



AGENDA OF THE REGULAR MEETING OF
THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
October 13, 2020
7:00 P.M.

NOTE: Portions of this meeting may be closed pursuant to
Minnesota Statute 13D.03 Subd. 1 (b) & 13D.05 Subd. 2 (b)

CALL TO ORDER

In light of the Governor’s Executive Order regarding social-distancing and restrictions on gatherings, the City of Birchwood Village City Council is conducting its October meeting using interactive web-based technology. Pursuant to Minnesota Statutes, Chapter 13D. 021 Subdivision 1(1) the City of Birchwood is declaring that, “an in-person meeting or a meeting conducted under section 13D.02 is not practical or prudent because of a health pandemic...”

The meeting will be conducted using the Zoom meeting platform and the details of that are directly below for participating. If you plan to attend it is suggested that you familiarize yourself with the technology in advance. If you plan to participate than you must either 1) send your name, topic you plan to speak on, and the phone number you will be calling from to City Hall by noon the day before the meeting; or 2) join the meeting no later than 6:45pm to coordinate with the Moderator.

The Moderator of the meeting shall be City Administrator Tobin Lay and all participants, except Council Members, shall have their microphones muted unless recognized by the Mayor. Public Forum shall be honored using this technology and the meeting will be broadcast via the Cable Commission like other meetings.

The City of Birchwood Village is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting:

<https://us02web.zoom.us/j/84775063643?pwd=dXMybM96SC9ZcDc4NW40SEVhdWpZUT09>

Meeting ID: 847 7506 3643

Passcode: 384079

Phone: +1 312 626 6799

* Denotes items that have supporting documentation provided

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

OPEN PUBLIC FORUM

ANNOUNCEMENTS

- A. 2020 Elections – Nov 3 at City Hall, 7:00am-8:00pm
- B. Fall Leaf Pickup – Mondays Oct 26th & Nov 9th – www.cityofbirchwood.com/events* (p. 5)
- C. We are social, follow us on Facebook at @BirchwoodCityHall or Twitter at @CityofBirchwood

ADMINISTRATIVE PRESENTATION

- A. Sheriff Report* (p. 7)
- B. Traffic Calming Task Force Update (p. 147-148)

CITY BUSINESS – CONSENT AGENDA

- A. Approve Regular Meeting Minutes from August 18, 2020 (pending)
- B. Approve Regular Meeting Minutes from September 8, 2020* (pp. 9-14)
- C. Approve Special Meeting Minutes from September 9, 2020 (pending)
- D. Approve Special Meeting Minutes from September 16, 2020* (pp. 15-16)
- E. Approve Resolution 2020-28, Suspending Sec. 609.020 Hunting* (p. 17)
- F. Approve Pickleball Court Expenditures* (p. 19)
- G. Approve Extension of Variance Case No. 20-02-VB for 415 Wildwood Avenue* (pp. 21-22)
- H. Approve Treasurer’s Report* (pp. 23-36)

CITY BUSINESS – REGULAR AGENDA

- A. Deer Management* (p. 37)
 - a. Public Hearing Regarding Proposed Hunt Zone 2
 - b. Council Deliberation*Time Budget: 30 Minutes*
- B. Second Reading Ordinance 2020-09-02, Mayor and Council Compensation* (p. 39)
 - a. Public Hearing
 - b. Approve Second Reading and Adopt Ordinance 2020-09-02*Time Budget: 10 Minutes*
- C. Conditional Use Permit Request for 251 Wildwood Avenue* (pp. 41-72)
 - a. Council Deliberation and Approval*Time Budget: 20 Minutes*
- D. City Engineer Report – CARES Act Projects
 - a. Dellwood Lift Station Generator (pp. 151-163)
 - b. Water Meter Radio Tower (pp. 151-155 & 165-171)
 - c. Approve Resolution 2020-30, Approving Cares Act Projects (pp. 149-150)*Time Budget: 20 Minutes*

* Denotes items that have supporting documentation provided

- E. Birchwood Dock Association (BDA) Dock Permit Application Review* (pp. 73-117)
 - a. Review and approve BDA’s annual dock permit application – authorize BDA to apply for dock permits
 - b. Review and approve 2021 Dock Management Contract

Time Budget: 15 Minutes
- F. Subdivision Study Task Force* (pp. 119-122)
 - a. Approve Resolution 2020-29, Creating Subdivision Study Task Force
 - b. Appoint Members

Time Budget: 10 Minutes
- G. Signs* (pp. 123-127)
 - a. Tennis/Pickleball Court Signs
 - b. Lake Easement No Parking Signs
 - c. Wildwood Park No Parking Signs

Time Budget: 20 Minutes
- H. 580 Hall Ave Trail (LaFoy)* (p. 129)
 - a. Council Deliberation and Approval

Time Budget: 5 Minutes
- I. Administrator Search (this portion may be closed)* (pp. 131-137)
 - a. Council Deliberation and Selection

Time Budget: 15 Minutes
- J. Council Member Reports:
 - a. Councilmember LaFoy
 - i. SCC Update

Time Budget: 5 Minutes
- K. City Administrator’s Report
 - a. Terminate 15 Birchwood Lane Paver Maintenance Agreement
 - b. Kayak Rack Update
 - c. Snow Removal Contract* (pp. 139-144)
 - d. Ice Rink Plan* (p. 145)
 - e. Offer to Purchase Land (this portion may be closed)

Time Budget: 25 Minutes

ADJOURN

* Denotes items that have supporting documentation provided

Birchwood Village Leaf Pickup

Please place or mark your piles appropriately to make them easily identifiable to your address.
*small pile is approx. a 9'x8' pile.

When: Monday October 26 & November 9, 2020
Cost: \$40/small pile*
\$75/large pile. XL/XXL piles will be priced on an individual basis.
Plus \$5 service charge.
Fee will be added to your utility bill.



RSVP REQUIRED
612-782-3317 OR
phuongmai.dang@savmn.com

MEMORANDUM



TO: Birchwood Village City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Sheriff Report
DATE: October 8, 2020

Dear Mayor & City Council Members: Below is a reporting of law enforcement incidents and citations for September 2020:

Citations for: Birchwood 9/1/2020 To 9/30/2020

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	9/13/2020	820003025701	WC182	B. Marquardt	Citation	0	CEDAR DR		oakridge dr		Birchwood	MOV-Stop Sign Violation	169.30(b)

Incident Summary Report PUBLIC



From: 9/1/2020 12:00:00 AM To: 9/30/2020 11:59:59 PM

WASHINGTON COUNTY SHERIFFS OFFICE

BIRCHWOOD VILLAGE - 21

9/2/2020 3:42:23 PM	WC20039036	XX Five Oaks Ln, BIRCHWOOD VILLAGE	CITIZEN/PUBLIC ASSIST
9/2/2020 4:23:38 PM	WC20039044	XX White Pine Ln, BIRCHWOOD VILLAGE	PARKING COMPLAINT
9/3/2020 2:30:41 AM	WC20039146	Hall Ave / Wildwood Ave, BIRCHWOOD VILLAGE	SUSPICIOUS PERSON/ACTIVITY
9/6/2020 10:25:58 AM	WC20039795	40XXX -407 BIRCHWOOD AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
9/6/2020 10:44:21 AM	WC20039798	XXX Wildwood Ave, BIRCHWOOD VILLAGE	TRAFFIC STOP
9/6/2020 4:27:51 PM	WC20039859	Birchwood Ave / Cedar St, BIRCHWOOD VILLAGE	DIRECTED PATROL
9/7/2020 10:29:19 AM	WC20040004	40XXX -408 BIRCHWOOD AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
9/7/2020 3:03:25 PM	WC20040055	XXX Birchwood Ave, BIRCHWOOD VILLAGE	FOUND PROPERTY/ITEM
9/7/2020 9:57:27 PM	WC20040100	50XXX -699 HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
9/9/2020 6:38:42 PM	WC20040473	XX Oakhill Ct, BIRCHWOOD VILLAGE	MEDICAL
9/10/2020 2:20:27 PM	WC20040603	XXX Wildwood Ave, BIRCHWOOD VILLAGE	SUSPICIOUS PERSON/ACTIVITY
9/13/2020 1:08:01 PM	WC20041151	18XXX -198 CEDAR ST, BIRCHWOOD VILLAGE	TRAFFIC STOP
9/13/2020 1:15:23 PM	WC20041152	XXX Jay St, BIRCHWOOD VILLAGE	MEDICAL
9/14/2020 9:55:30 AM	WC20041304	Cedar St / Birchwood Ave, BIRCHWOOD VILLAGE	TRAFFIC STOP
9/15/2020 4:21:43 PM	WC20041526	XXX Wildwood Ave, BIRCHWOOD VILLAGE	BURNING COMPLAINT
9/15/2020 8:04:49 PM	WC20041560	XXX Birchwood Ave, BIRCHWOOD VILLAGE	WELFARE CHECK
9/15/2020 8:26:02 PM	WC20041561	XXX BIRCHWOOD AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
9/18/2020 7:31:26 AM	WC20041892	White Pine Ln / Hall Ave, BIRCHWOOD VILLAGE	SUSPICIOUS PERSON/ACTIVITY
9/21/2020 11:45:48 AM	WC20042446	White Pine Ln / Hall Ave, BIRCHWOOD VILLAGE	DISTURBANCE
9/22/2020 6:36:13 PM	WC20042653	XXX Cedar St, BIRCHWOOD VILLAGE	CITIZEN/PUBLIC ASSIST
9/27/2020 8:56:38 AM	WC20043559	XXX Birchwood Ave, BIRCHWOOD VILLAGE	DISTURBANCE

TOTAL INCIDENTS: 21

**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
September 8th, 2020**

MINUTES

MEMBERS PRESENT: Mayor Mary Wingfield; Council Members: Randy LaFoy, Kevin Woolstencroft, Jonathan Fleck, & Jessi Aakre.

STAFF PRESENT: Tobin Lay, City Administrator; Alan Kantrud, City Attorney; Steve Thatcher, City Engineer; Robert Leeves, City Videographer.

STAFF PRESENT: Maureen Seibert; David Drew; Jan Gilbertson; Justin McCarthy; Trilby White; Steve Schad; Barton Winters; Ryan Hankins; Mark Foster; Julia Boumeester; Katiec; Layne; Luke.

Mayor Wingfield called the regular meeting to order at 7:03pm. City Administrator Lay explained the reason for the meeting being conducted virtually via the Zoom platform as is permitted by Minnesota State Statute. The pledge of allegiance was recited.

AGENDA APPROVAL

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE THE AGENDA. ROLL CALL VOTE: WOOLSTENCROFT; AYE, LAFOY; AYE, AAKRE; AYE, FLECK; ABSTAIN, WINGFIELD; ABSTAIN. MOTION PASSED.

OPEN PUBLIC FORUM

- A. Barton Winters (1 Five Oaks Lane): Urged Council to take action on repairing ice hockey rink.

ANNOUNCEMENTS

- A. CRIME ALERT: Please lock doors and windows (house and vehicles) and don't leave mail in the mailbox overnight. Call 911 if you see suspicious behavior.
- B. We are social, follow us on Facebook/Twitter and/or register for City emails

ADMINISTRATIVE PRESENTATION

- A. Sheriff Report

CONSENT AGENDA

- A. Approve Special Meeting Minutes from September 2, 2020
- B. Approve Treasurer's Report

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER AAKRE TO APPROVE THE CONSENT AGENDA. ROLL CALL VOTE: WOOLSTENCROFT; AYE, LAFOY; AYE, FLECK; AYE, AAKRE; AYE, WINGFIELD; AYE. MOTION PASSED.

CITY BUSINESS – REGULAR AGENDA

- A. City Engineer Report – CARES Act Projects
 - a. Dellwood Lift Station Generator
 - i. **City Engineer Thatcher:** Informed Council of 4 bids received for materials and having received only 1 bid for installation. Advised Council to postpone decision until at least one additional bid for installation is received.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO AUTHORIZE CITY ENGINEER STEVE THATCHER TO PROCEED WITH PURCHASING THE KODIAK 36-WATT GENERATOR AND TO COORDINATE INSTALLATION FOR A PRICE NOT TO EXCEED \$7,700 OR LESS. ROLL CALL VOTE: LAFOY; AYE, WOOLSTENCROFT; AYE, AAKRE; AYE, FLECK; AYE, WINGFIELD; AYE. MOTION PASSED.

b. Water Meter Radio Tower

- i. City Engineer Thatcher:** Informed Council of having received 6 bids from two different companies. Recommended the Council hire a geotechnical engineering firm to test soil conditions.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE AUTHORIZATION FOR CITY ENGINEER THATCHER TO COORDINATE AND SPEND UP TO \$3,500 FOR SOIL BORING. ROLL CALL VOTE: LAFOY; AYE, AAKRE; AYE, FLECK; AYE, WOOLSTENCROFT; AYE, WINGFIELD; AYE. MOTION PASSED.

B. Second Reading Interim Ordinance 2020-09-01, Moratorium on Subdivisions

a. Public Hearing

- i. Mayor Wingfield:** Opened the public hearing at 07:37pm.
- ii. Justin McCarthy (515 Lake Avenue):** Detailed thoughts on corrections/procedure for adopting the interim ordinance.
- iii. Trilby White (3 Oakridge Drive):** Expressed opinions on how Council should proceed with interim ordinance.
- iv. Steve Schad:** Expressed support for interim ordinance.
- v. Maureen Seibert (425 Birchwood Court):** Expressed concern on over-developing land in Birchwood Village.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER AAKRE TO CLOSE THE PUBLIC HEARING. ROLL CALL VOTE: AAKRE; AYE, LAFOY; AYE, WOOLSTENCROFT; AYE, FLECK; AYE, WINGFIELD; AYE. MOTION PASSED AND PUBLIC HEARING CLOSED AT 07:55PM.

MAYOR WINGFIELD OPENED THE PUBLIC HEARING AT 07:56PM.

- vi. David Drew (180 Cedar Street):** Informed Council of neighboring city procedures in regard to subdivisions.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER FLECK TO CLOSE THE PUBLIC HEARING. ROLL CALL VOTE: AAKRE; AYE, WOOLSTENCROFT; AYE, FLECK; AYE, LAFOY; AYE, WINGFIELD; AYE. MOTION PASSED AND PUBLIC HEARING CLOSED AT 08:02PM.

b. Council Deliberation and Approval

- i. City Attorney Kantrud:** Informed Council of corrections made to interim ordinance in response to public comment from Justin McCarthy. Presented to Council and meeting attendees.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER AAKRE TO ADOPT INTERIM ORDINANCE 2020-09-01 AS CORRECTED BY CITY ATTORNEY KANTRUD. ROLL CALL VOTE: AAKRE; AYE, LAFOY; AYE, FLECK; AYE, WOOLSTENCROFT; AYE, WINGFIELD; AYE. MOTION PASSED.

C. First Reading Ordinance 2020-09-02, Mayor and Council Compensation

a. Approve First Reading

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER AAKRE TO APPROVE FIRST READING OF ORDINANCE 2020-09-02. ROLL CALL VOTE: WOOLSTENCROFT; AYE, FLECK; AYE, LAFOY; AYE, AAKRE; AYE, WINGFIELD; AYE. MOTION PASSED.

b. Order Public Hearing and Second Reading

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER AAKRE TO ORDER A PUBLIC HEARING AND SECOND READING OF ORDINANCE 2020-09-02. ROLL CALL VOTE: AAKRE; AYE, LAFOY; AYE, FLECK; AYE, WOOLSTENCROFT; AYE, WINGFIELD; AYE. MOTION PASSED.

D. 2021 Budget Proposal

a. Review and Discuss

- i. **Mayor & Council:** Suggested moving discussion and approval of preliminary 2021 budget to a Special Council Meeting on September 16th 2020.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER AAKRE TO HOLD A SPECIAL MEETING ON SEPTEMBER 16 2020 AT 7:00PM VIA ZOOM. ROLL CALL VOTE: AAKRE; AYE, WOOLSTENCROFT; AYE, FLECK; ABSTAIN, LAFOY; AYE, WINGFIELD; AYE. MOTION PASSED.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER AAKRE TO TABLE THE 2021 BUDGET PROPOSAL AGENDA ITEM TO THE SPECIAL COUNCIL MEETING ON SEPTEMBER 16 2020. ROLL CALL VOTE: AAKRE; AYE, WOOLSTENCROFT; AYE, LAFOY; AYE, FLECK; ABSTAIN, WINGFIELD; AYE. MOTION PASSED.

b. Approve for Submission

E. Election Services JPA

a. Council Deliberation and Approval

- i. **Mayor & Council:** Deliberated on cost and benefits of entering into Joint Powers Agreement (JPA) for election services. Consensus was reached that the time saved for the City Administrator during elections would be worth cost of JPA.

MOTION WAS MADE BY COUNCILMEMBER AAKRE AND SECONDED BY COUNCILMEMBER FLECK TO APPROVE THE ELECTION SERVICES JOINT POWERS AGREEMENT. ROLL CALL VOTE: WOOLSTENCROFT; AYE, AAKRE; AYE, FLECK; AYE, LAFOY; AYE, WINGFIELD; AYE. MOTION PASSED.

F. Deer Management

a. Council Deliberation and Approval

- i. **City Administrator Lay:** Updated Council on proposed hunt dates of 10/01 – 10/02 & 11/30 – 12/01. Also informed Council of proposition for two hunt zones.
- ii. **Mayor & Council:** Deliberated on authorization of hunt zones as well as hunt limits and criteria. Consensus was reached on authorizing Zone 1 for both hunt dates and potentially authorizing Zone 2 after public input could be provided. Consensus was reached on limit of 10 and authorizing Doe and Fawn only hunts.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER FLECK TO APPROVE THE CONTRACT WITH MBRB AS AMENDED. ROLL CALL VOTE: FLECK; AYE, WOOLSTENCROFT; AYE, LAFOY; AYE, AAKRE; AYE, WINGFIELD; AYE. MOTION PASSED.

MOTION WAS MADE BY COUNCILMEMBER AAKRE AND SECONDED BY COUNCILMEMBER FLECK TO AUTHORIZE HUNT ZONE 1 AND SUSPEND CITY ORDINANCE SECTION 609 FOR THE DURATION OF THE AUTHORIZED HUNT. ROLL CALL VOTE: WOOLSTENCROFT; AYE, LAFOY; AYE, FLECK; AYE, AAKRE; AYE, WINGFIELD; AYE. MOTION PASSED.

G. Request Planning Commission Guidance on Sec. 302.070 Fence Ord.

a. Council Deliberation and Approval

- i. Mayor & Council:** Deliberated on need to review the City fence ordinance. Consensus was reached to request the Planning Commission review and made recommendations on the fence ordinance.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO REFUND 701 HALL AVENUE THEIR VARIANCE FEE AND STAY THE ADMINISTRATIVE DECISION TO REMOVE DEER FENCE AT 701 HALL AVENUE UNTIL PLANNING COMMISSION RECOMMENDATIONS FOR CITY FENCE ORDINANCE 302.070 ARE REVIEWED. ROLL CALL VOTE: LAFOY; AYE, WOOLSTENCROFT; AYE, FLECK; AYE, AAKRE; AYE, WINGFIELD; AYE. MOTION PASSED.

H. Personnel Committee Update

a. Council Deliberation and Approval

- i. Councilmember Aakre:** Summarized personnel committee actions to date in search for a new City Administrator in response to City Administrator Lay's resignation. Recommended bringing forward top two candidates during a special City Council meeting for a final round interview with the full Council. Also recommended terminating the Personnel Committee and instead assign Councilmembers to personnel.
- ii. Councilmember LaFoy:** Informed Council of plans to also contact the references provided by the top two candidates.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER FLECK TO TERMINATE THE PERSONNEL COMMITTEE AND ASSIGN COUNCILMEMBERS AAKRE AND LAFOY TO A PERSONNEL ASSIGNMENT. ROLL CALL VOTE: AAKRE; AYE, LAFOY; AYE, WOOLSTENCROFT; AYE, FLECK; AYE, WINGFIELD; AYE. MOTION PASSED.

I. Schedule Council Workshop

a. Council Deliberation and Approval

- i. Mayor & Council:** Discussed need to reach consensus on how City administration and Council should proceed with code enforcement. Decided to table this until the September 16, 2020 special meeting.

J. Lake Easement Surveys

a. Council Deliberation and Approval

- i. City Attorney Kantrud:** Informed Council on survey work that had been completed and explained potential next steps should the Council wish to proceed with registering the surveys.

- ii. **Mayor & Council:** Deliberated on decision to proceed with registering survey results.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO NOT PROCEED WITH REGISTRATION OF THE SURVEY RESULTS. ROLL CALL VOTE: AAKRE; AYE, WOOLSTENCROFT; AYE, LAFOY; AYE, FLECK; AYE, WINGFIELD; AYE. MOTION PASSED. AAKRE AND LAFOY CONDITIONED THEIR VOTE ON THE SURVEYS BEING FILED WITH THE CITY FOR FUTURE ACCESS BY CITY AND RESIDENTS.

K. Tree Program

a. Council Deliberation and Approval

- i. **Mayor & Council:** Deliberated on proposed tree program. No agreement was reached.

L. Council Member Reports

a. Mayor Wingfield

i. Village Hall Historic Building Analysis

- 1. **Mayor Wingfield:** Updated Council on results of recent research regarding village hall's historical value and potential next steps.

ii. Pickleball Court Update

- 1. **Mayor Wingfield:** Informed Council on update to install surface as overlay to the tennis courts.

MOTION WAS MADE BY COUNCILMEMBER FLECK AND SECONDED BY COUNCILMEMBER LAFOY TO AUTHORIZE \$1,500 FOR THE INLAY OF ADDITIONAL MATERIALS TO THE TENNIS COURTS. ROLL CALL VOTE: WOOLSTENCROFT; AYE, FLECK; AYE, AAKRE; AYE, LAFOY; AYE, WINGFIELD; AYE. MOTION PASSED.

iii. Mother-in-law Flat Ordinance

- 1. **Mayor & Council:** Deliberated on potential to pursue implementation of such an ordinance.

iv. Kayak Racks

- 1. **Mayor & Council:** Deliberated on building additional kayak racks for each lake easement.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER FLECK TO AUTHORIZE CITY ADMINISTRATOR TO BUILD SEVEN (7) ADDITIONAL KAYAK RACKS. ROLL CALL VOTE: AAKRE; AYE, FLECK; AYE, LAFOY; AYE, WOOLSTENCROFT; AYE, WINGFIELD; AYE. MOTION PASSED.

b. Councilmember LaFoy

i. Traffic Calming Task Force Update

- 1. **Mayor & Council:** Deliberated authorizing a bike safety event hosted by the Sherriff's office that would require closure of Wildwood Avenue. Decision was made to approve event and closing street.

ii. Hall Ave Barriers

- 1. **Mayor & Council:** Deliberated potential of installing concrete barriers at the City line with Mahtomedi on Hall Ave.

M. City Administrator's Report

a. Board of Equalization Training

**CITY OF BIRCHWOOD VILLAGE
SPECIAL CITY COUNCIL MEETING
September 16th, 2020**

MINUTES

MEMBERS PRESENT: Mayor Mary Wingfield; Council Members: Randy LaFoy, Kevin Woolstencroft, Jonathan Fleck, & Jessi Aakre.

STAFF PRESENT: Tobin Lay, City Administrator; Alan Kantrud, City Attorney; Steve Thatcher, City Engineer; Robert Leeves, City Videographer.

OTHERS PRESENT: Justin McCarthy (515 Lake Avenue), Richard & Janet Cristan (221 Wildwood Avenue), Ryan Hankins, Richard Galena, Mark Foster, Michael McKenzie.

Mayor Wingfield called the regular meeting to order at 7:03pm. City Administrator Lay explained the reason for the meeting being conducted virtually via the Zoom platform as is permitted by Minnesota State Statute. The pledge of allegiance was recited.

AGENDA APPROVAL

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER FLECK TO APPROVE THE AGENDA. ROLL CALL VOTE: FLECK; AYE, WOOLSTENCROFT; AYE, LAFOY; AYE, AAKRE; AYE, WINGFIELD; AYE. MOTION PASSED.

CITY BUSINESS – REGULAR AGENDA

A. 2021 Preliminary Budget

a. Council Deliberation and Approval

- i. Administrator Lay:** Detailed changes to proposed budget.
- ii. Mayor & Council:** Deliberated and came to consensus on changes to proposed 2021 budget line items.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER FLECK TO ADOPT THE 2021 PRELIMINARY BUDGET AS AMENDED. ROLL CALL VOTE: AAKRE; AYE, FLECK; AYE, WOOLSTENCROFT; AYE, LAFOY; AYE, WINGFIELD; AYE. MOTION PASSED.

MOTION WAS MADE MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO SET THE PROPOSED 2021 BUDGET FOR PUBLIC HEARING ON DECEMBER 8, 2020 AT 7:00PM. ROLL CALL VOTE: LAFOY; AYE, AAKRE; AYE, WOOLSTENCROFT; AYE, FLECK; AYE, WINGFIELD; AYE. MOTION PASSED.

B. Administrator Search

a. Council Deliberation and Approval

- i. Councilmember Aakre:** Informed Council of the recommended finalists: Karen Alexander and Alex Saxe.
- ii. Mayor Wingfield:** Recommended to Council that the internal candidate also be allowed to participate in the final round interview.
- iii. Mayor & Council:** Deliberated on final candidate selection as well as scheduling of final interview. Consensus was reached to interview three candidates at a special meeting starting at 5:30pm on October 13th 2020 with a selection made during the regular City Council meeting immediately following.

C. Prevailing Setback for 221 Wildwood Avenue

a. Council Deliberation and Approval

- i. **Mayor & Council:** Reviewed and deliberated over City Engineer Thatcher's opinion of the prevailing setbacks in the 200 block of Wildwood Avenue. Thatcher was requested to redo calculations based on setbacks of properties 1-3, 5-7 on the north side of Wildwood Avenue and 1-5 on the south side from Thatcher's report. Council deliberated that result of 48.6 feet.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE A PREVAILING SETBACK FOR 221 WILDWOOD AVENUE OF 48.6 FEET. ROLL CALL VOTE: FLECK; AYE, WOOLSTENCROFT; AYE, LAFOY; AYE, AAKRE; AYE, WINGFIELD; AYE. MOTION PASSED.

D. Policy on Complaints/Enforcement/Notice

a. Council Deliberation and Approval

- i. **Mayor & Council:** Deliberated and tabled until the January 12, 2021 City Council meeting.

ADJOURN

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER LAFOY TO ADJOURN THE MEETING. ROLL CALL VOTE: AAKRE; AYE, LAFOY; AYE, WOOLSTENCROFT; AYE, FLECK; AYE, WINGFIELD; AYE. MOTION PASSED. MEETING ADJOURNED AT 8:52 PM.

ATTEST:

Mary Wingfield
Mayor

Tobin Lay
City Administrator - Clerk

RESOLUTION 2020-28

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

**A RESOLUTION SUSPENDING CITY ORDINANCE
SECTION 609.020 FOR SPECIAL BOW HUNT**

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

WHEREAS, the deer herd in Birchwood Village is estimated to be three (3) times the recommended size by the Minnesota Department of Natural Resources (DNR) for the City; and

WHEREAS, the City Council has approved a contract with Metro Bowhunters Resource Base (MBRB) to thin the deer herd in Birchwood Village; and

WHEREAS, City Ordinance Section 609.020 prohibits hunting within the City by any means.

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

1. Section 609.020 of the Birchwood Village City Code be suspended for the duration of the 2020 special archery deer hunt as authorized by the City Council for bow hunters from MBRB authorized by the City.
2. Hunting be confined to designated hunt zone only.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 13th day of October, 2020.

Attest:

Mary Wingfield, Mayor

Tobin Lay, City Administrator-Clerk

MEMORANDUM



TO: Birchwood Village City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Approve Pickleball Court Expenditures
DATE: October 8, 2020

Dear Mayor and Council Members,

The Mayor and volunteers have been working hard installing the new Pickleball court inlaid on the tennis court. The work is almost complete – just waiting for one last package of flooring materials to be delivered.



Grants received for this project are:

- Twin Cities Pickleball Club - \$750.00
 - GWBLCF - \$2,000.00
 - Allina - \$500.00
- TOTAL: \$3,250**

Expenditures for this project are:

- Flex Court (flooring materials) – \$1,892.44
 - AET, Inc. (soil boring) – \$2,500.00
- TOTAL: \$4,392.44**

Mayor Wingfield recommends that the City return \$100 to the GWBLCF since their large donation was based off of the proposed project cost of \$40,000.

The balance of the expenditures will be paid from the 210 Parks Fund. I understand that there may be additional expenditures, such as new nets. Mayor Wingfield can update the Council on this upon request.

Request/Recommendation

Staff requests Council:

- Approve the expenditures to date; and
- Approve the return of \$100 to GWBLCF.

Thanks!

Regards,
Tobin Lay

MEMORANDUM

TO: Birchwood Village City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Variance Case No. 20-02-VB Extension
DATE: October 8, 2020

Dear Mayor and Council Members,

At the September 9, 2020 City Council meeting, the Council heard the variance request for 415 Wildwood Avenue, requesting a variance from the Sec. 302.050 impervious surface requirements. The Council determined that the variance application was incomplete and requested the following additional information from the applicant, Ms. Wandmacher:

- Include berm designs on the site plan for any planned berms.
- The proposed Stormwater Management Plan must be signed off by a professional engineer guaranteeing that the Plan will sufficiently manage the stormwater from the property.
- The signed proposed Stormwater Management Plan must be confirmed by the City Engineer/Planner.

In the City's letter to Ms. Wandmacher regarding the Council's decision, Ms. Wandmacher was asked to submit the requested materials to the City by September 30, 2020 to allow time to have it reviewed by the City Engineer/Planner and so it could be included in this agenda packet.

On October 10, 2020, the City received the enclosed email from Ms. Wandmacher explaining the delay in obtaining the additional requested materials and requesting an extension (see enclosed).

Request/Recommendation

The City Council is requested to extend the variance request for 415 Wildwood Avenue one more month due to the application remaining incomplete. Thanks!

Regards,
Tobin Lay

Tobin Lay

From: Cathryn Wandmacher
Sent: Saturday, October 10, 2020 8:43 AM
To: Tobin Lay
Subject: RE: 415 Wildwood Ave

Caution: This email originated outside our organization; please use caution.

Tobin,

I was supposed to have the signed plan and documents by yesterday but they had a big project that come up that they had to focus on. Can I please get an extension on my variance request? Thank you.

Cathy Wandmacher

Sent from [Mail](#) for Windows 10

For the Period : 9/8/2020 To 10/10/2020

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$343,097.46	\$749.20	\$29,835.68	\$314,010.98
Road and Bridge	\$0.00	\$0.00	\$0.00	\$0.00
Other Federal Programs	\$65,998.00	\$0.00	\$0.00	\$65,998.00
Comp Plan Grant	(\$4,040.00)	\$0.00	\$0.00	(\$4,040.00)
Tree Canopy Care	\$0.00	\$0.00	\$0.00	\$0.00
Special Rev Projects	\$30,387.93	\$1,215.96	\$2,666.84	\$28,937.05
Spec Rev - Warm House	\$40.00	\$0.00	\$0.00	\$40.00
REIMBURSED CONTRACTED SERVICES	\$0.00	\$0.00	\$0.00	\$0.00
General Debt Service (Identify) (Inactive)	\$0.00	\$0.00	\$0.00	\$0.00
Birchwood In Re-hab Bond	\$0.00	\$0.00	\$0.00	\$0.00
Sewer Re-hab Debt	\$0.00	\$0.00	\$0.00	\$0.00
CAPITAL PROJECT FUNDS (401 through 499)	\$0.00	\$0.00	\$0.00	\$0.00
General Capital Projects	\$0.00	\$0.00	\$0.00	\$0.00
Municipal State Aid Streets - Construction (Inactive)	\$0.00	\$0.00	\$0.00	\$0.00
Capital Project PW	\$79,245.31	\$0.00	\$0.00	\$79,245.31
Water	\$30,751.08	\$0.00	\$20,071.13	\$10,679.95
Sewer	\$89,582.48	\$23,136.26	\$7,991.69	\$104,727.05
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	\$635,062.26	\$25,101.42	\$60,565.34	\$599,598.34

**CONSENT H
TREASURER'S REPORT**

Fund Name: All Funds

Date Range: 09/08/2020 To 10/10/2020

<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>
09/10/2020	PERA	EFT091020A*	Administrator - Retirement - Tobin Lay	N	Clerk - Treasurer	100-41401-121-	\$ 367.02
		Total For Check	EFT091020A				\$ 367.02
09/10/2020	PERA	EFT091020B*	Treasurer/Deputy Clerk - Retirement - Andy Gonyou	N	Clerk - Treasurer	100-41401-121-	\$ 22.62
		Total For Check	EFT091020B				\$ 22.62
09/11/2020	Payroll Period Ending 09/11/2020	31133	Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 1,913.04
		Total For Check	31133				\$ 1,913.04
09/11/2020	Payroll Period Ending 09/11/2020	31134	Administrator - Insurance	N	Clerk - Treasurer	100-41401-100-	\$ 427.75
		Total For Check	31134				\$ 427.75
09/11/2020	Payroll Period Ending 09/11/2020	31135	Treasurer - Deputy Clerk	N	Clerk - Treasurer	100-41401-100-	\$ 137.91
		Total For Check	31135				\$ 137.91
09/11/2020	IRS - US Treasury	EFT091120A	Federal Taxes - Q3 2020 - Aug Payment	N	Clerk - Treasurer	100-41401-100-	\$ 533.46
		EFT091120A				100-41401-100-	\$ 1,084.80
		EFT091120A				100-41401-100-	\$ 253.70
		Total For Check	EFT091120A				\$ 1,871.96
09/15/2020	Xcel Energy	EFT091520A*	Xcel Gas Bill: 07.19.2020 - 08.17.2020	N	Sewer Utility	605-43190-383-	\$ 30.11
		Total For Check	EFT091520A				\$ 30.11
09/25/2020	Payroll Period Ending 09/25/2020	31136	Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 1,913.04
		Total For Check	31136				\$ 1,913.04
09/25/2020	Payroll Period Ending 09/25/2020	31137	Treasurer - Deputy Clerk	N	Clerk - Treasurer	100-41401-100-	\$ 62.02
		Total For Check	31137				\$ 62.02
09/25/2020	PERA	EFT092520A*	Administrator - Retirement - Tobin Lay	N	Clerk - Treasurer	100-41401-121-	\$ 367.02
		Total For Check	EFT092520A				\$ 367.02
09/25/2020	PERA	EFT092520B*	Treasurer/Deputy Clerk - Retirement - Andy Gonyou	N	Clerk - Treasurer	100-41401-121-	\$ 10.12

Fund Name: All Funds

Date Range: 09/08/2020 To 10/10/2020

<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	EFT092520B				\$ 10.12
09/30/2020	Xcel Energy	EFT100120A*	Xcel Street Light Bill: 08.03.2020 - 09.02.2020	N	Street Lighting	100-43160-380-	\$ 1,199.54
		Total For Check	EFT100120A				\$ 1,199.54
10/01/2020	Lowe's Home Improvement	31138*	Kayak Racks	N	Parks	210-45207-530-	\$ 774.40
		Total For Check	31138				\$ 774.40
10/01/2020	IRS - US Treasury	EFT100120B*	Federal Taxes - Q3 2020 - Sep Payment	N	Clerk - Treasurer	100-41401-100-	\$ 449.52
		EFT100120B*				100-41401-100-	\$ 868.24
		EFT100120B*				100-41401-100-	\$ 203.06
		Total For Check	EFT100120B				\$ 1,520.82
10/01/2020	MN Department of Revenue	EFT100120C*	MN State Tax eFiling - Q3 2020	N	Clerk - Treasurer	100-41401-115-	\$ 1,069.31
		Total For Check	EFT100120C				\$ 1,069.31
10/07/2020	Manship Plumbing & Heating Inc	31140*	Standby, Testing, & Locates - Sep 2020	N	Water Utility	601-43180-314-	\$ 600.00
		31140*				601-43180-314-	\$ 240.00
		31140*				601-43180-314-	\$ 240.00
		Total For Check	31140				\$ 1,080.00
10/07/2020	H.A. Kantrud, P.A.	31141*	Attorney Fees - Sep 2020	N	Legal Services	100-41601-300-	\$ 1,500.00
		Total For Check	31141				\$ 1,500.00
10/07/2020	City of White Bear Lake	31142*	Fire Services - Sep 2020	N	Fire	100-42201-314-	\$ 2,476.25
		Total For Check	31142				\$ 2,476.25
10/07/2020	Companion Animal Control LLC	31143	Animal Control Services - Sep 2020	N	Animal Control	100-41916-314-	\$ 80.00
		Total For Check	31143				\$ 80.00
10/07/2020	Metropolitan Council - Env. Service	31144*	Wastewater Service - Oct 2020	N	Sewer Utility	605-43190-217-	\$ 4,948.50
		Total For Check	31144				\$ 4,948.50
10/07/2020	Advanced First Aid Inc	31145*	AED Maintenance + system electrode replacement (as needed)	N	General Government Buildings and Plant	100-41940-220-	\$ 360.00
		Total For Check	31145				\$ 360.00

Fund Name: All Funds

Date Range: 09/08/2020 To 10/10/2020

<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>
10/07/2020	TSE, Inc. Work Account	31146*	Janitorial Services - Sep 2020	N	General Government Buildings and Plant	100-41940-314-	\$ 28.13
		Total For Check	31146				\$ 28.13
10/07/2020	Leeves, Robert	31147*	Videographer - Sep 2020	N	Cable Eqpmt and Service	100-41950-314-	\$ 82.50
		31147*				100-41950-314-	\$ 106.79
		31147*				100-41950-314-	\$ 82.50
		31147*				100-41950-314-	\$ 82.50
		Total For Check	31147				\$ 354.29
10/07/2020	Press Publications	31148*	Legal Notice Publications - Sep 2020	N	Ordinances and Proceedings	100-41130-351-	\$ 62.00
		31148*				100-41130-351-	\$ 78.40
		Total For Check	31148				\$ 140.40
10/07/2020	City of Roseville	31149*	IT Services - Oct 2020	N	General Government Buildings and Plant	100-41940-320-	\$ 580.00
		Total For Check	31149				\$ 580.00
10/07/2020	City of White Bear Lake	31150*	Water Billing - 06/22/2020 - 09/15/2020	N	Water Utility	601-43180-314-	\$ 17,791.13
		Total For Check	31150				\$ 17,791.13
10/07/2020	Gopher State One Call	31151*	Billable Tickets (42) - Sep 2020	N	Utility Locates	605-42805-314-	\$ 56.70
		Total For Check	31151				\$ 56.70
10/07/2020	White Bear Township	31152*	Contracted Services 8/16/2020 - 08/24/2020	N	Sewer Utility	605-43190-314-	\$ 988.13
		Total For Check	31152				\$ 988.13
10/07/2020	White Bear Township	31153*	Contracted Services 9/03/2020 - 09/24/2020	N	Sewer Utility	605-43190-314-	\$ 1,968.25
		Total For Check	31153				\$ 1,968.25
10/07/2020	Thatcher Engineering, Inc	31154*	City Engineering Services - CARES Act Projects	N	CARES Expenses (for Enterprise Funds)	100-49295-430-	\$ 8,627.50
		Total For Check	31154				\$ 8,627.50
10/07/2020	Menards - Oakdale	31155*	Parks Supplies	N	Other General Government - CARES Parks	100-41990-430-	\$ 76.35
		31155*				100-45207-400-	\$ 32.99
		Total For Check	31155				\$ 109.34

Fund Name: All Funds

Date Range: 09/08/2020 To 10/10/2020

<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>
10/07/2020	AirFresh Industries, Inc.	31156*	Portable Restroom Rental - Sep 2020	N	Parks	100-45207-314-	\$ 81.25
	Total For Check	31156					\$ 81.25
10/07/2020	Toshiba Business Solutions	31157*	Maintenance - 09/09/2020 - 10/08/2020 printer	N	Office Operations Supplies	100-41911-230-	\$ 10.62
	Total For Check	31157					\$ 10.62
10/07/2020	SL-serco	31158*	Water Meter Readings - Aug 2020	N	Water Utility	601-43180-314-	\$ 1,200.00
	Total For Check	31158					\$ 1,200.00
10/07/2020	Jensen, Bud	31159*	Variance Fee Reimbursement	N	MISCELLANEOUS	100-49001-810-	\$ 300.00
	Total For Check	31159					\$ 300.00
10/07/2020	Lay, Tobin	31160*	Reimbursement - Postage & Zoom account for Oct 2020	N	Unallocated Expenditures	100-49201-430-	\$ 16.06
		31160*				100-49201-430-	\$ 275.00
	Total For Check	31160					\$ 291.06
10/07/2020	Wingfield, Mary	31161*	Reimbursement - Pickelball Court Expenditures	N	MISCELLANEOUS	210-49001-810-	\$ 600.44
		31161*				210-49001-810-	\$ 1,292.00
	Total For Check	31161					\$ 1,892.44
10/07/2020	Payroll Period Ending 10/07/2020	31162	Maintenance - Jim Rydeen	N	Parks	100-45207-100-	\$ 724.35
	Total For Check	31162					\$ 724.35
10/07/2020	PERA	EFT100720A*	Maintenance - Retirement - Jim Rydeen	N	Parks	100-45207-121-	\$ 122.51
	Total For Check	EFT100720A					\$ 122.51
10/07/2020	MN Department of Labor and Industry	EFT100720B	Building Permit Surcharge - Q3 2020	N	Building Inspections Administration	100-42401-437-	\$ 392.11
	Total For Check	EFT100720B					\$ 392.11
10/09/2020	Payroll Period Ending 10/09/2020	31163	Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 1,913.04
	Total For Check	31163					\$ 1,913.04
10/09/2020	Payroll Period Ending 10/09/2020	31164	Administrator - Insurance	N	Clerk - Treasurer	100-41401-100-	\$ 427.75
	Total For Check	31164					\$ 427.75
10/09/2020	Payroll Period Ending 10/09/2020	31165	Treasurer - Deputy Clerk	N	Clerk - Treasurer	100-41401-100-	\$ 58.37

Fund Name: All Funds

Date Range: 09/08/2020 To 10/10/2020

<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	31165				\$ 58.37
10/09/2020	PERA	EFT100920A*	Treasurer/Deputy Clerk - Retirement - Andy Gonyou	N	Clerk - Treasurer	100-41401-121-	\$ 9.52
		Total For Check	EFT100920A				\$ 9.52
10/09/2020	PERA	EFT100920B*	Administrator - Retirement - Tobin Lay	N	Clerk - Treasurer	100-41401-121-	\$ 367.02
		Total For Check	EFT100920B				\$ 367.02
Total For Selected Checks							\$ 60,565.34

Fund Name: All Funds

Date Range: 09/08/2020 To 10/10/2020

<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>
09/11/2020	Zawadski Homes	171734944*	Permit	(09/11/2020) -	N	Building Permits	100-32211-	\$ 33.50
						OTHER CHARGES	100-34901-	\$ 2.75
								\$ 36.25
09/11/2020	Jackson and Associates, LLC	171734945*	Permit	(09/11/2020) -	N	Building Permits	100-32211-	\$ 157.12
						OTHER CHARGES	100-34901-	\$ 4.71
								\$ 161.83
09/15/2020	MN Management & Budget	171734943*	Court Fines Aug 2020	(09/15/2020) -	N	Court Fines	100-35101-	\$ 20.00
								\$ 20.00
09/19/2020	Woolstencroft, Kevin & Joe	171734953*	Animal License	(09/19/2020) -	N	Animal Licenses	100-32240-	\$ 20.00
								\$ 20.00
09/19/2020	Danus, Claudio & Sandra	171734954*	Permit	(09/19/2020) -	N	Building Permits	100-32211-	\$ 115.11
								\$ 115.11
09/19/2020	Husnik Homes, Inc.	171734955*	Permit	(09/19/2020) -	N	Building Permits	100-32211-	\$ 100.00
								\$ 100.00
09/19/2020	Glowing Hearth & Home	171734956*	Permit	(09/19/2020) -	N	Building Permits	100-32211-	\$ 63.00
								\$ 63.00
09/19/2020	SELA Roofing & Remodeling, Inc.	171734957*	Permit	(09/19/2020) -	N	Building Permits	100-32211-	\$ 229.41
								\$ 229.41
09/19/2020	Galena, Richard J.	171734958*	Copies	(09/19/2020) -	N	General Governemnt	100-34111-	\$ 3.60
								\$ 3.60
09/19/2020	Winnick Supply, Inc.	171734959*	Refund	(09/19/2020) -	N	Refund-Reimbursemnt-Dividend	210-36240-	\$ 265.96
								\$ 265.96

Fund Name: All Funds

Date Range: 09/08/2020 To 10/10/2020

<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>
09/19/2020	SW Metro Pickleball Club	171734960*	Pickleball Court Grant	(09/19/2020) -	N	Miscellaneous	210-36140-	\$ 750.00
								<u>\$ 750.00</u>
09/19/2020	City of White Bear Lake	171734961*	2020 Fireworks Contribution Refund	(09/19/2020) -	N	Miscellaneous	210-36140-	\$ 200.00
								<u>\$ 200.00</u>
10/08/2020	Berkley Risk Administrators Company	171734962*	LMCIT Reimbursement - I/s 2 backup	(10/08/2020) -	N	MISCELLANEOUS REVENUES	605-36200-	\$ 23,136.26
								<u>\$ 23,136.26</u>
Total for Selected Receipts								<u><u>\$ 25,101.42</u></u>

As on 10/10/2020

Other Federal Programs

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Federal Grants - CARES	0.00	65,998.00	65,998.00
Total Acct 331	0.00	65,998.00	65,998.00
Total Revenues	0.00	65,998.00	65,998.00
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		0.00	
Total Receipts and Other Financing Sources		65,998.00	
Total Disbursements and Other Financing Uses		0.00	
Cash Balance as of 10/10/2020		65,998.00	

As on 10/10/2020

Special Rev Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Dock/Lift Permit Fee	0.00	17,250.00	17,250.00
Total Acct 322	0.00	17,250.00	17,250.00
Miscellaneous	0.00	1,450.00	1,450.00
Total Acct 361	0.00	1,450.00	1,450.00
Refund-Reimbursemnt-Dividend	0.00	265.96	265.96
Total Acct 362	0.00	265.96	265.96
Total Revenues	0.00	18,965.96	18,965.96
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Recreation			
Miscellaneous (431 through 499)	0.00	200.00	(200.00)
Total Acct 451	0.00	200.00	(200.00)
Parks			
Operating Supplies (211 through 219)	0.00	1,283.61	(1,283.61)
Repair and Maintenance Supplies (221 through 229)	0.00	100.00	(100.00)
Contracted Services	0.00	340.00	(340.00)
Miscellaneous (431 through 499)	0.00	7,993.25	(7,993.25)
Capital Outlay: Improvements Other Than Buildings	0.00	774.40	(774.40)
Total Acct 452	0.00	10,491.26	(10,491.26)
MISCELLANEOUS			
Refunds and Reimbursements	0.00	1,892.44	(1,892.44)
Total Acct 490	0.00	1,892.44	(1,892.44)
Total Disbursements	0.00	12,583.70	(12,583.70)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		22,554.79	
Total Receipts and Other Financing Sources		18,965.96	
Total Disbursements and Other Financing Uses		12,583.70	
Cash Balance as of 10/10/2020		28,937.05	

As on 10/10/2020

Capital Project PW

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Other Financing Sources:			
Transfers from other Funds	0.00	126,000.00	126,000.00
Total Acct 392	<u>0.00</u>	<u>126,000.00</u>	<u>126,000.00</u>
Total Other Financing Sources	<u>0.00</u>	<u>126,000.00</u>	<u>126,000.00</u>
Disbursements:			
MISCELLANEOUS			
Contracted Services	0.00	44,370.00	(44,370.00)
Total Acct 490	<u>0.00</u>	<u>44,370.00</u>	<u>(44,370.00)</u>
Unallocated Expenditures			
Miscellaneous (431 through 499)	0.00	2,618.60	(2,618.60)
Total Acct 492	<u>0.00</u>	<u>2,618.60</u>	<u>(2,618.60)</u>
Total Disbursements	<u>0.00</u>	<u>46,988.60</u>	<u>(46,988.60)</u>
Other Financing Uses:			
Transfer To Governmental Fund			
Interfund Transfers	0.00	66,000.00	(66,000.00)
Total Acct 493	<u>0.00</u>	<u>66,000.00</u>	<u>(66,000.00)</u>
Total Other Financing Uses	<u>0.00</u>	<u>66,000.00</u>	<u>(66,000.00)</u>
Beginning Cash Balance		66,233.91	
Total Receipts and Other Financing Sources		126,000.00	
Total Disbursements and Other Financing Uses		112,988.60	
Cash Balance as of 10/10/2020		79,245.31	

As on 10/10/2020

Water

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Water Fee	0.00	62,321.28	62,321.28
Penalty - Late Water/Sewer	0.00	122.72	122.72
State and Misc fees	0.00	1,478.98	1,478.98
Total Acct 341	0.00	63,922.98	63,922.98
Delinquent Water/Sewer Fees	0.00	2,625.05	2,625.05
Miscellaneous	0.00	15,566.06	15,566.06
Total Acct 361	0.00	18,191.11	18,191.11
Total Revenues	0.00	82,114.09	82,114.09
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Financial Administration			
Contracted Services	0.00	5,998.23	(5,998.23)
Total Acct 415	0.00	5,998.23	(5,998.23)
Office Operations Supplies			
Operating Supplies (211 through 219)	0.00	144.50	(144.50)
Newsletter			
Printing and Binding (351 through 359)	0.00	303.60	(303.60)
Total Acct 419	0.00	448.10	(448.10)
Water Utility			
Repair and Maintenance Supplies (221 through 229)	0.00	918.58	(918.58)
Contracted Services	0.00	71,209.12	(71,209.12)
Fees	0.00	2,580.00	(2,580.00)
Wtr/Swr Emergency			
Repair and Maintenance Supplies (221 through 229)	0.00	900.00	(900.00)
PROFESSIONAL SERVICES (301 through 319)	0.00	1,765.74	(1,765.74)
Contracted Services	0.00	11,502.08	(11,502.08)
Total Acct 431	0.00	88,875.52	(88,875.52)
MISCELLANEOUS			
Miscellaneous (431 through 499)	0.00	22,707.50	(22,707.50)
Total Acct 490	0.00	22,707.50	(22,707.50)
Unallocated Expenditures			
Miscellaneous (431 through 499)	0.00	2,720.95	(2,720.95)
Total Acct 492	0.00	2,720.95	(2,720.95)
Total Disbursements	0.00	120,750.30	(120,750.30)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		49,316.16	
Total Receipts and Other Financing Sources		82,114.09	
Total Disbursements and Other Financing Uses		120,750.30	
Cash Balance as of 10/10/2020		10,679.95	

As on 10/10/2020

Sewer

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Building Permits	0.00	144.90	144.90
Total Acct 322	0.00	144.90	144.90
Penalty - Late Water/Sewer	0.00	138.40	138.40
Sewer Fee	0.00	94,071.19	94,071.19
Total Acct 341	0.00	94,209.59	94,209.59
Delinquent Water/Sewer Fees	0.00	6,276.43	6,276.43
Total Acct 361	0.00	6,276.43	6,276.43
MISCELLANEOUS REVENUES	0.00	41,405.90	41,405.90
Total Acct 362	0.00	41,405.90	41,405.90
Total Revenues	0.00	142,036.82	142,036.82
Other Financing Sources:			
Transfers from other Funds	0.00	56,710.43	56,710.43
Total Acct 392	0.00	56,710.43	56,710.43
Total Other Financing Sources	0.00	56,710.43	56,710.43
Disbursements:			
Postage/Postal Permits			
Refunds and Reimbursements	0.00	265.00	(265.00)
Total Acct 414	0.00	265.00	(265.00)
Engineer Service			
PROFESSIONAL SERVICES (301 through 319)	0.00	85.00	(85.00)
Total Acct 416	0.00	85.00	(85.00)
Office Operations Supplies			
OFFICE SUPPLIES (201 through 209)	0.00	316.80	(316.80)
Operating Supplies (211 through 219)	0.00	144.50	(144.50)
Total Acct 419	0.00	461.30	(461.30)
Utility Locates			
Contracted Services	0.00	392.90	(392.90)
Total Acct 428	0.00	392.90	(392.90)
Water Utility			
Contracted Services	0.00	360.00	(360.00)
Wtr/Swr Emergency			
Contracted Services	0.00	6,860.50	(6,860.50)
Sewer Utility			
Sewer - Wastewater Charge	0.00	49,485.00	(49,485.00)
Contracted Services	0.00	56,089.62	(56,089.62)
Utility Services (381 through 389)	0.00	7,441.66	(7,441.66)
Utility Services: Gas Utilities	0.00	264.84	(264.84)
Miscellaneous (431 through 499)	0.00	6,803.78	(6,803.78)
Total Acct 431	0.00	127,305.40	(127,305.40)
Unallocated Expenditures			
Miscellaneous (431 through 499)	0.00	822.50	(822.50)
Total Acct 492	0.00	822.50	(822.50)
Total Disbursements	0.00	129,332.10	(129,332.10)

As on 10/10/2020

Sewer

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Other Financing Uses:			
Transfer To Governmental Fund			
Interfund Transfers	0.00	50,000.00	(50,000.00)
Total Acct 493	<u>0.00</u>	<u>50,000.00</u>	<u>(50,000.00)</u>
Total Other Financing Uses	<u>0.00</u>	<u>50,000.00</u>	<u>(50,000.00)</u>
Beginning Cash Balance		85,311.90	
Total Receipts and Other Financing Sources		198,747.25	
Total Disbursements and Other Financing Uses		<u>179,332.10</u>	
Cash Balance as of 10/10/2020		104,727.05	

REGULAR A DEER MANAGEMENT

9



BIRCHWOOD VILLAGE

MAHTOMEDI

522

536 Hall

516

510

454

448

442

436

430

ZONE 2

612



424

418

600

412

406

BIRCHWOOD VILLAGE
MAHTOMEDI

368

986 ft

624

362

356

37

White Pine Ln

1012 ft

Wedgewood Dr

Mina Ct

Jesse James Ln

Jesse James Ln

Wedgewood Dr

Hall Ave

Birchwood Ave

Jay St

ORDINANCE 2020-09-02

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

**AN ORDINANCE TO ADOPT SECTION 806 INTO CITY CODE TO SET
AND REGULATE MAYOR AND CITY COUNCIL MEMBER COMPENSATION**

The City Council of the City of Birchwood Village hereby witnesseth that an ordinance to enact a new section of the Birchwood Village Code of Ordinances to set and regulate Mayor and City Council Member compensation:

THE COUNCIL OF THE CITY OF BIRCHWOOD VILLAGE ORDAINS:

In General, **Chapter 806**, City of Birchwood Village, County of Washington, Minnesota, “Compensation” is herewith adopted into city code. Any and all previously adopted sections or ordinances which may appear contrary or in conflict with this ordinance are hereby replaced or modified by this code.

SECTION 806. COMPENSATION

806.010. MAYOR AND CITY COUNCIL MEMBER COMPENSATION. The salary of the Mayor is hereby fixed at twenty-five-hundred dollars (\$2,500.00) per year and the salary of each member of the City Council is hereby fixed at fifteen-hundred dollars (\$1,500.00) per year. The salaries established in this Section shall be in effect from and after January 1, 2021 and will remain in effect until amended in accordance with M.S. § 415.11.

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 13th day of October, 2020

Mary Wingfield, Mayor

Attest:

Tobin Lay, City Administrator-Clerk

MEMORANDUM



TO: Birchwood Village City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Conditional Use Permit Request for 251 Wildwood Avenue
DATE: October 8, 2020

Dear Mayor and Council Members,

The Planning Commission reviewed the enclosed Conditional Use Permit request for 251 Wildwood Avenue at the Commission's September 24, 2020 meeting. Three (3) Commissioners were present at the meeting, making a quorum. All approved the request with the following conditions:

- Any disturbance must be restored.
- City is named as "additional insured" on the contractor's Commercial General Liability insurance policy.
- Applicant pay a damage escrow to the City.
- The following selection from City Engineer Steve Thatcher's recommendations (also enclosed):
 - Placement of natural rock riprap, including associated grading of the shoreline and placement of a filter blanket, is permitted if the finished slope does not exceed three (3) feet horizontal to one (1) foot vertical, the landward extent of the riprap is within ten (10) feet of the ordinary high water level, and the height of the riprap above the ordinary high water level does not exceed three (3) feet (Code Section 302.055.2.a.6).
 - Each CUP issued by the City shall be recorded with the County Recorder (Code Section 306.080.9).
 - A Conditional Use Permit shall become null and void one year after it was granted, unless made use of within the year, or a longer period of time if prescribed by the Council at the time the permit is issued (Code Section 306.090.2).
 - All application materials, maps, drawings and descriptive information submitted with this application shall become part of the CUP.
 - Land alteration may not cause adverse impact upon abutting property.

In addition to these recommended conditions, City Engineer Steve Thatcher reminds the Council that it may also require the posting of a bond or other guarantee to insure compliance with its conditions (Code Section 306.080.8).

Request/Recommendation

Staff and Planning Commissioners request the Council:

- 1) Review the enclosed conditional use permit request materials and
- 2) Either approve or deny the request
- 3) If approved, please determine appropriate conditions.

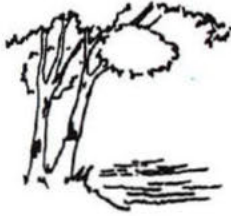
Thanks!

Regards,
Tobin Lay

* PLEASE SEE US WITH ADDITIONAL DETAILS AND SUPPORT. THANKS.

WITH ADDITIONAL DETAILS AND SUPPORT. THANKS.

- Brock



City of Birchwood Village
Conditional Use Permit Application

207 Birchwood Ave, Birchwood, MN 55110
Phone: 651-426-3403 Fax: 651-426-7747
Email: info@cityofbirchwood.com

FOR OFFICIAL USE ONLY

Application Received Date: 9/12/20 Permit No. _____
Fees: City: \$ \$100.00 Planner: \$ 1,980.00 Escrow: \$ 3,000.00
TOTAL OWED: \$ 5,080.00 Amount Paid: \$ _____

Payment Type (circle): Cash / Check / Money Order / Credit Card Check No. _____

General Provisions:

- Cert. of Insurance or Cash Escrow
- Existing Conditions Report
- Construction Signage
- Soil Investigation Report or Shoring Plan
- Demolition Notifications
- Stormwater / Erosion Control Plan

Special Approvals:

- DNR: required received
- WBLCDC: required received
- RCWD: required received
- Washington County: required received

Other: _____

Signature of City Planner: Steve Schuth Date: 9/17/20

Completed requests submitted prior to the first Thursday of the month will be considered by the Planning Commission at its next meeting on the fourth Thursday of the month. Requests submitted after the first Thursday of the month will be considered at the following meeting. All final decisions on variance applications are made by the City Council, which meets on the second Tuesday every month.

1. Name of Applicant(s) BROCK HARMON (SON OF TRUDE HARMON)
Address 251 WILDWOOD AVENUE
City BIRCHWOOD State MN Zip Code 55110
Business Phone _____ Home Phone [REDACTED]
2. Address of Property Involved if different from above: SAME
3. Name of Property Owner(s) if different (describe Applicant's interest in the property): _____
5 GENERATIONS OF FAMILY OWNERSHIP. GOAL TO PRESERVE LAKEFRONT THAT IS ERODING FROM HIGH WATER LEVELS.

Permit For: Land Disturbance Swimming Pool Tennis Court Solar Energy Home Occupation

Area / Volume / Capacity / Type of Use: INSTALL RIP-RAP WITH STEPS FOR SHOULDERLINE

Sq. Feet: 300 Length: 50' Width: 6' Height: 6" TO 18"

Legal of Site Location: LOT 10, BLOCK 5, LAKEWOOD PARK FIRST DIVISION, WASHINGTON COUNTY, MN

PIN: 30.030.21.21.0036 Proximity to Wetlands or Lakeshore: AT SHOULDERLINE OF WBL

Setbacks: Front Yard N/A Rear Yard 0' FOR R-R + STEPS Side Yards 10' FOR STEPS 10' FOR STEPS
0' FOR R-R & 0' FOR R-R

Proposed % Impervious Surface of the Lot (upon completion): 10.6%

Description of Use (attach scaled site plan): RIP-RAP WITH STEPS FOR SHOULDERLINE

- RIP-RAP INSTALL W/ STABILIZING FILTER FABRIC AND 6"-18" CLEAN FIELD STONE

- 2 SETS OF STEPS (3 STEPS EACH) FOR SAFE ACCESS BETWEEN WATER + SHOULDER

- PREFORMED STEPS 6" TALL BY 36-38" WIDE AND 18-20" DEEP

- STEPS ARE HELD / SUPPORTED THROUGH INSTALL OF HELICAL SCREW PILING (PER STEPS)

SEE SUPPORTING DOCUMENTATION:
- SCALED SITE PLAN - PAGE A-1, LOWER PORTION OF DIAGRAM

- MANY ADDITIONAL SUPPORTING REFERENCES.

Notice:

*The City and its representatives accept no responsibility for errors and/or damages caused due to incomplete and/or inaccurate information herein. It is the responsibility of the applicant to ensure the accuracy and completeness of this information.

*The City will hold applicant responsible for any damage to public property that occurs in the course of performing the activities of this permit.

*Any changes to this application will make the permit voidable unless amendments are approved by the City with prior consent. The applicant will provide (separate documents, surveys, and calculations) to the City, showing the affected areas, grade plane, change in elevation, and impervious surface.

*The applicant shall comply with all provisions of the State Building, Plumbing, Mechanical, Electrical, and Fire Codes, as well as all City Ordinances governing zoning and buildings. The State of Minnesota regulates all electrical work. The continued validity of this permit is contingent upon the applicant's compliance of all work done and materials used, with the plans and specifications herewith submitted, and with the applicable ordinances of the City.

***Under penalty of perjury the applicant declares that the information provided in and enclosed herewith is complete and all documents represented are true and correct representations of the actual project/building which will be built in conformance with such representation.**

Signature of Applicant: Brian J. [Signature]

Date: 9/3/2020

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C. CONDITIONAL USE PERMIT REQUEST – DETAILS

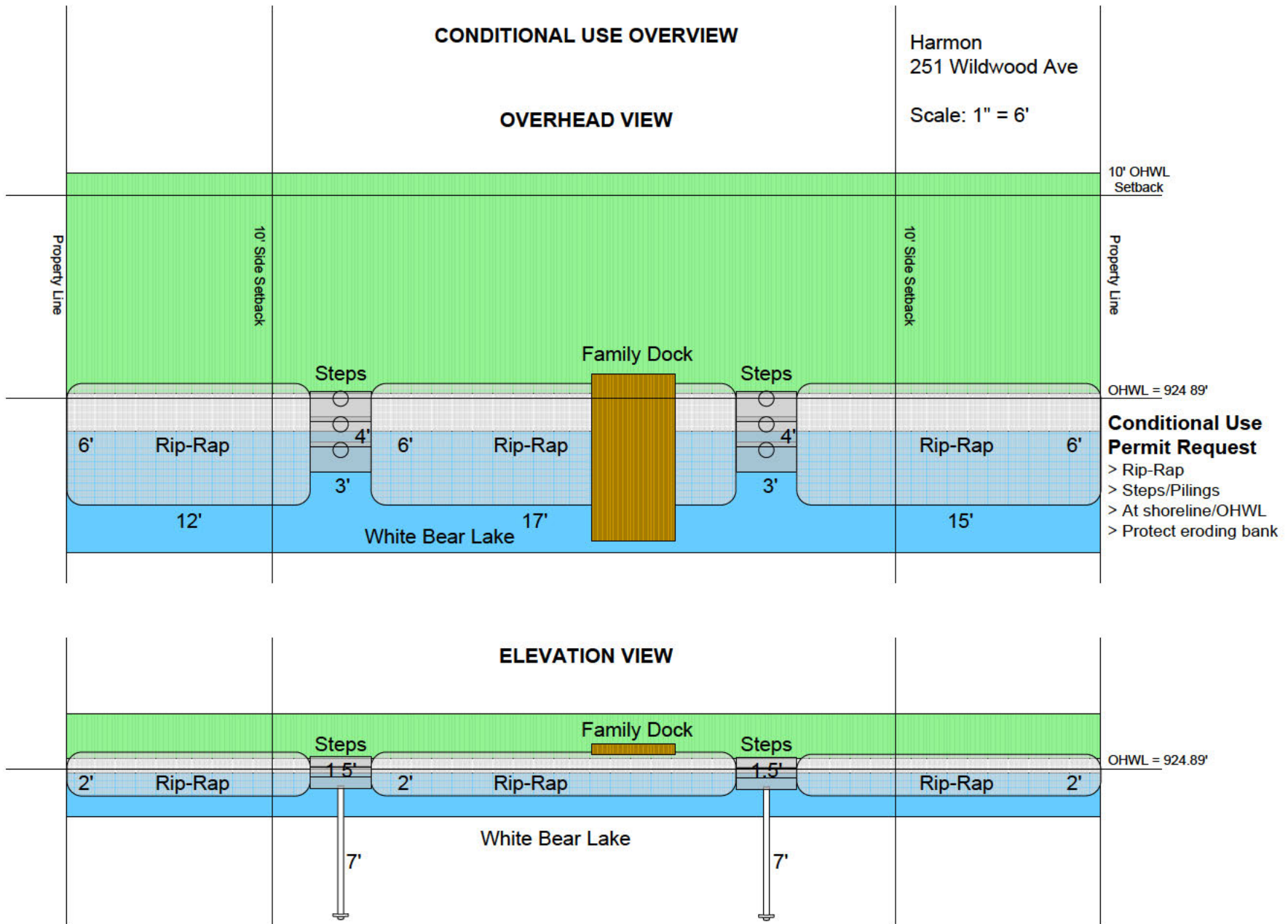
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A. DIAGRAMS

1. PROJECT OVERVIEW DIAGRAM



2. SHOWING RIP-RAP AND STEPS

Concept Photo – Rip-Rap and Steps

- > Protect eroding bank
- > Provide safe access between lake and shore



Rip-Rap

- > ~ 20 tons of 6" – 18" Fieldstone clean rock
- > Stabilizing/Filter fabric material under the rock

Steps

- > Also see Helical Screw Piles for anchor/support



Dimensions: 36" - 38" x 18" - 20" x 6" , ~ 125 lbs

RockStep is reinforced concrete with polymer additives for ultra-strong construction. It has a greater abrasive resistance than limestone or poured concrete, and is crack resistant.

Features:

- > Broken face texture covers 3 vertical sides and the back side has a weather-edge finish
- > Requires no heavy equipment
- > For residential and commercial use
- > Available in gray, tan, brown, charcoal, and blue slate to meet your needs
- > Made of reinforced concrete with polymer additives for ultra-strong durability
- > Ideal for lakefronts, high slopes, raised patios, and terraced yards
- > Uniform 6" height for consistent, safe rise

3. SHOWING HELICAL SCREW PILES

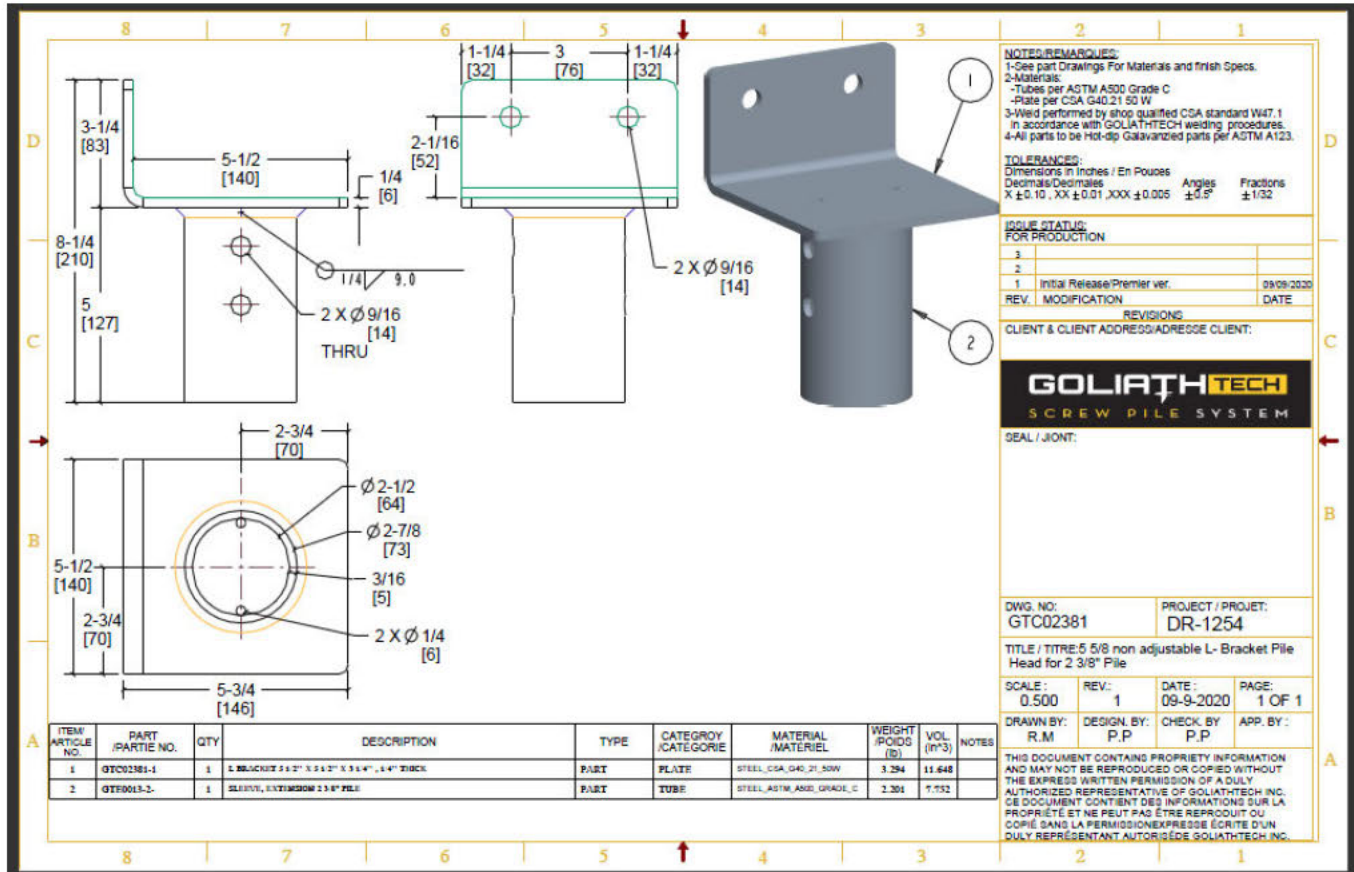
Helical Screw Piles

- > Anchor/Support each step
- > 7 foot long, 2 3/8" diameter shaft, with 9" diameter screw section
- > As recommended by Steve Thatcher, City Engineer, to meet city code for step piling

Resembling a large screw, **Helical Screw Piles** are installed 7' deep into the ground, beneath the ground freezing level, to solidly support the structure of your project.

L-Bracket

- > Bolts to top of Helical Screw Pile
- > Provides the step with anchor/support



4. MINNESOTA DNR RIP-RAP PUBLICATION

Minnesota DNR -- Rip-Rap Publication

Shoreline Alterations: Riprap



Is an individual permit required?

For most projects constructed *below* the ordinary high-water level* (OHWL) of public waters, an individual Public Waters Work Permit is required by the Minnesota Department of Natural Resources (DNR).

Riprap exception: An individual permit from the DNR is not required for riprap placement if the conditions outlined in this information sheet are followed.



Shoreline cross section.

If you have questions concerning the contents of this information sheet, contact your local DNR Area Hydrologist. See contact information on reverse side.

Please note that local units of government and other agencies may require a permit for this project.

*For lakes and wetlands, the OHWL is the highest elevation that has been maintained as to leave evidence on the landscape. It is commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the OHWL is the top of the bank of the channel. For reservoirs and flowages, the OHWL is the operating elevation of the normal summer pool.

What can I do to keep my shoreline from washing away?

If your shoreline is eroding, any of the following events may be destabilizing your soil, resulting in erosion: fluctuating water levels, increased wave or wake action, ice pushes, loss of natural vegetation, and human activity. Protecting your shoreline from erosion may not require you to replace natural shoreline with a high-cost, highly engineered retaining wall or riprap. There are affordable, low-impact methods to stabilize your shoreline and still protect property values, water quality, and habitat. The Minnesota Department of Natural Resources (DNR) encourages you to consider planting native vegetation to control shoreline erosion, enhance aesthetic values, and contribute to better water quality in your lake (see Lakescaping information sheet).



Shoreline stabilized with riprap and enhanced with a vegetative buffer.

Both riprap and retaining walls can reduce erosion, but they can be expensive and negatively affect lakes by creating a barrier between upland areas and the shoreline environment. Riprap should only be used where necessary and never to replace a stable, naturally vegetated shoreline. Additionally, installing riprap on a stream or river bank is a special condition that may require professional advice to ensure that the structure will stand up to the fluctuations in water levels and flowing conditions.

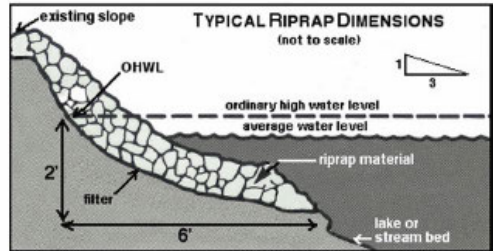
Natural rock riprap consists of coarse stones randomly and loosely placed along the shoreline. You should consult your DNR Area Hydrologist to determine whether your shoreline needs riprap to stop erosion. If there is a demonstrated need, such as on steep slopes, you may want to consider placing riprap or a combination of riprap and vegetation. In most cases, vegetation planted in the rocks will stabilize the riprap and improve the appearance of your shoreline. Naturalizing your shoreline is the most important contribution you can make to enhance water quality, maintain fishery resources, and provide wildlife habitat.

Shoreline Alterations: Riprap/ revised March 2012 Page 1 of 2

Shoreline Alterations: Riprap

Installation of riprap is allowed only where there is a demonstrated need to stop existing erosion or to restore an eroded shoreline. An individual DNR Public Waters Work Permit is *not* required if the installation meets all of the following conditions:

- The riprap must not cover emergent aquatic vegetation, unless authorized by an aquatic plant management permit from the DNR's Division of Fisheries.
- Only natural rock (cannot average less than 6 inches or more than 30 inches in diameter) may be used that is free of debris that may cause pollution or siltation. Concrete is not allowed.
- A filter of crushed rock, gravel, or filter fabric material must be placed underneath the rock.
- The riprap must be no more than 6 feet waterward of the ordinary high-water level (OHWL; see sidebar on page 1).
- The riprap must conform to the natural alignment of shore and must not obstruct navigation or the flow of water.
- The minimum finished slope waterward of the OHWL must be no steeper than 3 to 1 (horizontal to vertical).
- The riprapped area must be no more than 200 linear feet of shoreline along lakes and wetlands or, along shorelines of streams, must be less than five times the average width of the affected watercourse.
- The site must not be a posted fish spawning area, designated trout stream, or along the shore of Lake Superior.



TYPICAL RIPRAP DIMENSIONS
(not to scale)


What are some other issues to consider?

A row of boulders at the water's edge is *not* considered natural rock riprap. Rows of stacked boulders function as a retaining wall, and installation would *require* an individual permit from the DNR. Retaining walls are very damaging to the near-shore environment. Retaining walls cause wave action that scours the lakebed, displacing bottom sediment and creating an extremely sterile environment. The cumulative effect of numerous wall structures on a lake reduces critical habitat for fish and wildlife resources and much of the food chain they depend on. Retaining walls require structural maintenance and are frequently damaged by ice action and undermined by wave action.

Riprap is not maintenance free and does not eliminate ice heaving, but it is easier to return the rocks to their original positions than to repair a wall. Consider planting within the riprap to add color, interest, and diversity. Live cuttings and plant plugs can be planted within riprap to provide additional slope stability and give your shoreline a more natural appearance.

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DNR Contact Information



DNR Ecological and Water Resources website and a listing of Area Hydrologists: <http://mndnr.gov/waters>

DNR Ecological and Water Resources
500 Lafayette Road, Box 32
St. Paul, MN 55155
(651) 259-5100

DNR Information Center

Twin Cities: (651) 296-6157
Minnesota toll free: 1-888-646-6367
Telecommunication device for the deaf (TDD): (651) 296-5484
TDD toll free: 1-800-657-3929

Equal opportunity to participate in and benefit from programs of the Minnesota Department of Natural Resources is available regardless of race, color, national origin, sex, sexual orientation, marital status, status with regard to public assistance, age, or disability. Discrimination inquiries should be sent to Minnesota DNR, 500 Lafayette Road, St. Paul, MN 55155-4030; or the Equal Opportunity Office, Department of the Interior, Washington, DC 20240.

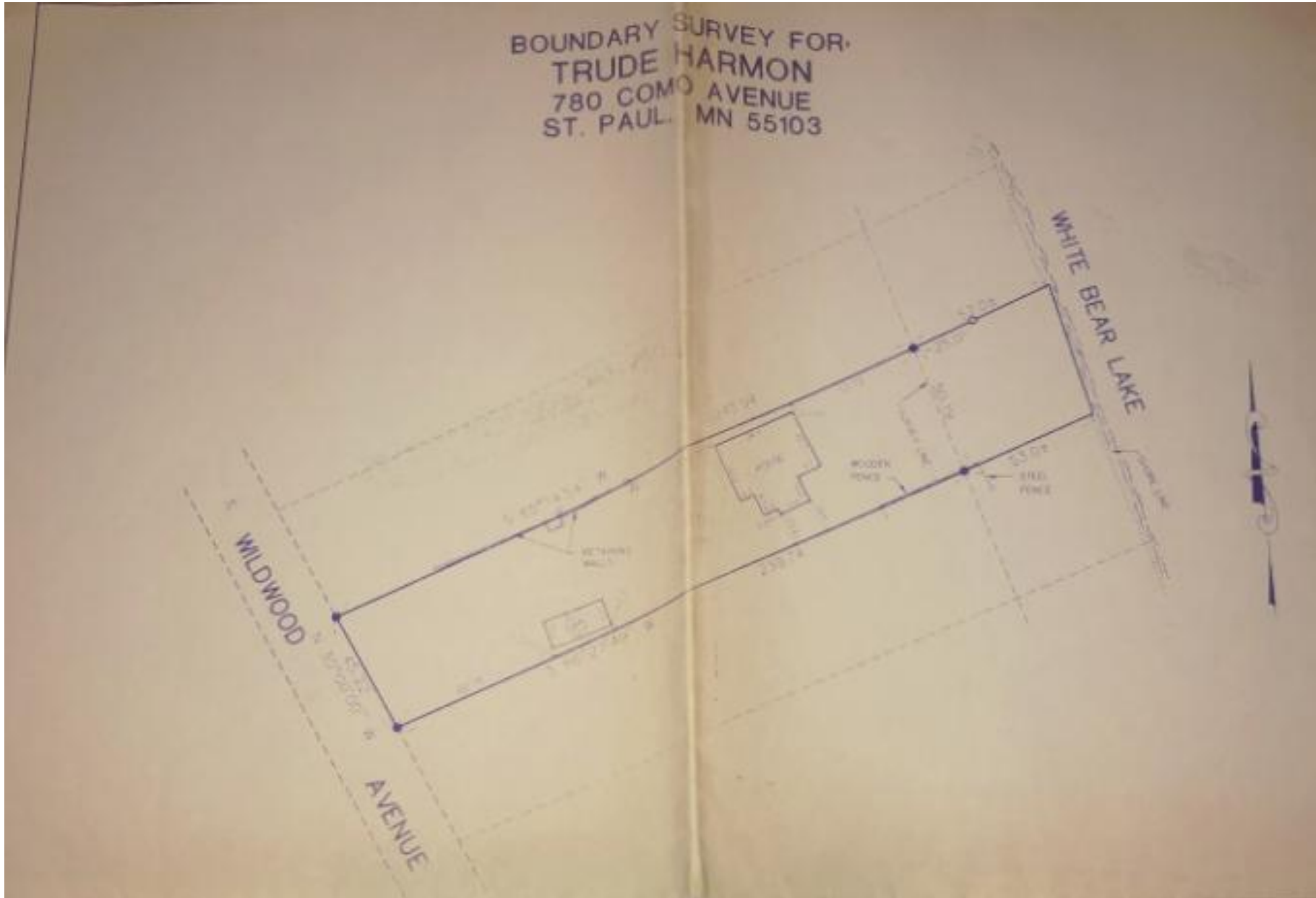
This information is available in an alternative format on request.

© 2011 State of Minnesota, Department of Natural Resources

Shoreline Alterations: Riprap/ revised March 2012 Page 2 of 2

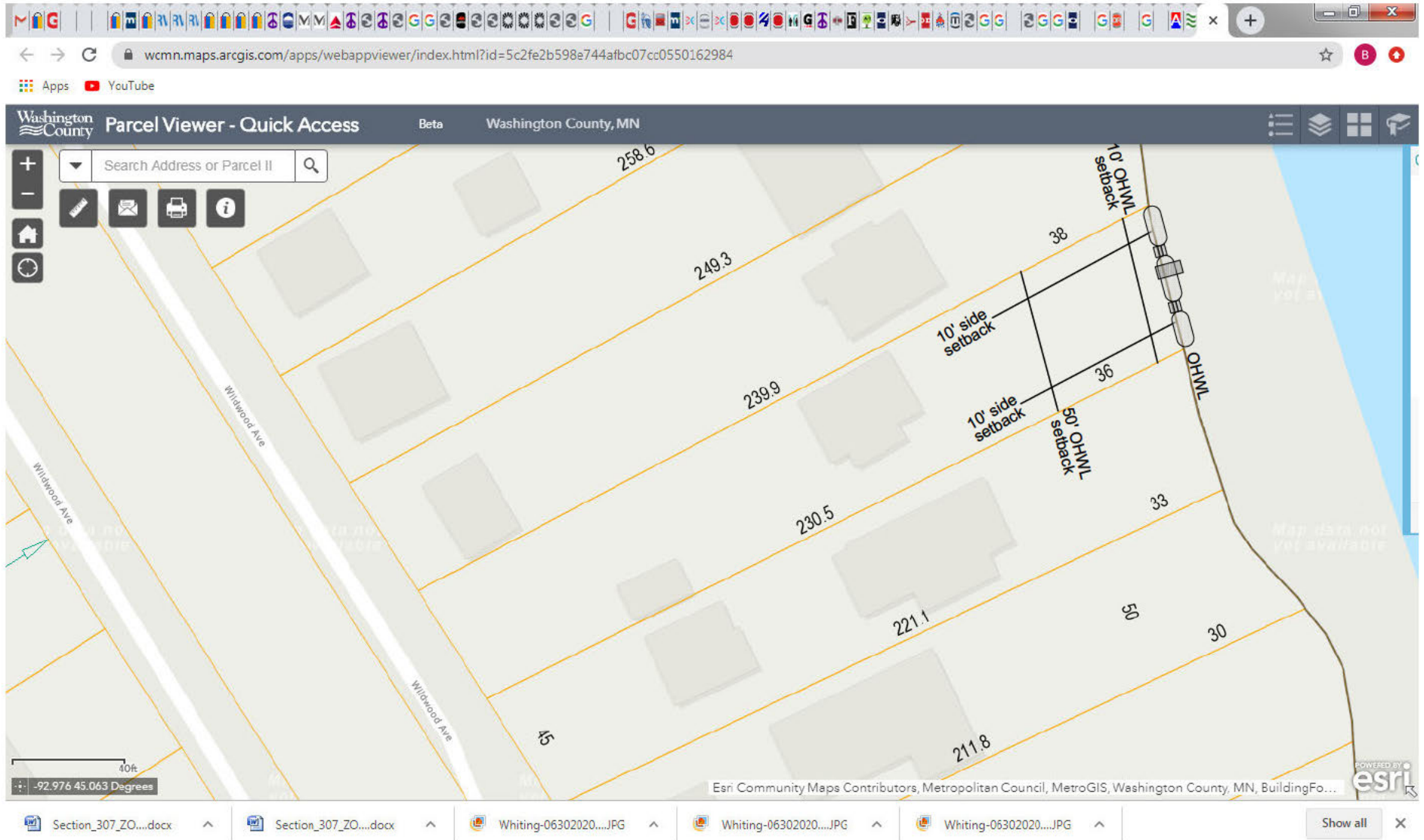
6. SHOWING BOUNDARY SURVEY

Boundary Survey supports Washington County Online version used for references.



7. SHOWING PLOT PLAN

- Shows existing structures and proposed project items and setbacks. Also shows existing structures on adjacent lots



B. REFERENCE EMAILS / CONTENTS

1. FROM STEVEN THATCHER (CITY PLANNER)

**Contents of 7/30/2020 email from Steven Thatcher (City Planner) to Tobin Lay (Birchwood City Administrator) regarding review of Harmon proposed Shoreline Reinforcement and Accessory Structure:
[excerpt pertaining to Conditional Use Permit Request]**

Thatcher Engineering, Inc. (TEI) understands the applicant’s current plan (Plan) includes the following:

1. Reinforcement of the shoreline to minimize further erosion due to the high water.
 - a. The applicant provided a photo that shows Rip Rap (large rocks) and concrete steps from the top of the Rip Rap down to and into White Bear Lake (WBL).
 - b. It’s unclear whether or not construction of concrete steps from the top of the Rip Rap down to and into WBL is included in the Plan.

The City Code states the following:

1. Section 301.070 CONDITIONAL USES. “Certain accessory uses permitted within the City have greater than usual chances to present safety hazards, impact on neighboring people and property, and nuisance situations. Because of these greater effects, the City requires these uses to be covered under Conditional Use Permits. Applications for Conditional Use Permits must comply with all provisions of Section 306. CONDITIONAL USE PERMITS. 1. A Conditional Use Permit shall be required for the following projects: a. Any land disturbance activity where the slope is toward a lake, pond, wetland, or watercourse leading to such waters, and the alteration is closer to such waters than the structure setback requirement. See Note at end of Section 301.070. 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.”
 - a. The note at end of Section 301.070 states: “NOTE: A separate Conditional Use Permit is not required for a land disturbance activity in conjunction with construction as part of a building permit as granted. However, as part of the Building Permit Application, the applicant shall provide information required pursuant to Section 306.030 and shall follow all provisions of Sections 302.050 IMPERVIOUS SURFACES and 302.055 LAND DISTURBANCE ACTIVITY STANDARDS.”
2. Section 301.080 Zoning Permit. “If a Building or Conditional Use Permit is applied for and issued, the applicant is not required to apply for a Zoning Permit.
3. Section 302.080 STAIRS AND LIFTS TO LAKE OR WATER BODY - STANDARDS.
 - a. “A stairway or lift to enable access from land properties to White Bear Lake or pond or recreational body of water shall be constructed and maintained in compliance with the standards and requirements of Section 302.080 parts 2 and 3.”

TEI’s analysis is as follows:

1. Additional information is needed from the applicant to determine whether or not:
 - a. The Plan meets City Code requirements including Section 302.055 LAND DISTURBANCE ACTIVITY STANDARDS. and Section 302.080 STAIRS AND LIFTS TO LAKE OR WATER BODY - STANDARDS.

2. FROM STEVEN THATCHER (CITY ENGINEER)

Contents of 09/03/2020 email from Steven Thatcher (City Engineer) to Brock Harmon:

[excerpt pertaining to Conditional Use Permit Request]

Brock,

Thank you for the email.

Item #3: TEI understands the following: You are planning two (2) stairs from the ground surface through the Rip-Rap to White Bear Lake that consist of the following:

1. Each stair will have 36" wide steps.
2. Each stair will most likely use three (3) steps. However, each stair may have a maximum of four (4) steps (depending on the final size of the steps).
3. The lowest step will have four (4) earth anchors (one under each corner).
4. The remaining steps would have two (2) earth anchors (one under each of the two rear corners, as the front of the step would rest on the step below).
5. Stone looking manufactured step.

Item #3 Questions: TEI understands that your questions are as follows:

1. Does the Earth Anchor meet City Code requirements?
2. If the Earth Anchor does not meet City Code requirements, identify what would be needed.
3. Let me know what additional information you need from me (if any).

TEI's answers to Item #3 Questions:

1. It is the opinion of TEI that the proposed Earth Anchor does not meet the requirement of City Code 302.080.2.f "Stairways shall be anchored and supported with pilings or footings."
2. Several local companies have experience installing Helical Screw Piles (example attached). It is the opinion of TEI that Helical Screw Piles installed by an experienced contractor meet the "supported with pilings" part of City Code 302.080.2.f "Stairways shall be anchored and supported with pilings or footings." However, more information is needed to show how the stairways will be anchored to the Helical Screw Piles. You may need an Architect or Professional Engineer to provide that information.

Please let me know if you want further information.

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

3. JULY 2020 XCHG WITH RICE CREEK WATERSHED DISTRICT (RCWD)

Contents of July 2020 email exchange between Rice Creek Watershed District (RCWD) and Brock Harmon:

Brock Harmon [REDACTED]

Fri, Jul 10, 1:37 PM

to Kelsey, Nicholas, [REDACTED]

Hi Kelsey --

Thanks for your call today regarding my plans for 251 Wildwood Avenue, City of Birchwood Village, MN (on the south shore of WBL).

Per your request, I have attached the following:

- > Photo of rip-rap concept for shoreline (50' shoreline)
- > 'Floorplan' of retaining walls / shed
- > 3D Site-Drawing with cut-aways

I estimate the total surface area of the land that is disturbed to be about 600 square feet.

Please let me know if you have other questions/comments. I look forward to your team's response to my plans.

Thank you.

-- Brock

Brock Harmon
email: [REDACTED]
BJHarmon, Inc.

3 Attachments



Kelsey White

Tue, Jul 14,
7:15 PM

to me, [REDACTED]

Hello Brock,

Thank you for providing the details for the proposed rip rap, retaining wall, and shed Based on your description of the project on your property at 251 Wildwood Avenue in Birchwood Village, MN.

It appears that an area less than 10,000 ft² will be disturbed. Additionally, no wetland impacts or floodplain fill are proposed; therefore, a RCWD permit is not required.

Please note that this decision does not indemnify you from enforcement action if the scope of the project changes, or a violation of District Rules or other laws is found to have occurred as a result of this project. Please take care to ensure that no sediments are deposited down gradient of the site, and that any soils disturbed during construction are stabilized within 14 days of project completion. Permits may be required from other agencies including, but not limited to, the City of Birchwood Village and the Minnesota Department of Natural Resources.

Thank you,

Kelsey White
Permit Review Technician
Rice Creek Watershed District
4325 Pheasant Ridge Dr. NE, #611
Blaine, MN 55449-4539
Ph: 763-398-3084
kwhite@ricecreek.org

[Please consider following the RCWD on Facebook.](#)



Brock Harmon [REDACTED]

Tue, Jul 14,
8:38 PM

to Nicholas, Tobin, Kelsey, [REDACTED]

Hi Kelsey --

Thank you for your project review and feedback

- 1) Yes, the plan is for less than 10,000 sq ft to be disturbed, and there are no wetland impacts or floodplain fill proposed. Thank you for identifying that an RCWD permit is therefore not required.
- 2) The scope of the project is not expected to change. I will keep you informed if the scope were to change. .
- 3) I am including my contractor and the City of Birchwood Village in this email chain for their awareness of your feedback.
- 4) The MN DNR is supportive of the proposed rip-rap without an individual DNR permit. The other portion of the project is outside of their area of concern.
- 5) I am also in contact with the WBLCD. Upon hearing back from that group, I will contact the City of Birchwood Village with a summary of these findings to determine next steps with the City.

Thank you for your support!

-- Brock

Brock Harmon
email: [REDACTED]
BJHarmon, Inc.

4. JULY 2020 XCHG WITH MINNESOTA DEPARTMENT OF NATURAL RESOURCES (MN DNR)

Contents of July 2020 email exchange between Minnesota Department of Natural Resources (MN DNR) and Brock Harmon:

Inquiry re: preserving White Bear Lake shoreline and enhancing property

Inbox



Brock Harmon [REDACTED]

Thu, Jul 9, 2:41 PM

to MN-DNR

Hi --

My family has a cabin in the City of Birchwood Village on the south shore of WBL. With the rising water level (a good thing vs years past), my shoreline is eroding and I have less room for off-season dock equipment.

With a contractor, I have created a plan to reinforce the shoreline and to place a retaining wall / storage shed between the cabin and the shoreline. Tobin, the City Administrator for the City of Birchwood Village, instructed that I contact your group, the Rice Creek Watershed District, and the White Bear Lake Water Conservation District in advance of completing a permit request with Birchwood.

Please let me know my next steps for understanding your (MN-DNR) process to review my plan and determine actions to take.

You may reach me at:

Email: [REDACTED]

Phone: [REDACTED] (I am presently working from home, so please leave a voicemail if you cannot get through to me.)

Thank you very much!

-- Brock

Brock Harmon
email: [REDACTED]

BJHarmon, Inc.



MN_Info (DNR)

Sun, Jul 12,
12:07 PM

to me

Good morning Carly --

Thank you for your note. I look forward to connecting with the appropriate member of your staff to review my concerns and plans.

Thanks!

-- Brock

Brock Harmon

email: [REDACTED]

BJHarmon, Inc.



Gleason, John (DNR) <john.gleason@state.mn.us>

Mon, Jul 13,
9:46 AM

to me, MN_Info

Mr. Harmon:

Thank you for your inquiry. DNR regulates the lake, beginning at the Ordinary High Water level which for White Bear lake is 924.89 ft (datum MSL 1912.) So, any work at this elevation or below is subject to DNR regulation; above that elevation it is regulated by the City. (The watershed district rules may apply to areas both above and below the OHW). So If the retaining wall is above the OHW, then no DNR permit is required. The state rules regarding retaining walls make it difficult to get a DNR permit so I recommend it be placed above the OHW which sounds like the plan based on your description. If you do want to place it at or below the OHW, let me know and I can provide more information on requirements.

If you are considering riprap, here is a link to DNR brochure that describes the state rules and criteria in which no DNR permit is required. The primary prerequisite is that the shoreline must be actively eroding. https://files.dnr.state.mn.us/publications/waters/shoreline_alterations_riprap.pdf

There is a real-time lake level gage on White Bear Lake here https://www.dnr.state.mn.us/waters/csg/site_report.html?mode=getsitereport&site=82016700. The most current water level recording is 925.14 ft which is 0.25 ft above the OHW. So you or your contractor may find the gage information helpful in determining if the project location relative the OHW.

Regards,

Jack

John (Jack) Gleason

Minnesota Department of Natural Resources

1200 Warner Rd

St. Paul, MN 55106

Phone: 651-259-5753

Email: john.gleason@state.mn.us

From: Brock Harmon [REDACTED]
Sent: Thursday, July 9, 2020 2:42 PM
To: MN_Info (DNR) <info.dnr@state.mn.us>
Subject: Inquiry re: preserving White Bear Lake shoreline and enhancing property

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Hi --



Brock Harmon [REDACTED]

Mon, Jul 13,
10:43 AM

to Tobin, [REDACTED], MN_Info

Hi John --

Thank you for your feedback.

- 1) The retaining wall is to be above the OHWL ==> therefore this is outside of DNR jurisdiction.

- 2) The shoreline is actively eroding. The plan is to use riprap (no retaining wall) to stabilize the shoreline.
 - > The documentation at the link you provided is helpful and is to be followed, so that no individual DNR permit is needed.

3) I am including my contractor and the City of Birchwood Village in this email chain for their awareness of your feedback.

Thank you!

-- Brock

Brock Harmon

email: [REDACTED]

BJHarmon, Inc.

5. JULY 2020 XCHG WITH WHITE BEAR LAKE CONSERVATION DISTRICT (WBLCD)

Contents of July 2020 email exchange between White Bear Lake Conservation District (WBLCD) and Brock Harmon:

Brock Harmon [REDACTED]

Jul 15, 2020,
6:04 PM

to Scott, White

Hi Kim -- Thanks for the note to talk to Scott.

Hi Scott --

Regarding this project, I have contacted the DNR and also Rice Creek Watershed District. They have indicated that I do not need a permit from either of them.

DNR

- 1) Along the shoreline will be rip-rap (no retaining wall on the shoreline), per the DNR direction for installing rip-rap without an individual permit
- 2) The retaining wall / shed is up away from the water, so is not part of the DNR area of concern

RCWD

- 1) Only a small amount of land (~600 sq ft) is expected to be disturbed for the retaining wall / shed, and there are no wetland impacts or floodplain fill proposed.
- 2) Per the RCWD, a permit from them is therefore not required.

I am attaching three items that may help clarify my plan for your review:

- > Photo of rip-rap concept for shoreline (50' shoreline)
- > 'Floorplan' of retaining walls / shed
- > 3D Site-Drawing with cut-aways

I am attempting to work with the existing/natural rolling slope for locating the retaining walls and minimizing the amount of soil to move. The address = 251 Wildwood Ave in Birchwood.

Scott, please confirm your receipt of this email and let me know what further information you may need for the WBLCD review of this project plan.

Thank you!

-- Brock

email: [REDACTED]

phone: [REDACTED] [land-line, has answering machine if I am unable to get to the phone, no texting (sorry)]

Brock Harmon

email: [REDACTED]

BJHarmon, Inc.

3 Attachments



Scott Costello

Jul 15, 2020,
6:32 PM

to me, White

Hi Brock,

The WBLCD has no jurisdiction here. We cover only what can go in the water, like docks and boats. If you have clearance from the DNR and RCWD, you are good to go to Birchwood for whatever they require.

HARMON – 251 WILDWOOD AVENUE –CONDITIONAL USE PERMIT REQUEST SUPPORT – OCTOBER, 2020

I have a friend who is installing riprap in the Snyder Bay Area of the lake, and he told me he did get a DNR permit. But if you asked them and they said you don't need one, go with that.

Be glad you don't live in the City of White Bear Lake—they have gotten very fussy about shoreline and retaining walls near the lake.

Good luck with your project!

Sent from Scott Costello's iPhone

On Jul 15, 2020, at 6:05 PM, Brock Harmon <brock.harmon7@gmail.com> wrote:

<IMG_4640.jpeg>
<Harmon Floorplan 07102020.pdf>
<Harmon - Shed Design Pic 1_2.jpg>



Brock Harmon [REDACTED]

Jul 15, 2020,
9:12 PM

to Tobin, [REDACTED], Scott, White

Hi Scott --

Thank you very much for your review of my project and confirmation that WBLCD does not have jurisdiction on this project.

I am cc'ing Tobin at the City of Birchwood Village, along with my contractor, so that they are in the loop with your feedback too.

Thanks for your support!

-- Brock

Brock Harmon
email: [REDACTED]
BJHarmon, Inc.

C. CONDITIONAL USE PERMIT REQUEST -- DETAILS

1. APPLICANTS:

- 1) Name: Brock Harmon (Son of Trude Harmon)
- 2) Address: 251 Wildwood Avenue, City of Birchwood Village, MN 55110
- 3) Home Phone (Brock) – [REDACTED]

2. ADDRESS OF PROPERTY IF DIFFERENT FROM ABOVE

- 1) SAME

3. APPLICANTS' INTEREST IN THE PROPERTY

- 1) Continuation of five generations of family ownership and use, since early 1900s
- 2) Goal to preserve lakefront that is eroding from higher water levels
- 3) Goal to enable full and reasonable enjoyment of lake property

4. PERMIT FOR:

- 1) Land Disturbance:
 1. See 'Description of Use'

5. AREA/VOLUME/CAPACITY/TYPE OF USE:

- 1) Install Rip-Rap with Steps for Shoreline:
 1. See 'Description of Use'

6. DIMENSIONS:

- 1) Sq. Feet: 300 sq. ft.
- 2) Length: 50 foot length of shoreline
- 3) Width: 6 foot width at shoreline, crossing OHWL per MN-DNR guidelines
- 4) Height: From 6" up to 18"

7. LEGAL SITE LOCATION:

- 1) Description: Lot 10, Block 5, Lakewood Park First Division, Washington County, Minnesota
- 2) PIN: 30.030.21.21.0036
- 3) Proximity to Wetlands or Lakeshore: At the shoreline of White Bear Lake

8. SETBACKS:

- 1) Front Yard – n/a to project
- 2) Rear Yard – OHWL – 0 feet for Rip-Rap and Steps
- 3) Side Yard (1) – 10 feet for Steps, 0 feet for Rip-Rap
- 4) Side Yard (2) -- 10 feet for Steps, n/a for Rip-Rap

9. PROPOSED PERCENT IMPERVIOUS SURFACE OF THE LOT (UPON COMPLETION):

- 1) 10.6%:

10. DESCRIPTION OF USE:

1) **Rip-Rap with Steps for Shoreline**

- a. Rip-Rap installation to include stabilizing/filter fabric and 6"-18" clean field stone along 50' shoreline
 - i. We have already lost 2-3 feet of water's edge bank due to higher lake levels and wave action
 - ii. Follow MN-DNR guidelines for addressing stabilization of actively eroding shoreline
- b. Two sets of steps (to obtain safe access between water and shore amongst Rip-Rap)
 - i. Install 2 sets of 3 – 6" tall risers of RockStep Units through the rock shoreline.
 - ii. Units are preformed, 6" tall by 36-38" wide and 18-20" deep
 - iii. Steps to be anchored/supported through installation of helical screw pilings as suggested by Steven Thatcher, City Engineer

2) **Attach Scaled Site Plan**

- a. See Diagrams Section, Page A-1

3) **See Diagrams Section [A] for additional references**

D. CITY CODES

1. PROJECT RELATED CITY CODES:

1) PROJECT RELATED CITY CODE DETAILS:

1. **Section 300.020 DEFINITIONS.** For the purpose of Chapters 300 through 399 certain terms and words are hereby defined as follows:
 - a. “38. Ordinary High Water Level. An elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial.”
 - b. “45. Setback. The minimum horizontal distance between a structure and an ordinary high water level, street, road or highway right-of-way or property line.”
 - c. “59. Wetland. An area where water stands near, at, or above the solid surface during a significant portion of most years, saturating the solid surface and supporting a predominantly aquatic form of vegetation. . . . White Bear Lake is not included as a "wetland" within this definition.”
2. **Section 301.070 CONDITIONAL USES.** “Certain accessory uses permitted within the City have greater than usual chances to present safety hazards, impact on neighboring people and property, and nuisance situations. Because of these greater effects, the City requires these uses to be covered under Conditional Use Permits. Applications for Conditional Use Permits must comply with all provisions of Section 306. CONDITIONAL USE PERMITS. 1. A Conditional Use Permit shall be required for the following projects: a. Any land disturbance activity where the slope is toward a lake, pond, wetland, or watercourse leading to such waters, and the alteration is closer to such waters than the structure setback requirement. See Note at end of Section 301.070. 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.”
 - a. The note at end of Section 301.070 states: “NOTE: A separate Conditional Use Permit is not required for a land disturbance activity in conjunction with construction as part of a building permit as granted. However, as part of the Building Permit Application, the applicant shall provide information required pursuant to Section 306.030 and shall follow all provisions of Sections 302.050 IMPERVIOUS SURFACES and 302.055 LAND DISTURBANCE ACTIVITY STANDARDS.”
3. **Section 302.055. LAND DISTURBANCE ACTIVITY STANDARDS**
 - a. “ 6. Placement of natural rock riprap, including associated grading of the shoreline and placement of a filter blanket, is permitted if the finished slope does not exceed three (3) feet horizontal to one (1) foot vertical, the landward extent of the riprap is within ten (10) feet of the ordinary high water level, and the height of the riprap above the ordinary high water level does not exceed three (3) feet. “
4. **Section 302.080. STAIRS AND LIFTS TO LAKE OR WATER BODY - STANDARDS**
 - a. “A stairway or lift to enable access from land properties to White Bear Lake or pond or recreational body of water shall be constructed and maintained in compliance with the standards and requirements of Section 302.080 parts 2 and 3.”
 - b. “2. Standards and requirements for stairways are as follows:”
 - i. a. Stairways may not exceed 44 inches in width.
 - ii. b. Landings may be permitted at a minimum vertical interval of 20 feet.
 - iii. c. Landings may not exceed 32 square feet in area.
 - iv. d. Handrails are recommended, however they shall not unduly obstruct the view by neighboring properties.
 - v. e. Canopies or roofs are not permitted on stairways or landings.
 - vi. f. Stairways shall be anchored and supported with pilings or footings.

- vii. g. The applicant must submit a plan for the stairway to the City of Birchwood Village showing all necessary construction data including location, design, dimensions and construction materials before construction may begin.
- viii. h. Steps must comply with all setback requirements except the setback from the high water mark. “

**CITY OF BIRCHWOOD VILLAGE
MEMORANDUM
Conditional Use Permit Application**

TO: Birchwood Village Planning Commission

FROM: Thatcher Engineering, Inc.

DATE: September 17, 2020

APPLICANT: Brock Harmon (Trude Harmon's son), 251 Wildwood Avenue, Birchwood Village

REGARDING: Conditional Use Permit Application

LOCATION: 251 Wildwood Avenue

BACKGROUND

On September 12, 2020, the Applicant submitted a Conditional Use Permit (CUP) application dated September 3, 2020 to the City of Birchwood Village.

REQUEST

The Applicant requests a CUP for the following:

1. Riprap rock and two (2) stairways (3 steps per stairway) for the White Bear Lake shoreline.
2. Land disturbance activity (LDA) 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.
3. 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, per Code Section 301.070.1.b.

The purpose of the riprap rock is to preserve the lakefront from soil erosion because of high water level. The purpose of the two (2) stairways is to provide safe access through the riprap rock from the land to the lake. The location of the proposed riprap rock and both stairways is shown in the Applicant's 38 page supporting document dated September 2020.

CITY MAY IMPOSE CONDITIONS

The City may impose conditions as follows:

1. If it grants the Conditional Use Permit, the Council may impose conditions it considers necessary to protect the public health, safety and welfare (Code Section 306.080.7).

SITE CHARACTERISTICS

The subject lot is 13,504 square feet in size according to the Washington County web site. The lot is approximately 235 feet deep and 50 feet wide and contains a single-family residence. The lot has access to White Bear Lake which has an ordinary high water level of 924.7 based on City Code.

CITY CODE REQUIREMENTS FOR PERMITTING CUP's

City Code Section 301.070 states:

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

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

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

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

ANALYSIS

The lot has challenges because of the slope to the lake. It's unclear if the slope to the lake on this lot is steeper than the slope to the lake on other lots because a certificate by a registered professional land surveyor with elevation contour lines (the lines show slope to the lake) has not been provided by the Applicant.

Page A-4 of the Applicant's 38 page supporting document dated September 2020 states: "As recommended by Steve Thatcher, City Engineer, to meet city code for step anchor/piling."

1. Steve Thatcher, City Engineer, cannot make recommendations to property owners in the City because it would be a conflict of interest. However, it is the opinion of Thatcher Engineering, Inc. (TEI) that the proposed Helical Screw Piles and L-Brackets installed by an experienced contractor meet the requirements of Code Section 302.080.2.f "Stairways shall be anchored and supported with pilings or footings."

Page B-6 of the Applicant's 38 page supporting document dated September 2020 states: "I estimate the total surface area of the land that is disturbed to be about 600 square feet." The land disturbance activity is estimated by TEI to be greater than four hundred (400) square feet based on the same page.

REASONS FOR RECOMMENDING CUP APPROVAL

CUP requests #1, #2, and #3:

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 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.

REASONS FOR RECOMMENDING CUP DENIAL

CUP requests #1, #2, and #3:

1. The proposal is not consistent with the City's Comprehensive Plan.
2. The proposal is not consistent with existing and future land uses in the area.
3. The proposal does not conform to the Zoning Code requirements.
4. The proposed action will:
 - 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 the existing public services or the capacity of the City to serve the area.
 - f. Alter traffic generation beyond the capabilities of the streets serving the site.

CONDITIONS

1. Placement of natural rock riprap, including associated grading of the shoreline and placement of a filter blanket, is permitted if the finished slope does not exceed three (3) feet horizontal to one (1) foot vertical, the landward extent of the riprap is within ten (10) feet of the ordinary high water level, and the height of the riprap above the ordinary high water level does not exceed three (3) feet (Code Section 302.055.2.a.6).
2. Each CUP issued by the City shall be recorded with the County Recorder (Code Section 306.080.9).
3. A Conditional Use Permit shall become null and void one year after it was granted, unless made use of within the year, or a longer period of time if prescribed by the Council at the time the permit is issued (Code Section 306.090.2).
4. If approved, a CUP may be approved subject to the following conditions:
 - a. The Council may require posting of a bond or other guarantee to insure compliance with its conditions (Code Section 306.080.8).
 - b. All application materials, maps, drawings and descriptive information submitted with this application shall become part of the CUP.
 - c. Land alteration may not cause adverse impact upon abutting property.

Tobin Lay

From: Birchwood Dock Association <birchwooddocks@gmail.com>
Sent: Saturday, October 3, 2020 10:19 PM
To: Tobin Lay
Cc: Mary Wingfield; Jessi Aakre; Dana Klimp; Lynn Hanson; Alicia Jackola; Jim Berg; David Heiden
Subject: Birchwood Docks Association - Dock Permit Application Package

Caution: This email originated outside our organization; please use caution.

Good evening Tobin,

Please see the attached "Birchwood Docks Association Permit Application Package.pdf" as submission prior to the October 13th council meeting per 617.350.

In addition, the Birchwood Docks Association would like to formally discuss three items with the City Council to change the code 617:

- To gaining an understanding of where recent spending of the Parks Special Revenue Fund has gone, and codify community-wide communication of the Fund, what it has accomplished, and its source.
- To Increasing the boat length limit for Birch Beach to 25' and Elm Beach to 22'
- To allow more than one slip per household when slips are not otherwise filled.

I understand that Jessi Aakre is moving out of Birchwood and will not be running for council again. That will be a large loss to the City. Jessi was our liaison, so I suggest this may be a good activity to break in a new liaison with Jessi's remaining time on council.

Thank you very much for everything! Please let me know if you have any questions.

-David Heiden

242 Wildwood Ave

Birchwood Docks Association President

APPROVAL FORM FOR ASSOCIATION DOCK PLANS

CITY OF BIRCHWOOD VILLAGE

(TO BE SUBMITTED TO CITY CLERK 10 DAYS PRIOR TO OCTOBER COUNCIL MEETING)

Date of entry: 03OCT2020

Dock Association Name: Birchwood Docks Association

Dock Association Contact Person: David Heiden

Dock Association Contact Phone: 651-399-1436

Dock Association Officers:

President: David Heiden Phone: 6513991436

Vice President: Dana Klimp Phone: 651-653-1148

Secretary: Alicia Jackola Phone: 612-214-3816

Treasurer: Lynn Hanson Phone: 612-209-3055

Member at Large: Jim Berg Phone: 651-260-9333

Dock Permit Application Package Checklist:

- Association Bylaws, if not previously submitted
 - Attached No Change
- Current Treasurer's Report
- Minutes of the Dock Associations meetings(s) for the past year
 - Spring Fall
- Dock Association Officer List
 - Complaint contact identified
- Dock Association Membership Dues
- Current Dock Association Members (indicating total boating seasons)
- Planned repairs or improvements reports
 - Attached No Change
- Scale drawings for each proposed dock
- Plans for winter storage of Dock Association lifts, docks and other property
 - Plans to store lifts, docks and other property on easements as in years past
- Completed WBLCD dock license application

21-Mar	Balance Spring Meeting 4-4-2020		\$	26,135.38	3-21-2020 Balance	
	Wait List Deposits Held - 9 @ \$200	\$	1,800.00	\$	27,935.38	
Apr-20	Deposits	\$	3,875.00	\$	31,810.38	
17-Apr	WB Rental Metal Detector	\$	(20.86)	\$	31,789.52	
20-Apr	Vibo Marine - Ladder, 4 posts	\$	(360.53)	\$	31,428.99	
14-Apr	Service Charge	\$	(5.00)	\$	31,423.99	
6-Apr	City of Birchwood - 17 Slips	\$	(12,750.00)	\$	18,673.99	4-30-2020 Balance
5-May	Miller Mobile - Dock install	\$	(3,150.00)	\$	15,523.99	
14-May	Service Charge	\$	(5.00)	\$	15,518.99	
20-May	Deposits	\$	5,340.00	\$	20,858.99	
20-May	Vibo Marine - x braces for dock ends	\$	(232.85)	\$	20,626.14	
26-May	Birchwood Village - Dock slips	\$	(4,500.00)	\$	16,126.14	5-29-2020 Balance
12-Jun	Service Charge	\$	(5.00)	\$	16,121.14	
15-Jun	Vibo - dock Ladder	\$	(120.00)	\$	16,001.14	6-30-2020 Balance
14-Jul	Service Charge	\$	(5.00)	\$	15,996.14	
16-Jul	Menards - Dellwood Bench repair	\$	(42.56)	\$	15,953.58	7-31-2020 Balance
11-Aug	Deposits	\$	35.00	\$	15,988.58	
14-Aug	Service Charge	\$	(5.00)	\$	15,983.58	8-31-2020 Balance
15-Sep	Service Charge	\$	(5.00)	\$	15,978.58	9-30-2020 Balance
				\$	15,978.58	
	Wait List Deposits Held - 7 @ \$200	\$	(1,400.00)	\$	14,578.58	
	Dock out Estimated	\$	(3,300.00)	\$	11,278.58	
	Insurance 2021 Estimated	\$	(2,400.00)	\$	8,878.58	
				\$	8,878.58	
Balance Fall Meeting 10-3-2020				\$	8,878.58	9-30-2020 Balance

Fall Meeting - 2021 Budget
Budget 23 Slips - 2021 - City Fee \$750

		Annual	Dues		City	
		Non Slip	Dock Slip Fee	Dock & Slip Fee	Slip/Storage Fee	
		\$ 35.00	\$ 1,300	\$ 1,300.00	\$ 750	
Dock - Boats	Applied for		Dock Only Members	Slips used 2020		
Ash - 8	6	\$ 180.00		6	2011 Slip Fee's	\$ 685.00 \$ 985.00
Birch - 10	9	\$ 350.00		8	2012 Slip Fee's	\$ 685.00 \$ 985.00
Elm - 6	4	\$ 60.00		2	2013 Slip Fee's	\$ 650.00 \$ 950.00
Dellwood - 8	8	\$ 240.00		7	2014 Slip Fee's	\$ 650.00 \$ 950.00
					2015 Slip Fee's	\$ 650.00 \$ 950.00
					2016 Slip Fee's	\$ 650.00 \$ 950.00
32 Boats	27	\$ 830.00	0	23	2017 Slip Fee's	\$ 650.00 \$ 950.00
			\$ -	\$ 29,900	2018 Slip Fee's	\$ 1,300.00 \$ 1,300.00
				\$ 29,900	2019 Slip Fee's	\$ 1,300.00 \$ 1,300.00
					2020 Slip Fee's	\$ 1,300.00 \$ 1,300.00
					2021 Slip Fee's	\$ 1,300.00 \$ 1,300.00

<u>City Revenue</u>	
City Dock Fee	
City Slip Fee \$650	\$ 14,950
Storage \$100	\$ 2,300
City Revenue	\$ 17,250

<u>Assoc. Expenses</u>	
WBLCDC -Docks - 25 Boats	\$ 900
City Dock Application Fee	
Insurance	\$ 2,400
Dock & Lifts in / out	\$ 6,300
Dock Purchase Funding	\$ 2,500
City Slip/Storage Fee's	\$ 17,250
Office Supplies - Postage	\$ 250
Dock Maint. / Misc.	\$ 150
Assoc. Expenses	\$ 29,750

<u>Assoc. Revenue</u>	
Dock Only Dues	\$ -
Slip Fee's	\$ 29,900
Assoc. Revenue	\$ 29,900
Assoc. Expenses	\$ 29,750
Budget Balance	\$ 150

<u>Deck Replacement Estimates</u>		Total Ln. Ft.				
Aluminum Decking 460' (416' + sh	460	115	sections			
		\$ 178.00	\$165 + tax			
Vibo Marine = \$160		\$ 20,470.00	\$ 3,500.00	6	Years	
		\$ 20,470.00	\$ 1,000.00	20	Years	
		\$ 20,470.00	\$ 1,500.00	14	Years	

<u>From Waters Edge</u>						
	<u>Length of Docks</u>	<u>Bought</u>	<u>Length</u>	<u>Sections</u>	<u>Price</u>	<u>Decking Cost</u>
Ash	100	2011	104	29	\$ 180	\$ 5,220
Birch	116	2017	116	32	\$ 181	\$ 5,792
Elm	70	2017	64	19	\$ 182	\$ 3,458
Dellwood	130	2015	134	36.5	\$ 183	\$ 6,680
						\$ 21,150

BDA Spring Meeting

April 4, 2020 Zoom Call

President Heiden opened the meeting at 9:35 am.

Minutes of September 7, 2019 meeting were approved.

Treasurer Report (attached)

The fee for a boat slip is \$1300. \$750 of that goes to the Village and includes lift storage.

Boat Slip Assignments & Waitlist

Slips remain open at Dellwood and Ash.

New this year – jet skis are allowed (2 per slip) in an effort to keep slips full.

Waitlist remains for Birch.

Other New Business

Proposed dock slip dues of \$1,550 for 2021. Discuss at the fall meeting.

Member at Large needed. Jim Berg volunteered.

Updates

Need to talk to the city about removing the extra trees at Birch shoreline.

Continue to discuss the possibility of making one of the docks available for 20' boats.

Dellwood dock was unsecure due to deeper water last year. Try to make it less wobbly at install this year. Also, make sure ladder is attached to the dock this year.

Dock In Date

The docks will be in the lake between April 27th-May 1st

Dock Managers:

Elm – Dana Klimp

Ash – David Heiden

Dellwood – Steve Standish

Birch – Claudio Danus

Closing Notes

Reminder that each slip holder is required to carry \$1M insurance.

Meeting adjourned at 10:30am

Submitted by Alicia Jackola, Secretary

BDA Spring Meeting

October 3, 2020 Zoom Call

President Heiden opened the meeting at 9:35 am.

Minutes of April 4, 2020 meeting were approved.

Old Business Review

Review of dock configuration:

Birch – eight slips (all full in 2020) with the possibility of adding a ninth space for jet ski

Ash – keep at six slips (all full in 2020) due to low water level

Elm – keep two straight slips (full in 2020) and could possibly add a space for small boat or jet ski

Dellwood – keep eight slips (seven used in 2020)

Water level:

Low water level at Ash forced Nephews to take their boat out early. Klimps also had to adjust their lift at Elm to lowest level based on low water level. May need to lengthen dock at Elm in 2021. Dock was shorter than allowed length in 2020.

Treasurer Report (separate document)

Balance at 9/30/20 is approximately \$9,000.

2021 budget was proposed and approved.

Boat Slip Assignments & Waitlist

23 slips filled for the 2020 season. There was one open slip at Dellwood that was not filled.

Several members were assigned slips for the first time in 2020 including a few at Birch.

Currently, there are 10 members on the waitlist including three for Dellwood or Ash.

No members with slips in 2020 have completed their six years. Current slip holders should let David Heiden know by mid-November if they are not planning to use their slip in 2021. Boat renewal payment due by December 15.

New Business:

Proposed Slip Fee Increase

At the spring meeting, dock slip dues of \$1,550 were proposed for 2021. Upon further review with the increase of filled dock slips and budget dollars available for dock replacement, the executive board recommended keeping the dock slip fee at \$1,300.

Dock Out Date

Proposed dock out date is Wednesday, October 21. Plan to have boats out the weekend of October 17-18 and have lifts raised all the way up for lift removal.

Proposals to Change City Code 617

- Increasing awareness of where the BDA funds go
- Increasing the limit for Birch Beach to 25' (boat length)
- Increasing the limit for Elm to 22' (boat length for straight slips)
- Allowing more than one slip per household when slips are not otherwise filled

Executive Board Nominations Approved for 2021:

President	David Heiden
Vice President	Dana Klimp
Treasurer	Lynn Hanson
Secretary	Alicia Jackola
Member at Large	Jim Berg

Other Notes:

Meeting attendees included David Heiden, Dana Klimp, Lynn Hanson, Alicia Jackola, Jim Berg, Alan Mitchell, Claudio Danus, Curtis Schuler, Donna Cardozo, Dyanne Ross-Hanson, Jennifer Tell, Justin McCarthy, Mark, Paul Steinhauser, Phil S, Sara & Nick Nephew, Steve Standish, Trevor Morehead

Meeting adjourned at 10:15am

Submitted by Alicia Jackola, Secretary

Birchwood Dock Association Officers - 2021

President

David Heiden
242 Wildwood Ave 651-399-1436 david.m.heiden@gmail.com

Vice President

Dana Klimp
414 Birchwood Ct. 651-653-1184 danaklimp@comcast.net

Treasurer

Lynn Hanson
700 Hall Ave. 612-209-3055 lhanson54@comcast.net

Secretary

Alicia Jackola
15 Oakridge Drive 612-214-3816 aliciajackola@hotmail.com

Member at Large

Jim Berg 651-260-9333 Jim@twincitiesmagic.com

Complaint Managers

David Heiden 651-399-1436
Dana Klimp 651-653-1184

	<u>Birchwood Dock</u>	<u>Association</u>		<u>9/28/2020</u>		
	<u>First Name</u>	<u>Last Name</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
	Birchwood Dock	Association	242 Wildwood	Birchwood	MN	55110
1	John & Martha	Arlandson	19 Oakridge Dr.	Birchwood	MN	55110
2	Samantha	Arsenault	Mick Hughes	Birchwood	MN	55110
3	Jim & Judy	Berg	889 Barbara Court	Mendota Heights	MN	55118
4	Smith	Bradley	232 Wildwood Ave.	Birchwood	MN	55110
5	Ross & Donna	Cardozo	139 Birchwood Ave.	Birchwood	MN	55110
6	Houston	Clinch	164 Wildwood Ave.	Birchwood	MN	55110
7	Dan & Lianna	Colestock	265 Cedar St.	Birchwood	MN	55110
8	Sandy & Claudio	Danus	430 Wildwood Ave.	Birchwood	MN	55110
9	John	Elias	9 Oakhill Ct.	Birchwood	MN	55110
10	Randy & Jackie	Felt	286 Jay St.	Birchwood	MN	55110
11	Aaron Will & Tara	Fernholz	212 Birch Street	Birchwood	MN	55110
12	Stephen & Nancy	Ferry	191 Wildwood Ave.	Birchwood	MN	55110
13	Mark & Jill	Greseth	214 Wildwood Ave.	Birchwood	MN	55110
14	Lynn & Dyanne	Hanson	700 Hall Ave.	Birchwood	MN	55110
15	David & Steph	Heiden	242 Wildwood	Birchwood	MN	55110
16	Andrew & Alicia	Jackola	15 Oakridge Drive	Birchwood	MN	55110
17	Wayne	Kazmierczak	140 Birchwood Ave	Birchwood	MN	55110
18	Dana & Lori	Klimp	414 Birchwood Ct	Birchwood	MN	55110
19	Roger & Donna	Madison	158 Wildwood Ave.	Birchwood	MN	55110
20	Ron	Malles	420 Wildwood Ave.	Birchwood	MN	55110
21	Charles	Moore	421 Birchwood Court	Birchwood	MN	55110
22	Troy & Naomi	Morehead	505 Wildwood Ave	Birchwood	MN	55110
23	Nich & Sara	Nephew	20 Birchwood Ave	Birchwood	MN	55110
24	Urho & Pam	Rahkola	4785 Hodgson Rd. #324	Shoreview	MN	55123
25	Megan	Schauhausen	240 Wildwood Ave	Birchwood	MN	55110
26	Curt & Rachel	Schuler	22 Oakridge Dr	Birchwood	MN	55110
27	Mary Sue	Simmons	418 Birchwood Ct.	Birchwood	MN	55110
28	Chris	Sorenson	5 Oakridge Dr.	Birchwood	MN	55110
29	Stephen & Nancy	Standish	112 Cedar St.	Birchwood	MN	55110
30	Paul & Meryl	Steinhauser	600 Birchwood Ave.	Birchwood	MN	55110
31	Phil	Sutherlund	106 Wildwood Ave	Birchwood	MN	55110
32	Tyler & Ann	Theno	Samantha Arsenault	Birchwood	MN	55110
33	Ted & Joanne	Thornquist	205 Wildwood Ave.	Birchwood	MN	55110
34	Cathryn	Wandmacher	415 Wildwood Ave.	Birchwood	MN	55110

2021 Birchwood Dock Association Slip Assignments

10/3/2020

	Status	Name	Address	Phone	E-mail	Years Used	Years Remaining
Ash (<19')							
1	assigned	Wayne Kazmierczak	140 Birchwood Ave			1	5
2	assigned	Roger Madison	158 Wildwood Ave			4	2
3	assigned	Dan & Lianna Colestock	265 Cedar			3	3
4	assigned	Chris Sorenson	5 Oakridge Dr			4	2
5	assigned	Steph and David Heiden	242 Wildwood Ave			5	1
6	assigned	Nick & Sara Nephew	20 Birchwood Ave			0.7	6
Birch (<22')							
1	assigned	Houstoun Clinch	164 Wildwood Ave			5	1
2	assigned	Lynn Hanson	700 Hall Ave			2	4
3	assigned	Troy Morehead	505 Wildwood Ave			1	5
4	assigned	Curt & Rachel Schuler	22 Oakridge Dr			1	5
5	assigned	Claudio Danus	430 Wildwood Ave			3.6	3
6	assigned	Andrew & Alicia Jackola	15 Oakridge Dr			1	5
7	assigned	Aaron Will	212 Birch St			1	5
8	assigned	Mark & Jill Greseth	214 Wildwood Ave			3	3
Dellwood (<19')							
1	assigned	Megan Schaffhausen	240 Wildwood Ave			2	4
2	assigned	Smith Bradley	232 Wildwood Ave			1	5
3	assigned	Paul Steinhauer	600 Birchwood Ave			4	2
4	assigned	Nancy Standish	112 Cedar Street			1	5
5	assigned	John Arlandson	19 Oakridge Dr			3	3
6	assigned	Samantha Arsenault	3980 E County Line			1	5
7	assigned	Mick Hughes	725 Birchwood Ave			1	5
Elm (<19')							
1	assigned	John Elias	9 Oakhill Ct			4	2
2	assigned	Dana & Lori Klimp	414 Birchwood Cts			4	2

**Birchwood Docks Association
2020 Wait List**

**Updated
9/25/2020**

Current Position	Name	Date added to	Easement Desired
1	Laura Manske	2/22/2011	
2	John McCormick	2/22/2011	
3	Jason Tell	10/17/2015	Birch
4	Phil Sutherland	10/14/2016	
5	Tami Heart	10/31/2016	
6	David Howard	8/16/2018	Birch
7	John Warner	3/21/2019	Birch
8	Donna Cardozo	5/4/2020	Ash
9	Mark and Mary Jo Schaffhausen	8/25/2020	Dellwood
10	Trevor Morehead	9/24/2020	Dellwood

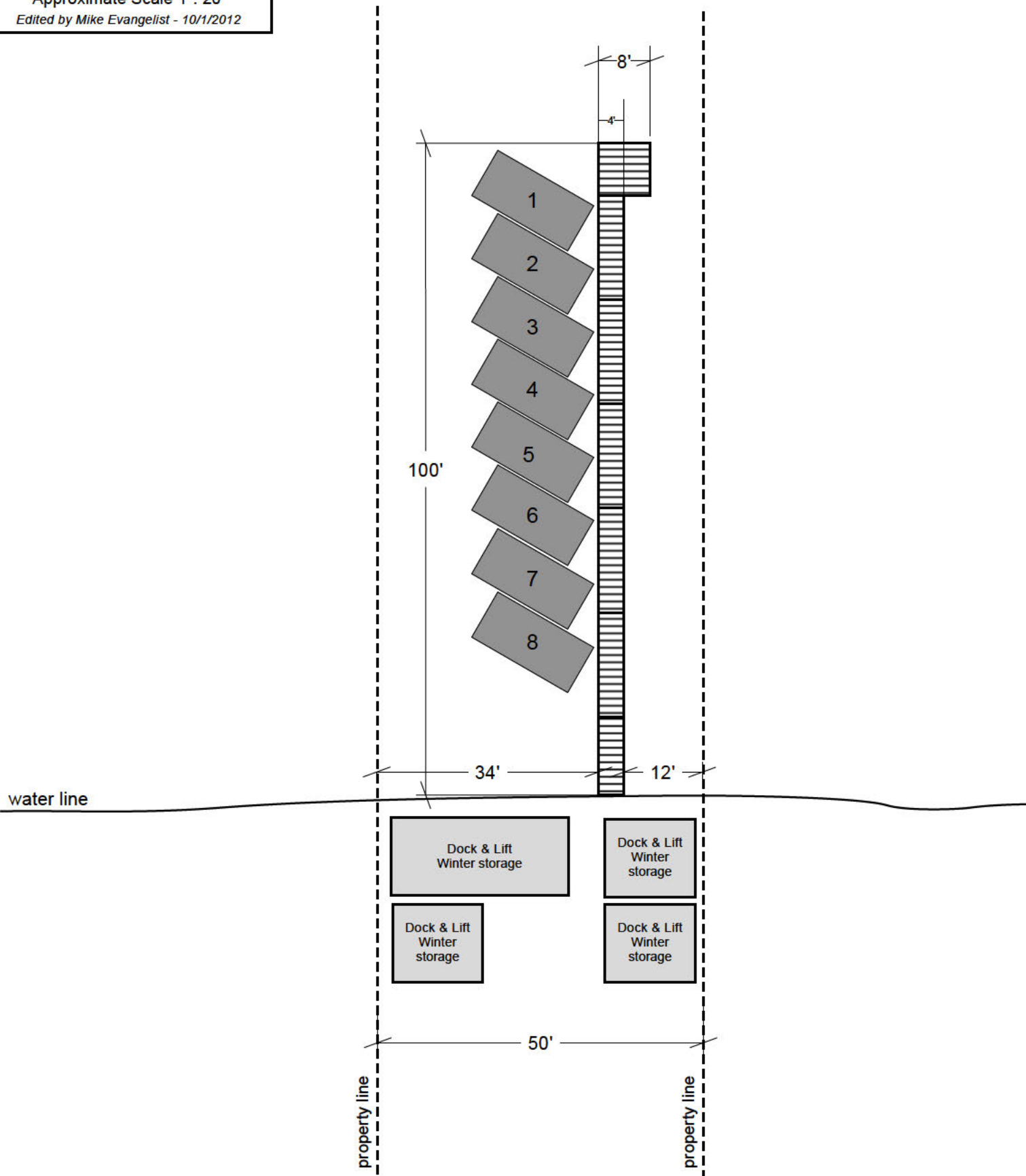
2020 Assigned Slips

Former Position	Name	Date Added to	Assignment
6	Aaron Will	7/31/2017	Birch
7	Nick & Sara Nephew	9/18/2017	Ash
8	Curt & Rachel Schuler	10/2/2017	Birch
11	Nancy Standish	9/19/2019	Dellwood
12	Wayne Kazmierczak	3/30/2020	Ash

Ash Beach

Approximate Scale 1": 20'

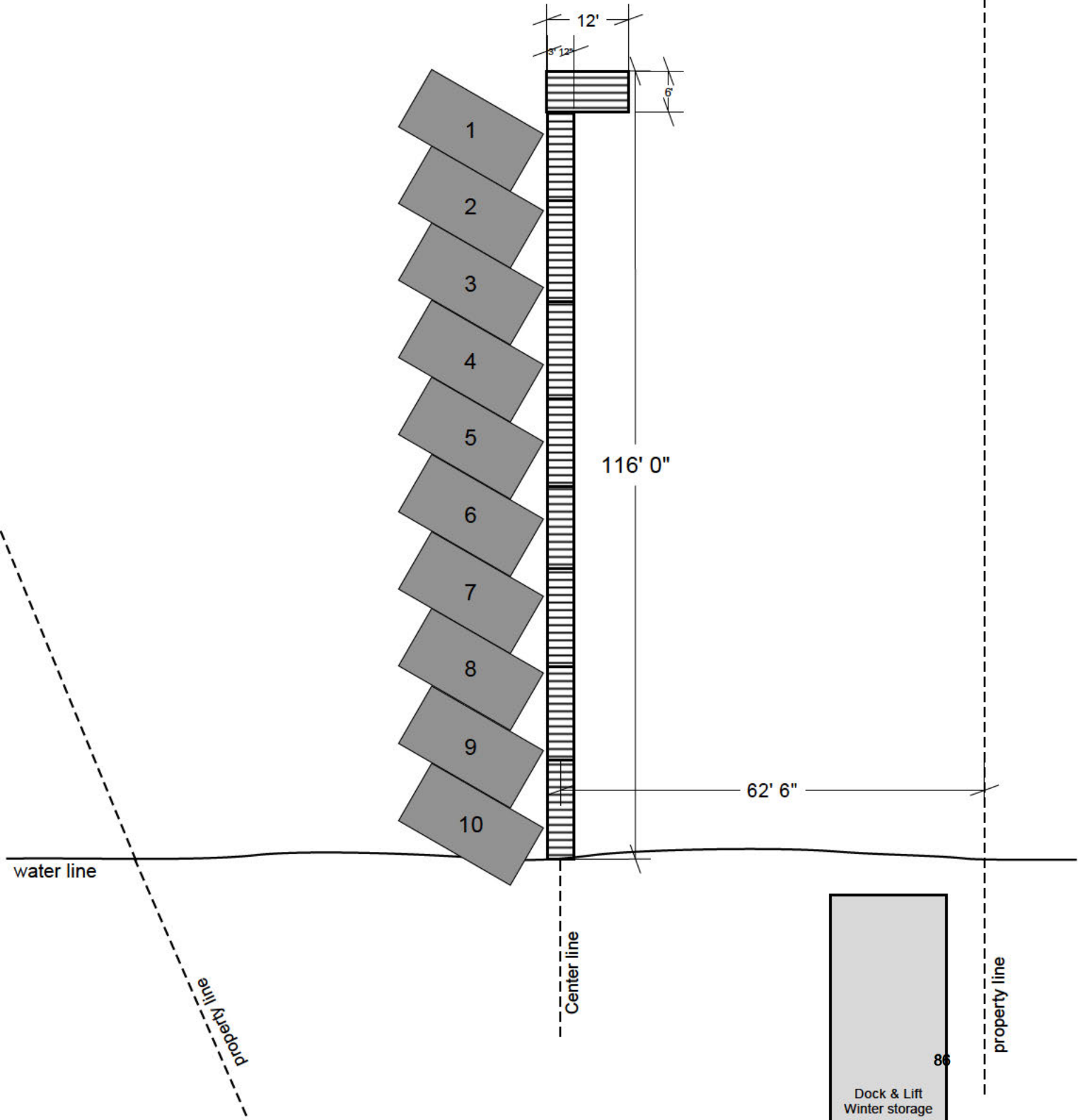
Edited by Mike Evangelist - 10/1/2012



Birch Beach

Approximate Scale 1": 20'

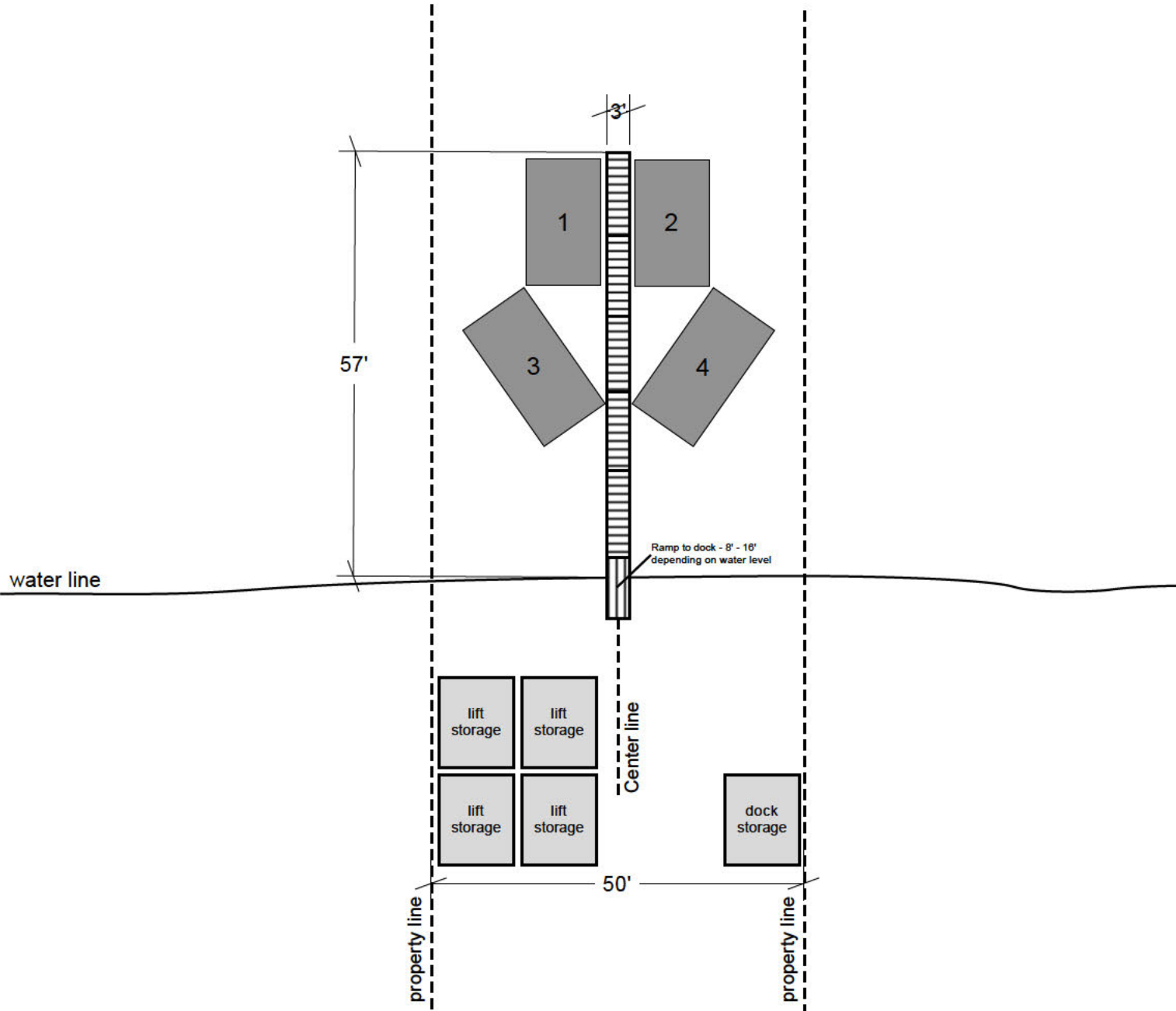
Edited by Mike Evangelist - 8/25/2012



Elm Beach

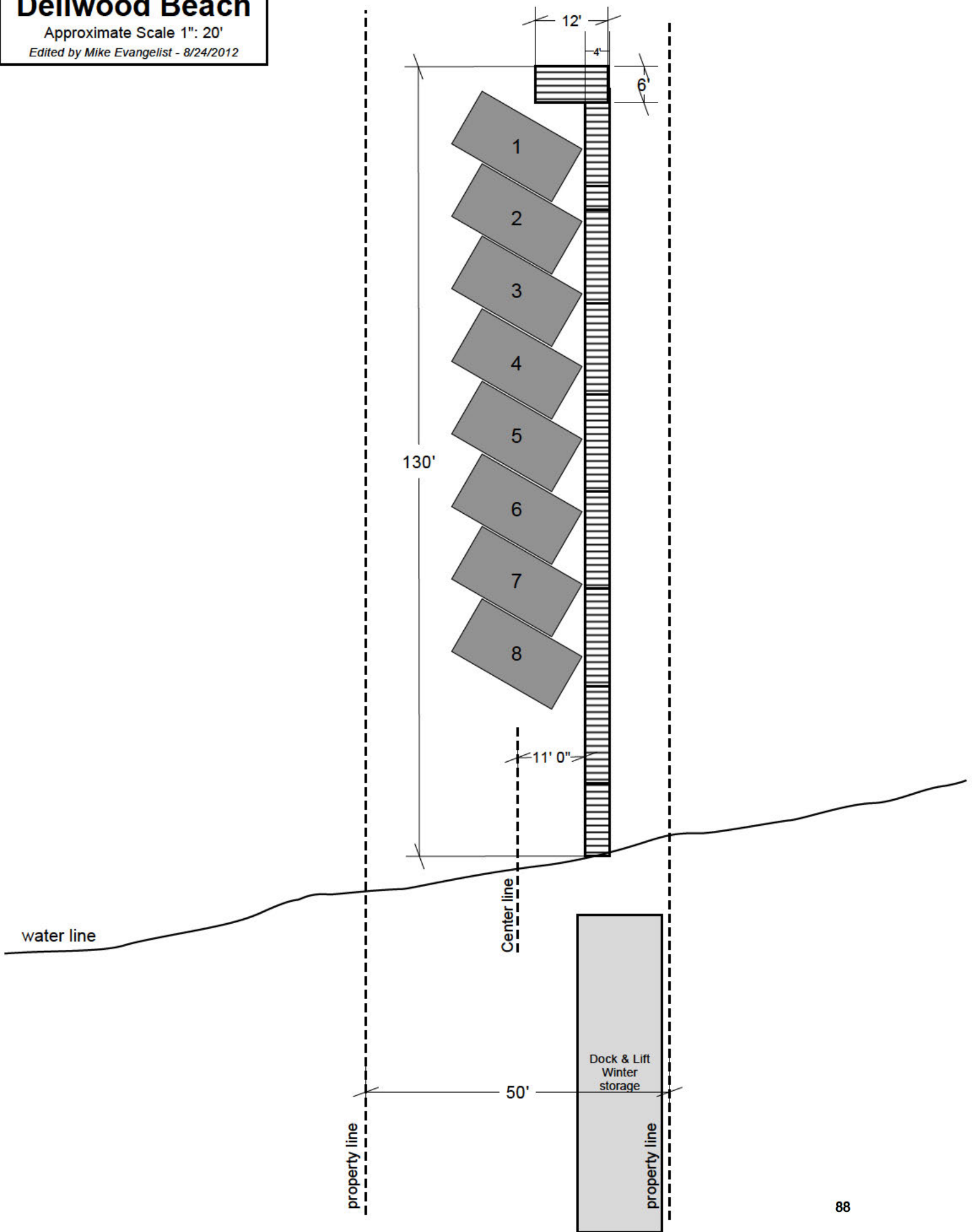
Approximate Scale 1": 20'

Edited by Mike Evangelist - 10/1/2012



Dellwood Beach

Approximate Scale 1": 20'
Edited by Mike Evangelist - 8/24/2012





Revised 7/18/19
FORM #5: Application for new or renewed multiple user dock, ramp, mooring, and/or permanent structure license. Governed by WBLCD Ordinance #5/12

Office Use Only

Application Number: _____ Other permits obtained Yes No

Date Received in Office _____ Insurance Yes No

Amount of Fee Received \$ _____ Balance Due \$ _____

Approval Date _____ Conditions/Stipulations Yes No

(Type or print all of the following information in black ink to insure good copies)

1. STATUS New **Renewal--Identical to last year**
 Renewal--Changed from last year

(NOTE: All next year renewals are due by October 15 this year, to avoid Late Fee.)

2. SITE OWNER INFORMATION:

Name City of Birchwood Village **Day Phone** _____
Street Address 207 Birchwood Ave **Evening Phone** _____
City Birchwood Village **State** MN **Zip** 55110
Email: _____

3. APPLICANT INFORMATION (if different from owner)

Name Birchwood Dock Association. David Heiden **Day Phone** 651-399-1436
Street Address 242 Wildwood Ave **Evening Phone** _____
City Birchwood Village **State** MN **Zip** 55110

[The above site information describes property which is riparian to White Bear Lake; and applies pursuant to White Bear Lake Conservation District's Ordinance #5/12 for a new, renewed or revised Multiple Dock, Ramp or Mooring License, in accordance with all data and other information submitted herewith and made a part hereof.]

4. DRAWING INFORMATION The following must accompany all applications, please check boxes for each as you attach them to the application. All must include accurate dock or structure lengths, widths, or mooring positions. If neighboring Authorized Dock Use Areas (ADUAs) have docks or other structures in the lake--accurately show their position on your drawing. Indicate your ADUA with a dashed line. The line may start from where your property lines touch the shoreline and should surround the area you intend to use

- Certified survey and legal description (Note: if certified survey is not available, a drawing (to scale) may be acceptable if accurate and detailed.

- Site plan of structure to overlay survey Dock or structure construction detail sheet
- Gas storage detail sheet (if applicable)

5. MULTIPLE USER TYPE: (Please check one)

- Outlot Association
- Multiple Dwelling
- Municipal
- Private Municipal
- Commercial Marina
- Private Club
- Other (please explain) _____

6. SITE USAGE:

A. Intended use of facility: Provide boating and swimming access to WBL for property owners of Birchwood Village. This includes docks and boat slips.

B. Current use of facility: _____

C. Historical use of facility: _____

7. ABUTTING PROPERTY OWNERS: (all lakeshore within 200 feet either side)

North or West Owner(s):

Name _____	Full List Attached	Day Phone _____
Mailing Address _____		Evening Phone _____
City _____		State ___ Zip _____

Name _____	Day Phone _____
Mailing Address _____	Evening Phone _____
City _____	State ___ Zip _____

South or East Owner(s):

Name _____	Day Phone _____
Mailing Address _____	Evening Phone _____
City _____	State ___ Zip _____

Name _____	Day Phone _____
Mailing Address _____	Evening Phone _____
City _____	State ___ Zip _____

Any other affected parties

Name _____	Day Phone _____
Mailing Address _____	Evening Phone _____
City _____	State ___ Zip _____

Updated 9-21-2019

Birchwood Lake Tract Neighbors

	<u>First Name</u>	<u>Last Name</u>	<u>Address</u>	<u>City</u>		<u>Zip</u>	<u>Public Lake Tract</u>	
1	James & Patsy	Ramberg	131 Wildwood Ave.	Birchwood	MN	55110	Ash - Neighbor	West
2	Ross & Evanna	Judkins	135 Wildwood Ave.	Birchwood	MN	55110	Ash - Neighbor	West
3	John	Kruse	139 Wildwood Ave.	Birchwood	MN	55110	Ash - Neighbor	West
4	Cameron	Sigecan	143 Wildwood Ave.	Birchwood	MN	55110	Ash - Neighbor	West
5	Suzanne	Walfoort	145 Wildwood Ave.	Birchwood	MN	55110	Ash - Neighbor	East
6	Robert	Watkins	153 Wildwood Ave.	Birchwood	MN	55110	Ash - Neighbor	East
7	Roger & Mary	Kurtz	159 Wildwood Ave.	Birchwood	MN	55110	Ash - Neighbor	East
8	Timothy	Ehlenz	161 Wildwood Ave.	Birchwood	MN	55110	Ash - Neighbor	East
1	Steven & Nancy	Ferry	191 Wildwood Ave.	Birchwood	MN	55110	Birch - Neighbor	West
2	Nancy	Calderon	195 Wildwood Ave.	Birchwood	MN	55110	Birch - Neighbor	West
3	Keri	Pakonen	199 Wildwood Ave.	Birchwood	MN	55110	Birch - Neighbor	West
4	Thomas & Susan	Schway	201 Wildwood Ave.	Birchwood	MN	55110	Birch - Neighbor	East
5	Ted & Joanne	Thornquist	205 Wildwood Ave.	Birchwood	MN	55110	Birch - Neighbor	East
6	Richard	Galena	217 Wildwood Ave.	Birchwood	MN	55110	Birch - Neighbor	East
7	David Rand & Ann	Butler Vail	221 Wildwood Ave.	Birchwood	MN	55110	Birch - Neighbor	East
1	Kenneth	Broen	243 Wildwood Ave.	Birchwood	MN	55110	Elm - Neighbor	West
2	Trude	Harmon	251 Wildwood Ave.	Birchwood	MN	55110	Elm - Neighbor	West
3	Craig & Peggy	Witthaus	259 Wildwood Ave.	Birchwood	MN	55110	Elm - Neighbor	West
4	Brian	Kraft	267 Wildwood Ave.	Birchwood	MN	55110	Elm - Neighbor	West
5	Ellen Maas & Len	Pratt	301 Wildwood Ave.	Birchwood	MN	55110	Elm - Neighbor	East
6	Darren & Amy	DeYoung	309 Wildwood Ave.	Birchwood	MN	55110	Elm - Neighbor	East
7	Ralph	Liebsch	315 Wildwood Ave.	Birchwood	MN	55101	Elm - Neighbor	East
8	Paul	Edwards	321 Wildwood Ave.	Birchwood	MN	55110	Elm - Neighbor	East
1	Terry & Jessica	Granec	363 Lakewood Lane	Birchwood	MN	55110	Dellwood -Neighbor	West
2	Sharon	Muellerleile	365 Lakewood Lane	Birchwood	MN	55110	Dellwood -Neighbor	West
3	Anthony & Christina	Demars	407 Lake Ave.	Birchwood	MN	55110	Dellwood -Neighbor	West
4	Jerry Carlson & Jackie	Jarosz	409 Lake Ave.	Birchwood	MN	55110	Dellwood -Neighbor	East
5	Don & Kathleen	Madore	413 Lake Ave.	Birchwood	MN	55110	Dellwood -Neighbor	East
6	Coyleen	Davidson	425 Lake Ave.	Birchwood	MN	55110	Dellwood -Neighbor	East

I certify that the information provided herein and the attachments hereto are true and correct statements. I understand that any License issued may be revoked by the District for violation of any WBLCD Code. I agree to reimburse the District for any legal, surveying, engineering, inspection, maintenance or other expenses incurred by the district. I, also, understand that the District may require a deposit to cover these expenses. I consent to permitting officers and agents of the District to enter the premises at all reasonable times to investigate and to determine whether or not there is compliance with the Codes of the District.

Authorized Signature: David Heiden Date 03OCT2020

Print name and title David Heiden, President Phone 651-399-1436

Relationship to riparian owner _____

Any questions, call Administrative Secretary at (651) 429-8520
Email: wblcd@msn.com web page <http://www.wblcd.org>
Return this application and all attachments to: White Bear Lake Conservation District
4701 Highway 61
White Bear Lake, MN 55110
(All applications approved at a board meeting; meetings are held 3rd Tuesday of the month at 7:00 p.m. in White Bear Lake City Hall, council chambers)

Other (Explain) _____

Times open to the public: _____

12. DOCK OR STRUCTURE INFORMATION: *Ash Beach Easement*

- A. Total dock or structure length 100' ft.
B. Length into the lake from water's edge
(including T's and L's) 100' ft.
C. Width of dock or structure 4' ft.
D. Projections from dock or structure:
1. Number of projections 1.
2. Length and width of T's, L's or fingers 4'
3. Other projection(s) _____

13. ADJOINING PROPERTY OWNERS' INFORMATION:

- A. Distance from (including ends of T's and L's)
immediate property lines
North / West 34' ft.
South / East 8' ft.
A. Distance from (including ends of T's and L's)
adjoining docks.
North / West _____ ft.
South / East _____ ft.
C. Lake frontage size of adjoining property owners
North / West _____ ft.
South / East _____ ft.

14. INSURANCE:

Yes No We have Public liability insurance. Amount \$ 2,000,000
Expires (date) _____ Company Ekblad, Pardee & Bewall Inc.
Include a copy with application.

15. PARKING:

Total parking spaces: None Parking not required (explain) _____

16. SANITARY FACILITIES:

Facilities are provided Yes No Number of units: _____

17. PUMPING SERVICE:

Boat toilet pumping service is provided Yes No

18. FEES: (See attached License Fee Schedule attached)

Application Fees:	\$60.00 (not refundable)	\$ <u>60</u>
Each approved slip over 4	\$60.00	\$ <u>120</u>
License deposit (if applicable)		\$ _____
Late fee (renewals only)	Additional \$60 late fee for Applications received after October 15 of current year for next year's license	\$ _____

TOTAL FEE ENCLOSED \$ 180

Ash Beach Easement

19. THIS APPLICATION IS FOR A COMMERCIAL DOCK OR MOORING AREA:

Yes No

If so, an additional \$60 per slip or mooring and an additional \$20 per ramp/skid

is due as follows: 1/2 of number estimated in April

DUE IN APRIL \$ _____

and final 1/2 (or adjusted balance) by the end of August of this license year. DUE END OF AUGUST

\$ _____

TOTAL ENCLOSED \$ _____

**All commercial operations must include a copy of their most current DNR Water Use Permit, City of Compliance from the City of White Bear Lake in regards to parking, drawing of site, and copy of Insurance policy with White Bear Conservation District listed as additional insured and stating your insurance is primary (no contributions will be sought from the additional insured's policy)

20. THIS APPLICATION IS FOR A PERMANENT DOCKS OR STRUCTURES IN THE LAKE

Yes No

If so, License Fee is \$5,000.00 \$ _____

Annual Renewal is \$1,000 \$ _____

TOTAL ENCLOSED \$ _____

8. OTHER PERMITS:

8a. All required permits, licenses and approvals have been obtained from the Minnesota Department of Natural Resources and the municipality in which the access to the structure or the dock, ramp, mooring or other is located:

- Yes Please list: _____

- No Please explain: _____

8b. Commercial Operators: All commercial operators are required to attach a letter of compliance from the municipality in which the access to or the dock, ramp or mooring is located explaining all required permits, licenses and approvals have been obtained,

Birch Beach – Birchwood Village will allow 10 Maximum- Applying for 8

9. MAXIMUM NUMBER OF WATERCRAFT OR VEHICLES:

<u>By Location</u>		<u>By Use</u>	
At slips	<u>8</u>	For rent, lease, etc.	_____
At slides	_____	For service work	_____
At lifts	_____	For company use	_____
At moorings	_____	For private use	<u>8</u>
At tie-ons	_____	For transient use	_____
At off-lake storage	_____	Other (describe)	_____
Other (describe)	_____		
TOTAL	<u>8</u>	TOTAL	<u>8</u>

10. SITE INFORMATION:

Site lake frontage = 125'
 Water depth 100 feet from shore = _____
 200 feet from shore = _____
 300 feet from shore = _____

Water depth above measured on _____ (date)

Ramsey County Lake elevation _____ (date) _____
 (to be filled in by WBLCD)

11. SERVICES PROVIDED: (Check all that apply) *NA*

- | | |
|---------------------------------------|---|
| <input type="checkbox"/> Boat Storage | <input type="checkbox"/> Boat Rentals |
| <input type="checkbox"/> Boat Sales | <input type="checkbox"/> Boat Service |
| <input type="checkbox"/> Restaurant | <input type="checkbox"/> Launching Ramp |

Other (Explain) _____

Times open to the public: _____

12. DOCK OR STRUCTURE INFORMATION: *Birch Beach Easement*

- A. Total dock or structure length 116' ft.
B. Length into the lake from water's edge
(including T's and L's) 116' ft.
C. Width of dock or structure 4' ft.
D. Projections from dock or structure:
1. Number of projections 1
2. Length and width of T's, L's or fingers 8'
3. Other projection(s) _____

13. ADJOINING PROPERTY OWNERS' INFORMATION:

- A. Distance from (including ends of T's and L's)
immediate property lines
North / West 60' ft.
South / East 60' ft.
A. Distance from (including ends of T's and L's)
adjoining docks.
North / West _____ ft.
South / East _____ ft.
C. Lake frontage size of adjoining property owners
North / West _____ ft.
South / East _____ ft.

14. INSURANCE:

Yes No We have Public liability insurance. Amount \$ 2,000,000
Expires (date) _____ Company Ekblad, Pardee & Bewall Inc.
Include a copy with application.

15. PARKING:

Total parking spaces: None Parking not required (explain) _____

16. SANITARY FACILITIES:

Facilities are provided Yes No Number of units: _____

17. PUMPING SERVICE:

Boat toilet pumping service is provided Yes No

18. FEES: (See attached License Fee Schedule attached)

Application Fees:	\$60.00 (not refundable)	\$ <u>60</u>
Each approved slip over 4	\$60.00	\$ <u>240</u>
License deposit (if applicable)		\$ _____
Late fee (renewals only)	Additional \$60 late fee for Applications received after October 15 of current year for next year's license	\$ _____

TOTAL FEE ENCLOSED \$ 300

Birch Beach Easement

19. THIS APPLICATION IS FOR A COMMERCIAL DOCK OR MOORING AREA:

Yes No

If so, an additional \$60 per slip or mooring and an additional \$20 per ramp/skid

is due as follows: 1/2 of number estimated in April

DUE IN APRIL \$ _____

and final 1/2 (or adjusted balance) by the end of August of this license year. DUE END OF AUGUST

\$ _____

TOTAL ENCLOSED \$ _____

**All commercial operations must include a copy of their most current DNR Water Use Permit, City of Compliance from the City of White Bear Lake in regards to parking, drawing of site, and copy of Insurance policy with White Bear Conservation District listed as additional insured and stating your insurance is primary (no contributions will be sought from the additional insured's policy)

20. THIS APPLICATION IS FOR A PERMANENT DOCKS OR STRUCTURES IN THE LAKE

Yes No

If so, License Fee is \$5,000.00 \$ _____

Annual Renewal is \$1,000 \$ _____

TOTAL ENCLOSED \$ _____

8. OTHER PERMITS:

8a. All required permits, licenses and approvals have been obtained from the Minnesota Department of Natural Resources and the municipality in which the access to the structure or the dock, ramp, mooring or other is located:

- Yes Please list: _____

- No Please explain: _____

8b. Commercial Operators: All commercial operators are required to attach a letter of compliance from the municipality in which the access to or the dock, ramp or mooring is located explaining all required permits, licenses and approvals have been obtained,

Elm Beach – Birchwood Village will allow 6 Maximum- Applying for 4

9. MAXIMUM NUMBER OF WATERCRAFT OR VEHICLES:

<u>By Location</u>		<u>By Use</u>	
At slips	<u>4</u>	For rent, lease, etc.	_____
At slides	_____	For service work	_____
At lifts	_____	For company use	_____
At moorings	_____	For private use	<u>4</u>
At tie-ons	_____	For transient use	_____
At off-lake storage	_____	Other (describe)	_____
Other (describe)	_____		
TOTAL	<u>4</u>	TOTAL	<u>4</u>

10. SITE INFORMATION:

Site lake frontage = 50'
 Water depth 100 feet from shore = _____
 200 feet from shore = _____
 300 feet from shore = _____

Water depth above measured on _____ (date)

Ramsey County Lake elevation _____ (date) _____
 (to be filled in by WBLCD)

11. SERVICES PROVIDED: (Check all that apply) *NA*

- | | |
|---------------------------------------|---|
| <input type="checkbox"/> Boat Storage | <input type="checkbox"/> Boat Rentals |
| <input type="checkbox"/> Boat Sales | <input type="checkbox"/> Boat Service |
| <input type="checkbox"/> Restaurant | <input type="checkbox"/> Launching Ramp |

Other (Explain) _____

Times open to the public: _____

12. DOCK OR STRUCTURE INFORMATION: *Elm Beach Easement*

- A. Total dock or structure length 57' ft.
- B. Length into the lake from water's edge
(including T's and L's) 57' ft.
- C. Width of dock or structure 4' ft.
- D. Projections from dock or structure:
 - 1. Number of projections _____.
 - 2. Length and width of T's, L's or fingers _____.
 - 3. Other projection(s) _____.

13. ADJOINING PROPERTY OWNERS' INFORMATION:

- A. Distance from (including ends of T's and L's)
immediate property lines
North / West 23' ft.
South / East 23' ft.
- A. Distance from (including ends of T's and L's)
adjoining docks.
North / West _____ ft.
South / East _____ ft.
- C. Lake frontage size of adjoining property owners
North / West _____ ft.
South / East' _____ ft.

14. INSURANCE:

Yes No We have Public liability insurance. Amount \$ 2,000,000

Expires (date) _____ Company Ekblad, Pardee & Bewall Inc.

Include a copy with application.

15. PARKING:

Total parking spaces: None Parking not required (explain) _____

16. SANITARY FACILITIES:

Facilities are provided Yes No Number of units: _____

17. PUMPING SERVICE:

Boat toilet pumping service is provided Yes No

18. FEES: (See attached License Fee Schedule attached)

Application Fees:	\$60.00 (not refundable)	\$ <u>60</u>
Each approved slip over 4	\$60.00	\$ _____
License deposit (if applicable)		\$ _____
Late fee (renewals only)	Additional \$60 late fee for Applications received after October 15 of current year for next year's license	\$ _____

TOTAL FEE ENCLOSED \$ 60

Elm Beach Easement

19. THIS APPLICATION IS FOR A COMMERCIAL DOCK OR MOORING AREA:

Yes No

If so, an additional \$60 per slip or mooring and an additional \$20 per ramp/skid

is due as follows: 1/2 of number estimated in April DUE IN APRIL \$ _____

and final 1/2 (or adjusted balance) by the end of August of this license year. DUE END OF AUGUST \$ _____

TOTAL ENCLOSED \$ _____

**All commercial operations must include a copy of their most current DNR Water Use Permit, City of Compliance from the City of White Bear Lake in regards to parking, drawing of site, and copy of Insurance policy with White Bear Conservation District listed as additional insured and stating your insurance is primary (no contributions will be sought from the additional insured's policy)

20. THIS APPLICATION IS FOR A PERMANENT DOCKS OR STRUCTURES IN THE LAKE

Yes No

If so, License Fee is \$5,000.00 \$ _____

Annual Renewal is \$1,000 \$ _____

TOTAL ENCLOSED \$ _____

8. OTHER PERMITS:

8a. All required permits, licenses and approvals have been obtained from the Minnesota Department of Natural Resources and the municipality in which the access to the structure or the dock, ramp, mooring or other is located:

- Yes Please list: _____

- No Please explain: _____

8b. Commercial Operators: All commercial operators are required to attach a letter of compliance from the municipality in which the access to or the dock, ramp or mooring is located explaining all required permits, licenses and approvals have been obtained,

Dellwood Beach – Birchwood Village will allow 8 Maximum- Applying for 7

9. MAXIMUM NUMBER OF WATERCRAFT OR VEHICLES:

<u>By Location</u>		<u>By Use</u>	
At slips	7	For rent, lease, etc.	_____
At slides	_____	For service work	_____
At lifts	_____	For company use	_____
At moorings	_____	For private use	7
At tie-ons	_____	For transient use	_____
At off-lake storage	_____	Other (describe)	_____
Other (describe)	_____		
TOTAL	7	TOTAL	7

10. SITE INFORMATION:

Site lake frontage = 50'
 Water depth 100 feet from shore = _____
 200 feet from shore = _____
 300 feet from shore = _____
 Water depth above measured on _____ (date)

Ramsey County Lake elevation _____ (date) _____
 (to be filled in by WBLCD)

11. SERVICES PROVIDED: (Check all that apply) *NA*

- | | |
|---------------------------------------|---|
| <input type="checkbox"/> Boat Storage | <input type="checkbox"/> Boat Rentals |
| <input type="checkbox"/> Boat Sales | <input type="checkbox"/> Boat Service |
| <input type="checkbox"/> Restaurant | <input type="checkbox"/> Launching Ramp |

Other (Explain) _____

Times open to the public: _____

12. DOCK OR STRUCTURE INFORMATION: *Dellwood Beach Easement*

- A. Total dock or structure length 130' ft.
B. Length into the lake from water's edge
(including T's and L's) 130' ft.
C. Width of dock or structure 4' ft.
D. Projections from dock or structure:
1. Number of projections 2
2. Length and width of T's, L's or fingers 8'
3. Other projection(s) _____

13. ADJOINING PROPERTY OWNERS' INFORMATION:

- A. Distance from (including ends of T's and L's)
immediate property lines
North / West 28' ft.
South / East 10' ft.
A. Distance from (including ends of T's and L's)
adjoining docks.
North / West _____ ft.
South / East _____ ft.
C. Lake frontage size of adjoining property owners
North / West _____ ft.
South / East _____ ft.

14. INSURANCE:

Yes No We have Public liability insurance. Amount \$ 2,000,000
Expires (date) _____ Company Ekblad, Pardee & Bewall Inc.
Include a copy with application.

15. PARKING:

Total parking spaces: None Parking not required (explain) _____

16. SANITARY FACILITIES:

Facilities are provided Yes No Number of units: _____

17. PUMPING SERVICE:

Boat toilet pumping service is provided Yes No

18. FEES: (See attached License Fee Schedule attached)

Application Fees:	\$60.00 (not refundable)	\$ <u>60</u>
Each approved slip over 4	\$60.00	\$ <u>180</u>
License deposit (if applicable)		\$ _____
Late fee (renewals only)	Additional \$60 late fee for Applications received after October 15 of current year for next year's license	\$ _____

TOTAL FEE ENCLOSED \$ 240

Dellwood Beach Easement

19. THIS APPLICATION IS FOR A COMMERCIAL DOCK OR MOORING AREA:

Yes No

If so, an additional \$60 per slip or mooring and an additional \$20 per ramp/skid

is due as follows: 1/2 of number estimated in April

DUE IN APRIL \$ _____

and final 1/2 (or adjusted balance) by the end of August of this license year. DUE END OF AUGUST

\$ _____

TOTAL ENCLOSED \$ _____

**All commercial operations must include a copy of their most current DNR Water Use Permit, City of Compliance from the City of White Bear Lake in regards to parking, drawing of site, and copy of Insurance policy with White Bear Conservation District listed as additional insured and stating your insurance is primary (no contributions will be sought from the additional insured's policy)

20. THIS APPLICATION IS FOR A PERMANENT DOCKS OR STRUCTURES IN THE LAKE

Yes No

If so, License Fee is \$5,000.00 \$ _____

Annual Renewal is \$1,000 \$ _____

TOTAL ENCLOSED \$ _____

Birchwood Dock Association Slip Filling Recommendations

Provided: 30-April-2019

By: David Heiden, BDA President

To: Birchwood Village City Council

Birchwood City Council,

On 26-Mar-2020, Tobin Lay informed the Birchwood Docks Association (BDA) that the City Council will be looking into amending Sec. 617 to ensure the slips are filled up each year. The BDA and City Council are very much aligned and in agreement that filling all available dock slips is in the best interests of both the BDA and Birchwood City Council. Keeping all the slips filled each year is crucial for ensuring BDA dues per slip holder remain economical, while also allowing for adequate funding to maintain and replace the docks as needed. The BDA also understands that the city uses fees from slip holders to fund the 804 Parks Special Revenue Fund, and therefore, has an interest in keeping the slips at 100% capacity. Tobin specified that City Council would like BDA to offer some suggestions to this effect. The response to that request is laid out below.

Preface

New Slip holder Target Market Limitations:

It is important to first note that the BDA has a limited target market for new slip holders. BDA slip holders and wait list members already include nearly 10% of all Birchwood Village households, with 22 slips having been filled for 2020 as of 30-Apr-2020. We have an additional eight households on the wait list, who either passed for the year or are waiting for a position at Birch Beach for a boat greater than 19 feet in length. Additionally, we have verbal interest in the remaining available slip for this season. I do not know the numbers surrounding % household involvement rates in other amenities provided by the city, particularly those that involve for-use fees, but I am already proud that the BDA encompasses such a large portion of all Birchwood Village households.

The BDA is limited to slip holders whose households are within Birchwood Village, but we are further limited in potential new slip holders due to other constraints. From 357 total households in Birchwood Village, we can subtract the following subsets of residents who we can reasonably not expect to sign up for a new slip:

- Households with lakeshore already attached to their property (Approximately 70-75)
- Households currently with slips, or on the wait list (Approximately 28).
- Households with frequent access to a personal cabin, slip a boat elsewhere, or otherwise do not see value in maintaining a second boat slip with the BDA (Approximately 80).¹
- Households who have boats longer than permitted in the BDA and therefore must slip elsewhere (Approximately 5-10).
- Households who were previously slip holders with the BDA within the last few years, and chose not to renew (for various reasons) (Approximately 10).

¹ This number may be hard to capture, based on the assumption that a quarter of residents have access to a cabin, although that number may be even higher. A quarter of Birchwood Village households is approximately 80 households.

Target New Slipholder Makeup

Using 357 total households in Birchwood Village, per the Birchwood website², and based on the assumptions above, there are approximately 150 households in Birchwood Village that are potential new slip holders whom we can market to. Understanding the target market of new slip holders is key to determining what changes can be made to attract potential new slip holders. As it is understood by the BDA, our target market of new slip holders meet the following criteria:

- Household willing to have a boat under the designated length limits when typical boats are getting larger
- New households moving into Birchwood Village who have likely been sold on White Bear Lake access
- Households who have the time and finances to maintain a slip, lift and boat
- Households who see the value of maintaining a slip with the BDA over a private marina on White Bear Lake
- Households who have some community involvement or community attachment, preferring to slip their boat with the communal BDA over a private marine that provides additional benefits.
- Households who have had positive experiences with the BDA and want to return.

² [2030 Plan Link](#)

Recommendations to 617:

Recommendation 1: Increase Slips for Longer Boats (Changes to 617.380(6))

We have an increase in demand for longer boat slips that only Birch beach can support. We currently have two wait list members waiting for slips at Birch and we have given out estimates of 2-3 year waits to potential new slip holders interested in Birch Beach. We have received information requests for boats up to 25' in length, which have had to be turned away. It is my understanding that these boat owners then go to private marinas that can accommodate them. The BDA understands that there will always be limits on boat lengths that we can accommodate due to the easement widths and maintaining good relationships with the lakeshore-owning neighbors. However, the BDA does advise reconsidering length limits on certain easements to be inclusive of longer boats where feasible.

Birch Beach, with its' 75-foot frontage on the lake, has been able to support the larger pontoons and ski boats that are becoming increasingly more popular. The BDA suggests that Elm and Dellwood could support slightly larger boat limits as well. Allowing boat lengths up to 21' at those two additional docks would allow for nine additional slips to be available for boats 19-21' in length. This would allow more of the Birch Beach wait list members to take the slip vacancies and shorten the wait list overall.

The BDA recommends increasing the limits set forth in 617.380(6) for Birch Beach to 25' boats and increasing Elm and Dellwood beaches to 21'.

Recommendation 2: Larger number of slips allowable on Birch Beach (Changes to 617.370(12))

As previously stated, we have an increase in demand for longer boat slips that only Birch beach can support. Birch Beach's longer lakeshore could allow for longer boat lengths, but it could also allow for a larger dock or a different dock configuration to accommodate more slips of the same sizes. While 617.370(12) does allow for up to 10 slips at Birch Beach, the current straight dock design and length that the BDA utilizes can only accommodate up to eight slips per season. The BDA has done initial investigation and discussion into potentially adding a "T" or "L" to the dock to accommodate additional boats.

The BDA recommends that 617.370(12) is amended to allow for two additional slips at Birch Beach, for 12 total.

The BDA recommends that the City Council consider allowing a future dock configuration which could allow for additional slips to be placed at Birch Beach, pending WBLCD approval.

Recommendation 3: Minimize City Fee Increases (Changes to 617.360)

The city's fees have increased significantly in recent years. Our target market for new slip holders are those who can financially maintain a boat but are also looking for the most cost-efficient option that is also convenient. BDA slip holders understand that they are receiving a value for their slip fees, but that they are not receiving the same benefits they may elsewhere.

Our slip holders understand the financial and community benefits:

- They are paying less for their slip with the BDA than they would at a private marina on White Bear Lake.
- They are a part of a community organization with a net positive in the community

Our slip holders also understand the financial and organizational disadvantages:

- They are required to carry additional insurances
- They must supply their own a boat lift (including delivering it for the first year)
- They do not have access to other accommodations provided by a private marina (such as lighting, power, or gas on-site).
- They are part of a community organization with a volunteer executive board, not a full-time staff (and may be asked to volunteer to continue the community organization)
- Prior to the drafting of 617, the BDA was a known point of contention within community politics, even among new households to the neighborhood.

The BDA knows that our slip holders have weighed the pros and cons listed above and have chosen to slip their boat with the BDA in Birchwood Village. Keeping slip holder dues, and therefore city fees, to a minimum is key to ensuring that decision is one in favor of the BDA and Birchwood Village. In order to meet that requirement, the BDA attempts to keep slip fees as low as possible to maintain a net zero balance year over year. The BDA has strict twice annual oversight of its' budget and follows the dues collections constraints outlined in 617.330 (2). Limits on maximum city fees could also be constrained through 617 changes to allow for a maximum total slip fee.

The BDA recommends amending 617.360 to include a subpart following 617.330(2) that constrains additional fees paid per slip holder to the city up to a total slip fee no greater than an agreed upon percentage of the median private marina on White Bear Lake for equivalent size boats.

The BDA recommends amending 617.360 to tie increases in slip fees against published long-term plans to be paid out of the Special Parks Fund laid out in 804.

Recommendation 4: Alteration of Slip Renewal Dates (617.370(1-4))

The BDA relies on returning slip holders to return to the wait list and renew boat slips for an additional six-year term. The BDA loses 1% of its' total slip holder market for every four households who forfeit or do not want to return to the BDA. Knowing that our target audience is already limited, we must continue to meet the needs of our current slip holders the best we can.

One item that has arisen in the previous few years since 617 was enacted is that the renewal due date set forth in 617.370(1) of December 15th, occurs right at the end of the year, and at a holiday time where members are not considering an additional four-figure expense for the following summer. The members have understood that the BDA is following city code; however the renewal due date could be adjusted to a more accommodating date and still allow the BDA time to find new slip holders, should returning members choose to forfeit their slip.

When filling and assigning slips, the BDA standard practice is to place returning slip holders on the same dock they were on previously. New slip holders are assigned per the order on the wait list and on a first-come-first-serve basis as new applications come in; in practice, there is very little adjustment made to slip assignments. A March 1st deadline to provide the city with slip assignments per 617.370(3) is largely a redundant task due to the April 1st deadline to provide final payment of all slips assigned per 617.360(4). Also, in the last several years, the "rush" of new interest in slips has occurred within the two weeks leading up to the installation of the docks (at the end of April), as Birchwood Residents begin to think about summer. This uptick in interest occurs after the official start of the boating season per 617.113.

The BDA recommends adjusting the date set forth in 617.370(1) to be: February 15.

The BDA recommends removing section 617.370(3) as it is redundant with 617.360(4)

Recommendation 5: Allow more than one slip per household (Changes to 617.370 (6))

We had one instance this spring where the son of a new slip holder was also interested in purchasing a slip for the summer. We had to turn this potential slip holder away to be in compliance, with the city code, but could have filled an otherwise empty slip. The BDA understands the intention of 617.370(6), as we do not want to limit the number of households that can have boat slips. However, if the Council is looking for ways to ensure all slips are filled every year, this could be a potential source of new slip holders during years where there are additional spots available.

The BDA recommends altering 617.370(6) to allow persons or households to be permitted an additional (1) boat slip on the Public Lake Tracts if there are otherwise empty slips following the processes outlined in 617.400 by June 1st. This additional slip would be a one-year slip permit.

Recommendations to 804 Marketing of Community Park Improvements

Understanding that the BDA is made up entirely of households who have a community attachment and are willing to be apart of a community organization, the BDA has been starting to find ways to promote that slip and storage fees paid to the city go directly to the Parks Special Revenue Fund. Further, we understand that many of our potential new slip holders are recent transplants to Birchwood Village. Realtors selling homes in this community use the BDA as a selling point, and it raises the value of our non-lakeshore homes compared to similar comparable homes in White Bear Lake, Mahtomedi and Grant. The BDA understands that it is in the mutual best interest for the city and the BDA that both access to the docks, and the community benefit from the fees collected, are advertised and made widely available to the public.

The BDA recommends that the city amend city code 804 to mandate the release of regular budget summaries and projects completed so that both the BDA and city can use those reports for the marketing to prospective new slip holders.

Cleanup and Maintenance of the Easements (Changes to 804.060)

AS outlined above, many slip holders choose to keep their boats with the BDA due to a sense of community. Part of that social contract they have undertaken includes taking pride in keeping our community beaches clean, to make swimming safer and keep the park more attractive. Many in the larger community see the area around the docks, kayak racks, and shoreline at the easements as a function and responsibility of the BDA. Therefore, when the easements appear unkept, it reflects negatively on the BDA. These negative perceptions lead to BDA slip holders being perceived as bad stewards of the parks, which in turn discourages our community-minded membership from renewing as slip holders in the future. Some small clean-up and revitalization efforts to clean up the easements at the shoreline could break this cycle, as our slip holders are very community driven and conscientious in their regular use of the docks. The photos in Figure 1 below provide some examples of areas that could benefit from a clean-up project.

The BDA recommends amending 804.060 to allow for the payment of operational routine grounds maintenance costs associated with maintain the lakeshore and surrounding areas of the easements.



Figure 1: Left: Brush along the west side of the Birch Beach dock, which hinders the total number of slips available. Middle: General debris and washed ashore items on Ash Beach. Right: An engine block and cinder blocks piled up on Ash Beach (Photos taken 25APR20. David Heiden)

Conclusion

On 26-Mar-2020, Tobin Lay informed the Birchwood Docks Association (BDA) that the City Council will be looking into amending to Sec. 617 to ensure the slips are filled up each year. The BDA has provided some additional information on current slip usage numbers and rates of slip usage across potential slip holders, limitations to which households in Birchwood Village are potential new slip holders, and our target market for new slip holders. The BDA has then provided ten recommendations to alter City Codes 617 and 804 to attract, retain and return new slip holders.

I appreciate the City Council reaching out the Birchwood Dock Association for our input and to work together on this issue. I look forward to working with you in the future to help improve our community.

Thank you.

A handwritten signature in black ink, appearing to read 'D. Heiden', with a stylized flourish at the end.

David Heiden
Birchwood Docks Association President
242 Wildwood Ave
birchwooddocks@gmail.com

CONTRACT FOR DOCK MANAGEMENT

This Contract, made and entered into this 13th day of October 2020, by and between The City of Birchwood Village (hereinafter referred to as the “City”), a municipal corporation organized under the laws of the state of Minnesota with offices at, 207 Birchwood Ave, Birchwood, MN 55110, and The Birchwood Dock Association (hereinafter referred to as the “Contractor”), a Minnesota corporation, with offices at 242 Wildwood Avenue, Birchwood, MN 55110.

WHEREAS, the City has exclusive jurisdiction of and to its shore-land public easements abutting White Bear Lake and,

WHEREAS, the City manages those easements in the interest of the public and specifically to provide bathing and boating access to White Bear Lake and,

WHEREAS, the City has adopted in its Municipal Code, Chapter 617, a local Ordinance guiding the management of those easements abutting White Bear Lake and,

WHEREAS, the City has the authority, pursuant to Chapter 617, to contract with a third party vendor to prosecute the management of the easements abutting White Bear Lake including but not limited to the management of docks that are placed on said easements and,

WHEREAS, the Contractor was organized specifically to manage the docks that are placed on the public easements abutting White Bear Lake and,

WHEREAS, both parties believe it is in their mutual and best interest to enter into agreement for the provisions of dock management at the City’s designated public lake tracts and,

WHEREAS, the Parties desire to formalize their relationship by execution of this Contract;

NOW, THEREFORE, IT IS MUTUALLY AGREED BY THE PARTIES, as follows:

- 1. Parties.** The Parties to this Contract are The City of Birchwood Village, and the Birchwood Dock Association.
- 2. Recitals.** The above recitals are hereby incorporated into this Agreement by reference.
- 3. Term.** The term of this Contract shall be from the day of execution until October 31st, 2021. This contract may be renewed after expiration of the initial term upon agreement of the parties.
 - 3.1 Equipment Provided.** The Contractor shall provide all equipment necessary to administer the contract without contribution by City in any way except by special agreement in writing.
 - 3.2 Storage.** The Contractor is responsible for providing for storage of its materials except that the City shall provide a location onsite that is accessible to the Contractor for storage

of the docks and boat lifts when off-season and not installed during the boating season, nominally from October to May.

3.3 Direction. Deployment of resources will be at the sole discretion of the Contractor so long as consistent with the requirement of Chapter 617 of the Birchwood Village City Code.

3.4 Remuneration. The Contractor shall be charged at the following rate:

3.4.1 \$750 (\$650 per slip permitted plus \$100 per stored boat lift) payable in full by April 1 of the boating season. In the event of low water, the fee shall be at least the fee amount multiplied by the number of boat slip users at the end of the previous boating season or the number of boat slip users for the following boating season, whichever is greater.

4. Performance Standards and Operation

4.1 Equipment Damage. The Contractor shall be responsible for safekeeping of its equipment, including, but not limited to, fire damage, theft and graffiti to the equipment. This provision shall in no way limit the Contractor's right or ability to seek repayment for damages caused to its equipment from persons who are responsible for the damages.

4.2 Customer Notice. The Contractor shall be responsible for advising and monitoring individual slip holders regarding their duty to safeguard their personal property from damage.

4.3 Employee Safety. The Contractor shall provide and maintain all safety accommodations for the use and protection of its employees as may be necessary to provide for their health and welfare and the City shall not be held responsible for injury or death of Contractor personnel.

4.4 Applicable Regulations. The Contractor shall comply with all applicable ordinances of the City and with all laws and rules of the County, the State of Minnesota and its agencies relating to the management of the docks. The full text of Ordinance 617 is attached hereto as Exhibit A and incorporated by reference. Any terms that conflict shall be resolved in favor of the meaning and intent of the Ordinance.

4.5 Licenses. The Contractor shall maintain always all licenses required by state, county, and local government for the services, including proper licensing for all personnel employed or contracted by the Contractor.

4.6 Complaints. Complaint procedure is addressed by the City Code, Section 617.460 and the Contractor shall establish and maintain an office with supervision and a telephone number for accepting complaints and other calls. The address and telephone number of such office shall be provided to the City, and the Contractor shall promptly notify the City in writing of any changes in either. The Contractor shall respond to all calls and

complaints promptly and courteously. The Contractor shall maintain a written record of all complaints received and the action taken in response.

5. **Contact Person.** It is expected that the City’s primary contact with the Contractor shall occur via its president. In the event that s/he is known or expected to be unavailable to accept communications from the City, then the Contractor shall provide an alternative contact person’s name and phone number for such purposes.
6. **Payment.** For complete and satisfactory performance of the duties and actions assigned to the Contractor within this agreement, the Contractor is permitted to collect additional fees of slip holders as determined by the Contractor.
7. **Independent Contractor.** The Contractor and its employees, agents or subcontractors shall be deemed an independent contractor for purposes of all services to be provided under this Contract. Nothing contained in this Contract is intended or should be construed as creating the relationship of co-partners or joint ventures. Unless otherwise agreed by the parties, the Contractor shall provide its own tools and equipment and shall select its own manner and method of performing its services. The Contractor and its employees, agents or subcontractors shall not be considered an employee of the City for any purpose, and shall waive, release, and not be entitled to any of the benefits usually accorded regular employees, including but not limited to severance pay, health insurance benefits, PERA, unemployment benefits, retirement credits, worker’s compensation coverage, or any other rights or benefits that accrue to City’s employees, if any.
8. **Notice to parties.** Notices required to be provided pursuant to this Contract shall be given by United States Mail to the following addresses, by personal service, or fax, or by e-mail if the parties agree:

To the Contractor:	To the Owner:
BDA (Auth. Agent) 242 Wildwood Avenue Birchwood, MN 55110	City Administrator City of Birchwood Village 207 Birchwood Avenue Birchwood, MN 55110 Phone: 651-426-3403

9. **Insurance.** The Contractor shall maintain appropriate insurance coverage to cover its activities at all times while this Contract is in effect, in at least the following amounts:
 - General Comm. Liability: \$2,000,000/\$2,000,000
 - Worker’s Comp (if applicable): Per Statute or \$500,000 per injury, whichever is greater

Any lapse of insurance coverage shall be cause for the City to immediately terminate the Contract. All policies evidencing insurance required by this paragraph shall insure the Contractor for any act or omission, including negligence of the Contractor or of the Contractor’s employees or

agents, in connection with the performance of the services herein, including claims arising out of the use of or operation of any vehicles used by the Contractor or the Contractor's employees or agents in performing the services.

- 10. Indemnity.** The Parties agree to defend, indemnify and hold harmless each other, their agents, officers, and employees from any and all demands, claims, causes of action, liabilities, losses, damages, costs, expenses including reasonable attorney's fees, suits, demands and judgments of any nature, because of bodily injury to, or death of, any person or persons and/or because of damages to property including loss of use from any cause whatsoever, which may be asserted against the Party on account of any act or omission, including negligence of the Party or the Party's employees or agents, in connection with their performance. The Parties agree to defend any action brought against the other on any such matters, and to pay and satisfy any judgment entered thereon together with all costs and expenses incurred in connection therewith. Contractor shall provide for the City to be named as an additional insured on its Declarations Page and provide the same to the City within 14 days of this Agreement being fully-executed. Additionally, Contractor shall ensure that any Cancellations or changes of Endorsement communications are copied to City during the active terms of the Agreement
- 11. Transfer of Rights and Obligations.** The Contractor shall not assign, transfer, or subcontract its obligations under this Contract without notice to and approval of the City. Any attempt to assign or transfer or subcontract this Contract in whole or in part without prior approval of the City shall be grounds for immediate termination of the Contract.
- 12. Nondiscrimination.** The Contractor agrees that during the term of this Contract, it will not within the State of Minnesota discriminate against any employee or applicant for employment because of race, color, creed, sex, national origin, or ancestry and will include a similar provision in all subcontract(s) entered into for the performance hereof. This paragraph is included in this Contract to comply with provisions of Minnesota Statutes § 181.59. Violation of this statute is a misdemeanor, and if violated, will permit the City to cancel this Contract.
- 13. Costs and Attorneys Fees.** The prevailing party in any dispute arising out of this Contract shall be entitled to reimbursement of its costs and attorneys' fees in asserting or defending its rights hereunder against the non-prevailing party.
- 14. Merger, Amendment & Savings Clause.** It is understood and agreed that the entire Contract between the parties is contained herein and that this Contract supersedes all oral agreements, negotiations, and past practices between the parties relating to the subject matter. This Contract may be amended at any time by mutual agreement of the City and the Contractor. Any amendments shall be in writing to be effective. If any section of this Contract is found to be invalid or not enforceable, the remainder of the Contract shall remain in force and binding.
- 15. Non-Conforming Services.** The acceptance by the City of any services non-conforming with the terms of this agreement or the foregoing by the City of any rights or remedies it is entitled to under the terms of this agreement shall not constitute a waiver of the City's rights to conforming services or any such rights or remedies in respect to any subsequent breach or default of the terms

of this agreement. The rights and remedies of the City provided or referred to under the terms of the agreement will be cumulative and not mutually exclusive.

16. Termination. This Contract shall terminate upon the expiration of the term as provided in Paragraph 3. Upon termination of the Contract, the relationship shall end, except for the damage obligations of the parties under Paragraph 4 and the indemnity obligations of the Contractor under Paragraph 10. If the Contractor fails to perform any of the provisions of this Contract or so fails to administer the work as to endanger the performance of the Contract, this shall constitute default. Unless the Contractor's default is promptly remedied, the City may, upon written notice, immediately cancel this Contract in its entirety. The Contractor may terminate this Agreement at anytime in writing if the City fails to perform any of its requirements within this Agreement upon written notice of same.

16.1. Condition Upon Termination. Upon termination of this Agreement the Contractor shall vacate entirely, leaving no equipment or storage not otherwise agreed between the parties and agree to return premises, including all city-owned equipment, to the City in the same condition and repair as it was upon occupancy, except for reasonable wear and tear, but not including breakage or damage caused by the Contractor's actions or inaction.

17. Governing Law. The laws of Minnesota shall govern the interpretation and enforcement of this Contract. The parties consent to the jurisdiction and venue of the Washington County District Court for all disputes arising hereunder.

IN WITNESS WHEREOF, the Parties have caused this Contract to be executed as of the dates set forth below.

City of Birchwood Village

By: _____
Tobin Lay, Administrator

Dated: _____

By: _____
Mary Wingfield, Mayor

Dated: _____

Birchwood Dock Association

By: _____
David Heiden, President

Dated: _____

MEMORANDUM



TO: Birchwood Village City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Subdivision Study Task Force
DATE: October 8, 2020

Dear Mayor and Council Members,

Last month the Council directed me to advertise for candidates interested in serving in a new task force to study the City's subdivision ordinance. The Council discussed assigning the Mayor, the City Attorney, and three (3) residents to the task force.

Here are the names of those who responded with interest in serving in this capacity:

- Noel Hegedus
- John Anderson
- Ron Malles
- Susie Mahoney
- Ryan Hankins
- Trilby White

Request/Recommendation

Staff request the Council:

- 1) Adopt Resolution 2020-29 to create the Subdivision Study Task Force;
- 2) Provide the purpose and scope of the Task Force; and
- 3) Review and appoint three (3) candidates from the list above.

Thanks!

Regards,
Tobin Lay

**SUBDIVISION STUDY TASK FORCE
RESOLUTION 2020-29****CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA****RESOLUTION CREATING A SUBDIVISION STUDY TASK FORCE TO
RESEARCH AND RECOMMEND AMENDMENTS TO CITY CODE THAT
REGULATE LAND DEVELOPMENT AND SUBDIVISIONS WITHIN THE CITY**

WHEREAS, The City Council of The City of Birchwood Village adopted Interim Ordinance 2020-09-01 on September 8, 2020 to impose a moratorium on the subdivision of residential property for multiple unit development within the City; and

WHEREAS, The City has determined it necessary to study the effects of subdividing residential property with the current demands placed on the City's stormwater and sewer management system, as highlighted in Interim Ordinance 2020-09-01; and

WHEREAS, The City has determined it necessary to study and evaluate the need to update and modernize the City's regulations and requirements as they relate to subdivisions, as highlighted in Interim Ordinance 2020-09-01; and

WHEREAS, The City Council finds that the existing Code as it relates to subdivisions and subdividing property in/for development and the advent of climate change has created the need for review of the current ordinance and thus the existing ordinance is not responsive to current trends and it is in the best interest of the public to study and consider options for addressing and minimizing the public safety and public infrastructure impacts on such future subdivision activity; and

WHEREAS, The City Council has identified the need to create a task force to review the current City Ordinances, study contemporary laws and regulations related to land development and the creation of subdivisions, as well as best practices for such.

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

- 1) That a Subdivision Study Task Force is hereby established and is authorized to conduct a study of laws and best practices related to land development and the creation of subdivisions; make recommendations on a permanent ordinance or amendment to existing law addressing the requirements for infrastructure in subdivisions within the City; gather public input on the recommendations; and present its recommendations to the City Council; and
- 2) That the Task Force shall be comprised by the following members:
 - City Council Member (1)
 - City Attorney (1)
 - Birchwood Village residents (up to 3); and

- 3) That the Task Force present its initial findings and recommendation to the City Council by April 13, 2021 and subsequent deadlines as set by the City Council; and
- 4) That the Task Force shall sunset on October 13, 2021, unless further extended by the City Council.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 13th day of October, 2020.

Attest:

Mary Wingfield, Mayor

Tobin Lay, City Administrator-Clerk

MEMORANDUM



TO: Birchwood Village City Council
FROM: Tobin Lay, City Administrator
SUBJECT: Signs
DATE: October 8, 2020

Dear Mayor and Council Members,

Several sign topics have come up recently that I would like your direction on, as follows:

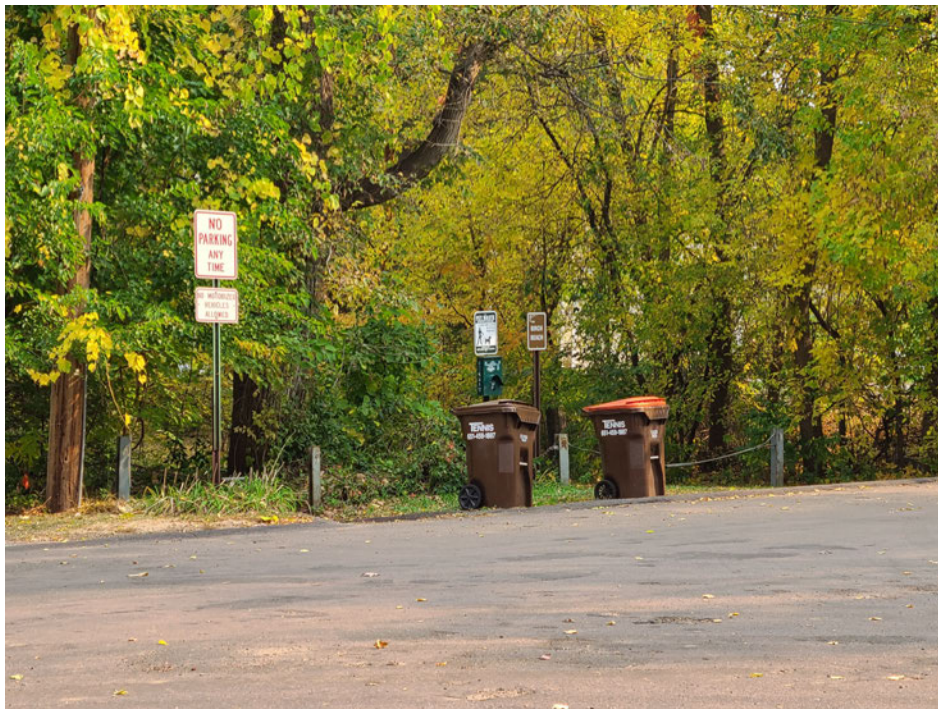
Tennis/Pickleball Court Signs

The Mayor has addressed a need to keep bikes, roller blades, and skateboards off of the tennis/pickleball court. She received a quote for one (1) “no bikes, blades, boards” sign (enclosed). There are two (2) gates to the court.

Request: Should the City purchase any signs for the tennis/Pickleball court? If yes, one or two?

Lake Easement Signs

Last year the Council approved the removal of many signs throughout town to decrease sign pollution. The City has been made aware of one inconsistency – Birch Beach has a “no parking” sign posted but other beaches no longer do. The City has been requested to reinstall the “no parking” sign that was previously posted at Elm Beach. Elm beach does have one (1) designated parking spot but no sign has ever been posted to indicate its location.



Request: How should this inconsistency be corrected: 1) remove the sign at Birch Beach; or 2) reinstall the “no parking” signs at other beaches?

Also, should the City install a sign to indicate where the designated parking spot is located?

Wildwood Park Temporary Signs

Temporary “no parking” signs have recently been placed along both sides of Wildwood Park due to construction vehicles parking on the park grass. These signs continue to disappear.



Request: Should the City 1) obtain more temporary signs from the Sheriff and continue to replace stolen signs; 2) leave the remaining signs until they have all disappeared; 3) remove all signs and notify sheriff each time parking is violated; or 4) some other alternative?

Also, what is the rule for parking along Wildwood Park? Is parallel parking allowed or not? One end of the Park has a “parallel sign” posted but nowhere else along the Park? See enclosed email from Councilmember LaFoy on this topic.



Thanks!

Regards,
Tobin Lay

Tobin Lay

From: Mary Wingfield <wingfield.mary@gmail.com>
Sent: Thursday, September 10, 2020 4:33 PM
To: Tobin Lay
Subject: Fwd: Your Quote: 26133137

Follow Up Flag: Follow up
Flag Status: Flagged

Caution: This email originated outside our organization; please use caution.

Hi tobin.

Here is a quote from Seton for signs at the tennis courts
...Stillwater had these and it makes sense in light of the bike skid marks that some kids have laid down.

Your thoughts?

m




----- Forwarded message -----

From: Daniel Matuszak <Daniel_Matuszak@seton.com>
Date: Thu, Sep 10, 2020, 9:41 AM
Subject: Your Quote: 26133137
To: <wingfield.mary@gmail.com>

Quotation Number: 26133137  Contact Us  Preference Center  Print Copy



QUOTATION
Call: 800-243-6624

 Shop 115,000+ Products  877-859-2155 |  100% Satisfaction Guaranteed

QUOTATION NUMBER 26133137	QUOTE VALID TO 12/09/2020	CUSTOMER REFERENCE NUMBER
-------------------------------------	-------------------------------------	----------------------------------

Your account number: 10R9195450 Quote Prepared For: MARY WINGFIELD 730 BIRCHWOOD AVE SAINT PAUL MN 55110-1836	Ship To: MARY WINGFIELD 730 BIRCHWOOD AVE SAINT PAUL MN 55110-1836
---	--

Dear Ms Mary Wingfield,

Thank you for allowing Seton the opportunity to earn your business. This quotation is valid until **12/09/2020**. Please review and contact me directly to place your order or for any further questions.

I look forward to working with you.

Daniel Matuszak
 1-877-859-2155 ext 886129
 Daniel_Matuszak@Seton.com

ORDER NOW



ITEM NUMBER & DESCRIPTION	QUANTITY	UOM	NET PRICE	EXTENDED PRICE																																				
Line Number: 000010 Product Code: SPECS1SDBBVPLYALUB Product Desc: CUSTOM SAFETY SIGN 14X10 ALUM	1	EA	41.10	41.10																																				
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From: Randy LaFoy
Sent: Tuesday, October 6, 2020 10:21 PM
To: Tobin Lay <Tobin.Lay@cityofbirchwood.com>
Subject: official minutes on Wildwood Park parking

Caution: This email originated outside our organization; please use caution.

June 2017 - parallel parking on Wildwood

June 14 & 15, 2016 - These builders need to stop parking on the grass at Wildwood Park and start respecting the City and City staff. No parking signs need to be put up immediately and the sheriff needs to be called.

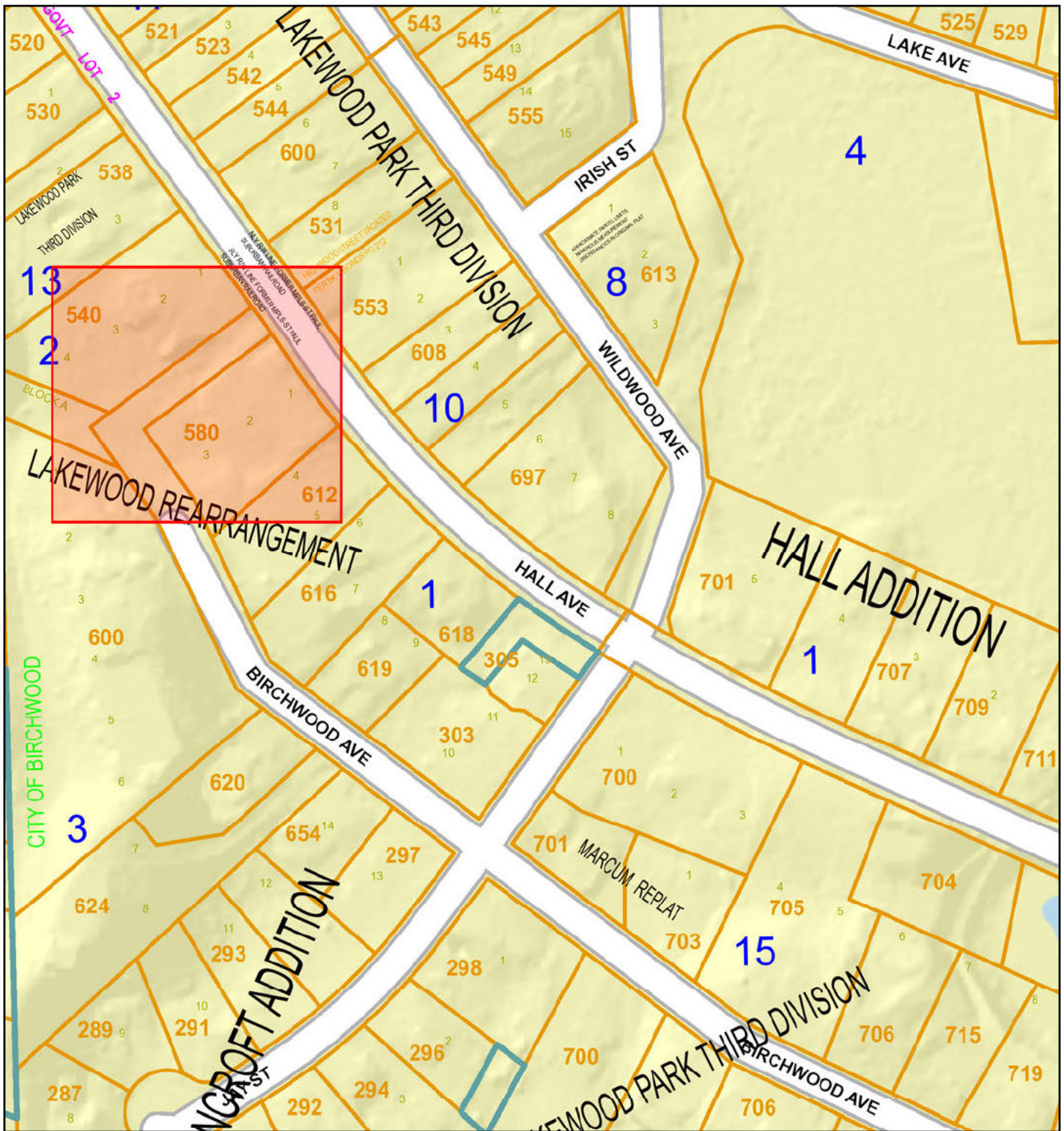
August 17, 2016 Mayor Wingfield: Added 1) Catch Basin clean out 2) Budget update 3) LED update and 4) Signs at Wildwood to the agenda.

>>>>>

No notes as to what happened during those meetings.

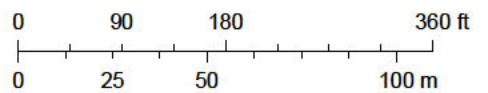
Randy

580 Hall Avenue Trail



October 10, 2020

1:2,000



KARIN ALEXANDER

[REDACTED]
Maple Grove, MN 55311

August 31, 2020

City of Birchwood
207 Birchwood Avenue
Birchwood, MN 55110

RE: City Administrator-Clerk

To whom it may concern,

Please accept my application for the position of City Administrator-Clerk. Having read through the description, I am excited for the opportunity to use my skill set for the benefit of the City of Birchwood.

I currently own a small public affairs firm and due to the current pandemic, we've had to make the unfortunate decision to close. I am looking for a new challenge and I have considerable experience with all the requirements for the position and a few more skills which you might find as an added value.

Organizational and administrative management has been a focal point of most of my career. Administrative and fiscal management responsibilities have been at the forefront of my job descriptions.

Here is a snapshot of what I have to offer:

- ❖ **Personal and Professional Attention to detail**
- ❖ **Fiduciary responsibilities: Budgeting, Accounts Payable/ Receivable, General ledger, Payroll**
- ❖ **Communication and Marketing experience**
- ❖ **Comfortable in collaborative environments as well as working individually**
- ❖ **Strong multi-tasking capabilities with tight deadlines**
- ❖ **Strong database management skills** – advanced level experience with MS Excel and Access.

I have the necessary skill set to help you meet and exceed your organization's objectives. I would love the opportunity to discuss how I can contribute to the growth and reputation of the City of Birchwood.

Sincerely,

Karin Alexander
[REDACTED]

KARIN ALEXANDER

Maple Grove, MN 55311

ADMINISTRATIVE SUMMARY

Recognized as a hands-on, pro-active troubleshooter, who can rapidly identify problems, formulate strategic plans, initiate change and implement new processes in challenging and diverse environments.

Over 10 years of administrative experience, public event management, and office management

AREAS OF EFFECTIVENESS

Calendaring • Organizational Management • Event Management
Project Management • Budget Planning and Accounting

PROFESSIONAL EXPERIENCE

Square One Consulting, LLC, St. Paul, MN

Managing Partner, Mar, 2012 – Present

Created and developed a new virtual business to provide non-profit and political organizations with resources and leadership.

- Strategy and message development for non-profit and political campaigns and PACs.
- Oversight of Accounting and Human Resources (Includes Accounts Payable, Receivable and Payroll).
- Proven success in conducting public affairs and media projects for non-profit and political clients.
- Effective Project management skills
- Strong training skills: trained both sales staff and clients on new software
- Drafted and conducted effective market research studies, written plans, strategies, budgets and time lines.
- Computer expertise with wide knowledge of industry standard software to facilitate and analyze client information. (Microsoft office suite, Adobe products, etc.)
- Strong database management skills

TeleRoots Technologies, Inc. dba “Activate”, Minneapolis, MN

Vice President - Operations, Jan, 2010 to Dec, 2011

Successfully managed the start-up Minneapolis, MN public affairs office and call center. Oversight of sales, human resources, finance and customer service departments.

- Oversight of A/R, A/P and Human Resources.
- Strong training skills: trained both sales staff and clients on new software
- Lead a development team on new virtual application.
- Drafted and conducted effective market research studies, written plans, strategies, budgets and time lines.
- Computer expertise with wide knowledge of industry standard software to facilitate and analyze client information. (Microsoft office suite, Adobe products, et.)
- Strong database management skills
- Managed successful call center campaigns with both in-house virtual (24 stations) and out-source call centers (500 stations).
- Developed processes and organizational structure for new business (including physical and technical layout, employee handbook, government licensing, etc).
- Consulting projects include Advance work (“bag person”, administrative/executive assistant, event planning), non-profit organization development, grassroots advocacy, etc.

Independent Consultant, Minneapolis, MN

Self-employed, Jan, 2001 to Jan, 2012

Consulting Contracts in areas of communication, advance work, campaign strategy/management, public relations, and non-profit advocacy work. (Includes but not limited to: Independent expenditures coalitions, Proposition campaigns and issue advocacy)

Capitol Targeting, Inc., Offices in Washington, DC and Minneapolis, MN

Operations Director/Office Manager, Feb, 1997 to Jan, 2001

Responsible for the oversight and management of the Minneapolis, MN public affairs office and call center. Had oversight of fiduciary responsibilities.

- Proven success in conducting public affairs and media campaigns for commercial and political clients.
- Highly effective in organizing, coordinating and managing public events.
- Non-profit organization management, NP board support (scheduling, agenda creation and minutes).
- Donor database management
- Developed and implemented large and small scale events: fundraisers, rallies, grassroots turn-out.
- Managed successful call center campaigns with both in-house (24 stations) and out-source call centers (5000 stations).
- Drafted and conducted effective market research studies, written plans, strategies, budgets and time lines.
- Coordinated vendors and other consultants to implement strategy within budget and time limitations.
- Lobbied for capital improvement funding at the MN Legislature.
- Computer expertise with wide knowledge of industry standard software to facilitate and analyze client information. (Microsoft office suite, Adobe photoshop)
- Consulting projects include Advance work (“bag person”, administrative/executive assistant, non-profit organization development)

University of Minnesota, Minnesota Student Association, Minneapolis, MN

Executive Director, May, 1994 – Feb, 1997

Advised and coordinated the Undergraduate Student Government. Worked with students to prepare and execute their yearly plan. Oversaw the fiscal management of a \$250,000 yearly budget including several grant programs. Instrumental in bringing the organization to an independent 501(c)3 non-profit status. Lobbied and taught lobbying techniques for University legislative requests, in particular, funding for the renovation of the Student Union building. Collaborated with University President and provosts for leadership programs for students.

Minnesota House of Representatives, DFL Caucus, St. Paul, MN

Campaign Consultant 1993 - 1996

Campaign worker 1990-1996

Served in several roles while at the legislature. Consulted as a campaign strategist for the DFL House campaigns effort in the 1994 and 1996 elections developing strategy, message and campaign plans. Worked on campaigns to coordinate campaign plans, organize literature distribution and facilitate message development.

EDUCATION

Master of Arts in Public Administration. Walden University, (2005)

Bachelor of Arts in History and Political Science. University of Minnesota. (1990)

Alex Saxe, MPA

[REDACTED] River Falls, WI 54022

[REDACTED] - www.linkedin.com/in/alexsaxe

August 26, 2020

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

Dear Hiring Manager,

I am writing in regard to the opening for the City Administrator-Clerk position with the City of Birchwood Village that was recently posted on the League of Minnesota Cities website. Please see my attached application and resume which highlight my experience and educational background.

With two years of experience in the public sector, I have been successful in working with a variety of elected officials, staff members, consultants, community groups, and citizens. While serving as the Deputy City Clerk for Lake Elmo, I had the opportunity to pick a consultant for a recodification process of the city code, help solve resident concerns, and attended Commission and Council meetings. As a Management Analyst Fellow for Dakota County I have, assisted in Budget and CIP development, lead a Language Matters Campaign with our Diversity and Inclusion Team to spread awareness about terms that should be eliminated from everyday language, lead a project to create an online solid waste reporting form and database for the Environmental Resources department, researched and developed a teleworking best practices report for senior leadership to generate discussion to update the County telework policy. I would bring a lot of experience and leadership to this position.

In addition to my experience, I recently completed my Master of Public Administration from Hamline University and have my Bachelor's in History and Political Science from the University of Wisconsin-River Falls. Public service is a passion of mine, I enjoy helping people and making the community a better place. I would love to serve a great community like Birchwood Village. Even though I have not held a direct supervisor role, in each position I have held, I have directed or supervised specific projects.

I would love to discuss the position with you further. Please feel free to contact me at [REDACTED]. Thank you for your time and consideration.

Sincerely,

Alex Saxe

Alex Saxe, MPA

River Falls, WI 54022

– www.linkedin.com/in/alexsaxe

SUMMARY OF QUALIFICATIONS

- Knowledgeable of public administration practices with two years of experience serving in local government providing direct customer service and assisting with Budget/CIP preparation.
- Extensive experience collaborating with key stakeholders for projects and working with elected officials.
- Strong oral and written communication skills and experience researching and analyzing policies in depth.

PROFESSIONAL EXPERIENCE

Management Analyst Fellow (ICMA Fellow), Dakota County, Minnesota March 2020-Present
Assisted in Budget and CIP development for the Physical Development Division; created a spreadsheet to combine the County Transportation and Sales and Use Tax CIP's; wrote Board action requests for grants and budget items; created standardized e-signature process; and attended meetings with the County Manager and senior leadership to strategically plan around the COVID-19 pandemic.

Key Accomplishments:

- Lead a Language Matters Campaign with our Diversity and Inclusion Team to spread awareness about terms that should be eliminated from everyday language
- Lead a project to create an online solid waste reporting form and database for the Environmental Resources department
- Researched and developed a teleworking best practices report for senior leadership to generate discussion to update the County telework policy
- Created an online business inventory of all programs that Physical Development administers and looked at the online capabilities of each program

Deputy City Clerk, City of Lake Elmo, Minnesota June 2019-March 2020
Issued, tracked, and invoiced licenses and permits to residents and contractors using Permit works; AP/AR responsibilities for utility billing using PSN and Springbrook accounting software; Right-of-Way permit coordinator to ensure right-of-way procedures were being followed; scanned documents into Laserfiche database; knowledge and enforcement of the Municipal Code for all residents; and prepared City Council and Parks Commission packets and took minutes.

Key Accomplishments:

- Lead the recodification project of the municipal and zoning code, switching from American Legal to Municode
- Assisted with the digitization of old City Council minutes
- Prepared council packets and edited staff memos for the City Council

Administrative Assistant, Mahoney, Ulbrich, Christiansen, & Russ; St. Paul, Minnesota 2017-2019
Provided many administrative duties; answering multi-line phones, making copies, appointment scheduling, and ordering food and supplies for the office; performed database management to create new clients, update clients, and delete old clients out of the software; effectively organized large firm events and managed professional social media platforms; trained interns on how to use office equipment; and created PowerPoint and Word proposals for the managing partner to present to perspective clients.

Key Accomplishments:

- Assisted with migration of accounting software, updating clients in database and training employees
- Lead organizing firm wide events ranging from summer picnics, open houses, and bowling outings
- Trained new interns and employees on general office practices and computer information

Legislative Intern, Minnesota State Senate; St. Paul, Minnesota 2016
Reviewed, clarified, and summarized bills and statutes that were going onto the Senate floor; created spreadsheets of constituent survey data in Microsoft Excel to gauge public opinion on issues; drafted letters to constituents about important issues during the legislative session and created mail merges.

ADDITIONAL EXPERIENCE

Museum Intern , St. Croix County Historical Society; Hudson, Wisconsin	2017
Head Lifeguard/Swim Coach , Hudson YMCA; Hudson, Wisconsin	2015-2019
Lead Office Assistant , History Department at UWRF	2013-2017

EDUCATIONAL EXPERIENCE

Hamline University , St. Paul, Minnesota Master of Public Administration GPA: 3.8	2020
University of Wisconsin-River Falls (UWRF) , River Falls, Wisconsin Bachelor of Science in History and Political Science GPA: 3.2	2017

PROFESSIONAL ASSOCIATIONS/VOLUNTEER ACTIVITIES

ICMA-International City/County Management Association	2020-Present
MCMA- Minnesota City/County Management Association	2019-Present
APMP- Association of Public Management Professionals	2019-Present
The National History Honor Society	2016-Present
President, UWRF History Club	2014-2017
Student Senator, UWRF Student Senator	2014-2015
Allocable Fees Board Member, UWRF Student Senate	2014-2015
Feed My Starving Children	
Adopt-A-Highway road clean up	

REGULAR K.c SNOW REMOVAL BID



P: 651.481.9180

info@WeAreBirch.com

www.WeAreBirch.com

Date: 09/30/2020

City of Birchwood
207 Birchwood Avenue
White Bear Lake, MN 55110

Prepared By: Dan Steuernagel

Email: dan@wearebirch.com

Opportunity Number: 3079

Contact: Tobin Lay

Company:

Phone: 651-426-3403

Email: tobin.lay@cityofbirchwood.com

Snow & Ice Services

Level of Service:

The Contractor and Client agree that due to the unpredictable nature of weather patterns that the Client's site(s) will be serviced within 2 hours of the snow event reaching 1" of accumulation that is not expected to melt within the next 4 hours for roads and sidewalks and the following specific performance of service(s).

Full Plow: Full plow of city streets will begin after snowfall cessation on all snowfalls of 1" or more, plowing primary roads first (as highlighted on provided map) followed by secondary roads with the goal of having a majority of all the snowplowing completed by 7:00AM or 6:00PM based on timing of snowfall cessation. A plow truck will stay within the city until all plowing is completed, or at additional request by the City of Birchwood Administrator. Contractor shall use best efforts to plow within 1' of the edge of all plowable surfaces.

Open Up: Plowing of primary roads will begin prior to snowfall cessation when accumulation reaches 2". Plowing of secondary roads will begin prior to snowfall cessation when accumulation reaches 4", as time allows, while continuing to maintain safe passage of primary roads. Snowfalls reaching or exceeding open-up triggers, or snowfalls of extended duration, may result in continuous plowing and/or multiple plows of city streets until all streets have been cleared after snowfall cessation.

Salting:

Pre-Treating: Primary streets, intersections, and other pre-determined areas will be pre-treated with either salt brine or salt brine with AMP liquid de-icing enhancer depending on street and air temperatures. Liquid deicers will be applied at contracted hourly rates and supplied by contractor at a cost of \$.55 per gallon. Pre-treatment shall occur within the 36 hours prior to forecasted snowfalls.

Post-Treating: Primary streets and intersections will be treated, unless areas are melted due to pre-treating. Secondary streets will be treated as needed depending on road surface temperatures, air temperatures, snow compaction, etc. Post treatment may be applied as granular rock salt or liquid deicer depending on environmental conditions, application timing, and material availability. Salt or liquid deicer will be applied at contracted hourly rates and supplied by contractor at a





cost of \$90 per ton of rock salt, or \$.55 per gallon for liquid deicer. Post-treatment shall occur upon completion of all full plows of 1" or more, and upon cessation of snowfalls of less than 1" as needed, depending on environmental and road surface conditions.

Pricing Structure:

- Per Hour per piece of equipment
- Per gallon or ton of material used
- From 10/15/2020 to 4/30/2021, the services defined in the attached Scope of Work will be conducted by BIRCH Inc. at the following rates:
- Snow and/or Ice Management will be billed to the customer by per event with the total hours and material (if required) included following completed services.

Snowplowing:

• Hourly Truck Plowing	Price per Hour	\$100.00
• Hourly De-icing	Price per Occurrence	\$100.00
• Bulk Rock Salt, per ton	Price per Occurrence	\$90.00
• Liquid Deicer, per gallon	Price per Occurrence	\$0.55

Expectations | Extreme Conditions | Property Preparation:

- Contractor will place plow markers for guidance along edges of pavement prior to first snow event, the Customer agrees to inspect all markings to ensure all necessary areas are noted and will hold harmless the contractor for any and all damages in unmarked areas.
- Contractor is not responsible for clearing snow within 4' of parked cars. Return trips will be done upon request at an hourly rate.
- Customer, nor anyone on customer property can hold contractor liable for slip and fall claims due to slippery/hazardous conditions.
- Fire Hydrants will be cleared within 24 hours of snow cessation.
- Hauling, relocating, blowing, moving snow piles is out side scope of work and will be done per request at a Time & Material Rate.

Hourly Rate Pricing | Additional Services:

Skidsteer w/snow bucket or plow \$85.00 - \$125.00 per hour





P: 651.481.9180
info@WeAreBirch.com
www.WeAreBirch.com

Skidsteer | Tractor w/blower
Front end loader w/3-yard bucket
Hand work (shoveling or snow-blowing)
Dump truck
Dumping Fees

\$145.00 per hour
\$175.00 per hour
\$65.00 per hour
\$95.00 - \$150.00 per hour
Varies with sites and quantities

**Rates varies based on equipment size, HP, single/two speed, and attachment type and size.*





P: 651.481.9180
info@WeAreBirch.com
www.WeAreBirch.com

Terms and Conditions

Payment Terms:

- Payment for contracted services will be due 30 days from date of invoice.
- 12% APR will be applied to all invoices not paid within 30 days.
- Any account 60 days past due may result in services being suspended until payments are made.

Surcharges:

- Contractor reserves the right to pass on any substantial increase in cost of supplies used to execute this contract such as, but not limited to fuel, salt and ice melt.

Insurance:

- Contractor will carry Worker's Compensation Insurance, Commercial General Liability Insurance, and Business Auto Insurance throughout the duration of this contract.

Indemnification and Liability:

- Customer shall indemnify and hold harmless the Contractor of and from any and all claims, demands, actions, causes of action, damages, liabilities, including cost and attorney fees, arising out of by reason of the execution of the service provided to Customer and further agrees to defend at its sole cost and expense any action or proceeding commenced for the purpose of asserting any claim whatsoever character arising hereunder.

Materials:

- All material necessary for the satisfactory execution of the contract will be supplied and paid for by the contractor.

Cancellation:

- Either party may cancel the contract with a 30-day written or email notification.

Weather Clarification & Reporting:

- Contractor subscribes to independent weather agencies for reference on forecasted events, timing, accumulations, however weather patterns vary on timing and location.
- Accumulated snow will be measured on-site in multiple non-drifted areas to report average total accumulation.

Dangerous Conditions:

- Contractor has the right to suspend snow operations if MnDot (Minnesota Department of Transportation) closes freeways due to inclement conditions and work will resume once it is deemed safe to travel.
- During blizzard conditions, the contractor will use sole discretion to determine if conditions are deemed dangerous and will suspend services until safe.





Monitoring:

- Customer will notify and request Contractor to return to Customer's premises to preform additional services, including inspection for melt and freeze. Contractor shall not be expected to service potentially dangerous conditions for which it has not been given reasonable notice. Customer acknowledges Contractor is not engaged, nor does it accept engagement, as a continuing monitor to potentially dangerous or unsafe conditions which may arise by reason of thawing and refreezing of previously plowed, shoveled, or treated areas.

Damages

- Contractor assumes full responsibility for damages caused by equipment during operations.
- Contractor is not responsible for replacement nor repair of curbing, asphalt, nor any other hard surface that is previously deteriorated, cracked, or damaged.
- Normal wear during plowing to paved or concrete surfaces is not considered damage.
- Contractor is not responsible for damage caused by salt or ice melt products on any hard surface, turf, nor plants.
- Contractor will exercise extreme caution to minimize all landscape damage but cannot assume liability for damage to objects hidden under snow during regular operations nor while moving or blowing of snow piles.
- Contractor is not responsible for dead turf under snow piles, along edges of cleared areas nor any other areas unless physically damaged during regular operations.
- If Customer feels Contractor damaged the property, Customer needs to notify Contractor within 24 hours of when the damage occurred.
- Building repairs will be addressed as needed depending on severity.
- Damaged turf will be repaired in the Spring with black dirt and grass seed.
- Damaged landscape will be repaired as needed to return to pre-damaged condition.
- All damages reported after May 1st will not be considered for repair.
- Contractor will not pay any unauthorized damage repairs done by a third party.

Communication:

- Email updates will be sent regarding snow and ice events affecting Customer property (i.e. snow accumulations, completion notice, de-icing recommendations, etc.).
- Customer will provide Contractor with necessary email contact information.
- Information pertaining to complaints, concerns, hazardous conditions, de-icing requests or additional services will be directed to BIRCH Account Representative from the Customer.
- Contractor will be available 24/7 by phone and/or email and all correspondences will be returned or addressed promptly.





P: 651.481.9180
info@WeAreBirch.com
www.WeAreBirch.com

ACCEPTANCE OF PROPOSAL: Authorized signature below confirms pricing as stated above and authorizes BIRCH, Inc. to perform the stated services. You are hereby authorized to perform the work.

Owner/ Agent

By: BIRCH, Inc.

Company: _____

Signature: *Dan Steuernagel*

Signature: _____

Printed Name: Dan Steuernagel

Printed Name: _____

Date: September 30, 2020

Date: _____



CITY OF OAK PARK HEIGHTS

2020 – 2021 Warming House / COVID-19 Policy.

To better facilitate COVID-19 safety protocols that are necessary to enable the opening of City Ice Rinks, the following policies are in effect for the City warming houses at Brekke Park and Cover Park until Further notice:

1. There shall be not more than ten (10) individuals occupying the warming house at any given time. (not including one rink attendant)
2. During the hours of warming house operation and when it is apparent to the Rink Attendant (if present) that the occupancy exceeds 10 persons; occupancy by all visitors shall be limited to not a time duration as reasonably necessary to put on skating / outdoor gear and /or to warm -up – but not exceeding 15 minutes. The Rink Attendant shall monitor and establish a reasonable rotation if necessary.
3. All staff and visitors to the park indoor shelters/warming houses must wear a face mask.
4. At all times proper six (6) foot social distancing shall remain in effect for all interior warming house areas including restrooms.
5. No one should enter the warming houses if they are feeling ill.
6. Park Shelters/ warming house common areas, high touch areas and restrooms will be cleaned and disinfected during each shift. Trash will be removed on a daily basis.
7. At-risk persons. All persons who are at risk of severe illness from COVID-19, as defined by Executive Order 20-55, are strongly urged to stay at home or in their place of residence and follow the provisions of Executive Order 20-55.

ADMINISTRATIVE B TRAFFIC CALMING TASK FORCE UPDATE

Traffic Calming Task Force Update October 2020

Some of our findings/recommendations to date:

Speed on Wildwood Ave

- Have collected speed box data twice, at 100 Wildwood Ave on July 13-18, 2020 and 154 to 168 Wildwood Ave Aug 8-12, 2020
- Average speeds = 12-16 mph
- 85th percentiles = 13-20 mph
- Over 90% of vehicles were traveling at or under the speed limit
- Follow up speed box planned following opening of Birchwood Rd to Hwy 244

Discussed potential measures

- Speed bumps
 - Would be noisy nuisance for local residents
 - Excessive speed is not documented issue
- Signs
 - Do not slow traffic, may increase awareness
 - Continuing to discuss and investigate type/location/etc.
- Barricades
 - Would impede emergency vehicles, 20 ft of clearance required
 - Not recommended

Safety of pedestrians/children

- Hosted Bike Safety event on Oct 10, 2020
 - Approx 16 children and 10 adults in attendance
 - Deputy from Washington County Sheriff's Office led training on basic road safety such as bike signals, stopping at stop signs, using right side of road, etc. as well as considerations for the neighborhood given the lack of sidewalks and presence of cars on the street. Children then participated in safety obstacle course and received stickers and prizes.
- Plan to host another bike safety event in the spring

From: Cora Hankins
Sent: Saturday, October 10, 2020 8:07 PM
To: Randy LaFoy; Tobin Lay
Subject: Bike event

Caution: This email originated outside our organization; please use caution.

The Bicycle Safety Event was a great success!

Approximately 16 children along with their parents showed up.

Deputy Ryan Corniea of the Washington County Sherriff's Office gave a safety briefing discussing important bicycle safety tips such as making sure tires are properly inflated, the brakes work, that children wear helmets and more. Deputy Corniea showed all the children the proper hand signals, such as right turn signals, left turn signals, and stop signals. He also addressed how to be safe in conditions sometimes experienced on Wildwood where cars are parked on both sides of the roadway.

After the safety briefing, Deputy Corniea had setup an obstacle course for the kids to ride around with various cones. After the kids were done with the obstacle course, they could get some goodies, such as stickers, toy sherrif badges, and other trinkets. Many attendees had a good time!

This was from Justin
Cora



RESOLUTION 2020-30

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

**RESOLUTION APPROVING THE USE OF CARES ACT FUNDING FOR
CERTAIN IMPROVEMENTS RELATED TO COVID PANDEMIC MUNICIPAL
PREPAREDNESS**

WHEREAS, The City of Birchwood has received \$66,000.00 of CARES Act funding as administered by the State of Minnesota through its office of management and budget (OMB) and,

WHEREAS, the City has identified several projects and expenditures that are eligible to be paid for with said CARES Act funding and,

WHEREAS, the City has identified the need for a Generator that will be available for municipal use in the event of power-grid failures to ensure the continued performance of municipal facilities which have been under increased strain due to the Governor’s Shelter-In-Place Order and many residents and their families being homebound in the City and,

WHEREAS, the City has identified the need to construct a Telecommunications Tower to provide for contactless utility monitoring and supervision and other contactless communications improvements, all of which support the Governor’s Shelter-In-Place Order and distancing requirements and,

WHEREAS, the City Council determines that City Staff should proceed with these aforementioned projects immediately given the Governor’s continuing Order, the need for the improvements and the requirements associated with the CARES Act funding and,

WHEREAS, City Staff have presented the City Council with contracts for the orderly construction of both the Generator and the Telecommunications Tower that are ready to be executed and,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Birchwood Village, after reviewing the particulars of the Generator and Communications Tower projects, do hereby approve the contracts as presented and,

FURTHER, BE IT RESOLVED THAT the City Council of the City of Birchwood Village hereby approves the use of the CARES Act funding it has received for the aforementioned projects and directs Staff to report these expenditures to the State OMB as part of the City’s obligations to the State in accepting said CARES Act funds.

The foregoing resolution, offered by Councilmember _____ and supported by Councilmember _____, was declared carried on the following vote:

Voting in Favor:
Voting Against:

Resolution duly seconded and passed this 13th day of October, 2020.

Attest:

Mary Wingfield, Mayor

Tobin Lay, City Administrator-Clerk

Tobin Lay

From: Steven W. Thatcher <sthatcher@thatcher-eng.com>
Sent: Monday, October 12, 2020 3:10 PM
To: Tobin Lay
Subject: Birchwood Village Water Meter Tower and Dellwood LS #3 Emergency Generator
Attachments: 2020-10-9 Water Meter Tower Bid Summary.pdf; 2020-10-9 Bid 7 Structural Tower Services - Tower - Rohn 40' Self Support.pdf; 2020-10-9 Bid 8 Structural Tower Services - Tower - Rohn 60' Self Support.pdf; 2020-10-8 Kodiak Power Systems Lift Station 3 Generator Installation Proposal 10.8.2020.pdf; 2020-10-7 Short Stop Electric Lift Station 3 Generator Installation Proposal.pdf; 2020-10-12 MP Technologies Lift Station 3 Generator Installation Proposal.pdf; 2020-10-12 MP Technologies Proposal for Electricity to Tower.pdf; 2020-10-5 Short Stop Electric Proposal for Electricity to Tower.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Caution: This email originated outside our organization; please use caution.

Tobin,

Water Meter Tower

Background

1. The Federal Aviation Administration (FAA) has approved a water meter tower (Tower) up to 64 feet tall in the grass area west of the south west corner of the court in Bloomquist Park.
2. Soil borings have been completed and the report shows no anomalies. Page 11 of 26 of the report prepared by American Engineering Testing states the following: "Based on the conditions found in our boring and our recommended grading/compaction procedures, it is our opinion that the footing may be proportioned for a maximum net allowable soil bearing pressure of 3,000 pounds per square foot."

Bids

Thatcher Engineering, Inc. (TEI) received eight (8) bids from three (3) companies to furnish and install a Tower as follows (Bid Summary dated October 9, 2020 is attached):

1. Bid #1: Four Star Construction Option 1 in the amount of approximately \$16,000.00 for 64 foot Tower (previously sent).
2. Bid #2: Four Star Construction Option 2 in the amount of approximately \$30,600.00 for 60 foot Tower (previously sent).
3. Bid #3: Trillium Tower Development Option 1 in the amount of \$21,538.00 for 40 foot Tower (previously sent).
4. Bid #4: Trillium Tower Development Option 2 in the amount of \$35,775.00 for 60 foot Tower (previously sent).
5. Bid #5: Trillium Tower Development Option 3 in the amount of \$32,070.00 for 40 foot Tower (previously sent).
6. Bid #6: Trillium Tower Development Option 4 in the amount of \$36,529.00 for 60 foot Tower (previously sent).
7. Bid #7: Structural Tower Services Option 1 in the amount of \$17,230.00 for 40 foot Tower (attached).
8. Bid #8: Structural Tower Services Option 2 in the amount of \$18,230.00 for 60 foot Tower (attached).

TEI Analysis

1. Four Star Construction (FSC) is not a responsive responsible bidder because of the following:

- a. The two bids from FSC do not include the price for the Tower plan to be stamped by a Minnesota Professional Engineer (PE). FSC said that they will obtain this cost by Tuesday September 8. However, TEI has not received the cost and they have not replied to phone calls and an email from TEI.
- b. FSC did not reply to a request from TEI for further information and detail to clarify what they are providing including understand why they propose only 2.5 cubic yards of concrete for the foundation (Trillium Tower Development Option 1 – 40 foot Tower includes the price for 12 cubic yards of concrete for the foundation).
2. The lowest responsible responsive bidder for the Tower is Structural Tower Services (STS).
 - a. Their cost to install the 60 foot Tower is \$1,000.00 more than the cost to install the 40 foot Tower.
 - b. Their cost includes the installation of radio equipment for the Tower furnished by Brad Simms of Dakota Supply Group, a water meter supply company.
 - c. The City has not purchase this radio equipment yet.
3. According to Brad Simms of Dakota Supply Group, water meter supply company, a 40 foot Tower is adequate for radio communication between the Tower and the water meters, but the 60 foot Tower will be more reliable and effective.
4. TEI does not recommend the installation of the radio equipment for the Tower on the Tower now for the following reasons:
 - a. The equipment cannot be tested now to determine if it is operating properly because there are no new water meters.
 - b. When the City can test the equipment, it may be out of warranty.
5. STS stated that they are willing to install the Tower now without the radio equipment for the Tower. Also, STS said that to install the radio equipment for the Tower later (in 2021 or 2022) they may bill \$350.00 to \$400.00 for an additional mobilization but the mobilization cost may be zero if they can do the work at the same time they are working in the Twin Cities area (which is often).
6. Structural Tower Services estimated schedule is as follows:
 - a. October 13: City Council awards Tower work.
 - b. October 14 to November 3: Complete paperwork, order the Tower's steel structure and receive the Tower's steel structure.
 - c. November 4: Start on-site Tower work.
 - d. November 15: Complete Tower work.

Electric Service to Water Meter Tower

Background

TEI evaluated three (3) alternatives to provide electric power to the Tower as follows:

1. **Alternative #1: Connect electricity to House**
 - a. This alternative consists of power from the existing house and garage west of Bloomquist Park (use the existing house electric service).
 - b. Analysis: This is not a viable alternative because it is more expensive to install than the option (below) and will be less reliable because any time there is a power interruption at the house, power will not reach the Tower.
2. **Alternative #2: Connect Electricity to Tower Now**
 - a. This alternative consists of power from the existing power pole (Pole) on the north side of Cedar Street west of the Park.
 - i. The City's contractor will install the electric cable (Cable) from the Tower to the Pole.
 - ii. Xcel Energy will extend the Cable up the Pole, install a protective cover over the Cable, and connect the Cable to the electricity at the top of the Pole.
 - b. Analysis:
 - i. This is a viable alternative and is reliable.

- ii. This alternative will provide a new 100 amp electric service to the Park at the Tower. Ninety (90) amps will be available for future electrical needs at the Park because the Tower requires only 10 amps. The estimated cost to install a 100 amp service instead of a 10 amp service is \$50.00.
 - iii. Xcel Energy's basic electric fee currently is \$10.00 per month.
 - iv. The City has a Community Solar Subscription (Subscription) with US Solar for electric service. TEI talked with Jillian Hansen of US Solar (phone: 847-644-1433 and email: jillian.hansen@us-solar.com) regarding this new electric service meter for the Tower. Jillian said: At this time, there is no availability to add a new electric service meter to the Subscription. However, she has added the City to a wait list to be added to the Subscription when possible (Sometimes people drop out). Also, if US Solar starts a new project, this meter may be eligible for inclusion in it. If US Solar starts a new project, they will contact the city and determine the city's interest in applying for a Subscription in the new project.
 - v. Xcel Energy will not charge the City for their installation work.
- c. Advantages:
- i. There is a protective cover over the Cable on the Pole (Installed by Xcel Energy).
 - ii. Electricity is available at the Tower now. Therefore, when the City decides to install new water meters and radio equipment on the Tower it does not need to wait for Xcel Energy to complete their work.
- d. Disadvantage:
- i. The City will pay Xcel Energy's basic electric fee (currently \$10.00 per month) and not use electricity at the Tower. The City will pay the basic fee without using electricity until it decides to install radio equipment on the Tower.

3. Alternative #3: Connect Electricity to Tower Later

- a. This alternative is the same as Alternative #2 except that Xcel Energy will not at this time do the following:
 - i. Extend the Cable up the Pole.
 - ii. Install a protective cover over the Cable.
 - iii. Connect the Cable to the electricity at the top of the Pole.
- b. Advantage:
 - i. The City will not pay Xcel Energy's basic electric fee (currently \$10.00 per month) until it decides to install radio equipment on the Tower.
- c. Disadvantage:
 - i. There is a no protective cover over the Cable on the Pole which could be vandalized. The Cable is looped and hung on the Pole until it decides to install radio equipment on the Tower. Then Xcel Energy will extend the Cable up the Pole, install a protective cover over the Cable, and connect the Cable to the electricity at the top of the Pole.

Analysis of Electric Service to Water Meter Tower Alternatives

It is the opinion of TEI that Alternative #2 (Connect Electricity to Tower Now) is better for the City because vandalism is likely and the cost of any vandalism to the Cable is estimated to be much more expensive than the \$10.00 per month basic fee.

Bids

Thatcher Engineering, Inc. (TEI) received bids from two (2) companies to furnish and install a new 100 amp electric service to the park (Alternative #2) as follows:

1. Bid #1: Short Stop Electric in the amount of \$4,005.00 (attached).
2. Bid #2: MP Technologies, LLC in the amount of \$8,243.48.

Dellwood LS #3 Emergency Generator

Background

On September 8, the City awarded the work to furnish a generator and automatic transfer switch (ATS) to Kodiak Power Systems in the amount of \$16,136.80. Also, the City authorized TEI to hire on behalf of the City a company to install the generator, ATS, electrical, natural gas, and a concrete pad for the emergency generator provided that the cost will be \$7,605.00 or less. This amount did not include soil correction work for the concrete pad because soil borings to determine if soil correction work is needed had not yet been performed. Soil borings have now been completed and the report show that 2 feet of soil needs to be removed and replaced with sand to correct the poor soil conditions.

TEI evaluated two (2) alternatives to provide natural gas service to the generator as follows:

1. From the existing gas meter at the ice rink warming house (use the existing gas meter).
 - a. This is not a viable alternative because it is more expensive to install than the option (below). The cost to the city would include the following:
 - i. Install a new gas pipe from the street to the existing gas meter because the diameter of the existing gas pipe is not large enough for the generator.
 - ii. Repair the bituminous street.
 - iii. Install a new gas meter at the ice rink warming house to replace the existing gas meter which is too small for the generator.
 - iv. Install a new gas pipe from new gas meter at the ice rink warming house to the generator.
 - b. This is a viable alternative because Xcel Energy will install the gas pipe in the street right-of-way and repair the bituminous street at no cost to the city.
 - c. The basic gas fee currently is \$25.00 per month.
 - d. TEI estimates that the cost for Xcel Energy to install a gas pipe from the street right-of-way to the generator is \$300.00.

Bids

TEI received bids from three (3) companies to install a generator, ATS, electrical, natural gas, and a concrete pad for the emergency generator and correct poor soil conditions:

1. Bid #1: Kodiak Power Systems in the amount of \$10,155.00 (attached).
2. Bid #2: Short Stop Electric in the amount of \$15,525.00 (attached).
3. Bid #3: MP Technologies, LLC in the amount of \$16,131.98.

The bids do not include the following:

1. Cost for Xcel Energy to install a new natural gas service to the generator (Estimated to be \$300.00).
2. Cost to remove frost or cost for heating.
3. Cost to correct poor soil conditions if more than 2 feet of soil needs to be removed and replaced with sand.

Estimated Cost Summary

TEI prepared an estimated cost summary for the Water Meter Tower and Dellwood LS #3 Emergency Generator project (attached) for your review.

TEI Recommendations

TEI recommends the following:

1. Install the 60 foot Tower and not the 40 foot Tower.
2. Now: Award the installation the 60 foot Tower to Structural Tower Services, Inc. (STS) in the amount of **\$18,230.00** (Bid #8) but do not install the radio equipment for the Tower now.

3. Later: Perhaps in 2021 or 2022, purchase radio equipment for the Tower and the water meters and then STS will install the radio equipment for the Tower on the Tower.
4. Do not require a building permit or fee from STS for the Tower.
5. Connect Electricity to Tower now (which is Alternative #2).
6. Award the installation of an electric service to the Tower to Short Stop Electric in the amount of **\$4,005.00**.
7. Award the installation of the generator to Kodiak Power Systems in the amount of **\$10,155.00**.

Please let me know if you have any questions. My cell is 612-867-7234.

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

REGULAR D GENERATOR BID

From: [ROBERT BOYUM](#)
To: [Steven W. Thatcher](#)
Subject: Budget Gen and transfer switch install
Date: Wednesday, October 07, 2020 12:23:42 PM

Steve

Talked to Mike @ Kodiak , He said use \$3000.00 as gas line install budget With the 2 foot soil correction assuming native soil for removal and common clean sand replacing W/ compaction and 8" pad depth {all other variables are not factored in] any other options required would be extra

Total install budget W/ the gas line allowance \$15,525.00

Bob @ shortstop

Note Does not include frost or heating costs



1738 Commerce Court
White Bear Lake, MN 55115
651-343-3259

City of Birchwood Village Proposal

Backup generator for Lift Station 3

Proposal# 10082020

October 8, 2020

Steven,

Thank you for the opportunity. We have stopped out and looked at the lift station to gather information. Kodiak Power Systems would like to offer you two options based on time frame constrictions.

Option 1:

Cummins 36Kw 45Kva Model C36N6 120/240v 3 Phase natural gas standby generator to include the following:

- Sound level 2 enclosure
- 100A circuit breaker
- 120v 1500w extreme cold weather engine heater
- 6-amp battery charger
- Engine starting battery
- Low coolant level kit
- 2 Year Factory Warranty

ASCO 300 Series 104-amp Automatic Transfer

- NEMA3R for outdoor use
- Non-Service entrance rated (Will utilize existing 100A fused disconnect)
- Built in programmable engine exerciser
- Digital control panel
- Prewired enclosure heater

Generator commissioning and startup services provided by Kodiak Power Systems.

Delivery and crane services provided by Kodiak Power Systems. Will set the unit on the concrete pad.

All electrical work performed by others unless turnkey option is chosen.

All gas line work performed by others unless turnkey option is chosen.

All concrete work performed by others unless turnkey option is chosen.

Total cost for option 1:

\$13,579.00 Cummins 36Kw generator

\$2,117.00 Asco 104Amp Automatic Transfer Switch

\$600.00 Commissioning & startup

\$790.00 Crane and delivery

\$16,136.80 Total

Optional Turnkey Added: \$10,155.00 (Does not included Utility Gas Meter)

\$26,291.80 Total with Turnkey Option

***Lead time for Cummins is 8-10 weeks from placement of order

***Lead time for ASCO transfer switch is 6 weeks from placement of order

See Next Page

Optional Turnkey Service:

Electrical installation services and permits performed by Country View Electric

Natural gas plumbing and permitting from meter to generator with in 20 linear feet performed by US Mechanical

8” Concrete pad and 2 ft deep of soil correction for generator by Pelco.

- Prep area at new generator pad location by stripping existing soils.
- Form pad
- Reinforce pad with #4 rebar 12” on center each way, one mat
- Pour 4’ wide x 8’ long x 8” thick pad
- Leave a trowel finish
- Clean up debris
- Excavate 2’ below pad and oversize pad excavation, place and compact fill per email dated 10/5/2020 from Steven Thatcher.
- Any additional excavation required beyond the 2’ will be charged in addition to this proposal.

Gas meter needs to be coordinated with Xcel energy. Pricing for this is not included.

Generator commissioning and startup services provided by Kodiak Power Systems.

Delivery and crane services provided by Kodiak Power Systems. Will set the unit on the concrete pad.

All electrical work performed by others unless turnkey option is chosen.

All gas line work performed by others unless turnkey option is chosen.

All concrete work performed by others unless turnkey option is chosen.

Payment Terms

-NET-45 per our existing agreement with Birchwood Village.

Thank you for allowing Kodiak Power Systems the opportunity to provide this proposal.

If you would like to proceed with the proposed services and equipment please sign below.

Option Chosen: _____

X _____ Date _____

Proposal #10082020



**REGULAR D
GENERATOR BID**

**Estimator: Cory Wolff
Project Manager**

9938 State Hwy 55 Annandale, MN 55302
Cell :612-518-5684 320-963-2875
cwolff@mpotech.biz
Fax: 320-963-2487

Steven W. Thatcher		PHONE 612-781-2188	DATE 10/12/2020
ADDRESS 6201 Creek Valley Road		JOB NAME Birchwood village Generator site.	
CITY, STATE AND ZIP CODE Edina MN 55439		JOB LOCATION Birchwood village MN	
ARCHITECT	E - MAIL ADDRESS	FAX NUMBER	

We hereby submit specifications and estimates for:

- Material and labor for electrical hook up.
- Material for pouring generator pad, soil correction at site.
- material and labor for gas connection to generator from meter.

Total \$ **16,131.98**

We Propose hereby to supply -- complete in accordance with above specifications, for the sum of:

sixteen thousand one hundred thirty one and 98/100===== dollars (\$16,131.98)

Payment to be made as follows:

Terms: 30 Days, 1.5 percent per month (18 percent annual will be charged on past due balances)

All material is guaranteed to be as specified. All work to be done 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. Owners carry fire, tornado and other necessary insurance. Our workers are fully covered by Worker's Compensation Insurance.

Authorized Signature: Tim Wolff
Tim Wolff, Regional Vice President

Note: This proposal may be withdrawn if not accepted within 30 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 _____

City of Birchwood Village, MN

Water Meter Tower Bid Summary

BY: Thatcher Engineering, Inc. (TEI)

10/9/2020

#	Description	Bid #1 Four Star Construction Option #1	Bid #2 Four Star Construction Option #2	Bid #3 Trillium Tower Development Option #1	Bid #4 Trillium Tower Development Option #2	Bid #5 Trillium Tower Development Option #3	Bid #6 Trillium Tower Development Option #4	Bid #7 Structural Tower Services Option #1	Bid #8 Structural Tower Services Option #2
1	Tower Price	\$16,000.00 (Estimated based on email from Four Star Construction dated September 4, 2020)	\$30,600.00 (Estimated based on email from Four Star Construction dated September 4, 2020)	\$21,538.00	\$35,775.00	\$32,070.00	\$36,529.00	\$17,230.00	\$18,230.00
2	Tower Type included in Price	64 Foot Rohn Free Standing Galvanized Tower	60 Foot Rohn Monopole Tower	40 foot Rohn Self Supporting Tower Model number SS040HD90 Base width and top width is 2 feet	60 foot Rohn Self Supporting Tower Base width and top width is 2 feet	40 foot Rohn Direct Embed Light Duty Pole Base width and top width is 2.5 feet	60 foot Rohn Direct Embed Light Duty Pole Base width and top width is 2.5 feet	40 foot Rohn Self Supporting Tower Base width and top width is 2 feet	60 foot Rohn Self Supporting Tower Base width and top width is 2 feet
3	Concrete foundation included in Price	2.5 Cubic Yards of Concrete	2.5 Cubic Yards of Concrete	Approximately 12 Cubic Yards of Concrete 9' x 9' x 4'-6" thick with #9 grade 60 bars each way top and bottom. Concrete mix design = 4,000 psi.	Approximately 15.6 Cubic Yards of Concrete 10'-3" x 10'-3" x 4'-6" thick with #9 grade 60 bars each way top and bottom. Concrete mix design = 4,000 psi.	Yes	Yes	Yes	Yes
4	Concrete foundation	Concrete foundation assuming normal soils. Water and rock removal is an additional cost.	Concrete foundation assuming normal soils. Water and rock removal is an additional cost.	Concrete foundation assuming normal soils. Water and rock removal is an additional cost.	Concrete foundation assuming normal soils. Water and rock removal is an additional cost.	Concrete foundation assuming normal soils. Water and rock removal is an additional cost.	Concrete foundation assuming normal soils. Water and rock removal is an additional cost.	Concrete foundation assuming normal soils. Water and rock removal is an additional cost.	Concrete foundation assuming normal soils. Water and rock removal is an additional cost.
5	Electrical work on Tower included in price	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
6	Electrical work to provide power to the Tower included in price	No	No	No	No	No	No	No	No
7	Crane costs	Crane costs may vary due to site access.	Crane costs may vary due to site access.	Crane costs may vary due to site access.	Crane costs may vary due to site access.	Crane costs may vary due to site access.	Crane costs may vary due to site access.	Crane costs may vary due to site access.	Crane costs may vary due to site access.
8	Light at top controlled by photo electric cell is not required by the Federal Aviation Administration (FAA). Is a light included in Price	No	No	No	No	No	No	No	No
9	Equipment supplied by Dakota Supply Group (DSG) including Kamstrup AMU antenna system included in Tower price	No (the price of this equipment is in DGS's proposal to the City)	No (the price of this equipment is in DGS's proposal to the City)	No (the price of this equipment is in DGS's proposal to the City)	No (the price of this equipment is in DGS's proposal to the City)	No (the price of this equipment is in DGS's proposal to the City)	No (the price of this equipment is in DGS's proposal to the City)	No (the price of this equipment is in DGS's proposal to the City)	No (the price of this equipment is in DGS's proposal to the City)
10	Installation of equipment supplied by DSG including Kamstrup AMU antenna system included in Tower price	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
11	Tower plan stamped by a Minnesota PE included in the Price (Note: TEI expects a price from Four Star Construction on Tuesday September 8)	No	No	Yes	Yes	Yes	Yes	Yes	Yes
12	Grounding for lightning protection included in price	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
13	Insurance to cover equipment damage or loss included in price	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
14	State and Local Permits included in price	No	No	No	No	No	No	No	No
15	State or Local Sales and/or Use Taxes included in price	No	No	No	No	No	No	No	No
16	Federal Aviation Administration (FAA) Permit Application and fees for Tower, if required, included in the Price	No	No	No	No	No	No	No	No
17	Federal Communications Commission (FCC) Permit Application and fees included in the Price	No	No	No	No	No	No	No	No
18	Fence around Tower to reduce the risk of people climbing the Tower included in the Price	No	No	No	No	No	No	No	No

T:\Projects\Birchwood Village\Water Meter Replacement\Water Meter Tower\2020-10-9 Water Meter Tower Bid Summary.xlsx\Sheet1

REGULAR D
TOWER BID SUMMARY

Shortstop Electric, Inc.
16481 Flintwood St NW
Andover, MN 55304
763-434-7792
shortstopelectric@comcast.net

**REGULAR D
TOWER BID
PROPOSAL**

DATE: 10-5-2020

TO:	JOB SITE/DESCRIPTION
City of Birchwood Birchwood MN Attn. Steve Thatcher	Cedar St By tennis courts Pedestal service to power circuit for metering tower <ul style="list-style-type: none"> • Not to exceed budget

ITEM	DESCRIPTION	QTY	TOTAL
1	Underground fees [Direct Bore }	1	\$1300.00
2	Material and logistics fee		\$1450.00
3	Labor	13	\$1105.00
4	Permit and admin fees		\$150.00

PROPOSAL TOTAL	\$4005.00
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All material is guaranteed to be as specified. All work to be completed in a substantial workman like manner according to specifications submitted, per standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders or verbal job site authorization, and will become an extra charge over and above the proposal amount due. 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. This proposal may be withdrawn if not accepted within 45 days. Invoices not paid within 30 days are subject to service charges of 1.5% per month.

**REGULAR D
TOWER BID**

Estimate



12924 1st Street
Becker, MN 55308
Phone (763) 262-1503
Fax (763) 262-1512

Date	Estimate #
10/8/2020	2113

Name / Address
City of Birchwood Village

Project
Water Meter Tower

Description	Rate	Total
As Requested Furnish and install self support tower and concrete foundation Furnish and install safety climb system Installation of water meter provided by DSG State of MN Stamped foundation design is included Grounding of Structure is included	0.00	0.00
Option: A) Class 55G 40' Self Support Tower	17,230.00	17,230.00
Option: B) Class 55G 60' Self Support Tower	18,230.00	18,230.00

Signature _____

**REGULAR D
TOWER BID**

Estimate



12924 1st Street
Becker, MN 55308
Phone (763) 262-1503
Fax (763) 262-1512

Date	Estimate #
10/8/2020	2113

Name / Address
City of Birchwood Village

Project
Water Meter Tower

Description	Rate	Total
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Option: B) Class 55G 60' Self Support Tower	18,230.00	18,230.00

Signature _____



Estimator: Cory Wolff
Project Manager

9938 State Hwy 55 Annandale, MN 55302
Cell :612-518-5684 320-963-2875
cwolff@mptech.biz
Fax: 320-963-2487

Steven W. Thatcher		PHONE 612-781-2188	DATE 10/12/2020
ADDRESS 6201 Creek Valley Road		JOB NAME Birchwood village Tower site	
CITY, STATE AND ZIP CODE Edina MN 55439		JOB LOCATION Birchwood village MN	
ARCHITECT	E - MAIL ADDRESS	FAX NUMBER	

We hereby submit specifications and estimates for:

material and labor for eletrical connection at tower site
Boring from XCEL pole to tower location.

Total \$ **8,243.48**

We Propose hereby to supply -- complete in accordance with above specifications, for the sum of:

eight thousand two hundred fourty three dollars and 48/100===== dollars (\$8,243.48)

Payment to be made as follows:

Terms: 30 Days, 1.5 percent per month (18 percent annual will be charged on past due balances)

All material is guaranteed to be as specified. All work to be done 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. Owners carry fire, tornado and other necessary insurance. Our workers are fully covered by Worker's Compensation Insurance.

Authorized
Signature: _____

Tim Wolff

Tim Wolff, Regional Vice President

Note: This proposal may be
withdrawn if not accepted within 30 days.

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Signature _____

Date of Acceptance _____