



AGENDA OF THE
REGULAR MEETING OF THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
207 BIRCHWOOD AVENUE
WASHINGTON COUNTY, MINNESOTA
OCTOBER 11, 2011
7:00 P.M.

CALL TO ORDER – PLEDGE OF ALLEGIANCE

APPROVE AGENDA

COMMUNITY EVENTS AND ANNOUNCEMENTS

OPEN PUBLIC FORUM

CITY BUSINESS – CONSENT CALENDAR

1. Approval of the Minutes of the September 13, 2011 Regular Meeting (see exhibit)
2. Acceptance of Financial Report and Approval of Disbursements (see exhibit)

CITY BUSINESS – REGULAR ORDER

3. 7:15 Cain Garage Rental: Consideration of Awarding of Annual Lease (Powers – see exhibit)
Time Budget: 15 minutes
4. 7:30 Tighe-Schmitz Warming House: Proposed Outdoor Recreation Grant Program
Application (John Lund & Katie Cavenor – see exhibit)
Time Budget: 15 minutes
5. 7:45 Village Hall Chimney>Flashing & Tuckpointing: Review of Bids and Consideration of
Award (Powers – see exhibit)
Time Budget: 15 minutes
6. 8:00 Water Fee: Authorize the City of Little Canada to work with Council Member Harper
and the Finance Committee to Recommend a Revised Water Fee (Harper – see exhibit)
Time Budget: 15 minutes
7. 8:15 ORDINANCE 2011-05/Resolution 2011-20> Establishing a Utility Late Fee Interest
Charge: Review of Draft Ordinance and Resolution and Consideration of Scheduling a Public
Hearing (Powers –see exhibits)
Time Budget: 15 minutes

8. **8:30 Resolution 2011-21> Denial of a Conditional Use Permit for Roger Kropelnicki: Review and Adoption (Mitchell – see exhibits)**
Time Budget: 5 minutes

9. **8:35 City Engineer's Report (Elfering – see exhibits)**
 - a. **Shared Services with the City of White Bear Lake**
 - b. **Backup Vendor for Emergency Water Main Breaks****Time Budget: 15 minutes**

10. **8:50 City Clerk-Coordinator's Report (Powers)**
 - a. **Out of the Office October 17, 18, and 21**
 - b. **Delinquent Utility Bill Update****Time Budget: 10 minutes**

11. **9:00 Council Member Reports**
Time Budget: 15 minutes

12. **9:15 Consideration of Changing the Time of the November 8, 2011 Regular Meeting (Powers)**
Time Budget: 5 minutes

13. **9:20 Next Meetings – October 25, 2011 – Dock Association Permit Review Meeting; November meeting – Topics**
Time Budget: 10 minutes

14. **9:30 ADJOURN**



CITY OF BIRCHWOOD VILLAGE
207 Birchwood Avenue
Birchwood Village, MN 55110
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birchwoodvillage@comcast.net

EXECUTIVE SUMMARY – OCTOBER 11, 2011 CITY COUNCIL MEETING

NOTE: This executive summary is provided to give a broader detail on the various agenda items. This summary is to be used as an adjunct to the agenda packet, and should not be considered a substitute for reading the agenda packet.

CONSENT CALENDAR: There are two items on the consent calendar, as follows:

1. Approval of the Minutes of the September 13, 2011 Regular Meeting.
2. Acceptance of the Financial Report & Approval of Disbursements.

CITY BUSINESS – REGULAR ORDER:

3. **CAIN GARAGE RENTAL: CONSIDERATION OF AWARDING OF ANNUAL LEASE:** The garage across Birchwood Avenue from the Village Hall has been rented out by the City to private party for storage. It was the Council's desire to have an annual lease running from November 1-October 31 for the garage. The City received 3 bids for renting the garage, as follows:

Lori Carter	210 Birch Street	\$825.00
Ken Kixmoeller and Kim Otness	35 Birchwood Lane	\$145.00
John Velin	146 Wildwood Avenue	\$252.00

QUESTIONS: Should the City lease out the structure across Birchwood Avenue from the Village Hall? If so, to whom should the City award the annual lease?

4. **TIGHE-SCHMITZ WARMING HOUSE: PROPOSED OUTDOOR RECREATION GRANT PROGRAM APPLICATION:** The Parks and Natural Resources Committee has been reviewing potential funding sources to pay for a new warming house by the Tighe-Schmitz hockey rink. The Committee found out that the project may be eligible for a grant from the Minnesota DNR Outdoor Recreation Grant Program. The Committee drafted a memo detailing the project and also submitted elevations of the warming house provided by City resident Douglas Danks. Like most grants, the City would be required to provide a local match in either dollars, "in kind" contributions, or a combination of the two. As part of the submittal requirements, the City is required to conduct a public hearing and also adopt a resolution of financial support for the project. John Lund and Member Katie Cavenor will be addressing the Council on this matter and will be available to answer questions.

QUESTION: Should the City Council express its support for this project?

5. **VILLAGE HALL CHIMNEY FLASHING AND TUCKPOINTING: REVIEW OF BIDS AND CONSIDERATION OF AWARD:** The work of painting the exterior of the Village Hall building revealed the need to repair the chimney by

installing flashing, perform tuckpointing, and reinstall some bricks that had become dislodged. The Council directed staff to secure estimates for repairing the chimney. Three estimates were obtained, copies of which are included in the agenda packet as exhibits.

QUESTION: To which contractor should the City award the bid for repair of the Village Hall chimney?

6. WATER FEE: AUTHORIZE THE CITY OF LITTLE CANADA TO WORK WITH COUNCIL MEMBER HARPER AND THE FINANCE COMMITTEE TO RECOMMEND A REVISED WATER FEE: Council Member Jane Harper prepared a memo on this matter, which is included in the packet as an exhibit. Jane is asking permission to financially engage the services of Shelly Rueckert, Finance Director for the City of Little Canada [who provides utility billing services for the City] to evaluate current water rates and bring back to the Council recommendations for adjusting the water rate. Ms. Rueckert advised Jane that she will cap her cost to the City at \$360.00.

QUESTION: Should the Council authorize an expenditure not to exceed \$360.00 to hire Shelly Rueckert to assist Council Member Jane Harper on evaluating the City's water rates?

7. ORDINANCE 2011-05/RESOLUTION 2011-20> ESTABLISHING A UTILITY LATE FEE INTEREST CHARGE: REVIEW OF DRAFT ORDINANCE AND RESOLUTION & CONSIDERATION OF SCHEDULING A PUBLIC HEARING: As part of last year's review of utility rates, the City Council heard from Shelly Rueckert, City of Little Canada Finance Director (Little Canada provides utility billing services to the City) on what other cities charge for interest on delinquent utility bills. As a result of the presentation, the City Council directed the City Attorney to develop a draft ordinance and enabling resolution providing for a 5% late fee per quarter on the outstanding delinquent balance, for presentation at the next Council meeting. City Attorney Kevin Sandstrom provided the enclosed exhibits, but in the transition to a new Council the matter was somehow lost. Staff is presenting it tonight for Council review and potential scheduling of a public hearing.

QUESTION: Should the City Council consider scheduling a public hearing to solicit testimony on the proposed utility late fee ordinance?

8. RESOLUTION 2011-21>DENIAL OF A CONDITIONAL USE PERMIT FOR ROGER KROPELNICKI: REVIEW AND ADOPTION: At the August 2011 Council meeting, the City Council considered a request by petitioner Roger Kropelnicki for a conditional use permit (CUP) for the purpose of operating a cabinet-making business out of an accessory structure located on property owned by Karen Charpentier-Kropelnicki at 501 Wildwood Avenue. Kropelnicki objected to the imposition of a condition on the requested use that would have prohibited recreational woodworking inside the accessory structure after 5:00pm, and advised the Council that if that condition was to remain in place that he would withdraw his request for the CUP. The Council requested that Kropelnicki submit his withdrawal request in writing so the City would have a written document for the file. To date, said documentation has yet to be forwarded to the Council. With the deadline for agency review extended to November 1, the City should take action to deny the CUP request to avoid any misunderstandings. Mayor Mitchell drafted a memo and resolution (included in the packet as exhibits) for the Council's review.

QUESTION: Should the City Council adopt Resolution 2011-21 denying the conditional use permit request of Roger Kropelnicki?

9. CITY ENGINEER'S REPORT: City Engineer Kristie Elfering submitted memoranda discussing her ongoing efforts in working with the City of White Bear Lake on shared services, as well as developing backup to the City of White Bear Lake for provisioning of emergency water system services. These memoranda are included in the agenda packet as exhibits.

12. CONSIDERATION OF CHANGING THE TIME OF THE NOVEMBER 8, 2011 REGULAR COUNCIL MEETING: Minnesota Statutes Chapter 204C.03 prohibits City Council meetings between 6pm and 8pm on the day an election

is held within the boundaries of the City. The White Bear Lake School District will be holding its election on November 8, 2011 – the date of the November regular Council meeting. The Council can either start the meeting at 8:00pm or switch the date of the meeting.

QUESTIONS: Should the City Council change the start time for the November 8th meeting to 8:00pm? Or should the City Council change the date of the meeting instead?

CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
September 13, 2011

MINUTES

MEMBERS PRESENT: Mayor Alan Mitchell; Council Members Barb Carson, Jane Harper, Mark Peterson, and Tony Sampair

STAFF PRESENT: City Engineer Kristie Elfering, City Clerk Dale Powers, and City Attorney Kevin Sandstrom

OTHERS PRESENT: Kristine Goodrich, Jim Greeley, John Lund, Don Madore, and Gene Ruehle

Mitchell called the regular meeting to order @ 7:00pm, and the Pledge of Allegiance was recited.

AGENDA APPROVAL: *Mitchell/Peterson unanimous to approve the agenda for the September 13, 2011 Regular Meeting, provided that Item # 5 (Resolution 2011-18: A Resolution Naming Dale Powers as the Responsible Authority under the Minnesota Data Practices Act) be removed from the Consent Calendar and placed under Regular Order.*

COMMUNITY EVENTS AND ANNOUNCEMENTS: Mitchell noted the following announcements and community events:

- Music in the Park series has ended August 28, and by all accounts it was a success.
- The Fall Plant Exchange is Saturday September 24 at 10:00am at Village Hall.

OPEN PUBLIC FORUM: Greeley addressed the Council and stated that he saw John Lund erecting the "no parking" signs on Lake Avenue and that Lund was told by the Mayor to stop. Mitchell responded by saying that Brian Lind called that morning to say that Lund was installing the sign in front of his window. Mitchell said he would come over and take a look at the situation. Mitchell continued by saying that Lind told him that the sign was going up right outside his window and couldn't the sign be put by the bushes instead? Mitchell advised Lind that the Council passed a resolution mandating the location of the sign, and invited Lind to speak at tonight's Council meeting. Mitchell concluded his remarks by stating that Lind was not able to attend tonight's meeting and left a written statement for the Council.

Greeley responded by stating that Lind has an issue with the esthetics of the sign, yet he (Greeley) has to put up with an esthetic problem with Lind's property. Sampair noted that the Council made a decision to install the signs at locations determined with the assistance of the City Engineer and (White Bear Lake Police Officer) Rob Flick, and to stop now is ridiculous. Carson noted that Lind's letter states that placement of the sign would pose a problem with using his parking pad in the winter, and recommends revisiting the issue to see if Lind can be accommodated while maintaining public safety. Mitchell stated that if the sign was placed behind the bushes, it would be 35 or so feet farther down the hill, and that Lind said he would be parking on the grass adjacent to the no parking area anyway. Sampair reiterated that the Council passed this in July and if the Council wants to revisit the issue it can be placed on an agenda for discussion. No motions were made and the discussion ended.

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CONSENT CALENDAR: Harper/Carson unanimous to approve the following consent calendar items:

1. ***Approval of the Minutes of the August 9, 2011 Regular Meeting***
2. ***Approval of the Disbursements Register as prepared by the City Treasurer and presented to the City Council on September 13, 2011, including Check #'s 26740-26790 and Electronic Funds Transfers PERA073111, FED082011, MN 082011, and PERA081511***
3. ***Appointment of Anne Salo to the Parks and Natural Resources Committee for a 3-year term expiring September 13, 2014***
4. ***Approval of the assessing contract with Washington County***

RESOLUTION 2011-18: A RESOLUTION NAMING DALE POWERS AS THE RESPONSIBLE AUTHORITY UNDER THE MINNESOTA DATA PRACTICES ACT: Mitchell shared with the Council that the City is required by state statute to appoint an individual as the responsible authority for all requests for information under the state's data practices act. Mitchell further noted that he wanted to pull this item off the consent calendar because the original version of the resolution appeared to make it mandatory that Dale charge fees for copies of data, when that should be discretionary on Dale's part. As well, Mitchell noted that the resolution should make clear that Dale is the responsible authority for all data requests, not just for data on individuals. As a result, Mitchell presented to the Council an amended version of the resolution to address those two issues.

Mitchell/Peterson unanimous to approve Resolution 2011-18 as amended by the Mayor.

PERSONNEL COMMITTEE REPORT OF THE CLERK'S PERFORMANCE REVIEW: Mitchell reviewed with the Council a synopsis of the Clerk's performance review and presented a revised employment agreement, a revised job description which includes a change in title to clerk-coordinator, a set of goals for Dale to work toward for the next year, as well as a 4% pay raise. Mitchell also noted that the City should cause a market study to be performed to see whether the salary structure of the Clerk is in line with other cities, and that the confidential personnel files for the City's employees be kept with the City Attorney. Mitchell concluded by sharing with the Council some of his concerns about the Clerk's interaction with the Mayor.

Sampair noted that he is satisfied with the work of the Clerk and said that Dale has been a good resource to him as a new council member.

Harper noted that the staff has consistently asked for clear direction, and the goals presented tonight are an attempt to establish a set of goals for the Clerk to achieve between now and July 2012. As it relates to the market study, Harper stated that she has been in contact with a vendor that will perform the service at no charge to the City.

Peterson noted that the Clerk has brought stability to the office, and said that the Executive Summary is very helpful. Peterson said the Council needs to sort through how it sees the position of the Clerk. Peterson concluded by saying that, since Dale is skilled in planning and zoning work and is willing to take on the additional responsibility, the Council should be open to utilizing Dale's skills in those areas.

Harper stated that Paragraph 11 of the revised employment agreement, referencing professional development, has a blank to be filled in for the amount the City agrees to budget "up to" that needs to be addressed. Harper recommends that this section be revised to read "employer agrees to cover the

96 cost of employees attendance in the amount authorized in the budget". Mitchell commented that a
97 previous iteration of this clause did not give any guidance as to a dollar amount to budget for, nor any
98 indication as to what organizations are involved with professional development. Mitchell stated that the
99 revised clause makes it clearer and lists a specific dollar amount.

100
101 *Harper/Sampair unanimous to adopt the new employment agreement which includes a 4% raise*
102 *effective back to the first pay period after the clerk's anniversary date in July; a new job title referred*
103 *to as the city coordinator; a new job description; and funds up to \$700.00 for professional*
104 *development under Clause 11 of the new employment agreement.*

105
106 *Harper/Sampair unanimous to authorize Harper, on behalf of the Personnel Committee and the City*
107 *Council, to engage a firm to conduct a market survey for the city clerk position at no cost to the City,*
108 *and to bring the information back to the Council for consideration before the end of the year.*

109
110 *Harper/Carson unanimous that the City Council designate the City Attorney as the repository for the*
111 *city staff personnel files.*

112
113 *Harper/Sampair unanimous to adopt the list of 21 performance goals for the Clerk to accomplish for*
114 *2012 dated August 2011(as amended to reflect early 4th quarter 2011 for the code book goal) and ask*
115 *the City Clerk to report back to the Council in writing on a quarterly basis as a way for the Council to*
116 *monitor these goals.*

117
118 **FISCAL YEAR 2012 PRELIMINARY LEVY & PROPOSED BUDGET> RESOLUTION 2011-17: A RESOLUTION**
119 **ESTABLISHING THE PRELIMINARY LEVY CERTIFICATION FOR THE CITY'S GENERAL FUND:** Harper shared
120 with the Council the three actions that need to be done tonight: certify a preliminary levy amount for
121 2012; approve a preliminary budget for 2012; and to set a date, place, and time for the Truth in Taxation
122 (TNT) hearing when the public can comment on the preliminary levy and budget.

123
124 Harper reviewed the proposed all-funds (general, water, sewer) budget, noted that much of the detail
125 was discussed at the August 23 workshop meeting, and called out the following particular items that
126 need specific direction from the Council:

- 127
- 128 • Proposed sewer projects include manhole repairs, lift station pump replacement, and video
129 were mains for cracks. The total anticipated expenditure is \$49,200.00. The Council needs to
130 determine how much of that cost is to be paid by current revenues and how much from new
131 revenues such as a surcharge or a sewer fee.
 - 132 • Proposed water projects include the hydrant replacement and maintenance project. The Council
133 previously recommended funding the \$22,000.00 expenditure entirely out of the Water Fund;
134 however, there are insufficient funds in that account to cover the cost. The Council needs to
135 determine whether to finance the project through an increase in water fees, an infrastructure
136 surcharge fee, or a transfer from the General Fund. To fund the project through an increased fee
137 or surcharge would result in a per account cost – based on 356 accounts – of about \$62.00.
 - 138 • The Parks Committee submitted a proposed budget increase of nearly \$3,500.00 over its
139 \$18,000.00 budget for 2011. The Council kept the budget level, with \$13,000 coming from the
140 levy and \$5,000.00 from the Park fund. Does the City Council want to increase the Parks budget
141 and from which sources should the revenue come from?
- 142

143 **Harper** concluded her remarks by saying that the preliminary levy amount represents a 13% increase
144 over last year's levy. If the Council wants to reduce the 2012 levy, it could choose to (a) reduce
145 expenditures; (b) transfer funds from the Park Fund for park expenditures; (c) transfer funds from the
146 Capital Project Fund to fund city hall improvements; or use General Fund monies to cover the proposed
147 expenditures.

148
149 **Peterson** observed that a 13% levy increase seems a bit aggressive, and that if the intent of the Council
150 is to end up with a levy close to last year's figure that we need to start paring the proposed budget
151 down. **Peterson** noted that there are 52 line items that show increases from this year to next year.
152 **Mitchell** responded that the budget format for 2012 reflects a higher level of detail than previous years.
153 **Harper** agreed, stating that the new format allows for correlation with CTAS object codes that need to
154 be entered into the City's accounting system. **Harper** also noted that, while there isn't a need for a full
155 audit, a desk audit is included at an expenditure of \$4,000.00. As well, there are election costs to
156 account for in next year's budget.

157
158 **Harper/Carson unanimous to approve Resolution 2011-17 (Preliminary Levy), as amended to correct a**
159 **typing error, that sets the 2012 preliminary levy at \$365,282.00.**

160
161 **Harper/Carson unanimous to approve Resolution 2011-19 (Preliminary Budget) as amended to change**
162 **the second "whereas" clause to read "the City of Birchwood Village will be holding a public hearing for**
163 **the 2012 budget at 7:00pm on December 13, 2011 at City Hall" and to change the clause to a "be it**
164 **further resolved" clause.**

165
166 **VILLAGE HALL PAINTING, REPAIR OF SIDING, AND STRIPING OF PARKING LOT: REVIEW OF \$382.50**
167 **CHANGE ORDER:** **Mitchell** noted that the City received a change order from Cornerstone Construction
168 and Management in the amount of \$382.50 for materials and labor for the installation of 50 feet of
169 siding during the painting of the exterior of the Village Hall, and noted that he walked around the
170 building with Lund, Elfering and Carson earlier that evening to inspect the work. **Mitchell** stated that
171 there is no one present from Cornerstone to address the Council, but the firm did leave correspondence
172 at the table stating the contractor's position.

173
174 **Lund** stated that the change order should not be paid due to carelessness by the vendor in removing the
175 existing siding, as well as not using the required caulking material. **Peterson** asked Lund if he had
176 witnessed the carelessness and if so, what did he observe. **Lund** replied by saying he witnessed the
177 removal process, and stated that instead of carefully prying the siding away from the building and
178 pulling out the nails, the vendor just crunched it down and knocked big holes in the piece below. **Lund**
179 said he brought it to the vendor's attention, and one of the workers was more careful while the other
180 did not listen.

181
182 **Carson** noted that the contractor said he performed some tasks that were above and beyond the terms
183 of the contract, specifically citing chimney flashing. **Lund** responded by stating that the flashing was
184 never installed. **Harper** said that some of the things being discussed are not required as part of the
185 contract. **Powers** noted that the contract does not require flashing to be installed. **Lund** requested
186 flashing be installed and that Vulkem caulk to be used. **Carson** stated that the contract does not require
187 a certain kind. **Mitchell** said he drafted the contract and worked from the bid that was approved by the
188 Council in 2010, and there was no reference to flashing nor a certain kind of caulk.

189

190 Several motions to resolve the matter were made by various Council members; none of the motions
191 received a second.

192

193 ***Sampair/Mitchell 4-1 (Carson) to deny payment of the change order.***

194

195 The Council was concerned about the condition of the chimney, and directed the work be done before
196 winter.

197

198 ***Harper/Sampair unanimous to authorize the Clerk to receive 3 quotes for flashing and tuckpointing of***
199 ***the Village Hall chimney and to bring the quotes to the City Council for review at the October 11th***
200 ***Council meeting.***

201

202 **CITY ENGINEER'S REPORT:**

203 **Shared Services with White Bear Lake:** Elfering updated the Council on her discussions with the City of
204 White Bear Lake (WBL) on the draft list of public works services that could potentially be offered on a
205 contract basis. WBL had no objection to doing tree inspection and locating services on a trial basis, but
206 did not want to commit to anything long term. WBL did not want to get involved with tree removal. WBL
207 approached her about combining the WBL and Birchwood water systems, which will allow WBL more
208 time efficiencies since they will not have to test each system separately. Elfering stated that, in essence,
209 this would involve giving the City's water mains to WBL, with a separate joint powers agreement
210 requiring Birchwood to pay for any water main breaks and infrastructure maintenance. WBL would be
211 required to do all of the utility billing. WBL would like to know whether the City would be open to that
212 idea, and realizes that the ultimate decision depends on whether it makes financial sense to the City to
213 do so.

214

215 (Carson left the Council table at 9:35pm.)

216

217 The consensus of the Council was to not investigate further the idea of combining the two water
218 systems, and directed Elfering to update the Council at the October meeting with a final WBL proposal.

219

220 Elfering also advised the Council that WBL informed her that it may not be able to respond in a timely
221 manner to water main breaks and recommends the City obtain a backup provider for this service.
222 Elfering asked the Council for permission to seek out a backup provider(s) and return to the Council with
223 this information. The consensus of the Council was to direct Elfering to obtain this information and
224 report back to the Council at the October 11th meeting.

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226 **Nordling Park:** Elfering noted that she had talked to John Lund and that final grading should be
227 completed soon with restoration work to be done on September 20, with seeding to follow. The water
228 appears to be draining fine, but a foot of water will most likely remain standing. Peterson stated that he
229 thinks we should watch what happens for now and if further drainage work needs to be done that it
230 could be done later.

231

232 **COUNCIL MEMBER REPORTS:** Mitchell shared with the Council that he is working on the proposed
233 interim use permit ordinance, and has found the issue to be more complicated than originally thought.
234 Mitchell said he would try to get the draft ready for the October meeting. Mitchell also mentioned that
235 he wanted to refresh the contracts for fire and police with White Bear Lake. Finally, Mitchell requested
236 that the executive summary should be a summary of information in the council packets and not the only

237 place where substantive information about agenda items is found. This will also make it easier to
238 maintain the file for particular items.

239

240 **Harper** reported that she and Powers met with White Bear Lake Planning and Building to go over some
241 issues of mutual interest, including fee schedules for building and zoning which should be on the
242 website. On the issue of fees, **Harper** advised the Council that she will be working with Sandstrom on a
243 revised fee ordinance for Council review later this year. Finally, **Harper** noted there are two trees – one
244 at Tighe-Schmitz Park and the other hanging over Birchwood Avenue – that need to be removed. Steve
245 Dean provided a quote of \$60.00 each to remove the trees. The consensus of the Council was to
246 authorize the Clerk to proceed with these types of expenditures after consulting with the Council liaison
247 to the impacted department.

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249 **CANCEL SEPTEMBER 27 COUNCIL MEETING: Mitchell/Sampair 4-0 (Carson absent) to cancel the**
250 **September 27, 2011 Council meeting for lack of urgent business.**

251

252 **NEXT MEETING> OCTOBER 11, 2011: TOPICS:** **Mitchell** announced the following topics will be on the
253 agenda for the September 13, 2011 meeting:

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- 255 • The City Engineer's report on shared services with White Bear Lake; and
- 256 • The bids for repair of the chimney flashing

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258 **ADJOURN:** Without a motion, the Council adjourned the meeting @10:05 pm.

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264 Dale Powers

265 City Clerk

Birchwood Village Treasurer's Report

10-6-11

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To: City Council

From: Cindie J Reiter, Treasurer 

Financial Report

Attached are the CTAS reports:

The **DISBURSEMENTS REGISTER** is for those claims presented for approval and/or payment this eve. Disbursement Register includes check numbers or EFT identifier.

The **Interim Financial Report** shows the year to date totals for each revenue and expense of each Fund. The report is presented by ACCOUNT code. Fund 100 is the operating fund (General Fund) for which property taxes are levied. In the disbursement section you will find a running total (YTD) and variance (remaining balance) of the budgeted amount for each category of expense.

The **Cash Balance Statement** is the beginning balances (same as: prior year-end). The beginning balances are all cash balances – which reside at US Bank (checking for operating funds & savings) and at Piper Jaffray (money market accounts for various fund reserves & savings)

Current Items of Interest-

- Catchbasin Expenses –Fund 403, Capital Projects Catchbasin. This is to identify expenses of the catchbasin project which was presented to RC Watershed District for allowable grant expenses as is a cost-share grant. The negative balance this month is \$990 greater for early engineer costs now moved to Fund 403 (It did not exist at time expense was incurred and was coded to General Fund #100). ***YTD expense city expense \$19,139*** and is shown as a negative number on the Cash Statement Fund 403. ***ACTION requested: Transfer the negative balance to either the General Fund or other fund as designated.***
- Dock Permit Fee – refunds to date total \$1,400. This resides in the Special Revenue Fund and per ordinance is to be used for park project(s)*. Please provide direction for transfer of funds for Parks project.
- Nordling Park Project Cost \$1426.62 (invoices presented for payment of \$1078 this eve).
- REMINDER-AUDIT ITEM – recall by year end &/or early next year there are certain designations to be made for the various city fund balances. (i.e. committed, designated, reserved, etc)

*Park Expenses YTD \$13,306 – exceeds 2011 Budget of \$13,000. There is also \$5,000 Revenue allocation to Special Revenue Fund, designated by ordinance to be used for park project not operations of parks. Funds derived from Dock Permit Fees.

Water Fund & Sewer Fund – To be reviewed for fee structure in upcoming month.

Please call/email with any questions.

Cindie J Reiter,

Birchwood City Treasurer

Special Assessment – Pay 2011 Resolution of over calculation of interest for Pay 2011 is to refund all PAID debt service special assessment for Pay 2011. This refund will be sent to property owners after the county provides report of those properties paid for 2011. The report should be available in the first quarter 2012 -- refunds to be issued shortly after.

As of 10/05/2011
Fiscal Year:2011

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursements</u>	<u>Ending Balance</u>
General Fund	\$513,678.05	\$184,017.39	\$273,787.94	\$423,907.50
Special Rev Projects	\$7,550.65	\$8,435.46	\$1,400.00	\$14,586.11
Sewer 2004 Bonds	\$0.00	\$6,769.57	\$31,019.47	(\$24,249.90)
Birchwood In Re-hab Bond	\$0.00	\$494.10	\$0.00	\$494.10
Sewer Re-hab 2008 Debt	\$0.00	\$15,773.01	\$3,994.31	\$11,778.70
Cap Project - PW	\$41,571.00	\$0.00	\$0.00	\$41,571.00
Capital Projects	\$65,527.99	\$579.00	\$0.00	\$66,106.99
Cap Proj - Catchbasin	\$0.00	\$13,404.00	\$32,543.00	(\$19,139.00)
Water Enterprise Fund	\$45,623.45	\$39,039.58	\$55,787.80	\$28,875.23
Sewer Enterprise Fund	\$173,186.41	\$59,225.91	\$56,495.68	\$175,916.64
Total	\$847,137.55	\$327,738.02	\$455,028.20	\$719,847.37

As of 12/31/2011

General Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
General Property Taxes	\$323,000.00	\$165,201.43	(\$157,798.57)
Total Acct 310	\$323,000.00	\$165,201.43	(\$157,798.57)
Building Permits	\$0.00	\$4,758.35	\$4,758.35
Dog Licenses	\$0.00	\$25.00	\$25.00
Zoning App Fee	\$0.00	\$206.00	\$206.00
Total Acct 322	\$0.00	\$4,989.35	\$4,989.35
State Grants and Aids	\$0.00	\$119.00	\$119.00
Total Acct 334	\$0.00	\$119.00	\$119.00
Recycle Grant	\$0.00	\$1,678.00	\$1,678.00
Cable Comm. Grant	\$0.00	\$7,119.06	\$7,119.06
Total Acct 336	\$0.00	\$8,797.06	\$8,797.06
City Hall Rent	\$0.00	\$325.00	\$325.00
Total Acct 341	\$0.00	\$325.00	\$325.00
Fines	\$0.00	\$418.63	\$418.63
Total Acct 351	\$0.00	\$418.63	\$418.63
Miscellaneous	\$0.00	\$1,175.18	\$1,175.18
Total Acct 361	\$0.00	\$1,175.18	\$1,175.18
Interest Earnings	\$0.00	\$600.13	\$600.13
Contrib. & Donations-Private	\$0.00	\$600.00	\$600.00
Refunds and Reimbursements	\$0.00	\$1,791.61	\$1,791.61
Total Acct 362	\$0.00	\$2,991.74	\$2,991.74
Total Revenues	\$323,000.00	\$184,017.39	(\$138,982.61)
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Publishing	\$2,000.00	\$1,774.80	\$225.20
Total Acct 411	\$2,000.00	\$1,774.80	\$225.20
City Council	\$2,800.00	\$1,614.75	\$1,185.25
Total Acct 413	\$2,800.00	\$1,614.75	\$1,185.25
Clerk - Treasurer	\$52,855.00	\$46,120.76	\$6,734.24
Elections	\$470.00	\$470.00	\$0.00
Office Operations/Supplies	\$4,500.00	\$5,113.75	(\$613.75)
Postage/Postal Permits	\$0.00	\$598.09	(\$598.09)
Total Acct 414	\$57,825.00	\$52,302.60	\$5,522.40
Financial Administration	\$16,000.00	\$15,363.80	\$636.20
Assessing	\$5,200.00	\$5,917.85	(\$717.85)
Total Acct 415	\$21,200.00	\$21,281.65	(\$81.65)

City of Birchwood Villagegerim Financial Report by Account Number (YTD)

10/05/2011

Legal Services	\$8,000.00	\$6,052.69	\$1,947.31
Engineer Service	\$6,000.00	\$4,678.95	\$1,321.05
Total Acct 416	\$14,000.00	\$10,731.64	\$3,268.36
Per Diem	\$495.00	\$0.00	\$495.00
Total Acct 418	\$495.00	\$0.00	\$495.00
Grants	\$0.00	\$2,222.00	(\$2,222.00)
Planning and Zoning	\$0.00	\$46.00	(\$46.00)
City Training & Development	\$7,590.00	\$2,848.89	\$4,741.11
City Hall-Gov't Buildings	\$17,300.00	\$12,248.61	\$5,051.39
City Insurance	\$7,600.00	\$10,209.00	(\$2,609.00)
Cable Eqpmt and Service	\$0.00	\$857.50	(\$857.50)
Newsletter	\$1,000.00	\$100.00	\$900.00
Total Acct 419	\$33,490.00	\$28,532.00	\$4,958.00
Police	\$88,500.00	\$73,754.20	\$14,745.80
Total Acct 421	\$88,500.00	\$73,754.20	\$14,745.80
Fire	\$20,100.00	\$16,731.60	\$3,368.40
Total Acct 422	\$20,100.00	\$16,731.60	\$3,368.40
Building Inspection	\$0.00	\$4,393.32	(\$4,393.32)
Total Acct 424	\$0.00	\$4,393.32	(\$4,393.32)
Animal Control	\$0.00	\$857.00	(\$857.00)
Total Acct 428	\$0.00	\$857.00	(\$857.00)
PUBLIC WORKS	\$3,000.00	\$0.00	\$3,000.00
Total Acct 430	\$3,000.00	\$0.00	\$3,000.00
Streets & Road Mntnc	\$21,500.00	\$7,454.22	\$14,045.78
Ice and Snow Removal	\$0.00	\$10,093.73	(\$10,093.73)
Tree Care/Inspection	\$1,500.00	\$0.00	\$1,500.00
Tree Removal	\$4,000.00	\$2,093.78	\$1,906.22
Drainage - Structure Care	\$2,000.00	\$2,159.25	(\$159.25)
Street Signs	\$1,000.00	\$265.74	\$734.26
Street Lights	\$13,800.00	\$10,985.29	\$2,814.71
Water Utility	\$0.00	\$473.90	(\$473.90)
Sewer Utility	\$0.00	\$269.90	(\$269.90)
Total Acct 431	\$43,800.00	\$33,795.81	\$10,004.19
Weed Control	\$0.00	\$135.00	(\$135.00)
Total Acct 432	\$0.00	\$135.00	(\$135.00)
Sanitation - Recycling	\$12,000.00	\$8,236.88	\$3,763.12
Total Acct 441	\$12,000.00	\$8,236.88	\$3,763.12
Lawn Care/Mntnc	\$7,000.00	\$3,145.00	\$3,855.00
Total Acct 450	\$7,000.00	\$3,145.00	\$3,855.00
Recreation	\$1,500.00	\$1,421.42	\$78.58
Total Acct 451	\$1,500.00	\$1,421.42	\$78.58
Parks	\$13,000.00	\$13,306.21	(\$306.21)
Total Acct 452	\$13,000.00	\$13,306.21	(\$306.21)
CONSERVATION - NATURAL RESOURC	\$1,609.00	\$1,609.16	(\$0.16)
Total Acct 461	\$1,609.00	\$1,609.16	(\$0.16)

City of Birchwood Villagegerim Financial Report by Account Number (YTD)

10/05/2011

Unallocated Expenditures	\$681.00	\$164.90	\$516.10
Total Acct 492	\$681.00	\$164.90	\$516.10
Total Disbursements	\$323,000.00	\$273,787.94	\$49,212.06
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$513,678.05	
Cash Balance as of 12/31/2011		\$423,907.50	

City of Birchwood Village Financial Report by Account Number (YTD)

10/05/2011

As of 12/31/2011

Special Rev Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Dock Permit Fee	\$0.00	\$8,435.00	\$8,435.00
Total Acct 322	\$0.00	\$8,435.00	\$8,435.00
Interest Earnings	\$0.00	\$0.46	\$0.46
Total Acct 362	\$0.00	\$0.46	\$0.46
Total Revenues	\$0.00	\$8,435.46	\$8,435.46
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Recreation	\$0.00	\$1,400.00	(\$1,400.00)
Total Acct 451	\$0.00	\$1,400.00	(\$1,400.00)
Total Disbursements	\$0.00	\$1,400.00	(\$1,400.00)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$7,550.65	
Cash Balance as of 12/31/2011		\$14,586.11	

City of Birchwood Villagegerim Financial Report by Account Number (YTD)

10/05/2011

As of 12/31/2011

Sewer 2004 Bonds

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Sewer Re-hab A&B	\$0.00	\$6,769.57	\$6,769.57
Total Acct 361	\$0.00	\$6,769.57	\$6,769.57
Total Revenues	\$0.00	\$6,769.57	\$6,769.57
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Bond Payment	\$0.00	\$31,019.47	(\$31,019.47)
Total Acct 471	\$0.00	\$31,019.47	(\$31,019.47)
Total Disbursements	\$0.00	\$31,019.47	(\$31,019.47)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$0.00	
Cash Balance as of 12/31/2011		(\$24,249.90)	

City of Birchwood Village Financial Report by Account Number (YTD)

10/05/2011

As of 12/31/2011

Birchwood In Re-hab Bond

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Sewer Re-hab A&B	\$0.00	\$494.10	\$494.10
Total Acct 361	\$0.00	\$494.10	\$494.10
Total Revenues	\$0.00	\$494.10	\$494.10
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Total Disbursements	\$0.00	\$0.00	\$0.00
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$0.00	
Cash Balance as of 12/31/2011		\$494.10	

City of Birchwood Village Financial Report by Account Number (YTD)

10/05/2011

As of 12/31/2011

Sewer Re-hab 2008 Debt

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Sewer Re-hab A&B	\$0.00	\$15,773.01	\$15,773.01
Total Acct 361	\$0.00	\$15,773.01	\$15,773.01
Total Revenues	\$0.00	\$15,773.01	\$15,773.01
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Bond Payment	\$0.00	\$3,994.31	(\$3,994.31)
Total Acct 471	\$0.00	\$3,994.31	(\$3,994.31)
Total Disbursements	\$0.00	\$3,994.31	(\$3,994.31)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$0.00	
Cash Balance as of 12/31/2011		\$11,778.70	

City of Birchwood Village Financial Report by Account Number (YTD)

10/05/2011

As of 12/31/2011

Cap Project - PW

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	\$0.00	\$0.00	\$0.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Total Disbursements	\$0.00	\$0.00	\$0.00
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$41,571.00	
Cash Balance as of 12/31/2011		\$41,571.00	

City of Birchwood Village Financial Report by Account Number (YTD)

10/05/2011

As of 12/31/2011

Capital Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Interest Earnings	\$0.00	\$579.00	\$579.00
Total Acct 362	\$0.00	\$579.00	\$579.00
Total Revenues	\$0.00	\$579.00	\$579.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Total Disbursements	\$0.00	\$0.00	\$0.00
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$65,527.99	
Cash Balance as of 12/31/2011		\$66,106.99	

City of Birchwood Village Interim Financial Report by Account Number (YTD)

10/05/2011

As of 12/31/2011

Cap Proj - Catchbasin

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Local Agency Grants	\$0.00	\$13,404.00	\$13,404.00
Total Acct 336	\$0.00	\$13,404.00	\$13,404.00
Total Revenues	\$0.00	\$13,404.00	\$13,404.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Engineer Service	\$0.00	\$4,735.00	(\$4,735.00)
Total Acct 416	\$0.00	\$4,735.00	(\$4,735.00)
Drainage - Structure Care	\$0.00	\$27,808.00	(\$27,808.00)
Total Acct 431	\$0.00	\$27,808.00	(\$27,808.00)
Total Disbursements	\$0.00	\$32,543.00	(\$32,543.00)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$0.00	
Cash Balance as of 12/31/2011		(\$19,139.00)	

City of Birchwood Villagerim Financial Report by Account Number (YTD)

10/05/2011

As of 12/31/2011

Water Enterprise Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Water Fee	\$0.00	\$33,913.54	\$33,913.54
Penalty - Late Water/Sewer	\$0.00	\$891.74	\$891.74
State & Misc fees	\$0.00	\$1,629.91	\$1,629.91
Total Acct 341	\$0.00	\$36,435.19	\$36,435.19
DELQ - Water-Sewer fees	\$0.00	\$2,224.59	\$2,224.59
Total Acct 361	\$0.00	\$2,224.59	\$2,224.59
Interest Earnings	\$0.00	\$379.80	\$379.80
Total Acct 362	\$0.00	\$379.80	\$379.80
Total Revenues	\$0.00	\$39,039.58	\$39,039.58
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Engineer Service	\$0.00	\$472.00	(\$472.00)
Total Acct 416	\$0.00	\$472.00	(\$472.00)
Other Protection	\$0.00	\$1,375.00	(\$1,375.00)
Utility Locates	\$0.00	\$191.63	(\$191.63)
Total Acct 428	\$0.00	\$1,566.63	(\$1,566.63)
Water Utility	\$0.00	\$31,641.15	(\$31,641.15)
Wtr/Swr Emergency	\$0.00	\$22,108.02	(\$22,108.02)
Total Acct 431	\$0.00	\$53,749.17	(\$53,749.17)
Total Disbursements	\$0.00	\$55,787.80	(\$55,787.80)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$45,623.45	
Cash Balance as of 12/31/2011		\$28,875.23	

City of Birchwood Village Financial Report by Account Number (YTD)

10/05/2011

As of 12/31/2011

Sewer Enterprise Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Sewer Fee	\$0.00	\$56,853.64	\$56,853.64
Total Acct 341	\$0.00	\$56,853.64	\$56,853.64
Sewer Re-hab A&B	\$0.00	\$15.00	\$15.00
DELQ - Water-Sewer fees	\$0.00	\$1,842.01	\$1,842.01
Total Acct 361	\$0.00	\$1,857.01	\$1,857.01
Interest Earnings	\$0.00	\$515.26	\$515.26
Total Acct 362	\$0.00	\$515.26	\$515.26
Total Revenues	\$0.00	\$59,225.91	\$59,225.91
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Utility Locates	\$0.00	\$191.62	(\$191.62)
Total Acct 428	\$0.00	\$191.62	(\$191.62)
Wtr/Swr Emergency	\$0.00	\$8,542.31	(\$8,542.31)
Sewer Utility	\$0.00	\$47,761.75	(\$47,761.75)
Total Acct 431	\$0.00	\$56,304.06	(\$56,304.06)
Total Disbursements	\$0.00	\$56,495.68	(\$56,495.68)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$173,186.41	
Cash Balance as of 12/31/2011		\$175,916.64	

Fund Name: All Funds
 Date Range: 09/14/2011 to 10/06/2011

<u>Date</u>	<u>Remitter</u>	<u>Description</u>	<u>Receipt #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
09/19/2011	Residents - via LC	Utility Billing JE LC #20	547	\$6,474.44	601-34105	\$3,082.95
					601-34115	\$2.34
					601-34120	\$94.95
					605-34110	\$3,294.20
09/23/2011	Residents - via LC	Utility Billing - LC JE#33	548	\$3,943.54	601-34105	\$1,670.93
					601-34115	\$2.14
					601-34120	\$72.25
					605-34110	\$2,198.22
09/27/2011	White Bear Township	Spec Assmt - Debt Svc & Cert Utilities	542	\$505.27	305-36110	\$106.27
					601-36130	\$199.50
					605-36130	\$199.50
09/27/2011	Four Seasons Air	Bldg permit #WB053260	543	\$61.63	100-32210	\$61.63
09/27/2011	American Mechanical	Bldg permit #WB053283	544	\$35.00	100-32210	\$35.00
09/27/2011	Carter Custom Cons/Fireplace	Bldg Permit #WB053278	545	\$46.20	100-32210	\$21.08
					100-32210	\$25.12
09/27/2011	McCraken Inv. (15 Oak Rdg Dr)	UB pay-off & overpymnt	546	\$162.10	100-36140	\$92.34
					601-34105	\$49.76
					605-34110	\$20.00
09/27/2011	Residents - via LC	Utility Billing - LC JE#36	549	\$562.93	601-34105	\$224.36
					601-34120	\$11.68
					605-34110	\$326.89
Total For Period				\$11,791.11		
Total Year To Date				\$327,738.02		

Fund Name: All Funds
Date Range: 09/14/2011 to 10/06/2011

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
09/15/2011	Payroll Period Ending 08/31/2011		26791	\$1,062.31	100-41400-100	\$1,062.31
09/15/2011	Payroll Period Ending 08/31/2011		26792	\$317.15	100-41400-100	\$317.15
09/15/2011	Payroll Period Ending 08/15/2011		26793	\$98.73	100-41400-100	\$98.73
09/21/2011	PERA	Staff Retirement PE 8/31/11	PERA083111	\$275.10	100-41400-120 100-41400-121	\$147.74 \$127.36
09/28/2011	Postmaster	Stamps - 200	26797	\$88.00	100-41430-200	\$88.00
09/30/2011	Payroll Period Ending 09/15/2011		26794	\$1,062.31	100-41400-100	\$1,062.31
09/30/2011	Payroll Period Ending 09/15/2011		26795	\$246.15	100-41400-100	\$246.15
09/30/2011	Payroll Period Ending 01/01/2011		26796	\$815.25	100-41310-100	\$815.25
10/03/2011	IRS - US Treasury	FEDTaxes - Sept 2011	FED092011	\$1,535.60	100-41310-110 100-41310-160 100-41310-162 100-41310-164 100-41310-166 100-41400-110 100-41400-160 100-41400-162 100-41400-164 100-41400-166	\$400.00 \$21.75 \$93.00 \$21.75 \$63.00 \$420.50 \$56.20 \$240.37 \$56.20 \$162.83
10/03/2011	MN Department of Revenue	State W/H Sept 2011	MN092011	\$408.42	100-41310-115 100-41400-115	\$200.00 \$208.42
10/03/2011	PERA	Staff Retirement PE 9/15/11	PERA91511	\$248.27	100-41400-120 100-41400-121	\$133.33 \$114.94
10/06/2011	City of Birchwood Village	Petty Cash - Reimb.	26798	\$89.11	100-41420-210 100-41420-331 100-41430-200	\$57.38 \$26.14 \$5.59
10/06/2011	League of Mn Cities Insurance Trust	Work Comp - Audit 2010/2011	26799	\$1,781.00	100-41945-150	\$1,781.00
10/06/2011	Xcel Energy	Street Lights -Sept 2011	26800	\$1,219.11	100-43160-380	\$1,219.11
10/06/2011	Qwest	Phone/Fax lines Sept 2011	26801	\$112.09	100-41940-321	\$112.09
10/06/2011	HD Supply Waterworks, Ltd	Water Meters - Regular (6)	26802	\$705.61	601-43180-210	\$705.61
10/06/2011	City of White Bear Lake Bldg Inspec	Bldg Inspections -Aug 2011	26803	\$833.00	100-42401-305	\$833.00
10/06/2011	Xcel Energy	City hall Elec/Gas - Sept 2011	26804	\$236.05	100-41940-380	\$236.05

City of Birchwood Village

Disbursements Register

10/05/2011

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
10/06/2011	TSE, INC	City Hall Cleaning 9/6/11	26805	\$20.45	100-41940-305	\$20.45
10/06/2011	Xcel Energy	Park electric -Sept 2011	26806	\$9.95	100-45200-380	\$9.95
10/06/2011	City of White Bear Lake Fire	Fire Srvc -Oct 2011	26807	\$1,673.16	100-42200-305	\$1,673.16
10/06/2011	City of White Bear Lake Police	Law Enforcement - Oct 2011	26808	\$7,375.42	100-42100-305	\$7,375.42
10/06/2011	MCCracken Investment Trust	REfund overpyment of UB	26809	\$92.34	100-49200-810	\$92.34
10/06/2011	Schwaab, Inc.	Security stamp/Non- Neg. Stamp	26810	\$51.94	100-41420-200	\$51.94
10/06/2011	Press Publications	Cons Confidence Publication 2011	26811	\$636.75	100-41130-351	\$636.75
10/06/2011	Manual & Rebecca Gadd	Refund - overpayment of UB water/sewer	26812	\$77.05	601-43180-810	\$77.05
10/06/2011	Xcel Energy	Sewer Lift Stns -Sept 2011	26813	\$540.62	605-43190-381	\$540.62
10/06/2011	City of White Bear Lake Public Work	Lift Stn Mntnc /Water Testing/Tree Removal	26814	\$1,642.72	100-43135-305	\$239.40
					601-43180-305	\$587.32
					605-43190-305	\$816.00
10/06/2011	City of White Bear Lake Public Work	Lift Stn Mntnc /Water Testing/Lift emergency	26815	\$1,761.96	601-43180-305	\$263.80
					605-43185-305	\$682.16
					605-43190-305	\$816.00
10/06/2011	On-Site Sanitation Inc	Rental Unit - Tighe Schmidt Sept 2011	26816	\$86.95	100-45200-305	\$86.95
10/06/2011	Korich, George	Refund of Boat Slip Permit Fee (unused) 2011	26817	\$200.00	210-45100-810	\$200.00
10/06/2011	Ronnan, Kenny	Videographer - Service Sept 2011 (4,5)	26818	\$63.00	100-41950-305	\$63.00
10/06/2011	St. Paul Stamp Works, Inc	Mayor Plaque nameplate	26819	\$12.77	100-41420-210	\$12.77
10/06/2011	TSE, INC	City Hall Cleaning 9/20/11	26820	\$20.45	100-41940-305	\$20.45
10/06/2011	Gopher State One Call	Locates Sept 2011 (24 email)	26821	\$34.80	601-42805-305	\$17.40
					605-42805-305	\$17.40
10/06/2011	Elfering & Associates	Eng Srvc- Sept 2011	26822	\$1,474.00	100-41650-300	\$471.00
					601-43180-300	\$1,003.00
10/06/2011	Hennen Construction Company	Hydrant Replacement - labor only Sept 2011	26823	\$1,375.00	601-42800-305	\$1,375.00
10/06/2011	Peterson, Erica	Nordling Park Exp. - Reimbursement	26824	\$1,078.93	100-45200-810	\$189.49
					100-45200-810	\$6.95
					100-45200-810	\$8.97

City of Birchwood Village

Disbursements Register

10/05/2011

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
					100-45200-810	\$20.00
					100-45200-810	\$28.24
					100-45200-810	\$3.02
					100-45200-810	\$112.50
					100-45200-810	\$237.22
					100-45200-810	\$406.54
					100-45200-810	\$66.00
Total For Period				\$29,361.52		
Total Year To Date				\$455,028.20		



CITY OF BIRCHWOOD VILLAGE
207 Birchwood Avenue
Birchwood Village, MN 55110
651-426-3403 tel
651-426-7747 fax
birchwoodvillage@comcast.net

MEMORANDUM

DATE: October 4, 2011
TO: Honorable Mayor and Council
FROM: Dale Powers, City Clerk-Coordinator
RE: Cain Garage Rental

=====

The garage across Birchwood Avenue, known as the Cain Garage, has been rented out by the City to private parties in the past. It is my understanding that the lease term was 6 months.

At the May 10, 2011 Council meeting, the Council awarded the six month lease to Kim Otness and Ken Kixmoeller. Kim and Ken objected to the term of the lease, stating that there is little need for storage space in the summer. They asked the Council to consider a one-year lease in light of that fact. The Council considered Kim and Ken's request and declined to extend the term of the lease. As a result, the garage is not being leased at this time.

The Council directed staff to alert City residents in the fall newsletter of the availability of the garage and to request bids for a one-year lease. The City received many inquiries but only 3 bids, as follows:

John Velin	146 Wildwood Avenue	\$252.00
Lori Carter	210 Birch Street	\$825.00
Ken Kixmoeller/Kim Otness	35 Birchwood Lane	\$145.00

Staff does not believe that there are any statutory requirements to award the lease to the highest bidder; however, since John Velin is the husband of Council Member Jane Harper, staff believes that she should recuse herself from the deliberations and refrain from voting on this matter.

XFINITY Connect**bwclerk@comcast.net**± Font Size ±

bid on city garage

From : john velin <johnrvelin@comcast.net>

Wed, Sep 28, 2011 11:25 PM

Subject : bid on city garage**To :** bwclerk@comcast.net

I bid \$21 per month Nov 1 2011 through oct 31 2012. This is conditioned only upon my travel trailer fitting in length and sides and access turning . You could que up the bids and if I decline based on trhat condition = "can i get it in the garage " then go to number 2

john velin
146 wildwood ave
white bear lake
MN 55110-1633
651 426 0136

XFINITY Connect**bwclerk@comcast.net**

± Font Size ±

garage rental

From : rgcjoy@comcast.net

Tue, Sep 13, 2011 10:00 PM

Subject : garage rental**To :** bwclerk@comcast.net

To whom it may concern,

I would like to submit my bid for the garage rental for one year in the amount of \$825.00. I would like to know if we must be present for the bidding process and if we have the opportunity to re-bid if we are not the highest bid.

We live at 210 Birch St and would love this opportunity.

Thank you,
Lori Carter



Ken Kixmaeller &

Kim Otness

35 Birchwood Lane

651-653-7255

Garage Bid #145

Lease Period: 11/1/11 -
10/31/12

Kim @ otness .com

Ken @ kixmaeller .com

TO: Birchwood City Council Members

FROM: Parks and Natural Resources Committee

DATE: September 29, 2011

RE: Proposed Outdoor Recreation Grant Program Application – Warming House

Issue and Requested Action

Birchwood Village is eligible for a grant from the Outdoor Recreation Grant Program that if awarded would provide funding to renovate the ice skating rink area at Tighe Schmitz Park including the construction of a new warming house. The grant would be for 50 percent of the total eligible project costs. The preliminary grant proposal that is being discussed for this project has an estimated cost of \$40,000. If Birchwood's application was approved the grant would cover 50 percent of the project cost and the remaining 50 percent of the cost would be required to be made up by a "local share" which can include donations of labor, materials and equipment.

As part of the proposed 2012 budget adopted by the parks and natural resources committee, \$1100 has been allocated for the cost of renting a portable warming house for the 2012 skating season. During calendar year 2011, \$890 was spent for this purpose. Renting a portable warming house will continue as an ongoing cost to this community unless a new warming house is constructed. For this reason the parks committee has been discussing the possibility of replacing the existing warming house and passed a motion at the last committee meeting to pursue this grant by presenting this proposal to the city council. This grant could provide Birchwood with the opportunity to construct a new warming house for approximately \$10,000 which would pay for itself within ten years assuming the current rental cost.

At this point of the process the parks committee is seeking a preliminary commitment from the city council as to whether this grant should be pursued by Birchwood to assist in the financing of this proposed warming house project. The question to the city council is does the council deem this project a viable option for Birchwood, and if yes, is there a commitment from the council to explore options to meet the required financial obligations. There is no guarantee that Birchwood would be successful in obtaining a grant but if there is interest in pursuing this grant, work in preparing the application should begin now. If the council is not interested it would be helpful to know that so the parks committee does not continue to spend time on this endeavor. If the grant was applied for and not awarded to Birchwood's project, there would be no obligation to continue with the project.

Grant Information

The Outdoor Recreation Grant Program in question is administered by the Minnesota Department of Natural Resources (DNR) and its purpose is to assist local governments in the development or redevelopment of outdoor recreation facilities by providing grants to help finance these local projects. Eligible applicants for these grants are cities, counties, and townships. The program finances local projects through the Land and Water Conservation Fund (LAWCON) which consists of federal funds from federal offshore oil leasing payments. The amount of available funds varies each year and although these federal funds are dedicated the amount available is not known until it is actually appropriated. Last year \$750,000 was available to Minnesota for local government projects through this grant program. It is anticipated by DNR that these grants will be available for 2012.

Grant Application Process and Match Requirements

The cost of the proposed project is anticipated to be \$40,000. The grant award would be for 50 percent of the total eligible project costs or \$20,000. The remaining 50 percent of the cost would be the "local share" that would have to be financed by the local government. This "local share" can consist of cash or through the donation of materials, labor, and equipment or a combination of both. It is anticipated that approximately \$10,000 of the "local share" could be made up through the value of these donations.

Payment of the grant funds is by reimbursement only. Therefore, the local government would be required to initially pay the project expenses and would then be reimbursed by the state under the terms of the grant agreement. Expenses that would be eligible for reimbursement would be those that are necessary for the completion of the project, incurred during the project period and were identified in the grant application. Up to four reimbursement requests may be submitted during the course of the project with the last reimbursement request being submitted within sixty days of the completion of the project. Ten percent of the grant funds would be retained until a final inspection has been completed.

The application is required to be submitted to the State by March 31, 2012. Funding announcements for 2012 would be made sometime in the summer of 2012, therefore the construction of the project could commence in the fall of 2012 if local funding was available at that time. Once a grant is awarded the project must be completed within 24 months. Therefore if local funding was not available during the 2012 calendar year, funding could be budgeted for 2013 and the project could begin in the spring of 2013. Other scenarios could be explored. It is suggested in the application packet that the project be ready for implementation as soon as possible following the grant award notification and that the required match should either be in place or should be attainable within a reasonable period of time.

As part of the application process a public hearing must be conducted to obtain community input on the proposed project and grant application. Furthermore as part of the application, the local government is required to adopt a resolution that specifies that the applicant has the "financial capability to meet the match requirement and ensure adequate construction, operation, maintenance, and replacement of the proposed project for its design life". It would be anticipated that if Birchwood were to proceed with the application process a public hearing

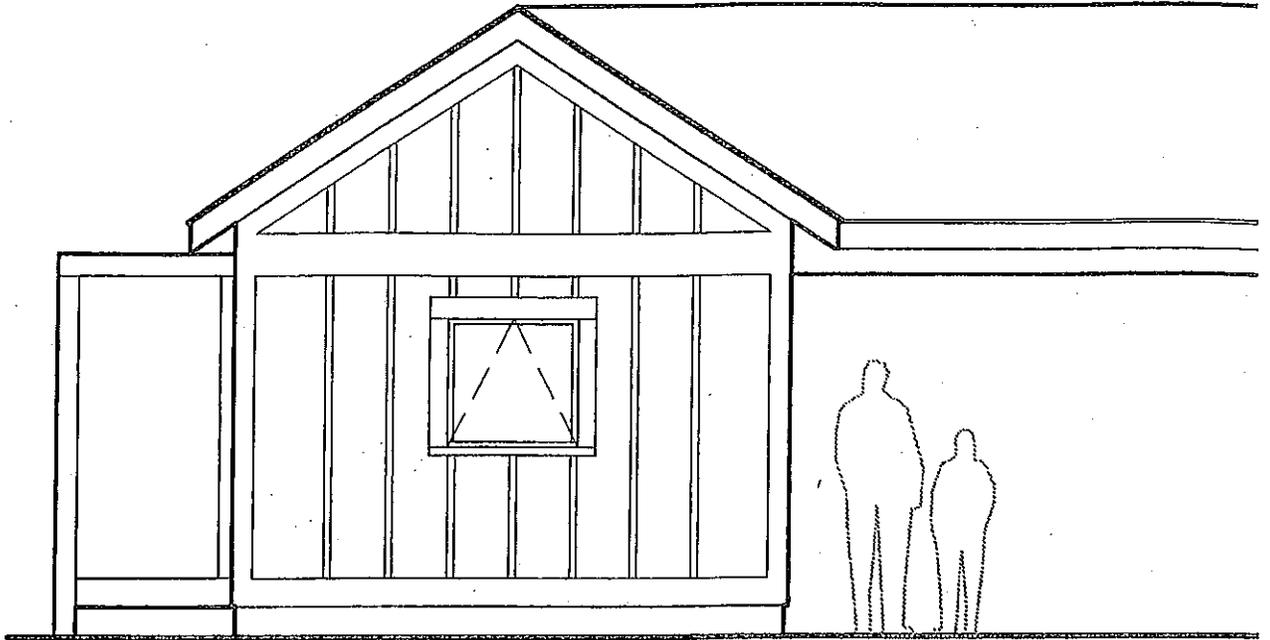
would be held in January or February of next year and the council would then be required to adopt the afore mentioned resolution before the application could be submitted. This resolution would require the council to commit to meeting the financial obligations of the project.

Preliminary Project Description and Cost Breakdown

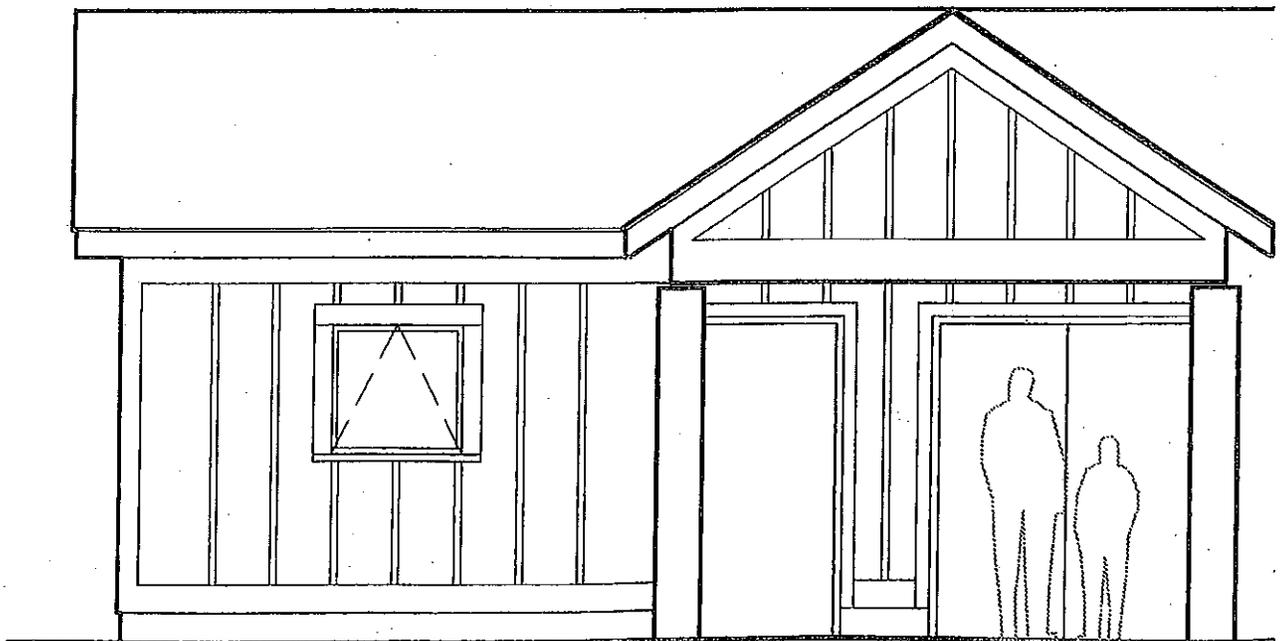
At this point the proposed project consists of replacing the current warming house with a newly constructed one at approximately the same site. The current proposal would consist of a warming room (12 feet by 16 feet); an equipment/storage room (8 feet by 12 feet); and a breezeway (14 feet by 13 feet). The existing bathroom satellite would be converted to handicap accessible and would be attached to the house. A schematic design of the proposed warming house that was provided by Douglas Danks and Associates is attached as attachment A. Based on this design an estimated breakdown of the construction costs is also attached as attachment B. These estimates would have to be updated if the proposal application was to go forward.

It should be noted that this proposal is at the preliminary stages and may be amended following a public discussion with the council and the community. One possible amendment that has been discussed but has not been included in the cost breakdown is the addition of a parking area. A possible parking area addition is attached as attachment C. Another consideration that has been discussed is altering the design so that the building could be used for things other than a warming house for example including a window in order to sell concessions at functions that may take place at the park. Renovation of the ice rink area could also be included.

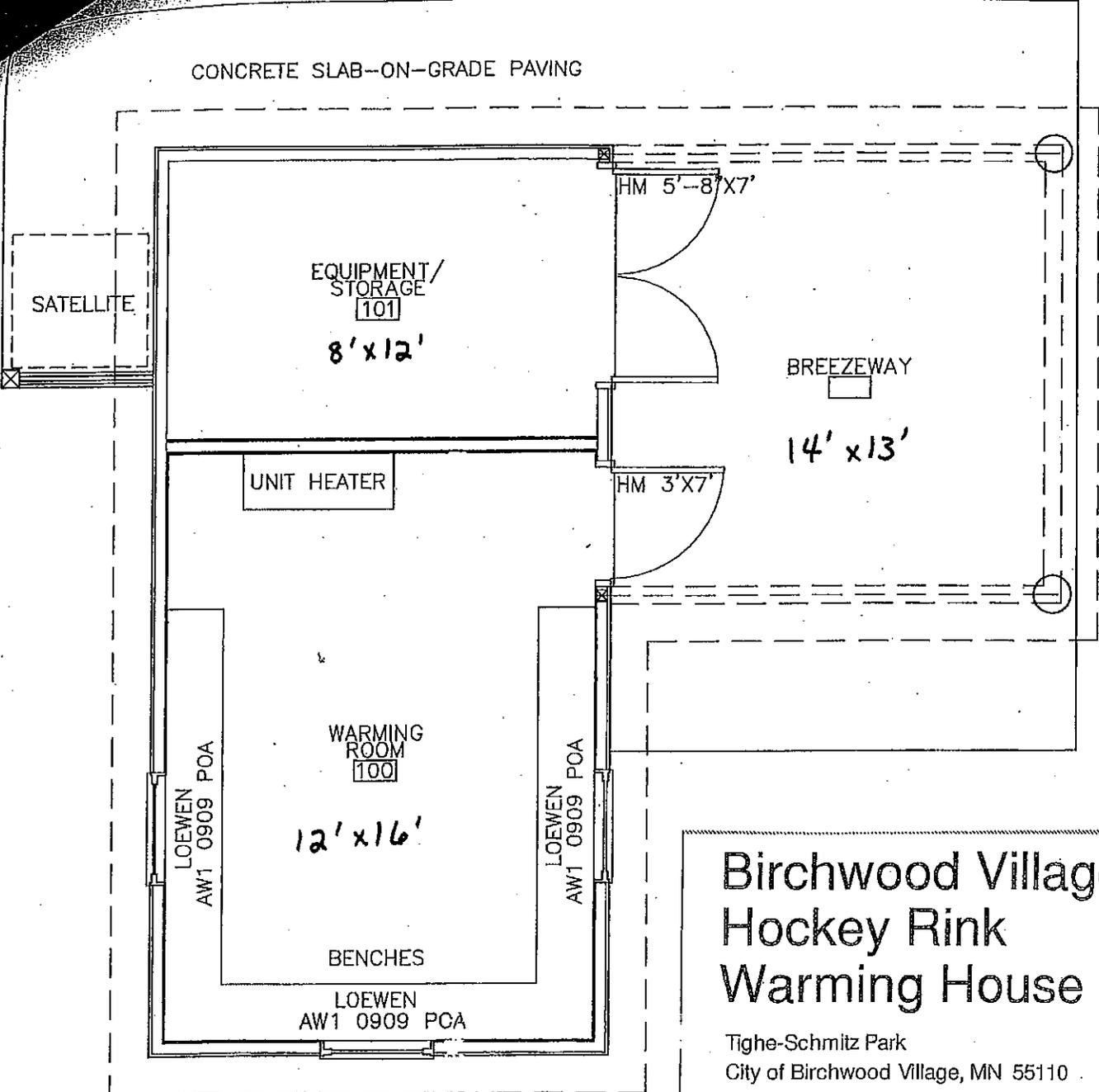
At this point the question is whether there is community interest in proceeding with this grant application and whether there is the willingness to commit to meeting the local government's financial obligations of this grant.



1 WEST ELEVATION
A3.0



2 SOUTH ELEVATION
A3.0



SCHEMATIC DESIGN



FLOOR PLAN

DATE: 03/03/11

SCALE: 1/4" = 1'-0"

PROJECT: 078 091

DRAWN: DDA

Birchwood Village Hockey Rink Warming House

Tighe-Schmitz Park
City of Birchwood Village, MN 55110

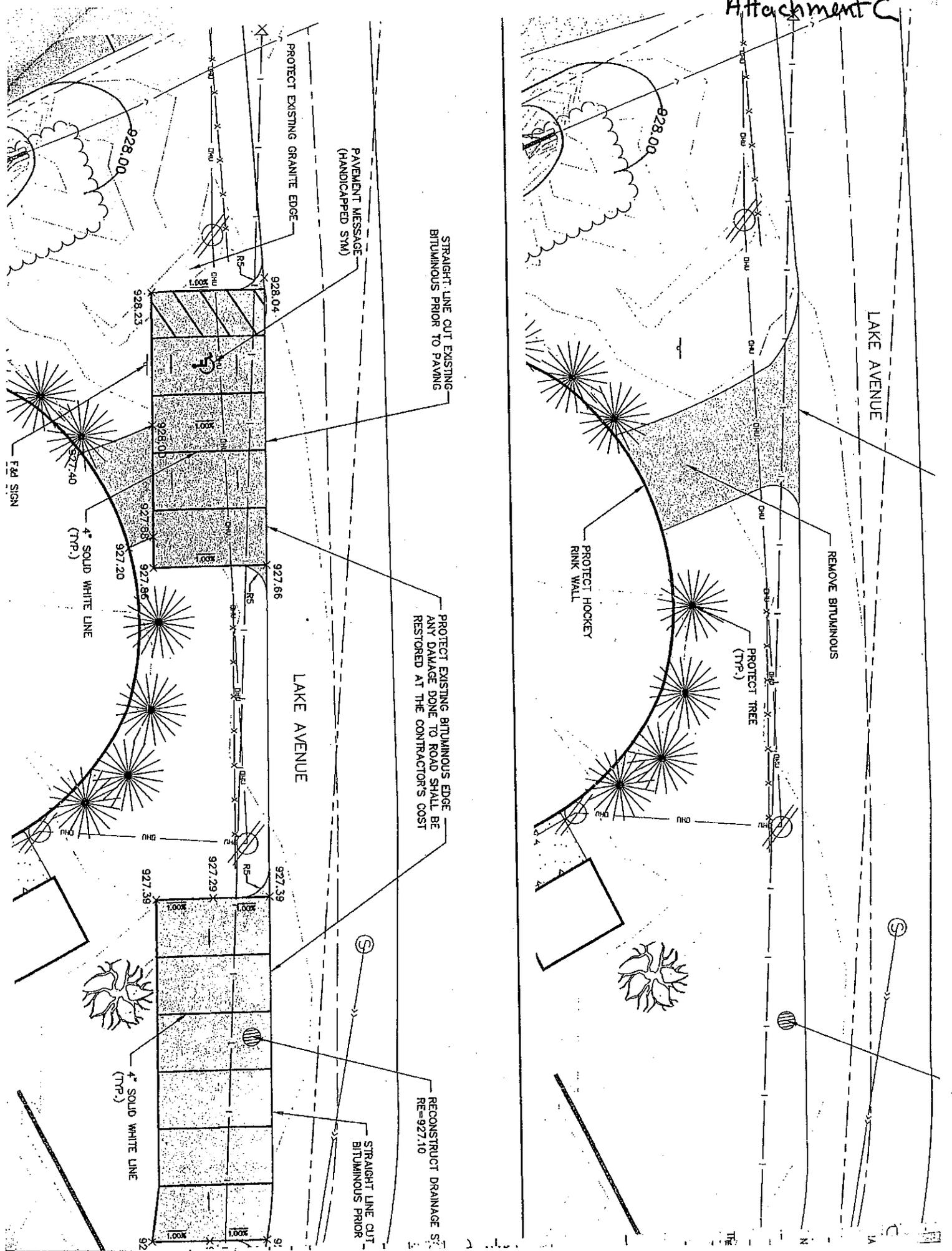
CLIENT:
City of Birchwood Village
207 Birchwood Avenue
City of Birchwood Village, MN 55082
(Contact: John Lund 651.338.1383)

Douglas Danks

Associates

807 North 4th Street
Stillwater, MN 55082
Tel 651.430.2139

email@douglasdanksassociates.com



LAKE AVENUE

REMOVE BITUMINOUS

PROTECT TREE (T.P.)

PROTECT HOCKEY RINK WALL

STRAIGHT LINE CUT EXISTING BITUMINOUS PRIOR TO PAVING

PROTECT EXISTING BITUMINOUS EDGE ANY DAMAGE DONE TO ROAD SHALL BE RESTORED AT THE CONTRACTOR'S COST

RECONSTRUCT DRAINAGE S7 RE=927.10

PAVEMENT MESSAGE (HANDICAPPED SYM)

PROTECT EXISTING GRANITE EDGE

LAKE AVENUE

4" SOLID WHITE LINE (T.P.)

4" SOLID WHITE LINE (T.P.)

F&M SIGN

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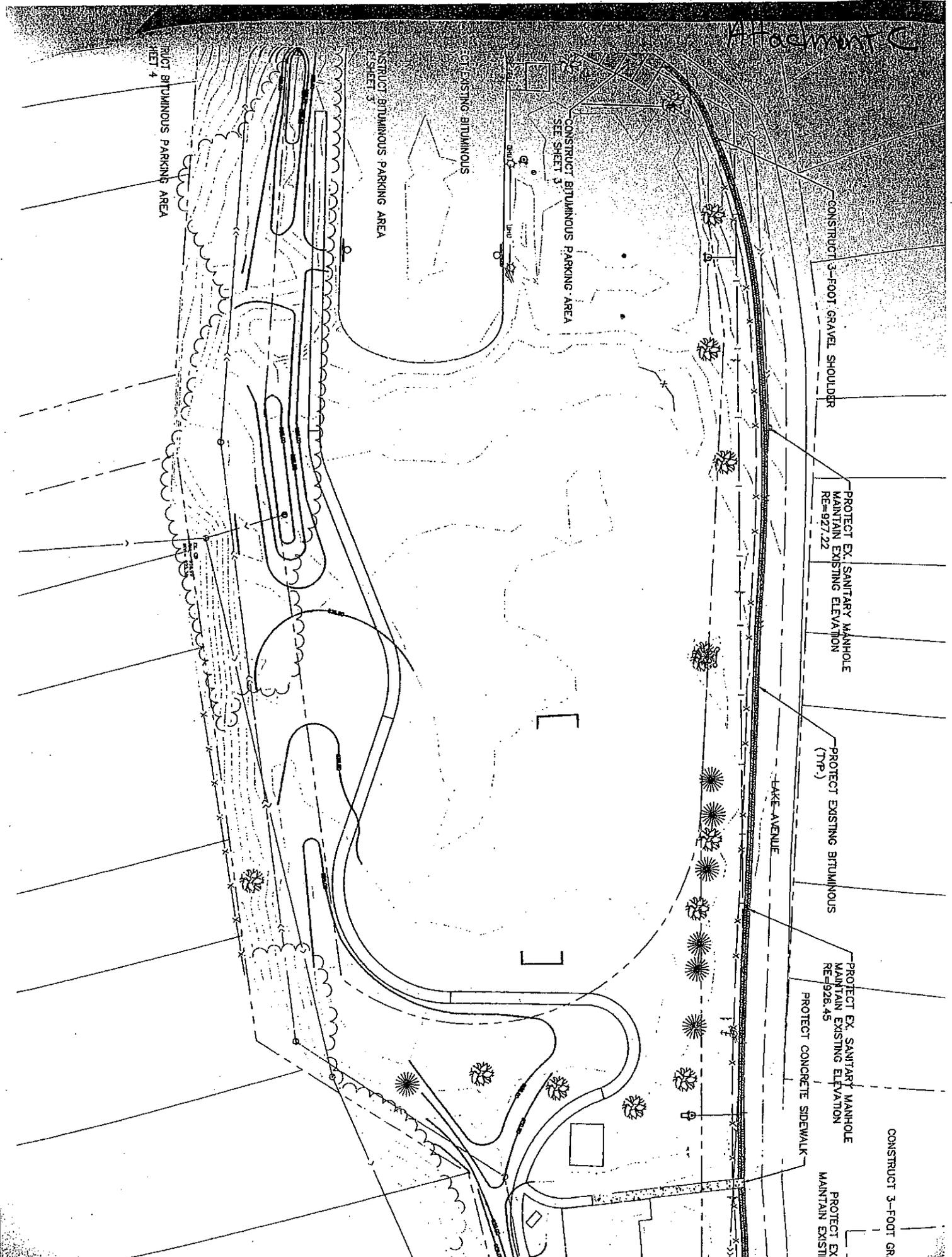
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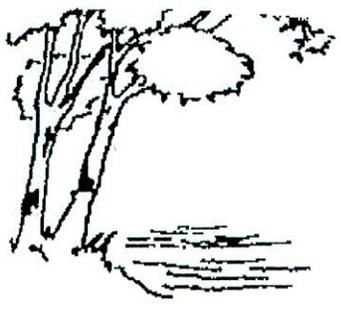
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Attachment B

Preliminary Warming House Project Cost Breakdown	
ITEMS	ESTIMATED COST
Demo of old warming house with dumpster (30YD)	\$1,000
Permit	500
Building materials (lumber, trusses, insulation, roofing, siding, fence and doors)	8,253
Concrete work (includes the removal of the existing slab)	7,060
Electrical work	4,000
Rubber floor – 592 SF	1,161
Benches – inside 32LF; outside 28LF	500
Gutters/down spouts – 60LF @12.43LF	746
Paint	600
Windows & Miscellaneous	6,235
SUBTOTAL	\$30,055
Labor (donation)	\$9,945
TOTAL	\$40,000



CITY OF BIRCHWOOD VILLAGE
207 Birchwood Avenue
Birchwood Village, MN 55110
651-426-3403 tel
651-426-7747 fax
birchwoodvillage@comcast.net

MEMORANDUM

DATE: October 4, 2011
TO: Honorable Mayor and Council
FROM: Dale Powers, City Clerk-Coordinator
RE: Flashing and Tuckpointing Bids

=====

As part of the Village Hall painting project earlier in the summer, it was discovered that the chimney needed new flashing placed around its base to stop water from seeping into the structure. As well, the chimney needed tuckpointing and bricks reset. The Council directed staff to secure estimates for the work and report back to the Council the results at the October 11, 2011 meeting.

The City received several inquiries, but only 3 bids, as follows:

Gulden Construction provided two options. The first was to tuckpoint bricks, retar where bricks meet the siding, and to caulk the top flashing to the bricks. *The estimate for that option is \$185.00.* The second option is to "custom bead" the metal to follow the contour of the brick steps ("will give the same look as the entry way"), and to use metal and caulk that closely matches the siding color. No tar would be seen, offering a "clean look". *The estimate for that option is \$385.00.*

Nelsen Roofing & Sheetmetal provided an estimate for grinding out the mortar joints on the chimney; replace the broken chimney bricks; tuckpoint the chimney; install a new concrete cap; replace the missing metal flashing; and final cleanup. *Their estimate is \$650.00.*

Bello Roofing provided an estimate for regrouting the chimney cap, grinding out loose mortar, replace 3 broken brocks and regROUT the entire chimney cap; new flashing will tuck into new mortar and overlap the siding a minimum of 3 inches to prevent any possible water/ice backflow; rear of chimney to be repaired with new cedar siding and painted to match – all with a 5 year warranty. *The estimate for this work is \$1,300.00.* Bello also provided an estimate for trimming trees that are overhanging onto the roof at \$100.00.

The estimates are not perfect "apples to apples". Bello's estimate is highest, but the scope of their bid was larger. Staff does not believe that there is any statutory requirement to award the contract to the lowest bidder.

GULDEN CONSTRUCTION

P.O. BOX 48748, Coon Rapids, MN 55448
 Phone 763-783-7181 Fax ~~763-783-7188~~ 763-717-6892 LIC# 20409143

NAME City of Birchwood Village/Dale Powers
 ADDRESS 207 Village Hall, Birchwood
 JOB ADDRESS _____
 PHONE 651-426-3403
 PHONE _____ DATE 9/27/11

Gulden Construction proposes to supply materials and labor for the following;

house garage shed _____ / _____ tear off _____ overlay _____ new

The tear-off includes removing shingles/siding down to boards, pulling nails out, removing exhaust stacks and vents, tearing out valley metal, removal of wall and chimney flashing when needed, resealing gutters, visual inspection of sheathing boards and all other aspects exposed by the removal or repositioning during the project.

SIDING brand _____ type of lap _____
 color _____ corners _____ trim _____
 ornamental _____ vents _____
 blocks _____ special flashing _____
 INSULATION/HOUSE WRAP: _____

GUTTERS: R/R _____ color _____ # of downspouts _____
 general placement _____
 notes _____

SOFFIT: style _____ color _____ corners _____ box ends _____
 notes _____

FASCIA: style _____ color _____ notes _____

WINDOW/DOOR WRAPS: color _____ single _____
 double _____ picture _____ patio _____ doors _____ garage S/D _____

WINDOW INSTALL: type - full frame or pocket
 Slider _____ Double/single hung _____ casement _____
 standard latch _____ auto latch _____ Lo-E argon _____
 color _____ single _____ double _____ picture _____
 extension jambs _____ tempered glass _____
 new trim _____ stain color _____ paint _____

In the event of broken or rotten sheathing, they are required to be replaced at an additional cost of _____ per Sq. Ft.

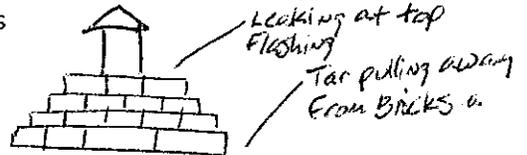
_____ obtain permit _____ city if different than post address
 _____ obtain dumpster(s) 10 / 15 / 20 / 30 size
 _____ clean up and haul away debris of work done
 _____ trimming or landscape modifying to gain accessibility

ROOFING:

_____ install _____ lb. felt
 _____ install drip edge _____ rooftop load shingles
 _____ install new metal vents _____ flashing color _____
 _____ install new plumbing stacks _____ valley color _____
 _____ install new stepflashing on walls
 _____ tear-out and replace skylight flashing
 _____ tear-out and replace chimney flashing
 _____ install solid sheathing over spaced roof boards
 _____ install new preformed galvanized metal valleys
 _____ install ice and water shield to Minnesota building code
 _____ apply 25-30-40-50 year self sealing shingles.

MAKE _____ COLOR _____

diagram/notes



option 1) A) Tuck Point Bricks
 B) ~~add~~ re tar where bricks meet siding
 C) Caulk top Flashing to Bricks
 \$185.00

option 2) *Better Choice*
 A) custom bend metal to follow contour of brick steps (will give the same look as the sorry way)
 B) use metal and caulk that closely matches siding color. No tar will be seen and will be a clean look.
 \$385.00

Gulden Construction will perform all work on this bid for the sum of

\$ see notes

This price is good for 30 days from the date above.

If you have any questions or to accept this proposal please call. Thanks for considering our bid.

rep John Golden phone 763-783-7181

Proposal

Page No. _____

of _____

Pages _____

NELSEN ROOFING & SHEETMETAL, INC.

P. O. Box 10572 • White Bear Lake, MN 55110

Office: (651) 653-4407

PROPOSAL SUBMITTED TO <i>City of Birchwood</i>	PHONE <i>456-3403</i>	DATE <i>9-20-11</i>
STREET <i>207 Birchwood AVE</i>	JOB NAME <i>Tuck Point</i>	
CITY, STATE AND ZIP CODE <i>Birchwood, MN</i>	JOB LOCATION <i>207 Birchwood AVE</i>	
ARCHITECT	DATE OF PLANS	JOB PHONE
	<i>Chimney</i>	

We hereby submit specifications and estimates for:

- 1. Grind out mortar joints on chimney.*
- 2. Replace broken chimney bricks.*
- 3. Tuck point chimney.*
- 4. Install new concrete cap.*
- 5. Replace missing metal flashing.*
- 6. Final cleanup*

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

5. x hundred & Fifty No. 00 dollars (\$ *650.00*).

Payment to be made as follows:

Upon completion

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

Authorized Signature _____

Note: This proposal may be withdrawn by us if not accepted within _____ days.

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Signature _____

Date of Acceptance: _____

BELLO

MN LIC#
20638248

310 Kimberly Road
P.O. Box 564
Willernie, MN 55090
651-354-6831
Fax 651-429-1194

Scope Of Work

9/22/1011

RE GREAT CHIMNEY CAP - GRIND OUT LOOSE
MORTAR, REPLACE BROKEN BRICK (3) AND RE-GRIND
CHIMNEY CAP - NEW FLASHING WILL TUCK
INTO NEW MORTAR AND OVER LAP SHALL MINIMUM
OF 3" TO PREVENT ANY POSSIBLE WATER/ICE
BACK FLOW - LEAK OF CHIMNEY WILL BE REPAIRED
WITH NEW CEDAR SHINGLES & PAINTED TO MATCH

* 5 YEAR WARRANTY TOTAL \$ (1300⁰⁰)

3 ADDITIONAL - COST TO CUT BACK & REMOVE 2 TREE
LIMBS ON (1) SOUTH & (2) EAST ELEVATIONS \$387.50 = \$100⁰⁰

City of Breckwood
Homeowner

Ronald Paul
Bello Representative

952-217-6881



CITY OF BIRCHWOOD VILLAGE
207 Birchwood Avenue
Birchwood Village, MN 55110
651-426-3403 tel
651-426-7747 fax
birchwoodvillage@comcast.net

MEMORANDUM

DATE: October 6, 2011
TO: Honorable Mayor and Council
FROM: Council Member Jane Harper, Deputy Mayor and Finance Committee Chair
RE: Water Fee> Authorization to work with Shelly Rueckert to recommend a revised Water Fee

=====

In June 2009, the Finance Committee did an initial review of the Water Fund and the City's water fees. The Committee found that the Water Fund had significant losses in 3 of the 5 years between 2004 and 2008. The Water Fund had a gain in 2008 that was driven by a reduction in charges from White Bear Lake. The Finance Committee concluded that if the City experiences expenditures at the pre-2008 level, the Water Fund would be back in the red with the fees unable to cover expenditures. In 2009 and 2010 the Water Fund again ran deficits. Due to a large expenditure for emergency services (water main breaks) and the need to begin a hydrant maintenance/replacement project, the Water Fund is on course to run another deficit in 2011. These deficits have drained the Water Fund balance to a precariously low level.

In its 2012 preliminary budget, the City Council recommended funding the hydrant replacement and maintenance project from the Water Fund. Depending on the cost of the project, the Water Fund is unlikely to have sufficient fund balance to cover this expenditure. The Water Fund also is unlikely to have sufficient funds to cover multiple water main breaks if they should occur.

The Finance Committee has been aware for some time that the City needs to revise its water fee to ensure that the fee covers both the current operating expenditures and future infrastructure repairs and replacements. The Finance Committee 2011 Work Plan includes a review of the City's Water Fund and water fees including charges for late fees, consideration of a fixed per household charge fee for infrastructure, and determination of appropriate fund balance.

Shelly Rueckert, Finance Director for the City of Little Canada, has provided the Finance Committee with some preliminary information and recommendations. I am asking that the City Council authorize me to engage the services of Ms. Rueckert to assist the City in determining the appropriate changes to the City's water fees and how best to fund the water infrastructure projects. Ms. Rueckert advised me that she estimates that it will take no more than 8 hours of her time, and also said she will cap the cost of her time at \$360.00.

This work is proposed to be done no later than the December 13th city council meeting.



CITY OF BIRCHWOOD VILLAGE
207 Birchwood Avenue
Birchwood Village, MN 55110
651-426-3403 tel
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MEMORANDUM

DATE: October 5, 2011
TO: Honorable Mayor and Council
FROM: Dale Powers, City Clerk-Coordinator
RE: Utility Late Fee Ordinance

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As part of last year's review of utility rates, the City Council heard from Shelly Rueckert, City of Little Canada Finance Director (Little Canada provides utility billing services to the City) on what other cities charge for interest on delinquent utility bills. As a result of the presentation, the City Council directed the City Attorney to develop a draft ordinance and enabling resolution providing for a 5% late fee per quarter on the outstanding delinquent balance, for presentation at the next Council meeting. City Attorney Kevin Sandstrom provided the enclosed exhibits, but in the transition to a new Council the matter was somehow lost. Staff is presenting it tonight for Council review and potential scheduling of a public hearing.

**State of Minnesota
County of Washington
City of Birchwood Village
Resolution No. 2011 – 20**

Resolution Adopting Ordinance No. 2011-05 Amending Fee Ordinance

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 conducted a thorough study of its utility fees in relation to the costs associated with administering such services, including late fees typically charged by other municipalities upon delinquent utility billings; and

WHEREAS, the proposed code revisions to enact a utility late fee are set forth in Ordinance No. 2011-05 entitled Utility Late Fee Ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CITY OF BIRCHWOOD VILLAGE, MINNESOTA, AS FOLLOWS:

1. The Council hereby approves and adopts Ordinance No. 2011-05, Utility Late Fee Ordinance.
2. The effective date of Ordinance 2011-05 will be upon publication in the City's official newspaper.

Adopted by the City Council on this _____ day of _____, 2011.

Approved:

Alan Mitchell, Mayor

Attested:

Dale Powers, City Clerk

City of Birchwood Village
Ordinance No. 2011-05

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

UTILITY LATE FEE ORDINANCE

WHEREAS, the City Council is desirous of establishing a uniform system of fees for requests relating to official controls, information, permits, applications, services, or other matters handled by the City; and

WHEREAS, the City has conducted a thorough study of its utility fees in relation to the costs associated with administering such services, including late fees typically charged by other municipalities upon delinquent utility billings.

**NOW THEREFORE, THE COUNCIL OF THE CITY OF BIRCHWOOD VILLAGE
ORDAINS:**

Chapter 701 of the Municipal Code of the City of Birchwood Village is hereby amended to add the following provision:

701.095 Water and Sewer Utility Late Fee. The City shall be entitled to charge and collect a late fee in the amount of 5.0% per quarter on the outstanding delinquent balance owed on a resident's water and sewer utility billing.

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

Adopted by the City of Birchwood Village City Council this ____ day of _____, 2011.

Attest: _____, Mayor
Alan Mitchell

Attest: _____, City Clerk
Dale Powers

TO: Birchwood City Council
 FROM: Mayor Alan Mitchell
 DATE: October 4, 2011
 SUBJECT: Kropelnicki Conditional Use Permit

On July 6, 2011, Roger Kropelnicki applied for a conditional use permit to operate a home business under the name Birchwood Cabinetry at his home at 501 Wildwood Avenue. The Planning Commission held a public hearing on August 2, 2011 and provided Mr. Kropelnicki an opportunity to address the Planning Commission. The Planning Commission, on a 3-1 vote, recommended that the conditional use permit be issued with a number of conditions.

The matter came before the Council at its meeting on August 9, 2011. The recommendation of the Planning Commission, a report from Samantha Crosby, a staff planner with the City of White Bear Lake, and other written materials were provided to the Council. Mr. Kropelnicki appeared before the Council on August 9 and indicated that he did not like the conditions that were attached to the conditional use permit by the Planning Commission, and that he intended to withdraw his application.

After considering the matter, the Council, on a 4-0 vote, passed a motion to extend the review period for an additional 60 days and to ask the City Clerk to write to Mr. Kropelnicki and ask that he respond in writing that he intended to withdraw his application. The Clerk sent the letter on August 11. As of the day of this memorandum, Mr. Kropelnicki has not responded.

Under Minnesota Statutes § 15.99 a city has 60 days after an application for a conditional use permit to make a decision. The statute allows a city to extend that time for an additional 60 days. That is what the Council did on August 9 and that is what Mr. Kropelnicki was advised in the August 11 letter.

In order to ensure that the Council has taken formal and timely action on the application for a conditional use permit, this matter is on the October 11 agenda. Because Mr. Kropelnicki stated at the August 9 meeting that he intended to withdraw his application, it is appropriate for the Council to act to officially deny the application.

RESOLUTION NO. 2011 - 21

**RESOLUTION DENYING A CONDITIONAL USE PERMIT
TO ROGER KROPELNICKI OF 501 WILDWOOD
TO CONDUCT A HOME BUSINESS**

WHEREAS, Roger Kropelnicki of 501 Wildwood Avenue, Birchwood, Minnesota, (“Applicant”) applied on July 6, 2011, for a conditional use permit to conduct a home business at his residence under the assumed name of Birchwood Cabinetry; and

WHEREAS, the Planning Commission held a public hearing on August 2, 2011, to consider the request for the conditional use permit; and

WHEREAS, the Applicant was provided an opportunity to address the Planning Commission; and

WHEREAS, other members of the public submitted oral and written comments regarding the application for the conditional use permit; and

WHEREAS, the Planning Commission on a 3-1 vote recommended approval of the conditional use permit with certain conditions attached; and

WHEREAS, the matter came before the City Council on August 9, 2011; and

WHEREAS, at the August 9, 2011, meeting the Applicant objected to certain conditions in the conditional use permit as recommended by the Planning Commission; and

WHEREAS, the Applicant also indicated on the record at the meeting that he was withdrawing his request for a conditional use permit; and

WHEREAS, the City Council acted at the August 9 meeting to extend the review period for an additional 60 days and to have the City Clerk contact Applicant in writing and ask him to send a formal written notice of the withdrawal of his application; and

WHEREAS, the City Clerk sent a letter to Applicant on August 11, 2011, requesting that Applicant submit a formal written letter requesting to withdraw his application; and

WHEREAS, to date, Applicant has not responded in writing to the letter from the Clerk; and

WHEREAS, the Council has been fully advised in the matter and is desirous of taking final action on the application.

NOW, THEREFORE, BE IT RESOLVED, that the foregoing recitals are incorporated herein by reference, and that the City Council of the City of Birchwood Village hereby denies the application of Roger Kropelnicki for a conditional use permit to operate a home business at 501 Wildwood Avenue based upon his oral withdrawal of his request at the City Council meeting of August 9, 2011.

Adopted by the City Council on this 11th day of October, 2011.

Approved:

Alan Mitchell, Mayor

Dated: _____

ATTEST:

Dale Powers, Clerk

Dated: _____

ELFERING & ASSOCIATES



Memo

TO: Honorable Mayor and City Council Members

FROM: Kristie Elfering, City Engineer

DATE: September 6, 2011

RE: Contracted Services

We have continued to work towards obtaining a cost/budget amount for the provision of services to Birchwood. The watermain operation and maintenance has been and continues to be the largest discussion item. In working with White Bear Lake they wanted a more defined scope of services to meet the Minnesota Department of Health (MnDOH) requirements. We have been in discussions with two staff members from the MnDOH in attempts to provide clarity on this item. They were unable to provide an immediate response and stated that they would be able to provide an answer on October 7th, 2011.

We understand the importance of having a budget amount for this item and will continue to push for a response from the involved parties. It is our goal to provide an update with more information prior to the Council meeting. If you have any questions please feel free to contact me at (763) 780-0450 ext. 2. I will also be in attendance at the October 11th, 2011 Council meeting.



Memo

TO: Honorable Mayor and City Council Members

FROM: Kristie Elfering, City Engineer

DATE: September 6, 2011

RE: Emergency Water System Services

As Council is aware, staff has been working to identify a plan for responding to emergency water system issues. Previously the City has utilized the City of White Bear Lake Public Works crews in conjunction with Capra Utilities. White Bear Lake was concerned with not being able to respond to Birchwood if their crews were needed within their own City. We researched a couple of alternatives as follows.

- Currently the City is paying approximately \$439.00 per hour for crew time and an additional \$200.00 per hour for equipment/vehicles to White Bear Lake and Capra. Overtime, which includes nights and weekends, is at an hourly rate of \$658.00 for crew time.
- We contacted four contractors to obtain hourly rates for emergency work. The lowest hourly rate was obtained from Burschville Construction with an hourly rate of \$475.00 per hour, which includes crew time and equipment/vehicles. They have a crew dedicated to emergency repair needs and the hourly rate is the same regardless of when they are called out.
- Another option that is being explored is contracting with Saint Paul Regional Water Services. They provide emergency response to a number of communities, including White Bear Township and Little Canada. They have stated that they have the capability to meet Birchwood's needs. They are supposed to provide hourly rates prior to the Council meeting and we will send out an update when they are received.

An additional cost to consider for emergency response is time from our office. If White Bear Lake or Saint Paul Regional Water is responding our office may need to aid in coordination of the response, providing maps, or overall response to questions. However, that time will be minimal and if an independent Contractor is utilized we would recommend having someone from our office on-site for most of the work.

If you have any questions please feel free to contact me at (763) 780-0450 ext. 2. I will also be in attendance at the October 11th, 2011 Council meeting.