



AGENDA OF THE REGULAR MEETING OF
THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
May 8, 2018
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. Spring Leaf Pick Up – May 14 & 21* (p. 3)
- B. Fire Hydrant Flushing – sometime late May / early June – *stay tuned*
- C. Earth Day Clean Up (various dates and locations)* (p. 4)
- D. Garage Sale / Giveaway – Sat June 2nd* (p. 5)
- E. Spring Plant Exchange – Sat June 2nd* (p. 5)
- F. Rain barrel & compost bin sale – recycleminnesota.org; promo code: 'washington'* (pp. 6-7)
- G. New Wildwood Library project – May 17 6:30-8pm at 1520 Maht. Ave Rm 103* (p. 8)
- H. We are social, follow us on Facebook/Twitter and/or register for the email listserv.

ADMINISTRATIVE PRESENTATION

- A. WBLCD Fund Balance Level Policy* (p. 9)

CITY BUSINESS – CONSENT AGENDA

- A. Approval of Regular Meeting Minutes from April 10, 2018* (pp. 10-14)
- B. Approval of Treasurer's Report* (pp. 15-24)
- C. Approval of Resolution 2018-12: Approving Coverage for City Workers' Compensation Insurance Policy* (pp. 25-26)
- D. Approve Resolution 2018-13, Declining to Waive the Statutory Monetary Limits on Municipal Tort Liability Established by Minnesota Statutes 466.04* (p. 27)
- E. Approve MS4 Public Hearing for June Council Meeting – Storm Water Pollution Prevention Program* (p. 28)

CITY BUSINESS – REGULAR AGENDA

- A. Eagle Scout Bell Project
 - a. Council Deliberation and Approval
Time Budget: 5 Minutes
- B. Roads Committee Update
 - a. Council Deliberation and Approval
Time Budget: 10 Minutes
- C. Parks Committee Update* (p. 29)
 - a. Council Deliberation and Direction
Time Budget: 10 Minutes
- D. Docks Committee* (p. 30)
 - a. Purpose
 - b. Appointee Criteria
Time Budget: 10 Minutes
- E. Third Reading Ordinance 2018-01-02 Section 301 Amendments* (pp. 31-34)
 - a. Council Deliberation and Approval
Time Budget: 10 Minutes
- F. Special Events Permitting* (pp. 35-45)
 - a. Council Deliberation and Approval
Time Budget: 10 Minutes
- G. Attorney Retainer Contract* (pp. 46-48)
 - a. Council Deliberation and Approval
Time Budget: 5 Minutes
- H. Building Permitting Procedures* (pp. 49-50)
 - a. Council Deliberation
Time Budget: 10 Minutes
- I. Council Member Reports:
 - a. Mayor Wingfield
 - i. Pickleball
 - ii. City Council Team-Building Workshop
Time Budget: 10 Minutes
- J. City Administrator's Report
 - a. 415 Wildwood Ave Building Permit* (pp. 51-89)
Time Budget: 10 Minutes

ADJOURN

MEMORANDUM



TO: Birchwood City Council & Residents
FROM: Tobin Lay, City Administrator
SUBJECT: Spring Leaf Pick Up

Birchwood Village

-- ANNOUNCING --

The City will hold its spring leaf pick up on Monday May 14 and 21, 2018. The pricing will remain the same as the Fall pick up - \$40/small piles, \$75/large piles, and mega piles will be charged on a case-by-case basis. There will also be a \$2 service charge for adding the fee to your utility bill. Signs will be posted at the entrances to town prior to the event as a reminder. Thanks!

**Birchwood Village
Leaf Pickup**

When: Monday
May 14 & 21, 2018

Cost: \$40 / small pile
\$75 / large pile
Plus \$2 service charge.

**fee will be added to your utility bill.*

Please place or mark your piles appropriately to make them easily identifiable to your address.

Regards,
Tobin Lay

EARTH DAY CLEAN UP – *various dates and locations*

Please see the dates below for upcoming opportunities to clean up your homes/yards.

2018 One-Day Household Hazardous Waste Events

Household hazardous waste and electronics only - No recyclables or business waste.

Spring Events (Saturdays):

- Hugo · April 21** · 8am – 12pm
6900 137th St N
- Mahtomedi · April 28** · 8am – 2pm
1520 Mahtomedi Ave
- Cottage Grove · May 5** · 7am – 3pm
8635 W Pt Douglas Rd S
- Stillwater · May 19** · 8am – 2pm
1208 S Greeley St
- Forest Lake · June 2** · 8am – 2pm
19955 Forest Rd N**

Fall Events (Saturdays):

- Forest Lake · Sept. 8** · 8am – 2pm
19955 Forest Rd N **
- Forest Lake · Sept. 15** · 8am – 2pm
19955 Forest Rd N **
- Hugo · October 6** · 8am – 12pm
Hugo Public Works Garage
6900 137th St N

****Forest Lake enter at Headwaters Pkwy**

Document shredding will be available at all events. All documents will be shredded on-site and recycled. No more than four boxes per customer will be accepted. Shredding capacity is limited and may be reached before the end of the event.

The Free Product Tent will be available at all events. Shop for blended latex paint, household cleaners, automotive supplies, and much more.

Tips for Safe Transport of Hazardous Materials

- Transport items in a paper bag, cardboard box, or reusable tote.
- Bottles and cans: single layer, upright and sealed.
- Seal all containers with a tight lid or cap.
- Label materials that are not in their original containers.
- 5 gallon or less oil, gas, and antifreeze containers can be returned for reuse.
- Dried and empty latex paint cans: place in the garbage. Leave lids off.
- **Bundle fluorescent tubes with rubber bands. Do not tape.**
- **Do not put your items in a plastic bag.**
- **Do not mix or combine chemicals!**



MEMORANDUM



Birchwood Village

TO: Birchwood City Council & Residents
FROM: Councilmember Randy LaFoy
SUBJECT: Garage Sale & Plant Exchange

For the first time, we are having the Village-wide garage sale/giveaway AND the Plant Exchange on the same day. Put a big star on your calendar for Saturday, June 2nd.

If you have things to sell or give away, there will be signs and ads on Craigslist and the White Bear paper. Set your own hours and prices.

If you have plants you want to exchange/get/give away or just hanging out with your neighbor, come to the City Hall at 10:00. If you have plant-like tools, pots, hangers or stands, bring those as well (we can't guarantee they will go) Those who bring treats are especially venerated.

Feel free to tell others.

2018 Compost Bin and Rain Barrel Sale - *Discount Offer!*

Washington County is excited to partner with the Recycling Association of Minnesota to sell compost bins and rain barrels at low cost. Washington County residents will get an extra \$20 off each item!

- **Home Composter Compost Bin**

\$64 full price | \$44 after discount

Available for pick-up beginning April 13, 2018

- **Rain Catcher Rain Barrel**

\$79 full price | \$59 after discount (While supplies last!)

Available for pick-up beginning May 3, 2018

To receive the discounted price, order online at RecycleMinnesota.org and **enter promo code “Washington.”** Proof of residency is required at purchase. Limit two rain barrels and two compost bins per household.

Pre-ordered items will be available for pick-up at the Washington County [Environmental Center](#) in Woodbury during normal business hours.

Compost bins will be available for pick up **April 13th 2018**

Rain Barrels will be available for pick up **May 3rd 2018**



Rain Barrel Sale

Collecting rain water helps reduce runoff and conserve water for future use. Want to get started? Order a rain barrel for \$59 plus tax (after discount.)

Washington County residents get an extra \$20 off, while supplies last!



Compost Bin Sale

Backyard composting is an easy way to reduce yard and garden waste. Want to get started? Order a compost bin for \$44 plus tax (after discount.)

Washington County residents get an extra \$20 off each item!



Our Mission: Inspire curiosity. Champion innovation. Spark opportunity.

Date: April 27, 2018

Contact: Kim Ukura, Social Media Specialist, 651-275-8511
kim.ukura@co.washington.mn.us

Third community engagement event held for Wildwood Library building project

Washington County Library invites residents, patrons, and other members of the public to share their thoughts and opinions about the upcoming building project that will result in a new Wildwood Library. Three community engagement events are planned for the spring. **The third of these events will take place on Thursday, May 17, from 6:30 – 8 p.m. in Room 103 at the District Education Center, 1520 Mahtomedi Avenue, in Mahtomedi.**

Community engagement events serve as opportunities for community members to discuss what they like about the current library, what they hope to see in a new library facility, and to learn a little more about the process that will take the building project from design to construction. The architecture firm Hagen, Christensen, McIllwain, Inc. is contracted to evaluate the input and opinions provided by residents to help determine space needs for updates or revisions that will be done as part of the project.

This community engagement event will build on feedback collected during two previous community engagement events in March and April. The architects will present concept designs for Wildwood Library at the May 17 event, including a floor plan and conceptual design options of the facility. Attendees will have a chance to offer their reactions to these concepts. The architects will also walk through how community feedback played a role in the designs.

The Wildwood Library was built at its current location on Stillwater Avenue in Mahtomedi in 1990. The library provides a valuable resource to the community. Washington County Library is invested in building a new Wildwood Library that will provide residents and users with a facility that serves them both today and well into the future.

Washington County Library will post updated information to the library's website at www.WashCoLib.org/Future as the project progresses. The library will also promote opportunities for feedback, and publicize in-person community engagement events through its Facebook, Twitter, and Instagram accounts as @WashCoLib.

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White Bear Lake Conservation District, 4701 Highway 61, White Bear Lake, MN 55110
Telephone: (651) 429-8520 Email: wblcd@msn.com Web: www.wblcd.org

April 18, 2018

City of Birchwood Village
207 Birchwood Avenue
Birchwood Village, MN 55110

Dear Members of the Birchwood Village City Council,

On behalf of the White Bear Lake Conservation District Board, thank you for your recent letter regarding the Board's fund reserve policy. As you know the Board approved a fund reserve policy in early 2017, and this policy provides guidance to the Board regarding the appropriate level of funds the Board should have on hand in order to address unforeseen expenditures. In consideration of this policy, the Board approved a motion to reduce the 2018 assessments for the member communities to \$0 in order to reduce our fund balance to a value within the range identified in our policy. In the future we will continue to monitor our fund balance and make adjustments to the community assessments as appropriate to remain in accord with our policy.

As always, we appreciate your interest in the Board's activities, and we look forward to your continued support of our activities. Please let us know if you have any questions regarding this information.

Sincerely,

A handwritten signature in black ink that reads "Bryan DeSmet". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Bryan DeSmet

Chair, WBLCD Board

**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
APRIL 10th, 2018**

MINUTES

Members Present: Mayor Mary Wingfield & Councilmembers Kevin Woolstencroft, Trilby White, Randy LaFoy and Megan Malvey.

Staff Present: City Administrator Tobin Lay and City Attorney Alan Kantrud.

Others Present: Dave Nietz, Sara Nephew, Ben Racine, Ally Crowl, James Nelson, Margie Nelson, Alan Mitchell, Shari Mitchell, William Sikorski, Chris Churchill, Urho Rahkala, Pam Rahkala, Mary Sue Simmons, Judy Walker, Terry Granec, John Lund and Bryan McGinnis.

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: Requested to add Cable Commission Update to the Council Member Report.

Councilmember Malvey: Requested to speak during the Dock Update and add Lake Links to the Administrator's Report.

Administrator Lay: Requested to add Parks Committee Update and table Item C, Special Event Permitting to May 2018.

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

OPEN PUBLIC FORUM

Nick Leeves (3 Oakview Ct.): Suggested Council incorporate the Birchwood Dock Association (BDA) to use funds for public space improvements and requested Council investigate private encroachment on public property.

Mayor Wingfield: Stated money from the BDA has stayed in special fund and for parks related expenditures.

Sara Nephew (20 Birchwood Ave): Asked Council to not approve the completion of improvements to Ash Path Trail.

Mayor Wingfield: Stated the city's Comprehensive Plan mandates cooperation with neighboring communities and Ms. Nephew will be informed of any Ash Path improvements.

Chris Churchill (140 Birchwood Ave): Spoke about crime along Birchwood Avenue.

Councilmember White: Agreed pedestrian crime is an issue.

Noel Hegedus (294 Jay St): Asked Council to explore returning the easements to swimming beaches.

Alan Mitchell (23 Oakridge Dr): Requested Council increase funds to the summer concerts. Declined to coordinate the concert this year. Requested the item is placed on the agenda for May.

Urho Rahkala (545 Wildwood Ave): Encouraged continued boat use with no rate increase as an amenity to residents.

James Nelson (256 Wildwood): Stated his reasons for support of the recent boat slip fee vote and thanked the Council.

Chris Churchill (140 Birchwood Ave): Stated the issue with the BDA at this time is not the decision on rates but how the decision was achieved.

James Nelson (256 Wildwood): Stated conflict regarding beachgoers and boaters is unwelcome.

Terry Granec (363 Lakewood Ln): Provided opinion about transparency on the boat slip issue and noted inconsistencies in the organization of public forums.

ANNOUNCEMENTS

- A. Garbage rates are increasing. Look for a notice mailed from Tennis Sanitation.
- B. Rain barrel & compost bin sale at recycleminnesota.org. Use the promo code: 'washington'.
- C. Washington County shredding event – April 18th, 8am-4:30pm – Limit: 6 boxes / 30 lbs each.
- D. Shredding events in Maplewood on Friday and Saturday's in April as well as in Mahtomedi in April also.
- E. Wildwood Library project meeting on April 23rd, 6:30-8pm at 1520 Mahtomedi Ave., Room 103.
- F. Prescription drug "take back" event – April 28th from 10am to 10pm at 1520 Mahtomedi Avenue.
- G. Street snow removal feedback should be sent to info@cityofbirchwood.com.
- H. Mahtomedi Garden Club approved the grant and offered help for the Birch Swale project.

PLANNING COMMISSION

- A. Variance Case No. 18-01-VB for 5 Oakridge Drive – Resolution No. 2018-11
 - a. Council Deliberation and Approval

Administrator Lay, Attorney Kantrud and John Lund (Planning Commission): Provided details on the variance request and resolution.

- b. Approve Resolution 2018-11

Councilmember LaFoy and Administrator Lay: Discussed the resolution and its conditions.

Mayor and Council Members: Agreed with the language in the resolution.

Chris Sorenson (5 Oakridge Drive): Stated he had found the conditions to be sensible.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION AND APPROVE VARIANCE CASE NO. 18-01-VB AND ACCOMPANYING RESOLUTION 2018-11. MAYOR WINGFIELD AND COUNCILMEMBERS MALVEY, LAFOY AND WOOLSTENCROFT VOTE AYE. COUNCILMEMBER WHITE ABSTAINS. MOTION PASSED.

Councilmember White: Noted the variance was given retroactively. She is supportive of measures that keep similar issues from occurring again.

Chris Sorenson (5 Oakridge Drive): Offered to help with rubric and worksheet for building permits and variances.

Administrator Lay: Stated Planning Commission will review existing code on variances and will bring recommendations to Council on amendments incorporating the State's new requirements.

ADMINISTRATIVE PRESENTATION

- A. Completed Sewer Improvement Project
- B. Manhole Repair

CITY BUSINESS – CONSENT AGENDA

- A. Approval of Regular Meeting Minutes from March 13, 2018

MOTION WAS MADE BY LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO APPROVE THE MARCH 13, 2018 REGULAR CITY COUNCIL MEETING MINUTES. ALL AYES. MOTION PASSED.

- B. Approval of Treasurer's Report

Mayor Wingfield: Requested an exception to an invoice for snow removal.

Mayor, Council Members and Administrator Lay: Discussed this winter's snow removal services.

Mayor and Council Members: Requested Administrator Lay review snow removal specifications with Birch and request a reduction in billing amount based on unauthorized work. The reduced amount is to be negotiated by Administrator Lay.

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

CITY BUSINESS – REGULAR AGENDA

A. Parks Committee Update

Houstoun Clinch (Parks Committee): Stated maintenance received the most response in survey. Asked if a maintenance plan is in place for the Parks.

Mayor, Council Members, Administrator Lay and Mr. Clinch (Parks Committee): Discussed parks maintenance. They talked about holding a joint meeting soon to discuss this and other Parks Committee related topics.

Houstoun Clinch (Parks Committee): Informed Council the Parks Committee recommends not reappointing Committee Member Scott Howe once his term expires this July and to replace him with a new appointee; he has not attended a single Parks Committee meeting to date. He asked about the special revenue fund used for Parks projects.

Administrator Lay: Noted the fund is called Special Revenue Projects, Fund Number 210; fund is reported each month in the Treasurer's Report.

Mayor Wingfield: Explained the Special Revenue Project Fund further.

B. Docks Committee Update

Houstoun Clinch (Docks Committee): Provided an update on the Docks Committee; the Mayor and Chris Churchill resigned from the Committee, leaving him as the sole member.

Chris Churchill (140 Birchwood Ave): Rescinded his resignation from the Docks Committee.

Houstoun Clinch (Docks Committee): Requested increase to Docks Committee to five members.

Mayor and Council Members: Decided to post for the additional positions and assign a temporary representative.

Councilmember White: Volunteered to participate in general.

Councilmember Malvey: Volunteered to act as a Docks Committee Liaison or Interim Representative.

a. Council Deliberation and Appointment/Action

Mayor, Council Members, Houstoun Clinch (Docks Committee) and Chris Churchill (Docks Committee): Discussed reconstruction of the Docks Committee in light of recent changes to its members.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER MALVEY TO APPOINT COUNCILMEMBER MALVEY TO THE DOCKS COMMITTEE IN AN INTERIM POSITION UNTIL JULY 2018 AND POST FOR THREE ADDITIONAL POSITIONS RAISING THE TOTAL NUMBER OF DOCKS COMMITTEE MEMBERS TO FIVE. TO BE POSTED IN JUNE'S NEWSLETTER AND IN JULY'S REGULAR CITY COUNCIL MEETING.

Chris Sorenson (5 Oakridge Drive): Suggested random numbers table to incite equitable applicant selection.

Administrator Lay: Informed Council it would be useful to have the Committee establish bylaws.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO POST FOR THREE ADDITIONAL POSITIONS RAISING THE TOTAL NUMBER OF DOCKS COMMITTEE MEMBERS TO FIVE, TO BE POSTED IN JUNE'S NEWSLETTER AND SELECTED IN JULY'S REGULAR CITY COUNCIL MEETING, AND TO APPOINT COUNCILMEMBER MALVEY TO THE DOCKS COMMITTEE IN AN INTERIM POSITION UNTIL NEW APPOINTEES ARE APPOINTED IN JULY 2018

Mayor and Council Members: Determined the Committee will establish bylaws. Assigned Administrator Lay to field the new appointees at his discretion.

C. Birchwood Dock Association (BDA)

a. Accounting Discrepancy

Mayor Wingfield and Chris Churchill (BDA): Briefly discussed the matter.

Mayor Wingfield: Stated the information is incomplete and needs to be revised and reviewed at a later date.

Councilmember White: Addressed a recently published newspaper article regarding boat slip fees. (Time Stamp: 1:22:40)

Mayor Wingfield, Council Members and Chris Churchill (BDA): Discussed the votes for increasing boat slip fees.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO EXTEND DISCUSSION BY 20 MINUTES. MAYOR WINGFIELD, COUNCILMEMBER WOOLSTENCROFT AND COUNCILMEMBER WHITE VOTE AYE. COUNCILMEMBERS MALVEY AND LAFOY VOTE NAY. MOTION PASSED.

MOTION WAS MADE BY COUNCILMEMBER WHITE AND SECONDED BY COUNCILMEMBER LAFOY TO AMEND THE EXTENSION OF DISCUSSION BY REDUCING THE TIME LIMIT TO 10 MINUTES. ALL AYES. MOTION PASSED.

Mayor Wingfield, Council Members and Chris Churchill (BDA): Continued discussion.

Mayor Wingfield: Requested Mr. Churchill take the financial information to the BDA for revision. To be reviewed later.

b. Extension Request

Chris Churchill (BDA): Provided a status report. Requested until May 1, 2018 to provide a check for dock permits.

MOTION WAS MADE BY COUNCILMEMBER WHITE TO ACCEPT REQUEST AND EXTEND PERMIT APPLICATION PROCESS TO MAY 1, 2018.

Administrator Lay: Presented a letter from Kathy Leeves (3 Oakview Ct). (Time Stamp 2:15:16)

Mayor Wingfield, Councilmember LaFoy and Chris Churchill (BDA): Agreed wait slip deposits need to be calculated.

MOTION WAS MADE BY COUNCILMEMBER WHITE AND SECONDED BY COUNCILMEMBER MALVEY TO ACCEPT BDA'S REQUEST TO EXTEND PERMIT APPLICATION PAYMENT TO MAY 1, 2018. ALL AYES. MOTION PASSED.

D. Water Meter Service Contract & Upgrade

a. Council Deliberation and Approval/Direction

Administrator Lay: Summarized temporary water meter service contract. Requested authorization to contact area municipalities for a combined effort to upgrade systems.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER WHITE TO APPROVE TEMPORARY AGREEMENT WITH WATER METER READING SERVICE PROVIDER SL-SERCO THROUGH MAY 2018. ALL AYES. MOTION PASSED.

Mayor, Council Members and Administrator Lay: Discussed options and metering system upgrades.

Mayor and Council Members: Authorized Administrator Lay to pursue a combined effort to upgrade water meter systems with other area municipalities and report back.

E. Council Member Reports

a. Mayor Wingfield

i. Pickleball

Mayor Wingfield: Requested to use hockey rink in spring and summer for Pickleball. Cost estimated at \$180.00 for gorilla tape. Mayor Wingfield to donate a Pickleball net. Council approves action contingent on notifying the Parks Committee.

ii. Barn Quilts

Mayor Wingfield: Displayed illustration of a barn quilt patch. Suggested it may be a calling card for the city and a fun public event. Offered to put up a barn quilt on city hall and will report back. (Time Stamp 2:32:09)

b. Councilmember LaFoy

i. SCC Update

Councilmember LaFoy: Provided status update of ongoing negotiations.

Councilmember LaFoy: Reminded residents that a plant exchange & garage sale will be held the first Saturday in June.

F. City Administrator's Report

Administrator Lay: Steve Wogamot of Lake Links Trail requested Council representation at a State Capitol Investment Committee Hearing on Tuesday, April 17th from 3:00 to 4:30pm.

Councilmember Malvey: Volunteered to attend.

Councilmember LaFoy: Invites residents to check out a recently published seasonal area lakes drone photo collection.

ADJOURN

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO ADJOURN THE MEETING. ALL AYES. MOTION PASSED. MEETING ADJOURNED AT 9:37 PM CST.

ATTEST:

Mary Wingfield
Mayor

Tobin Lay
City Administrator - Clerk

For the Period : 4/10/2018 To 5/2/2018

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$589,303.51	\$388.87	\$37,511.22	\$552,181.16
Road and Bridge	\$0.00	\$0.00	\$0.00	\$0.00
Comp Plan Grant	\$4,460.00	\$0.00	\$0.00	\$4,460.00
Tree Canopy Care	\$0.00	\$0.00	\$0.00	\$0.00
Special Rev Projects	\$7,372.40	\$220.00	\$0.00	\$7,592.40
Spec Rev - Warm House	\$40.00	\$0.00	\$0.00	\$40.00
REIMBURSED CONTRACTED SERVICES	(\$7,285.26)	\$0.00	\$0.00	(\$7,285.26)
Birchwood In Re-hab Bond	\$0.00	\$0.00	\$0.00	\$0.00
Sewer Re-hab 2008 Debt	\$13,220.20	\$0.00	\$0.00	\$13,220.20
CAPITAL PROJECT FUNDS (401 through 499)	\$0.00	\$0.00	\$0.00	\$0.00
Capital Improvement Projects	\$0.00	\$0.00	\$0.00	\$0.00
Capital Project PW	\$66,233.91	\$0.00	\$0.00	\$66,233.91
Water	\$35,424.60	\$0.00	\$0.00	\$35,424.60
Sewer	\$84,996.43	\$0.00	\$4,099.10	\$80,897.33
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	\$793,765.79	\$608.87	\$41,610.32	\$752,764.34

Fund Name: All Funds

Date Range: 04/10/2018 To 05/02/2018

9

Date	Remitter	Receipt #	Description	Deposit ID	Void	Account Name	F-A-P	Total
04/10/2018	Madison, Roger	171734335*	Canoe/Kayak Permit x2	(04/10/2018) -	N	Kayak/Canoe Permits	100-32212-	\$ 20.00 <u>20.00</u>
04/11/2018	Glander, Mark	171734336*	Canoe/Kayak Permit	(04/11/2018) -	N	Kayak/Canoe Permits	100-32212-	\$ 10.00 <u>10.00</u>
04/18/2018	Gohl, Deborah	171734338*	Animal License + \$5 Late Fee	(04/18/2018) -	N	Animal Licenses	100-32240-	\$ 10.00 \$ 5.00 <u>15.00</u>
04/18/2018	Clinch, Houston	171734341*	Animal License + \$5 Late Fee	(04/18/2018) -	N	Animal Licenses	100-32240-	\$ 10.00 \$ 5.00 <u>15.00</u>
04/18/2018	Choulock II, Joseph & Gagnon, Sara	171734342*	Canoe/Kayak Permit	(04/18/2018) -	N	Kayak/Canoe Permits	100-32212-	\$ 10.00 <u>10.00</u>
04/19/2018	Muench, Travis & Theresa	171734343*	Canoe/Kayak Permit	(04/19/2018) -	N	Kayak/Canoe Permits	100-32212-	\$ 10.00 <u>10.00</u>
04/30/2018	Strobel, David & Kelly	171734344*	Animal License + \$5 Late Fees x2	(04/30/2018) -	N	Animal Licenses	100-32240-	\$ 20.00 <u>20.00</u>
04/30/2018	Howe, Scott	171734345*	Animal License	(04/30/2018) -	N	Animal Licenses	100-32240-	\$ 10.00 <u>10.00</u>
04/30/2018	Manske, Laura	171734346*	For White Bear Lift & Dock Donation - Kay Beach Ladder - Claim#3927 - 03/07/2018.	(04/30/2018) -	N	Park Fees	210-34780-	\$ 220.00 <u>220.00</u>
05/02/2018	Young & Sons Heating & AC, Inc.	171734348*	HVAC Permit #2018-15	(05/02/2018) -	N	Building Permits (Excludes surcharge)	100-32210-	\$ 111.37 <u>111.37</u>

Fund Name: All Funds

Date Range: 04/10/2018 To 05/02/2018

<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>
05/02/2018	Apollo Heating & Air	171734349*	HVAC Permit #2018-11	(05/02/2018) -	N	Building Permits (Excludes surcharge)	100-32210-	\$ 157.50
								\$ 157.50
								\$ 608.87

Total for Selected Receipts

\$ 157.50
\$ 608.87

Fund Name: All Funds

Date Range: 04/10/2018 To 05/02/2018

Date	Vendor	Check #	Description	Void	Account Name	FA-O-P	Total
04/10/2018	Payroll Period Ending 04/13/2018	30050	Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 2,157.85
	Total For Check	30050					\$ 2,157.85
04/10/2018	PERA	EFT041018A*	Employee Retirement - Tobin	N	Clerk - Treasurer	100-41401-121-	\$ 350.00
	Total For Check	EFT041018A					\$ 350.00
04/10/2018	IRS - US Treasury	EFT041018B	Q1 2018 - March Payment	N	Clerk - Treasurer	100-41401-100-	\$ 2,186.17
	Total For Check	EFT041018B					\$ 2,186.17
04/10/2018	MN Department of Revenue	EFT041018C	State Tax Filing - Q1 2018	N	Clerk - Treasurer	100-41401-115-	\$ 993.29
	Total For Check	EFT041018C					\$ 993.29
04/19/2018	Payroll Period Ending 04/27/2018	30051	Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 1,817.66
	Total For Check	30051					\$ 1,817.66
04/30/2018	Leaves, Robert	30052*	Videographer - Regular CC Meeting 04/10/2018	N	Cable Eqpmt and Service	100-41950-314-	\$ 80.00
	Total For Check	30052					\$ 80.00
04/30/2018	White Bear Township	30053*	PW Maintenance, Labor & Equip - 03/19/2018.	N	Sewer Utility	605-43190-314-	\$ 3,531.75
	Total For Check	30053					\$ 3,531.75
04/30/2018	Companion Animal Control LLC	30054*	Animal Control - Q1 2018	N	Animal Control	100-41916-314-	\$ 240.00
	Total For Check	30054					\$ 240.00
04/30/2018	Washington County - Property & Tax	30055*	Assessing Fee - 2018	N	Assessing	100-41550-314-	\$ 6,010.88
	Total For Check	30055					\$ 6,010.88
04/30/2018	BIRCH, INC.	30056*	Service Dates 02/19/18, 02/22/18, 02/23/18, 02/25/18, 04/03/18, 04/09/18 & 04/14/18.	N	Ice and Snow Removal	100-43125-314-	\$ 3,360.00
	Total For Check	30056*					\$ 3,360.00
		30056*				100-43125-314-	\$ 1,192.50
		30056*				100-43125-314-	\$ 2,700.00
	Total For Check	30056					\$ 7,252.50

Fund Name: All Funds

Date Range: 04/10/2018 To 05/02/2018

Date	Vendor	Check #	Description	Void	Account Name	F-A-O-P	Total
04/30/2018	AirFresh Industries, Inc.	30057*	Rental Monthly Unit (1) - May 2018	N	Parks	100-45207-314-	\$ 81.25
Total For Check 30057							\$ 81.25

04/30/2018	Allstream	30058*	Analog Phone Line - 04/23/18 to 05/22/18	N	General Government Buildings and Plant	100-41940-320-	\$ 45.84
Total For Check 30058							\$ 45.84

04/30/2018	City of White Bear Lake	30059*	Fire Services - May 2018	N	Fire	100-42201-314-	\$ 1,694.75
Total For Check 30059							\$ 1,694.75

04/30/2018	TSE, INC	30060*	Janitorial Services - April 2018	N	General Government Buildings and Plant	100-41940-314-	\$ 25.00
Total For Check 30060							\$ 25.00

04/30/2018	City of Roseville	30061*	Phone & IT Services - April 2018	N	General Government Buildings and Plant	100-41940-320-	\$ 366.00
Total For Check 30061							\$ 366.00

04/30/2018	Young & Sons - Heating & AC, Inc.	30062*	Heat pumps for Meeting & AV rooms.	N	General Government Buildings and Plant	100-41940-300-	\$ 10,607.00
Total For Check 30062							\$ 10,607.00

04/30/2018	PERA	EFT043018A*	Employee Retirement - Tobin	N	Clerk - Treasurer	100-41401-121-	\$ 350.00
Total For Check EFT043018A							\$ 350.00
04/30/2018	Amazon	EFT043018B*	Vacuum Bags & Paper Order+ Redi-Seal Envelopes.	N	Office Operations Supplies	100-41911-230-	\$ 4.99
Total For Check EFT043018B*							\$ 4.99

04/30/2018	Xcel Energy	EFT043018B*	Electric for Street Lights - 03/03/2018 to 04/02/2018.	N	Street Lighting	100-41911-230-	\$ 47.32
Total For Check EFT043018B*							\$ 47.32
04/30/2018	Xcel Energy	EFT043018B*	Gas for generator - 03/20/18 to 04/18/18	N	Sewer Utility	100-41911-230-	\$ 33.61
Total For Check EFT043018B*							\$ 33.61

04/30/2018	Xcel Energy	EFT043018C*	Electric for Street Lights - 03/03/2018 to 04/02/2018.	N	Street Lighting	100-43160-380-	\$ 1,232.66
Total For Check EFT043018C							\$ 1,232.66
04/30/2018	Xcel Energy	EFT043018D*	Gas for generator - 03/20/18 to 04/18/18	N	Sewer Utility	605-43190-383-	\$ 28.33
Total For Check EFT043018D							\$ 28.33

04/30/2018	Xcel Energy	EFT043018E*	Electric for Lift Station/Warming House - 03/20/18 to 04/18/18	N	General Government Buildings and Plant	100-41940-380-	\$ 185.69
Total For Check EFT043018E							\$ 185.69

Fund Name: All Funds

Date Range: 04/10/2018 To 05/02/2018

Date	Vendor	Check #	Description	Void	Account Name	F-A-O-P	Total
		EFT043018E*			Parks	100-45207-380-	\$ 30.64
		EFT043018E*			Sewer Utility	605-43190-380-	\$ 50.94
		EFT043018E*				605-43190-380-	\$ 139.93
		EFT043018E*				605-43190-380-	\$ 348.15
		Total For Check					\$ 755.35

05/02/2018	Tennis Sanitation, LLC	30063*	Recycling Contract: Mar - Apr 2018	N	Recycle	100-43300-314-	\$ 1,656.00
		Total For Check					\$ 1,656.00

		Total For Selected Checks					\$ 41,610.32
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As on 5/2/2018

Special Rev Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Dock/Lift Permit Fee	0.00	100.00	100.00
Total Acct 322	0.00	100.00	100.00
Park Fees	0.00	220.00	220.00
Total Acct 347	0.00	220.00	220.00
Total Revenues	0.00	320.00	320.00
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)
Parks			
Misc	0.00	220.00	(220.00)
Total Acct 452	0.00	220.00	(220.00)
Total Disbursements	0.00	420.00	(420.00)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		7,692.40	
Total Receipts and Other Financing Sources		320.00	
Total Disbursements and Other Financing Uses		420.00	
Cash Balance as of 05/02/2018		7,592.40	

As on 5/2/2018

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 05/02/2018		66,233.91	

As on 5/2/2018

Water	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Water Fee	0.00	20,620.36	20,620.36
Penalty - Late Water/Sewer	0.00	149.89	149.89
State and Misc fees	0.00	613.22	613.22
Total Acct 341	0.00	21,383.47	21,383.47
Water Main Break	0.00	2,755.77	2,755.77
Total Acct 349	0.00	2,755.77	2,755.77
Total Revenues	0.00	24,139.24	24,139.24
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Financial Administration			
Contracted Services	0.00	3,752.10	(3,752.10)
Total Acct 415	0.00	3,752.10	(3,752.10)
Water Utility			
Repair and Maintenance Supplies (221 through 229)	0.00	176.36	(176.36)
Contracted Services	0.00	22,048.48	(22,048.48)
Fees	0.00	562.00	(562.00)
Wtr/Swr Emergency			
Repair and Maintenance Supplies (221 through 229)	0.00	400.00	(400.00)
Professional Services: Medical and Dental Fees	0.00	10,749.90	(10,749.90)
Total Acct 431	0.00	33,936.74	(33,936.74)
Total Disbursements	0.00	37,688.84	(37,688.84)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		48,974.20	
Total Receipts and Other Financing Sources		24,139.24	
Total Disbursements and Other Financing Uses		37,688.84	
Cash Balance as of 05/02/2018		35,424.60	

As on 5/2/2018

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Sewer			
Receipts:			
Penalty - Late Water/Sewer	0.00	185.21	185.21
Sewer Fee	0.00	31,446.45	31,446.45
Total Acct 341	0.00	31,631.66	31,631.66
SPECIAL ASSESSMENTS	0.00	16,340.07	16,340.07
Total Acct 361	0.00	16,340.07	16,340.07
Total Revenues	0.00	47,971.73	47,971.73
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Postage/Postal Permits			
OFFICE SUPPLIES (201 through 209)	0.00	773.60	(773.60)
Total Acct 414	0.00	773.60	(773.60)
Engineer Service			
PROFESSIONAL SERVICES (301 through 319)	0.00	4,110.00	(4,110.00)
Total Acct 416	0.00	4,110.00	(4,110.00)
Utility Locates			
Contracted Services	0.00	55.40	(55.40)
Total Acct 428	0.00	55.40	(55.40)
Sewer Utility			
Sewer - Wastewater Charge	0.00	17,644.96	(17,644.96)
Contracted Services	0.00	4,195.50	(4,195.50)
Utility Services (381 through 389)	0.00	5,150.01	(5,150.01)
Utility Services: Gas Utilities	0.00	141.50	(141.50)
Total Acct 431	0.00	27,131.97	(27,131.97)
Total Disbursements	0.00	32,070.97	(32,070.97)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		64,996.57	
Total Receipts and Other Financing Sources		47,971.73	
Total Disbursements and Other Financing Uses		32,070.97	
Cash Balance as of 05/02/2018		80,897.33	

MEMORANDUM

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Workers Comp Insurance



Birchwood Village

Dear Mayor and Council Members,

Each year the City is required to renew its Worker's Compensation Insurance Policy 30 days prior to the expiration of the current policy. The City's policy is currently through the League of Minnesota Cities and expires on June 12, 2018.

As was done last year, Council is requested to approve the enclosed resolution and authorize me to renew the City's Worker's Comp Insurance through the League of Minnesota Cities, regular premium option (\$1,452).

Thanks!

Regards,
Tobin Lay

RESOLUTION 2018-12

**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 8, 2018, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Megan Malvey, Trilby White, and Kevin Woolstencroft, and the following absent: Councilmember Randy LaFoy, the Birchwood City Council resolved:

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

WHEREAS, the City's workers' compensation insurance policy must be renewed by June 12, 2018.

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 8th day of May, 2018.

Mary Wingfield, Mayor

Attest:

Tobin Lay
City Administrator-Clerk

RESOLUTION 2018-13

**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 8, 2018, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Megan Malvey, Trilby White, and Kevin Woolstencroft, and the following absent: Councilmember Randy LaFoy, 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 8th day of May, 2018.

Mary Wingfield
Mayor

Attest:

Tobin Lay
City Administrator-Clerk

MEMORANDUM



Birchwood Village

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: MS4 Public Hearing

Dear Mayor and Council Members,

Each year the City is required to hold a public hearing regarding MS4 – Storm Water Pollution Prevention Program.

Staff proposes and requests Council approve this public hearing be held during the June 12th, 2018, City Council meeting. Staff also asks Council's approve to publish info regarding this public hearing accordingly.

Thanks!

Regards,
Tobin Lay

MEMORANDUM



Birchwood Village

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

Dear Mayor and Council Members,

Houstoun Clinch, the Chair of the Parks & Natural Resources Committee is present tonight to provide an update and recommendations on topics the Committee is working with and has been asked to weigh in on.

Music in the Park

One topic the Committee was asked to provide a recommendation on was:

- whether Music in the Park should continue and if so:
- will the Parks Committee organize and manage it;
- how many weeks should the concerts run;
- what should the budget be for the program; and
- should the City authorize beer and wine in the parks during these concerts.

The Parks Committee DOES recommend the City continue to provide Music in the Park. Mr. Clinch will speak to each of the above questions in his update/presentation., is willing to organize and manage

Pickle Ball Court

The Parks Committee felt that the Pickle Ball project should have been brought to them rather than directly to the Council. Committee members are fine with testing a Pickle Ball court but want to be sure whatever marking system is used can be removed or covered so it does not affect the ice in the winter (melt it).

Trails

Committee members wish to ask direction from the Council on whether they should continue looking into extending the Birch trail or table it.

Joint Council/Committee Meeting

Committee members recommend the joint Council/Committee meeting be held during the Committee's May 22nd meeting at 7pm.

Other

- Committee Member Judy Walker is interested in monitoring the Birch swale.
- Committee members request Council appoint two members after the May meeting as both James Nelson and Scott Howe's terms are up.

Thanks!

Tobin Lay

MEMORANDUM



Birchwood Village

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

Dear Mayor & Council Members,

Last month the Council reinstated Chris Churchill to the Docks Committee and approved enlarging the Docks Committee to five (5) members. Councilmember Malvey was appointed to the Committee as the interim representative from the City Council. Council determined to post notice of the new positions on the Committee in this quarter's newsletter and to appoint new committee members during the July City Council meeting.

I have been asked by members of the Council to add this topic to this agenda again to discuss:

- The purpose of the Docks Committee going forward; and
- Criteria for selecting new appointees to this Committee

Request/Recommendation

Accordingly, staff requests Council Members discuss the purpose and selection criteria for the Docks Committee. Thanks!

Regards,
Tobin Lay

MEMORANDUM



Birchwood Village

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Ordinance 2018-01-02 Section 301 Amendments

Dear Mayor and Council Members,

During the March City Council meeting, you adopted an amendment to Section 301 to include beach sand under zoning permit. Part of what you voted to amend was to delete the “Note” at the end of section 301.070 and add it as an exception under 301.070.1.a. After reviewing these amendments closer, Attorney Kantrud and I have discovered that the “Note” is meant to apply to both 301.070.1.a AND 301.070.1.b.

Accordingly, Kantrud and I will not be able to provide you a summary publication in last month’s consent agenda as assigned – this vote needs to be overturned and section 301 corrected. Although the corrections do not equal a substantive change, the Council did vote unanimously on the changes so best practice is to have the amendment come before you for a third reading. Because we didn’t have a window of 10 days prior to the last City Council meeting to provide notice of a third reading and final vote, we postponed these changes to the May meeting.

The attached corrections are what Kantrud and I recommend Council approve. This undoes the changes made to 301.070 but keeps the changes to 301.080. This makes the need for a summary publication moot as the only portion requiring publication is 301.080.1.h.

Recommendation/Request

Staff recommends Council:

- 1) Discuss and approve the third/final reading of enclosed Ordinance 2018-01-02.

Thanks!

Tobin Lay

ORDINANCE 2018-01-02

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

**AN ORDINANCE AMENDING CONDITIONAL USES
AND ZONING PERMIT PROVISIONS 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 to read as follows:

SECTION 301: ZONING CODE: GENERAL PROVISIONS

301.070. CONDITIONAL USES. Certain accessory uses permitted within the City have greater than usual chances to present safety hazards, impact on neighboring people and property, and nuisance situations. Because of these greater effects, the City requires these uses to be covered under Conditional Use Permits. Applications for Conditional Use Permits must comply with all provisions of Section 306. **CONDITIONAL USE PERMITS.**

1. A Conditional Use Permit shall be required for the following projects:

a. Any land disturbance activity where the slope is toward a lake, pond, wetland, or watercourse leading to such waters, and the alteration is closer to such waters than the structure setback requirement. See Note at end of Section 301.070.

Exception 1. A separate Conditional Use Permit is not required for a land disturbance activity when a building permit has been granted. However, as part of the Building Permit Application, the applicant shall provide information required pursuant to Section 306.030 and shall follow all provisions of Sections 302.050 IMPERVIOUS SURFACES and 302.055 LAND DISTURBANCE ACTIVITY STANDARDS.

b. Any land disturbance activity where such work involves an area greater than four hundred (400) square feet and/or more than fifty (50) cubic yards in volume. See Note at end of Section 301.070.

c. Any swimming pool with a capacity over three thousand (3000) gallons or with a depth of over three and one-half (3 1/2) feet of water.

d. Any tennis court.

e. Any solar energy system for heating, cooling, electrical generation or other purposes.

f. Home occupation.

NOTE: A separate Conditional Use Permit is not required for a land disturbance activity when a building permit has been granted. However, as part of the Building Permit Application, the applicant shall provide information required pursuant to Section 306.030 and shall follow all provisions of Sections 302.050 IMPERVIOUS SURFACES and 302.055 LAND DISTURBANCE ACTIVITY STANDARDS.

301.080 ZONING PERMIT. Certain uses and activities not requiring a Building Permit or a Conditional Use Permit have the potential of adverse impact on neighboring property, storm water runoff, and soil erosion. The City is especially concerned that landowners comply with Setback and Impervious Surface coverage requirements. Therefore, the City requires these uses and activities to be covered under Zoning Permits. Applicants for Zoning Permits must comply with all provisions of Section 307 ZONING PERMIT and Section 302 REQUIREMENTS AND PERFORMANCE STANDARDS. If a Building or Conditional Use Permit is applied for and issued, the applicant is not required to apply for a Zoning Permit.

1. A Zoning Permit shall be required for the following projects:
 - a. Retaining Walls. See special requirements in Section 302.070
 - b. Fences. See special requirements in Section 302.070 .
 - c. One-story detached accessory structures, used as tool and storage sheds, playhouses, and similar uses, with a structure of one hundred forty-four (144) or less square feet and greater than twenty five (25) square feet. (Note: Larger structures require Building Permits.)
 - d. Sidewalks, driveways, and patios whose area is greater than one hundred (100) square feet.
 - e. Decks and platforms less than thirty (30) inches above adjacent grade and not attached to a structure with frost footings. (Note: Other decks and platforms require Building Permits.)
 - f. Land Disturbance Activities greater than one hundred (100) square feet or greater than ten (10) cubic yards. (Note: Land Disturbance Activities greater than four hundred (400) square feet or greater than fifty (50) cubic yards require Conditional Use Permits pursuant to Section 306.030 or Building Permits pursuant to Section 301.070.)
 - g. Stairs and lifts to lake or water body. See special requirements in Section 302.080.
 - g.h. Beach sand replacement (above the OHWL) not to exceed four hundred (400) square feet and/or fifty (50) cubic yards in volume.
2. Landowners constructing structures or conducting activities similar to those in part 1 a. through e. and for Land Disturbance Activities in part f, but which do not require Zoning Permits, are required to comply with all provisions of Section 302 REQUIREMENTS AND PERFORMANCE STANDARDS.

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 8th day of May, 2018

Attest:

Mary Wingfield
Mayor

Tobin Lay
City Administrator-Clerk

MEMORANDUM



Birchwood Village

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Special Event Permitting

Dear Mayor & Council Members,

Staff has been approached this year by local businesses wishing to host a community-wide event in Birchwood. Although the causes for the events seem potentially beneficial to the community, the City has no ordinance governing such events.

With large events comes an increased risk of disturbances to the City and its residents that can become nuisances, menace or threaten life, health or property, disrupt traffic or threaten or damage private or public property.

Accordingly, many cities adopt a special event ordinance to administer and regulate these potential disturbances/risks and to promote the health, safety and welfare of the residents and visitors of the City.

Enclosed is a proposed ordinance made up of several MN cities' special events ordinances for your consideration.

Request/Recommendation

Staff requests Council Members:

- 1) Review, discuss, and approve the first reading of enclosed Ordinance 2018-05-01 Special Events;
and
- 2) Order a public hearing on this Ordinance for the June 12, 2018 City Council meeting.

Thanks!

Regards,
Tobin Lay

ORDINANCE 2018-05-01

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

**AN ORDINANCE TO ADOPT SECTION 400 INTO CITY CODE TO ADMINISTER
AND REGULATE SPECIAL EVENTS**

The City Council of the City of Birchwood Village hereby witnesseth that an ordinance to enact a new section of the Birchwood Village Code of Ordinances to administer and regulate special events, and to provide for the issuance and regulation of special event permits to promote the health, safety and welfare of all residents and visitors of the city:

THE COUNCIL OF BIRCHWOOD VILLAGE ORDAINS:

In General, **Chapter 400**, City of Birchwood Village, County of Washington, Minnesota, “Special Events” is herewith adopted into city code. Any and all previously adopted sections or ordinances which may appear contrary or in conflict with this ordinance are hereby replaced or modified by this code.

SECTION 400: SPECIAL EVENTS

400.010 FINDINGS, PURPOSE AND INTENT.

It is the purpose of the city council to regulate the time, place and manner of special events when the event’s impact upon the health, sanitary, fire, police, transportation and utility services exceeds those regularly provided to that property. This ordinance is enacted in order to promote the health, safety and welfare of all residents and visitors of the city by ensuring that special events do not create disturbances, become nuisances, menace or threaten life, health or property, disrupt traffic or threaten or damage private or public property. It is not the intent of the city council by enacting this ordinance to regulate in any manner the content of speech or infringe upon the right to assemble, except for regulating the time, place and manner of speech and assembly and this ordinance should not be interpreted or construed otherwise.

400.020 DEFINITIONS.

The following words, terms and phrases, when used in this Chapter, will have the following meanings:

1. **AIR SUPPORTED AMUSEMENT STRUCTURE.** Any device that incorporates a structural and mechanical system and employs a high-strength fabric or film that achieves its strength, shape, and stability by pre-tensioning with internal air pressure (inflation). It carries or conveys or permits persons to walk, run or jump along, around or over a fixed or restricted route or course or within a defined area including the entrances and exits thereto, for the purpose of enjoyment.

2. **SPECIAL EVENT.** Any concert, parade, fair, show, festival, carnival, rally, party, filming of a movie, video or television show, motorcade, run, street dance, race, walk or athletic event or other attended entertainment or celebration that is to be held in whole or in part upon publicly owned property or public right-of-way, or, if held wholly or partly upon private property, will require the use of Special Services.
3. **SPECIAL SERVICES.** The exclusive allocation of city resources, including, but not limited to, city personnel, equipment, rights-of-way, property or facilities for use in conjunction with a specific event or activity, as requested by the host or sponsor of the event, or as requested by or on behalf of any person attending the event, or deemed necessary by city staff in order to maintain public safety. Special Services shall include, but not be limited to, any of the following: street closures; requiring police officers to stop or reroute traffic; special police protection; stationing emergency vehicles at or in the immediate vicinity of the event; exclusive use of city streets or property as a staging area or for event parking; additional street cleaning and garbage removal services; special signage, such as temporary no parking signs; the use of any city building, equipment or other property for any purpose other than the normal operations of the facilities; or the city otherwise providing exclusive services.

400.030

PERMIT.

- A. **Permit required.** Any person or organization desiring to hold a Special Event in the city and/or to use air supported amusement structures must first obtain a Special Event permit from the city in addition to any other permits required for the event by state law or city ordinance.
- B. **Exceptions.** A permit is not required for:
 1. Wedding ceremonies, funeral ceremonies and funeral processions;
 2. Any event attended by fewer than 200 persons at one time which does not require any Special Services and does not involve the sale of alcohol;
 3. Any event that is otherwise regulated by the city through the use of another regulatory manner, such as a conditional use permit;
 4. Any event that is otherwise approved by the city through a facility rental or use agreement (e.g., a Community Center rental) or contract which does not require any additional Special Services and does not involve the sale of alcohol; and
 5. The use of traditional public forums as alternative channels of communication by the public, provided that such use is for the free exercise of constitutionally protected activities and does not disrupt or interfere with

traffic on public streets or the use of public places by other members of the public.

400.040

PERMIT APPLICATION.

A. **Form.** Application for a permit to hold a Special Event must be made in writing and must contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant and must be signed and sworn to or affirmed by the individual making application. The application must contain and disclose the following:

1. Applicant name, address, phone number, including whether the applicant is an individual, organization, or other entity;
2. Date(s) of proposed Special Event;
3. Address(es) of proposed Special Event;
4. Name and consent of property owner, if different from applicant;
5. Type and description of the Special Event and a list of all activities to take place at the Special Event;
6. Estimated number of persons to attend;
7. Duration of Special Event, including beginning and ending times;
8. Any public health plans, including supplying water to the site, solid waste collection and provision of toilet facilities, if applicable;
9. Any fire prevention and emergency medical services plans, if applicable;
10. Any security plans, if applicable;
11. The admission fee, donation or other consideration to be charged or requested for admission, if applicable;
12. Whether food or alcohol will be served or sold at the event;
13. A detailed description of all public rights-of-way and private streets for which the applicant requests the city to restrict or alter normal parking, vehicular traffic or pedestrian traffic patterns, the nature of such restrictions or alterations, and the basis;
14. A description of any services, city personnel, city equipment and city property which the applicant requests the City to provide, including the applicant's estimate of the number and type needed, and the basis on which

the estimate is made. However, the City retains sole discretion to determine the number and type of services required for the event;

15. Whether any sound amplification or public address system will be used or if there will be any playing of any music or musical instruments;
16. A statement signed by the applicant either agreeing to pay all fees and meet all other requirements of this Chapter, or representing to the city that the applicant is duly authorized to make such agreement on behalf of the person or organization holding or sponsoring the Special event;
17. Applicant signature and property owner's signature, if different from applicant; and
18. Any other information requested by the city, acting through its city administrator or chief of police deemed reasonably necessary in order to determine the nature of the Special Event and the extent of any Special Services required.

B. **Time for filing.** A Special Event permit application must be filed with the city at least 30 days in advance of the date in which the Special Event is to occur.

C. **Permit fee.** An applicant for a Special Event permit must pay a nonrefundable permit fee in an amount set by resolution.

400.050

PERMIT REVIEW.

A. **Receipt of Application.** Upon receipt of a Special Event permit application, the city administrator shall be responsible for promptly processing the application, including conferring with department heads and the applicant as necessary to implement the provisions of this Chapter, and, when required by this Chapter, forwarding the processed application to the city council with a recommendation to approve, approve with conditions or modifications, or deny the special event permit application.

B. **Special Services.** The city administrator shall promptly distribute copies of the application for review by the head of each department in cases where Special Services are requested or will be necessary. Each such department head shall review the application and evaluate the Special Services and shall report to the city administrator, with a recommendation that application and the requested Special Services be approved, approved with conditions or modifications, or denied. Each department head shall also provide the city administrator with a cost estimate for the Special Services associated with his or her department.

C. **Review.** When a Special Event will not require any Special Services or does not require a significant amount of Special Services, the city administrator may review and approve the permit application administratively. In cases where a Special Event requires a significant amount of Special Services, the application

will be presented to the city council for review. The city council may hold a public hearing on the permit application. It may also refer the permit application to the city commissions for its review and recommendation.

D. **Permit Denial.** The city may deny an application for a Special Event permit if it determines from a consideration of the application or other pertinent information, that:

1. The information contained in the application or supplemental information requested from the applicant is false or nonexistent in any material detail;
2. The applicant fails to supplement the application after having been notified by the city of additional information or documents needed;
3. The applicant fails to agree to abide or comply with all of the conditions and terms of the Special Event permit, including payment of all costs and expenses;
4. The Special Event would substantially or unnecessarily interfere with traffic in the city, would interfere with access to the fire station or fire hydrants, or would interfere with access to businesses or residences in the immediate vicinity of the event and there are not sufficient city resources available at the time of the event to mitigate the disruption;
5. The Special Event is of the size or nature that requires the diversion of so many law enforcement officers to properly police the event, site and contiguous areas that allowing the Special Event would unreasonably deny law enforcement protection to the remainder of the city and its residents;
6. The proposed date and time of the Special Event conflicts with a previously scheduled event and there are not available at the time of the proposed Special Event sufficient city resources to provide services for both events without substantially or unnecessarily interfering with police, fire, water, public works or other services to the city as a whole;
7. The location of the Special Event will substantially interfere with any construction or maintenance work scheduled to take place upon or along public property or right-of-way;
8. The Special Event would likely endanger the public safety or health;
9. The Special Event would substantially or unnecessarily interfere with police, fire, water, public works or other services to the city as a whole and there are not available at the time of the proposed event sufficient city resources to mitigate the disruption;
10. The applicant fails to comply with the liability insurance requirements or the applicant's insurance lapses or is canceled;

11. The Special Event would likely create or constitute a public nuisance;
12. The Special Event would be likely to cause significant damage to public property or facilities;
13. The Special Event would engage in or encourage participants to engage in illegal acts; or
14. The applicant, responsible party or the person on whose behalf the application is submitted has on prior occasions made material misrepresentations regarding the nature and extent of Special Services required for a Special Event in the city, or has violated the terms of a prior Special Event permit.

400.060 **PERMIT ISSUANCE.**

- A. **Permitted areas.** Because of the predominantly residential character of the city and the relatively small size of the commercially zoned areas resulting in the potential for conflicting uses, Special Events will be permitted within the city only after a finding by the city that the character of the proposed Special Event is compatible with the character of the surrounding neighborhood considering the possible creation of problems including noise, lighting, traffic, sanitation, congestion and other factors affecting the public health, safety and welfare of such areas in addition to compliance with all ordinances of this city and applicable statutes and regulations.
- B. **Permit Conditions.** The city may condition the issuance of a Special Event permit by imposing reasonable conditions concerning the time, place and manner of the Special Event, and such conditions as are necessary to protect the safety of persons and property, and the control of traffic; provided that such conditions shall not unreasonably restrict the right of free speech. The city may inspect the property upon which the Special Event is to be held prior to the event in order to make certain there is compliance with all permit conditions. Such conditions may include, but are not limited to:
 1. Alteration of the date(s), time(s), route(s) or location of the Special Event proposed;
 2. Elimination of an activity at the Special Event which cannot be mitigated to a point as to ensure public safety and welfare, or which causes liability to the city;
 3. Requirements concerning the area of assembly and disbanding of a parade or other events occurring along a route;

4. Requirements concerning the accommodation of pedestrian or vehicular traffic, including restricting the event to only a portion of the street or right-of-way;
5. Requirements for the use of Special Services;
6. Requirements for the use of traffic cones or barricades;
7. Requirements for the provision of first aid or sanitary facilities;
8. Requirements for the use of Special Event monitors and the providing notice of the Special Event's permit's conditions to the event's participants;
9. Requirements on the number and type of vehicles, animals or structures to be allowed at the Special Event and the inspection and approval of floats, structures and decorated vehicles by the city for safety purposes;
10. Compliance with animal protection ordinances and laws;
11. Requirements for the use of garbage containers and the cleanup and restoration of any public property;
12. Restrictions on the use of amplified sound, public address systems and the playing of music and musical instruments and compliance with noise ordinances, regulations and laws;
13. Limitations on the maximum attendance;
14. Requirements on the number of security personnel;
15. Requiring notice of the Special Event to be provided to surrounding property owners; and
16. Restrictions on the sale or consumption of food or alcohol.

C. **Permit Issuance.** When a Special Event will not require any Special Services or does not require a significant amount of Special Services, the city administrator may issue the Special Event permit administratively. In cases where a Special Event requires a significant amount of Special Services, the application will be presented to the city council for approval.

400.070

SPECIAL SERVICES FEES.

A. **Special Services Fee Deposit.** If any Special Services are to be used during the Special Event, the applicant may be required to pay a non-refundable Special Services fee deposit at least ten business days before the Special Event. The Special Services fee deposit shall be determined by the city administrator.

It shall be based upon an estimate of Special Services that are necessary as determined by the city's department heads.

B. **User Fee.** Upon completion of the Special Event, the city may prepare a detailed account of all Special Services provided for the Special Event and in such cases, will set the final user fee using the rates, fees and charges in the amounts set by resolution. The city will then provide the authorized and responsible person identified in the Special Event permit application with a copy of the detailed account of the Special Services and an invoice for the user fee, less the fee deposit. The balance of the user fee will then become due and payable immediately upon its receipt.

C. **Special Services Rates.** The rates charged shall be an amount set by resolution.

400.080

INDEMNIFICATION AGREEMENT.

If the Special Event requires Special Services, prior to the issuance of a Special Event permit, the permit applicant and authorizing officer of the sponsoring organization, if any, must sign an agreement to indemnify, defend and hold the city, its officials, employees, and agents harmless from any claim that arises in whole or in part out of the Special Event, except any claims arising solely out of the negligent acts or omissions of the city, its officials, employees and agents.

400.090

INSURANCE REQUIREMENTS.

A. **Liability Insurance Required.** The Applicant, sponsor and those hired and/or obtained by the Applicant to provide a service at the Special Event must possess or obtain liability insurance to protect against loss from liability imposed by law for damages on account of bodily injury or property damage arising from the Special Event. A certificate of insurance must be filed with the city prior to issuance of the Special Event permit. The certificate of insurance must name the city, its officials, employees and agents as additional insureds. Insurance coverage must be maintained for the duration of the Special Event. Any company hired or working on behalf of the applicant or sponsor must also present the city with a certificate of insurance naming the city, its officials, its employees and agents as additional insureds.

B. **Minimum Limits.** Insurance coverage must be a commercial general liability policy. The minimum limits must be at least \$1,000,000. If alcoholic beverages are to be sold or distributed at the Special Event, the policy must also include an endorsement for liquor liability. The city may require additional endorsements or increased minimum limits depending upon the type of Special Event and the proposed activities.

C. **Waiver or Reduction of Required Limits.** The city may waive or reduce insurance requirements of this section under the following circumstances:

1. The applicant or officer of the sponsoring organization signs a verified statement that it believes that the Special Event's purpose is First Amendment expression and that the cost of obtaining the insurance is so financially burdensome that it would constitute an unreasonable burden on the right of First Amendment expression;
2. The applicant or officer of the sponsoring organization signs a verified statement that the insurance coverage required by this section is impossible to obtain; or
3. The city determines that the insurance requirements are in excess of the reasonable risk presented by the proposed Special Event.

400.100 **OVERNIGHT CAMPING.**

No person holding a permit for a Special Event shall allow and no participant in a Special Event shall camp overnight at the location of a Special Event, except for a reasonable number of persons required to maintain security.

400.110 **COMPLIANCE WITH PERMIT.**

A. **Unlawful to Sponsor a Special Event without a Permit.** It is unlawful for any person to sponsor or conduct a Special Event requiring a permit pursuant to this Chapter unless a valid Special Event permit has been issued for the event.

B. **Unlawful to exceed the Scope of the Permit.** The Special Event permit authorizes the Special Event permittee or sponsor to conduct only such a Special Event as is described in the permit, and in accordance with the terms and conditions of the permit. It is unlawful for the permittee or sponsor to willfully violate the terms and conditions of the permit.

400.120 **REVOCAATION.**

A Special Event permit may be revoked by the City Administrator or Chief of Police at any time for failure to comply with the provisions of this Chapter and conditions of the permit.

400.130 **ENFORCEMENT.**

A. **Injunction.** The provisions of this Chapter may be enforced by injunction in any court of competent jurisdiction.

B. **Public nuisance.** The holding of a Special Event in violation of any provision or condition contained in this Chapter will be deemed a public nuisance and may be abated as such. Issuance of a Special Event permit by the city does not preclude the right of an individual to pursue a private nuisance action against the applicant.

C. **Misdemeanor.** Violation of any provision of this Chapter is a misdemeanor. Violators shall be subject to a fine or imprisonment as specified by state statute. Each day in which a violation continues to occur shall constitute a separate offense. Violation of any provision of this Chapter shall also be grounds for revocation of the Special Event Permit.

400.140 **MODIFICATIONS.**

The city may modify or waive any of the requirements of this Chapter after a finding that the waiver or modification of the requirements, including the required fee, will not endanger the public health, safety and welfare of the community and that enforcement of the requirements would impose a unique hardship upon the applicant.

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

Adopted by the City of Birchwood Village City Council this 12th day of June, 2018

Mary Wingfield
Mayor

Attest:

Tobin Lay
City Administrator-Clerk

MEMORANDUM



Birchwood Village

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Attorney Retainer Contract

Dear Mayor & Council Members,

Last December, the Council approved a budget increase for legal services in anticipation of entering a retainer contract with City Attorney Alan Kantrud. Enclosed is a proposed retainer contract for this purpose.

There are several reasons to approve the enclosed retainer contract with Mr. Kantrud. City Council and staff are required to navigate a tremendous amount of laws and regulations and having access to the legal guidance from an attorney is a wise measure to protect the City and its residents from potential legal risk.

Another reason to approve the contract with Mr. Kantrud is that he has been a dedicated servant of the City for many years, donating countless hours to the City's benefit.

Both Mayor Wingfield and Councilmember LaFoy have separately reviewed this contract and along with staff approve. Both Wingfield and LaFoy make up the Personnel Committee and staff requested their individual review and feedback as a way to start this dialogue with the Council. Note: the Personnel Committee did not convene and the Mayor and Councilmember LaFoy did not discuss this topic together.

Councilmember LaFoy is absent tonight but Mayor Wingfield is present to elaborate, as is Attorney Kantrud.

Request/Recommendation

Accordingly, staff requests Council Members review and approve the enclosed retainer contract with Attorney Alan Kantrud. Thanks!

Regards,
Tobin Lay

City of Birchwood Village Contract for Attorney Services

This AGREEMENT entered into this ___th day of _____ 2018, (the "Effective Date") by and between the City of Birchwood Village, Minnesota (hereinafter referred to as "City") and H. A. Kantrud, P.A. (hereinafter referred to as "Kantrud" or "Attorney" or "Firm").

WHEREAS, in December 2017 the City considered the continuation of the existing contract for its legal services and decided to retain Attorney as its City Attorney and City Prosecutor and General Counsel for 2018; and

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

Section 1. Duties

The City hereby agrees to retain Attorney as the City Attorney and Prosecutor to perform the functions and duties of City Attorney and Prosecutor and such other legally permissible and proper functions and duties as the City Council from time to time shall assign. Said duties shall be consistent with and guided by the course-of-conduct established through the previous period of representation and the parties agree that the established duties thereof are mutually satisfactory.

Section 2. Term

It is agreed the term of services shall begin _____ and continue through December 31, 2018.

Section 3. Salary

The City agrees to pay Firm for services rendered pursuant hereto at an annual base rate of \$18,000.00 per year, payable to attorney in the same manner as it is currently paid, in monthly installments of \$1,500.00. Special projects, appeals, legislative activities or protracted civil litigation for which the City requests representation shall be billable separately and in addition to the base retainer rate. Direct expenses such as printing, copying, equipment rental and travel expenses shall be itemized and billed separately as well and approved separately.

Section 4. General Provisions

- A. The text herein shall constitute the entire Agreement between the parties hereto.
- B. This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of Attorney.
- C. If any provision or portion thereof contained in this Agreement shall be held unconstitutional, invalid or unenforceable, it shall be deemed severable and the remainder of this Agreement shall not be affected and shall remain in full force and effect.
- D. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the City to terminate the services of Attorney at any time, because of malfeasance, nonfeasance or gross misconduct.

IN WITNESS WHEREOF, the parties here to have signed and executed this Agreement, both in duplicate, effective on the day and year first above written.

CITY OF BIRCHWOOD VILLAGE

H. A. Kantrud, P.A.

MEMORANDUM



Birchwood Village

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Building Permitting Procedures

Dear Mayor & Council Members,

During the last month, both the Planning Commission and member of the City Council have expressed a desire to review the City building permit process to determine ways to improve permit authorization and reduce errors.

Specifically, the question has been raised by Mayor Wingfield why the following language was removed from Section 303 and whether it is feasible to add it back into Section 303:

Repealed Section 303.030. GENERAL ADMINISTRATION OF THE ZONING CODE. The City Clerk, in consultation with the Chairman of the Planning Commission, shall make all administrative determinations as to compliance with the Zoning Code, at the time when a building permit is sought. The Clerk may also forward a request for an administrative decision on interpretation of the Code to the entire Planning Commission. When making such administrative decisions, the Planning Commission cannot grant variances, which require hearings as described in Section 304. VARIANCES AND APPEALS.

Staff Recommendation

After consulting with the Building Official, Jack Kramer, I recommend that the repealed 303.030 language not be reinstated into City Code. Adding this extra requirement will impede the permitting approval process and discourage residents from obtaining permits for upgrades. The Chair/Commissioners would have to review the permit applications either monthly or as received – 1) waiting for a monthly review would be far too much of a delay for the applicants/contractors and 2) requiring the Chair to review applications as they are received would be far too burdensome for a volunteer position.

Another reason for my recommendation is that including this extra measure will not guarantee the desired results – the cost of the measure will out weight the benefit. An example of this point is the recent variance: despite my having consulted with the Building Official, City Attorney, City Engineer, and Planning Commission Chair, the nonconformance was not discovered until after the building permit was approved and the project started. There are a lot of requirements and nuances to the building code and reinstating the language from repealed 303.030 will not guarantee every nuance is detected during the review.

The following is what the Building Official offered on this idea:

The only real way to ensure that we do not encounter any missing zoning codes would be to develop a check list. This could be very difficult to develop due to the many ordinances. If this is a consideration I suggest offering the planning Commission to develop the list. This would prevent us from missing any possible codes ... if the planning commission wishes to review the permits that would be a slow process and could create some dissension with the residents and their contractors.

Planning Commission Recommendation

The Planning Commission considered the Mayor's question during their last Commission meeting and recommended the repealed section not be readopted. Instead, the Commission recommends the City enter a joint powers agreement with another municipality for planning services. If unable to do so, the Commission then recommends entering an agreement with a third-party planning consultant to review every permit. Commission members believe that planning professionals hired by another municipality will offer the highest competency for understanding and reviewing permits from a planning perspective who are not burdened with multiple jurisdictional codes like a consultant is.

The Commissioners recognized other administrative measures that could also be taken but believe employing a professional municipal planner would do the most to avoid errors in the future.

Request/Recommendation

Staff and the Planning Commission recommends Council Discuss and consider the above recommendations. Thanks!

Regards,
Tobin Lay

MEMORANDUM



Birchwood Village

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: 415 Wildwood Ave Bldg Permit

Dear Mayor & Council Members,

Staff requests your input and direction on a bldg. permit request for 415 Wildwood Avenue. The City's Building Official has inspected this home and found it to be a hazard and recommends a permit not be approved due to potential triggers in City Code 301.050 Non-Conforming Uses. The Planning Commission and City Attorney disagree about the 301.050 triggers and do not believe a variance is required to maintain this cabin.

Enclosed is supporting documentation regarding this issue, which includes:

- The Bldg Official's inspection report
- Letter from the new home owners
- Contractor's renovation plan
- Opinion letter from City Attorney
- City Code Section 301

The home owners have been informed of this agenda item and may be present to answer questions.

Request/Recommendation

Please review the enclosed supporting documents and be prepared to discuss and direct staff accordingly.
Thanks!

Regards,
Tobin Lay

Date: April 24, 2018

To: Tobin lay City Administrator

From: Jack Kramer Building Official

Re; Inspection of the residence located at 415 Wildwood Ave. Lot 2 Block 6 Lakewood Park Subdivision Parcel # 30.030.21.13.0082.

Per our recent conversation regarding the condition of this property located at the above address, it is my conclusion that the structure will not meet the intent of the ordinance language due to the deteriorated condition of the structure.

1. Site location: The present structure is 17'- 0" wide and situated on a lot 23"- 0" wide. The two foot overhangs reduces the setback to property lines to approx.1'-0".
2. Foundation: The foundation wood knee wall has missing sheathing and many of the studs are deteriorated as well the bottom plates. This area will require full replacement.
 - a. The crawl space has an open dirt floor for the majority of the structure. No vapor barrier ever was installed, which allowed moisture to be trapped in that area.
 - b. The center bearing beam has deflected and is causing a deflection in the floor area. Temporary supports were installed to assist the floor beam from full failure. New footing supports (Pads) would be required at the center bearing points to properly support the structure.
3. Deck: The deck area is showing deterioration in the decking and railing system. The joists and support posts may need to be replaced based on further review of the deck structure.
3. Main Floor Area: The center of the residence is deflecting approx. 2"-3" in the center of a 20'-0" span. This is caused by the inadequate center bearing support which is beginning to fail.
4. The Roof structure: The Center of the roof at the ridge beam is deflecting at the center of the residence. This again is based on the center bearing deflection problem.
 - a. The roof coverings appear to be replaced sometime in the past, however were not done to code. Full replacement of the roof coverings is required.
5. Electrical: The electrical would need to be evaluated by the electrical inspector. Some old Knob & Tube and Romex mixed together.
6. The structure in its current condition is a fire hazard, due the age, lack of maintenance and especially due to the proximity to property lines and adjacent structures.

The assessed value noted on the County tax records indicates a value of \$39,000.00 .The proposed work as noted on the contract for rehabilitation is at 32,172.40.

In my opinion I believe the structure requires abatement by demolition.

Sincerely,

A handwritten signature in black ink that reads "Jack Kramer". The signature is written in a cursive style with a large initial "J" and "K".

Jack Kramer

Building Official

April 30, 2018

To the City of Birchwood Village,

We recently purchased 415 Wildwood with plans to renovate the home to be our primary residence. Yare's Renovation Services prepared a project estimate and we acquired funding from Bell Bank Mortgage for our purchase and renovation. We closed on the purchase of 415 Wildwood on April 13, 2018. On April 23rd, Yares applied for our building permit to get started on our renovation, but on Tuesday April 24th, 2018 the city building inspector filed a report with his concerns about the property. We address those concerns below and request that the city attorney review our situation to determine if we can be granted building permits. We are happy to answer any questions or concerns he or others have regarding our plans to renovate 415 Wildwood. We hope that our building permits can be granted without further delay.

Thank you,

Julie & Tony Pehoski

301.050.6 one year vacancy

- The intent of this ordinance doesn't apply to our situation as was discussed by the planning commission and city attorney at the recent meeting on April 26th, 2018.

The following items reference the report from Jack Kramer Building Official on April 24, 2018 (attached).

#1 Site Location – ordinance 301.050.1 non-conforming uses

- We are not changing the footprint of our home.
- A precedent has been set in Birchwood that allows structures within three feet of the property line to be changed.
- The only item in our renovation plans related to a structural change is to shore up the center beam. The center beam is outside of six feet of the property line.

#2-#5 foundation, deck, main floor area, roof, electrical

- These items are all included in our project document by Yare's Services (attached).

#6 current condition presents a fire hazard

- Our renovation to 415 Wildwood will remedy the concern of this structure being a fire hazard due to lack of maintenance since everything will be brought up to code whenever possible.

301.050.3 renovation costs

- Our project bid of \$75,000 (which includes garage work) is less than 50% of the total rebuilding cost of our home. Therefore, this ordinance should not hinder us from obtaining building permits. Please see attached document from Yare's Renovation Services with the replacement cost of \$202,167.50 to rebuild the entire home.

Tobin Lay

From: H. Alan <hakantrud@coyotelawyer.com>
Sent: Wednesday, May 2, 2018 6:13 PM
To: H. Alan
Cc: Tobin Lay
Subject: Re: FW: request

Mr. Lay~

At your request I have now reviewed all the relevant materials on the issue at 415 Wildwood, paying particular attention to the Code, section 301.50, regarding non-conforming USES. There are essentially 6 subsections to that section to address.

Facts I am relying upon:

1. The property at 415 Wildwood was bank-owned for more than a year and recently sold to the Pehoski's;
2. Mr. Kramer's (the Building Official) assessment of the property and identified non-conformity, to-wit: the side-lot setback(s) of the structure.
3. The Pehoski's correspondence and professional bids for service you sent indicating the replacement cost of the structure to be +/- 200k.

In terms of the Code:

Section 301.050(1) speaks, essentially, to the enlargement or expansion of the non-conformity. It does not appear that the Pehoski projects seeks to do that. Their's seems to be a simple renovation;

Section 301.050(2) speaks to the relocation of the "use" which, for sake of this discussion, we shall replace, "use," with structure and even then the section does not seem triggered by the project;

Section 301.050(3) speaks to the damage or destruction of the, "use," which, for sake of this discussion, we shall replace, "use," with structure and then the section is only triggered if the REPLACEMENT cost is exceeded. This section is not clear once you read into it the parenthetical regarding remodeling. The Yares' "estimate" of replacement of the structure is in excess of 200K. The note from the building inspector only notes that the assessed value of the structure is 39k. While the Pehoski's are certainly undertaking a serious remodel based on the estimated cost, 75k, it is not clear what portion would be attributable to the, "damaged or destroyed," portion that the code speaks to. I'm sure that they could tease that out if they asked Yares to do so, but even as the case is presented it does not appear that the section is clearly triggered;

Section 301.050(4) speaks to the maintenance of a, "structure," instead of a, "use," for a change! This section becomes difficult to read in conjunction with the aforementioned as it clearly says maintenance is ok! Therefore most of the Pehoski's bid for the 75k could be seen as, "maintenance," further reducing the risk of triggering that section;

Section 301.050(5) speaks to the expansion of a non-conforming structure, which is clearly not implicated in the project;

Section 301.050(6) speaks to the abandonment of a structure for a period of a year or more (which apparently then triggers only USE that is allowed by the Code). This seems hard to enforce in light of the fact that the City has subsequently adopted a vacant building Ordinance as a result of the recession approximately 10 year's ago. That program seems to not be administered adequately as this property would have been subject to it and thus would not have rendered the building, "abandoned," but rather simply vacant pursuant to the Code (407).

Section 301.050(7) is not a trigger to loss of legal-non-conforming status.

Based on the Project at-hand and the reading of the Code it does not appear that the Pehoski's need a variance from section 301.050. That said they will be expected to conform with all current Building, Electrical and Plumbing Code requirements.

Please feel free to provide such further facts as necessary that would change this interpretation.

H. Alan Kantrud
City Attorney

301.050. NON-CONFORMING USES. A non-conforming use may be continued so long as it remains otherwise lawful, subject to the provisions of paragraphs (1) through (7)

below, in order to ensure that the non-conforming use will not be intensified and that, over time, the non-conforming use will, where possible, be brought into conformity with the Zoning Code.

1. A non-conforming use shall not be enlarged, modified, changed, extended (either horizontally or vertically) or structurally altered, unless such changes bring the non-conforming use into conformity with the Zoning Code.(Exception: A non-conforming use, lawfully located within 60% of all required setbacks, may be structurally altered if the alterations do not change the horizontal or vertical dimensions of the structure and otherwise conform to the Zoning Code.)

2. A non-conforming use shall not be moved to any other part of the parcel of land upon which the same was constructed unless the move would bring the structure and its use into conformity with the Zoning Code.

3. If a non-conforming use is damaged or destroyed to an extent of 50% or more of its replacement cost for any reason (including remodeling or rebuilding), according to the estimate of the building inspector as approved by the City Council, any reconstruction must conform to the provisions of the Zoning Code. (Exception: If the non-conforming use that is to be reconstructed came into being as the result of a previously granted variance, the Council, after review, may continue the variance if the owner demonstrates that the conditions under which that variance was granted continue to exist.)

4. Normal maintenance of a structure that represents a non-conforming use is permitted, including necessary non structural repairs and incidental alterations which do not physically extend or intensify the non-conforming use.

5. Notwithstanding paragraph (1) above, a structure representing a non-conforming use may be expanded, provided:

a. That such expansion does not increase the non-conformity in any dimension (vertical or horizontal), does not create a new non-conforming use, and in itself conforms with the Zoning Code; and

b. The sum of the setbacks on either side of the structure is not LESS than 20 feet.

6. When any non conforming use of land or of a building or structure shall be abandoned or discontinued for a period in excess of one year, such land, building, or structure shall thereafter be used only as allowed by this Code.

7. No provision of this section shall be interpreted as negating the provisions of 302.015 (Undersized Lots).

301.055. 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

YARES RENOVATION SERVICES

Client: Pehoski, Wildwood,6
Property: 415 Wildwood Ave.
Birchwood Villiage 55110

Operator: YARES.SE

Estimator: SPENCER YARES
Position: Senior Estimator
Company: YARES SERVICES
Business: 18617 LAKEVIEW POINT DRIVE NE.
EAST BETHEL, MN 55092

Business: (763) 999-1729

Type of Estimate: Remodeling
Date Entered: 2/13/2018 Date Assigned:

Price List: MNMN8X_JAN18
Labor Efficiency: Restoration/Service/Remodel
Estimate: PEHOSKI-WILDWOOD-6

YARES RENOVATION SERVICES

PEHOSKI-WILDWOOD-6

Main Level

Main Level

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
1. Rough in plumbing - This is to make sure all supply lines and drain lines are functioning properly. does not include new fixtures.	5.00 EA		0.00	628.57	26.01	633.78	3,802.64
3. R&R Breaker panel - 200 amp	1.00 EA		149.75	1,234.02	24.70	281.70	1,690.17
5. Taxes, insurance, permits & fees (Bid Item)	1.00 EA		0.00	1,300.00	0.00	260.00	1,560.00
6. Dumpster load - Approx. 40 yards, 7-8 tons of debris	1.00 EA		590.00	0.00	0.00	118.00	708.00
34. Wire - average residence - copper wiring	625.00 SF		0.00	4.99	47.65	633.30	3,799.70
100. R&R Baseboard heat - steam or hot water	40.00 LF		2.27	22.69	34.20	206.52	1,239.12
102. R&R Boiler - natural gas - 130,000 BTU	1.00 EA		124.77	3,981.00	180.26	857.22	5,143.25
103. R&R Water heater - 40 gallon - Gas - 6 yr	1.00 EA		52.05	871.51	31.68	191.06	1,146.30
114. FRAMING & CARPENTRY, board up and siding for old door ao side of house.	1.00 EA		0.00	300.00	0.00	60.00	360.00
129. R&R Smoke detector	4.00 EA		9.99	54.01	6.42	52.48	314.90
146. FRAMING & CARPENTRY, \$\$ OPEN LINE ITEM FOR ROTTED WOOD. \$\$	1.00 EA		0.00	0.00	0.00	0.00	0.00
201. Meter mast for overhead power - 2" conduit	1.00 EA		0.00	470.73	7.41	95.62	573.76
Total: Main Level					358.33	3,389.68	20,337.84



Living Room

Height: 8'

472.00 SF Walls	280.36 SF Ceiling
752.36 SF Walls & Ceiling	280.36 SF Floor
31.15 SY Flooring	59.00 LF Floor Perimeter
59.00 LF Ceil. Perimeter	

Missing Wall

8' X 8'

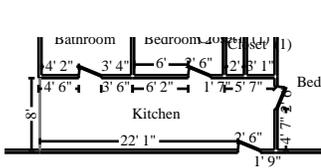
Opens into KITCHEN

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
95. Caulking - acrylic	20.00 LF		0.00	1.91	0.13	7.66	45.99
104. R&R Carpet pad	280.36 SF		0.12	0.59	9.79	41.76	250.60
147. Remove Carpet	280.36 SF		0.25	0.00	0.00	14.02	84.11

YARES RENOVATION SERVICES

CONTINUED - Living Room

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
108. Carpet	322.42 SF		0.00	3.19	55.59	216.82	1,300.93
15 % waste added for Carpet.							
115. R&R Casing - 2 1/4"	180.00 LF		0.45	1.72	10.77	80.28	481.65
120. R&R Baseboard - 2 1/4"	59.00 LF		0.38	2.46	3.53	34.20	205.29
175. R&R 1/2" drywall - hung, taped, floated, ready for paint, behind wood stove area.	96.00 SF		0.38	1.80	3.28	42.52	255.08
176. Seal/prime then paint the surface area (2 coats), wood stove wall	96.00 SF		0.00	0.80	1.03	15.56	93.39
177. Seal/prime then paint the ceiling (2 coats)	280.36 SF		0.00	0.80	3.00	45.46	272.75
182. R&R 110 volt clad copper wiring, box, outlet, switch, for ceiling fan	1.00 EA		11.25	143.64	1.49	31.28	187.66
210. Ceiling fan & light	1.00 EA		0.00	317.66	9.08	65.36	392.10
Totals: Living Room					97.69	594.92	3,569.55



Kitchen

Height: 8'

484.00 SF Walls	209.33 SF Ceiling
693.33 SF Walls & Ceiling	209.33 SF Floor
23.26 SY Flooring	60.50 LF Floor Perimeter
60.50 LF Ceil. Perimeter	

Missing Wall

8' X 8'

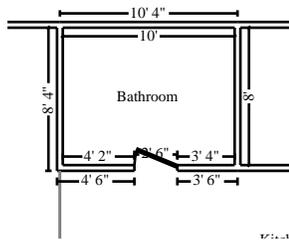
Opens into LIVING_ROOM

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
86. Seal/prime then paint the ceiling (2 coats)	209.33 SF		0.00	0.80	2.24	33.94	203.64
96. Mask wall - plastic, paper, tape (per LF)	60.50 LF		0.00	1.01	0.99	12.42	74.52
116. R&R Casing - 2 1/4"	112.00 LF		0.45	1.72	6.70	49.94	299.68
121. R&R Baseboard - 2 1/4"	60.50 LF		0.38	2.46	3.62	35.08	210.52
152. Caulking - acrylic	20.00 LF		0.00	1.91	0.13	7.66	45.99
153. R&R Light fixture	1.00 EA		7.50	71.47	2.60	16.32	97.89
154. Cabinetry (Bid Item) This is if you guys purchase and put together IKEA cabinets for US to install.	1.00 EA		0.00	480.00	0.00	96.00	576.00
155. R&R Countertop - flat laid plastic laminate	12.00 LF		3.88	37.85	22.24	104.60	627.60
179. R&R 1/2" drywall - hung, taped, floated, ready for paint	224.00 SF		0.38	1.80	7.66	99.20	595.18

YARES RENOVATION SERVICES

CONTINUED - Kitchen

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
180. Seal/prime then paint the surface area (2 coats), interior wall	224.00 SF		0.00	0.80	2.39	36.32	217.91
202. Remove Tile floor covering, entry	48.00 SF		2.24	0.00	0.00	21.50	129.02
204. Underlayment - 1/4" lauan/mahogany plywood, entry	48.00 SF		0.00	1.58	1.88	15.54	93.26
206. Vinyl floor covering (sheet goods) , waste added, entry	72.00 SF		0.00	3.13	9.70	47.02	282.08
209. GENERAL, remove closet wall 1/2 top and repair ceiling above.	1.00 EA		100.00	0.00	0.00	20.00	120.00
213. Dishwasher connection	1.00 EA		0.00	145.36	1.89	29.46	176.71
214. Install Dishwasher	1.00 EA		0.00	138.66	0.00	27.74	166.40
215. 110 volt copper wiring, box, outlet, switch DW	1.00 EA		0.00	143.64	1.49	29.02	174.15
216. Sink - double - Detach & reset	1.00 EA		0.00	169.94	0.00	33.98	203.92
217. Remove Baseboard heat - steam or hot water, remove	4.00 LF		16.00	0.00	0.00	12.80	76.80
Totals: Kitchen					63.53	728.54	4,371.27



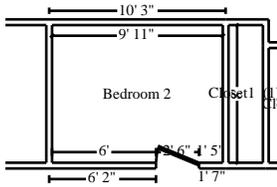
Bathroom

Height: 8'

288.00 SF Walls	80.00 SF Ceiling
368.00 SF Walls & Ceiling	80.00 SF Floor
8.89 SY Flooring	36.00 LF Floor Perimeter
36.00 LF Ceil. Perimeter	

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
117. R&R Casing - 2 1/4"	32.00 LF		0.45	1.72	1.92	14.26	85.62
122. R&R Baseboard - 2 1/4"	36.00 LF		0.38	2.46	2.15	20.90	125.29
126. Ductwork - flexible - non-insulated - 4" round	12.00 LF		0.00	5.53	0.87	13.46	80.69
127. Exterior cover for ventilation duct, 5" or 6"	1.00 EA		0.00	47.83	1.60	9.88	59.31
159. R&R Light fixture	1.00 EA		7.50	71.47	2.60	16.32	97.89
178. Seal/prime then paint the ceiling (2 coats)	80.00 SF		0.00	0.80	0.86	12.98	77.84
207. 1/2" drywall - hung, taped, floated, ready for paint, for old sauna walls	143.00 SF		0.00	1.80	4.89	52.46	314.75
208. Baseboard - 2 1/4", sauna	16.00 LF		0.00	2.46	0.96	8.08	48.40
Totals: Bathroom					15.85	148.34	889.79

YARES RENOVATION SERVICES

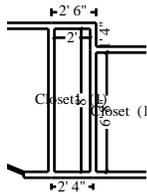


Bedroom 2

Height: 8'

286.67 SF Walls	79.33 SF Ceiling
366.00 SF Walls & Ceiling	79.33 SF Floor
8.81 SY Flooring	35.83 LF Floor Perimeter
35.83 LF Ceil. Perimeter	

Walls

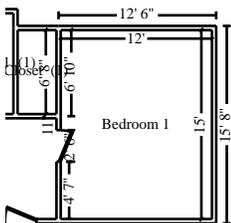


Subroom: Closet1 (1)

Height: 8'

160.00 SF Walls	16.00 SF Ceiling
176.00 SF Walls & Ceiling	16.00 SF Floor
1.78 SY Flooring	20.00 LF Floor Perimeter
20.00 LF Ceil. Perimeter	

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
106. R&R Carpet pad - Standard grade	95.33 SF		0.12	0.43	2.24	10.92	65.59
148. Remove Carpet - Standard grade	95.33 SF		0.25	0.00	0.00	4.76	28.59
109. Carpet - Standard grade	109.63 SF		0.00	2.47	13.28	56.82	340.89
15 % waste added for Carpet - Standard grade.							
118. R&R Casing - 2 1/4"	68.00 LF		0.45	1.72	4.07	30.34	181.97
123. R&R Baseboard - 2 1/4"	55.83 LF		0.38	2.46	3.34	32.36	194.26
160. Caulking - acrylic	20.00 LF		0.00	1.91	0.13	7.66	45.99
181. R&R 1/2" drywall - hung, taped, floated, ready for paint	95.33 SF		0.38	1.80	3.26	42.22	253.30
192. Detach & Reset Interior door unit, remove door and trim opening	1.00 EA	150.00	0.00	0.00	0.06	30.02	180.08
Totals: Bedroom 2					26.38	215.10	1,290.67



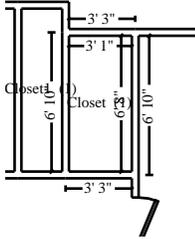
Bedroom 1

Height: 8'

432.00 SF Walls	180.00 SF Ceiling
612.00 SF Walls & Ceiling	180.00 SF Floor
20.00 SY Flooring	54.00 LF Floor Perimeter
54.00 LF Ceil. Perimeter	

YARES RENOVATION SERVICES

CONTINUED - Bedroom 1

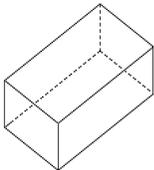


Subroom: Closet (1)

Height: 8'

156.00 SF Walls	20.56 SF Ceiling
176.56 SF Walls & Ceiling	20.56 SF Floor
2.28 SY Flooring	19.50 LF Floor Perimeter
19.50 LF Ceil. Perimeter	

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
107. R&R Carpet pad - Standard grade	200.56 SF		0.12	0.43	4.72	23.00	138.03
149. Remove Carpet - Standard grade	200.56 SF		0.25	0.00	0.00	10.02	60.16
110. Carpet - Standard grade	230.64 SF		0.00	2.47	27.94	119.52	717.14
15 % waste added for Carpet - Standard grade.							
119. R&R Casing - 2 1/4"	68.00 LF		0.45	1.72	4.07	30.34	181.97
124. R&R Baseboard - 2 1/4"	73.50 LF		0.38	2.46	4.40	42.62	255.76
162. Caulking - acrylic	20.00 LF		0.00	1.91	0.13	7.66	45.99
191. Detach & Reset Interior door unit, move door 3' into bedroom, trim old location and new.	1.00 EA	119.00	0.00	0.00	0.06	23.82	142.88
Totals: Bedroom 1					41.32	256.98	1,541.93



Exterior

LxWxH 55' x 17' x 9'

1,296.00 SF Walls	935.00 SF Ceiling
2,231.00 SF Walls & Ceiling	935.00 SF Floor
103.89 SY Flooring	144.00 LF Floor Perimeter
495.00 SF Long Wall	153.00 SF Short Wall
144.00 LF Ceil. Perimeter	

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
52. R&R 5-0 6-8 vinyl sliding patio door - High grade	1.00 EA		33.75	848.69	46.77	185.86	1,115.07
56. R&R Vinyl window - double hung, 13-19 sf (REPLACING THE WORST 5 WINDOWS AND LEAVING ONES THAT ARE DECENT.)	5.00 EA		20.32	321.94	89.49	360.16	2,160.95
57. Brick mold - composite trim	60.00 LF		0.00	3.07	9.36	38.72	232.28
59. Flashing - Sill flashing - moldable tape	60.00 LF		0.00	7.16	11.71	88.26	529.57
60. PAINTING, prep and priming old siding	1.00 EA		0.00	3,700.00	0.00	740.00	4,440.00

YARES RENOVATION SERVICES

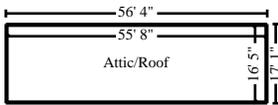
CONTINUED - Exterior

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
125. LANDSCAPING, build up positive grade around foundation, dirt, poly, gravel.	1.00 EA		0.00	1,200.00	0.00	240.00	1,440.00
164. Caulking - acrylic	100.00 LF		0.00	1.91	0.64	38.32	229.96
167. R&R Siding - beveled - pine or equal (clapboard)	200.00 SF		0.39	6.53	35.06	283.82	1,702.88
194. Tree trimming, Four big limbs in backyard.	1.00 EA		0.00	650.00	0.00	130.00	780.00
Totals: Exterior					193.03	2,105.14	12,630.71
Total: Main Level					796.13	7,438.70	44,631.76

Roof/Attic

Attic/Roof

Height: 8'



1,153.33 SF Walls	913.86 SF Ceiling
2,067.19 SF Walls & Ceiling	913.86 SF Floor
101.54 SY Flooring	144.17 LF Floor Perimeter
144.17 LF Ceil. Perimeter	

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
7. Batt insulation - 10" - R30 - unfaced batt	913.86 SF		0.00	1.10	43.63	209.78	1,258.66
9. Baffle vent - foam	60.00 LF		0.00	1.14	2.48	14.18	85.06
13. Remove Laminated - comp. shingle rfg. - w/ felt	11.66 SQ		51.96	0.00	0.00	121.18	727.03
14. Laminated - comp. shingle rfg. - w/ felt	11.67 SQ		0.00	282.61	80.76	675.78	4,054.60
15. Ice & water shield	252.00 SF		0.00	2.12	5.75	108.00	647.99
16. Roofing felt - 15 lb.	10.00 SQ		0.00	38.41	4.52	77.72	466.34
17. Drip edge	144.17 LF		0.00	2.63	6.27	77.10	462.54
18. R&R Roof vent - turtle type - Metal	6.00 EA		8.08	69.09	6.55	93.92	563.49
19. R&R Flashing - pipe jack - split boot	2.00 EA		6.33	77.40	4.63	34.42	206.51
33. Soffit & fascia - metal - 2' overhang	158.00 LF		0.00	15.93	57.19	514.82	3,088.95
49. R&R Sheathing - plywood - 1/2" CDX, PER SHEET PLYWOOD IF NEEDED	32.00 SF		0.51	2.66	1.96	20.68	124.08
128. Dryer vent - through roof - up to 4"	1.00 EA		0.00	89.08	1.75	18.18	109.01

YARES RENOVATION SERVICES

CONTINUED - Attic/Roof

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
195. Gutter / downspout - aluminum - up to 5"	200.00 LF		0.00	7.01	33.63	287.12	1,722.75
Totals: Attic/Roof					249.12	2,252.88	13,517.01

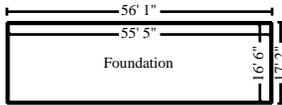
Flat Roof

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
23. Remove Laminated - comp. shingle rfg. - w/ felt	2.50 SQ		51.96	0.00	0.00	25.98	155.88
170. R&R Batt insulation - 12" - R38 - unfaced batt	200.00 SF		0.35	1.32	12.40	69.28	415.68
173. R&R Labor to frame 2" x 4" x 10' non-bearing wall - 16" oc	32.00 LF		1.56	13.22	0.96	94.78	568.70
185. R&R Metal roofing	275.00 SF		0.46	6.74	26.84	401.36	2,408.20
Totals: Flat Roof					40.20	591.40	3,548.46
Total: Roof/Attic					289.32	2,844.28	17,065.47

Foundation

Foundation

Height: 8'



1,151.32 SF Walls	916.62 SF Ceiling
2,067.94 SF Walls & Ceiling	916.62 SF Floor
101.85 SY Flooring	143.91 LF Floor Perimeter
143.91 LF Ceil. Perimeter	

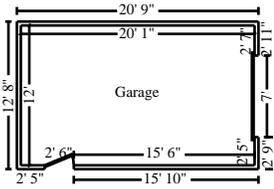
DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
35. R&R Rigid foam insulation board - 2"	575.66 SF		0.28	1.28	40.20	187.64	1,125.86
36. R&R Sheathing - plywood - 1/2" - treated, close foundation	200.00 SF		0.51	2.13	19.67	109.54	657.21
37. R&R Polyethylene vapor barrier	853.00 SF		0.07	0.25	4.25	55.46	332.67
187. R&R Exterior door - metal - insulated - flush or panel style	1.00 EA		19.29	225.00	14.44	51.74	310.47
188. R&R Door lockset & deadbolt - exterior	1.00 EA		13.50	86.09	4.10	20.74	124.43
197. Engineering fees (Bid Item), inspection of center support beam.	1.00 EA		0.00	400.00	0.00	80.00	480.00
198. FRAMING,OPEN LINE ITEM IF CENTER BEAM NEEDS FOOTINGS.	1.00 EA		0.00	0.00	0.00	0.00	0.00

YARES RENOVATION SERVICES

CONTINUED - Foundation

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
Totals: Foundation					82.66	505.12	3,030.64
Total: Foundation					82.66	505.12	3,030.64

Garage



Garage

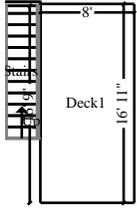
Height: 8'

512.75 SF Walls	240.56 SF Ceiling
753.31 SF Walls & Ceiling	240.56 SF Floor
26.73 SY Flooring	64.09 LF Floor Perimeter
64.09 LF Ceil. Perimeter	

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
39. R&R Overhead door & hardware - Service door and opener	1.00 EA		58.70	200.00	29.78	57.70	346.18
41. R&R 1" x 6" lumber (.5 BF per LF) , fascia base	64.09 LF		0.85	2.59	3.47	44.80	268.74
42. Remove Laminated - comp. shingle rfg. - w/ felt	3.00 SQ		51.96	0.00	0.00	31.18	187.06
43. Laminated - comp. shingle rfg. - w/ felt	3.67 SQ		0.00	282.61	25.40	212.52	1,275.10
44. Ice & water shield	180.00 SF		0.00	2.12	4.10	77.14	462.84
45. Roofing felt - 15 lb.	1.50 SQ		0.00	38.41	0.68	11.66	69.96
46. Drip edge	80.00 LF		0.00	2.63	3.48	42.78	256.66
47. Soffit & fascia - metal - 1' overhang	80.00 LF		0.00	12.04	21.03	196.84	1,181.07
48. R&R Sheathing - plywood - 1/2" CDX, PER SHEET PLYWOOD IF NEEDED	32.00 SF		0.51	2.66	1.96	20.68	124.08
61. PAINTING, prep and priming old siding	1.00 EA		0.00	1,300.00	0.00	260.00	1,560.00
Totals: Garage					89.90	955.30	5,731.69
Total: Garage					89.90	955.30	5,731.69

Deck

YARES RENOVATION SERVICES

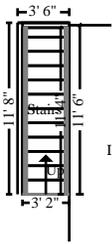


Deck1

Height: 3'

49.91 LF Floor Perimeter

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
130. General Demolition - Remove deck to dumpster	1.00 EA		600.00	0.00	0.00	120.00	720.00
131. 2" x 8" lumber - treated (1.33 BF per LF)	112.00 LF		0.00	3.23	12.45	74.86	449.07
132. 2" x 8" lumber - treated (1.33 BF per LF)	56.00 LF		0.00	3.23	6.22	37.42	224.52
199. 5/4" x 6" x 14' #1 treated pine (material only)	17.00 EA		0.00	15.94	19.31	58.06	348.35
200. 6" softwood deck planking - Labor only (per SF)	112.00 SF		0.00	3.50	1.20	78.64	471.84
Totals: Deck1					39.18	368.98	2,213.78



Stairs

Height: 16' 2"

274.79 SF Walls	35.76 SF Ceiling
310.55 SF Walls & Ceiling	64.14 SF Floor
7.13 SY Flooring	26.88 LF Floor Perimeter
22.59 LF Ceil. Perimeter	

Missing Wall

3' 2" X 16' 1 9/16"

Opens into Exterior

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
139. 5/4" x 6" x 12' #1 treated pine (material only)	9.00 EA		0.00	13.64	8.75	26.32	157.83
140. 6" softwood deck planking - Labor only (per SF)	96.00 SF		0.00	3.50	1.03	67.40	404.43
141. Framing hanger	3.00 EA		0.00	5.00	0.78	3.16	18.94
142. Deck guard rail - treated lumber	34.00 LF		0.00	27.26	23.13	189.98	1,139.95
143. R&R Concrete pier or footing with post anchor	4.00 EA		30.47	81.05	9.00	91.02	546.10
145. R&R 2" x 12" lumber - treated (2 BF per LF)	48.00 LF		0.99	4.45	8.76	53.98	323.86
Totals: Stairs					51.45	431.86	2,591.11
Total: Deck					90.63	800.84	4,804.89

YARES RENOVATION SERVICES

Labor Minimums Applied

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
189. Finish hardware labor minimum	1.00 EA		0.00	116.12	0.00	23.22	139.34
205. Vinyl floor covering labor minimum	1.00 EA		0.00	77.92	0.00	15.58	93.50
203. Tile floor covering labor minimum	1.00 EA		0.00	222.81	0.00	44.56	267.37
Totals: Labor Minimums Applied					0.00	83.36	500.21
Line Item Totals: PEHOSKI-WILDWOOD-6					1,348.64	12,627.60	75,764.66

Grand Total Areas:

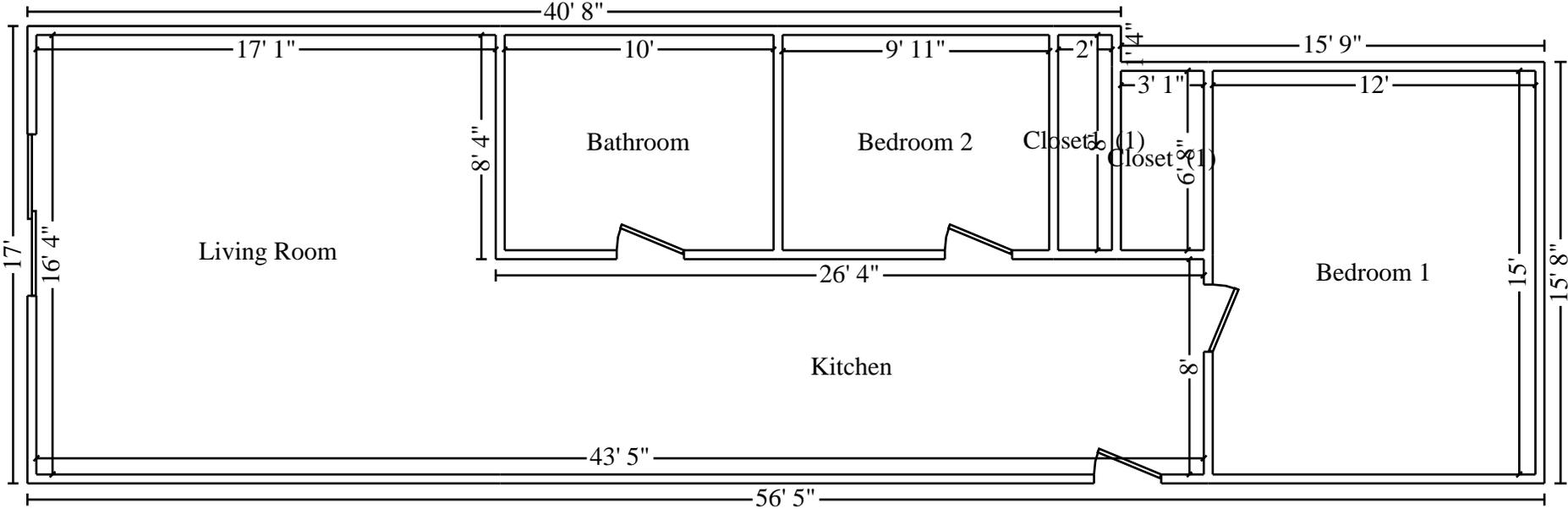
6,666.85 SF Walls	3,907.39 SF Ceiling	10,574.25 SF Walls and Ceiling
3,935.77 SF Floor	437.31 SY Flooring	857.80 LF Floor Perimeter
495.00 SF Long Wall	153.00 SF Short Wall	803.59 LF Ceil. Perimeter
3,000.77 Floor Area	3,168.55 Total Area	5,096.07 Interior Wall Area
4,563.07 Exterior Wall Area	507.01 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	

YARES RENOVATION SERVICES

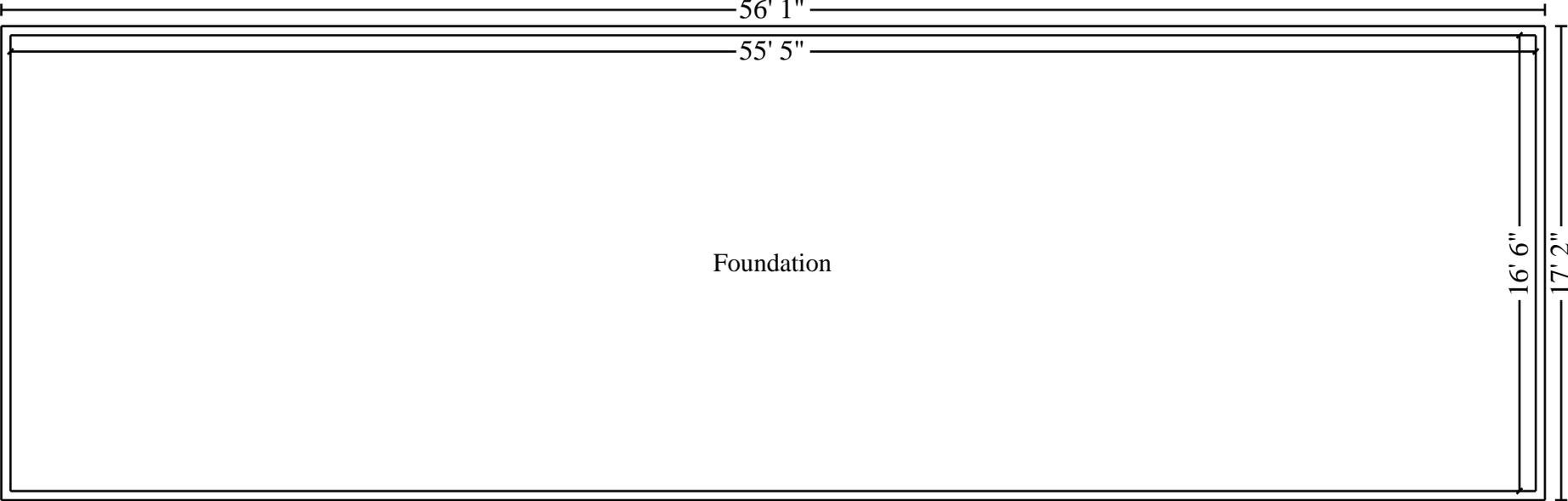
Summary

Line Item Total	61,788.42
Matl Sales Tax Reimb	1,348.64
	<hr/>
Subtotal	63,137.06
Overhead	6,313.80
Profit	6,313.80
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Replacement Cost Value	\$75,764.66
Net Claim	\$75,764.66
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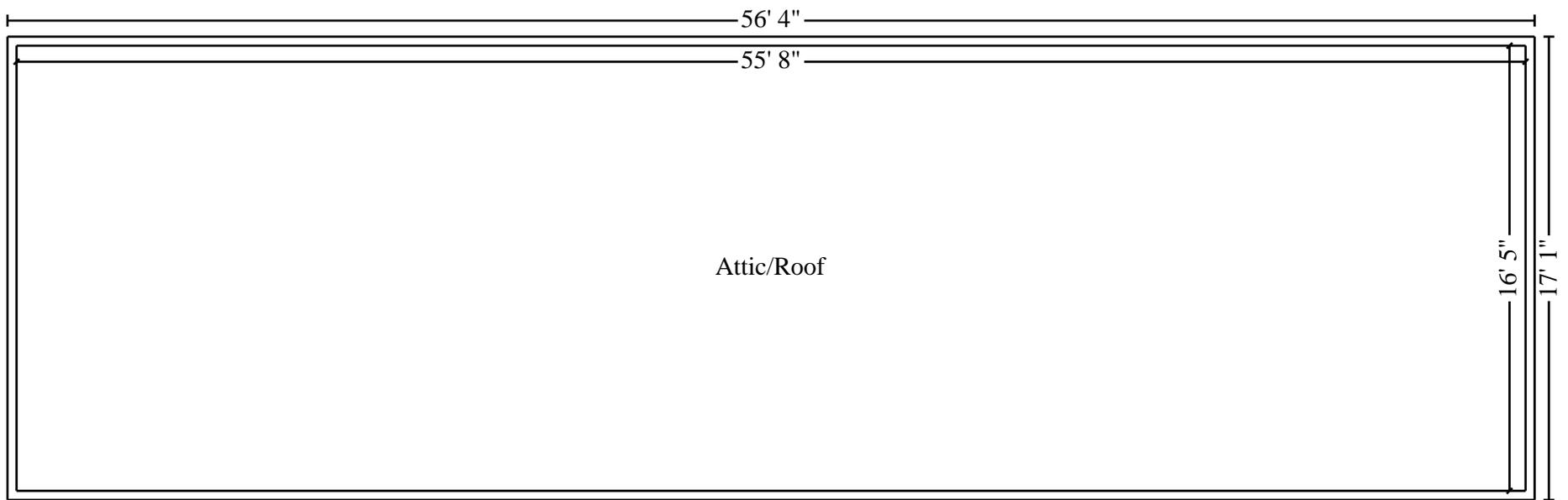
SPENCER YARES
Senior Estimator



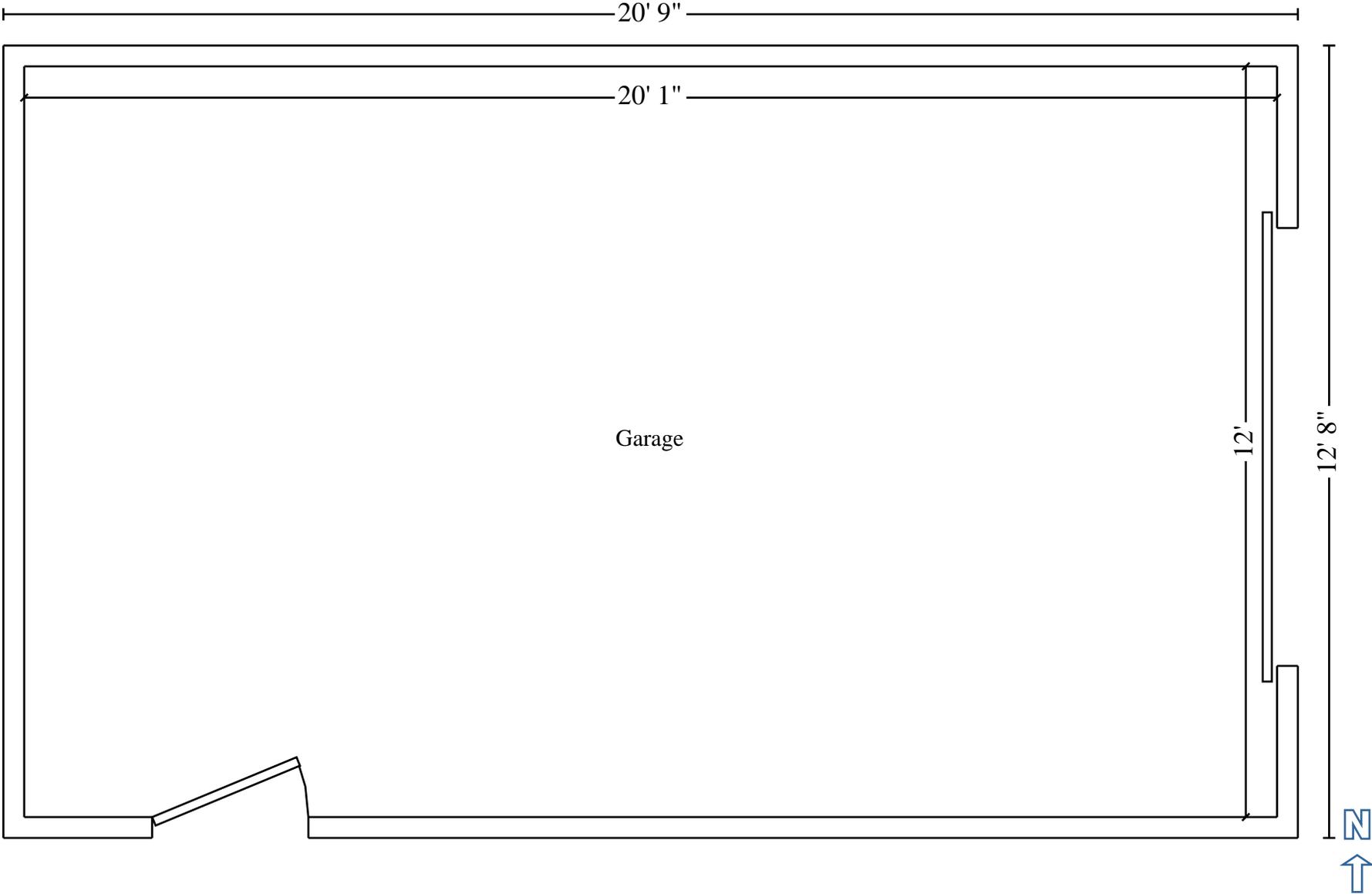
Main Level

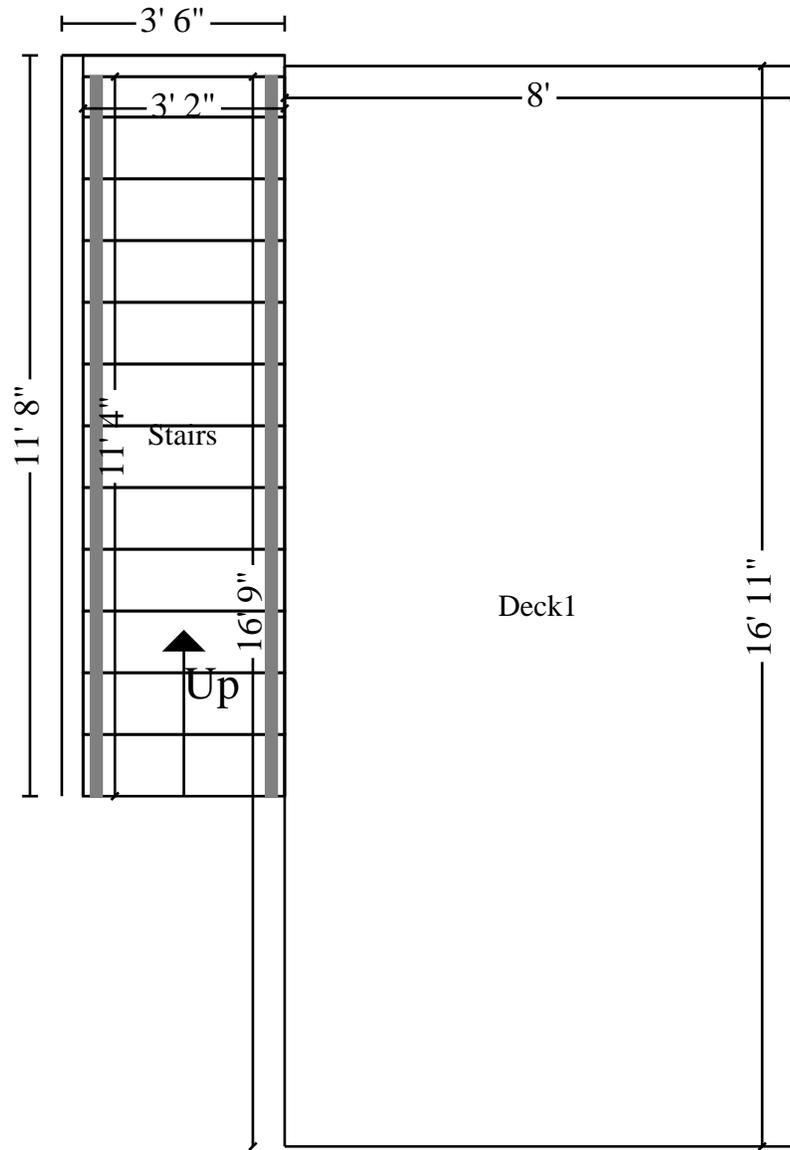


Foundation



Roof/Attic





Deck

YARES RENOVATION SERVICES

Client: Pehoski, Wildwood, Rebuild
Property: 415 Wildwood Ave.
Birchwood Villiage 55110

Operator: YARES.SE

Estimator: SPENCER YARES
Position: Senior Estimator
Company: YARES SERVICES
Business: 18617 LAKEVIEW POINT DRIVE NE.
EAST BETHEL, MN 55092

Business: (763) 999-1729

Type of Estimate: Remodeling
Date Entered: 2/13/2018 Date Assigned:

Price List: MNMN8X_JAN18
Labor Efficiency: Restoration/Service/Remodel
Estimate: PEHOSKI-WILD-REBUILD

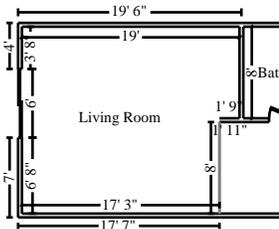
YARES RENOVATION SERVICES

PEHOSKI-WILD-REBUILD

Main Level

Main Level

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
1. Rough in plumbing - per fixture	5.00 EA	0.00	775.00	26.01	780.20	4,681.21
3. Breaker panel - 200 amp	1.00 EA	0.00	1,456.00	24.70	296.14	1,776.84
5. Taxes, insurance, permits & fees (Bid Item)	1.00 EA	0.00	4,500.00	0.00	900.00	5,400.00
6. Dumpster load - Approx. 40 yards, 7-8 tons of debris	2.00 EA	590.00	0.00	0.00	236.00	1,416.00
34. Wire - average residence - copper wiring	912.00 SF	0.00	5.79	69.53	1,070.00	6,420.01
100. Baseboard heat - steam or hot water	134.00 LF	0.00	42.56	114.57	1,163.52	6,981.13
102. Boiler - natural gas - 165,000 BTU	1.00 EA	0.00	4,327.91	196.37	904.86	5,429.14
103. Water heater - 40 gallon - Gas - 6 yr	1.00 EA	0.00	871.51	31.68	180.64	1,083.83
129. Smoke detector	4.00 EA	0.00	54.01	6.42	44.48	266.94
175. Architectural/Drafting fees (Bid Item)	1.00 EA	0.00	2,100.00	0.00	420.00	2,520.00
288. SPECIALTY ITEMS, new utilities, Gas, Ele, Water, Sewer ran to house.	1.00 EA	0.00	3,000.00	87.64	617.52	3,705.16
Total: Main Level				556.92	6,613.36	39,680.26



Living Room

Height: 8'

498.67 SF Walls	295.75 SF Ceiling
794.42 SF Walls & Ceiling	295.75 SF Floor
32.86 SY Flooring	62.33 LF Floor Perimeter
62.33 LF Ceil. Perimeter	

Missing Wall

8' X 8'

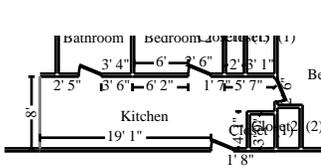
Opens into KITCHEN

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
257. Stud wall - 2" x 6" x 8' - 16" oc	46.75 LF	0.00	24.47	29.35	234.68	1,408.00
229. Baseboard - 2 1/4" stain grade	62.33 LF	0.00	2.88	5.24	36.94	221.69
233. Casing - 2 1/4"	208.00 LF	0.00	1.72	12.45	74.06	444.27
237. Stain & finish trim	270.33 LF	0.00	1.29	3.47	70.44	422.64
258. Oak flooring - #1 common - no finish	295.75 SF	0.00	7.47	90.82	460.02	2,760.09
260. Sand, stain, & finish wood flr - water-based/latex finish	295.75 SF	0.00	3.98	15.17	238.46	1,430.72

YARES RENOVATION SERVICES

CONTINUED - Living Room

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
261. T & G paneling - v-joint paneling (unfinished)	794.42 SF	0.00	4.71	113.77	771.10	4,626.59
262. Acoustic ceiling (popcorn) texture	295.75 SF	0.00	0.74	1.05	44.00	263.91
263. Seal/prime then paint the ceiling (2 coats)	295.75 SF	0.00	0.80	3.16	47.96	287.72
264. Light fixture -	2.00 EA	0.00	103.77	8.01	43.10	258.65
Totals: Living Room				282.49	2,020.76	12,124.28

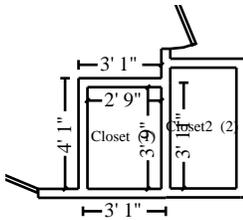


Kitchen	Height: 8'
482.67 SF Walls	196.62 SF Ceiling
679.28 SF Walls & Ceiling	196.62 SF Floor
21.85 SY Flooring	60.33 LF Floor Perimeter
60.33 LF Ceil. Perimeter	

Missing Wall

8' X 8'

Opens into LIVING_ROOM



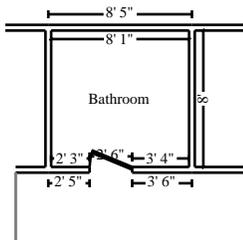
Subroom: Closet (1)	Height: 8'
104.65 SF Walls	10.42 SF Ceiling
115.07 SF Walls & Ceiling	10.42 SF Floor
1.16 SY Flooring	13.08 LF Floor Perimeter
13.08 LF Ceil. Perimeter	

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
269. Stud wall - 2" x 6" x 8' - 16" oc	27.00 LF	0.00	24.47	16.95	135.54	813.18
270. T & G paneling - v-joint paneling (unfinished)	794.36 SF	0.00	4.71	113.76	771.04	4,626.24
271. Seal/prime then paint the ceiling (2 coats)	207.04 SF	0.00	0.80	2.21	33.56	201.40
230. Baseboard - 2 1/4" stain grade	73.41 LF	0.00	2.88	6.17	43.52	261.11
234. Casing - 2 1/4"	128.00 LF	0.00	1.72	7.66	45.58	273.40
238. Stain & finish trim	201.41 LF	0.00	1.29	2.58	52.48	314.88
246. Stain & finish door slab only (per side)	8.00 EA	0.00	47.61	4.24	77.02	462.14
265. Light fixture	2.00 EA	0.00	103.77	8.01	43.10	258.65
242. Bifold door set - lauan/mahogany - Double	1.00 EA	0.00	183.77	6.35	38.04	228.16

YARES RENOVATION SERVICES

CONTINUED - Kitchen

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
273. Oak flooring - #1 common - no finish	207.04 SF	0.00	7.47	63.58	322.04	1,932.21
274. Sand, stain, & finish wood flr - water-based/latex finish	207.04 SF	0.00	3.98	10.62	166.92	1,001.56
275. Cabinetry - upper (wall) units -	4.00 LF	0.00	157.43	35.09	132.96	797.77
277. Cabinetry - lower (base) units	16.00 LF	0.00	161.31	144.78	545.16	3,270.90
278. Countertop - post formed plastic laminate - High grade	20.00 LF	0.00	54.66	59.24	230.48	1,382.92
279. Sink - double -	1.00 EA	0.00	505.75	27.21	106.60	639.56
280. Dishwasher connection	1.00 EA	0.00	145.36	1.89	29.46	176.71
281. Sink faucet - Kitchen -	1.00 EA	0.00	295.99	15.16	62.24	373.39
282. Flexible gas tubing - CSST - per stub out - up to 1/2"	1.00 EA	0.00	374.86	12.80	77.54	465.20
Totals: Kitchen				538.30	2,913.28	17,479.38



Bathroom

Height: 8'

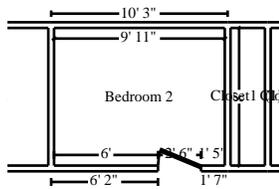
257.33 SF Walls	64.67 SF Ceiling
322.00 SF Walls & Ceiling	64.67 SF Floor
7.19 SY Flooring	32.17 LF Floor Perimeter
32.17 LF Ceil. Perimeter	

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
185. Stud wall - 2" x 4" x 8' - 16" oc	32.17 LF	0.00	17.27	15.17	114.16	684.91
186. 1/2" drywall - hung, taped, with smooth wall finish	64.67 SF	0.00	2.41	2.30	31.64	189.79
188. Interior door unit	1.00 EA	0.00	154.61	7.42	32.40	194.43
189. Door knob - interior	1.00 EA	0.00	42.11	1.53	8.72	52.36
191. Casing - 4" - hardwood	34.00 LF	0.00	3.59	6.49	25.72	154.27
192. Baseboard - 2 1/4" stain grade	32.17 LF	0.00	2.88	2.70	19.08	114.43
193. Pedestal sink	1.00 EA	0.00	494.65	18.21	102.58	615.44
194. Toilet	1.00 EA	0.00	452.06	16.40	93.70	562.16
202. Bath accessory	4.00 EA	0.00	28.44	4.30	23.62	141.68
210. Vinyl floor covering (sheet goods)	74.37 SF	0.00	3.13	10.01	48.56	291.35
15 % waste added for Vinyl floor covering (sheet goods).						
212. Underlayment - 1/4" lauan/mahogany plywood	64.67 SF	0.00	1.58	2.53	20.94	125.65
213. Seal/prime then paint the ceiling (2 coats)	64.67 SF	0.00	0.80	0.69	10.48	62.91

YARES RENOVATION SERVICES

CONTINUED - Bathroom

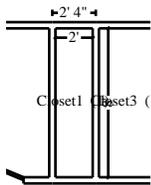
DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
285. T & G paneling - v-joint paneling (unfinished)	257.33 SF	0.00	4.71	36.85	249.78	1,498.65
214. Acoustic ceiling (popcorn) texture	64.67 SF	0.00	0.74	0.23	9.62	57.71
215. Tub/shower faucet - High grade	1.00 EA	0.00	400.16	16.03	83.24	499.43
216. Fiberglass shower unit -	1.00 EA	0.00	929.65	39.39	193.82	1,162.86
256. Stud wall - 2" x 6" x 8' - 16" oc	8.04 LF	0.00	24.47	5.05	40.36	242.15
266. Light fixture - High grade	2.00 EA	0.00	103.77	8.01	43.10	258.65
283. Flexible gas tubing - CSST - per stub out - up to 1/2"	1.00 EA	0.00	374.86	12.80	77.54	465.20
Totals: Bathroom				206.11	1,229.06	7,374.03



Bedroom 2

Height: 8'

286.67 SF Walls	79.33 SF Ceiling
366.00 SF Walls & Ceiling	79.33 SF Floor
8.81 SY Flooring	35.83 LF Floor Perimeter
35.83 LF Ceil. Perimeter	



Subroom: Closet1 (1)

Height: 8'

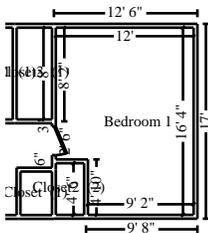
160.00 SF Walls	16.00 SF Ceiling
176.00 SF Walls & Ceiling	16.00 SF Floor
1.78 SY Flooring	20.00 LF Floor Perimeter
20.00 LF Ceil. Perimeter	

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
218. Stud wall - 2" x 6" x 8' - 16" oc	13.96 LF	0.00	25.24	9.53	72.38	434.26
225. Stud wall - 2" x 4" x 8' - 16" oc, includes closet	55.83 LF	0.00	17.09	25.62	195.94	1,175.69
219. 1/2" drywall - hung, taped, floated, ready for paint	542.00 SF	0.00	1.62	19.69	179.54	1,077.27
220. Interior door unit	1.00 EA	0.00	154.61	7.42	32.40	194.43
243. Bifold door set - lauan/mahogany - Double	1.00 EA	0.00	183.77	6.35	38.04	228.16
221. Seal/prime then paint the walls and ceiling (2 coats)	542.00 SF	0.00	0.80	5.79	87.88	527.27
222. Acoustic ceiling (popcorn) texture	95.33 SF	0.00	0.74	0.34	14.16	85.04

YARES RENOVATION SERVICES

CONTINUED - Bedroom 2

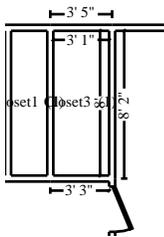
DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
226. Carpet pad	95.33 SF	0.00	0.59	3.33	11.90	71.47
228. Carpet	109.63 SF	0.00	3.19	18.90	73.72	442.34
15 % waste added for Carpet.						
231. Baseboard - 2 1/4" stain grade	55.83 LF	0.00	2.88	4.69	33.10	198.58
235. Casing - 2 1/4"	34.00 LF	0.00	1.72	2.03	12.10	72.61
239. Stain & finish trim	89.83 LF	0.00	1.29	1.15	23.42	140.45
247. Stain & finish door slab only (per side)	8.00 EA	0.00	47.61	4.24	77.02	462.14
267. Light fixture -	1.00 EA	0.00	103.77	4.00	21.56	129.33
Totals: Bedroom 2				113.08	873.16	5,239.04



Bedroom 1

Height: 8'

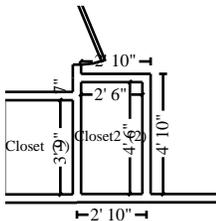
453.08 SF Walls	182.29 SF Ceiling
635.37 SF Walls & Ceiling	182.29 SF Floor
20.25 SY Flooring	56.64 LF Floor Perimeter
56.64 LF Ceil. Perimeter	



Subroom: Closet3 (1)

Height: 8'

177.33 SF Walls	24.67 SF Ceiling
202.00 SF Walls & Ceiling	24.67 SF Floor
2.74 SY Flooring	22.17 LF Floor Perimeter
22.17 LF Ceil. Perimeter	



Subroom: Closet2 (2)

Height: 8'

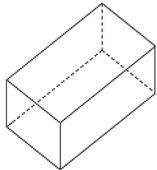
111.45 SF Walls	11.09 SF Ceiling
122.54 SF Walls & Ceiling	11.09 SF Floor
1.23 SY Flooring	13.93 LF Floor Perimeter
13.93 LF Ceil. Perimeter	

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
249. Stud wall - 2" x 6" x 8' - 16" oc	69.55 LF	0.00	25.24	47.47	360.58	2,163.49
250. Stud wall - 2" x 4" x 8' - 16" oc, includes closet	46.37 LF	0.00	17.09	21.28	162.76	976.50

YARES RENOVATION SERVICES

CONTINUED - Bedroom 1

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
255. 1/2" drywall - hung, taped, floated, ready for paint	959.91 SF	0.00	1.80	32.83	352.12	2,112.79
251. Seal/prime then paint the walls and ceiling (2 coats)	959.91 SF	0.00	0.80	10.26	155.64	933.83
252. Acoustic ceiling (popcorn) texture	218.05 SF	0.00	0.74	0.78	32.44	194.58
232. Baseboard - 2 1/4" stain grade	92.73 LF	0.00	2.88	7.80	54.98	329.84
236. Casing - 2 1/4"	112.00 LF	0.00	1.72	6.70	39.86	239.20
240. Stain & finish trim	204.73 LF	0.00	1.29	2.63	53.34	320.07
244. Bifold door set - lauan/mahogany - Double	2.00 EA	0.00	183.77	12.70	76.04	456.28
248. Stain & finish door slab only (per side)	10.00 EA	0.00	47.61	5.29	96.28	577.67
253. Carpet pad	218.05 SF	0.00	0.59	7.61	27.26	163.52
254. Carpet	250.75 SF	0.00	3.19	43.24	168.62	1,011.75
15 % waste added for Carpet.						
268. Light fixture -	1.00 EA	0.00	103.77	4.00	21.56	129.33
Totals: Bedroom 1				202.59	1,601.48	9,608.85



Exterior

LxWxH 55' x 17' x 9'

1,296.00 SF Walls	935.00 SF Ceiling
2,231.00 SF Walls & Ceiling	935.00 SF Floor
103.89 SY Flooring	144.00 LF Floor Perimeter
495.00 SF Long Wall	153.00 SF Short Wall
144.00 LF Ceil. Perimeter	

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
52. 5-0 6-8 vinyl sliding patio door - High grade	1.00 EA	0.00	848.69	46.77	179.10	1,074.56
56. Vinyl window - double hung, 13-19 sf	23.00 EA	0.00	321.94	411.65	1,563.26	9,379.53
57. Brick mold - paint grade softwood - finger jointed	400.00 LF	0.00	2.33	41.33	194.66	1,167.99
59. Flashing - Sill flashing - moldable tape	400.00 LF	0.00	7.16	78.09	588.42	3,530.51
300. Sheathing - plywood - 1/2" CDX	1,296.00 SF	0.00	1.61	79.41	433.20	2,599.17
60. Exterior - paint two coats	1,573.00 SF	0.00	0.93	29.14	298.40	1,790.43
125. LANDSCAPING, build up positive grade around foundation, dirt, poly, gravel.	1.00 EA	0.00	1,200.00	0.00	240.00	1,440.00
164. Caulking - acrylic	400.00 LF	0.00	1.91	2.57	153.32	919.89

YARES RENOVATION SERVICES

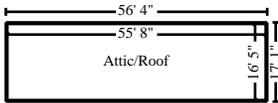
CONTINUED - Exterior

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
167. Siding - beveled - pine or equal (clapboard)	1,573.00 SF	0.00	6.53	275.71	2,109.48	12,656.88
182. House wrap (air/moisture barrier)	1,573.00 SF	0.00	0.26	16.81	85.16	510.95
183. Batt insulation - 6" - R19 - unfaced batt	1,573.00 SF	0.00	0.80	50.43	261.76	1,570.59
184. Polyethylene vapor barrier	2,485.00 SF	0.00	0.25	12.39	126.74	760.38
290. LANDSCAPING, repair damage to yard from demo and rebuild.	1.00 EA	0.00	1,500.00	43.82	308.76	1,852.58
289. Tree trimming and removal to access foundation and home	1.00 EA	0.00	1,500.00	43.82	308.76	1,852.58
292. 6" base - Residential	270.00 SF	0.00	2.33	35.01	132.82	796.93
291. Concrete sidewalk - finished in place	270.00 SF	0.00	6.70	39.05	369.62	2,217.67
301. Exterior door - metal - insulated - flush or panel style	1.00 EA	0.00	278.40	14.44	58.56	351.40
302. Door lockset - exterior	1.00 EA	0.00	50.72	2.18	10.58	63.48
Totals: Exterior				1,222.62	7,422.60	44,535.52
Total: Main Level				3,122.11	22,673.70	136,041.36

Roof/Attic

Attic/Roof

Height: 8'



1,153.33 SF Walls	913.86 SF Ceiling
2,067.19 SF Walls & Ceiling	913.86 SF Floor
101.54 SY Flooring	144.17 LF Floor Perimeter
144.17 LF Ceil. Perimeter	

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
7. Blown-in insulation - 20" depth - R50	913.86 SF	0.00	1.56	77.48	300.62	1,803.72
9. Baffle vent - foam	146.00 LF	0.00	1.14	6.03	34.48	206.95
14. Laminated - comp. shingle rfg. - w/ felt	13.00 SQ	0.00	282.61	89.97	752.78	4,516.68
15. Ice & water sh672ield	672.00 SF	0.00	2.12	15.32	287.98	1,727.94
16. Roofing felt - 15 lb.	6.00 SQ	0.00	38.41	2.71	46.64	279.81
17. Drip edge	158.00 LF	0.00	2.63	6.87	84.48	506.89
18. Roof vent - turtle type - Metal	6.00 EA	0.00	69.09	6.55	84.22	505.31
19. Flashing - pipe jack - split boot	2.00 EA	0.00	77.40	4.63	31.88	191.31

YARES RENOVATION SERVICES

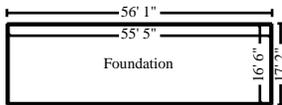
CONTINUED - Attic/Roof

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
33. Soffit & fascia - metal - 2' overhang	158.00 LF	0.00	15.93	57.19	514.82	3,088.95
49. Sheathing - plywood - 1/2" CDX,	1,300.00 SF	0.00	2.66	79.66	707.54	4,245.20
128. Dryer vent - through roof - up to 4"	1.00 EA	0.00	89.08	1.75	18.18	109.01
180. Truss - 6/12 slope - heavy loading	493.00 LF	0.00	6.76	145.42	695.62	4,173.72
181. Soffit - box framing - 2' overhang	158.00 LF	0.00	7.75	14.07	247.72	1,486.29
Totals: Attic/Roof				507.65	3,806.96	22,841.78
Total: Roof/Attic				507.65	3,806.96	22,841.78

Foundation

Foundation

Height: 8'

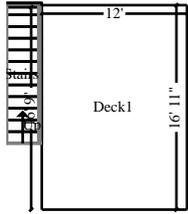


1,151.32 SF Walls	916.62 SF Ceiling
2,067.94 SF Walls & Ceiling	916.62 SF Floor
101.85 SY Flooring	143.91 LF Floor Perimeter
143.91 LF Ceil. Perimeter	

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
35. Rigid foam insulation board - 2"	243.00 SF	0.00	1.28	16.97	65.60	393.61
37. Polyethylene vapor barrier	243.00 SF	0.00	0.25	1.21	12.40	74.36
177. Footings - 24" x 10"	146.00 LF	0.00	23.48	92.06	704.04	4,224.18
178. Block - 12" x 8" x 16" - in place	1,151.32 SF	0.00	8.42	254.30	1,989.68	11,938.09
223. Joist - floor or ceiling - 2x12 - w/blocking - 16" oc	912.00 SF	0.00	3.81	115.01	717.94	4,307.67
224. Sheathing - 1 1/8" - tongue and groove, subfloor	916.62 SF	0.00	3.33	143.68	639.20	3,835.22
286. Batt insulation - 12" - R38 - unfaced batt	916.62 SF	0.00	1.32	56.82	253.34	1,520.10
299. Flexible gas tubing - CSST - per stub out - up to 1/2"	1.00 EA	0.00	374.86	12.80	77.54	465.20
Totals: Foundation				692.85	4,459.74	26,758.43
Total: Foundation				692.85	4,459.74	26,758.43

Deck

YARES RENOVATION SERVICES

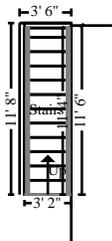


Deck1

Height: 3'

57.99 LF Floor Perimeter

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
130. General Demolition - Remove deck to dumpster	1.00 EA	800.00	0.00	0.00	160.00	960.00
131. 2" x 8" lumber - treated (1.33 BF per LF)	112.00 LF	0.00	3.23	12.45	74.86	449.07
132. 2" x 8" lumber - treated (1.33 BF per LF)	56.00 LF	0.00	3.23	6.22	37.42	224.52
293. 5/4" x 6" x 12' #1 treated pine (material only)	36.00 EA	0.00	13.64	34.99	105.20	631.23
294. 6" softwood deck planking - Labor only (per SF)	192.00 SF	0.00	3.50	2.05	134.82	808.87
295. Framing hanger	22.00 EA	0.00	5.00	5.74	23.14	138.88
296. Deck guard rail - treated lumber	34.00 LF	0.00	27.26	23.13	189.98	1,139.95
297. Concrete pier or footing with post anchor	3.00 EA	0.00	123.00	6.75	75.16	450.91
Totals: Deck1				91.33	800.58	4,803.43



Stairs

Height: 16' 2"

274.79 SF Walls	35.76 SF Ceiling
310.55 SF Walls & Ceiling	64.14 SF Floor
7.13 SY Flooring	26.88 LF Floor Perimeter
22.59 LF Ceil. Perimeter	

Missing Wall

3' 2" X 16' 1 9/16"

Opens into Exterior

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
139. 5/4" x 6" x 12' #1 treated pine (material only)	9.00 EA	0.00	13.64	8.75	26.32	157.83
140. 6" softwood deck planking - Labor only (per SF)	96.00 SF	0.00	3.50	1.03	67.40	404.43
141. Framing hanger	3.00 EA	0.00	5.00	0.78	3.16	18.94
142. Deck guard rail - treated lumber	34.00 LF	0.00	27.26	23.13	189.98	1,139.95
143. Concrete pier or footing with post anchor	4.00 EA	0.00	123.00	9.00	100.20	601.20
145. R&R 2" x 12" lumber - treated (2 BF per LF)	48.00 LF	0.99	4.45	8.76	53.98	323.86

YARES RENOVATION SERVICES

CONTINUED - Stairs

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
Totals: Stairs				51.45	441.04	2,646.21
Total: Deck				142.78	1,241.62	7,449.64

Demo & Haul House

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
287. Demolish/remove home (400 sf - 1000 sf)	912.00 SF	8.23	0.00	0.00	1,501.16	9,006.92
Totals: Demo & Haul House				0.00	1,501.16	9,006.92

Labor Minimums Applied

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
211. Vinyl floor covering labor minimum	1.00 EA	0.00	57.81	0.00	11.56	69.37
Totals: Labor Minimums Applied				0.00	11.56	69.37

Line Item Totals: PEHOSKI-WILD-REBUILD	4,465.39	33,694.74	202,167.50
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Grand Total Areas:

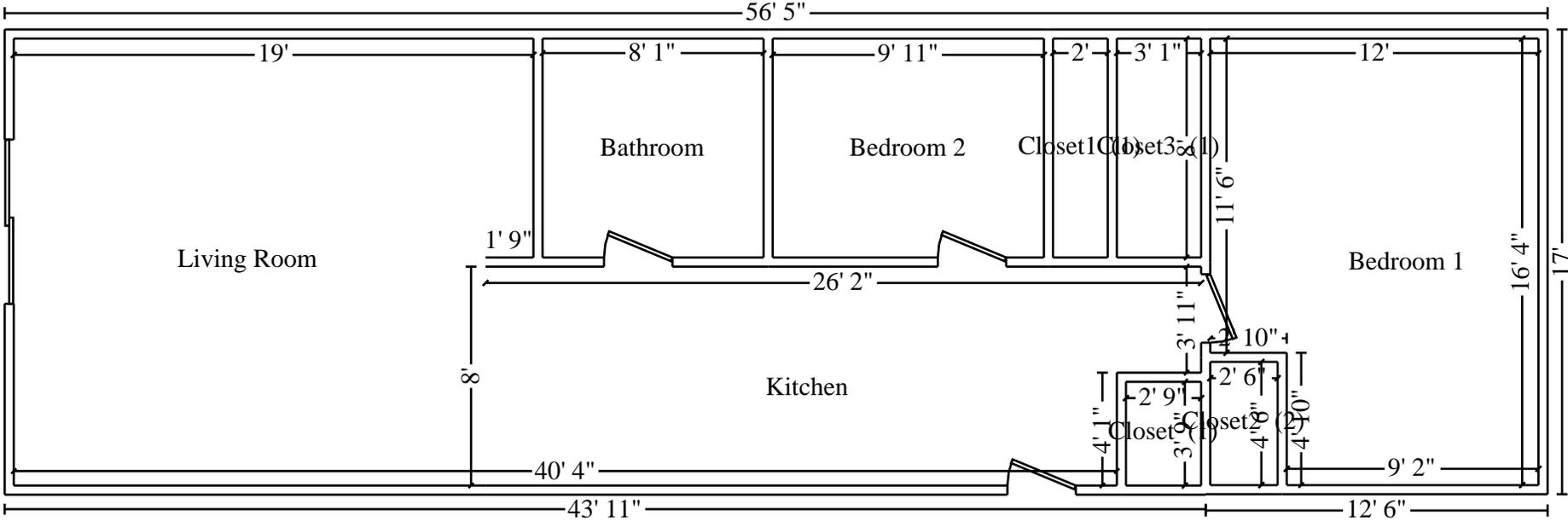
6,407.29 SF Walls	3,682.09 SF Ceiling	10,089.37 SF Walls and Ceiling
3,710.47 SF Floor	412.27 SY Flooring	833.43 LF Floor Perimeter
495.00 SF Long Wall	153.00 SF Short Wall	771.15 LF Ceil. Perimeter
2,775.47 Floor Area	2,926.98 Total Area	4,836.50 Interior Wall Area
3,962.09 Exterior Wall Area	440.23 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	

YARES RENOVATION SERVICES

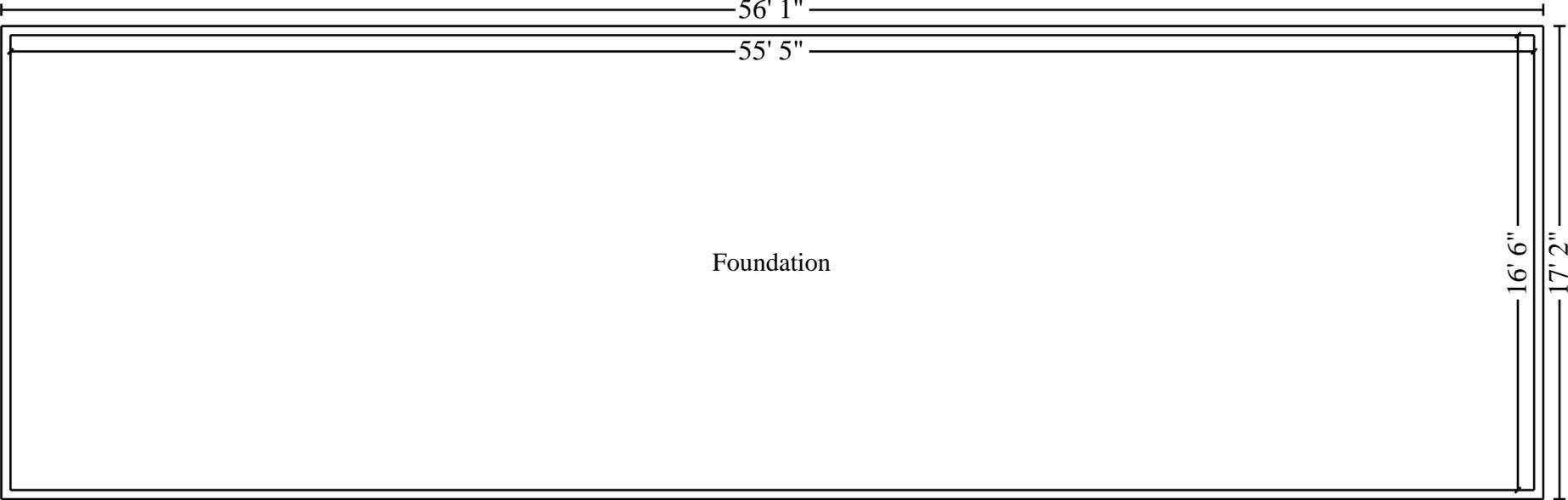
Summary

Line Item Total	164,007.37
Matl Sales Tax Reimb	4,465.39
	<hr/>
Subtotal	168,472.76
Overhead	16,847.37
Profit	16,847.37
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Replacement Cost Value	\$202,167.50
Net Claim	\$202,167.50
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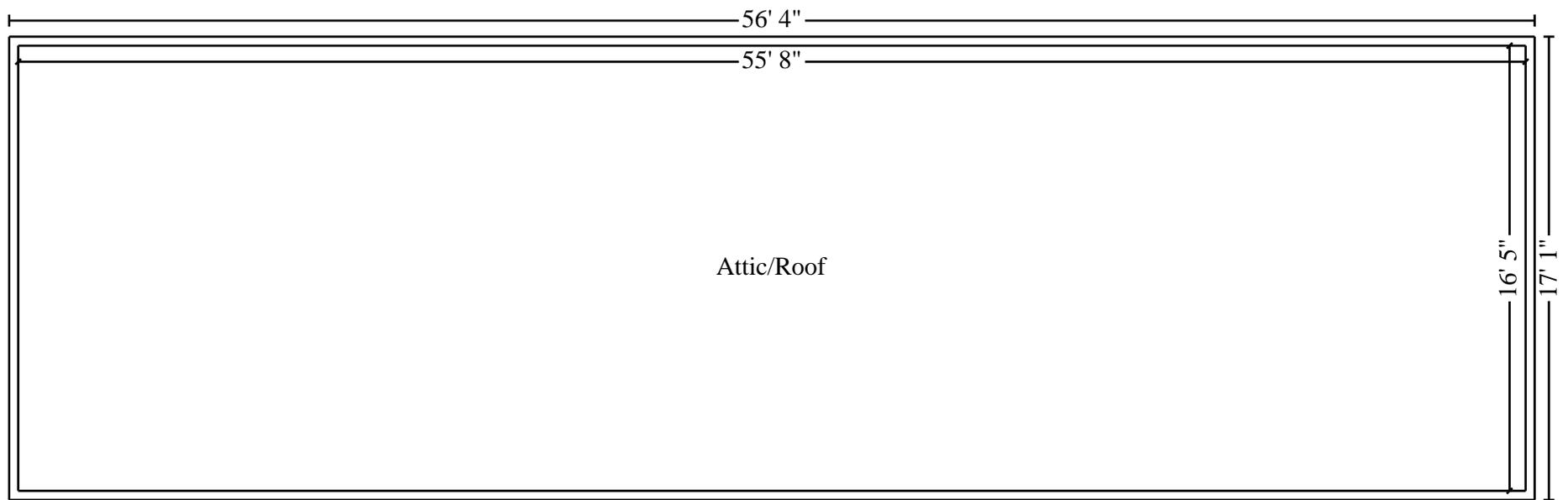
SPENCER YARES
Senior Estimator



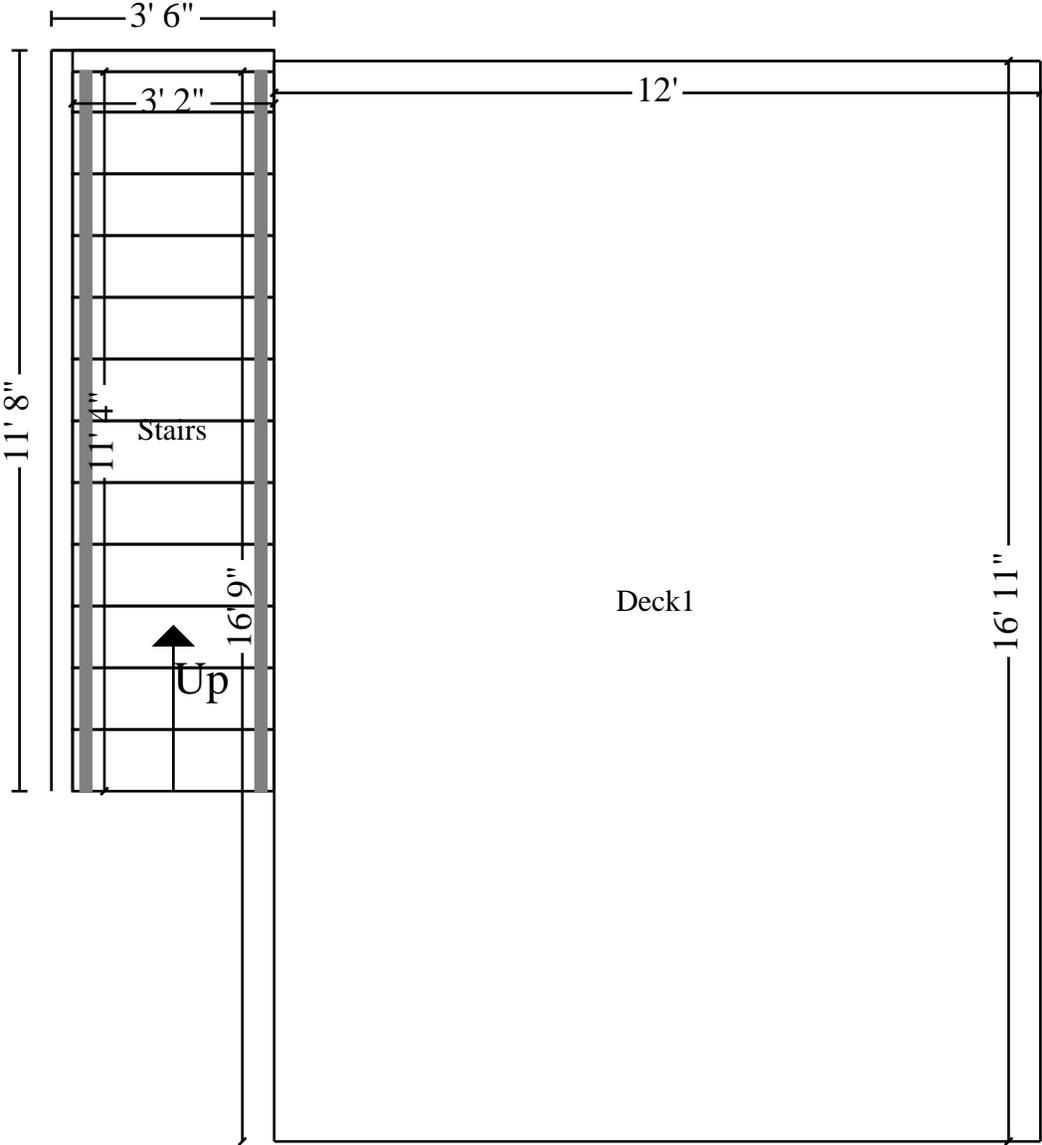
Main Level



Foundation



Roof/Attic



Deck