



AGENDA OF THE REGULAR MEETING OF
THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
December 12, 2017
7:00 P.M.

NOTE: Due to Open Meeting Law restrictions, the City Council may be discussing agenda items for the first time. Your patience and understanding is appreciated during this process.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

OPEN PUBLIC FORUM

ANNOUNCEMENTS

- A. The ice rink is scheduled to open Tues Dec 12th; weather depending. Watch the City website for updates.
- B. Street snow removal complaints should be sent to info@cityofbirchwood.com.
- C. We are in need of a representative for the WBLCD. Contact City Hall if interested.
- D. Community Club Christmas Party will be held Dec 20th from 5:30-7:30pm at City Hall.
- E. We are social, follow us on Facebook/Twitter and/or register for the email listserv.

ADMINISTRATIVE PRESENTATION

- A. Sheriff Report* (p. 4)
- B. Leaf Pickup Results* (p. 5)
- C. Roads Committee Update: Minutes & Email* (pp. 6-7)

CITY BUSINESS – CONSENT AGENDA

- A. Approval of Regular Meeting Minutes from November 14, 2017* (pp. 78-84)
- B. Approval of Workshop Minutes from November 14, 2017* (p. 8)
- C. Approval of Treasurer's Report* (pp. 9-19)
- D. Approval of Resolution 2017-35, Designating Polling Place* (pp. 20-21)
- E. Approval of Resolution 2017-27, Hiring & Appointment of Treasurer-Deputy Clerk* (pp. 22-24)
- F. Approval of Road Signs at Birchwood Ave & Cedar St.* (pp. 6-7 & 25)

CITY BUSINESS – REGULAR AGENDA

- A. Truth in Taxation/Adoption of Final Levy and Budget
 - a. Public Hearing

* Denotes items that have supporting documentation provided

- b. Review of Proposed 2018 Levy and Budget* (pp. 26-29)
 - c. Resolution 2017-28, Final Levy Adoption* (p. 30)
 - d. Resolution 2017-29, Final Budget Adoption* (p. 31)
- Time Budget: 10 Minutes*
- B. Resolution 2017-30 - Certification of Delinquent Utility Accounts to the County* (pp. 32-33)
 - a. Public Hearing
 - b. Council Deliberation and Consideration of Approval

Time Budget: 5 Minutes
 - C. City Project No. 2017-1 Sanitary Sewer Rehabilitation Improvement* (pp. 34-43)
 - a. Award Contract for Construction
 - b. Review and Consider Approving Resolution 2017-31 Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment
 - c. Review and Consider Approving Resolution 2017-32 Transferring Funds

Time Budget: 20 Minutes
 - D. Manhole Repair – Discovered During Sewer Line TV* (pp. 35 & 44-45)

Time Budget: 6 Minutes
 - E. Second Reading & Final Vote Ordinance 2017-10-02 Public Right-of-Way* (pp. 46-51)
 - a. Public Hearing
 - b. Council Deliberation & Vote
 - c. Council Approval of Amended Fee Schedule
 - d. Council Approval of Resolution 2017-33 Summary Publication

Time Budget: 15 Minutes
 - F. Parks Committee Update and Recommendations* (pp. 52-56)

Time Budget: 10 Minutes
 - G. First Reading of Water Utility Rate Increase* (p. 57)
 - a. Council Deliberation and Consideration of Approval
 - b. Order Publication of Notice for Public Hearing

Time Budget: 5 Minutes
 - H. Second Reading & Final Vote Ordinance 2017-10-01 Zoning Administration Amendment* (pp. 58-63)
 - a. Council Deliberation & Vote

Time Budget: 10 Minutes
 - I. Second Reading & Final Vote Ordinance 2017-01-01 – Impervious Surface Amendment* (p. 64)
 - a. Council Deliberation & Vote

Time Budget: 10 Minutes
 - J. City Code Section 805 Amendment* (pp. 65-70)

Time Budget: 10 Minutes

* Denotes items that have supporting documentation provided

- K. Council Member Reports:
 - a. Mayor Wingfield
 - i. Update: Docks Committee* (p. 71)
 - ii. Joint Parks Committee Meeting
 - iii. Committee Liaison Duties* (p. 72)
 - iv. Leadership Training* (pp. 73-74)
Time Budget: 15 Minutes
 - b. Councilmember White
 - i. Update: Parks Committee
Time Budget: 10 Minutes
 - c. Councilmember Woolstencroft
 - i. Update: Dog Park Committee – Resolution 2017-34* (pp. 75-76)
Time Budget: 5 Minutes
 - d. Councilmember LaFoy
 - i. BoldPlanning Software Report* (p. 77)
Time Budget: 5 Minutes
- L. City Administrator’s Report

ADJOURN

* Denotes items that have supporting documentation provided

MEMORANDUM

DATE: December 12, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Sheriff Report



Birchwood Village

Dear Mayor and Council Members,

Here is the Sheriff Report for the period November 1-30, 2017:

Date	Time	ICR #	ID#	Street Name	Complaint
11/01/17	10:38:41	117039398	0122	HALL AV	TRAFFIC-STOP SIGN VIOLATION
11/03/17	13:28:12	117039669	0182	BIRCHWOOD AV	NOISE COMPLAINT
11/04/17	12:05:25	117039755	0063	WILDWOOD AV	PUBLIC ASISST - PH CALL REQ
11/04/17	14:56:32	117039769	0065	LAKE AV	RABID RACCOON
11/05/17	17:19:30	117039854	0084	OAKHILL CT	ALARM
11/08/17	11:37:30	117040184	0122	HALL AV	TRAFFIC-SPEED
11/08/17	12:40:56	117040190	0122	BIRCHWOOD CT	INFORMATION
11/08/17	23:27:16	117040261	0092	CEDAR ST	CHECK WELFARE
11/16/17	13:31:29	117041159	0074	LAKE AV	FOUND BIKE
11/16/17	17:02:41	117041192	0074	BIRCHWOOD AV	ANIMAL CONCERN
11/17/17	2:30:55	117041230	1264	HALL AV	CRIME PREVENTION
11/19/17	1:27:29	117041458	1202	HALL AV	EXTRA PATROL
11/23/17	20:12:19	117041995	0999	OAKRIDGE DR	MEDICAL LEVEL 1
11/27/17	1:14:59	117042283	1202	WILDWOOD AV	EXTRA PATROL
11/29/17	12:58:10	117042643	0122	BIRCHWOOD AV	SUSP ITEMS
11/29/17	13:35:38	117042648	0122	FIVE OAKS LN	ANIMAL CONCERN **RSTK CALL CO
11/30/17	17:52:07	117042828	0084	HALL AV	EXTRA PATROL REQUEST

Total ICRs Processed: 17

Regards,
Tobin Lay

MEMORANDUM

DATE: December 12, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Fall Leaf Pickup Results



Birchwood Village

Dear Mayor and Council Members,

This fall we had another successful leaf pickup event. Approx. 85 households participated; compared to 89 last fall. The total cost for resident pickups came to \$6,947.06 and the City's was \$900. There were several compliments about Mow Joe and no complaints.

As instructed by Council, staff will pay the full amount of up front (pending Council's approval of the December 12 Treasurer's Report) and bill the participating residents through their individual utility bills, along with an additional \$2 service charge. Thanks!

Regards,
Tobin Lay

**Birchwood Village
Roads and Streets Committee Draft Minutes
December 4, 2017 - 6:30PM
Birchwood Village City Hall**

Present: Tom Stangl, Ben Creagh, Tom Patsy, John Anderson, Gene Ruehle
(Terry Granec absent)

- A. Approve previous minutes Tom Motions, Tom P approves
- B. Additions to agenda
- C. Public forum - None

New Business

- D. Salt
 - a. Excessive salting without need.
 - b. Birch was contacted, and they apologized for excessive salt usage. Birch said they had issues with truck dispenser, and are fine tuning
 - i. Follow-up questions(Gene): Are there multiple grades of salt?
 - ii. Pre-treatments can only occur if asphalt is showing and dry
- E. Singage
 - a. No change for downhill sign
 - b. Purchase two yellow signs. One that says "Traffic from right does not stop" and one from "Traffic from left does not stop"
 - i. Gene motions, Tom P. seconds. Passes
- F. Water on Wildwood Ave
 - a. Removal of sewer plugs should be included with new damage deposit
 - i. Socks should be maintained to reduce sediment buildup in sewer to avoid flooding that occurred on 200 block on Wildwood Ave
- G. Next Meeting or emergency meeting policy
 - a. Email meeting with three day notice. Four members need to be present
 - b. Next meeting February 5th, 2017 at 6:30 at City Hall
- H. Motion to close
7:14pm- Tom P, John seconds.

Tobin Lay

From: Birchwood Roads [birchwoodroads@gmail.com]
Sent: Wednesday, December 06, 2017 4:47 PM
To: Tobin Lay
Subject: Three Roads Committee items for council

- (1) Two signs requested for side streets at tennis court. Yellow Traffic from LEFT and Traffic from RIGHT does not stop with brackets. Pricing unknown.
- (2) Explanation of excess salt at first snow, Birch had equipment issues and has since fine tuned.
- (3) Salt Pre treating is done on dry pavement which explains why it was not done during rain / wet pavement.

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Birchwood Roads and Streets Committee
City of Birchwood Village, MN 55110

**CITY OF BIRCHWOOD VILLAGE
CITY COUNCIL WORKSHOP
November 14, 2017**

MINUTES

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

STAFF PRESENT: Tobin Lay, City Administrator

OTHERS PRESENT: Jim Nelson, Nick Hartzel, Dana Klimp, Mary Sue Simmons, Bryan McGinnis, Alan Mitchell and others.

Mayor Wingfield called the workshop to order at 6:38 p.m.

CITY BUSINESS - REGULAR AGENDA

A. Conditional Use Permits – City Code Section 306

1. City Administrator Tobin Lay explained that he had found possible unintentional problems with the language in Section 306 that governs Conditional Use Permits. He offered some solutions and recommended that the Council request the Planning Commission look into this further. He would have brought this up in the regular City Council meeting but the Council had made the decision earlier in the year to have all new business come before them in a workshop before moving to the regular meeting.
2. Council Members shared their dislike of holding workshops to review new topics. They wanted to hold fewer meetings.

B. Workshop Minutes Protocol

1. City Administrator Lay asked for guidance on taking recording and minute taking at City Council workshops. The City's Rules of Procedure do not require minutes for workshops but the Council had requested minutes for some of the past workshops; sometimes expecting detailed minutes and other only summary minutes. Also, the Rules of Procedure only stipulate that workshops be recorded, either by audio or video – Lay asked which method the Council preferred.
2. Council Members said that they would like to have minutes for all Council workshops but that they should be very brief and summary in nature. They also said that they preferred video recording the workshops.

ADJOURN

MAYOR WINGFIELD ADJOURNED THE MEETING AT 6:55 P.M.

ATTEST:

Mary Wingfield, Mayor

Tobin Lay, City Administrator-Clerk

Cash Control Statement

For the Period : 11/14/2017 To 12/12/2017

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$446,284.76	\$426.58	\$29,183.41	\$417,527.93
Road and Bridge	\$0.00	\$0.00	\$0.00	\$0.00
Comp Plan Grant	\$4,460.00	\$0.00	\$0.00	\$4,460.00
Tree Canopy Care	\$0.00	\$0.00	\$0.00	\$0.00
Special Rev Projects	\$3,664.59	\$0.00	\$0.00	\$3,664.59
Spec Rev - Warm House	\$40.00	\$0.00	\$0.00	\$40.00
REIMBURSED CONTRACTED SERVICES	(\$7,285.26)	\$0.00	\$0.00	(\$7,285.26)
Birchwood In Re-hab Bond	\$1,687.21	\$0.00	\$1,687.21	\$0.00
Sewer Re-hab 2008 Debt	\$6,037.63	\$0.00	\$6,037.63	\$0.00
CAPITAL PROJECT FUNDS (401 through 499)	\$0.00	\$0.00	\$0.00	\$0.00
Capital Improvement Projects	\$0.00	\$0.00	\$0.00	\$0.00
Capital Project PW	\$66,233.91	\$0.00	\$0.00	\$66,233.91
Water	\$39,135.09	\$0.00	\$1,896.25	\$37,238.84
Sewer	\$52,014.14	\$0.00	\$36,844.22	\$15,169.92
Transit System	\$0.00	\$0.00	\$0.00	\$0.00
Sewer Infrastructure	\$0.00	\$0.00	\$0.00	\$0.00
Engineering Services	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$612,272.07	\$426.58	\$75,648.72	\$537,049.93

City of Birchwood Village

Receipts Register

12/12/2017

Fund Name: All Funds

Date Range: 11/14/2017 To 12/12/2017

<u>Date</u>	<u>Remitter</u>	<u>Receipt #</u>	<u>Description</u>	<u>Deposit ID</u>	<u>Void Account Name</u>	<u>F-A-P</u>	<u>Total</u>
11/15/2017	Clinch, J.	171734167*	Boat Lift Storage	(11/15/2017) -	N Lift Storage	100-32265-	\$ 100.00
							\$ 100.00
11/15/2017	Madison, Roger/Donna	171734168*	Boat Lift Storage	(11/15/2017) -	N Lift Storage	100-32265-	\$ 100.00
							\$ 100.00
11/15/2017	Quick, Devon	171734169*	CASH- Boat Lift Storage	(11/15/2017) -	N Lift Storage	100-32265-	\$ 100.00
							\$ 100.00
11/15/2017	Rickman, Cari/Eric	171734170*	Hall Rental	(11/15/2017) -	N City/Town Hall Rent	100-34101-	\$ 25.00
							\$ 25.00
11/15/2017	Hawkinson, Aaron	171734171*	Building Permit	(11/15/2017) -	N Building Permits	100-32211-	\$ 68.25
							\$ 68.25
11/15/2017	Minnesota Management & Budget	171734172*	Washington County Court Fines	(11/15/2017) -	N Court Fines	100-35101-	\$ 33.33
							\$ 33.33
Total for Selected Receipts							\$ 426.58

Fund Name: All Funds

Date Range: 11/14/2017 To 12/12/2017

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
11/15/2017	Press Publications	29817*	Legal Notice Publications x 2	N	Ordinances and Proceedings	100-41130-351-	\$ 219.52
	Total For Check	29817					\$ 219.52
11/15/2017	Dahlen, Dwyer, Foley & Tinker, Inc.	29818*	Property Valuation Services- Sanitary Sewer Improvement	N	Legal Services	605-41601-304-	\$ 3,300.00
	Total For Check	29818					\$ 3,300.00
11/15/2017	Leeves, Robert	29819	Council Meeting Recording 11/14/17	N	Cable Eqmpt and Service	100-41950-314-	\$ 68.00
	Total For Check	29819					\$ 68.00
11/15/2017	KElmar Liquidation and Wholesale	29820*	Office Desk Chair	N	Office Operations Supplies	100-41911-230-	\$ 125.00
	Total For Check	29820					\$ 125.00
11/15/2017	National Band & Tag Company	29821*	Dog License Tags	N	Office Operations Supplies	100-41911-210-	\$ 43.91
	Total For Check	29821					\$ 43.91
11/15/2017	Xcel Energy	EFT111517*	Electric for Street Lights	N	Street Lighting	100-43160-380-	\$ 1,167.54
	Total For Check	EFT111517					\$ 1,167.54
11/17/2017	WBL Conservation District	29822	Kay Beach Permit Fee - 2017	N	Water Resources	100-46101-437-	\$ 50.00
	Total For Check	29822					\$ 50.00
11/27/2017	Payroll Period Ending 11/24/2017	29823		N	Clerk - Treasurer	100-41401-100-	\$ 1,575.80
	Total For Check	29823					\$ 1,575.80
11/27/2017	PERA	EFT112717	Employee Retirement - Tobin	N	Clerk - Treasurer	100-41401-121-	\$ 274.40
	Total For Check	EFT112717					\$ 274.40
11/27/2017	U S Bank	EFT112717B*	Debt Service Payment 12/1/17	N	Bond Payment	303-47101-601-	\$ 535.67
	Total For Check	EFT112717B*					\$ 535.67
		EFT112717B*				303-47101-610-	\$ 1,151.54
		EFT112717B*				305-47101-601-	\$ 6,037.63
		EFT112717B*				605-47101-601-	\$ 16,317.65
	Total For Check	EFT112717B					\$ 24,042.49
12/04/2017	Payroll Period Ending 12/04/2017	29827		N	Clerk - Treasurer	100-41401-100-	\$ 148.74
	Total For Check	29827					\$ 148.74

Fund Name: All Funds

Date Range: 11/14/2017 To 12/12/2017

Date Vendor Check #
12/04/2017 Lund, John 29828

Total For Check 29828

12/04/2017 City of White Bear Lake Fire 29829
Total For Check 29829

12/04/2017 TSE, INC 29830*
29830*
Total For Check 29830

12/04/2017 Birch 29831*
Total For Check 29831

12/04/2017 Mow Joe Inc 29832*
29832*
Total For Check 29832

12/04/2017 Toshiba Business Solutions, USA Inc 29833*
Total For Check 29833

12/04/2017 Companion Animal Control LLC 29834
Total For Check 29834

12/04/2017 Minnesota Department of Health 29835
Total For Check 29835

12/04/2017 T.A. Schifsky 29836*
Total For Check 29836

12/04/2017 Quality Flow Systems, Inc. 29837*
Total For Check 29837

12/04/2017 Pipe Services Corp 29838*
Total For Check 29838

12/04/2017 City of Roseville 29839*
Total For Check 29839

Description	Void	Account Name	F-A-O-P	Total
VOID\$200.00Cedar/Hall Emergency Tree	Y	Tree Removal	100-43135-314-	\$ -
Fire Srvc - November 2017	N	Fire	100-42201-314-	\$ 1,599.84
Janitorial Services x2	N	General Government Buildings and Plant	100-41940-314-	\$ 25.00
Snow Plow Services 11/9 & 11/11	N	Ice and Snow Removal	100-43125-314-	\$ 202.50
Fall Clean Up	N	Leaf Pick-Up	100-43110-314- 100-43110-314-	\$ 6,947.06 \$ 900.00 \$ 7,847.06
Maintenance	N	Office Operations Supplies	100-41911-314-	\$ 49.87
Animal Control - Qtr 3, 2017	N	Animal Control	100-41916-314-	\$ 240.00
Q4 Community Water Supply Fee	N	Water Utility	601-43180-437-	\$ 562.00
Yard Purchases	N	Lawn Care - Maintenance	601-45208-314-	\$ 338.75
Lift Station Inspection/Repair	N	Sewer Utility	605-43190-380-	\$ 1,254.00
Sewer TV Inspection	N	Sewer Utility	605-43190-314-	\$ 4,896.32
November IT Services	N	General Government Buildings and Plant	100-41940-320-	\$ 329.67

<u>Fund Name:</u>	<u>All Funds</u>	<u>Date Range:</u>	<u>11/14/2017 To 12/12/2017</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
12/04/2017	Beckman, Greg	29840*	29840	Meter Read/Maintenance November 2017	N	Water Utility	601-43180-314-	\$ 325.50
Total For Check 29840								\$ 325.50
12/04/2017	White Bear Township	29841	29841	Reimbursement for Tags used to Identify Canoe Locations	N	General Government Buildings and Plant	100-41940-810-	\$ 44.97
Total For Check 29841								\$ 44.97
12/04/2017	Allstream	29842*	29842	PW Maintenance Worker/ Equipment	N	Sewer Utility	605-43190-314-	\$ 4,918.00
Total For Check 29842								\$ 4,918.00
12/04/2017	Press Publications	29843*	29843	Analog Phone Line	N	General Government Buildings and Plant	100-41940-320-	\$ 45.82
Total For Check 29843								\$ 45.82
12/04/2017	Gopher State One Call	29844*	29844	Legal Notice Publications x 2	N	Ordinances and Proceedings	100-41130-351-	\$ 56.25
Total For Check 29844								\$ 56.25
12/04/2017	City of Roseville	29845*	29845	Locates (14 Tickets)	N	Utility Locates	605-42805-314-	\$ 18.90
Total For Check 29845								\$ 18.90
12/04/2017	Payroll Period Ending 12/04/2017	29847*	29847	November IT Services	N	General Government Buildings and Plant	100-41940-320-	\$ 50.63
Total For Check 29847								\$ 50.63
12/04/2017	Payroll Period Ending 12/04/2017	29848	29848		N	Parks	100-45207-100-	\$ 779.59
Total For Check 29848								\$ 779.59
12/04/2017	Payroll Period Ending 12/04/2017	29849	29849		N	Mayor	100-41310-100-	\$ 1,010.25
Total For Check 29849								\$ 1,010.25
12/04/2017	Payroll Period Ending 12/04/2017	29850	29850		N	Mayor	100-41310-100-	\$ 524.10
Total For Check 29850								\$ 524.10
12/04/2017	Payroll Period Ending 12/04/2017	29851	29851		N	Mayor	100-41310-100-	\$ 554.10
Total For Check 29851								\$ 554.10
12/04/2017	Payroll Period Ending 12/04/2017	29852	29852		N	Mayor	100-41310-100-	\$ 554.10
Total For Check 29852								\$ 554.10
12/04/2017	Payroll Period Ending 12/04/2017	29853	29853		N	Mayor	100-41310-100-	\$ 554.10
Total For Check 29853								\$ 554.10

Fund Name: All Funds

Date Range: 11/14/2017 To 12/12/2017

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
		Total For Check					554.10
12/04/2017	Thatcher Engineering, Inc	29853*	Sewer Lining Project	N	Engineer Service	605-41650-300-	1,012.50
		Total For Check					1,012.50
12/04/2017	Kantrud, Alan	29855*	Attorney Fee's 2017	N	Legal Services	100-41601-300-	4,935.00
		Total For Check					4,935.00
12/04/2017	Xcel Energy	EFT120417A*	Electric for Lift Station/ Warming House	N	General Government Buildings and Plant	100-41940-380-	181.50
		EFT120417A*			Parks	100-45207-380-	11.79
		EFT120417A*			Sewer Utility	605-43190-380-	126.52
		EFT120417A*				605-43190-380-	29.49
		Total For Check					331.15
		Total For Check					680.45
12/04/2017	Xcel Energy	EFT120417B*	Gas for Generator	N	Sewer Utility	605-43190-380-	28.45
		Total For Check					28.45
12/05/2017	Lund, John	29824	Cedar/Hall Emergency Tree	N	Tree Removal	100-43135-314-	200.00
		Total For Check					200.00
12/05/2017	Lund, John	29856	Hall Emergency Tree	N	Tree Removal	100-43135-314-	100.00
		Total For Check					100.00
12/05/2017	PERA	EFT120517A	Employee Retirement - Bailey	N	Clerk - Treasurer	100-41401-121-	24.25
		Total For Check					24.25
12/05/2017	PERA	EFT120517B	Employee Retirement - LaFoy	N	Clerk - Treasurer	100-41401-121-	60.00
		Total For Check					60.00
12/05/2017	PERA	EFT120517C	Employee Retirement - Tobin & Wingfield	N	Clerk - Treasurer	100-41401-121-	424.40
		Total For Check					424.40
12/05/2017	IRS - US Treasury	EFTIRS1217	Q4 2017 Nov Payment	N	Clerk - Treasurer	100-41401-100-	916.29
		Total For Check					916.29
12/08/2017	Payroll Period Ending 12/08/2017	29825		N	Clerk - Treasurer	100-41401-100-	1,575.80
		Total For Check					1,575.80
12/08/2017	Payroll Period Ending 12/08/2017	29826		N	Clerk - Treasurer	100-41401-100-	422.04

Fund Name: All Funds

Date Range: 11/14/2017 To 12/12/2017

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
	Total For Check	29826					\$ 422.04
12/08/2017	Payroll Period Ending 11/30/2017	29857		N	Clerk - Treasurer	100-41401-100-	\$ 101.58
	Total For Check	29857					\$ 101.58
12/08/2017	Quality Flow Systems, Inc.	29858	Lift Station Inspection/Repair	N	Sewer Utility	605-43190-380-	\$ 200.00
	Total For Check	29858					\$ 200.00
12/08/2017	Metropolitan Council Env. Service	29859	Wastewater Service Jan 2018	N	Sewer Utility	605-43190-217-	\$ 4,411.24
	Total For Check	29859					\$ 4,411.24
12/12/2017	Kantrud, Alan	29860*	Attorney Fees 2017	N	Legal Services	100-41601-300-	\$ 2,065.00
	Total For Check	29860					\$ 2,065.00
12/12/2017	Manship Plumbing & Heating Inc	29861	Monthly Standby/locates/services	N	Water Utility	601-43180-314-	\$ 670.00
	Total For Check	29861					\$ 670.00
	Total For Selected Checks						\$ 75,648.72

As on 12/12/2017

Special Rev Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Dock/Lift Permit Fee	0.00	1,935.00	1,935.00
Total Acct 322	0.00	1,935.00	1,935.00
Total Revenues	0.00	1,935.00	1,935.00
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Recreation			
Miscellaneous: Dues and Subscriptions	0.00	200.00	(200.00)
Community Events	0.00	1,200.00	(1,200.00)
Total Acct 451	0.00	1,400.00	(1,400.00)
MISCELLANEOUS			
Refunds and Reimbursements	0.00	765.43	(765.43)
Total Acct 490	0.00	765.43	(765.43)
Unallocated Expenditures			
Miscellaneous (431 through 499)	0.00	35.00	(35.00)
Fees	0.00	35.00	(35.00)
Community Events	0.00	300.00	(300.00)
Refunds and Reimbursements	0.00	200.00	(200.00)
Total Acct 492	0.00	570.00	(570.00)
Total Disbursements	0.00	2,735.43	(2,735.43)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		4,465.02	
Total Receipts and Other Financing Sources		1,935.00	
Total Disbursements and Other Financing Uses		2,735.43	
Cash Balance as of 12/12/2017		3,664.59	

As on 12/12/2017

Capital Project PW

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Met Council Grants and Aids	0.00	600.00	600.00
Total Acct 336	0.00	600.00	600.00
Total Revenues	0.00	600.00	600.00
Other Financing Sources:			
Transfers from other Funds	0.00	68,203.91	68,203.91
Total Acct 392	0.00	68,203.91	68,203.91
Total Other Financing Sources	0.00	68,203.91	68,203.91
Disbursements:			
General Government Buildings and Plant			
Repair and Maintenance Supplies (221 through 229)	0.00	600.00	(600.00)
REPAIRS AND MAINTENANCE - CONTRACTUAL (401 through 409)	0.00	1,970.00	(1,970.00)
Total Acct 419	0.00	2,570.00	(2,570.00)
Total Disbursements	0.00	2,570.00	(2,570.00)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		0.00	
Total Receipts and Other Financing Sources		68,803.91	
Total Disbursements and Other Financing Uses		2,570.00	
Cash Balance as of 12/12/2017		66,233.91	

As on 12/12/2017

	Budget	Actual	Variance
Water			
Receipts:			
Water Fee	0.00	66,775.26	66,775.26
Penalty - Late Water/Sewer	0.00	386.02	386.02
State and Misc fees	0.00	1,880.27	1,880.27
Total Acct 341	0.00	69,041.55	69,041.55
Water Main Break	0.00	6,083.38	6,083.38
Total Acct 349	0.00	6,083.38	6,083.38
Total Revenues	0.00	75,124.93	75,124.93
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Financial Administration			
Operating Supplies (211 through 219)	0.00	481.69	(481.69)
Professional Services: Medical and Dental Fees	0.00	3,655.60	(3,655.60)
Contracted Services	0.00	1,881.00	(1,881.00)
Total Acct 415	0.00	6,018.29	(6,018.29)
General Government Buildings and Plant			
Refunds and Reimbursements	0.00	124.85	(124.85)
Total Acct 419	0.00	124.85	(124.85)
Water Utility			
Repair and Maintenance Supplies (221 through 229)	0.00	1,060.60	(1,060.60)
Professional Services: Medical and Dental Fees	0.00	23,542.99	(23,542.99)
Contracted Services	0.00	27,259.16	(27,259.16)
Miscellaneous (431 through 499)	0.00	1,124.00	(1,124.00)
Fees	0.00	1,124.00	(1,124.00)
Wtr/Swr Emergency			
Repair and Maintenance Supplies (221 through 229)	0.00	600.00	(600.00)
Professional Services: Medical and Dental Fees	0.00	14,083.82	(14,083.82)
Sewer Utility			
Refunds and Reimbursements	0.00	11.92	(11.92)
Total Acct 431	0.00	68,806.49	(68,806.49)
Lawn Care - Maintenance			
Contracted Services	0.00	338.75	(338.75)
Total Acct 452	0.00	338.75	(338.75)
Total Disbursements	0.00	75,288.38	(75,288.38)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		37,402.29	
Total Receipts and Other Financing Sources		75,124.93	
Total Disbursements and Other Financing Uses		75,288.38	
Cash Balance as of 12/12/2017		37,238.84	

As on 12/12/2017

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Sewer			
Receipts:			
Penalty - Late Water/Sewer	0.00	728.79	728.79
Sewer Fee	0.00	97,964.96	97,964.96
Total Acct 341	0.00	98,693.75	98,693.75
Total Revenues	0.00	98,693.75	98,693.75
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Postage/Postal Permits			
OFFICE SUPPLIES (201 through 209)	0.00	668.63	(668.63)
Total Acct 414	0.00	668.63	(668.63)
Legal Services			
Professional Services: Legal Fees	0.00	3,300.00	(3,300.00)
Engineer Service			
PROFESSIONAL SERVICES (301 through 319)	0.00	5,390.00	(5,390.00)
Professional Services: Legal Fees	0.00	850.00	(850.00)
Total Acct 416	0.00	9,540.00	(9,540.00)
General Government Buildings and Plant			
Refunds and Reimbursements	0.00	759.20	(759.20)
Total Acct 419	0.00	759.20	(759.20)
Utility Locates			
Contracted Services	0.00	419.95	(419.95)
Total Acct 428	0.00	419.95	(419.95)
Sewer Utility			
Operating Supplies (211 through 219)	0.00	26.71	(26.71)
Sewer - Wastewater Charge	0.00	51,444.71	(51,444.71)
Professional Services: Medical and Dental Fees	0.00	1,304.88	(1,304.88)
Contracted Services	0.00	13,394.69	(13,394.69)
Utility Services (381 through 389)	0.00	11,623.44	(11,623.44)
Utility Services: Gas Utilities	0.00	255.81	(255.81)
Refunds and Reimbursements	0.00	50.18	(50.18)
Total Acct 431	0.00	78,100.42	(78,100.42)
Bond Payment			
Debt Service: Bond Principal	0.00	16,317.65	(16,317.65)
Total Acct 471	0.00	16,317.65	(16,317.65)
Total Disbursements	0.00	105,805.85	(105,805.85)
Other Financing Uses:			
Transfer To Governmental Fund			
Interfund Transfers	0.00	25,194.03	(25,194.03)
Total Acct 493	0.00	25,194.03	(25,194.03)
Total Other Financing Uses	0.00	25,194.03	(25,194.03)
Beginning Cash Balance		47,476.05	
Total Receipts and Other Financing Sources		98,693.75	
Total Disbursements and Other Financing Uses		130,999.88	
Cash Balance as of 12/12/2017		15,169.92	

MEMORANDUM

DATE: December 12, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Resolution 2017-35, Designating Polling Place



Birchwood Village

Dear Mayor and Council Members,

A new State Statute was passed that requires every MN city to designate their polling places each December for the upcoming year; even if there is no election in that community that coming year.

The enclosed Resolution 2017-35 conforms to this new requirement and includes all the language used by other metro cities that is based off of the League's explanation of the law. It keeps the Village Hall as our designated polling place.

Recommendation/Request

Council is requested to approve the enclosed Resolution 2017-26 as presented. Thanks!

Regards,
Tobin Lay

RESOLUTION 2017-35

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

**A RESOLUTION DESIGNATING POLLING PLACES FOR THE 2018 STATE
PRIMARY AND STATE GENERAL ELECTION**

WHEREAS, Minnesota Statutes 204B.16, subd 1 requires the City Council, by ordinance or resolution, to designate polling places for the upcoming year; and

WHEREAS, changes to the polling place locations may be made at least 90 days before the next election if one or more of the authorized polling places becomes unavailable for use; and

WHEREAS, changes to the polling place locations may be made in the case of an emergency when it is necessary to ensure a safe and secure location for voting; and

WHEREAS, the state primary is August 14, 2018 and the state general election is November 6, 2018.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby designates the following polling places for elections conducted in the city in 2018:

**Birchwood Village Hall
207 Birchwood Avenue**

AND BE IT FURTHER RESOLVED, that the city clerk is hereby authorized to designate a replacement meeting the requirements of the Minnesota Election Law for any polling place designated in this Resolution that becomes unavailable for use by the city;

AND BE IT FURTHER RESOLVED, that the city clerk is hereby authorized to designate an emergency replacement polling place meeting the requirements of the Minnesota Election Law for any polling place designated in this Resolution when necessary to ensure a safe and secure location for voting;

AND BE IT FURTHER RESOLVED, that the city clerk is directed to send a copy of this resolution and any subsequent polling place designations to the Washington County Elections Office.

Resolution duly seconded and passed this 12th day of December, 2017.

Mary Wingfield, Mayor

Attest:

Tobin Lay, City Administrator-Clerk

MEMORANDUM

DATE: December 12, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Resolution 2017-27, Treasurer-Deputy Clerk



Birchwood Village

Dear Mayor and Council Members,

As you are aware, our current Treasurer-Deputy Clerk Bailey Beckman has accepted a job offer elsewhere and has submitted her resignation. She is willing to stay on long enough to train her replacement, up to 2 months if necessary.

After posting the position for a month, we received several applications from highly qualified individuals. I and Councilmember Randy LaFoy, who represented the Personnel Committee, have interviewed the finalists and recommend hiring Paul Carroll to replace Bailey Beckman.

We are sad to see Bailey leave us and wish her the best in her professional pursuits. Paul will be a great fit in this role and in this community. Although his resume doesn't include it (resume enclosed), he has been volunteering with the City of Elko New Market for nearly two years.

I included this in the consent agenda because tonight's meeting is going to be a long one and I thought this was a topic that could be explained and voted on without discussion. However, if you wish to discuss this in greater detail, you can motion to move this to the regular agenda.

Recommendation/Request

Council is requested to approve the enclosed Resolution 2017-27 to accept Bailey's resignation and approve Paul's hiring and appointment as City Treasurer-Deputy Clerk. Thanks!

Regards,
Tobin Lay

RESOLUTION 2017-27

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

**ACCEPTING THE RESIGNATION OF CURRENT CITY TREASURER-
DEPUTY CLERK BAILEY BECKMAN AND APPROVING THE HIRING AND
APPOINTMENT OF PAUL CARROLL AS CITY TREASURER-DEPUTY
CLERK, EFFECTIVE DECEMBER 13, 2017.**

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, December 12, 2017, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Megan Malvey, Randy LaFoy, Trilby White, and Kevin Woolstencroft, and the following absent: none, the Birchwood City Council resolved:

WHEREAS, Current City Treasurer-Deputy Clerk Bailey Beckman will be resigning her position effective once her replacement is trained but not to exceed 60 days; and

WHEREAS, The City of Birchwood Village will employ Paul Carroll as City Treasurer-Deputy Clerk for 36 hours/month; and

WHEREAS, The City of Birchwood Village will compensate Paul Carroll at a rate of pay of \$20.00/hour.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby accepts the resignation of Bailey Beckman effective once her replacement is trained but not to exceed 60 days, and approves the hiring and appointment of Paul Carroll as City Treasurer-Deputy Clerk, effective December 13, 2017.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 12th day of December, 2017.

Mary Wingfield, Mayor

Attest:

Tobin Lay, City Administrator-Clerk

MEMORANDUM

DATE: December 12, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Road Signs at Birchwood Ave. & Cedar St.



Birchwood Village

Dear Mayor and Council Members,

It was brought to my attention that several major accidents have nearly occurred at the intersection of Birchwood Ave. & Cedar St. – the three way stop. The traffic coming up the hill (Cedar St.) has no stop sign but only the downhill traffic (Cedar St.) have a warning sign that oncoming traffic doesn't stop.

I asked the Roads Committee to take a look at it since it was of an urgent nature and they recommended placing a sign on the two Birchwood Ave. stop signs that warn of the uphill traffic not stopping – see pp. 6-7 for more info.

The two signs will cost under \$100 so I approved the purchase of the signs, as recommended by the Roads Committee – again, due to the urgent nature of the problem.

Recommendation/Request

I request Council approve the purchase of these two signs and related mounding hardware – up to \$100. Thanks!

Regards,
Tobin Lay

**CITY OF BIRCHWOOD VILLAGE
2018 SUMMARY BUDGET STATEMENT**

The purpose of this report is to provide summary 2018 budget information concerning the City of Birchwood Village to interested citizens. The budget is published in accordance with Minnesota Statute Section 471.6965. This budget is not complete; the complete budget may be examined at Birchwood City Hall, 207 Birchwood Ave., Birchwood Village, MN 55110.

Governmental Funds 2018 Adopted Budgeted

	2017 Budget	2018 Budget
Revenues:		
Property Taxes	326,299	354,500
Licenses and Permits	0	0
Intergovernmental Revenues		
County and Other Local Governments	0	0
Charges for Services	0	0
Fines and Forfeits	0	0
Interest on Investments	0	0
Miscellaneous Revenues	0	0
Total Revenues	326,299	354,500
Expenditures:		
Current:		
General Government	127,820	160,631
Public Safety	73,250	75,639
Public Works	46,000	43,500
Sanitation	25,000	24,500
Culture and Recreation	15,200	15,570
Conservation	1,885	2,000
Miscellaneous	7,144	2,660
Transfer to other funds	30,000	30,000
Total Expenditures	326,299	354,500
Excess (deficiency) of Revenues over (under) Expenditures	0	0
Property Tax Levy Requirement to Fund This Budget	326,299	354,500

	A	B	C	D	E	F	G	H
1	City of Birchwood Village Revenue and Expenditure Trends							
2			2014		2015	2016	2017	2018
3			Levy	Other Revenue				
4	RECEIPTS							
5	General Property Taxes (levy)		\$336,013.00		\$326,299.00	\$326,299.00	\$326,299.00	\$354,500.00
6	LICENSES AND PERMITS							
7	Business Licenses and Permits			\$0.00				
8	Building Permits			\$8,500.00				
9	Plan Check Fee			\$0.00				
10	Variances			\$0.00				
11	Animal Licenses			\$200.00				
12	INTERGOVERNMENTAL REVENUES							
13	Federal Grants and Aids			\$0.00				
14	State Grants and Aid			\$0.00				
15	State of MN Pera			\$238.00				
16	Local Grants and Aids			\$0.00				
17	Recycle Grant			\$1,000.00				
18	Cable Commission Grant			\$7,000.00				
19	CHARGES FOR SERVICES							
20	GENERAL GOVERNMENT							
21	City Hall Rent			\$500.00				
22	Certified Bills			\$0.00				
23	Delinquent Utilities - Garb/CEC			\$0.00				
24	PUBLIC SAFETY							
25	HIGHWAYS AND STREETS							
26	CULTURE AND RECREATION							
27	Park Fees			\$0.00				
28	OTHER CHARGES							
29	State & Misc Fees			\$0.00				
30	Sales Tax			\$0.00				
31	FINES AND FORFEITS							
32	Fines			\$650.00				
33	Forfeits			\$0.00				
34	MISCELLANEOUS REVENUES							
35	Surcharge			\$0.00				
36	Interest Earnings			\$50.00				
37	Contrib. & Donations-Private			\$500.00				
38	Refunds and Reimbursements			\$0.00				
39	Sale of Investments			\$0.00				
40	Recycling Charge (Maht/Willernie)			\$0.00				
41	Cable/Excess Franchise Fee			\$0.00				
42	Miscellaneous			\$100.00				
43	NON-LEVY REVENUE		\$0.00	\$18,738.00	\$0.00	\$0.00	\$0.00	\$0.00
44	ALL REVENUE - including levy		\$336,013.00	\$18,738.00	\$326,299.00	\$326,299.00	\$326,299.00	\$354,500.00
45	TOTAL REVENUES		\$354,751.00		\$326,299.00	\$326,299.00	\$326,299.00	\$354,500.00
46								
47	DISBURSEMENTS							
48			2014		2015	2016	2017	2018
49	GENERAL GOVERNMENT							
50	Publishing							
51	Printing and Binding	100-41130-350	\$100.00		\$80.00	\$80.00	\$80.00	\$0.00
52	Legal Notice Publication	100-41130-351	\$2,000.00		\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
53	Subtotal Publication		\$2,100.00	\$0.00	\$2,080.00	\$2,080.00	\$2,080.00	\$2,000.00
54	City Council							
55	Wages and Salaries	100-41310-100	\$4,200.00	\$0.00	\$4,200.00	\$3,900.00	\$3,900.00	\$3,900.00
56	Employer Cont.-Retirement	100-41310-121						\$195.00
58	Medicare - Employer							\$242.00
59	Social Security Employer							\$57.00
62	City Council Subtotal		\$4,200.00	\$0.00	\$4,200.00	\$3,900.00	\$3,900.00	\$4,394.00
63	Clerk							
64	Wages and Salaries	100-41401-100	\$58,240.00		\$70,000.00	\$65,000.00	\$65,000.00	\$65,000.00
67	Employer Cont.-Retirement	100-41401-121						\$9,100.00
69	Medicare - Employer							\$943.00
70	Social Security Employer							\$4,030.00
73	Other Pay							\$6,000.00
74	Mileage							
75	Recording and Reporting							
76	Accounting (Treasurer)							
77	Wages and Salaries	100-41401-100			\$2,000.00	\$5,000.00	\$5,000.00	\$7,128.00
78	Employer Cont.-Retirement	100-41401-121						\$1,000.00
79	Medicare - Employer							\$105.00
80	Social Security Employer							\$448.00
83	Admin. Staff Subtotal		\$58,240.00	\$0.00	\$72,000.00	\$70,000.00	\$70,000.00	\$93,754.00
84	Elections							
85	Wages and Salaries	100-41410-100	\$0.00		\$3,500.00	\$1,750.00	\$1,750.00	\$1,750.00
86	Operating Supplies	100-41410-210	\$0.00		\$250.00	\$125.00	\$125.00	\$125.00
87	Repair & Maint. Supplies	100-41410-220	\$500.00		\$500.00	\$500.00	\$500.00	\$500.00
88	Mileage							
89	Legal Notice Publication	100-41410-351	\$0.00		\$400.00	\$200.00	\$200.00	\$200.00
90	Elections Subtotal		\$500.00	\$0.00	\$4,650.00	\$2,575.00	\$2,575.00	\$2,575.00
91	Office Supplies							
92	Office Supplies	100-41911-200	\$2,000.00		\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
93	Operating Supplies		\$100.00					
94	Repair & Maint. Supplies		\$0.00					
95	Office Equipment	100-41911-230	\$800.00		\$800.00	\$800.00	\$800.00	\$800.00
96	Small Tools & Minor Equip		\$250.00					
97	Contracted Services	100-41911-314	\$375.00		\$375.00	\$375.00	\$375.00	\$625.00
98	Postage/Postal Permits							
99	Office Supplies	100-41430-200	\$650.00		\$650.00	\$650.00	\$650.00	\$200.00
100	Refunds & Reimbursements		\$0.00					
101	Office Operations Subtotal		\$4,175.00	\$0.00	\$3,825.00	\$3,825.00	\$3,825.00	\$3,625.00

	A	B	C	D	E	F	G	H
102	Financial Administration							
103	Auditing Services		\$0.00		\$0.00			
104	Fees (banking)	100-41501-437	\$400.00		\$400.00	\$400.00	\$400.00	\$400.00
105	Subtotal		\$400.00	\$0.00	\$400.00	\$400.00	\$400.00	\$400.00
106	Insurance - City							
107	Insurance							
108	Packaged Liability (incl. gen. liab.)	100-41945-361	\$3,800.00		\$3,800.00	\$4,000.00	\$6,100.00	\$5,499.00
110	Worker's Comp (for employees & contractors per audit)	100-41945-150	\$1,100.00		\$1,100.00	\$1,100.00	\$1,600.00	\$2,159.00
112	Excess Liability	100-41945-369	\$900.00		\$900.00	\$1,000.00	\$1,000.00	\$855.00
115	Insurance Subtotal		\$8,190.00	\$0.00	\$8,190.00	\$8,650.00	\$11,250.00	\$8,513.00
116	Assessing							
117	Contracted Services	100-41550-314	\$5,450.00		\$5,450.00	\$5,450.00	\$5,450.00	\$6,300.00
118	Legal Services							
119	Professional Services	100-41601-300	\$7,200.00		\$7,000.00	\$7,000.00	\$7,000.00	\$18,000.00
120	Engineer Service							
121	Professional Services	100-41650-300	\$10,000.00		\$7,000.00	\$7,000.00	\$7,000.00	\$5,000.00
122	Per Diem (Planning Commission)	100-41913	\$1,560.00		\$600.00	\$500.00	\$500.00	\$500.00
126	Planning & Zoning	100-41910-314	\$0.00		\$200.00	\$0.00	\$0.00	
127	Services Subtotal		\$24,210.00	\$0.00	\$20,250.00	\$19,950.00	\$19,950.00	\$29,800.00
128	City Training & Development							
129	Training	100-41914-310	\$1,200.00					\$2,005.00
130	Travel & Subsistence	100-41914-334	\$100.00		\$100.00			\$600.00
131	Dues & Subscriptions	100-41914-433	\$1,035.00		\$1,063.00	\$1,040.00	\$1,040.00	\$215.00
132	Grants (pandemic 2008)		\$0.00		\$0.00			
133	Grants - Counseling Center (NYFS)	100-41905-438	\$1,825.00		\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
134	T & D Subtotal		\$4,160.00	\$0.00	\$3,163.00	\$3,040.00	\$3,040.00	\$4,820.00
135	City Hall-Gov't Buildings							
136	Repair, Operating & Maint. Supplies	100-41940-220	\$2,350.00		\$500.00	\$500.00	\$500.00	\$500.00
137	Professional Services	100-41940-300	\$0.00		\$0.00			
138	Contracted Services	100-41940-314	\$700.00		\$500.00	\$500.00	\$600.00	\$750.00
139	Telephone	100-41940-321	\$1,450.00					
140	Utility Services	100-41940-380	\$2,500.00		\$3,500.00	\$4,500.00	\$4,500.00	\$3,500.00
141	Buildings & Structures	100-41940-520	\$0.00		\$0.00			
142	Computer/Internet	100-41940-320	\$0.00		\$4,500.00	\$5,200.00	\$5,200.00	\$6,000.00
143	Gov't Bldgs Subtotal		\$7,000.00	\$0.00	\$9,000.00	\$10,700.00	\$10,800.00	\$10,750.00
144	Cable Eqpmnt and Service							
145	Contracted Services	100-41950-314		\$800.00				
146	Communication	100-41950-320	\$0.00		\$0.00			
147	Newsletter							
148	Operating Supplies	100-41960-210	\$25.00		\$25.00			
149	Contracted Services	100-41960-350						
150	Printing and Binding	100-41960-350	\$100.00		\$100.00			
151	Communication Subtotal		\$125.00	\$800.00	\$125.00	\$0.00	\$0.00	\$0.00
152	TOTAL Gen Government		\$113,300.00	\$800.00	\$127,883.00	\$125,120.00	\$127,820.00	\$160,631.00
153	PUBLIC SAFETY							
154	Police							
155	Contracted Services	100-42101-314	\$91,348.00		\$48,000.00	\$51,000.00	\$52,000.00	\$53,000.00
156	Fire							
157	Contracted Services	100-42201-314	\$20,593.00		\$21,000.00	\$20,000.00	\$20,000.00	\$21,139.00
158	Building Inspection (non levy)							
159	Small Tools and Minor Equipment							
160	Contracted Services	100-42401-314		\$8,200.00	\$8,000.00	Non Levy	Non Levy	Non Levy
161	Fees (variance, cond.use permits)	100-42401-437		\$200.00	\$100.00	\$100.00	\$100.00	\$500.00
162	Other Protection							
163	Contracted Services (Code Red)	100-42801-314	\$100.00		\$100.00	\$100.00	\$150.00	\$100.00
164	Dept. of Labor Fees							
165	County Environmental Charge							
166	Animal Control	100-41916-314	\$697.00	\$200.00	\$600.00	\$900.00	\$1,000.00	\$900.00
167	Operating Supplies							
168	Refuse Collection							
169	Refunds & Reimbursements							
170	PUBLIC SAFETY TOTAL		\$112,738.00	\$8,600.00	\$77,800.00	\$72,100.00	\$73,250.00	\$75,639.00
171	PUBLIC WORKS							
172	Improv Other than Bldg							
173	Survey Public Spaces		\$0.00		\$0.00	\$0.00	\$0.00	
174	Highways, Streets & Roadways							
175	Repair & Maint. Supplies	100-43101-220	\$750.00		\$1,000.00	\$1,000.00	\$1,000.00	\$500.00
176	Contracted Services (Pot Holes)	100-43101-314	\$4,500.00		\$5,000.00	\$5,000.00	\$5,000.00	\$3,000.00
177	Street Sweeping	100-43103-314	\$4,000.00		\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
178	Seal Coat		\$12,500.00	\$12,500.00				
179	Crack Sealing		\$5,000.00	\$5,000.00				
180	Street Signs (Council action to place in Own Fund)		\$1,500.00					
181	Street Maintenance Subtotal		\$28,250.00	\$17,500.00	\$10,000.00	\$10,000.00	\$10,000.00	\$7,500.00
182	Street Lights							
183	Utility Services	100-43160-380	\$15,600.00	\$0.00	\$15,000.00	\$18,000.00	\$18,000.00	\$19,000.00
184	Drainage - Structure Care							
185	Stormwater Pond							
186	Contracted Services (pd Jan 2013 \$2358 - '12 Exp)	100-43150-314	\$800.00		\$1,600.00	\$1,600.00	\$1,600.00	\$1,600.00
187	Fees (mpca)	100-43150-437	\$400.00		\$400.00	\$400.00	\$400.00	\$400.00
188	Subtotal		\$1,200.00	\$0.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
189	Ice and Snow Removal							
190	Operating Supplies (salt, sand)	100-43125-210	\$5,000.00		\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
191	Contracted Services	100-43125-314	\$11,000.00		\$11,000.00	\$11,000.00	\$11,000.00	\$10,000.00
192	Snow & Ice Subtotal		\$16,000.00	\$0.00	\$16,000.00	\$16,000.00	\$16,000.00	\$15,000.00
193	Water Utility							
194	Refunds & Reimbursements	100-43180-810	\$0.00		\$0.00			
195	Sewer Utility							
196	Refunds & Reimbursements	100-43190-810	\$0.00		\$0.00			
197	Weed Control \$135 moved to line 232		\$0.00		\$0.00			
198	TOTAL - Public Works		\$61,050.00	\$17,500.00	\$43,000.00	\$46,000.00	\$46,000.00	\$43,500.00

	A	B	C	D	E	F	G	H
199	CULTURE & RECREATION							
200	Recreation							
201	Operating Supplies		\$0.00		\$0.00			
202	Dues & Subscriptions	100-45101-433	\$200.00		\$200.00	\$200.00	\$200.00	Non Levy
203	Community Events (Volunteer Recognition)	100-45101-440	\$1,700.00		\$1,500.00	\$200.00	\$1,500.00	Non Levy
204	TOTAL Recreation		\$1,900.00		\$1,700.00	\$400.00	\$1,700.00	\$0.00
205	Parks							
206	Wages and Salaries (Spvsr=volunteer 2012 unpaid)	100-45207-100	\$7,500.00		\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
207	Federal Tax - Employee							
208	State Tax - Employee							
209	Unemployment Compensation							
210	Medicare - Employer							\$70.00
211	Social Security - Employer							\$300.00
212	Social Security - Employee							
213	Medicare - Employee							
214	Office Supplies							
215	Operating Supplies	100-45207-210	\$450.00		\$200.00			
216	Repair & Maint. Supply/Contractual	100-45207-400	\$1,600.00		\$2,000.00	\$500.00	\$500.00	\$600.00
217	Professional Services							
218	Contracted Services	100-45207-314	\$1,600.00		\$1,000.00	\$1,000.00	\$2,000.00	\$3,000.00
219	Utility Services	100-45207-380	\$1,150.00		\$1,000.00	\$1,000.00	\$1,000.00	\$600.00
220	Fees	100-45207-530			\$800.00			
221	Buildings & Structures		\$1,700.00					
222	Furniture and Fixtures							
223	Garbage Pickup							
224	Tree Removal		\$0.00		\$0.00			
225	Projects		\$0.00	\$9,900.00	\$1,000.00			\$1,000.00
226	Parks GF Subtotal		\$14,000.00		\$16,000.00	\$12,500.00	\$13,500.00	\$15,570.00
227	TOTAL Parks & Recreation		\$15,900.00	\$9,900.00	\$17,700.00	\$12,900.00	\$15,200.00	\$15,570.00
228	SANITATION							
229	Tree Care - Inspection & Removal							
230	Contracted Services	100-43104-314	\$0.00		\$0.00			\$500.00
231	Tree Removal							
232	Operating Supplies	100-43135-210						
233	Diseased Trees		\$0.00		\$0.00			
234	Contracted Services	100-43135-314	\$5,000.00		\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
235	Sanitation - Recycling							
236	Contracted Services	100-43300-314	\$12,000.00		\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
237	Recycling grant projects		\$0.00		\$0.00			
238	Lawn Care/Maintenance							
239	Contracted Services	100-45208-314	\$6,000.00		\$13,000.00	\$10,000.00	\$10,000.00	\$9,000.00
240	Weed Control - MILFOIL		\$1,200.00					
241	TOTAL - Sanitation		\$24,200.00	\$0.00	\$28,000.00	\$25,000.00	\$25,000.00	\$24,500.00
242	CONSERVATION - NATURAL RESOURCE							
243	Fees, Dues & Subscriptions	100-46101-437	\$2,082.00		\$1,916.00	\$1,885.00	\$1,885.00	\$2,000.00
244	USGS Lake Study		\$0.00		\$0.00	\$0.00	\$0.00	
245	TOTAL - Conservation		\$2,082.00	\$0.00	\$1,916.00	\$1,885.00	\$1,885.00	\$2,000.00
246	UNALLOCATED EXPENDITURES							
247	Other Pay							
248	Operating Supplies							
249	Refunds & Reimbursements							
250	Sales Tax							
251	Miscellaneous	100-49201-430	\$7,240.00			\$13,294.00	\$7,144.00	\$2,660.00
252	Surcharge							
253	Gopher State and Locates							
254	Purchase of Investment							
255	Transfer to Capital Projects Fund	100-49360-722			\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00
256	Transfer to Sewer Fund							
257	Transfer to Water Fund							
258	TOTAL - Other Unallocated		\$7,240.00	\$0.00	\$30,000.00	\$43,294.00	\$37,144.00	\$32,660.00
	TOTAL OPERATING EXPENDITURES (DISBURSEMENTS)		\$336,510.00	\$36,800.00	\$326,299.00	\$326,299.00	\$326,299.00	\$354,500.00
259								
260								
261								
262								
263								
264	Levy		\$ 325,000	\$ 336,013				\$ 354,500
265	Proposed \$\$ Change			\$ 11,013		\$0	\$0	\$ 28,201
266	Proposed % Change			3.39%		0%	0%	8.64%

RESOLUTION 2017-28

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

**A RESOLUTION ADOPTING THE FINAL LEVY ON REAL PROPERTY
LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF
BIRCHWOOD VILLAGE, WASHINGTON COUNTY, MINNESOTA PAYABLE
IN FISCAL YEAR 2018**

WHEREAS, the City of Birchwood Village is required to maintain a budget to fund its regular operations; and

WHEREAS, the City has the legal authority to levy necessary funds to operate; and

WHEREAS, the City continually monitors its expenditures and develops a budget based on a calendar year's expenses; and

WHEREAS, the City conducted a Truth In Taxation meeting on December 12, 2017 to solicit public input on the proposed levy.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Birchwood Village, Washington County, Minnesota that the 2017 levy on real property located within the corporate limits of the City of Birchwood Village, Washington County, Minnesota, payable on property taxes in the year 2018, be set at \$354,500.00

I certify that the City Council of the City of Birchwood Village, Washington County, Minnesota adopted the above Resolution on this 12th day of December 2017.

Mary Wingfield, Mayor

Attest:

Tobin Lay, City Administrator-Clerk

RESOLUTION 2017-29

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

**A RESOLUTION ADOPTING THE FINAL BUDGET FOR THE MUNICIPAL
OPERATIONS OF THE CITY OF BIRCHWOOD VILLAGE, WASHINGTON
COUNTY, MINNESOTA FOR FISCAL YEAR 2018**

WHEREAS, the City of Birchwood Village is required to maintain a budget to fund its regular operations; and

WHEREAS, the City has the legal authority to levy necessary funds to operate; and

WHEREAS, the City continually monitors its expenditures and develops a budget based on a calendar year's expenses.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Birchwood Village, Washington County, Minnesota that the final budget for the municipal operations of the City of Birchwood Village, Washington County, Minnesota, for fiscal year 2018, and as indicated in the attached exhibit, is hereby adopted.

I certify that the City Council of the City of Birchwood Village, Washington County, Minnesota adopted the above Resolution on this 12th day of December 2017.

Mary Wingfield, Mayor

Attest:

Tobin Lay, City Administrator-Clerk

MEMORANDUM

DATE: December 12, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Resolution 2017-30, Utility Certification



Birchwood Village

Dear Mayor and Council Members,

There are currently about 34 homes in Birchwood that have delinquent water and sewer utility accounts, amounting to over \$11,000 in utility charges. It is anticipated that this number will decrease as we near the certification deadline.

Letters have been mailed to each home owner of a delinquent account to inform them of the City's intention to certify these unpaid charges to the respective property taxes. Additionally, a public hearing has been published for tonight's meeting on the subject.

Recommendation/Request

Council is requested to approve the enclosed Resolution 2017-30 to allow for the certification of the delinquent utility accounts to Washington County to be applied to the respective property taxes. Thanks!

Regards,
Tobin Lay

**CITY OF BIRCHWOOD VILLAGE
STATE OF MINNESOTA**

RESOLUTION 2017-30

RESOLUTION CERTIFYING UNPAID UTILITY CHARGES FOR COLLECTION

WHEREAS, the City of Birchwood Village has identified residents who are delinquent in payment of their utility bills, and

WHEREAS, the City has given notice to those residents that the City Council would conduct a public hearing on December 12, 2017, at which residents who are considered delinquent would have an opportunity to be heard; and

WHEREAS, the City has provided ample opportunity for residents to pay their utility bills.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BIRCHWOOD VILLAGE, MINNESOTA

1. The City of Birchwood Village hereby makes the delinquent utility payments on the following accounts a charge against the resident identified and hereby certifies these unpaid charges to the county auditor with taxes against the property served for collection as other taxes are collected.
2. The resident may pay the amount due at any time. If payment is made before December 19, 2017, the delinquency will not be certified to the county.
3. After December 19, 2017, the City Administrator shall transmit a certified copy of this list to the County Auditor to be extended on the property tax lists of the county and such assessment shall be collected and paid in the same manner as property taxes.

Adopted by the City Council this 12th day of December, 2017

Mayor: _____

Date: _____

ATTEST

City Administrator-Clerk: _____

Date: _____

MEMORANDUM

DATE: December 12, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: City Project No. 2017-1 Sanitary Sewer Rehab



Birchwood Village

Dear Mayor and Council Members,

Last month the Council approved moving forward with City Project No. 2017-1, Sanitary Sewer Rehabilitation.

City Engineer Steve Thatcher has obtained two bids for this project and presents them now for your review and selection (see enclosed).

The Council has discussed paying for the improvements through the City's special Sewer Fund and to have the effected home owners repay this fund, rather than be assessed through property taxes. If this is what the Council wishes to do then \$35,000 should be transferred from the City's General Fund to the special Sewer Fund to cover those expenditures.

Enclosed are the bids; Resolution 2017-31 to declare the project costs to be assessed and to order the preparation of the proposed assessment; and Resolution 2017-32 to transfer \$35,000 from the General Fund to the special Sewer Fund.

With the Council's approval of a bid and the enclosed resolutions, the winning contractor can begin work and staff will begin preparing the assessment roles for Council's review in January. The proposed public hearing for the assessment will likely be held in February and ordered in January after you have reviewed the proposed assessment roles.

City Engineer Thatcher is present at tonight's meeting to answer any questions.

Request/Recommendation

Staff requests Council:

- 1) Review and discuss City Engineer Thatcher's recommendations as enclosed;
- 2) Award a bidding contractor; and
- 3) Approve Resolutions 2017-31 and 2017-32 as presented.

Thanks!

Regards,
Tobin Lay

Tobin Lay

From: Steven W. Thatcher [sthatcher@thatcher-eng.com]
Sent: Thursday, November 30, 2017 6:46 PM
To: Tobin Lay
Subject: Birchwood Village - Sanitary Sewer CIPP Quote w/ MH Work - Insituform
Attachments: Insituform Quote - Birchwood Village, MN - 11 28 2017.pdf; Responsible Contractor Form.pdf; Visu-Sewer Quote.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Tobin,

I received two quotes for the sanitary sewer Cured In Place Pipe (CIPP) work as follows:

1. Insituform - \$67,975.15 (2,565.1 feet x \$26.50/foot). Attached is their quote and responsible contractor form.
2. Visu-Sewer - \$84,648.300 (2,565.1 feet x \$33.00/foot). Attached is their quote.

I recommend awarding the sanitary sewer Cured In Place Pipe (CIPP) work to the low bidder, Insituform, in the amount of \$67,975.15.

Insituform also provided a quote for work on MH 84EE. As you know, the casting for MH 84EE was not opened during the TV Inspection because bituminous covers the casting. The estimated cost to provide access to manhole 84EE, which is in the White Pine Lane cul-de-sac, is as follows:

1. \$5,942.00 if the work is performed in the summer (no frost in the ground).
2. \$8,170.20 if the work is performed in the winter (frost in the ground). This is \$2,228.20 more than if the work is performed in the summer.
3. The estimated cost includes the installation of a 12-inch high 48-inch diameter concrete manhole section. If the casting is deeper than 12 inches, the cost will be greater.

Insituform is willing to install the CIPP as soon as possible.

Insituform is also willing to work on MH 84EE in the summer, or if the City decides to not do the work on MH 84EE at all, that is acceptable to them.

I think it is fine to wait until summer to work on MH 84EE.

Please let me know if you have any questions.

Thanks,
Steve

Steven Thatcher, PE
Thatcher Engineering Inc.

6201 Creek Valley Road
Edina, MN 55439
Phone: 612-781-2188 Cell: 612-867-7234 Fax: 612-781-2188 Web: www.thatcher-eng.com



November 28th, 2017

Steven Thatcher, PE
City of Birchwood Village, MN

**RE: Insituform® Rehabilitation Estimate of 2,565.1 LF of 9” CIPP
Birchwood Village, MN**

Dear Mr. Thatcher:

Insituform Technologies USA, LLC. (ITUSA) is pleased to submit to you this estimate for the rehabilitation of 2,565.1 LF of 9” CIPP.

Over the past 35 years, ITI has rehabilitated over 75 million feet of sewer and drainage piping worldwide. The Insituform® process consists of installing a specifically designed resin saturated polyester felt tube into the existing sewer and curing it in place. The result is a seamless, jointless durable composite pipe within the old pipe, improving its structure and minimizing leakage. The piping is returned to service in a fraction of the time required by conventional methods. As a result, the Insituform® process is faster, cleaner, safer, and performed at less cost than other repair alternatives.

Following is a cost estimate for installation of approximately 2,565.1 LF of 9-inch Insituform® Cured-in-Place Pipe designed as a fully structural pipe once installed.

Bid Item per Docs	Description	Measure	Quantity	Bid Price	Total
1	CIPP - 9"	LF	2565.1	\$ 26.50	\$ 67,975.15
ALT - 1	Raise MH Casting (MH 84EE – White Pine Road Cul-de-sac) – Cut out existing liner in MH – Restore Pavement	LS	1	\$ 5,942.00	\$ 5,942.00
ALT - 2	Temporary Cold Patch (If MH work is completed/restored in winter months)	LS	1	\$ 2,228.20	\$ 2,228.20
TOTAL					\$ 76,145.35

Notes:

- The proposal includes an alternate item to remove asphalt, raise MH casting, cut out existing liner inside the MH structure and restore asphalt pavement at MH84EE.
- The proposal also includes an alternate item to place temporary pavement around MH84EE if this work is to be completed during the winter months and temporary restoration is required.

This proposal serves as an estimate for completion of the work and can be adjusted to take into consideration any unforeseen circumstances that may arise. Therefore, by agreeing to this proposal as written, if for unforeseen reasons the actual install time

requires additional days of labor, City of Birchwood Village agrees to pay the per day cost of additional labor.

SCOPE OF WORK & DESIGN CONSIDERATIONS

The scope of work includes installation of approximately 2,565.1 LF of 9” CIPP.

The CIPP pipe designs are based on information provided by the customer and should be verified by the customer prior to proceeding with this project. Should any other conditions, existing or expected in the field, over the design life of the Insitupipe differ from the information based herein, then the appropriate adjustments should be made to the design calculations, along with the appropriate price adjustment.

<u><i>Description</i></u>	<u><i>Field Condition</i></u>
Nominal Pipe Diameter:	9” round
Operating Temperature:	Less than 100 degrees
Effluent Type:	Sanitary
Number of Service Connections:	47
Soil Depth over Invert:	Field Verify
Reason for Rehabilitation:	Fully deteriorated, infiltration

PROPOSAL INCLUSIONS

- Certificate of Insurance with standard coverage (see attached)
- One mobilization and demobilization
- Final cleaning of loose debris from the piping prior to installation
- As-built video inspection and CD
- Standard PPE for installation crew
- Standard one-year warranty

PROPOSAL EXCLUSIONS

The prices stated in this proposal do not include the following items. If provided by Contractor, the cost will be charged as extras; otherwise Owner will furnish these items at no cost to Contractor:

- Performance/Payment Bond (at 2.5% of proposal price)
- Special Insurance such as OCP, Builders Risk
- Water from a fire hydrant or other high volume source within a convenient distance
- Removal and disposal of any hazardous or toxic materials encountered

- Any holiday work, nighttime work, rush delivery or adverse weather work

LIMITED WARRANTY

IN LIEU OF ALL OTHER EXPRESSED, IMPLIED AND/OR STATUTORY WARRANTIES, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, CONTRACTOR AGREES TO CORRECT ANY DEFECTS IN THE MATERIALS OR SERVICES PROVIDED BY CONTRACTOR WHICH ARE BROUGHT TO THE ATTENTION OF CONTRACTOR WITHIN ONE YEAR FOLLOWING COMPLETION OF CONTRACTOR'S WORK, PROVIDED OWNER AFFORDS CONTRACTOR SUITABLE ACCESS AND WORKING CONDITIONS TO ACCOMPLISH SUCH CORRECTION.

STANDARD TERMS and CONDITIONS

Removal, transporting, and disposal of any hazardous or toxic materials encountered during the project will be the responsibility of the Owner.

All labor, equipment, material, supervision, and mobilization necessary to complete the Insituform[®] process per the above conditions, and Insituform[®] specifications, are included.

Any restrictions in our normal weekday work hours required by local, state, and/or federal authorities (due to noise restrictions or other reasons not known at the time of this proposal) will be an extra charge.

MUTUAL RELEASE OF CONSEQUENTIAL DAMAGES

Neither party shall be liable to the other for consequential damages relating to or arising out of the Contract.

PAYMENT TERMS

- Payment due in full due within thirty days of completion of the project, no retainage to be held

- Prices stated are in effect for sixty days (60) from the date of this proposal

We appreciate your interest in the Insituform process and giving us the opportunity to quote on your pipe rehabilitation needs which will protect your investment as well as the environment. Should you desire additional information please feel free to give me a call at 651-253-0236.

Sincerely,

INSITUFORM TECHNOLOGIES USA, LLC.

Mitchell Hoeft, P.E.

Mitchell Hoeft, P.E., Business Development Manager

Accepted: City of Birchwood Village, MN

Signed: _____ Date: _____

Printed Name/Title: _____

Is this Project Tax Exempt? _____ If Yes, please provide Tax Exemption Form and, where applicable, Project Exemption Form.

Does this Project require Certified Payroll? _____

Are there wage rates? _____ if yes, please provide a copy of the wage rates.

This accepted proposal constitutes a formal agreement. If you initiate a purchase order or other contract document it shall not be acknowledged without this accepted proposal as an attachment.

Accepted By: Insituform Technologies USA, LLC.

By: _____

Date: _____

RESPONSIBLE SUBCONTRACTOR VERIFICATION

Re: Birchwood Village, MN - 2018 CIPP Lining Project
(Project Name and Number)

The undersigned owner/officer of Insituform Technologies USA, LLC ("Subcontractor") hereby certifies that it complies with each of the minimum criteria in Minn. Stat. § 16C.285, subd. 3.

The lower-tier subcontractors that Subcontractor intends to retain for work on the Project are:

- American Environmental Sewer Services - Pre-Clean, Measure, and CCTV Work
- Minger Construction - MH Work & Restoration
- _____

Subcontractor will obtain and submit signed verifications from each of its retained lower-tier subcontractors, confirming compliance with Minn. Stat. § 16C.285, subd. 3, within 14 days of retaining the subcontractors.

Dated: 11/28/2017

Insituform Technologies USA, LLC
Subcontractor

By: Jana Lause

Its: Jana Lause, Contracting & Attesting Officer
Owner/Officer

Subscribed and sworn to before me
This 28th day of November, 2017

Diane Partridge
Notary Public



DIANE PARTRIDGE
My Commission Expires
July 8, 2020
St. Louis County
Commission # 12595471

Proposal

To: Steven Thatcher
Thatcher Engineering, Inc.
6201 Creek Valley Road
Edina, MN 55439
612-781-2188

From: Ronald Fenney
Visu-Sewer, Inc.
3155 104th Lane NE
Blaine, MN 55449
763-252-0004

Date: 2/3/2017

Project: City of Birchwood Village

Visu-Sewer is pleased to offer the following service:

1) Clean Sanitary Sewer (8")	26,000	LF	\$ 0.72	\$ 18,720.00
2) Clean & TV Sanitary Sewer (8")	2,800	LF	\$ 1.04	\$ 2,912.00
3) Lining (CIPP) 8" Sanitary	2,800	LF	Cost Estimate	\$ 33.00 per LF

Cleaning is based on using a jet with a rotating cleaning head to help remove roots. Heavy cleaning requiring a Jet / Vac combination Unit will be quoted seperately if required.

The cost estimate might be a little high but taking into account for a few short lines on this project will likely add to the per foot cost. After the lines are televised we can fine tune the cost.

Thank you for the opportunity to quote on this project. If you should have any questions please do not hesitate to contact me at 763-252-0004.

All material guaranteed to be as specified. All work to be completed in a substantial workmanlike manner according to standard practices or specifications submitted. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. If a collapse of the original pipe results during the lining process, Visu-Sewer will not be held liable for costs associated with excavation, repairs or restoration. Our workers are fully covered by Workmen's Compensation Insurance. This proposal may be withdrawn if not accepted within 30 days of issue. Terms - Net 30 days.



Acceptance of Proposal

The above prices / conditions are satisfactory and are hereby accepted. Visu-Sewer, Inc. is authorized to do the work as specified.

Date: _____ Signature: _____

www.visu-sewer.com

WISCONSIN - ILLINOIS - MINNESOTA - IOWA - MISSOURI

RESOLUTION 2017-31

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

**RESOLUTION DECLARING COST TO BE ASSESSED, AND ORDERING
PREPARATION OF PROPOSED ASSESSMENT
2017 SANITARY SEWER REHABILITATION IMPROVEMENT
CITY PROJECT NO. 2017-1**

WHEREAS, a contract has been let for Improvement No. 2017-1, the improvement includes the installation of sanitary sewer cured-in-place piping and the bid price for the improvement is \$67,975.15 and the expenses incurred or to be incurred in the making of such improvement amount to \$27,124.85 so that the total cost of the improvement will be \$95,100.00.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BIRCHWOOD VILLAGE, MINNESOTA:

1. The portion of the cost of such improvement to be paid by the city is hereby declared to be \$61,800.10 and the portion of the cost to be assessed against benefited property owners is declared to be \$33,800.10 (53 property owners x \$628.30 per property owner).
2. Assessments shall be payable in equal annual installments extending over a period of 5 years, the first of the installments to be payable on or before the first Monday in January, 2018 and shall bear interest at the rate of 4 percent per annum from the date of the adoption of the assessment resolution.
3. The city clerk, with the assistance of the city consulting engineer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and he/she shall file a copy of such proposed assessment in his/her office for public inspection.
4. The clerk shall upon the completion of such proposed assessment, notify the council thereof.

Adopted by the council this 12th day of December, 2017.

Mary Wingfield, Mayor

Attest:
Tobin Lay, City Administrator-Clerk

RESOLUTION 2017-32

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

A Resolution Authorizing a Transfer of \$35,000 from the General Fund to the Sewer Fund

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, December 12, 2017, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Council Members Trilby White, Megan Malvey, Randy LaFoy, and Kevin Woolstencroft, and the following absent: none, the Birchwood City Council resolved:

WHEREAS, the Birchwood City Council has approved City Project No. 2017-1 for rehabilitating the Birchwood sanitary sewer; and

WHEREAS, the project expenditures will be paid up front from the Birchwood Sewer Fund; and

WHEREAS, the project expenditures exceed the current Sewer Fund balance; and

WHEREAS, assessed property owners will repay the Birchwood Sewer Fund.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby authorizes the transfer of \$35,000 from the General Fund to the Sewer Fund to cover expenditures associated with City Project No. 2017-1.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 12th day of December, 2017.

Mary Wingfield, Mayor
Mayor

Attest:

Tobin Lay, City Administrator-Clerk

MEMORANDUM

DATE: December 12, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Manhole Repair



Birchwood Village

Dear Mayor and Council Members,

During last month's City Council meeting, City Engineer Steve Thatcher informed the Council of a sealed manhole – No. MH 84EE – that was discovered during the recent televising of the City's sewer lines.

Mr. Thatcher has obtained estimates from the same contractors bidding on the sewer lining project for repairing this manhole. These estimates are included in Mr. Thatcher's email – see page 35 for details

Also enclosed is a document from Mayor Wingfield related to earlier work done at this site.

Requests/Recommendations

- Council Review and discuss Mr. Thatcher's recommendation and the related repair estimates; and
- 1) Review and discuss
 - 2) Consider approving the recommended repair.

Thanks!

Regards,
Tobin Lay

Birchwood City Council
September 1, 2009

Agenda Item: Solicit bids for final inspection of Phase II of Sanitary Sewer Rehabilitation Project.

Action Requested

Request engineer to solicit bids for televising the work done as part of the Phase II Sanitary Sewer Rehabilitation Project and present bids to the City Council at its September 8, 2009 meeting.

Estimated Cost

\$8,000	Televising (Independent Contractor)
\$ 500	Review of the tapes (Engineer's time)

Revenue

The cost of the televising and tape review was part of assessment levied for the project. It is 2.2% of the total project cost and 3 % of the construction cost.

Background

The Sanitary Sewer Rehabilitation Project completed last year is covered by a performance bond until October 7, 2009, one year from the date of 'substantial completion' of the project. The original plan included a final inspection to ensure that the work was satisfactorily completed. This inspection was to be done by televising the sewer line and reviewing the tapes. This work was not bid out as part of the original work; it was to be bid out to an independent contractor at project completion. This inspection was never completed. A final inspection was a part of the Phase I Sanitary Sewer Rehabilitation Project.

Rationale for the Work

The method used to do the rehabilitation was not the traditional approach where you can observe the finished work. The only way to be sure there are no problems is to televise the line. If problems are found before October 7 the contractor is obligated to do the repair at no cost to the city. If problems are discovered after October 7 the city would need to pay for the repairs.

Next Steps

The City Council would authorize the expenditure of funds at the September 8 meeting and would authorize the engineer to deal with the installer to correct any discovered problems.

J/K

MEMORANDUM

DATE: December 12, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Right-of-Way Ordinance



Dear Mayor and Council Members,

After the Council's first reading of Ordinance 2017-10-02 Public Right-of-Way last month, City Engineer Steve Thatcher and City Attorney Kantrud have considered minor corrections (highlighted in the enclosed).

Please be advised that due to the length of this Ordinance, only those pages that have changes from the draft published in the November 14, 2017 City Council packet are enclosed. For review of the full Ordinance, please refer to the November 14, 2017 City Council packet.

Additionally, Mr. Kantrud and I have also looked at amending the fee schedule to correspond with the passage of this Ordinance and Mr. Kantrud has drafted a proposed summary publication (both enclosed).

Staff proposes adding a \$250 ROW Permit Application Fee to the Fee Schedule, with the stipulation that any application review by the City Engineer that requires longer than 2 hours will also be charged time and materials beyond the \$250. The \$250 is estimated to cover the costs of office staff time and up to two hours of review by the City Engineer.

Request/Recommendation

Staff requests Council:

- 1) Review and discuss the draft ordinance, amended fee schedule, and Resolution 2017-33 summary publication; and
- 2) Approve the second reading of the ordinance, the amended fee schedule, and Resolution 2017-33 summary publication.

Thanks!

Regards,
Tobin Lay

309.020 **EXEMPTIONS.**

The provisions and requirements of this ordinance shall not apply to inter-governmental entities that have Joint Powers Agreements with the City or other ROW users exempted by the statutes of the state of Minnesota or as identified herein.

309.030 **DEFINITIONS.**

The following words, terms and phrases, as used herein, have the following meanings:

1. **Abandoned Facility** - (1) a facility no longer in service and physically disconnected from a portion of the operating facility, or from any other facility, that is in use or still carries service; or (2) a facility that is deemed abandoned by the ROW user.
2. **Applicant** – Any person or entity requesting permission to excavate or obstruct a ROW.
3. **City** - means the corporate municipality, its elected officials, its manager and/or appointed employees to include the ROW Engineer (309.030.29) Director of Public Works or his/her designee, City of Birchwood Village, Minnesota.
4. **City Management Costs** - the actual costs incurred by the City for public ROW management; including, but not limited to, costs associated with registering applicants seeking permission to excavate or obstruct a ROW; issuing, processing and verifying ROW permit applications; inspecting job sites and restoration projects; maintaining, supporting, protecting or moving user equipment during public ROW work; determining the adequacy of ROW restoration; restoring work inadequately performed after providing notice and opportunity to correct the work; mapping of "as built" locations of facilities located in ROW; and revoking ROW permits and performing all other functions required by this Ordinance, including other costs the City may incur in managing the provisions of this Ordinance.
5. **Degradation** – means a decrease in the useful life of the ROW caused by excavation in or disturbance of the ROW, resulting in the need to reconstruct such ROW earlier than would be required if the excavation or disturbance did not occur. This condition is only applicable in ROW’s that are not included in the current 5-year street replacement plan scheduled for full removal and reconstruction.
6. **Degradation Cost** – subject to Minnesota Rules 7819.1100 means the cost to achieve a level of restoration, as determined by the city at the time the permit is issued, ~~not to exceed the maximum restoration shown on Birchwood Village plates 1 to 13,~~ and set forth in Minnesota Rules parts 7819.9900 to 7819.9950.
7. **Degradation Fee** – Means the estimated fee established at the time of permitting by the city to recover costs associated with the decrease in the useful life of the ROW caused by the excavation, and which equals the degradation cost. This fee does not include the cost of patching, which is the

with having to correct the defective work.

- B. **Permit Holder Restoration.** If the permit holder restores the ROW, it shall at the time of application for a ROW permit post a performance bond or cash deposit in an amount determined by the City to be sufficient to cover the cost of restoration and any associated erosion and sediment control measures. The performance bond or cash deposit must be approved by the City Attorney. If, within twenty-four (24) months after completion of restoration of the ROW, the City determines the ROW has been properly restored, the posted security will be released.
- C. **Standards.** The permit holder shall perform patching and restoration ~~according to the Birchwood Village standards~~ to the satisfaction of the ROW Engineer.
- D. **Guarantees.** If the permit holder performs the restoration work, the permit holder shall guarantee such work and its maintenance for twenty-four (24) months following its completion. During this twenty-four (24) month period it shall, upon notification from the City, promptly and within 7 working days from receipt of notification, correct all faulty restoration work to the extent necessary, using the method required by the City or its Engineer.

If permit holder fails to act within the 7 working day period the City shall at its discretion have the work performed and the security shall be used to reimburse the City for its actual and administrative costs associated with the correction(s).

309.100

JOINT APPLICATIONS.

- A. **Joint Application.** Registrants may jointly apply for permits to excavate or obstruct the ROW at the same place and time.
- B. **Shared Fees.** Registrants who apply for permits for the same obstruction or excavation may share in the payment of the obstruction or excavation permit fee. Registrants must agree among themselves as to the portion each will pay and indicate the same on their applications.

309.110

OTHER OBLIGATIONS.

- A. **Compliance With Other Laws.** The permit holder must obtain all other necessary permits, licenses and approvals and pay all fees required. The permit holder shall comply with all requirements of local, state and federal laws, including Minn. Stat. Secs. 216D.01-.09 ("One Call Excavation Notice System"). A permit holder shall perform all work in conformance with all applicable codes and established rules and regulations and is responsible for all work done in the ROW pursuant to its permit, regardless of who does the work.
- B. **Prohibited Work.** Except in an emergency, and with the approval of the City, no ROW excavation or obstruction may be done when seasonally prohibited or when conditions are unreasonable for such work.
- C. **Interference with ROW.** A permit holder shall not so obstruct a ROW that the natural free and clear passage of water through the gutters or other

CITY OF BIRCHWOOD VILLAGE 2016 FEE SCHEDULE

GENERAL FEES

Compact Disk.....	\$1.00 per disk
Copies (Black and White).....	\$0.10 per page 8 ½ x 11 and 8 ½ x 14 \$0.20 per page 11 x 17
Copies (Color).....	\$0.50 per page
Dog License.....	\$10.00 bi-annual; \$3.00 late fee if paid after February 15
Chicken License.....	\$10.00 for two years, w/ \$3.00 late fee if paid after Feb. 15
-Replacement Dog Tag.....	\$1.00
Facsimile.....	\$1.00 first page; \$0.50 each additional page
Hall Rental.....	\$25.00 plus \$100.00 refundable deposit
Postage & Envelopes for Mailings & Public Hearing Notices.....	\$0.11 plus postage
Returned Check.....	\$30.00

DOCK ASSOCIATION FEES

Boat Lift Storage.....	\$100.00 per lift
Dock Association Boat Slip Permit.....	\$200.00 per slip
Dock Association Dock Permit.....	\$100.00 per dock
Dock Application Review Fee.....	\$150.00

PLANNING AND ZONING FEES

Comprehensive Plan Amendment Application Fee.....	\$500.00
Conditional Use Permit Application Fee.....	\$400.00
Home Occupation Permit Application Fee.....	\$100.00
Interim Use Permit Application Fee.....	\$400.00
Planned Unit Development Application Fee.....	\$650.00
Rezoning Application Fee.....	\$650.00
Subdivision: Minor Subdivision/Lot Split Application Fee.....	\$225.00
Subdivision Preliminary Plat Application Fee.....	\$450.00
Street Vacation.....	\$150.00
Variance Application Fee.....	\$300.00
Zoning Permits: Shed, Driveway, or Fence.....	\$30.00
<u>Right-of-Way Permit Application Fee.....</u>	<u>\$250.00</u>
<u>-(plus time and materials for Engineer's review time extending beyond two hours)</u>	

SMALL CRAFT STORAGE FEES

Annual Small Craft Permit.....	\$10.00
Use of Small Craft Rack Without a Permit.....	\$25.00
Small Craft Removal Fee.....	\$50.00

RESOLUTION 2017-33

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

**A RESOLUTION APPROVING SUMMARY PUBLICATION OF ORDINANCE
NO. 2017-10-02, AN ORDINANCE TO ADMINISTER AND REGULATE THE PUBLIC
RIGHT-OF-WAY**

WHEREAS, the City of Birchwood Village is a political subdivision, organized and existing under the laws of the State of Minnesota; and

WHEREAS, the City has adopted Ordinance No. 2017-10-02, which administers and regulates the public right-of-way; and

WHEREAS, the new ordinance is lengthy and would be costly for the City to publish in its entirety as required by law for the adoption of an ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Birchwood Village, Minnesota, as follows:

1. Because the terms of Ordinance 2017-10-02 are lengthy, the City may publish the attached summary of the Ordinance as allowed by statute, and need not publish the entire ordinance. The attached summary clearly informs the public of the intent and effect of the Ordinance. Summary publication has been approved by at least a 4/5 vote of the City Council.
2. The effective date of the Ordinance amendments shall be upon their publication by summary as required by law.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 12th day of December, 2017.

Mary Wingfield, Mayor

Attest:

Tobin Lay, City Administrator-Clerk

Please be advised that the City of Birchwood has duly-passed the following ORDINANCE:

TO ENACT A NEW SECTION OF THE BIRCHWOOD VILLAGE CODE OF ORDINANCES TO ADMINISTER AND REGULATE THE PUBLIC RIGHTS-OF-WAY (GENERALLY HEREINAFTER CALLED ROW) IN THE PUBLIC INTEREST, AND TO PROVIDE FOR THE ISSUANCE AND REGULATION OF ROW PERMITS TO MAINTAIN THE SAFE MAINTENANCE AND PASSAGE THERE-THROUGH.

The following is a SUMMARY of the Ordinance:

On December 12, 2017 the City adopted an Ordinance to provide for the management of its Rights of Way by requiring activities conducted in them to be permitted by the City. The Ordinance provides for the application and permitting of any activity that occurs in the City's ROW and security that the disruption be restored to pre-disruption status. The Ordinance describes the activities that require permitting and the process by which a permit may be obtained.

PLEASE BE ADVISED, this is not the full text of the Ordinance passed and the published material is only a summary. The full text is available for public inspection at the City of Birchwood, 207 Birchwood Avenue, Birchwood, MN or delivered upon request electronically or by U.S. Mail.

Summary complies with Minn. Stat. §§ 331A.05 subd. 8. & 412.191 subd 4.

MEMORANDUM

DATE: December 12, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Parks Committee Recommendations & Update



Birchwood Village

Dear Mayor and Council Members,

In follow up to the Parks Survey that went out to Birchwood residents this past summer/fall, the Parks and Natural Resources Committee has prepared the enclosed follow up survey and requests the Council's approval to mail this survey along with the upcoming newsletter and utility billing.

It is my understanding that there will be a representative from the Parks Committee here tonight to speak to this request and answer your questions.

Request/Recommendation

Parks Committee members request Council:

- 1) Review and approve the enclosed follow up parks survey; and
- 2) Authorize members of the Parks Committee to mail this survey along with the upcoming newsletter and utility billing.

Thanks!

Regards,
Tobin Lay

Voting Instructions

Thank you to everyone who participated in the Parks and Natural Resources survey. We had 118 responses - or roughly 1/3 of our households, a very strong response. You can view all the responses on the Birchwood website.

Vote for the best suggestions

We compiled a list of the suggestions received on how to best preserve, improve, expand, or enhance our parks, easements, and walking trails. We want the desires of our community to guide the work of the Parks committee. On the 2-sided sheet are the suggestions from the survey for you to vote on. Voting can be done online at the Birchwood website or by filling out the paper ballot included in the water bill. Please follow these rules when voting:

- Fill out only one survey per household.
- Each household has up to 5 votes.
- * Only vote for an item once. (2-sided voting sheet)
- * Respond by January 10th, 2018.

How the results will be used

The results of the voting will be posted on the city's website, and will help the Parks committee prioritize their work over the next few years. Along with the voting results, the committee will take into considerations other factors like cost, impact, etc. as they create a work plan. Work will get done as money is available and approved and/or donated.

Volunteer Sign-Up

If you would like to volunteer to help with parks projects, please put your name, phone number, and email address on the back of this sheet. Return it with your voting sheet.

Thank you. Your Parks Committee

Volunteer Sign-Up

Name	Phone Number	Email Address

Leave Well Enough Alone	Vote
<i>Status Quo:</i> Keep things as is. Yes-vote here implies NO votes below.	

Natural Areas/Amenities	ONLY FIVE (5) VOTES	Vote
<i>Preservation:</i> Preserve the natural beauty and comfortable nature of Birchwood.		
<i>Beautify Our Village:</i> Plant wildflowers, plantings in parks, ornamental trees. Do more tree trimming.		
<i>Vegetable-Flower Cutting Garden:</i> Establish community vegetable and flower cutting garden at Tighe-Schmitz.		
<i>Apiary:</i> Provide apiary and beehives.		
<i>Invasive Species:</i> Encourage residents to eliminate invasive plants from their properties: e.g. buckthorn and garlic mustard.		
<i>Halls Marsh:</i> Build a '20' to 30' dock' into Hall's Marsh and explain its geology/plant/animal life to walkers.		
Beaches/Docks		Vote
<i>Beach Sand:</i> Add fresh sand for beach goers to enjoy.		
<i>Swim Out Raft-Buoys:</i> Add a raft and buoys at swimming beaches.		
<i>Kayak/Canoe Racks:</i> Provide more kayak/canoe racks and make them more accessible.		
<i>Swimming Pool:</i> Provide a pool or pond.		
Parks/Playgrounds		Vote
<i>Music in the Parks Electricity:</i> Provide accessible electricity at Birch-Dellwood & Tighe-Schmitz for "Music in the Parks"/other.		
<i>Family Movie Night at the Park:</i> Initiate family movie night, like music in the park, but Saturday evenings at dusk.		
<i>Art in the Park:</i> Initiate art classes & plein air painting for adults and kids as a complement to the music in the park series.		
<i>Covered Picnic Area:</i> Build a large, covered picnic area with fireplace.		
<i>Band Shell:</i> Build a band shell.		
<i>Tennis Court Surface:</i> Provide a real court surface for the tennis courts, not the current sport court.		
<i>Tennis Court Backboard:</i> Install tennis wall to hit against at the tennis courts.		
<i>Basketball:</i> Provide new backboards, nets, rims, and paint basketball court lines on hockey rink.		
<i>Adult-Youth Games:</i> Provide horseshoe pits, pickle ball courts, bocce or boule balls courts.		
<i>Teen Activities:</i> Provide climbing wall, Frisbee golf, skateboard park.		
<i>Young Kids Games:</i> Provide tether ball, gaga pit ball, second hockey rink		
<i>Pleasure Skating Rink:</i> Provide a rink for those who do not play hockey.		

Natural Playground: Create natural playground features in Wildwood Park like at Wildwood Elementary School (Mahtomedi).	
Destination Playground Equipment: Designate parks as destination playgrounds (with equipment to support a single purpose).	
Winter Sledding Hill: Turn the hill connecting upper-lower Birch St into a park and maintain/light it for winter sledding.	
New Playground Equipment: Upgrade playground equipment for all ages – young to older kids and improve safety.	
Universal Design Elements: Encourage incorporating universal design elements in parks so children and adults of all abilities can play together without barriers. Example: an inclusive playground built in Portland: http://harpersplayground.org/	
Tighe-Schmitz Flooding: Investigate feasibility of a raised soccer field with return of portions of park to a natural wetland.	
Walking Trails, Biking Trails, and Roads	Vote
Walking Trails Map: Identify walking options in Birchwood and nearby communities.	
Open New Walking Trails: Develop city’s easements and right of ways into more walking paths. Make gems available for use.	
Safe Biking-Walking Paths: Provide safe, striped paths along dangerous roads, so people can safely get to parks & easements.	
Tighe-Schmitz Loop: Create paved path around edge of Park as safe place for strollers, bikes, scooters, & people.	
Oakridge & E County Line: Open easement to foot traffic – improve safety!	
Parking: Clarify and make consistent Birchwood parking tickets - 9pm vs 2am.	
Animals	Vote
Poop Bags: Place dog poop bags dispensers in all parks and easements and along the walk areas.	
Off-Leash Dogs: Review and improve rules.	
Deer: Cull deer.	
Cats: Ban roaming cats. Insist cat owners keep them inside.	
Other	Vote
Maintenance: Develop maintenance plan aimed at keeping parks, easements, trails, and equipment in excellent condition.	
Maintenance Volunteers/Communications: Communicate with potential volunteers with clearly defined tasks and times.	
Improve Signage: Identify clearly our parks, easements, and trails with nicer and more natural looking signs.	
Picnic Tables & Benches: Install a picnic table and bench at each easement.	
Trash & Recycling Bins: Install trash & recycling bins at each resource.	
Outhouses-Porta-Potties: Provide decent outhouses as we improve our parks and easements.	
Write-In Option (Write in item if we missed it.)	Vote

MEMORANDUM

DATE: December 12, 2017

TO: Birchwood City Council
FROM: Mary Wingfield, Mayor
SUBJECT: 2018 Water and Sewer Rates



Water Utility Rates Approved by the Water/Utility Committee

	Usage by 100 Cubic Ft		2017	2018
Flat fee	NA	NA	\$ 15.00	\$ 15.00
Tier 1	1	800	2.30	2.46
Tier 2	801	2,000	2.65	2.84
Tier 3	2,001	4,000	3.05	3.26
Tier 4	4,001	10,000	3.51	3.76
Tier 5	10,000	999,999	4.03	4.31

The Birchwood Utility Committee met this past month to review the sewer and water rates for 2018. A one-year water main break surcharge was instituted this past summer to recover costs from an unusually high number of breaks this past winter. The water fund is back in the black and so the surcharge will be removed as planned after the March 2018 billing.

Our last water rate increase was in 2015. The quarterly Water Utility base fee will again remain unchanged. The cost of water has gone up since 2015 and the committee decided to increase the Water usage rate by 7% to cover that cost. We also discussed the fact that the City of White Bear Lake may adjust rates to cover their costs in the lake level lawsuit. We will keep the city council informed when that is determined.

The sewer fund was also reviewed. The fund is fiscally sound and has been increasing of late, however, the city will be paying about \$60,000 for the final phase of the sewer lining project. It was recommended the city maintain the rates the current level with the belief the fund will recover those sums in the next couple of years. This approach would save the city from seeking a bond and the expenses generated from that process.

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MEMORANDUM

DATE: December 12, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Ordinance 2017-10-01 Zoning Administration



Birchwood Village

Dear Mayor and Council Members,

The enclosed Ordinance 2017-10-01 represents all the changes made by the Council at last month's meeting. The full ordinance is included because amendments were made to all but one page. To reduce the size of the packet, I left off the last signature page.

Request/Recommendation

Staff requests Council review and adopt Ordinance 2017-10-01 as presented in the enclosed.
Thanks!

Regards,
Tobin Lay

ORDINANCE 2017-10-01

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

**AN ORDINANCE RESCINDING AND REPLACING THE DUTIES OF A
CITY PLANNING COMMISSION IN CITY CODE**

The City Council of the City of Birchwood Village hereby ordains that existing Chapter 303 (Zoning Code Administration) of the Municipal Code of the City of Birchwood Village is hereby rescinded and replaced as follows:

SECTION 303: ZONING CODE: PLANNING COMMISSION

303.010 ESTABLISHMENT OF THE PLANNING COMMISSION

The Planning Commission is hereby established. The Planning Commission shall be the city planning agency authorized by M.S. 462.354, subd. 1, as it may be amended from time to time. Except as otherwise provided in this ordinance, the Planning Commission shall be advisory directly to the City Council.

303.020 COMPOSITION AND TERMS

1. **Composition, Number.** Such Planning Commission shall consist of five members, who are residents of the city. Members shall be appointed by the City Council. In addition, the City Council ~~shall~~ may select an ex officio member from among its own members to serve on the Commission as a council liaison to the Planning Commission. The ex officio member shall be a non-voting member who is not counted for quorum purposes.
2. **Terms.** ~~The term of each member shall be for three (3) years. Persons appointed to the Planning Commission by the City Council shall serve a term of three (3) years. Terms shall expire on December 31 of the appropriate year. At the first meeting in January 2018, the City Council shall establish the number of years remaining on the terms of each of the serving members, such that no more than two members' terms expire on the same date. The City Administrator-Clerk shall record the terms of each member appointed to the Planning Commission. A member whose term has expired may continue to serve on the Planning Commission until a successor is appointed. A member whose term has expired may also be reappointed by the City Council.~~
3. **Compensation.** ~~No members shall be compensated. The City Council shall set the compensation to be paid members of the Planning Commission. The City Council may determine that members of the Planning Commission will receive no compensation.~~
- 3.4. **Resignation.** ~~A member of the Planning Commission may decide to resign from the Planning Commission prior to the expiration of the member's term. The member~~

who desires to resign shall notify the City Council in writing of the request and the effective date of the resignation.

~~4.5.~~**Removal.** Members may be removed by the City Council by a simple majority vote of the City Council.

~~5.6.~~**Vacancies.** Vacancies during the term shall be filled by the City Council for the unexpired portion of the term.

~~6.7.~~**Oath.** Every appointed member shall, before exercising any of his or her duties, take an oath that he or she will faithfully discharge the duties of the office.

303.030 ORGANIZATION, MEETINGS, MINUTES AND EXPENDITURES

1. **Officers.** At the first regular meeting in January, the Planning Commission shall elect a Chairperson and a Vice-Chairperson from among its appointed members, each for a term of one year. The Planning Commission may create and fill other offices as it may determine necessary.

2. **Meetings.** The Planning Commission ~~may shall hold schedule~~ at least one meeting each month as needed at the time and place as they may fix by resolution, subject to City Council approval and filed with the City Administrator-Clerk. The City Administrator-Clerk may cancel any regular meeting at the direction of the Planning Commission Chairperson.~~The Planning Commission may cancel any regular meeting.~~ Special meetings may be called at any time by the Chairperson, or in the case of the Chairperson's absence, by the Vice-Chairperson, or as directed by the City Council or Mayor.

3. **Commission Policy on Meetings, Organizational Form and Rules of Order.** Subject to approval by the City Council, the Planning Commission may adopt rules of order or bylaws for the transaction of business, ordering meetings, adopting findings of fact and holding public hearings.

4. **Minutes.** Written minutes of meetings shall be kept and filed with the City Administrator-Clerk prior to the next regularly scheduled City Council meeting, but shall be subject to approval at the next Planning Commission meeting.

5. **Expenditures.** ~~No expenditures by the city on behalf of t~~The Planning Commission shall ~~be made~~not incur any expenditures unless and until authorized by the City Council.

303.040 ATTENDANCE

Duly appointed members of the Planning Commission shall be required to attend ~~no less than~~at least half the official meetings of the Planning Commission held within a given calendar year unless specifically excused by the Chair of the Planning Commission and said excused absences noted in the minutes. Failure to attend ~~no less than~~at least half of the official meetings within a given calendar year, without excuse

of the Chair of the Planning Commission, shall be considered as formal notice of resignation from said Planning Commission. In addition, failure to attend four-consecutive regular meetings without excuse of the Chair of the Planning Commission, shall be considered as formal notice of resignation from said Planning Commission.

303.050 **STAFF FOR THE COMMISSION**

The City Administrator-Clerk, Building Inspector, City Planner, City Engineer and City Attorney may act as staff for the Planning Commission and may be required at times to attend commission meetings. City Staff may provide the Commission with information as requested by the Commission. The City Administrator-Clerk or other person may perform secretarial duties for the Commission, such as the keeping of minutes, and may be responsible for the keeping of records.

303.060 **POWERS AND DUTIES**

1. **Generally.** The Planning Commission shall have the powers and duties given to city planning agencies generally by law, including the authority to conduct public hearings as directed by City Council or city policy. The Planning Commission also shall exercise the duties conferred upon it by ~~this ordinance~~ Chapter 303 or other provisions of the City Code or assigned to it by the City Council.
2. **Comprehensive Plan.** It shall be the purpose of the Planning Commission to ~~prepare and adopt a~~ advise and inform the City Council regarding its comprehensive plan for the physical development of the city, including proposed public buildings, street arrangements and improvements, efficient design of major thoroughfares for moving of traffic, parking facilities, public utilities services, parks and playgrounds, a general land use plan and other matters relating to the physical development of the city. ~~This plan may be prepared in sections, each of which shall relate to a comprehensive plan program. After the City Council has adopted the comprehensive plan, t~~The Planning Commission may periodically, but at least every ~~five-ten~~ years, review the comprehensive plan and any ordinances or programs implementing the plan and recommend amendments to the City Council.
3. **Means of Executing Plan.** Upon the adoption of a comprehensive plan or any section thereof, it shall be the concern of the Planning Commission to recommend to the City Council reasonable and practical means for putting into effect the plan or section thereof, in order that it will serve as a pattern and guide for the orderly physical development of the city and as a basis for judging the timely disbursements of funds to implement the objective. Means of effectuating the plan, among other things, shall consist of a zoning ordinance, subdivision regulations, capital improvement programming and technical review, and recommendations of matters referred to the Planning Commission by the City Council.
4. **Zoning Ordinances.** Pursuant to M.S. 462.357, subd. 3, as it may be amended from time to time, after adoption of a comprehensive plan, the Planning Commission shall review all proposed amendments to the zoning ordinances, conduct public hearings as

directed by City Council or city policy, and make recommendations to the City Council concerning zoning ordinance amendments and their relation to the city comprehensive plan and other land use controls. The Planning Commission shall report its recommendations to the City Council for action. The Planning Commission may on its own initiative also propose possible amendments to the Birchwood zoning ordinances.

5. **Conditional Use Permits.** The Planning Commission may make recommendations on all requests for a conditional use permit under the terms of the zoning ordinance and conduct public hearings as directed by City Council or city policy. The Planning Commission shall report its recommendations to the City Council for action.
6. **Interim Use Permits.** The Planning Commission may make recommendations on all requests for an interim use permit under the terms of the zoning ordinance and conduct public hearings as directed by City Council or city policy. The Planning Commission shall report its recommendations to the City Council for action.
7. **Subdivision Regulations.** The Planning Commission may make recommendations about the subdividing of land as prescribed by the city ordinances and conduct public hearings as directed by City Council or city policy. The Planning Commission shall report its recommendations to the City Council for action.
8. **Zoning Variances.** All applications for variances ~~may~~ shall be referred to the Planning Commission, and forwarded with or without recommendations directly to the City Council. The City Council shall have the powers of a Board of Appeals and Adjustments as provided for in M.S. 462.357, subd. 6, as it may be amended from time to time for its decision.
- ~~8.9. **Board of Appeals.** Whenever a person shall allege that there is an error in any order, requirement, decision, or determination made by any person other than the City Council or the Planning Commission in the enforcement of any provision of the Birchwood zoning ordinances, the Planning Commission may review and advise the City Council on the allegation. The City Council shall make the final decision.~~
- 9.10. **Official Map.** Pursuant to M.S. 462.359, subd. 2, as it may be amended from time to time, after adoption of a major thoroughfare plan and a community facilities plan (which may be contained in the city comprehensive plan or adopted separately), the Planning Commission, for the purpose of carrying out the policies of the major thoroughfare plan and community facilities plan, may prepare and recommend to the governing body a proposed official map covering the entire municipality or any portion thereof. The official map or maps shall be prepared in sufficient detail to permit the establishment of the future acquisition lines on the ground. In unplatted areas, a minimum of a centerline survey shall have been made prior to the preparation of the final draft of the official map. The accuracy of the future acquisition lines shown on the official map shall be attested to by a licensed land surveyor.

~~10.~~11. **Appeals to Denials of Zoning, Land Use or Building Permits Based on the Official Map.** All appeals to denials of zoning, land use or building permits based on the official map may be referred to the Planning Commission, and forwarded with or without recommendations directly to the City Council. The City Council shall have the powers of a Board of Appeals and Adjustments as provided for in M.S. 462.359, subd. 4, as it may be amended from time to time for its decision.

~~11.~~12. **Purchase and Sale of Real Property.** Pursuant to M.S. 462.356, subd. 2, as it may be amended from time to time, after adoption of a comprehensive plan, the Planning Commission shall review all proposed acquisitions or disposals of publically owned interests in real property within the city by the municipality, or any special district or any agency thereof, or any other political subdivision having jurisdiction within the municipality, and make findings as to the compliance of the proposed acquisition or disposal of real property with the comprehensive municipal plan. The City Council may by resolution adopted by two-thirds vote dispense with the requirements of this section when in its judgment it finds that the proposed acquisition or disposal of real property has no relationship to the comprehensive municipal plan.

~~12.~~13. **Capital Improvements.** Pursuant to M.S. 462.356, subd. 2, as it may be amended from time to time, after adoption of a comprehensive plan, the Planning Commission shall review all proposed capital improvements within the city by the municipality, or any special district or any agency thereof, or any other political subdivision having jurisdiction within the municipality, and make findings as to the compliance of the proposed capital improvement with the comprehensive municipal plan. The City Council may by resolution adopted by two-thirds vote dispense with the requirements of this section when in its judgment it finds that the proposed acquisition or disposal of real property has no relationship to the comprehensive municipal plan.

~~13.~~14. **Comprehensive Plan Amendments.** Pursuant to M.S. 462.355, subds. 2, 3, as it may be amended from time to time, after adoption of a comprehensive plan, the Planning Commission shall review all proposed amendments to the comprehensive plan, hold at least one public hearing, and make recommendations to the City Council comprehensive plan amendments and their relation to the city comprehensive plan and other land use controls. The Planning Commission shall report its recommendations to the City Council for action.

EFFECTIVE DATE: This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by M.S. § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of M.S. § 331A.01, subd. 10, as it may be amended from time to time.

MEMORANDUM

DATE: December 12, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Ordinance 2017-01-01 Impervious Surface



Birchwood Village

Dear Mayor and Council Members,

Last month the Council discussed Ordinance 2017-01-01 Impervious Surface at great length; hearing members of the public, from the Planning Commission, and City Attorney Kantrud.

The Council discussed amending proposed 302.050.k as follows:

The variance shall not be valid unless properly recorded at the property records at Washington County and a copy of the recording is properly returned to the City for verification.

The decision was reached to table the topic until tonight's meeting and to hold the second reading and final vote tonight.

As part of your deliberations tonight, I recommend you consider adding language to the above amendment to 302.050.k that specifies who shall record the variance with Washington County, as the language does not directly call that out. It can be implied that the variance applicant is the responsible party for recording but without specifying this, the language is not clear on that point.

The above amendment is the only amendment to this Ordinance discussed during last month's meeting so in an effort to reduce the size of this packet, Ordinance 2017-01-01 has not been included in this packet. Please refer to the November 14, 2017 City Council packet for the entire proposed ordinance.

Recommendation/Request

Staff requests Council:

- 1) Review and adopt Ordinance 2017-01-01 as published in the November 14, 2017 City Council packet, with the above amendment to 302.050.k.

Thanks!

Regards,
Tobin Lay

MEMORANDUM

DATE: December 12, 2017

TO: Birchwood City Council
FROM: Mary Wingfield, Mayor
SUBJECT: City Code Section 805 Amendment



Birchwood Village

Chapter 805 is unconstitutional as written. It attempts to duplicate Minn. Stat. § 429 regulating Public Improvements but fails to do so.

The application of this code to the Birchwood sewer lining improvements of 2004, 2006 and 2008 resulted in nearly 300 property owners incurring significant financial inequities.

Restating state code is redundant and unnecessary.

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805 PUBLIC IMPROVEMENTS FINANCING AND ASSESSMENT ORDINANCE

805.010. PURPOSE. The purpose of this ordinance is to establish procedures to guide the City of Birchwood Village in employing its authority under Minnesota State law, Chapter 429.010 to 429.111 which provides that a municipality shall have the power to make public improvements such as sanitary sewer, storm sewers, water supply and storage, and water distribution facilities, street improvements including grading curb and gutter, surfacing, sidewalks, street lighting, and recreational facilities.

The statute further defines that the cost of any improvement may be assessed upon property benefited by the improvement based upon the benefits received whether or not the property abuts on the improvement and whether or not any part of the cost of the improvement is paid from other funding sources. The law is not specific on how these benefits are to be measured or how the costs are to be apportioned, but rather makes it incumbent upon the municipality to determine with assistance of the City Engineer, City Attorney, appraisers or other qualified personnel, a fair and equitable method of cost sharing among the properties benefited along with assuring that the financial risk to the community is minimized. However, in no case shall the recommended assessment exceed the benefit(s) conferred to the property from the said improvement.

805.020. DEFINITIONS. For the purpose of this ordinance the words below shall have the meanings given to them in this section.

1. Improvements. Improvement shall mean a public improvement such as, but not limited to, the construction or reconstruction of streets, including curbs and gutters, the construction or reconstruction of storm sewers, installation and maintenance of street lighting systems and other similar projects described herein.

2. Mean. Mean refers to the total improved street footage divided by the number of properties assessed.

3. Residential Streets. All streets in Birchwood are classified residential streets.

805.030. IMPROVEMENT AND ASSESSMENT PROCESS. Public improvements and assessments as envisioned within this ordinance shall be governed by the provisions of Minnesota Statutes Chapter 429.

~~805.040. RESERVED FOR FUTURE USE.~~

~~805.050. RESERVED FOR FUTURE USE.~~

~~805.060. CLASSIFICATION OF LOCAL IMPROVEMENT PROJECTS.~~

~~1. In General. Improvements are divided into the two classes specified in the following subdivisions according to their respective benefits to the City as a whole and to property specially served by the improvement:~~

~~Class A. Class A improvements are those which are of general benefit to the City at large, and include but are not limited to:~~

- ~~a. public buildings~~
- ~~b. public parks, playgrounds or recreational facilities~~
- ~~c. street lighting systems~~
- ~~d. off-street parking facilities~~
- ~~e. bicycle and recreational trails~~

~~Class B. Class B improvements are those which are primarily, if not exclusively, of benefit to property abutting or in the area of the improvement, and include but are not limited to:~~

- ~~a. construction and reconstruction of sidewalks~~
- ~~b. construction and reconstruction of storm sewers~~
- ~~c. construction and reconstruction of residential streets, including curbs and gutters~~
- ~~d. construction and reconstruction of city water~~
- ~~e. construction and reconstruction of city sewer~~

~~805.065. FINANCING CLASS A IMPROVEMENTS. It is the policy of the City of Birchwood Village to finance Class A improvements from general City funds and not from special assessments.~~

~~805.070. FINANCING CLASS B IMPROVEMENTS. It is the policy of the City of Birchwood Village to finance Class B improvements by the methods prescribed in 805.090–805.100 below. Any improvement authorized, or allowed by Minnesota Statutes, Chapter 429 and not placed in Class A, or B, or by 805.030 above, shall be financed as the Council determines to be most feasible and equitable in each case.~~

~~805.090. ASSESSMENT RULES FOR CLASS B IMPROVEMENTS:~~

~~1. Storm Sewers. One hundred percent (100%) of the cost of constructing and reconstructing storm sewers shall be assessed against the property in the area served by the sewer as determined by the City Engineer on the basis of the square footage of the property so served. The properties to be assessed shall be determined by the Engineer on the basis of benefit, using topographical maps and other pertinent data. Any monies obtained from outside sources will be deducted from the total assessment before determining the amount to be assessed.~~

~~2. Residential Street Construction and Reconstruction. One hundred percent (100%) of the cost of construction or reconstruction of residential streets shall be assessed to abutting property on the basis of front footage. See 805.095 for calculation of assessments.~~

~~3. Water Main/Service—Construction. One hundred percent (100%) of the cost of constructing water lines shall be assessed against the benefited property served by the water as determined by the City Engineer. See 805.095 for calculation of assessments.~~

~~4. Water Main—Reconstruction. Fifty percent (50%) of the cost of reconstructing the water main shall be assessed against the property in the area served by the water main as determined by the City Engineer per connection to the property so served. The properties to be assessed shall be determined by the Engineer on the basis of benefit, using topographical maps and other pertinent data. Any monies obtained from outside sources will be deducted from the total assessment before determining the amount to be assessed. See 805.100 for calculation of assessments.~~

~~5. Sanitary Sewer Main/Service—Construction. One hundred percent (100%) of the cost of constructing sewer lines shall be assessed against the benefited property served by the sewer as determined by the City Engineer. See 805.095 for calculation of assessments.~~

~~6. Sanitary Sewer Main—Reconstruction. Fifty percent (50%) of the cost of reconstructing sewers shall be assessed against the property in the area served by the sewer as determined by the City Engineer per connection to the property so served. The properties to be assessed shall be determined by the Engineer on the basis of benefit, using topographical maps and other pertinent data. Any monies obtained from outside sources will be deducted from the total assessment before determining the amount to be assessed. See 805.100 for calculation of assessments.~~

~~7. Sidewalks. One hundred percent (100%) of the cost of construction or reconstruction of sidewalks shall be assessed to abutting property. See 805.095 for calculation of assessments.~~

805.080. SANITARY SEWER SYSTEM. The cost of reconstruction of any sanitary sewer main or building of any new sewer pumping system shall be paid from the city sanitary sewer enterprise fund. The City Council may decide to recoup the reconstruction cost by a surcharge against each sanitary sewer user account or by an increase in the user rates until such enterprise fund is sufficiently replenished.

805.085. WATER SYSTEM. The cost of reconstruction of any water main or installation of any new water monitoring system shall be paid from the city water enterprise fund. The City Council may decide to recoup those costs by a surcharge against each water user account or by an increase in the user rates until such enterprise fund is sufficiently replenished.

805.095. CALCULATION OF ASSESSMENT ON THE BASIS OF FRONT FOOTAGE. ~~The An~~ assessment for abutting property shall be determined by dividing the total cost for each project by the assessable front feet. The cost per front foot is then multiplied by the number of lineal feet of each lot to determine the assessment. In any event, the assessment shall not exceed the benefit conferred to the property.

~~805.100. CALCULATION OF ASSESSMENT—PER CONNECTION. The assessment for benefited property shall be determined by dividing the total cost for each project by the number of connections that will benefit from the project.~~

805.110. SPECIAL RULES.

1. Adjusted frontage. When the amount of an assessment is determined by frontage, an equivalent front footage shall be determined according to the following rules when an irregular lot requires such an adjustment to maintain fairness in the assessment. Where a lot falls into more than 1 category below, the method used to calculate front footage will be decided by the City Council upon consideration of all relevant evidence, including the recommendation of the City Engineer.

a. front footage shall be measured at the property building setback line on cul de sacs and irregular shaped lots.

b. for corner lots or multiple frontage lots - lots with more than one side of abutting frontage, the front footage shall be the long side plus one-half (1/2) the short side.

c. on corner lots and multiple frontage lots where one or more frontage is not improved, only the improved frontage shall be assessed. Similar projects being done -in subsequent years on the unimproved sides, will be assessed an amount to be determined by the Council with consideration given to previous improvements on other frontages and all other relevant factors bearing upon the current proposed assessment.

d. equivalent front footage shall be determined by dividing the square footage of the lot by the general lot depth of the sub-division for pie-shaped lots and irregular shaped lots where other rules do not apply.

e. where a lot consists of a combination of rectangular and pie-shaped or irregular portions, the equivalent front footage shall be determined as the sum of the straight front footage plus the remainder in accordance with applicable rules.

f. City property frontage is assessed on the same basis as all other parcels. The City will redistribute the City's share to all properties. (Wildwood Park and Hall's Marsh not included).

g. Parcels gaining access via easements across other parcels will be charged the mean front footage of those included in the project but in no case a greater amount than their front footage, to the extent that a benefit has been conferred.-

h. Parcels with no direct access except via unimproved street right-of-way will be charged the mean front footage of those included in the project, to the extent that a benefit has been conferred.

~~805.120. FEDERAL, STATE AND COUNTY AID USE. If the City receives financial assistance from the federal, state or county governments to defray a portion of the cost of a street improvement project, such aid may be used to reduce the project costs.~~

805.130. EFFECTIVE DATE. This ordinance shall be effective from and after its passage and publication according to law.

(FORMERLY TITLED SECTION 612) “AMENDED BY ORDINANCE 2004-3 AND 2004-4; MARCH 9, 2004.”

(CHANGING NUMBER TO 805) “AMENDED BY ORDINANCE 2012-09, May 8, 2012”

December 6, 2017 Dock Committee Meeting (DCM)

Chris Churchill, Houston Clinch and Mary Wingfield met to discuss ways to improve the BDA/city interface for boat placements and dock installation. Chris provided an outline of things to discuss to get the Birchwood Dock Assn (BDA) and the city “on the same page.”

The committee stressed that communication is key to ensuring a positive outcome, plus streamlining the application/renewal process is necessary to ensure maximum use and efficiency in awarding boat slips. The council expectation is the committee would function on a long-term basis (with the idea of adding two “at-large” members to round out the committee once the immediate concerns for 2018 are addressed).

We worked through the BDA Bylaws to address the fact the BDA is a quasi-public organization and should abide by all the rules governing officers, meeting notice, regular meetings, and providing minutes and accounting to the city council and to be on file at city hall for public review. Membership was amended to acknowledge that every resident/property owner is a member of the BDA.

Other issues brought up included collection of fees (deadlines, point of collection, one yearly fee, proof of insurance policies to be submitted by users), ensuring the BDA maintains a good neighbor relationship with all involved, and the need to create a one page information sheet for any potential applicants.

We also decided we would look to refining the waitlist process as it is confusing and time consuming and awkward in its application. Reviewing what other municipalities do should give us some guidance on that.

Chris noted there were 24 boat slip users last year. Mary thought there were only 18 paying slip holders. The city administrator needs to verify the discrepancy.

Also, there was discussion about Elm having two slips, but has had four in previous “normal” water years. The committee will be addressing what to do about this for 2018.

We discussed the issue of the \$1,000,000 insurance policy and what is needed to comply with this code provision. The thought was users need to buy an “umbrella policy” to cover their lifts when they are used and stored off their residential property.

There was no discussion of fees, although Chris stated the BDA would be looking to contract with a private company to install the lifts and docks next year. He anticipated that fee would be \$10,000.

The net result is Mary will put forward code changes to address the deadlines and confusing provisions, to be distributed by Tobin to the other committee members. Chris will work on making sure all the slip holders are contacted immediately to determine how many renewals there are and if there will be any openings for 2018. The goal is to have all fees paid by February 1, 2018 to the city and proof of insurance is provided. If there are any slips still available, the new applicants will then be contacted to guarantee all slips are filled by March 1, 2018.

Next committee meeting: December 20, 2017 7 PM.

CITY COUNCIL LIAISONS TO CERTAIN ADVISORY COMMITTEES:

Annually, the City Council shall appoint at least one council member to serve as a liaison to the City Advisory Committees. The role of the liaison is to act as a conduit and resource for information by and between the Council and the Planning Commission or Committee. The liaison shall make periodic reports to the Council on the activities of the Planning Commission or committee.

The City Council Liaison is the Chair's primary contact for all governance related issues and supports the Chair with leadership of the appointed group as necessary.

Overall City Council Liaison Responsibilities:

- Facilitates communication between the City Council and the appointed group
- Ensures that the appointed group operates within the parameters of their charge/function statement
 - Ensures that the work of the appointed group stays aligned with the strategic plan, the group's function statement and the annual committee task list (for process committees and advisory City Councils only)
 - Fosters collaborative working relationships between staff, Chair, the City Council and committee members
 - Works with Chairs to ensure long-term productivity of the appointed groups, including facilitating a smooth transition from the out-going chair to the in-coming one

Specific Tasks to Support the work of the committee:

- Attends group meetings, as requested by the Chair
- If the appointed group (or a particular member or chair) is unable to perform its work successfully for any reason, the City Council Liaison notifies concerns to the City Council
 - In the event a Chair or group member is not performing as required, the Liaison notifies the City Council then works to strategize on steps needed in order to improve performance. A call for a resignation is to be used as a last resort. Only the City Council can ask for a Chair or appointed group member's resignation

Facilitates communication between the City Council and the appointed group:

- Acts as an advocate for the group during a City Council meeting, as appropriate
- Reports to their Chairs any relevant action taken by the City Council
 - As needed assist Chairs with governance issues, such as interpreting how the work of the group supports the strategic plan
 - Transmit information, questions and feedback between the appointed group and the City Council in a timely manner
 - When sharing information with the City Council, be clear whether the appointed group is making a formal request or if the group is simply offering observations.

A liaison may always testify or submit comments at a public hearing in their capacity as a private citizen as long as they make clear at the beginning of their testimony or in their written comments that they are speaking on their own behalf and not on behalf of the Council.

Note: City Council Liaisons must be careful not to usurp the authority of the appointed Chair.

LEADERSHIP TOMORROW

prepares, engages, and challenges participants through a 10-month long program combining leadership skill development and a raised awareness of our local community. Participants connect deeply with each other, develop practical leadership skills, explore community leadership roles, learn about the needs, opportunities, and challenges facing our community, and meet and engage directly with leaders of the organizations working to address them. The outcome is increased leadership ability and passion, and an increase in our overall capacity to make our community the great place it is to live and work.

**BECOME A PART
OF A TEAM WITHIN
YOUR COMMUNITY,
GROW IN
LEADERSHIP,
AND MAKE
A DIFFERENCE
WITHIN YOUR
COMMUNITY.**

< LEARN MORE!



A PROGRAM OF THE GREATER WHITE BEAR LAKE COMMUNITY FOUNDATION

In partnership with
White Bear Area Chamber of Commerce
White Bear Lake Rotary Club
& The AWL Group

LEADERSHIP TOMORROW COMMITTEE

RYAN STEEN, CHAIR	<i>White Bear Township</i>
KEVIN DONOVAN	<i>Mahtomedi</i>
SCOTT EMERY	<i>Mahtomedi</i>
JERRY KWAPICK	<i>White Bear Township</i>
ROBERT MORSE	<i>White Bear Lake</i>
RITA PECHMANN	<i>White Bear Lake</i>
LARRY WALKER	<i>Birchwood Villiage</i>

greaterwblfoundation.org

info@greaterwblfoundation.org

651.408.5412



Leadership TOMORROW

Preparing tomorrow's
leaders today

BUILDING, CONNECTING,
AND ENGAGING
COMMUNITY LEADERS

ABOUT THE PROGRAM

OBJECTIVES

After completing Leadership Tomorrow, participants will be able to:

- Appraise their leadership capabilities to focus on strengths, skills, and expertise.
- Apply the leadership concepts and practices at their workplace and/or in the community.
- Gain a broad understanding of local business, governmental, and nonprofit organizations and the characteristics of each.
- Prepare to step into a leadership role within the community or with their employer.
- Commit to lifelong learning and community engagement.

“When the best leader’s work is done, the people say, ‘We did it ourselves.’” Lao Tzu

BENEFITS

Participants will:

- Develop, practice, and improve leadership skills.
- Expand business and community networks for current and future leaders.
- Develop an awareness and appreciation of the resources, organizations, cultures, challenges, and opportunities in the greater White Bear Lake community.
- Develop long-term professional relationships within the community.

DETAILS

Participants meet one afternoon a month January through December 2018. Sessions are held the second Thursday of the month, beginning in January 2018, from 11:30 am–5 pm. The program concludes on December 6 with graduation and celebration. No sessions are scheduled for July and August.

Sessions are five hours each, with half of each session focused on leadership topics, and half focused on local community topics. Participants are expected to attend all 10 sessions and complete all assignments.

	LEADERSHIP TOPIC	COMMUNITY TOPIC
JAN 11	What’s my Style?	Our Community
FEB 8	What is Leadership?	Dynamics of a Diverse Community
MARCH 8	Boosting Performance & Outcome	Economic Development/ Business
APRIL 12	Resolving Leadership Challenges Part 1	Local Government
MAY 10	Resolving Leadership Challenges Part 2	Arts & Culture
JUNE 14	Leading Change	Education
SEPT 13	Emotional Intelligence	Human Services
OCT 8	Conflict and Difficult People	Health & Healthy Life Style
NOV 8	Trust and Fear	Environment
DEC 6	Impacts: Application, Reflection, Graduation and Celebration	



APPLICATION PROCESS

Program participants (18-20 individuals) will be selected by the Leadership Tomorrow Advisory Committee. Every effort will be made to include representatives from business, government, education, nonprofit organizations, residents at large, and those bringing diversity to the program in areas including, but not limited to professional, geographic, age, gender, and ethnic background.

Applications are available at www.greaterwblfoundation.org/leadershiptomorrow on October 1, 2017, and are due before November 10, 2017.

COST: \$350

This covers all instruction, activities, program materials, meals, and graduation expenses. Partial scholarships are available and a separate application must be submitted to be considered for scholarship assistance.

INFORMATIONAL SESSIONS

Learn more about Leadership Tomorrow at an Informational Session:

- September 28 at 4 pm (Wildwood Library), or
- October 5 at 7:30 am (White Bear Country Inn)

QUESTIONS / FURTHER INFORMATION

Contact Jackie Reis
jackier@greaterwblfoundtion.org
 or (651) 408-5412

DRAFT FINAL MEETING MINUTES

DATE: Tuesday, December 5, 2017

TIME: 5:30 PM

LOCATION: City hall

Call to Order Birchwood Dog Park Committee

Schad called meeting to order at 5:49PM

Meeting to Discuss: Process of disbanding Dog Park Committee

Committee Members Present: Tami Heart, Kellie Lund, Steve Schad, Kathy Blegen-Huntley

Committee Members Not Present: Lease Wittenberg

Approval of Previous Minutes

Schad moved to approve 10/3/17 minutes. Heart seconded. Blegen-Huntley abstained. Motion passed.

Reports

The committee discussed City Council input received from the November Council meeting regarding the status of the committee going forward. The Council reviewed the survey results and cost estimates and recommended the committee disband and provide our work completed to this point to the council for possible future use.

Schad reviewed the tally from the hard copy survey results with our committee, which revealed 21 – not in favor of a Birchwood dog park, 11 – in favor, and 6 undecided out of 38 who voted via mailing.

We determined the following materials would be turned over to the City Clerk:

- Fencing estimates
- Maps of two possible sites
- Survey and public forum input
- Cover memo of summary of work

Unfinished Business – Action Steps

Schad will compile summary of committee's work with a cover memo to present to City Clerk.

Motions

Blegen-Huntley moved to approve agenda. Lund seconded. Motion passed

Heart moved to disband committee. Blegen-Huntley seconded. Motion passed

Blegen-Huntley moved to submit records of committee work and memo to City Clerk. Lund seconded. Motion passed

New Business

None

Adjournment

Schad moved to adjourn; Lund seconded; passed unanimously at 6:35 PM

SECRETARY APPROVAL: Prepared by Secretary Kellie Lund \\

RESOLUTION 2017-34

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

**A RESOLUTION RECOGNIZING AND APPRECIATING MEMBERS OF THE
BIRCHWOOD DOG PARK COMMITTEE FOR SERVICES PROVIDED**

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, December 12, 2017, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Megan Malvey, Randy LaFoy, Trilby White, and Kevin Woolstencroft, and the following absent: none, the Birchwood City Council resolved:

WHEREAS, The City Council of the City of Birchwood Village formed the Birchwood Dog Park Committee during the January 10, 2017 City Council meeting, appointing seven committee members, for the purpose of pursuing research, reviewing options, and making recommendations to City Council about a dog park(s); and

WHEREAS, The results of a recent dog park survey mailed to Birchwood residents along with the quarter three utility billing did not support a recommendation to build a city dog park at this time; and

WHEREAS, The City Council of the City of Birchwood Village has terminated the Dog Park Committee at the Committee's recommendation.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Birchwood Village that:

The City Council wishes to publically recognize and appreciate members of the Birchwood Dog Park Committee for their dedication, efforts, and for accepting the call to serve the community in this capacity.

I certify that the City of Birchwood Village adopted the above Resolution on this 12th day of December, 2017.

Mary Wingfield, Mayor

ATTEST:

Tobin Lay, City Administrator-Clerk

MEMORANDUM

DATE: December 12, 2017

TO: Birchwood City Council
FROM: Randy LaFoy, Councilmember
SUBJECT: BoldPlanning Presentation



BoldPlanning Presentation
November 15, 2016
Washington County Sheriff's Office

This online software provides a database to hold Village "Continuity of Operations Plans (COOP)" and "Emergency Operations Plans (EOP)."

We can not only build our plans here with this software, but we can update them as well. Washington County has been using BoldPlanning for almost three years.

The Sheriff's Office is offering this software free to all of the cities and townships in Washington County because 1) they think it is important to have an Emergency Plan for all communities in the County and 2) have secured grant funding to pay the annual fees. Other than the time we spend to input and update/maintain Birchwood's plans, there should be no cost to utilize this program while grant funding is available. When/if the grant funding ends, there is an 18 month time when Birchwood can decide to either keep/not keep the software.

This software ties into the larger Washington County Emergency Planning.

As one handout noted, the world isn't getting less risky. There are 17 pages with 71 blanks that would need to be filled in. Many of these blanks will be information captured from the Sheriff's Office.

I'd recommend Birchwood participates in the opportunity. It is just good, responsible governmental planning - especially when bad things happen to good communities.

I volunteer to work with the City Administrator and the Sheriff's Office to fill this out and report back to the council and community.

Randy LaFoy

**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
November 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; Tobin Lay, City Administrator

OTHERS PRESENT: Jim Nelson, Nick Hartzel, Dana Klimp, Mary Sue Simmons, Bryan McGinnis, Alan Mitchell and many 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 COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO APPROVE THE AMENDED AGENDA. ALL AYES. MOTION PASSED.

OPEN PUBLIC FORUM:

- A. No presenters.

ANNOUNCEMENTS:

- A. Calling for Volunteers to Help at the Ice Rink this winter–Contact City Hall
- B. We are social! Follow us on Facebook/ Twitter or register for the email listserv.

ADMINISTRATIVE PRESENTATION:

- A. Sheriff Report
- B. Birch Easement Catch Basin Cleanout: Mayor Wingfield and Councilmember Malvey informed the Council that they had met with Washington County and RCWD and recommend rebuilding the Birch rain garden next year. Accordingly, There is no action-cleanout is required at this time. Mayor Wingfield recommended that the catch basin be cleaned out based on best practices management.
- C. Staff Update: Treasurer, Ice Rink Attendants
- D. City Hall Air Conditioning Update: The Cable Commission has approved using the equipment fund to financing the air conditioning at City Hall.

CITY BUSINESS – CONSENT AGENDA

- A. Approve Workshop Minutes from October 10, 2017
- B. Approve Regular Meeting Minutes from October 10, 2017
- C. Approve Workshop Minutes from October 25, 2017

- D. Approve Treasurer's Report
- E. Approve Water Main Soil Storage Agreement
- F. ~~Approve Ordinance 2015-06-02 Deer Feeding Prohibition~~ Moved to regular agenda
- G. ~~Approve Resolution 2017-25 East County Line Rd Parking Restrictions~~ Moved to regular agenda
- H. Approve Resolution 2017-23 Appoint Office Support Worker
- I. Request the Planning Commission Review and Recommend Amendments to the Conditional Use Ordinance: Added to the agenda at the beginning of the meeting.

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

CITY BUSINESS - REGULAR AGENDA

- A. **City Project No. 2017-1 Sanitary Sewer Rehabilitation:** Mayor Wingfield gave a brief description of the sewer lining project. There were separate projects conducted in 2004, 2006, and 2008. This lining project will finish what is left to be lined. Attorney Kantrud retained a property analysis to discover the cap of the assessment against any property. A maximum assessment against any property will be \$628.36.

- 1. **Public Hearing**

- a. **Alan Mitchell (23 Oakridge):** He stated that he does not have a problem with the lining project, as it is necessary city business. He had questions about the feasibility study and progress moving forward. It was unclear to him what steps of action the council planned to take during the meeting. He also requested information/figures in the feasibility study to determine what other alternatives exist to lining the pipes. He is also looking for how long th project is anticipated to last as well as cost.

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

- 2. **Council Deliberation and Consideration of Approval:**

- a. There was discussion concerning the steps that have been taken thus far to make the cost of the project ethical for the residents.
- b. City Engineer, Steve Thatcher explained that the alternative to lining the pipes was replacing the pipes which would have been a much more expensive project. He anticipates that the work will take 2-3 weeks. He also explained the items that were missed in the last sewer lining project. He will review the televising video to determine what homeowners have roots in their sewer lines and notify them accordingly.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER WHITE TO RELEASE THE PROPERTY VALUATION REPORT OBTAINED BY ATTORNEY KANTRUD PERTAINING TO THE SEWER LINING PROJECT. ALL AYES. MOTION PASSED.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY MAYOR WINGFIELD TO MOVE FORWARD AND TO ADOPT RESOLUTION 2017-01 SANITARY SEWER REHABILITATION PROJECT. ALL AYES. MOTION PASSED.

B. Dog Park Committee Update

1. **Survey Results:** There were 97 responses to the online survey; 28 in favor, 50 against, 19 undecided. There were 38 responses to the paper surveys; 21 against. Overall the mood of the public is against having a dog park.
2. **Process Update:** Steve Schad, Dog Park Committee, spoke about the opposition that has been brought forward in the community. The committee wanted to check in with the council after the results of the dog park survey. He passed on information that can be used in the future, such as a dog park will cost around \$20,000 with fencing, making the space handicap accessible, etc. The original donor has also decided to pull their funding. The Dog Park Committee is seeking feedback as to whether they should continue working or if they should put it to rest.
3. **Council Recommendations:** They thanked the Dog Park Committee for their hard work. They asked the committee to summarize the work and the costs that they have found into a report for future reference. With the results from the surveys, the council suggested that it may not be the time for a dog park.

C. Parks Committee Update and Recommendations

1. **Survey Results:** There were 117 responses, roughly 1/3 of the households. The Parks Committee is creating a second survey to expound on the areas supported in the last survey and they plan to send out with the next billing statement. The first round of results clearly showed that the parks need maintenance.
 - a. **Council Deliberation:** Mayor Wingfield expressed her concern that with various types of surveys available (online, paper, interviews with Megan, etc) that there was overlap in the responses. She requested that the second round of the survey only be sent via hard copy. Councilmember White asked if it was necessary to send another survey. Councilmember Malvey feared that there will be a large decrease in response if only paper surveys are sent.
2. **Ash Path:** The Committee passed a motion to mark the entry of Ash Walkway south of Birchwood Avenue to identify where the public space is.
 - a. **Council Deliberation:** They suggested that the Parks Committee discover where the entry points are and return with information at the December meeting.

MOTION WAS MADE BY COUNCILMEMBER WHITE AND SECONDED BY COUNCILMEMBER LAFOY TO ADD 5 MINUTES TO THE TIME LIMIT FOR DISCUSSION. ALL AYES. MOTION PASSED.

D. Birchwood Dock Association

1. **Review and Approve BDA's Annual Dock Permit Application – Authorize BDA to Apply for Dock Permits**
 - a. **Council Deliberation:**
 1. **Councilmember Malvey:** There was clarification that the only change made to the previous application was an additional boat allowed at Dellwood Beach is due to higher water levels and still complies with the City Ordinance.
 2. **Councilmember White:** She disagreed that the application should be approved until further discussed. She believes that the docks have not been running as smoothly as they could, and would like to continue

working on improving the relationship between the Dock Association and the City.

3. **Mayor Wingfield:** She does not want to approve the Permit Application until further review of the bylaws of the Docks Association, as well as the laws of incorporation.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE OF THE ANNUAL DOCK ASSOCIATION PERMIT APPLICATION TO BE FORWARDED TO THE CONSERVATION DISTRICT. COUNCILMEMBERS LAFOY AND MALVEY VOTED AYE. MAYOR WINGFIELD AND COUNCILMEMBERS WHITE AND WOOLSTENCROFT OPPOSED. MOTION DID NOT PASS.

MOTION WAS MADE BY COUNCILMEMBER WHITE AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO EXTEND THE TIME LIMIT BY 5 MINUTES. COUNCILMEMBER LAFOY OPPOSED. MAYOR WINGFIELD AND COUNCILMEMBERS MALVEY, WHITE, AND WOOLSTENCROFT VOTED AYE. MOTION PASSED.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO TABLE THE DISCUSSION UNTIL A FUTURE DATE SO THAT IT CAN BE REVIEWED BEFORE SUBMISSION TO THE CONSERVATION DISTRICT. MAYOR WINGFIELD AND COUNCILMEMBERS WHITE AND WOOLSTENCROFT VOTED AYE. COUNCILMEMBERS LAFOY AND MALVEY OPPOSED. MOTION PASSED.

2. Continue Oct. 25, 2017 Council Workshop Discussion

- a. **Council Deliberation:** Councilmember LaFoy suggested that Councilmember Malvey be the City Council representative on the Docks Committee.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO ESTABLISH A DOCKS COMMITTEE WITH A REPRESENTATIVE FROM THE DOCKS ASSOCIATION, THE PARKS COMMITTEE- HOUSTON CLINCH, AND A MEMBER OF THE CITY COUNCIL- MAYOR WINGFIELD. MAYOR WINGFIELD AND COUNCILMEMBERS WHITE AND WOOLSTENCROFT VOTED AYE. COUNCILMEMBERS LAFOY AND MALVEY OPPOSED. MOTION PASSED.

E. Approve Ordinance 2015-06-02 Deer Feeding Prohibition

1. **Summary/ Clarification:** Mayor Wingfield summarized the process of the ordinance which in fact had a hearing and first reading during the October meeting and the Clerk at the time accidentally called it a first reading during the November meeting.
2. **Council Deliberation:**
 - a. **Councilmember Malvey:** She wanted to check the procedural process of the ordinance as well as provide input from the Parks Committee. The Parks Committee was supportive of the ordinance and suggested additional education for the public. The committee also suggested a written warning before an individual is charged a \$300 fine.
3. **Attorney Kantrud:** He stated that it appeared the City had followed the correct procedural steps when the ordinance had first been visited, and that the process had been poorly captioned. He will verify that there is not a time limit on publishing the ordinance.

F. Approve Resolution 2017-25 East County Line Rd Parking Restrictions

- 1. Council Deliberation:** There was concern that there will be unintended consequences from the parking restrictions.

a. Administrator Lay: He explained that letters were mailed to each residents along East County Line Rd and the responses were either positive or neutral toward the parking restriction.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER MALVEY TO LINE EAST COUNTY LINE RD WITH PARKING RESTRICTIONS BASED ON RESIDENTS REQUESTED. MAYOR WINGFIELD AND COUNCILMEMBERS MALVEY AND WHITE VOTED AYE. COUNCILMEMBERS LAFOY AND WOOLSTENCROFT OPPOSED. MOTION PASSED.

G. Second Reading Ordinance 2017-01-01 – Impervious Surface Amendment

1. Public Hearing:

a. Alan Mitchell: He commented on the email that he sent to the council members with his recommendations for the language used in the amendment. He also commented on the procedural steps of the ordinance. He requested that his recommendations and edits be included in the record. He suggested that the Ordinance strays from obscure references to agencies.

b. John Lund, Planning Commission: He stated that the Planning Commission did not agree with any of the changes suggested by Alan Mitchell and that the Planning Commission feels this ordinance is good as recommended. He said they had worked on this for over a year and had a professional consultant assist.

c. Brian McGinnis: He also provided suggestions to the Planning Commission and the City Council concerning a possible conflict between best management practices and the definitions in the code.

d. Alan Mitchell: He stated that the Planning Commission could not have had time to review his current edits because they have not had a meeting since he made the suggestions.

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

2. Council Deliberation

a. Councilmember LaFoy: He suggested that the council refrain from making any decisions until the Planning Commission has had more time to consider the recommendations provided by Alan Mitchell.

b. Councilmember White: She suggested that the Planning Commission has put a lot of time into the ordinance already, and it is ready to move forward.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO TABLE ORDINANCE 2017-01-01, TO BE APPROVED IN DECEMBER WITH THE CHANGES TO ITEM “K” THAT THE VARIANCE SHALL NOT BE VAILD UNLESS PROPERLY RECORDED WITH WASHINGTON COUNTY AND THAT A COPY OF THE AMENDMENTS WILL BE RETURNED TO THE CITY. ALL AYES. MOTION PASSED.

H. First Reading Ordinance 2017-10-02 Public Right-of-Way

1. Council Deliberation:

a. Mayor Wingfield: She made suggestions for the Right-of-Way Ordinance that included; striking “Birchwood Village Standards” on page 138 and changing it to the satisfaction of the Birchwood Engineer.

2. Order Public Hearing for December 12, 2017

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO SCHEDULE A PUBLIC HEARING FOR DECEMBER 12, 2017 FOR ORDINANCE 2017-10-02. ALL AYES. MOTION PASSED.

I. First Reading Ordinance 2017-10-01 Zoning Administration Amendment

1. Public Hearing:

a. Alan Mitchell: He was happy to see that the Council was willing to make changes to a previous amendment based on his suggestions, and he hopes that the Council will remain open to further suggestions in the future. He stated that he will be watching for the notices for the ordinances that will be posted 10 days before the council meeting. He referenced the suggestions that he had for the ordinance.

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

2. Council Deliberation: Mayor Wingfield made suggestions to changes in the language; including clarification in the meeting cancelation process, the board of appeals, and references to the state code. Councilmember Malvey suggested that the language refrain from using double negatives

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER WHITE TO TABLE THE DISCUSSION AND HOLD THE SECOND READING IN THE DECEMBER MEETING. ALL AYES. MOTION PASSED.

J. Council Member Reports:

1. Councilmember Woolstencroft

a. Update: City Hall Table Donation- The tables have been purchased and delivered to City Hall.
b. Resolution 2017-21 – Accepting Donation from Birchwood Courts Residents:

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER LAFOY TO PASS THE RESOLUTION. ALL AYES. MOTION PASSED.

2. Mayor Wingfield

a. Pleasure Rink: There was a request to have the land leveled out before the ground freezes, but there is no time because the ground is already freezing.

3. Councilmember LaFoy

a. Update: Website Task Force: He showed the new webpage that the task force

has been working on to simplify the City Website. The new website would cost about \$20 per year, which would be a decrease from the current costs. Councilmembers were supportive of this work. Mayor Wingfield stated that the Council had already approved Randy and the website task force to move forward on this.

4. Councilmember Malvey

- a. Update: School District Realignment Project-** There is a group of residents gathering information, to be prepared if the district is realigned. She has contacted White Bear Lake District to begin the conversation and is waiting for a response.
- b. Update: Capital Improvement Plan-** She discussed the information on the Capital Improvement Plan, including the City parade and maintenance. She created a spreadsheet with the different items that categorize them more accurately.
- c. Update: RCWD Letter-** Mayor Wingfield recommended that Birchwood look at the bigger picture and to have a representative work with Administrator Lay and consider the regional level. She suggested that it should coordinate with the storm water comprehensive plan.

K. City Administrator's Report: Nothing to report.

ADJOURN

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER WHITE TO ADJOURN THE MEETING. ALL AYES. MOTION PASSED. MEETING ADJOURNED AT 9:48 P.M.

Mary Wingfield
Mayor

ATTEST:

Tobin Lay
City Administrator-Clerk