



AGENDA OF THE REGULAR MEETING OF
THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
December 9, 2014
7:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

OPEN PUBLIC FORUM

ANNOUNCEMENTS

CITY BUSINESS – CONSENT AGENDA

- A. Approval of Regular Meeting November 11, 2014 Minutes*
- B. Approval of Special Meeting October 20, 2014 Minutes*

CITY BUSINESS – REGULAR AGENDA

- A. Truth in Taxation/Adoption of Final Levy and Budget*
 - a. Public Hearing
 - b. Review of Proposed 2015 Levy and Budget*
 - c. Resolution 2014-23, Final Levy Adoption*
 - d. Resolution 2014-24, Final Budget Adoption*
- B. Approval of Treasurer's Report*
- C. Second Reading of Ordinance 2014-11-01, Adding Excessive Consumption of Law Enforcement Services Language to City Code*
- D. Resolution 2014-25, Approving Summary Publication of Ordinance 2014-11-01*
- E. Second Reading of Ordinance 2014-11-02, Adding Vacant Building Language to City Code*
- F. Resolution 2014-26, Approving Summary Publication of Ordinance 2014-11-02*

* Denotes items that have supporting documentation provided

- G. First Reading of Ordinance 2014-12-01, Amending the Variance Application Fee in the Fee Schedule*
- H. 2014 Tree Inspection Report*
- I. City Attorney's Report
 - a. Update on Wildwood Park Lift Station Matter
 - b. Update on Title Registration Matter
- J. City Administrator's Report
 - a. Schedule a January Workshop

ADJOURN

**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
November 11, 2014**

MINUTES

MEMBERS PRESENT: Mayor Mary Wingfield; Councilmembers: Mark Anderson, Bill Hullsiek, Randy LaFoy, and Kevin Woolstencroft

STAFF PRESENT: Alan Kantrud, City Attorney; Chris Mickelson, City Administrator

CANVASSING BOARD

A. Call to Order

Mayor Wingfield called the Canvassing Board to order at 7:00 p.m.

B. Resolution 2014-CB-01 Certifying the Results of the Municipal Election Held on November 4, 2014

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER HULLSIEK TO APPROVE RESOLUTION 2014-CB-01. ALL AYES. MOTION PASSED.

C. Adjourn

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO ADJOURN THE CANVASSING BOARD. ALL AYES. MOTION PASSED.

Mayor Wingfield called the regular meeting to order at 7:05 p.m. The Pledge of Allegiance was recited.

AGENDA APPROVAL:

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

OPEN PUBLIC FORUM:

No comments from the public were received.

ANNOUNCEMENTS:

Mayor Wingfield announced that with the recent snowfall, the new plow operator is dealing with the learning curve of plowing in a new city.

Councilmember LaFoy announced that Santa will be attending the Christmas Party at Birchwood City Hall. The party will be taking place in early December.

CITY BUSINESS - CONSENT AGENDA

- A. Approval of Regular Meeting October 14, 2014 Minutes**
- B. Authorize Renewal of JPA Between Washington County Sheriff's Office and City of Birchwood Village for Code Red Mass Notification System for 2015**

Mayor Wingfield added a correction to Item A to change "Swimming Platform" to "Swimming Buoy."

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

CITY BUSINESS - REGULAR AGENDA

- A. Resolution 2014-22: Certification of Delinquent Utility Accounts to the County**

Public Hearing

No Comments from the public were received.

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

Mayor Wingfield asked if any payments were received prior to the delinquent account list being printed.

City Administrator Mickelson stated that three or four payments had been received since printing the list.

Councilmember LaFoy asked approximately how many accounts were delinquent.

City Administrator Mickelson stated the number of delinquent accounts is around 22.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER HULLSIEK TO APPROVE RESOLUTION 2014-22. ALL AYES. MOTION PASSED.

- B. Authorize Entering Into a JPA between White Bear Township and City of Birchwood Village for Sanitary Sewer System Maintenance and Repair**

Mayor Wingfield stated the JPA included in the Council's packet does not have a timeframe included or a schedule of rates.

Councilmember Woolstencroft stated that if a standby generator was installed at the second lift station, an expansion of that lift station should not be necessary as required by the JPA.

City Administrator Mickelson stated that White Bear Township is asking that Birchwood expands the capacity of the second lift station because installing a standby generator only addresses power failure concerns and lift stations fail for reasons other than power failure.

Councilmember Woolstencroft asked how the recommended generator size was determined.

City Administrator Mickelson stated that the generator size was determined by three different contractors after entering the motor specifications into their sizing programs.

Mayor Wingfield asked that generator sizing questions be forwarded to City Engineer Thatcher for review and recommendation.

Councilmember LaFoy asked that City Engineer Thatcher review if the lift station's capacity needs to be increased if a permanent generator has been installed.

Mayor Wingfield asked City Attorney Kantrud for language to be added to the JPA allowing the City to expand its lift station's capacity following review and recommendation by the City Engineer.

Councilmember Hullsiek stated he would rather see the lift station expanded or replaced based on facts rather than a timeframe determined by the JPA.

City Attorney Kantrud stated he will draft language that gives the City more discretion in determining when the second lift station should be expanded or replaced.

Mayor Wingfield asked that paragraph 10 requiring jetting/vacuuming of the sewer lines to be done annually be amended to allow the City more discretion in determining how frequently the lines should be cleaned.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO AUTHORIZE ENTERING INTO A JPA BETWEEN WHITE BEAR TOWNSHIP AND THE CITY OF BIRCHWOOD VILLAGE FOR SANITARY SEWER SYSTEM MAINTENANCE AND REPAIR, SUBJECT TO AMENDMENTS TO PARAGRAPHS 4 & 10. ALL AYES. MOTION PASSED.

C. Review Proposals for Permanent Generator at Wildwood Park Lift Station

Mayor Wingfield stated that proposals will be forwarded to City Engineer Thatcher.

Councilmember LaFoy asked if generator noise will be an issue.

City Administrator Mickelson stated that the enclosure decreases noise down to around 70dB at approximately 20 feet.

D. Approval of the Treasurer's Report

Councilmember Woolstencroft asked for the total cost of fall leaf collection and how much was collected from residents.

City Administrator Mickelson stated the total cost came to \$11,000 and \$4,000 was collected from residents.

Councilmember Woolstencroft stated that fall leaf collection is getting to be too expensive.

Mayor Wingfield stated the City needs to revisit what residents are charged.

Councilmember Woolstencroft stated the fee needs to be increased.

Councilmember Hullsiek stated that the service is useful, but the City should break even.

Councilmember Anderson stated that dumping costs increased this year from \$10/load to \$30/load.

Councilmember LaFoy asked how many loads were dumped.

City Administrator Mickelson stated that 55 loads were dumped.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER HULLSIEK TO APPROVE THE TREASURER'S REPORT AS PRESENTED. ALL AYES. MOTION PASSED.

E. Discuss Contract for General Maintenance

City Administrator Mickelson stated he was looking for direction regarding the hiring of a handyman for odd jobs around the City.

Mayor Wingfield stated that multiple people could be utilized and a specific person could be used depending on the job.

Councilmember Anderson stated he is aware of multiple ads for handyman services.

Councilmember Woolstencroft stated that he has a good person in mind.

F. Canoe/Kayak Storage at Easements

Councilmember LaFoy stated the he asked for this item to be added to the agenda as a handful of canoes and kayaks are still at the Birch Easement.

Councilmember Woolstencroft stated that when the boat is registered with the City, a sticker should be applied to indicate the owner of the boat.

Mayor Wingfield asked that Councilmember LaFoy draft a canoe/kayak storage policy for the January workshop.

G. First Reading of Ordinance 2014-11-01, Adding Excessive Consumption of Law Enforcement Services Language to City Code

City Attorney Kantrud stated that the numbers move from 406 to 267.

City Administrator Mickelson stated that the numbers for Birchwood's Code book will be 406.

Mayor Wingfield stated that the ordinance's second reading will take place at the December Council meeting.

Mayor Wingfield asked that a resolution for summary publication be included in on the December agenda.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER HULLSIEK TO APPROVE FIRST READING OF ORDINANCE 2014-11-01. ALL AYES. MOTION PASSED.

H. First Reading of Ordinance 2014-11-02, Adding Vacant Building Language to City Code

City Attorney Kantrud stated that the language was taken from St. Paul's City Code. Costs should be changed to reflect Jack Kramer and the City's actual costs.

Mayor Wingfield stated that the hourly rate should be in addition to the annual registration fee.

Councilmember LaFoy asked to have Jack Kramer review the City's proposed vacant building ordinance.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER HULLSIEK TO APPROVE FIRST READING OF ORDINANCE 2014-11-02. ALL AYES. MOTION PASSED.

I. City Attorney's Report

a. Update on Wildwood Park Lift Station Matter

City Attorney Kantrud stated he was not able to meet with the third-party engineer to review this matter in the last month.

MOTION WAS MADE BY COUNCILMEMBER LAFOY, SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO ADJOURN. ALL AYES. MOTION PASSED.

Mary Wingfield
Mayor

ATTEST:

Chris Mickelson
City Administrator-Clerk

**CITY OF BIRCHWOOD VILLAGE
SPECIAL MEETING OF THE CITY COUNCIL
OCTOBER 20, 2014
KAY BEACH**

MINUTES

MEMBERS PRESENT: Councilmembers: Randy LaFoy, Mark Anderson, Bill Hullsiek, and Kevin Woolstencroft

STAFF PRESENT: Alan Kantrud, City Attorney

The meeting was called to order at 6:00 p.m.

REPORTS

A. The City Attorney provided the Council with an update on a title registration matter involving Kay Beach.

ADJOURN:

The Special Meeting of the City Council was adjourned at 7:00 p.m.

Mayor Mary Wingfield

ATTEST:

Chris Mickelson
City Administrator-Clerk

**CITY OF BIRCHWOOD VILLAGE
2015 SUMMARY BUDGET STATEMENT**

The purpose of this report is to provide summary 2015 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 2015 Adopted Budgeted

	2014 Budget	2015 Budget
Revenues:		
Property Taxes	326,299	326,299
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	<u>326,299</u>	<u>326,299</u>
Expenditures:		
Current:		
General Government	127,883	125,120
Public Safety	77,800	72,100
Streets and Highways	43,000	46,000
Sanitation	28,000	25,000
Culture and Recreation	17,700	12,900
Miscellaneous	1,916	13,294.00
Transfer to other funds	30,000	30,000
Total Expenditures	<u>326,299</u>	<u>326,299</u>
Excess (deficiency) of Revenues over (under) Expenditures	<u>0</u>	<u>0</u>
Property Tax Levy Requirement to Fund This Budget	<u>326,299</u>	<u>326,299</u>

	A	B	E	F	G	H	I	J	M
			incl. cap prj						
	DISBURSEMENTS		2011	2012	2012	2013			
	GENERAL GOVERNMENT								
46									
47									
48									
49									
50	Publishing								
51	Printing and Binding	100-41130-350	91	175	100	100		80	\$ 80.00
52	Legal Notice Publication	100-41130-351	1,683	2,000	4,213	2,000		2,000	\$ 2,000.00
53	Subtotal Publication		1,774	2,175	4,313	2,100	0	2,080	\$ 2,080.00
54	City Council								
55	Wages and Salaries	100-41310-100	4,415	2,700	2,442	4,200	0	4,200	\$ 3,900.00
56	Clerk								
57	Wages and Salaries	100-41400-100	57,501	56,000	56,260	58,240		70,000	\$ 65,000.00
58	Federal Tax - Employee		0						
59	State Tax - Employee		0						
60	Employer Cont.-Retirement		0						
61	Retirement - Employee		0						
62	Medicare - Employer		0						
63	Social Security Employer		0						
64	Medicare - Employee		0						
65	Soc Security - Employee		0						
66	Other Pay		0						
67	Mileage		42						
68	Recording and Reporting		0						
69	Accounting (Treasurer)		0						
70	Professional Services	100-41530-100						2,000	\$ 5,000.00
71	Admin. Staff Subtotal		57,543	56,000	56,260	58,240	0	72,000	\$ 70,000.00
72	Elections								
73	Wages and Salaries	100-41400-100	0	3,500	3,715	0		3,500	\$ 1,750.00
74	Operating Supplies	100-41400-210	0	100	358	0		250	\$ 125.00
75	Repair & Maint. Supplies	100-41400-220	470	500	470	500		500	\$ 500.00
76	Mileage		0	50	114	0			
77	Legal Notice Publication	100-41400-351	0	250	407	0		400	\$ 200.00
78	Elections Subtotal		470	4,400	5,064	500	0	4,650	\$ 2,575.00
79	Office Supplies								
80	Office Supplies	100-41420-200	2,236	2,500	2,340	2,000		2,000	\$ 2,000.00
81	Operating Supplies		78	100	0	100			
82	Repair & Maint. Supplies		0	0	0	0			
83	Office Equipment	100-41420-230	1,953	1,000	680	800		800	\$ 800.00
84	Small Tools & Minor Equip		0	300	0	250			
85	Contracted Services		1,425	375	295	375		375	\$ 375.00
86	Postage/Postal Permits		0						
87	Office Supplies	100-41430-200	642	800	1,026	650		650	\$ 650.00
88	Refunds & Reimbursements		0		0	0			
89	Office Operations Subtotal		6,334	5,075	4,341	4,175	0	3,825	\$ 3,825.00
90	Financial Administration								
91	Auditing Services		15,143		0	0		0	

	A	B	E	F	G	H	I	J	M
92	Fees (banking)	100-41500-430	393	400	375	400		400	\$ 400.00
93	Subtotal		15,536	400	375	400	0	400	\$ 400.00
94	Insurance - City								
95	Insurance								
96	General Liability Ins	100-41945-361	6,980	4,355	3,754	3,800		3,800	\$ 4,000.00
97	Property Insurance	100-41945-362	2,619	2,500	2,183	2,200		2,200	\$ 2,400.00
98	Worker's Comp (for employees & contractors per audit)	100-41945-150	2,447	1,800	3,234	1,100		1,100	\$ 1,100.00
99	Vehicle Insurance	100-41945-363	69	72	69	70		70	
100	Excess Liability	100-41495-364	900	927	900	900		900	\$ 1,000.00
101	Crime Coverage	100-41495-365	118	125	118	120		120	\$ 150.00
102	Municipal		745	0	0	0		0	
103	Insurance Subtotal		13,133	10,524	10,258	8,190	0	8,190	\$ 8,650.00
104	Assessing								
105	Contracted Services	100-41550-305	5,324	5,325	5,436	5,450		5,450	\$ 5,450.00
106	Legal Services								
107	Professional Services		7,004	8,000	6,579	7,200		7,000	\$ 7,000.00
108	Engineer Service	100-41600-300							
109	Professional Services	100-41650-300	5,491	6,000	6,223	10,000		7,000	\$ 7,000.00
110	Per Diem (Planning Commission)	100-41800	475	1,560	985	1,560		600	\$ 500.00
114	Planning & Zoning	100-41910-300	46	0	206	0		200	\$ -
115	Services Subtotal		18,340	20,885	19,529	24,210	0	20,250	\$ 19,950.00
116	City Training & Development								
117	Training		1,609	700	210	1,200			
118	Transportation	100-41920-330	247	100	0	100		100	
119	Dues & Subscriptions	100-41920-433	992	1,000	1,038	1,035		1,063	\$ 1,040.00
120	Grants (pandemic 2008)		200	0	0	0		0	
121	Grants Counsel Center 2012/2012 WC Heritage Soc.	100-41905-435	2,022	3,200	2,941	1,825		2,000	\$ 2,000.00
122	T & D Subtotal		5,070	5,000	4,189	4,160	0	3,163	\$ 3,040.00
123	City Hall--Gov't Buildings								
124	Repair, Operating & Maint. Supplies	100-41940-220	3,843	3,300	2,532	2,350		500	\$ 500.00
125	Professional Services	100-41940-300	6,904	0	0	0		0	
126	Contracted Services	100-41940-305	924	700	624	700		500	\$ 500.00
127	Telephone	100-41940-321	1,298	1,300	1,439	1,450			
128	Utility Services	100-41940-380	3,298	4,000	2,219	2,500		3,500	\$ 4,500.00
129	Buildings & Structures	100-41940-520	0	0	0	0		0	
130	Computer/Internet	100-41940-320	0	0	0	0		4,500	\$ 5,200.00
131	Gov't Bldgs Subtotal		16,267	9,300	6,814	7,000	0	9,000	\$ 10,700.00
132	Cable Eqpmnt and Service								
133	Contracted Services	100-41950-305	1,064	1,200	839		800		
134	Communication	100-41950-320	0	0	0	0		0	
135	Newsletter								
136	Operating Supplies	100-41960-210	0	0	0	25		25	
137	Contracted Services	100-41960-350	446						
138	Printing and Binding	100-41960-350	0	400	228	100		100	
139	Communication Subtotal		1,510	1,600	1,067	125	800	125	\$ -
140	TOTAL Gen Government		140,392	118,059	114,652	113,300	800	127,883	\$ 125,120.00

	A	B	E	F	G	H	I	J	M
141	PUBLIC SAFETY								
142	Police								
143	Contracted Services	100-42100-305	88,505	90,935	89,776	91,348		48,000	\$ 51,000.00
144	Fire								
145	Contracted Services	100-42200-305	20,078	20,500	21,317	20,593		21,000	\$ 20,000.00
146	Building Inspection (non levy)								
147	Small Tools and Minor Equipment		175						
148	Contracted Services	100-42401-305	8,237	8,700	9,623		8,200	8,000	Non Levy
149	Fees (variance, cond use permits)	100-42401-430	170	700	104		200	100	\$ 100.00
150	Other Protection								
151	Contracted Services (Code Red)	100-42800-305	0	68	241	100		100	\$ 100.00
152	Dept. of Labor Fees		0	0	0				
153	County Environmental Charge		0	0	0				
154	Animal Control	100-42810-305	857	925	882	697	200	600	\$ 900.00
155	Operating Supplies		0	0	0				
156	Refuse Collection		0	0	0				
157	Refunds & Reimbursements		0	0	0				
158	PUBLIC SAFETY TOTAL		118,072	121,828	121,943	117,338	8,500	77,000	\$ 72,000.00
159	PUBLIC WORKS								
160	Improv Other than Bldg		0	0	0				
161	Survey Public Spaces		0	6,800	4,124	0		0	\$ -
162	Highways, Streets & Roadways								
163	Repair & Maint. Supplies	100-43100-220		1,000	244	750		1,000	\$ 1,000.00
164	Contracted Services (Pot Holes)	100-43100-305	10,292	6,000	2,805	4,500		5,000	\$ 5,000.00
165	Street Sweeping	100-43123-305		4,000	3,785	4,000		4,000	\$ 4,000.00
166	Seal Coat			0	0	12,500			
167	Crack Sealing			266	3,000	0	5,000		
168	Street Signs (Capital actions in place in Own Fund)					1,500			
169	Street Maintenance Subtotal		10,558	14,000	6,834	28,250	17,500	10,000	\$ 10,000.00
170	Street Lights								
171	Utility Services	100-43160-380	14,679	15,000	14,002	15,600	0	15,000	\$ 18,000.00
172	Drainage - Structure Care								
173	Stormwater Pond								
174	Contracted Services (pd Jan 2013 \$2358 - '12 Exp)	100-43150-305	2,042	2,800	0	800		1,600	\$ 1,600.00
175	Fees (mpca)	100-43150-430	117	600	0	400		400	\$ 400.00
176	Subtotal		2,159	3,400	0	1,200	0	2,000	\$ 2,000.00
177	Ice and Snow Removal								
178	Operating Supplies (salt, sand)	100-43125-210	0	5,000	2,791	5,000		5,000	\$ 5,000.00
179	Contracted Services	100-43125-305	10,319	12,000	5,800	11,000		11,000	\$ 11,000.00
180	Snow & Ice Subtotal		40,140	17,000	8,591	16,000	0	16,000	\$ 16,000.00
181	Water Utility								
182	Refunds & Reimbursements	100-43180-810	474	0	0	0		0	
183	Sewer Utility								
184	Refunds & Reimbursements	100-43190-810	270	0	0	0		0	
185	Weed Control \$135 moved to line 232		0	0	0	0		0	
186	TOTAL - Public Works		744	56,200	33,557	61,050	17,500	43,000	\$ 46,000.00

	A	B	E	F	G	H	I	J	M
187	CULTURE & RECREATION								
188	Recreation								
189	Operating Supplies		96	100	0	0		0	
190	Dues & Subscriptions	100-45100-433	0	200	200	200		200	\$ 200.00
191	Community Events (Volunteer Recognition)	100-45100-440	1,325	1,700	1,500	1,700		1,500	\$ 200.00
192	TOTAL Recreation		2,000	1,700	1,700	1,900		1,700	\$ 400.00
193	Parks								
194	Wages and Salaries (Spvsr-volunteer 2012 unpaid)	100-45200-100	5,490	5,900	2,883	7,500		10,000	\$ 10,000.00
195	Federal Tax - Employee								
196	State Tax - Employee								
197	Unemployment Compensation								
198	Medicare - Employer								
199	Social Security - Employer								
200	Social Security - Employee								
201	Medicare - Employee								
202	Office Supplies								
203	Operating Supplies	100-45200-210	979	350	97	450		200	
204	Repair & Maint. Supply/Contractual	100-45200-400	223	1,530	1,030	1,600		2,000	\$ 500.00
205	Professional Services		374	0	590				
206	Contracted Services	100-45200-305	3,438	360	4,526	1,600		1,000	\$ 1,000.00
207	Utility Services	10045200-380	901	900	973	1,150		1,000	\$ 1,000.00
208	Fees	100-45200-330	0	0	0			800	
209	Buildings & Structures		1,336	1,660	1,390	1,700			
210	Furniture and Fixtures		0	0	0				
211	Garbage Pickup		0	0	0				
212	Tree Removal		0	600	0	0		0	
213	Per Diem / Projects		0	0	0	0	9,900	1,000	
214			12,741	11,300	11,489	14,000		16,000	\$ 12,500.00
215	TOTAL Parks & Recreation		14,162	13,300	13,189	15,900	9,900	17,700	\$ 12,900.00
216	SANITATION								
217	Tree Care - Inspection & Removal								
218	Contracted Services	100-43130-305	450	800	711	0		0	
219	Tree Removal								
220	Operating Supplies	10043135-210	0	250	0				
221	Diseased Trees		0	0	0	0		0	
222	Contracted Services	100-43135-305	3,991	2,300	2,393	5,000		5,000	\$ 5,000.00
223	Sanitation - Recycling								
224	Contracted Services	100-43300-305	11,047	11,050	11,389	12,000		10,000	\$ 10,000.00
225	Recycling grant projects			1,650	0	0		0	
226	Lawn Care/Maintenance								
227	Contracted Services	100-45010-305	5,065	6,000	4,900	6,000		13,000	\$ 10,000.00
228	Weed Control - MILLFOIL		135	1,700	927	1,200			
229	TOTAL - Sanitation		20,688	23,750	20,320	24,200	0	28,000	\$ 25,000.00
230	CONSERVATION - NATURAL RESOURCE								
231	Fees, Dues & Subscriptions	100-46100-430	1,609	1,700	1,697	2,082		1,916	\$ 1,885.00
232	USGS Lake Study		0	4,000	4,500	0		0	\$ -

RESOLUTION 2014-23

**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 2015**

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 9, 2014 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 2014 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 2015, be set at \$326,299.00

I certify that the City Council of the City of Birchwood Village, Washington County, Minnesota adopted the above Resolution on this 9th day of December 2014.

Mary Wingfield, Mayor

Attest:

Chris Mickelson
City Administrator-Clerk

RESOLUTION 2014-24

**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 2015

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 2015, 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 9th day of December 2014.

Mary Wingfield, Mayor

Attest:

Chris Mickelson
City Administrator-Clerk

As of 12/05/2014
Fiscal Year:2014

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursements</u>	<u>Ending Balance</u>
General Fund	\$568,328.07	\$208,668.08	\$356,968.88	\$420,027.27
Special Rev Projects	\$11,477.21	\$3,790.84	\$299.40	\$14,968.65
Spec Rev - Warm House	\$0.00	\$962.43	\$962.43	\$0.00
Sewer 2004 Bonds	\$30,184.92	\$0.00	\$27,780.07	\$2,404.85
Birchwood In Re-hab Bond	\$745.04	\$0.00	\$183.00	\$562.04
Sewer Re-hab 2008 Debt	\$2,499.10	\$590.44	\$2,930.09	\$159.45
Cap Project - PW	\$5,726.27	\$40,739.44	\$42,706.80	\$3,758.91
Water Enterprise Fund	\$23,834.51	\$58,761.00	\$88,666.36	(\$6,070.85)
Sewer Enterprise Fund	\$40,829.33	\$100,365.84	\$106,167.08	\$35,028.09
Sewer Infrastructure	\$30,000.00	\$0.00	\$0.00	\$30,000.00
Total	\$713,624.45	\$413,878.07	\$626,664.11	\$500,838.41

Fund Name: All Funds
Date Range: 11/08/2014 to 12/05/2014

<u>Date</u>	<u>Remitter</u>	<u>Description</u>	<u>Receipt #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
11/14/2014	Residents - via St Anthony Village	U/B 11/14/2014	1352	\$1,993.84	601-34110	\$747.76
					601-34160	\$63.36
					601-34170	\$20.75
					601-36140	\$100.00
					605-34160	\$92.27
					605-34190	\$969.70
11/17/2014	Anthony DeMars	Variance Application Fee	1345	\$206.00	100-32280	\$206.00
11/18/2014	Fireside Hearth & Home	Building Permit	1344	\$45.39	100-32210	\$45.39
11/18/2014	Exceptional Homes	Building Permit	1346	\$761.85	100-32210	\$761.85
12/01/2014	Residents - via St Anthony Village	U/B 12/01/2014	1353	\$55.00	601-34110	\$0.96
					601-34160	\$4.78
					601-34170	\$0.10
					601-36140	\$46.74
					605-34160	\$0.22
					605-34190	\$2.20
Total For Period				\$3,062.08		
Total Year To Date				\$413,878.07		

Fund Name: All Funds
 Date Range: 11/08/2014 to 12/05/2014

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
11/21/2014	U.S. Bank	Bond Payment 2008 Sewer	28576	\$22,509.52	605-47100-600	\$19,825.00
					605-47100-610	\$2,684.52
11/21/2014	Payroll Period Ending 11/21/2014		28577	\$1,502.63	100-41400-100	\$1,502.63
12/01/2014	PERA	Staff Retirement 11/21/2014 EFT	EFT120114	\$264.60	100-41400-121	\$264.60
12/02/2014	FP Mailing Solutions	Postage Machine - December - February rental	28578	\$125.34	100-41430-230	\$125.34
12/02/2014	Gopher State One Call	Locates - November 2014 (7 emails)	28579	\$10.15	601-42805-305	\$10.15
12/02/2014	Press Publications	Public Hearing Notices	28580	\$133.65	100-41130-351	\$133.65
12/02/2014	BF Lauzon Enterprises Inc	Ice Rink Snow Removal	28581	\$200.00	100-43125-305	\$200.00
12/02/2014	Birch Lawn Maintenance	November Plowing/Salt-Sanding	28582	\$1,800.00	100-43125-305	\$1,800.00
12/02/2014	MN Dept of Health Drinking Water	Water Supply Connection Srvc Qtrly Fee Fall 2014	28584	\$562.00	601-43180-430	\$562.00
12/02/2014	TSE, INC	City Hall Cleaning 11/13/14	28585	\$21.00	100-41940-305	\$21.00
12/02/2014	City of White Bear Lake	October Lift Station Maintenance	28586	\$1,980.60	605-43190-305	\$1,980.60
12/02/2014	Menards - Maplewood	Warming House	28587	\$264.58	100-45200-220	\$21.96
					100-45200-220	\$202.09
					100-45200-220	\$18.96
					100-45200-220	\$21.57
12/02/2014	Menards - Oakdale	Warming House	28588	\$3.00	100-45200-220	\$3.00
12/02/2014	Toshiba Business Solutions, USA Inc	Quarterly Maintenance	28589	\$23.58	100-41420-305	\$23.58
12/02/2014	On-Site Sanitation Inc	Rental Monthly Unit - November 2014 - Warming House	28590	\$113.67	100-45200-305	\$113.67
12/02/2014	Ronnan, Kenny	Nov 2014 (1.5 Hours)	28591	\$45.00	100-41950-305	\$45.00
12/02/2014	City of Roseville	Nov 2014 IT/Phone Services	28592	\$417.50	100-41955-305	\$368.75
					100-41955-305	\$48.75
12/02/2014	City of White Bear Lake	November 2014 Fire Services	28593	\$1,496.25	100-42200-305	\$1,496.25
12/02/2014	Xcel Energy	Electric for Lift Stations, City Hall and Warming House	EFT120214	\$584.08	100-41940-380	\$186.55
					100-45200-380	\$21.95
					605-43190-380	\$375.58

City of Birchwood Village

Disbursements Register

12/05/2014

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
12/04/2014	City of Roseville	Dec 2014 IT/Phone Services	28594	\$417.50	100-41955-305	\$48.75
					100-41955-305	\$368.75
12/04/2014	Menards - Oakdale	Warming House Supplies	28595	\$19.97	100-45200-220	\$19.97
12/04/2014	Steve Dean Tree Trimming	2014 Tree Inspections	28596	\$420.00	100-43135-305	\$420.00
12/04/2014	Metropolitan Council Env. Service	Wastewater Service December 2014	28597	\$3,777.92	605-43190-217	\$3,777.92
12/05/2014	Steve Dean Tree Trimming	Remove Diseased Elm Tree (12-4-14)	28598	\$200.00	100-43135-305	\$200.00
12/05/2014	Jack W. Clinton, P.A.	Mahoney/Harrod Mediation	28600	\$253.00	100-49200-999	\$253.00
12/05/2014	Birch Lawn Maintenance	Second Half of November Plowing	28601	\$1,687.50	100-43125-305	\$1,687.50
12/05/2014	City of St. Anthony Village	Q4 UB Administration	28602	\$1,945.66	601-41500-305	\$972.83
					605-41500-305	\$972.83
12/05/2014	TA Schifsky & Sons, INC	Patching/Crack Filling	28603	\$22,000.60	100-43100-305	\$1,240.00
					100-43100-305	\$1,071.00
					100-43100-305	\$1,250.00
					100-43100-305	\$11,865.60
					601-43185-305	\$6,574.00
Total For Period				\$62,779.30		
Total Year To Date				\$626,664.11		

As of 12/31/2014

General Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
General Property Taxes	\$326,299.00	\$183,543.50	(\$142,755.50)
Total Acct 310	\$326,299.00	\$183,543.50	(\$142,755.50)
Business Licenses and Permits	\$0.00	\$711.93	\$711.93
Total Acct 321	\$0.00	\$711.93	\$711.93
Building Permits	\$0.00	\$7,684.10	\$7,684.10
Dog Licenses	\$0.00	\$405.00	\$405.00
Spring Leaf Collection	\$0.00	\$1,932.55	\$1,932.55
Dock/Lift Permit Fee	\$0.00	\$1,085.66	\$1,085.66
Zoning App Fee	\$0.00	\$206.00	\$206.00
Total Acct 322	\$0.00	\$11,313.31	\$11,313.31
State Grants and Aids	\$0.00	\$119.00	\$119.00
Total Acct 334	\$0.00	\$119.00	\$119.00
Recycle Grant	\$0.00	\$1,500.00	\$1,500.00
Cable Comm. Grant	\$0.00	\$6,205.14	\$6,205.14
Total Acct 336	\$0.00	\$7,705.14	\$7,705.14
City Hall and Garage Rent	\$0.00	\$108.00	\$108.00
Water Fee	\$0.00	\$131.27	\$131.27
Total Acct 341	\$0.00	\$239.27	\$239.27
Fines	\$0.00	\$928.28	\$928.28
Total Acct 351	\$0.00	\$928.28	\$928.28
Miscellaneous	\$0.00	\$223.38	\$223.38
Total Acct 361	\$0.00	\$223.38	\$223.38
Interest Earnings	\$0.00	\$169.19	\$169.19
Zoning Permits	\$0.00	\$206.00	\$206.00
Contrib. and Donations-Private	\$0.00	\$620.00	\$620.00
Refund-Reimbursemnt-Dividend	\$0.00	\$2,889.08	\$2,889.08
Total Acct 362	\$0.00	\$3,884.27	\$3,884.27
Total Revenues	\$326,299.00	\$208,668.08	(\$117,630.92)
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
GENERAL GOVERNMENT	\$0.00	\$0.40	(\$0.40)
Total Acct 410	\$0.00	\$0.40	(\$0.40)
Publishing	\$2,080.00	\$1,184.04	\$895.96
Total Acct 411	\$2,080.00	\$1,184.04	\$895.96
City Council	\$4,200.00	\$954.90	\$3,245.10
Total Acct 413	\$4,200.00	\$954.90	\$3,245.10

City of Birchwood Villagegerim Financial Report by Account Number (YTD)

12/05/2014

Clerk - Treasurer	\$70,000.00	\$75,676.16	(\$5,676.16)
Elections	\$4,650.00	\$2,870.87	\$1,779.13
Office Operations/Supplies	\$3,175.00	\$1,818.60	\$1,356.40
Postage/Postal Permits	\$650.00	\$1,394.44	(\$744.44)
Total Acct 414	\$78,475.00	\$81,760.07	(\$3,285.07)
Financial Administration	\$400.00	\$370.00	\$30.00
Accounting	\$2,000.00	\$0.00	\$2,000.00
Assessing	\$5,450.00	\$5,490.71	(\$40.71)
Insurance - employee	\$0.00	\$515.00	(\$515.00)
Total Acct 415	\$7,850.00	\$6,375.71	\$1,474.29
Legal Services	\$7,000.00	\$360.00	\$6,640.00
Engineer Service	\$7,000.00	\$4,686.45	\$2,313.55
Total Acct 416	\$14,000.00	\$5,046.45	\$8,953.55
Per Diem	\$600.00	\$475.00	\$125.00
Total Acct 418	\$600.00	\$475.00	\$125.00
Grants	\$0.00	\$1,788.00	(\$1,788.00)
Planning and Zoning	\$200.00	\$1,631.00	(\$1,431.00)
City Training and Development	\$3,163.00	\$0.00	\$3,163.00
City Hall-Gov't Buildings	\$9,000.00	\$3,934.66	\$5,065.34
City Insurance	\$8,190.00	\$7,037.00	\$1,153.00
Cable Eqpmt and Service	\$0.00	\$1,995.94	(\$1,995.94)
Phone/IT	\$0.00	\$5,775.06	(\$5,775.06)
Newsletter	\$125.00	\$0.00	\$125.00
Total Acct 419	\$20,678.00	\$22,161.66	(\$1,483.66)
Police	\$48,000.00	\$23,255.48	\$24,744.52
Total Acct 421	\$48,000.00	\$23,255.48	\$24,744.52
Fire	\$21,000.00	\$14,962.50	\$6,037.50
Total Acct 422	\$21,000.00	\$14,962.50	\$6,037.50
Building Inspection	\$8,100.00	\$4,236.22	\$3,863.78
Total Acct 424	\$8,100.00	\$4,236.22	\$3,863.78
Other Protection	\$100.00	\$0.00	\$100.00
Animal Control	\$600.00	\$1,019.19	(\$419.19)
Total Acct 428	\$700.00	\$1,019.19	(\$319.19)
Streets and Road Mntnc	\$6,000.00	\$15,743.40	(\$9,743.40)
Leaf Pick-Up	\$0.00	\$13,191.25	(\$13,191.25)
Seal Coat project	\$0.00	\$48,080.16	(\$48,080.16)
Street Sweeping	\$4,000.00	\$1,700.00	\$2,300.00
Ice and Snow Removal	\$16,000.00	\$21,823.84	(\$5,823.84)
Tree Removal	\$5,000.00	\$3,360.00	\$1,640.00
Weed Control	\$0.00	\$37.72	(\$37.72)
Utility - Drain Structure Care	\$2,000.00	\$0.00	\$2,000.00
Street Lights	\$15,000.00	\$13,879.62	\$1,120.38
Sewer Utility	\$0.00	\$499.98	(\$499.98)
Total Acct 431	\$48,000.00	\$118,315.97	(\$70,315.97)
Recycle	\$10,000.00	\$6,624.00	\$3,376.00
Total Acct 433	\$10,000.00	\$6,624.00	\$3,376.00
Sanitation - Recycling	\$0.00	\$3,312.00	(\$3,312.00)
Total Acct 441	\$0.00	\$3,312.00	(\$3,312.00)
Lawn Care/Mntnc	\$13,000.00	\$5,671.06	\$7,328.94

City of Birchwood Village Financial Report by Account Number (YTD)

12/05/2014

Total Acct 450	\$13,000.00	\$5,671.06	\$7,328.94
Recreation	\$1,700.00	\$1,700.00	\$0.00
Total Acct 451	\$1,700.00	\$1,700.00	\$0.00
Parks	\$16,000.00	\$15,545.78	\$454.22
Total Acct 452	\$16,000.00	\$15,545.78	\$454.22
CONSERVATION - NATURAL RESOURC	\$1,916.00	\$1,915.78	\$0.22
Total Acct 461	\$1,916.00	\$1,915.78	\$0.22
Unallocated Expenditures	\$0.00	\$1,713.23	(\$1,713.23)
Total Acct 492	\$0.00	\$1,713.23	(\$1,713.23)
Total Disbursements	\$296,299.00	\$316,229.44	(\$19,930.44)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$40,739.44	
Beginning Cash Balance		\$568,328.07	
Cash Balance as of 12/31/2014		\$420,027.27	

City of Birchwood Village Interim Financial Report by Account Number (YTD)

12/05/2014

As of 12/31/2014

Spec Rev - Warm House	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
MISCELLANEOUS REVENUES	\$0.00	\$412.43	\$412.43
Contrib. and Donations-Private	\$0.00	\$550.00	\$550.00
Total Acct 362	\$0.00	\$962.43	\$962.43
Total Revenues	\$0.00	\$962.43	\$962.43
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Unallocated Expenditures	\$0.00	\$962.43	(\$962.43)
Total Acct 492	\$0.00	\$962.43	(\$962.43)
Total Disbursements	\$0.00	\$962.43	(\$962.43)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$0.00	
Cash Balance as of 12/31/2014		\$0.00	

City of Birchwood Village Financial Report by Account Number (YTD)

12/05/2014

As of 12/31/2014

Sewer 2004 Bonds

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	\$0.00	\$0.00	\$0.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Assessing	\$0.00	\$15.00	(\$15.00)
Total Acct 415	\$0.00	\$15.00	(\$15.00)
Bond Payment	\$0.00	\$27,765.07	(\$27,765.07)
Total Acct 471	\$0.00	\$27,765.07	(\$27,765.07)
Total Disbursements	\$0.00	\$27,780.07	(\$27,780.07)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$30,184.92	
Cash Balance as of 12/31/2014		\$2,404.85	

City of Birchwood Village Interim Financial Report by Account Number (YTD)

12/05/2014

As of 12/31/2014

Birchwood In Re-hab Bond

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	\$0.00	\$0.00	\$0.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Assessing	\$0.00	\$183.00	(\$183.00)
Total Acct 415	\$0.00	\$183.00	(\$183.00)
Total Disbursements	\$0.00	\$183.00	(\$183.00)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$745.04	
Cash Balance as of 12/31/2014		\$562.04	

City of Birchwood Village Interim Financial Report by Account Number (YTD)

12/05/2014

As of 12/31/2014

Sewer Re-hab 2008 Debt

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Sewer Re-hab A and B	\$0.00	\$590.44	\$590.44
Total Acct 361	\$0.00	\$590.44	\$590.44
Total Revenues	\$0.00	\$590.44	\$590.44
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Assessing	\$0.00	\$243.00	(\$243.00)
Total Acct 415	\$0.00	\$243.00	(\$243.00)
DEBT SERVICE	\$0.00	\$2,687.09	(\$2,687.09)
Total Acct 470	\$0.00	\$2,687.09	(\$2,687.09)
Total Disbursements	\$0.00	\$2,930.09	(\$2,930.09)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$2,499.10	
Cash Balance as of 12/31/2014		\$159.45	

City of Birchwood Village Financial Report by Account Number (YTD)

12/05/2014

As of 12/31/2014

Cap Project - PW

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	\$0.00	\$0.00	\$0.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$40,739.44	
Disbursements:			
City Hall-Gov't Buildings	\$0.00	\$6,500.00	(\$6,500.00)
Total Acct 419	\$0.00	\$6,500.00	(\$6,500.00)
Streets and Road Mntnc	\$0.00	\$36,206.80	(\$36,206.80)
Total Acct 431	\$0.00	\$36,206.80	(\$36,206.80)
Total Disbursements	\$0.00	\$42,706.80	(\$42,706.80)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$5,726.27	
Cash Balance as of 12/31/2014		\$3,758.91	

As of 12/31/2014

Water Enterprise Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Water Fee	\$0.00	\$55,883.31	\$55,883.31
Penalty - Late Water/Sewer	\$0.00	\$340.84	\$340.84
State and Misc fees	\$0.00	\$2,016.38	\$2,016.38
Total Acct 341	\$0.00	\$58,240.53	\$58,240.53
Miscellaneous	\$0.00	\$519.27	\$519.27
Total Acct 361	\$0.00	\$519.27	\$519.27
Interest Earnings	\$0.00	\$1.20	\$1.20
Total Acct 362	\$0.00	\$1.20	\$1.20
Total Revenues	\$0.00	\$58,761.00	\$58,761.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Office Operations/Supplies	\$0.00	\$106.64	(\$106.64)
Postage/Postal Permits	\$0.00	\$126.06	(\$126.06)
Total Acct 414	\$0.00	\$232.70	(\$232.70)
Financial Administration	\$0.00	\$4,605.42	(\$4,605.42)
Assessing	\$0.00	\$16.50	(\$16.50)
Total Acct 415	\$0.00	\$4,621.92	(\$4,621.92)
Utility Locates	\$0.00	\$428.60	(\$428.60)
Total Acct 428	\$0.00	\$428.60	(\$428.60)
Water Utility	\$0.00	\$50,512.55	(\$50,512.55)
Wtr/Swr Emergency	\$0.00	\$32,869.00	(\$32,869.00)
Total Acct 431	\$0.00	\$83,381.55	(\$83,381.55)
Unallocated Expenditures	\$0.00	\$1.59	(\$1.59)
Total Acct 492	\$0.00	\$1.59	(\$1.59)
Total Disbursements	\$0.00	\$88,666.36	(\$88,666.36)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$23,834.51	
Cash Balance as of 12/31/2014		(\$6,070.85)	

City of Birchwood Village Financial Report by Account Number (YTD)

12/05/2014

As of 12/31/2014

Sewer Enterprise Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Penalty - Late Water/Sewer	\$0.00	\$535.81	\$535.81
Sewer Fee	\$0.00	\$99,763.96	\$99,763.96
Total Acct 341	\$0.00	\$100,299.77	\$100,299.77
Interest Earnings	\$0.00	\$6.00	\$6.00
Refund-Reimbursemnt-Dividend	\$0.00	\$60.07	\$60.07
Total Acct 362	\$0.00	\$66.07	\$66.07
Total Revenues	\$0.00	\$100,365.84	\$100,365.84
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Office Operations/Supplies	\$0.00	\$106.64	(\$106.64)
Postage/Postal Permits	\$0.00	\$126.06	(\$126.06)
Total Acct 414	\$0.00	\$232.70	(\$232.70)
Financial Administration	\$0.00	\$4,605.42	(\$4,605.42)
Assessing	\$0.00	\$16.50	(\$16.50)
Total Acct 415	\$0.00	\$4,621.92	(\$4,621.92)
Engineer Service	\$0.00	\$225.00	(\$225.00)
Total Acct 416	\$0.00	\$225.00	(\$225.00)
Sewer Utility	\$0.00	\$78,537.94	(\$78,537.94)
Total Acct 431	\$0.00	\$78,537.94	(\$78,537.94)
Bond Payment	\$0.00	\$22,509.52	(\$22,509.52)
Total Acct 471	\$0.00	\$22,509.52	(\$22,509.52)
Unallocated Expenditures	\$0.00	\$40.00	(\$40.00)
Total Acct 492	\$0.00	\$40.00	(\$40.00)
Total Disbursements	\$0.00	\$106,167.08	(\$106,167.08)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$40,829.33	
Cash Balance as of 12/31/2014		\$35,028.09	

City of Birchwood Village Interim Financial Report by Account Number (YTD)

12/05/2014

As of 12/31/2014

Sewer Infrastructure

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	\$0.00	\$0.00	\$0.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Total Disbursements	\$0.00	\$0.00	\$0.00
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$30,000.00	
Cash Balance as of 12/31/2014		\$30,000.00	

ORDINANCE 2014-11-01

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

**AN ORDINANCE ADDING EXCESSIVE CONSUMPTION OF LAW ENFORCEMENT
SERVICES LANGUAGE TO CITY CODE**

The City Council of the City of Birchwood Village hereby ordains that Chapter 406 of the Municipal Code of the City of Birchwood Village is hereby adopted to read as follows:

Chapter 406. User Charge for Excessive Consumption of Law Enforcement Services

Sec. 406.01. Purposes.

Sec. 406.02. Definitions.

Sec. 406.03. Notice of nuisance.

Sec. 406.04. Subsequent nuisance or nuisance-related activity; liability.

Sec. 406.05. Cost of law enforcement services; annual assessment procedures.

Sec. 406.06. Reserved.

406.01. Purposes.

It is the intent of the city council by the adoption of this chapter to impose on and collect from the owner of a property the city cost for law enforcement services which are over and above the cost of providing normal law enforcement services and police protection city-wide, if the said excess costs are spent to abate a nuisance which has occurred, or is maintained and permitted, on the property. The collection of the costs for such excess law enforcement services shall be by assessment against the property on which the nuisance, or activity constituting the nuisance, occurs, pursuant to the authority in Chapter 619 of the city code empowering the council to abate nuisances and collect the costs of such abatement by special assessment. Nothing herein shall prevent the city from using the authority and procedures in any other provision of the code, city ordinance or statute, including but not limited to Minnesota Statutes, section 429.111.

406.02. Definitions.

For the purpose of this ordinance, the terms defined in this section shall have the meanings ascribed to them:

Building. "Building" means a structure suitable for human shelter, any portion of the structure, or the real property on which the structure is located.

Excessive law enforcement and nuisance enforcement services. Excessive law enforcement and nuisance enforcement services means those services provided at a specific property address after three (3) or more verified incidents of separate nuisance events had occurred in a prior year time period, where the owner was notified in writing that subsequent nuisance incidents would result in a fee being charged for excessive consumption of those services, and where the owner had been provided with thirty (30) days following notice of nuisance incidents to abate the nuisance.

Interested party. "Interested party" means any known lessee or tenant of a building or affected portion of a building; any known agent of an owner, lessee, or tenant; any known person holding an unrecorded contract for deed, being a mortgagee or vendee in physical possession of the building; or any other person who maintains or permits a nuisance and is known to the city.

Last known address shall be the address shown on the records of the Washington County Department of property taxation or a more recent address known to the sheriff's department. In the case of parties not listed in these records, the last known address shall be that address obtained by the sheriff's department after a reasonable search. If no address can be found, such address shall be that of the building in which the nuisance occurred, or was maintained or permitted.

Nuisance. Nuisance means one or more of the following behavioral incidents occurring or committed within a building:

- (1) Prostitution or prostitution-related activity committed within the building;
- (2) Gambling or gambling-related activity committed within the building;
- (3) Maintaining a public nuisance in violation of Minnesota Statutes, section 609.74, clause (1) or (3);
- (4) Permitting a public nuisance in violation of Minnesota Statutes, section 609.745;
- (5) Unlawful sale, possession, storage, delivery, giving, manufacture, cultivation, or use of controlled substances committed within the building;
- (6) Unlicensed sales of alcoholic beverages committed within the building in violation of Minnesota Statutes, section 340A.401;
- (7) unlawful sales or gifts of alcoholic beverages by an unlicensed person committed within the building in violation of Minnesota Statutes, section 340A.503, subdivision 2, clause (1), or unlawful consumption or possession within the building by persons under the age of 21 years in violation of Minnesota Statute, Section 340A.503, subdivisions 1 and 3;
- (8) Unlawful use or possession of a firearm in violation of Minnesota Statutes, section 609.66, subdivision 1a, 609.67, or 624.713, committed within the building;
- (9) Violation by a commercial enterprise of local or state business licensing regulations, ordinances, or statutes prohibiting the maintenance of a public nuisance as defined in Minnesota Statutes, section 609.74 or the control of a public nuisance as defined in Minnesota Statutes, section 609.745;
- (10) Actions which constitute a violation of Minnesota Statutes, section 609.72, relating to disorderly conduct; or
- (11) Actions which constitute a violation of chapter 616 of the City Code relating to noise regulations.
- (12) Actions which constitute a public nuisance under local, state, or federal laws.

Owner: "Owner" means the person or persons in whose name or names the building is recorded with the Washington County Department of Property Taxation for taxation purposes.

Personal service: Service by personally handing a copy to the intended recipient or by leaving a copy at the intended recipient's residence or place of business with a person of suitable age and discretion.

406.03. Notice of nuisance.

(a) If the Sheriff or his or her designee has reason to believe that a nuisance has occurred, or is maintained or permitted in a building, or on a property, and intends to seek reimbursement for law enforcement services rendered in the future in connection with such nuisance or activities creating a nuisance, he or she shall provide a written notice as required in this section to the owner and each interested party known to him or her.

(b) The written notice shall:

(1) State that a nuisance as defined in this chapter has occurred, or is maintained or permitted in the building, and specify the kind or kinds of nuisance which has occurred, or is being maintained or permitted;

(2) Summarize the evidence that a nuisance has occurred, or is maintained or permitted in the building, including the date or dates on which nuisance-related activities have occurred or were maintained or permitted, provided, however, that one or more Sheriff's reports can be used to satisfy this requirement; and

(3) Inform the recipient of the notice that (i) he or she has thirty (30) days to abate the conduct constituting the nuisance, and to take steps to make sure that actions constituting a nuisance will not re-occur, (ii) if, after thirty (30) days from the date of service of the notice, the nuisance re-occurs, or actions or conduct constituting a nuisance take place, the city may in its discretion impose the costs of law enforcement services in abating or attempting to abate such nuisance or nuisance-related activities, and (iii) the costs will be collected by assessment against the building as defined.

(c) The written notice shall be served by personal service, or by first class mail on the owner and all interested parties known to the chief or his or her designee, at the last known address for each such person or persons.

406.04. Subsequent nuisance or nuisance-related activity; liability.

(a) If, within the period commencing thirty-one (31) days after a written notice is served pursuant to this chapter and continuing for one (1) year thereafter, a nuisance occurs or is maintained or permitted in the building, and law enforcement services are rendered to abate or attempt to abate such nuisance, the costs of providing such law enforcement services within the said one year shall be assessed against the building and collected as provided in this chapter.

(b) The costs for providing excess law enforcement services shall include but not be limited to \$100 for the first incident, \$200 for the second incident and \$300 for each excessive use of services incident thereafter, the prorata cost of all equipment including vehicles, the prorata cost of Sheriff's dogs assisting the officers, the cost of repairs to any equipment and property damaged in responding to such nuisance or nuisance-related activities, and the cost of any medical treatment of injured law enforcement officers.

(c) The city reserves its rights to seek reimbursement for costs and damages not recovered by assessment against the building through other legal remedies or procedures.

(d) Nothing in this ordinance shall be construed to require or prevent the arrest and/or citation of any person or persons for violations of federal, state or local laws or ordinances.

406.05. Cost of law enforcement services; annual assessment procedures.

(a) The sheriff's department shall maintain a record of each law enforcement visit in response to nuisance activities. The cost of providing such services includes, but is not limited to, the prorata cost of all materials and equipment including vehicles, the cost of repairs to any city equipment and property damaged in responding to such nuisance activities, and the cost of any medical treatment of any injured law enforcement officers. These costs shall be recalculated from time to time. In addition to maintaining a record of each law enforcement visit, the department shall maintain a record on individual properties of law enforcement services attributable to nuisances occurring after written notice has been sent to the owner and interested persons. The sheriff shall report such information to the city clerk or his or her designee.

(b) Resolution approving total, setting date of public hearing. On or before October 1 of each year, the city clerk or his or her designee shall notify the city council of the total cost of such excessive law enforcement services performed during the previous year and the portion of such

costs to be assessed against each lot and parcel of property that utilized excessive law enforcement services in response to nuisance activity. Upon receipt thereof, the council shall by resolution fix a date for public hearing at which time the council shall consider adopting and levying the service charges. The date of public hearing shall be at least twenty (20) days after adoption of said resolution.

(c) Notice of council hearing. Following the adoption of the resolution provided in paragraph (b) above, the city clerk shall publish a notice of the hearing in a daily newspaper of the city at least five (5) days prior to the public hearing. The notice shall state the date, time and place of hearing, the purpose of the hearing, identify the services provided and the property to be assessed a service charge therefor, and shall state the proposed rates of service charges to be considered by the council.

(d) Notice to owner and interested parties. At least ten (10) days before the hearing, notice thereof shall be mailed by first class mail to the owner and any interested party known to the city, at his or her last known address. Such notice shall also inform the recipient of the notice (i) of the procedures he or she must follow under the code in order to appeal the assessments to the district court, and (ii) of the provisions of Minnesota Statutes, sections 435.193 to 435.195 and the existence of any deferment procedure established pursuant thereto.

(e) Public hearing; adoption of assessment roll. On the date of public hearing the council shall meet to consider the adoption of the proposed service charges. The council shall hear all interested parties concerning the proposed charges. At such meeting or at any adjournment thereof, the council may amend the proposed service charges, and shall, by resolution, adopt the service charges as a special assessment against the properties which utilized excessive law enforcement services in response to nuisance activities. Special assessments levied hereunder shall be payable in a single installment.

(f) Certification to county for collection with taxes. After adoption by resolution of the service charges and assessment rates therefor, and no later than November 15, the city clerk shall transmit a certified copy of said resolution to the county department of property taxation to be extended on the proper tax list of the county and collected the following year along with current taxes.

(g) Appeal. Within twenty (20) days after adoption of the resolution adopting the service charges, any person aggrieved may appeal to the district court in the manner set forth in Chapter 14 of the City Charter.

406.06 Reserved.

EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Adopted by the City of Birchwood Village City Council this __ day of _____, 2014

Mary Wingfield
Mayor

Attest:

Chris Mickelson
City Administrator-Clerk

ORDINANCE 2014-11-02

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

AN ORDINANCE ADDING VACANT BUILDING LANGUAGE TO CITY CODE

The City Council of the City of Birchwood Village hereby ordains that Chapter 407 of the Municipal Code of the City of Birchwood Village is hereby adopted to read as follows:

Chapter 407. Vacant Buildings

Sec. 407.01. Declaration of policy.

Sec. 407.02. Definitions.

Sec. 407.03. Vacant building registration.

Sec. 407.04. Exemptions.

Sec. 407.05. Inspections.

Sec. 407.06. Notification.

Sec. 407.07. Penalties.

Sec. 407.08. Alternative procedures.

Sec. 407.09. Collection of unpaid fees.

Sec. 407.01. Declaration of policy.

The purpose of this chapter is to protect the public health, safety and welfare by enactment of this ordinance which:

- (1) Establishes a program for identification and registration of vacant buildings.
- (2) Determines the responsibilities of owners of vacant buildings and structures.
- (3) Provides for administration, enforcement and penalties.

Sec. 407.02. Definitions.

Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, have the meanings indicated in this section.

(1) Dangerous structure: A structure which is potentially hazardous to persons or property, including, but not limited to:

- a. A structure which is in danger of partial or complete collapse;
- b. A structure with any exterior parts which are loose or in danger of falling; or
- c. A structure with any parts, such as floors, porches, railings, stairs, ramps, balconies or roofs, which are accessible and which are either collapsed, in danger of collapsing or unable to support the weight of normally imposed loads.

(2) Enforcement officer: The city staff or any duly authorized representative.

(3) Owner. Those shown to be the owner or owners on the records of the Washington County Department of Property Taxation, those identified as the owner or owners on a vacant building registration form, holder of an unrecorded contract for deed, a mortgagee or vendee in possession, a mortgagor or vendor in possession, assignee of rents, receiver, executor, trustee, lessee, other person, firm or corporation in control of the freehold of the premises or lesser state therein, mortgagee for the benefit of the owner or owners of the beneficial interests in possession, or its nominee. Any such person shall have a joint and several obligation for compliance with the provisions of this chapter.

(4) Secured by other than normal means: A building secured by means other than those used in the design of the building.

(5) Unoccupied: A building which is not being used legally for living or sleeping.

(6) Unsecured: A building or portion of a building which is open to entry by unauthorized persons without the use of tools or ladders.

(7) Vacant building; categorical classification standards: A building or portion of a building which is:

a. Unoccupied and unsecured. A building or portion of a building meeting this definition is deemed a category I building.

b. Unoccupied and secured by other than normal means. A building or portion of a building meeting this definition is deemed a category I building.

c. Unoccupied and a dangerous structure. A building or portion of a building meeting this definition is deemed a category III building.

d. Unoccupied and condemned. A building or portion of a building meeting this definition is deemed a category II building.

e. Unoccupied and has multiple housing or building code violations. A building or portion of a building meeting this definition is deemed a category II building.

f. Condemned and illegally occupied. A building or portion of a building meeting this definition is deemed a category II building.

g. Unoccupied for a period of time over three hundred sixty-five (365) days and during which time the enforcement officer has issued an order to correct nuisance conditions. A building or portion of a building meeting this definition is deemed a category I building.

For the purpose of regulating vacant buildings, the following additional categorical standards may also apply:

Any category I building or portion thereof may be deemed a category II building where the building or portion thereof would also meet the combination of any two (2) category I classifications standards under this section.

Any category I building or portion thereof may be deemed a category II building where the building or portion thereof also meets the definition of a vacant building under subdivision (7)(b) of this section or is unoccupied and has, for a period greater than thirty (30) days, no more than one (1) boarded window.

Any category II building or portion thereof may be deemed a category III building where the building or portion thereof also meets the definition of a nuisance building under chapter 404.110 of this code or has been a category II vacant building for more than twenty-four (24) consecutive months. For the purpose of computing the number of months under this paragraph, the calculation shall commence as of the date the subject building becomes a vacant building as defined under section 407.02(7)a., b. and d.—g. No deferment, or any appeal filed with the legislative enforcement officer, regarding any enforcement action or order, shall serve to stay the computation of the number of months under this paragraph.

(8) Code violations: violations of any code adopted and/or enforce by the city, which may include but not be limited to the City of Birchwood Village Code, codes covering plumbing, electrical, mechanical or building construction, installation or maintenance standards, zoning or fire codes.

Sec. 407.03. Vacant building registration.

(a) The owner shall register with the enforcement officer not later than thirty (30) days after any building in the city becomes a vacant building, as defined in section 407.02(7).

(b) The registration shall be submitted on forms provided by the enforcement officer and shall include the following information supplied by the owner:

(1) A description of the premises;

(2) The names and addresses of the owner or owners;

(3) The names and addresses of all known lienholders and all other parties with an ownership interest in the building;

(4) The period of time the building is expected to remain vacant; and a plan and timetable for returning the building to appropriate occupancy or use and/or for demolition of the building.

(c) The owner shall order and pay for a code compliance inspection in accordance with Minnesota State Building Code within sixty (60) days after the designation of any building or portions thereof classified under Code § 407.02(7) as a category II or a category III vacant building. The code compliance inspection is required regardless of the building's legal occupancy standard or intended use. Owners of category II or III vacant buildings on the effective date of this ordinance that have not ordered a code compliance inspection shall have sixty (60) days following the effective date of this ordinance to order and pay for a code compliance inspection.

(d) In order to decrease the risk of fire, explosion or dangerous conditions, the owner shall install an excess flow automatic gas shut-off valve ("excess flow valve") on the building's gas piping immediately downstream of the gas meter outlet within sixty (60) days after the designation of any building or portions thereof classified under Code § 407.02 (7) as a category II or a category III vacant building. If the owner fails to install an excess flow valve, the enforcement officer, under the authority of Code 619, may install the excess flow valve on the building and enter the building if necessary. The costs incurred by the city for installation of the excess flow valve shall be assessed against the property as a summary nuisance abatement under the provisions of Code 619. Owners of category II or III vacant buildings with active water and gas service on the effective date of this ordinance shall have sixty (60) days following the effective date of this ordinance to install an excess flow valve. Prior to installation of the excess flow valve, the owner, or another who can demonstrate a secured interest in the property must obtain the required permits from the City. Any excess flow valve model must be approved and installed as required by the Department of Safety and Inspections.

(e) The procedures in paragraph (d) above may not be followed under the following conditions:

(1) If the enforcement officer determines that failure to install an excess flow valve constitutes an immediate danger or hazard which if not immediately addressed will endanger the health or safety of the public, the city may proceed with an emergency abatement under the provisions of Chapter 619

(2) The owner or another who can demonstrate a secured interest in the property shall be exempt from the requirements of subdivision (d) above if the following conditions are met:

(i) The owner or another who can demonstrate a secured interest in the property has registered the building as a vacant building with the enforcement officer; and

(ii) After registration, the owner or another who can demonstrate a secured interest in the property has received or ordered a code compliance inspection and has shut off gas service and winterized the property.

(f) For all vacant buildings, the owner shall submit a plan and timetable for demolition or rehabilitation which must meet the approval of the enforcement officer. The enforcement officer shall require completion of the plan within a reasonable period of time, up to three hundred sixty-five (365) days. The plan submitted shall comply with the Housing provisions of Chapter

404 . Any repairs, improvements or alterations to the property must comply with any applicable housing or building codes.

(g) All applicable laws and codes shall be complied with by the owner. The owner shall notify the enforcement officer of any changes in information supplied as part of the vacant building registration within thirty (30) days of the change. If the plan or timetable for the vacant building is revised in any way, the revisions must meet the approval of the enforcement officer.

(h) The owner and the subsequent owners shall keep the building secured and safe and the building and ground properly maintained until the rehabilitation or demolition has been completed.

(i) Failure of the owner or any subsequent owner to maintain the building and premises that result in a summary abatement completed by the city shall be grounds for revocation of the approved plan and shall be subject to any applicable penalties provided by law.

(j) The new owner(s) shall register or re-register the vacant building with the enforcement officer within thirty (30) days of any transfer of an ownership interest in a vacant building. The new owner(s) shall comply with the approved plan and timetable submitted by the previous owner until any proposed changes are submitted and meet the approval of the enforcement officer.

(k) Vacant building fees:

(1) The owner of a vacant building shall pay an annual registration fee of one thousand four hundred forty dollars (\$1,440.00) each year the building remains a vacant building. The registration fee is intended to at least partially recoup, and shall be reasonably related to the administrative costs for registering and processing the vacant building owner registration form and for the costs of the city in monitoring the vacant building site.

(2) The first annual fee shall be paid no later than thirty (30) days after the building becomes vacant. If the fee is not paid within thirty (30) days of being due, the owner shall be subject to prosecution as prescribed in section 407.05

(3) The fee shall be paid in full prior to the issuance of any building permits, with the exception of a demolition permit.

(4) All delinquent fees shall be paid by the owner prior to any transfer of an ownership interest in any vacant building. If the fees are not paid prior to any transfer, the new owner shall pay the annual fee no later than thirty (30) days after the transfer of ownership and subsequent annual fees shall be due on the original anniversary date.

(l) The enforcement officer shall include in the file any property-specific written statements from community organizations, other interested parties or citizens regarding the history, problems, status or blighting influence of a vacant building.

(m) Any building or portion of a building classified as a vacant building under this section shall be posted with a placard by the enforcement officer. The placard shall include all the information specified under Chapter 404.130(1).

Sec. 407.04. Exemptions.

(1) Fire damaged structures fee exemption. In order to encourage the prompt renovation of property, the owner of a fire damaged building may be exempt from paying vacant building fees required under the chapter; provided, that within thirty (30) days from the date of the fire, the owner at the time of the fire, submits a request for a exemption in writing to the enforcement officer. This request shall include the following information supplied by the owner:

(a) A description of the premises.

(b) The names and address of the owner or owners.

(c) A statement of intent to repair and reoccupy the building in an expedient manner.

(d) An exemption granted under this section shall be valid for no more than ninety (90) days.

In the event that the owner of the property at the time of the fire who received an exemption under this section should, at any time after the fire, transfer to another person any ownership interest in the subject property, the exemption under this section is immediately void and any new owner(s) shall be responsible for paying any required vacant building fees.

Sec. 407.05. Inspections.

The enforcement officer shall inspect any premises in the city for the purpose of enforcing and assuring compliance with the provisions of this chapter. Upon the request of the enforcement officer, an owner shall provide access to all interior portions of an unoccupied building in order to permit a complete inspection.

Sec. 407.06. Notification.

The enforcement officer shall maintain a current list, updated monthly of all vacant buildings which have become known to the enforcement officer, as well as a list of all previously declared vacant buildings which are no longer subject to the provisions of this chapter. The vacant building list shall be public as and to the extent provided by law. A copy of the list shall be available for review in the office of building code inspections or the fire marshal's office as the case may be.

Sec. 407.07. Penalties.

Any person violating any provision of this chapter or providing false information to the enforcement officer shall be punished as provided by section 619 of the city code.

Sec. 407.08. Alternative procedures.

Nothing in this chapter shall be deemed to abolish or impair existing remedies of the city authorized under Chapters 619 or Minnesota Statutes Section 463.15 through 463.26. Any conflicts between this chapter and Chapters 404 and 619 will be superseded by the provisions of Chapter 404 and 619.

Sec. 407.09. Collection of unpaid fees.

(1) Written notice.

a. Written notice of fees. The department of safety and inspections shall, in addition to any other action the department may undertake, serve written notice of the fees in conformance with the requirements set forth in this chapter.

b. Notice for collection of fees shall include the amount of the vacant building fee that is the responsibility of the building owner and a statement that the fee shall be paid within the time period(s) identified in the notice.

(2) Fee and liability. The city shall be entitled to collect the costs of vacant building registration and monitoring. The fees associated with the vacant building program shall be a debt owed to the city and unpaid costs shall be collected by special assessment under the authority in Minnesota Statutes, Section 429.101. Action under this section does not preclude any other civil or criminal enforcement procedure.

EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Adopted by the City of Birchwood Village City Council this __ day of _____, 2014

Mary Wingfield
Mayor

Attest:

Chris Mickelson
City Administrator-Clerk

**State of Minnesota
County of Washington
City of Birchwood Village
Resolution No. 2014-25**

**A Resolution Approving Summary Publication of Ordinance No. 2014-11-01— Adding
Excessive Consumption of Law Enforcement Services Language to City Code**

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 2014-11-01, which adds Chapter 406 to City Code to provide more specific regulations regarding excessive consumption of law enforcement services within the City; 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 2014-11-01 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 9th day of December, 2014.

Mary Wingfield, Mayor

Attest:

Chris Mickelson
City Administrator-Clerk

SUMMARY OF ORDINANCE 2014-11-01

On December 9, 2014, the Birchwood City Council enacted Ordinance 2014-11-01, relating to excessive consumption of law enforcement services, which adds Chapter 406 to City Code. The terms of the new Ordinance are lengthy, and the City Council has approved summary publication of the Ordinance. The new Code terms are summarized as follows:

Section 406.01 provides for the purpose of the ordinance and method of collection of costs.

Section 406.02 defines terms used throughout the ordinance.

Section 406.03 provides requirements for serving notice of nuisance.

Section 406.04 provides costs associated with subsequent nuisance or nuisance-related activity.

Section 406.05 defines the annual assessment procedures for costs associated with excessive use of law enforcement services.

A full copy of Ordinance 2014-11-01 is available for inspection at City Hall during regular office hours and may also be mailed upon written request.

Chris Mickelson
City Administrator

**State of Minnesota
County of Washington
City of Birchwood Village
Resolution No. 2014-26**

**A Resolution Approving Summary Publication of Ordinance No. 2014-11-02— Adding
Vacant Building Language to City Code**

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 2014-11-02, which adds Chapter 407 to City Code to provide more specific regulations regarding registration and inspection procedures for vacant buildings within the City; 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 2014-11-02 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 9th day of December, 2014.

Mary Wingfield, Mayor

Attest:

Chris Mickelson
City Administrator-Clerk

SUMMARY OF ORDINANCE 2014-11-02

On December 9, 2014, the Birchwood City Council enacted Ordinance 2014-11-02, relating to vacant buildings, which adds Chapter 407 to City Code. The terms of the new Ordinance are lengthy, and the City Council has approved summary publication of the Ordinance. The new Code terms are summarized as follows:

Section 407.01 provides for the purpose of the ordinance.

Section 407.02 defines terms used throughout the ordinance.

Section 407.03 requires registration of vacant buildings.

Section 407.04 allows for exemptions from the ordinance.

Section 407.05 provides inspection procedure to ensure compliance with the ordinance.

Section 407.06 requires the municipality to maintain a regularly updated list of all vacant buildings in its jurisdiction.

Section 407.07 defines penalties for violation of the ordinance.

Section 407.08 defines alternative procedures in the event this ordinance conflicts with state statute or other City ordinances.

Section 407.09 defines the procedure for collection of unpaid fees.

A full copy of Ordinance 2014-11-02 is available for inspection at City Hall during regular office hours and may also be mailed upon written request.

Chris Mickelson
City Administrator

ORDINANCE 2014-12-01

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

**AN ORDINANCE AMENDING THE VARIANCE APPLICATION FEE IN THE CITY
OF BIRCHWOOD VILLAGE FEE SCHEDULE**

WHEREAS, the City of Birchwood Village adopted a fee schedule in 2012; and

WHEREAS, included in the fee schedule, a fee of \$206.00 was adopted for variance applications; and

WHEREAS, this fee is intended to cover all of the City of Birchwood Village's costs associated with processing a variance application; and

WHEREAS, currently, the City of Birchwood Village incurs costs associated with processing a variance application that exceed \$206.00.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Birchwood Village hereby amends the fee schedule to read as follows:

Variance Application Fee.....\$300.00

EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Adopted by the City of Birchwood Village City Council this ___ day of _____, 2014

Mary Wingfield
Mayor

Attest:

Chris Mickelson
City Administrator-Clerk

CITY OF BIRCHWOOD VILLAGE 2012 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
-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.....	\$206.00
Zoning Permits: Shed, Driveway, or Fence.....	\$ 30.00

BUILDING PERMIT FEES

TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$29.50
\$501.00 to \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00

PRESS PUBLICATIONS

4779 BLOOM AVE
WHITE BEAR LAKE MN 55110

(651) 407-1200

Fax(651) 429-1242

Advertising Invoice

11 Billing Period 11/2014		12 Advertiser/Client Name CITY OF BIRCHWOOD VILLAGE	
23 Total Amount Due 133.65		3 Terms of Payment	
21 Current Net Amount Due 133.65		22 Unapplied Amount .00	60 Days .00
24 Invoice Number 1		6 Billing Period 11/30/14	7 Advertiser/Client Number 2459

8 Billed Account Name and Address CITY OF BIRCHWOOD VILLAGE 207 BIRCHWOOD AVE WHITE BEAR LAKE MN 55110		Amount Paid: Comments:
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Please Return Upper Portion With Payment

10 Date	11 Newspaper Reference	12 Description	13 Other Comments	14 Charges	15 Ad Size	16 Billed Units	17 Times Run	18 Rate	19 Gross Amount	20 Net Amount
		BALANCE FORWARD								400.95
11/13/14	377136	DISPLAY CK PMT								-148.50
	DKPAY	CK# 28556								
11/13/14	377138	DISPLAY CK PMT								-118.80
	DKPAY	CK# 28557								
11/13/14	377139	DISPLAY CK PMT								-133.65
	DKPAY	CK# 25863								
11/13/14	452268	NOV 11TH MEETING/11/5			2X 2.00		1			
	LEGAL	11/13			4.00		14.85		59.40	59.40
11/27/14	453936	WBP			2X 2.50		1			
	LEGAL	11/27			5.00		14.85		74.25	74.25
		WBP								

Statement of Account - Aging of Past Due Amounts

Due date: 12/15/14

21 Current Net Amount Due	22 30 Days	60 Days	Over 90 Days	Unapplied Amount	23 Total Amount Due
133.65	0.00	0.00	0.00		133.65

PRESS PUBLICATIONS

(651) 407-1200

* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

24 Invoice Number	25 Advertiser Information		
1	CITY OF BIRCHWOOD VILLA		
11 Billing Period	6 Billed Account Number	7 Advertiser/Client Number	8 Advertiser/Client Name
11/2014	2459	2459	CITY OF BIRCHWOOD VILLA

Tree Inspections 2014

Diseased trees on city property

- 1 Elm tree in curve at Hall Ave. and Cedar St.
Bid to remove Elm tree \$260.00

Diseased trees on residential property

- 6 Elm trees on 2 properties by Hall and Cedar
- 13 Oak trees (Oak Wilt) on 6 different properties. All in the area of lower Birchwood Ave. and Jay St.

Some of the trees on resident's property have already been removed, therefore only 4 Oak Wilt notices were sent, mailed and dated 11-12-2014:

- 624 Birchwood Ave. - 3 Oaks
- 289 Jay St. - 1 Oak
- 287 Jay St. - 4 Oaks
- 700 Birchwood Ave. - 1 Oak

There may be a property line issue with some of these Oaks.

Many of the Oak trees in Birchwood are having problems with Bur Oak Blight, Leaf Scorch, root rot, and other fungi and canker related diseases.

I have not found the Emerald Ash bore, but there are several Ash trees with large amounts of dieback. I will be going back to climb some of these trees for a closer look. The only way to examine them closer is to climb them, or cut them down.

Again I ask, should we be removing dead and dying Ash trees? These dead and dying Ash trees serve as a breeding ground for the Ash bore, and could already be infected.

Best Regards,
Stephen Dean



CITY OF
BIRCHWOOD VILLAGE
207 BIRCHWOOD AVENUE
BIRCHWOOD, MINNESOTA 55110-1827
PH: 651-426-3403
FAX: 651-426-7747

Notice Date:

Protecting our urban forestry, the City of Birchwood has their trees inspected for diseases such as Oak Wilt, Dutch Elm, and Emerald Ash Bore. Birchwood appreciates your cooperation.

The property owner at _____ has _____ trees that have Oak Wilt. These trees are marked with orange painted X's. The city ordinance requires that these trees be removed. You, the property owner, must have these trees removed by March 15, 2015. By not removing these trees, the Oak Wilt fungus will reproduce spores in the springtime, which will blister up through the bark and pose a threat to other, healthy Oak trees.

The tree debris must be hauled away, chipped, or debarked. Branches smaller than 3 inches in diameter don't pose a threat. Any wood that is kept which is greater than 3 inches in diameter must be debarked or sealed in clear, 4 mill. plastic. The plastic cannot have any holes, and any seams must be overlapped and sealed. Run the plastic down onto the ground by 8 inches or more, and thoroughly bury the edges with dirt, sealing it to the ground.

If the trees are on or close to the property line, then the adjacent property owner has also been notified. We ask that you and the adjacent property owner come to an agreement to whose trees they are or split the cost. If needed the City of Birchwood will send out a city engineer at your expense to resolve the property line issue.

Trees that are not removed by Mach 16, 2015 – the City of Birchwood will contract out to have them removed at your expense with an additional fee of \$50.00 per tree. The city will have these trees removed no later than April 7, 2015. This is the only notice you will receive.

Thank you for your time and cooperation. If you have any questions or concerns, please contact the Birchwood City Hall.

