

**CITY OF BIRCHWOOD VILLAGE  
REGULAR CITY COUNCIL MEETING  
NOVEMBER 12<sup>TH</sup>, 2019**

**MINUTES**

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

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

**OTHERS PRESENT:** Justin McCarthy (515 Lake Ave), Judy Duffy (505 Lake Ave), Matt Duffy (Attorney for Lake Ave Property Owners), Mike and Candi Kraemer (471 Lake Ave), Sandra Kriz Herbert Buerkle (529 Lake Ave)

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

**AGENDA APPROVAL**

**COUNCILMEMBER FLECK ADDED AN AGENDA ITEM TO REGULAR AGENDA SECTION H, SUBSECTION C REGARDING SCHOOL DISTRICT BOUNDARY SURVEY RESULTS**

**MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER AAKRE TO APPROVE THE ADGENDA AS AMENDED. AYES FROM MAYOR WINGFIELD AND COUNCILMEMBERS AAKRE, LAFOY, AND FLECK; COUNCILMEMBER WOOLSTENCROFT WAS ABSENT FOR THE VOTE. MOTION PASSED.**

**OPEN PUBLIC FORUM**

- A. Justin McCarthy (515 Lake Ave):** Expressed opinion on Lake Ave Mill & Overlay project
- B. Matt Duffy (Attorney):** Informed Council he is representing several residents for a dispute on the Lake Ave Mill & Overlay project.
- C. Mike Kraemer (471 Lake Ave):** Expressed opinion on Lake Ave Mill & Overlay project's assessment procedure.
- D. Michael McKenzie (509 Lake Ave):** Expressed opinion on Lake Ave Mill & Overlay project's assessment procedure.
- E. Debbie Harrod (430 Lake Ave):** Expressed opinion on Lake Ave Mill & Overlay project's assessment procedure.

**ANNOUNCEMENTS**

- A. We are social, follow us on Facebook at @BirchwoodCityHall or Twitter at @CityofBirchwood

## CONSENT AGENDA

- A. Approve Regular Meeting Minutes from October 8, 2019
- B. Approve Treasurer's Report
- C. Resolution 2019-27 – Suspending Section 609.020 Hunting
- D. Approve Peterson Companies Pay Application 1 – Lift Station 1 Project

**MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER FLECK TO APPROVE THE CONSENT AGENDA. AYES FROM MAYOR WINGFIELD AND COUNCILMEMBERS AAKRE, LAFOY, AND FLECK; COUNCILMEMBER WOOLSTENCROFT WAS ABSENT FOR THE VOTE. MOTION PASSED.**

## CITY BUSINESS – REGULAR AGENDA

- A. City Project No. 2019-1 – Lake Ave Mill, Overlay & Drainage
  - a. Review Proposed Assessment Roll
    - i. **City Engineer Thatcher:** Explained proposed breakdown of assessment roll.
    - ii. **Mayor Wingfield:** Requested the breakdown of assessed properties be changed to 24.5 to align with the assessment policy.
  - b. Approve Resolution 2019-26 – Declaring Cost to be Assessed and Hearing on Proposed Assessment
  - c. Schedule Assessment Hearing
    - i. **Councilmember Aakre:** Recommended holding a special city council meeting for the assessment hearing; not holding the hearing during the proposed December regular city council meeting.

**Mayor & Council Members:** Discussed the public comments regarding assessment practices vs. tax levies and decided to hold a town hall meeting in January 2020 to allow all Birchwood residents to speak on the matter.

**MOTION WAS MADE BY COUNCILMEMBER AAKRE AND SECONDED BY COUNCILMEMBER LAFOY TO HOLD A SPECIAL MEETING IN JANUARY 2020 TO DISCUSS THE USE OF ASSESSMENTS AND LEVIES AND ANNOUNCE IT IN THE DECEMBER 2019 NEWSLETTER. AYES FROM MAYOR WINGFIELD AND COUNCILMEMBERS AAKRE, LAFOY, AND FLECK; COUNCILMEMBER WOOLSTENCROFT WAS ABSENT FOR THE VOTE. MOTION PASSED.**

**MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER FLECK TO SET THE ASSESSMENT ROLL FOR CITY PROJECT NO. 2019-1 AT TWENTY FOUR AND A HALF PARCELS TO BE PAID BACK TO THE CITY WITHIN A 5 YEAR INSTALLMENT AT A 4% INTEREST RATE. AYES FROM MAYOR WINGFIELD AND COUNCILMEMBERS AAKRE, LAFOY, AND FLECK; COUNCILMEMBER WOOLSTENCROFT WAS ABSENT FOR THE VOTE. MOTION PASSED.**

- B. City Engineer Report
  - a. Lift Station #1 Update
    - i. **City Engineer Thatcher:** Detailed progress of project up to present day.

C. Assessor Search

a. Review Second Candidate

- i. **Candidate Chase Peloquin:** Introduced himself, described his professional experience and answered questions from the Council.

**MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE THE CITY ENTER INTO CONTRACT WITH CHASE PELOQUIN FOR ASSESSING SERVICES STARTING JUNE 1<sup>ST</sup> 2020 WITH THE ADDED CONDITION OF RUNNING YEAR-TO-YEAR WITH A 6 MONTH NOTICE OF TERMINATION REQUIREMENT. ALL AYES. MOTION PASSED.**

D. Second Reading Resolution 2019-24 - Water Utility Surcharge

a. Public Hearing

**MAYOR WINGFIELD OPENED THE PUBLIC HEARING AT 7:50PM**

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

b. Approve Resolution 2019-24 – Water Utility Surcharge

**MOTION WAS MADE BY COUNCILMEMBER AAKRE AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE RESOLUTION 2019-24. ALL AYES. MOTION PASSED.**

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

a. Public Hearing

**MAYOR WINGFIELD OPENED THE PUBLIC HEARING AT 7:54PM**

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

b. Council Deliberation and Approval

**MOTION WAS MADE BY COUNCILMEMBER AAKRE AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE ORDINANCE 2019-03-01. ALL AYES. MOTION PASSED.**

c. Approve Resolution 2019-09, Summary Publication

**MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER FLECK TO APPROVE RESOLUTION 2019-09. ALL AYES. MOTION PASSED.**

**MOTION WAS MADE BY COUNCILMEMBER AAKRE AND SECONDED BY MAYOR WINGFIELD TO ADOPT THE FEE SCHEDULE PURSUANT TO ORDINANCE 2019-03-01. ALL AYES. MOTION PASSED.**

- F. First Reading Ordinance 2019-04-01, Amending Permit Requirements
  - a. Approve First Reading

**MOTION WAS MADE BY COUNCIL MEMBER AAKRE AND SECONDED BY COUNCILMEMBER FLECK TO APPROVE THE FIRST READING OF ORDINANCE 2019-04-01. ALL AYES. MOTION PASSED.**

- b. Order Public Hearing and Second Reading

**MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER AAKRE TO ORDER A PUBLIC HEARING AND SECOND READING ON ORDINANCE 2019-04-01 FOR DECEMBER 10, 2019. ALL AYES. MOTION PASSED.**

G. Lake Links Trail Update

- a. Route Consideration (Lake Ave or Wildwood Ave)
- b. Discuss Survey Feedback
  - i. Council deliberated
  - ii. Council directed City Administrator Lay to inquire with T.A. Schifsky on potential for bid to reestablish shoulder and drainage along road.
- c. Council Request for Money

H. Council Member Reports

- a. Mayor Wingfield
  - i. Mailboxes
    - 1. Council deliberated on where to move mailboxes along Hall Ave
- b. Councilmember Aakre
  - i. Exterior Storage
    - 1. Council deliberation on potential of placing changes to exterior storage ordinance on future council meeting agenda.
    - 2. Councilmember LaFoy offered to draft potential amendments to the exterior storage ordinance.
- c. Councilmember Fleck
  - i. School Survey
    - 1. Announced results of feedback from school district alignment survey which asked the community about the desire to align with Mahtomedi school district versus White Bear Lake school district.

I. City Administrator's Report

- a. Ice Rink Operations
  - i. Confirmed that the Council still wished to not staff the ice rink warming house during the 2019 Winter – 2020 Spring season.
  - ii. Asked the Council for permission to hire rink attendants to open, close, and clear the rink of snow and the Council approved.
- b. Lakewood Ln. Snow Removal
  - i. Announced receipt of 3 bids to clear snow from Lakewood Lane.

**MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER FLECK TO ACCEPT THE BID FROM BF LAUZON TO PLOW LAKEWOOD LANE THIS WINTER. ALL AYES. MOTION PASSED.**

**ADJOURN**

**MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY MAYOR WINGFIELD TO ADJOURN THE MEETING. ALL AYES. MOTION PASSED. MEETING ADJOURNED AT 9:04 PM.**

ATTEST:

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Mary Wingfield  
Mayor

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Tobin Lay  
City Administrator - Clerk