

**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
June 13, 2017**

MINUTES

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

STAFF PRESENT: Alan Kantrud, City Attorney; Tobin Lay, City Administrator

OTHERS PRESENT: Mark Greseth, Mike Evangelist, Nino Nardecchia, Mary Hauser, Alan Mitchell, Michelle Atakpu, Peter Schmitt, Steve Wolgamot, and Jennifer Haskamp

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 WHITE TO APPROVE THE AGENDA. ALL AYES. MOTION PASSED.

OPEN PUBLIC FORUM:

- A. Steve Wolgamot:** He updated the Council on a recent funding bill that made its way through the State Legislature for the Lake Links Trail. He presented a certificate of Appreciation to the City of Birchwood for all of the help they received.
- B. Mark Greseth (214 Wildwood Ave):** He spoke about needing clarification with the Docks Association and open dock spaces that are not being utilized.

ANNOUNCEMENTS:

- A.** Marian Johnson across the Lake Swim will be held July 29 beginning at 7 am
- B.** July 4 Parade will begin at 9:30 am beginning at 5 Birchwood Ave
- C.** Music in the Park - every Sunday beginning at 6 pm
- D.** Washington County has issued a health warning about lake swimming
- E.** Cable Commission Alternate Director Opening - Application deadline June 30
- F.** We are social, follow us on Facebook/ Twitter or register for the email listserv
- G.** Free toilets and washers that are high energy with the rebate from the City of White Bear Lake

PRESENTATIONS

- ~~A. Open Meeting Law Policy Proposal from Alan Mitchell (moved to Councilmember Malvey's Report)~~
- B. Mayor's Update on Halls Marsh
- C. Sheriff Report
- D. Dog Park Committee Update/ Minutes
- ~~E. Upgrade City Hall Toilets (moved to Administrator's Report)~~

CITY BUSINESS – CONSENT AGENDA

- ~~A. Approval of Regular Meeting Minutes from May 9, 2017~~
- ~~B. Approval of Treasurer's Report~~
- C. Approval to Request Attorney Kantrud Work on Right of Way Ordinance
- D. Resolution 2017-17: Authorizing Transfer of Funds
- E. Replace Check Valve at Lift Station
- F. Recycling Grant Contract

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

Mayor Wingfield: She suggested that rather than cut checks for individual overpayments, the amount will roll over to the next quarter. Administrator Lay clarified that the accounts in discussion were closed accounts, so the overpayments will need to be paid.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE OF TREASURERS REPORT AS PRESENTED. ALL AYES. MOTION PASSED.

CITY BUSINESS - REGULAR AGENDA

- A. **Resolution 2017-18: Approving Solar Garden Subscription Agreement with US Solar**
 - 1. **Guest Presentation - Peter Schmitt (US Solar):** He briefly described the US Solar company and their role in providing solar energy for smaller cities. There is no financial commitment by the city. The benefit accrues by locking in to a flat energy rate.
 - 2. **Council Deliberation and Consideration of Approval:** The council members asked Peter Schmitt clarification questions. Currently US Solar is focusing on cities and school districts, but they are hoping to roll out a residential program by the end of the year. The program uses as many local resources (labor and materials) as they are able to.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE OF THE SUBSCRIPTION AGREEMENT FOR A SOLAR GARDEN WITH US SOLAR AND AUTHORIZE THE MAYOR TO ENDORSE THE AGREEMENT, PENDING THE FINAL CONTRACT APPROVAL BY CITY ATTORNEY ALAN KANTRUD. ALL AYES. MOTION CARRIES.

- B. **Comprehensive Plan Update**
 - 1. **Review Planning Commission Recommendation to Hire SHC, LLC to Consult:** Administrator Lay reviewed the necessity for a water plan within the Comprehensive Plan. He introduced Jennifer Haskamp; the consultant recommended by the planning commission and opened the recommendation for deliberation among the council.
 - 2. **Guest Presentation - Jennifer Haskamp (SHC):** She answered questions that the council members brought forward. She explained where the local water management plan aligns with the Comprehensive Plan but also where they differ in key aspects. She explained the benefits of her consulting help as well as working with other communities

for efficiency.

3. **Council Deliberation and Consideration of Approval and Vision:** There was discussion about the grant money that was provided and how to use that money efficiently without going over the \$10,000 grant amount.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO AUTHORIZE ADMINISTRATOR LAY TO WORK WITH JENNIFER HASKAMP, DENNIS SONNEK, AND BRIDGET SPERL TO CREATE A PLAN THAT WILL BE REINTRODUCED IN THE JULY MEETING FOR FINAL APPROVAL FROM THE COUNCIL. ALL AYES. MOTION CARRIES.

C. Dock Association Review

1. **Mike Evangelist Q&A:** He explained the current structure of the Dock Association, including the benefits of the association. Mike agreed there is no apparent reason why the City shouldn't operate the docks.
2. **Council Deliberation and Requests:** Some council members questioned the community benefits of the Dock Association. There was discussion about why the association operates the docks rather than the city operating them for general public use. The council members discussed creating a task force that will recommend how management of the docks can become more efficient.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO CREATE A TASK FORCE CONSISTING OF MARK GRESETH, NINO NARDECCHIA, AND MIKE EVANGELIST, WITH COUNCILMEMBER MALVEY AS LIAISON, TO CREATE RECOMMENDATIONS FOR IMPROVING THE MANAGEMENT OF THE CITY DOCKS. ALL AYES. MOTION PASSED.

D. Roads Committee Update and Recommendations

1. **Update:** Administrator Lay provided an update of the roads work that has been completed, including the Chip and Seal Process scheduled for the week of July 24, 2017.
2. **City Council Requests:** There was agreement among the council members to refer the speed issues along Birchwood Ave as well as Wildwood Ave to the Roads Committee. There was also discussion about people parking on the grass at Wildwood Park rather than parallel parking on the street. Councilmember LaFoy agreed to speak with neighbors to get conversation going, and the issue will be brought to the roads committee.

E. Water Rate Increase

1. **Review:** Administrator Lay reviewed the issue of using a surcharge for the water main breaks and explained that the City's attorney recommended increasing the water rate rather than create a surcharge.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO SCHEDULE AND PUBLISH A PUBLIC HEARING ABOUT A WATER RATE INCREASE AS PRESCRIBED BY SHELLEY RUCKERT AND APPROVED BY THE UTILITY COMMITTEE IN THE AUGUST COUNCIL MEETING. ALL AYES. MOTION CARRIES.

F. Council Member Reports

1. Mayor Wingfield:

- i. Update on Birch Easement Rain Garden:** Currently everything is going well, and repairs/ updates are being considered with assistance from Washington County and RCWD.
- ii. Engineering Update Report Related to Sewers:** There is conflict between the assessments and the actual work done in the 2006 sewer relining project. These errors have resulted in delays in the current project as well as creating inequities for those that should have been assessed previously. The engineer is working to resolve these problems.
- iii. Staff Management/ Use of Office Staff:** Mayor Wingfield explained the issue of members of the community dictating how the office should be run, using time and financial resources that could be better spent catching up on work.

2. Councilmember Malvey:

- i. School District Realignment Update:** Councilmember LaFoy and Councilmember Malvey will be holding a meeting to discuss school district realignment topics in late June.
- ii. Parks Committee Update:** She provided an update on the Parks Committee.
- iii. Proposal to Discuss City Contracts at the July Town Hall/ Workshop:** She recommended the topic at the July town hall be on city contracts. There was discussion among council members to keep the topic broader; it was suggested the topic be about the vision for Birchwood for the Comp Plan.
- iv. Discussion Concerning the Open Meeting Law Proposal:** She recommended Council adopt the open meeting law policy proposed by Alan Mitchell. The Council decided that it will use the League of MN Cities as its resource to open meeting law matters rather than adopting a new policy.

G. City Administrator's Report:

- 1. No Street Parking Along East County Line Rd.:** There was a request to make no street parking all along the road, rather than in select areas. Gene Ruehle with the roads committee is in agreement with this request.
- 2. 2020 U.S. Census - LUCA Volunteers Needed:** Volunteers will be needed for the preparation of the census.
- 3. Request Special Taskforce:** Requested a task force to help organize the code book and another task force to help organizing the city website. Council members recommended including the city social media sites in the scope. They also decided to have council member White act as the liaison to the code book task force and councilmember LaFoy act as liaison to the website task force.
- 4. Approve Steve Dean Tree Work at Wildwood Park:** The council approved having Steve Dean work on the spruce tree but no work to be done on the ash tree.
- 5. Workers Comp Insurance Quote:**

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER MALVEY TO SELECT THE REGULAR PREMIUM OPTION (OPTION 1) WORKERS COMP INSURANCE. ALL AYES. MOTION PASSED.

- 6. Schedule Closed Meeting for Staff Review:** Meeting scheduled for July 10, 2017 at 6pm.
- 7. Tree Disposal Policy Amendment:** Amendment to the pruning policy of public trees when they grow into private property.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER WHITE TO AMEND THE PRUNING POLICY. ALL AYES. MOTION CARRIES.

- 8. AC Unit for the Cable Room Update:** A new AC Unit is needed to keep the cable equipment cool and working well.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO AUTHORIZE ADMINISTRATOR LAY SPEND UP TO \$1,000 TO PURCHASE A NEW AC UNIT FOR THE CABLE ROOM. ALL AYES. MOTION CARRIES.

- 9. Upgrade City Toilets:** Mayor Wingfield worried that any water-efficient toilets under \$200 (rebate limit) would not be effective and would cause more problems than any savings gained. Council decided not to upgrade the toilets at this time.

H. City Attorney Report

- 1. Flushable Wipes Lawsuit:** Brought the council up to date about the current lawsuit and waiting for information from the city as to how much has actually been spent on repairs.
- 2. Update on Sewer Relining Project:** There was discussion about the previous assessments that had been taken versus were not assessed and should have been.

ADJOURN

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO ADJOURN THE MEETING. ALL AYES. MOTION PASSED. MEETING ADJOURNED AT 10:38 P.M.

Mary Wingfield
Mayor

ATTEST:

Tobin Lay
City Administrator-Clerk

RESOLUTION 2017-17

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

A RESOLUTION AUTHORIZING TRANSFERS AND CLOSING OF SPECIFIED FUNDS

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, Capital Projects should be closed when all activity has concluded; any residual money and all assets should be transferred to the associated debt service fund or a capital project fund reserved for public projects and if a deficit exist, funding must be provided.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Birchwood Village here approves the transfer of any funds noted, but subject to closing adjustments as needed:

	<u>From Fund</u>	<u>Amount</u>	<u>To Fund</u>	
<i>Debt Service Transfers:</i>				
	Sewer Fund	\$25,194.03	Birchwood in Re-hab Bond	

Adopted this 13th day of June, 2017.

Mary Wingfield
Mayor

Attest:

Tobin Lay
Administrator-Clerk

RESOLUTION 2017-18

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

**RESOLUTION APPROVING SOLAR GARDEN SUBSCRIPTION AGREEMENT
BETWEEN US SOLAR LLC AND THE CITY OF BIRCHWOOD VILLAGE**

WHEREAS, in 2013, the Minnesota State Legislature directed Xcel Energy to create a program for community solar gardens; and

WHEREAS, a community solar garden is a centralized shared solar project connected to the energy grid that has multiple subscribers and each subscriber receives a credit on their Xcel energy bill based upon the production of the solar facility and their subscription share of that facility; and

WHEREAS, the City of Birchwood Village believes that there is societal, financial and environmental value in participating in community solar gardens; and

WHEREAS, the City of Birchwood Village agreed to participate in the Metropolitan Council's "Request for Proposals for Community Solar Garden Subscription Agreements" process in July of 2015; and

WHEREAS, the City intends to subscribe an estimated 85,052 kWh of electric energy (equal to 120% of the City's average annual electricity consumption "AAEC") to the community solar garden; and

WHEREAS, US Solar, LLC propose to provide the City of Birchwood Village with a 25 year solar garden subscription to 85,052 kWh of electric energy consumption equaling approximately 120% of the City's average annual electricity consumption resulting in an energy savings of approximately \$304 the first year and a 25 year energy savings of over \$98,859 through the Xcel Energy electric bill credit.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Birchwood Village hereby approves the Solar Garden Subscription Agreement between the City of Birchwood Village and US Solar, LLC as hereby attached, and authorizes the Mayor of the City of Birchwood Village to sign all necessary documents on behalf of the City of Birchwood Village.

Enacted by the City Council of the City of Birchwood Village, Minnesota this 13th day of June 2017.

CITY OF BIRCHWOOD VILLAGE

Mary Wingfield
Mayor

Attest: Tobin Lay
Administrator-Clerk