



AGENDA OF THE REGULAR MEETING OF
THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
May 14, 2019
7:00 P.M.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

OPEN PUBLIC FORUM

ANNOUNCEMENTS

- A. Town Hall meeting scheduled for June 3, at 6:30pm to discuss Lake Links Trail
- B. We are social, follow us on Facebook at @BirchwoodCityHall or Twitter at @CityofBirchwood

ADMINISTRATIVE PRESENTATION

- A. Sheriff Report* (p. 5)
- B. Sanitary Sewer Inflow and Infiltration Report* (pp. 7-8)
- C. Emergency Procedures Update (LaFoy)* (pp. 9-21)
- D. 2019 Safety and Loss Control Workshop Report (Wingfield)* (pp. 23-25)

CITY BUSINESS – CONSENT AGENDA

- A. Approve Regular Meeting Minutes from April 9, 2019* (pp. 27-33)
- B. Approve Special Meeting Minutes from May 6, 2019* (pp. 35-36)
- C. Approve SCC/Excel Energy Contract Extension* (pp. 37-40)
- D. Approve Resolution 2019-10: Approving Coverage for City Workers' Compensation Insurance Policy* (p. 41)
- E. Approval of Resolution 2019-11: Approving Coverage for Liability Insurance Policy* (pp. 43-44)
- F. Approve Resolution 2019-12: Declining to Waive the Statutory Monetary Limits on Municipal Tort Liability Established by Minnesota Statutes 466.04* (p. 45)
- G. Approve Resolution 2019-13: Allowing Beer and Wine Consumption at Music in the Park Summer Evening Concerts* (pp. 47)
- H. Approve MS4 Public Hearing for June Council Meeting – Storm Water Pollution Prevention Program

- I. Approve 2019 Municipal Recycling Grant and Authorize Administrator Lay to Sign* (pp. 49-52)
- J. Approve Installation of Seven (7) Plastic Waste Signs at Lake Easements (free)* (p. 53)
- K. Approve Mic Upgrade from SCC Equipment Fund of \$3,550* (pp. 55-56)
- L. Approve Treasurer's Report* (pp. 57-68)

CITY BUSINESS – REGULAR AGENDA

- A. Roads Committee Update
 - a. Lake Links Trail Update
 - b. Open House Scheduled for June 3, 2019, 6:30pm
Time Budget: 5 Minutes
- B. Planning Commission Recommendations* (pp. 69-71)
 - a. Address Changes (Hall Ave to Birchwood Ave)
Time Budget: 10 Minutes
- C. Parks Committee Recommendations
 - a. Park Improvement Plan (PIP)* (pp. 73-81)
 - b. Labeling Garbage Cans* (p. 83)
 - c. Managing Deer Population* (pp. 85-86)
 - d. Map and Signs* (pp. 87-89)
 - e. Picnic Tables
 - f. Basketball Backboards
 - g. Dog Waste Stations
 - h. Buoys
 - i. Kayak Racks Update
Time Budget: 30 Minutes
- D. Leftover Boat Slips (Wingfield)
 - a. Council Deliberation and Approval
Time Budget: 10 Minutes
- E. First Reading Ordinance 2019-03-01, Permit Requirements and Standards (Road Escrow)* (pp. 91-95)
 - a. Council Deliberation and Approval
 - b. Approve Public Hearing in June
Time Budget: 15 Minutes
- F. Amend Sec 805, Assessments* (pp. 97-99)
 - a. Council Deliberation and Approval
 - b. Approve Public Hearing in June
Time Budget: 15 Minutes
- G. Fourth/Final Reading Ordinance 2019-01-01, Easement Usage* (pp. 101-112)
 - a. Council Deliberation and Approval
Time Budget: 10 Minutes

- H. First Reading Ordinance 2019-03-02, Undersized Lots (302.015)* (p. 113)
 - a. Council Deliberation and Approval
 - b. Approve Public Hearing for June

Time Budget: 5 Minutes
- I. City Hall Improvements Update* (pp. 115-117)
 - a. Council Deliberation

Time Budget: 15 Minutes
- J. First Reading Ordinance 2017-07-01, Exterior Storage Amendments* (pp. 119-120)
 - a. Council Deliberation

Time Budget: 10 Minutes
- K. Council Member Reports:
 - a. Councilmember LaFoy
 - i. Trees Update* (pp. 121-122)
 - ii. Schedule Met Council Councilmember Gonzalez Visit

Time Budget: 10 Minutes
- L. City Administrator's Report
 - a. Nuisance Complaints
 - b. Citywide Garage Sale

Time Budget: 5 Minutes

ADJOURN

MEMORANDUM



Birchwood Village

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

Dear Mayor & City Council Members:

Below is a reporting of law enforcement citations for April 2019.

Citations for: Birchwood

4/1/2019 To 4/30/2019

Agcy	Date	Citation Number	Badge	Officer Name	Citation Type	Block	Street Name	Str Sfx	Cross Street Name	Cross St Sfx	City	Literal Description	Statute
WCSO	4/26/2019	820030911610	WC128 2	M. Ramos	Citation	0	WILDWOOD AVE		LAKE AVE		Birchwood	MOV-Seat Belt-Driver and Passengers must use	169.686.1(a)
WCSO	4/30/2019	820022912001	WC121 1	J. Hutchins	Citation	0	HALL AVE				Birchwood	BW - No overnight parking	502.040

SANITARY SEWER INFLOW AND INFILTRATION REPORT

April 30, 2019

Steve Thatcher
City Engineer
City of Birchwood Village
207 Birchwood Ave.
Birchwood, MN 55110

RE: Ongoing Inflow & Infiltration (I/I) Program
September 2018 Peak Flow Notification

Dear Mr. Thatcher:

The Metropolitan Council Environmental Services (MCES) has calculated the maximum allowable peak hourly flow limit (I/I Goal) for each metershed in your community. MCES routinely notifies communities when wastewater flow is equal to or greater than 80% of the peak flow limit. MCES recently verified flow rates, in million gallons per day (mgd), from the following metershed discharge location(s):

M028A, which has a goal of **0.25** mgd

- **0.23** mgd on 03/14 at 19:00

This letter is for informational purposes and does not require action now. If an I/I Goal was exceeded, you may receive a work plan.

Please see the attached charts related to these peak flows from your community. More information on the Ongoing I/I Program is located at <https://metro council.org/Wastewater-Water/Planning/Wastewater/Inflow-and-Infiltration/Local-Government.aspx>.

Thank you and your community for continued efforts to mitigate excessive I/I. Please email I.I@metc.state.mn.us or contact me at 651-602-1166 or Marcus.Bush@metc.state.mn.us with your questions or comments.

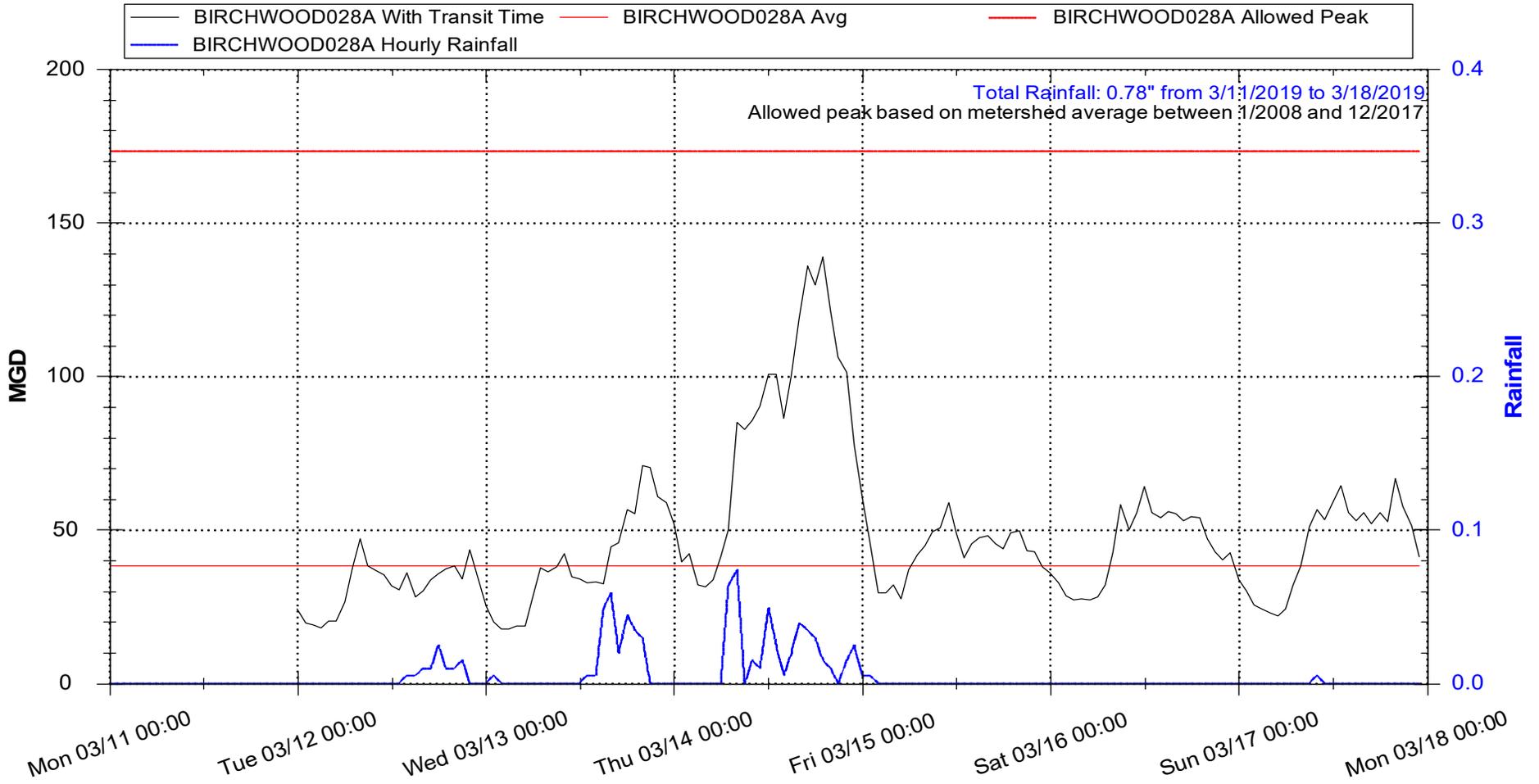
Sincerely,



Marcus Bush, PE
Principal Engineer, Engineering Programs

cc: Mike Anderson, City Administrator, City of Birchwood Village
Tobin Lay, City Treasurer, City of Birchwood Village
Francisco J. Gonzalez, Metropolitan Council Member, District 12
Jeannine Clancy, Assistant General Manager, Environmental Services Technical Services

II Report for BIRCHWOOD028A



BIRCHWOOD028A 03/2019 Created 04/11/2019 10:01

Birchwood EOP

(Emergency Operations Procedure)

Emergency management protects Birchwood by coordinating and integrating all activities necessary to build, sustain, and improve the capability to mitigate against, prepare for, respond to, and recover from threatened or actual natural disasters, acts of terrorism, or other man-made disasters.





- Departments / Positions**
-
- Federal**
-
- FEMA
 - Homeland Security and Emergency Management (MN HSEM)
 - National Response Center
-
- State**
-
- Department of Natural Resources (DNR)
 - Duty Officer
 - Fusion Center
 - Minnesota State Patrol
 - MN DOT
 - MN Emergency Management Department
 - MN National Guard
 - MN Pollution Control
 - MN State Patrol
-
- County**
-
- Washington County Emergency Services
 - Washington County Health Department
 - Washington County Public Works
 - Washington County Sheriff
-
- Jurisdiction**
-
- Rice Creek Watershed



Facilities / Sites

Search / Filter:

Emergency Operations Center

Birchwood Village Hall

[207 Birchwood Avenue - Birchwood, MN 55110](#)

Facility Manager: Unassigned

Alternate EOC

Mahtomedi Fire Department

[800 Stillwater Road - Mahtomedi, MN 55155](#)

Facility Manager: Unassigned

White Bear Fire Station

[2240 Co Rd E East - White Bear Lake, MN 55110](#)

Facility Manager: Unassigned

Department Operations Center

Birchwood Village Hall

[207 Birchwood Avenue - Birchwood, MN 55110](#)

Facility Manager: Unassigned

Mahtomedi Fire Department

[800 Stillwater Road - Mahtomedi, MN 55155](#)

Facility Manager: Unassigned

Warning Point

Birchwood Village Hall

[207 Birchwood Avenue - Birchwood, MN 55110](#)

Facility Manager: Unassigned

Departments / Positions

Facilities / Sites

Contacts

Teams

Succession / Authorities

General Info

Jurisdiction Profile

Hazards / Risk Assessment

Communications

Incident Command System

ESF/Annexes

TTE / Plan Maintenance

Mutual Aids and MOU's

References / Authorities

Messages

Planning Partners

File Archive

Base Plan

Reports

Contacts



-
-
-
-
-

Birchwood Support

Companion Animal Control
 Carroll, Paul - City Treasurer
 Dean, Steve - Dean Tree Trimming
 Lund, John - Lund Tree Trimming
 Manship, John - Manship Plumbing

Thatcher Engineering, Inc

Thatcher, Steve - City Engineer

Treasurer

City Treasurer

Birchwood Village

Carroll, Paul - City Treasurer
 Kantrud, Alan - City Attorney
 LaFoy, Randy - Vice Mayor
 Lay, Tobin - City Administraor
 Wingfield, Mary - Mayor

Civil Air Patrol

* Officer, Call Duty

County

County Attorney Office
 Rice Creek Watershed District
 White Bear Conservation District (water)
 Dispatch, Ramsey - White Bear Fire
 Matzek, Kelli - Emergency Management Specialist
 Timm, Nate - Communication Manager

Emergency Management

Berglund, Doug - Emergency Manager

Sheriffs

WCSO DispatchDispatch Center

Department of Natural Resources

* Officer, Duty

IT and Cable

CenturyLink
 Roseville IT
 SCC (Suburban Cable Commission)
 Verizon
 Xfinity

Mahtomedi

Departments / Positions Incident Command System

Facilities / Sites ESF/Annexes

Contacts TTE / Plan Maintenance

Teams Mutual Aids and MOU's

Succession / Authorities References / Authorities

General Info Messages

Jurisdiction Profile Planning Partners

Hazards / Risk Assessment File Archive

Communications Base Plan

Reports

Orders of Succession

Who is authorized to activate the local Emergency Operations Center?

Position	Title	Department
Primary	Mayor	Birchwood Village
#1 Alternate	City Administraor	Birchwood Village
#2 Alternate	Vice Mayor	Birchwood Village
#3 Alternate		

Who is authorized to declare a State of General Emergency?

Who is the Public Information Officer for your City?

Who is the Main Point of Contact for this plan?

Closing City Roads.

Pandemic State of Emergency.

General Info

General Info



Plan Disposition:

Facility Based ▼

Jurisdiction Type

City ▼

State:

Minnesota ▼

Name of Jurisdiction / Organization

City of Birchwood

What Facility does this plan represent?

Birchwood Village Hall ▼

Facility Type:

--select-- ▼

Name of Plan:

Emergency Operations Plan

Abbreviated Name of Plan

Birchwood EOP

Identify your State EMA

MN Emergency Management Department ▼

Identify your State EOC

--select-- ▼

Identify your EMA

MN Emergency Management Department ▼

Identify your EOC

Birchwood Village Hall ▼

Identify your Jurisdiction / Organization Warning Point

Birchwood Village Hall ▼

What organization approves your plan?

Birchwood City Council ▼

What organization maintains your plan?

Vice Mayor ▼

What organization handles disaster finances?

City Treasurer ▼

What organization conducts habitability assessments?

Birchwood Engineer ▼

What organization is responsible for applicant briefings and kick-off meetings?

Vice Mayor ▼

What organization assists your Jurisdiction / Organization with insurance/risk management?

Washington County Emergency Services ▼

What organization coordinates Unmet Needs during recovery?

MN Emergency Management Department ▼

Hazards / Risk Assessment

Hazards / Risk Assessment



Add Hazard / Risk

Import Hazards / Risks

Priority	Risk	Risk Rating
#7	Blizzards, Ice and Sleet	1.0 - Low
#8	Tornado	2.05 - Moderate
#9	Water Main Break	2.85 - Moderate

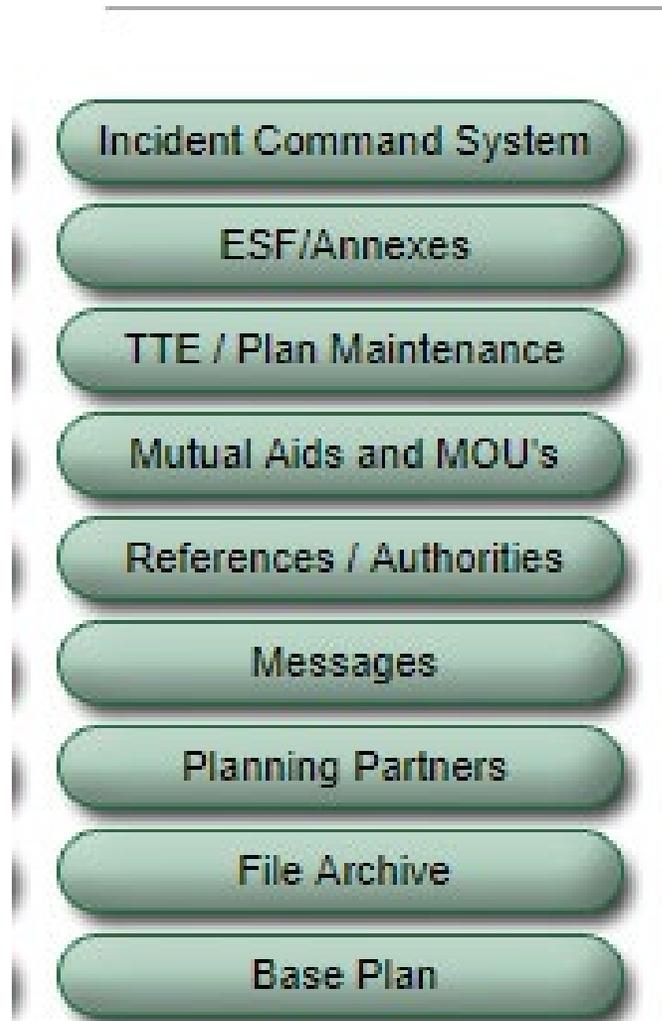
Can you think of more hazards or risks?

Mutual Aids and MOU's

*There are no Mutual Aids or MOUs found within your plan,
please click the "Add Mutual Aid/MOU" button to add one.*



Overkill for Birchwood



Example of overkill

Incident Command System

Please ente

ICS Section Name:

ICS Section Description

The Command Staff function will be conducted in two ways: 1) as a Single Command (used when an incident occurs w agencies and multiple jurisdictions, and a single set of objectives need to be developed to guide incident management,

Command Staff

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graph TD; Command[Command] --- SO[Safety Officer]; Command --- Liaison[Liaison]; Liaison --- PI[Public Information]
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[ICS_ACTIONS]

MEMORANDUM

TO: Birchwood City Council
FROM: Mary Wingfield, Mayor
SUBJECT: 2019 Safety and Loss Control Workshop
DATE: May 10, 2019



A month ago the City Administrator and I attended a Public Works Safety and Loss Control Workshop. We learned a number of things that are important to share with the council:

THE BENEFITS OF INFRARED TESTING

Roof leaks, mold intrusion, and electrical hotspots all can cause long-term health issues and/or expenses to any building project. An infrared thermography analysis can provide a definitive analysis of whether these issues exist when they might otherwise go undetected. This is an indispensable tool for any building inspector or when considering any improvements or renovations.

PLAYGROUNDS

There has been some talk about the need to replace our playground equipment. There are playground inspectors who can make suggestions/observations about the need to replace. I met someone in attendance who is certified to perform such inspections. In talking with him, he told us that equipment does degrade with time, then added that one company, "Landscape Structures", was the gold standard for longevity.

Last week I checked out what company manufactured our playground equipment. It turns out it is Landscape Structures. I then checked out their website and found they warranty their equipment for 100 years! Many thanks to our volunteers from 20 years ago that saw the value in buying a quality product that would serve us well for so many years to come.

--
m

Notes from League of MN Cities 2019 Safety and Loss Control Workshop

Tobin and Mary attended this seminar last month. There were a number of presentations that were helpful. The following are items we thought city council members could use when addressing issues or making decisions:

ALL ABOUT PLAYGROUNDS

There are playground inspectors who can make suggestions/observations about playground equipment (eg. hazardous units that are no longer recommended, aging equipment, maintenance, etc). Plastics do degrade over time. The amount of UV/sun matters, as does the manufacturer.

Sand pits around equipment should have 12" of sand or suitable soft landing material

The "drop zone" around the swing-set should be 2x the height...therefore 16 feet front and back, so our wooden boundary needs to be moved out. Six-foot drop zones around other equipment

Eliminate tripping hazards/edges

A sign saying "no supervision" might be advisable, but also rather obvious

FACILITIES MANAGER GUIDE: THE BENEFITS OF INFRARED TESTING

This is amazing. An infrared thermography analysis can provide definitive analysis of roof leaks, mold intrusion, electrical hotspots. This is an indispensable tool for any building analysis, especially when remodeling or buying a home or other building.

ADA on the WWW

Lots of requirements that one usually never thinks about: size/type of font, screen contrast, adding captions to pictures, etc... Our web platform might limit some options. Implementation can be done going forward

REGULATIONS UPDATE

Sex offender regulations—not as clear as it was. Does state statute preclude local control? The courts have been weighing in and will probably sort this out

Drones—some regulation allowed as to privacy, landing zones; FAA regs pre-empt local control

Bidding Contracts. Publication for sealed bids not necessary unless over \$175,000. For \$25,000 to \$175,000-- competitive bidding process or direct negotiations with contractors and obtaining at least two bids (when possible)

MEETING TIPS

Good suggestions about:

Posting Visitor Comment language for participants (Tobin will address)

City Administrator “Checking In” after packets go out but before meeting to see if there are any questions that can be answered/addressed saving time and confusion

Motions: Tobin will distribute summary sheet on this

Tips for decorum—we are doing well compared to the videos they showed 😊 Thanks everyone!

Addressing Procedure: We are ahead of the curve thanks to Al Mitchell putting together policy and procedure handbook.

CITY OF BIRCHWOOD VILLAGE REGULAR CITY COUNCIL MEETING APRIL 9, 2019

MINUTES

Members Present: Mayor Mary Wingfield, Council Members Randy LaFoy, Kevin Woolstencroft, John Fleck and Jessi Aakre.

Staff Present: City Administrator Tobin Lay, City Attorney Alan Kantrud and City Engineer Steve Thatcher.

Others Present: Steve Walgamot, Megan Malvey, Mary Jane LaVigne, Alan Christian, Judy Walker, Tom Hoffman, Terry Granec and Jessi Granec.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

Mayor Wingfield: Called the regular meeting to order at 7:00 pm. The Pledge of Allegiance was recited.

APPROVE AGENDA

Councilmember LaFoy: Added the item, "Trees" to Council Member Reports under Councilmember LaFoy.

Mayor Wingfield: Added "Analog Phone Line" and "East County Line Repairs" to Council Member Reports under Mayor Wingfield and added "Lake Links Update" as item C.

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

OPEN PUBLIC FORUM

Terry and Jessi Granec (363 Lakewood Ln): Stated dissatisfaction with winter 2018-2019 snow removal services.

Megan Malvey (525 Lake Ave): Asserted that special assessment language should apply to all city-owned property and not just private property. Thanked council for seeking public feedback on the topic.

ANNOUNCEMENTS

- A. Open Committee Seats: Utilities; City Hall Improvements; Planning Commission
- B. Community Yoga Club Class – Tuesdays 5pm to 6pm at City Hall
- C. We are social. Follow us on Facebook and Twitter and/or register for the email listserv

ADMINISTRATIVE PRESENTATION

- A. Sheriff Report
- B. BDA Boat Slip Update
- C. Roads Committee Meeting Minutes

CITY BUSINESS – CONSENT AGENDA

- A. Approve Regular Meeting Minutes from March 12, 2019
- B. Approve Special Meeting Minutes from March 25, 2019
- C. Approve WBL Fireworks Fund Donation - \$200 (same as previous years)
- D. Approve Treasurer's Report

Mayor Wingfield: Removed Item D, Treasurer's Report, from the consent agenda for further discussion.

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

Mayor Wingfield: Requested Treasurer Carroll merge sewer rehab and 2008 sewer debt accounts and move leaf pickup into the general fund. Stated concern that no income on the sewer/water report was shown this month. Also asked Carroll to look into animal control charge to ensure that City was reimbursed by the pet's owner.

Administrator Lay: Stated that the income data was recently entered, thus it did not make the report.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE THE TREASURER'S REPORT. ALL AYES. MOTION PASSED.

CITY BUSINESS – REGULAR AGENDA

A. City Engineer Report

a. Storm Runoff Feasibility Study (Lake Ave)

Engineer Thatcher: Reported on mill and overlay dynamics as related to watershed management. Proposed feasibility study for drainage, which would provide idea of costs and assure less burden on and better results for other city projects.

Mayor Wingfield: Inquired if a survey conducted a few year's back would be usable as it would save money.

Engineer Thatcher: Responded that the previous survey would not work due to "differential settlement" of soil over time. Asserted more accurate data makes for better decision-making and map required in this case is to make a few important and very precise decisions.

Mayor, Council Members and Engineer Thatcher: Discussed water management and the proposed feasibility study.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO AUTHORIZE CITY ENGINEER THATCHER UP TO \$10,000 FOR A STORM RUNOFF DRAINAGE FEASIBILITY STUDY. RICE CREEK WATERSHED DISTRICT AND WASHINGTON COUNTY WILL ALSO BE CONTACTED FOR ANY GRANTS OR OTHER AID AVAILABLE. ALL AYES. MOTION PASSED.

b. Birchwood Lift Station Update

Engineer Thatcher: Summarized plan. Recommended using White Bear Township's (WBT) system at location proposed.

Tom Hoffman (39 Birchwood Ln): Asked about differences in water and sewer rates, service and reliability. Asked also why this system is not already in place if it is better for both communities.

Engineer Thatcher: Stated same crews maintain these stations. Reason why it does not connect already is unknown.

Mayor Wingfield: Assured Mr. Hoffman the rates will be similar, citing recent survey of local water/sewer rates.

Engineer Thatcher: Reiterated gravity system proposed is superior to pump system. WBT is lower elevation than BWV.

Mayor, Council Members and Administrator Lay: Continued discussion regarding the impact of partnering with WBT.

Mary Jane LaVigne (31 Birchwood Ln): Stated concerns. Requested more details on problem and proposed solution.

Engineer Thatcher: Stated hard numbers not yet available, only two entities are involved with limited county involvement.

Administrator Lay: Addressed Ms. LaVigne's rate concerns and offered further background, citing similar arrangements.

Alan Christian (31 Birchwood Ln): Asked Engineer Thatcher what problems occurred in lift station and assessment.

Engineer Thatcher: Stated system is old and deep. Piping is needed throughout and repairs not guaranteed for several reasons.

Tom Hoffman (39 Birchwood Ln): Requested a full rate comparison.

Engineer Thatcher: Concluded stating plan is solid as WBT rests at a lower elevation, thus the fall or flow will likely be the same or better. Assured residents and council he will publish feasibility study results as soon as possible.

Mayor Wingfield: Stated project is not assessable, rate comparisons may be found online and the feasibility study will be posted online also. Summarized project is needed as city is operating on one suspect pump in that area with no backup generator at this time and already relies on WBT to assist with backups and maintenance.

Mayor and Council Members: Thanked City Engineer Thatcher for his time.

B. Third Reading – Special Assessment Policy

a. Public Hearing

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

b. Council Deliberation and Approval

Administrator Lay: Updated council on background and status of the special assessment policy.

Mayor, Council Members and Attorney Kantrud: Discussed language changes in relation to special assessments.

Mayor and Council Members: Discussed special assessment costs and benefits as well as consistency in assessments.

Megan Malvey (525 Lake Ave): Inquired about responsibility and property value impact of city property abutting streets.

Attorney Kantrud: Clarified that assessments are based on private ownership benefits derived.

Mayor, Council Members, Attorney Kantrud and Megan Malvey (525 Lake Ave): Continued discussion.

Administrator Lay: Displayed the special assessment language being discussed. (Time Stamp 01:18:22)

Attorney Kantrud: Commented that current code cites costs not benefits. Policy moving forward is benefits-based from state law.

Mayor Wingfield: Proposed Attorney Kantrud change Sections 085.060 and 805.050 ahead of June's public hearing.

Terry Granec (363 Lakewood Ln): Stated the Roads Committee determined the policy involves a lot more than streets.

Attorney Kantrud: Offered example of difference in assessment between drainage projects in contrast to roads projects.

Mayor Wingfield: Asked if council is willing to proceed with language for special assessment policy as-is, as the basic document is ready for adoption. Amendments may later occur related to special improvement project cases as they arise.

Kathy Madore (413 Lake Ave): Asked council if the entire city is being considered when considering roads projects.

Mayor Wingfield: Stated city uses MNDOT specs for road projects. Assured Ms. Madore side roads will not be ignored.

Council Members and Administrator Lay: Discussed a few minor special assessment policy language changes.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE THE THIRD READING OF SPECIAL ASSESSMENT POLICY AS RECOMMENDED BY ROADS COMMITTEE AND AMENDED BY CITY COUNCIL. ALL AYES. MOTION PASSED.

C. Lake Links Trail Update

Steve Walgamot (Lake Links Association): Updated council on trail status along Birchwood Road. Commended city for traffic control achievements. Asserted the Lake Links Trail Plan in Birchwood is entirely under the control of the city.

Councilmember LaFoy: Requested an electronic copy of the Lake Links Trail Plan to forward to residents.

Mayor Wingfield: Stated the trouble is that Mahtomedi may have already committed to a trail plan that might not work well in Birchwood and there is much to discuss complicated by a narrowing time frame.

Steve Walgamot (Lake Links): Suggested meeting with Roads Committee and Council Members with a public meeting.

Mayor and Council Members: Decided to meet with Steve Walgamot and the Roads Committee Monday in May 6, 2019, 6:30pm at City Hall. To be posted as a special council meeting and open to the public.

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

a. Public Hearing

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

b. Council Deliberation and Approval

Administrator Lay: Offered background on ordinance with a final formatted version for council consideration. Stated blank areas in the document are intended to populate with fee schedule information using the structure provided.

Mayor, Council Members and Attorney Kantrud: Discussed Ordinance 2019-03-01 in detail. Determined the version offered was not pared down to distinguish homeowner projects from ROW ordinance for professional contractors.

Mayor and Council Members: Asked Attorney Kantrud to revise ordinance for continuity with code, citing homeowner projects and small projects. Set a council review for ordinance 2019-03-01 in May and a public hearing in June.

c. Approve Summary Publication

Councilmember LaFoy: Motioned and then withdrew his motion to move the item to May's agenda.

E. Third Reading – Ordinance 2019-01-01, Easement Usage

a. Council Deliberation and Approval

Administrator Lay: Summarized status and recent background of Ordinance 2019-01-01, Easement Usage.

Mayor, Council Members and Attorney Kantrud: Discussed access to Tighe-Schmidt Park and other parks regarding easement usage for properties in addition to lake tracts. Discussed ordinance language in detail.

Mayor and Council Members: Decided to replace "license" with "limited license" and "public lake tract" with "city property" throughout the document. Decided also to place in a different code – not lake tracts code.

Mayor Wingfield: Suggested Administrator Lay creates a "licenses for use of city property" document for council in May and requested he add on page 58, second paragraph of the ordinance, "city parks and open spaces shall not be used for parking vehicles or staging materials or equipment".

Mayor and Council Members: Decided to review corrections and give final approval to Ordinance 2019-01-01 in May.

Attorney Kantrud: Assured council a completed copy will come back with other suggested language as discussed.

F. Parks Committee Recommendations

a. City Cleanup Day

Administrator Lay: Stated the Parks Committee will start earlier next year with the city cleanup day information.

b. Hockey Rink Upgrades (Pickleball & LED lighting)

Mayor, Council Members, Administrator Lay and Judy Walker (Parks Committee): Discussed Xcel lighting installation costs, rebates, alternative parks functions in warm weather, cost savings and contracting for lighting services.

Mayor and Council Members: Noted the lights are city-owned and are not owned by Xcel. Decided the topic is best approached after review of the Parks Improvement Plan in May.

Judy Walker (Parks Committee): Inquired when the new basketball backboards will be installed.

Administrator Lay: Assured Ms. Walker backboards will be installed as soon as possible but it is weather dependent.

c. Buoys

Administrator Lay: Informed Council that the Parks Committee (Parks) recommended no buoys, citing safety concerns.

Mayor, Council Members and Mary Walker (Parks Committee): Discussed buoys at or near lake easements as well as possible public activities or parks features as well as the expansion and maintenance of walking trails.

Mayor and Council Members: Decided to use email listserv, website posts and social media solicitations to gather level of resident interest in buoys with request for proposal input from residents to be reviewed in May.

d. Managing Deer Population

Judy Walker (Parks Committee): Stated Parks recommends bringing in the DNR to consult on deer population control.

Mayor, Council Members and Judy Walker (Parks Committee): Discussed managing deer population in detail.

Mayor and Council Members: Decided Parks will set up an open house and invite a DNR representative. To complete the Initiative Proposal (IP) template for Council's review.

Administrator Lay: Clarified for council that Parks is only willing to take this on if the City Council agrees to participate in the open house.

Councilmember Fleck: Stated he is unable to attend the meeting May 23rd (he is the Parks liaison).

Mayor and Council Members: Reiterated Parks is to return with a plan using the IP template. Thanked Ms. Walker.

G. Appoint Commission/Committee Seats

a. City Hall Improvements Committee

Mayor Wingfield: Reported on volunteers for this task force that the Council agreed previously to create; three volunteers so far.

Councilmember LaFoy: Expressed concern with scope. Recommended using IP template.

Mayor Wingfield: Offered that without a committee in place, there is no one to complete the IP template.

Mayor and Council Members, Administrator Lay and Attorney Kantrud: Discussed how to structure the information gathering process and planning of any rebuild or restoration project at city hall.

Mayor and Council Members: Decided Councilmember LaFoy will explore the topic further and report back in May.

H. Planning Commission Recommendations

a. Ordinance 2019-03-02, Undersized Lots (302.015)

Administrator Lay: Informed council of the Planning Commission's (PC) recommended changes and reviewed in detail.

Mayor, Council Members, Administrator Lay and Attorney Kantrud: Discussed ordinance 2019-03-02 language, interpretation, changes and PC recommendations related to setbacks, lot size requirements and proper legal references.

Mayor and Council Members: Determined changes will be made as discussed and a first reading will occur in May, with a public hearing to occur at the second reading to allow for even tighter language.

I. Music in the Park

a. Council Deliberation

Councilmember LaFoy: Referred to Treasurer Carroll's enclosed memo and requested new signage for MIP.

Mayor and Council Members: Approved \$240 for new signage and agreed the other items listed will not be authorized.

Councilmember LaFoy: Stated same amount has been budgeted for MIP for 8 years. Requested increase to \$2000.

Mayor and Council Members: Denied request due to substantial costs from city commitment in staffing events.

J. Trees

Councilmember LaFoy: Asked council what the budget for tree planting should be and what varieties of trees to plant.

Mayor and Council Members: Discussed tree planting and tree management with respect to invasive and diseased trees. Decided to generate a tree plan using the IP template first.

K. Section 615, Exterior Storage Amendments

a. Council Deliberation

Councilmember Aakre: Highlighted a few loopholes and areas for improvement. Requested Attorney Kantrud review the code for additional needs.

Mayor and Council Members: Discussed enforcement in light of language changes.

Attorney Kantrud: Recommended a workshop or PC referral be established, then perhaps a policy and then code language to use as enforcement of language. Requires direction of entire council to proceed.

Mayor Wingfield: Suggested other cities' language be sought that may have similar issues. Recommended that if changes are desired, very specific language corrections be proposed and decided upon an item-by-item basis.

Attorney Kantrud: Argued that the proposed are not entirely technical language corrections and are instead general idea propositions and are thus partially within the domain of the PC.

Mayor and Council Members: Decided Administrator Lay will send Councilmember Aakre a word document of Section 615 to make redlined recommendations for Kantrud's review and then to council for review in May and then assign to Planning Commission.

L. Council Member Reports:

a. Mayor Wingfield

i. Analog Phone

Mayor Wingfield: Summarized the issue regarding city hall's analog phone line.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO AUTHORIZE ADMINISTRATOR LAY TO DISCONTINUE THE CITY'S ANALOG PHONE LINE. THE EXPIRATION OR IMMEDIATE TERMINATION WILL BE AUTHORIZED BASED ON WHICH IS MORE COST EFFECTIVE. ALL AYES. MOTION PASSED.

ii. Repairs along East County Line Road

Mayor Wingfield: Articulated need for County to expedite repairs along East County Line Road. Cited recent flooding.

Mayor and Council Members: Discussed the issue. Decided to have Attorney Kantrud draft a letter to Washington County; for Council's review in May.

- iii. 11% property valuation increase

Mayor Wingfield: Noted the valuation increase for the record for taxes payable in 2019.

b. Councilmember LaFoy

- i. Letter supporting State Aid Bill H.F. 2031

Councilmember LaFoy: Summarized item as a good deal for Birchwood. Requested approval to send attached letter.

Mayor and Council Members: Approved.

M. City Administrator's Report

- i. Assessment Abatement Update

Administrator Lay: Stated affected residents may pay what is asked upfront and will then be credited, or may instead contact Heather at the Washington County Tax Department for the precise amount owed and ignore the incomplete payment amount notice. Informed council the residents required have been notified and may contact him with questions.

- ii. Donated Pavers

Administrator Lay: Stated Councilmember LaFoy has donated cement pavers. Asked approval to use pavers at Birch easement.

Mayor and Council members: Discussed erosion control briefly. No consensus on the request. Tabled the item.

- iii. Old City Equipment

Administrator Lay: Asked approval to dispose of old, unusable city equipment such as a rusted out wheelbarrow.

Mayor and Council Members: Approved.

- iv. Leaf Pickup Dates

Administrator Lay: Stated the announcements that were not read at the beginning of meeting. Proposed May 6 & 13 for spring leaf pickup dates.

Mayor and Council Members: Approved.

ADJOURN

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER AAKRE TO ADJOURN THE MEETING. ALL AYES. MOTION PASSED. MEETING ADJOURNED AT 10:22 PM CST.

ATTEST:

Mary Wingfield
Mayor

Tobin Lay
City Administrator – Clerk



CITY OF BIRCHWOOD VILLAGE
SPECIAL CITY COUNCIL & ROADS COMMITTEE MEETING
MAY 6, 2019

Council Members Present: Mayor Mary Wingfield and Councilmembers Randy LaFoy and Kevin Woolstencroft were present. Councilmembers Jessi Aakre and Jon Fleck were absent.

Roads Committee Members Present: Gene Ruehle, Tom Patsy, John Anderson, Ben Creagh and Mark Foster.

Others Present: City Engineer Steve Thatcher, Mike Brooks (Lake Links Assoc.) and Steve Wolgamot (Lake Links Assoc.).

CALL TO ORDER

Mayor Wingfield: Called the special meeting to order at 6:00 pm.

CITY BUSINESS – SPECIAL MEETING AGENDA

- A. Lift Station #1 Update (Bypass)
 - a. Council Deliberation

Mayor Wingfield: Expressed goal of meeting is to determine how to best put a gravity line in to replace the defunct lift station.

Steve Thatcher: Stated only one method has been approved and it requires easement negotiation and an offer to the Bartz and Sevcik private properties. Informed attendees that one of the two parties are not responding despite this being a timely issue.

Mayor, Engineer Thatcher and Council Members: Discussed the Lift Station Bypass issue at length including issues such as Ramsay and Washington County permission for alternate routes, what to offer private landowners and other detailed project specifications.

Engineer Thatcher: Suggested a \$10K easement offer to each of the two landowners, good for seven days. Stated their reply would be a move forward, but no reply likely means another avenue is needed to get the project started.

Mayor and Council Members: Decided Mr. Thatcher will draft an easement offer letter to the landowners and send it to Administrator Lay. This letter will be valid for ten business days with an email to inform the two residents ahead of time if possible.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER LAFOY TO OFFER PROPERTY OWNERS BARTZ AND SEVCIK TEN THOUSAND DOLLARS, EACH, IN NEGOTIATION FOR EASEMENT ACCESS TO THEIR PROPERTIES FOR THE LIFT STATION BYPASS. THE OFFER WILL BE VALID UNTIL MAY 17, 2019. ALL AYES. MOTION PASSED.

Mayor, Council Members and Engineer Thatcher: Continued to discuss several project details.

ADJOURN

Mayor Wingfield: Called for recess at 6:11pm until members of the Roads Committee and Lake Links Association arrived.

CALL TO ORDER

Mayor Wingfield: Re-convened the special meeting at 6:30 pm.

- B. Lake Links Trail Update
 - a. Trail Progress and Overview

Mayor Wingfield and Gene Ruehle (Roads Chair): Introduced the topic of Lake Links Trail and issues to attendants.

Steve Wolgamot (Lake Links Association): Presented two narrow traffic lanes with surmountable trail on North side of road as solution to Birchwood Road.

Gene Ruehle (Roads Chair): Stated Birchwood has about 28 feet of pavement on its roads and the city is searching for solutions within that space without interruptions to residents along Cedar and Hall Avenues. The City should know by May 20th if 2019 legislation for \$120,000 passes.

- b. Discuss/Review Options & Grant Offer

All Present: The members then discussed roadway options:

- i. No change: with little to no changes in traffic direction.
- ii. Jay St. to City border: design and construct a trail along Hall Avenue between the Birchwood/Mahtomedi city borders and Jay St. intersection only with an 8 foot walking/biking trail along the lakeside.
- iii. Pursue option 2, but with a surmountable curb to an elevated trail.
- iv. Pursue option 2, but with drainage and curbs inclusive of any other State of Minnesota requirements.
- v. City border to Cedar/Hall intersection: Design and construct a trail along Hall Avenue between the Birchwood/Mahtomedi city borders all the way to the Cedar Street intersection before Hall Avenue.
- vi. Walking only: Construct a trail strictly for walking.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER LAFOY TO ACCEPT A \$1,000 GRANT FROM THE LAKE LINKS ASSOCIATION IN ORDER TO PREPARE LAKE LINKS TRAIL PLANS. ALL AYES. MOTION PASSED.

- c. Schedule Lake Links Trail Open House Meeting

Mayor, Council and Roads Committee Members: Decided open-to-the-public meeting would be June 3rd at 6:30pm, tentatively.

Roads Committee: Recommended that Mayor Wingfield, Councilmembers Woolstencroft and LaFoy, Chair Ruehle of the Roads Committee and potentially an engineering consultant if necessary work with Lake Link's staff in order to develop a prototype trail cross-section.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO HOLD A LAKE LINKS OPEN HOUSE MEETING MONDAY, JUNE 3, 2019 AT 6:30PM, TENTATIVELY. MAYOR WINGFIELD AND COUNCILMEMBERS LAFOY AND WOOLSTENCROFT AS WELL AS CHAIR RUEHLE OF THE ROADS COMMITTEE AND AN ENGINEERING CONSULTANT IF NEEDED ARE HEREBY AUTHORIZED TO WORK WITH LAKE LINKS STAFF IN ORDER TO DEVELOP A PROTOTYPE LAKE LINKS TRAIL CROSS-SECTION. ALL AYES. MOTION PASSED.

- C. Roads Committee Business

- a. Approve April's Roads Committee Meeting Minutes

Roads Committee: Approved.

- b. T.A. Schifsky Quotes

Roads Committee: Discussed and noted for the record that T.A. Schifsky has recommended Birchwood delay another chip seal.

ADJOURN

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO ADJOURN THE MEETING. ALL AYES. MOTION PASSED. MEETING ADJOURNED AT 8:05 PM CST.

ATTEST:

Mary Wingfield
Mayor

Tobin Lay
City Administrator / Clerk

Tobin Lay

From: Tim Finnerty
Sent: Tuesday, April 23, 2019 1:27 PM
To: Tobin Lay
Cc: Randy LaFoy
Subject: Extension agreement for Council approval
Attachments: RamWash 2-28-20 extention to signed by Comcast.pdf; Franchise Renewal Timeline (Revised March 2019).pdf

Dear Tobin:

Attached please find a proposed Agreement for another extension of the Franchise with Comcast. The Cable Commission is recommending that the City Council approve the Extension Agreement. The Agreement will extend the expiration date of the current Franchise from August 31, 2019 to February 28, 2020. The purpose of the proposed extension is to allow for continued informal negotiations between Comcast and the Cable Commission regarding the long-term renewal of the Franchise. Comcast is in agreement with this.

Background

As you know, the Cable Commission has been working on the matter of Franchise renewal with Comcast given that the existing Franchise Agreement that is set to expire August 31, 2019. The Commission and Comcast have conducted negotiations during 2018 and 2019 thus far, and prior to that, the Commission had developed and documented a comprehensive needs assessment to serve as the negotiation objective on behalf of member cities. The needs assessment report is available at:

<https://drive.google.com/drive/folders/0B37m--T9u7TcUNaZUh6MziPWms>

Renewal issues can be resolved through “informal” processes (negotiation), or through a “formal” hearing process. Based on the time required to complete the formal process, the Commission has adopted and updated two schedules. In both, the parties start with negotiations, but move the formal process forward so that it would be completed by roughly the date scheduled for franchise expiration if negotiations were not successful. One schedule assumed that the expiration date stayed as is (August 31, 2019), and effectively required the parties to reach negotiated deal points by April. In the other, the parties would extend the franchise to give themselves more time to engage in negotiations.

Recommendation to Approve Extension

The Cable Commission and Comcast have exchanged proposed terms and counterproposals and held several negotiation sessions. While no proposed deal has yet been reached, both parties recommend extending the time schedule to allow for continuation of negotiations. Therefore, the parties have agreed to recommend extending the franchise expiration date to February 28, 2020 in order to allow negotiations to continue to proceed informally.

To accomplish this, Cable Commission recommends that the City approve the attached Extension Agreement. The Cable Commission believes this simple extension of the current franchise expiration will allow both parties to continue informal negotiations without being

put at a disadvantage. **The extension preserves the City's right to use the I-NET, and preserves existing PEG support and channels (including high definition channels) for local cable programming. It does not harm the communities in any way.**

Finally, please find attached a revised the franchise renewal schedule to reflect how the timeline proceeds under this extension. The Commission leadership believes it is important to follow this schedule to protect the interests of its Member Municipalities.

Please feel free to contact me after you have had a chance to review this if you wish to discuss it or have any questions. Thank you!

- Tim Finnerty
Ramsey/Washington Cable Commission
timfinnerty@scctv.org
651-747-3802

**Ramsey/Washington Cable Commission - Franchise Renewal Timeline
(Revised March 2019)**

DATE	INFORMAL PROCESS	FORMAL PROCESS
March, 2019 - September, 2019	Informal negotiations	Preparation for drafting/issuing of renewal RFP
September, 2019	Negotiations Update/recommendations as to whether to issue RFP (formal process), or continue negotiations; final document preparation begins if applicable	Negotiations Update/deadline for recommendations as to whether to issue RFP (formal process), or continue negotiations; issue renewal RFP no later than September 15, 2019 if applicable
October, 2019	Final Franchise documentation is complete and provided to Commission office	Issue RFP with return date of no later than October 15, 2019
November, 2019	Public hearing on proposed Franchise	
December, 2019	Commission approval of final Franchise to be recommended to municipalities	Decision made to preliminarily deny or accept proposal; recommendations for conduct of formal proceeding
January, 2020	Final Franchise provided to each municipality for approval and signing	
February, 2020	Existing Franchise with Comcast expires February 28; existing payment arrangement could terminate at earliest on October 28, 2019	Hearing commences on formal process (90 days of prehearing discovery)
March, 2020		
May, 2020	Municipal approval of final Franchise is completed; approved Franchises for each municipality if forwarded to Comcast for signing	
June, 2020		Hearing completed; recommendations for final action on franchise submitted to municipalities

EXTENSION AGREEMENT BETWEEN AND AMONG THE MEMBERS OF THE RAMSEY WASHINGTON SUBURBAN CABLE COMMISSION AND COMCAST OF MINNESOTA

WHEREAS, Comcast of Minnesota, Inc., (“Franchisee”) operates a cable television system (the “System”) in communities which are members of the Ramsey/Washington Suburban Cable Commission (RWSCC) pursuant to a franchise scheduled to expire on November 1, 2018, to which the City of Birchwood Village, the City of Dellwood, the City of Grant, the City of Lake Elmo, the City of Mahtomedi, the City of North St. Paul, the City of Oakdale, the City of Vadnais Heights, the City of White Bear Lake, White Bear Township and the City of Willernie, Minnesota, are parties (each community is a “Franchisor”); a March 9, 1995 Memorandum of Understanding; and the April 10, 2014 Settlement Agreement, as amended by Section 2 of that certain 2015 Transfer Agreement Between and Among The Members of the Ramsey Washington Suburban Cable Commission, Comcast of Minnesota, Inc. and Midwest Cable, Inc. (collectively, the Franchise and these documents are the “Franchise Documents”); and

WHEREAS, the parties previously agreed to extend the expiration date of the Franchise, and of obligations in the Settlement Agreement, through August 31, 2019; and

WHEREAS, the parties wish to extend certain time periods provided under the Franchise Documents to provide time for the parties to work together to attempt to resolve renewal issues,

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

Section 1. The Franchise is extended through and including February 28, 2020.

Section 2. Paragraph 10 of the “Settlement Agreement Regarding PEG Capacity” is amended so that the reference to August 31, 2019 is changed to February 28, 2020.

Section 3. Otherwise, the Franchise Documents shall remain in full force and effect in accordance with their terms.

Section 4. Both parties agree that the further extension will not require recommencement of the renewal process under state or federal law, or require either party to re-conduct any studies or proceedings that may have been or are being conducted.

Section 5. This Extension Agreement does not confer upon the Franchisee any additional rights under Section 626 of the Cable Act.

Section 6. By entering into this Extension Agreement, the parties do not otherwise waive their rights to rely upon the rights, procedures, protections and recourses granted to them pursuant to applicable Federal, state, or local rule, regulation, law or precedent.

Section 7. This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement

RESOLUTION 2019-10

**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, May 14, 2019, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Jessi Aakre, Randy LaFoy, Jon Fleck, and Kevin Woolstencroft, the Birchwood City Council resolved:

WHEREAS, the City of Birchwood Village has workers' compensation insurance coverage through the League of Minnesota Cities Insurance Trust (LMCIT); and

WHEREAS, the City's workers' compensation insurance policy must be renewed by June 12, 2019.

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 14th day of May, 2019.

Mary Wingfield, Mayor

Attest:

Tobin Lay
City Administrator-Clerk

RESOLUTION 2019-11

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

APPROVING COVERAGE FOR LIABILITY INSURANCE POLICY

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, May 14, 2019, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Jessi Aakre, Randy LaFoy, Jon Fleck, and Kevin Woolstencroft, the Birchwood City Council resolved:

WHEREAS, the City of Birchwood Village has liability insurance coverage through the League of Minnesota Cities Insurance Trust (LMCIT); and

WHEREAS, the City's liability insurance policy must be renewed by June 12, 2019.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village approves renewal of liability insurance through LMCIT.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 14th day of May, 2019.

Mary Wingfield, Mayor

Attest:

Tobin Lay
City Administrator-Clerk

BINDER

The Property/Casualty Renewal Application and Optional Coverage Renewal Applications Have Been Received. Coverage(s) Are Bound As Stated Below

Date: May 01, 2019

Covered Party: Birchwood Village, City Of

Inception Date(s): 06-12-2019

Agent: North Risk Partners LLC

Address: 2010 Centre Pointe Blvd

LMCIT has received the property/casualty renewal application(s) for the above. The property/casualty and expiring optional coverages are bound based on the renewal application(s) submitted subject to the terms and conditions of the LMCIT coverage(s) that are in effect on the renewal date.

New optional coverage quote(s) are not bound unless the covered party has requested that coverage(s) be bound and LMCIT has sent written confirmation.

Please contact your LMCIT underwriter or me if you have any questions.



Liam Bieber
LMCIT Underwriting Manager

RESOLUTION 2019-12

**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 14, 2019, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Jessi Aakre, Randy LaFoy, Jon Fleck, and Kevin Woolstencroft, 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 14th day of May, 2019.

Mary Wingfield
Mayor

Attest:

Tobin Lay
City Administrator-Clerk

RESOLUTION 2019-13

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

**A Resolution Authorizing Persons of Legal Age to Possess and Consume Beer and Wine
during 2019 Music in the Park Summer Evening Concerts**

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, May 14, 2019, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Jessi Aakre, Randy LaFoy, Jon Fleck and Kevin Woolstencroft, 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 2019 summer evening concerts.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 14th day of May, 2019.

Mary Wingfield
Mayor

Attest:

Tobin Lay
City Administrator-Clerk

2019 RECYCLING GRANT

WASHINGTON COUNTY
CONTRACT #
PUBLIC HEALTH & ENVIRONMEN
TERM: _____ - 12/31/19

2019 GRANT AGREEMENT FOR MUNICIPAL RECYCLING GRANT DISTRIBUTION

THIS AGREEMENT made and entered into by and between the County of Washington, hereinafter referred to as the "County", and the City of Birchwood Village, 207 Birchwood Avenue, Birchwood, MN 55110 hereinafter referred to as the "Grantee".

WHEREAS, the County desires to encourage and provide opportunities for residential recycling to reduce the County's reliance on solid waste disposal facilities, and

WHEREAS, the Washington County Board of Commissioners has budgeted funds to be used to further develop recycling projects in the County.

NOW, THEREFORE, the parties hereto agree as follows:

1. Term:

The term of the Agreement shall be from the date this Agreement is approved by the County to December 31, 2019.

2. The County's Obligations:

The County will pay the Grantee an amount of up to \$1,678.50 which is to be used for recycling program expenses in 2019. Payment will be within 60 days of execution of this Agreement.

3. The Grantee's Obligations:

- a. The Grantee agrees to follow their 2019 Municipal Recycling Grant Application and the guidelines therein (Exhibit A).
- b. The Grantee will use all recycling grant money received in 2019 as a result of this Agreement, for base funding activities, recycling projects, and public education related to recycling, as indicated in Exhibit A. If all recycling grant funds are not used within the grant period, the Grantee must return unexpended funds to the County unless the County approves utilizing the unspent funds for recycling projects the following year.
- c. The Grantee shall sign and return this Agreement to the County by July 1, 2019. Failure to do so will result in a reduction or loss of grant funds.
- d. The Grantee agrees to support State efforts in obtaining hauler reports by ensuring compliance through ordinance, contract or license requirements and the ability to exercise punitive actions, if needed.
- e. The Grantee will prepare and submit annual work plan project reports to the County. The reports shall cover the time period from January 1 to December 31 and shall be submitted to the County by January 31st of the year following the reporting period. The annual reports are available on the County's Municipal Recycling Grant Application and Reporting software (Re-TRAC Connect).
- f. Pursuant to Minnesota Statutes Sections 115A.46 and 115A.471, all waste generated by city/township government activities (including city/town halls, public

works buildings, parks, and for city/townships that arrange for waste services on behalf of their residents) shall be delivered to the Ramsey/Washington Recycling and Energy Center in Newport for disposal. Failure to comply with this provision shall constitute a breach of this Grant Agreement.

- g. The parties agree that if the Grantee contracts or otherwise arranges for municipal solid waste hauling service on behalf of its residents and/or businesses and the Grantee issues bills for this service, the Grantee shall bill the County Environmental Charge (CEC) as a separate line item on the solid waste bill and shall make reasonable effort to collect the CEC. Exception to this provision is if the licensed hauler collected the CEC for the previous year. All County Environmental Charges collected shall be remitted to the County according to section 14.5 of Washington County Ordinance #178 or its replacement, Ordinance #194, effective July 1st, 2014. Failure of the Grantee to comply with this provision shall constitute a breach of this Grant Agreement and will result in loss of grant funds.

4. Indemnification and Insurance:

- a. The Grantee agrees it will defend, indemnify and hold harmless the County, its officers and employees against any and all liability, loss, costs, damages, and expenses which the County, its officers, or employees may hereafter sustain, incur, or be required to pay arising out of the negligent or willful acts or omissions of the Contractor/Consultant in the performance of this agreement.
- b. The Grantee agrees that in order to protect itself, as well as the County, under the indemnity provisions set forth above, it will at all times during the term of this Agreement, keep in force the following insurance protection in the limits specified:
 - 1. Commercial General Liability/Professional Liability with contractual liability coverage in the amount of the County's tort liability limits set forth in Minnesota Statute 466.04 and as amended from time to time.
 - 2. Automobile coverage in the amount of the County's tort liability limits set forth in Minnesota Statute 466.04 and as amended from time to time.
 - 3. Worker's Compensation in statutory amount. (if applicable)

Prior to the effective date of this Agreement, the Grantee will furnish the County with a current and valid proof of insurance certificate indicating insurance coverage in the amounts required by this agreement. This certificate of insurance shall be on file with the County throughout the term of the agreement. As a condition subsequent to this agreement, Grantee shall insure that the certificate of insurance provided to the County will at all times be current. The parties agree that failure by the Vendor to maintain a current certificate of insurance with the County shall be a substantial breach of the contract and payments on the contract shall be withheld by the County until a certificate of insurance showing current insurance coverage in amounts required by the contract is provided to the County.

- c. Any policy obtained and maintained under this clause shall provide that it shall not be cancelled, materially changed, or not renewed without thirty days notice thereof to the County.

5. Data Practices:

All data collected, created, received, maintained, or disseminated for any purposes by the activities of Grantee because of this Agreement is governed by the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as amended, the Minnesota Rules implementing such Act now in force or as adopted, as well as Federal regulations on data privacy.

6. Condition Subsequent:

It is understood and agreed that in the event that reimbursement to the County from state sources is not obtained and continued at a level sufficient to allow the Grant, the obligations of each party hereunder shall thereupon be reviewed to determine the necessity of renegotiating all or parts of this Agreement.

7. Records Availability and Retention:

Pursuant to Minnesota Statute Section 16C.05, Subd. 5, the Grantee agrees that the County, the State Auditor, or any of their duly authorized representatives at any time during normal business hours and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, etc. which are pertinent to the accounting practices and procedures of the Grantee and involve transactions relating to this Agreement.

Grantee agrees to maintain these records for a period of six (6) years from the date of termination of this Agreement.

8. Independent Contractor:

Nothing contained in this Agreement is intended or should be construed as creating the relationship of co-partners or joint ventures with the County. No tenure or any rights or benefits, including Worker's Compensation, Unemployment Insurance, medical care, sick leave, vacation leave, severance pay, PERA, or other benefits available to County employees, shall accrue to the Grantee or employees of the Grantee performing services under this Agreement.

9. Nondiscrimination:

During the performance of this Agreement, the Grantee agrees to the following: No person shall, on the grounds of race, color, religion, age, sex, sexual preference or orientation, disability, marital status, public assistance status, criminal record, creed or national origin,

be excluded from full employment rights in, participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all applicable Federal and State Laws against discrimination.

10. Firearms Prohibited:

Unless specifically required by the terms of this contract or the person it is subject to an exception provided by 18 USC§ 926B or 926BC (LEOSA) no provider of services pursuant to this contract or subcontractors shall carry or possess a firearm on county premises or while acting on behalf of Washington County pursuant to the terms of this agreement. Violation of this provision is grounds for immediate suspension or termination of this contract.

11. Noncompliance by Grantee:

If the County finds that there has been a failure to comply with the provisions of this Agreement, the County may terminate the Agreement at any time following seven (7) days written notice to the Grantee and upon failure of the Grantee to cure the default within the seven day period. The County will require the Grantee to repay the grant funds in full or in a portion determined by the County. Nothing herein shall be construed so as to limit the County's legal remedies to recover grant funds.

12. Termination:

This Agreement may be canceled by either party upon thirty (30) days written notice. Notice to the Cities shall be mailed to the City Administrator or to the City Clerk if there is no Administrator. Notice to Townships shall be mailed to the Township Clerk. Notice shall be sent to the official business address of the City or Township. Notice to the County shall be mailed to: Department of Public Health and Environment, 14949 62nd Street N, PO Box 6, Stillwater, MN 55082-0006.

13. Merger and Modification:

- a. It is understood and agreed that the entire Agreement between the parties is contained here and that this Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter. All items referred to in this Agreement are incorporated or attached and are deemed to be part of this Agreement.
- b. Any material alterations, variations, modifications, or waivers of provisions of this Agreement shall be valid only when they have been reduced to writing as an Amendment and signed by the parties.



April 19, 2019

Dear Tobin

The White Bear Lake Conservation District is pleased to announce a new educational program encouraging people to join in our effort to keep plastic waste out of White Bear Lake. We will be providing signs to counties, cities and private marinas for posting at lake access points. These signs will be 12" wide by 18" tall, made by the MnDOT sign shop to road sign quality specifications.

The signs will be provided at **no charge**. All we ask is that you arrange to have them installed at access points to the lake where people will see them as they approach the lake for recreation— at beaches, boat launches, multi-user dock areas, and lakeside parks.

- ➔ Please contact WBLCD administrator Kim Johnson at 651 429 8560 or wblcd@msn.com by May 15, 2019 to let us know how many signs you need.

Our slogan is the positive message, “plastic is forever – help keep it out of our lake.” The draft design of the sign is shown to the right. We hope this will drive home the point that plastic does not easily break down, so any plastic in the lake will stay there for a very, very long time unless we act together to keep it out in the first place.

We hope that you will use this opportunity to augment your existing efforts to keep lake access points clean and free of debris. You may wish to place the signs in proximity to waste and recycling receptacles to reinforce the message. However, that is not required to participate in our signage program.

Thank you for doing your part in helping to keep White Bear Lake clean.

Best Regards,

White Bear Lake Conservation District (WBLCD)
Board



Tobin Lay

From: Jeffrey Wilson
Sent: Monday, May 6, 2019 1:43 PM
To: Tobin Lay
Subject: Wireless Audio
Attachments: Shure Wireless Mic System (1).pdf

Tobin,

As I am working on your upgrades, we are running up to the 600Mhz band deadline. I would like to replace your current wireless with what we will be installing with the upgrades now, so there is no issues with your podium mic after June 1st. I have attached the quote from Alpha that I sent you when we had our first meeting.

If we can get this ordered soon I will be able to get it installed.

Thanks!

--



Jeffrey Wilson | Technical Lead
Suburban Community Channels
Ramsey/Washington Suburban Cable Commission
2460 East County Road F | White Bear Lake, MN 55110
P 651-747-3841 | F 651-747-3849
jeffreyw@scctv.org | www.scctv.org



7690 Golden Triangle Drive, Eden Prairie, MN 55344

Phone: 952-896-9898 - Fax 952-896-9899 - Visit us at www.alphavideo.com

Quotation

Date	Quote #	Cust #
03/13/19	AAAQ44127	

We are an equal opportunity employer

Prepared For:	Sales Representative:
Tobin Lay City of Birchwood Village 207 Birchwood Avenue St. Paul, MN 55110 USA Phone: (651)426-3403 Fax: Terms: NET 30 Ship via: Best Way	Mike Pouh Sales Executive 952-841-3365 mike.pouh@alphavideo.com

ID #	Item	Description	Qty	Unit Price	Ext. Price
Wireless Microphones					
1	ULXD4D--G50	Shure Dual Channel Wireless Receiver	1	\$2,225.00	\$2,225.00
2	ULXD2/B58--G50	Shure Handheld Transmitter with Beta 58A Microphone	1	\$490.00	\$490.00
3	ULXD1--G50	Shure Wireless Belt Pack Transmitter	1	\$390.00	\$390.00
4	WL183	Shure Lavalier Condenser Microphone	1	\$80.00	\$80.00
5	SBC200-US	Shure Dual Docking Battery Charging Station	1	\$195.00	\$195.00
6	SB900A	Shure Litium-Ion Rechargeable Battery	2	\$85.00	\$170.00
SubTotal					\$3,550.00

Shipping charges are not included and will be billed at actual cost.
 Sales tax is not included and will be billed at actual.
 A 3% convenience will be added for credit card payments.

Sub Total	\$3,550.00
Sales Tax	\$0.00
Shipping	\$0.00
Total	\$3,550.00

Accepted by: _____ Date: _____ PO: _____

All information contained within this quote is valid for the next 30 days. Thereafter, all prices and applicable charges are subject to change.
 MINIMUM 15% RESTOCKING FEE WITH ORIGINAL PACKAGING.

For the Period : 4/9/2019 To 5/11/2019

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$654,813.34	\$2,368.28	\$33,664.02	\$623,517.60
Road and Bridge	\$0.00	\$0.00	\$0.00	\$0.00
Comp Plan Grant	(\$4,040.00)	\$0.00	\$0.00	(\$4,040.00)
Tree Canopy Care	\$0.00	\$0.00	\$0.00	\$0.00
Special Rev Projects	\$8,252.34	\$14,250.00	\$200.00	\$22,302.34
Spec Rev - Warm House	\$40.00	\$0.00	\$0.00	\$40.00
REIMBURSED CONTRACTED SERVICES	(\$7,285.26)	\$0.00	\$0.00	(\$7,285.26)
General Debt Service (Identify) (Inactive)	\$0.00	\$0.00	\$0.00	\$0.00
Birchwood In Re-hab Bond	(\$25,181.54)	\$0.00	\$0.00	(\$25,181.54)
Sewer Re-hab Debt	\$25,587.91	\$0.00	\$0.00	\$25,587.91
CAPITAL PROJECT FUNDS (401 through 499)	\$0.00	\$0.00	\$0.00	\$0.00
Capital Improvement Projects	\$0.00	\$0.00	\$0.00	\$0.00
Municipal State Aid Streets - Construction (Inactive)	\$0.00	\$0.00	\$0.00	\$0.00
Capital Project PW	\$66,233.91	\$0.00	\$0.00	\$66,233.91
Water	\$34,002.81	\$17.20	\$13,114.39	\$20,905.62
Sewer	\$49,373.21	\$550.10	\$10,897.86	\$39,025.45
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	\$801,796.72	\$17,185.58	\$57,876.27	\$761,106.03

Fund Name: All Funds

Date Range: 04/09/2019 To 05/11/2019

<u>Date</u>	<u>Remitter</u>	<u>Receipt #</u>	<u>Description</u>	<u>Deposit ID</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-P</u>	<u>Total</u>
04/25/2019	TitleSmart, Inc.	171734629*	Sewer Lining Assessment - 2017	(04/25/2019) -	N	SPECIAL ASSESSMENTS	605-36100-	\$ 512.30
								\$ 512.30
04/25/2019	Sorenson, Luke & Aura	171734630*	Utility Billing Payment	(04/25/2019) -	N	Water Fee	601-34110-	\$ 15.00
						Penalty - Late Water/Sewer	601-34160-	\$ 0.61
						State and Misc fees	601-34170-	\$ 1.59
						Penalty - Late Water/Sewer	605-34160-	\$ 1.80
						Sewer Fee	605-34190-	\$ 36.00
								\$ 55.00
04/25/2019	Chapman, Louise	171734631*	Animal License - New dog	(04/25/2019) -	N	Animal Licenses	100-32240-	\$ 5.00
								\$ 5.00
04/25/2019	Birchwood Dock Association	171734632*	Dock, Permit & Boat Slip Fees - 2019	(04/25/2019) -	N	Dock/Lift Permit Fee	210-32260-	\$ 14,250.00
								\$ 14,250.00
04/25/2019	Haupt, Mark & Mary	171734633*	Kayak/Canoe Permits x2	(04/25/2019) -	N	Kayak/Canoe Permits	100-32212-	\$ 60.00
								\$ 60.00
04/25/2019	Bear Roofing & Exteriors, Inc.	171734634*	Building Permit	(04/25/2019) -	N	Building Permits	100-32211-	\$ 244.25
								\$ 244.25
04/25/2019	Apollo Heating & Air	171734635*	Building Permit	(04/25/2019) -	N	Building Permits	100-32211-	\$ 129.12
								\$ 129.12
04/25/2019	WS&D Permit Service, Inc.	171734636*	Building Permit	(04/25/2019) -	N	Building Permits	100-32211-	\$ 198.71
								\$ 198.71
04/25/2019	Malvey, Michael & Megan	171734637*	Animal License - New dog	(04/25/2019) -	N	Animal Licenses	100-32240-	\$ 5.00
								\$ 5.00
04/25/2019	Lundberg, Michael & Britta	171734638*	Kayak/Canoe Permit	(04/25/2019) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00

Fund Name: All Funds

Date Range: 04/09/2019 To 05/11/2019

<u>Date</u>	<u>Remitter</u>	<u>Receipt #</u>	<u>Description</u>	<u>Deposit ID</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-P</u>	<u>Total</u>
								<u>\$ 30.00</u>
04/25/2019	Bowar, Eugene & Sandra	171734639*	Kayak/Canoe Permit	(04/25/2019) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00
								<u>\$ 30.00</u>
04/25/2019	Gohl, Deborah	171734640*	Kayak/Canoe Permit	(04/25/2019) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00
								<u>\$ 30.00</u>
04/25/2019	Schertz, Theresa	171734641*	City Hall Rental Payment	(04/25/2019) -	N	City/Town Hall Rent	100-34101-	\$ 25.00
								<u>\$ 25.00</u>
04/25/2019	Loosebrock, Jeremy & Gina	171734642*	Kayak/Canoe Permit	(04/25/2019) -	N	City/Town Hall Rent	100-34101-	\$ 30.00
								<u>\$ 30.00</u>
04/25/2019	Hennessey, John or Claire	171734643*	City Hall Rental Payment	(04/25/2019) -	N	City/Town Hall Rent	100-34101-	\$ 25.00
								<u>\$ 25.00</u>
04/30/2019	4M Fund	171734654	Interest Income - 04/30/2019	(04/30/2019) -	N	Interest Earning	100-36210-4	\$ 1,556.20
								<u>\$ 1,556.20</u>
Total for Selected Receipts								<u><u>\$ 17,185.58</u></u>

Fund Name: All Funds

Date Range: 04/09/2019 To 05/11/2019

<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>
04/10/2019	IRS - US Treasury	EFT041019A	Federal Taxes - Q1 2019 - March Payment	N	Clerk - Treasurer	100-41401-100-	\$ 2,389.39
	Total For Check	EFT041019A					\$ 2,389.39
04/10/2019	MN Department of Revenue	EFT041019B*	MN State Tax eFiling - Q1 2019	N	Clerk - Treasurer	100-41401-115-	\$ 1,004.15
	Total For Check	EFT041019B					\$ 1,004.15
04/12/2019	Payroll Period Ending 04/12/2019	30486	Administrator - Insurance	N	Clerk - Treasurer	100-41401-100-	\$ 421.49
	Total For Check	30486					\$ 421.49
04/12/2019	Payroll Period Ending 04/12/2019	30488	Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 1,859.42
	Total For Check	30488					\$ 1,859.42
04/12/2019	PERA	EFT041219A*	Employee Retirement - Tobin Lay	N	Clerk - Treasurer	100-41401-121-	\$ 358.06
	Total For Check	EFT041219A					\$ 358.06
04/26/2019	Payroll Period Ending 04/26/2019	30489	Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 1,859.42
	Total For Check	30489					\$ 1,859.42
04/26/2019	PERA	EFT042619A*	Employee Retirement - Tobin Lay	N	Clerk - Treasurer	100-41401-121-	\$ 358.06
	Total For Check	EFT042619A					\$ 358.06
04/29/2019	Tracy Printing, Inc.	30490	U/B Envelopes	N	Office Operations Supplies	601-41911-210-	\$ 219.00
	Total For Check	30490					\$ 219.00
05/02/2019	Payroll Period Ending 04/30/2019	30491	Maintenance - Jim Rydeen	N	Parks	100-45207-100-	\$ 1,001.08
	Total For Check	30491					\$ 1,001.08
05/02/2019	Payroll Period Ending 04/30/2019	30492	Treasurer/Deputy Clerk	N	Clerk - Treasurer	100-41401-100-	\$ 596.65
	Total For Check	30492					\$ 596.65
05/02/2019	PERA	EFT050219A*	Employee Retirement - Jim Rydeen	N	Parks	100-45207-121-	\$ 171.49
	Total For Check	EFT050219A					\$ 171.49
05/02/2019	Payroll Period Ending 04/30/2019	EFT050219B	***VOID\$596.65***Treasurer/ Deputy Clerk	Y	Clerk - Treasurer	100-41401-100-	\$ -

Fund Name: All Funds

Date Range: 04/09/2019 To 05/11/2019

<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	EFT050219B				\$ -
05/02/2019	PERA	EFT050219C*	Employee Retirement - Paul Carroll	N	Clerk - Treasurer	100-41401-121-	\$ 97.31
		Total For Check	EFT050219C				\$ 97.31
05/09/2019	AirFresh Industries, Inc.	30520*	Portable Restroom Rental (2) - May 2019 + Project Rental - Apr 2019	N	Parks	100-45207-314-	\$ 182.81
		Total For Check	30520				\$ 182.81
05/09/2019	IRS - US Treasury	EFT050919A	Federal Taxes - Q2 2019 - April Payment	N	Clerk - Treasurer	100-41401-100-	\$ 1,544.27
		Total For Check	EFT050919A				\$ 1,544.27
05/09/2019	Xcel Energy	EFT050919B*	Xcel Utility Billing - Street Lights - Apr 2019	N	Street Lighting	100-43160-380-	\$ 1,246.23
		Total For Check	EFT050919B				\$ 1,246.23
05/10/2019	Payroll Period Ending 05/10/2019	30493	Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 1,859.42
		Total For Check	30493				\$ 1,859.42
05/10/2019	Payroll Period Ending 05/10/2019	30494	Administrator - Insurance	N	Clerk - Treasurer	100-41401-100-	\$ 421.49
		Total For Check	30494				\$ 421.49
05/10/2019	Lay, Tobin	30495*	***VOID\$457.26***Reimbursement - Training	Y	City Training and Development	100-41914-810-	\$ -
		Total For Check	30495				\$ -
05/10/2019	City of White Bear Lake	30496*	Fire Services - Apr 2019 & Water Billing Q1 2019	N	Fire	100-42201-314-	\$ 2,030.17
		30496*			Water Utility	601-43180-437-	\$ 10,754.59
		Total For Check	30496				\$ 12,784.76
05/10/2019	Kantrud, Alan	30497*	City Attorney Fees - Apr 2019	N	Legal Services	100-41601-300-	\$ 1,500.00
		Total For Check	30497				\$ 1,500.00
05/10/2019	Manship Plumbing & Heating Inc	30498*	Standby - Apr 2019, State Testing, Frozen hydrant, locates & meter repairs.	N	Water Utility	601-43180-314-	\$ 600.00
		30498*				601-43180-314-	\$ 120.00
		30498*				601-43180-314-	\$ 800.00
		30498*				601-43180-314-	\$ 240.00

Fund Name: All Funds

Date Range: 04/09/2019 To 05/11/2019

<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>
		30498*				601-43180-314-	\$ 240.00
		Total For Check	30498				\$ 2,000.00
05/10/2019	Allstream	30499*	Analog Phone Line - May 2019	N	General Government Buildings and Plant	100-41940-320-	\$ 45.97
		Total For Check	30499				\$ 45.97
05/10/2019	White Bear Township	30500*	LS Pump Cleaning, Inspections (Nov/Dec 2018) & Sewer Line Locate (Apr 2019)	N	Sewer Utility	605-43190-314-	\$ 300.00
		30500*				605-43190-314-	\$ 750.00
		30500*				605-43190-314-	\$ 171.90
		Total For Check	30500				\$ 1,221.90
05/10/2019	Washington County - Property & Tax	30501*	Special Assessment Billing - 2019	N	Assessing	100-41550-437-	\$ 177.00
		Total For Check	30501				\$ 177.00
05/10/2019	BIRCH, INC.	30502*	Snow Removal Services: 02/04/2019 - 03/01/2019 (6)	N	Ice and Snow Removal	100-43125-314-	\$ 1,125.00
		30502*				100-43125-314-	\$ 315.00
		30502*				100-43125-314-	\$ 1,102.50
		30502*				100-43125-314-	\$ 1,102.50
		30502*				100-43125-314-	\$ 832.50
		30502*				100-43125-314-	\$ 1,417.50
		Total For Check	30502				\$ 5,895.00
05/10/2019	City of Roseville	30503*	Phone & IT Services - Apr & May 2019	N	General Government Buildings and Plant	100-41940-320-	\$ 63.00
		30503*				100-41940-320-	\$ 404.00
		30503*				100-41940-320-	\$ 63.00
		30503*				100-41940-320-	\$ 404.00
		Total For Check	30503				\$ 934.00
05/10/2019	Washington County - Road & Bridge	30504*	Snow & Ice Control - 03/01/2019 & 03/26/2019	N	Ice and Snow Removal	100-43125-210-	\$ 1,943.27
		Total For Check	30504				\$ 1,943.27
05/10/2019	USS Minnesota One MT LLC	30505*	Energy Charges - Mar 2019	N	General Government Buildings and Plant	100-41940-380-	\$ 1,020.47
		Total For Check	30505				\$ 1,020.47

Fund Name: All Funds

Date Range: 04/09/2019 To 05/11/2019

<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>
05/10/2019	MENARD'S - OAKDALE	30506*	Parks Grass & Seed Supplies - Apr 2019	N	Parks	100-45207-220-	\$ 97.43
	Total For Check	30506					\$ 97.43
05/10/2019	Companion Animal Control LLC	30507	Animal Control - Mar 2019	N	Animal Control	100-41916-314-	\$ 80.00
	Total For Check	30507					\$ 80.00
05/10/2019	Merrick Inc.	30508*	Flyers & Mailers 03/05/2019	N	Newsletter	601-41960-350-	\$ 140.80
	Total For Check	30508					\$ 140.80
05/10/2019	TSE, Inc. Work Account	30509*	Janitorial Services 03/28/2019 & 04/18/2019	N	General Government Buildings and Plant	100-41940-314-	\$ 25.00
		30509*				100-41940-314-	\$ 25.00
	Total For Check	30509					\$ 50.00
05/10/2019	Leeves, Robert	30510*	Videographer - 04/09/2019	N	Cable Eqpmt and Service	100-41950-314-	\$ 97.50
	Total For Check	30510					\$ 97.50
05/10/2019	AirFresh Industries, Inc.	30511*	Portable Restroom Rental - Apr 2019	N	Parks	100-45207-314-	\$ 81.25
	Total For Check	30511					\$ 81.25
05/10/2019	Menard's - MAPLEWOOD	30512*	Parks Supplies (Dock Floats, B1G1 Free)	N	Parks	100-45207-210-	\$ 98.89
	Total For Check	30512					\$ 98.89
05/10/2019	Metropolitan Council - Env. Service	30513*	Wastewater Service - May & June 2019	N	Sewer Utility	605-43190-217-	\$ 4,812.53
		30513*				605-43190-217-	\$ 4,812.53
	Total For Check	30513					\$ 9,625.06
05/10/2019	Metropolitan Area Management Assoc.	30514*	Training - Mar 2019	N	City Training and Development	100-41914-310-	\$ 25.00
	Total For Check	30514					\$ 25.00
05/10/2019	Hugo Equipment Company	30515*	Snow Blower Repair Parts	N	Parks	100-45207-220-	\$ 172.87
	Total For Check	30515					\$ 172.87
05/10/2019	Menard's - MAPLEWOOD	30516*	Parks Supplies	N	Parks	100-45207-210-	\$ 35.45
	Total For Check	30516					\$ 35.45
05/10/2019	Gopher State One Call	30517*	Billable Tickets (37) - Apr 2019	N	Utility Locates	605-42805-314-	\$ 45.90

Fund Name: All Funds

Date Range: 04/09/2019 To 05/11/2019

<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	30517				\$ 45.90
05/10/2019	Tennis Sanitation, LLC	30518*	Recycling for Service Period: Mar - Apr 2019	N	Recycle	100-43300-314-	\$ 1,840.00
		Total For Check	30518				\$ 1,840.00
05/10/2019	White Bear Lake Fireworks Fund	30519*	Annual Contribution - 2019	N	Recreation	210-45101-433-	\$ 200.00
		Total For Check	30519				\$ 200.00
05/10/2019	Lay, Tobin	30521*	Reimbursement - Training/Lodging	N	City Training and Development	100-41914-334-	\$ 468.52
		Total For Check	30521				\$ 468.52
05/10/2019	Xcel Energy	EFT051019A	Xcel Utility Billings & Street Lights - Apr 2019	N	General Government Buildings and Plant	100-41940-380-	\$ 44.14
		EFT051019A			Street Lighting	100-43160-380-	\$ 1,254.76
		EFT051019A			Parks	100-45207-380-	\$ 43.53
		EFT051019A			Sewer Utility	605-43190-380-	\$ 16.85
		EFT051019A				605-43190-380-	\$ 65.89
		EFT051019A				605-43190-380-	\$(105.58)
		EFT051019A				605-43190-383-	\$ 27.84
		Total For Check	EFT051019A				\$ 1,347.43
05/10/2019	PERA	EFT051019B*	Employee Retirement - Tobin Lay	N	Clerk - Treasurer	100-41401-121-	\$ 358.06
		Total For Check	EFT051019B				\$ 358.06
Total For Selected Checks							\$ 57,876.27

As on 5/11/2019

Special Rev Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Dock/Lift Permit Fee	0.00	14,250.00	14,250.00
Total Acct 322	0.00	14,250.00	14,250.00
Total Revenues	0.00	14,250.00	14,250.00
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)
Total Disbursements	0.00	200.00	(200.00)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		8,252.34	
Total Receipts and Other Financing Sources		14,250.00	
Total Disbursements and Other Financing Uses		200.00	
Cash Balance as of 05/11/2019		22,302.34	

As on 5/11/2019

Capital Project PW

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	0.00	0.00	0.00
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Total Disbursements	0.00	0.00	0.00
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		66,233.91	
Total Receipts and Other Financing Sources		0.00	
Total Disbursements and Other Financing Uses		0.00	
Cash Balance as of 05/11/2019		66,233.91	

As on 5/11/2019

Water

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Water Fee	0.00	20,157.90	20,157.90
Penalty - Late Water/Sewer	0.00	121.55	121.55
State and Misc fees	0.00	552.51	552.51
Total Acct 341	0.00	20,831.96	20,831.96
Water Main Break	0.00	53.84	53.84
Total Acct 349	0.00	53.84	53.84
Miscellaneous	0.00	0.01	0.01
Total Acct 361	0.00	0.01	0.01
Total Revenues	0.00	20,885.81	20,885.81
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Postage/Postal Permits			
Refunds and Reimbursements	0.00	221.15	(221.15)
Total Acct 414	0.00	221.15	(221.15)
Financial Administration			
Contracted Services	0.00	1,938.00	(1,938.00)
Total Acct 415	0.00	1,938.00	(1,938.00)
Office Operations Supplies			
Operating Supplies (211 through 219)	0.00	219.00	(219.00)
Refunds and Reimbursements	0.00	65.98	(65.98)
Newsletter			
Printing and Binding (351 through 359)	0.00	218.40	(218.40)
Total Acct 419	0.00	503.38	(503.38)
Water Utility			
Repair and Maintenance Supplies (221 through 229)	0.00	864.00	(864.00)
Professional Services: Legal Fees	0.00	1,444.00	(1,444.00)
Contracted Services	0.00	15,710.34	(15,710.34)
Fees	0.00	11,316.59	(11,316.59)
Wtr/Swr Emergency			
Repair and Maintenance Supplies (221 through 229)	0.00	245.56	(245.56)
Refunds and Reimbursements	0.00	569.99	(569.99)
Total Acct 431	0.00	30,150.48	(30,150.48)
Total Disbursements	0.00	32,813.01	(32,813.01)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		32,832.82	
Total Receipts and Other Financing Sources		20,885.81	
Total Disbursements and Other Financing Uses		32,813.01	
Cash Balance as of 05/11/2019		20,905.62	

As on 5/11/2019

Sewer

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Penalty - Late Water/Sewer	0.00	141.42	141.42
State and Misc fees	0.00	0.00	0.00
Sewer Fee	0.00	27,977.10	27,977.10
Total Acct 341	0.00	28,118.52	28,118.52
SPECIAL ASSESSMENTS	0.00	512.30	512.30
Total Acct 361	0.00	512.30	512.30
Total Revenues	0.00	28,630.82	28,630.82
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Office Operations Supplies			
Refunds and Reimbursements	0.00	319.00	(319.00)
Newsletter			
Printing and Binding (351 through 359)	0.00	77.60	(77.60)
Total Acct 419	0.00	396.60	(396.60)
Utility Locates			
Contracted Services	0.00	122.90	(122.90)
Total Acct 428	0.00	122.90	(122.90)
Sewer Utility			
Sewer - Wastewater Charge	0.00	24,062.65	(24,062.65)
Contracted Services	0.00	5,046.29	(5,046.29)
Utility Services (381 through 389)	0.00	2,535.86	(2,535.86)
Utility Services: Gas Utilities	0.00	142.79	(142.79)
Total Acct 431	0.00	31,787.59	(31,787.59)
Total Disbursements	0.00	32,307.09	(32,307.09)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		42,701.72	
Total Receipts and Other Financing Sources		28,630.82	
Total Disbursements and Other Financing Uses		32,307.09	
Cash Balance as of 05/11/2019		39,025.45	

MEMORANDUM



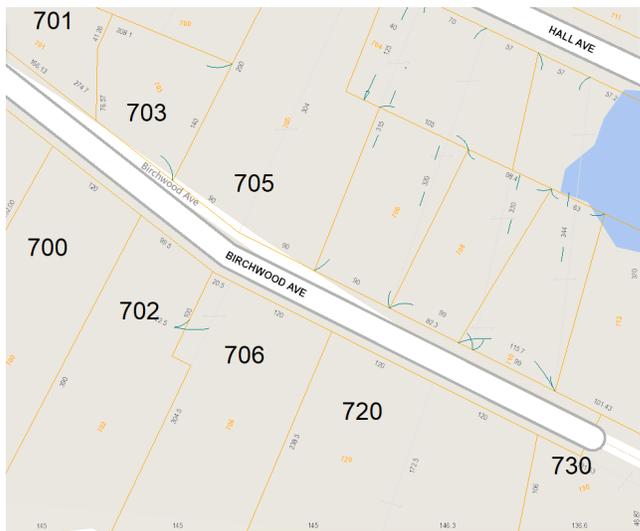
TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Address Changes (Hall Ave to Birchwood Ave)

Birchwood Village

Dear Mayor & Council Members,

At the last Planning Commission meeting Commissioners heard requests from the owner of 708 Hall Ave and neighboring properties about changing three Hall Ave addresses to corresponding Birchwood Ave addresses. Commissioners agreed that the requests made sense and they recommended Council approve the changes as follows:

- 708 Hall Ave changed to 723 Birchwood Ave
- 710 Hall Ave changed to 725 Birchwood Ave
- 712 Hall Ave changed to 727 Birchwood Ave.



Background

At the time 708, 710, & 712 Hall Ave were built, Birchwood Ave did not exist. Access was made to these three properties by a long shared driveway off of Hall Ave. Once Birchwood Ave was put in, all three of these properties immediately abutted the new street and that has become the primary access point for these properties.

Staff notified the owners of 710 & 712 Hall Avenue about the request to gauge interest in including their respective properties in the change request. Jim Rupert, the owner of 710 has responded with support and interest in also changing his address. The owner of 712 Hall Ave has not responded; the home is currently for sale.

In addition to speaking to the owners of 708 & 710 Hall Ave, staff spoke with the Deputy Fire Chief of the White Bear Fire Dept. and a survey technician at Washington County. Both the Fire Dept and Washington County agreed that making this change would increase response time by emergency personnel because the change eliminates existing confusion about the location of the homes.

The Fire Chief and Deputy Fire Chief agreed, however, that all three addresses should be changed together. Not changing all three together could increase confusion and cause a delay in emergency response times. Accordingly, changing all three addresses together makes logical sense – all three physically sit on Birchwood Ave and not on Hall Ave.

Address Choices

The above map shows the existing numbering system for Birchwood Avenue, with odd numbering on the north and even numbering on the south. 706 Hall Ave does not abut Birchwood Avenue and only has an access point from Hall Ave so it makes sense to keep that address as currently assigned. Accordingly, only 708, 710, & 712 Hall should be changed.

To be consistent with existing numbering along Birchwood Avenue, the following numbering options are available: 723, 725, 727, 729, 731.

Request/Recommendation

The Planning Commission recommends Council change three Hall Ave addresses as follows:

- 708 Hall Avenue changed to 723 Birchwood Avenue
- 710 Hall Avenue changed to 725 Birchwood Avenue
- 712 Hall Avenue changed to 727 Birchwood Avenue.

Thanks!

Regards,
Tobin Lay

Birchwood Village – Initiative Proposal Template

Name of Initiative	Request to Change Three (3) Hall Ave Addresses
Committee	Planning Commission
What problem will this initiative solve or what value will this create in our community?	Changing addresses to Birchwood Ave will reduce navigational confusion and increase emergency response time. The three (3) homes physically abut and access is through Birchwood Ave.
Proposed Solution or Initiative Description	Change 708, 710, & 712 Hall Ave to corresponding Birchwood Ave addresses.
How will we measure success of this initiative? <i>What would success look like and how will we know if we are successful?</i>	The effected residents will be happier and navigational problems will be reduced.
Estimated Cost of Initiative	Unknown. Potentially nothing from the City. Cost to affected residents would be limited to those in notifying others of address change.
Assumptions or Dependencies <i>What has to be true for the benefit and costs to be accurate? Examples: labor cost assumptions, number of residents using solution, etc.</i>	That all three residents will support this address change. That the County disclosed all expenses for this service when asked.
Alternative Solutions Considered <i>What are the alternatives that could be considered to solve the problem?</i>	Remain the same.
Timing Considerations <i>Are there any firm deadlines or an ideal timeframe for this initiative? What is driving the deadline?</i>	No deadline but at least one (1) resident is anxious for this to be approved.

PARKS COMMITTEE RECOMMENDATIONS PARKS IMPROVEMENT PLAN (PIP)

Parks and Open Space Maintenance and Improvement Plan

Drafted by the Birchwood Parks and Natural Resources Committee, 2/2019.

The purpose of this document is to compile assets, outline maintenance needs, and identify and prioritize capital improvements for Birchwood's parks and open spaces.

Introduction

There is a total of 13.8 acres of park and public open space land within the boundaries of Birchwood Village. The City's park system contains four dedicated municipal parks (Tighe-Schmidt, Bloomquist Field, Wildwood Avenue Boulevard and Nordling Park), six lake easements providing access to White Bear Lake; and local and multi-city trails (Lake Links).

Natural Resource Management

The following are natural resource management concerns that affect many public spaces and need to be addressed.

- Buckthorn removal
- Diseased tree treatment and/or removal
- Addressing the effects of other invasive species or diseases that affect our natural resources

Parks

Tighe-Schmitz Park

Tighe-Schmitz Park (2.50 Acres) is located on the northeastern edge of the City. Located in this park are the large sports areas - hockey rink, open skating rink, baseball field, football and soccer practice areas. The multi-purpose hockey rink (completed in 1997) provides for year-round use including in-line skating and basketball in the off-season. Adjacent to the skating rinks is a warming house and volleyball court. Children's play equipment (installed in 1996), and a picnic shelter complete the area. Adjacent to the picnic area, a rain garden was installed. Until recently there was a path along the western edge of the park. In the past, Tighe-Schmitz park was a dry wetland. To make it useable as a park it has been filled at least once. In past years, spring thaw and heavy rains events caused of the park to be underwater and largely unusable for extended periods of time. Some work was done in Hall's Marsh

Current Amenities:

- Signage
- Playground – built 1996
- Swings (4)
- Picnic shelter
 - Picnic Tables (4)
 - Grills
- Soccer field
- Baseball field
- Hockey arena

- Basketball nets
- Pickleball court
- Warming house
- Port-a-potty
- Volleyball/small ice rink
- Drinking fountain
- Dog waste station

Maintenance Needs:

- Spring
 - Clean and inspect playground equipment
 - Turn on drinking water fountain
 - Put out baseball bases
 - Set up volleyball posts and nets
 - Take up rubber mats
- Fall
 - Clean playground equipment
 - Turn off drinking water fountain
 - Take in bases
 - Put down rubber mats
- Weekly-Monthly
 - Mow the grass and weed the playground (summer-fall)
 - Rake baseball diamond (summer)
 - Clean warming house (winter)
 - Maintain parking stalls timber stops
 - Remove trash
- As needed
 - Paint warming house and porta-potty surround
 - Repair and paint tables, benches, and signs
 - Trim trees
 - Repair and paint hockey rink boards
 - Replace gravel in parking lot
 - Replace baseball diamond sand
 - Replenish sand in the playground
 - Replace swings
 - Reroof shelter
 - Replace soccer nets
 - Repair asphalt in and around hockey rink
 - Replace basketball nets

Capital Improvement Plan:

- Develop a wholistic plan for the entire 2.5 acre park to maximize its usefulness and inform capital improvement.
- Replace playground equipment – the average life period for playground equipment is 15-25 years.¹ The current equipment is 23 years old.

Bloomquist Field

Bloomquist Field (1.50 Acres) is located at the intersection of Cedar Street and Birchwood Avenue. A double tennis court is located in this facility, as well as picnic tables and benches. Playground equipment was installed in 1998.

Current Amenities:

- Signage
- Double tennis court
- Benches
- Table (?)
- Playground equipment – built 1998

Maintenance Needs:

- Spring
 - Clean playground equipment
 - Clean and set up tennis courts
 - Turn on drinking water fountain
- Fall
 - Clean playground equipment
 - Turn off drinking water fountain
- Weekly-Monthly
 - Mow the grass, weed whack, and weed the playground (summer-fall)
- As needed
 - Paint steps, sign, tables, and benches
 - Trim trees
 - Replenish sand in the playground
 - Replace tennis court fence
 - Resurface tennis courts

Capital Improvement Plan:

- Replace playground equipment – the average life period for playground equipment is 15 - 25 years¹. The current equipment is 21 years old.

¹ <https://srppplayground.com/how-long-do-playgrounds-last>, <https://www.stcroixrec.com/playground-life-expectancy/>, <https://korkat.com/products/commercial-playgrounds/>.

Nordling Park

Nordling Park (1.3 Acres) is a wooded area which has some walking paths and serves as a temporary ponding area.

Current Amenities:

- Signage

Maintenance Needs:

- Spring
 - Clean out catch basin
- Fall
 - Clean out catch basin
- As needed
 - Replace gravel in walkway
 - Trim trees

Wildwood Avenue Boulevard

Wildwood Avenue Boulevard (0.60 Acres) is located at approximately the midpoint of Wildwood Avenue. It is a wide open grassy area between the driving lanes of Wildwood Avenue. The City uses the park for its Fourth of July celebration.

Current Amenities:

- Signage
- Flag pole
- Bench
- Picnic table

Maintenance Needs:

- Weekly-Monthly
 - Mow the grass (summer-fall)
- As needed
 - Paint benches and tables
 - Trim trees
 - Replace flag

Capital Improvement Plan:

- Plant additional trees along the north and south side of parks.
- Add additional benches.

Beaches/Lake Easements

Lake Easements (1.2 Acres total): six lake easements provide access to White Bear Lake. Kay beach is the city's only designated swimming beach, while the remaining easements (Ash, Birch, Elm, Dellwood) have boat slips available for rent by residents. Kurt Feistner easement is not developed. The easements are evenly spaced along Wildwood and Lake Avenue and are City owned and governed.

Current State/Amenities:

- Kurt Feistner Memorial Preserve
 - Signage
 - Undeveloped, only wooden steps to access the beach
 - This space is largely unusable in its current state and needs extra attention to bring it to a useable state.
- Ash Beach
 - Garden, grassy area, rocky beach, 2 Adirondack chairs, old bench
- Birch Beach
 - Rain garden /catch basin, large grassy area, sandy beach, new picnic table, old cement/wood bench, 2 canoe/kayak racks, garbage/recycling cans, dog waste station
- Elm Beach
 - Woodchip/grass walkway, old cement/wood bench, sandy beach, canoe/kayak rack, garbage can
- Dellwood Beach
 - Large grassy area, sandy beach, 2 old and 1 new picnic tables, 2 canoe/kayak racks, garbage/recycling cans
- Kay Beach
 - Large grassy area, sandy beach, 1 old and 1 new picnic table, 1 bench, garbage can, kayak rack

Maintenance Needs:

- Spring
 - Clean out catch basins
- Fall
 - Clean out catch basins
- As needed
 - Paint benches, tables, and chairs
 - Replenish sand (Kay and Birch)
 - Prune bushes, trim trees
 - Replace wood chips
 - Replace gravel in walkway
 - Clean up sediment/sand from steps and bridge (Kurt Feistner)
 - Garden and rain garden maintenance
 - Replace/repair tables and benches

Capital Improvement Plan:

- Gradually replace all old tables and benches
- Add canoe/kayak racks as needed
- Work with partners to implement best practices regarding stormwater management

Trails and Walkways

Birchwood has several walkways located on easements throughout the village (Ash, Birch, Grotto). Additional easements exist but have not been improved.

The Lake Links trail, which borders White Bear Lake, runs through Birchwood Village as well. In the future, improvements may be needed to ensure the trail is safe for use. Future trail improvements should be considered with Lake Links in mind (ex. We would not want the lake links trail to run along one side of the road, while a City trail runs along the other side). The trail is currently signed.

Amenities:

- Ash Walkway
 - Woodchip covered path between Birchwood Ave and Wildwood Ave, one bench carved out of a tree trunk
- Birch Walkway
 - Asphalt path between Owl St. and Birch St.
- Grotto Walkway
 - Wooden stairs, asphalt and grassy path between Hall Ave and Tighe-Schmitz Park

Maintenance Needs Where Assets Exist:

- Spring
 - Replace wood chips or gravel (walkways and stairs)
 - Clear spillway - Birch walkway
 - clear stairs - Grotto walkway
- Fall
 - Clear spillway - Birch walkway
- Monthly
 - Trim overgrown bushes
- Annually
 - Paint posts
 - Trim Trees

Capital Improvement Plan:

- Upgrade the Ash walkway with gravel.
- Add benches to Ash walkway
- Better delineate Grotto walkway
- Add hand railing to Grotto steps
- Add signage marking the walkways

Other Public Spaces

Hall's Marsh

Hall's Marsh (6.6 Acres) is a dedicated nature preserve. This open space is a dedicated nature preserve and is currently unimproved. There are no existing trails, or other organized/programmed uses and the area is generally open space and provides ponding and stormwater management.

Amenities: None currently.

Maintenance Needs: Periodic litter removal.

Capital Improvement Plan: Explore the possibility of a pier or benches.

Lakewood Rearrangement

Lakewood Rearrangement, Out Lot A (0.2 Acres) is a 50 foot wide strip of land is undeveloped but has recreational potential. Additional work by the city is needed to properly identify this site as there are currently two lots marked on the city map as "out lot A."

Project Costs and Recommendations

Short Term Projects (0-5 years)

- Ensure every park and trail has:
 - Identification sign
 - Access points
 - Tables and/or benches (at least one ADA accessible table)
 - Garbage/recycle
 - Drinking water access (where feasible)
 - Electricity access (where feasible)
- Install basketball backboards in the ice rink
- Replace beach sand
- Coordinate with the Lake Links Association, and relevant local jurisdictions to implement the Lake Links trail
- Develop a plan to replace playground equipment at Tighe Schmidt Park and Bloomquist Field
- Distribute an easy to use map of the City's parks and trails
- Construct a horseshoe pit
- Complete deferred maintenance

Mid Term Projects (5-10 years)

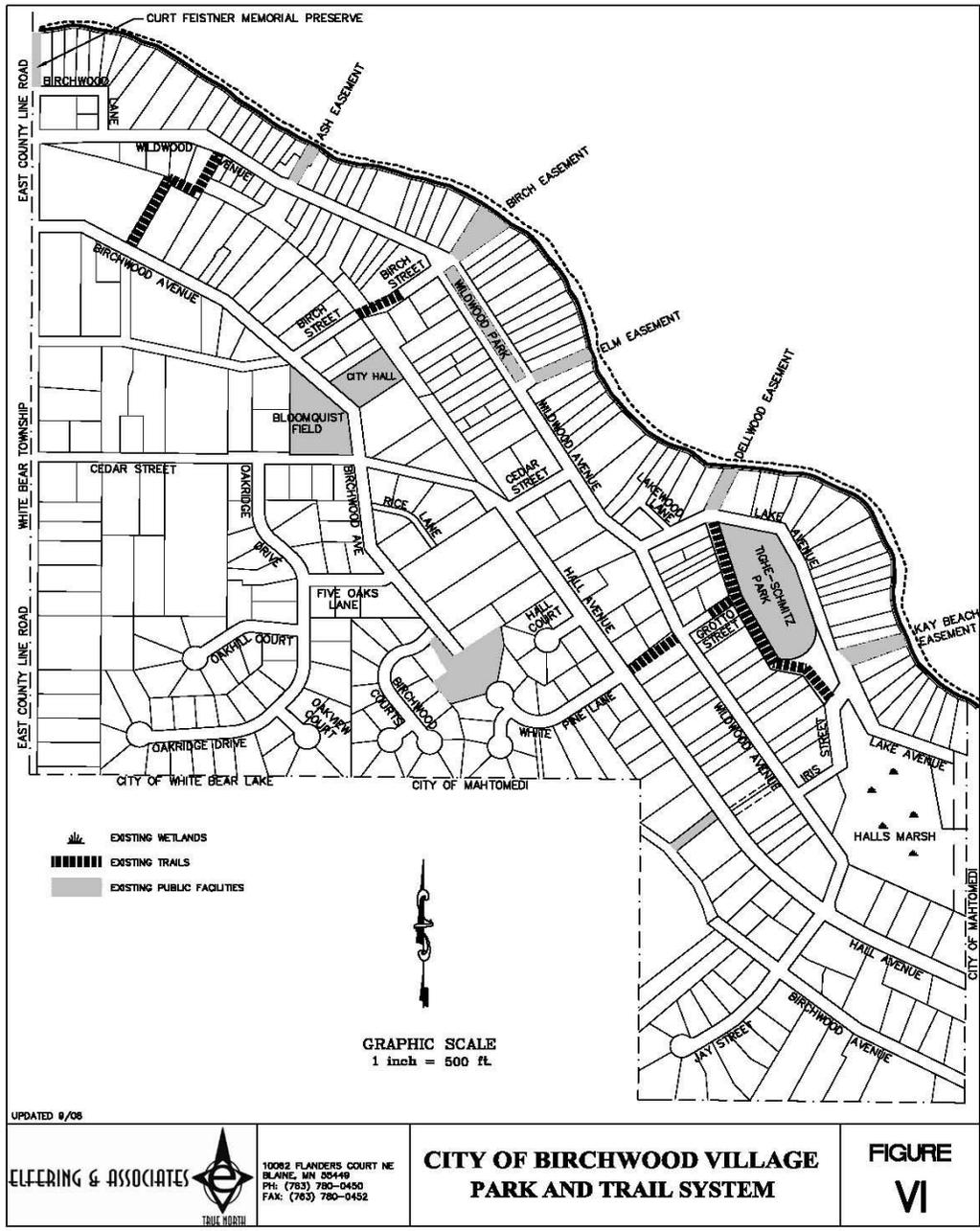
- Carry out the plan developed in the short-term projects section to replace playground equipment
- New tennis backboard
- Construct a pier for Hall's March
- Develop a wholistic plan for Tighe-Schmitz park development/redevelopment
- Re-survey or use another public outreach method to hear what residents are looking for

Long Term Projects (10-15 years)

- Explore and potentially implement the further development of Wildwood Park
- Explore and potentially implement the creation of new walking trails
- Explore and potentially implement a deer management plan

Conclusion

To be good stewards of both the land and taxpayer money, we should emphasize taking care of the spaces and amenities we have. Residents agree. When asked through surveying, the number one concern among residents was maintenance of our parks, trails, and beaches. To maintain our existing parks, trails, and open spaces to the level the community expects, funding levels for maintenance will likely need to be increased. Additionally, to better budget for capital improvements, the committee needs a clearer picture of funding available from the city.



Birchwood Village – Initiative Proposal Template

Name of Initiative	Labeling Garbage Cans
Committee	Parks Committee
What problem will this initiative solve or what value will this create in our community?	Residents either don't know they can use the unlabeled garbage cans in public spaces or residents accidentally use residents private garbage cans for waste.
Proposed Solution or Initiative Description	Label the City garbage cans for public use
How will we measure success of this initiative? <i>What would success look like and how will we know if we are successful?</i>	It would be more obvious which cans are for public trash and which are private residents. Less complains of dog poop in residents garbage cans
Estimated Cost of Initiative	Less than \$100. Time for city employee to label cans by hand or with stickers
Assumptions or Dependencies <i>What has to be true for the benefit and costs to be accurate? Examples: labor cost assumptions, number of residents using solution, etc.</i>	The assumption is that if residents know the cans are public then they will use them instead of private resident garbage cans
Alternative Solutions Considered <i>What are the alternatives that could be considered to solve the problem?</i>	Replace the dog waste station garbage cans
Timing Considerations <i>Are there any firm deadlines or an ideal timeframe for this initiative? What is driving the deadline?</i>	Public nuisance

Birchwood Village – Initiative Proposal Template

Name of Initiative	Exploration of Deer Management Strategies
Committee	Parks
What problem will this initiative solve or what value will this create in our community?	<p>This is a Council directed initiative in response to continued complaints about the increasing deer population.</p> <p>For background, in 2018, the Parks committee recommended that the Council – as the decision-making body of the city – have a public hearing regarding a hunt to cull deer in city boundaries. The city declined and sent the question/proposed hearing responsibilities back to the Parks Committee, at which point the Parks Committee voted to table the issue because the implementation timeline for 2018 was no longer feasible.</p>
Proposed Solution or Initiative Description	<p>From the March 26 Parks Committee meeting minutes/April Parks recommendation to council:</p> <ol style="list-style-type: none"> 1. Committee researches possible deer management options (as of now the known possibilities are: do nothing, hire marksmen to cull deer, hold a limited hunt, or tranquilize and release). 2. Committee plans an informational/public input meeting for July, which would leave time for action to be taken in fall 2019. 3. July Info session/public meeting <ol style="list-style-type: none"> a. Presentation of factual information about urban deer (ideally from experts like DNR staff). b. Presentation by Committee of possible management options. c. Committee + council liaison/entire council takes public comment. Committee solicits comments in other formats (Facebook, electronic newsletter). 4. After weighing public feedback, committee makes recommendation to Council in August 2019.

<p>How will we measure success of this initiative? <i>What would success look like and how will we know if we are successful?</i></p>	<p>A Council member is present at the public hearing - The Parks Committee believes that as the decision making body of the Council, the Parks Council liaison should hear any public testimony firsthand so that they can take that information to the Council as they debate if the recommended (or any other) option should be implemented.</p> <p>Residents submit public comment in whatever form works best for them (written, oral, electronic, etc.).</p> <p>A recommendation is made to the Council.</p>
<p>Estimated Cost of Initiative</p>	<p>The initiative to research, host a hearing, and make a recommendation should cost nothing.</p> <p>The potential implementation of the recommendation ranges from nothing to tens of thousands of dollars.</p>
<p>Assumptions or Dependencies <i>What has to be true for the benefit and costs to be accurate? Examples: labor cost assumptions, number of residents using solution, etc.</i></p>	<p>There are no unexpected procedural or legal steps that need to be taken.</p>
<p>Alternative Solutions Considered <i>What are the alternatives that could be considered to solve the problem?</i></p>	<p>Status quo – do nothing Council leads the process Independent committee leads the process</p>
<p>Timing Considerations <i>Are there any firm deadlines or an ideal timeframe for this initiative? What is driving the deadline?</i></p>	<p>If any culling method is the recommendation, state hunting regulations need to be followed (fall 2019).</p>

Birchwood Village – Initiative Proposal Template

<p>Name of Initiative</p>	<p>Village Map and Signage</p>
<p>Committee</p>	<p>Parks</p>
<p>What problem will this initiative solve or what value will this create in our community?</p>	<p>Case for a map: There is currently no single accurate map to show the public assets of the village. From anecdotal responses to the old park map being distributed with the parks survey, folks were happy to have a map that showed where parks, trails, and easements were, in part because there is some uncertainty about where trails are and how far they extend.</p> <p style="text-align: center;">Note: eventually accurate maps of assets may be included in the comprehensive plan, but the maps do not include all assets in a single map, and the maps can be difficult to read.</p> <p>Case for a kiosk: As Lake Links is already signed, more people will be walking through and exploring the Village. The map would serve as a wayfinding device, as well as orient current members of the village, new village members, and the general public as to the assets of the village.</p>
<p>Proposed Solution or Initiative Description</p>	<p>Hire a graphic designer to create a map of the village and include village assets (Town Hall, parks, trails, beach easements, major roads).</p> <p>Print the maps to distribute with the water bill. Put an electronic copy of the map online.</p> <p>Order a kiosk and large scale printed map to be installed in a park (location TBD, but likely in either Wildwood or Tighe-Schmitz Park). We do not believe city hall is a good location for the map because it is not on the Lake Links trail and would therefore not serve the wayfinding purpose for people using the trail.</p>

<p>How will we measure success of this initiative? <i>What would success look like and how will we know if we are successful?</i></p>	<p>Success in this case is difficult to measure.</p> <p>Easy output measures could include the number of maps distributed or the number of clicks on the website or via social media or the newsletter.</p> <p>A difficult and potentially expensive output measures would include the number of people who stop and look at the kiosk.</p> <p>A difficult and potentially very expensive outcome measure would be to have people count the number of users of our parks/trails/easements before and after the dissemination of maps.</p> <p>Another option would be to survey residents to see if their knowledge/use of the village assets changed after receiving the maps. While helpful, people tend to only answer these types of surveys if they have strong feelings (they hate the map or love the map). This option also includes additional printing cost and staff/volunteer time.</p>
<p>Estimated Cost of Initiative</p>	<p>Design work: TBD</p> <p>Maps: Printing costs TBD – not sure who the city uses to print for newsletters. These would need to be in color.</p> <p>Kiosk: Range in price from about \$350-\$3500 not including installation costs. We would gather estimates and present Council with a recommended option.</p>
<p>Assumptions or Dependencies <i>What has to be true for the benefit and costs to be accurate? Examples: labor cost assumptions, number of residents using solution, etc.</i></p>	<p>As stated above, outputs are easy to measure but not necessarily indicative of benefit, and outcomes are expensive and time consuming to measure.</p> <p>Other assumptions include the cost of labor, printing, and materials remaining steady.</p>

<p>Alternative Solutions Considered <i>What are the alternatives that could be considered to solve the problem?</i></p>	<p>Do nothing.</p> <p>Use the map in the comp plan (lacking all assets on map, not aesthetically pleasing).</p>
<p>Timing Considerations <i>Are there any firm deadlines or an ideal timeframe for this initiative? What is driving the deadline?</i></p>	<p>No firm deadlines for this initiative. Ideal timeframe would be to distribute the map and install the signage this year.</p> <ul style="list-style-type: none"> • May 14: Parks Committee Map and Signage document at Council Meeting • May 15-31: City Staff/Parks Committee to hire designer • June: Designer works on design • June 25: Parks Committee reviews design • July 23: Designer submits final design, Parks Committee approves design and recommended printing and kiosk options. • August 13: Recommendation at Council for approval.

ORDINANCE 2019-03-01

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

**AN ORDINANCE AMENDING PERMIT REQUIREMENTS
AND STANDARDS IN CITY CODE**

The City Council of the City of Birchwood Village hereby ordains that Chapter 301 (Zoning Code: General Provisions) of the Municipal Code of the City of Birchwood Village is hereby amended as follows:

SECTION 301. ZONING CODE: GENERAL PROVISIONS

...

301.055. PERMIT REQUIREMENTS. Unless otherwise specifically provided, the following are required for both demolition permits and building all activity in the City that requires a permit to be issued to conduct the activity:

1. Certificate of insurance; coverage. The applicant must furnish the city with a certificate of insurance evidencing the following required coverage:

A. Commercial general liability, including XCU (explosion, collapse and underground) coverage.

1. Bodily injury.

(i) \$1,000,000.00 each occurrence.

(ii) \$1,000,000.00 aggregate products and completed operations.

2. Property damage.

(i) \$1,000,000.00 each occurrence.

(ii) \$1,000,000.00 aggregate.

B. Comprehensive automobile liability (owned, nonowned, hired).

1. Bodily injury.

(i) \$1,000,000.00 each occurrence.

(ii) \$1,000,000.00 each accident.

2. Property damage. Property damage: \$1,000,000.00 each occurrence.

C. The minimum insurance coverage must be maintained until six months after the demolition has been completed or, if a new dwelling is being constructed, a certificate of occupancy has been issued. The city must be named as an additional insured.

2. Cash escrow. The applicant must furnish the city a cash escrow as required in section [redacted] of the City Code. A single escrow is required for both a demolition permit and building permit. The city may draw on the cash escrow to reimburse the

Commented [A1]: What section?

city for the repair of damage to public property or to remedy permit violations. If the city draws on the cash escrow, upon the city's demand the permit holder must deposit in escrow additional funds to restore the escrowed amount set forth in section [REDACTED]. The cash escrow must remain in place until the work under the permit for which the escrow was made has been completed.

Commented [A2]: What section?

3. Soils investigation report and shoring plan. Based upon soil types, topography, the location of adjacent structures and other pertinent information, the building official shall determine if a soils investigation report and/or shoring plan is necessary. If the building official determines that a soils report is necessary, the applicant shall have a soil report prepared and signed by a licensed professional soil scientist or licensed professional engineer. If the building official determines a shoring plan is necessary, the applicant must provide a detailed plan to ensure that adjacent property will not be damaged by reducing lateral support for driveways, foundations, fences or lawns caused by excavation, demolition or construction activity. The soils report and shoring plan must be approved by the building official. The permit holder must adhere to the approved plan(s).

4. Existing condition of property. Before a permit is issued, the building official must photograph the existing condition of the property, curbs, sidewalks, streets, boulevard and trees adjacent to the property.

5. Written notification of demolition. For a demolition permit, at least 15 calendar days before demolition commences, the permit holder must provide written notification to all property owners within 300 feet of the perimeter of the demolition site notifying the property owners of the proposed demolition and building plans, if applicable, and invite them to a neighborhood meeting. The neighborhood meeting must be held at least five days before demolition commences. A sign must also be posted on the demolition site at least five days before demolition commences identifying the nature of the demolition, the permit holder, a contact name and phone number, and the site address. The sign must also provide a city phone number to call with any questions, complaints or concerns. The dimension of the sign must be between five and six square feet. The sign and the content of the sign must be visible from the street. The sign must be kept in place until the completion of demolition.

6. Signage of construction. For a building permit, a sign must be posted on the permit site at least five days before construction commences identifying the nature of the construction, the permit holder, a contact name and phone number, and the site address. The sign must also provide a city phone number to call with any questions, complaints or concerns. The dimension of the sign must be between five and six square feet. The sign and the content of the sign must be visible from the street. The sign must be kept in place until a certificate of occupancy has been issued.

7. Stormwater and erosion control plans. For a building permit, the applicant must submit stormwater and erosion control plans prepared and signed by a licensed professional engineer. The plans must be approved by the city engineer and the permit holder must adhere to the approved plans. The stormwater

management plan must detail how stormwater will be controlled to prevent damage to adjacent property and adverse impacts to the public stormwater drainage system. The erosion control plan must document how proper erosion and sediment control will be maintained on a continual basis to contain on-site erosion and protect on- and off-site vegetation. Permit holder must protect all storm drain inlets with sediment capture devices at all time during the project when soil disturbing activities may result in sediment laden stormwater runoff entering the inlet. The permit holder is responsible for preventing or minimizing the potential for unsafe conditions, flooding, or siltation problems. Devices must be regularly cleaned out and emergency overflow must be an integral part of the device to reduce the flooding potential. Devices must be placed to prevent the creation of driving hazards or obstructions.

301.060. PERMIT STANDARDS. For both demolition permits and building permits.

A. The permit holder must comply with the state building code, state statutes and this Code.

B. Deliveries of equipment and material to the site, work crews on site and construction and demolition activity are prohibited except between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, and 9:00 a.m. and 6:00 p.m. on Saturday. Work is prohibited on Sundays and holidays.

C. The permit holder must repair any damage to public property, streets, and sidewalks. If damage occurs to the foregoing, it must be repaired within three working days after the damage occurs, unless the permit holder has received written permission from the building official to delay repairs to a later specified date.

D. The permit holder must maintain a five-foot parking setback from driveways and a 30-foot parking setback from intersections. When parking on a street, a vehicle must be completely located on the street surface, parallel to and within 12 inches of the curb. Vehicles in violation of these requirements may be towed in accordance with Minn. Stats. § 168B.035. On-street parking of equipment other than licensed motor vehicles is prohibited. Stopping, standing or parking a vehicle is prohibited, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:

1. On a boulevard between the sidewalk and roadway;
2. Within five feet of the intersection of any public or private driveway or alley with any street or highway;
3. Where the vehicle will block a fire escape or the exit from any building;
4. Where temporary signs prohibit parking.

Parking is allowed on local streets if a 12-foot wide area is open for the traveled portion of the road. On collector and arterial roadways, a minimum of 22 feet must

be open for the traveled portion of the road. Off-street and off-site parking for on-site workers is required to the extent practicable. City parks and open spaces shall not be used for any parking or storage of any materials or equipment. Any violation shall be prosecuted as a misdemeanor offense.

City Parks and Open Spaces shall not be used for parking vehicles or staging materials or equipment.

Police officers, community service officers, parking monitors and the residential redevelopment coordinator of the city shall be responsible for enforcing the parking requirements and parking regulations of this section.

E. The permit holder must install and maintain a rock entrance pad or its equivalent at each location where vehicles enter or exit the construction site, at locations approved by the building official.

F. The site must be maintained in a neat and orderly condition. Prior to leaving the construction site at the end of each day, the permit holder must remove empty cans, paper, plastic and other material that is not needed for construction from the site or deposit them in a dumpster. The permit holder must sweepkeep streets, sidewalks, boulevard areas and keep adjacent properties clean from waste, materials or refuse resulting from operations on the site. Inoperable equipment and equipment not being used on the site must be removed within 24 hours after it becomes inoperable or is no longer in use. ~~Where work on any project lies within areas of pedestrian traffic or vehicular traffic, the project area must be cleaned and swept and~~All materials related to the project must be stockpiled in appropriate areas. Debris must be contained on the project site. No material may be deposited or stockpiled on the public streets, boulevards, sidewalks or adjacent property. At the end of each working day, the permit holder must remove any soil, trash or debris that washed or was deposited on any ~~public sidewalk or street~~ and must remove any trash or debris that washed or was deposited on any adjacent property.

G. Dust control is the responsibility of the permit holder. As weather permits, materials subject to demolition shall be thoroughly dampened with water so as to prevent dust. The permit holder must eliminate dust problems immediately upon receiving notice from the building official that there is a dust problem.

H. No building material, temporary sanitary facilities, dumpster or equipment may be placed within street right-of-way, or on a sidewalk. Motor vehicles may not be parked or stopped on a sidewalk. Public sidewalks must be left open and unobstructed at all times.

I. Prior to commencing demolition, protective fencing approved by the building official must be installed around boulevard trees and trees that will not be removed.

301.~~055~~065. PROVISION FOR VARIANCES. Where enforcement of the strict provisions of the Zoning Code would cause undue hardship a variance may be granted to allow deviation from the requirements, in accordance with Minnesota Statutes, Chapter 462. (See Section 304. VARIANCES AND APPEALS.)

...

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 14th day of May, 2019

Attest:

Mary Wingfield
Mayor

Tobin Lay
City Administrator-Clerk

805 PUBLIC IMPROVEMENTS FINANCING AND ASSESSMENT ORDINANCE

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

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

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

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

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

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

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

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

805.050. CALCULATION OF ASSESSMENT ON THE BASIS OF FRONT FOOTAGE. An assessment for abutting property shall be determined by dividing the total cost for each project by the assessable front feet. The cost per front foot is then multiplied by the

number of lineal feet of each lot to determine the assessment. The assessment shall not exceed the benefit conferred to the property.

805.060. SPECIAL RULES.

1. Front Footage. Shall mean the linear front footage of the assessable parcel as recorded by Washington County Assessor.

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

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

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

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

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

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

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

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

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

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

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

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

AMENDED BY ORDINANCE 2017-12-01, January 9, 2018.

MEMORANDUM



Birchwood Village

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Ordinance 2019-01-01 Easement Usage
DATE: May 9, 2019

Hello Mayor and Council Members,

Last month the Council extended this Ordinance to all City property, not just lake tracts. Accordingly, the Ordinance has been moved from Sec 617 (Lake Tracts) to 607 (Parks and Open Spaces). The enclosed includes the changes that Council made during last month's City Council meeting. This now comes before you for its fourth reading.

Mayor Wingfield has offered another change for your consideration, as follows:

- The terms of the license shall not allow any removal, trimming, planting or otherwise altering any vegetation or landscaping in the public right of way.
- Failure to abide by the terms of the license requirements is a misdemeanor.

Request/Recommendation

Staff requests Council:

- 1) Review and discuss the enclosed Ordinance and above suggestions; and
- 2) Approve the final reading and adopt Ordinance 2019-01-01 as amended.

Thanks!

Regards,
Tobin Lay
City Administrator

ORDINANCE 2019-01-01

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

AN ORDINANCE AMENDING OPEN SPACE PROVISIONS IN CITY CODE

The City Council of the City of Birchwood Village hereby ordains that Chapter 607 (Open Space, Park Areas and Facilities) of the Municipal Code of the City of Birchwood Village is hereby amended as follows:

SECTION 607. OPEN SPACE, PARK AREAS AND FACILITIES

607.100. GENERAL PROVISIONS.

607.110. **PURPOSE.** This Code has been enacted to govern the conduct of members of the public during their use and enjoyment of the City of Birchwood Village Parks and Open Space System so as to further the safety, health, enjoyment and welfare of all persons in the use thereof, and to ~~protect public property and resources for posterity, ensure that access to those tracts public property for any reason other than recreation should be controlled and regulated and to ensure that such use is responsible and preserves City public property~~

607.120. DEFINITIONS.

1. **Open Space Site.** Shall mean and refer to any park, reserve, beach, open area, special use area, lake easement tract, or any other area owned, improved, maintained, operated or otherwise controlled by the City of Birchwood Village for recreation and natural resource preservation purposes.
2. **System.** Shall mean and refer to the City Parks and Open space System which includes the sites and facilities owned, maintained, and operated by and otherwise under the authority of the City.
3. **Director.** Shall mean and refer to the City Council-member assigned to head the Parks Committee or his duly appointed representative who is authorized by the City Council to administer the City Parks and Open Space System.
4. **Lake Easement Tract.** Shall mean and refer to any tract of land running to and abutting the shoreline of White Bear Lake, which land is owned by the City, subject to the right of City residents to use same for access to White Bear Lake.
5. **Law Enforcement Officer.** Shall mean and refer to any person duly deputized or commissioned by the Board of Washington County Commissioners, the State of Minnesota, the White Bear Lake Conservation District, or the City for the purpose of enforcing the laws, codes, ordinances, and regulations of their respective jurisdictions.

607.130. HOURS AND ACCESS.

1. No person shall remain, stop, use or be present within the confines of any Open Space Site between the hours of 9:30 P.M. and 6:00 A.M. other than on a Lake Easement Tract for the purpose of access to the lake. Exceptions may be made at the discretion of the Director in the case of emergency or when special use permits have been authorized or for other reasons the Director may determine necessary or desirable.

2. Any section or part of any Open Space Site may be declared closed to the public by the Director at any time or for any interval of time, either temporarily or at regular and stated intervals, either entirely or for certain uses as the Director shall find necessary.

607.200. PERMITS AND LIMITED LICENSES.

607.210. Permits shall be required for the exclusive use of all or portions of specific areas, buildings or other system facilities and for conducting special events of a cultural, educational, political, religious or recreational nature; and for specific exemption from any provision of this Code. Any person, group or association of persons required to obtain a permit shall file an application for such permit with the Director, and such permit is non-transferable.

607.220. The Director shall have the authority to revoke a permit upon evidence of good cause.

617.160 NON RECREATION REGULATIONS:

~~617.165~~607.230. **Limited License Required for Access to Public Property.** When a person seeks to gain access to their lot from any public lake tract property which would otherwise violate any other provision of this code, a Limited License from the City is required. No person shall utilize any city-owned open space in the City of Birchwood to provide access to private property for purposes of assisting in the construction of any project on private property without a permit authorizing such action from the City.

~~617.170~~607.231. **Application.** Any person desiring to utilize a who requests access to public property city-owned open space for purposes of pursuant to this section access to private property to construct a project shall submit an application for a permit Limited License to the City that contains with the following information:

- (1) The nature and scope of the project to be constructed.
- (2) Why access to the public property is necessary requested.
- (3) How will the public space be utilized What type and size of equipment or machinery will be used on or across the public property.
- (4) What Is there potential for damage to the public space is contemplated property.

(5) How will the damage be minimized.

(6) ~~How will the open space be restored.~~

(7) The dates and times that the public property will be used~~open space will be utilized~~ and restored (limited to no more than three consecutive calendar days and prohibited from April 1 to October 1 each year).

(8) ~~The anticipated end date for the access.~~

(9) The names of all persons who will have access to the public space~~use the Limited License~~.

(10) Financial security, if applicable, to cover possible damage to the public property~~in the amount determined in Section 607.232.2.~~

617.175607.232. **Financial Security.**

1. ~~The City may require an applicant to provide financial security that will be available in the event of if there is potential for~~ damage to the ~~city-owned~~public property.

2. Such financial security shall be based on the reasonable estimate of any possible damage and shall be determined by the building inspector or City Administrator.

3. ~~This~~The financial security may include insurance, a bond, and escrow account, or other cash and can be used by the City to pay for any damage remaining that is not remedied by the applicant after the Limited License expires.

4. The City shall release any the financial security that is provided upon satisfactory completion of the project, including restoration of the city-owned space that is utilized minus any restoration costs incurred by the City within 30 days of the License expiration.

5. If there is no opportunity for damage to the public property, no escrow shall be required.

617.180607.233. **Permit-Limited License Conditions.**

1. Any permit that is Limited License issued by the City shall describe the project to be undertaken, following:

(1) the access to public property that is allowed, the nature and scope of the project;

(2) the public property for which access is granted;

(3) the type of equipment or machinery allowed;

(4) the potential damage possible and the actions required to minimize such damage;

(5) the amount of financial security required;

(6) the date(s) and times that for which the access for the License is granted; will be utilized, an expiration date for access;

(7) the deadline for any damage restoration; and

(8) any other reasonable and necessary conditions required to ensure that public property is either not damaged or is restored protected.

2. The City may provide the ~~permit license holder with an access key to gain access to the city owned property during the Limited License period during the term of the permit.~~ The ~~permit license holder shall return the key within three days of the completion of the access or the expiration of the permit, whichever occurs first~~ License expiration,

617.190.607.234. **City Administrator.**

1. ~~The City Administrator is authorized to receive~~ shall process all permit applications under this chapter or revoke any issued permit ~~Limited License if the its conditions of the permit are not complied with~~ are violated. In the alternative,

2. ~~The City Administrator shall be the sole arbiter to issue or deny a Limited License. In the alternative, the City Administrator may refer any permit-Limited License application to the City Council for the Council's determination its consideration.~~ The City Council may, after notice to the permit holder, revoke any permit if the permit holder is in violation of any of the conditions of the permit.

607.235. **Fees.** The application shall include the Limited License fee as set from time to time by the City Council and posted in its fee Schedule.

607.236. **Frequency of license applications.** A Limited License shall not issue for the same public property for the same or similar project by the same applicant or property in any three month period unless specifically approved by the City Council.

607.300. LAKE EASEMENT TRACTS.

607.310. Provisions of 607.300 apply to all Lake Easement Tracts. No person shall launch or land any trailered water craft on or from any shoreline of a Lake Easement Tract.

607.320. **DOCK LICENSE.** No person shall locate, construct, install, or maintain a dock or other structure for swimming and/or boating upon any Lake Easement Tract or on the shoreline abutting said land unless that person, who shall have been designated by the City Council, has applied for and has received a license and/or permit from the White Bear Lake Conservation District. Applications for licenses and permits and restrictions shall be as required by the ordinances and Board of Directors of the White Bear Lake Conservation District.

607.325. **CITY COUNCIL MAY ADOPT PUBLIC BEACH EASEMENT USE REGULATIONS.** The City Council may from time to time adopt regulations to govern the use of public beach easements by licensees, permittees, and dock associations and their members. A copy of the adopted regulations shall be mailed to every household in the City, kept by the City Clerk, posted on the bulletin board in the City Hall and delivered to each person or association at the time the City Council approves the person's or association's application for lake easement use.

Forty-five (45) days after adoption, mailing and posting the regulations shall be enforced under Sections 607.693, 607.910, and 607.920.

607.330. **TRAILER PARKING PROHIBITED.** No person shall park or cause to be parked any house, hauling or boat trailer upon any Lake Easement Tract. The City Council may adopt such parking regulations for automobiles thereon as it may deem necessary.

607.340. **STORAGE PROHIBITED.** No person shall store or allow to remain on any Lake Easement Tract any personal property such as boats, oars, motors, boat hoists, or other equipment for any period of time other than when in actual use unless such storage has been authorized by license or permit of the White Bear Lake Conservation District or the City.

607.350. **OBSTRUCTIONS PROHIBITED.** No person shall deposit or construct any object upon any Lake Easement Tract which will obstruct the bathing areas.

607.370. No person shall voluntarily enter the water of any lake without being garbed in a bathing suit sufficient to cover his or her person and equal to the standards generally adopted and accepted by the public.

607.380. **WHITE BEAR CONSERVATION DISTRICT.** No person shall violate any provision of any White Bear Lake Conservation District ordinance, rule, or regulation which provision applies to Lake Easement Tracts.

607.400. CAMPING.

607.410. No person shall establish or maintain any camp or other temporary lodging or sleeping place in any Open Space Site except by permit and then only in areas specifically designated for such use.

607.420. No person shall camp for a period longer than that authorized by the permit.

607.430. All garbage or refuse of any kind shall be placed in receptacles provided for that purpose.

607.440. No person shall install permanent camp facilities or physically alter the camp site.

607.450. No person shall wash cooking and eating utensils, or clean fish except at locations designated for such use.

607.460. No person shall cut or gather wood on any Open Space Site for fuel other than that provided by the Department and stored for such use.

607.470. No person shall desert a camp site until the site is thoroughly cleaned.

607.480. No person or group of persons shall exclusively use a park shelter unless a specific permit has been granted by the Director for such use.

607.490. Permits for shelter use or camping shall be issued to adults only, and said adult shall be on the premises at all times during the duration of the permit.

607.500. DESTRUCTION AND LITTERING.

607.510. DEFACEMENT, DESTRUCTION OF PROPERTY AND RESOURCES.

607.511. No person shall tamper with, injure, deface, destroy, disturb, damage or remove any part of any System building, structure, sign, light pole, drinking fountain, hydrant, table, grill, equipment, statue or other property found therein.

607.512. No person shall deface, disturb or remove in any manner any soil, artifact, fossil, rock or other mineral resource.

607.513. No person shall excavate any ditch, trench, tunnel, or hole in any Open Space Site.

607.520. PRESERVATION OF VEGETATION.

607.521. No person shall injure, cut, destroy, mutilate, uproot, disturb, or remove any flower, tree, shrub, or any plant whether wild or cultivated, or any part thereof.

607.522. No person shall plant or cause to be planted any wild, cultivated or exotic tree, shrub, or plant except in specifically designated areas with the written permission of the Director.

607.523. No person shall fell any tree; pick any flowers, trample any flowers, tree seedlings, flower beds, or new turf seedlings.

607.524. No person shall hitch any animal or fasten, anchor or otherwise attach any wire, rope, cable, signs, posters, or other articles to any tree, shrub or plant.

607.525. No person shall make any unauthorized use of any Open Space Site which is detrimental to the turf and soil conditions.

607.526. No person shall remove any device, apparatus or material installed for the protection, support, or preservation of any tree, shrub or plant.

607.530. MOLESTING WILDLIFE. No person shall rob, disturb, or molest the nest, eggs, or young of any birds, or other animals within the confines of any Open Space Site.

607.540. FIRES.

607.541. No person shall start or maintain a fire in any Open Space Site except small recreational fires in fireplaces, fire rings, and grills provided for that purpose in areas specifically designated for such use. Private grills may be used in designated areas provided that all ashes and residue therefrom be disposed of in containers provided for such disposal.

607.542. Any person who starts or maintains a fire in an authorized area shall exercise continuous supervision from the time the fire is kindled until it is extinguished. No fire shall cause damage or constitute a threat to site vegetation and resources, nor shall it cause discomfort to other Open Space Site users.

607.543. The Director may at his discretion prohibit fires for limited periods at any location for any purpose when it is necessary for the continued protection of System property and resources.

607.550. WASTE AND LITTER.

607.551. No person shall throw, cast, drop, pour, spill or discharge or permit to escape in or upon any land, pond, river, creek, stream, ditch, storm sewer or drain flowing into or through any Open Space Site or Public Waters any substance, matter or thing whether solid, liquid, or gas, which shall result in the pollution of said waters, interfere with the conservation management of the water resource, or endanger the health of the public.

607.552. No person shall deposit, scatter, drop or abandon in any Open Space Site, any paper, bottles, cans, sewage, waste, trash, or other debris except in receptacles provided by the City for such purpose. No person shall deposit in any receptacle in any Open Space Site any accumulation of waste or trash generated outside the boundaries of the site.

607.553. No person shall drop, throw or otherwise leave unattended in any Open Space Site lighted matches, burning cigars, cigarettes, tobacco, paper or other combustible material.

607.600. GENERAL CONDUCT.

607.610. DISTURBING THE PEACE.

607.611. No person or group of persons shall disturb the peace and good order in any Open Space Site by either work or act.

- 607.612. No person or group of persons shall use threatening, abusive, insulting, obscene or indecent language or commit, perform or engage in any lewd, lascivious, obscene or indecent act in any Open Space Site.
- 607.613. No person or group of persons shall engage in fighting, quarreling, wrangling, riotous clamor, or tumult in any open Space Site.
- 607.614. No person or group of persons shall disturb, harass or interfere with any user or the user's property in any Open Space Site.
- 607.615. No person shall solicit or ask anyone to commit, perform or engage in any lewd, lascivious, obscene or indecent act or behavior in any Open Space Site.
- 607.620. AUDIO DEVICES.** No person shall operate or play any musical instrument, radio, television, record or tape player, loudspeaker, public address system or sound amplifying equipment of any kind in any Open Space Site in such a manner that the sound emanating therefrom is audible beyond the immediate vicinity of the set or instrument, and subsequently interferes with the use of the Open Space Site by other users or disturbs the residents of the adjacent property.
- 607.630. LOITERING.**
- 607.631. No person over the age of six shall enter any comfort station or restroom, washroom, or toilet facility set apart or designated for the opposite sex.
- 607.632. No person shall lurk or loiter in or around any toilet or other System structure except to use such facility for the purpose for which it is intended.
- 607.640. ALCOHOLIC AND INTOXICATING BEVERAGES AND CONTROLLED SUBSTANCES.**
- 607.641. No person shall transport, possess, offer for sale, consume or be under the influence of any beer, wine, liquor, other alcoholic or intoxicating beverage in any Open Space Site except with a special permit or in such areas and at such times as may be designated by the Director, and except at such place where beverages are sold by licensees of the City Council.
- 607.642. No person shall use, possess, consume, administer, dispense, sell, give away or be under the influence of any controlled substance except when such use, possession, influence and administration is authorized by law.
- 607.650. GAMBLING.**
- 607.651. No person shall play, participate in, wager on or against any game of chance or activity defined by Sections 609.75 and 609.76, Minnesota Statutes.
- 607.652. No person shall operate any gambling device or conduct any games of chance defined by Section 609.75 and 609.76, Minnesota Statutes.

607.660. PARADES, ENTERTAINMENT, PUBLIC MEETINGS.

607.661. No processions, parades, pageants, ceremonies, exhibitions, celebrations, training exercises, speeches, entertainment, tournaments, or other public gatherings shall be allowed to pass through or take place in any Open Space Site or on any parkway except with written permission of the Director.

607.670. UNLAWFUL SALES. No person shall sell, offer for sale, hawk, peddle or lease any object, merchandise or service or carry on any manner of business, or commercial enterprise in any Open Space Site except those concessions authorized by the City Council.

607.680. LOST AND FOUND ARTICLES. Lost or mislaid articles or money or personal property which are found in any Open Space Site shall be delivered or turned over to the City Clerk. If the lawful owner of any article or money deposited with the City does not claim the same within a period of sixty (60) days, it shall be returned to the finder upon request.

607.690. LAW ENFORCEMENT AND REGULATIONS.

607.691. No person shall willfully resist, refuse or fail to comply with any order, direction or request lawfully given by any law enforcement officer or City employee acting under the authority of the City Council in accordance with this Code.

607.692. No person shall interfere with, or in any manner hinder any law enforcement officer or City employee during the performance of his assigned duties; nor any employee of a contractor or the City engaged in construction repairing or caring for any Open Space Site or part thereof, or while in the discharge of duties conferred by this Code.

607.693. **POSTED REGULATIONS, DIRECTION SIGNS AND GRAPHICS.** No person shall disregard or fail to comply with any posted regulations, directional signs and graphics, barriers or other control devices located within any Open Space Site or on any parkway.

607.700. ICE SKATING AREAS.

607.710. No person shall ice skate on Open Space Site skating rinks between 9:30 P.M. and 6:00 A.M.

607.720. No person shall use or carry hockey sticks or pucks, or play hockey, on any skating rink unless such rink is designated for hockey.

607.730. No person shall smoke or use any tobacco or similar substance within any warming house structure.

607.740. Any person violating any provision of this Code may be ejected from the Ice Skating Area at the discretion of the Director or a Law Enforcement Officer and shall be guilty of a misdemeanor.

607.800. TRAFFIC RULES.

- 607.810. No person shall park, drive or operate a motor vehicle within any Open Space Site except upon roadways, parking areas, parkways, or other areas designated for such use, unless authorized by the Director. Disabled vehicles may be moved off a paved area to allow for the continued flow of traffic but the vehicle must be repaired or removed within six hours, unless other arrangements are made with the Director.
- 607.820. No person shall park or operate a motor vehicle within any Open Space Site or on any parkway in violation of posted regulations and directional signs; Chapter 169, Minnesota Statutes; County or City traffic codes; or orders or direction of law enforcement officers or city employees.
- 607.830. No person shall park, stop, or leave a vehicle in any Open Site unless arrangements are made with the City Clerk. No person shall park, stop, or leave a vehicle on any park drive between the hours of 9:30 P.M. to 6:00 A.M., unless arrangements are made with the City Clerk.
- 607.840. No person shall wash, grease, change oil, service or repair any vehicle in any Open Space Site. All disabled vehicles shall quickly be made operational or removed from the Open Space Site.
- 607.850. The owners of vehicles illegally parked, disabled or abandoned on an Open Space Site shall be subject to the provisions of City Code 613.
- 607.860. No person shall drink, consume or have in his possession an open bottle or container of an alcoholic or intoxicating beverage in any motor vehicle when such vehicle is in a Open Space Site or on a parkway.
- 607.870. Vehicles shall yield the right of way at all times to pedestrians.

607.900. PENALTIES FOR VIOLATION.

- 607.910. Any person violating any of the provisions of this Code shall be judged guilty of a misdemeanor.
- 607.920. Any person violating any of the provisions of this Code may be expelled, ejected or ousted at such time of violation from an Open Space at the discretion of a law enforcement officer.

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 14th day of May, 2019

Attest:

Mary Wingfield
Mayor

Tobin Lay
City Administrator-Clerk

ORDINANCE 2019-03-02

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

AN ORDINANCE AMENDING UNDERSIZED LOTS PROVISIONS IN CITY CODE

The City Council of the City of Birchwood Village hereby ordains that Chapter 300 (Land Use) and Chapter 302 (Zoning Code: Requirements and Performance Standards) of the Municipal Code of the City of Birchwood Village is hereby amended as follows:

SECTION 300. LAND USE

300.020. DEFINITIONS. For the purpose of Chapters 300 through 399 certain terms and words are hereby defined as follows:

...

~~62.—Area. The habitable space included within surrounding exterior walls, or exterior walls and fire walls, exclusive of vent shafts and courts. Areas of the building not provided with surrounding walls shall be included in the building area if such areas are included within the horizontal projection of the roof or floor above.~~

SECTION 302. ZONING CODE: REQUIREMENTS AND PERFORMANCE STANDARDS

302.015. UNDERSIZED LOTS. Any lot ~~which was held in a single ownership~~ of record as of January 1, 1975, which remains in its then-existing dimensions and which does not meet the requirements of this Code ~~as to area, width, or other open space~~ may nevertheless be utilized for single-family detached dwelling purposes provided the requirements of 302.010~~measurements of such area, width, or open space~~ are at least 60% of those as at required. ~~This does not apply to setbacks.~~

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 11th day of June, 2019.

Attest:

Mary Wingfield
Mayor

Tobin Lay
City Administrator-Clerk

Birchwood Village – City Hall

Name of Initiative	City Hall Building
Committee	Parks
What problem will this initiative solve or what value will this create in our community?	<p>The Birchwood City Hall is showing its age. There are structural, ADA and other issues. In addition, there is a question whether or not the building meets Birchwood residents’ current and future needs.</p> <p>This project aims to give the Council and Village some guidance.</p>
Proposed Solution or Initiative Description	<p>Two-pronged</p> <ol style="list-style-type: none"> 1. Thorough inspection and evaluation of the building and its infrastructure (e.g., HVAC, roof). This inspection will list: a) critical issues b) cost to fix c) length of time structure, structural or components will last (until they wear out or need to be replaced). 2. Current/future needs of City Hall – how do we figure this issue out? Do we need to hire a professional? a) this committee will make a recommendation to the Council.
How will we measure success of this initiative? <i>What would success look like and how will we know if we are successful?</i>	At the end of the day, Birchwood has a safe, reliable, functional, dependable, accessible, modern, carbon neutral, family and community friendly City Hall.
Estimated Cost of Initiative	Initial cost will be hiring a professional inspector. Estimates I’ve gotten range in price from \$650 – \$2500.
Assumptions or Dependencies <i>What has to be true for the benefit and costs to be accurate? Examples: labor cost assumptions, number of residents using solution, etc.</i>	Any fix will have to weigh costs, benefits, needs, inconvenience of any changes. Future needs will have to outweigh not doing anything.

<p>Alternative Solutions Considered <i>What are the alternatives that could be considered to solve the problem?</i></p>	<ol style="list-style-type: none"> 1. Do nothing 2. Minimal fixes 3. Major fixes 4. Add on to the building 4. Tear down and rebuild
<p>Timing Considerations <i>Are there any firm deadlines or an ideal timeframe for this initiative? What is driving the deadline?</i></p>	<p>Ideally before the Village Centennial. Other timing issues which might force faster action include ADA compliance, health of employees, or significant structural issues.</p>

MEMORANDUM



Birchwood Village

TO: Birchwood City Council
FROM: Mary Wingfield, Mayor
SUBJECT: City Hall Historic Value
DATE: May 8, 2019

The village hall is in need of repairs to its roof and siding. Although the roof has had regular maintenance to address the leaking, the problem continues. In addition, the siding on the north side of the building has significant rot. And, at a minimum, the south side needs re-painting.

In January, the council supported establishing a group (task force) to look into these issues and alternative solutions. In February, the council did not act on populating the task force as there was some concern that the building has no historic value.

Here is some background information I found recently: The village hall was built in 1932. The architect was Magnus Jemne, who was well known locally for designing the St. Paul Women's City Club on St. Peter and Kellogg. Both the city club and the village hall were profiled in the Parisian journal *La Revue Moderne* shortly after construction.

There is little note of the hall's origins in our city files and records, including the pamphlet of Birchwood history prepared for the Bicentennial. In a 1981 letter to the Washington County Historical Society, the Minnesota Museum of Art staff noted "I believe it is possible that the people who were writing the history of the Birchwood Community for the Bicentennial did not know that their building had such originality in exterior" (referring to architect Jemne's use of vertical logs to "achieve a charming effect without indulging this logsiding in its sophisticated pretention to rusticity.")

At this point, the city council is at a significant juncture in deciding how to proceed with the hall. I believe determining whether the hall has historical value is an important piece in that equation.

I reached out to the White Bear Lake Historical Society for help in researching the hall's history. Sara Markoe-Hanson suggested we apply for a grant to help us. The grant does not require the city to seek a historic designation for the building nor does it require reimbursement if we do not choose that path. It simply allows us to address the question raised regarding the historic value of this building.

The White Bear Historical Society is willing to write the grant without reimbursement. I am requesting that the council authorize the WBLHS to help us with this opportunity.

m

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. EXTERIOR STORAGE

615.010. POLICY. All materials and equipment shall be stored within enclosed 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 paved or graveled 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. Any items listed as for sale cannot be stored in an area visible from the frontage street or adjoining properties for more than 30 days in a given calendar year.
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 615.020 (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) ~~for~~ forty (40) feet (whichever is ~~less~~greater) 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.

Commented [JD1]: Upon further review, rather than removing the exceptions I would propose that we clarify the language stating that any stored items cannot be closer to the street frontage than the buildings existing on that lot or 40 feet, whichever is greater (versus whichever is less).

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 _____, 2019

Mary Wingfield
Mayor

Attest:

Tobin Lay
City Administrator-Clerk

Memo: I met with someone from Washington County and will meet with someone from the Department of Natural Resources on the 30th. I will update this graph next month.
Randy

Birchwood Village – Trees

Name of Initiative	Trees in Birchwood
Committee	Parks
What problem will this initiative solve or what value will this create in our community?	Birchwood is covered by trees. Many of our oaks are nearing the end of their 125-year-old lives. We have an invasive buckthorn tree that is crowding out native trees. Our ash trees have a limited life due to invasive insects. The boxelder trees are junk trees and have the greatest chance of disease.
Proposed Solution or Initiative Description	<ol style="list-style-type: none"> 1. Decrease total amount of Buckthorn 2. Discourage boxelder and ash dominance by removing saplings and planting/encouraging a variety of trees from "suggested native trees and shrubs of Minnesota" 3. Organize a group of citizens/tree board interested in forest stewardship to act as advisors. (Park Board?) 4. Educate residents through the newsletter, web site or at special gatherings with informational lists and brochures 5. Re-plant desirable trees 6. Identify healthy potential canopy trees and reduce the competition around them 6. Apply for grants to add trees to Birchwood 7. Commit to a multiple year plan of tree growth 8. Take care of city property first. 9. Wrap different colored "police" tape around different trees to help the public identify different trees (e.g., yellow on buckthorn, green on ash)
How will we measure success of this initiative? <i>What would success look like and how will we know if we are successful?</i>	A larger variety of healthy trees

<p>Estimated Cost of Initiative</p>	<p>\$1000 per year for 10 years.</p>
<p>Assumptions or Dependencies <i>What has to be true for the benefit and costs to be accurate? Examples: labor cost assumptions, number of residents using solution, etc.</i></p>	<p>Questions: A majority of trees are on private property, so how does the city add trees. The city needs to build a maintenance plan which will involve time and people. Build a large variety of trees. Climate change and invasive species.</p>
<p>Alternative Solutions Considered <i>What are the alternatives that could be considered to solve the problem?</i></p>	<p>1. Do nothing 2.</p>
<p>Timing Considerations <i>Are there any firm deadlines or an ideal timeframe for this initiative? What is driving the deadline?</i></p>	