found a solution to this storage site need. He has spoken to resident Steve Dean about using his property. She also reminded everyone that this residue is clean.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER MALVEY TO AUTHORIZE MAYOR WINGFIELD AND ADMINISTRATOR LAY TO REACH AN AGREEMENT WITH STEVE DEAN REGARDING PLACING WATER MAIN RESIDUE ON HIS PRIVATE PROPERTY. ALL AYES. MOTION PASSED.

C. Planning Commission Appointment

Jozsef Hegedus (candidate): Introduced himself and answered questions.

Analeisha Vang (candidate): Introduced herself and answered questions.

Mayor & Council Members: They deliberated between the two candidates.

MOTION WAS MADE BY COUNCILMEMBER MALVEY TO APPOINT ANALEISHA VANG TO THE PLANNING COMMISSION. NO SECOND. MOTION FAILED.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER WHITE TO APPOINT JOZSEF HEGEDUS TO THE PLANNING COMMISSION. THREE AYES. COUNCILMEMBER MALVEY OPPOSED. MOTION PASSED.

City Attorney Kantrud & Commissioner Hegedus: Commissioner Hegedus was sworn in by City Attorney Kantrud.

D. Roads Committee Recommendation – Salt/Sand Barrels

Mayor Wingfield: She explained the Roads Committee recommendation to place additional sand/salt barrels at strategic locations in town.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO APPROVE THE ROADS COMMITTEE RECOMMENDATION TO PURCHASE FOUR ADDITIONAL BARRELS OF SAND/SALT MIXTURE FOR PLACEMENT THROUGHOUT THE CITY, AS PROVIDED IN THE RECOMMENDATION, NOT TO EXCEED \$250. ALL AYES. MOTION PASSED.

E. Dog Park Committee Update/Minutes

Councilmember Malvey: She requested to have this topic moved from the consent agenda and to the regular agenda for further discussion. She proposed providing the Dog Park Committee additional guidance as to their specific purpose. She had been approached by several people about needing additional guidance.

Councilmember White: She said that she is on the Dog Park Committee and was not aware that additional guidance was needed.

Mayor & Council Members: They discussed this topic and decided to have Councilmember Malvey provide an unendorsed purpose statement to the Dog Park Committee for consideration.

F. Parks Committee – Motion to Reconsider

Councilmember Malvey: She explained her motion to reconsider discussions of Park Committee appointments during the Council meeting rather than waiting for a workshop. She also requested that Council open the Committee for appointment now so that candidates can be reviewed and discussed during the upcoming workshop.

Mayor & Council Members: They deliberated this motion.

MOTION WAS MADE BY COUNCILMEMBER MALVEY AND SECONDED BY COUNCILMEMBER LAFOY TO MOVE DISCUSSION OF THE PARKS COMMITTEE APPOINTMENTS FROM THE WORKSHOP TO THIS COUNCIL MEETING AND TO OPEN THE COMMITTEE FOR APPOINTMENT. TWO AYES. MAYOR WINGFIELD AND COUNCILMEMBERS WOOLSTENCROFT AND WHITE OPPOSED. MOTION FAILED.

G. Special Workshops – Dates, Agendas, and Procedures

Mayor & Council Members: They discussed dates for the workshop but were unable to identify a common availability. Each Council Member will email Administrator Lay their March availabilities. They also discussed the format for the workshop and decided that the public will be invited to observe but not participate in the workshop.

H. Council Member Reports:

- 1. Councilmember LaFoy:** He informed the Council that a long standing member of the Cable Commission has passed away. The Board of the Cable Commission has changed their name to the Ramsey/Washington Suburban Cable Commission (RWSCC). He also informed Council that He and Administrator Lay had met with the RCWD about the Local Water Plan.

I. Reappoint Shirley Donovan to RWSCC

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO REAPPOINT SHIRLEY DONOVAN AS THE ALTERNATE DIRECTOR WITH THE RWSCC BOARD FOR A FOUR YEAR TERM. ALL AYES. MOTION PASSED.

J. City Administrator's Report

1. Deer Count

Mayor Wingfield: She informed Council that John Lund and Mike Evangelist will be counting deer in Birchwood with the use of a private drone in conjunction with a count taking place in Mahtomedi. This will not be City sanctioned or paid for – they will be

acting as private citizens. The City does not regulate the use of drones. She will have Administrator Lay post the date on the City's website and social media sites for informational purposes only.

City Attorney Kantrud: He confirmed that without any City regulation on drones, the only restrictions he was aware of would be FAA regulations. As long as the City was not paying for the count or sanctioning it, the count would be a private matter. He recommended informing residents of the event.

K. City Attorney's Report

1. City Code 302.045 Amendment Process

City Attorney Kantrud: He provided a background of the amendment process for 302.045 – it had moved back and forth between the Council and the Planning Commission many times over the course of a year. He found no violation of procedure in this amendment process. The final language that was adopted was an iteration previously used in the code and as such had previously been approved by the Planning Commission and the DNR. He also provided an update on 232 Wildwood code violations.

Mayor, Council Members, and Attorney Kantrud: They discussed procedure in working with the Planning Commission and the difference between having an open meeting and a public hearing.

ADJOURN

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER LAFOY TO ADJOURN THE MEETING. ALL AYES. MOTION PASSED. MEETING ADJOURNED AT 9:42 P.M.

Mary Wingfield
Mayor

ATTEST:

Tobin Lay
City Administrator-Clerk