



AGENDA OF THE BOARD OF CANVASS
AND REGULAR MEETING OF THE
CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
November 13, 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.

BOARD OF CANVASS

CALL TO ORDER

REGULAR AGENDA

- A. Review & Certify 2018 Municipal Election Results* (pp. 5-6)
 - a. Review Election Results
 - b. Approve Resolution 2018-22 Certifying Municipal Election Results

ADJOURN

REGULAR CITY COUNCIL MEETING

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

OPEN PUBLIC FORUM

ANNOUNCEMENTS

- A. Community Yoga Class – Tuesdays 5-6pm at City Hall
- B. Leadership Tomorrow Training Course Deadline
- C. Wildwood Library Building Project Final Community Engagement* (pp. 7-8)
- D. We are social, follow us on Facebook/Twitter and/or register for the email listserv

ADMINISTRATIVE PRESENTATION

- A. 2018 Music in the Park (MIP) Report* (p. 9)

CITY BUSINESS – CONSENT AGENDA

- A. Approve Regular Meeting Minutes from September 11, 2018* (pp. 11-17)
- B. Approve Regular Meeting Minutes from October 9, 2018* (pp. 19-26)

* Denotes items that have supporting documentation provided

- C. Approve Treasurer's Report* (pp. 27-39)
- D. Approve Resolution No. 2018-20 Adopting County All-Hazard Plan* (pp. 41-43)
- E. Approve Resolution 2018-21 Summary Publication for Ordinance 2018-04-01, Amending Variance and Appeal Provisions* (pp. 45-47)

CITY BUSINESS – REGULAR AGENDA

- A. Sheriff Report* (pp. 49-50)
 - a. Dog attack Q&A with Sgt. Marquardt
Time Budget: 30 Minutes
- B. 27 Birchwood Lane Conditional Use Permit* (pp. 51-62)
 - a. Review permit holder's request for adjustment
Time Budget: 30 Minutes
- C. City Engineer Projects* (pp. 63-64)
 - a. Discuss Birch St. & Birchwood Ave. storm runoff
Time Budget: 10 Minutes
- D. Additional Kayak/Canoe Racks* (p. 65)
 - a. Council deliberation
Time Budget: 15 Minutes
- E. Special Assessments Policy (Wingfield)* (pp. 67-72)
 - a. Council deliberation
Time Budget: 10 Minutes
- F. Comprehensive Plan Update* (pp. 73-145)
 - a. Review and approve submission for adjacent jurisdictional review
Time Budget: 5 Minutes
- G. First Reading Ordinance 2018-11-01 Amending Conditional Uses* (pp. 147-148)
 - a. Council deliberation
 - b. Approve first reading and order public hearing
Time Budget: 5 Minutes
- H. Commission / Committee Appointments* (p. 149)
 - a. Review Committee / Commission vacancies
 - b. Approve staff to publish openings and begin accepting letters of interest
Time Budget: 5 Minutes
- I. Ice Rink / Warming House* (p. 151)
 - a. Heater replacement bids
 - b. Staffing plan
Time Budget: 10 Minutes
- J. Council Member Reports
- K. City Administrator's Report
 - a. Oakridge Dr. retaining wall repair* (p. 153)

* Denotes items that have supporting documentation provided

Time Budget: 10 Minutes

ADJOURN

* Denotes items that have supporting documentation provided

RESOLUTION 2018-22

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

**A RESOLUTION CERTIFYING THE RESULTS OF THE MUNICIPAL ELECTION
HELD ON NOVEMBER 6, 2018**

BE IT RESOLVED by the Board of Canvass for the City of Birchwood Village to accept the election returns as certified (see Exhibit) by the Election Judges for the election held in the City of Birchwood Village on November 6, 2018 and to declare Mary Wingfield elected Mayor for the two-year term ending December 31, 2020, Jonathan Fleck and Kevin Woolstencroft elected Council members for the four-year term ending December 31, 2022, and Jessi Aakre elected Council member for the two-year term ending December 31, 2020.

The Motion for the adoption of the foregoing Resolution was made by _____ and seconded by _____. The following vote was taken:

Board Member Aakre _____
Board Member LaFoy _____
Board Member White _____
Board Member Woolstencroft _____
Board Chair Wingfield _____

I certify that the Board of Canvass of the City of Birchwood Village adopted the above Resolution on this 13th day of November 2018.

Mary Wingfield, Board of Canvass Chair

Attest:

Tobin Lay, City Administrator-Clerk

Abstract of Votes Cast
In the Precincts of the City of Birchwood Village
State of Minnesota
at the State General Election
Held Tuesday, November 6, 2018

as compiled from the official returns.

Summary of Totals
City of Birchwood Village
Tuesday, November 6, 2018 State General Election

Number of persons registered as of 7 a.m.	682
Number of persons registered on Election Day	22
Number of accepted regular, military, and overseas absentee ballots and mail ballots	86
Number of federal office only absentee ballots	1
Number of presidential absentee ballots	0
Total number of persons voting	594

Summary of Totals
City of Birchwood Village
Tuesday, November 6, 2018 State General Election

KEY TO PARTY ABBREVIATIONS

NP - Nonpartisan

Mayor (Birchwood Village)

NP	WI
Mary Wingfield	WRITE-IN**
407	53

Council Member at Large (Birchwood Village) (Elect 2)

NP	NP	WI
Jonathan E. Fleck	Kevin Woolstencroft	WRITE-IN**
373	326	29

Special Election for Council Member at Large (Birchwood Village)

NP	WI
Jessi Aakre	WRITE-IN**
397	8

Detail of Election Results
City of Birchwood Village
Tuesday, November 6, 2018 State General Election

Precinct	Persons Registered as of 7 A.M.	Persons Registered on Election Day	Total Number of Persons Voting
82 0035 : BIRCHWOOD VILLAGE CITY	682	22	594
City of Birchwood Village Total:	682	22	594

Detail of Election Results
 City of Birchwood Village
 Tuesday, November 6, 2018 State General Election

Office Title: Mayor (Birchwood Village)

Precinct	NP	WI
	Mary Wingfield	WRITE-IN**
82 0035 : BIRCHWOOD VILLAGE CITY	407	53
Total:	407	53

Office Title: Council Member at Large (Birchwood Village) (Elect 2)

Precinct	NP	NP	WI
	Jonathan E. Fleck	Kevin Woolstencroft	WRITE-IN**
82 0035 : BIRCHWOOD VILLAGE CITY	373	326	29
Total:	373	326	29

Office Title: Special Election for Council Member at Large (Birchwood Village)

Precinct	NP	WI
	Jessi Aakre	WRITE-IN**
82 0035 : BIRCHWOOD VILLAGE CITY	397	8
Total:	397	8

We, the legally constituted county canvassing board, certify that we have herein specified the names of the persons receiving votes and the number of votes received by each office voted on, and have specified the number of votes for and against each question voted on, at the State General Election held on Tuesday, November 6, 2018

As appears by the returns of the election precincts voting in this election, duly returned to, filed, opened, and canvassed, and now remaining on file in the office of the City of Birchwood Village Clerk. Witness our official signature at _____ in _____ County this _____ day of _____, 2018.

Member of canvassing board

State of Minnesota
City of Birchwood Village

I, _____, Clerk of the City of Birchwood Village do hereby certify the within and foregoing _____ pages to be a full and correct copy of the original abstract and return of the votes cast in the City of Birchwood Village State General Election held on Tuesday, November 6, 2018.

Witness my hand and official seal of office this _____ day of _____, 2018.

Birchwood

1. Check every voted ballot for write-ins
2. Count ALL write-in votes for the offices of : Municipal and/or School District 73
3. If there were no write-ins, print "NONE" here:
4. Return this form in the canvas bag

Office	Candidate's NAME	Number of Votes
MAYOR	Steve Dean	1
MAYOR	RANDY LAFOY	11111
MAYOR	CHRIS CHURCHILL	111
MAYOR	KATHY Blegen-Huntley	1
Soil Conservation ^{Dist. 2}	Paul Gastor	1
Council member	TOM Nelson	1
Council Member	TRILBY WHITE	1
Mayor	Anyone ELSE	11
Mayor	Paul Edwards	1
Mayor	Megan Mulvey	1111
Council Member	Tyler Johnson	111
MAYOR	MARY Sue Simmons	11
Mayor	Mike Lundberg	11
Mayor	AL Mitchell	1111 1111
Mayor	Tom McKeown	1 111
Council Member	JIM BARTHEL	1
Mayor	Santa Claus	1
Mayor	Tony Byerly	1
Mayor	LEN PRATT	1

Election Judge Signatures:

Cheryl [Signature]
Alice B Anderson

Birchwood

Office	Candidate's NAME	Number of Votes
MAYOR	Mickey Mouse	1
Council Member	Steve Bean	1
Mayor	Charlie Moore	1
Mayor	My Ass	1
MAYOR	Mary Hauser	11
Mayor	Peter Rabbit	1
Mayor Mayor	Nate Engel	1
← Mayor	Donald Duck 4/No Corruption in Government	1
Mayor	Snoopy	1
City Counsel	Betty Nicholson	1
"	Jibby Maas	1
"	Santa Claus	1
"	Pied Piper	1
"	David Lann	1
"	Mickey Mouse - ^{no corruption}	1
"	Minne Mouse No Clicks in Birchwood	1
"	Megan Malvey	1
"	Tony Demars	11
"	Mike Lundberg	1
"	John McCormick	1
"	Terry Graver	1
"	Andrew Jackola	1
"	Lucy	1
"	Terri Graver	1
Special Election	Marion Johnson	1
"	Porky Pig Get Rid of Old Boys of Birchwood	1
"	Peter Pan	1



Washington County Library

Keith Ryskoski
Director

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

Date: Nov. 2, 2018
Contact: Bethany Venable, Communications Specialist,
Bethany.Venable@co.washington.mn.us, 651-275-8504

Final community engagement event held for Wildwood Library building project

Washington County Library invites residents, patrons, and other members of the public to view architect renderings and offer feedback about the upcoming building project that will result in a new Wildwood Library.

The final community engagement event for the Wildwood Library project will take place Tuesday, November 13, from 6:30 to 8 p.m. at Wildwood Library.

Community engagement events have been a useful tool in the building project process, serving as opportunities for community members to discuss what they like about the current library, what they hope to see in a new facility, and to learn a little more about the building process. The architecture firm Hagen, Christensen, McIlwain, Inc. will offer a short presentation at the beginning of the event.

The design concepts presented at this open-house style event are the result of previous community engagement event input, review by library staff, and considerations about programming and collection uses of the space. Images projecting what the new library could look like will be on display during the event, and will remain on display at the library for about a week following the open house. These images, as well as an explanation by the architects, will be posted to the Washington County Library website at www.WashCoLib.org/Future.

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.

A great place to live, work and play...today and tomorrow

8595 Central Park Place, Woodbury, Minnesota 55125
Phone: 651-275-8500 • Fax: 651-275-8509 • TTY: 651-430-6246
www.co.washington.mn.us
Equal Employment Opportunity / Affirmative Action



(Architect’s proposed design concepts for a Wildwood Library. Full-scale images will be shared at the community engagement event on Tuesday, November 13.)

MEMORANDUM

DATE: November 9, 2018
TO: Birchwood Village City Council
FROM: Paul Carroll, City Treasurer-Deputy Clerk
SUBJECT: Music in the Park 2018



Birchwood Village

Background: Report on the Music in the Park (MIP) 2018 program.

Discussion: Music in the Park is becoming a tradition in Birchwood and displays potential as a hallmark event. In 2018 the City was involved in managing MIP for the first time. The goal was to hold the event and keep costs low. This goal was accomplished. The City spent less than \$2,000, labor included.

Turnout varied in 2018, averaging 50 to 70 people per concert with at least two weekends reporting 100 to 120-plus attendees. The City may also consider increasing event exposure with an enhanced online presence, kid’s groups or live-streaming each concert. Note however added costs may be anticipated.

If MIP duties were assigned to a volunteer, Parks Commission or a person willing to work at event staff rates (\$10 per hour) administrative costs would apply more directly to admin duties while reducing cost. There is public support and so continued volunteerism is likely. SCC cable coverage and an organized donation effort such as a music drive are ways to promote the event while T-shirts, a commemoration party or memorabilia may be good ways to designate and/or honor 2019 on-site volunteers and donors.

Budget Impact:

The amount of pay per performance was a discussion topic in 2018. Feedback from groups on the success of the tip jars is moderate. Two groups reported positive to moderate feedback and three did not respond. The other respondents were not aware or did not set out jars and two groups chose not to. One musician noted that residents biking, walking their dog or leaving their homes on a Sunday night to follow the music they hear from the local park do not always carry cash. New signage is needed in 2019 and establishing the event’s actual costs in the absence volunteer and donor activity is recommended. In 2018, volunteers accounted for 20 labor hours conservatively. Finally, thank you to our volunteers, donors, the Suburban Cable Commission, everyone involved and of course our residents and concert-goers alike in making Music in the Park 2018 a success!

MIP 2019 program cost estimation:

New Signage	\$ 240.00	(10 signs at \$20 per sign + 2 hours admin @ \$20/hr.)
Event Staff Time	\$ 280.00	(2hr @ \$10/hr/performance + 4hrs admin@ \$20/hr.)
Administrative Time	\$ 300.00	(15hr @ \$20/hr = all summer - contact bands, etc.)
Performance Costs	\$1,500.00	(10 performances @ \$150.00/performance)
Other Items	\$ 80.00	(i.e., T-Shirts, Water, Generator rental if necessary)
TOTAL	\$2,400.00	

Recommendation: Estimate 2019 costs by using the above as a discussion point. Reduce costs by assigning the general coordination of the event schedule to a capable and interested party and continue to operate on-site with volunteers if possible or paid event staff if needed. Consider future event growth in relation to liabilities, ADA compliance, public toileting, drinkable water access, parking, general safety and traffic management. Assign research with date due to responsible party/parties.

**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
SEPTEMBER 11, 2018**

MINUTES

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

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

Others Present: Jackie Reis, John Redpath, Bill Foussard, Craig Drake, Marilyn Emerson, Tom Heinz, Sue Heinz, Judy Walker, Houstoun Clinch and Doug Danks.

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

Mayor Wingfield: Added Pet Waste Stations. Changed Regular Agenda Item F to “Status of Code Enforcement”.

Administrator Lay: Requested to add budget meeting to the Administrator’s Report.

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

OPEN PUBLIC FORUM

ANNOUNCEMENTS

- A. Village Pickleball – Every Saturday, 9am at the hockey rink
- B. Bell Tower Eagle Scout Project – Donations are appreciated and still being accepted
- C. Please check with City Hall for lost & found items
- D. We are social. Follow us on Facebook and Twitter and/or register for the email listserv

ADMINISTRATIVE PRESENTATION

- A. Sheriff Report

CITY BUSINESS – CONSENT AGENDA

- A. Approve Regular Meeting Minutes from August 23, 2018
- B. Approve Treasurer’s Report

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

CITY BUSINESS – REGULAR AGENDA

- A. Interim Council Member Selection
 - a. Review Letters of Interest

Administrator Lay: Provided brief background of the process. Stated Jessi Aakre was lone letter of interest received.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO SEAT JESSI AAKRE AS INTERIM COUNCIL MEMBER. ALL AYES. MOTION PASSED.

b. Select and Swear In Candidate

Administrator Lay: Swore in Jessi Aakre as Interim City Council Member.

B. Greater White Bear Lake Community Foundation (GWBLCF) Presentation

GWBLCF Leaders: Introduced GWBLCF. Stressed importance of local saving, investment and community action. Introduced group's offerings.

C. East County Line Road Parking

Administrator Lay: Provided background information on the no parking signage along East County Line Road.

a. Council Deliberation

Sue Heinz (3840 East County Line Road): Asserted parking along the busy street is an important public safety issue.

Administrator Lay: Stated last year's letter to ~~effected~~-affected residents received several favorable, one neutral and no unfavorable responses. This year there was one request to remove the signs north of Cedar St.

Mayor Wingfield and Council Members: Discussed the issue in detail.

Tom Heinz (3840 East County Line Road): Reiterated that street parking and speeding along East County Line Road are important safety issues. Thanked Council and voiced appreciation for the no parking signage.

Councilmember White: Stated appreciation for the no parking signage also and added that maximizing the public usefulness of city streets will require options for safety and management alternatives on a citywide scale.

Mayor and Council Members: Referred this to the Roads Committee for further research and recommendations

D. Planning Commission Recommendations

Doug Danks (Planning Commission): Updated Council regarding ~~escrew-fees~~non-conforming uses as proposed. Suggested it would benefit the City to stick closely with State statute language to be adaptable.

a. Second Reading of Ordinance 2018-05-02, Non-conforming Uses (300.020.34 & 301.050) and order public hearing

Mayor, Council Members, Administrator Lay and Doug Danks (Planning Commission): Discussed proposed Ordinance 2018-05-02.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER WHITE TO ORDER A PUBLIC HEARING FOR ORDINANCE 2018-05-02 AT OCTOBER MEETING. ALL AYES. MOTION PASSED.

b. Second Reading of Ordinance 2018-04-01, Variances and Appeals (304.040) and order public hearing

Mayor, Council Members and Attorney Kantrud: Discussed the proposed ordinance language briefly.

Mayor Wingfield: Recommended "Planning" be inserted before "Commission" each time it occurs. Recommended 304.070 include "notice must to be sent in writing to property owner with sufficient detail as to reasons for the denial of any variance application or appeal".

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO ORDER A PUBLIC HEARING FOR ORDINANCE 2018-04-01 AT OCTOBER MEETING AS AMENDED. ALL AYES. MOTION PASSED.

- c. First Reading of Ordinance 2018-08-01, Impervious Surface Definition (300.020.23) and order public hearing

Mayor Wingfield: Addressed defining impervious surfaces. Asked to include swimming pools as an example of impervious surface.

Doug Danks (Planning Commission): Agreed. Provided background on impervious surfaces and its management.

Mayor, Council Members, Attorney Kantrud and Doug Danks (Planning Commission): Discussed at length.

Attorney Kantrud: Recommended language remains in order to serve as the fundamental ordinance document.

MOTION MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER AAKRE TO ORDER A PUBLIC HEARING FOR ORDINANCE 2018-08-01 AT OCTOBER MEETING. ALL AYES. MOTION PASSED.

E. Fee Schedule Amendments

- a. ~~Escrow Additions~~Access Fee (ROW & Easement)

Mayor, Council Members, Administrator Lay, Attorney Kantrud and Doug Danks (Planning Commission): Discussed proposed ~~escrow~~ fees to protect rights of way and easements.

Attorney Kantrud: Stated fees must correlate to actual costs incurred by the City such as administrative and staff time.

Mayor Wingfield: Learned from the City Water Superintendent that much of the right of way fees were being spent on his time locating utilities and that those expenditures had not been considered in the current fee amount.

Mayor and Council Members: Decided to amend right of way fees on the fee schedule to cover other administrative time and materials. To be reviewed again in October.

Mayor Wingfield: Highlighted damage to Dellwood Beach to illustrate recent access, use and abuse of City property. She proposes a usage agreement be used for access to the easements and parks.

Mayor, Council Members, Administrator Lay and City Attorney Kantrud: Discussed definition, scope and approach to an analysis of city property use.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER WHITE TO ASSIGN THE PLANNING COMMISSION TO REVIEW AND RECOMMEND ACTION ON CITY PROPERTY ACCESS AND USE WITH A MORATORIUM ON THE USE OF EASEMENTS FOR PRIVATE PURPOSES UNTIL ISSUE IS RESOLVED, WITH THE EXCEPTION OF THE BIRCHWOOD DOCK ASSOCIATION OR EMERGENCIES. ALL AYES. MOTION PASSED.

- b. Building Permit and Escrow ~~Fees~~Funds

Mayor, Council Members, Administrator Lay and Attorney Kantrud: Discussed proposed escrow ~~fees~~funds for building permits.

Doug Danks (Planning Commission): Clarified escrow money should be held in an escrow account. Stated Planning Commission concerns include permit requirements related to projects not abutting City property and smaller, more property-inclusive projects are subject to escrows. Provided examples of risk as related to City property and what should trigger an escrow. Stated Planning Commission recommends options that either escrow amounts may be imposed at discretion of Building Official or City Administrator, the escrow amount could equal a percentage of project or no escrows could be levied unless damage occurs. Doesn't believe residents should have more encumbrances on building projects.

Mayor Wingfield: Stated that in order to improve City's ability to recover damages option one or two is more attractive.

Mayor, Council Members, Attorney Kantrud and Doug Danks (Planning Commission): Continued discussion.

Doug Danks (Planning Commission): Asked Council to add provisions that detail known issues, such as the storage of project-related materials in the right of way, regardless of interior or exterior work being done.

Attorney Kantrud: Recommended provisions be added to make property owner responsible for all associated costs, such as roadway or curb damage and recommended an irrevocable letter of credit be used for large projects.

Doug Danks (Planning Commission): Suggested escrows may be tied to a need for a building permit.

Mayor and Council Members: Decided to gather community feedback first and the topic will be revisited in November. Asked Attorney Kantrud and Administrator Lay to create proposed language to the fee schedule and permit applications.

F. Status of Code Enforcement – Section 605: Animals, Rabies

Mayor Wingfield: Introduced issue with a recent personal story with a dog attack. Asked Council Members for input on code enforcement.

Attorney Kantrud: Stated section 605.085 integrates State Statute 347 and is written with respect to dangerous dogs.

Mayor and Council Members: Discussed Section 605, animals, rabies and code enforcement.

Houstoun Clinch (164 Wildwood Avenue): Stated he is a Veterinarian. Informed Council if labeled a “dangerous animal” it must be restrained at all times via steel chain or fence. Suggested ordinance may be worded more decisively.

Attorney Kantrud: Asserted the enforcement matter is likely a Sheriff contract performance issue.

Mayor, Council Members, Administrator Lay, Attorney Kantrud and Houstoun Clinch (164 Wildwood Ave): Continued discussion of Section 605 with respect to animals, rabies, code enforcement and enforcement service contract.

Administrator Lay: Assures Council considerable work has been done on this issue. Provided background and informed Council as to the status of this case. Asked for direction provided the work already performed and present status.

Mayor, Council Members, Administrator Lay, Attorney Kantrud and Houstoun Clinch (164 Wildwood): Continued discussion of Section 605 with respect to animals, rabies, code enforcement and Sheriff enforcement service contract.

Administrator Lay: Stated he has spoken with the sheriff sgt., dog catcher, and the Mayor has spoken with Sheriff Starry and will speak with the County Commissioner. The owner has received an initial citation but the sheriff dept. requires subsequent actions be a result of deputy witness of violations. Requested direction on issue.

Mayor, Council Members, Attorney Kantrud and Houstoun Clinch (164 Wildwood): Continued discussion.

Mayor and Council Members: Noted for the record this is a problematic, ongoing issue. Requested staff invite the sheriff to attend a future Council meeting to discuss further.

G. Birchwood Docks

a. Docks Committee Purpose

Administrator Lay: Provided a recent history of the Docks Committee and asked for further direction from Council.

Houstoun Clinch (Docks Committee): Stated Docks Committee would want a third member and to review the contract if continued.

Mayor Wingfield, Council Members and Houstoun Clinch (Docks Committee): Discussed the Docks Committee. They determined that the purpose of the Committee had been fulfilled and there was no additional need for the Committee.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO DISBAND THE DOCKS COMMITTEE. ALL AYES. MOTIONS PASSED.

b. 2019 Dock Management Contract

Administrator Lay: Requested direction from Council regarding the 2019 Dock Management contract.

Mayor, Council Members and Attorney Kantrud: Discussed the 2019 dock management contract.

Attorney Kantrud: Advised no changes to the contract and a renewal of term dates unless an issue is discovered.

Mayor and Council Members: Continued discussion. Directed Administrator Lay to use the 2018 contract for 2019 and to send the 2019 contract to the Birchwood Dock Association for review and to add the item to October's agenda for approval.

H. Roads Committee Update & Recommendations

a. Review Recommendations

Mayor, Council Members and Administrator Lay: Discussed Committee's recommendations, including street signage, traffic safety and repaving Lake Avenue.

Mayor and Council Members: Decided to revisit the repaving of Lake Avenue in December or early next year.

b. Advise if joint meeting is still desired

Mayor and Council Members: Decided no joint meeting is necessary.

c. Wildwood Avenue Sink Hole

Administrator Lay: Provided background and a bid from T.A. Schifsky to repair sinkhole at Grotto and Wildwood Ave.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE REPAIR OF THE GROTTA AND WILDWOOD AVENUE SINKHOLE UP TO \$3,000. ALL AYES. MOTION PASSED.

Judy Walker (Parks Committee): Requested to provide the Parks Committee Update.

I. Parks Committee Update

a. Deer Culling

Houstoun Clinch (Parks Committee): Requested public hearing on culling deer in City limits. Stated John Lund has a great deal of information prepared and that it apparently must happen within regular bow hunting season.

Mayor, Council Members and Houstoun Clinch (Parks Committee): Discussed deer culling within City limits.

Mayor and Council Members: Decided Parks Committee should hold an open house on topic and report back in October.

b. Emerald Ash Borer (EAB)

Houstoun Clinch (Parks Committee): Requested tree disease ordinance be updated to include ash borer and other diseases not currently covered.

Administrator Lay: Stated EAB is already in neighboring communities but not Birchwood so the ordinance has not been triggered for that disease. Recommended an overhaul of tree ordinance and set up a task force of professionals for comprehensive amendments.

Mayor, Council Members, Administrator Lay, Attorney Kantrud and Houstoun Clinch (Parks Committee): Discussed EAB, tree inspections, hiring an arborist, potential bidders, and scope of project and tree ordinance language.

Mayor and Council Members: Directed Administrator Lay to identify what an arborist would charge for services.

c. Dog Waste Stations

Houstoun Clinch (Parks Committee): Thanked city maintenance staff for installation of the waste stations and the three local veterinary hospitals that donated the receptacles.

Mayor, Council Members and Houston Clinch (Parks Committee): Discussed dog waste stations in great detail.

Mayor and Council Members: Asked Parks Committee to look into other waste station locations, the acquisition of additional bins and if the city should remove the baskets on receptacles near City garbage cans instead. Thanked Houston Clinch and Judy Walker for their time.

J. Council Member Reports

a. Mayor Wingfield

i. Reconvening Utility Committee

Mayor Wingfield: Stated sewer usage and rates are increasing and there are now extra costs for water meter readings due to a premium for service. Asserted these premiums are less than the expenses of new readout infrastructure.

Mayor Wingfield and Administrator Lay: Recommend Utility committee reconvene to evaluate and recommend new sewer/water utility rates.

ii. Tree Inspections

Mayor Wingfield: Researched tree inspections and found no constitutional issue. Recommended no change in approach.

iii. Fee Schedule Amendment

Mayor Wingfield, Council Members, Administrator Lay and Attorney Kantrud: Discussed fee schedule penalties in detail.

Mayor and Council Members: Agreed the penalty must cover at minimum administrative and staff costs.

Mayor and Council Members: Tabled discussion citing time constraints.

K. City Administrator's Report

a. Additional Kayak Racks

Administrator Lay: This year's demand was higher than the number of racks available.

Councilmember Woolstencroft: Excused himself from the meeting citing early morning work obligations.

Councilmember White: Proposed the item be tabled, also citing time constraints.

Mayor and Council Members: Tabled the item.

b. Videographer Rate Increase

Administrator Lay: Informed Council that the City Videographer was requesting an increase in compensation after completing a satisfactory first year with the City.

Mayor Wingfield: Offered friendly amendment to apply retro pay to August 2018 for hours worked at new hourly amount.

Councilmember White: Proposed amendment to include or ensure there is compensation to videographer in the instance of cancellation of scheduled meetings.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER AAKRE TO APPROVE THE VIDEOGRAPHER RATE INCREASE TO \$22.50/HR. PAY WILL OCCUR RETROACTIVELY TO AUGUST 2018 CANCELLED MEETING. CITY ATTORNEY KANTRUD WILL CONFIRM OR DRAFT LANGUAGE TO INCLUDE VIDEOGRAPHER PAY IN CASE OF THE CANCELLATION OF SCHEDULED MEETINGS AS AMENDED. ALL AYES. MOTION PASSED.

c. SL-Serco Meter Reading Contract

Administrator Lay: Provided background and stated Council may approve contract as-is to cover 2018 services. A three-year service contract is anticipated by year's end. Recommended maintaining water meter reading services with vendor.

MOTION WAS MADE BY COUNCILMEMBER WHITE AND SECONDED BY COUNCILMEMBER LAFOY TO ACCEPT THE SL-SERCO WATER METER READING CONTRACT AS PROPOSED. ALL AYES. MOTION PASSED.

Councilmember White: Thanked City Administrator Lay for his work on the issue.

d. Bell Tower Dedication Ceremony

Administrator Lay: Updated Council. Stated donations are still being accepted and numbers are not yet final.

Mayor, Council Members and Administrator Lay: Briefly discussed the Bell Tower project expenses.

Mayor Wingfield: Added there are items such as the commemorative plaque that still have to be completed. Stated Boy Scouts offered assistance on future projects to the tower and amount should be paid through the parks fund, history and culture.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER WHITE TO AUTHORIZE THE PAYMENT OF \$2,200 FROM THE PARKS FUND TO PAY FOR THE BELL TOWER PROJECT EXPENDITURES. ALL AYES. MOTION PASSED.

Administrator Lay: Requested a dedication ceremony date be set and recommended the last week in September.

Mayor and Council Members: Decided Mayor Wingfield and City Administrator Lay will set a date and inform Council.

e. Replace Fire Hydrant at Warming House

Administrator Lay: Provided estimate details from City Water Superintendent John Manship. Noted City of Mahtomedi generously donated a used fire hydrant. Stated the goal for installation is October at latest.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE THE FIRE HYDRANT PLUG INSTALLATION FOR \$4,500 OUT OF PARKS FUND. ALL AYES. MOTION PASSED.

f. Schedule Special Budget Meeting

Administrator Lay: Informed council a Survey Monkey will be sent to schedule meeting before September 30th.

g. Plugged City Storm Drains

Administrator Lay: T.A. Schifsky can propose a bid, but must inspect prior to bidding to determine cause.

Mayor Wingfield: Stated despite hourly inspection costs this vendor has been professional and historically the most affordable.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER AAKRE TO APPROVE UP TO \$2000 TO INVESTIGATE AND REPAIR THE PLUGGED DRAINS IF POSSIBLE USING T.A. SCHIFSKY.

ADJOURN

MOTION WAS MADE BY COUNCILMEMBER WHITE AND SECONDED BY COUNCILMEMBER AAKRE TO ADJOURN THE MEETING. ALL AYES. MOTION PASSED. MEETING ADJOURNED AT 10:07 PM CST.

ATTEST:

Mary Wingfield

Tobin Lay

**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
OCTOBER 9, 2018**

MINUTES

Members Present: Mayor Mary Wingfield, Councilmembers Kevin Woolstencroft, Trilby White, Randy LaFoy and Jessi Aakre.

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

Others Present: Chris Churchill, M.J. LaVigne, Helen Durista, Stan Karwoski, Moluipa Liengswangwong, Mary Kay O’Loughlin, Terence O’Loughlin, Shannon O’Loughlin Gaylord.

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

Mayor Wingfield: Added Special Assessments and Iris St. Intersection to Roads Committee Update. Added Code Issues and Pet Waste Receptacles to Council Member Reports.

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

OPEN PUBLIC FORUM

Stan Karwoski (Washington County Commissioner): Thanked Council and Administrator Lay for holding Bell Tower Ceremony. Updated Council briefly on new projects in the area. Stated if residents have questions or concerns to please contact him via email posted on the County’s website or via phone at 651-249-7684.

ANNOUNCEMENTS

- A. Thank you to musical group Amy & Adams and the 60+ attendees of last week’s Bell Tower Ceremony.
- B. Buckthorn Pulling Party – October 27 & 28, 9-11am
- C. Fall Leaf Pickup – Oct 29 & Nov 12
- D. Fire Hydrant Flushing – October 15-26. Please prepare accordingly
- E. TEDx Mahtomedi 2018 – October 28, 3pm at White Bear Unitarian Universalist Church in Mahtomedi
- F. City Elections – November 6 at City Hall
- G. WWI Armistice Commemoration – November 11, 11:00am at City Hall
- H. We are social. Follow us on Facebook and Twitter and/or register for the email listserv
- I. Birchwood Community Club Yoga – Tuesday’s weekly from 5pm – 6pm

VARIANCE / CONDITIONAL USE HEARING

- A. Variance Case No. 18-03-VB for 27 Birchwood Ln – Resolution No. 2018-18
 - a. Public Hearing

Mary Jane LaVigne (31 Birchwood Lane): Offered more background info. Requested plan include moving the wall farther to West.

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

b. Council Deliberation and Approval

Administrator Lay: Provided background for timing of public hearing, variance case, options and proposals.

Terence O’Loughlin (27 Birchwood Lane): Briefly addressed Council. Displayed plan drawings. (Time Stamp 00:18:30)

Mayor, Council Members, Administrator Lay and Terence O’Loughlin (27 Birchwood Lane): Discussed proposed “two wall” plan, wall locations and resolution language.

Councilmember LaFoy: Noted discussion has exceeded its time limit.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER WHITE TO EXTEND DISCUSSION TEN MINUTES. ALL AYES. MOTION PASSED.

Mayor Wingfield, Councilmember White and Terence O’Loughlin (27 Birchwood Lane): Continued discussion.

Moluipa Liengswangwong (23 Birchwood Lane): Stated concerns. Asked for clarification. Stated she supports the project as long as it does not encroach on neighboring property and is executed to professional standards.

Mayor Wingfield, Councilmember LaFoy and Terence O’Loughlin (27 Birchwood Lane): Continued discussion.

c. Approve Resolution 2018-18

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER AAKRE TO APPROVE RESOLUTION 2018-18 SUBJECT TO CHANGES IN 6, 7 AND 3 ON PAGE 3 OF THE RESOLUTION AS DISCUSSED. ALL AYES. MOTION PASSED.

Terence O’Loughlin (27 Birchwood Lane): Thanked neighbors and Administrator Lay for their input and support.

ADMINISTRATIVE PRESENTATION

A. Parks Committee Update

CITY BUSINESS – CONSENT AGENDA

- A. Approve Special Meeting Minutes from September 26, 2018
- B. Approve Treasurer’s Report
- C. Approve Resolution No. 2018-19, Appointment of Additional Election Judges 2018

Mayor Wingfield: Stated a few procedural corrections will strike the approval of September 11, 2018’s meeting minutes until the corrections are made. To be revisited in November.

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

CITY BUSINESS – REGULAR AGENDA

A. Sheriff Report and Presentation

Administrator Lay: Introduced Deputy Gribble with Washington County Sheriff’s Department.

Deputy Gribble (Washington County Sheriff’s Department): Presented recent crime statistics and addressed Council. Welcomed any questions. (Time Stamp: 00:50:00)

Mayor, Council Members and Deputy Gribble (Washington County Sheriff’s Department): Discussed crime, reported crime statistics, parking enforcement along East County Line Road and response time scenarios.

Councilmember LaFoy: Reminded Council discussion has exceeded its time limit.

Mayor Wingfield: Asked Deputy Gribble how residents report dissatisfaction with response time or follow up to an item.

Deputy Gribble (Washington County Sheriff's Department): Stated calling immediately is paramount. Noted items are prioritized according to severity of issue, timing, availability, staff size and geography covered by the Department. If there are issues, please contact the shift supervisor immediately and follow up for a status report if necessary.

Mayor Wingfield: Summarized that staff size appears to be a factor, Council will remind residents to call 911 right away and stated periodic reporting is a welcome first step in continuing to enhance the Sheriff-City relationship.

Mayor, Council Members and Deputy Gribble (Washington County Sheriff's Department): Continued discussion.

Mayor and Council Members: Thanked Deputy Gribble for his time at the meeting and his service to the community.

Administrator Lay: Requested Birchwood Dock Association move to Item B in the Agenda due to members present.

Mayor and Council Members: Approved.

B. Birchwood Dock Association (BDA)

- a. Review and Approve BDA's Annual Dock Permit Application

Chris Churchill (BDA): Stated no changes to permit from last year. Updated Council on status of the docks.

Mayor Wingfield, Council Members, Attorney Kantrud and Chris Churchill (BDA): Discussed possibility of an additional dock section and other related BDA procedural and management items. If dock addition is decided on later by BDA then amendment to the permit will be submitted by BDA.

- b. Authorize BDA to Apply for Dock Permits

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER AAKRE TO APPROVE THE DOCK PERMIT APPLICATIONS AND AUTHORIZE THE BDA TO SUBMIT THE APPLICATIONS TO WHITE BEAR LAKE CONSERVATION DISTRICT. ALL AYES. MOTION PASSED.

- c. Review and Approve 2019 Dock Management Contract

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER AAKRE TO APPROVE THE 2019 DOCK MANAGEMENT CONTRACT. ALL AYES. MOTION PASSED.

Chris Churchill: Asked for any more feedback or suggestions.

Mayor and Council: Voiced approval for the proposed dock and thanked Mr. Churchill and the BDA for a job well done.

Administrator Lay: Thanked Mr. Churchill for cleaning up the beaches so quickly.

C. Roads Committee Update and Recommendations

Administrator Lay: Updated Council on Roads Committee seeking a seventh committee member.

- a. Appointing Seth Plunkett to Committee

Mayor, Administrator Lay and Attorney Kantrud: Discussed applicant and appointment process briefly.

Attorney Kantrud: Stated it would be prudent to submit a letter of interest.

Mayor and Council Members: Decided letter of interest from Mr. Plunkett and second applicant if interested is required.

- b. Signage at Birchwood Ave & Cedar St

Administrator Lay: Updated Council. Stated Roads Committee recommends replacement of one sign at this intersection.

Mayor and Council Members: Directed Administrator Lay to purchase the additional sign as necessary.

c. East County Line Rd Parking

Administrator Lay: Updated Council.

Mayor, Council Members and Administrator Lay: Discussed no parking along East County Line Road.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO EXTEND DISCUSSION BY TEN MINUTES. ALL AYES. MOTION PASSED.

Mayor and Council Members: Directed Administrator Lay to write a memo requesting Roads Committee pursue the matter and report to Council.

d. Tree Trimming Along Cedar Street & Hall Avenue

Administrator Lay: Stated Roads Committee recommended for safety tree trimming occur along Cedar and Hall, also potentially for low hanging branches citywide. Two bids were received and one was withdrawn.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO AUTHORIZE ADMINISTRATOR LAY \$4,000 TO CONTRACT WITH STEVE DEAN TREE TRIMMING TO TRIM ALL TREES ALONG CEDAR STREET AND HALL AVENUE AS WELL AS SIDE ROADS CITY WIDE AS NECESSARY IN ACCORDANCE WITH THE BID PROPOSAL. ALL AYES. MOTION PASSED.

Mayor Wingfield: Clarified this action is in no way related to the “near miss” of oak tree branch falling that happened along Cedar Street. Stated sometimes random accidents happen but asserted work needs to be done to address any similar preventable issues.

e. Grotto St Repairs

Administrator Lay: Stated Roads Committee recommends repairs to Grotto St. washout with class 5 or similar.

Mayor Wingfield: Proposed the item be moved to Council Member Reports due to bid information she had received.

f. Street Striping

Administrator Lay: Updated Council.

Councilmember White: Stated streets that are not striped are actually preferred by a number of residents.

Mayor and Council Members: Decided to gather more public input and table the item to March.

g. Street Sweeping

Administrator Lay: Stated Roads Committee recommends budgeting one additional street sweep due to observed need.

Mayor, Council Members and Administrator Lay: Discussed the item in detail.

Mayor and Council Members: Assigned Mayor Wingfield and Administrator Lay to explore the item and revisit in spring.

h. Special Assessments

Mayor Wingfield: Updated Council regarding Lake Avenue improvements and possible methods to pay for project.

Mayor, Council Members and Attorney Kantrud: Discussed assessment application, scope, precedent and equity in light of Lake Avenue improvements.

Mayor and Council Members: Decided to initiate a formal conversation on a feasibility study for November’s meeting.

i. Iris Street Improvements

Mayor Wingfield: Updated Council on options and costs of repairs, referencing a recent T.A. Schifsky & Sons bid.

Councilmember LaFoy: Inquired as to the status of the gas line project along East County Line Road.

Administrator Lay: Provided background. Stated completion in November is anticipated.

D. Non-Conforming Uses (300.020.34 & 301.050)

a. Public Hearing

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

b. Third Reading and Final Vote on Ordinance 2018-05-02

Mayor Wingfield: Provided background of Ordinance 2018-05-02 and highlighted concerns.

Mayor, Council Members, Administrator Lay and Attorney Kantrud: Discuss Ordinance 2018-05-02.

Attorney Kantrud: Stated cannot expand or add to floor plan. Nonconforming structures may only be replaced as-is.

Councilmember LaFoy: Points to inconsistencies in format of code.

Mayor, Council Members and Administrator Lay: Discussed City codebook format and its history in detail.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE ORDINANCE 2018-05-02, NONCONFORMING USES. ALL AYES. MOTION PASSED.

E. Variances and Appeals (304.040)

a. Public Hearing

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

b. Third Reading and Final Vote on Ordinance 2018-04-01

Administrator Lay: Summarized recent changes in the ordinance language.

Mayor, Council Members and Administrator Lay: Discussed the changes and format of 2018-04-01.

Mayor and Council Members: Directed Administrator Lay to further indent the subsections for ease of reading.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER WHITE TO APPROVE ORDINANCE 2018-04-01 AS AMENDED. ALL AYES. MOTION PASSED.

F. Impervious Surface Definition (300.020.23)

a. Public Hearing

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

b. Second Reading on Ordinance 2018-08-01

Mayor, Council Members and Administrator Lay: Discussed notes and proposed changes to Ordinance 2018-08-01.

Attorney Kantrud: Agreed with Administrator Lay that language changes are matter of preference and not substantive.

Mayor, Council Members, Administrator Lay: Continued discussion.

Mayor and Council Members: Decided to write a full sentence in Exception 2 using Alan Mitchell's recommendation and adding that the City Engineer will determine the actual percentage on a case-by-case basis.

G. Fee Schedule Amendments – ROW & Late Fees

a. Council Review and Approval

Administrator Lay: Summarized the proposed amendments to the Fee Schedule.

Mayor, Council Members, Administrator Lay and Attorney Kantrud: Discussed fees in relation to permitting, enforcement and related billable administrative time.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER WHITE TO APPROVE THE PROPOSED FEE SCHEDULE AMENDMENTS AND ADD “OR \$50, WHICHEVER IS GREATER” TO THE END OF THE LAST SENTENCE OF THE SECTION TITLED, “LATE FEE.” MAYOR WINGFIELD AND COUNCILMEMBERS AAKRE, WHITE AND WOOLSTENCROFT VOTE AYE. COUNCILMEMBER LAFOY VOTED NAY. MOTION PASSED.

H. Noise Ordinance, Section 616

a. Council Deliberation

Mayor Wingfield: Summarized background issues behind Section 616.

Mayor and Council Members: Discussed time of night and varying types of noises. Decided to table the topic.

I. Administrative Enforcement

Mayor Wingfield: Provided a brief introduction.

Administrator Lay: Noted pros and cons of administrative staff holding the authority to write tickets in a small community.

Mayor, Council, Administrator Lay and Attorney Kantrud: Discussed enforcement, process and logistics in detail.

Mayor and Council Members: Decided to address the matter through fees first and revisit topic again only if necessary.

J. Impervious Surface Definition (300.020.23) - *Continued*

a. Council Deliberation

Attorney Kantrud: Stated definition of Impervious Surfaces (300.020.23) and detailed language verbatim granting the City Engineer authority to determine the actual percentage of impervious surfaces on a case-by-case basis.

Mayor Wingfield and Attorney Kantrud: Briefly discuss the language.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE AND ADOPT LAND USE SECTION 300, ORDINANCE 2018-08-01 AS AMENDED. ALL AYES. MOTION PASSED.

K. Birchwood Centennial Preparations

a. City Hall Renovations / Improvements

Mayor Wingfield: Summarized the topic and noted a need to make improvements to City Hall, pointing to a 2010 inspection report of City Hall. Recommended the building be inspected again and improvements made in preparation of Birchwood's centennial.

Mayor and Council Members: Discussed City Hall renovations and improvements.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER AAKRE TO APPROVE UP TO \$400 FOR AN UPDATE TO THE 2010 CITY HALL RENOVATIONS AND IMPROVEMENTS REPORT. ALL AYES. MOTION PASSED.

Mayor, Council Members and Administrator Lay: Continued discussion in detail.

Mayor and Council Members: Decided to strike initial motion and increase the “up to” amount to \$1,000. Tabled further discussion until inspection and update is conducted.

MOTION WAS MADE BY COUNCILMEMBER WHITE AND SECONDED BY COUNCILMEMBER AAKRE TO APPROVE UP TO \$1,000 FOR AN INSPECTION OF CITY HALL AND UPDATE TO THE 2010 CITY HALL RENOVATIONS AND IMPROVEMENTS REPORT. ALL AYES. MOTION PASSED.

b. Digitizing Historical Records

Mayor Wingfield: Informed Council that an application has been submitted to White Bear Lake Historical Society for a grant that would make this effort possible. Stated that starting this initiative now coincides well with upcoming centennial activities.

L. League of Minnesota Cities’ Annual Metro Meeting – November 29

a. Approve Council Member Attendance

Administrator Lay: Provided background on event. Stated Councilmember LaFoy expressed interest. Asked if other Council Members are interested in attending and if so, Council approval is required first.

Mayor and Council Members: Decided attendance was acceptable, but if attended by a Council Member a report back to Council is required. Administrator Lay will email Council to identify interested and able attendees.

M. Council Member Reports

a. Mayor Wingfield

i. Utility Committee Update

Mayor Wingfield: Spoke on recent lake litigation surcharge, water usage and rate increases. Final Recommendations will be prepared for December council meeting

Mayor, Council Members and Attorney Kantrud: Discussed the changes and increases briefly.

Councilmember Woolstencroft: Reminded Council that sump pump water routed down drains has caused many cities to inspect homes and dehumidifiers are another large source of wastewater volume.

Mayor and Council Members: Noted this topic of conversation for future reference.

ii. Home Ordinance Restrictions Removed in 2012

Mayor Wingfield: Stated prior to this Council it was decided residents would be allowed to run a business out of their home. Concerned about potential impact of code and if the City had lost regulatory authority due to its language.

Attorney Kantrud: Stated most professional, non-customer based services are accepted in most cities, Licenses are commonly preferred for businesses that may anticipate city traffic. Offered to review city code to confirm.

Attorney Kantrud: Stated after brief research that, if current, conditional uses section 301.070.1.F, “Home Occupations” are conditional uses in the City.

iii. Yoga

Mayor Wingfield: Stated Yoga starts next Tuesday.

iv. T.A. Schifsky Quotes provided for minor curb and drainage repairs, city hall rip rap, Grotto St. gravel, grading of pleasure skating rink and installing a swale for water to drain off Lake Avenue to the swale south of the ice rink

Mayor, Council Members and Administrator Lay: Reviewed fees and discussed status and approach to larger projects including Lake Avenue mill and overlay and Iris intersection improvement.

Mayor and Council Members: Decided to motion for identified priorities and revisit less time sensitive items spring 2019.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER WHITE TO CONTRACT FOR SERVICES WITH T.A. SCHIFSKY & SONS, INC. FOR PROPOSAL ITEMS NUMBER 1 (CITY HALL RIPRAP) AND 3 (PLEASURE RINK GRADING) AS WELL AS THE \$300 BITUMINOUS REPAIRS AS QUOTED. ALL AYES. MOTION PASSED.

Council Member White: Stated concern about overlay and roadwork heightening the road and impacting runoff.

Mayor and Council Members: Discussed the item briefly.

N. City Administrator's Report

a. Barton Winter WBLCD Resignation

Administrator Lay: Informed Council that Barton Winter was resigning from the WBLCD and stated that attendee is required in November. Requested Council please notify him if anyone is interested.

Mayor and Council: Requested Administrator Lay publishes a public service announcement in the White Bear Press.

b. Additional Kayak Racks

Administrator Lay: Stated Parks Committee has recommended additional Kayak/Canoe racks at Birch and Dellwood.

Mayor and Council Members: Discussed access, aesthetics, equity and convenience of both new and additional racks at Birch, Dellwood and Kay Beach. Tabled further discussion until November to allow more public input at the November meeting.

c. Tree Inspection Results

Administrator Lay: Provided inspection results. Requested approval to get bids for removal of dead City trees.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER AAKRE AUTHORIZING ADMINISTRATOR LAY TO REQUEST BIDS FOR THE REMOVAL OF CITY TREES IDENTIFIED IN THE 2018 CITY TREE INSPECTION AS DEAD. ALL AYES. MOTION PASSED.

d. Warming House Heater

Administrator Lay: Updated Council that he will contact John Manship for analysis. Bids will be reviewed in November.

ADJOURN

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER AAKRE TO ADJOURN THE MEETING. ALL AYES. MOTION PASSED. MEETING ADJOURNED AT 10:07 PM CST.

ATTEST:

Mary Wingfield
Mayor

Tobin Lay
City Administrator - Clerk

For the Period : 10/9/2018 To 11/9/2018

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$680,275.76	\$503.75	\$43,635.90	\$637,143.61
Road and Bridge	\$0.00	\$0.00	\$0.00	\$0.00
Comp Plan Grant	(\$1,100.00)	\$0.00	\$0.00	(\$1,100.00)
Tree Canopy Care	\$0.00	\$0.00	\$0.00	\$0.00
Special Rev Projects	\$18,007.02	\$0.00	\$0.00	\$18,007.02
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	(\$577.08)	\$0.00	\$0.00	(\$577.08)
Sewer Re-hab 2008 Debt	\$19,907.03	\$0.00	\$0.00	\$19,907.03
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	\$47,635.75	\$0.00	\$35,425.44	\$12,210.31
Sewer	\$35,806.61	\$0.00	\$10,945.53	\$24,861.08
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	\$858,943.74	\$503.75	\$90,006.87	\$769,440.62

Fund Name: All Funds

Date Range: 10/09/2018 To 11/09/2018

<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>
10/23/2018	Wingfield, Mary	171734508	Donation - Bell Tower 2018 - Cash	(10/23/2018) -	N	Contributions and Donations from Private Sources	100-36230-	\$ 25.00
								\$ 25.00
10/23/2018	Jwanouskos, Wm. & Ramona	171734509	Donation - Bell Tower 2018 - Ck#12283	(10/23/2018) -	N	Contributions and Donations from Private Sources	100-36230-	\$ 25.00
								\$ 25.00
10/23/2018	Birchwood Community Club	171734510	Donation - Bell Tower 2018 - Ck#1029	(10/23/2018) -	N	Contributions and Donations from Private Sources	100-36230-	\$ 25.00
								\$ 25.00
10/23/2018	Husnik, M.L.	171734511	Donation - Bell Tower 2018 - Ck#5735	(10/23/2018) -	N	Contributions and Donations from Private Sources	100-36230-	\$ 25.00
								\$ 25.00
10/23/2018	Aleckson, Jeffrey & Christine	171734512	Building Permit - Ck#1102	(10/23/2018) -	N	Building Permits	100-32211-	\$ 30.00
								\$ 30.00
10/23/2018	O'Loughlin, Terence & Mary Kay	171734513	Conditional Use Permit - Remaining Balance - Ck#27339	(10/23/2018) -	N	Building Permits	100-32211-	\$ 100.00
								\$ 100.00
10/23/2018	Ridler Heating & Cooling, Inc.	171734514	Buiding Permit - Ck#42851	(10/23/2018) -	N	Building Permits	100-32211-	\$ 94.43
								\$ 94.43
10/23/2018	S & R Heating, Cooling & Appliance	171734515	Building Permit - 523 Hall Ave - Ck#12229	(10/23/2018) -	N	Building Permits	100-32211-	\$ 31.00
								\$ 31.00
10/23/2018	Fireside Hearth & Home Retail Permi	171734516	Building Permit - Ref#4025 Z/G - Ck#0002009761	(10/23/2018) -	N	Building Permits	100-32211-	\$ 33.32
								\$ 33.32

Fund Name: All Funds

Date Range: 10/09/2018 To 11/09/2018

<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>
10/23/2018	LaFoy, Randy & Westin, Margaret	171734517	Building Permit - Ck#9896	(10/23/2018) -	N Building Permits	100-32211-	\$ 115.00

Total for Selected Receipts

\$ 115.00

\$ 503.75

Fund Name: All Funds

Date Range: 10/09/2018 To 11/09/2018

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
10/09/2018	Payroll Period Ending 10/04/2018	30246	Maintenance - Greg Beckman	N	Parks	100-45207-100-	\$ 724.57
	Total For Check	30246					\$ 724.57
10/09/2018	Payroll Period Ending 09/29/2018	30247	09/13/2018 - 09/29/2018	N	Parks	100-45207-100-	\$ 930.12
	Total For Check	30247					\$ 930.12
10/09/2018	Payroll Period Ending 10/02/2018	30248	Treasurer/Deputy Clerk - MIP 2018	N	Clerk - Treasurer	100-41401-100-	\$ 389.42
	Total For Check	30248					\$ 389.42
10/09/2018	Payroll Period Ending 09/30/2018	30249	Treasurer/Deputy Clerk	N	Clerk - Treasurer	100-41401-100-	\$ 618.12
	Total For Check	30249					\$ 618.12
10/09/2018	Anderson, Kay	30250*	Refund - Utility Billing Overpayment	N	Accounting	100-41530-810-	\$ 98.00
	Total For Check	30250					\$ 98.00
10/09/2018	Dabruzzi, Elizabeth	30251*	Refund - Utility Billing Overpayment	N	Accounting	100-41530-810-	\$ 319.80
	Total For Check	30251	Refund - Utility Billing Overpayment				\$ 319.80
10/09/2018	Huntley, Kathy or Steve	30252*		N	Accounting	100-41530-810-	\$ 21.92
	Total For Check	30252	Administrator - Insurance				\$ 21.92
10/12/2018	Payroll Period Ending 10/12/2018	30226	Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 420.12
	Total For Check	30226					\$ 420.12
10/12/2018	Payroll Period Ending 10/12/2018	30253	Reimbursement for Large Stamp Purchase - Sept 2018	N	Clerk - Treasurer	100-41401-100-	\$ 1,817.66
	Total For Check	30253					\$ 1,817.66
10/12/2018	Wingfield, Mary	30254		N	Postage/Postal Permits	605-41430-200-	\$ 268.00
	Total For Check	30254					\$ 268.00
10/12/2018	PERA	EFT101218A*	Employee Retirement - Tobin	N	Clerk - Treasurer	100-41401-121-	\$ 350.00

Fund Name: All Funds

Date Range: 10/09/2018 To 11/09/2018

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
		Total For Check	EFT101218A				\$ 350.00
10/12/2018	PERA	EFT101218E*	Employee Retirement - Jim Rydeen	N	Parks	100-45207-121-	\$ 402.51
		Total For Check	EFT101218E				\$ 402.51
10/15/2018	WBL Conservation District	30255	Kay Beach Permit Fee - 2018	N	Water Resources	100-46101-437-	\$ 50.00
		Total For Check	30255				\$ 50.00
10/18/2018	Manship Plumbing & Heating Inc	30256	Monthly Standby / Testing / Locates - 9/2018	N	Water Utility	601-43180-314-	\$ 1,510.00
		Total For Check	30256				\$ 1,510.00
10/18/2018	PERA	EFT101218B*	Employee Retirement - Jim Rydeen	N	Parks	100-45207-121-	\$ 49.32
		Total For Check	EFT101218B				\$ 49.32
10/18/2018	PERA	EFT101218C*	Employee Retirement - Jim Rydeen	N	Parks	100-45207-121-	\$ 162.74
		Total For Check	EFT101218C				\$ 162.74
10/18/2018	PERA	EFT101218D*	Employee Retirement - Jim Rydeen	N	Parks	100-45207-121-	\$ 178.51
		Total For Check	EFT101218D				\$ 178.51
10/23/2018	Kantrud, Alan	30257*	Attorney Fees 2018 - January - October 2018 Payment	N	Legal Services	100-41601-300-	\$ 15,000.00
		Total For Check	30257				\$ 15,000.00
10/26/2018	Payroll Period Ending 10/26/2018	30258	Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 1,817.66
		Total For Check	30258				\$ 1,817.66
10/26/2018	PERA	EFT102618A*	Employee Retirement - Tobin	N	Clerk - Treasurer	100-41401-121-	\$ 350.00
		Total For Check	EFT102618A				\$ 350.00
10/31/2018	Payroll Period Ending 10/29/2018	30259	Maintenance - Jim Rydeen	N	Parks	100-45207-100-	\$ 677.47
		Total For Check	30259				\$ 677.47
11/06/2018	Lay, Tobin	30260	Reimbursement - Election & Bell Tower Supplies	N	Elections	100-41410-810-	\$ 1.59
		30260				100-41410-810-	\$ 44.55
		30260			Office Operations Supplies	100-41911-810-	\$ 4.26
		30260				100-41911-810-	\$ 22.51

Fund Name: All Funds

Date Range: 10/09/2018 To 11/09/2018

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
		30260			Unallocated Expenditures	100-49201-810-	\$ 94.13
	Total For Check	30260					\$ 167.04
11/06/2018	Manship Plumbing & Heating Inc	30261	Monthly Standby / Testing / Locates - 10/2018	N	Water Utility	601-43180-314-	\$ 2,590.00
	Total For Check	30261					\$ 2,590.00
11/06/2018	City of White Bear Lake	30262	Fire Services - November 2018	N	Fire	100-42201-314-	\$ 1,694.75
	Total For Check	30262					\$ 1,694.75
11/06/2018	Leeves, Robert	30263*	Videographer	N	Cable Eqpmt and Service	100-41950-314-	\$ 90.00
	Total For Check	30263					\$ 90.00
11/06/2018	Gopher State One Call	30264*	Locates (31 Tickets) - Sept 2018 & Locates (20 Tickets) October 2018.	N	Utility Locates	605-42805-314-	\$ 41.85
	Total For Check	30264*				605-42805-314-	\$ 27.00
		30264					\$ 68.85
11/06/2018	Metropolitan Council - Env. Service	30265*	Wastewater Service - Nov 2018.	N	Sewer Utility	605-43190-217-	\$ 4,411.24
	Total For Check	30265					\$ 4,411.24
11/06/2018	Woolstencroft, Joseph	30266	Warming House Camera Installation	N	Parks	100-45207-587-	\$ 730.00
	Total For Check	30266					\$ 730.00
11/06/2018	Outdoor Lab	30267*	201 Wildwood Avenue Project	N	Grading	100-43102-314-	\$ 4,670.00
	Total For Check	30267*			Street Projects	100-43201-314-	\$ 2,800.00
		30267					\$ 7,470.00
11/06/2018	CAPRA'S UTILITIES, INC	30268*	New Hydrant at Tighe-Schmitz Park - 2018 & Oakridge Dr Water Main Repair	N	Wtr/Swr Emergency	601-43185-314-	\$ 10,414.50
	Total For Check	30268*			Parks	601-45207-314-	\$ 4,005.00
		30268					\$ 14,419.50
11/06/2018	Steve Dean Tree Trimming	30269*	Water Main Deposit Storage	N	Parks	601-45207-314-	\$ 600.00
	Total For Check	30269					\$ 600.00

Fund Name: All Funds

Date Range: 10/09/2018 To 11/09/2018

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
11/06/2018	City of White Bear Lake	30270*	Water Billing - 06/13/18 - 09/18/18.	N	Water Utility	601-43180-314-	\$ 16,305.94
	Total For Check	30270					\$ 16,305.94
11/06/2018	Metropolitan Area Management Assoc.	30271*	City Management Training - 10/11/2018	N	City Training and Development	100-41914-433-	\$ 25.00
	Total For Check	30271					\$ 25.00
11/06/2018	PERA	30272*	Employee Retirement - Fee for Rydeen Retirement Contributions	N	Parks	100-45207-437-	\$ 30.00
	Total For Check	30272					\$ 30.00
11/06/2018	Kantrud, Alan	30273*	Attorney Fees - November 2018	N	Legal Services	100-41601-300-	\$ 1,500.00
	Total For Check	30273					\$ 1,500.00
11/06/2018	Lyle Signs, Inc.	30274*	Traffic Signage + Brackets.	N	Street Signs	100-43155-999-	\$ 60.97
	Total For Check	30274					\$ 60.97
11/06/2018	Allstream	30275*	Analog Phone Line - 10/23/18 to 11/22/18	N	General Government Buildings and Plant	100-41940-320-	\$ 46.11
	Total For Check	30275					\$ 46.11
11/06/2018	Thatcher Engineering, Inc	30276*	Plan Reviews	N	Engineer Service	100-41650-300-	\$ 1,275.00
		30276*				100-41650-300-	\$ 85.00
		30276*				100-41650-300-	\$ 170.00
		30276*				100-41650-300-	\$ 255.00
		30276*	IT & Phone Services - Oct 2018			100-41650-300-	\$ 425.00
	Total For Check	30276					\$ 2,210.00
11/06/2018	City of Roseville	30277*		N	General Government Buildings and Plant	100-41940-320-	\$ 366.00
		30277*	General Repairs - Lift Stations - 07/03/18 - 09/24/18.			100-41940-320-	\$ 62.12
	Total For Check	30277					\$ 428.12
11/06/2018	White Bear Township	30278*	Wastewater Service - Dec 2018.	N	Sewer Utility	605-43190-314-	\$ 1,201.32
	Total For Check	30278					\$ 1,201.32
11/06/2018	Metropolitan Council - Env. Service	30279*		N	Sewer Utility	605-43190-217-	\$ 4,411.24

Fund Name: All Funds

Date Range: 10/09/2018 To 11/09/2018

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
		Total For Check	30279				\$ 4,411.24
11/06/2018	Tennis Sanitation, LLC	30280*	Recycling for Service Period: Sep - Oct 2018	N	Recycle	100-43300-314-	\$ 1,656.00
		Total For Check	30280				\$ 1,656.00
11/06/2018	TSE Inc. - Work Account	30281*	Janitorial Services - 09/20/18, 10/04/18 & 10/18/18.	N	General Government Buildings and Plant	100-41940-314-	\$ 25.00
		30281*				100-41940-314-	\$ 25.00
		30281*				100-41940-314-	\$ 28.13
		Total For Check	30281				\$ 78.13
11/06/2018	AirFresh Industries, Inc.	30282*	Standard Portable Restroom Rental (2) - Oct & Nov 2018	N	Parks	100-45207-314-	\$ 162.50
		30282*				100-45207-314-	\$ 81.25
		Total For Check	30282				\$ 243.75
11/06/2018	Office Depot	30283*	Office & Bell Tower Supplies	N	Office Operations Supplies	100-41911-200-	\$ 9.49
		30283*				100-41911-200-	\$ 26.51
		30283*			Parks	100-45207-210-	\$ 5.19
		30283*			Unallocated Expenditures	100-49201-210-	\$ 36.37
		30283*				100-49201-210-	\$ 5.30
		Total For Check	30283				\$ 82.86
11/06/2018	Press Publications	30284	Legal Notice Publications	N	Ordinances and Proceedings	100-41130-351-	\$ 124.13
		30284				100-41130-351-	\$ 48.45
		30284				100-41130-351-	\$ 290.70
		30284				100-41130-351-	\$ 121.12
		Total For Check	30284				\$ 584.40
11/06/2018	League of MN Cities	30285	Training - 2018 Regional Meeting - LaFoy Registration & LMC Annual WC Insurance Fee.	N	City Training and Development	100-41914-433-	\$ 45.00
		30285			City Insurance	100-41945-361-	\$ 526.00
		Total For Check	30285				\$ 571.00
11/06/2018	Xcel Energy	EFT110618A*	Electric Utility Billing, Gas for Generator & Street Lights - 09/17/18 - 10/16/18.	N	General Government Buildings and Plant	100-41940-380-	\$ 106.30
		EFT110618A*				100-41940-383-	\$ 53.30

Fund Name: All Funds

Date Range: 10/09/2018 To 11/09/2018

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
		EFT110618A*			Street Lighting	100-43160-380-	\$ 1,237.20
		EFT110618A*			Parks	100-45207-380-	\$ 14.48
		EFT110618A*			Sewer Utility	605-43190-380-	\$ 336.94
		EFT110618A*				605-43190-380-	\$ 172.78
		EFT110618A*				605-43190-380-	\$ 46.25
		EFT110618A*				605-43190-383-	\$ 28.91
		Total For Check	EFT110618A				\$ 1,996.16
11/06/2018	Amazon	EFT110618B*	Office Supplies	N	Office Operations Supplies	100-41911-210-	\$ 87.97
		EFT110618B*				100-41911-210-	\$ 37.99
		Total For Check	EFT110618B				\$ 125.96
11/06/2018	MN Department of Labor and Industry	EFT110618C*	Building Permit Surcharge - Sept 2018	N	Building Inspections Administration	100-42401-437-	\$ 43.99
		Total For Check	EFT110618C				\$ 43.99
11/08/2018	Walker Roofing	30286*	Bldg. Permit Refund	N	Building Inspections Administration	100-42401-810-	\$ 8.60
		Total For Check	30286				\$ 8.60
Total For Selected Checks							\$ 90,006.87

As on 11/9/2018

Special Rev Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Dock/Lift Permit Fee	0.00	12,050.00	12,050.00
Total Acct 322	0.00	12,050.00	12,050.00
Park Fees	0.00	220.00	220.00
Total Acct 347	0.00	220.00	220.00
Total Revenues	0.00	12,270.00	12,270.00
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)
Community Events	0.00	1,500.00	(1,500.00)
Total Acct 451	0.00	1,700.00	(1,700.00)
Parks			
Operating Supplies (211 through 219)	0.00	35.38	(35.38)
Misc	0.00	220.00	(220.00)
Total Acct 452	0.00	255.38	(255.38)
Total Disbursements	0.00	1,955.38	(1,955.38)
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		12,270.00	
Total Disbursements and Other Financing Uses		1,955.38	
Cash Balance as of 11/09/2018		18,007.02	

As on 11/9/2018

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 11/09/2018		66,233.91	

As on 11/9/2018

Water

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Water Fee	0.00	57,814.29	57,814.29
Penalty - Late Water/Sewer	0.00	409.82	409.82
State and Misc fees	0.00	1,590.00	1,590.00
Total Acct 341	0.00	59,814.11	59,814.11
Water Main Break	0.00	3,053.41	3,053.41
Total Acct 349	0.00	3,053.41	3,053.41
Delinquent Water/Sewer Fees	0.00	1,460.42	1,460.42
Total Acct 361	0.00	1,460.42	1,460.42
Total Revenues	0.00	64,327.94	64,327.94
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Financial Administration			
Contracted Services	0.00	7,721.97	(7,721.97)
Total Acct 415	0.00	7,721.97	(7,721.97)
Water Utility			
Repair and Maintenance Supplies (221 through 229)	0.00	216.50	(216.50)
Contracted Services	0.00	65,297.96	(65,297.96)
Fees	0.00	1,686.00	(1,686.00)
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)
Contracted Services	0.00	10,414.50	(10,414.50)
Total Acct 431	0.00	88,764.86	(88,764.86)
Parks			
Contracted Services	0.00	4,605.00	(4,605.00)
Total Acct 452	0.00	4,605.00	(4,605.00)
Total Disbursements	0.00	101,091.83	(101,091.83)
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		64,327.94	
Total Disbursements and Other Financing Uses		101,091.83	
Cash Balance as of 11/09/2018		12,210.31	

As on 11/9/2018

Sewer

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Penalty - Late Water/Sewer	0.00	524.74	524.74
Sewer Fee	0.00	81,489.79	81,489.79
Total Acct 341	0.00	82,014.53	82,014.53
SPECIAL ASSESSMENTS	0.00	16,978.01	16,978.01
Delinquent Water/Sewer Fees	0.00	1,460.42	1,460.42
Total Acct 361	0.00	18,438.43	18,438.43
Total Revenues	0.00	100,452.96	100,452.96
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Postage/Postal Permits			
OFFICE SUPPLIES (201 through 209)	0.00	1,041.60	(1,041.60)
Total Acct 414	0.00	1,041.60	(1,041.60)
Engineer Service			
PROFESSIONAL SERVICES (301 through 319)	0.00	4,960.00	(4,960.00)
Total Acct 416	0.00	4,960.00	(4,960.00)
Office Operations Supplies			
OFFICE SUPPLIES (201 through 209)	0.00	37.93	(37.93)
Total Acct 419	0.00	37.93	(37.93)
Utility Locates			
Contracted Services	0.00	256.40	(256.40)
Total Acct 428	0.00	256.40	(256.40)
Sewer Utility			
Sewer - Wastewater Charge	0.00	48,523.64	(48,523.64)
PROFESSIONAL SERVICES (301 through 319)	0.00	67,972.50	(67,972.50)
Contracted Services	0.00	8,891.07	(8,891.07)
Utility Services (381 through 389)	0.00	8,594.23	(8,594.23)
Utility Services: Gas Utilities	0.00	311.08	(311.08)
Total Acct 431	0.00	134,292.52	(134,292.52)
Total Disbursements	0.00	140,588.45	(140,588.45)
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		100,452.96	
Total Disbursements and Other Financing Uses		140,588.45	
Cash Balance as of 11/09/2018		24,861.08	

MEMORANDUM

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: County All-Hazard Plan



Birchwood Village

Dear Mayor and Council Members,

Hazard mitigation is the effort to reduce loss of life and property by lessening the impact of disasters. It is most effective when implemented under a comprehensive, long-term mitigation plan. Mitigation plans are key to breaking the cycle of disaster damage, reconstruction, and repeated damage.

Washington County Sheriff's Office Emergency Management staff has completed the most recent update to the Washington County All Hazard Mitigation Plan. The plan update process engaged representatives from cities and townships in hazard mitigation planning to identify risks and vulnerabilities associated with natural and manmade disasters and develop long-term strategies for protecting people and property from future hazard events. **This plan may be viewed through the following weblink: <https://www.co.washington.mn.us/DocumentCenter/View/21943/All-Hazard-Mitigation-Plan---Public>. Do to the size of this plan (233 pages), this plan is not included in the packet but a copy will be available at the November City Council meeting.**

After making the required updates to the Washington County All Hazard Mitigation Plan over the past two years, the plan was submitted to Minnesota Homeland Security and Emergency Management and then FEMA for approval. Both agencies reviewed the plan and approved it with no changes required.

The last step in the plan update process is the approval locally by the county board and local City Councils and Town Boards by resolution, which is what is being requested today.

Please note that to receive any of the funding sources described in more detail below, your local jurisdiction must have submitted a signed resolution to the county for submittal to the State and FEMA. A FEMA-approved hazard mitigation plan is a condition for receiving certain types of non-emergency disaster assistance, including funding for mitigation projects.

More information on funding sources tied to the Washington County All Hazard Mitigation Plan.

1. Hazard Mitigation Grant Program (HMGP) – The HMGP provides grants to States and local governments to implement long-term hazard mitigation measures after a major disaster declaration occurs in Minnesota. The purpose of the program is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster.
 HMGP funds may be used to fund projects that will reduce or eliminate the losses from future disasters. Projects must provide a long-term solution to a problem, for example, elevation of a home to reduce the risk of flood damages as opposed to buying sandbags and pumps to fight the flood. Funds may be used to protect either public or private property or to purchase property that has been subjected to, or is in danger of, repetitive damage.

HMGP funding may be used to acquire disaster prone property to create a buffer against future disasters, construct new facilities, or even nonstructural measures such as development of floodplain management regulations.

<https://www.fema.gov/hazard-mitigation-grant-program>

2. Pre-Disaster Mitigation (PDM) Program - The Pre-Disaster Mitigation (PDM) program provides technical and financial assistance to States and local governments for cost-effective pre-disaster hazard mitigation activities that complement a comprehensive mitigation program, and reduce injuries, loss of life and damage and destruction of property.

<https://www.fema.gov/pre-disaster-mitigation-grant-program>

3. Flood Mitigation Assistance (FMA) Program - FMA provides funding to assist states and communities in implementing measures to reduce or eliminate the long-term risk of flood damage to buildings, manufactured homes, and other structures insurable under the National Flood Insurance Program (NFIP). There are three types of grants available under FMA: Planning, Project, and Technical Assistance Grants. A few examples of eligible FMA projects include: the elevation, acquisition, and relocation of NFIP-insured structures. Funding for the program is provided through the National Flood Insurance Fund, and FMA is funded at \$20 million nationally.

<https://www.fema.gov/flood-mitigation-assistance-grant-program>

Request/Recommendation

Staff requests Council:

- 1) Approve enclosed Resolution 2018-20 Adopting Washington County All-Hazard Mitigation Plan.

Thanks!

Regards,
Tobin Lay

RESOLUTION 2018-20

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

**A RESOLUTION ADOPTING THE WASHINGTON
COUNTY ALL-HAZARD MITIGATION PLAN**

WHEREAS, the City of Birchwood Village has participated in the hazard mitigation planning process as established under the Disaster Mitigation Act of 2000, and

WHEREAS, the Act establishes a framework for the development of a multi-jurisdictional County Hazard Mitigation Plan; and

WHEREAS, the Act as part of the planning process requires public involvement and local coordination among neighboring local units of government and businesses; and

WHEREAS, the Washington County Plan includes a risk assessment including past hazards, hazards that threaten the County, an estimate of structures at risk, a general description of land uses and development trends; and

WHEREAS, the Washington County Plan includes a mitigation strategy including goals and objectives and an action plan identifying specific mitigation projects and costs; and

WHEREAS, the Washington County Plan includes a maintenance or implementation process including plan updates, integration of the plan into other planning documents and how Washington County will maintain public participation and coordination; and

WHEREAS, the Plan has been shared with the Minnesota Division of Homeland Security and Emergency Management and the Federal Emergency Management Agency for review and comment; and

WHEREAS, the Washington County All-Hazard Mitigation Plan will make the county and participating jurisdictions eligible to receive FEMA hazard mitigation assistance grants; and

WHEREAS, this is a multi-jurisdictional Plan and cities that participated in the planning process may choose to also adopt the County Plan.

NOW THEREFORE BE IT RESOLVED that the City of Birchwood Village supports the hazard mitigation planning effort and wishes to adopt the Washington County All-Hazard Mitigation Plan.

Resolution duly seconded and passed this 13th day of November, 2018.

Mary Wingfield, Mayor

Attest:

Tobin Lay, City Administrator-Clerk

MEMORANDUM



Birchwood Village

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Resolution 2018-21 Summary Publication

Dear Mayor and Council Members,

Last month the Council approved Ordinance 2018-04-01 Amending Variance and Appeal Provisions. Due to the length of that Ordinance, staff requests Council approve enclosed Resolution 2018-21 to authorize a summary publication for this Ordinance, as included with Resolution 2018-21. The summary publication was written by the City Attorney.

Request/Recommendation

Staff requests Council:

- 1) Approve enclosed Resolution 2018-21.

Thanks!

Regards,
Tobin Lay

RESOLUTION 2018-21

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

**A RESOLUTION APPROVING SUMMARY PUBLICATION OF ORDINANCE
NO. 2018-04-01, AN ORDINANCE AMENDING THE CITY'S ZONING CODE TO
BETTER DESCRIBE VARIANCE STANDARDS AND APPEALS IN BIRCHWOOD
CITY CODE SECTION 304**

WHEREAS, the City of Birchwood Village is a political subdivision, organized and existing under the laws of the State of Minnesota; and

WHEREAS, the City has adopted Ordinance No. 2018-04-01, which amends City Code Section 304 variance and appeal provisions; and

WHEREAS, the new ordinance is lengthy and would be costly for the City to publish in its entirety as required by law for the adoption of an ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Birchwood Village, Minnesota, as follows:

1. Because the terms of Ordinance 2018-04-01 are lengthy, the City may publish the attached summary of the Ordinance as allowed by statute, and need not publish the entire ordinance. The attached summary clearly informs the public of the intent and effect of the Ordinance. Summary publication has been approved by at least a 4/5 vote of the City Council.
2. The effective date of the Ordinance amendments shall be upon their publication by summary as required by law.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 13th day of November, 2018.

Mary Wingfield, Mayor

Attest:

Tobin Lay, City Administrator-Clerk

Please be advised that the City of Birchwood has duly-passed the following ORDINANCE:

AN ORDINANCE AMENDING THE CITY'S ZONING CODE TO BETTER DESCRIBE VARIANCE STANDARDS AND APPEALS IN BIRCHWOOD CITY CODE SECTION 304.

The following is a SUMMARY of the Ordinance:

On October 9, 2018 the City amended Code 304: The purpose of this code amendment is to bring the variance standards used in evaluating applications for variances from the City's zoning code into line with State Law. The amendments also address by whom the decisions regarding variance are made (the Planning Commission) and then how appeals are handled (with the City Council acting as the Board of Appeals).

PLEASE BE ADVISED, this is not the full text of the Ordinance passed and the published material is only a summary. The full text is available for public inspection at the City of Birchwood, 207 Birchwood Ave, Birchwood, MN or delivered upon request electronically or by U.S. Mail.

Summary complies with Minn. Stat. §§ 331A.05 subd. 8. & 412.191 subd 4.

MEMORANDUM



Birchwood Village

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

Dear Mayor & City Council Members:

Below is a reporting of all law enforcement incidents and citations for October 2018.

Also, Several months ago the Council asked staff to invite someone from the Washington County Sheriff Department to attend a Council meeting to answer questions about a recent dog attack and enforcement of the City's animal ordinance.

Sgt. Marquardt has agreed to attend tonight's meeting for this purpose and is present to answer Council's questions on this topic. Thanks!

Incident Summary Report

From:10/1/2018 12:00:00 AM To:10/31/2018 11:59:59 PM



WASHINGTON COUNTY SHERIFFS OFFICE

BIRCHWOOD

10/1/2018 5:27:48 PM	WC18038389	XXX Cedar St, BIRCHWOOD	MEDICAL
10/3/2018 4:36:12 PM	WC18038678	XXX Wildwood Ave, BIRCHWOOD	SUICIDE ATTEMPT/THREATS OF
10/3/2018 11:48:32 PM	WC18038731	XXX Hall Ave, BIRCHWOOD	TRAFFIC STOP
10/6/2018 4:01:34 PM	WC18039126	XXX Cedar St, BIRCHWOOD	Found dog
10/8/2018 2:54:42 AM	WC18039296	XXX Wildwood Ave, BIRCHWOOD	SUSPICIOUS PERSON/ACTIVITY
10/12/2018 2:30:18 AM	WC18039789	OAKRIDGE DR / FIVE OAKS LN, BIRCHWOOD	PARKING COMPLAINT
10/14/2018 4:59:00 AM	WC18040135	40XXX -598 WILDWOOD AVE, BIRCHWOOD	PARKING COMPLAINT
10/14/2018 5:16:05 AM	WC18040136	30XXX -340 WILDWOOD AVE, BIRCHWOOD	PARKING COMPLAINT
10/15/2018 1:48:41 AM	WC18040223	19XXX -31 OAKRIDGE DR, BIRCHWOOD	PARKING COMPLAINT
10/15/2018 11:20:08 PM	WC18040375	XXX Birchwood Ave, BIRCHWOOD	911 ABANDONED/HANGUP/OPEN LINE
10/18/2018 2:59:03 PM	WC18040765	XXX Lake Ave, BIRCHWOOD	PARKING COMPLAINT
10/24/2018 8:23:43 AM	WC18041532	XXX Cedar St, BIRCHWOOD	MEDICAL
10/27/2018 3:13:49 AM	WC18041891	30XXX -427 HALL AVE, BIRCHWOOD	TRAFFIC COMPLAINT
10/27/2018 8:02:21 PM	WC18041993	XXX Wildwood Ave, BIRCHWOOD	CHILD CUSTODY
10/29/2018 10:27:58 AM	WC18042244	Cedar St / Birchwood Ave, BIRCHWOOD	dog off leash

Citations for: Birchwood

10/1/2018 To 10/31/2018

Agcy	Date	Citation Number	Badge	Officer Name	Citation Type	Block	Street Name	Str Sfx	Cross Street Name	Cross St Sfx	City	Literal Description	Statute
WCSO	10/4/2018	820022827601	WC121 1	J. Hutchins	Citation	0	HALL AVE				Birchwood	DL-Drive After Revocation/DAR	171.24.2
WCSO	10/14/2018	820019828702	WC122 2	C. Valesano	Citation	300	WILDWOOD AVE				Birchwood	BW - No overnight parking	502.040
WCSO	10/14/2018	820019828701	WC122 2	Cooper Valesano	Citation	0	WILDWOOD AVE				Birchwood		502.040
WCSO	10/20/2018	820022829301	WC129 9	A. Palmer	Citation	0	CEDAR ST		OAKRIDGE DR		Birchwood	CRIM-Possess Small Amount of Marijuana in MV (1.4 grams or more) CRIM-Possession of Drug Paraphernalia	152.027.3
WCSO	10/20/2018	820022829301	WC129 9	A. Palmer	Citation	0	CEDAR ST		OAKRIDGE DR		Birchwood	CRIM-Possess Small Amount of Marijuana in MV (1.4 grams or more) CRIM-Possession of Drug Paraphernalia	152.092(a)
WCSO	10/27/2018	820031830001	WC120 5	R. Boleen	Citation	7	OAKRIDGE DR				Birchwood	BW - No overnight parking	502.040
WCSO	10/27/2018	820031830002	WC120 5	R. Boleen	Citation	300	HALL AVE				Birchwood	BW - No overnight parking	502.040

Thanks!

Regards,
Tobin Lay

MEMORANDUM**Birchwood Village**

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: 27 Birchwood Lane Conditional Use Permit

Dear Mayor and Council Members,

Last month the Council heard and approved a Conditional Use and Variance request for Variance Case No. 18-03-VB for 27 Birchwood Lane. This case included several options to repair the slope facing White Bear Lake that had slide into the lake. The Council agreed to approve the several options as long as the City Engineer approved the plan that was eventually selected. As part of its approval, the Council approved Resolution 2018-18 that stipulated the requirements of the approval, assuming the desired plan would include the installation of additional retaining walls.

The owners of 27 Birchwood Lane, Terence & Mary Kay O’Loughlin, made the repairs to the existing lower retaining wall per the plans that were approved during the variance hearing but now have decided to not install additional retaining walls higher up the slope. Instead, the O’Loughlins wish to restore the slope as it was prior to the landslide but do not wish to use the plan for that option that was considered during the variance hearing.

Staff has instructed and City Engineer Steve Thatcher has requested the O’Loughlins submit new plans certified by a licensed engineer or architect. The O’Loughlins feel they have already spent enough money on engineering plans and wish to proceed without additional certified plans. Resolution 2018-18 stipulated that plans be “signed by a professional engineer licensed in Minnesota...” but because Resolution 2018-18 only mentioned the plans involving the installation of additional retaining walls and because the O’Loughlins no longer wish to install new walls, the O’Loughlins believe this stipulation does not apply. For this purpose, the O’Loughlins have requested audience with the Council to seek approval to proceed without this requirement.

Although not memorialized in Resolution 2018-18, City Engineer Thatcher wrote the following prior to the Planning Commission’s review of this Variance case (also enclosed in full):

“I recommend that the City require OLoughlin to:

1. Hire a Professional Engineer (PE) licensed in Minnesota to meet City Code requirements for both parts of OLoughlin’s plan which is as follows:
 - a. Get the soil off the beach and into the hole, and fill up the hole to its former contour by bringing in whatever amount of new soil is necessary to do so, perhaps installing Geo-grid material in the process
 - b. Repair and replace lower wall, and perhaps install new upper wall and replace/relocate stairways.
2. Hire a contractor that will construct the work in accordance with the PE’s requirements.

The purpose of the requirement is to (1) protect the public health, safety and welfare and (2) make sure that OLoughlin’s plan is structurally sound.”

The Planning Commission considered and supported Thatcher’s recommendation but determined that a licensed architect would also suffice (although also not memorialized in the Resolution).

Enclosed are pictures of the landslide site, Terry O'Loughlin's email, City Engineer Thatcher's email, and Resolution 2018-18. Both the O'Loughlins and City Engineer Thatcher are present to answer Council questions on this matter.

Request/Recommendation

Staff requests Council:

- 1) Consider City Engineer's recommendation to require certification by a licensed engineer;
- 2) Consider the O'Loughlin's request to proceed with new plans without certification by a licensed engineer or architect; and
- 3) Direct staff and O'Loughlins accordingly.

Thanks!

Regards,
Tobin Lay





Tobin Lay

From: Steven W. Thatcher <sthatcher@thatcher-eng.com>
Sent: Monday, September 24, 2018 3:52 PM
To: Tobin Lay
Subject: RE: 27 Birchwood Lane RCWD #18-127R

Follow Up Flag: Follow up
Flag Status: Completed

Tobin,

I reviewed the following background information:

1. Email dated September 21, 2018 at 10:28 am, from Terence OLoughlin to you that states:
 - a. "We are [are] in the process of preparing detailed drawings to submit by 9/28 to repair and replace lower wall, and perhaps install new upper wall and replace/relocate stairways. But before any of this is done, we need to get the soil off the beach and into the hole, and fill up the hole to its former contour by bringing in whatever amount of new soil is necessary to do so, perhaps installing Geo-grid material in the process."
2. Email dated September 21, 2018 at 3:36 pm, from OLoughlin to you that states:
 - a. "Tobin - For the work we're discussing whether a permit is needed (getting soil off beach, and refilling the hole to former contour with Geogrid), I'm working with two very reputable landscapers. I haven't received a bid from one, and therefore have not hired either."
3. City Code Section 306.080 Notification and Procedures for Conditional Use Permits paragraph 7 that states:
 - a. "the Council may impose conditions it considers necessary to protect the public health, safety and welfare."
4. City Code Section 306.030 Conditional Use Permit for Land Disturbing Activity paragraph 3 Required Information in Application for Land Disturbance Activity has requirements for plans and states in paragraph 3b:
 - a. Demonstration that the work will not adversely affect the water or wildlife of lakes, ponds, or wetlands into which water from the altered land will drain, or adversely affect adjacent parcels of land.

On September 21, OLoughlin states that we are in the process of preparing detailed drawing. However, in the afternoon of the same day he states that he has not hired anyone. Therefore, it appears that no one is preparing detailed drawings, or maybe he is doing it himself.

A preliminary review of the qualifications and experience of Yardmasters Landscapes (YL), 4157 Omaha Ave N, Stillwater, MN 55082 (OLoughlin's potential contractor) with this type of work shows that they are not qualified to meet City Code Section 306.030. YL may be qualified to do the construction work provided the work is performed in accordance with the plans prepared by a Professional Engineer licensed in Minnesota.

I recommend that the City require OLoughlin to:

1. **Hire a Professional Engineer (PE) licensed in Minnesota to meet City Code requirements for both parts of OLoughlin's plan which is as follows:**
 - a. **Get the soil off the beach and into the hole, and fill up the hole to its former contour by bringing in whatever amount of new soil is necessary to do so, perhaps installing Geo-grid material in the process**
 - b. **Repair and replace lower wall, and perhaps install new upper wall and replace/relocate stairways.**

2. Hire a contractor that will construct the work in accordance with the PE's requirements.

The purpose of the requirement is to (1) protect the public health, safety and welfare and (2) make sure that OLoughlin's plan is structurally sound.

The City has the authority to require OLoughlin to hire a Professional Engineer (PE) licensed in Minnesota based on City Code Section 306.080 Notification and Procedures for Conditional Use Permits paragraph 7.

Please let me know if you have any further questions.

Thanks,
Steve

Steven Thatcher, PE
Thatcher Engineering Inc.

6201 Creek Valley Road
Edina, MN 55439
Phone: 612-781-2188 Cell: 612-867-7234 Fax: 612-781-2188 Web: www.thatcher-eng.com

Tobin Lay

From: Terence OLoughlin <tjol1938@gmail.com>
Sent: Tuesday, November 6, 2018 11:50 PM
To: Tobin Lay; Steve Thatcher
Cc: Mary Wingfield
Subject: 27 Birchwood Lane

Follow Up Flag: Follow up
Flag Status: Flagged

Tobin and Steve

A week or so ago Gunderson Construction Co. completed the work of pouring a new 12” concrete wall between the buttresses of the existing wall near the shore per the engineering plans of Northland Consultants filed with the City. As you know, we have now decided not to proceed with Northland’s plan for 2 new upper walls; instead, we want to proceed with the plan to repair and restore the slope to its former contours, adding extensive plantings of deep-rooted low-growth sumac. We have Sirek Landscaping Co. lined up to begin this work this Sat and Sun, our goal being to get the slope stabilized before winter sets in. In my below email to each of you, I indicated I would call Steve today; but, I expressed concern that I would be required to have an engineer spend significant time at the site to “supervise” the work, or prepare additional engineering plans and drawings. When I talked to Steve today, he said I needed to submit further written plans and drawings signed by a licensed engineer. I told Steve I have already spent a \$6000+ in engineering and landscaping fees, and cannot understand why more engineering plans and drawing are needed to repair and restore the hole on the slope. We have lived in our house for 48 years, and the Cardozos and Oppenheimers lived there many more years before without any problem with the slope. The ONLY reason the mudslide occurred was that I inadvertently left a hose running wide open, at the exact point on the top slope that the mudslide started, for over 12 hrs. from early evening to 9am the next morning when the mudslide was discovered. If the slope is repaired and restored with deep-rooted plantings, I have been advised by an experienced architect, engineer and landscaper contractor that there is minuscule risk that a similar occurrence will occur in the future [provided the hose is not left running again]. I do recall Doug Danks advising at the Planning Commission that an engineer or architect should “supervise” the work, which he explained meant only a visit to the site. But I do not recall being told that, if we decided to repair and restore the slope, we needed to hire another engineer to prepare additional plans and drawings. Equally important, I find nothing in the Council’s Resolution granting us Permits that requires such additional engineering plans and drawings. I ask that you, Tobin and Steve, point out any language in the Resolution requiring such plans and drawings. The only references I see in the Resolution requiring additional engineering plans or drawings are: in Condition 9 re new stairs; and, under the heading entitled “Prior to the City signing this Resolution [which I presume it has already done], in paragraphs 3 b. re “retaining walls” and 3 c. re “Rip Rap.”

I am quite anxious to proceed with the work on Sat and Sun to stabilize the slope before the weather prevents any further work before Spring. Tobin has advised an additional Bldg. Permit is not required. I respectfully request that you reconsider the necessity of requiring more engineering plans and drawings, and advise that we may proceed on Sat and Sun repairing and restoring the slope to its former contours. I am copying Mary Wingfield.

Terry.

On Nov 5, 2018, at 10:45 PM, Terence OLoughlin <tjol1938@gmail.com> wrote:

Tobin - I will call Steve Thatcher tomorrow afternoon. We plan to comply with Steve’s recommendation to have an engineer “supervise” the work. But, as

was clarified in my discussion with Doug Danks at the Planning Commission meeting, this just entails a visit to the site, not spending substantial time at the site. And, I hope no one is requesting more detailed written plans. I don't recall any request for more plans (except as to new stairway) at either the Planning Commission or Council meetings. I've already spent a lot of money on engineering and landscaping plans on file with the City, and see no need for more. Terry

Sent from my iPhone

On Nov 5, 2018, at 6:09 PM, Tobin Lay <Tobin.Lay@cityofbirchwood.com> wrote:

Steve,

Terry has decided against putting in the new upper walls and to instead put the slope back together with geogriding and drain tile. Jack does not require a permit for this work so it will simply fall under the CUP that was recently approved. The Planning Commission and City Council approved your recommendation that this work be overseen by a licensed Engineer or Architect. Accordingly, Terry will be contacting you to find out what you need from this professional to satisfy this requirement. Please work with Terry to get the necessary plans/approvals and let me know what you decide. I will still need to have Terry submit the materials you agree on through the City office so we have a record of it and I can forward it on to you. Does this work for you?

Tobin Lay
City Administrator-Clerk
City of Birchwood Village, MN
office: [\(651\) 426-3403](tel:6514263403)
fax: [\(651\) 426-7747](tel:6514267747)
email: tobin.lay@cityofbirchwood.com
website: <http://www.cityofbirchwood.com/>

<image003.jpg>

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RESOLUTION 2018-18

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT
AND
VARIANCES
FOR
27 BIRCHWOOD LANE
WITHIN THE CITY OF BIRCHWOOD VILLAGE, MINNESOTA**

WHEREAS, a proposal dated September 28, 2018 has been submitted by Terence and Mary Kay O’Loughlin requesting a conditional use permit and variances from the City of Birchwood Village Zoning Code:

1. A Conditional Use Permit for land disturbance activity where the slope of the land is toward a lake and the alteration is closer to the lake than the structure setback requirement, per Code Section 301.070.1.a;
2. A 50-foot variance from the 50-foot setback requirement for retaining walls, per Code Section 302.020.4.c, in order to locate one retaining wall at the Ordinary High Water Level (OHWL) and two additional walls per Northland exhibit C2.0;
3. A 20-foot variance to grade within 20 feet of the OHWL, per Code section 302.020.4.c;
4. A 4-foot side yard setback in order to construct the new stairs per Code Section 302.020.2;
5. A variance from the 25% impervious area limit not to exceed the existing 30.2% lot cover – the site being grandfathered-in at 30.2% (this was in City Resolution 2013-13 regarding this property) – achieved with offsetting storm water management mitigation BMP as approved by the City Engineer;
6. A variance for a 48” wide stair from the 44-inch maximum width for stairways, per 302.080.2 (a variance request was in City Resolution 2013-13 regarding this property).

WHEREAS, the Planning Commission has reviewed the request and made its recommendation as required by the City Zoning Code on October 4, 2018; and

WHEREAS, a public hearing has been held as required by the City Zoning Code on October 9, 2018 by the City Council; and

WHEREAS, the proposed wall(s) will stabilize the soil while attempting to maintain the natural slope of the land as much as safely possible; and

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

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

For the Conditional Use Permit:

1. The proposal is consistent with the City's Comprehensive Plan.
2. The proposal is consistent with existing and future land uses in the area.
3. The proposal conforms to the Zoning Code requirements.
4. That the special conditions attached in the form of a conditional use permit are hereby approved.
5. That the proposed action will not:
 - a. Impair an adequate supply of light and air to adjacent property,
 - b. Unreasonably diminish or impair established property values within the surrounding area,
 - c. In any other respect impair the public health, safety or welfare or the residents of the City.
 - d. Depreciate values in the area.
 - e. Over-burden neither the existing public services nor the capacity of the City to serve the area.
 - f. Alter traffic generation beyond the capabilities of the streets serving the site.

For the Variances:

1. That the proposed actions will not:
 - a. Impair an adequate supply of light and air to adjacent property,
 - b. Unreasonably diminish or impair established property values within the surrounding area,
 - c. In any other respect impair the public health, safety or welfare or the residents of the City.
2. That the variances are proved necessary in order to secure for the applicant the right or rights enjoyed by others in the same area of the district.
3. That the variances are not being granted simply because there are no objections or because those who do not object outnumber those who do.
4. That a financial gain or loss by the applicant is not a consideration.
5. Special conditions or circumstances exist which are peculiar to the land involved.

FURTHER, BE IT RESOLVED, that the City Council of the City of Birchwood Village hereby approves the requested conditional use permit and variances subject to the following conditions:

1. All application materials, maps, drawings and descriptive information submitted with this application shall become part of this permit.
2. Per section 306.090, if within one (1) year after granting the conditional use permit and variances, the use has not been completed or utilized, the permit shall become null and void unless a petition for extension of time in which to complete or utilize the use has been granted by the City Council.
3. Any violation of any condition set forth by this resolution shall be a violation of the City code and of the Conditional Use Permit and the City Council, after notification and procedures per Section 306.090, may terminate the Conditional Use Permit.
4. The applicant shall verify their property lines and have the property pins exposed throughout construction, including at the time of inspection, to insure that all work is contained within the limits of the property.

5. The proposed contours shall tie into the existing contours along the side lot lines so that the project does not affect adjacent properties.
6. The construction shall conform to the revised design depicted in sheet C2.1 indicating two additional retaining walls above the existing shoreline wall.
7. Submit impervious surface calculations with additional impervious surface areas created by the new retaining walls construction and the percentage of impervious surface and area of impervious surface added by the riprap areas above the OHWL.
8. Drawings and description of the BMP proposed to offset the increase in impervious surface area maintaining the current 30.2% site impervious surface area.
9. If the stairs are not reinstalled as it exists, then the applicant must submit a plan for the stairway signed by a professional engineer licensed in Minnesota to the City of Birchwood Village showing all necessary construction data including location, design, dimensions and construction materials before construction may begin. The plan shall meet the requirements of City Code Section 302.080.2. and be subject to the review and approval of the City Engineer.

Prior to the City signing this resolution, the applicant shall:

1. Obtain all necessary approvals from the Department of Natural Resources, the Rice Creek Watershed District, the White Bear Lake Conservation District, and any Agency, Department or Government entity which has jurisdiction over the project.
2. Submit a copy of all approvals to the City.
3. Provide plans to the City signed by a professional engineer licensed in Minnesota that show the proposed construction work that:
 - a. Meets the requirements of the Department of Natural Resources, the Rice Creek Watershed District, the White Bear Lake Conservation District, and any Agency, Department or Government entity which has jurisdiction over the project.
 - b. The retaining walls to be installed.
 - c. The Rip Rap to be installed, if any.
4. Sign and return a copy of the resolution to the City Administrator as evidence of consent to comply with the conditions stated therein.

Prior to installing any retaining wall the applicant shall:

1. Set pins at the OHWL.

The forgoing resolution, offered by Council member _____ and supported by Council member _____, was declared carried on the following vote:

Ayes:
Nays:

Passed:

MEMORANDUM



Birchwood Village

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: City Engineer Projects

Dear Mayor and Council Members,

The following storm runoff systems have been brought to my attention recently that are currently not working effectively.

Birch St / Owl St. System

After recent Xcel Energy work along Birchwood Avenue and Birch Street, the contractors improperly installed an asphalt curb across a storm drainage line (see below pic). In fulfilling his duty to oversee the ROW permits, City Engineer Thatcher visited this site with staff and the contractor to discuss required corrections.

During this visit, Thatcher analyzed the storm runoff system currently in place between Birch and Owl Streets and determined that it was not fulfilling its purpose of slowing down storm water.



Birchwood Ave. System

Recent unauthorized landscaping done at the end of Birchwood Avenue (east end) removed a natural storm water runoff system that had built up over time, causing storm water to now flow in several directions rather than toward an established channel off the road.

The City has not established a formal storm water runoff system here and residents abutting this dead end road are currently at the mercy of the land owner of the dead end to build up a natural system to handle the runoff.



Request/Recommendation

Staff requests Council:

- 1) Authorize City Engineer Thatcher to study these systems and provide Council a recommended fix for both.

Thanks!

Regards,
Tobin Lay

MEMORANDUM

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Additional Kayak Racks



Dear Mayor and Council Members,

Kayak/canoe racks are a high demand commodity in Birchwood. We currently offer 49 slots on 9 racks spread out on every beach easement except Kay and Kurt Feistner Memorial Preserve. Even with 49 slots, we have additional demand.

I was asked to request the Parks Committee discuss whether to build additional racks and if so, recommend where to place these new racks.

The Parks and Natural Resources Committee discussed this topic accordingly and recommends building at least two (2) additional racks to be placed at Birch and Dellwood easements.

Last month the Council discussed placement of racks at other lake easements and tabled the agenda item to November to allow more input from residents on the subject.

Request/Recommendation

Staff requests Council:

- 1) Allow feedback on this topic from the public;
- 2) Discuss the Parks Committee's recommendation and public feedback;
- 3) Determine where new kayak racks should be constructed; and
- 4) Approve the construction and installation of two (2) additional racks at those locations.

Thanks!

Regards,
Tobin Lay

MEMORANDUM

DATE: November 4, 2018

TO: Birchwood City Council
FROM: Mayor Mary Wingfield
SUBJECT: Special Assessments Policy



ISSUE: Should the city use the Public Works Fund to Pay for Mill and Overlay projects or should the City continue to assess such projects and share in the cost.

BACKGROUND:

To address the issue of how to fund major road projects I reached out to

Shelly Rueckert (Saint Anthony Village Finance Director) who has provided financial advice to the city since 2010 and provides expertise with our budget, spending, bonding, accounting and billing issues.

Steve Thatcher (City Engineer since 2013)

Past City Minutes discussing the creation of the public works fund

Google search of potential Special Assessment policy templates.

Here is what I found:

HISTORY:

The April 16, 2013 special council meeting was held to address financing issues and determine a long term plan for financial stability and self-sufficiency. The minutes state one solution was to "create an annual improvement levy to build up a reserve and cover regular road maintenance in the future." (See Public Works Doc p.2).

The city had no such fund to date and Shelly recommended this was an important tool for us to employ. To that end, the Public works fund was levied for 2014 to help the city manage its crack filling and seal coating projects. We have been levying \$30,000 for that fund each year since for a total of \$150,000.

At the May 14, 2013 council meeting, the cost of road repairs was discussed to address the significant maintenance issues we were facing. (See page 3-4 of Public Works Doc). The cost of seal coating half the city at that time was \$42,000. (The council intended that crack filling expenses would also come out of this fund, but this is a significantly lower cost). In 2014, we expected to spend another \$42,000 for chip sealing the rest of town and that it would last four or five years depending on use before it would have to be done again.

It is important to note that the city had no public works funds set aside to conduct this maintenance, so the initial expense put us in a negative fund balance but we did not show it on the books, rather we took the expense from our general account so we could build up the fund. After 5 years, it is now at \$66,000, which is higher than we anticipated in 2013 since the cost of gas was \$4.00 per gallon at that time. The \$66,000 is probably a reasonable sum to have in light of the sewer and water fund balances we keep.

PROFESSIONAL RECOMMENDATIONS:

Shelly Rueckert informed me that cities routinely consider Mill and Overlays a 50% improvement rate. The road improvement extends the life of the road, but to a lesser degree than a full reconstruction. She strongly recommends the city continue to use the fund as originally designed and have part of the project assessed to the neighboring properties. This stabilizes the city's expenses and fairly apportions the cost to the users.

Steve Thatcher suggested that it is rare for a city to not assess a Mill and Overlay project. He opined that the improvement would extend the life of the road by an additional ten years. He said it was his experience that property values are improved and limiting the portion to 50% but no more than the benefit conferred was appropriate.

The Maplewood and North St Paul Special Assessment Policies lay out a comprehensive plan (I will work up a proposal for Birchwood using their template--stay tuned) to address different levels of projects from basic maintenance to property improvements. It is important to note that Maplewood's definition of Mill and Overlay states that "This is considered a structural improvement that will renew the street surface and extend its useful life."

If we would use the Public Works Fund to pay the Lake Avenue improvements, we will have effectively exhausted the fund and is contrary to the council's 2013 initiative. Accordingly, I recommend the city initiate a cost benefit analysis of the Lake Avenue Mill and Overlay project to begin the improvement/assessment process.

ONE OTHER NOTE: If the city were to directly incur the expense of all road mill and overlays, the cost would be unaffordable with the current public works outlay. Lake Avenue is less than 10% of the city's total road system. The cost of a Mill and Overlay of all the roads would be nearly a half million dollars. The Public Works fund would be an insufficient funding method, especially when it continues to be used to cover regular seal coating and crack filling.

-
m

SUMMARY OF APRIL 16, 2013 CITY COUNCIL BUDGET WORKSHOP

Council Present: Greg Donovan, Bill Hullsiek, Randy Lafoy, Kevin Woolstencroft, Mary Wingfield

Also present: Shelly Rueckert, Al Mitchell

The purpose of the meeting was to review current expenses and anticipated costs and develop a plan to ensure financial stability to the sewer, water and general funds.

WATER FUND: \$30,000 currently

- No water main breaks this winter, so the fund has rebounded
- The CWO needs to inventory the status of all hydrants when flushing this spring. There were 18 hydrants in need of various states of repair as noted in a 9/17/2010 WBL memo to the city. Original WBL estimate of repair costs: about \$15,000- \$18,000. A December 4, 2012 St Paul Water Works noted at least 9 still had issues
- Net savings in changing CWO contract: about \$6000-8000 annually...to be considered at May 2013 meeting
- WBL informed us that we will be charged for their SCADA upgrade. Estimated cost: \$10,000

The finance committee needs to review annual maintenance expenses and determine necessary fund balance to cover CIPs and recommend rate adjustments, if any

SEWER FUND: \$110,000 currently (debt \$200,000 and projected revenue \$100,000). (Debt liability: \$200,000...revenue projected \$100,000) Net value at end of 2018: \$10,000

- To clarify the 2012 numbers: Income was \$82,000...expenses were \$110,000. Net loss: \$28,000... THIS DOES NOT INCLUDE BOND PAYMENTS.
- SCADA COSTS: \$20,000-40,000 for 2013-14
- WBL increase in monthly maintenance charges: \$8000 (?) annually
- Other CIP costs: 2017 \$5000 televising remaining 10% of lines. Potential sewer project if deterioration is seen; sewer jetting every three years. Cost TBD.
- Unknown at this time: estimated life of Birchwood Lane and Dellwood pumps (one Wildwood pump is new in 2012, the other replaced in 2009?)

The finance committee needs to review annual maintenance expenses and CIP needs and determine appropriate method(s) to cover. Also, Fund balance target range needs to be determined.

GENERAL FUND: \$525,000 as of 1/1/2013

2013 expenses incurred, not levied: \$8300 tree trimming, \$2400 WBL pond clean out.

2013 expenses anticipated and not levied: Road maintenance of \$97,500. (\$17,500 was levied). This figure includes repairing Cedar; seal coating Hall/Cedar, Oak Ridge and Wildwood per 2012 road survey; crack filling all roads; repairing Owl Street; and painting lines and cross walks. Cedar Street has incurred more substantial potholing this spring...raising the cost from the \$30,000 bid for maintaining all of Hall/Cedar in 2010 to double the cost now. (The 2010 proposal was rejected by the council on a split vote). The large expenditure now should put us ahead of the curve for maintenance. A maintenance schedule will be established to ensure regular maintenance occurs avoiding more expensive repairs.

SOLUTIONS:

- Use funds from general fund to cover road expenses this year.
- Create an annual road improvement levy to build up a reserve and cover regular road maintenance in the future
- Review Police contract options with Washington County and Ramsey County
- Review insurance policies to ensure proper liability coverage
- Review Animal control contract with ACS to provide on-call service
- Review technical support through Roseville to create stable service
- Use attorney and engineering services when necessary and with council approval. Use LMC as a first option for legal information
- Review city code to address places where the code requires city engineer review, but appears to be unwarranted...state mandates must be reviewed to ensure the code remains in compliance
- Institute a moratorium on training (now uncertain with clerk resignation)
- Manage public notices with publication on city bulletin board and web site and with newspaper publication being used when mandated. i.e. put water quality report in city newsletter, publish summary ordinances when possible
- Consider billing utilities 3x/year (to be considered later after further input from residents)

285 Mayor Wingfield said the St. Paul Water Works has agreed to be a secondary source if the city
286 still wants them especially for water main breaks etc. There are several other companies that
287 can be used as backup.

288 **MOTION BY COUNCILMEMBER LaFOY TO APPROVE THE CONTRACT WITH MANSHIP**
289 **PLUMBING AND HEATING, INC. SECONDED BY COUNCILMEMBER HULLSIEK.**
290

291 Mayor Wingfield had a follow-up questions regarding the monthly arrangement of \$550
292 (currently \$1,500 to St. Paul Water Works) for a 2-hour minimum charge. St. Paul Regional
293 Water Service did things like if there were 12 things per month if they used them or not: Is it
294 possible for Manship to just charge by the hour (in addition to monthly fee)? John Manship
295 agreed he could charge by the hour. She stated the contract starts on May 22nd, 2013. Mayor
296 Wingfield asked that this amendment be included in the motion.

297 **MOTION PASSED, ALL AYES**
298

299 She then went on to the subject of hydrant flushing that has not been done recently. She asked
300 if Manship has the list that White Bear produced in September or October of 2010? John
301 replied he did not. She then asked if that would be helpful if he had that list to figure out which
302 ones might need extra attention. John said it would be very helpful.

303 Mayor Wingfield in response to an inquiry about list St. Paul had done, she said they do have
304 both lists. However, she stated her concern is when she spoke with White Bear in January;
305 there was not a clear sense of which ones need attention. She further stated that the city
306 needs a priority, an up-to-date list of which hydrants need attention now, which one need
307 attention sooner, not later and which ones are just a nuisance. If John could compile that
308 based on the data currently available, that would be very helpful so the ones that need
309 immediate attention could be taken care of right away. Then the council will have to begin
310 planning for the repair of the remaining hydrants.

311 There was some further discussion about how to proceed.

312 **APPROVAL OF ROADS COMMITTEE CONTRACTS - GENE RUEHLE, CHAIRPERSON ROAD &**
313 **STREETS COMMITTEE**

314 Gene Ruehle stated he is at this meeting for the approval of the bids for the road work. He
315 stated that two weeks ago, he came to the council with estimate bids from six different
316 companies with the Roads Committee's recommendation; Schifsky to do the repairs and
317 Pearson to do the chip seal. The committee asked these companies if their bids were final.
318 Pearson said their bid was accurate and final. Schifsky had to make some changes to their bid
319 because some additional items that need repair were discovered after the initial bid.

320 There was some discussion regarding the additional items Schifsky found that need repairs and
321 the estimates for the repairs. It was also noted that there are 31 driveways that need repairs
322 for an additional \$3,400 for the repair work.

323 Further explanation of the repairs ensued with the help of a map. It was stated that all the
324 roads in town will be repaired, every pothole, crack and missing asphalt will be repaired.
325 Approximately 2.2 miles of road will be chip sealed this year which equates to approximately
326 half of the 4.3 miles of road in the town.

327 **Mayor Wingfield** asked what assurance the city will have that putting an overlay will be a long-
328 term solution.

329 **Gene Ruehle** explained how this will be done and that the process should last many, many
330 years. He also stated that in about five years, the roads will be chip sealed.

331 **Mayor Wingfield** stated the new number with the additional items to be repaired by Schifsky
332 comes to approximately \$80,000.

333 **Gene Ruehle** confirmed that the new bid came to a total of approximately \$82,000.

334 **Mayor Wingfield** stated the total bill is then now a total of \$125,000.

335 **Mark Anderson** confirmed the total bill is approximately \$41,000 - \$42,000 from Pearson for
336 chip sealing and about \$82,000 for Schifsky.

337 **Mayor Wingfield** asked what the time schedule was. Schifsky has to go in first. What's their
338 time schedule?

339 **Gene Ruehle** said they would probably begin within a few weeks once they get the approval,
340 probably be done the first two weeks of June. The Pearson will come in some time in the
341 middle of July.

342 There was some discussion about things being done differently on Owl Street because of the
343 dumpsters and how it would be handled as well as checking on other possible street problems

344 Mr. Ruehle went over the terms of both the Schifsky and Pearson contacts and the total costs
345 again.

346 **Mayor Wingfield** remarked how helpful Tom Wood with the Research Department at MnDOT
347 has been providing their services to the city to check on road repair services and monitor the
348 progress throughout the whole process.

349 **MOTION BY COUNCILMEMBER DONOVAN, SECONDED BY COUNCILMEMBER HULLSIEK TO**
350 **ACCEPT THE SCHIFSKY AND PEARSON BIDS.**

MEMORANDUM



Birchwood Village

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Comp Plan Update

Dear Mayor and Council Members,

The consultant working on the Birchwood Comprehensive Plan has submitted the enclosed draft. The draft is not complete but is at a stage where the consultant recommends submitting for adjacent jurisdictional review. This will allow other jurisdictions like the RCWD and Met Council to provide feedback on the draft prior to finalization.

Request/Recommendation

Staff requests Council:

- 1) Approve the submittal of the enclosed Comp Plan for adjacent jurisdictional review.

Thanks!

Regards,
Tobin Lay

City of Birchwood Village

2040 Comprehensive Plan

Plan complete Fall 2018.

BIRCHWOOD VILLAGE 2040 COMPREHENSIVE PLAN

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CHAPTER 1: COMMUNITY CONTEXT

Introduction

The City of Birchwood Village is a small community located on the southwestern shore of White Bear Lake. The community is easily accessible to the greater Twin Cities Metropolitan Area region and is located approximately 13-miles from downtown Saint Paul, 20-miles from downtown Minneapolis and 20-miles from the Minneapolis-Saint Paul International Airport. Because of the community's accessibility, high-quality neighborhoods, and proximity to White Bear Lake the City continues to be a desirable place for residents to live and recreate.

The purpose of this chapter is to provide context from which subsequent chapters of this plan were derived. Included in the following summary is the City's historical setting, existing demographic and socio-economic conditions, and market snapshot. The following sections are used to help inform the Land Use, Parks & Open Space, Transportation and Infrastructure sections of this Comprehensive Plan update.

Location, Historical Setting, Governmental Structure & Community Goals

The City is located on the far western edge of Washington County, and is connected to major roadways including County Road E and I-694. The City's location within the region coupled with the small-town village character, makes the community a highly desirable place for residents to live and recreate. The City is truly a small "village" comprising only 214 acres with an estimated 2016 population of 869 residents of all ages. The community's relatively compact land and small population fosters a small-town, quaint environment with invested long-term residents and strong neighborhoods. As further detailed within Chapter 2: Land Use, the community is designated by the Metropolitan Council as "Suburban," and while this designation accurately describes the City's location within the region it does not reflect the community's character or historical past. As such, providing a brief historical context of the Village is an important way to differentiate the community from other more typical suburban communities.

HISTORICAL SETTING

First incorporated as a Village in the year 1921, a subsequent act of the State Legislature converted the "Village" to a "City of the Fourth Class." Though the State Statute required Birchwood Village to evolve from a village into a city, residents continued to strongly associate the character and identity of the community as a "Village." Because of that association, when the City incorporated it amended its name to become Birchwood Village to reflect the residents' continued commitment to its small village character.

Birchwood Village first developed as a community of summer recreation cottages built by residents of the Saint Paul area in early 1900's. Initial subdivisions occurred along the lakeshore, which continues to define the land use pattern today. Although remnants of this pattern can still be seen, housing development along the shore became more diverse as the City evolved from a vacation town to a place for permanent residences. Many of the historical homes have been extensively remodeled to meet modern lifestyles, while others have been torn down and new homes constructed on lots making for a diverse housing pattern where new and old are successfully integrated. Inland from the lakeshore, newer subdivisions away from the lakeshore have larger lots and are more homogeneous in

appearance. Though homes are more consistent in appearance, the character of the Village is preserved through how homes were sited to respect the rolling topography and tree canopy that was original to the area.

In addition to the impact of natural features of the community, the historical presence of the streetcar line also impacted the City's land use and development pattern. At one time the City was served by the Twin City Lines streetcar which passed through the Village on its way from Saint Paul to White Bear Lake and Mahtomedi. Because of this old streetcar line, a significant difference in lot sizes between older and newer areas of the community can be seen which reflects the influence of the transportation system in place at the time development occurred.

One of the most defining characteristics of the community is its lack of commercial or business uses, and its commitment to single-family residential and open space uses. This land use pattern extends back to when the community was first developed as a vacation spot and has been reinforced by the City's ordinances and centrally-located city hall as it continued to grow and evolve into a place with permanent residences.

Though the City's historical identity as a vacation town played a significant part in establishing how the community developed, today there are no historically designated resources or properties in Birchwood Village. However, just because no properties have been pursued for historical designation, that is not to say there are not properties or areas of historical value either at the local or regional level. While the City does not plan to actively pursue formal historical designation, the City is willing to create a policy that addresses preservation in the future if any resources or properties are designated through the State or National registers.

GOVERNMENTAL STRUCTURE

Birchwood Village is a City of the Fourth Class with a City Council form of government. Elected at large, the City Council consists of the Mayor and four council members. Each member has ongoing responsibilities between meetings. Several supporting commissions and committees also help to serve the community. These include the Planning Commission, Parks & Natural Resources Committee, Personnel Committee, Roads and Streets Committee, and Water/Utility Committee.

The City has two employees: one full-time City Administrator and a part-time City Treasurer/Deputy Clerk. The elected officials, appointed officials, and other residents provide many volunteer hours to the City to perform needed services. Some municipal services such as sewer maintenance, police and fire protection, and building inspections/planning are contracted primarily from surrounding communities.

COMMUNITY CONTEXT GOALS

The community's historical setting, local and government structure all provide background information from which the City can use to plan for its future. To help guide the general direction of the community, the City has identified the following goals and principles for this planning period:

- Maintain the existing character of the community through preservation of the single-family residential land use and neighborhood patterns.
- Preserve and protect the City's natural areas including woodlands, wetlands, and lakes and educate the community.
- Maintain and improve municipal services to ensure the health, safety and general wellbeing of Birchwood Village residents of all ages.
- Maintain the autonomy of Birchwood Village as a governmental entity.

- Preserve the community’s identity and character through existing traditions such as the July 4th parade, plant exchange, and village-wide garage sale.
- Work to identify opportunities to reduce energy usage by 1% per year.
- Maintain and monitor all city property, structures and assets.
- Support and increase volunteerism in Birchwood Village.
- Increase communication of community happenings and projects.
- Prepare for emergencies and explore opportunities to improve the community’s resilience and long-term sustainability.
- Create safer walking areas within the Village’s city streets

This core set of general goals and principles is like those of the 2020, and 2030 Comprehensive Plans indicating that residents, community members and policy-makers are content to maintain the community in a similar way through this planning period. Throughout the remaining chapters of this Plan, each topic area includes a set of goals and principles to help establish the community’s aspirations for the future of the community related to each topic area. The goals and principles are purposefully broad, and the City intends to further refine its strategies for the future, if, and when, opportunities are presented.

Demographic and Socio-Economic Characteristics

Many of the City’s demographic and socio-economic characteristics have remained relatively constant over the past decade with little change, with only a couple of exceptions. As demonstrated in subsequent chapters of this Plan, the City is fully developed with primarily single-family residential uses. As a result, the number of households in the community has been relatively constant for the past 20 years and is expected to remain similar through this planning period. However, even with much of the community remaining unchanged, there are some characteristics that are worth noting because they impact this Plan, or future planning efforts in the community if these trends continue. The following snapshot of community characteristics is provided as consideration in this Plan.

HOUSEHOLDS AND POPULATION

The number of households in the City has remained relatively constant for the last 16 years with 357 households in 2000 and 359 in 2016. The new construction and redevelopment in the City have been located primarily on existing lots where an existing home was torn down and replaced by a new (oftentimes larger) construction home. During this same period, the population has decreased approximately 10% from 968 in 2000 to 869 in 2016. The Metropolitan Council forecasts a stabilization in the number of households by the year 2020, but a continued decrease in population due to the age of current residents. The population is likely to decrease as residents age and children leave home resulting in smaller average-person-per-household. The City anticipates no additional net households through 2040 but acknowledges that the tear-down and major remodeling trend is likely to continue.

Table 1-1: Birchwood Village Population and Households (Historical & Projected)

Year	Population	Households
1970	926	235
1980	1059	326
1990	1042	364

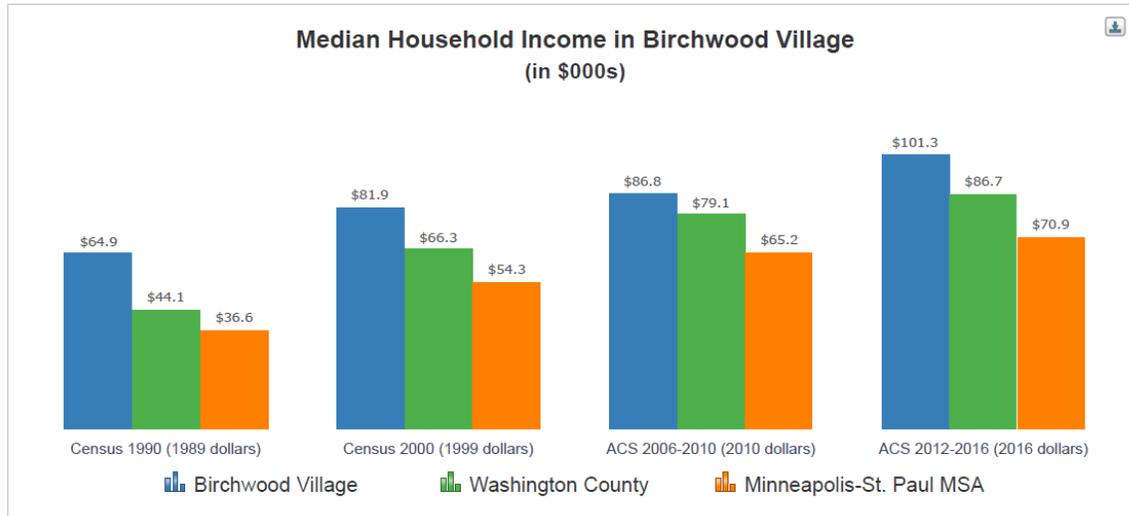
Year	Population	Households
2000	968	357
2010	870	351
2016	869	361
2020	850	360
2030	830	360
2040	800	360

As the City’s population ages the community will need to adjust to the needs and demands of its residents, which may change and evolve. For example, residents may require improved/increased access to services such as transit or may desire better trail/sidewalk connections as opposed to programmed park spaces. As these changes occur, the City will need to monitor its public facilities, roadways and parks and may need to adjust programming, access, and delivery of services to better accommodate the city’s residents. In addition to public services, the City may face an increase of vacant homes/properties during winter months for those residents that choose to winter in warmer climates and may experience more demands for ADA accessibility and transportation mode choice. These factors can become financially challenging for the City and for those residents that reach retirement age and are on a fixed-income. These changes will happen over time, and it is important for the City monitor and understand what changes should be planned for through this planning period.

HOUSEHOLD INCOME

As shown in Figure 1-1, the City’s Median Household Income has been higher than that of Washington County and the Minneapolis-St. Paul MSA since the 1990s. Additionally, Birchwood Village’s median income has outpaced the region over the last decade, which is likely due to the community’s adjacency and access to White Bear Lake and accessibility within the region and recovering real estate market. If this trend line continues, it becomes more likely that small homes and cottages will be either torn down or experience major remodeling, further depleting the affordability of the community.

Figure 1-1: Median Household Income in Birchwood Village



Source: US Census, ACS 2012 – 2016

The increased value of homes in the community that will naturally occur because of increasing household incomes will squeeze out many of the traditional summer cottages and residents with lower incomes. As property becomes more and more valuable, property taxes will continue to increase. However, aging residents will see their disposable income stabilize or decrease thus posing hardship to afford their homes. This will become one more factor which might force long-time residents to find alternate housing options and leave the community because of the lack of diversity in the City’s housing stock.

The trend of displacement is already emerging as demonstrated on Figure 1-2 which illustrates the percentage of Birchwood Village’s population at or below the federal poverty level. As shown, the percentage of the City’s population rose during the recessionary period (reflected on ACS 2006 – 2010) but has since decreased. While some of this decrease is likely attributed to residents improving their wages or employment since the recession, it also likely represents some of the lower-income residents’ displacement due to rising housing costs in the community.

Figure 1-2: Percent of Population Below Poverty Level



Source: US Census, ACS 2012-2016

EMPLOYMENT

The City prohibits commercial and industrial development. The City employs one full-time employee, one part-time employee and several seasonal, part-time park and recreation employees. Residents may have a business in their home (home occupation) with conditions and proper permits. As seen below in Table 1-2, the employment reflects the City's imposed limitations on commercial and industrial development and does not anticipate any significant changes in employment opportunities in the community.

Table 1-2: Employment in Birchwood Village

YEAR	EMPLOYMENT
2010	25
2020	30
2030	30
2040	30

Source: Metropolitan Council

CHAPTER 2: LAND USE

Introduction

The City of Birchwood Village is a small, fully-developed community located on the southeast shoreline of White Bear Lake. Developed originally as a resort town in the early 1900s, small summer cottages dotted the Lake shoreline and became a destination for Saint Paul residents looking for respite from the City. Naturally as the lakeshore became more developed, other parts of the community began to grow, and small meandering roadways were constructed with summer cottages that were still within proximity to the Lake. Eventually, new regional roadways and infrastructure became available that made it possible for residents to call Birchwood Village their permanent home – not just their summer getaway.

Even though the community transitioned over the course of several decades, much of the existing land use pattern today remains a reflection of the community’s historical roots as a resort town. Roadways still meander, easements to provide lake access are co-mingled with existing homes, and many of the original cottages remain but with updates and additions to make them more habitable on a year-round basis.

The land use pattern today is reminiscent of Birchwood Village’s past, and is the foundation for the City’s future. The City is planning to stay the same, with only modest enhancements and changes planned only if, and when, opportunities emerge. Generally, the community hopes to maintain the existing character of Birchwood Village for generations to come. With that objective in mind, the subsequent sections of this Chapter provide a roadmap to preserving the City’s land use and neighborhood patterns and does not plan for, nor contemplate, wholesale changes in the community. However, this Plan still provides an opportunity for the community to consider how it might approach change if it presents itself, and to ensure that any redevelopment in the community is completed in a manner that is consistent with the goals and objectives of this Plan.

The intent of this Chapter is to describe the existing and planned land use and neighborhood patterns, and to define how these land use patterns will continue to support the identity and character of the community through this planning period.

Planning Context

The planning context of the 2040 Comprehensive Plan is an important consideration in the preparation of this Land Use chapter and of subsequent sections of this Plan update. Oftentimes communities are unsure of when and why they should undertake a review of their Comprehensive Plan, and particularly their Land Use plan particularly when the community has remained relatively unchanged over many decades. The following sections are provided to help explain why the City initiated this process, and how the regional and local planning context were used to inform the update of this Chapter.

METROPOLITAN COUNCIL POLICY GUIDELINES

As described in Chapter 1: Community Context, the City of Birchwood Village is located on the far western edge of Washington County. As a community located within the 7-County Metropolitan Area, the City is within the Metropolitan Council’s jurisdiction which requires communities to prepare an update of their Comprehensive Plans for consistency with regional systems on a decennial basis. In the years preceding the required decennial update, the

Metropolitan Council issues a System Statement for every City which describes what updates must be included within each community's Plan.

Each community is assigned a Community Designation based on the geographic location of the community, the existing land use patterns and anticipated growth based on regional trends and planned regional improvements. As previously noted Birchwood Village is fully developed and its existing land use pattern is predominantly low-density residential uses that are primarily developed with single family residential structures. Communities with this land use pattern are generally designated by the Metropolitan Council as "Suburban." (See Figure 2-1.) For each community designation, the Metropolitan Council describes the Community's Role with respect to Orderly and Efficient Land Use. The identified Community Roles for Suburban communities are as follows:

- Plan for forecasted population and household growth at overall average densities of at least 5 units per acre, and target opportunities for more intensive development near regional transit investments at densities and in a manner articulated in the 2040 Transportation Policy Plan.
- Identify areas for redevelopment, particularly areas that are well-served by transportation options and nearby amenities and that contribute to better proximity between jobs and housing.
- In collaboration with other regional partners, lead major redevelopment efforts.
- Lead detailed land use planning efforts around regional transit stations and other regional investments.
- Plan for and program local infrastructure needs (for example, roads, sidewalks, sewer, water, and surface water), including those needed to accommodate future growth and implement local comprehensive plans.

Because Birchwood Village is geographically small, many of the roles identified above are not fully applicable, such as transit and major redevelopment efforts. However, the concept of several of the identified roles are relevant and should be used to help guide the community through this planning period. For example, while there are no significant regional roadway or transit improvement planned within the City, there are improvements planned in adjacent communities that could provide opportunities to the City for a more connected community to the greater region. Additionally, though the City is fully developed that does not preclude someone from potentially redeveloping a parcel or collection of parcels provided that such development is consistent with the Community Roles with respect to density as identified above.

In addition to the Community Designation and correlated Community Roles, the System Statement includes the Metropolitan Council's projected population, households and employment forecasts for the City through this Planning Period. Table 2-1 shows that the Metropolitan Council does not anticipate or project significant changes in the City's land uses as demonstrated by the Household and Employment forecasts. However, the population is anticipated to continue to decrease even as Households and Employment stay relatively flat. With respect to the City's land uses, the decreasing population has the potential to impact what types of facilities, services, park programming, and access may be needed and demanded by residents as the community's population continues to age in the future. These trends were used as a foundation to the subsequent section of this chapter, and other sections of this Plan update.

Figure 2-1. Metropolitan Council Community Designation



**Thrive MSP 2040
Community Designation**

 Suburban



DRAFT

Source: Metropolitan Council,
Birchwood Village, Washington
County

Date: 9.20.2017
Prepared by: SHC, LLC

Table 2-1. Population, Households, and Employment Forecasts

Year	Population	Households	Employment
2020	850	351	25
2030	830	360	30
2040	800	360	30

(Source: 2015 Birchwood Village System Statement - Metropolitan Council)

COMMUNITY CONTEXT

The Regional Context provides a broad overview and structure from which this Plan update was developed, but the local context provides additional refinement to ensure that this Land Use plan reflects the goals and aspirations of the community through this planning period.

To effectively manage and maintain the community's land uses the City has developed a set of policy guidelines to guide the community through this planning period. The following policy guidelines were included within the 2030 Comprehensive Plan and have been updated, where applicable, to reflect the aspirations of the community moving forward through this planning period.

Land Use Goals & Objectives

The following goals and objectives will be used to help guide land use decisions in the City through 2040:

1. Maintain the existing character of the community by permitting growth that is consistent with the land use designations contained within this plan.
2. Work to create ordinances and policies that regulate new construction of housing that follows building codes.
3. Create ordinances and policies that promote sustainability of existing and new residential structures through site planning standards that incorporate considerations for natural hydrology, drainage and other unique physical/natural features.
4. Continue to enforce ordinances that prohibit the development of commercial, industrial and high-density residential uses.
5. Protect important natural resources from new development and redevelopment impacts by establishing and enforcing proper ordinances and permitting procedures. (e.g. wetland protection, lakeshore/shoreland protection, and significant tree preservation ordinances, etc.)
6. Promote maintenance of existing homes, properties and natural areas to maintain the City's character.
7. Maintain the City's high-quality and affordable residential neighborhoods.
8. Protect and preserve the City's tree canopy and significant healthy trees by enforcing the Significant Tree ordinance that establishes maintenance, removal and replacement standards.
9. Create an ordinance to monitor, inspect, and remove invasive species that threatened the quality of natural habitat.

Existing Land Use

The existing land use pattern reflects Birchwood Village’s commitment to foster, improve and preserve its quaint “Village” and predominantly single-family neighborhood character. Throughout its history, the City has continued to reinforce its Village and “resort” town character by carefully regulating new development and redevelopment of remaining lands to continue the existing low-density residential neighborhood patterns. To that end, the City has prohibited the development of commercial, industrial or high-density housing, and has prioritized the protection of natural resources as part of any new development in the community. With the limitations on development styles, Birchwood Village is almost completely developed with single-family residential uses (88%). Little to no additional residential development has occurred since 2008 because the community is fully developed, and there has been little to no pressure for redevelopment. A few larger lots remain that have the potential to be further subdivided based on current subdivision and zoning standards, but these areas would be required to develop with uses consistent with the existing neighborhood patterns. In addition to the single-family residential uses, the City’s remaining land areas are primarily used for right-of-way, institutional and parks/open spaces. The City owns and manages three public parks and one natural area/open space and owns various trail and lake access easements sprinkled throughout the community that provide connections to the city parks and to White Bear Lake. (See Figure 2-2 Existing Land Use).

Generalized Existing Land Use (ELU)

The following definitions are provided for each existing land use as shown on Figure 2-2. The following definitions are the Generalized Land Use definitions as provided from the Metropolitan Council. The definitions that follow do not attempt to describe what the current/existing zoning is of a property, or what the planned or allowed uses might be. Rather the following land use designations describe the current and existing use of a property based on a snapshot in time and help describe and illustrate the current neighborhood patterns of the community.

Single Family Detached – Land use exclusively for residential purposes containing a single dwelling unit that is detached from any other residential dwelling units (i.e., with open space on four sides, includes townhomes).

Seasonal/Vacation – Land used exclusively for residential purposes containing a single dwelling unit that occupied seasonally or used as a vacation property.

Undeveloped – Land not currently used for any defined purpose that may or may not contain buildings or other structures or has no discernable use based upon the aerial photos or available data. Undeveloped land may include non-protected wetlands or land currently under development.

Park, Recreation or Preserve – Land used for park and recreational assembly (ex: community level ball fields, regional or small urban parks – public or private, playgrounds, rest areas, and other venues – indoor or outdoor – for sporting events or like purposes). Also includes passive activity uses such as park preserves, wildlife refuges, habitat area, public hazards, river walk, DNR owned land, greenways and other public or private preserved land.

Table 2-2 identifies the existing land uses in the community and calculates the total acres and percentage composition of each land use.

Table 2-2. Current Generalized Land Use Tabulation (Acres)

Land Use*	Acres	Percent of Total
Single Family Detached	188	87.82%
Seasonal/Vacation	2	0.96%
Park, Recreational or Preserve	17	8.12%
Institutional	1	0.42%
Undeveloped Land	6	2.64%
TOTAL	214	100%

*Local right-of-way (ROW) included within land use acre calculation

Source: Metropolitan Council, SHC

draft

Figure 2-2. Existing Land Use & Zoning



Generalized Existing Land Use

2016 GLU - Metropolitan Council

- Single Family Detached
- Seasonal/Vacation
- Institutional
- Park, Recreational, or Preserve
- Undeveloped
- Open Water



DRAFT
 Source: Metropolitan Council,
 Birchwood Village, Washington
 County
 Rev. Date: 9.13.2018
 Date: 9.20.2017
 Prepared by: SHC, LLC

Future Land Use

As identified in the goals and objectives of this Chapter, the City is committed to maintaining the existing neighborhood patterns and uses in the community. As a fully developed community, Birchwood Village's focus is primarily on maintaining the existing homes and neighborhoods and ensuring that the existing character and uses continue to define the City through this planning period. Since the community's priority is to remain relatively unchanged through this planning period, the Future Land Use plan contained in this chapter directly responds to the intent of Birchwood Village to continue to be a primarily single-family residential community.

To that end, the community has guided the majority of its future land uses for low density residential uses, that will work to preserve existing neighborhood patterns even if redevelopment occurs on individual lots. The City does not intend to permit or re-guide any land within the community for higher density residential uses, or to introduce commercial or business uses into the community. This is because current infrastructure including roadways, water, and sanitary sewer are designed to support the existing development and no significant improvements are planned. As such, the future land uses are reflective of the City's existing neighborhood patterns, and planned uses through this planning period. The following future land use designations describe the intended land use patterns for this planning period.

Future Land Use Designations

Low Density Residential (LDR)

This land use designation identifies land currently used or planned to be used for predominantly single-family residential uses. This designation applies to all of the City's existing neighborhoods which are developed at densities between 3 and 6 dwelling units per acre. Any redevelopment, or development of vacant parcels, will be developed at densities consistent with this density designation and are planned to be developed at densities no less than 5 dwelling units per acre.

Institutional

Land that is used for municipal buildings.

Parks/Open Space

Land designated as park or open space is owned and managed by the City of Birchwood Village. Land within this designation is used for active and passive recreational uses, included trails, parks, open spaces and wetland areas.

Right-of-Way (ROW)

Land used exclusively for roadways/right of ways.

Table 2-3. Future Land Use Total Acreage

Future Land Use	Residential Density	Acres	Percent of Total
Low Density Residential	2.5 – 5.0	169.98	78.9%
Institutional	NA	0.80	0.4%
Parks/Open Space	NA	10.29	4.8%
ROW	NA	33.21	15.5%
TOTAL		214.28	100%

Source: City of Birchwood Village, SHC

Table 2-4. Future Land Use Forecast Acreage per Decade

Future Land Use	Residential Density	2020 Acres	2030 Acres	2040 Acres
Low Density Residential	2.5-5.0	169.98	169.98	169.98
Institutional	NA	0.80	0.80	0.80
Parks/Open Space	NA	10.29	10.29	10.29
ROW	NA	33.21	33.21	33.21
TOTAL		214.28	214.28	214.28

Source: City of Birchwood Village, SHC

Figure 2-3. Planned Land Use & Zoning



Planned Land Use & Zoning

- Residential (Low Density 3-5 d.u./acre)
- Institutional
- Parks/Open Space
- ROW



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Source: Metropolitan Council,
Birchwood Village, Washington
County

Rev. Date: 9.13.2018

Date: 9.20.2017

Prepared by: SHC, LLC

Areas Planned for Change or Redevelopment

The City of Birchwood Village is considered fully developed and the only opportunity for change in the community would be due to redevelopment. The City's Future Land Use plan guides the majority of the land within the community for low density residential uses and plans for the continuation of the existing uses through this planning period. While the existing land use pattern is planned to continue, the City will likely continue to see more modest changes such as remodels and additions. While these activities do not constitute a change in use, remodeling and additions does have the potential to alter the character of the community. In addition, there is the potential for tear downs of existing homes and redevelopment of individual lots or the assembly of a collection of lots for redevelopment. These activities have not occurred frequently, however, depending on market conditions the pressure and interest for redevelopment could become more frequent. If and when redevelopment is proposed, the City will follow this Comprehensive Plan and will continue to reinforce the single-family residential neighborhood patterns of the community. Finally, while there are no currently known development or redevelopment plans, at time of redevelopment the City will continue to prioritize and focus on the preservation, enhancement and protection of the City's natural resources.

CHAPTER 3: HOUSING

Introduction

The City's housing stock defines the community's village character since Birchwood Village is entirely developed for residential use and there are no independent commercial or businesses uses permitted in the community. Because the principal land use is residential understanding the existing housing stock and planning for its future becomes central to the long-term sustainability of the community.

The purpose of this housing chapter is to present and describe the City's existing housing stock, and to use the information as a basis from which to plan for future housing needs in the community. Although the City's households and population are anticipated to stay relatively unchanged over this planning period, that does not mean that there will not be any changes to the housing stock. As described in subsequent sections of this chapter, the City's housing stock is aging which means that maintenance, rehabilitation, remodeling and in some case redevelopment of existing lots are likely to become more prevalent.

Information contained in the following sections is a compilation of data collected primarily from the US Census, American Community Survey and the Metropolitan Council. Because the City is small sometimes the information from these resources does not adequately describe the challenges and opportunities Birchwood Village faces, and therefore the data collected from these resources is supplemented with information from the City.

Housing Goals & Objectives

An important element of the housing plan is to establish a set of principles and goals to help guide the City through this planning period. The City identified a set of goals and objectives as part of the 2030 Comprehensive Plan that have been updated to reflect the community's direction for 2040. The housing principles and goals established by the City are as follows:

- Continue to support efforts to maintain a balanced housing supply and will focus on opportunities to provide housing for people at all income levels.
- Embrace and welcome diversity in all of its neighborhoods and will support such diversity in both owner-occupied and renter-occupied housing.
- Encourage and promote lifecycle housing within the existing housing stock, and in any new or redeveloping areas of the community.
- Maintain and enhance the exiting housing stock and neighborhoods to promote the long-term sustainability of the community.
- Maintain and support the City's current level of housing affordability.
- Protect the existing single-family detached housing density and neighborhood quality.

In addition to the City's identified goals and principles, the community must consider and address the housing policies and directives established by the Metropolitan Council for Suburban Communities as described within the 2015 Birchwood Village System Statement. The defined role includes the following housing practices that may be applicable for Birchwood Village:

- Designate land in the comprehensive plan to support household growth forecasts and address the community's share of the region's affordable housing need through development and redevelopment at a range of densities.
- Use state, regional, and federal sources of funding and/or financing and development tools allowed by state law to facilitate the development of new lifecycle and affordable housing.
- Plan for affordable housing that meets the needs of multigenerational households.
- Invest in and expand regional systems to support redevelopment in communities that partner in the preservation and expansion of housing choices.

Because the City is fully developed there are few, if any, opportunities for redevelopment in the community particularly given the existing land use pattern. However, the City will consider and evaluate any new proposed development for consistency with the Metropolitan Council's roles and the City's identified principles and goals.

Existing Housing Stock

OVERVIEW OF BIRCHWOOD VILLAGE'S RESIDENTIAL NEIGHBORHOODS

The City of Birchwood Village's residential neighborhoods have evolved over time transitioning from primarily seasonal/vacation cottages to permanent residences that now make up the majority of the City's housing stock. Though the community is relatively homogenous in the land use, which is dominated by single-family detached product, there is a little bit of every housing style available in the community. The diversity of housing contributes to the City's 'village' character since no two streets or blocks look the same. Lots and homes were built and developed at different times with some areas filling in over the span of several decades which results in a development pattern that feels more organic, which is a contrast to some of Birchwood Village's more suburban neighbors. This development pattern has resulted in an existing supply that is both unique and aging. The following existing characteristics of Birchwood Village's housing supply provide a baseline from which the City can consider potential housing needs and demands.

HOUSING STOCK STATISTICS

According to the data from the Metropolitan Council and the City of Birchwood Village, there are 369 housing units in the City as of 2016. As a fully developed community, new residential development in Birchwood Village has been limited since the 1990s, and since 2000 only 15 new units have been constructed which were likely the replacement of an existing home or cabin.

Housing Tenure

Of the 369 units, 342 units (93.2%) are owner-occupied, and 25 units (6.8%) are rented according to data from the Metropolitan Council (Table 3-1).

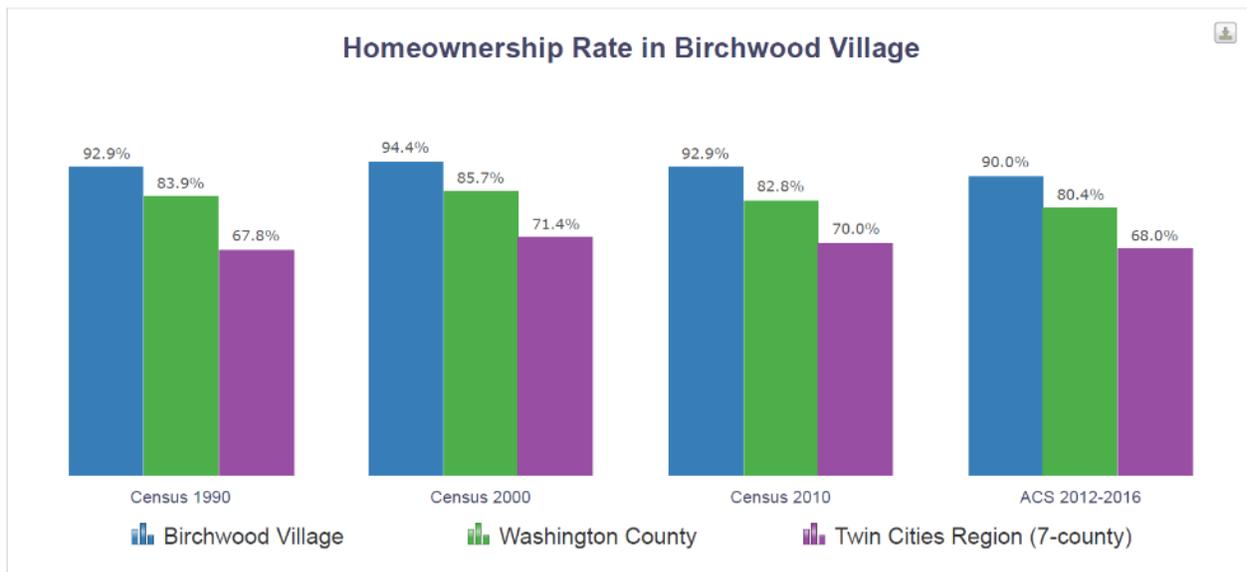
Table 3-1: Housing Tenure 2016

Ownership Units	Rental Units	Total Units
344	25	369

Source: Metropolitan Council

The City’s distribution of owner-occupied units to renter-occupied units is significantly higher than the ratios experienced in both Washington County and the 7-county metropolitan area as shown in Figure 3-1. As shown, the Birchwood Village’s home ownership rate was approximately 90% in 2012 as compared to 80% in Washington County and 68% in the 7-County metropolitan area. Some of the reason for Birchwood Village’s higher home ownership rate is likely due to the lack of availability of multi-family housing which is more commonly associated with renter-occupied units, but it is also likely an indicator of relatively high housing values within the existing single-family housing stock.

Figure 3-1. Housing Tenure of City, Washington County and 7-County



Source: Metropolitan Council, US Census, 2012-2016 ACS

Housing Type

Correlated to housing tenure is housing type. Overall Birchwood Village is not balanced with respect to its housing stock as it is predominantly single-family homes (93%). Even though the housing stock is unbalanced, this is not a cause for concern because of the relatively small number of units and size of the community. There are a limited number of multi-family housing units which provide some housing choice within the community.

Table 3-2: Housing Type

Single-family Units	Multi-family Units	Manufactured Homes	Other	Total Units
350	19	0	0	369

Source: Metropolitan Council

Year Built

Nearly 80% of Birchwood Village's housing stock (288 units) is more than 45 years old. Because of the age of structures in the community, it will be important to track the conditions of the older homes because they are at-risk of deferred maintenance, which can rapidly result in critical structural problems or accelerate major remodel/tear-downs. At the same time, well-maintained older housing can be an important source of entry-level housing particularly if they have not experienced major remodeling and additions. It will be important for the City to monitor the condition of the older housing stock considering its desire to maintain housing and neighborhood quality, as well as retain some affordability in the community. See Figure 3-2, Age of Residential Structures.

Housing Affordability

The Metropolitan Council considers housing affordable when low-income households are spending no more than 30 percent of their income on housing costs. Households are considered low-income if their income is at or below 80 percent of the metropolitan area's median income (AMI).

In Birchwood Village, the housing stock is becoming increasingly less affordable, particularly as major remodeling, tear downs, and improvements become more prevalent. As of 2016, the Median home value in Birchwood Village was approximately \$321,000 which far exceeds the median Seven-County Metropolitan Area sales price of \$247,900 for a single-family home (Minneapolis Association of Realtors). As shown on Figure 3-3, the majority of the more expensive housing units are located along the lake frontage and have experienced the most significant remodeling over the past several decades. However, as of 2016, there remains a portion of the existing housing stock that meets the Metropolitan Council's criteria for affordability as demonstrated in Table 3-3.

Table 3-3: Affordability of Units by Income Level

	Birchwood Village	% of All City Housing Units	Metro Area % of all Housing Units
Units affordable to households with income at or below 30% of AMI	4%	1%	6.5%
Units affordable to households with income 31% to 50% of AMI	2%	>1%	21.8%
Units affordable to households with income 51% to 80% of AMI	76%	20.6%	39.9%
Total Units at or below 80% AMI	82%	22.2%	68.3%

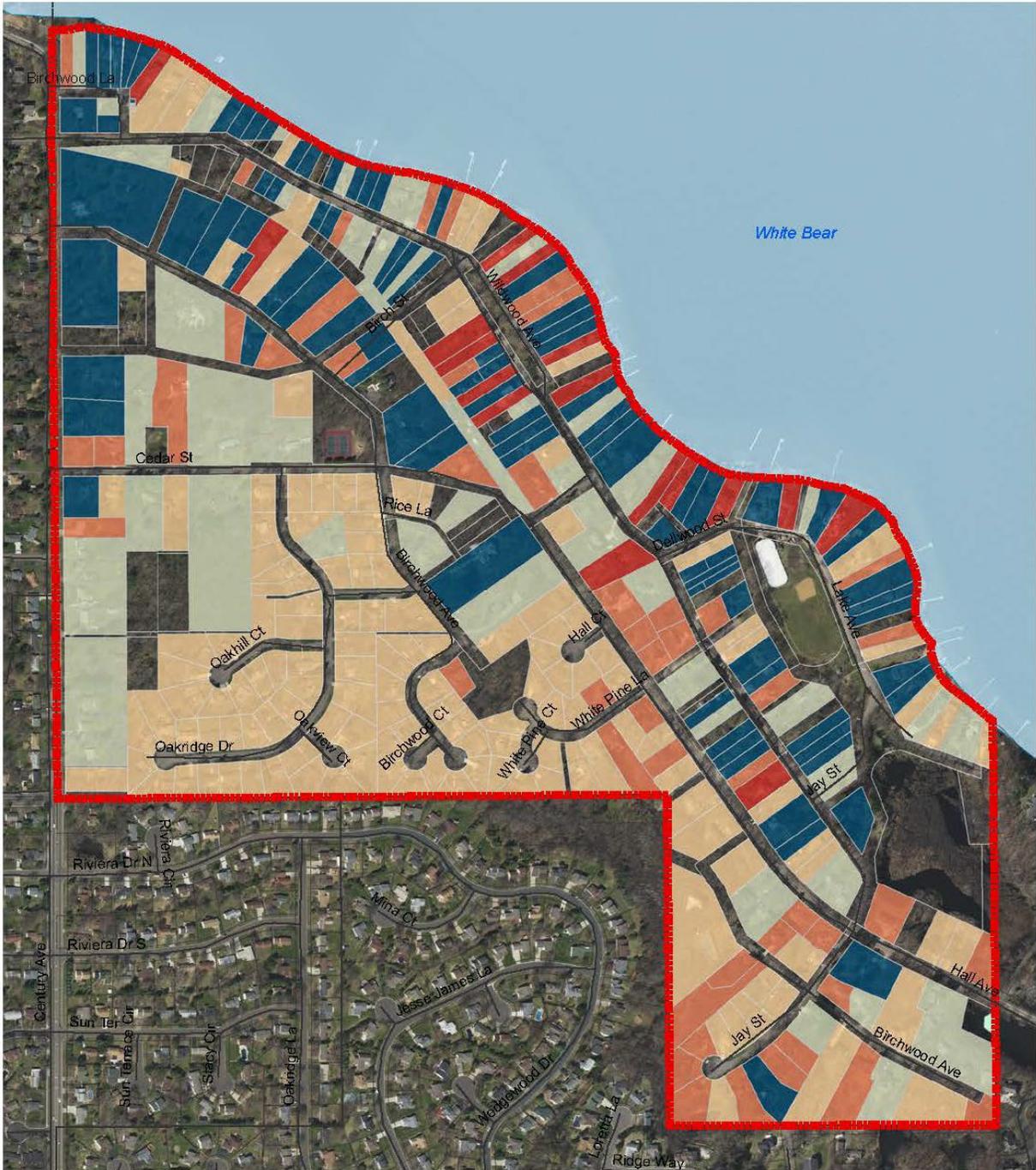
Source: Metropolitan Council (2016 and 2017 Metro GIS Regional Parcel Data; US Census, 2012-2016 ACS)

Based on information collected nearly a quarter of the City's owner-occupied units are affordable at or below 80%, which given the City's relatively small size represents a fairly significant proportion of units. Due to the reasonable rate of affordability, coupled with the City's unlikeliness to redevelop, the Metropolitan Council has not allocated a need for new affordable housing units in Birchwood Village through 2040.

Although Birchwood Village has a reasonable proportion of affordable units per the Metropolitan Council's definition, there are some observable trends that suggest that the cost of housing in the Village could rise rapidly in the coming years making the community less affordable. Market pressure in the for-sale housing market throughout the region has experienced significant increases in the past couple of years. Since Birchwood Village is dominated by owner-occupied/for-sale housing, the regional market trends have the potential to significantly impact the community's long-term affordability. The City is likely to continue to face pressure for tear-downs/rebuilds given the proximity to the lake. Not only will increased investor interest raise prices, but new or significant rebuilt homes that are much larger will also result in market-wide increases. The trends are important to consider if, and when, new policies are implemented that could impact housing in the community.

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Figure 3-2. Age of Residential Structures



**Age of Housing
Year Built**

 Vacant/ROW/PSP	 1932 - 1961	 1981 - 1997
 Pre-1931	 1962 - 1980	 1998 - 2016



DRAFT
 Source: Metropolitan Council,
 Birchwood Village, Washington
 County
 Date: 9.20.2017
 Prepared by: SHC, LLC

Figure 3-3. Estimated Market Value of Residential Structures



EMV of Residential Properties	
■	\$256,201 - \$485,600
■	\$400 - \$85,100
■	\$85,101 - \$256,200
■	\$485,601 - \$819,100
■	\$819,101 - \$1,679,800



DRAFT
 Source: Metropolitan Council,
 Birchwood Village, Washington
 County

Rev. Date: 9.13.2018
 Date: 9.20.2017
 Prepared by: SHC, LLC

COST BURDENED HOUSEHOLDS

Cost burden is the proportion of household income spent toward housing and utilities. When lower income households spend more than 30 percent of their income toward housing and utilities this burden is considered excessive because it begins to limit the money available for other essentials such as food, clothing, transportation, and healthcare. Table 3-4 presents the number and percentage of low-income Birchwood Village households that are cost burdened and compares this against the metro area rate of cost burdened low-income households.

Table 3-4: Cost Burdened Households by Income Level

	Birchwood Households	% of all households	Metro Area % of all households
Income at or below 30% of AMI	8	2.2%	10.0%
Income 31% to 50% of AMI	26	7.0%	7.4%
Income 51% to 80% AMI	3	0.8%	5.8%
Total households at or below 80% AMI	37	10.0%	23.2%

Source: U.S. Department of Housing and Urban Development, 2010-2040 Comprehensive Housing Affordability Strategy (CHAS) data, with counts adjusted to better match Metropolitan Council 2016 household estimates.

Projected Housing Needs

As referenced in Chapter 2: Land Use, the Metropolitan Council’s 2015 System Statement forecasts that Birchwood Village will not expand the number of total housing units in the community. The existing community is fully developed, and planned land uses guide any redevelopment to occur consistent with existing land use and neighborhood patterns.

Even though the community is not projected to add households, that does not mean there will not be continued pressure for tear downs and major remodels. The community is supportive of continued investment into existing homes and neighborhoods but acknowledges that this may come at the expense of some of the more affordable housing options in the community. As the City continues to face pressure for major remodels and tear downs, it will evaluate and consider how it may protect some of its affordable housing stock. Since the median home price in Birchwood Village already exceeds that of the region and the 7-County metropolitan area it is already becoming more difficult for entry-level and first-time homebuyers to find a home in the community. This challenge is reflected in the City’s 2040 population projections which identify a decreasing population while the number of households remains constant. This is likely due to the aging of the City’s residents, and lack of opportunity for younger family to move into the community. Over this planning period, the City will work to identify ways to encourage a more diverse housing pattern that will support a more diverse demographic to help ensure the long-term sustainability of the housing stock and community overall.

Housing Implementation Program

The housing implementation program for Birchwood Village will seek to support the City in succeeding with its housing goals. There is little space for any new development, so it is a priority that the City maintains the prevailing homes. The following table outlines a variety of resources and tools the City can use to assist in meeting housing needs.

Table 3-5: Implementation Tools

Housing Goal	Tool / Resource / Strategy	Description
Maintain and support the City’s current level of housing affordability.	Washington County Community Development Agency (CDA)	Given the limited staff of Birchwood Village, regularly coordinate with the Washington County CDA to best align their resources with the City’s housing needs and goals. The CDA has capacity, funding resources, and expertise to assist smaller communities with their housing needs.
	Referrals	Review and update reference procedure and training for applicable staff, including a plan to maintain our ability to refer our residents to any applicable housing programs outside the scope of our local services.
	Foreclosure Prevention	Work with the Washington County CDA and other agencies on foreclosure prevention strategies
Maintain its single family detached housing density.	Zoning and Subdivision Ordinances	Review zoning and subdivision ordinances to identify any regulations that inhibit the housing priorities in this document.
Maintain and enhance the exiting housing stock and neighborhoods to promote the long-term sustainability of the community.	<ul style="list-style-type: none"> - Home ownership rehabilitation, home improvement, and energy-efficient local programs. - Housing rehabilitation programs funded locally. - Community Clean-Up Days 	Work with agencies, including banks, Washington County CDA, etc., to help support resident’s efforts to maintain and repair homes.

CHAPTER 4: TRANSPORTATION

Introduction

The purpose of the Transportation chapter is to guide development, maintenance, and improvement of Birchwood Village's transportation network. This chapter addresses the City's existing and planned transportation system based on existing and future land use patterns.

The City's transportation network consists primarily of roadways and trails, but given the City's regional context, also considers adjacent transit and airports that serve the community's residents. These systems work in harmony to move people within and through the City connecting residents to local and regional destinations.

The following sections address each component of the City's transportation system and plans for potential system improvements, maintenance and management utilizing the existing and planned land uses. As a predominantly residential community the City's transportation system is critical to maintain and plan for because residents rely on the system to provide access to jobs, services, shopping, and other amenities that are not contained within the community. As such, the information contained in this Chapter not only addresses system components that are full contained within the City but also describes regional transportation components that provide access and services to Birchwood Village's residents.

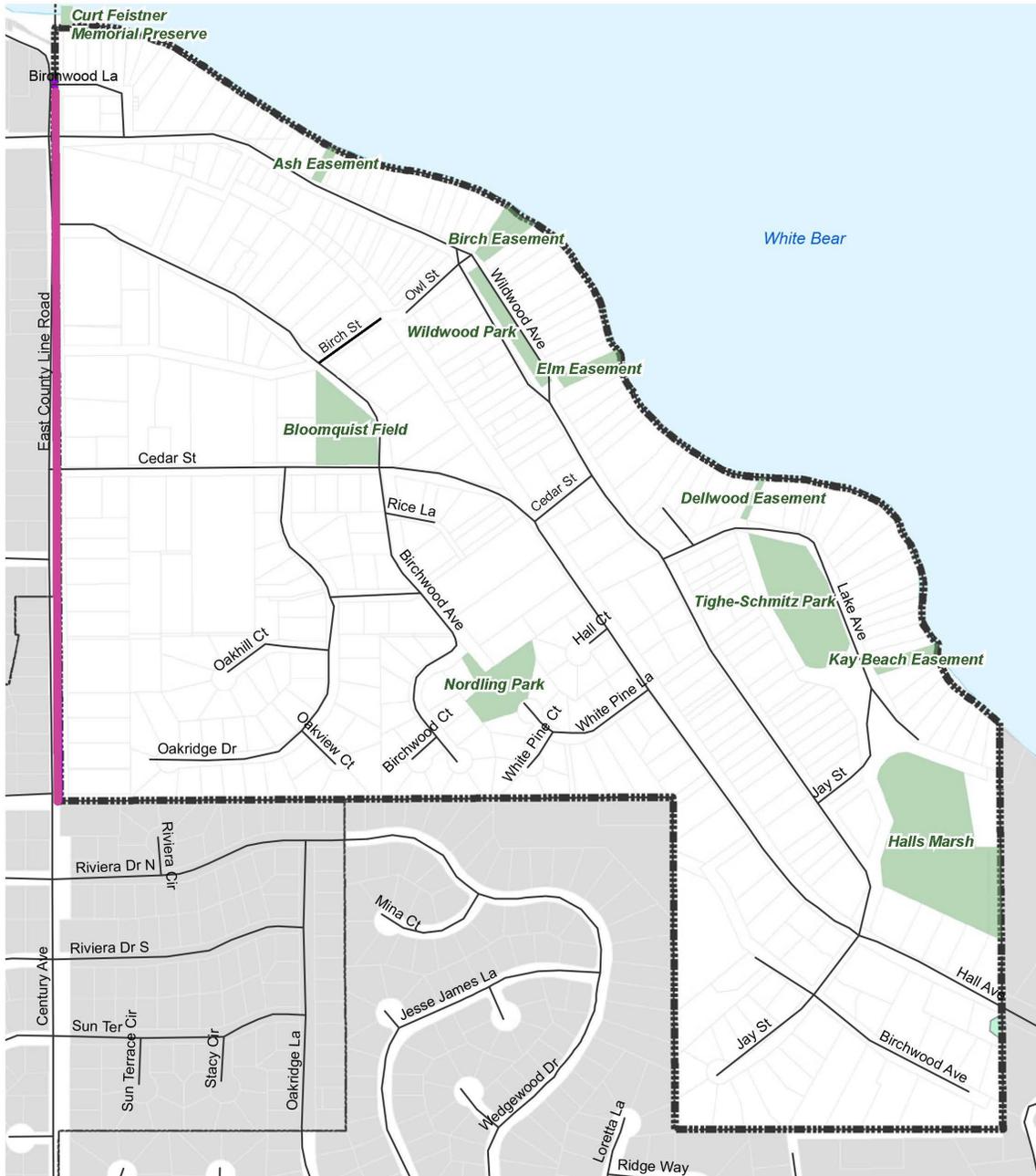
Roadways

EXISTING AND PLANNED ROADS

Residents of the City of Birchwood Village primarily rely on the local and regional roadways to travel to adjacent job centers, services, and retail locations. Internal to the City, all roadways are local roads providing access to residences, open spaces, and parks. There are no streets within the City that are under State or County jurisdiction, and all local roadways are managed and maintained by the City. The City of Birchwood Village manages 4.2 miles of bituminous surfaced streets and one 150-foot gravel roadway (Grotto Street) located east of Wildwood Avenue. Connecting the City to the region is East County Line Road located along the west border of Birchwood Village which is jointly owned by Washington County and Ramsey County. There are several areas with dedicated street rights-of-way that have not been improved and function today mostly as open space/trail easement areas. These areas are known as Birch, Ash, Elm, Dellwood, Park Avenues and Highwood Street.

As stated within the Land Use chapter, the City of Birchwood Village's future land use plan is consistent with the existing land use plan and no significant changes are proposed. Since no redevelopment areas or significant development are contemplated within the City, there are no new roadways or planned functional classification changes within the City during this planning period. As shown on Figure 4-1, the Existing and Planned Functional Classification of Roadways is planned to stay the same between now and 2040.

Figure 4-1. Existing and Planned Functional Classification of Roadways



Functional Classification of Roadways

- Local/City Roads
- Arterial/Collector Road



DRAFT
 Source: Metropolitan Council,
 Birchwood Village, Washington
 County
 Date: 9.20.2017
 Prepared by: SHC, LLC

FUNCTIONAL CLASSIFICATION DEFINITIONS

The Metropolitan Council, in coordination with County and State agencies, has established a functional classification system for roadways serving the Twin Cities Metropolitan Area. This system establishes a hierarchy of roads to match road function with capacity and purpose. The functional classification system for roadways is broken down into four categories: principle arterials, minor arterials, collectors and local roadways. There are only two functional classifications of roadways in the City: Minor Arterials and Local Roadways. The following definitions are provided for the two classifications affecting the community:

Minor Arterials –

The minor arterial system supplements the principal arterial system and provides connections to the principal arterial system. Minor arterials also support access to major traffic generators, including regional job concentrations and freight terminals, and between rural centers within and just outside the region. Minor arterials should serve medium-to-short trips, including arterial bus rapid transit, limited-stop bus, and local bus service. In the urban service area, the emphasis of minor arterials is on supplementing principal arterial mobility as opposed to providing direct access to land, and only concentrations of commercial, industrial, or residential land uses should have direct access to them. Minor arterials should connect to principal arterials, other minor arterials and collectors. Connections to some local streets are acceptable. Minor arterials are designed to carry higher volumes of general traffic than other local roads and these design characteristics often create a barrier for bicycle and pedestrian travel. Priority should be placed on addressing these barriers in areas with pedestrian traffic, such as within regional job concentrations, within local centers, and along major transit routes. Minor arterials are generally under MnDOT or county jurisdiction. East County Line Road falls within this classification. It is denoted as Other Arterial by the Metropolitan Council.

Local/City Roads –

Local roads connect blocks and land parcels, and the primary emphasis is on land access. In most cases, local roads connect to other local roads and collectors. In some cases, they connect to minor arterials. Local roads serve short trips at low speeds. Local roads serve local travel for pedestrians and bicyclists and may double as bike links in some locations. Transit is occasionally a consideration for local roads, depending on the surrounding land uses. All streets except for E County Line Road within Birchwood Village fall under this classification.

Transportation Analysis Zones

To support transportation planning efforts in the region the Metropolitan Council requires communities to identify their projected population, households and employment by decade for each Transportation Analysis Zone (TAZ) located within their community. The City of Birchwood Village includes only one TAZ, which is projected to remain relative consistent over each decade since no significant growth or redevelopment is projected. Table 4-1 identifies the City's TAZ forecasts by decade through 2040.

Table 4-1: Transportation Analysis Zone Forecasts

TAZ 1146	2020	2030	2040
Population	850	830	800
Households	351	360	360
Employment	25	30	30

Source: 2015 Birchwood Village Metropolitan Council System Statement

ROADWAY CONSIDERATIONS THROUGH 2040

Birchwood Village's street infrastructure is the largest asset and liability in the City's public works system and requires ongoing and routine maintenance. The City's streets consist of two to three inches of bituminous surfacing over four to five inches of aggregate base. Bituminous overlays of the streets have been completed in the past, and as a result the bituminous surface may be thicker than three inches on some roadways or in some areas. The City has relatively low traffic volumes, and there are no commercial or business uses in the community which helps minimize wear and tear on the roadways. The planned land uses are expected to remain consistent with the existing land uses, and therefore traffic volumes are anticipated to remain the same or be reduced as the City's population is projected to shift slightly lower during this planning period.

To maintain and manage the City's roadways, the City plans for and provides adequate budget during its annual budget process. The City facilitates multi-year programs for seal coating and crack sealing to ensure all roadways are managed and maintained on a regular and consistent basis.

It is recommended that the streets continue to be crack sealed every three years. Some additional as-needed repairs may emerge along the bituminous roadways. These necessary repairs could be a result of severe weather conditions and utility repairs. Because the City's population is less than 5,000 there is no state aid available to help manage and maintain any local roadways, and budgeting and costs must be absorbed by the City and its residents. The City will continue to monitor and plan for needed improvements to its roadways through this planning period. It is also recommended that the City utilize its Roads and Streets Committee to improve education of street maintenance programs for City residents.

Highway surface improvement project taking place from 2019-2024 in the vicinity of Birchwood Village have been identified by the Metropolitan Council in the Birchwood Village 2015 Systems Statement. The only identified pavement project is the resurfacing of East County Line Road south of MN-244, which will continue north post 2024.

Bicycling & Walking

As the region continues to grow it will become increasingly more important for residents to have transportation mode choice to help reduce overall reliance on vehicles. Though Birchwood Village is not easily accessible to mass transit services, the City is perfectly positioned to improve and create opportunities for residents to be connected to regional bike and trail infrastructure.

BICYCLING

Currently Birchwood Village has no specifically designated bicycle infrastructure, such as dedicated bicycle trails or on-road bicycle lanes. Though the City does not provide dedicated bike lanes on its roadways, residents primarily feel that the existing roads are multi-purpose and can safely accommodate bikers, walkers, and auto traffic.

To supplement the use of the local roadways for bicyclists, the City will contemplate the direction of the Metropolitan Council's desire for the City to explore how it can plan for a more specific connection into the planned Regional Bicycle Transportation Network (RBTN). The Metropolitan Council has identified a RBTN Tier 1 search corridor in the City along Wildwood Avenue (see Figure 4-2). According to the Metropolitan Council's 2040 Regional Parks Policy Plan a Tier 1 (high priority) network is identified where bicycle travel is greatest, population and job densities are highest, and where there were the most opportunities to connect regional job concentrations and activity centers with population and the regional transit system. The RBTN alignment passes through Birchwood Village going east-west. Given this aligned corridor, Birchwood Village will seek to plan for the implementation of bicycle supporting facilities through 2040 to establish a connection to the RBTN. Improved bicycle infrastructure was identified by residents as an important consideration in the 2017 Park Survey, and it is likely that planning for a more connected bikeway into the region will be supported by area residents.

SIDEWALKS & PEDESTRIAN WAYS

There are no sidewalks within Birchwood Village. Limited discussion has been heard regarding sidewalk improvements along East County Line Road, but this roadway is not under the jurisdiction of the City. As the roadway exists today, the road drainage includes a series of ditches and culverts that would make construction of trail or sidewalk improvement difficult in this area. It may be possible to construct storm sewers to accommodate runoff, but any improvements would need significant coordination with Washington and Ramsey Counties.

Pedestrians also utilize a narrow bituminous surface between upper and lower Birch Street as a path. The City maintains Ash and Grotto walkways as wood chip paths. Generally, residents walk on local roadways which are seen as multi-purpose and shared facilities for pedestrians, bicyclists and auto traffic. The 2017 Parks Survey identified the development of new pathways as an important addition to the City.

Figure 4-2. Regional Bicycle Transportation Network Tier 1 Search Corridor



RBTN Corridors

 Tier 1



DRAFT

Source: Metropolitan Council,
Birchwood Village, Washington
County

Date: 9.20.2017
Prepared by: SHC, LLC

Mass Transit

Birchwood Village's Transit Market Area is Market Area III as designated by the Metropolitan Council. This Market Area is described having moderate density but tends to have a less traditional street grid that can limit the effectiveness of transit. Transit service in this area is primarily offered by Metro Transit with a commuter express bus service (Route 270) and one local bus route (Route 219) running on the west border of Birchwood Village.

There is currently no fixed-route local service operators within Birchwood Village, and public dial-a-ride services fulfill needs for basic local transit needs. Transit Link is a small bus service that provides a dial-a-ride service for trips that cannot be completed on regular transit routes. Metro Mobility is another service but is limited to certified riders who are unable to use regular fixed-route buses due to disability or health concern.

There are no park-and-rides or other transit facilities located in the City.

Aviation

The nearest major commercial airport that serves Birchwood Village residents is the Minneapolis-St. Paul International Airport that is located approximately 16-miles southwest of the City. The nearest airport is the Lake Elmo airport which is a general aviation facility operated by the Metropolitan Airports Commission.

Several private light planes operate off the surface of White Bear Lake year-round. The lake is adequate in size for light activity and MnDOT Aeronautics has designated it as appropriate for seaplane operations. The City acknowledges this designation and accepts present seaplane activity, but would object to large scale operations.

There are no existing height barriers for seaplane operation within the City. Municipal Code restricts the height of structures at 35 feet per Code 302.045. Any variance which would result in a structure having a height of more than 200 feet would be considered an aviation hazard and require approval of MnDOT and the notification of the FAA. The City will use proper notice and protocol to the FAA for any proposed construction or variance which could affect navigable airspace.

Freight

There are no railways, barge facilities and truck or intermodal freight terminals within Birchwood Village. Since there is no commercial development allowed within the City, there are no nodes or areas that generate freight movement.

Chapter 5: Parks, Trails, Open Space & Natural Resources

Introduction

The City's existing parks, trails, open space and natural resources system is an important part of Birchwood Village's quaint small-village character. Tree canopied streets, and private wooded lots with rolling topography make the community feel like the small resort town of yesteryear, while active park areas provide residents with opportunity to meet and gather. The parks, trails, open space and natural resource system is an important part of the City's past and is planned to be an important asset of its future.

The following sections identify and describe the City's existing system and establishes a plan for the future of the City's Parks, Trails, Open Space and Natural Resources (PTOSN) System. Finally, this chapter introduces the concept of a green network that incorporates all of these elements and considers the resiliency and long-term sustainability of Birchwood Village for this planning period.

PTOSN Goals & Objectives

The City's parks, trails, open space, and natural resources system is a defining characteristic of Birchwood Village. Though the City is relatively small, a significant proportion of the City's land uses are dedicated for park and open space uses which are further enhanced by the presence of White Bear Lake and all the natural areas within rights-of-way and private lots that remain in the community today. When all of these areas are considered collectively, the organized park areas and natural areas further support the small-town village atmosphere of the community.

Since the parks and open spaces are an important part of the City's responsibilities to manage and maintain, the City issued a park survey in 2017 to solicit feedback from residents to provide a direction for the system moving forward. Many of Birchwood Village's residents responded to the survey, and their feedback was used to help define and establish the following goals and objectives for the parks and open space system through this planning period.

1. Maintain and improve the City's existing parks and open space facilities to ensure the health, safety and general wellbeing of Birchwood Village residents.
2. Provide park and open space facilities that serve all age groups and meet programming needs of Birchwood Village's residents. The City will take a balanced approach to programming and develop a system that supports all age cohorts in the community.
3. Create and develop a system of walkways within the City that connect residents to Birchwood Village's parks and open spaces providing safe alternate transportation mode choices and reducing resident's reliance on vehicles to access the system.
4. Upgrade and maintain the lake easements, as necessary, to meet the needs and desires of residents.
5. Improve the overall maintenance of parks and public facilities.
6. Integrate and align the City's equipment and resources to support and contribute to other local communities and youth organizations parks, trails, and open space systems.

There are many ways that the City can accomplish the goals and objectives as identified above. The City's Parks Committee is taking the first step toward the goal by developing a Parks Improvement Plan that intends to address what residents clearly indicated in their response to the survey: desire for the system to be enhanced and better

maintained as an asset of the community into the future. To support this value, planned maintenance, improvements and enhancements should be well planned to protect the system's long-term sustainability as a key characteristic of the community through this planning period. Perhaps the most important pieces of Parks Improvement Plan will be to establish a capital improvement plan (CIP) for the system to identify priorities and budget for proposed investment.

Existing Parks, Trails, Open Space and Natural Resource System

As indicated in previous sections, and within the Chapter 2: Land Use, the City is primarily developed with single-family residential uses with interspersed protected park, open space and natural resource areas. To better understand how the City should plan a coordinated Parks, Open Space and Natural Areas system, it is important to first understand the existing condition and location of each component of the system.

There is a total of 13.8 acres of park and public open space land within the boundaries of Birchwood Village (See Figure 5-1). The City's park system includes four park areas with passive and active recreational uses; six lake easements that provide access to White Bear Lake, and several undeveloped areas (easements and right-of-way) that have not been designated with a specific use. All City residents are within one-half mile of one, or more, of the City's parks or open space areas. In addition to the protected park and open space areas, the significant natural resources in the community include White Bear Lake and the wetland area just south of Tighe-Schmitz park. Outside of publicly protected natural resources, the City's private lot areas and easement areas include extensive tree cover and rolling topography which all contribute to the City's stormwater and natural resources system. The following sections describe Birchwood Village's existing parks, open space and natural resource areas in the community.

CITY PARKS & OPEN SPACES

Bloomquist Field

Classification: Neighborhood Park

Size: 1.50 Acres

Located at the intersection of Cedar Street and Birchwood Avenue, is a neighborhood park with a double tennis court, and picnic tables and benches. New playground equipment was installed in 1998. The park is heavily used by residents, and current programming matches the community's demands.

Wildwood Park

Classification: Open Space

Size: 0.60 Acres

This park/open space area is located within the right-of-way of Wildwood and is at approximately the midpoint of Wildwood Avenue within the City. The boulevard area is a wide-open grassy area which provides passive recreational opportunities to residents and is used for community gatherings such as its Fourth of July celebration. The open space area is connected to two of the easements to White Bear Lake providing further connections within the City's open space network.

Figure 5-1. Parks, Open Space & Natural Resources



Parks, Open Space, Natural Resources

- ParksOpenSpace
- National Wetlands Inventory (NWI)
- Regionally Significant Natural Area (MLCCS Derived)



DRAFT

Source: Metropolitan Council,
Birchwood Village, Washington
County

Rev. Date: 9.13.2018
Date: 9.20.2017
Prepared by: SHC, LLC

Tighe-Schmitz Park**Classification:** Neighborhood Park**Size:** 2.50 Acres

The Tighe-Schmitz Park is located in the southeastern quadrant of the City and is the City's largest park area. The park provides both passive and active recreational opportunities to residents and is the most popular park in the City's system. The recent results from the 2017 community survey indicated high usage of this park and that residents most frequently used and appreciated the walking trails in the park. In addition to passive park uses, the park also includes a large active sport area with a hockey rink, open skating rink, baseball field, football and soccer practice areas, and pickle ball. The multi-purpose hockey rink (completed in 1997) provides for year-round use including in-line skating and basketball in the off-season. Adjacent to the skating rinks is a warming house and volleyball court. Children's play equipment (installed in 1996), and a picnic shelter complete the park's current amenities. Adjacent to the picnic area, a rain garden was installed.

Nordling Park**Classification:** Open Space & Stormwater Management**Size:** 1.3 Acres

The Nordling Park area provides passive recreational uses and stormwater management. This is an example of an area that serves dual purpose, providing recreation opportunities while also allowing for surface water management including localized groundwater recharge contributing to the City's green infrastructure and network.

White Bear Lake Easements (Multiple)**Classification:** Open Space**Size:** 1.2 Acres (total)

The City owns and manages six lake easements that provide residents access to White Bear Lake for swimming, boating, fishing, and winter activities. The easements are evenly spaced along Wildwood and Lake Avenues and are generally between 40 and 55-feet in width and are within a short walking distance of all of Birchwood Village residents. The easements are known as: Kay, Dellwood, Elm, Birch, Ash and Curt Feistner Memorial Preserve. The City contracts dock management services to a private organization that owns and maintains the docks at the easements.

Halls Marsh**Classification:** Open Space & Stormwater Management**Size:** 6.6 Acres

This open space is a dedicated nature preserve and is currently unimproved. There are no existing trails, or other organized/programmed uses and the area is generally open space and provides ponding and stormwater management.

Birchwood Village City Hall

Classification: Open Space & Stormwater Management

Size: 0.79 Acres

Located adjacent to Bloomfield Field, the Birchwood Village City Hall serves as a gathering and meeting place for various Birchwood Village organizations as well as for official business meetings. The Village currently uses the land directly north of the Village Hall for open space and stormwater management.

City Trails

There are several existing city trails that are heavily used by area residents. Residents also rely on existing roadways for walking, running, and biking. While roadways are viewed as relatively safe, their narrowness coupled with topography can cause safety concerns when sharing the roadways with vehicle traffic. Figure 5-2 illustrates locations of existing trails and where new trails are currently considered.

Regional and State Parks & Trails

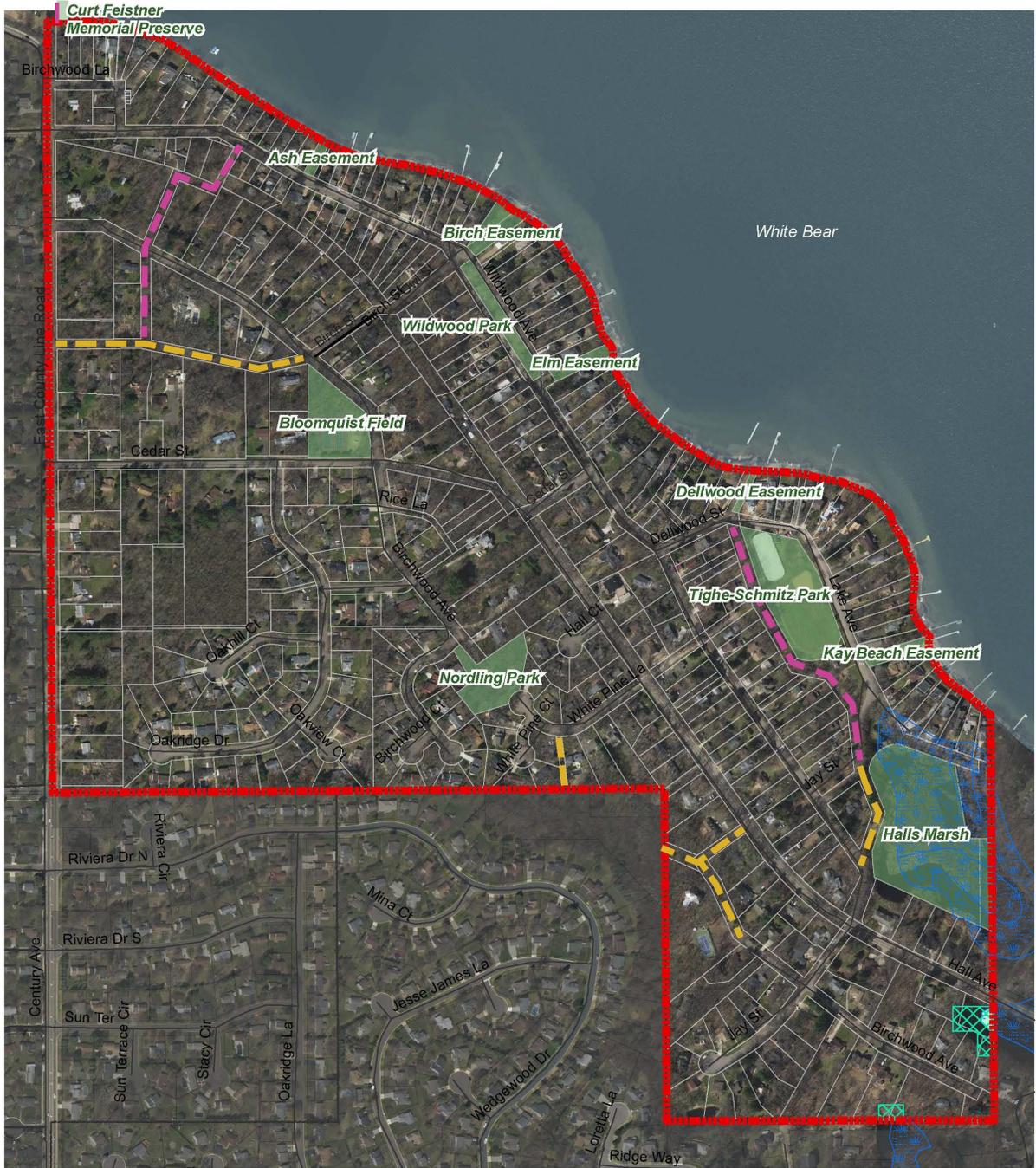
The City is within the search area for new regional bike trails according to the Metropolitan Council. There are no designated regional or state trails in the City. Recently, efforts to establish the Lake Links Trail will incorporate streets within Birchwood Village as part of a designated trail route around White Bear Lake, connecting Birchwood Village residents with local, regional and state parks and trails in adjacent communities.

Adjacent Communities Parks & Open Space

As a small community, it is not possible for resident's parks and open space needs to be fully met within the Birchwood Village borders, and therefore, the parks amenities of neighboring communities help complete the system. Birchwood Village residents are blessed with access to the recreational facilities in nearby communities such as Mahtomedi, White Bear Lake, White Bear Township and the surrounding region. Some of the closest resources include Wildwood Park and Wedgewood Park located off of County Road E in Mahtomedi, both are just to the south and east of Birchwood Village. Nearby to the west is a well-developed playground at the former Bellaire School that includes playground equipment and softball field. Additionally, the City of White Bear Lake has play equipment at the corner of County F and Bellaire, and White Bear Township's Bellaire Beach and picnic area is located on White Bear Lake one-half mile west of Birchwood Village.

Because of Birchwood Village's size, park programming, community education and recreational associations that serve residents include White Bear Lake and Mahtomedi.

Figure 5-2. Parks & Trails



Parks & Trails

- Parks/Open Space
- National Wetlands Inventory (NWI)
- Regionally Significant Natural Area (MLCCS Derived)
- Existing Trail
- Potential Trail



DRAFT

Source: Metropolitan Council,
Birchwood Village, Washington
County

Rev. Date: 9.13.2018
Date: 9.20.2017
Prepared by: SHC, LLC

Existing Natural Resources

The City parks and open spaces are enhanced and supported by the natural resources that further complete the system. This concept of combining all parks, open space and natural resources to be considered and managed as one system is often referred to as a “Green Network.” The concept is particularly fitting in Birchwood Village given its extensive natural resources furthered described here.

Topography and Stormwater

Birchwood Village has rolling topography which slopes gradually away from White Bear Lake. Since development of the community happened in the late 1800s and early 1900s, much of the natural topography was protected as vacation homes and cottages were sited to capitalize on existing topography and views. As a result of this development pattern, the City’s terrain is hilly, with rolling hills of 12% - 15%, up to 24% in some areas. Due to the slope, it is imperative that natural vegetation and ground cover is maintained to prevent erosion which is a significant consideration for land in excess of 12% slope. Maintaining proper vegetation and ground cover is also important to protect lake quality since White Bear Lake is the lowest elevation of the community at approximately 924-feet. The topography of the community rises to a height of just over 1,010 feet at the west and south borders of Birchwood Village, indicating that runoff flows to the Lake if not properly maintained and managed.

Tighe-Schmitz Park is one of the lowest points inland from White Bear Lake making it a natural stormwater retention area during rain events. Before it was filled in during the 1950’s, it was described as a bog, wetland and swamp. Currently the City considers the Park as part of its stormwater management system and has designed and programmed facilities that are conducive to its function as a stormwater holding area during high-volume rain events. To assist with drainage and surface water runoff the City has constructed a permeant rain garden that helps clean and filter water and contributes to localized groundwater recharge.

The City has constructed a second rain garden in the Birch Easement to serve as a natural stormwater management feature. The Birch Easement rain garden functions to help slow and clean stormwater runoff from local roadways prior to being discharged in White Bear Lake. Both rain gardens require regular programmed maintenance and management to function properly as stormwater features.

Soils & Vegetation

Birchwood Village’s native soils are predominantly sand of various classifications. Close to the lake, the Kingsly fine sandy loam predominates, which is considered to have a slight degree of limitation for building and can be prone to erosion on steeper slopes. The outcrop of rock that goes through this area is called the Birchwood Outcrop. The south-central portion of the City contains Pemroy loamy fine sand. This soil type presents a severe erosion hazard when found on slopes greater than 12% that are found in this area of the City. This soil also tends to be rather impermeable, which makes localized groundwater recharge more challenging. Some ledge rock is encountered at scattered locations throughout the City. Detailed information on surface soil types is available from the Washington County Soil and Water Conservation District.

Aquatic vegetation is found in the marsh areas, and the land areas that were once farmland in the southwest portion of the community are heavily vegetated with a variety of trees that were primarily planted as new neighborhoods were developed.

Overall, Birchwood Village is extensively wooded with many large Oaks and Maples throughout the community. Birchwood Village has expressed concern of the dominant presence of Oak and Elm groups of trees because of the prevalence of Oak Wilt and Dutch Elm, and the lack of options to prevent trees from becoming diseased. Given the age of the City's neighborhoods, the trees are also aging and loss of trees and tree limbs due to inclement weather and aging is becoming more prevalent. Losing these old growth large trees, if not replaced, will have a significant visual impact on Birchwood Village in the future.

In addition to the aging tree stock, the City has also experienced the increase of invasive species in the community and most notably the presence of buckthorn. Due to the severity of invasion, the Washington County Sentence to Service crews spend several weekends every year cutting buckthorn. While Sentence to Service is free, the City must allocate resources for disposal of the wood. Other invasive species in the community include wild mustard and purple-loosestrife, which has most recently replaced many native species in Halls Marsh. There is no easy answer to eradicating this plant, and currently the City's best solution is to continue to work with volunteers and organizations on continued removal of this invasive plant from the community.

Wildlife is abundant in Birchwood Village, and the current population of deer in the area is beginning to also pose a threat to the native plants and trees. Management of the deer population will need to be considered for ongoing natural resource protection.

Lakes and Wetlands

White Bear Lake itself is probably the community's most valuable natural resource, providing recreational activities both summer and winter, and acting as an effective moderator of ambient temperatures. The sloping terrain toward the lake provides many homes with sweeping vistas of open space. The City and the citizens of Birchwood Village should be cognizant of this resource when applying chemicals. Additionally, the City has identified tools and strategies within its Local Surface Water Management Plan (LSWMP) contained within the Comprehensive Plan that support the Rice Creek Watershed District and their efforts to protect and improve the Lake. (See Chapter 6.)

The other significant surface water feature in the community is the wetland area which is known as Hall's Marsh. The wetland area serves an important function in the City's surface water management and is also a place with native vegetation and open space for Birchwood Village's residents.

Planned Parks, Trails, Open Space and Natural Areas

The City's existing parks, trails, open spaces and natural areas provides the foundation from which the City can plan for the future of the system. As noted in previous sections, and identified by residents within the survey, the existing system is an important and character defining element of the community. As such, it is important to properly plan for the maintenance and management of the existing system, and also to identify opportunities to enhance and contribute to a more complete system for the City's future.

Focus on Trails (Pedestrian, Bikeways, and Multi-Purpose)

Many area residents have identified the desire to expand the pedestrian and bikeway network in the community and across its borders, and to make the trail network safer. The existing trails in Birchwood Village are not well

connected to the region, and residents are supportive of establishing a safe route around the lake for pedestrians, bikers, and joggers. Previously the communities around White Bear Lake discussed establishing bike trail around the lake connecting all communities called the Lake Links Trail. This concept is coming closer to fruition as Washington County leads the effort to provide a connection, as noted and described in subsequent sections of this chapter.

At the local level, residents are conflicted about how to balance the desire for improved trail connections for pedestrians and bicyclists while still protecting existing neighborhood patterns and character. There is some fear that any change will be less desirable than the current condition. Even though the discussion is difficult, it does not mean Birchwood Village should ignore opportunities to provide a more complete network as desired by residents. Instead, Birchwood Village intends to plan for a more complete system while giving proper consideration to those that will be most affected or impacted by potential improvements.

LOCAL TRAILS AND UNIMPROVED EASEMENT AREAS

One of the City's priorities is the preservation of the natural charm of its existing neighborhoods and the privacy of its citizens. This must be considered in terms of the collective community, and how individual property owner's desires for privacy can be balanced with opportunities to create a more complete trail system. The residents that have the potential to be most negatively affected by improvements within these unimproved right-of-way areas are those that adjoin the easement/right-of-way and have enjoyed this publicly owned property as essentially an extension to their private lots. While this is understandable, it must also be noted that these areas were dedicated for public use as a road right-of-way, and that a trail is a far less intense use than what was contemplated for these areas. Since these areas were taken for public use, the City intends to plan for, and contemplate how the right-of-way areas may serve as trail connections.

The planning process will consider how a trail could be located within the right-of-way area but will also identify and work with adjacent property owners to identify what types of mitigation may be available to protect their privacy even with a public trail located nearby. For example, in areas where there is concern that trail users may venture off the trail, vegetation and landscaping including trees may help serve as a guide to keep users from venturing into private property. Or, for property owners concerned about trail users being able to see into adjacent homes or lots there may be opportunities to plant more mature conifers along the trail corridor. Birchwood Village is committed to improving trail access throughout the community because it benefits all of its residents, but the City is equally as committed to working with affected property owners to identify proper mitigation to help alleviate some of the concerns associated with greater trail access throughout the community.

BIKEWAYS

The Metropolitan Council has identified the City within one of the Regional Bicycle Transportation Network's (RBTN) future corridors. It is designated as a Tier 1 corridor, which according to the Metropolitan Council's 2040 Regional Parks Policy Plan a Tier 1 (high priority) network is identified where bicycle travel is greatest, population and job densities are highest, and where there were the most opportunities to connect regional job concentrations and activity centers with population center and the regional transit system. Given this criterion, Birchwood Village is required to plan for the implementation of bicycle supporting facilities through 2040. As shown Chapter 4, Figure 4-2, the entire City is within the Corridor, but based on the City's infrastructure, the most likely location for an on-road bike lane is along Wildwood and Lake Avenues.

Reinforcing this alignment, Washington County just recently identified a corridor through Birchwood Village for bicycle traffic that is part of the Lake Links Trail. The Lake Links Trail aims to create a trail loop around White Bear Lank and Silver Lake, an extension of the Bruce Vento Trail from Maplewood to the Hugo trail system, and trail links between each of these and to the Gateway Trail and Stillwater trail system. The Birchwood Village Trail Corridor totals 1.7 miles following Wildwood and Lake Avenues through the City.

PAVED AND UNPAVED TRAILS

While there is some desire for additional paved trails in the City for both bicycle and pedestrian traffic, there are more opportunities for turf trails or other soft-surface trails where the impact from a paved surface may be too significant. One of several key factors to be considered in any decision to construct new trails is whether the property owners of the property abutting the specific street right-of-way where the proposed trail is located are in favor of such trail. Another consideration is the type of usage contemplated by the trail and whether it is primarily intended to provide local resident access or whether it will serve a larger regional role. In the case of a new regional trail, whether such trail is on-road or road-separated, the trail should be constructed in a location that incorporates and considers the Lake Link and RBTN alignment and such trail should be paved to accommodate a higher level of usage. For those trails intended to improve local connections a case-by-case review of anticipated use, as well as appropriate trail surface should be conducted. The City's vision is that the trail system will provide a more complete system to local residents, and that a variety of trail surfaces will be available creating a diverse and interesting trail experience for pedestrians and bicyclists.

Planned Acquisitions or Improvements to Parks and Open Space

As a fully developed community, Birchwood Village is not planning for any additional park or open space acquisitions in this planning period. However, the existing system, including underutilized park/open space land, will continue to be a priority for programming, maintenance and management to ensure the existing parks and open space continue to meet the needs of Birchwood Village residents. The following summary of planned considerations for parks and open spaces is provided:

UNDERUTILIZED LAND/PROGRAMMING CONSIDERATIONS

The City currently owns Outlot A of the Lakewood Rearrangement which is approximately 0.2 Acres. Though the property is small, it is perfectly sized to accommodate a small pocket park that could include a tot-lot or other similarly scaled improvements. As noted in the existing parks and open space section there are some areas within the existing system for improvements, such as near City Hall where continued enhancements to the City's green network and stormwater management system are possible as well as near existing Tighe-Schmitz Park and Halls Marsh. The City will continue to identify opportunities, even small opportunities, to enhance the City's system, including its green network, to make a more sustainable community for the future.

MAINTENANCE AND MANAGEMENT OF THE EXISTING SYSTEM

As indicated by the survey, residents are particularly concerned with the exiting condition of the park and open space system. The existing park infrastructure such as paths, playground equipment, and ice rink all are experiencing deferred maintenance and replacement, or repair of these public assets was widely requested from residents in the 2017 park survey. An overall concern for the lack of maintenance with respect to the public space across the City is of great concern to the residents, with concerns expressed regarding yard work required to upkeep these spaces such as; weeding, mowing, and the removal of overgrowth and branches.

Natural Areas and Resiliency

The City’s existing right-of-way, trails, parks and open space all work together to form a green network in the community that promotes long-term sustainability and resiliency in the community. This concept is built on the idea of incorporating recreational, natural areas, trails, rights-of-way and open spaces into a connected network can offer long-term benefits to the community.

While the City is not adopting a formal green network as part of this plan, the City has adopted and incorporated many of its principles which is evidenced by the extensive parks, open spaces, and natural areas in the community today. In concept, the City is adopting a green network as a way to promote resiliency of Birchwood Village over this planning period. Examples of land uses that the City considers part of the green network include:

- Active recreational park areas
- Passive recreational park areas and open spaces
- Conservation easements
- Utility easements and road rights-of-way (un paved shoulders, swales and ditches)
- Storm ponds and retention basins
- Swales
- Wetlands
- Rain gardens
- Porous paving and sustainable stormwater management areas
- Solar gardens/solar panels

The intent is that these land uses and features help to create a green network that is adaptable, and contributes not only to the City’s Parks, Trails and Open Space Network but to the sustainability of the community as a whole.

Resiliency can also refer to the health and wellness of residents, that when considered collectively with the green network provides the opportunity to provide access to nature, views, wildlife and places that reduce stress, recreational opportunities, community gathering spaces, greenery and shade canopies that can reduce energy consumption. Connected spaces will also establish more walkability, bikability and accessibility within the City.

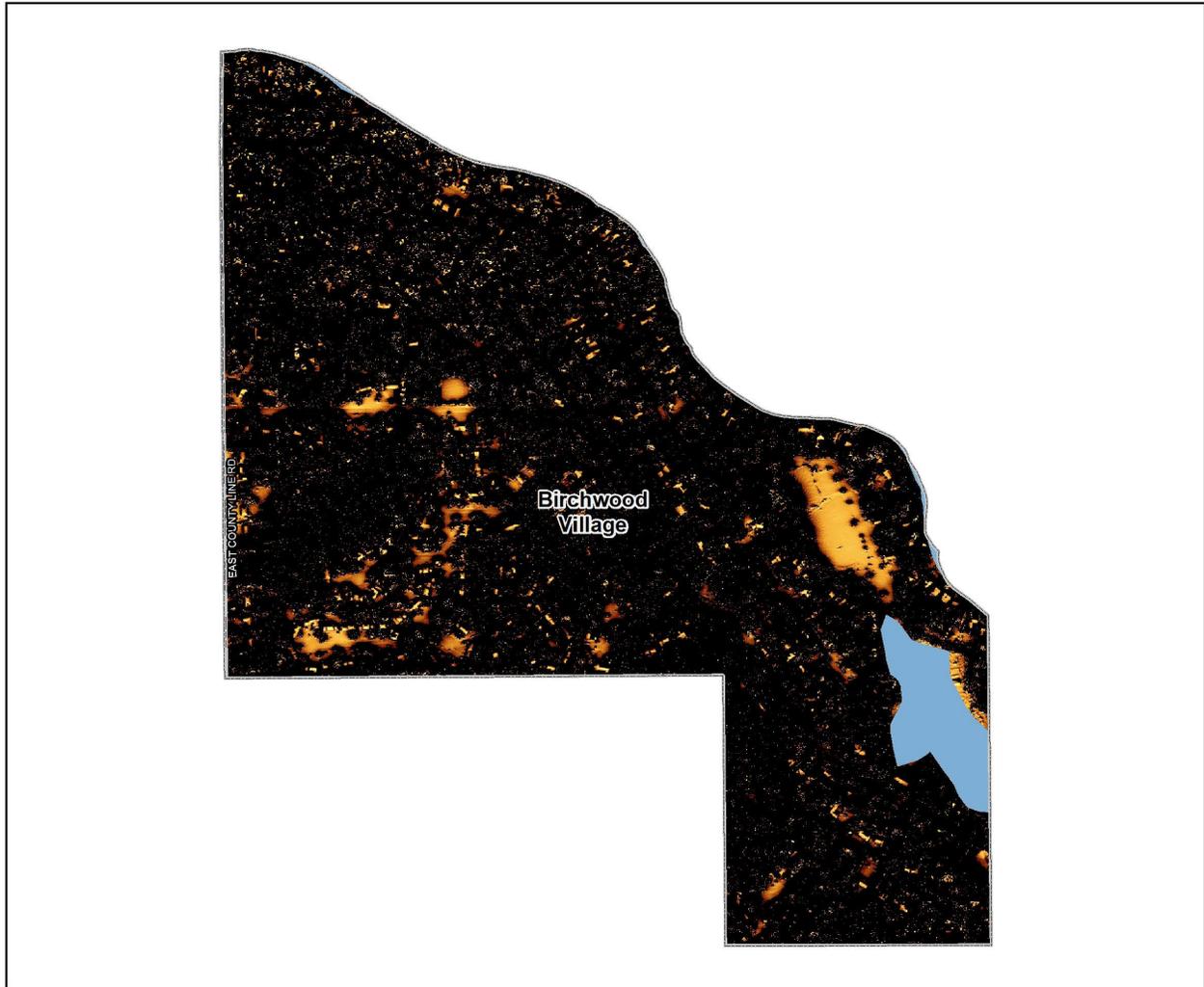
SOLAR ENERGY

The City’s existing land uses and vegetative patterns make solar access challenging particularly on individual home sites. There are some positives regarding this challenge – insofar as individual homes are shaded by an extensive tree canopy – but there are drawbacks in that individual property owners lack options for alternative energy such as solar. The existing solar access in the City is shown on Figure 5-3, and the associated potential solar generation is identified in Table 5-1. The City has co-opted with a solar garden in the area. The garden is currently in planning and construction phases. When technology allows for it, Birchwood Village residents can access community solar gardens on an individual level, and services are currently being considered by solar developers.

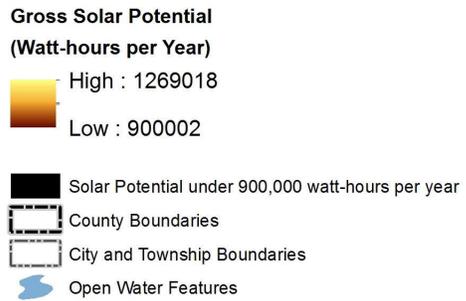
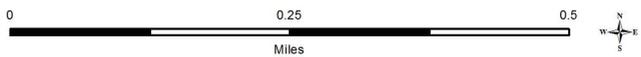
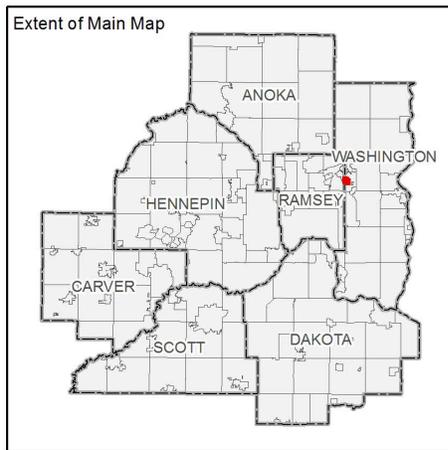
Table 5-1: Gross and Rooftop Solar Resource Calculations

GROSS POTENTIAL (MWH/YR)	ROOFTOP POTENTIAL (MWH/YR)	GROSS GENERATION POTENTIAL (MWH/YR) ²	ROOFTOP GENERATION POTENTIAL (MWH/YR) ²
90,456	15,426	9,045	1,542

Figure 5-3. Solar Access



12/1/2016



Source: University of Minnesota U-Spatial Statewide Solar Raster.

CHAPTER 6: SURFACE WATER

Introduction

This section of the Birchwood Village 2040 Comprehensive Plan serves to outline surface water management in the City for the purpose of conserving, protecting, and maintaining the quality of surface waters, ground water, and natural resources. The City is positioned to follow water management strategies and regulations set forth by the governing watershed district, Rice Creek Watershed District (RCWD). The Metropolitan Surface Water Management Act of 1982 identifies local watershed management organizations or watershed districts as the primary organization to prepare and implement comprehensive surface water management plans for local units of government in the seven-county metro area.

The goals of the Metropolitan Surface Water Management Act are to:

- protect, preserve, and use natural surface and groundwater storage and retention systems;
- minimize public capital expenditures needed to correct flooding and water quality problems;
- identify and plan for means to effectively protect and improve surface and groundwater quality;
- establish more uniform local policies and official controls for surface and groundwater management;
- prevent erosion of soil into surface water systems;
- promote groundwater recharge;
- protect and enhance fish and wildlife habitat and water recreational facilities; and
- secure the other benefits associated with the proper management of surface and groundwater.

(source MN Board of Water and Soil Resources, www.bwsr.mn.us)

This chapter therefore recognizes that the City of Birchwood Village follows and incorporates by reference the policies, standards, and procedures for surface water management required by the RCWD and that meet the provisions of Minnesota Statutes §473.157 and §103B.235, Minnesota Rules 8410.

Other organizations with jurisdictional influence for surface water management include Washington County, Rice Creek Watershed District (RCWD), the Metropolitan Council, State of Minnesota Agencies such as the Minnesota Pollution Control Agency (MPCA), the Minnesota Department of Natural Resources (MN DNR), the Minnesota Department of Health (MDH), and the Board of Soil and Water Resources (BWSR), plus Federal Agencies, most notably the Environmental Protection Agency (EPA) where applicable.

Birchwood Village Local Surface Water Management Plan

Plan Summary

As part of Thrive MSP 2040, the Metropolitan Council adopted a water resources policy plan with policies and strategies aimed to achieve the following goal for water management: “To protect, conserve, and utilize the region’s groundwater and surface water in ways that protect public health, support economic growth and development, maintain habitat and ecosystem health, and provide for recreational opportunities, which are essential to our region’s quality of life.” The City of Birchwood Village strives to match this goal through the implementation of policies and practices initiated by the City and also through the goals and policies of the Rice Creek Watershed District (RCWD). Birchwood Village falls completely within the RCWD, and watershed management plans and standards for the RCWD are adopted and incorporated by reference herein.

The single greatest issue facing the City is the problems associated with stormwater runoff—especially runoff into White Bear Lake. Since Birchwood Village is considered built-out, there is little potential for significant increases of impervious surface that contribute to greater rates of runoff as current development and infrastructure patterns are maintained. However, pollutants entering the lakes and wetlands untreated are still an area of concern as much of the area was developed before surface water rose to the level of current concern. The City has plans in place to address such concerns as described in this chapter.

This chapter of the 2040 Comprehensive Plan for Birchwood Village therefore serves as the Local Surface Water Management Plan (LSWMP) to guide the protection and management of surface waters, ground water, and related natural resources in the City and meets the requirements of applicable state statutes, the Metropolitan Council, and the local watershed district (RCWD). The LSWMP is intended to comply with current regulations and requirements of these organizations.

Local Water Management Responsibilities and Related Agreements

The City is wholly within the RCWD which requires permits for development, redevelopment and land disturbing activities. The RCWD has adopted rules that require permit applicants to address storm water management, including volume and rate control, water quality, erosion and sediment control, wetlands, and floodplain. The RCWD is also the designated Local Unit of government for purposes of the State of Minnesota Wetland Conservation Act. Birchwood Village requests RCWD to continue to implement these rules and regulations and issue permits for the City.

Table 6-1. Surface Water Jurisdiction within the City of Birchwood Village

MANAGEMENT ENTITY	JURISDICTION
US Army Corp of Engineers	All jurisdictional wetlands
MN DNR	DNR protected waters & wetlands extending to the ordinary high-water elevation or top of stream banks
MPCA	Water quality through 401 certification and NPDES
RCWD	All wetlands and activities that interact with surface waters
City of Birchwood Village	Activities that affect wetlands and surface water

PLAN REVISIONS AND AMENDMENT PROCEDURES

To keep current with local practices and policies and address unintended issues, the City may need to revise and update its LSWMP from time to time. Written petitions from residents for amendments must be submitted to City staff and provide supporting information for the request. City staff may also propose amendments. Any amendments deemed feasible by the City must be approved by RCWD before adoption into the Plan.

PHYSICAL ENVIRONMENT AND LAND USE

EXISTING & FUTURE LAND USE AND PHYSICAL ENVIRONMENT

Birchwood Village was incorporated in 1921 and consists of approximately 250 acres on the south shore of White Bear Lake in Washington County and is fully within the jurisdiction of Rice Creek Watershed District. The City is considered fully developed and is home to approximately 800 residents. The existing and future land use is dominated by residential uses, with a small percentage of the land use for right-of-way, roadways, parks and open space. (See Figure 2-1. Existing Land Use Map, 2018 and Figure 2-2. Existing Zoning Map, 2018.) The population and development in the City are expected to remain relatively unchanged during this planning period, with only small in-fill or redevelopment anticipated at current densities. (See Figure 2-3: Future Land Use Map, 2018.)

The physical environment of Birchwood Village is primarily a wooded setting of cottages and homes tucked into the trees and along the lakeshore. Topography is generally flat with small areas of sloped land along the shores of White Bear Lake. There is only one public water body in Birchwood Village outside of adjacent White Bear Lake called Hall's Marsh – a small wetland complex is located on the east side of the City between Lake Avenue and Hall Avenue. It is adjacent to a local park in the City, Tighe-Schmitz Park, just inland from the White Bear Lake. (Lost Lake a public waterbody just outside Birchwood Village boundaries.)

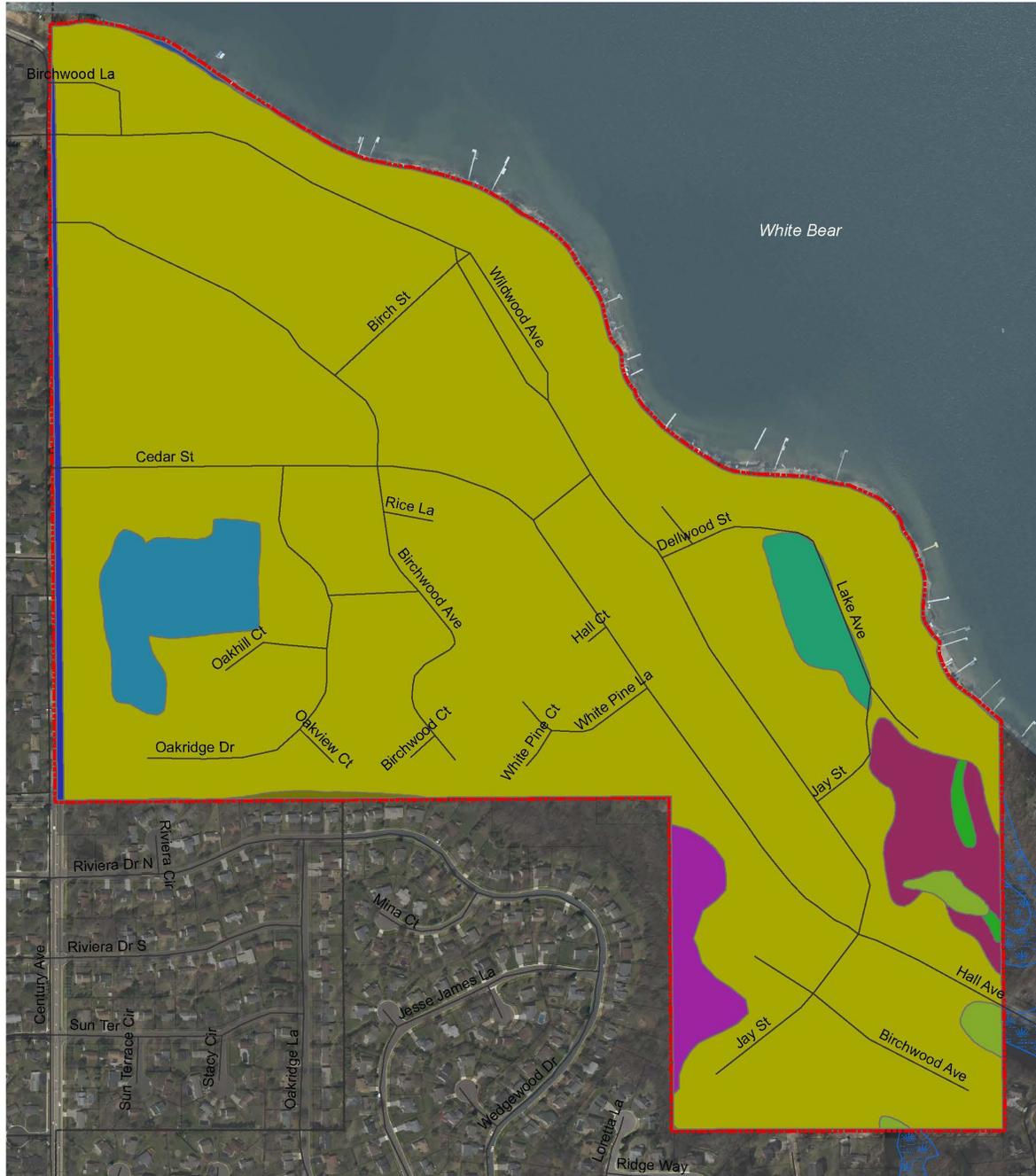
Vegetative cover in the City is consistent with lake area communities and described by the Minnesota Land Cover Classification System (MLCCS) (See Figure 6-1. Minnesota Land Cover Classification System MLCCS.) More information about the topography, geology, soils, and climate can be found in the Rice Creek Watershed District Watershed Management Plan, accessible online here: <http://www.ricecreek.org>.

SURFACE WATER AND STORMWATER DRAINAGE

Birchwood Village is in the Clearwater Creek sub-watershed of the RCWD. Information about the volumes and rates of stormwater runoff in the City can be found in the RCWD's Watershed Management Plan and the RCWD's hydraulic and hydrologic modeling for this sub-watershed. Figure 6-2. RCWD Planning Regions illustrates the sub-watershed boundaries. Current modeling does not indicate issues with existing or future increased runoff within the City. More information can also be found online at <http://www.ricecreek.org> in the RCWD Future Conditions Modeling Report, February 2016.

The City is responsible for following standards that prevent or mitigate pollutants as a result of development, new construction, remodeling or re-development. All new development, new construction, remodeling or re-development must conform to the Nationwide Urban Runoff Program (NURP) standards, requirements of the National Pollutant Discharge Elimination System's (NPDES) Storm Water Pollution Prevention Plan (SWPPP), the MS4 Permit, and the MPCA's best management practices for erosion and sedimentation control. The City's SWPPP and MS4 are included in the Appendix for reference.

Figure 6-1. Minnesota Land Cover Classification System Map



Minnesota Land Cover Classification System (MLCCS)

- Oak (forest or woodland) with 26-50% impervious cover
- Altered/non-native deciduous woodland
- Cattail marsh - seasonally flooded
- Floating vascular vegetation - intermittently exposed aquatic bed
- Littoral open water
- Long grasses on upland soils
- Oak woodland-brushland
- Palustrine open water
- Pavement with 91-100% impervious cover
- Short grasses and mixed trees with 26-50% impervious cover
- undefined



DRAFT

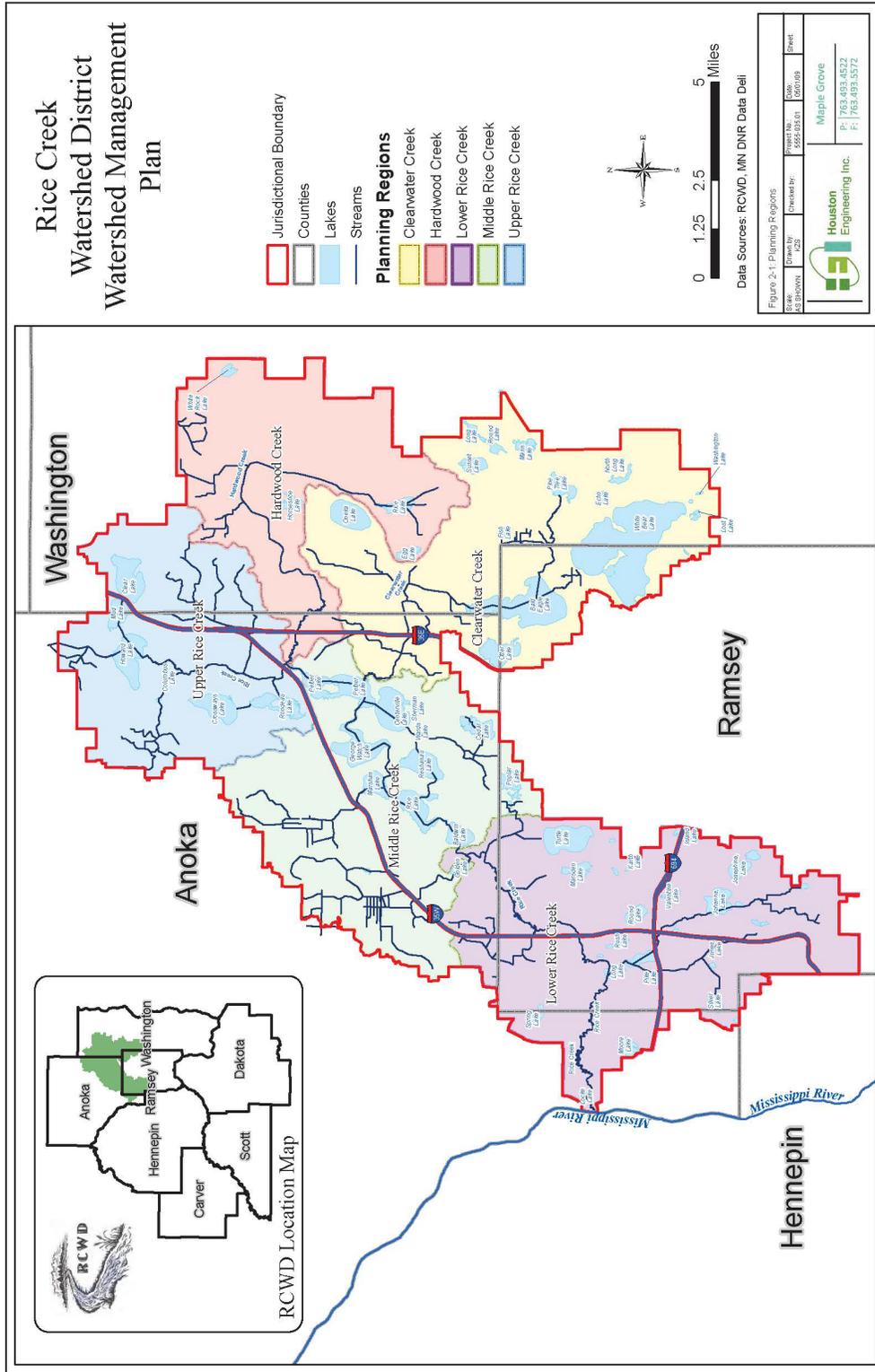
Source: Metropolitan Council, MnDNR, Birchwood Village, Washington County

Rev. Date: 9.13.2018

Date: 9.20.2017

Prepared by: SHC, LLC

Figure 6-2. RCWD Planning Regions



2-3

Some streets in Birchwood Village are constructed with rural road sections, and runoff primarily drains to street edges, swales, and vegetated shoulders. There are several catch basins and swales that drain directly to White Bear Lake. Changes to some of these have improved the quality of runoff water reaching the lake and are described below.

In 1965, in conjunction with the construction of some newly curbed streets, runoff was concentrated to the point where storm sewer culverts became necessary at a few locations to prevent erosion or to conduct runoff through park areas where the presence of open ditches were considered undesirable.

No additional storm sewers were needed until the early 1970's when residential development in new areas began to precipitate concerns about increasing runoff rates. In 1974, in conjunction with the platting of Birchwood Ridge #2, a 20-foot wide public easement was provided to enable future construction of a storm sewer along White Pine Lane and Grotto Street to the lake. In early 1980's, the Priebe Lake Outfall project was constructed in this area by the RCWD. Priebe Lake lies within the City of White Bear Lake, but the outfall passes through Birchwood Village to Hall's Marsh.

PUBLIC WATERS

There are three waterbodies listed by the City as public waters:

- White Bear Lake DNR ID #82-167 OHW 924.7ft
- Hall's Marsh DNR ID #82-480W OHW 924.7ft
- Lost Lake DNR ID #82-124 OHW 925.6ft

Lost Lake is located outside the City boundaries, but some runoff from the immediate area drains to the water body and is therefore included within the City's inventory.

Within the boundaries of Birchwood Village there is only one body of water that is listed on the 303d impaired waters list: White Bear Lake (MPCA www.pca.state.mn.us). The lake is listed as impaired water 82-0167-00 under the use classes of 2B and 3C. Lost Lake is located just outside of the City's south-eastern boundary but is also listed as an impaired water as 82-0134-02 under the use class of 2B and 3C.

Groundwater

The City of Birchwood Village follows regulations and standards for groundwater protection, preservation, and use from various state and local agencies charged with monitoring and regulating water quality and consumption. These agencies include:

- The MPCA, which monitors water quality and enforces laws relating to water pollution.
- The Minnesota Geological Survey which compiles a state inventory of groundwater resources.
- The DNR which regulates the usage rate and volume of drinking water. Domestic water use is regulated with permits. Use in excess of 25 people or use that exceeds 10,000 gallons per day or 1,000,000 gallons per year must obtain a water appropriation permit from the DNR.
- The Minnesota Department of Health (MDH) is responsible for environmental groundwater quality protection and facilitates well abandonment and installation of new wells.
- Rice Creek Watershed District is generally responsible for groundwater protection and use along with their role in cooperating and assisting state agencies in groundwater protection efforts.

Washington County developed the Washington County Groundwater Plan that provides a county-wide structure for preserving and protecting the county's groundwater supply. The groundwater plan can be found online at <https://www.co.washington.mn.us/DocumentCenter/View/794>.

Birchwood Village is fully within the Metropolitan Urban Service Area (MUSA) and serviced with municipal water and sanitary sewer. Private septic systems are not a concern for groundwater issues in this area.

EXISTING AND POTENTIAL WATER RESOURCE-RELATED PROBLEMS

EXISTING WATER RESOURCE PROBLEMS

As noted, the City is located adjacent to White Bear Lake. White Bear Lake is listed on the MPCA 303d Impaired Waters list for mercury. There are currently state laws that require households to recycle fluorescent lamps, ban items that contain mercury in toys, games, apparel, and thermometers, and require removal prior to demolition of homes. Birchwood Village will promote the proper disposal of items that contain mercury.

Birchwood Village directly discharges storm water runoff to White Bear Lake at several points along the northwest side of the City. At most of these points sediment in the storm water runoff enters the lake without any prior treatment. A program was begun in 2007 to install storm sewer structures with sumps prior to the outlet point. The storm sewer outlets located at the Birch Easement and Elm Easement have had structures installed.

A large amount of storm water runoff enters directly into White Bear Lake at the intersection of East County Line Road and County Road F. This runoff is heavily loaded with nutrients and sediment. The City recently partnered with Ramsey County to install a structure at this location to retard and treat storm water running off County 120 into White Bear Lake.

In recent years, the City has constructed multiple smaller projects to address storm water issues. The first, completed in 2002, consisted of installing a baffle on an outlet from the two catch basins on Oakridge Drive. This baffle is designed to slow down the stormwater velocity coming out of the outlet, which drains into a swale running along property lines of homes in the City of White Bear Lake. A permanent erosion control blanket was installed along this swale in 2005.

In 2006, the City installed a concrete cable swale along Birch Easement. This swale is designed to remove sediment from the stormwater runoff while it is traveling through the swale, which in turn reduces the amount of sediment entering White Bear Lake. The construction of this concrete swale also created a walking trail along the easement, since it eliminated the need for the existing bituminous swale to convey the stormwater.

In 2007, three existing catch basins were removed along Wildwood Avenue and the Elm Beach Easement and replaced with new catch basins that have 4-foot sumps incorporated in them. These 4-foot sumps will trap sediment in the catch basin, which will diminish the amount of sediment entering White Bear Lake. Birchwood Village has outlined a maintenance schedule to clean structures with sumps every fall and spring.

In 2013, the City conducted inspections of all sumps to determine if cleaning or structural maintenance was required. The condition of each sump can be viewed in the table below. All but three sumps required cleaning, and none required any structural maintenance. Inspections are ongoing.

Table 6-2. 2013 Sump Inspection Report

NUMBER / LOCATION	DEPTH BELOW OUTLET PIPE	CLEANING REQUIRED	DATE	CONDITION OF STRUCTURE / MAINTENANCE NEEDED
West of Elm	2'	Yes	4/28/13	OK
165 Wildwood	0	Yes	4/28/13	OK
Hockey Rink	4.5'	No	4/28/13	OK
West of Birch Easement	2'	Yes	4/28/13	OK
At Birch Easement	2'	Yes	4/28/13	OK
At Elm Easement	2'	Yes	4/28/13	OK
East of Elm Easement	6"	Yes	4/28/13	OK
North End of Tighe Schmitz Park	4'	No	4/28/13	OK
Cedar Street and Hall Ave	0.5'	Yes	4/28/13	OK
West side of Grotto Street and Wildwood	2-3'	No	4/28/13	OK

Source: City of Birchwood Village Sump Inspection Report, Dated 4/28/13.

The City of Birchwood Village continues to plan for the removal and replacement of existing catch basins with structures that include sumps to promote sediment reduction. There are approximately 12 catch basins/inlets that could be reconstructed at an approximate construction cost of \$5,500 each. To ensure that the project is of adequate size, the City will complete a minimum of three catch basin reconstructions with each project.

Birchwood Village installed a rainwater garden along Birch Easement in 2004. This garden collected substantial sediment from the roadway, which limited the effectiveness of the garden. The installation of the catch basins with sumps will aid in alleviating the amount of sediment entering the garden. The rainwater garden was replanted in 2008 and again in 2018 and will continue to be monitored.

The City has two public roadways adjacent to Halls Marsh, Iris Street and Lake Avenue. The roads run alongside the marsh for approximately half of the perimeter and the storm water runoff is directed to the marsh through the existing drainage patterns. There is also a culvert from Tighe-Schmitz Park that directly discharges into Halls Marsh. As part of a future street project, treatment of the storm water runoff is desired in order to promote a reduction in the sediment and nutrient loaded water from entering Halls Marsh. Possible government entities that may be involved with reducing the storm water runoff could be: Mahtomedi, Birchwood Village, Rice Creek Watershed District, Washington Conservation District, and the White Bear Lake Conservation District.

In May of 2017, the Washington Conservation District prepared the SE White Bear Lake Stormwater Retrofit Analysis for the Rice Creek Watershed District. This document analyzed and provided a prioritized list (ranked by cost effectiveness) of stormwater retrofit recommendations to improve the treatment of stormwater runoff in several drainage areas connected to White Bear Lake, Lost Lake and Lake Washington. The analysis considers all of Birchwood Village's runoff areas (catchments) and provides a detailed analysis with recommendations. Note that these catchments are not official and were created in order to rank practices more effectively by geographic area.

The existing stormwater management practices within each catchment were analyzed for the annual pollutant loading of the following: Total Phosphorous (TP), Total Suspended Solids (TSS), and Water Quality Volume (WQV). (See Figure 6-3. Catchment Analysis Map)

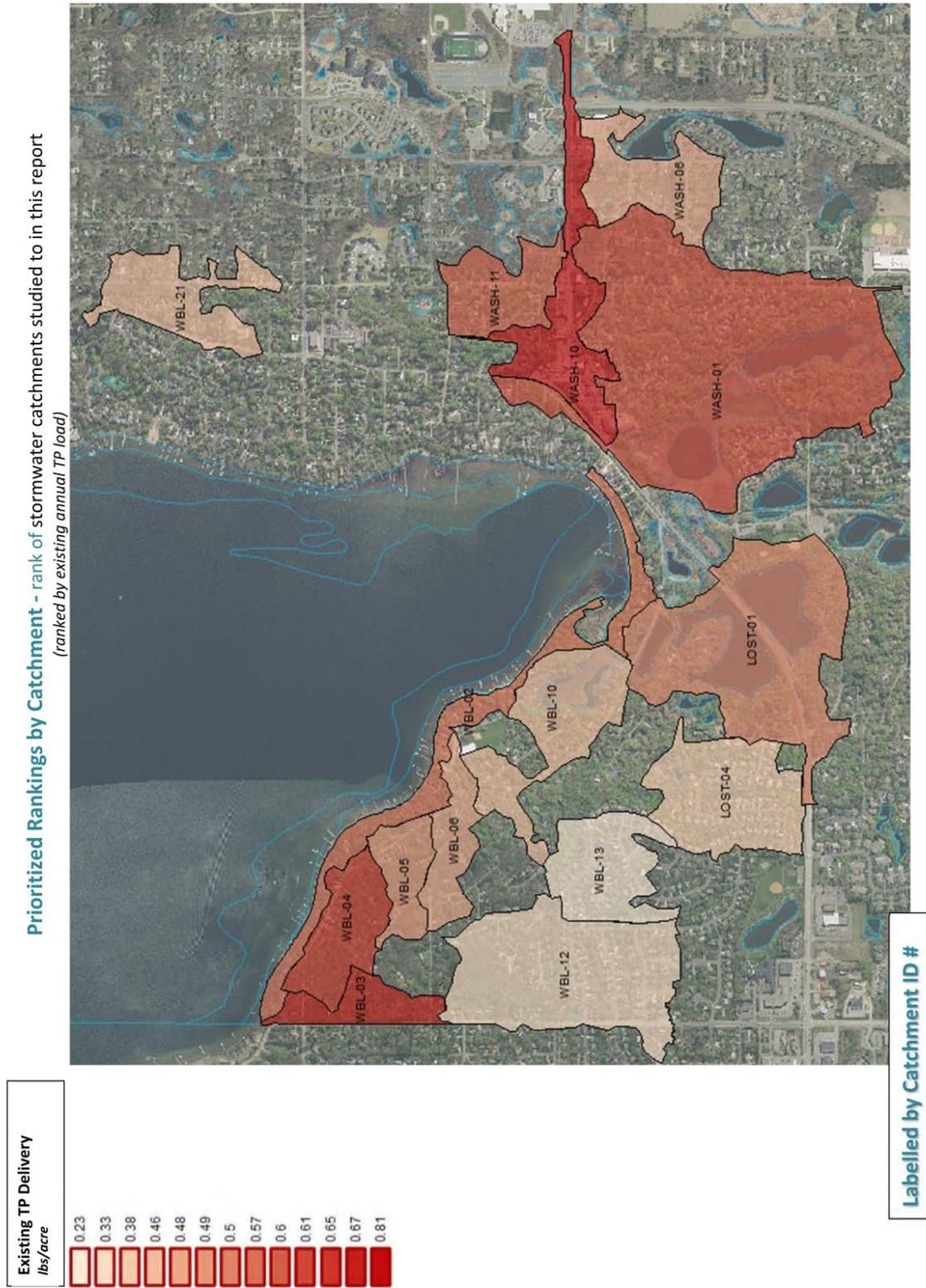
Table 6-3. Catchment Analysis Results

Project Rank	Catchment ID Lake-##	Retrofit Type	Projects Identified	TP Reduction (lb/yr)	TSS Reduction (lb/yr)	Volume Reduction (ac-ft/yr)	Total Cost	Annual Operations & Maintenance (2017 Dollars)	\$ Cost /lb-TP/Year (10-year)	\$ Cost/ton-TSS/year (10-year)
1	LOST-01	Increased Street Sweeping to 4x per year	1	2.78	1209	0.00	\$784	\$0	\$28	\$130
2	WBL-02	Increased Street Sweeping to 4x per year	1	1.30	520	0.00	\$672	\$0	\$56	\$258
3	WBL-10	Increased Street Sweeping to 4x per year	1	1.07	464	0.00	\$820	\$0	\$77	\$354
4	WBL-04	Increased Street Sweeping to 4x per year	1	0.96	416	0.00	\$781	\$0	\$81	\$375
5	WBL-03	Increased Street Sweeping to 4x per year	1	0.50	216	0.00	\$798	\$0	\$160	\$739
6	WBL-05	Increased Street Sweeping to 4x per year	1	0.29	128	0.00	\$730	\$0	\$252	\$1,140
7	WBL-05	Increased Street Sweeping to 4x per year	1	0.26	114	0.00	\$721	\$0	\$277	\$1,265
8	WBL-04	BMP 29: Expand SAFL Baffle to Grit Chamber	1	1.99	691	0.00	\$8,100	\$200	\$528	\$3,730
9	WBL-03	BMP 0: Pipe Repair + Grit Chamber	2	2.28	1012	0.00	\$15,325	\$200	\$760	\$3,424
10	WBL-02	BMP 5: BioFiltration Basin	1	2.86	851	0.71	\$17,658	\$450	\$775	\$5,208
11	WBL-10	BMP 6: BioFiltration Basin in Park	1	3.81	849	0.95	\$23,050	\$750	\$802	\$7,197
12	WBL-06	BMP 31: Infiltration	1	1.23	464	0.19	\$9,104	\$225	\$923	\$4,894

Project Rank	Catchment ID Lake-##	Retrofit Type	Projects Identified	TP Reduction (lb/yr)	TSS Reduction (lb/yr)	Volume Reduction (ac-ft/yr)	Total Cost	Annual Operations & Maintenance (2017 Dollars)	\$ Cost /lb-TP/Year (10-year)	\$ Cost/ton-TSS/year (10-year)
		Basin South of Cedar Lower								
13	WBL-05	BMP 4: BioFiltration Basin	1	1.53	588	0.99	\$10,291	\$400	\$934	\$4,861
14	WBL-04	BMP2: BioFiltration Basin in Front Yard	1	2.91	871	1.19	\$23,554	\$200	\$1,167	\$5,868
15	WBL-02	BMP:38-42: Swale with Riprap Sump	1	1.23	395	0.33	\$9,308	\$900	\$1,485	\$9,270
16	WBL-04	BMP3: Expand Swale and Sump	2	0.40	169	0.34	\$5,000	\$100	\$1,508	\$7,101
17	WBL-04	BMP30:Bioinfiltration Basin in Woods	1	1.27	478	0.64	\$18,950	\$200	\$1,648	\$8,766
18	WBL-06	BMP 33: Infiltration Basin North of Cedar	1	0.73	321	0.34	\$9,920	\$300	\$1,763	\$8,050
19	WBL-06	BMP 31 +32 ALT Combined	2	1.49	583	0.68	\$21,894	\$600	\$1,873	\$9,569
20	WBL-06	BMP 32: Infiltration Basin South of Cedar Upper	1	0.57	236	0.31	\$14,940	\$375	\$3,262	\$15,839
21	WBL-03	BMP 1: Curb Cut Raingarden	1	0.70	65	0.00	\$20,086	\$525	\$3,619	\$77,957
22	WBL-02	Typical Shoreline Restoration	20	3.00	500	0.00	\$73,400	\$5,850	\$4,397	\$52,760

Source: RCWD Management Plan, 2010

See Figure 6-3. Catchment Analysis Map



Surface Water Goals & Policies

WATER SUSTAINABILITY GOALS

The water sustainability goals of Birchwood Village are in part shaped by the policy designations the City is required to meet as part of the Metropolitan Council's Thrive MSP 2040 Water Sustainability Policy as provided within the 2015 Birchwood Village System Statement. Birchwood Village falls into the Suburban Community Designation and with that includes the following water sustainability practices:

- Implement best management practices to control and treat storm water as redevelopment opportunities arise.
- Explore alternative water supply to ensure adequate water resources beyond 2040.

SURFACE WATER MANAGEMENT POLICIES

1. Designate wetland alteration and mitigation requirements consistent with the Wetlands Conservation Act to Rice Creek Watershed District.
2. Implement the Rice Creek Watershed District's Watershed Management Plan.
3. Enforce the Minnesota Pollution Control Agency's urban best management practices; titled Protecting Water Quality in Urban Areas to reduce non-point source pollutant loadings in storm water runoff.
4. Require that storm water ponds meet the design standards of the National Urban Runoff Program; and
5. Enforce shore land management regulations of the Minnesota Department of Natural Resources.
6. Implement MS4 Permit and SWPPP best management practices.
7. The City of Birchwood Village reviews all building and land disturbance permits under one acre. Rice Creek Watershed District reviews permits required for land development plans greater than 1 acre or having shoreland disturbance. Before the City gives its final approval to the resident must obtain the required permits from the watershed district.
8. The City requests the RCWD continue to implement its rules and regulations and issue permits within the municipal boundaries of Birchwood Village.

General Standards for the City to meet compliance with RCWD rules and regulations include the following:

1. When possible, existing natural drainage ways, wetlands and vegetated soil surfaces must be used to convey, store, filter, and retain storm water runoff before discharge to public waters.
2. Development must be planned and conducted in a manner that will minimize the extent of the disturbed areas, runoff, velocities, erosion potential, and reduce and delay runoff volumes.
3. When development density, topographic features, and soil and vegetation conditions are not sufficient to adequately handle storm water runoff using natural features and vegetation, various types of constructed facilities such as diversions, settling basins, skimming devices, dikes, waterways, and ponds may be used.

NPDES PHASE II

Birchwood Village is required to have a Municipal Separate Storm Sewer System (MS4) permit through the MPCA's National Pollutant Discharge Elimination System (NPDES) Phase II Program of the Minnesota Pollution Control Agency (MPCA). MS4 Permits are required for communities with urban development and populations over 10,000, or with urban development and populations over 5,000, that have potential to discharge to valuable or polluted waters.

In accordance with an MS4 Permit, Birchwood Village is required at a minimum to implement six control measures:

- Public Education and Outreach
- Public Participation/Involvement
- Illicit Discharge Detection and Elimination
- Construction Site Stormwater Runoff Control
- Post-Construction Stormwater Management
- Pollution Prevention/Good Housekeeping for Municipal Operations

For more information on the MS4 Permit requirements, see the MPCA's rules online at www.pca.state.mn.us.

OFFICIAL CONTROLS

Specific standards for land use development require:

- Impervious surface to be limited to 25 percent of the lot area
- No increase in the rate of storm water runoff from the parcel
- Gutters and downspouts to have drain leaders routed to pervious areas
- No clear cutting of trees
- Natural vegetative buffer at shore land and wetland

Specific standards for infrastructure development require:

- New storm water outfalls to public waters or wetlands to provide for filtering or settling of suspended solids before discharge.
- Storm water detention facilities to be designed according to the most current technology, as recommended by the MPCA.

The City requires a grading and filling permit to minimize and control storm water runoff, prevent erosion and trap sediment during construction. Provisions in the City code address size of disturbed area, length of exposure, use of temporary ground cover, use of runoff control devices such as silt fences, location of storage piles, and placement of fill material.

The City of Birchwood Village maintains official controls for the purposes of water management and environment protection within their Municipal Code.

EDUCATION PROGRAM

As part of Birchwood Village's commitment to education, and an important component of the MS4 Permit compliance, the City will continue to organize education programs for increased public awareness and participation in local surface water management. Opportunities will continue to be presented for residents, business owners, developers, and others to help improve strategies and implementation for increasing water quality and reducing runoff in all areas of the City. Example programs may include:

- Wetland buffer delineation and management
- Best management practices for storm water infiltration
- Best management practices for storm water runoff reduction and control
- Invasive species control
- Conservation easements
- Sustainable groundwater recharge

COLLABORATION WITH AGENCIES & ORGANIZATIONS

There are a number of local, state, and federal agencies that have rules and regulations related to local water management. The City recognizes the roles of these other agencies and will cooperate, coordinate, and when possible partner with these agencies.

This chapter recognizes the many agencies and organizations involved with regulating surface water management. It is the intention of Birchwood Village to cooperate, collaborate, and coordinate efforts with these agencies to achieve successful water management within the City. Each of these organizations hosts various resources, plans, data, rules, and regulations for water management at the related website:

Federal

- Environmental Protection Agency www.epa.gov
- US Army Corps of Engineers www.mvp.usace.army.mil
- US Fish and Wildlife Service www.fws.gov

State

- Minnesota Environmental Quality Board www.eqb.state.mn.us
- Minnesota Department of Natural Resources www.dnr.state.mn.us
- Minnesota Pollution Control Agency www.pca.state.mn.us
- Minnesota Department of Health www.health.state.mn.us
- Board of Water and Soil Resources www.bwsr.state.mn.us
- Minnesota Department of Agriculture www.mda.state.mn.us

County

- Washington County <http://www.co.washington.mn.us/>
- Washington Conservation District <http://www.mnwcd.org/>

Regional

- Rice Creek Watershed District www.rcwd.org
- Metropolitan Council www.metrocouncil.org

CHAPTER 7: WATER SUPPLY & SANITARY SYSTEMS

Introduction

This chapter of the 2040 Comprehensive Plan addresses water supply and wastewater (sanitary sewer) systems in the City of Birchwood Village. Consistent with the Metropolitan Council’s Thrive MSP 2040 planning and 2040 Water Resources Policy Plan. This chapter primarily intends to assist the Metropolitan Council Environmental Services (MCES) with continued operation of the Metropolitan Disposal System (MDS) for wastewater collection and treatment. Both Water Supply and Sanitary services are managed and maintained by authorities outside of the City of Birchwood Village. Intercommunity agreements for these services are included in the Appendix.

Water Supply Plan

Since the 1960s, municipal water service has been supplied to residents of Birchwood Village by the City of White Bear Lake which owns and maintains the municipal water supply utilities. Birchwood Village has a network of water mains consisting largely of 6-inch cast iron pipe. All repairs and maintenance of the system are completed under the direction of the City Engineer and White Bear Public Works staff.

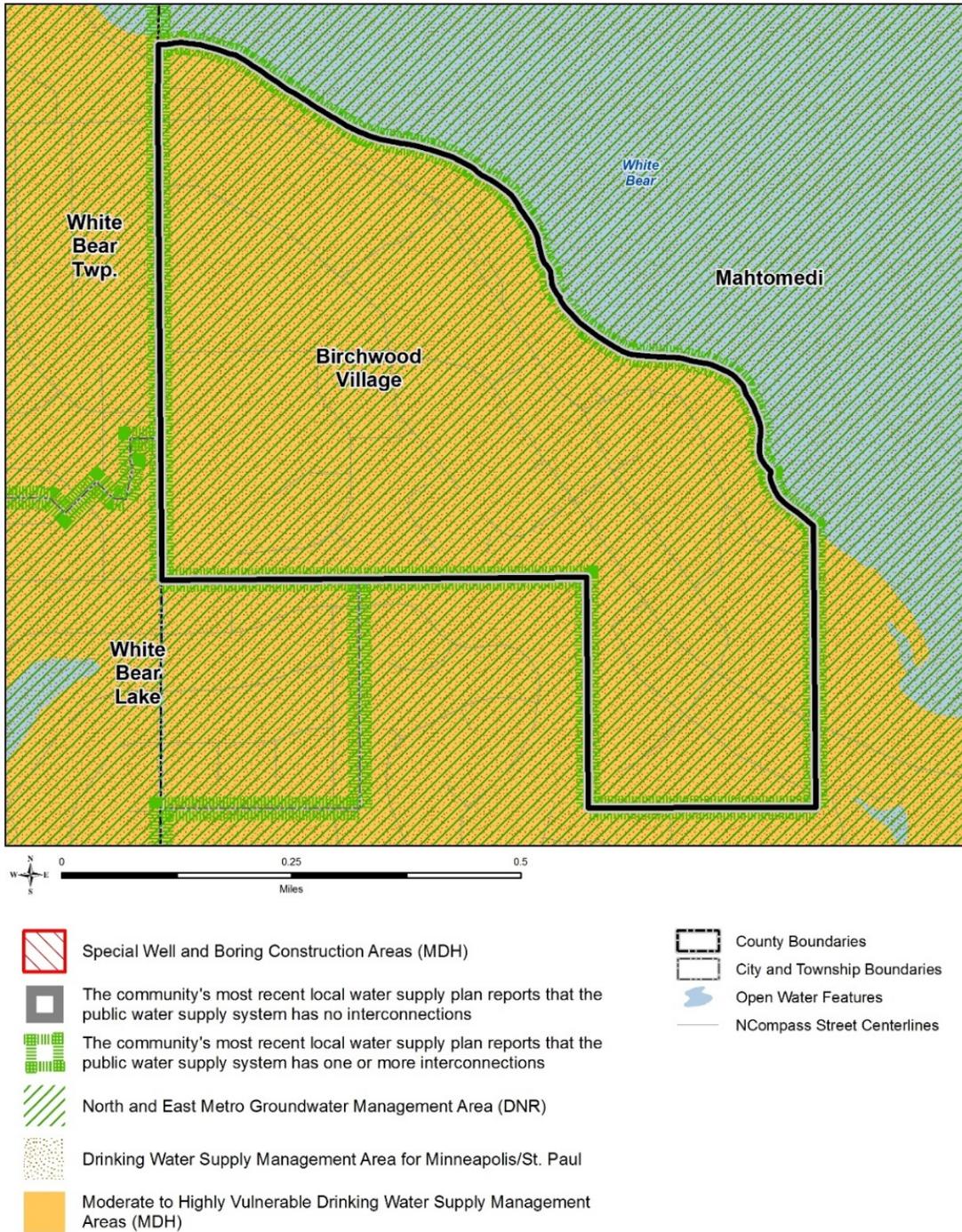
The City of Birchwood Village does not have any wells that feed the system, and all municipal water is purchased from the City of White Bear Lake. The connection for municipal water is located in the southwest corner of the City beneath East County Line Road. An additional water supply connection from White Bear Township was constructed in 1982 for emergency back-up use. A written agreement between the two communities is in place for this connection, which has been utilized in a very limited manner since 1982. No modifications or improvements to this connection are necessary at this time.

The most recent update to the City’s water lines was complete in 2008 [confirm]. There are no replacement projects or updates to the system currently planned. As the City does not manage its own water supply, a Water Supply Plan is not included as part of the 2040 Comprehensive Plan. More information about the local water supply plan can be found by contacting the City of White Bear Lake.

Figure 7-1 shows Birchwood Village and its inclusion within an area identified with moderate to highly vulnerable drinking water supply management—an issue managed by the City of White Bear Lake.

Figure 7-1. Municipal Public Water Supply System

Municipal Public Water Supply System Interconnections and Management Areas Birchwood Village, Washington County



Wastewater (Sanitary) Sewer System

System Features

The City of Birchwood Village is served by regional sanitary sewer service. The sanitary sewer system, as shown in Figure 7-2, is considered its own district and is managed by White Bear Township. Birchwood Village is located within the Metropolitan Council's District 12. It does not have a wastewater treatment facility.

The original mains are predominately 9-inch clay pipe and installed in 1964. The system is served by three lift stations located at 1) the Dellwood Easement (north of Tighe-Schmitz Park), 2) the north end of Wildwood Park, and 3) at the west end of Birchwood Lane near East County Line Road. All effluent entering the City's system is passed into the Metropolitan Council Environmental Services (MCES) sewer and ultimately treated at the Pigs Eye Treatment Plant in St. Paul. The waste enters their system through a gravity interceptor beneath E County Line Road on the western border of the City (see Figure 7-2). A metering station is also located at this connection point denoted as meter M028A, as seen on Figure 7-3. The Metropolitan Council has the following estimations for the wastewater flow from Birchwood Village.

Table 7-1 Birchwood Village Adjusted Projections

	2020	2030	2040
Population	850	830	800
Households	351	360	360
Employment	25	30	30
Average Wastewater Flow (MGD)	0.05	0.05	0.05
Allowable Peak Flow (MGD)	0.23	0.23	0.23

Source: Metropolitan Council (Peak Flow Factor = 4.5)

SYSTEM FLOWS AND CAPACITY

It is anticipated that the total volume of wastewater flow will not change significantly through 2040, and there will therefore be no need to upgrade existing infrastructure. All future investments for Birchwood Village's sanitary sewer system will be in the maintenance, repair, or replacement of the existing pipes. The sanitary sewer system must be capable of handling the anticipated peak flows, estimated by applying a peak flow factor to the average flow. The peak flow factor accounts for flow variability and includes an allowance for infiltration and inflow.

System flows have been estimated for current (2018) conditions as well as 2040 projected land use conditions. The average wastewater flow from each sanitary sewer district has been estimated by applying unit flow rates to each land use category. These estimates, along with trunk line capacities, are summarized in Tables 7-2 and 7-3. The existing trunk system has adequate capacity for the estimated flows. [confirm]

INFLOW AND INFILTRATION

MCES I/I Surcharge Program

In February of 2006, Metropolitan Council instituted its Inflow/Infiltration (I/I) Surcharge Program. The fundamental policy statement summarizing this program is that Metropolitan Council “will not provide additional capacity within its interceptor system to serve excessive inflow and infiltration.” The Council establishes inflow and infiltration thresholds for each of the communities that use its system. Communities that exceed this threshold were required to eliminate this excess flow within a reasonable time-frame or pay a surcharge fee. In 2013, Metropolitan Council instituted a wastewater demand charge program for communities that did not meet their inflow and infiltration goal(s).

Infiltration and Inflow Prevention

The City of Birchwood Village has several measures in place to prevent infiltration and inflow (I/I) into the sanitary sewer mains. Ordinance 202.100 states that it shall be unlawful for anyone to direct storm water, surface water, ground water, or water from air conditioning systems into the sanitary sewer and prohibits the connection of sump pumps, rain leaders, and passive drain tile to the sanitary sewer system. In addition, the mains are monitored via closed-circuit television to allow the City to pinpoint areas of high infiltration and take corrective action.

MAINTENANCE REPORT

Birchwood Village had its entire sanitary sewer system televised during the summer of 2003. Approximately half of the system was found to have significant deterioration and/or had high amounts of infiltration. In order to prevent further deterioration of the lines to the point where open trench replacement would be necessary, rehabilitation of approximately one-half of the mains by lining the sewer was done. This work was completed in the winter of 2005. In 2006, the sanitary sewer along Birchwood Lane was also rehabilitated by the cured in place pipe process. These mains are now 8-inch plastic pipe.

On August 30th, 2017 a closed-circuit television inspection was conducted again of 2,600 feet of sanitary sewer in Birchwood Village. It was determined from the inspection that 2,565 feet of unlined sanitary sewer need to be rehabilitated with cured-in-place piping (CIPP). The CIPP project will extend the life of the pipes 50-100 years. The sections of pipe are located in four separate areas throughout the City, and a total cost of the project is estimated at \$95,000. Funding for the project will be provided half from city funds and half from assessments to the properties that benefit from the project. This proposal was approved to move forward by the City Council on November 14th, 2017.

There are three lift stations within Birchwood Village. The Birchwood Lane Lift Station was reconstructed in 1997. In addition, the piping from the lift station to the wet well was replaced in October 2006. The Wildwood Lift Station was reconstructed in 2001. The reconstruction of the lift station consisted of removing and installing new pumps and piping inside the existing concrete structure. The Dellwood Lift Station was completely replaced in 2004. This work included removing and constructing a new concrete structure and installing new pumps and piping inside the structure. The pumps in these three stations should be adequate for 20 years past their installation date and the structures should be adequate for 50 years past their installation date. Ongoing maintenance of the three lift stations will still be necessary.

Maintenance Issues

There are several areas where gravity sanitary sewer is located outside of street right-of-way. These areas are located behind 127-173 Birchwood Avenue, behind 146-152 Wildwood Avenue, behind 101-117 Wildwood Avenue and along White Bear Lake between 339 Wildwood Avenue and the Dellwood Easement. Access to these locations with conventional maintenance equipment is extremely difficult, if not impossible. The City has discussed the need for additional easements that would be necessary to gain access. The fact that these sewers are located in wooded or inaccessible areas leads to significant concerns regarding root problems. All these mains have been reviewed as part of the televising that was completed and will continue to be monitored.

There are three lift stations within Birchwood Village. The Birchwood Lane Lift Station was reconstructed in 1997. In addition, the piping from the lift station to the wet well was replaced in October 2006. The Wildwood Lift Station was reconstructed in 2001. The reconstruction of the lift station consisted of removing and installing new pumps and piping inside the existing concrete structure. The Dellwood Lift Station was completely replaced in 2004. This work included removing and constructing a new concrete structure and installing new pumps and piping inside the structure. The pumps in these three stations should be adequate for 20 years past their installation date and the structures should be adequate for 50 years past their installation date. Ongoing maintenance of the three lift stations will still be necessary.

Figure 7-2. Birchwood Village Sanitary Sewer Mains

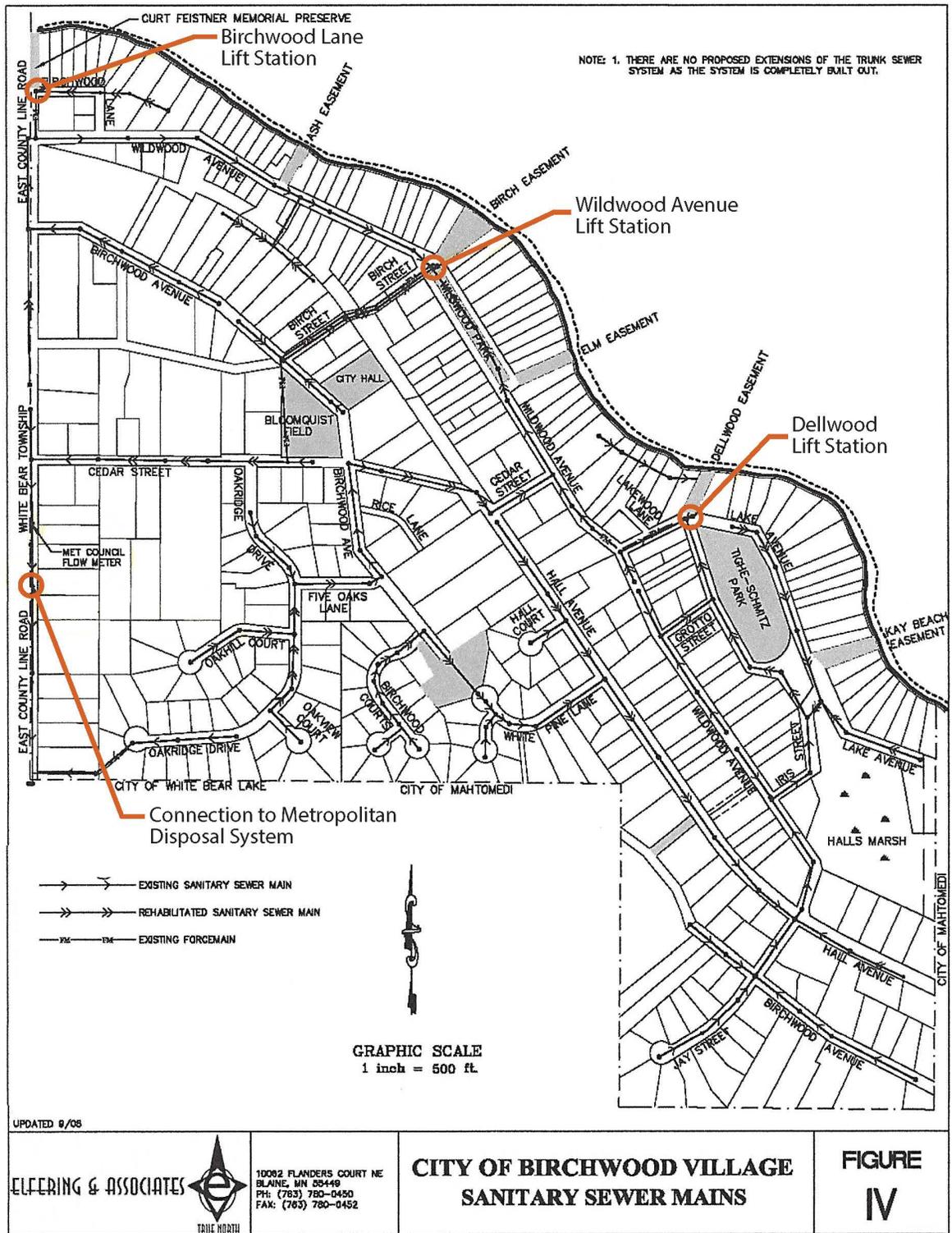
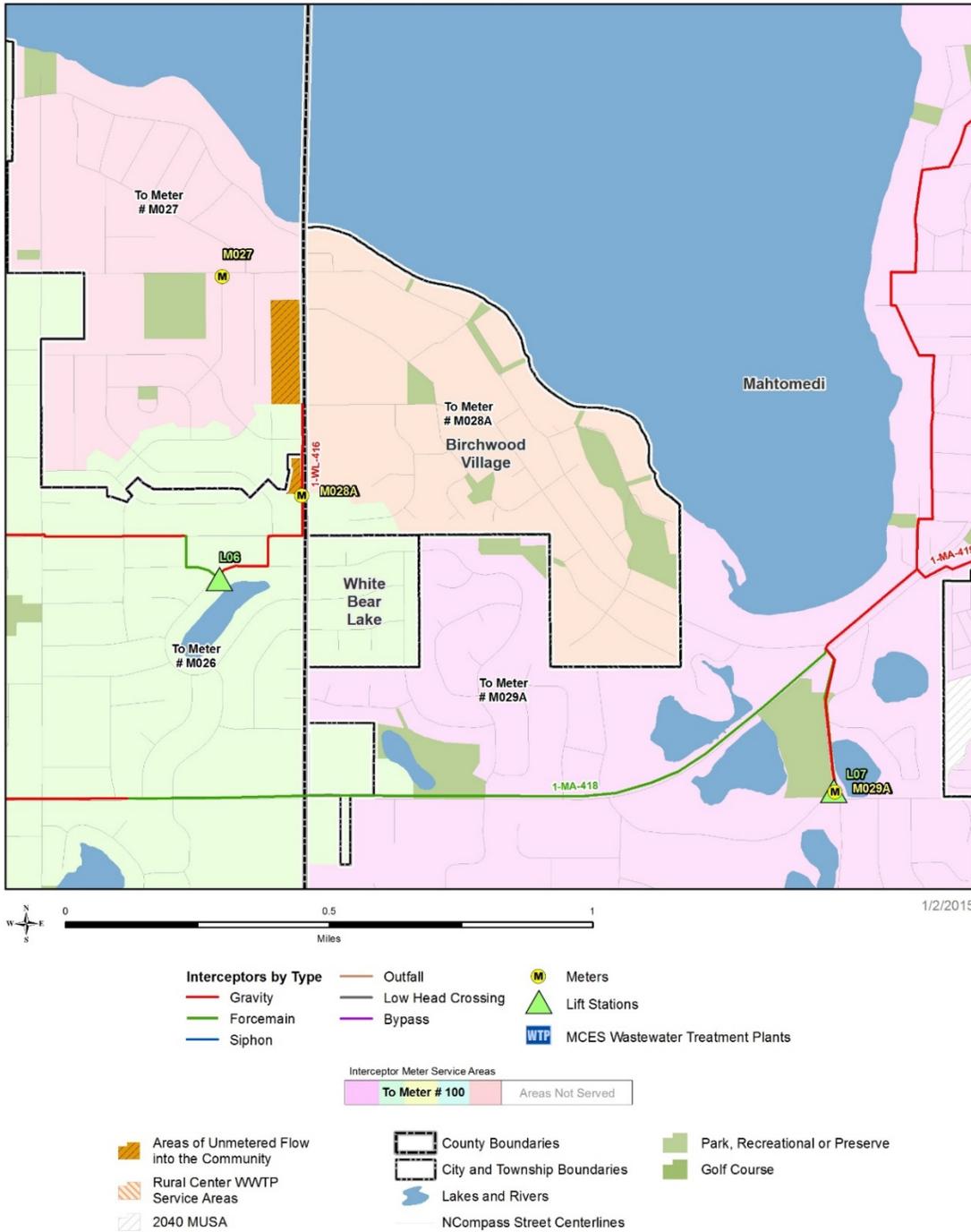


Figure 7-3. MCES Sanitary Sewer Meter Service Areas

**MCES Sanitary Sewer Meter Service Areas
Birchwood Village, Washington County**



CHAPTER 8: IMPLEMENTATION

Introduction

As a small community the City of Birchwood Village has to be methodical and selective about which initiatives it chooses to pursue. With limited staff resources and budget available it makes the City's relationship with adjacent municipalities and jurisdictions even more critical to ensure the City continues to be sustainable into its future. To that end, this implementation chapter identifies strategies that the City will employ over this planning period to bring this Comprehensive Plan Update to fruition. Birchwood Village is committed to maintaining the current quality of life for its residents, so many of the strategies that are identified are meant to reemphasize the importance of continuing with current efforts, relationships and initiatives. The purpose of a Comprehensive Plan is to be aspirational, so not only do the implementation strategies identify ways to maintain the current condition of the City but identify reasonable and modest improvements that would enhance the community and make it better for generations to come.

Generally, the following Implementation Strategies are organized according the Chapters contained within this 2040 Plan Update. The implementation strategies listed below are not prioritized, but instead are priorities that should be given equal consideration and the City will capitalize on opportunities as they are presented.

Land Use

The following Implementation Strategies are provided to support the goals and objectives contained within Chapter 2: Land Use of this Comprehensive Plan Update.

- The City will support the Future Land Use Plan contained in this Comprehensive Plan through consistent zoning district designations and policies.
- The City will maintain an up-to-date official Zoning Map to implement this Comprehensive Plan.
- The City will review its zoning ordinance for consistency with the stated goals and objectives of this Comprehensive Plan.
- Redevelopment of existing single-family homes with major additions or teardowns will be monitored through this planning period, and appropriate review and update to existing ordinances will be performed as necessary.
 - › The City will continue to follow and monitor rule changes at the Minnesota Department of Natural Resources (MnDNR), and the watershed districts for shoreland and wetland policies (setback requirements, coverage requirements, etc., for structures) and will make appropriate changes and updates to ordinance for consistency with regulatory agencies having jurisdiction within the City.

Housing

The following Implementation Strategies are provided to support the goals and objectives contained within Chapter 3: Housing of this Comprehensive Plan Update.

- The City will maintain its existing neighborhood pattern and quality by limiting, and in most cases, prohibiting, any commercial or business use.
- The City will review existing nuisance and administrative ordinances for necessary updates to ensure consistency with this Comprehensive Plan.
- The City will continue to support the City's existing housing stock and neighborhoods through appropriate, and as needed, code enforcement.
- Protecting the City's housing stock through providing support through building permit review, land use application review and other permitting processes will continue to be a high priority for City Staff and resources over this planning period.

PARKS, TRAILS AND OPEN SPACE

The following Implementation Strategies are provided to support the goals and objectives contained within Chapter 4: Parks, Trails and Open Space of this Comprehensive Plan Update.

- The City will continue to study opportunities to create a more complete trail system that will provide improved connections within the City and to the region.
- A Capital Improvement Plan (CIP) for the City's parks, trails and open space system will be developed to identify strategic and planned improvements to the system to ensure it is well maintained for generations to come. The City will complete a CIP that plans for a minimum of a three (3) year period, and once prepared will continue to update the CIP on an annual basis.
- The City will continue to use existing parks and open space land for recreational, natural resource protection, and surface water management features. Given the City's small size it is important for municipal owned properties to serve a variety of functions that provide benefits to the whole community.

TRANSPORTATION

The following Implementation Strategies are provided to support the goals and objectives contained within Chapter 5: Transportation of this Comprehensive Plan Update.

- The City will prepare a Capital Improvement Plan (CIP) to plan and budget for maintenance of existing roadways and transportation systems that are the responsibility of the City.
 - › The CIP will plan for a minimum of a three (3) year time period and will be updated on an annual basis.
- The City will continue to prioritize road improvements to ensure local roadways are safe, passible and maintained.

- › Improvements will be monitored to ensure all roadways are maintained on a regular schedule to ensure that all roads remain at a safe standard.
- The City will continue to work with regional partners including the County, adjacent jurisdictions and Metro Transit to plan for appropriate transportation improvements that will benefit the residents of Birchwood Village.

SURFACE WATER

The following Implementation Strategies are provided to support the goals and objectives contained within Chapter 6: Surface Water of this Comprehensive Plan Update.

- The City will continue to work with the Rice Creek Watershed District on implementation of its requirements and standards within the City.
- The City will cooperate with the Rice Creek Watershed District on any significant regional improvements that may affect the City of Birchwood Village.
- The City will prepare a CIP to implement this Comprehensive Plan and will address surface water related improvements. The CIP will identify projects on a minimum of a three (3) year basis, and the City will work with Rice Creek Watershed District to identify key priorities and any potential grant opportunities.

WATER SUPPLY & SANITARY SYSTEMS

The following Implementation Strategies are provided to support the goals and objectives contained within Chapter 7: Water Supply & Sanitary Systems of this Comprehensive Plan Update.

- The City's sanitary sewer is currently monitored and managed through an intercommunity agreement with White Bear Township. The City will maintain this agreement and work cooperatively with the Township on any future improvements to the system.
- The City's water supply is currently monitored and managed through an intercommunity agreement with the City of White Bear Lake. The City will maintain this agreement and will work cooperatively on any future improvements to the system.
 - › The City will continue to defer billing responsibility to the City of St. Anthony Village, which manages billing for municipal water services from the City of White Bear Lake. Birchwood Village will provide assistance as needed.
 - › The City will work collaboratively with the City of White Bear Lake on any issues regarding the Water Supply Permit with the MnDNR, or any required permits, to ensure safe and reliable drinking water is available to the City's residents.
- The City recently entered into an agreement to purchase solar power from a local entity that will ensure at least a portion of the City's power consumption is from a renewable resource.

Birchwood Village 2040 Comprehensive Plan

To meet Checklist for Surface Water, Water Supply & Sanitary Systems, the City will be required to supply the following as attachments to the comprehensive plan:

1. DNR Water Supply Permit
2. Interagency Agreement with City of White Bear Lake for municipal water supply
3. Interagency Agreement with City of St. Anthony Village Lake for financial services related to municipal water supply
4. Interagency Agreement with White Bear Township for emergency municipal water supply
5. Interagency Agreement with White Bear Township for sanitary sewer system management
6. NPDES and SWPPP documents

MEMORANDUM



Birchwood Village

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Ordinance 2018-11-01 Amending Conditional Uses

Dear Mayor and Council Members,

It has been brought to my attention that Section 301.070.1 Conditional Uses must be amended to align with Section 305 Interim Use Permits.

When Section 305 was adopted on April 10, 2012, it moved home occupation provisions from Section 306 Conditional Use Permits to 305 Interim Use Permits. At that time, Section 306 was amended accordingly but Section 301, which also contains home occupation provisions, was overlooked.

The result of leaving Sections 301 and 305 as written is that home occupations require both a Conditional Use Permit and an Interim Use Permit. This was not the intention of the Council when Section 305 was adopted and Section 306 was amended to remove home occupation provisions.

Request/Recommendation

In order to correct this oversight, staff requests Council:

- 1) Review and approve first reading of enclosed Ordinance 2018-11-01; and
- 2) Order a public hearing on this matter for December 11, 2018.

Thanks!

Regards,
Tobin Lay

ORDINANCE 2018-11-01

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

AN ORDINANCE AMENDING CONDITIONAL USES IN CITY CODE

The City Council of the City of Birchwood Village hereby ordains that Section 301.070.1 of Chapter 301 (Zoning Code General Provisions) of the Municipal Code of the City of Birchwood Village is hereby amended as follows:

SECTION 301: ZONING CODE: GENERAL PROVISIONS

301.070.1 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.
- 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.~~

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

Adopted by the City of Birchwood Village City Council this 11th day of December, 2018

Attest:

Mary Wingfield
Mayor

Tobin Lay
City Administrator-Clerk

MEMORANDUM

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Commission / Committee Appointments



Dear Mayor and Council Members,

Several vacancies either currently exist or will soon exist on the following committees / commissions:

Planning Commission

Both Commissioners John Winters and Randy Felt will retire from the Planning Commission at the end of this year (Dec 31, 2018). Both Commissioners have served on the Commission for over ten (10) years!

Utility Committee

Committee member Mike Hansen has recently moved away from Birchwood, leaving only two (2) Committee members left on this Committee; along with a professional consultant and Council liaison Mayor Wingfield.

WBLCD

With the resignation of Barton Winter from the WBLCD, Birchwood will only have one (1) representative on the Board after November. Staff has published this vacancy but has not yet received a letter of interest for this position.

Request/Recommendation

Staff requests Council:

- 1) Authorize Staff to publish Planning Commission vacancies and accept letters of interest from potential candidates for Council's review and appointment in January 2019;
- 2) Discuss whether the Utility Committee vacancy needs to be filled; directing staff accordingly; and
- 3) Continue to promote the WBLCD vacancy and send to staff any interested candidates.

Thanks!

Regards,
Tobin Lay

MEMORANDUM**Birchwood Village**

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Ice Rink / Warming House

Dear Mayor and Council Members,

Heater Replacement Bids

At the end of the 2017-2018 ice skating season the gas heater in the warming house died. Several sources, including Councilmember Kevin Woolstencroft and Water Superintendent John Manship, have looked at the heater and recommended its replacement rather than repair.

Staff reached out to three contractors to bid on this replacement and has received the following two responses:

- Apollo Heating & A/C = \$2,940-\$3,025 (depending on whether storage room is included; grills in the wall).
 - Replace with Reznor brand.
 - Recommends lowering thermostat, pulling the heater further away from the wall, and increasing btu (60,000).
- Manship Plumbing & Heating = \$1,800-\$1,900 (replace as is w/ Modeen); \$2,950 (replace as is w/ Lennox); \$4,800 (Modeen horizontal furnace including duct work to storage room); \$7,000 (Lennox furnace including duct work to storage room).
 - Replace with Modeen or Lennox brand.
 - Recommends lowering thermostat, keeping heater in its current location, and keeping current/equivalent btu (45,000).

Staffing Plan

Staff plans to adjust warming house operations this year as follows:

- Reduce hours to:
 - Mon-Fri / 5-9 pm
 - Sat, Sun & Non-School Days / 12-9 pm
- Reduce number of rink attendants, increasing potential hours for each
- Hire mature and experienced rink attendants that require less supervision

Request/Recommendation

Staff requests Council:

- 1) Review and discuss heater replacement bids as presented;
- 2) Select a winning bid; and
- 3) Authorize staff to contract with winning bidder, for immediate installation.

Thanks!

Regards,
Tobin Lay

MEMORANDUM

TO: Birchwood City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Oakridge Dr Retaining Wall



Dear Mayor and Council Members,

About one month ago, there was a car accident that involved an automobile driving into and damaging the retaining wall in the right-of-way in front of 1 Oakridge Dr.



This wall was built in September 2013 by the owner of 1 Oakridge Drive to replace an older wooden wall at the same location. Because the work was within the right-of-way, the City Council in their September 10, 2013 council mtg approved the home owner to have the work performed under a permit the home owner had obtained through the City. The owner agreed to pay for the work and donate the wall to the City once complete. The City Council accepted this offer and agreed to maintain the wall going forward.

Because this is a city maintained wall, it is the City's responsibility to make the necessary repairs. Because the damage was caused by an automobile, the City will need to work through the driver's auto insurance company for payment of the repairs.

Accordingly, staff has reached out to several landscape contractors for bids to perform this work. Bids will be presented during the Council meeting.

Request/Recommendation

Staff requests Council:

- 1) Authorize City Administrator Lay to enter agreement to have wall repaired at the expense of the auto insurance; and
- 2) To authorize staff to work with the auto insurance company for payment.

Thanks!