April 9, 2013

The regular meeting of the Birchwood City Council was held Tuesday, April 9, 2013.

Present were Mayor Wingfield, Councilmembers Donovan, Hullsiek, LaFoy, and Woolstencroft; Coordinator-Clerk Powers; John Anderson, Mike Anderson, Mike Evangelist, Cara Geheren, Chad Isakson, John Lund, Tom Meyer, Tom Patsy, David Reynolds, Gene Ruehle, and Steve Thatcher.

Mayor Wingfield called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

Approval of Agenda: M/LaFoy S/Donovan/Passed to approve the agenda for tonight’s meeting, as amended to remove Item # 14(Preliminary consideration of personnel issues relating to City Treasurer); add Item # 10b (Little Library at Birch Easement); move Item # 11 (City Engineer Interviews) to after Item # 5 (Report from Roads and Streets Committee); add Item #’s 13b (Grass Mowing) and 13c (Records Retention); move Item # 3b (Acceptance of the Financial Report and Approval of Disbursements) off of the Consent Agenda; add Item # 3g (Budget spreadsheet to be distributed to Council members no later than Thursday for next week’s Workshop Meeting) to the Consent Agenda.

Open Public Forum: Evangelist addressed the Council as President of the Birchwood Dock Association, and said that with the lower water levels, fewer boats can be stored at the docks. Evangelist said that with the fixed costs of dock maintenance, etc. that each boat slip user is being charged higher amounts by the Dock Association, and wants the resource to have wider participation and make the experience more affordable. Wingfield commented that the Dock Association should come up with a proposal for presentation at a future Council meeting.

Consent Agenda: M/LaFoy S/Donovan/Passed to approve the following consent agenda items:

1. Approval of the Minutes of the March 12, 2013 Council Meeting.
2. Direct the City Treasurer to denote all distributions and receipts which are different than amounts agreed to or contracted for to be denoted on the Financial Report, and that all payees that previously have been inactive for the past 6 months are to be denoted on the Financial Report.
3. Order SWPPP MS4 public hearing for May 14, 2013; publish once in the White Bear Press.
4. Authorize Mayor Wingfield to sign Tennis and KEJ contracts.
5. Direct the City Coordinator to report to the Council all citizen complaints via e-mail within 5 days of complaint.
6. Direct staff to provide the Council with budget spreadsheets no later than Thursday for the upcoming Council Workshop meeting on Tuesday, April 16

REGULAR ORDER

1. RESOLUTION 2013-08 Approving Ordinance 2013-01 Repealing Ordinance 2012-13 Providing for a Special Election to Fill Certain Council Vacancies:

M/LaFoy S/Woolstencroft/Passed to open the public hearing at 7:12 p.m.

There were no comments from the public.

M/LaFoy S/Hullsiek/Passed to close the public hearing at 7:13 p. m.

M/LaFoy S/Hullsiek/Passed 4-0 (Councilmember Donovan abstaining) to approve Resolution 2013-08.

1. Report from the Roads and Streets Committee: Ruehle addressed the Council to inform them that the Committee talked with Tom Wood from MN/DOT, who advised them that none of the streets in the Village need to be rebuilt. Ruehle said that Wood advised them that the worst street in town is Cedar Street from Birchwood Avenue to East County Line Road. Mark Anderson noted that the Committee would like to have a workshop meeting with the Council to go over its findings and to get permission to get quotes for street repair. Mayor Wingfield commented that she will schedule a special workshop meeting sometime in the next two weeks for this matter.

11. City Engineer Interviews: The Council interviewed two firms – Focus Engineering and Thatcher Engineering – to be the City’s consulting civil engineer. Councilmember Hullsiek introduced Cara Geheren and Chad Isakson from Focus, and Tom Meyer and Steve Thatcher from Thatcher Engineering. Each firm gave a short presentation on what they could offer the City. Council members asked about “green” engineering, SCADA, and each firm’s rate structure. Councilmember Hullsiek stated that he thought highly of each firm, but recommended Thatcher Engineering as the City’s best option.

M/Hullsiek S/LaFoy/Passed to hire Thatcher Engineering as the City’s consulting civil engineer.

1. Park Project Update: John Lund, Chair of the Parks Committee, went over plans for the warming house at Tighe-Schmitz Park, and noted that the cost of the project is $40,000.00, with $17,689 currently budgeted for by the City. Lund is asking permission to proceed with tearing down the old warming house and installing a concrete slab for the new warming house right away, so we can start fund raising for the new warming house. Lund said that fund raising will go better when people see that the project is going to happen. When asked about the costs of demolition and the slab, Lund said approximately $6,300.00.

M/Hullsiek S/Donovan/Passed to authorize an expenditure not to exceed $6,300.00 for demolition of the old warming house and installation of a concrete slab for the new warming house.

It was agreed the cost to come from the Special Parks Fund for the demolition and the slab.

Lund also talked about weeding and seeding the ballfield, aeration at the lake easements, and the work that needs to be done at the Elm easement. Mayor Wingfield noted that the Council will discuss those items at next week’s Council budget workshop.

1. Review Assessor’s Report/2013 Property Taxation Values: Mayor Wingfield wanted to inform the public that the assessor’s report indicated that property values have decreased and property taxes have increased.
2. Elm easement repair options: Mayor Wingfield said that Rice Creek Watershed District Advisory Committee member Mary Sue Simmons and Councilmember Donovan have been working on trying to secure some sort of grant funding for this project. Mayor Wingfield stated that the easements are under the authority of Councilmember Hullsiek, but noted that Bill’s plate is full with the SCADA issue and would like to move this item over to Donovan and Simmons.

M/Wingfield S/Woolstencroft/Passed to take the Elm easement issue from Hullsiek and give it to Donovan.

1. Review obtaining City engineering files/documents: Mayor Wingfield said she had talked with the City Attorney on this issue, who advised her that the City’s interests would best be served by paying the former City engineer the estimated $400.00 copying charge for the records, as opposed to litigating the issue. The Council discussed whether to authorize an additional dollar amount in case the copying costs exceed $400.00.

M/Hullsiek S/Donovan to authorize an expenditure of up to $500.00 to pay for the photocopying costs of the City’s engineering files.

The Council next discussed whether to have the City Attorney work directly with the former City Engineering firm or to have the City Coordinator act in that capacity.

M/LaFoy S/Donovan to authorize the City Coordinator to work with the former City Engineer to get the City’s records back.

1. Prosecuting Attorney Interviews – Report from Councilmember LaFoy: Councilmember LaFoy updated the Council on his review of the proposals from the various law firms. Mayor Wingfield noted that since there doesn’t appear to be a pressing need for prosecuting services that the Council can wait on this matter until a future Council meeting.

10b. Little Library: Councilmember LaFoy said that Keri Pakonen, who lives next to the Birch easement, purchased a Little Library similar to that at City Hall and requested permission to place the structure on the easement. The Council discussed the matter of placing a privately-owned structure on public property and thought that the Little Library could be placed on her property immediately adjacent to the easement. Coordinator Powers advised the Council that placement of the structure at that location would require a variance. Councilmember LaFoy said that he would relay the Council’s concerns to Ms. Pakonen.

13b. Birchwood Lane: Councilmember LaFoy said he met with residents at Birchwood Lane about the snow removal issues/challenges on that street. Mayor Wingfield noted that Birchwood Lane has the problem of going uphill in both directions, so snow removal and making sure the ice is melting is especially important there. Councilmember LaFoy will bring the concerns of the neighborhood to Ken Johnson.

13c. Banner for the Annual Plant Exchange: Councilmember LaFoy said he will be investigating getting a large banner to advertise the City’s annual Plant Exchange.

13d. SCC Open House: Councilmember LaFoy stated that the Cable Commission (SCC) will be holding an open house on Thursday, April 25th, at the SCC offices at County Road F and Bellaire Avenue.

1. Comprehensive Water Management Services – Review of Proposals: Councilmember Hullsiek informed the Council that the only proposal received was from John Manship/Manship Plumbing and Heating. The Council directed staff to invite Manship to the May meeting to finalize terms.

13a. Review of staff procedure to obtain approval to contact City Attorney: Mayor Wingfield expressed a concern that staff is contacting the City Attorney on matters that Councilmembers have already contacted him/her on. Mayor Wingfield said that this isn’t just a matter for staff but for the other Councilmembers as well. The consensus of the Council was that it and staff need to communicate with each other better so that there are no duplicate calls to the City Attorney.

13b. Grass Mowing: Mayor Wingfield noted that the City Coordinator provided copies of KEJ’s proposal for grass mowing, along with a contract that incorporates the proposed fee structure.

M/Wingfield S/Hullsiek/Passed to approve the terms for grass mowing proposed by KEJ, Inc.

13c. Records Retention: Wingfield shared a concern that e-mails sent from the City’s accounts were not stored permanently; Powers commented that he discovered that sent e-mails were stored for 30 days back in August 2012; since that time, the settings on the account have been changed to allow for permanent storage. Councilmember Donovan said he would investigate with Comcast on retrieval of the previous sent e-mails.

3b. Acceptance of the Financial Report and Approval of Disbursements: Mayor Wingfield noted that the costs of lift station inspection have increased from $800.00 per month to $1,400.00 per month; this is due to the amount of time spent on inspecting the lift stations having increased from 10 hours a week to 25 hours a week. Mayor Wingfield commented that the Sewer Fund is not holding its own and the rates may need to be re-evaluated. Mayor Wingfield also commented that the Water Fund appears to be OK for the winter; that the snow plowing account has used $10,000.00 of its budgeted $16,000.00 amount, so that appears to be fine; and that some thought should be given to the establishment of a 501 (c) 3 organization for warming house fund raising.

M/Wingfield S/LaFoy/Passed to accept the Financial Report and Disbursement Register as prepared by the City Treasurer and presented to the City Council on April 9, 2013, including Check #’s 27678-27680, 27703-27727; Electronic Funds Transfers LIFT032013, PERA22813, STPPY0313, FED032013, MN032013, and PERA033113, in the amount of $58,762.72.

1. Mayor/Council Reports: Mayor Wingfield commented that she would like next week’s budget meeting to be televised. Councilmember Donovan said that there is a conversion going on with the Comcast that may cause some problems, and directed residents to call 651-747-3801 if they have problems.
2. Adjourn: M/LaFoy S/Donovan/Passed to adjourn the meeting at 9:42 p.m.

City Council Approval

Attested to by:

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Cindie J. Reiter, Interim City Clerk