

Birchwood Village
Regular Council Meeting
May 9, 2017

Supplemental Packet

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REVISED AGENDA OF THE REGULAR
MEETING OF THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
May 9, 2017
7:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

OPEN PUBLIC FORUM

ANNOUNCEMENTS

- A. Newsletter Submission Deadline is May 15
- B. Earth Day Clean Up (various dates and locations)* (p. 4)
- C. Plant Exchange on June 3, 2017 at 10am
- D. Garage Sale / Giveaway on June 10, 2017
- E. Reminder: Suburban Cable Commission Board Vacancy – June 30 Deadline
- F. Kenny Ronnan Leaving – Videographer/Camera Operator Needed

CITY BUSINESS – CONSENT AGENDA

- A. Approve Regular Meeting Minutes from March 14, 2017* (pp. 5-11)
- B. Table Workshop Meeting Minutes from March 16, 2017
- C. Approve Special Meeting Minutes from March 21, 2017 (supplement)
- D. Approve Special Meeting Minutes from March 30, 2017* (pp. 12-14)
- E. Table Regular Meeting Minutes from April 11, 2017
- F. Approve Treasurer's Report* (pp. 15-28)
- G. Approve Auction of Impounded Canoes* (p. 29)

- H. Approve Resolution 2017-15, Declining to Waive the Statutory Monetary Limits on Municipal Tort Liability Established by Minnesota Statutes 466.04* (p. 30)
- I. Approve a Request to Have the Planning Commission Review City Code 303 for Amendment and Bylaw Recommendations* (pp. 31-33)
- J. Approve Rules of Procedure Article 2 Amendment* (pp. 34-47)
- K. Approve Ash Walkway Tree Removal* (p. 48)
- L. Approve Resolution 2017-16, Interim Treasurer Extension* (pp. 49-50)
- M. Sheriff Report* (pp. 51-52)
- N. Dog Park Committee Update/Minutes* (pp. 53-54)
- O. Spring Leaf Pickup Results* (p. 55)
- ~~P. IPAD Opinion and Response* (pp. 56-63)~~

CITY BUSINESS – REGULAR AGENDA

- A. Roads Committee Update and Recommendations
 - 1. Draft Minutes* (pp. 64-65)
 - 2. Tom Stangl Nominated as New Committee Chair
 - 3. Bylaw Amendment – 5.C. "... However, a quorum is required for any recommendation or action requiring a vote of the committee"* (pp. 66-73)
 - 4. Street Repairs – Chip Sealing (supplement)
 - ~~5. Electric Speed Signs~~
- B. MS4: Storm Water Pollution Prevention Program Review* (pp. 74-90)
 - 1. Public Hearing
 - 2. Council Discussion
- C. Parks and Natural Resources Committee* (pp. 91-113)
 - 1. Member Selections
 - 2. Parks Committee Meeting Dates
 - 3. Schedule Joint City Council / Parks Committee Meeting
- D. Dog Park Committee Bylaws* (pp. 114-117)
- E. 2008 Special Assessment Process Review & Section 805 Amendment* (pp. 118-120)
- F. 2040 Comprehensive Plan* (pp. 121-129)
- G. Data Retention Policy* (pp. 130-133)
- H. Resolution 2017-10: Establishing Water Main Surcharge Policy* (pp. 134-135)

- I. Town Hall Meeting* (pp. 136-137)
- J. Council Member Reports:
 - 1. Mayor Wingfield:
 - a. Buckthorn Removal Day* (p. 138)
 - b. Halls Marsh Update* (pp. 139-140)
 - c. Ice Rink Parking Lot Drainage Update
 - d. Office Stamp Machine Returned
 - 2. Councilmember LaFoy:
 - a. Council and Staff Chairs* (p. 141)
 - 3. Councilmember White:
 - 4. Councilmember Woolstencroft:
- K. City Administrator's Report
 - 1. City Hall Camera Upgrade* (pp. 142-150)
 - 2. 2017 Clerks' Orientation Conference* (pp. 151-152)
 - 3. CTAS Training* (p. 153)
 - 4. City Hall A/C Bids (supplement)
- L. City Attorney Report
 - 1. Flushable Wipes Class-action Law Suit Update
 - 2. Sewer Lining Valuation Update
 - 3. Private Use of Utility Poles

ADJOURN

MEMORANDUM

DATE: May 9, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Request to Table Council Minutes



Birchwood Village

Dear Mayor and Council Members,

Staff requests Council table approval of the meeting minutes for March 16 and April 11 as staff was unable to complete these minutes in time for tonight's meeting. These meeting minutes will be available for Council's approval in the June meeting. Thanks!

Regards,
Tobin Lay

**CITY OF BIRCHWOOD VILLAGE
SPECIAL CITY COUNCIL MEETING
March 21, 2017**

MINUTES

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

STAFF PRESENT: Administrator Lay

OTHERS PRESENT: Kathy Leeves, Nick Leeves, Bryan McGinnis, John McCormick and others.

Mayor Wingfield called the special meeting to order at 7:00 p.m.

CITY BUSINESS - SPECIAL AGENDA

A. Discussion of I.P.A.D. Investigation

Mayor Wingfield: Introduced the I.P.A.D. investigation and clarified that the following items on the agenda are in relation to the overall discussion of the investigation.

B. Discussion of Legal Representation

Councilmember White: Provided a statement before the discussion of legal representation including the request for legal oversight during the process, requested a motion to authorize a retainer (not to exceed \$3,000) to secure an independent and experienced Open Meeting Law attorney.

Mayor and Council Members: Discussed what the role of the City Attorney would be in the process; decided that the city attorney would not be involved for impartiality reasons, and discussed how the independent attorney would be selected.

Mayor Wingfield: Suggested that Administrator Lay seek an extension from I.P.A.D. for the response.

MOTION WAS MADE BY COUNCILMEMBER WHITE AND SECONDED BY COUNCILMEMBER LAFOY TO AUTHORIZE A RETAINER FOR UP TO \$3,000 TO SECURE A PRIVATE ATTORNEY TO PROVIDE LEGAL GUIDANCE IN THE I.P.A.D. INVESTIGATION BY MARCH 31, 2017. ALL AYES. MOTION PASSED.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO OBTAIN A CERTIFIED TRANSCRIPT OF THE MEETING ON SEPTEMBER 8, 2015. ALL AYES. MOTION PASSED.

C. Discussion of Data Retention

Administrator Lay: Provided an overview of data retention policy that was adopted by Birchwood in March 2011. He informed the council that the state had revised the model policy several times since Birchwood adopted it and suggested that the council update the policy in place.

Mayor Wingfield: Suggested Birchwood follow the same data retention policy as the City of St. Paul.

Council Members: Discussed what “counts” as data, discussion as to whether emails need to be retained, discussed the need for a data retention plan, suggestions need to be submitted to Administrator Lay by April 1, 2017.

D. Discussion of Office Staffing Needs

Councilmember White: Introduced the excess work that is placed on Interim Administrator Lay and suggested additional hours for the treasurer position to meet the increased demand of city needs.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO HIRE THE NEW TREASURER AS TREASURER/DEPUTY CLERK AND TO RAISE THE POSITION’S HOURS UP TO 36 HOURS/MONTH, TO WORK AS DIRECTED BY THE CITY ADMINISTRATOR. ALL AYES. MOTION PASSED.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER WHITE TO AUTHORIZE ADMINSTRATOR LAY TO HIRE A TEMPORARY STAFF PERSON FOR UP TO 20 HOURS PER MONTH FOR THREE MONTHS TO ASSIST WITH ADDITIONAL DEMANDS ON THE OFFICE NOT IN THE ORDINANRY COURSE OF BUSINESS. ALL AYES. MOTION PASSED.

ADJOURN

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO ADJOURN THE MEETING. ALL AYES. MOTION PASSED. MEETING ADJOURNED AT 8:16 P.M.

ATTEST:

Mary Wingfield
Mayor

Tobin Lay
City Administrator-Clerk

ATTENTION:	Gene Ruehle				
PHONE #:	651-429-0022		FAX #:		
JOB LOCATION:	Birchwood Village				
ADDRESS:	262 Wildwood Ave				
	Birchwood, MN 55110				
DATE:	April 21, 2017				
WE HEREBY SUBMIT SPECIFICATIONS AND ESTIMATES FOR: 28,378 APPROX. SQUARE YARDS OF BITUMINOUS SEAL COATING.					
PRE-SEAL:	Area to be swept by Pearson Bros., Inc.				
LIQUID APPLICATION:	Pearson Bros., Inc. will furnish and install CRS-2P Liquid Asphalt at .28 gallons per square yard.				
AGGREGATE COVER:	Pearson Bros., Inc. will furnish and install 1/4" Granite at 23 lbs per square yard.				
ROLLING:	Entire area shall be rolled with (2) Eleven (11) Wheel Pneumatic Tire Rollers.				
PICK- UP SWEEP:	Excess rock shall be picked up by and disposed of by Pearson Bros., Inc.				
START DATE: No earlier than: May 15, 2017 COMPLETION DATE: No later than: Sep 15th, 2017					

We Proposed Hereby to Furnish Material and Labor -- Complete in Accordance with the Above Specifications, for the Sum of:

\$35,188.72 (28,378 sq yards @ \$1.24 per square yard)

\$1,986.46 Optional Second Sweep \$.07 per square yard



Payment Due Upon Completion

AUTHORIZED SIGNATURE:

TODD BARTELS
PEARSON BROS., INC.

ACCEPTANCE OF PROPOSAL -- The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

SIGNATURE: _____

DATE: _____

Proposal good for 30 days.

MEMORANDUM

DATE: May 9, 2017

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: City Hall A/C Replacement Quotes



Birchwood Village

Dear Mayor and Council Members,

Last year the City Council authorized previous City Administrator Mike Anderson to obtain quotes to replace City Hall's a/c unit. Administrator Anderson obtained one quote from Heating & Cooling Exxperts. Earlier this year, I was asked to obtain additional quotes for this service. Attached are three quotes, comprising all of the quotes received for this service, as follows:

- 1) Heating & Cooling Exxperts – a) 2.0 ton 13 seer, **\$3,617**; b) 2.0 ton 14.5 seer, **\$3,940**
- 2) 4 Seasons Air – 2.0 ton 13 seer, **\$3,190** (less \$150 if Xcel Energy allows a rebate to the City)
- 3) White Bear Heating & Cooling – a) replace = **\$3,000-\$3,500**; b) upgrade = **\$3,500-\$4,000**.

The quote from 4 Seasons Air appears to be the cheapest bid among the three – possibly \$300+ cheaper than the next cheapest bid.

Staff requests Council approve one of these three quotes and authorize staff to hire the winning company to replace City Hall's failed a/c unit. Thanks!

Regards,
Tobin Lay



Heating & Cooling Exxperts LLC
 123 Cedar Street
 White Bear Lake, MN 55110
 651-653-5757

Proposal

14879

Sales Person:

4/20/17

Page 1 of 1

PREPARED FOR:

City Of Birchwood
 207 Birchwood Ave
 Birchwood MN 55110
 Home Office 651-426-3403
 Cell Fax

JOB LOCATION:

City Of Birchwood
 207 Birchwood Ave
 Birchwood MN 55110
 Home Office 651-426-3403
 Cell Fax

Y - BA - OP LEGEND: Y =ACCEPTED BA=BASE OP=OPTION AMOUNT

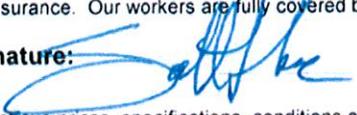
- Remove existing central A/C system and dispose of properly. Install one new RUUD model # RA1324AJ1NA, 2.0 ton 13 SEER, R410-A central A/C system. Installation includes the following: Set new condenser on new pad, install new indoor coil in down flow application. Revise sheet metal plenum as needed, install new refrigeration line set, connect condensate to drain, reconnect low and line voltage wiring, start up and testing of system. 5 year labor, 10 year parts and compressor warranty. Includes permit and inspections as required. \$3,617.00
- Remove existing central A/C system and dispose of properly. Install one new RUUD model # RA1424AJ1NA, 2.0 ton 14.5 SEER, R410A central A/C system. Installation includes the following: Set new condenser on new pad, install new indoor coil in down flow application. Revise sheet metal plenum, install new refrigeration line set, reconnect condensate to drain, reconnect low and line voltage wiring, start up and testing of system. 5 year labor and 10 year parts and compressor warranty. Includes permit and inspections as required. \$3,940.00
- Please note, this proposal has been updated, the original proposal was submitted on 8/29/16.

PLEASE SUM THE TOTAL OF ACCEPTED ITEMS.

PROPOSAL TOTAL \$

PAYMENT TERMS: Down payment of 50% required, and final payment upon completion of job.

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specification involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Worker's Compensation insurance.

Salesperson Signature: 

Proposal may be withdrawn by us if not accepted within 10 days.

By signing below, the above prices, specifications, conditions and payment terms are satisfactory and are hereby accepted.

Customer Signature: _____ Date of Acceptance:

Service History Report

Customer	5248	City of Birchwood
Order	Date Finished	Notes
11632	5/12/2010	City of Birchwood 207 Birchwood Ave 651-426-3043
12039	8/27/2010	<p>Utica boiler - No Heat</p> <p>Found primary control had failed due to the age of the equipment. Boiler is old but still functioning ok. Replaced Honeywell Primary Control. Checked operation of furnace for office. Provided and installed a new 20x20x1 air filter. Furnace is working good.</p> <p>"Remove existing boiler and dispose of properly. Install one new Triangle Tube Model # SOLO 110. 95 % efficient. modulating burner boiler. Installation to include: wall mount new boiler, connect ""near boiler"" piping to existing hot water heating system, reconnect gas piping with new 3/4"" shutoff. PVC venting to outside of the building and discharge next to existing chimney chase on the front of the building. reconnect to existing line voltage wiring. install condensate pump to be run to the floor drain in the lower level restroom and install new standard digital thermostat and connect to the boiler. All work to be done as per state code. Includes permit and inspections as required. 10 year parts and labor warranty and 10 year limited warranty on heat exchanger."</p> <p>Install standard chimney liner in existing masonry flue. Includes reconnect of existing water heater to the new liner and update venting as per code requirements. Includes permit and inspections.</p>
12667	10/25/2011	<p>No Heat</p> <p>Boiler lost power. Reset. Added water to system.</p> <p>No charge for labor</p>
12895	7/1/2013	<p>A/C tune. Clean condenser with chemical and pressure washer. Install new 20x20x1 air filter. Clean condensate drain. Check operations Everything working good.</p> <p>Install (2) new 4x12 floor registers.</p> <p>No charge for labor</p>
13833	10/9/2014	<p>No heat - boiler Triangle Tube</p> <p>Found hard lockout due to power failure over summer. Reset boiler.</p> <p>Clean and tune boiler. Perform combustion analysis. Everything is working good.</p> <p>Clean & tune furnace and A/C</p> <p>Removed sand and acorns from A/C condenser. Evict mice and cleaned coil. Start A/C and checked operations. Checked operation of office furnace. Installed new filter. Everything is working good.</p> <p>20x20x1 air filter</p>
14417	10/20/2015	<p>City Hall: Boiler system no heat.</p> <p>Found system was low on water. Performed annual maintenance. Reset boiler. Checked operations of entire boiler system. Boiler is working good.</p> <p>Furnace and AC maint. Cleaned condenser and checked operations of AC. Everything is working good. Cleaned burners and installed new filter in furnace. Checked operations and performed combustion analysis. Everything working good.</p> <p>No charge for labor</p> <p>***NOTE***</p> <p>Cleaned furnace room on rodent debris. Furnace room has evidence of excessive rodent activity</p>

14871	8/10/2016	<p>8/8/16: A/C not cooling. Found fuses blown. Replaced (2) 20 amp fuses 8/8/16: 5:00 pm Return. A/C not cooling. Found fuses blown again. Replaced (2) fuses. Observed operation for 30 minutes. Fuses blew again. Found mouse crawling on compressor wiring. Found compressor wiring now has dead short. Found capacitors damaged also. Installed run capacitor 138 Installed 20/20/1 filter 10 Installed (1) start capacitor 85 Install (2) 20 amp fuses 40 Install compressor wiring kit 135 Additional troubleshooting and evict mice.</p>
14992	10/25/2016	<p>City Hall: Annual Fall start up of heating system. No Charge. Found boiler in lockout mode due to previous power outage. Cleared lockout. Start up of boiler and perform maintenance. Cleaned drain assembly and check operations. Drained expansion tank and performed combustion analysis. Everything is working good. Recommend new ignitor and flame sensor be installed at next service call. No charge for labor</p>
15097	11/22/2016	<p>Service call. No Heat. Found error code E04/power outage. Reset boiler and checked operations. System is working good</p>
15229	8/28/2016	<p>A/C not cooling, circuit breaker keeps tripping. Found compressor has dead short in the windings, found wires at compressor chewed by mice. Existing A/C is 19 years old, replacement of A/C system is recommended. HEXX will provide proposal. No Charge for labor.</p>

✕ ▶

See updated proposal below

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----- Forwarded Message -----

Subject: AC Options/Ideas for City of Birchwood Building

Date: Wed, 21 Sep 2016 10:39:35 -0500

From: Howard Anderson
<howard@4seasonsairwbl.com>

To: mike.anderson@cityofbirchwood.com,
jill@4seasonsairwbl.com

Hi Dennis,

Thanks for taking the time to see me today regarding your ac needs there at the city building. I did find an evaporation coil that will fit below your current furnace jsyk. The ac model I would like to propose that is matched to that coil is Allied Air/Ducane 4AC13B24P (see link below).

It is 2 ton (same capacity as now) and 13 seer. Your warranty will be 10 year parts/2 years of labor and 10 year compressor. Our installed cost to the city for that model will be \$3190 less \$150 from Xcel Energy Rebate/\$3040 net.

Allied Air/Ducane is a Lennox (Lennox does NOT offer a coil that will fit below your existing furnace as is) owned and operated company.

<http://www.ducanehvac.com/products/air-conditioners/4acl3b/>

Handwritten signature

Tobin Lay

From: Dennis Sonnek
Sent: Tuesday, May 09, 2017 10:28 AM
To: Tobin Lay
Subject: FW: Rough Estimate from Tye @ White Bear Heating & Cooling

From: Tye Schloer [<mailto:tschloer@whitebearheatingandcooling.com>]
Sent: Wednesday, April 26, 2017 2:56 PM
To: Dennis Sonnek
Cc: Amber Tuckner
Subject: Rough Estimate from Tye @ White Bear Heating & Cooling

Hi Dennis,

Thanks for taking the time to meet with me the other day, the approximate cost to replace the A/C system is going to be between \$3000 - \$500 for decent level equipment. For upper grade equipment we are talking around \$3500 - \$4000.00

Please let me know when we can get access to the building so I can measure up and give you a more solid quote.

Cheers,

Tye Schloer



5051 Stewart Avenue
White Bear Lake, MN 55110
O: 651-426-2044 C: 612-267-9041