**CITY OF BIRCHWOOD VILLAGE**

**REGULAR CITY COUNCIL MEETING**

**April 26, 2011**

**MINUTES**

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

**STAFF PRESENT: City Engineer Kristie Elfering, City Clerk Dale Powers, and City Treasurer Cindie Reiter**

**OTHERS PRESENT: White Bear Lake Chief Building Official Ben Eggan**

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

**APPROVAL OF AGENDA: *Harper/Peterson unanimous to approve the agenda for the workshop and regular meeting.***

**COMMUNITY EVENTS: Mitchell** shared with the Council and community the following information:

* The Nordling Park improvement project is ongoing, and there is still a need for volunteers this coming weekend to help plant 384 trees and shrubs. The work starts at 10:00am Friday, April 29 and Saturday, April 30, and 1:00pm on Sunday, May 1.
* The docks will be going in on the lake tracts either this weekend or next weekend.
* Mother’s Day is Sunday, May 8
* The fishing opener is Saturday, May 14
* The annual plant exchange will be held at Village Hall on Saturday, May 21 at 9:30am
* The City-wide garage sale will be held on Saturday, June 4

**WORKSHOP: BUILDING INSPECTION REPORT:** The Council heard from **Eggan** about the results of the Village Hall inspection performed in October 2010. **Eggan** noted that while the overall condition of the structure was sound, there were some areas that needed immediate attention. The Council as a group came to a consensus as to what items needed immediate attention and directed staff to remedy those items.

**WORKSHOP: DEBT SERVICE SPECIAL ASSESSMENT INTEREST CALCULATION:** The Council heard from **Reiter** in regards to her exhibit on how the special assessment interest was calculated. While the amount of miscalculation was small, there was consensus that these amounts should be refunded to the impacted property owners. Staff was directed by the Council to bring this matter up for action at the May 10 meeting.

**WORKSHOP: STREET SIGNS AND PARKING SIGNS: Sampair** reviewed with the Council his exhibit on the condition of the City’s sign network. **Harper** noted that the City’s Comprehensive Plan addresses a “nonproliferation of signs” policy, and noted that there is nothing budgeted for sign replacement this year. **Elfering** noted that she had performed a cost analysis for sign replacement several years ago that the Council could use as a guide. As it pertains to broken signs, the Council directed staff to develop a cost estimate for broken sign replacement for presentation at the May 10th Council meeting.

**WORKSHOP: DRAFT FUND BALANCE POLICY: Harper** shared with the Council an exhibit on a policy addressing the City’s reserve funds, and noted that the City’s audit firm recommended that the City adopt a policy to guide its use of these funds. The Council directed staff to place the draft on the May 10 agenda for public comment and consideration of adoption.

**WORKSHOP: PROPOSED BUDGET PROCESS & YEAR-TO-DATE EXPENDITURE UPDATE: Harper** reviewed with the Council her proposed timeline and YTD expenditures.

**WORKSHOP: WHITE BEAR LAKE CONSERVATION DISTRICT UPDATE: Mitchell** noted that Joe Allaben and Debbie Harrod, the City’s representatives on the District Board, were unable to attend tonight’s meeting. Allaben submitted an exhibit detailing the District’s activities. Mitchell related that Joe will be relocating out of the area and Harrod’s term will expire in June, and urged City residents to consider service to the community as one of the City’s representatives to the District Board.

**WORKSHOP: CANOE RACK LIABILITY ISSUES: Powers** shared with the Council that he had contacted the City Attorney to investigate whether the City is exposed to any liability issues from allowing canoes to be stored on the City’s canoe racks, and noted that the City Attorney responded that there were no liability issues for the City to consider.

**ADJOURN WORKSHOP – CALL REGULAR MEETING TO ORDER: Mitchell** adjourned the workshop meeting, and called the regular meeting to order, at 9:00pm.

**REVIEW OF QUOTES FOR POTHOLE REPAIR: Elfering** reviewed with the Council the submitted exhibit with cost estimates from three vendors for the patching of the street at the two watermain break locations, and noted that she asked for a quote for “standard patching” and an “alternative addition at Cedar”. She requested the alternative due to the amount of groundwater that was present during the excavation, as well as that the break occurred during the winter, caused a substantial amount of settlement. Elfering advised the Council that the alternative addition is worth the expense, as standard patching will not hold up at this location as long as it will with the addition.

***Peterson/Carson unanimous to award the contract for patching of the two watermain potholes to Allied Blacktop, using the standard and the alternative addition, at a cost not to exceed $4900.00***

**Elfering** also directed the Council’s attention to the last paragraph of the exhibit, which requested cost estimates for pothole patching around town. Elfering received estimates from Allied Blacktop ($375.00 per hour) and from KEJ Enterprises ($50.00 per person per hour plus material).

***Sampair/Peterson unanimous to award the contract for general pothole patching to KEJ Enterprises as the low bidder at the quoted rate, not to exceed $500.00, including materials.***

**REVIEW AND CONSIDERATION OF BIDS FOR COMPUTER INSTALLATION AND SOFTWARE TRANSFER: Powers** noted that this item was on the April 12 agenda and heard that the Council had some questions about the quotes that were not addressed in Powers’ memo. **Harper** asked how the cost estimates were developed, since each vendor quoted differing time allocations for the work. Specifically, **Harper** asked how the $600.00 quote from Connor IT Solutions changed to $1,200.00. **Powers** responded that he wanted to present to the Council as close to an “apples to apples” comparison as possible, and that proved to be an elusive task. While each vendor quoted different time estimates for completion of the work, **Powers** noted that Compar and Connor IT Solutions had “caveats” in their bids. Specifically, Connor IT Solutions built in a 15% overage for “unforeseen circumstances outside of the control of Connor IT Solutions” which, in essence, raises the total cost of the quote by that amount. **Powers** noted that each vendor has positives and negatives and it was up to the Council to determine which vendor it was comfortable with.

***Sampair/Carson unanimous to award the contract for computer installation and software & data migration to PC Medic, LLC at a cost not to exceed $660.48, and to authorize the Mayor to work with staff on contract language including the spelling out of the labor guarantee, and to authorize the Mayor and City Clerk to execute the contract.***

**LEAGUE OF MINNESOTA CITIES ANNUAL CONFERENCE JUNE 15-17 IN ROCHESTER, MINNESOTA: DEADLINE FOR REDUCED REGISTRATION FEES MAY 6 – DECISION ON WHOM WILL BE ATTENDING: Powers** noted that the City budgeted $800.00 towards registration fees for 4 attendees; however, nothing was budgeted for lodging and travel. Consequently, the budgeted amount will allow for 2 attendees to this conference. **Powers** further noted that although he would benefit from attending the conference, he thought that the elected officials should have first claim to attend. **Mitchell** polled the Council and found that none were interested in attending, and **Peterson** specifically mentioned that any information pertaining to budgeting learned at the conference would be especially beneficial to the City.

***Mitchell/Harper unanimous to authorize Powers to represent the City at the LMC Annual Conference and to allocate $400.00 towards registration, lodging, and travel expenses.***

**NEXT MEETING – MAY 10, 2011 – PROPOSED AGENDA ITEMS: Mitchell** shared with the Council what is currently proposed to be on the May 10th agenda, as follows:

* Public Hearing on proposed changes to Section 403 (Tree Diseases), Section 201 (City Water System), and Section 202 (City Plumbing & Sewerage System)
* Music in the Park – permission for attendees (not the City) to bring alcoholic beverages
* Home Occupation issue at 501 Wildwood Avenue
* Review of bids for the garage rental
* Further questions on utility billing where two residences are served by a “Y” to one service to the main
* Any action items emanating from tonight’s workshops

**Powers** noted 2 additional items, as follows:

* Owl Street
* Resolution on insurance for sewer and water backups that was tabled at the April 12th meeting

**ADJOURN:** Without a motion, the meeting was adjourned @ 9:37pm.

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Dale Powers

City Clerk