



AGENDA OF THE TOWN HALL AND
REGULAR MEETING OF THE CITY
COUNCIL
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
July 11, 2017
6:15 AND 7:00 P.M.

TOWN HALL MEETING – 6:15PM

CALL TO ORDER

OPEN PUBLIC FORUM

- A. Vision of Birchwood Village

ADJOURN

REGULAR CITY COUNCIL MEETING – 7:00PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

OPEN PUBLIC FORUM

ANNOUNCEMENTS

- A. Music in the Park, Sundays 6pm at one of the City easements or parks; inclement weather location is City Hall
- B. Marian Johnson Across the Lake Swim - July 29, 7am at Birch Beach
- C. Recent Break-Ins – Please Lock Doors and Windows* (pp. 3-4)
- D. We are social, follow us on Facebook/Twitter or register for the email listserv

ADMINISTRATIVE PRESENTATION

- A. Sheriff Report* (p. 23)

CITY BUSINESS – CONSENT AGENDA

- A. Approval of Orientation Workshop Minutes from March 16, 2017* (p. 24)
- B. Approval of Regular Meeting Minutes from April 11, 2017* (pp. 58-73)
- C. Approval of Regular Meeting Minutes from May 9, 2017* (pp. 74-82)
- D. Approval of Joint Parks Committee Meeting Minutes from May 24, 2017* (p. 25)
- E. Approval of Treasurer’s Report* (pp. 26-39)
- F. Approval of Dog Park Committee Request – Appointment and Amend Bylaws* (pp. 40-41)
- G. Approval of Parks Committee Request – Survey* (pp. 42-46)
- H. Approval of Resolution 2017-19: Office Support Worker Extension* (pp. 47-48)
- I. Approval of Resolution 2017-20: Naming Tobin Lay City Administrator* (pp. 49-50)
- J. Approval of Videographer Appointment, Compensation, and Contract* (pp. 51-53)
- K. Approval of Cable Commission Alternate Director Appointment* (pp. 54-55)
- L. Approval of Toilet Rebate* (p. 56)

CITY BUSINESS – REGULAR AGENDA

- A. Dock Task Force Update and Recommendation* (pp. 5-12)
 - a. Public Hearing
 - b. Council Deliberation and Consideration of Approval
- B. Meeting Protocol and Template* (p. 13)
 - a. Council Deliberation and Consideration of Approval
- C. Kay Beach Boundary Issue* (pp. 14-17)
 - a. Public Hearing
 - b. Council Deliberation and Consideration of Approval
- D. First Reading of Ordinance 2017-07-01, Amending Exterior Storage Requirements* (pp. 18-22)
 - a. Public Hearing
 - b. Council Deliberation and Consideration of Approval
- E. Council Member Reports:
 - a. Councilmember LaFoy:
 - i. Century Link Update
 - b. Councilmember Malvey:
 - i. Workshop for Concerns* (p. 57)
- F. City Administrator’s Report
- G. City Attorney Report
 - a. Community Solar Garden Contract Update
 - b. Comprehensive Plan Consultant Contract Update

ADJOURN



Office of the Sheriff

Commitment to Excellence



Dan Starry
Sheriff

Brian R. Mueller
Chief Deputy

CRIME ALERT

AN OPEN LETTER FROM THE SHERIFF:

The Washington County Sheriff's Office (WCSO) is proud to serve the citizens of Birchwood Village and are committed to working together to make it a safe community. Over the past week, the Sheriff's Office has taken a number of burglary reports in Birchwood Village. In each case, the suspect(s) gained entry into homes through unlocked doors.

The Sheriff's Office is asking for your assistance in helping to prevent future burglaries by considering practicing some of the following tips:

VEHICLES

- Lock all vehicle doors and do not leave valuable items in your vehicle
- Consider removing garage door openers if you have to leave your vehicle outside

RESIDENCES

- Close and lock all doors of your home
- Consider closing and locking lower level windows of your home to prevent access
- Consider home security systems
- Consider leaving exterior lighting on at night or installing motion activated lighting
- Limit or trim large shrubbery around lower level windows of your home
- If going out of town for an extended period you may want to have your mail held & newspaper delivery stopped and consider letting WCSO know the dates you will be gone and request a Vacation Check of your residence.

- Report any suspicious vehicles or people to WCSO so a deputy can respond to the area. Try to gather as much descriptive info as possible (clothing, age, male/female, type of vehicle/color/plate info and direction of travel).

Looking out for one another in your community not only helps each other but it helps us when we are responding to your calls. You are our biggest asset in helping to prevent crime.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Starry". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Dan Starry, Sheriff
Washington County Sheriff's Office

****Remember, many criminals are opportunist. Don't give them the opportunity to make you their victim****

Docks Task Force Initial Report

7/3/2017

Prepared by City Council Docks Task Force: Mike Evangelist, Mark Greseth, and Nino Nardecchia (Chairman)

- I. Tasking quoted form City Administrator “Docks Task Force Assignment” memo dated 6/23/17.

“The Docks Taskforce is assigned to review the existing management of the docks and make recommendations to the City Council of ways to improve the management. Specifically, the taskforce is to recommend whether those management duties should be shifted from the Dock Association to the City. “

- II. **Phase 1.** The Docks Task Force (DTF) started by reviewing current status of the management of the docks as specified in Chapter 617 and took actions that did not require Council involvement to make sure the City Administrator, the Dock Association and individual Boat Slip Permit holders are complying with the Chapter 617 in its current form.

1. The DTF reviewed current status of boat slip usage at each dock, and identified four (4) boat slips that could be offered to individuals on the Boat Slip Waiting List.

Status. City Administrator has been contacting individuals on the Boat Slip Waiting List and is offering the first boat slip identified which is for a boat no longer than 22 feet to individuals on the Boat Slip Waiting List in accordance with Chapter 617.

The three (3) other boat slips have just been verified as usable and are available to be offered to individuals on the Boat Slip Waiting List: one (1) for a boat/pontoon no more than 22 feet in length, and two (2) for boats/pontoons no more than 19 feet in length.

Status. Dock Association has notified the City Administrator that these three (3) boat slips are available.

Recommendation. Recommend City Administrator post notice of the available boat slips including the Chapter 617 length restriction for each slip on the Boat Slip Waiting List web site page and in City News Letter if there are boat slips available at the time of publication.

2. During its review of current boat slip assignments, the DTF identified a deep water slip available on the end of Ash dock.

Discussion. There are currently no individuals on the City Boat Slip Waiting list with boats 19 feet long or less. If the Council provides a variance to the 19 maximum

length limitation another individual on the Boat Slip waiting list could receive a Boat Slip Permit.

Recommendation Requiring Council Action. Recommend Council authorizes a maximum boat length variance up to 20.5 feet for the slip at the end Ash dock.

3. During its review of Chapter 617 compliance, the DTF identified issues with regards to Boat Slip Permit and Lift Storage fee payments, Boat Slip Waiting List administration, Proof of Insurance, and Boat Slip Assignments.
 - a. **Boat Slip Permit and Lift Storage Fee Payments.** Required fees have not yet been collected as required by Chapter 617. The City Administrator has been working with the Dock Association before the DTF was created to add any fees that are in arrears to the affected individuals' next water bill. The DTF believes this process for Chapter 617 fee collection is an improvement on the current Chapter 617 process.

Recommendation Requiring Council Action. Amend Chapter 617 and Chapter 701 as required to reflect the following process for paying these fees in the future:

Both Boat Slip Permit Fees and Lift Storage Fees would be billed and collected by adding them to the applicable individuals' water bills as is being done now to collect fees in arrears. This will reduce administrative costs, provide a better audit trail, and ensures the fees will be paid.

Applicable Individuals would be identified as follows:

- b. **Boat Slip Permit Fees.** After Dock Permits are issued by the City, the Dock Association would provide the City Administrator in writing the names of all Boat Slip Permit holders who are assigned boat slips for the upcoming boating season. Once notified, the City Administrator would add the current Dock Slip Permit fee to those individuals' water bills. Individuals issued a Dock Slip Permit for the first time would not be billed because their Boat Slip Waiting List Fee would be applied as specified in Chapter 67 to cover the their first Boat Slip Permit fee.
- c. **Lift Storage Fees.** After docks have been removed at the end of the boating season, the Dock Association would provide the City Administrator in writing the names of all Boat slip Permit Holders who are storing their boat lifts for the winter on a City property. The list would include the individual's name and the Public Lake Tract they are storing their lift on. Once notified, the City Administrator would add the current Dock Slip Permit fee to those individuals' water bills.
- d. **Boat Slip Waiting List.** The Dock Association, not the City as required by Chapter 617, has been maintaining and administering the Boat Slip Waiting List.

Now, the current Boat Slip Waiting List has been given to the City Administrator and he is administering the list in accordance with Chapter 617.

- e. **Boat Slip Permit Holders Proof of Insurance.** The Boat Slip Permit Holder Proof of Insurance provisions of Chapter 617 have not been followed.

To get into compliance with Chapter 617, the Dock Association is notifying all current Boat Slip Permit holders who have a boat installed on a Dock Association dock to, as required by Chapter 617, present proof of required insurance to the City Administrator. The notification will include the warning that failure to comply could result in revocation of their Boat Slip Permit which would result in them having to remove their boat and lift from the Public Lake Tract. Going forward, the Dock Association will not allow a boat or lift to be installed on one of its docks until the Dock Permit Holder presents City Administrator provided proof that he/she has complied with this requirement.

- f. **Boat Slip Assignments.** A “Use it or Lose It” provision needs to be added to Chapter 617 to address actions to be taken if a Boat Slip Permit holder for any reason, other than low water, decides not to install a boat/pontoon and lift on his/her assigned boat slip within a reasonable length of time after the associated dock has been installed on its Public Lake track.

Recommendation Requiring Council Action. Amend Chapter 617 as follows:

Add the following paragraph to Section 617.350

“(11.) Any individual who secures a Boat Slip Permit is obligated to have his/her boat and lift installed on the boat slip assigned by the Dock Association no later than June 15th of the boating season covered by the Boat Slip Permit. If any Boat Slip Permit Holder fails to comply with this requirement, their Boat Slip Permit shall be deemed revoked and their assigned boat slip will be released to the City to be offered to individuals on the Boat Slip waiting List.”

The above actions complete part one of the DTF’s tasking to “review the existing management of the docks and make recommendations to the City Council of ways to improve the management.”

The DTF believes that implementation of the recommended changes to Chapter 617 and compliance with an amended Chapter 617 by all involved parties should alleviate many of the problems that were identified.

- III. **Phase 2.** The DTF is now turning to the second part of its tasking which is to “provide the Council with a recommendation addressing whether or not the management of the docks should be shifted to the City.” Below is an outline of the process the DTF will use to fairly and equitably arrive at its recommendation.

1. The DTF will evaluate the cost and benefits of following three (3) options using the criteria and tools presented in Attachment 1:
 - a. Keeping the Chapter 617 shared dock administration model (privately owned docks are allowed to operate from the City's Public Lake Tracts). The evaluation will assume assuming the above recommendations are implemented by the City Council and that all parties will comply with new Chapter 617 requirements going forward.
 - b. City purchasing and administering its own docks. The DTF will update then evaluate one of the options laid out in the 2009 "Plan for the City To Buy and Operate Its Own Docks" developed by the 2009 Docks Work Group and presented to the City Council at the December 2009 meeting.
 - c. A hybrid model that has the City owning, insuring, and managing all aspects of the docks except 1) docks and lifts installation and removal, and 2) assignment of specific boat slips. These duties would be delegated to the Dock Association.
2. The DTF will use the three analyses to develop its recommendation to the Council addressing whether or not the City should take over administration of the docks installed on its Public Lake Tracts.
3. The DTF will provide its recommendation to the Council in a report that will include supporting narrative, and the results of the three (3) analyses described above.
4. **IMPORTANT**. If the DTF gets information requested below in a timely manner, it should be able to complete this part of its tasking in time to present its recommendation to the Council at the August Council Meeting:
 - a. From City Administrator:
 - 1) Time it takes City Administrator to fulfil current Chapter 617 responsibilities; and estimate of additional time required to comply with recommended changes to Chapter 617.
 - 2) Provisions and cost of City insurance policy covering people using City docks and covering individuals authorized by the City to install docks and lifts on City's Public Lake Tracts.
 - b. From Dock Association:
 - 1) Time it takes to comply with current Chapter 617 responsibilities; and estimate of additional time required to comply with recommended changes to Chapter 617.
 - 2) Provisions and cost of Dock Association insurance policy covering Dock Association members installing docks and lifts on the City's Public lake tracts.

- 3) Estimate of how much more would it cost for the Dock Association's insurance policy to provide coverage for non- Dock Association members to use Dock Association docks on the City's Public Lake Tracts.
- 4) Fair market value of the Dock Association docks.

Attachment 1

Docks Task Force Criteria for Evaluating Dock Administration Options

- I. Each option being evaluated for possible adoption as the recommendation to the City Council must
 1. Support and advance the stated purpose of Chapter 617 which is quoted below.

“617.150 Purpose: The purpose of Chapter 617 is to maintain and improve the Public Lake Tracts in a manner that promotes the following:

 - (1.) Ensure availability of proper facilities to serve all residents. In development of its facilities, Birchwood shall strive to maintain a balance of suitable recreational activities for all persons within the municipality.
 - (2.) Strive to improve the Public Lake Tracts and their use and availability to all residents of Birchwood, and fair and equitable use of the docks installed thereon.
 - (3.) Upgrade the Public Lake Tracts, as necessary, to ensure the health, safety and general wellbeing of the residents with respect to the use and enjoyment of those facilities.
 - (4.) Provide for multiple uses in keeping with the character and physical layout of each Public lake Tract and the residential character of the neighborhood.”
 2. Balance the interests of all affected parties.
 3. Provide the management, oversight, and accountability to ensure compliance with Council directed policies and procedures.
 4. Use sound and legal financial accounting and record keeping practices to allow audit of its activities to ensure compliance Council directed policies and procedures.
 5. Protect the City from unnecessary liability exposure.
- II. When Evaluating the Costs and Benefits of each option, the Dock Task Force will not only address monetary costs and benefits but will also address non-monetary costs and benefits.
- III. The following Evaluation Checklist and will be used as an aid in ensuring each option is evaluated the same.

Evaluation Checklist

Option Being Evaluated: _____

Instructions.

- Evaluate the Option in sufficient detail to be able to determine if each of the following statements are true or false.
- If a statement is true with respect to the Option being evaluated select "Yes".
- If a statement is false with respect to the Option being evaluated select "No".
- Attach supporting documentation for each of your answers.
- After completing evaluation and attaching supporting documentation for answers, transfer the answers for the option to the OPTION EVALUATION SUMMARY CHART.

1. Option supports the purpose of Chapter 617 as stated in Section 617.150.
- Is statement True? Yes No Attach support for the answer.
2. Option balances the interests of all affected parties.
- Is statement True? Yes No Attach support for the answer.
3. Option provides sufficient management, oversight, and accountability to ensure compliance with Council directed policies and procedures.
- Is statement True? Yes No Attach support for the answer.
4. Option uses sound financial accounting and record keeping practices that allow audit of its activities to ensure compliance Council directed policies and procedures.
- Is statement True? Yes No Attach support for the answer.
5. Option protects the City from unnecessary liability exposure.
- Is statement True? Yes No Attach support for the answer.
6. Option has Costs (financial and/or non-financial) to the City and/or its residents.
- Is statement True? Yes No Attach support for the answer.
7. Option has Benefits (financial and/or non-financial) to the City and/or its residents.
- Is statement True? Yes No Attach support for the answer.

OPTION EVALUATION SUMMARY CHART

A “No” in any column 1-5 eliminates the Option from consideration.

	1	2	3	4	5	6	7
Option	Supports Chap 617’s purpose.	Balances the interest of all affected parties.	Provides adequate management, oversight, and accountability	Provides sound and financial accounting and record keeping practices	Protects the City from unnecessary Liability exposure.	Has costs associated with it.	Has benefits associated with it.
1.							
2.							
3.							

Option 1. Keep the Chapter 617 shared dock administration model (privately owned docks are allowed to operate from the City’s Public Lake Tracts). The evaluation will assume assuming the above recommendations are implemented by the City Council and that all parties will comply with new Chapter 617 requirements going forward.

Option 2. City purchases and administers its own docks. The DTF will update then evaluate one of the options laid out in the 2009 “Plan for the City To Buy and Operate Its Own Docks” developed by the 2009 Docks Work Group and presented to the City Council at the December 2009 meeting.

Option 3. A hybrid model that has the City owning, insuring, and managing all aspects of the docks except: 1) docks and lifts installation and removal, and 2) assignment of specific boat slips. These duties would be delegated to the Dock Association.

MEMORANDUM

DATE: July 11, 2017

TO: Birchwood City Council
FROM: Mary Wingfield, Mayor
SUBJECT: Meeting Protocol and Template



Topic: Long Meetings

Up until last year, our meetings averaged about an hour. Longer meetings are less efficient and create more difficult discussions due to the late hour. Alan Kantrud explains our business portion of the meeting should be to approve that which is before us and could be completed in about one-third the time. Prior to 2016, we worked under this type of model. To that end, Mr. Kantrud has suggested a few things:

1. Schedule only those things that are ready for a vote at the cc mtg.
2. Things that not ripe for review can be dealt with at a workshop ½ hour to an hour to an hour prior to the mtg. That will keep the conversation tight and on point. Things that can be dealt with as informational can be done by memo and scheduled w/o comment.

To accomplish this improved productivity, we need to follow our policy:

1. Items for agenda are to be provided to the administrator a week prior to the meeting (Tues) AND have supporting memo/documentation
2. Agenda will be put out on Thursday prior to meeting
3. Items that require discussion will be "workshopped", then scheduled for council meetings when we have a consensus.

Through this process, council members can be prepared in advance and do research as necessary. The end product should be more efficient meetings and a better outcome for our staff and residents.

m

MEMORANDUM

DATE: July 11, 2017

TO: Birchwood City Council
FROM: Mary Wingfield, Mayor
SUBJECT: Kay Beach Boundary Issue



Birchwood Village

NORTHERN LINE

In 2012, the city was named in a lawsuit between two property owners just north of Kay Beach. The properties involved were 479 and 483 Lake Avenue. The litigation is now resolved. It resulted in the property at 483 Lake being reduced by 3.5 feet on the north. No change occurred to the Kay Beach boundary.

The city was not a party to the case after 2015 due to a mutual agreement with owner of the abutting property at 483 Lake. As part of that resolution, that neighbor agreed to memorialize the legal description of the mutual boundary with Kay Beach. Despite numerous requests for over a year, the neighboring property owner has not entered into any agreement. That property owner recently told the city attorney no agreement would be forthcoming.

Kay Beach is a 50-foot right-of-way. It abuts 483 Lake Avenue on the north side. There is an old stone wall running near the property line for the boundary closest to Lake Avenue. Near the lake, there is a short wooden picket fence running near the boundary. The fence veers inward to Kay Beach as it approaches the lake. One would think these are the boundary markers for the property line, but recent developments have brought new light to this issue.

The judicial monuments between 479 and 483 properties were set last week. I asked the surveyor installing the monuments to confirm the city boundary by finding the iron monument that was noted on 483 Lake owners' survey prepared in 2012. That marker is no longer present—the surveyor conducted a number of metal detector sweeps in the area and was only able to confirm where it was previous located based on his GPS readings. The surveyor indicated the marker should be in the area six to eight north of the wooden picket fence (from the straight portion of the fence, not the part that veers sharply toward the beach).

In addition, there has been a significant amount of landscaping on the city's property at Kay Beach that appears to be "buffering" for the 483 Lake property. That landscaping was not initiated by the city. It includes trees, shrubs and a long row of hosta. All reduce the amount of public space the city is able to use for storage or other public benefit. Personal property (wooden structure, sailboard, miscellaneous debris) to the north of the fence gives the appearance that the city's property is private property.

A survey of Tighe-Schmitz and the surrounding area was done at the city council's request in 2012. It was not done to address issues at Kay Beach and it was incomplete as to determining the city's property line at Kay Beach. See note 10 of 12/1/12 survey.

Recent review of the Washington County records show the front-foot value White Bear Lake riparian property is over \$10,000 per foot. Given the value of the property at issue,

1. Retain a surveyor to make a final determination of where the boundary line is between 483 Lake and Kay Beach, and
2. Should the city protect its property interests proceed with re-installing the missing boundary marker(s)?

SOUTHERN BOUNDARY WITH 505 LAKE AVENUE

Kay Beach has its southerly boundary with 505 Lake Avenue. The properties were involved in a legal dispute in the 1980s resulting in 505 Lake acquiring significant lake front footage and access. In return, the court order specified that the property the city lost was protected by a public easement which stated "Ingress, Egress, and Enjoyment Easement by Stipulation for Practical Location of Boundary and Grant of easement per Tenth Judicial District File No. 783." This gives the public at Kay Beach full use and enjoyment of the land previously part of Kay.

Since that time, the property owner at 505 Lake has installed two, two-foot tall pipes that impede the public's use and enjoyment of that space. The height and location of the pipes in the sandy play area also create a hazard to anyone who would like to use the space for play activities there. There is no practical purpose for the installation of these pipes, however, they do give the appearance that the pipes delineate a boundary and suggest that the public has no right to the space beyond the pipes. In fact, that has been the reality.

The public has an absolute right to use the full 50-foot width of the land at the lake frontage. The pipes prevent such use both physically and perceptually. Further, anyone who actually uses that space as legally permitted runs the risk of physical injury due to the hazardous height at which the pipes are installed.

Recent review of the Washington County records show the front-foot value White Bear Lake riparian property is over \$10,000 per foot. Given the value of the property at issue, should the city protect its property interests by

1. Verifying the City's actual property rights as it relates to the southern boundary.

m

(surveys enclosed)

CERTIFICATE OF SURVEY

LAKE & LAND SURVEYING, INC.
 1296 Hudson Road, St. Paul, Minnesota 55106
 Phone: 651-776-6211

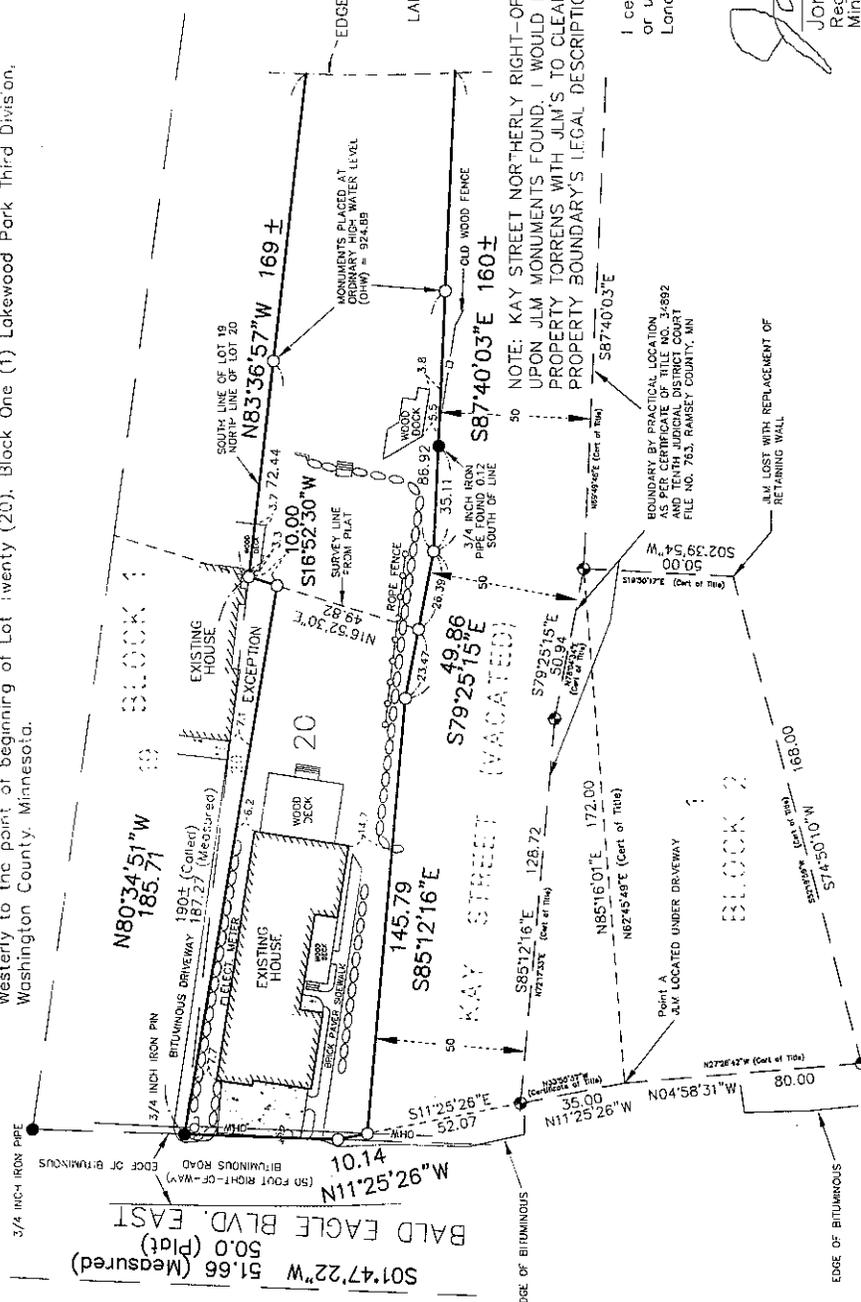
Survey Made For: Debra & James Harrod
 483 Lake Avenue, White Bear Lake, Mn 55110

Legal Description: Lot Twenty (20), EXCEPT a triangular tract commencing at the Northwest corner of said lot; and thence in an Easterly direction one hundred ninety (190) feet, more or less, to the Northeast corner of said Lot, thence in a Southerly direction along the Easterly line of said Lot, Ten (10) feet, thence Westerly to the point of beginning of Lot Twenty (20), Block One (1) Lakewood Park Third Division, Washington County, Minnesota.

NOTES

- Denotes 1/2 inch Common Spike set, capped RLS 16464
- Denotes monument found, size & type as noted.
- ⊕ Denotes Judicial Long Marker (JLM)
- ⊖ 6 inch Diameter Steel Disk
- ⊕ Denotes electric utility meter
- ⊖ Denotes gas meter
- OH— Denotes overhead electric wires

Site Address: 483 Lake Avenue, White Bear Lake, Mn
 BASIS OF BEARINGS: Assumed
 LAKE & LAND JOB NO. 2012.044



EDGE OF WATER (5-10-2012)
WHITE BEAR LAKE
 LAKE ELEVATION = 920.42 (5-10-2012)
 ORDINARY HIGH WATER (OHW) = 924.89
 DATUM: MSL 1912

NOTE: KAY STREET NORTHERLY RIGHT-OF-WAY LINE LOCATION BASED UPON JLM MONUMENTS FOUND. I WOULD RECOMMEND HAVING THE PROPERTY TORRENS WITH JLM'S TO CLEAR UP AMBIGUITIES OF THE PROPERTY BOUNDARY'S LEGAL DESCRIPTION AND LOCATION IN THE FIELD.

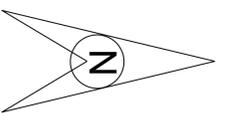
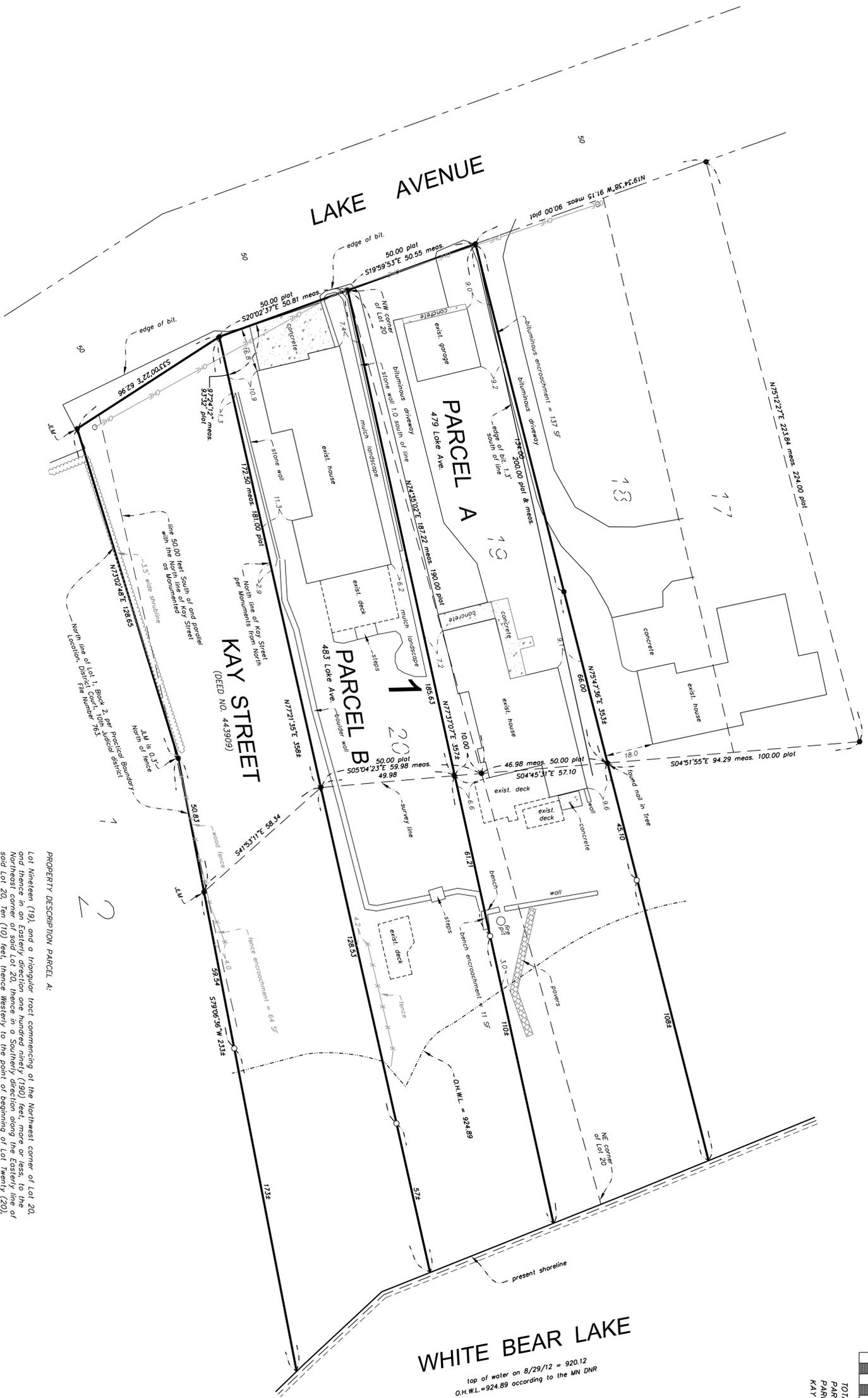
S C A L E
 1 inch = 40 ft.

I certify that this survey, plan or report was prepared by me or under my direct supervision, and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Jonathan L. Faraci
 Jonathan L. Faraci
 Registered Land Surveyor
 Minnesota Registration No. 16464

6-14-12
 Date

Certificate of Survey



TOTAL AREA TO O.H.W.L. = 41,614± SF
 PARCEL A AREA TO O.H.W.L. = 14,149± SF
 PARCEL B AREA TO O.H.W.L. = 13,717± SF
 KAY STREET AREA TO O.H.W.L. = 13,748± SF

WHITE BEAR LAKE
 top of water on 8/29/12 = 920.12
 O.H.W.L. = 924.89 according to the MN DNR

PROPERTY DESCRIPTION PARCEL A:

Lot Nineteen (19), and a triangular tract commencing at the Northwest corner of Lot 20 and thence in an Easterly direction one hundred ninety (190) feet, more or less, to the Northeast corner of said Lot 20, thence in a Southerly direction along the Easterly line of said Lot 20, Ten (10) feet, thence Westerly to the point of beginning of Lot Twenty (20), Block One (1), LAKEWOOD PARK THIRD DIVISION, Washington County, Minnesota.

PROPERTY DESCRIPTION PARCEL B:

Lot Twenty (20), except a triangular tract commencing at the Northwest corner of said lot and thence in an Easterly direction one hundred ninety (190) feet, more or less, to the Northeast corner of said Lot, thence in a Southerly direction along the Easterly line of said Lot, Ten (10) feet, thence Westerly to the point of beginning of Lot Twenty (20), Block One (1), LAKEWOOD PARK THIRD DIVISION, together with that part of Kay Street that accrues thereto by reason of the vacation thereof, Washington County, Minnesota.

PROPERTY DESCRIPTION OF DEED NO. 443909:

All that part of Kay Street from and between the Northeastern line of Lake Street to the shore of White Bear Lake, and Southeastern of the Southeastern line of Lot 20, Block 1, LAKEWOOD PARK THIRD DIVISION, according to the recorded plat thereof.

- denotes iron monument found
- denotes iron pipe set and marked as shown:
- ⊕ denotes soil boring
- ⊙ denotes percolation test hole

Certificate of Survey on
 Lots 19 & 20, LAKEWOOD
 PARK THIRD ADDITION, and
 Kay Street, Washington
 County, Minnesota

Requested By:
Elliott & Company Appraisers, Inc.

Date: 8/29/12 Drawn By: M.L.H. Scale: 1" = 20' Checked By: P.E.O.

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Paul E. Otto
 Paul E. Otto
 License #40062 Date: 7-21-15

OTTO ASSOCIATES
 Engineers & Land Surveyors, Inc.

www.ottoassociates.com
 9 West Division Street
 Buffalo, MN 55313
 (763)682-4727
 Fax: (763)682-3522

Revised: 9/17/12 added property address 7-21-15 Notes
 Job No. 1-12-0306A

MEMORANDUM

DATE: July 11, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: First Reading of Ordinance 2017-07-01



Dear Mayor and Council Members,

Councilmember Malvey requested to include the enclosed email for Council's consideration and discussion.

Conclusion / Motion

Councilmember Malvey makes the motion to approve a first reading of Ordinance 2017-07-01, amending City Code 615, Exterior Storage Requirements, as follows:

SECTION 615.020: EXCEPTIONS TO POLICY

615.020 9. Residents of and visitors to Birchwood may park currently licensed and operational travel trailers, ~~and~~ motorized recreational vehicles, boats/boat trailers and snowmobiles in a resident's designated driveway for a period of up to seven (7) days. Parking beyond the seven (7) day period will require a non-fee permit from the City Clerk. The permit will provide for an additional parking period of up to fourteen (14) days. In no event will visitor parking by any one visitor exceed twenty-one (21) days during a six (6) month period.

Regards,
Tobin Lay

Tobin Lay

From: Megan Malvey[malvey.birchwood@gmail.com]
Sent: Thursday, June 29, 2017 7:59 PM
To: Tobin Lay
Subject: Re: temporary boat and boat trailer storage in driveways

Tobin, I probably should have clarified that my request is for a first reading of an amendment to this ordinance as indicated in my email below.

Motion: I move to approve a first reading of a change to ordinance 615 as follows:

9. ~~Residents of and V~~visitors to Birchwood may park currently licensed and operational travel trailers, ~~and~~ motorized recreational vehicles, boats/boat trailers and snowmobiles in a resident's designated driveway for a period of up to seven (7) days. Parking beyond the seven (7) day period will require a non-fee permit from the City Clerk. The permit will provide for an additional parking period of up to fourteen (14) days. In no event will visitor parking by any one visitor exceed twenty-one (21) days during a six (6) month period.

Thanks,
Megan

On Thu, Jun 29, 2017 at 7:56 PM, Megan Malvey <malvey.birchwood@gmail.com> wrote:
Hi Tobin,

Please include this email in the agenda for our July 2017 City Council meeting and include an agenda item for this topic.

I was contacted by a resident who wishes to temporarily store his boat/boat trailer in his driveway. Our current code allows for temporary storage for Birchwood visitors but not for Birchwood residents. I'd like to suggest an amendment to Code 615 to allow this for Birchwood residents as well as visitors to Birchwood and also to specifically include boats/boat trailers and snowmobiles in addition to recreational vehicles.

My specific recommendation is that Ordinance 615, #9, below, be amended to read as follows. A screen shot shows the wording with track changes and then the recommended completed update.

9. ~~Residents of and V~~visitors to Birchwood may park currently licensed and operational travel trailers, ~~and~~ motorized recreational vehicles, boats/boat trailers and snowmobiles in a resident's designated driveway for a period of up to seven (7) days. Parking beyond the seven (7) day period will require a non-fee permit from the City Clerk. The permit will provide for an additional parking period of up to fourteen (14) days. In no event will visitor parking by any one visitor exceed twenty-one (21) days during a six (6) month period.

9. Residents of and visitors to Birchwood may park currently licensed and operational travel trailers, motorized recreational vehicles, boats/boat trailers and snowmobiles in a resident's designated driveway for a period of up to seven (7) days. Parking beyond the seven (7) day period will require a non-fee permit from the City Clerk. The permit will provide for an additional parking period of up to fourteen (14) days. In no event will visitor parking by any one visitor exceed twenty-one (21) days during a six (6) month period.

Best regards,
Megan Malvey

615. EXTERIOR STORAGE

615.010. POLICY. All materials and equipment shall be stored within buildings or in the rear yard in a screened area. Such screened area may consist of fencing of a suitable height, natural shrubbery, and/or topography so that the stored items are not visible from the frontage street or adjoining properties.

615.020. EXCEPTIONS TO POLICY.

1. Stacked firewood piles.
2. Clothesline poles and sires/lines.
3. Children's playground equipment.
4. Construction and landscaping equipment currently in use on the premises for use in the near future, pursuant to an existing and current building permit.
5. The normal tools used in lawn, garden and tree maintenance.
6. Off street parking of correctly licensed and operational automobiles and pickup trucks, parked on a designated driveway or on one (1) open paved or graveled space located adjacent to a driveway or garage. Provided, moreover, that any vehicle or boat parked on residential property for sale by the resident must be owned and licensed to the resident.
7. Boats, trailers, snowmobiles and recreational vehicles currently licensed and owned by the resident may be stored in the rear yard subject to the following:
 - a. Motorized boats, boat trailers, utility trailers, travel trailers, snowmobiles, and motorized recreational vehicles cannot exceed twenty (20) feet in length.
 - b. Sailboats cannot exceed twenty-eight (28) feet in length.
8. Seasonal storage of boat lifts is permitted in the rear yard.
9. Visitors to Birchwood may park currently licensed and operational travel trailers and motorized recreational vehicles in a residents designated driveway for a period of up to seven (7) days. Parking beyond the seven (7) day period will require a non-fee permit from the City Clerk. The permit will provide for an additional parking period of up to fourteen (14) days. In no event will visitor parking by any one visitor exceed twenty-one (21) days during a six (6) month period.

615.030. EXCEPTIONS TO STORAGE LOCATIONS.

1. Normal storage items which are subject to the screening requirements of Section 615.010, and the items enumerated in Section 605.020 (7) (subject to the length limitations therein) may be stored at any place on the lot (but not closer to any street frontage lot line than the buildings existing on that lot) of forty (40) feet (whichever is less) for the following properties:

- a. Lots abutting White Bear Lake;
- b. Multiple frontage lots (where there is no defined rear yard); or
- c. Lots on which a substantial portion of the dwelling is located within the rear one-third (1/3) of the lot.

2. Seasonal storage of boats, subject to length limitations found in 615.020 (7) a and b, boat lifts and docks are permitted on those lots abutting White Bear Lake in the area from the lake side of the residence to the ordinary high water level.

615.040. ****DELETED BY ORDINANCE 2012-11, December 13, 2012****.

615.050. ****DELETED BY ORDINANCE 2012-11, December 13, 2012****

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(See Ordinance 1995-4, Adopted July 11, 1995)

“AMENDED BY ORDINANCE 2008-1; FEBRUARY 12, 2008”.

****AMENDED BY ORDINANCE 2012-11, December 13, 2012****

ORDINANCE 2017-07-01

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

**AN ORDINANCE AMENDING EXTERIOR STORAGE REQUIREMENTS IN CITY
CODE**

The City Council of the City of Birchwood Village hereby ordains that Chapter 615 (Exterior Storage) of the Municipal Code of the City of Birchwood Village is hereby amended to read as follows:

SECTION 615.020: EXCEPTIONS TO POLICY

615.020 9. Residents of and visitors to Birchwood may park currently licensed and operational travel trailers, ~~and~~ motorized recreational vehicles, boats/boat trailers and snowmobiles in a resident's designated driveway for a period of up to seven (7) days. Parking beyond the seven (7) day period will require a non-fee permit from the City Clerk. The permit will provide for an additional parking period of up to fourteen (14) days. In no event will visitor parking by any one visitor exceed twenty-one (21) days during a six (6) month period.

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 _____, 2017

Mary Wingfield
Mayor

Attest:

Tobin Lay
City Administrator-Clerk

MEMORANDUM

DATE: July 11, 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 June 1-30, 2017:

Date	Time	ICR #	ID#	Street Name	Complaint
6/02/17	23:31:26	117018401	1264	EAST CO LINE RD	UNWANTED FEMALE 3RD PARTY
6/03/17	18:48:33	117018491	1264	WILDWOOD RD	PARKING CONCERN
6/04/17	15:23:15	117018583	0074	LAKE AV	SUSPICIOUS MALE
6/05/17	15:48:36	117018736	0091	WILDWOOD AV	AUDIBLE ALARM
6/06/17	12:59:30	117018886	0063	LAKE AV	SUSPICIOUS MALE
6/06/17	13:49:33	117018892	0094	WILDWOOD AV	RESD ALARM
6/07/17	13:59:19	117019070	0999	BIRCHWOOD AV	GRASS FIRE
6/08/17	2:43:11	117019149	1264	JAY ST	ADDRESS CHECK
6/08/17	9:06:44	117019168	0197	OAKRIDGE DR	FIRE CONCERN
6/08/17	14:19:43	117019219	0063	BIRCH ST	RES BURG ALARM
6/10/17	12:15:35	117019510	0141	HALL AV	TREE FELL ON POWERLINE
6/10/17	19:21:42	117019562	1264	E COUNTY LINE R	AOA - WBL
6/12/17	9:33:47	117019751	0088	BIRCHWOOD AV	ALARM
6/12/17	19:46:39	117019843	0095	WILDWOOD AV	ANIMAL CONCERN
6/13/17	18:43:20	117019984	0139	HALL AV	BURG ALARM
6/15/17	10:57:48	117020280	0178	HALL AV	DIRECTED PATROL-STOP SIGN
6/16/17	2:47:33	117020407	1264	LAKE AV	CITE: NO PARKING 2130HRS-0600
6/16/17	9:28:30	117020438		COUNTY RD T	RECEIPT# 170002418
6/22/17	20:15:47	117021405		HALL AV	WARRANT / WCSO / CR171976
6/23/17	11:16:59	117021495		HALL AV	RECEIPT# 170002523
6/23/17	11:20:25	117021496		HALL AV	RECEIPT# 170002524
6/25/17	5:50:58	117021747	1264	WHITE PINE LN	BURGLARY REPORT
6/25/17	7:52:55	117021752	0063	HALL CT	POSSIBLE BURGLARY
6/25/17	8:41:13	117021754	0178	WILDWOOD AV	POSSIBLE BURGLARY
6/25/17	9:41:48	117021757	0178	WHITE PINE LN	BURGLARY REPORT
6/25/17	11:06:48	117021765	0063	WHITE PINE LN	INFORMATIONAL
6/25/17	15:54:43	117021791	0091	HALL CT	SUSPICIOUS ACTIVITY
6/26/17	7:55:34	117021848	0178	BIRCHWOOD AV	DIRECTED PATROL
6/26/17	10:00:32	117021862	0095	WHITE PINE LN	BURGLARY REPORT *RESTACK CALL
6/26/17	11:33:26	117021877	0100	WILDWOOD AV	OFFICER INFO
6/26/17	15:11:00	117021911	0063	WILDWOOD AV	BARKING DOG
6/27/17	12:36:26	117022056	0095	BIRCHWOOD AV	PUBLIC ASSIST - PH CALL REQ
6/29/17	9:42:52	117022328	0110	WILDWOOD AV	MEDICAL LEVEL 1
6/29/17	19:38:44	117022427	0091	WILDWOOD AV	SUSPICIOUS PHONE CALL-EXTRA PA
6/30/17	23:25:26	117022609	1211	EAST CO LINE RD	FIREWORKS COMPLAINT

Total ICRs Processed: 35

**CITY OF BIRCHWOOD VILLAGE
Orientation Workshop
March 16, 2017**

MINUTES

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

STAFF PRESENT: City Administrator Tobin Lay

OTHERS PRESENT: Pamela Whitmore, League of MN Cities/Presenter; Amber Eisenschenk, League of MN Cities/Presenter; Randy Felt, Planning Commission; Aimee Gourlay, Mediation Center/Presenter; Steve Schad, Dog Park Committee; Ben Creagh, Roads & Streets Committee; others

ORIENTATION WORKSHOP AGENDA

A. Good Governance

Pamela Whitmore and Amber Eisenschenk: Introduced the duties of the League of Minnesota Cities and resources provided by the League. Discussed the various types of cities in MN and the statutes that limit power within cities, Birchwood- weak mayor system with limited additional powers, discussion of city authority and roles of the governing board. Information given and questions answered about MN Open Meeting Law. Questions from participants were answered.

B. Constructive Conflict Communication

Amy Gourlay: Introduction to how to communicate effectively when conflict arises and how to understand conflict, discussion as to how to handle conflict and use it in a productive manner. Discussed how to listen effectively, active listening vs basic listening, nonverbal communication. Questions from participants were answered.

ADJOURN

ATTEST:

Mary Wingfield
Mayor

Tobin Lay
City Administrator-Clerk

Joint Birchwood City Council/ Parks Committee Meeting

May 24, 2017

The meeting was called to Order at 7:30 PM.

Present: Mayor Mary Wingfield; Council Members Megan Malvey, Randy LaFoy, (Trilby White arrived late); Park Committee Members, Houstoun Clinch, Scott Howe, James Nelson, Dave Remely, Bridget Sperl, Ana Vang, and Judy Walker

Absent: Council Member Kevin Woolstencroft

Motion to approve the Agenda by Councilmember LaFoy; seconded by Councilmember Malvey

Introductions were made and then the committee discussed the basics of open meeting requirements regarding procedures and protocols.

Bylaws were provided to the Committee members to provide a framework for business.

Past projects that had not been completed were outlined. Councilmember LaFoy and Mayor Wingfield provided other opportunities to be considered.

Funding for projects must be obtained through the City Council. A special parks fund collected from boat fees is used for special projects.

Members were encouraged to seek out projects that were "fun" as former council member Greg Donovan had offered to the past committee. Maintenance matters as well as warming house staffing would continue to be done by the City Council to avoid committee burn out.

Councilmember LaFoy left at 8 PM. The Council meeting was adjourned at 8:05 pm.

The Parks Committee continued with its business as a separate meeting.

Cash Control Statement

City of Birchwood Village

For the Period : 6/13/2017 To 7/6/2017

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$553,202.92	\$11,723.54	\$14,173.05	\$550,753.41
Road and Bridge	\$0.00	\$0.00	\$0.00	\$0.00
Comp Plan Grant	\$5,000.00	\$0.00	\$0.00	\$5,000.00
Tree Canopy Care	\$0.00	\$0.00	\$0.00	\$0.00
Spec Project Elm Easement	\$0.00	\$0.00	\$0.00	\$0.00
Sewer 2004 Bonds	\$0.00	\$0.00	\$0.00	\$0.00
Special Rev Projects	\$4,565.02	\$200.00	\$300.00	\$4,465.02
Library	\$0.00	\$0.00	\$0.00	\$0.00
Spec Rev - Warm House	\$40.00	\$0.00	\$0.00	\$40.00
Reimbursed Contracted Services	(\$1,676.51)	\$0.00	\$0.00	(\$1,676.51)
General Debt Service (Identify)	\$0.00	\$0.00	\$0.00	\$0.00
Birchwood In Re-hab Bond	\$0.00	\$0.00	\$0.00	\$0.00
Sewer Re-hab 2008 Debt	\$7,577.23	\$0.00	\$0.00	\$7,577.23
Capital Improvement Projects	\$68,203.91	\$0.00	\$68,203.91	\$0.00
Municipal State Aid Streets - Construction	\$0.00	\$0.00	\$0.00	\$0.00
Open Spaces Acquisition (Optional)	\$0.00	\$0.00	\$0.00	\$0.00
Capital Project PW	\$0.00	\$68,203.91	\$0.00	\$68,203.91
Capital Projects	\$0.00	\$0.00	\$0.00	\$0.00
Cap Proj Catchbasin	\$0.00	\$0.00	\$0.00	\$0.00
Water	(\$13,508.39)	\$5,832.87	\$12,744.09	(\$20,419.61)
Sewer	\$77,329.68	\$8,005.74	\$2,496.93	\$82,838.49
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	\$700,733.86	\$93,966.06	\$97,917.98	\$696,781.94

City of Birchwood Village

Receipts Register

7/6/2017

Fund Name: All Funds

Date Range: 06/13/2017 To 07/06/2017

Date	Remitter	Receipt #	Description	Deposit ID	Void Account Name	F-A-P	Total
06/13/2017	MN State	2003	Court Fines	(06/13/2017) -	N State and Misc fees	100-34170-	\$ 859.96
							\$ 859.96
06/15/2017	Ramsey/Washington Cable Commission	1996	Cable Franchise Refund	(06/15/2017) -	N Refund-Reimbursemnt-Dividend	100-36240-	\$ 8,771.98
							\$ 8,771.98
06/15/2017	TLT Enterprises Inc.	1997	HVAC Permit #2017-24	(06/15/2017) -	N Building Permits (Excludes surcharge)	100-32210-	\$ 26.00
							\$ 26.00
06/15/2017	Appliance Connection	1998	Plumbing Permit	(06/15/2017) -	N Building Permits (Excludes surcharge)	100-32210-	\$ 30.50
							\$ 30.50
06/15/2017	Minnesota Rusco, Inc.	1999	Bldg Permit	(06/15/2017) -	N Building Permits (Excludes surcharge)	100-32210-	\$ 258.50
							\$ 258.50
06/15/2017	Kelly & Marc Paradise	2000	Dog Licenses x2 / Penalty x2	(06/15/2017) -	N Animal Licenses	100-32240-	\$ 10.00
						100-32240-	\$ 10.00
							\$ 20.00
06/16/2017	Residents - via St Anthony Village	2014	U/B 6/23/2017	(06/16/2017) -	N Dock/Lift Permit Fee	100-32260-	\$ 200.00
							\$ 200.00
							\$ 100.00
							\$ 97.25
							\$ 6.93
							\$ 702.68
							\$ 13.82
							\$ 24.60
							\$ 123.29
							\$ 16.09
							\$ 1,254.76
							\$ 2,539.42

Fund Name: All Funds

Date Range: 06/13/2017 To 07/06/2017

<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>
06/16/2017	Residents - via St Anthony Village	2015	U/B 6/23/2017	(06/16/2017) -	N Dock/Lift Permit Fee	100-32260-	\$ 200.00
					Leaf Collection	100-34408-	\$ 75.00
					Leaf Collection	100-34408-	\$ 5.34
					Water Fee	601-34110-	\$ 1,553.72
					Penalty - Late Water/Sewer	601-34160-	\$ 4.01
					State and Misc fees	601-34170-	\$ 42.59
					Water Main Break	601-34905-	\$ 241.33
					Penalty - Late Water/Sewer	605-34160-	\$ 8.75
					Sewer Fee	605-34190-	\$ 2,411.45
							\$ 4,542.19
06/19/2017	Lianna Colestock	2001	Boat Slip Wait List Fee	(06/19/2017) -	N Dock/Lift Permit Fee	210-32260-	\$ 200.00
06/19/2017	Joan Maki	2006*	Hall Rental	(06/19/2017) -	N City/Town Hall Rent	100-34101-	\$ 25.00
06/23/2017	Residents - via St Anthony Village	2012	U/B 6/23/2017	(06/23/2017) -	N Leaf Collection	100-34408-	\$ 120.00
					Leaf Collection	100-34408-	\$ 8.55
					Water Fee	601-34110-	\$ 380.85
					Penalty - Late Water/Sewer	601-34160-	\$ 0.23
					State and Misc fees	601-34170-	\$ 15.90
					Water Main Break	601-34905-	\$ 84.24
					Penalty - Late Water/Sewer	605-34160-	\$ 2.11
					Sewer Fee	605-34190-	\$ 675.12
							\$ 1,287.00
06/23/2017	Residents - via St Anthony Village	2013	U/B 6/23/2017	(06/23/2017) -	N Dock/Lift Permit Fee	100-32260-	\$ 200.00
					Lift Storage	100-32265-	\$ 100.00
					Leaf Collection	100-34408-	\$ 45.00
					Leaf Collection	100-34408-	\$ 3.21
					Miscellaneous	100-36140-	\$ 50.00
					Water Fee	601-34110-	\$ 787.54
					Penalty - Late Water/Sewer	601-34160-	\$ 2.65
					State and Misc fees	601-34170-	\$ 30.74
					Water Main Break	601-34905-	\$ 176.52
					Penalty - Late Water/Sewer	605-34160-	\$ 8.83
					Sewer Fee	605-34190-	\$ 1,283.40

Fund Name: All Funds

Date Range: 06/13/2017 To 07/06/2017

<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>
06/28/2017	Evans, Andrea	1938	Canoe Storage	(06/28/2017) -	N Gas Installation Permits	100-32220-	\$ 2,687.89
06/28/2017	Wangen, John	1939	Canoe Storage Fee- Cash Payment	(06/28/2017) -	N Gas Installation Permits	100-32220-	\$ 25.00
06/28/2017	Minnesota Unemployment Insurance	1990	Refund for the late payment fee for Q1	(06/28/2017) -	N Refund-Reimbursemnt-Dividend	100-36240-	\$ 250.00
06/28/2017	Boldt, Jeffrey	2007	Permit Fee	(06/28/2017) -	N Building Permits (Excludes surcharge)	100-32210-	\$ 30.00
06/28/2017	Malles, R	2008	Kayak/Canoe Permit	(06/28/2017) -	N Gas Installation Permits	100-32220-	\$ 30.00
06/30/2017	Residents - via St Anthony Village	2010	U/B 6/30/2017	(06/30/2017) -	N Water Fee	601-34110-	\$ 696.60
					Penalty - Late Water/Sewer	601-34160-	\$ 1.99
					State and Misc fees	601-34170-	\$ 25.44
					Water Main Break	601-34905-	\$ 140.40
					Penalty - Late Water/Sewer	605-34160-	\$ 4.45
					Sewer Fee	605-34190-	\$ 1,259.28
							\$ 2,128.16
06/30/2017	Residents - via St Anthony Village	2011	U/B 6/30/2017	(06/30/2017) -	N Lift Storage	100-32265-	\$ 99.98
					Leaf Collection	100-34408-	\$ 75.00
					Leaf Collection	100-34408-	\$ 5.34
					Water Fee	601-34110-	\$ 648.41
					Penalty - Late Water/Sewer	601-34160-	\$ 1.86
					State and Misc fees	601-34170-	\$ 20.74
					Water Main Break	601-34905-	\$ 112.72
					Penalty - Late Water/Sewer	605-34160-	\$ 4.30
					Sewer Fee	605-34190-	\$ 1,077.20
							\$ 2,045.55

Fund Name: All Funds

Date Range: 06/13/2017 To 07/06/2017

<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>
07/01/2017	City of Birchwood Village	2009*	Transfer from 401 Capital Improvements Projects	(07/01/2017) -	N Transfers from other Funds	406-39205-	\$ 68,203.91
							<u>\$ 68,203.91</u>
							<u>\$ 93,966.06</u>

Total for Selected Receipts

City of Birchwood Village

Disbursements Register

7/6/2017

Fund Name: All Funds

Date Range: 06/13/2017 To 07/06/2017

<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>
06/15/2017	AirFresh Industries, Inc.	29662*	Rental Monthly Units x2 (2/13/17-3/12/17)	N	Supervision	100-45201-305-	\$ 81.25
	Total For Check	29662					\$ 81.25
06/15/2017	Harmonic Relief	29663	Music in the park -2017	N	Unallocated Expenditures	210-49201-440-	\$ 150.00
	Total For Check	29663					\$ 150.00
06/15/2017	Don Feeney	29664*	Music in the park -2017	N	Unallocated Expenditures	210-49201-440-	\$ 150.00
	Total For Check	29664					\$ 150.00
06/15/2017	Menards - Oakdale	EFR061517A	***VOID\$75.02***Supplies - GALV NIPPLES & GALV FLOOR FLANGE	Y	Supervision	100-45201-220-	\$ -
	Total For Check	EFR061517A					\$ -
06/15/2017	Xcel Energy	EFT061517B	Electric for Lift Stations /Warming House	N	Street Lighting	100-43160-380-	\$ 1,183.61
	Total For Check	EFT061517B					\$ 1,183.61
06/19/2017	Office Depot	29665	Printer Paper - 1 Ream	N	Recording and Reporting	100-41420-210-	\$ 6.79
	Total For Check	29665					\$ 6.79
06/23/2017	Payroll Period Ending 06/26/2017	29666		N	Clerk - Treasurer	100-41401-100-	\$ 1,575.80
	Total For Check	29666					\$ 1,575.80
06/26/2017	PERA	EFT062617	Employee Retirement	N	Clerk - Treasurer	100-41401-121-	\$ 274.40
	Total For Check	EFT062617					\$ 274.40
06/28/2017	Payroll Period Ending 06/28/2017	29667		N	Clerk - Treasurer	100-41401-100-	\$ 312.46
	Total For Check	29667					\$ 312.46
07/01/2017	Payroll Period Ending 06/30/2017	29668		N	Clerk - Treasurer	100-41401-100-	\$ 369.40
	Total For Check	29668					\$ 369.40
07/01/2017	City of Birchwood Village	TRF063017A*	Transfer to 406 Capital Project PW	N	Transfer To Governmental Fund	401-49360-720-	\$ 68,203.91
	Total For Check	TRF063017A					\$ 68,203.91

Fund Name: All Funds

Date Range: 06/13/2017 To 07/06/2017

Date	Vendor	Check #	Description	Void	Account Name	F-A-O-P	Total
07/01/2017	City of Birchwood Village	TRF063017B*	***VOID\$72981.84***Transfer to 618 Sewer Enterprise Fund	Y	Transfer To Governmental Fund	605-49360-720	\$ -
Total For Check TRF063017B							\$ -
07/03/2017	TSE, INC	29670	City Hall Janitorial Services X2 6/1/17	N	General Government Buildings and Plant	100-41940-305	\$ 25.00
Total For Check 29670							\$ 25.00
07/03/2017	Leeves, Robert	29671	Council Meeting Training 6/13/17	N	Cable Eqpmt and Service	100-41950-305	\$ 157.50
Total For Check 29671							\$ 157.50
07/03/2017	Ronnan, Kenny	29672	Council Meeting Services Training 6/13/17	N	Cable Eqpmt and Service	100-41950-305	\$ 45.00
Total For Check 29672							\$ 45.00
07/03/2017	Quality Flow Systems, Inc.	29673	Lift Station Inspection/Repair	N	Sewer Utility	605-43190-380	\$ 1,582.00
Total For Check 29673							\$ 1,582.00
07/03/2017	Lay, Tobin	29674	Reimbursement - Keys	N	Recording and Reporting	100-41420-210	\$ 9.58
Total For Check 29674							\$ 9.58
07/03/2017	Field, Hannah	29675	Music in the Park	N	Unallocated Expenditures	100-49201-440	\$ 150.00
Total For Check 29675							\$ 150.00
07/03/2017	Safe-Fast, Inc.	29676	Safety Vests	N	Recording and Reporting	100-41420-210	\$ 267.95
Total For Check 29676							\$ 267.95
07/03/2017	LMCIT	29677	Worker's Comp Premium 6/12/17-6/12/18	N	City Insurance	100-41945-150	\$ 1,359.00
Total For Check 29677							\$ 1,359.00
07/03/2017	Strobel, Kelly	29678	Removed from boat slip waiting list	N	MISCELLANEOUS	100-49001-810	\$ 200.00
Total For Check 29678							\$ 200.00
07/03/2017	Oakdale Rental	29679	Tiller Rental	N	Parks	100-45207-314	\$ 44.04
Total For Check 29679							\$ 44.04
07/03/2017	Allstream	29680	Analog Phone Line	N	Phone/IT	100-41955-320	\$ 37.47
Total For Check 29680							\$ 37.47

Fund Name: All Funds

Date Range: 06/13/2017 To 07/06/2017

<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>
07/03/2017	TSE, INC	29681	City Hall Janitorial Services X2 6/15/17	N	General Government Buildings and Plant	100-41940-314-	\$ 25.00
Total For Check 29681							\$ 25.00
07/03/2017	AirFresh Industries, Inc.	29682	Rental Monthly Units x2 (7/1/17-7/31/17)	N	Parks	100-45207-314-	\$ 162.50
Total For Check 29682							\$ 162.50
07/03/2017	Menards - Oakdale	29683	Supplies - GALV Cap, Fescue Seed	N	Parks	100-45207-220-	\$ 16.70
07/03/2017	City of White Bear Lake	29684	Fire Srvc - June 2017	N	Fire	100-42201-314-	\$ 1,599.84
Total For Check 29683							\$ 1,599.84
07/03/2017	Payroll Period Ending 07/03/2017	29685		N	Clerk - Treasurer	100-41401-100-	\$ 460.02
Total For Check 29685							\$ 460.02
07/03/2017	Xcel Energy	EFT070317A EFT070317A	Gas for Generator	N	Street Lighting	100-43160-380-	\$ 30.01
Total For Check EFT070317A							\$ 30.01
07/03/2017	Xcel Energy	EFT070317B	Electric for Lift Stations/ Warming Station	N	General Government Buildings and Plant	100-41940-380-	\$ 166.64
07/03/2017		EFT070317B		N	Supervision	100-45201-380-	\$ 12.88
07/03/2017		EFT070317B		N	Sewer Utility	605-43190-380-	\$ 276.95
07/03/2017		EFT070317B		N		605-43190-380-	\$ 133.66
07/03/2017		EFT070317B		N		605-43190-380-	\$ 504.32
Total For Check EFT070317B							\$ 1,094.45
07/03/2017	PERA	EFT070317C EFT070317C	Employee Retirement-Bailey	N	Clerk - Treasurer	100-41401-121-	\$ 84.32
Total For Check EFT070317C							\$ 84.32
07/05/2017	Oakdale Rental	29686	Tiller Rental	N	Parks	100-45207-314-	\$ 44.04
Total For Check 29686							\$ 44.04
07/05/2017	City of White Bear Lake	29687	Water Billing 03/21/2017-09/09/2017	N	Water Utility	601-43180-314-	\$ 7,318.32
Total For Check 29687							\$ 7,318.32
07/05/2017	Tennis Sanitation, LLC	29688	Recycling Contract May- June 2017	N	Recycle	100-43300-314-	\$ 1,656.00
Total For Check 29688							\$ 1,656.00

Fund Name: All Funds

Date Range: 06/13/2017 To 07/06/2017

<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	29688					1,656.00
07/05/2017	IRS - US Treasury	EFTIRS0717	Q2 2017 Payment - June	N	Clerk - Treasurer	100-41401-100-	3,035.12
	Total For Check	EFTIRS0717					3,035.12
07/06/2017	Manship Plumbing & Heating Inc	29689	Monthly Standby/locates/services	N	Water Utility	601-43180-314-	1,150.00
	Total For Check	29689					1,150.00
07/06/2017	Gopher State One Call	29690	Locates (28 Tickets)	N	Utility Locates	100-42805-314-	37.80
	Total For Check	29690					37.80
07/06/2017	Metropolitan Council Env. Service	29691	Wastewater Service August 2017	N	Sewer Utility	601-43190-217-	4,275.77
	Total For Check	29691					4,275.77
07/06/2017	MN Department of Revenue	EFT070617	Quarter 2 Filing 2017	N	Clerk - Treasurer	100-41401-115-	667.91
	Total For Check	EFT070617					667.91
	Total For Selected Checks						97,917.98

As on 7/6/2017

Special Rev Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Dock/Lift Permit Fee	0.00	500.00	500.00
Total Acct 322	0.00	500.00	500.00
Total Revenues	0.00	500.00	500.00
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)
Total Acct 451	0.00	200.00	(200.00)
Unallocated Expenditures			
Community Events	0.00	300.00	(300.00)
Total Acct 492	0.00	300.00	(300.00)
Total Disbursements	0.00	500.00	(500.00)
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		500.00	
Total Disbursements and Other Financing Uses		500.00	
Cash Balance as of 07/06/2017		4,465.02	

As on 7/6/2017

Capital Improvement Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Other Financing Sources:			
Total Other Financing Sources	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Disbursements:			
Unallocated Expenditures			
Professional Services: Medical and Dental Fees	<u>0.00</u>	<u>10,555.00</u>	<u>(10,555.00)</u>
Total Acct 492	<u>0.00</u>	<u>10,555.00</u>	<u>(10,555.00)</u>
Total Disbursements	<u>0.00</u>	<u>10,555.00</u>	<u>(10,555.00)</u>
Other Financing Uses:			
Transfer To Governmental Fund			
Interfund Transfers	<u>0.00</u>	<u>68,203.91</u>	<u>(68,203.91)</u>
Total Acct 493	<u>0.00</u>	<u>68,203.91</u>	<u>(68,203.91)</u>
Total Other Financing Uses	<u>0.00</u>	<u>68,203.91</u>	<u>(68,203.91)</u>
Beginning Cash Balance		78,758.91	
Total Receipts and Other Financing Sources		0.00	
Total Disbursements and Other Financing Uses		<u>78,758.91</u>	
Cash Balance as of 07/06/2017		0.00	

As on 7/6/2017

Capital Project PW

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Other Financing Sources:			
Transfers from other Funds	<u>0.00</u>	<u>68,203.91</u>	<u>68,203.91</u>
Total Acct 392	<u>0.00</u>	<u>68,203.91</u>	<u>68,203.91</u>
Total Other Financing Sources	<u>0.00</u>	<u>68,203.91</u>	<u>68,203.91</u>
Disbursements:			
Total Disbursements	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Other Financing Uses:			
Total Other Financing Uses	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Beginning Cash Balance		0.00	
Total Receipts and Other Financing Sources		68,203.91	
Total Disbursements and Other Financing Uses		0.00	
Cash Balance as of 07/06/2017		<u>68,203.91</u>	

As on 7/6/2017

Water	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Water Fee	0.00	34,119.82	34,119.82
Penalty - Late Water/Sewer	0.00	169.35	169.35
State and Misc fees	0.00	1,051.11	1,051.11
Total Acct 341	0.00	35,340.28	35,340.28
Water Main Break	0.00	1,320.12	1,320.12
Total Acct 349	0.00	1,320.12	1,320.12
Total Revenues	0.00	36,660.40	36,660.40
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)
Total Acct 415	0.00	4,137.29	(4,137.29)
Water Utility			
Repair and Maintenance Supplies (221 through 229)	0.00	147.62	(147.62)
Professional Services: Medical and Dental Fees	0.00	23,542.99	(23,542.99)
Contracted Services	0.00	8,468.32	(8,468.32)
Miscellaneous (431 through 499)	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			
Sewer - Wastewater Charge	0.00	29,930.39	(29,930.39)
Refunds and Reimbursements	0.00	11.92	(11.92)
Total Acct 431	0.00	77,909.06	(77,909.06)
Total Disbursements	0.00	82,046.35	(82,046.35)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		24,966.34	
Total Receipts and Other Financing Sources		36,660.40	
Total Disbursements and Other Financing Uses		82,046.35	
Cash Balance as of 07/06/2017		(20,419.61)	

As on 7/6/2017

Sewer	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Penalty - Late Water/Sewer	0.00	354.62	354.62
Sewer Fee	0.00	55,240.05	55,240.05
Total Acct 341	0.00	55,594.67	55,594.67
Total Revenues	0.00	55,594.67	55,594.67
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Postage/Postal Permits			
OFFICE SUPPLIES (201 through 209)	0.00	137.75	(137.75)
Total Acct 414	0.00	137.75	(137.75)
Sewer Utility			
Operating Supplies (211 through 219)	0.00	26.71	(26.71)
Professional Services: Medical and Dental Fees	0.00	1,304.88	(1,304.88)
Utility Services (381 through 389)	0.00	6,004.63	(6,004.63)
Refunds and Reimbursements	0.00	0.18	(0.18)
Total Acct 431	0.00	7,336.40	(7,336.40)
Total Disbursements	0.00	7,474.15	(7,474.15)
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		59,912.00	
Total Receipts and Other Financing Sources		55,594.67	
Total Disbursements and Other Financing Uses		32,668.18	
Cash Balance as of 07/06/2017		82,838.49	

MEMORANDUM

DATE: July 11, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Dog Park Committee Request



Birchwood Village

Dear Mayor and Council Members,

Enclosed is a request from the Dog Park Committee to:

- 1) Amend the Dog Park Bylaws regarding Committee Membership to allow flexibility in size; and
- 2) To appoint one new member to the Dog Park Committee

The first request is moot as the existing bylaws stipulate “*up to 7 members.*”

The second request refers to a recommendation for appointment provided by the Committee.

In an effort to remain consistent with previous appointment practices, staff recommends Council begin accepting letters of interest from all Birchwood residents interested in serving on the Dog Park Committee.

Conclusion

Based on the enclosed request and the above explanation, Council is requested to authorize the announcement and acceptance of letters of interest for only one (1) Dog Park Committee Member appointment, bringing the Committee to five (5) members, with a deadline of July 28, 2017. Thanks!

Regards,
Tobin Lay

MEMORANDUM

Date: July 3, 2017

To: Birchwood Village City Council

From: Steve Schad, Chair, Dog Park Committee

Subject: Committee Size and Replacement Appointments

As you are aware, we three voting members of the Dog Park Committee have resigned in the recent past, bringing our size from the original seven to just four. According to our current committee bylaws, the Dog Committee “shall” consist of seven members and the City Council “shall” appoint someone to serve the resigning committee member’s remaining of the term.

The Dog Park Committee discussed our situation, and those present unanimously supported the following recommendation at our June 22nd meeting. We believe that the current bylaws language is too restrictive in that we can effectively manage our business with a smaller group. We also believe five might be more manageable than seven members. Finally, given where we are in our discovery and recommendation process, adding three more members to the committee at this point in time would be counterproductive.

Therefore, we recommend the Council adjust the language of the bylaws to allow flexibility in size and that we add one more person (rather than three) to replace the departing committee members’ terms to achieve a size of five. I understand a name has been brought forward, and so we ask that the person be considered for our fifth member and appointed.

Thank you.

MEMORANDUM

DATE: July 11, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Parks Committee Request



Birchwood Village

Dear Mayor and Council Members,

The Parks and Natural Resources Committee, with the assistance of Larry Walker, who has provided survey expertise to many businesses, submits for Council's review and approval the enclosed community survey. Also enclosed is an email from the Committee Chair, explaining the request.

The Committee requests Council authorize Committee Members to distribute the enclosed survey to residents of Birchwood.

Conclusion

Based on the enclosed request, Council is requested to authorize the distribution of the enclosed survey to Birchwood residents.

Council Members wishing to make any changes to this survey can do so by contacting Larry Walker directly prior to the July 11 City Council meeting; Larry Walker is not a member of the Parks Committee. Thanks!

Regards,
Tobin Lay

Tobin Lay

From: Houstoun
Sent: Sunday, July 02, 2017 10:10 PM
To: Tobin Lay
Subject: Re: Draft Request to Ask Birchwood Residents to Feedback on Parks & Natural Resources

Hi Tobin,

The survey is the Park Committee's effort to gauge the usage and interest in Birchwood's parks and natural areas.

We want to understand what is used and by whom.

We want to understand what the residents want in their parks.

We want to know what needs to be improved and what needs to be expanded.

We want to have the City Council review the survey and allow us to send it out to the residents of Birchwood.

I am not sure if I will be able to make it to the Council meeting to present this but hopefully this will be a sufficient explanation.

Thanks
Houstoun

On Jun 29, 2017, at 3:53 PM, Tobin Lay <Tobin.Lay@cityofbirchwood.com> wrote:

Houstoun,

Thank you. Larry said he received a few feedback so he will update the survey and then send me a final draft by Monday morning. Will you please send me a short written explanation of what the survey is and what you want the City Council to do with it? I will include that explanation in the packet with the survey. Please send it to me by Monday morning. If you have any questions, give me a call. Thanks!

Tobin Lay
City Administrator/Clerk
City of Birchwood Village, MN
office: (651) 426-3403
fax: (651) 426-7747
email: tobin.lay@cityofbirchwood.com
website: <http://www.cityofbirchwood.com/>

<image001.jpg>

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From: Houstoun
Sent: Thursday, June 29, 2017 12:33 PM

To: Tobin Lay

Subject: Fwd: Draft Request to Ask Birchwood Residents to Feedback on Parks & Natural Resources

Hi Tobin,

Not sure what else we need to do to have this included in the packet under the park committee update. We hope to have a final version of this survey to present at the council meeting but figured a rough draft at least would be helpful.

Let me know if we need anything else.

Thanks

Houstoun

Begin forwarded message:

From: Larry Walker

Subject: Draft Request to Ask Birchwood Residents to Feedback on Parks & Natural Resources

Date: June 29, 2017 at 12:04:14 PM CDT

To: Tobin Lay <Tobin.Lay@cityofbirchwood.com>

Hi Tobin,

I was told that you could put this into the packet for the 11 July Council Meeting if you get it by Friday.

Key Points:

- The purpose is to engage the community and get their feedback on Parks & Natural Resources.
- 2 mailings will be involved:
 - This one to get their initial inputs.
 - A second one to let them vote on the list of possible ideas. (Possibly included in the sewer-water billing.)

It was also suggested that the 1st mailing include a Birchwood Map that highlights-identifies the parks and easements, so residents know what the Village has. Does this exist in the Comprehensive Plan?

Blind copies have gone to each of the Committee members.

Any questions, let me know.

Thanks

Larry

DRAFT

Name (Optional): _____

The Birchwood Council has established a new Parks and Natural Resources Committee. To serve you well this Parks Committee is requesting your input for ideas for our parks and other assets. To ensure everyone is heard, we are initiating a 5-step process:

- Step 1: Initiate this request to get your ideas.
- Step 2: Aggregate responses to create a master list of possibilities.
- Step 3: Share possibilities list with you and ask you to vote on the three most important to you.
- Step 4: Create a prioritized list of possibilities based on votes.
- Step 5: Use the prioritized list for setting goals for the Parks Committee.

As you fill out the Discovery Chart, we encourage you to think broadly and to include your whole household – as we all share these resources together. Based on the Birchwood 2010 Census, there are 5 generations in Birchwood, and our resources need to work for kids, seniors, and those in-between. There may also be things that would make them more accessible for those with different abilities.

A Birchwood Map is included with this letter. It highlights where our Parks and Easements are.

With your input and support, we will focus on what is important. We are looking forward to pursuing this new direction with you.

Sincerely,

Parks Committee

Your Parks Committee:	Dave Remely	Annaleisha Vang
	Jim Nelson	Scott Howe
	Houstoun Clinch	Bridget Sperl
	Judy Walker	Megan Malvey, Council Liaison
		Trilby White, Council Liaison

Instructions for Discovery Chart on Other Side of this Letter

Please enter your ideas in the Discovery Document on the other side of this letter.

1. Let us know what parks and/or easements you use.
2. Enter 2 items you would love to see (Dreams or Wishes)
3. Enter 3 areas that require improvement (Challenges or Issues)
4. Please complete the document and return a copy by Thursday, **xxx** to Tobin Lay at the Birchwood Village Hall.

Our Family's Top Three Dreams / Wishes (What would be wonderful to have?)

1. Which parks-easements do you use?

2. Dream #1

3. Dream #2

Our Family's Top Three Challenges / Issues / Concerns (What needs to be improved?)

1. Challenge #1

2. Challenge #2

3. Challenge #3

MEMORANDUM

DATE: July 11, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Resolution 2017-19: Office Support Worker



Birchwood Village

Dear Mayor and Council Members,

During the April 2017 City Council meeting, the Council approved the hiring of Dennis Sonnek as an Office Support Worker, to assist the office staff with completing extra tasks for up to 90 days.

During the June 2017 City Council meeting, the Council approved appointing Dennis Sonnek to work with volunteer Bridget Sperl on the Comprehensive Plan.

Dennis' 90 day appointment comes to a close this July but he is still needed with work on the Comprehensive Plan, which is currently stalled until a consultant agreement is reached between the City and SHC.

Conclusion

Accordingly, staff requests Council approve enclosed Resolution 2017-19 to extending Dennis Sonnek's appointment as Office Support Worker an additional 90 days. Thanks!

Regards,
Tobin Lay

RESOLUTION 2017-19
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA

**APPROVING THE EXTENSION OF DENNIS SONNEK AS OFFICE SUPPORT
WORKER.**

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, July 11, 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 of Birchwood Village will extend Dennis Sonnek's position as Office Support Worker an additional 90 days; and

WHEREAS, All other terms of this relationship will remain unchanged from those passed under Resolution 2017-13; and

WHEREAS, The City Council will re-evaluate the need for this position upon expiration of this extension.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby approves the extension of Dennis Sonnek's position as Office Support Worker, effective July 11, 2017.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 11th day of July, 2017.

Mary Wingfield, Mayor

Attest:

Tobin Lay
City Administrator-Clerk

MEMORANDUM

DATE: July 11, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Resolution 2017-20: Naming of Administrator



Birchwood Village

Dear Mayor and Council Members,

The City Council met in a Special Council meeting on Monday night, July 10, 2017. This meeting consisted of the Performance Review of Interim City Administrator Tobin Lay (closed to the public), discussion about compensation (open to the public), and discussion of Employment Agreement (open to the public).

Conclusion

Based on the performance review and subsequent discussions at Monday's meeting, Council is requested to approve Resolution 2017-20 (as distributed tonight) and authorize the Mayor and Acting Mayor, or other appointed designee, to sign the Employment Agreement as presented at tonight's meeting. Thanks!

Regards,
Tobin Lay

RESOLUTION 2017-20

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

**NAMING CURRENT INTERIM CITY ADMINISTRATOR TOBIN LAY AS
CITY ADMINISTRATOR**

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, July 11, 2017, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Council Members Megan Malvey, Randy LaFoy, Trilby White, and Kevin Woolstencroft, and the following absent: none, the Birchwood City Council resolved:

WHEREAS, Current Interim City Administrator Tobin Lay has performed the Administrator duties since November 3, 2016; and

WHEREAS, Current Interim City Administrator Tobin Lay will serve as City Administrator for the City of Birchwood Village with the wage and benefits as set out in the Employment Agreement.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby appointments Tobin Lay as City Administrator, effective July 11, 2017.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 11th day of July, 2017.

Mary Wingfield, Mayor

Attest:

Tobin Lay
City Administrator-Clerk

MEMORANDUM

DATE: July 11, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Videographer Appointment



Birchwood Village

Dear Mayor and Council Members,

In May 2017, the City lost its long time videographer Kenny Ronnan. In June, videographer candidate Robert Leeves filmed the Regular City Council meeting and Council Members agreed to review the work product in consideration of entering into agreement with Robert Leeves for ongoing videographer services.

Staff now requests Council approve entering into agreement with Robert Leeves for videographer services as laid out in the enclosed agreement and authorize Mayor Wingfield and Administrator Lay to endorse the enclosed videographer agreement. Thanks!

Regards,
Tobin Lay

A G R E E M E N T
BETWEEN THE CITY OF BIRCHWOOD VILLAGE
AND
ROBERT LEEVES
FOR VIDEOGRAPHER SERVICES

THIS AGREEMENT, made and entered into this ____ of _____, 2017, by and between the CITY OF BIRCHWOOD VILLAGE, Washington County, Minnesota, herein referred to as "CITY," and Robert Leeves, herein referred to as "VIDEOGRAPHER."

WHEREAS, the CITY desires to contract with a videographer to record City Council meetings and special meetings; and

WHEREAS, the CITY has broadcast facilities and government access through the Ramsey Washington Suburban Cable Commission; and

WHEREAS, the VIDEOGRAPHER will provide recording services for the city.

WHEREAS, under the terms of this agreement, the VIDEOGRAPHER is an independent contractor.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

1. The CITY shall be responsible for providing and maintaining the broadcast equipment and facility. The CITY is responsible for establishing broadcast policies and procedures and meeting schedules. The CITY shall provide the VIDEOGRAPHER with the next year's meeting schedule each December.
2. The CITY shall provide training for the VIDEOGRAPHER on broadcast equipment. The CITY shall pay the VIDEOGRAPHER for initial training on the equipment at a rate of \$20 per hour, with a minimum of three hours.
3. For filming CITY meetings, VIDEOGRAPHER shall be paid at the rate of \$20 per hour, with a minimum payment of three hours for each scheduled meeting. The VIDEOGRAPHER may choose to renegotiate the rate of pay annually during the month of August and adjustments approved by the CITY will take effect the next CITY budget year.
4. VIDEOGRAPHER shall submit billing invoices to the City Treasurer for services rendered, at least quarterly. The invoice shall list meeting dates, type of meeting, and actual hours worked.
5. VIDEOGRAPHER shall arrive at City Hall, 207 Birchwood Avenue, at least 30 minutes before the start of each scheduled meeting and open the production booth and set up and test mics and electronic equipment. Food and beverages are not allowed in the production booth. Upon departing, VIDEOGRAPHER shall shut down equipment in the production booth, put away mics and electronic equipment, turn off lights in the production booth, and secure the door to the production booth.
6. VIDEOGRAPHER shall be professional, accommodating, courteous, and timely at all times.
7. The CITY shall notify the VIDEOGRAPHER, via email, at least three business days in advance for any special broadcast coverage requirements or changes in the meeting schedule. The VIDEOGRAPHER shall notify the CITY, via email, at least three business days in advance in event that VIDEOGRAPHER is not available to film a meeting and the VIDEOGRAPHER shall contact substitute videographer Nick Anderson at 612-702-9131, 651-747-3822, or nickreadanderson@gmail.com or assist in finding another substitute videographer to film the meeting. If neither the VIDEOGRAPHER nor Mr. Anderson are available to film a meeting, the VIDEOGRAPHER shall contact the City Clerk at 651-426-3403 as soon as possible.

8. VIDEOGRAPHER is expected to respect the confidentiality of all closed meetings. Any communication, including that on social media, of said meetings is not permitted. All closed meetings shall be recorded but not broadcast.
9. From time to time, the CITY may want to contract with the VIDEOGRAPHER to film and edit CITY sponsored videos, including Public Service Announcements, footage for the YouTube channel, training, etc., and / or to film and edit CITY sponsored events and programs. The CITY shall provide the VIDEOGRAPHER with specific details and ample time to prepare such videos. The CITY shall have final approval prior to videos being broadcast or posted on social media and the CITY shall own all completed videos requested by the CITY.
10. VIDEOGRAPHER shall notify the City Clerk of any changes or issues with AV equipment.
11. This Agreement shall remain in effect until terminated by either party by serving on the other party a thirty (30) day written notice of such intent to terminate by certified mail. Termination to be effective thirty (30) days after the letter to terminate is deposited in the United States mail.
12. Upon contract termination, VIDEOGRAPHER shall return all keys to the CITY.
13. Any notice required by this Agreement shall be sent as follows:

TO CITY:
 City of Birchwood Village
 207 Birchwood Avenue
 Birchwood, MN 55110

TO VIDEOGRAPHER:

IN WITNESS WHEREOF, the parties hereto have made and executed this agreement the day and year first above written.

CITY OF BIRCHWOOD VILLAGE

 Mayor

 City Administrator

 Date

 Date

MEMORANDUM

DATE: July 11, 2017

TO: Birchwood City Council

FROM: Tobin Lay, City Administrator

SUBJECT: Appoint Cable Commission Alternate Director



Birchwood Village

Dear Mayor and Council Members,

During the April 2017 City Council meeting, Council approved publishing the vacancy of the Cable Commission's Alternate Director position and began accepting letters of interest for this position, with a June 30, 2017 deadline.

The City received one (1) letter of interest by the June 30 deadline, from Lisa Rietveld; enclosed.

Accordingly, staff requests Council appoint Lisa Rietveld as Birchwood's new Alternate Director for the Ramsey / Washington Counties Cable Commission, for a term of four (4) years. Thanks!

Regards,
Tobin Lay

Tobin Lay

From: Lisa Rietveld [lisa@2grrrls.com]
Sent: Tuesday, April 18, 2017 8:28 AM
To: BVInfoEmail
Subject: Suburban Cable Commission Alternate Director Position

- Hello—I am interested in the Cable Commission Position.
-
- Your name—Lisa Rietveld
-
- Your address—3 Oakridge Drive Birchwood
-
- A description of why you would like to serve on the Cable Commission—I'm interested in Birchwood having the best options for Cable/internet services
-
- A summary of why your knowledge, skills and experience make you a good candidate for the Cable Commission—I am a Contract Print Buyer in Advertising Agencies and Corporate Marketing Departments and source print materials, premiums, trade show booths from a variety of vendors. I research and vet the vendors and analyze who will provide the best service for my client. I have worked for large companies such as Target and Super Valu and also a variety of Twin Cities Ad Agencies and have been doing this for over 20 years.

Thanks for the consideration. Lisa Rietveld

MEMORANDUM

DATE: July 11, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Toilet Rebate



Birchwood Village

Dear Mayor and Council Members,

During the June 2017 City Council meeting, staff requested Council's approval to replace all three (3) of City Hall's toilets with water efficient toilets; subject to rebate of \$200 per toilet from the City of White Bear Lake.

The City Council did not approve of this request at that time because Council believed a sufficiently effective water efficient toilet couldn't be purchased for \$200.

After the meeting, however, Mayor Wingfield discovered a top rated water efficient toilet for only \$240.28 each at Menards and informed staff accordingly.

After confirming the price and rating of the toilets, Staff quickly ordered three (3) of these toilets from Menards and submitted the rebate request to the City of White Bear Lake before the rebate expired. If accepted, the City will only realize a \$40.28 expense per toilet, minus installation costs; on top of the water savings to the City.

Accordingly, staff requests Council approve of the purchase of the above mentioned toilets and submission of rebate request to the City of White Bear Lake. Thanks!

Regards,
Tobin Lay

June 29, 2017

To: Tobin Lay

From: Megan Malvey

Regarding: Council member Malvey agenda item for July 2017 City Council Meeting

Tobin, please include this letter in its entirety in the July 2017 agenda packet and include an agenda item under my name specific to a request for a Workshop with Birchwood United members, details below.

In the May 2017 agenda packet, there was a memo that I wrote, requesting a workshop/town hall meeting. My intent was to create a forum where concerned community members could interact with council members. There was some discussion about this at the May meeting (in my absence), and it was suggested that I come up with a topic for the workshop. I did that, suggesting we discuss City Contracts, but others on the council felt that the time would be better spent in a town hall that was a more open ended discussion; "Vision of Birchwood" was selected as the subject. I am excited to hear what residents tell us about their vision of Birchwood.

I'll be more specific in my request tonight. A group called Birchwood United wrote to the Council last spring, expressing some concerns and also offering to help the city and the council in areas where improvement might be useful. I acknowledge the concerns raised by Birchwood United members and appreciate their offer and willingness to help the city to improve in these areas. Members of this group have spoken at public forum a few times since then, each time offering to help and requesting time with the council. I think that we owe this group an answer about whether we are willing to sit down to work with them or not.

I'd like to make a motion that we have a 30 minute workshop with members of Birchwood United, either before an upcoming Council meeting or as a separate workshop. At this workshop, Birchwood United members will have the opportunity to identify concerns and/or ideas and make suggestions about how Birchwood United and the City Council can work together to achieve common goals.

Is anyone willing to second this motion?

Motion: Birchwood City Council will hold a 30-minute open meeting at which members of the group identified as Birchwood United would have an opportunity to provide feedback and suggestions about how Birchwood United and the City Council can work together to achieve common goals.

**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
April 11, 2017**

MINUTES

MEMBERS PRESENT: Mayor Mary Wingfield; Councilmembers: Kevin Woolstencroft, Randy LaFoy and Megan Malvey. Councilmember Trilby White was absent.

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

OTHERS PRESENT: Mary Houser, Gene Ruehle, Steve Huntley, Ana Vang, Terry Granec, Lisa McKeown, James Nelson, Ken Johnson, Alan Mitchell, John McCormick, Bryan McGinnis, Kathy Leeves, Brian Stepan, Joseph Wormwood, John Lund, Kathy Blegen-Huntley, Steve Huntley, and others

Mayor Wingfield called the regular meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

AGENDA APPROVAL:

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

OPEN PUBLIC FORUM:

- A. Terry Granec (363 Lakewood Ln):** Expressed excitement about being a potential member of the roads committee and introduced himself as a candidate
- B. John McCormick (110 Birchwood Ave):** Spoke on behalf of Birchwood United, requested that the council has a few more work sessions and be more inclusive (allowing members of the community to participate).
- C. Bryan McGinnis (194 Wildwood Ave):** He stated that consent item J on the agenda (hearing on the MS4 storm water prevention program) brought him to the meeting tonight. He stated his concern with the rain water garden on Birch beach.
- D. Kathy Leeves (Oakview Court):** She expressed her concern that the city will be using city funds for legal counsel as requested by Birchwood United. Her annoyance was that the funds will be taken away from regular city business.
- E. James Nelson (256 Wildwood Ave):** He expressed his concern with the salt entering the lake, and possibly eliminating salting roads altogether and using sand only.
- F. Ana Vang (549 Jay St):** Requested that the city measure where the greenhouse gas emissions are coming from in the city and seek improvements on those emissions. She also offered her help in providing these measurements, and if help is needed she can re-approach the council.

ANNOUNCEMENTS:

- A.** Spring leaf pick up starting April 18. Prices will be the same as they were last fall.
- B.** Fire hydrant flushing will occur sometime between now (April 11) and the end of April.
- C.** Plant exchange will occur June 3, 2017 at 10am.
- D.** Garage sale/ giveaway occurring on June 10, 2017.

PLANNING COMMISSION

- A. Variance Case No. 17-01-VB for 191 Wildwood Ave:** Residents seeking approval for a 6' 9.5" variance from the 10' sided yard setback as well as a variance from the impervious coverage requirements. The purpose is to demolish and construct a new deck. Seeking to make an impervious surface improvement of 1% by using pervious materials.

Councilmember Woolstencroft: Expressed concern about space for fire trucks to pass to the sided of the house. It was determined that currently with the 3-car garage trucks would not be able to pass regardless.

Brian Stepan (Rust Architects): Provided information about the variance including measurements of the existing structure. He explained that both neighbors have expressed support for the project. He explained the permeability of the pavers that are intended for the project will be a minimum of a .7% improvement. He said the project was in compliance with the city code in all other respects.

Council Members: Discussed the hardship that this undersized lot causes. City code 302.015 provides a 60% allowance from the zoning code for undersized lots and the proposed changes fall within that allowance. They made additional requirements under Resolution No. 2017-15a and discussed various vocabulary changes to the variance, including a change in range of pervious material options as approved by the city engineer.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER MALVEY TO APPROVE RESOLUTION NO. 2017-15A. ALL AYES. MOTION CARRIES.

- B. Variance Case No. 17-02-VB for 441 Lake Ave:** Resident seeking variance in set back from the municipal road as well as variance from the impervious coverage requirements. The purpose is to demolish and construct a new garage. Seeking to reduce the impervious surface coverage of the lot to below 25% by creating rain gardens.

Council Members: Discussed the hardships that the shape of this property causes. Improvements made by this variance request are desirable both to the owner and the City as it pushes the garage back from the road. Proposed new garage setback aligns with the minimum setback based on the prevailing municipal street setback of structures in the immediate vicinity. They made additional requirement under Resolution No. 2017-16a.

MOTION MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE RESOLUTION NO. 2017-16A. ALL AYES. MOTION CARRIES.

CITY BUSINESS – CONSENT AGENDA

- A. Approval of Regular Meeting Minutes from January 10, 2017**
- B. Approval of Regular Meeting Minutes from March 14, 2017 - To Come**
- C. Approval of Treasurer's Report**
- D. Approval of Revised Airfresh Contract**
- E. Approve Council Assignments**
- F. Approval of Resolution 2017-11: Allowing Beer and Wine Consumption at Music in the Park Summer Evening Concerts**

- G. **Approval of Resolution 2017-12: Hiring and Appointing Bailey Beckman to Serve as City Treasurer- Deputy Clerk**
- H. **Approval of Resolution 2017-13: Hiring and Appointing Dennis Sonnek to Serve as Office Support Worker**
- I. **Approval of Resolution 2017-14: Approving Coverage for City Workers' Compensation Insurance Policy**
- J. **Approve MS4 Public Hearing for May Council Meeting - Storm Water Pollution Prevention Program**
- K. **Sheriff Report**
- L. **Dog Park Committee Update/ Minutes**
- M. **I.P.A.D. Response**

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

CITY BUSINESS - REGULAR AGENDA

A. Roads Committee Update and Recommendations

Gene Ruehle (262 Wildwood Ave, Chair of Roads and Streets Committee): He explained the resignation of Mark Anderson from his position on the Roads Committee and explained the new members on the committee will make a great team. He is seeking final approval of the new members of the roads committee. Agreed that there can be up to 10 new signs in each direction for the Lake Links Route. Also discussed various street repairs.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPOINT TERRY GRANEC AND TOM PATSY TO THE ROADS AND STREETS COMMITTEE. ALL AYES. MOTION CARRIES.

MOTION WAS MADE BY COUNCILMEMBER MALVEY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE STREET REPAIRS UP TO \$12,500. ALL AYES. MOTION PASSED.

B. Lawn Care Bids

Administrator Lay: Introduced the bids by contractors for the city's lawn care needs.

Kenny Johnson (KEJ Company): Introduced himself and spoke about what he has to offer within his bid, open to any options.

Joseph Wormwood (MowJoe Company): Introduced his bid and his work with residents in both Mahtomedi and Birchwood.

Council Members: They discussed the bids provided by KEJ and Joe, comparing pricing options and weighing the amount of work that needs to be accomplished in the parks

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER LAFOY TO ACCEPT THE CONTRACTUAL BID PROVIDED BY KENNY JOHNSON. ALL AYES. MOTION PASSED.

C. Music in the Park- 2017 Funding

Administrator Lay: Summarized the request for additional funding for Music in the Park that was denied last year and has been requested again for the year of 2017.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER MALVEY TO INCREASE THE MUSIC IN THE PARK FUNDING TO \$1,800. COUNCILMEMBERS LAFOY AND MALVEY VOTED AYE. MAYOR WINGFIELD AND COUNCILMEMBER WOOLSTENCROFT VOTED NAY. COUNCILMEMBER WHITE ABSENT. MOTION FAILED.

D. Parks Committee- Call for Member Applications and Details

Administrator Lay: Spoke about the call for member applications for the parks committee and stated that he had received excitement from various members of the community. Requested that the council state the qualifications that they are looking for in applications for the parks committee.

Council Members: Decided that Administrator Lay can open the call for member applications, posting applications on the city webpage, social media sites, and the city email list. Application deadline is May 1, 2017.

E. Rescheduling of May Council Meeting

Council Members: Discussed moving the May council meeting to allow Councilmember Malvey to be present during the selection of the members of the Parks committee. They decided to not reschedule the May meeting.

F. Dog Park Committee Bylaws

Council Members: Tabled this discussion to allow Mayor Wingfield and Councilmember Malvey more time to work on synthesizing Council's edits to the bylaws.

G. 302.045 Structure Height Amendment

Administrator Lay: Introduced an apparent oversight in City Code 302.045 by the last amendment made to that code. Changes made in the previous amendment weren't applied to garages, which are also covered under that section.

Council Members: They discussed the current laws surrounding the DNR height limitations for homes, garages, and sheds. They decided to keep the current laws, unless there is an excessive amount of variance requests at which they will revisit the discussion.

H. Feasibility Study- Review Draft and Set Public Hearing

Administrator Lay: Summarized the Feasibility study draft provided by City Engineer Steve Thatcher and City Attorney Alan Kantrud.

Attorney Kantrud: He suggested an appraisal of the work that needs to be done and then set the public hearing in May.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER LAFOY TO SET THE PUBLIC HEARING FOR MAY. ALL AYES. MOTION CARRIES.

I. Public Forum Procedures- Continue March 30 Discussion

Council Members: They discussed the placement of the public forum during council meetings. The council decided to leave the public forum where it is currently placed.

J. Planning Commission Meeting Date Change

Mayor Wingfield: Discussed the Planning Commission's desire to change meeting dates. She requested that the Planning Commission select a meeting date that allows more time between those meetings and the City Council meetings.

Alan Mitchell (23 Oakridge Court): The Planning Commission's meeting times are set under City Code 303.010. He recommended the language of the entire code be looked at as it includes more than just the meeting time.

Attorney Kantrud: Given this information, changing the Planning Commission's meeting times will require an amendment to the ordinance and will require a public hearing.

MOTION MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO HOLD A PUBLIC HEARING AT THE MAY COUNCIL MEETING TO STRIKE ORDINANCE 303-010 REGARDING WHEN THE PLANNING COMMISSION MEETS. ALL AYES. MOTION PASSED.

K. Council Member Reports

Councilmember LaFoy: Discussion concerning the Kayak permits and kayak rack enforcement.

Councilmember Malvey: She spoke about the data she collected concerning surveys and gaining help in writing the survey questions.

L. City Administrator's Report

1. Cable Commission Resignation

Council Members: Discussed posting for the cable commission position.

2. Tighe-Schmitz Park - Water Main Clean Up

Administrator Lay: Introduced the water main clean up bid provided by Kenny Johnson

Kenny Johnson: He spoke about the various options and equipment that would be needed to do the water main break clean up

Council Members: Requested Kenny Johnson look at the water pooling in the Ice Rink

parking lot and submit a quote for cutting a pass in the berm there.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE KEJ'S QUOTE FOR CLEANING UP THE WATER MAIN BREAK SOIL AT TIGHE-SCHMITZ PARK. ALL AYES. MOTION PASSED.

3. Consumer Confidence Report

Council Members: Discussed the findings in the consumer confidence report.

M. City Attorney Report

- 1. Kay Beach Update:** The litigation was started by the neighbor beyond Kay Beach concerning property lines, but none of the effects pertained to the City of Birchwood
- 2. Flushable Wipes Class-action Lawsuit Update:** Explained the lawsuit that is beginning to take place, passed the materials on to Administrator Lay.
- 3. Sewer Lining Valuation Update:** No update needed.

ADJOURN

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO ADJOURN THE MEETING. ALLAYES. MOTION PASSED. MEETING ADJOURNED AT 10:00 P.M.

Mary Wingfield
Mayor

ATTEST:

Tobin Lay
City Administrator-Clerk

RESOLUTION 2017-11

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

**A Resolution Authorizing Persons of Legal Age to Possess and Consume Beer and Wine
during 2017 Music in the Park Summer Evening Concerts**

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, April 11, 2017, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Megan Malvey, Randy LaFoy, and Kevin Woolstencroft, and the following absent: Trilby White, the Birchwood City Council resolved:

WHEREAS, each summer, the City of Birchwood Village sponsors Sunday evening concerts located within City parks; and

WHEREAS, City Code Section 607.641 allows the Birchwood City Council to authorize the use and consumption of beer and wine in public park spaces during designated times; and

WHEREAS, the Birchwood City Council has approved similar resolutions for possession and consumption of beer and wine during previous year's concert series.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby authorizes persons of legal age to possess and consume beer and wine during 2017 summer evening concerts.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 11th day of April, 2017.

Mary Wingfield
Mayor

Attest:

Tobin Lay
City Administrator-Clerk

RESOLUTION 2017-12

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

**APPROVING THE HIRING AND APPOINTMENT OF BAILEY BECKMAN AS
CITY TREASURER-DEPUTY CLERK, EFFECTIVE APRIL 12, 2017.**

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, April 11, 2017, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Megan Malvey, Randy LaFoy, and Kevin Woolstencroft, and the following absent: Trilby White, the Birchwood City Council resolved:

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

WHEREAS, The City of Birchwood Village will compensate Bailey Beckman at a rate of pay of \$16.50/hour.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby approves the hiring and appointment of Bailey Beckman as City Treasurer-Deputy Clerk, at-will and with terms and conditions as the Administrator sees fit, effective April 12, 2017.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 11th day of April, 2017.

Mary Wingfield, Mayor

Attest:

Tobin Lay
City Administrator-Clerk

RESOLUTION 2017-13

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

**APPROVING THE HIRING AND APPOINTMENT OF DENNIS SONNEK AS
OFFICE SUPPORT WORKER, EFFECTIVE APRIL 12, 2017.**

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, April 11, 2017, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Megan Malvey, Randy LaFoy, and Kevin Woolstencroft, and the following absent: Trilby White, the Birchwood City Council resolved:

WHEREAS, The City of Birchwood Village will employ Dennis Sonnek as Office Support Worker for up to 20 hours/month; and

WHEREAS, The City of Birchwood Village will compensate Dennis Sonnek at a rate of pay of \$20.00/hour; and

WHEREAS, This position will expire and the City Council re-evaluate need 90 days after approval.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby approves the hiring and appointment of Dennis Sonnek as Office Support Worker, effective April 12, 2017.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 11th day of April, 2017.

Mary Wingfield, Mayor

Attest:

Tobin Lay
City Administrator-Clerk

RESOLUTION 2017-14

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

**APPROVING COVERAGE FOR CITY WORKERS' COMPENSATION
INSURANCE POLICY**

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, April 11, 2017, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Megan Malvey, Randy LaFoy, and Kevin Woolstencroft, and the following absent: Trilby White, the Birchwood City Council resolved:

WHEREAS, the City of Birchwood Village has workers' compensation insurance coverage through the League of Minnesota Cities; and

WHEREAS, the City's workers' compensation insurance policy must be renewed by June 12, 2017.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village, pursuant to Minnesota Statute 176.011, subd. 9(6), the Minnesota Workers' Compensation Act, members of the following groups are included in the City's worker's compensation coverage:

1. Members of the Birchwood City Council;
2. Members of all Birchwood advisory commissions; and,
3. Volunteers working for the City of Birchwood Village.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 11th day of April, 2017.

Mary Wingfield, Mayor

Attest:

Tobin Lay
City Administrator-Clerk

RESOLUTION NO. 2017-15a

**RESOLUTION APPROVING A VARIANCE FROM
THE CITY OF BIRCHWOOD VILLAGE ZONING CODE
FOR 191 WILDWOOD AVENUE**

WHEREAS, a proposal (17-01-VB) has been submitted by Bill Rust at Rust Architects on behalf of Steve and Nancy Ferry to the City Council requesting a variance from the City of Birchwood Village at the following site:

ADDRESS: 191 Wildwood Avenue

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A variance from City Code 302.020 to allow for a 6 foot 9½ inch side yard setback verses the 10 foot side yard setback requirement to demolish and construct a new deck. And a variance from City Code 302.050 to allow for a 6.8% variance from the 25% maximum impervious surface coverage allowed for the lot because the project will decrease the impervious surface coverage by 0.7% from existing coverage; and

WHEREAS, the Planning Commission has held a public hearing as required by the City Zoning Code on March 9, 2017; and

WHEREAS, the request was determined to be reasonable and not out of character with the immediate neighborhood and City's Comprehensive Plan; and

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed variance upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Birchwood Village after reviewing the proposal, that the City Council accepts and adopts the following findings of the Planning Commission:

1. That granting the variance will be in harmony with the general purpose and intent of this Code.
2. That granting the variance will not impair an adequate supply of light or air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the City.
3. That the non-conforming use of neighboring lands, structures, or buildings is not the sole grounds for issuance of the variance.

FURTHER, BE IT RESOLVED, that the City Council of the City of Birchwood Village hereby approves the requested variance subject to the following conditions:

1. All application materials, maps, drawings and descriptive information submitted with this application shall become part of this permit. All materials submitted with this approved variance shall constitute minimal compliance standards.
2. Per Section 304.090, the variance shall become null and void if the project has not been completed or utilized within one (1) year after the date it was granted, subject to petition for extension by the City Council.
3. The applicant shall obtain a building permit prior to beginning construction.
4. The applicant shall verify their property lines and have the property pins exposed at the time of inspection.
5. Land alteration may not cause adverse impact upon or result in additional drainage onto abutting property or White Bear Lake. The applicant shall install gutters or employ other solutions should drainage issues arise.
6. Water service line must be sized appropriately for proposed additions.
7. The applicant shall confirm with the power company the necessary distance from the overhead powerlines prior to construction.
8. The pervious surface included in this project must be approved by the City Engineer.
9. The eyebrow side roof overhang must be equal to or less than the main roof overhang.
10. The area of added impervious surface caused by the additional overhang from the new eyebrow back roof must be offset by the new pervious paver area.
11. The project shall be built in conformance with the plans submitted and plans submitted shall be in conformance with all other City Codes.
12. Any changes with the dimensions of this project shall render this resolution voidable.

The foregoing resolution, offered by Councilmember LaFoy and supported by Councilmember Malvey, was declared carried on the following vote:

Ayes: 4

Nays: 0

Absent: Councilmember White

Mary Wingfield, Mayor

ATTEST:

RESOLUTION NO. 2017-16a

**RESOLUTION APPROVING A VARIANCE FROM
THE CITY OF BIRCHWOOD VILLAGE ZONING CODE
FOR 441 LAKE AVENUE**

WHEREAS, a proposal (17-02-VB) has been submitted by Thomas D. McKeown to the City Council requesting a variance from the City of Birchwood Village at the following site:

ADDRESS: 441 Lake Avenue

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A variance from City Code 302.020 to allow for a 16 foot variance from the 40 foot municipal street setback requirement to demolish and construct a new garage. And a variance from City Code 302.050 to allow for a 5.87% variance from the maximum 25% impervious surface coverage allowed for the lot because the project will mitigate the impervious surface coverage to below 25%; and

WHEREAS, the Planning Commission has held a public hearing as required by the City Zoning Code on April 5, 2017; and

WHEREAS, the request was determined to be reasonable and not out of character with the immediate neighborhood and City's Comprehensive Plan; and

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed variance upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Birchwood Village after reviewing the proposal, that the City Council accepts and adopts the following findings of the Planning Commission:

1. That granting the variance will be in harmony with the general purpose and intent of this Code.
2. That granting the variance will not impair an adequate supply of light or air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the City.
3. That the non-conforming use of neighboring lands, structures, or buildings is not the sole grounds for issuance of the variance.

FURTHER, BE IT RESOLVED, that the City Council of the City of Birchwood Village hereby approves the requested variance subject to the following conditions:

1. All application materials, maps, drawings and descriptive information submitted with this application shall become part of this permit.
2. Per Section 304.090, the variance shall become null and void if the project has not been completed or utilized within one (1) year after the date it was granted, subject to petition for extension by the City Council.
3. The applicant shall obtain a building permit prior to beginning construction.
4. The applicant shall verify their property lines and have the property pins exposed at the time of inspection.
5. Land alteration may not cause adverse impact upon or result in additional drainage onto abutting property or White Bear Lake. The applicant shall install gutters or employ other solutions should drainage issues arise.
6. Water service line must be sized appropriately for proposed additions.
7. The applicant shall confirm with the power company the necessary distance from the overhead powerlines prior to construction.
8. A final rain garden plan be designed and submitted that shows the mitigating effect on the lot's impervious surface coverage to at least 25%.
9. The final rain garden is approved by the City Engineer.
10. The project shall be built in conformance with the plans submitted and plans submitted shall be in conformance with all other City Codes.

The foregoing resolution, offered by Councilmember LaFoy and supported by Councilmember Woolstencroft, was declared carried on the following vote:

Ayes: 4

Nays: 0

Absent: Councilmember White

Mary Wingfield, Mayor

ATTEST:

Tobin Lay, City Administrator

**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
May 9, 2017**

MINUTES

MEMBERS PRESENT: Mayor Mary Wingfield; Councilmembers: Kevin Woolstencroft, Trilby White, and Randy LaFoy. Councilmember Megan Malvey absent.

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

OTHERS PRESENT: Nino Nardecchia, Karen Dopson, Mark Haupt, Bryan McGinnis, Harmony Lewis, Alan Mitchell, Houstoun Clinch, James Nelson, Judy Walker, Michelle Atakpu, Gene Ruehle, Tom Stangl and others.

Mayor Wingfield called the regular meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

AGENDA APPROVAL:

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

OPEN PUBLIC FORUM:

- A. Harmony Lewis (236 Cedar St):** She made a request that when there are conversations about the lane that she lives on that she is included in the conversation. A new lot has been sold beyond her property, but the current pavement only reaches her driveway.
- B. Alan Mitchell (23 Oakridge Dr):** He spoke about the IPAD opinion and a summary of what occurred in the closed meeting in September of 2015. He suggested that the council follow the open meeting law more closely. Also announced that Music in the Park is beginning June 4, 2017.

ANNOUNCEMENTS:

- A.** Newsletter Submission deadline is May 15, 2017
- B.** Earth Day Clean Up (various dates and locations)
- C.** Plant Exchange on June 3, 2017 at 10:00 am
- D.** Garage Sale/ Giveaway on June 10, 2017
- E.** Reminder: Suburban Cable Commission Board Vacancy - June 30 deadline
- F.** Kenny Ronnan Leaving- Videographer/ Camera Operator Needed
- G.** Community Buckthorn removal on Sunday May 21, 10am at City Hall

CITY BUSINESS – CONSENT AGENDA

- A.** Approve Regular Meeting Minutes from March 14, 2017
- B.** Approve Workshop Meeting Minutes from March 16, 2017

- C. Approve Workshop Meeting Minutes from March 21, 2017
- D. Approve Workshop Meeting Minutes from March 30, 2017
- E. Approve Workshop Meeting Minutes from April 11, 2017
- ~~F. Approve Treasurer's Report~~
- ~~G. Approve Auction of Impounded Canoes~~
- H. Approve Resolution 2017-15, Declining to Waive the Statutory Monetary Limits on Municipal Tort Liability Established by Minnesota Statutes 466.04
- I. Approve a Request to Have the Planning Commission Review City Code 303 for Amendment and Bylaw Recommendations
- J. Approve Rules of Procedure Article 2 Amendment
- ~~K. Approve Ash Walkway Tree Removal~~
- L. Approve Resolution 2017-16, Interim Treasurer Extension
- M. Sheriff Report
- N. Dog Park Committee Update/ Minutes
- O. Spring Leaf Pickup Results
- ~~P. IPAD Opinion and Response~~

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

CITY BUSINESS - REGULAR AGENDA

A. Roads Committee Update and Recommendations

Gene Ruehle (262 Wildwood): Announced that he will be stepping down from the committee chair position and transferring to the streets supervisor position.

Tom Stangl (14 Lake Pine): Provided the reports for the roads committee. He spoke about the bids for the chip sealing procedures, and recommended that the city choose Pearson. He also requested that Gene Ruehle and John Anderson's terms be renewed on the roads committee. He asked to amend bylaw 5C. Spoke about the data that was collected from the electric speed signs.

MOTION WAS MADE BY COUNCILMEMBER WHITE AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE PEARSON'S BID FOR CHIP SEALING AND TO AUTHORIZE THE MAYOR AND ADMINISTRATOR LAY TO SIGN THE CONTRACT. ALL AYES. MOTION PASSED.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO RENEW GENE RUEHLE AND JOHN ANDERSON'S APPOINTMENT TO THE ROADS COMMITTEE. ALL AYES, MOTION CARRIES.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER WHITE TO AMEND ROADS COMMITTEE BYLAW 5C TO ALLOW MEETINGS WITHOUT A QUORUM PRESENT. ALL AYES. MOTION PASSED.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO AMEND ROADS COMMITTEE BYLAWS BY STRIKING THE LAST LINE OF 3B TERMS. ALL AYES. MOTION PASSED.

B. MS4: Stormwater Pollution Prevention Program Review

Mayor Wingfield: Opened the public hearing for the Stormwater Pollution Prevention Program.

Bryan McGinnis (194 Wildwood Ave): He spoke about the rain garden that was of specific concern. He approved of the current progress that has been made.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO CLOSE THE PUBLIC HEARING ON THE STORMWATER POLLUTION PREVENTION PROGRAM. ALL AYES. PUBLIC HEARING CLOSED.

Council Members: They discussed the various tasks that need to be accomplished in order to keep the environment clean and they discussed the prioritization of these tasks.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO APPROVE SUBMITTING THE MS4 2016 ANNUAL REPORT REQUIRED AS PART OF THE MS4 PERMIT. ALL AYES. MOTION PASSES.

C. Parks and Natural Resources Committee

Mayor Wingfield: She suggested that the council selects park committee members in a ranking system and continue the discussion of the candidates nominated.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER LAFOY TO APPOINT JIM NELSON TO THE PARKS COMMITTEE. ALL AYES. MOTION PASSED.

MOTION WAS MADE BY COUNCILMEMBER WHITE AND SECONDED BY COUNCILMEMBER LAFOY TO APPOINT ANALIESHA VANG TO THE PARKS COMMITTEE. ALL AYES. MOTION PASSED.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO APPOINT BRIDGET SPERL TO THE PARKS COMMITTEE. ALL AYES. MOTION PASSED.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER WHITE TO APPOINT JUDY WALKER TO THE PARKS COMMITTEE. ALL AYES. MOTION PASSED.

MOTION WAS MADE BY COUNCILMEMBER WHITE AND SECONDED BY COUNCILMEMBER LAFOY TO APPOINT SCOTT HOWE TO THE PARKS COMMITTEE. ALL AYES. MOTION PASSED.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPOINT DAVE REMELY TO THE PARKS COMMITTEE. ALL AYES. MOTION PASSED.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO APPOINT TO HOUSTOUN CLINCH THE PARKS COMMITTEE. ALL AYES. MOTION PASSED.

Council Members: Discussed the possible meeting dates for the parks committee. Discussed sending a survey to residents to provide insights as to what are the most important projects in the city's parks. They decided to schedule a joint meeting between the parks committee and the city council.

D. Dog Park Committee Bylaws

Mayor Wingfield: She summarized the bylaws changes that she and Councilmember Malvey were assigned to work on and requested a motion to approve the bylaws as discussed.

MOTION MADE BY COUNCILMEMBER WHITE AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE THE DOG PARK COMMITTEE BYLAWS AS DISCUSSED. ALL AYES. MOTION PASSED.

E. 2008 Special Assessment Process Review & Section 805 Amendment

Mayor Wingfield: She explained the Sewer Lining Project and summarized the special assessment process review. There were members in the community that were billed more than other members of the community. She is seeking an equitable solution for the process and billing.

Attorney Kantrud: He explained calculation options and options for equitable solutions. Explained that section 805 needs to be corrected to be in accordance to state law.

F. 2040 Comprehensive Plan

Administrator Lay: He summarized the current progress of the comprehensive plan. He explained that there have been volunteers to work on the plan, as well as office staff member, Dennis. He also explained that the Planning Commission is working on the comprehensive plan.

Council Members: Discussed the possible need for additional help from a city planner or consultant to assess the various sections of the plan. They also explained that Birchwood is behind on a few sections of the plan and need to get some work done sooner than later.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER LAFOY TO AUTHORIZE DENNIS SONNEK AND BRIDGET SPERL TO WORK ON THE COMPREHENSIVE PLAN. ALL AYES. MOTION PASSES.

G. Data Retention Policy

Council Members: They discussed the need for a data retention policy, specifically concerning emails. Mayor Wingfield recommended that Birchwood follow the policy that St. Paul is currently following. There was also discussion for which types of email accounts the data retention policy will apply to.

MOTION WAS MADE BY COUNCILMEMBER WHITE AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE THE DATA RETENTION POLICY THAT WILL BECOME EFFECTIVE AUGUST 12, 2017. ALL AYES. MOTION CARRIES.

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

Mayor Wingfield: She summarized the situation of where there was an additional water main break that was not anticipated or budgeted for.

ATTORNEY KANTRUD: He spoke about the need for an excess fund for water main break surcharges. He recommended that the city increase the water rates rather than hit members of the community with a major surcharge.

I. Town Hall Meeting

Administrator Lay: He spoke on behalf of Councilmember Malvey. Councilmember Malvey requested a meeting that would allow for conversation pertaining to the town hall meetings.

Council Members: They discussed the format and time that would work best for the city council. They decided that 30 minutes before the regular council meetings may be a good time slot and that they would be untelevised and more of a social setting. They concluded that they postpone any final decisions until Councilmember Malvey is present.

J. Council Member Reports:

1. Mayor Wingfield:

- i. **Buckthorn Removal Day:** Set for Sunday May 21, 2017 at 10am. Mayor Wingfield listed off the supplies that people should bring. She also clarified that it is an ongoing maintenance plan with the Parks.
- ii. **Halls Marsh Update:** Mayor Wingfield summarized the problem within the Rice Creek Watershed and the issues that it is creating for residents in Birchwood.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO AUTHORIZE MAYOR WINGFIELD AND ADMINISTRATOR LAY TO WRITE A LETTER TO THE RICE CREEK WATERSHED DISTRICT. ALL AYES. MOTION PASSES.

- iii. **Ice Rink Parking Lot Drainage Update:** This task was completed by pushing the water into a different location rather than sitting in the ice rink parking lot.
- iv. **Office Stamp Machine Returned:** She expressed her excitement about finishing the stamp machine contract that was not a good use of city funds.

2. Councilmember LaFoy:

- i. **Council and Staff Chairs:** He expressed the need for new city council chairs. There was agreement between Councilmembers White and LaFoy, but not Mayor Wingfield and Councilmember Woolstencroft.

K. City Administrator's Report

1. **City Hall Camera Upgrade:** Ramsey- Washington County upgrading cameras through a grant. There is no direct cost to the city for the upgrades to the cameras.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO APPROVE THE UPGRADE OF THE COUNCIL CHAMBER

CAMERAS COVERED BY A CABLE COMMISSION GRANT. ALL AYES. MOTION PASSED.

- 2. 2017 Clerks' Orientation Conference:** Administrator Lay requested \$275 (hotel, food, and conference costs) to attend the Clerk's Orientation Conference in Rochester.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO AUTHORIZE ADMINISTRATOR LAY'S ATTENDANCE TO THE CONFERENCE. ALL AYES. MOTION PASSED.

- 3. CTAS Training:** Request for attendance to a CTAS training session.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE OF THE CTAS TRAINING SESSION. ALL AYES. MOTION PASSED.

- 4. City Hall A/C Bids:** Provided the various bids for fixes for the A/C unit at the city hall. The least expensive bid was the Four Seasons. Council Members asked Administrator Lay to make sure Four Season's bid included all of the work included in the other bids.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO AUTHORIZE THE ADMINISTRATOR TO SPEND UP TO \$4,900 ON AN A/C UNIT. ALL AYES. MOTION PASSES.

L. City Attorney Report

- 1. Flushable Wipes Class-action Lawsuit Update:** He updated Council on this item and recommended joining the class-action lawsuit.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO BECOME PART OF THE CLASS-ACTION LAWSUIT AGAINST FLUSHABLE WIPES. ALL AYES. MOTION PASSED.

- 2. Sewer Lining Valuation Update:** Council can move forward with a public hearing concerning the sewer lining valuation.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO AUTHORIZE THE CITY ENGINEER TO MOVE FORWARD WITH THE SEWER LINING PROJECT PUBLIC HEARING. ALL AYES. MOTION PASSED.

- 3. Private Use of Utility Poles:** Specific policies and application process necessary for private use of the utility poles.

M. Treasurer's Report

Mayor Wingfield: She doesn't want to spend more time and will work with Administrator Lay regarding questions she has with the Treasurer's Report.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO APPROVE THE TREASURER'S REPORT. ALL AYES. MOTION CARRIES.

N. Auctioning of Impounded Canoes

Council Members and Attorney Kantrud: Discussed what was being auctioned, why they had to be auctioned rather than being sold and how to do the auction. They also asked Administrator Lay to check into registration/ownership of the canoes first.

O. Ash Walkway Tree Removal

Mayor Wingfield: She proposed combining the tree removal along Ash Walkway with removal at Tighe-Schmitz Park. Steve Dean offered to do the Ash Walkway work for \$500 and Tighe-Schmitz Park for \$400.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE STEVE DEAN'S QUOTE TO REMOVE TREES ON ASH WALKWAY AND TIGHE-SCHMITZ PARK. ALL AYES. MOTION CARRIES.

ADJOURN

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER WHITE TO ADJOURN THE MEETING. ALL AYES. MOTION PASSED. MEETING ADJOURNED AT 9:55 P.M.

Mary Wingfield
Mayor

ATTEST:

Tobin Lay
City Administrator-Clerk

RESOLUTION 2017-15B
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA

A Resolution Declining to Waive the Statutory Monetary Limits on Municipal Tort Liability Established by Minnesota Statute 466.04

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, May 9, 2017, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Randy LaFoy, Trilby White, and Kevin Woolstencroft, and the following absent: Councilmember Megan Malvey, the Birchwood City Council resolved:

WHEREAS, cities obtaining liability coverage from the League of Minnesota Cities Insurance Trust must decide whether or not to waive the statutory tort liability limits to the extent of coverage purchased.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby does not waive the monetary limits on municipal tort liability established by Minnesota Statute 466.04.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 9th day of May, 2017.

Mary Wingfield
Mayor

Attest:

Tobin Lay
City Administrator-Clerk

RESOLUTION 2017-16B
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA

**APPROVING THE EXTENSION OF CYNTHIA GOVAN AS INTERIM CITY
TREASURER.**

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, May 9, 2017, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Trilby White, Randy LaFoy, and Kevin Woolstencroft, and the following absent: Megan Malvey, the Birchwood City Council resolved:

WHEREAS, The City of Birchwood Village will extend Cynthia Govan's position as Interim City Treasurer until June 30, 2017; and

WHEREAS, All other terms of this relationship will remain unchanged from those passed under Resolution 2016-21

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby approves the extension of Cynthia Govan's position as Interim City Treasurer, effective May 10, 2017.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 9th day of May, 2017.

Mary Wingfield, Mayor

Attest:

Tobin Lay
City Administrator-Clerk