

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

MINUTES

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

STAFF PRESENT: City Administrator Tobin Lay, City Attorney Alan Kantrud and City Engineer Steven Thatcher.

OTHERS PRESENT: Jay Brunner, Larry Walker, Judy Walker, Bryan McGinnis, Ross Judkins, Evanna Judkins, Alan Mitchell, Michelle Maiers-Atakpu, Tami Heart, Steve Schad, Terry Granec, Steve Huntley, Steve Wolgamot and others.

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 COUNCIL MEMBER LAFOY AND SECONDED BY COUNCIL MEMBER MALVEY TO APPROVE THE AGENDA AS AMENDED. ALL AYES. MOTION PASSED.

OPEN PUBLIC FORUM:

Jay Brunner (30 Oakridge Dr): He spoke for and explained the purpose and makeup of experience of the resident group Birchwood United. He asked Council to invite members of this group to participate in and provide input about matters with which they are working.

Tami Heart (506 Wildwood Ave): She thanked Council for their hard work, integrity and for handling money fiscally and conservatively.

Larry Walker (4020 East County Line Rd): He expressed concerns he had about the resident group Birchwood United. He shared his opinion about the complaints the group had published in the White Bear Press Newspaper.

Ross Judkins (135 Wildwood Ave): He said he thought the Council was doing a good job and expressed his concern about having conflict situations like Maplewood and Lake Elmo have had.

ANNOUNCEMENTS:

Mayor Wingfield and Councilmember LaFoy: They made the following announcements:

- A.** Spring leaf pickup will be April 17 and 24.
- B.** Plant exchange will be sometime in May, date to be determined.
- C.** There was a break-in/pry-in at 20 Birchwood Ave. Residents should be warned and act accordingly.

- D. Correction to facts in the Mayor's Notes section of the past newsletter: Marlys Oliver was not the first female mayor in Birchwood, Lucy Tighe was.

CITY BUSINESS – CONSENT AGENDA

- A. Approval of Regular Meeting January 10, 2017 Minutes to April.
- B. Approval of Regular Meeting February 14, 2017 Minutes.
- C. Approval of Treasurer's Report.
- D. Sheriff Report.
- E. Water Main Storage Site – Agreement and Clean Up.
- F. Mahtomedi Garden Club Grant.
- G. Hamline Interns.

Mayor and Council Members: They tabled item A until April Council meeting and moved item E to the Regular Agenda for discussion.

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

CITY BUSINESS - REGULAR AGENDA

- A. **Water Main Storage Site – Agreement and Clean Up**

Administrator Lay: He explained that the City had reached an agreement with Steve Dean for an alternate storage site for water main break soil, as provided in the packet memo. He also introduced to Council a bid received from Kenny Johnson to clean up the soil put in Tighe-Schmitz Park.

Mayor and Council Members: They deliberated over how to handle the soil at Tighe-Schmitz Park and when to make that decision. They decided to table this until the upcoming workshop. They also asked Administrator Lay for a formal contract with Steve Dean before approval is made.

- B. **City Engineer Report on Sewer Lines**

Mayor Wingfield: She provided a background of why Council asked City Engineer Thatcher to attend this meeting.

City Engineer Thatcher: He addressed concerns regarding the portions of sewer lines that were not included in the previous sewer line improvement projects. He provided cost estimates for inspecting, cleaning, and improving portions of the sewer lines. He answered questions from Council Members. There is no advantage to waiting to do these improvements later and waiting too long would create a disadvantage. An estimated 67 homes about these portions of the sewer lines. Cleaning (jetting) is recommended every 5-10 years, except in dead-end lines, which should be cleaned yearly. He recommended Council proceed with these improvements.

Mayor Wingfield: She pointed out the significant savings that these cost estimates showed compared to the previous sewer improvement projects. She also pointed out the positive effects these improvements would have on the City's insurance policy.

Attorney Kantrud: He provided a summary of how assessments work and how projects are valued. All class properties must be treated the same way. There should be a feasibility study done and those are based on project values. Values can be determined through an appraiser and this should be done before determining assessments.

Mayor and Council Members: They discussed methods for paying for these improvements; either property assessments or charging utility accounts. They decided to proceed with obtaining a project valuation.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER WHITE TO AUTHORIZE THE CITY ATTORNEY AND ENGINEER TO OBTAIN A PROJECT VALUATION AND PREPARE A PLAN FOR PROCEEDING WITH A SEWER IMPROVEMENT PROJECT. ALL AYES. MOTION PASSED.

C. Resolution 2017-07: Supporting Efforts to Complete the Lake Links Trail

Steve Wolgamot (Washington County Chair for the Lake Links Trail): He introduced himself and the Lake Links trail project around White Bear Lake. He requested Council provide a resolution of support for the project. He also requested Council approve posting up to 10 trail signs along the route throughout the City.

Mayor and Council Members: They asked Mr. Wolgamot questions and deliberated over the number of trail signs.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO APPROVE RESOLUTION 2017-07, SUPPORTING EFFORTS TO COMPLETE THE LAKE LINKS TRAIL. ALL AYES. MOTION PASSED.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO AUTHORIZE THE INSTALLATION OF NOT MORE THAN TEN SIGNS IN EACH DIRECTION INDICATING THE ROUTE OF THE LAKE LINKS TRAIL NETWORK IN THE CITY, PROVIDED THAT: 1) THE DESIGN OF THE SIGNS AND THEIR LOCATIONS BE APPROVED BY THE ROADS COMMITTEE, 2) THAT SIGNS MAY BE INSTALLED ON EXISTING SIGN POSTS WITH THE APPROVAL OF THE ROADS COMMITTEE, 3) THAT THE SIGNS SHALL BE FURNISHED AND INSTALLED AT NO COST TO THE CITY, AND 4) THAT THE SIGNS SHALL BE REMOVED IF SO DETERMINED BY THE CITY COUNCIL. ALL AYES. MOTION PASSED.

D. Dog Park Committee – Bylaws and Update

Steve Schad (Committee Chair): He provided Council with proposed Dog Park Committee bylaws and answered questions about Committee progress.

Mayor and Council Members: They decided to have Council Members send individual comments on the proposed bylaws to Administrator Lay within the next week. Lay will provide the compilation of these comments at the next Council meeting for further discussion.

E. Flushable Wipes Class Action Lawsuit

Administrator Lay: He informed Council that the City has been invited to participate in a class action law suit against makers of flushable wipes. He suggested that the City's continuing problem with replacing sewer impellers could give the City just cause for participating in the suit.

Attorney Kantrud: He is willing to contact the representing attorneys in this matter to learn more information. He recommended that if the suit is certified for class action that it would make sense for the City to participate.

Mayor and Council Members: They deliberated this subject. They asked Attorney Kantrud to look into this further and come back with more information at the next Council meeting.

F. Resolution 2017-08: Interim Treasurer Extension

Administrator Lay: He requested Council approve extending Interim Treasurer Govan's appointment until May to allow for training of her replacement.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER WHITE TO APPROVE RESOLUTION 2017-08, EXTENDING CYNTHIA GOVAN'S POSITION AS INTERIM TREASURER UNTIL THE END OF MAY 2017. ALL AYES. MOTION PASSED.

Mayor and Council Members: They discussed the work hours needed for the future Treasurer and Office Support staff. They decided to defer this discussion until later.

G. Resolution 2017-09: Establishing Water Main Surcharge for 2016-2017

Administrator Lay: He explained that the City had more water main breaks this winter than was budgeted for; two budgeted, three breaks. He recommended Council approve establishing a utility surcharge to pay for the extra water main break.

Mayor and Council Members: They asked Administrator Lay questions and discussed the recommendation.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE RESOLUTION 2017-09, ESTABLISHING A UTILITY SURCHARGE FOR 2016-2017 WATER MAIN BREAKS. ALL AYES. MOTION PASSED.

H. Resolution 2017-10: Establishing Water Main Surcharge Policy

Mayor and Council Members: Upon recommendation from Administrator Lay, they tabled this and asked Lay to work with Attorney Kantrud on the language of the resolution.

I. Ordinance 403 Tree Diseases

Administrator Lay: He explained that portions of City Code 403 were outdated and the section needed to be amended. He talked about the proposed changes, which are based off of several neighboring communities' ordinances.

Attorney Kantrud: He said most cities do hire a city arborist but there is no industry standard for an arborist's qualifications. Other cities do require, however, some sort of training or certification.

Mayor and Council Members: They requested that a policy also be created regarding the tree inspector's training or certification and one about tree inspection notifications. They asked Administrator Lay to provide these policies before the second reading was passed on the ordinance.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY MAYOR WINGFIELD TO PASS THE FIRST READING OF 403 AND SET IT UP FOR A PUBLIC HEARING IN MAY. ALL AYES. MOTION PASSED.

J. Schedule Council Workshops

Mayor and Council Members: They selected March 30 at 6:00pm for the second Council workshop.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER LAFOY TO SET A WORKSHOP ON FOR MARCH 30, 6:00 PM, AT CITY HALL. ALL AYES. MOTION PASSED.

K. Council Member Reports:

1. Councilmember LaFoy:

a. CenturyLink Update

Councilmember LaFoy: He updated Council on CenturyLink franchising – the company will be holding back from our area for a while. He asked Attorney Kantrud to look into the City's right of way ordinance regarding private business use of public utility poles.

2. Councilmember Malvey:

a. School District Realignment

Councilmember Malvey: She updated Council on her investigation into the possibility of realigning the school district boundaries. She requested community members contact her if they are interested in realignment.

Mayor Wingfield: She suggested Councilmember Malvey provide information about the impact of a realignment in the next City Newsletter.

3. Mayor Wingfield:

a. Halls Marsh Update

Mayor Wingfield: She updated the Council on Rice Creek Watershed's Halls Marsh project.

L. City Administrator's Report

1. City Hall Repairs and Upgrades

Administrator Lay: He informed Council of several repairs and upgrades that are needed to City Hall and requested approval to make these changes.

Mayor and Council Members: They agreed with the request and discussed possible repair solutions and people to help.

2. Tree Cleanup

Administrator Lay: He informed Council that John Lund, who was approved to cut down the diseased trees on Birch Easement, has requested to cut down several additional trees on the easement. He also recommended that Steve Dean or another tree specialist be asked to assess the City's public areas to determine if there are any trees that pose a threat and need to be removed.

Mayor and Council Members: They did not approve the removal of the additional trees on Birch Easement but they did agree to have Steve Dean do an assessment, as recommended.

3. Tree Inspector and Worker Safety Vests and Identification

Administrator Lay: He requested approval to purchase City imprinted safety vests for all City workers and an identification badge for the Tree Inspector. He also informed Council that City Maintenance Worker Greg Beckman had agreed to replace Steve Dean as the City Tree Inspector. He requested Council authorize him to negotiate new terms of Beckman's employment.

Mayor and Council Members: They discussed whether the tree inspector position should be advertised or not.

Attorney Kantrud: He said that in this case, the tree inspection duty wouldn't be a standalone job but rather just adding the additional job duty onto Greg Beckman's existing role.

Mayor and Council Members: They agreed with extending the tree inspection duties to Greg Beckman. They discussed tree inspection notification procedure. They agreed with the purchase of City safety vests and a Tree Inspector identification badge.

ADJOURN

**MOTION WAS MADE BY COUNCILMEMBER WHITE AND SECONDED BY COUNCILMEMBER LAFOY
TO ADJOURN THE MEETING. ALL AYES. MOTION PASSED. MEETING ADJOURNED AT 9:13 P.M.**

ATTEST:

Mary Wingfield
Mayor

City Administrator-Clerk
Tobin Lay