



AGENDA OF THE REGULAR MEETING OF  
THE CITY COUNCIL  
CITY OF BIRCHWOOD VILLAGE  
WASHINGTON COUNTY, MINNESOTA  
April 9, 2024  
5:15 P.M.

NOTE: Due to Open Meeting Law restrictions, the City Council may be discussing agenda items for the first time. Your patience and understanding is appreciated during this process.

**PLEDGE OF ALLEGIANCE**

**APPROVE AGENDA**

**OPEN PUBLIC FORUM**

**ANNOUNCEMENTS**

- A. Music in the Park Schedule\* (pp. 3-4)

**CITY BUSINESS – CONSENT AGENDA**

- B. Approve Treasurer's Report\* (pp. 5-40)
- C. Approve Meeting Minutes from March 12, 2024\* (pp. 41-50)
- D. Approve Resolution 2024-20 Resolution Against Certain Zoning Bills Before the Minnesota Legislature\* (pp. 51-55)
- E. Approve Resolution 2024-21 Resolution to Discontinue Most Services with Metro INET\* (pp. 56-57)
- F. Approve Resolution 2024-22 Utility Fee Adjustment for 2<sup>nd</sup> Quarter\* (pp. 58-60)
- G. Approve 2024 Annual Cost of Living Staff Raises\* (p. 61)

**CITY BUSINESS**

- A. Ash Path Survey - Site Visit
- B. Introduction of new Treasurer, Marsha Olson
- C. Road Maintenance Discussion – Marcus Johnson
  - a. Road Work Options Update\* (pp. 62-68)
  - b. Crack Filing, Skim Patching, Stripping of Roads and Parking Lot, and Sweeping Bids – Nugent Sealcoating and Paving\* (pp. 69-70)
  - c. Spare Rotator Assembly for Lift Stations\* (pp. 71-72)
  - d. Highwood Path Survey

- e. Lift station Update\* (pp. 73-75)
- f. Wildwood LRIP Grant Application\* (pp. 76-77)
  
- D. Ash Path Survey Discussion\* (p. 78)
  
- E. Tree Inspector\* (pp. 79-83)
  
- F. Joint Powers Agreement for South Shore Boulevard Trail Management\* (pp. 84-86)
  
- G. 310/312 Wildwood – Ryan Hankins\* (pp. 87-96)
  
- H. 232 Cedar Ave – Attorney Update\* (pp. 97-107)

**ADJOURN**

**MUSIC IN THE PARK**  
**BIRCHWOOD SUMMER CONCERT SERIES**  
**TIGHE-SCHMITZ PARK**  
**SUNDAY EVENINGS 6:00 – 7:30 p.m.**  
**JUNE – AUGUST 2024**

<b>DATE</b>	<b>MUSICIANS</b>	<b>MUSIC</b>
June 2	<b>The Riff Rangers</b> <a href="http://www.theriffangers.com">www.theriffangers.com</a>	This talented Twin Cities quintet performs a wide variety of toe tappin’ genres on guitar, bass, drums and rich 3-part vocals. Western swing, vintage folk & rock classics, Big Band swing, Hot Club, Chicago blues and a wee bit of Irish make up the diverse palette of sounds that is The Riff Rangers.
June 9	<b>Any Day Now</b> <a href="http://www.reverbNation.com/anydaynowband/">http://www.reverbNation.com/anydaynowband/</a>	Six-member band playing classic rock n’ roll/country – your favorite songs from the sixties to today.
June 16	<b>Harmonic Relief</b> <a href="https://www.harmonicrelief.org/">https://www.harmonicrelief.org/</a>	Adult Show Choir with a mix of music, choreography and staging. Featuring a repertoire of folk, rock, show tunes, jazz and contemporary music.
June 23	<b>Scottie Miller</b> <a href="http://scottiemiller.com/">http://scottiemiller.com/</a>	Keyboardist and vocalist. Grammy and Blues Music Award nominated songwriter. Bluebird Review’s 2023 “Artist of the Year.” Combination of piano-blues and Americana.
June 30	<b>Sweet Rhubarb</b> <a href="http://www.sweetrhubarb.net/">http://www.sweetrhubarb.net/</a>	Rich three part harmonies, melding elements of folk, bluegrass, country, pop, and more.
July 7	Fourth of July weekend – no concert	
July 14	<b>Jennifer Eckes</b> <a href="https://jennifereckes.weebly.com/">https://jennifereckes.weebly.com/</a>	Cabaret artist and talented vocalist, combining great technique with a warm stage presence. Exploring the Great American Songbook and modern classics.
July 21	<b>Folk Revival</b>	An acoustic trio covering classic folk, country and pop artists from the fifties through the seventies including Bob Dylan, John Denver, Johnny Cash, Everly Brothers, Buddy Holly and many more.

July 28	<b>Artrio</b>	Artrio, comprised of three local bassoonists, promises to delight with a lively and eclectic program featuring ancient, classical, contemporary, jazz, and new music from around the world.
August 4	<b>No Concert</b>	
August 11	<b>Ensemble Aventura</b>	Five-person music ensemble specializing in world music with songs from Paris, Rio, and beyond!
August 18	<b>Legacy</b> <a href="http://www.legacycelticmusic.com/">http://www.legacycelticmusic.com/</a>	Four- piece group offering an engaging selection of traditional and contemporary Irish vocal music and instrumental tunes.
August 25	<b>Fabulous Fairlanes</b> <a href="http://www.fabulousfairlanes.com/">http://www.fabulousfairlanes.com/</a>	a cappella Doo-Wop Music from the 50s and 60s and newer

The concerts are free and open to the public. Tipping the artists is appropriate. Seating is not provided; bring a folding chair or blanket. Beer and wine are permitted.

## April Treasurer report

Mary Cahill <Mary.Cahill@cityofbirchwood.com>

Tue 4/2/2024 3:37 PM

To:Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>

Cc:Therese Bellinger <Therese.Bellinger@cityofbirchwood.com>;Marsha Olson <Marsha.Olson@cityofbirchwood.com>

We had several corrections that needed to be made for this report. See detail below:

1. Feb Interest recorded in March- \$4735.57- will impact balances for general fund
2. League of MN Cities reimbursement of \$ 4756.68 for lift station repair was logged to the general fund. It was changed to the Sewer fund. Will impact balances.
3. Washington County charged us in Error for road and bridge- \$ 249.92. Check was voided but will be on the claims list.
4. Water Main Break occurred on March 19 at 235 Cedar St. Total cost for the repair was:  
\$16,098.48  
    Capra's = \$13,718.48  
    Steve Dean = \$400.00  
    Manship= \$ 1980.00
5. Pay increase for 2023 for Jim Rydeen was on his first paycheck after the increase was authorized by council. CTAS did not retain the salary change and Jim was incorrectly paid since that date. A new paycheck was issued to rectify the past due amount.
6. Corrected claims list to change account #'s for a few claims.
7. CTAS auditors are requesting we limit the use of accounts labeled as miscellaneous or unallocated. We will use the correct CTAS account category and mention if it is a non-budgeted item. For example, in March we were billed legal fees for 117 Wildwood which are being booked as legal fees(41601: Legal Services which is not in 2024 budget.

Mary Cahill

Treasurer

City of Birchwood Village, MN

email: [mary.cahill@cityofbirchwood.com](mailto:mary.cahill@cityofbirchwood.com)

website:<http://www.cityofbirchwood.com>



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For the Period : 3/6/2024 To 4/2/2024

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>	<u>Less Deposits In Transit</u>	<u>Plus Outstanding Checks</u>	<u>Total Per Bank Statement</u>
General Fund	\$732,931.41	\$12,071.42	\$32,674.10	\$712,328.73	\$0.00	\$22,757.75	\$735,086.48
Road and Bridge	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other Federal Programs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Comp Plan Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Tree Canopy Care	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Special Rev Projects	\$10,823.05	\$0.00	\$0.00	\$10,823.05	\$0.00	\$0.00	\$10,823.05
Spec Rev - Warm House	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
REIMBURSED CONTRACTED SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Birchwood In Re-hab Bond	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sewer Re-hab Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CAPITAL PROJECT FUNDS (401 through 499)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
General Capital Projects	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Capital Project PW	\$105,741.49	\$0.00	\$0.00	\$105,741.49	\$0.00	\$0.00	\$105,741.49
Water	\$62,127.36	\$10,779.58	\$16,877.23	\$56,029.71	\$0.00	\$16,823.48	\$72,853.19
Sewer	\$72,489.12	\$7,725.28	\$9,290.95	\$70,923.45	\$0.00	\$9,439.81	\$80,363.26
Transit System	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sewer Infrastructure	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Water Meter Upgrade Fees	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
American Rescue Act Proceeds	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Engineering Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$984,112.43</b>	<b>\$30,576.28</b>	<b>\$58,842.28</b>	<b>\$955,846.43</b>	<b>\$0.00</b>	<b>\$49,021.04</b>	<b>\$1,004,867.47</b>

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>	<u>Less Deposits In Transit</u>	<u>Plus Outstanding Checks</u>	<u>Total Per Bank Statement</u>
Justin R. McCarthy	City Council/Town Board						Date
Katherine A Weier	City Council/Town Board						Date
Margaret Arola Ford	City Council/Town Board, Mayor						Date
Robert Mark Foster	City Council/Town Board						Date
Ryan Q Hankins	City Council/Town Board						Date

Fund Name: All Funds

Date Range: 03/06/2024 To 04/02/2024

<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>
03/06/2024	Felt, R	171736029*	Kayak Rack Rental	(03/06/2024) -	N	Kayak/Canoe Permits	100-32212-	\$ 60.00
								<b>\$ 60.00</b>
03/06/2024	Schaffhausen, Mark	171736030*	Kayak Rack Rental	(03/06/2024) -	N	Kayak/Canoe Permits	100-32212-	\$ 90.00
								<b>\$ 90.00</b>
03/06/2024	Klimp, Lori	171736031*	Kayak Rack Rental	(03/06/2024) -	N	Kayak/Canoe Permits	100-32212-	\$ 60.00
								<b>\$ 60.00</b>
03/06/2024	Westphal, Cynthia	171736032*	Kayak Rack Rental	(03/06/2024) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00
								<b>\$ 30.00</b>
03/06/2024	Cavanor, Katherine	171736033*	Kayak Rack Rental	(03/06/2024) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00
								<b>\$ 30.00</b>
03/06/2024	Wandmacher, Cathryn	171736034*	Kayak Rack Rental	(03/06/2024) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00
								<b>\$ 30.00</b>
03/06/2024	Toback, Patricia	171736035*	Kayak Rack Rental	(03/06/2024) -	N	Kayak/Canoe Permits	100-32212-	\$ 60.00
								<b>\$ 60.00</b>
03/06/2024	Mahtomedi Fast Pitch	171736036*	Hall Rental Fee for Fast Pitch Assoc Meeting	(03/06/2024) -	N	City/Town Hall Rent	100-34101-	\$ 25.00
								<b>\$ 25.00</b>
03/06/2024	Moran, Cynthia	171736037*	Art Group Donation	(03/06/2024) -	N	Contributions and Donations from Private Sources	100-36230-	\$ 20.00
								<b>\$ 20.00</b>
03/06/2024	Smith, Samantha	171736038*	Hall Rental	(03/06/2024) -	N	City/Town Hall Rent	100-34101-	\$ 25.00
								<b>\$ 25.00</b>
03/06/2024	TAK Communications	171736039*	BP 23-0041-Rightaway	(03/06/2024) -	N	Building Permits Escrow Deposits	100-32211- 100-36245-8	\$ 200.00
								\$ 3,000.00
								<b>\$ 3,200.00</b>



Fund Name: All Funds

Date Range: 03/06/2024 To 04/02/2024

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03/06/2024	Artist Group Donations	171736055	Monday Artist Group Donations	(03/06/2024) - Ca	N	Contributions and Donations from Private Sources	100-36230-	\$ 40.00
								<hr/> <b>\$ 40.00</b>
03/11/2024	MSP	171736042*	BP 24-0023, 7 oakridge drive	(03/11/2024) -	N	Building Permits	100-32211-	\$ 151.00
								<hr/> <b>\$ 151.00</b>
03/12/2024	Go Permits	171736041*	BP 24-0022, 8 white pine lane	(03/12/2024) -	N	Building Permits	100-32211-	\$ 128.63
								<hr/> <b>\$ 128.63</b>
03/13/2024	Yogadevotion	171736043*	Yoga at City Hall	(03/13/2024) -	N	City/Town Hall Rent	100-34101-	\$ 200.00
								<hr/> <b>\$ 200.00</b>
03/13/2024	Haasl, Nicole	171736044*	PB 24-0024, 127 Wildwood Ave	(03/13/2024) -	N	Building Permits	100-32211-	\$ 151.00
								<hr/> <b>\$ 151.00</b>
03/14/2024	Bachman, Alan	171736023*	Kayak Rack Rental	(03/14/2024) -	N	Kayak/Canoe Permits	100-32212-	\$ 60.00
								<hr/> <b>\$ 60.00</b>
03/14/2024	Cummins, Robert	171736024*	Kayak Rack Rental	(03/14/2024) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00
								<hr/> <b>\$ 30.00</b>
03/14/2024	Bergeron, Deb	171736025*	Kayak Rack Rental	(03/14/2024) -	N	Kayak/Canoe Permits	100-32212-	\$ 60.00
								<hr/> <b>\$ 60.00</b>
03/14/2024	LaFoy, Randall	171736026*	Kayak Rack Rental	(03/14/2024) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00
								<hr/> <b>\$ 30.00</b>
03/14/2024	Hulllsiek, William	171736027*	Kayak Rack Rental	(03/14/2024) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00
								<hr/> <b>\$ 30.00</b>
03/14/2024	Seifert, Adam	171736028*	Kayak Rack Rental	(03/14/2024) -	N	Kayak/Canoe Permits	100-32212-	\$ 60.00
								<hr/> <b>\$ 60.00</b>
03/14/2024	Artist Group Donations	171736053*	Monday Artist Group Donations	(03/14/2024) - Ca	N	Contributions and Donations from Private Sources	100-36230-	\$ 60.00

Fund Name: All Funds

Date Range: 03/06/2024 To 04/02/2024

<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>
								<u>\$ 60.00</u>
03/19/2024	Bonfes Plumbing Heating	171736045*	BP 24-0028, 512 Wildwood Ave	(03/19/2024) -	N	Building Permits	100-32211-	\$ 151.00
								<u>\$ 151.00</u>
03/21/2024	Bischel, Michael	171736047*	BP 24-0026. 127 Wildwood Ave	(03/21/2024) -	N	Building Permits	100-32211-	\$ 1,348.75
								<u>\$ 1,348.75</u>
03/21/2024	Voyager	171736048*	BP 24-0025, 5 White Pine Lane	(03/21/2024) -	N	Building Permits	100-32211-	\$ 422.06
								<u>\$ 422.06</u>
03/22/2024	Patton Heating and Air	171736046*	BP 24-0024. 127 Wildwood Ave	(03/22/2024) -	N	Building Permits	100-32211-	\$ 151.00
								<u>\$ 151.00</u>
03/27/2024	Pakonen, Michelle	171736049*	Dog License 125 Wildwood Ave	(03/27/2024) -	N	Animal Licenses	100-32240-	\$ 30.00
								<u>\$ 30.00</u>
03/28/2024	Art Group Donations	171736014*	Art Group Donations 2024	(03/28/2024) -	N	Contributions and Donations from Private Sources	100-36230-	\$ 30.00
								<u>\$ 30.00</u>
03/28/2024	Kayak Rental	171736015*	Kayak Rental	(03/28/2024) - Ca	N	Kayak/Canoe Permits	100-32212-	\$ 90.00
								<u>\$ 90.00</u>
03/28/2024	Michalk, Zachary	171736016*	Kayak Rack Rental	(03/28/2024) -	N	Kayak/Canoe Permits	100-32212-	\$ 60.00
								<u>\$ 60.00</u>
03/28/2024	Weber, Dan	171736017*	Kayak Rack Rental	(03/28/2024) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00
								<u>\$ 30.00</u>
03/28/2024	Loosbrock, Jeremy	171736018*	Kayak Rack Rental	(03/28/2024) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00
								<u>\$ 30.00</u>

Fund Name: All Funds

Date Range: 03/06/2024 To 04/02/2024

<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>	
03/28/2024	White, Trilby	171736019*	Kayak Rack Rental	(03/28/2024) -	N	Kayak/Canoe Permits	100-32212-	\$ 60.00	
								<b>\$ 60.00</b>	
03/28/2024	Johnson, Tyler	171736020*	Kayak Rack Rental	(03/28/2024) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00	
								<b>\$ 30.00</b>	
03/28/2024	Wyland, John	171736021*	Dog License 427 Wildwood Ave	(03/28/2024) -	N	Animal Licenses	100-32240-	\$ 20.00	
								<b>\$ 20.00</b>	
03/28/2024	Canyon Creek Construction	171736022*	BP 24-0029, 129 Wildwood Ave	(03/28/2024) -	N	Building Permits	100-32211-	\$ 301.84	
								<b>\$ 301.84</b>	
03/28/2024	Greseth, Mark	171736052*	Kayak Permit	(03/28/2024) - Ck	N	Kayak/Canoe Permits	100-32212-	\$ 30.00	
								<b>\$ 30.00</b>	
03/28/2024	Artist Group Donation	171736054*	Monday Artist Group Donation	(03/28/2024) - Ca	N	Contributions and Donations from Private Sources	100-36230-	\$ 10.00	
								<b>\$ 10.00</b>	
03/29/2024	Residents - via St Anthony Village	171736050	Utility Billing Receipts for March 2024	(03/29/2024) -	N	Water Consumption	601-37111-	\$ 4,508.02	
							Water Utility User Fee	601-37112-	\$ 3,679.22
							Water Utility User Fee	601-37112-	\$ 25.00
							Water Main-break Surcharge	601-37113-	\$ 2,191.10
							State Surcharge	601-37116-	\$ 226.49
							Administrative Fee Move/Out	601-37118-	\$ 100.00
							Penalties and Forfeited Discounts	601-37160-	\$ 49.75
							Sewer Consumption	605-37211-	\$ 3,953.62
							Sewer Minimum Charge	605-37212-	\$ 3,741.94
							Penalties and Forfeited Discounts	605-37260-	\$ 29.72
								<b>\$ 18,504.86</b>	
03/29/2024	4 M Fund	171736051	March 24 interest	(03/29/2024) -	N	Interest Earning	100-36210-	\$ 4,646.14	
								<b>\$ 4,646.14</b>	
<b>Total for Selected Receipts</b>								<b>\$ 30,576.28</b>	

Fund Name: All Funds

Date Range: 03/06/2024 To 04/02/2024

<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>
03/11/2024	IRS - US Treasury	EFT03112024A*	Federal Taxes - Q1 2024 -Feb Payment	N	Clerk - Treasurer	100-41401-100-	\$ 1,804.56
		EFT03112024A*				100-41401-100-	\$ 422.04
		EFT03112024A*				100-41401-100-	\$ 604.75
	<b>Total For Check</b>	<b>EFT03112024A</b>					<b>\$ 2,831.35</b>
03/11/2024	MN Department of Revenue	EFT03112024B*	MN State Tax eFiling - 2024 Q1- Feb pymt	N	Clerk - Treasurer	100-41401-115-	\$ 632.62
	<b>Total For Check</b>	<b>EFT03112024B</b>					<b>\$ 632.62</b>
03/14/2024	Payroll Period Ending 03/14/2024	32864	Office PR 2/25/24 - 3/9/2024	N	Clerk - Treasurer	100-41401-100-	\$ 997.78
	<b>Total For Check</b>	<b>32864</b>					<b>\$ 997.78</b>
03/14/2024	Payroll Period Ending 03/14/2024	32865	Office PR 2/25/24 - 3/9/2024	N	Clerk - Treasurer	100-41401-100-	\$ 2,112.61
	<b>Total For Check</b>	<b>32865</b>					<b>\$ 2,112.61</b>
03/14/2024	Payroll Period Ending 03/14/2024	32866	Office PR 2/25/24 - 3/9/2024	N	Parks	100-45207-100-	\$ 168.18
	<b>Total For Check</b>	<b>32866</b>					<b>\$ 168.18</b>
03/19/2024	PERA	EFT03192024-A*	Retirement funds-PR End 3/9/24--TB, RK, JR	N	Clerk - Treasurer	100-41401-121-	\$ 588.45
		EFT03192024-A*			Parks	100-45207-121-	\$ 8.82
	<b>Total For Check</b>	<b>EFT03192024-A</b>					<b>\$ 597.27</b>
03/21/2024	Payroll Period Ending 03/21/2024	32867	Catchup Pay-Maintenance--Period 5/1/23 -2/29/24	N	Parks	100-45207-100-	\$ 882.85
	<b>Total For Check</b>	<b>32867</b>					<b>\$ 882.85</b>
03/28/2024	Payroll Period Ending 03/28/2024	32868	Office PR 3/10 - 3/23/24	N	Clerk - Treasurer	100-41401-100-	\$ 882.90
	<b>Total For Check</b>	<b>32868</b>					<b>\$ 882.90</b>
03/28/2024	Payroll Period Ending 03/28/2024	32869	Office PR 3/10 - 3/23/24	N	Clerk - Treasurer	100-41401-100-	\$ 2,112.61
	<b>Total For Check</b>	<b>32869</b>					<b>\$ 2,112.61</b>
03/28/2024	Payroll Period Ending 03/28/2024	32870	Maintenance PR 3/10-3/23/24	N	Parks	100-45207-100-	\$ 259.02
	<b>Total For Check</b>	<b>32870</b>					<b>\$ 259.02</b>

Fund Name: All Funds

Date Range: 03/06/2024 To 04/02/2024

<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>
03/28/2024	PERA	EFT03282024-A <sup>1</sup>	Retirement funds-PR End 3/23/24--TB, RK,	N	Clerk - Treasurer	100-41401-121-	\$ 546.62
		<b>Total For Check</b>	<b>EFT03282024-A</b>				<b>\$ 546.62</b>
03/28/2024	PERA	EFT03282024-B <sup>4</sup>	Retirement funds-PR End 3/23/24--JR plus catchup pay for raise of 4/1/2023	N	Parks	100-45207-121-	\$ 198.39
		<b>Total For Check</b>	<b>EFT03282024-B</b>				<b>\$ 198.39</b>
03/29/2024	BrightView Landscapes, LLC.	32871*	Salt&Brine 2/27--Plow on 2/27	N	Ice and Snow Removal	100-43125-210-	\$ 708.40
		<b>Total For Check</b>	<b>32871</b>				<b>\$ 708.40</b>
03/29/2024	City of White Bear Lake Fire	32872*	Fire Srvc -April 2024	N	Fire	100-42201-314-	\$ 3,888.84
		<b>Total For Check</b>	<b>32872</b>				<b>\$ 3,888.84</b>
03/29/2024	City of White Bear Lake Public Work	32873*	April 2024 Monthly Public Safety Facility Fire Services	N	Fire	100-42201-314-	\$ 1,196.42
		<b>Total For Check</b>	<b>32873</b>				<b>\$ 1,196.42</b>
03/29/2024	General Repair Service	32874*	Lift Station #3 Plug Valve--Deductible-Other Expenses reimbursed by LMC	N	Sewer Utility	605-43190-380-	\$ 250.00
		<b>Total For Check</b>	<b>32874</b>				<b>\$ 250.00</b>
03/29/2024	General Repair Service	32875*	Lift Station #3 Repairs--Not Reimbursed by LMC	N	Sewer Utility	605-43190-380-	\$ 1,610.80
		<b>Total For Check</b>	<b>32875</b>				<b>\$ 1,610.80</b>
03/29/2024	H.A. Kantrud, P.A.	32876*	Attorney Services -April 2024	N	Legal Services	100-41601-300-	\$ 1,500.00
		<b>Total For Check</b>	<b>32876</b>				<b>\$ 1,500.00</b>
03/29/2024	John Wikstrom	32877*	Mar Fees	N	Engineer Service	100-41650-300-	\$ 1,600.00
		<b>Total For Check</b>	<b>32877</b>				<b>\$ 1,600.00</b>
03/29/2024	LMCIT	32878*	Tony Nickolaus Litigation Claim Charge--CMC 1002952	N	Legal Services	100-41601-304-	\$ 7,010.80
		<b>Total For Check</b>	<b>32878</b>				<b>\$ 7,010.80</b>
03/29/2024	LRS Portables, LLC	32879*	Mar Portable Potty	N	Parks	100-45207-314-	\$ 100.00
		<b>Total For Check</b>	<b>32879</b>				<b>\$ 100.00</b>
03/29/2024	Metro - INET	32880*	IT Charges--Mar Tech Support and Domain Renewal	N	General Government Buildings and Plant	100-41940-320-	\$ 501.00

Fund Name: All Funds

Date Range: 03/06/2024 To 04/02/2024

<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>
		<b>Total For Check</b>	<b>32880</b>				<b>\$ 501.00</b>
03/29/2024	Olson's Sewer Service	32881*	Bypass Pumping for Lift #3 Repair	N	Sewer Utility	605-43190-380-	\$ 1,470.00
		<b>Total For Check</b>	<b>32881</b>				<b>\$ 1,470.00</b>
03/29/2024	Patton Heating and Air	32882*	BP 24-0024--Duplicate Payment Reimbursement	N	MISCELLANEOUS	100-49001-810-	\$ 151.00
		<b>Total For Check</b>	<b>32882</b>				<b>\$ 151.00</b>
03/29/2024	Steve Dean	32883*	Water Main Break Material Dump	N	Wtr/Swr Emergency	601-43185-314-	\$ 400.00
		<b>Total For Check</b>	<b>32883</b>				<b>\$ 400.00</b>
03/29/2024	Stoltzman, Cris	32884*	Videography - Council Mtg Mar 12,	N	Cable Eqpmt and Service	100-41950-314-	\$ 106.50
		<b>Total For Check</b>	<b>32884</b>				<b>\$ 106.50</b>
03/29/2024	Bellinger, Therese	32885*	Office Supply Reimbursement-Dowels, Misc office Supply	N	Office Operations Supplies	100-41911-200-	\$ 45.31
		<b>Total For Check</b>	<b>32885</b>				<b>\$ 45.31</b>
03/29/2024	Toshiba America Business Solutions	32886*	March Monthly Usage Allowance	N	Office Operations Supplies	100-41911-314-	\$ 10.62
		<b>Total For Check</b>	<b>32886</b>				<b>\$ 10.62</b>
03/29/2024	TSE, Inc. Work Account	32887*	Janitorial Services - 3/7 and 3/21	N	General Government Buildings and Plant	100-41940-314-	\$ 29.95
		32887*				100-41940-314-	\$ 29.95
		<b>Total For Check</b>	<b>32887</b>				<b>\$ 59.90</b>
03/29/2024	USS Minnesota One MT LLC	32888*	Solar Energy Charges - Feb Charges	N	General Government Buildings and Plant	100-41940-380-	\$ 73.03
		32888*			Sewer Utility	605-43190-380-	\$ 194.74
		32888*				605-43190-380-	\$ 352.96
		<b>Total For Check</b>	<b>32888</b>				<b>\$ 620.73</b>
03/29/2024	Washington County - Property & Tax	32889*	2024 Election Maintenance	N	Elections	100-41410-314-	\$ 1,332.00
		<b>Total For Check</b>	<b>32889</b>				<b>\$ 1,332.00</b>

Fund Name: All Funds

Date Range: 03/06/2024 To 04/02/2024

<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>
03/29/2024	Washington County - Road & Bridge	32890*	***VOID\$249.92***Labor Hrs and Fringe--Unalloc Maintenance Act 3/12/24	Y	Ice and Snow Removal	100-43125-210-	\$ -
	<b>Total For Check</b>	<b>32890</b>					<b>\$ -</b>
03/29/2024	WBL Conservation District	32891*	2024 Fiscal Year Community Assessment for WBLCD	N	Water Resources	100-46101-437-	\$ 740.05
	<b>Total For Check</b>	<b>32891</b>					<b>\$ 740.05</b>
03/29/2024	Xcel 4094-1	EFT03202024-A <sup>1</sup>	Gas Service 1/22 - 2/21 200 Wildwood Lift Station	N	Sewer Utility	605-43190-380-	\$ 29.63
	<b>Total For Check</b>	<b>EFT03202024-A</b>					<b>\$ 29.63</b>
03/29/2024	Xcel 9369-0	EFT03202024-B <sup>1</sup>	407 Lake Lift Station 1/22 thru 2/21	N	Sewer Utility	605-43190-380-	\$ 29.63
	<b>Total For Check</b>	<b>EFT03202024-B</b>					<b>\$ 29.63</b>
03/29/2024	Xcel 2307-8	EFT03202024-C <sup>1</sup>	Street Lighting 2/3 thru 3/2	N	Street Lighting	100-43160-380-	\$ 1,021.13
	<b>Total For Check</b>	<b>EFT03202024-C</b>					<b>\$ 1,021.13</b>
03/29/2024	A T & T Mobility	EFT03222024-I <sup>1</sup> *	Wireless for water tower- 3/2 thru 4/1	N	Water Utility	601-43180-382-	\$ 53.75
	<b>Total For Check</b>	<b>EFT03222024-I</b>					<b>\$ 53.75</b>
04/02/2024	Gopher State One Call	32894*	March 13 Tickets	N	Utility Locates	605-42805-314-	\$ 17.55
	<b>Total For Check</b>	<b>32894</b>					<b>\$ 17.55</b>
04/02/2024	Metropolitan Council - Env. Service	32895*	March Waste Water Services	N	Sewer Utility	605-43190-217-	\$ 5,335.64
	<b>Total For Check</b>	<b>32895</b>					<b>\$ 5,335.64</b>
04/02/2024	Bellinger, Therese	32896	Office Supply Reimbursement- File Folders, Cleaning Supplies, & Single Gang Wall Plate	N	Office Operations Supplies	100-41911-200-	\$ 12.52
		32896			General Government Buildings and Plant	100-41940-200-	\$ 47.73
		32896				100-41940-220-	\$ 12.65
	<b>Total For Check</b>	<b>32896</b>					<b>\$ 72.90</b>
04/02/2024	Manship Plumbing & Heating Inc	32898	Sewer/Water-March Retainer, Water main pipe break at 235 Cedar-19 hours	N	Water Utility	601-43180-314-	\$ 700.00
		32898			Wtr/Swr Emergency	601-43185-314-	\$ 1,980.00

Fund Name: All Funds

Date Range: 03/06/2024 To 04/02/2024

<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>
		<b>Total For Check</b>	<b>32898</b>				<b>\$ 2,680.00</b>
04/02/2024	CAPRA'S UTILITIES, INC	32899*	Water Main Break 235 Cedar	N	Wtr/Swr Emergency	601-43185-314-	\$ 13,718.48
		<b>Total For Check</b>	<b>32899</b>				<b>\$ 13,718.48</b>
04/02/2024	Press Publications	32900*	Ref #801869, Assessment Notice	N	Ordinances and Proceedings	100-41130-351-	\$ 84.08
		<b>Total For Check</b>	<b>32900</b>				<b>\$ 84.08</b>
04/02/2024	Fleck, Jon	32901	Reimbursemen - Utility Bill 400 Wildwood charged in error	N	Water Utility	601-43180-382-	\$ 25.00
		<b>Total For Check</b>	<b>32901</b>				<b>\$ 25.00</b>
<b>Total For Selected Checks</b>							<b>\$ 58,592.36</b>



As on 4/2/2024

Capital Project PW

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
<b>Receipts:</b>			
Total Revenues	0.00	0.00	0.00
<b>Other Financing Sources:</b>			
Transfer From General Fund	0.00	30,000.00	30,000.00
Total Acct 392	0.00	30,000.00	30,000.00
Total Other Financing Sources	0.00	30,000.00	30,000.00
<b>Disbursements:</b>			
Total Disbursements	0.00	0.00	0.00
<b>Other Financing Uses:</b>			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		75,741.49	
Total Receipts and Other Financing Sources		30,000.00	
Total Disbursements and Other Financing Uses		0.00	
Cash Balance as of 04/02/2024		105,741.49	

As on 4/2/2024

Special Rev Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
<b>Receipts:</b>			
Total Revenues	0.00	0.00	0.00
<b>Other Financing Sources:</b>			
Total Other Financing Sources	0.00	0.00	0.00
<b>Disbursements:</b>			
Total Disbursements	0.00	0.00	0.00
<b>Other Financing Uses:</b>			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		10,823.05	
Total Receipts and Other Financing Sources		0.00	
Total Disbursements and Other Financing Uses		0.00	
Cash Balance as of 04/02/2024		10,823.05	

As on 4/2/2024

Water

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
<b>Receipts:</b>			
Water Consumption	0.00	18,539.87	18,539.87
Water Utility User Fee	0.00	11,186.55	11,186.55
Water Main-break Surcharge	0.00	7,153.54	7,153.54
Special Water Charges	0.00	376.09	376.09
State Surcharge	0.00	735.94	735.94
Administrative Fee Move/Out	0.00	150.00	150.00
Penalties and Forfeited Discounts	0.00	153.57	153.57
<b>Total Acct 371</b>	<b>0.00</b>	<b>38,295.56</b>	<b>38,295.56</b>
<b>Total Revenues</b>	<b>0.00</b>	<b>38,295.56</b>	<b>38,295.56</b>
<b>Other Financing Sources:</b>			
Transfer From General Fund	0.00	6,287.74	6,287.74
<b>Total Acct 392</b>	<b>0.00</b>	<b>6,287.74</b>	<b>6,287.74</b>
<b>Total Other Financing Sources</b>	<b>0.00</b>	<b>6,287.74</b>	<b>6,287.74</b>
<b>Disbursements:</b>			
Financial Administration			
Contracted Services	0.00	3,778.00	(3,778.00)
<b>Total Acct 415</b>	<b>0.00</b>	<b>3,778.00</b>	<b>(3,778.00)</b>
Water Utility			
Repair and Maintenance Supplies (221 through 229)	0.00	462.19	(462.19)
Contracted Services	0.00	24,816.42	(24,816.42)
Utility Services (381 through 389)	0.00	27.45	(27.45)
Utility Services: Water	0.00	186.25	(186.25)
Fees	0.00	903.00	(903.00)
Wtr/Swr Emergency			
Contracted Services	0.00	29,165.90	(29,165.90)
<b>Total Acct 431</b>	<b>0.00</b>	<b>55,561.21</b>	<b>(55,561.21)</b>
<b>Total Disbursements</b>	<b>0.00</b>	<b>59,339.21</b>	<b>(59,339.21)</b>
<b>Other Financing Uses:</b>			
<b>Total Other Financing Uses</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Beginning Cash Balance</b>		<b>70,785.62</b>	
<b>Total Receipts and Other Financing Sources</b>		<b>44,583.30</b>	
<b>Total Disbursements and Other Financing Uses</b>		<b>59,339.21</b>	
<b>Cash Balance as of 04/02/2024</b>		<b>56,029.71</b>	

As on 4/2/2024

Sewer

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
<b>Receipts:</b>			
Sewer Consumption	0.00	13,559.55	13,559.55
Sewer Minimum Charge	0.00	12,487.69	12,487.69
Penalties and Forfeited Discounts	0.00	116.21	116.21
<b>Total Acct 372</b>	<b>0.00</b>	<b>26,163.45</b>	<b>26,163.45</b>
<b>Total Revenues</b>	<b>0.00</b>	<b>26,163.45</b>	<b>26,163.45</b>
<b>Other Financing Sources:</b>			
Transfer From General Fund	0.00	4,580.10	4,580.10
<b>Total Acct 392</b>	<b>0.00</b>	<b>4,580.10</b>	<b>4,580.10</b>
<b>Total Other Financing Sources</b>	<b>0.00</b>	<b>4,580.10</b>	<b>4,580.10</b>
<b>Disbursements:</b>			
Engineer Service			
PROFESSIONAL SERVICES (301 through 319)	0.00	12,786.50	(12,786.50)
<b>Total Acct 416</b>	<b>0.00</b>	<b>12,786.50</b>	<b>(12,786.50)</b>
Utility Locates			
Contracted Services	0.00	117.50	(117.50)
<b>Total Acct 428</b>	<b>0.00</b>	<b>117.50</b>	<b>(117.50)</b>
Sewer Utility			
Sewer - Wastewater Charge	0.00	16,006.92	(16,006.92)
Contracted Services	0.00	3,002.27	(3,002.27)
Utility Services (381 through 389)	0.00	4,833.10	(4,833.10)
Miscellaneous (431 through 499)	0.00	10,304.34	(10,304.34)
<b>Total Acct 431</b>	<b>0.00</b>	<b>34,146.63</b>	<b>(34,146.63)</b>
<b>Total Disbursements</b>	<b>0.00</b>	<b>47,050.63</b>	<b>(47,050.63)</b>
<b>Other Financing Uses:</b>			
<b>Total Other Financing Uses</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Beginning Cash Balance</b>		<b>87,230.53</b>	
<b>Total Receipts and Other Financing Sources</b>		<b>30,743.55</b>	
<b>Total Disbursements and Other Financing Uses</b>		<b>47,050.63</b>	
<b>Cash Balance as of 04/02/2024</b>		<b>70,923.45</b>	

City of Birchwood Village  
Bank Reconciliation

US Bank  
General Fund #1-801-2001-5920  
2/29/2024

Genl Fund 4M #35389-101

<b>US Bank 4M balance</b>	<b>General Fund</b>	\$1,070,745.42
<b>Outstanding Checks</b>	Outstanding Checks	(\$5,488.26)
	Deposit on bank not on 4/M	
	Deposit on bank not on 4/M	
	Deposit on bank not on 4/M	
	General Fund Checks clrd not on 4M	
<b>Bank Open Items</b>	Feb UB Entry (timing)	
	Additional UB Deposit	
	Settlement Returns (Jan)	
<b>Genl Ledger Open Items</b>	ACH Refunds (booked 2/10)	
	Total	\$1,065,257.16
	<b>Balance Per Cash Control Statement</b>	<u>\$1,065,257.16</u>
	DIFFERENCE	\$0.00

<b>US Bank 4M balance</b>	<b>General Fund</b>	\$1,004,122.07
<b>Outstanding Checks</b>	Outstanding Checks	(\$26,837.47)
	Deposit on bank not on 4/M	3,027.37
	Deposit on bank not on 4/M	
	Deposit on bank not on 4/M	
	General Fund Checks clrd not on 4M	(\$2,363.57)
<b>Bank Open Items</b>	Additional UB Deposit	
<b>Genl Ledger Open Items</b>	Credit Card Utility Payment not in US Bank until April	\$81.60
		\$978,030.00
	<b>Balance Per Cash Control Statement</b>	<u>\$978,030.00</u>
	DIFFERENCE	\$0.00

Monthly Activity Summary

2/1/2024 - 2/29/2024

Class	Account	Beginning Balance	Contributions	Interest	Checks Paid	Other Withdrawals	Month End Balance
4M	35389 - 101 General Fund	\$1,103,235.87	\$13,954.86	\$4,491.64	(\$103,871.19)	(\$5,331.07)	\$1,012,480.11
4MP	35389 - 101 General Fund	\$58,021.38	\$0.00	\$243.93	\$0.00	\$0.00	\$58,265.31
LTD	35389 - 101 General Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$1,161,257.25	\$13,954.86	\$4,735.57	(\$103,871.19)	(\$5,331.07)	\$1,070,745.42



City of Birchwood Village

PMA Financial Network  
 2135 CityGate Lane  
 7th Floor  
 Naperville, IL 60563  
 Phone: 630-657-6400  
 Fax: 630-718-8701

Monthly Activity Summary

3/1/2024 - 3/31/2024

Class	Account	Beginning Balance	Contributions	Interest	Checks Paid	Other Withdrawals	Month End Balance
4M	35389 - 101 General Fund	\$1,012,480.11	\$21,414.32	\$4,384.04	(\$87,888.46)	(\$4,795.35)	\$945,594.66
4MP	35389 - 101 General Fund	\$58,265.31	\$0.00	\$262.10	\$0.00	\$0.00	\$58,527.41
LTD	35389 - 101 General Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$1,070,745.42	\$21,414.32	\$4,646.14	(\$87,888.46)	(\$4,795.35)	\$1,004,122.07



(35389 - 101) City of Birchwood Village - General Fund

4M

Transaction	Trade Date	Settle Date	Description	Redemption	Purchase	Share Price	Shares this Transaction
2246428	03/28/2024	04/01/2024	US Bank Checks Paid Redemption	(\$3,055.41)	\$0.00	\$1.000	(3,055.410)
2246429	04/01/2024	04/01/2024	US Bank Deposit Package Purchase	\$0.00	\$130.00	\$1.000	130.000
2246430	04/01/2024	04/01/2024	US Bank Deposit Package Purchase	\$0.00	\$561.84	\$1.000	561.840
2246755	04/01/2024	04/01/2024	US Bank ACH Redemption, MN PERA	(\$198.39)	\$0.00	\$1.000	(198.390)
2246756	04/01/2024	04/01/2024	US Bank ACH Redemption, MN PERA	(\$546.62)	\$0.00	\$1.000	(546.620)
2246980	04/01/2024	04/01/2024	US Bank Deposit Package Purchase	\$0.00	\$3,772.38	\$1.000	3,772.380
2247452	04/01/2024	04/01/2024	US Bank ACH Redemption, XCEL ENERGY-MN	(\$1,021.13)	\$0.00	\$1.000	(1,021.130)
2247453	04/01/2024	04/01/2024	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$81.60	\$1.000	81.600
				(\$4,821.55)	\$4,545.82		(275.730)

Beginning Balance: \$945,594.66 | Ending Balance: \$945,318.93

(35389 - 101) City of Birchwood Village - General Fund (Checking Inflow/Outflow Summary)

4M

Trade Date	Description	Amount
03/28/2024	Checking Outflow	(\$2,363.57)
03/29/2024	Checking Inflow	\$3,027.37
04/01/2024	Checking Outflow	(\$939.53)

Date Range : 2/19/2024 To 3/19/2024

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
03/19/2024	PERA	Retirement funds-PR End 3/9/24--TB, RK, JR	6883*	\$597.27			
					100-45207-121-	Parks	\$8.82
					100-41401-121-	Clerk - Treasurer	\$588.45
<b>Total For Selected Claims</b>				<b>\$597.27</b>			<b>\$597.27</b>

Justin R. McCarthy	City Council/Town Board	Date
Katherine A Weier	City Council/Town Board	Date
Margaret Arola Ford	City Council/Town Board, Mayor	Date
Robert Mark Foster	City Council/Town Board	Date
Ryan Q Hankins	City Council/Town Board	Date

Date Range : 3/28/2024 To 3/28/2024

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
03/28/2024	PERA	Retirement funds-PR End 3/23/24--TB, RK,	6884*	\$546.62	100-41401-121-	Clerk - Treasurer	\$546.62
<b>Total For Selected Claims</b>				<b>\$546.62</b>			<b>\$546.62</b>

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Justin R. McCarthy

City Council/Town Board

Date

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Katherine A Weier

City Council/Town Board

Date

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Margaret Arola Ford

City Council/Town Board, Mayor

Date

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Robert Mark Foster

City Council/Town Board

Date

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Ryan Q Hankins

City Council/Town Board

Date

Date Range : 2/28/2024 To 3/28/2024

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
03/28/2024	PERA	Retirement funds-PR End 3/23/24--JR plus catchup pay for raise of 4/1/2023	6885*	\$198.39			
					100-45207-121-	Parks	\$198.39
<b>Total For Selected Claims</b>				<b>\$198.39</b>			<b>\$198.39</b>

Justin R. McCarthy	City Council/Town Board	Date
Katherine A Weier	City Council/Town Board	Date
Margaret Arola Ford	City Council/Town Board, Mayor	Date
Robert Mark Foster	City Council/Town Board	Date
Ryan Q Hankins	City Council/Town Board	Date

Date Range : 3/1/2024 To 3/29/2024

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
03/22/2024	A T & T Mobility	Wireless for water tower- 3/2 thru 4/1	6886*	\$53.75	601-43180-382-	Water Utility	\$53.75
03/20/2024	Xcel 4094-1	Gas Service 1/22 - 2/21 200 Wildwood Lift Station	6887*	\$29.63	605-43190-380-	Sewer Utility	\$29.63
03/20/2024	Xcel 9369-0	407 Lake Lift Station 1/22 thru 2/21	6888*	\$29.63	605-43190-380-	Sewer Utility	\$29.63
03/29/2024	Xcel 2307-8	Street Lighting 2/3 thru 3/2	6889*	\$1,021.13	100-43160-380-	Street Lighting	\$1,021.13
<b>Total For Selected Claims</b>				<b>\$1,134.14</b>			<b>\$1,134.14</b>

Justin R. McCarthy	City Council/Town Board	Date
Katherine A Weier	City Council/Town Board	Date
Margaret Arola Ford	City Council/Town Board, Mayor	Date
Robert Mark Foster	City Council/Town Board	Date
Ryan Q Hankins	City Council/Town Board	Date

Date Range : 3/29/2024 To 3/29/2024

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
03/29/2024	BrightView Landscapes, LLC.	Salt&Brine 2/27--Plow on 2/27	6890*	\$708.40	100-43125-210-	Ice and Snow Removal	\$708.40
03/29/2024	City of White Bear Lake Fire	Fire Srvc -April 2024	6891*	\$3,888.84	100-42201-314-	Fire	\$3,888.84
03/29/2024	City of White Bear Lake Public Work	April 2024 Monthly Public Safety Facility Fire Services	6892*	\$1,196.42	100-42201-314-	Fire	\$1,196.42
03/29/2024	General Repair Service	Lift Station #3 Plug Valve--Deductible-Other Expenses reimbursed by LMC	6893*	\$250.00	605-43190-380-	Sewer Utility	\$250.00
03/29/2024	General Repair Service	Lift Station #3 Repairs--Not Reimbursed by LMC	6894*	\$1,610.80	605-43190-380-	Sewer Utility	\$1,610.80
03/29/2024	H.A. Kantrud, P.A.	Attorney Services -April 2024	6895*	\$1,500.00	100-41601-300-	Legal Services	\$1,500.00
03/29/2024	John Wikstrom	Mar Fees	6896*	\$1,600.00	100-41650-300-	Engineer Service	\$1,600.00
03/29/2024	LMCIT	Tony Nickolaus Litigation Claim Charge--CMC 1002952	6897*	\$7,010.80	100-49201-430-	Unallocated Expenditures	\$7,010.80
03/29/2024	LRS Portables, LLC	Mar Portable Potty	6898*	\$100.00	100-45207-314-	Parks	\$100.00
03/29/2024	Metro - INET	IT Charges--Mar Tech Support and Domain Renewal	6899*	\$501.00			

Date Range : 3/29/2024 To 3/29/2024

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
					100-41940-320-	General Government Buildings and Plant	\$501.00
03/29/2024	Olson's Sewer Service	Bypass Pumping for Lift #3 Repair	6900*	\$1,470.00			
					100-43190-380-	Sewer Utility	\$1,470.00
03/29/2024	Patton Heating and Air	BP 24-0024--Duplicate Payment Reimbursement	6901*	\$151.00			
					100-49001-810-	MISCELLANEOUS	\$151.00
03/29/2024	Steve Dean	Water Main Break Material Dump	6902*	\$400.00			
					601-43185-314-	Wtr/Swr Emergency	\$400.00
03/29/2024	Stoltzman, Cris	Videography - Council Mtg Mar 12,	6903*	\$106.50			
					100-41950-314-	Cable Eqmpt and Service	\$106.50
03/29/2024	Bellinger, Therese	Office Supply Reimbursement- Dowels, Misc office Supply	6904*	\$45.31			
					100-41911-200-	Office Operations Supplies	\$45.31
03/29/2024	Toshiba America Business Solutions	March Monthly Usage Allowance	6905*	\$10.62			
					100-41911-314-	Office Operations Supplies	\$10.62
03/29/2024	TSE, Inc. Work Account	Janitorial Services - 3/7 and 3/21	6906*	\$59.90			
					100-41940-314-	General Government Buildings and Plant	\$29.95
					100-41940-314-	General Government Buildings and Plant	\$29.95
03/29/2024	USS Minnesota One MT LLC	Solar Energy Charges - Feb Charges	6907*	\$620.73			
					605-43190-380-	Sewer Utility	\$352.96
					100-41940-380-	General Government Buildings and Plant	\$73.03
					605-43190-380-	Sewer Utility	\$194.74

Date Range : 3/29/2024 To 3/29/2024

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
03/29/2024	Washington County - Property & Tax	2024 Election Maintenance	6908*	\$1,332.00	100-41410-314-	Elections	\$1,332.00
03/29/2024	Washington County - Road & Bridge	Labor Hrs and Fringe--Unalloc Maintenance Act 3/12/24	6909*	\$249.92	100-43125-210-	Ice and Snow Removal	\$249.92
03/29/2024	WBL Conservation District	2024 Fiscal Year Community Assessment for WBLCD	6910*	\$740.05	100-46101-437-	Water Resources	\$740.05
<b>Total For Selected Claims</b>				<b>\$23,552.29</b>			<b>\$23,552.29</b>

Justin R. McCarthy	City Council/Town Board	Date
Katherine A Weier	City Council/Town Board	Date
Margaret Arola Ford	City Council/Town Board, Mayor	Date
Robert Mark Foster	City Council/Town Board	Date
Ryan Q Hankins	City Council/Town Board	Date



Date Range : 3/11/2024 To 3/11/2024

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
03/11/2024	IRS - US Treasury	Federal Taxes - Q1 2024 -Feb Payment	6881*	\$2,831.35			
					100-41401-100-	Clerk - Treasurer	\$1,804.56
					100-41401-100-	Clerk - Treasurer	\$422.04
					100-41401-100-	Clerk - Treasurer	\$604.75
03/11/2024	MN Department of Revenue	MN State Tax eFiling - 2024 Q1- Feb pymt	6882*	\$632.62			
					100-41401-115-	Clerk - Treasurer	\$632.62
<b>Total For Selected Claims</b>				<b>\$3,463.97</b>			<b>\$3,463.97</b>

Justin R. McCarthy	City Council/Town Board	Date
Katherine A Weier	City Council/Town Board	Date
Margaret Arola Ford	City Council/Town Board, Mayor	Date
Robert Mark Foster	City Council/Town Board	Date
Ryan Q Hankins	City Council/Town Board	Date

Date Range : 4/2/2024 To 4/2/2024

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
04/02/2024	Manship Plumbing & Heating Inc	Sewer/Water-March Retainer, Water main pipe break at 235 Cedar-19 hours	6911	\$2,680.00			
					601-43180-314-	Water Utility	\$700.00
					601-43185-314-	Wtr/Swr Emergency	\$1,980.00
04/02/2024	CAPRA'S UTILITIES, INC	Water Main Break 235 Cedar	6912*	\$13,718.48			
					601-43185-314-	Wtr/Swr Emergency	\$13,718.48
04/02/2024	Gopher State One Call	March 13 Tickets	6913*	\$17.55			
					605-42805-314-	Utility Locates	\$17.55
04/02/2024	Metropolitan Council - Env. Service	March Waste Water Services	6914*	\$5,335.64			
					605-43190-217-	Sewer Utility	\$5,335.64
04/02/2024	Bellinger, Therese	Office Supply Reimbursement- File Folders, Cleaning Supplies, & Single Gang Wall Plate	6915	\$72.90			
					100-41911-200-	Office Operations Supplies	\$12.52
					100-41940-220-	General Government Buildings and Plant	\$12.65
					100-41940-200-	General Government Buildings and Plant	\$47.73
<b>Total For Selected Claims</b>				<b>\$21,824.57</b>			<b>\$21,824.57</b>

Date Range : 4/2/2024 To 4/2/2024

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
	Justin R. McCarthy		City Council/Town Board			Date	
	Katherine A Weier		City Council/Town Board			Date	
	Margaret Arola Ford		City Council/Town Board, Mayor			Date	
	Robert Mark Foster		City Council/Town Board			Date	
	Ryan Q Hankins		City Council/Town Board			Date	

Date Range : 4/2/2024 To 4/2/2024

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
04/02/2024	Press Publications	Ref #801869, Assessment Notice	6916*	\$84.08			
					100-41130-351-	Ordinances and Proceedings	\$84.08
<b>Total For Selected Claims</b>				<b>\$84.08</b>			<b>\$84.08</b>

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Justin R. McCarthy

City Council/Town Board

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Date

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Katherine A Weier

City Council/Town Board

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Date

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Margaret Arola Ford

City Council/Town Board, Mayor

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Date

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Robert Mark Foster

City Council/Town Board

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Date

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Ryan Q Hankins

City Council/Town Board

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Date

Date Range : 4/2/2024 To 4/2/2024

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
04/02/2024	Fleck, Jon	Reimbursemen - Utility Bill 400 Wildwood charged in error	6917	\$25.00			
					601-43180-382-	Water Utility	\$25.00
<b>Total For Selected Claims</b>				<b>\$25.00</b>			<b>\$25.00</b>

Justin R. McCarthy	City Council/Town Board	Date
Katherine A Weier	City Council/Town Board	Date
Margaret Arola Ford	City Council/Town Board, Mayor	Date
Robert Mark Foster	City Council/Town Board	Date
Ryan Q Hankins	City Council/Town Board	Date

CTAS Claim

Claim Number : 6897\*

Claim Date : 03/29/2024

To : LMCIT, Claimant  
C/O Berkley Risk Admin. Co., LLC  
P.O. Box 581517  
Minneapolis, MN 55458-1517

Approved

Note : Ref # GL 209124, Tony Nickolaus Litigation Claim Charge--CMC 1002952

For :

100-41601-304	Legal Services - Professional Services: Legal Fees	\$7,010.80
<b>Total</b>		<b>\$7,010.80</b>

Declaration

I declare under penalties of law that this account, claim or demand is just and correct and that no part of it has been paid

-----  
-  
Date

-----  
-  
Signature of Claimant

Paid by Order - Check Number -----

Filled in my office this ----- day of -----,

MO  
-----  
Clerk

**City of Birchwood Village**

Check # : 32881\*  
 Date: 03/29/24  
 Pay to the Order of : Olson's Sewer Service  
 Description : Bypass Pumping for Lift #3 Repair  
 Notes : Inv#102910, Bypass Pumping for Lift #3 Repair

Fund	Account	Object Code	Program Code	Amount
605:Sewer	43190:Sewer Utility	380:Utility Services (381 through 389)		\$1,470.00
Total Amount				\$1,470.00

Authorized By: \_\_\_\_\_

City of Birchwood Village

Receipt # : 171736009\*  
Date : 02/22/24  
Deposit Date/ID : (02/22/2024) -  
Received From : League of Minnesota Cities  
Description : Claim Reimbursement for Lift #2--Repair, Less \$250 Deductible  
Notes : Ck# 322071028, Claim Reimbursement for Lift #2--Repair

<u>Fund</u>	<u>Account</u>	<u>Program Code</u>	<u>Amount</u>
605:Sewer	36240:Refund-Reimbursemnt-Dividend		\$4,756.68
<b>Total Amount</b>			<b>\$4,756.68</b>

Authorized By: \_\_\_\_\_



**CITY OF BIRCHWOOD VILLAGE  
207 BIRCHWOOD AVENUE  
BIRCHWOOD, MINNESOTA**

**MINUTES OF THE CITY COUNCIL MEETING  
MARCH 12, 2024, 6:45 P.M.**

**MEMBERS:**

Margaret Ford	Mayor
Mark Foster	Councilmember
Ryan Hankins	Councilmember
Justin McCarthy	Councilmember
Katherine Weier	Councilmember

**STAFF:**

Rebecca Kellen	City Administrator
Alan Kantrud	City Attorney

Minutes prepared by Rebecca Kellen from a video recording.

**1. CALL TO ORDER**

Mayor Ford called the meeting to order at 6:45 p.m.

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF AGENDA**

**On a motion made by Councilmember McCarthy, seconded by Councilmember Weier, it was resolved to approve the agenda as amended. All in favor; motion carried.**

The following changes were made to the agenda:

- Add Road Maintenance Discussion and Pothole Discussion to City Business A., Engineering Update.
- Move agenda item I., Spare Rotator Assembly for Lift Stations, to City Business A., Engineering Update.
- Correction to City Business item C.a. The correct address for Robert Gray is 523 Hall Ave.
- Add Ash Path Survey Discussion to end of agenda.
- Add 232 Cedar Ave Discussion to end of agenda.

**4. OPEN PUBLIC FORUM (0:03:54)**

**Barton Winters, 15 Oaks Lane** expressed concerns about city council member response times and accessibility. He discussed concerns with the ice rink flooding schedule and indicated a need for a white underlying surface. He expressed concerns about lack of salting during a previous snow event.

**On a motion by Councilmember McCarthy, seconded by Councilmember Foster, it was resolved to close the public forum. All in favor. Motion carried.**

**5. ANNOUNCEMENTS (0:08:29)**

- A. 2024 Board of Appeal and Equalization meeting will be held on April 9 at 6:00 pm.
- B. Canoe and Kayak Rack Applications are being accepted now.
- C. Spring Birchwood Dock Association (BDA) Meeting, Saturday, April 6 at 10 AM.

**6. CONSENT AGENDA (0:9:24)**

**On a motion made by Councilmember Hankins, seconded by Councilmember McCarthy, it was resolved to approve the consent agenda items B, C, D, E and H. All in favor. Motion carried.**

- A. Treasurer's Report. Mayor Ford noted that the insurance payment that we received for the repair of the lift station needs to be moved from the General Fund to the Sewer Fund. Mayor Ford also noted that the interest received from the 4M fund in the amount of \$4735.57 on page 22 of the agenda packet should also be included in the cash statement.

**On a motion made by Councilmember Weier, seconded by Councilmember Hankins, it was resolved to approve Consent Agenda item A., Treasurer's Report. All in favor. Motion carried.**

F. & G. Lake Links Bike Trail and Road Safety Task Force Committee Members. Councilmember Weier inquired about the maximum number of people allowed per task force to which Mayor Ford replied that there is no maximum and that we are still accepting members. Councilmember Weier also indicated that Mayor Ford should be included in the Task Force Memos as the City Council liaison.

**On a motion made by Councilmember McCarthy, seconded by Councilmember Weier, it was resolved to approve Consent Agenda Item F, Lake Links Bike Trail Task Force Committee Members and Consent Agenda Item G., Road Safety Task Force Committee Members. All in favor. Motion carried.**

**7. CITY BUSINESS**

**a. Engineering Update – Marcus Johnson (0:13:00):**

**i. Wildwood Lift station Update.**

- 1. Marcus Johnson, City Engineer,** addressed the Council indicating that he included a rough timeline for the lift station in the packet. Also, he heard back from the EPA that they are pending submittal of the state SHPO review which takes 2-3 months. This timeline of 2-3 months for the SHPO review does not include whatever additional reviews the EPA may need to complete. He recommended that we wait to hear back from the EPA to move forward.

2. Councilmember McCarthy asked about the 9 month wait time for the control panel and if it would be possible to order that beforehand. Marcus Johnson responded that he would recommend that the contractor order the control panel so it is under warranty with them.
3. Councilmember Weier inquired about anything additional that is pending on our end and Marcus Johnson responded that we have asked that question to the EPA but have not yet received a response.
4. Councilmember Hankin inquired as to whether Bolton and Menk do surveying, and Marcus Johnson indicated that they do.

**ii. Construction Inspection and Admin Estimate (0:20:33):**

1. **Marcus Johnson, City Engineer**, said that the numbers included in the packet for this are rough estimates at this point.

**iii. Road Maintenance and Potholes (0:21:01):** (\*\*\*)see meeting minute attachments 1,2,3)

1. **Marcus Johnson, City Engineer**, said that he ball parked a \$100,000 budget based on past discussions and provided 2 options focusing on what appears to be the worst areas and the options can be refined. The first option included bringing the existing asphalt to gravel, reshaping, and adding base and paving over that. That option covers Oak Hill Court and Five Oaks Lane (the red circled area on the map provided). He said that the cul-de-sac at Oak Hill Court looks the worse. With this option there may be left over gravel for the city to use and he said that this option is the longest lasting fix because it includes brand new pavement. Option number 2 included edge milling, fixing patches, and overlaying on top of that. This included Oak Hill Court, Five Oaks Lane, and part of Oakridge drive (the green circled area on the map provided). The benefit of option 2 is that more areas are covered, however it is not going to last as long as paving. Marcus Johnson recommended option 1 and then in upcoming years do more overlays because Oak Hill and Five Oaks look rough. He indicated that he can add filling in the potholes with this estimate as well.
2. Councilmember Foster inquired about doing the option 2 style fix to Oakhill Court since it is lower traffic and doing the higher level pavement fix indicated in option 1 to Oakridge Drive and Five Oaks Lane. Marcus Johnson said that he can redo the estimate however the council would like.
3. The council agreed to have another discussion in the next city council meeting and have Marcus Johnson back to discuss an option 3 as indicated above in 2.
4. Administrator Kellen said that she has reached out to Schifsky for a bid on potholes and they should have that in by the end of March and that she will reach out to ARC as well per the council recommendation.

**iv. Spare Rotator Assembly for Lift Stations (0:30:47):**

1. Councilmember Hankins inquired about the recommendation provided by General Services Repair to buy a spare rotator assembly that would work for the pump in either lift station and whether the \$3000 cost would be a good investment for the city. He also asked if there is a possibility that this rotator assembly could be used in the new lift station.
2. Marcus Johnson said that he has not compared the old and new lift stations but that he believes the old one we have is very different than most lift stations and that he believes it would be a good investment for the city to purchase the spare.
3. Councilmember McCarthy said that it might be a good idea to look at our current lift stations to see if there are parts from those that can be used in the new left station to avoid purchasing new parts to which Marcus Johnson responded that it is highly unlikely that the parts from the old lift station could be used in the new one but he will verify that.
4. Councilmember Hankins suggested that there be a little more research on this before deciding and the council agreed to have Marcus review these items and decide at the next council meeting.

**b. Utility Company Upgrades (0:34:34)**

- i. **Jon Manship, Water Superintendent**, said that during the last water main break he encountered a number of obstacles coming from a web of piping that was laid over the pipes they needed to access and that he is hoping the city can work with the ROW permit process to ensure that any additional pipes that need to be laid are as close to the right of way as possible. He said that communication, telephone and electric pipes that are generally 3-4 feet down often cause a web of pipes above the watermain that make it difficult to access the water main, which is 7-8 feet deep, should it need repair, not including any frost that needs to be drilled into if the break occurs in the winter. He said he presented this to make the council aware that any web of infrastructure that is added over the water main makes it more costly for the city to repair. He suggested designating a corridor for these additional pipes that keep it away from the water main.
- ii. Councilmember McCarthy questioned whether it is possible to specify a specific corridor for this work based on our current code and state laws.
- iii. Marcus Johnson, City Engineer, said that he believes we can request that pipes are not run on top of the watermain and from his experience these pipes are typically laid as close to the right of way as possible, yet still within the right of way, to avoid these issues.
- iv. Mayor Margaret Ford and Jon Manship discussed whether it makes sense for him to review the ROW permits and/or the applicant be made aware of, by means of a map, where the watermain is located to avoid further issues.
- v. Councilmember McCarthy suggested that we move forward with Marcus Johnson reviewing the ROW permits and asking that the work does not intrude on any water and/or sewer mains if possible and also providing the applicant with the maps to avoid overcomplicating the permitting process.

- vi. Mayor Ford said that she would like to include Jon Manship in the approval process so that we can avoid further issues with ROW work placing pipes above the water and sewer mains.

**c. Engineering Fee Appeals (40:40)**

- i. **Nadja Gale, 419B Wildwood** disputed her engineering bill saying there was a lot of back and forth communication between the engineer and the contractor and that there was misinformation given about the depth of the sewer line which resulted in project delays and additional charges.
  - 1. Councilmember Hankins inquired about the timing of the bills and invoices, which seemed to be delayed.
  - 2. Administrator Kellen said that there had been issues previously where residents were not being billed in a timely manner.
  - 3. Mayor Ford inquired about whether there were any recent engineering charges for a more recent permit to which Nadja Gale responded that there were no recent charges stemming from the recent permit since the new engineer has come on board.
  - 4. Jon Manship, Water Superintendent, responded that he handles the water and White Bear Township handles the sewer so any contractor that does work should be reaching out to White Bear Township for information on sewer lines and that the information he gave her was a ballpark figure.
  - 5. Councilmember Hankins inquired about the engineering work that is typically required for this type of work and Marcus Johnson, City Engineer, said he reviews the permit and would typically spend approximately an hour or so per contractor to do the permit review, if there is not a lot of back and forth.
  - 6. Councilmember Weier inquired about the sewer main maps that are with White Bear Township and our accessibility to them since we contract with them. Marcus Johnson said that we will be getting those maps this year for the lead service project and that he may have some already.
  - 7. Councilmembers discussed options to reduce the bill balancing the fact that this was a more challenging situation than normal while at the same time taking into account that it may have been more work than necessary to complete because misinformation may have been provided.

**On a motion by Mayor Ford, seconded by Councilmember McCarthy, it was resolved to approve reducing the bill from \$1630 to \$1075, by approximately 1/3, and having administration resend the bill. All in favor. Motion carried.**

\*\*\*Councilmember Mark Foster was not feeling well and left the meeting.

- ii. **Greg Sherwood, 15 Birchwood, (1:07:53)** referred to the letter that he had written the city disputing the fees and said that he felt that the charges were over the top. He said his history

with Steve Thatcher, previous city engineer, was checked and that he believes that the city did not manage Steve's work and fee assessments to the appropriate level and there was a lack of oversight. He said it took 10 months to get his garage permit approved. He expressed concerns that he was billed \$2600 for a \$1000 escrow refund request. He said that he built his property with no variance. He stated that he did not receive bills in a timely manner.

1. Councilmember Hankins said that he had seen about 25 points from Steve Thatcher that were critical of the project at a previous city council meeting where the council reviewed them and significantly reduced the number of points.
2. Mayor Ford indicated that she believes that some of the fees may be valid but there also may be a reason to take some of the charges off.
3. Greg Sherwood said he was not comfortable with the billing due to the lack of oversight from the city in not managing Steve Thatcher.
4. Councilmember Hankins reviewed the letter received from Greg Sherwood and indicated that he already paid \$15,000 in engineering prior to this billing, not including the surveys he was required to get.
5. Councilmember McCarthy questioned the charges that were billed for 4 hours to review/reject a document that was not presented by a certified engineer and discussed the reasonableness of the charges overall. He discussed each invoice individually to determine the reasonableness of the charges then decided to suggest a total revised bill of \$1500 to which Greg Sherwood confirmed that that amount would be acceptable to him.

**On a motion by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to reduce the bill to \$1500 and have administration rebill Greg Sherwood. All in favor. Motion carried.**

**iii. Robert Gray, 523 Hall Court. (1:42:25)**

1. Councilmember Weier asked if Robert Gray was in attendance and Mayor Ford responded that he was not in attendance and that no letter was received from him.
2. Administrator Kellen said that the individual moved to White Bear Lake.

**On a motion by Councilmember Hankins, seconded by Councilmember McCarthy, it was resolved to keep the bill for Robert Gray as is. All in favor. Motion carried.**

3. Attorney Alan Kantrud suggested that he send the individual a final demand letter and if payment is not received it will be turned over to debt collection.

**d. Recycling Grant Update (1:45:02):**

- i. The council expressed gratitude for the work being done related to the recycling grant.
- e. Ordinance 2024-03-01 (402) (1:46:02):**
- i. Councilmember Hankins said that he updated the code to make it more relevant to today's standards. The revisions require that the residents place their containers on the correct side of the street as per the hauler's instructions and added some requirements where trash is collected and adjusted some penalties, but overall this is an administrative revision.
  - ii. Mayor Ford commented that she likes the idea of having the trash cans screened and councilmember McCarthy questioned whether this is enforceable. Councilmember Hankins and McCarthy said they currently do not screen their trash and if this is left in the ordinance that "screen" needs to be defined. The council decided to revisit screening trash in the future.
  - iii. Councilmember McCarthy had the following suggestions:
    - 1. The definitions section has garbage, refuse, and rubbish. He suggested we get rid of these terms and use one term throughout the ordinance. He suggested the use of the term food waste in the ordinance.
    - 2. In definitions, consider the term scavenging and it does not define what is prohibited. If we are going to prohibit, it should be better defined in a further section.
    - 3. 402.020, General. Define what makes something solid or hazardous waste. Everyone gets rid of hazardous waste daily. He recommends getting rid of 402.020.
    - 4. 402.020.6 "Separation of Materials". Questioned whether this is necessary or perhaps it needs to be spelled out better.
    - 5. 402.020.10 "Resource Recovery". Said that he is unsure about what this is. Recommends this section is deleted from the ordinance, or have it rewritten for clarity.
    - 6. 402.040 "Collection Supervised by the City Council". This is good but add why we do this. For example, why do we have authorized haulers – to avoid degradation of the roads, noise and cost savings.
    - 7. 402.085 "Materials for Pick Up". Clarified that this is to allow people to sell or donate from the curb. Recommended that "for pickup" is clarified to "pick up for sale or donation". Mayor Ford recommended the time for pick up be changed from 14 to 7 days.
    - 8. 402.090 "Maintenance of Lots". Recommended that additional requirements be added, such as construction debris, old cars, landscaping materials, boats, etc. Unsure if this would be covered by the nuisance ordinance. Suggested expansion of this section to include more types of trash. Remove "unit" from "dwelling unit" in this section.
  - iv. Councilmember Weier said that her focus was on Hazardous waste that was already covered by Washington County. She would like to not remove the ability for people to put things out for sale or donation which is "scavenging" so she recommended that is not included in the ordinance to which Mayor Ford suggested "from the bin" be added to clarify this. She said she liked the idea of attempting to have residents screen their garbage. The council discussed screening garbage.
  - v. Councilmember McCarthy brought up animal activity when it comes to securing garbage suggesting that it maybe should be worked into the ordinance.

- vi. Mayor Ford directed Administrator Kellen to send the revised ordinance to FOTH, a consulting service that will review the recycling ordinance and make recommendations, after she receives the revisions discussed from Councilmember Hankins, and once that is complete to bring the ordinance back for council review and a second reading.

**f. Ash Path Survey Status (2:12:18):**

- i. Attorney Kantrud explained we will have a deliverable from Cornerstone mid-month, so he is expecting sometime this week.

**On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to give Cornerstone 14 days to begin work and if the work has not been started Attorney Alan Kantrud is directed to fire Cornerstone and the council will move forward with Bolton and Menk to survey Ash Path and Cornerstone will not be paid. All in favor. Motion carried.**

- ii. Mayor Ford explained that damage was done to Ash Path by some kids on a golf cart that caused some ruts.

**g. First Reading Ordinance 2023-03-02 (401) (2:18:17):**

- i. Councilmember Hankins explained that this repeals City Code section 401 and combines it with City Code section 402 recommending that it is kept together and moved along with ordinance 2023-03-01.

**h. 310/312 Wildwood (2:18:56):**

- i. Councilmember Hankins explained that there have been many issues with these properties and previous discussions with the real estate agent who had indicated they were going to clean up the properties and put them on the market. He said that more people have moved in at 312 Wildwood which is accumulating rubbish and there is structural damage at 310 Wildwood. He expressed concerns with the gravel driveway at 312 Wildwood. He explained that while he understands that the owner is interested in selling the properties there has not been a lot of forward activities recently toward that end and that he thinks these properties should be moved into the vacant building process and move forward on getting some of the rubbish removed and the erosion controlled. He explained that we received a recent email from the agent promising to move things forward.
- ii. Councilmember McCarthy reads the email from Amy Barrett into the record. (\*\*see attachment 4 for email received).
- iii. Councilmember McCarthy recommended that the vacant property be registered and that he drove by the property that day and observed trash in the yard.
- iv. Mayor Ford recommended that the motion in question, a., be changed to 310 since that is the vacant property, as opposed to 312 which still has a tenant living there.
- v. Councilmember McCarthy recommended that with respect to c., eliminating erosion, potentially a silk fence should be placed to provide effective erosion control.



- vi. Councilmember McCarthy recommended adding d., making sure the gas, electric and utilities are secured and to have city inspector Jack Kramer assist the resident in ensuring the property is secured to avoid squatters.
- vii. Councilmember Hankins requested that this agenda item remain for the next 2 months for follow up.

**On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to pass items a – e listed below. All in favor. Motion carried.**

- a. Within 30 days, register 310 Wildwood as vacant and pay the appropriate fee.
- b. Within 30 days, remove all rubbish from the property grounds.
- c. Within 90 days, provide a plan to eliminate erosion into the street from the driveway, such as adding a silt fence.
- d. Require the property owner to certify that they have secured the utilities such as gas, electric, and water.
- e. Direct staff to reach out to the property owner to offer the assistance of Jack Kramer, Building Inspector, in securing the property against squatters.

**i. Approve Park Signs (2:31:41):**

- i. Councilmember Weier reviewed the signs that the Parks Committee created with the council.
- ii. Councilmember McCarthy recommended approving a budget for the signs to which Mayor Ford suggested \$300.
- iii. Councilmember McCarthy indicated that there should be 2 signs for Bloomquist and Tighe Schmidt due to the size of the parks, one by the hockey rink and one by the playground.
- iv. Councilmember Hankins discussed the phone number on the sign and also recommended adding “Be considerate of neighbors and beach users” to all signs.

**On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to approve the sign language and a \$300 budget to order and install them. All in favor. Motion carried.**

**j. Cedar/Wildwood Street Sign (2:37:05):**

- i. Administrator Kellen indicated that the street sign on Wildwood and Cedar needs to be replaced.
- ii. Councilmember Weier said that this sign was stolen as well as the one at Iris in addition to the stops signs which have since been replaced.
- iii. Councilmember McCarthy suggested that it be replaced as an administrative matter and does not need to be a motion and the council agreed.

**k. Kayak and Canoe Rack Entry Prior to April 1 (2:38:39):**

- i. The council discussed the pros and cons of allowing entry prior to April 1<sup>st</sup> for kayaks, canoes and the dock association and decided against it due to liability and safety issues.

**l. 232 Cedar Ave (2:38:39):**

- i. Attorney Alan Kantrud explained that he has been in contact with the bank and that he extended the vacant building registration form in November through certified mail and the bank said they did not receive it. He also called the Sheriff's department about what the additional charges might be from any extra police activity required.
- ii. Councilmember McCarthy added that they need to clean up the landscaping timbers that are rotting in the back and make sure the soil in the back is stabilized and also they need to fix the gutters that are missing the drain spouts that are draining into the neighbor's property, as well as remove the broken screen on the back of the property. He suggested the owners have 30 days to complete this or Alan Kantrud is directed to declare the property a public nuisance and we get an abatement order, and they would get billed for the cleanup. They would also be cited for public nuisance.

**On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to direct the bank to clean up the landscaping timbers in the back of the house that are rotting, make sure the soil in the back is stabilized, fix the gutters that are missing drain spouts, and fix the broken screens on the back of the property within the next 30 days or Attorney Alan Kantrud is directed to declare the property a public nuisance and get an abatement order for the city to clean up the property and bill the owner, as well as cite the property for a public nuisance. All in favor. Motion carried.**

**8. MEETING CLOSE (2:49:08)**

**On a motion duly made by Mayor Ford, seconded by Councilmember McCarthy, it was agreed that there was no further business of the Council to transact in an open session; the meeting was closed to the public at 9:34 p.m.**

**DISCLAIMER**

The above minutes should be used as a summary of the motions passed and issues discussed at the meeting. This document shall not be considered a verbatim copy of every word spoken at the meeting.

\_\_\_\_\_  
Mayor Margaret Ford

\_\_\_\_\_  
City Administrator Becky Kellen

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

To: City Council  
From: Councilmember McCarthy  
Re: HF4009, SF3964, SF3980, SF1370

Currently some proposals are making their way through the State legislature that would severely limit the authority of communities like Birchwood to make their own zoning decisions. These bills would fundamentally reshape Birchwood by forcing the City to allow higher density housing on single-family residence zoned lots. For example, SF1370, as amended, would force the City to allow six of the following types of residences: duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, cottage housing, single family homes, twin homes on single family lots. In addition, it would change the minimum lot sizes to a maximum of 4,000 square feet for a single-family detached home, duplex, triplex, fourplex, fiveplex, sixplex, stacked flat, and courtyard apartment; or 1,200 square feet for a townhome and cottage housing. Our current standard is 12,000 square feet.

I am proposing that Birchwood follow Mahtomedi and pass a resolution that would be sent to our elected representatives opposing this bill.

## **RESOLUTION NO. 2024-20**

### **RESOLUTION AGAINST CERTAIN ZONING BILLS BEFORE THE MINNESOTA LEGISLATURE**

**WHEREAS**, certain legislation is being proposed and debated that would radically change the ability of local communities to participate in and decide for themselves the type of communities they want to live in by forcing communities to approve high-density housing on single family lots. Examples include HF4009, SF3964, SF3980, SF1370, and

**WHEREAS**, the City of Birchwood Village is entirely single family residential homes with no commercial, industrial, or other zoning with a population of around 850 residents, as a result, we operate on a very small yearly budget, and

**WHEREAS**, the City Council of Birchwood Village strongly objects to being forced to accept high density housing as we do not have the resources to deal with the influx of residents and residences this will create, and

**WHEREAS**, the City Council of Birchwood Village believes that local members of the community, in the form of the elected City Council members are in a better position to make the decisions of what housing to allow in our community than a one-size fits all solution advanced by State Bureaucrats.

**WHEREAS**, the City of Birchwood Village is proximate to White Bear Lake, a lake that is threatened by over pumping of ground water from the over-development of the immediately surrounding area. By forcing communities around this area to accept additional high density housing and by reducing the minimum lot sizes, these proposals represent a grave threat to an already overburdened water supply and lake. In addition, by lowering the minimum lot size, this will reduce the filtration of runoff water into the lake and represent a threat to the cleanliness of the lake.

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Birchwood Village that the City strenuously objects to these bills in their current form and asks that our representatives vote NO on these and other bills that seek to force communities to accept high density housing on single family lots.

I certify that the City of Birchwood Village adopted the above Resolution  
on this 9th day of April, 2024.

ATTEST:

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Mayor Ford

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City Administrator



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# Senate Committee Advances Omnibus Zoning Package; Includes Language That Would Restrict City Authority

March 18, 2024

**The omnibus zoning package awaits action by the Senate State and Local Government and Veterans Committee.**

On March 12, the Senate Housing and Homelessness Prevention Committee advanced a zoning omnibus bill, SF 1370, that is comprised of several problematic zoning and land use provisions, including language from the “Missing Middle Housing Bill.” Sponsored by the Housing committee Chair Sen. Lindsey Port (DFL-Burnsville), the proposed legislation would broadly limit local decision-making authority. The committee unanimously advanced SF 1370 as amended, sending the bill on for further consideration by the Senate State and Local Government and Veterans Committee.

## Testimony on the bill

During the hearing, City of Eagan Director of Community Development Jill Hutmacher, and City of Marshall City Administrator Sharon Hanson testified on behalf of the League and provided important city perspectives regarding the negative implications provisions in the bill would have on cities. The League, along with other city associations provided written testimony highlighting numerous concerns that remain in the bill despite several amendments.

[Read the letter from LMC and partner organizations regarding SF 1370 \(pdf\).](#)

## Adopted amendments

While several amendments were adopted and various sections of the Missing Middle Housing Bill (SF 3964) were removed from the bill in response to the League’s continuous advocacy efforts, including the prohibition on public hearings, the bill still includes provisions that would:

- Subject all building permits for both residential and commercial/industrial property to the 60-day rule, which could result in building permits being granted without sufficient review.
- Bar a city from enforcing zoning ordinances that prohibit emergency shelter facilities in commercial or industrial areas.
- Require that multifamily developments with at least 8 units be permitted by right in any mixed-use, multifamily, or commercial zoning districts. It would also limit restrictions on height and setback requirements for those developments, and allow affordable multifamily units to exceed or match a city’s tallest height requirement.

- Prohibit a city from requiring more than one off-street parking space per residential unit.
- Require cities to authorize six types of middle housing from duplexes to 6 unit buildings and sets minimum levels of density at 4 units per lot for first class cities and 2 units per lot for second, third, and fourth class cities.
- Broadly limit city official controls for most types of development and imposes restrictions on minimum lot sizes to 2,500 square feet for first class cities and 4,000 square feet for all other cities.
- Broadly limit architectural and material design standards for all residential buildings.

## Provide feedback to legislators

Cities, especially cities with members on the [Senate State and Local Government and Veterans Committee](#) are encouraged to reach out to their legislators with concerns regarding these three bills.

[Read more news articles.](#)

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Your LMC Resource

Daniel Lightfoot

IGR Representative & Federal Relations Manager

(651) 281-1295 or (800) 925-1122

[dlightfoot@lmc.org](mailto:dlightfoot@lmc.org)

To: Birchwood City Council  
 From: Ryan Hankins  
 Subject: Discontinuation of Metro-INET

The following is a summary of our 2024 Metro-INET budget. While I retained a quote last year from Techie Dudes that I believed would provide better service at significantly lower cost, we were unable to terminate services with Metro-INET in 2023, because we missed the May 31 deadline. To improve city services and reduce our costs, I propose the following resolution.

Our 2024 budget for city services was in excess of the \$6010 proposed here because we added PCs and associated support. The Techie Dudes quote that we got in 2023 was \$238 per month or \$2,856 per year.

The A6: LAN/WAN service from Metro-INET provides a benefit at a good price, but the other services are either incompatible with transferring to a new provider or are available at lower cost.

2024 BUDGET SUMMARY					
BV	Birchwood Village	Annual Personnel Charge	Annual Operating Charge	Annual Capital Charge	TOTAL
		\$ 4,295	\$ 1,576	\$ 139	\$ 6,010
A1	USER SUPPORT	\$ 662	\$ 88	\$ 51	\$ 802
A2	COMPUTER SUPPORT	\$ 1,921	\$ 112	\$ -	\$ 2,033
A3	EXCHANGE EMAIL SUPPORT	\$ -	\$ -	\$ -	\$ -
A4	WINDOWS SERVER SUPPORT	\$ -	\$ -	\$ -	\$ -
A5	NETWORK SYSTEM SUPPORT	\$ 591	\$ 36	\$ -	\$ 626
A6	LAN/WAN	\$ 346	\$ 318	\$ 41	\$ 704
ADM	ADMIN	\$ 106	\$ 273	\$ -	\$ 379
V01	CISCO TELEPHONY	\$ 451	\$ 476	\$ 9	\$ 936
S01	ADOBE SUBSCRIPTIONS	\$ -	\$ 138	\$ -	\$ 138
S02	MOBILITY SERVICES	\$ 174	\$ 97	\$ 8	\$ 279
S03	OPEN PROGRAM	\$ -	\$ -	\$ -	\$ -
S04	LASERFICHE	\$ -	\$ -	\$ -	\$ -
S05	MILESTONE VMS	\$ -	\$ -	\$ -	\$ -
S06	ARBITRATOR VPU/BWC	\$ -	\$ -	\$ -	\$ -
S07	FACILITY WI-FI	\$ 45	\$ 37	\$ 31	\$ 112
S08	vSAN	\$ -	\$ -	\$ -	\$ -
S09	S2 CARD ACCESS	\$ -	\$ -	\$ -	\$ -
S10	CISCO SMARTNET	\$ -	\$ -	\$ -	\$ -
S11	FIBER MAINTENANCE	\$ -	\$ -	\$ -	\$ -
S12	OPEN PROGRAM	\$ -	\$ -	\$ -	\$ -



**RESOLUTION NO. 2024-21**

**A RESOLUTION TO DISCONTINUE MOST SERVICES WITH METRO-INET**

**WHEREAS**, the City of Birchwood Village currently contracts with Metro-INET for various services including telephony, software subscriptions and computer support services, and cable internet; and

**WHEREAS**, the City Council desires to evaluate the City's telephony, internet, and computer support needs to determine the most cost-effective and efficient service providers and to improve service quality; and

**WHEREAS**, the City Council finds it to be in the best interests of the City to, if possible, retain cable internet service with Metro-INET through 2025; and

**WHEREAS**, Metro-INET denotes cable internet as item A6 LAN/WAN on its itemized budget.

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

The City shall discontinue all services with Metro-INET, except for cable internet service, effective January 1, 2025. This includes, but is not limited to, telephony, software subscriptions and computer support services.

City staff is hereby directed to provide notification to Metro-INET of the discontinuation, but with the retention of Cable Internet service (A6 LAN/WAN), through Metro-INET by May 31, 2024.

If Birchwood is unable to retain Cable Internet service, without additional services, City staff is directed to fully withdraw from Metro-INET.

Passed by the City Council of Birchwood, Minnesota this 9<sup>th</sup> day of April, 2024.

\_\_\_\_\_  
Mayor

Attested:

\_\_\_\_\_  
City Clerk

# MEMORANDUM

DATE: 3/12/24

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TO: City Council  
FROM: Rebecca Kellen, City Administrator  
COPIED:  
SUBJECT: Utility Fee Adjustment for 2<sup>nd</sup> Quarter

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**Birchwood Village**

The City Council approved the amendment to the fee schedule on February, 13 2024 (2024-01-02). A section of the fee schedule increased the utility rates and removed the \$25 water main surcharge.

Since ordinance 2024-01-02, changes to the Fee Schedule, did not go into effect until February 28<sup>th</sup> when it was published in the White Bear Press, the increases should not have been reflected in the first quarter utility bill.

An adjustment will be made to the second quarter utility billing that will credit the residents with the highest amount of the error, \$8.21 (worksheet attached). It was determined that it would be less expensive for the city to credit this amount per resident than recalculating the fee for each resident.

The \$25 Water Main break Surcharge will be removed for the second quarter billing cycle and going forward.

This memo is meant to inform the city council of this proposed change to second quarter utility bills.

Regards,  
Rebecca Kellen  
City Administrator/Clerk  
City of Birchwood Village, MN  
office: (651) 426-3403  
email: [rebecca.kellen@cityofbirchwood.com](mailto:rebecca.kellen@cityofbirchwood.com)  
website: <http://www.cityofbirchwood.com/>

2023 RESIDENTIAL ESTIMATED FINAL CALCULATION			
CITY OF BIRCHWOOD VILLAGE			
ACCOUNT NAME			
ACCOUNT ADDRESS			
DATE OF READING			
DAYS IN TO READING PERIOD			
ESTIMATED USAGE	35116		
TIER I - WATER	6000	0.00356	\$ 21.36
TIER II - WATER	3000	0.0041	\$ 12.30
TIER III - WATER	6000	0.00471	\$ 28.26
TIER IV - WATER	20116	0.00544	\$ 109.43
TIER V - WATER	0	0.00623	\$ -
SEWER	35116	0.00451	\$ 158.37

WATER MAIN BREAK	1	25	\$ 25.00
SEWER MIN CHARGE	1	36	\$ 36.00
WATER UTILITY USER FEE	1	35	\$ 35.00
STATE FEE	1	2.43	\$ 2.43
CLOSE OUT FEE (\$25 OR \$50)			
ESTIMATED FINAL CALCULATION			\$ 428.15
BALANCE DUE			\$ -
ADJUSTED ESTIMATED FINAL			\$ 428.15
AMOUNT TO CLOSER			\$ -

2024 RESIDENTIAL ESTIMATED FINAL CALCULATION			
CITY OF BIRCHWOOD VILLAGE			
ACCOUNT NAME			
ACCOUNT ADDRESS			
DATE OF READING			
DAYS IN TO READING PERIOD			
ESTIMATED USAGE	35116		
TIER I - WATER	6000	0.00374	\$ 22.44
TIER II - WATER	3000	0.00431	\$ 12.93
TIER III - WATER	6000	0.00495	\$ 29.70
TIER IV - WATER	20116	0.00544	\$ 109.43
TIER V - WATER	0	0.00623	\$ -
SEWER	35116	0.00460	\$ 161.53

WATER MAIN BREAK	1	25	\$ 25.00
SEWER MIN CHARGE	1	36	\$ 36.00
WATER UTILITY USER FEE	1	40	\$ 40.00
STATE FEE	1	2.43	\$ 2.43
CLOSE OUT FEE (\$25 OR \$50)			
ESTIMATED FINAL CALCULATION			\$ 439.46
BALANCE DUE			\$ -
ADJUSTED ESTIMATED FINAL			\$ 439.46
AMOUNT TO CLOSER			\$ -

\$ 3.16

\$ 5.00

\$ 8.16 **Total Credit**

**RESOLUTION 2024-22**

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

**APPROVING THE EXPENDITURE OF CITY MONIES TO REFUND WATER  
CUSTOMERS/RESIDENTS FOR PREMATURE IMPOSITION OF NEW  
BILLING RATES**

At the regular meeting of the City Council of the City of Birchwood Village held on Tuesday, April 9, 2024, with the following members present: Mayor Ford and Council members Foster, McCarthy, Hankins and Weier, and the following absent: none; the Birchwood Village City Council resolved that:

**WHEREAS,** The City approved increases to its utility rates, including water, by Ordinance, which was published on February 28, 2024; and

**WHEREAS,** The City issued billings for First Quarter utilities, including water, prior to the date on which the Ordinance took effect but used the new billing rate prematurely but inadvertently; and

**WHEREAS,** The City has consequently over-billed the residents in an amount no greater than \$8.21 per account pursuant to that new rate that should not have been in effect at the time and,

**WHEREAS,** The City wishes to return the \$8.21 over-billed the residents through a credit on their accounts in the most efficient way possible.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Birchwood Village hereby approves the credit of \$8.21 to each resident's Second Quarter utility billing and directs the Administrator to advise the City of Saint Anthony Village to make that adjustment in advance of that Second Quarter billing.

Voting in Favor:

Voting Against:

Abstaining Vote:

Resolution duly seconded and passed this 9<sup>th</sup> day of April, 2024.

\_\_\_\_\_  
Margaret Ford, Mayor

Attest:

\_\_\_\_\_  
Rebecca Kellen, City Administrator-Clerk

# MEMORANDUM

DATE: 3/29/24

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TO: City Council  
FROM: Rebecca Kellen, City Administrator  
COPIED:  
SUBJECT: Staff Annual Cost of Living Salary Increases



**Birchwood Village**

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This memo is meant to serve as a request to approve staff's annual 6% cost of living salary increases.

- Jim Rydeen, Maintenance, received a 6% cost of living salary increase on 4/1/23. He is due for another 6% cost of living salary increase on 4/1/24.
- Therese Bellinger, Deputy Clerk, started on 4/19/23. She is due to receive a 6% annual cost of living increase on 4/19/24.
- Rebecca Kellen, City Administrator, with a start date of 5/18/22, received a 6% cost of living increase in May of 2023. She is due to receive a 6% cost of living increase on 5/18/24.

Administration suggests that these increases go into effect on the 1<sup>st</sup> day of the pay period following the dates listed below for administrative ease.

Jim Rydeen – 4/1/24

Therese Bellinger – 4/19/24

Rebecca Kellen – 5/18/24

Administration requests approval from the city council to implement these raises as indicated above.

Regards,  
Rebecca Kellen  
City Administrator/Clerk  
City of Birchwood Village, MN  
office: (651) 426-3403  
email: [rebecca.kellen@cityofbirchwood.com](mailto:rebecca.kellen@cityofbirchwood.com)  
website: <http://www.cityofbirchwood.com/>



Real People. Real Solutions.

3507 High Point Drive North  
Bldg. 1 Suite E130  
Oakdale, MN 55128

Ph: (651) 704-9970  
Bolton-Menk.com

## MEMORANDUM

Date: 4/2/24  
To: City of Birchwood Village  
From: Marcus Johnson P.E. Bolton & Menk  
Subject: 2024 Pavement Management  
City of Birchwood Village

In response to the March council meeting feedback. I made up option 3 to show the council in addition to what was presented in March. First you will see the maps of options 1 through 3 followed by the estimates. In option 3 I removed the permitting, admin, legal, engineering, testing cost to show more accurately what the city can expect for a construction cost. In discussions with mayor Margaret, the budget might be less than \$50,000 for this years road project. In response to this, I created option 4 (no map included). With the recent watermain breaks over winter, it would be wise to include those patches in this estimate to save cost.

I included pothole patching in options 3 and 4. I did not include any crack filling, at \$15,000 dollars, I don't think it would an item the city must do considering the city had the mild winter and without knowing the locations they are proposing.

In regards to the spare rotator assembly, I spoke with the white bear township staff and we agree that it is not necessary for the city at this time. When wildwood lift station is replaced, we can keep those parts for spares as well.

Thanks,

Sincerely,

**Bolton & Menk, Inc.**

**Marcus Johnson**  
Project Engineer



Red: Option 1 Reclaim, Reshape and Repave.  
Option 2: Overlay

Blue represents option 2: Bituminous Overlay in addition to areas included in option 1.

**Legend**

**Pavement Rating**

- 1.0 - 1.5
- 1.5 - 2.5
- 2.5 - 3.5
- 3.5 - 4.5
- 4.5 - 5
- No Rating/Gravel

City Limits

Parcels

0 400 Feet

Source: Washington County, Roadbotics

Map Document: \\arseserver1\GIS\BIRCHWOOD\_VI\_MNL\_BaseMap\ESRI\Pro\2023\Pavement\_Management.aprx | Username: Ben.Oman | Date Saved: 8/18/2023 9:25 AM



Red: Option 3 Reclaim  
Oakridge Dr/Five Oaks LN  
Overlay Oakhill CT

**Legend**

**Pavement Rating**

- 1.0 - 1.5
- 1.5 - 2.5
- 2.5 - 3.5
- 3.5 - 4.5
- 4.5 - 5
- No Rating/Gravel

City Limits

Parcels

0 400 Feet

Source: Washington County, Roadbotics

Map Document: \\arseserver1\GIS\BIRCHWOOD\_VI\_MNL\_BaseMap\ESRI\Pro\2023\Pavement\_Management.aprx | Username: Ben.Oman | Date Saved: 8/18/2023 9:25 AM



# PRELIMINARY COST ESTIMATE

2024 Pavement Maintenance Project

Birchwood Village, Minnesota

Option 1: Reclaim, Reshape, Repave Five Oaks Lane & Oakhill Court

DATE: 3/12/2024

ITEM NO.	ITEM	QTY	UNIT	UNIT PRICE	TOTAL
<b>2024 Pavement Maintenance Project</b>					
1	Mobilization	1	LS	\$5,000.00	\$5,000.00
2	Traffic Control	1	LS	\$2,000.00	\$2,000.00
3	Reclaim Existing Bituminous	2320	SY	\$10.00	\$23,200.00
4	Finished Grading	2320	SY	\$2.00	\$4,640.00
5	Type SP 12.5 Wearing Course Mixture (2,B) - Lower Lift	280	TON	\$80.00	\$22,400.00
6	Type SP 9.5 Wearing Course Mixture (1.5,B) - Upper Lift	210	TON	\$80.00	\$16,800.00
7	Bituminous Tack Coat	186	GAL	\$5.00	\$930.00
8	Sawing Pavement	30	LF	\$10.00	\$300.00
9	Adjust Gate Valve	2	LF	\$500.00	\$1,000.00
10	Adjust Manhole Casting	4	LF	\$500.00	\$2,000.00

Total Estimated Construction Cost	<b>\$78,270.00</b>
Permitting, Administrative, Legal, Engineering & Material Testing	\$14,088.60
10% Contingencies	\$9,235.86
<b>Total Estimated Project Costs</b>	<b>\$101,594.46</b>

# PRELIMINARY COST ESTIMATE

2024 Pavement Maintenance Project

Birchwood Village, Minnesota

Option 2: Five Oaks Lane, Oakhill Court, Oakridge Drive, & Oakview Court

DATE: 3/12/2024

ITEM NO.	ITEM	QTY	UNIT	UNIT PRICE	TOTAL
<b>2024 Pavement Maintenance Project</b>					
1	Mobilization	1	LS	\$5,000.00	\$5,000.00
2	Traffic Control	1	LS	\$2,000.00	\$2,000.00
3	Edge Mill Bituminous	100	LF	\$10.00	\$1,000.00
4	Bituminous Removal and Patch	100	SY	\$55.00	\$5,500.00
5	Type SP 12.5 Wearing Course Mixture (2,B) - Lower Lift	760	TON	\$80.00	\$60,800.00
6	Bituminous Tack Coat	503	GAL	\$5.00	\$2,515.00
7	Sawing Pavement	30	LF	\$10.00	\$300.00
8	Adjust Gate Valve	8	LF	\$500.00	\$4,000.00
9	Adjust Manhole Casting	11	LF	\$500.00	\$5,500.00

Total Estimated Construction Cost	<b>\$86,615.00</b>
Permitting, Administrative, Legal, Engineering & Material Testing	\$4,330.75
10% Contingencies	\$8,661.50
<b>Total Estimated Project Costs</b>	<b>\$99,607.25</b>

# PRELIMINARY COST ESTIMATE

2024 Pavement Maintenance Project  
 Birchwood Village, Minnesota

Option 3: Reclaim Five Oaks Lane/Oakridge Drive Overlay Oakhill Court

DATE: 4/2/2024

ITEM NO.	ITEM	QTY	UNIT	UNIT PRICE	TOTAL
<b>2024 Pavement Maintenance Project</b>					
1	Mobilization	1	LS	\$5,000.00	\$5,000.00
2	Traffic Control	1	LS	\$2,000.00	\$2,000.00
3	Edge Mill Bituminous	80	LF	\$10.00	\$800.00
4	Bituminous Removal and Patch	200	SY	\$50.00	\$10,000.00
5	Reclaim Existing Bituminous	1600	SY	\$10.00	\$16,000.00
6	Finished Grading	1600	SY	\$2.00	\$3,200.00
7	Type SP 12.5 Wearing Course Mixture (2,B) - Lower Lift	360	TON	\$80.00	\$28,800.00
8	Type SP 9.5 Wearing Course Mixture (1.5,B) - Upper Lift	140	TON	\$80.00	\$11,200.00
9	Pothole Patching	20	TON	\$250.00	\$5,000.00
10	Bituminous Tack Coat	239	GAL	\$5.00	\$1,194.67
11	Sawing Pavement	30	LF	\$10.00	\$300.00
12	Adjust Gate Valve	4	EA	\$500.00	\$2,000.00
13	Adjust Manhole Casting	5	EA	\$500.00	\$2,500.00

Total Estimated Construction Cost	<b>\$87,994.67</b>
10% Contingencies	\$8,799.47
Total Estimated Project Costs	<b>\$96,794.13</b>

# PRELIMINARY COST ESTIMATE

2024 Pavement Maintenance Project  
 Birchwood Village, Minnesota  
 Option 4: Overlay Oakhill and Oakview Court

DATE: 4/2/2024

ITEM NO.	ITEM	QTY	UNIT	UNIT PRICE	TOTAL
<b>2024 Pavement Maintenance Project</b>					
1	Mobilization	1	LS	\$5,000.00	\$5,000.00
2	Traffic Control	1	LS	\$2,000.00	\$2,000.00
3	Edge Mill Bituminous	50	LF	\$10.00	\$500.00
4	Bituminous Removal and Patch	100	SY	\$50.00	\$5,000.00
5	Type SP 12.5 Wearing Course Mixture (2,B)	230	TON	\$80.00	\$18,400.00
6	Pothole Patching	20	TON	\$250.00	\$5,000.00
7	Bituminous Tack Coat	111	GAL	\$5.00	\$554.67
8	Sawing Pavement	40	LF	\$10.00	\$400.00
9	Adjust Gate Valve	2	EA	\$500.00	\$1,000.00
10	Adjust Manhole Casting	3	EA	\$500.00	\$1,500.00

Total Estimated Construction Cost	<b>\$39,354.67</b>
10% Contingencies	\$3,935.47
Total Estimated Project Costs	<b>\$43,290.13</b>



Nugent Sealcoating and Paving  
 P.O. Box 473  
 Hugo, MN 55038  
 651-429-2100

# Proposal

Date	Quote #
3/22/2024	5702

Bill To	
Birchwood Village 207 Birchwood Ave, Vadnais Heights, MN 55110	
Salesman	Rob Stangler

Service Location	
Birchwood Village 207 Birchwood Ave, Vadnais Heights, MN 55110	
Proposal Valid Thru	4/1/2024

Description of work to be performed-	Quantity	Unit	Amount
2024 City Street maintenance CRACK FILLING- ROUTE all mainline cracks to a width and depth of approximately 3/4" followed by blowing cracks clean with high pressure air. We then fill the cracks with Deery rubber 102 using banders for the cleanest look with no spills or drips on the asphalt. The 102 spec conforms to all MNDOT 3405 specs. Crack filler is applied at a temperature of approximately 375 degrees. ***NOTE- Hairline and/or "alligator" cracks will not be filled. Previously filled cracks cannot be routed but will still be re-filled. *** ***Removal of excessive vegetation growing through cracks at the time of service may incur extra costs	15,000	Linear Feet	15,000.00
SKIM PATCHING- Blow off areas to be patched, apply tack oil, install new hot mix asphalt, and compact for completion. **Patching must be done Mon through Fri during business hours due to asphalt plants operating hours. Fresh asphalt can not be sealcoated	8	Ton	10,000.00

\*\*\*FUEL SURCHARGE\*\*\* \$250 will be added to invoice amount if diesel is at/above \$5 per gal at time of project.

**Proposed Total-** \$25,000.00

ACCEPTANCE OF PROPOSAL- Nugent Sealcoating is hereby authorized to complete this contract as specified. All material is guaranteed to be as specified and all work will be performed in a workman like manner according to standard practices. Payments will be made to Nugent Sealcoating within 10 days of invoice date. A 1.5% finance charge will be added to the remaining balance of any past due invoice. Additional fees may be charged if Nugent Sealcoating is prevented from completing this work in a timely manner. These fees generally only apply to waiting for vehicles to be moved or time spent drying asphalt due to sprinklers being left on and would not apply for reasons related to naturally occurring causes. Any alteration or deviation from the above specifications will only be executed upon written orders. Customer is responsible to have the asphalt surface cleared off by the time agreed upon including vehicles, dumpsters, pallets, equipment, etc.

PLEASE SIGN AND RETURN AND SOMEONE FROM OUR SCHEDULING DEPARTMENT WILL CONTACT YOU.

Accepted by: \_\_\_\_\_ Title: \_\_\_\_\_  
 (PRINT)

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_



Nugent Sealcoating and Paving  
 P.O. Box 473  
 Hugo, MN 55038  
 651-429-2100

# Proposal

Date	Quote #
4/2/2024	5730

Bill To	
Birchwood Village 207 Birchwood Ave, Vadnais Heights, MN 55110	
Salesman	

Service Location
Birchwood Village 207 Birchwood Ave, Vadnais Heights, MN 55110

		Proposal Valid Thru	4/12/2024
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Description of work to be performed-	Quantity	Unit	Amount
Cedar St- Hall ave from east co line rd to east border line of Birchwood Striping of Roads double line, fog line, cross walks, 24" stop bar- includes reflective beads			4,740.00
Striping of Birchwood Village Hall parking lot			430.00
SWEEPING- Road sweeping spring and fall			4,800.00

**\*\*\*FUEL SURCHARGE\*\*\* \$250 will be added to invoice amount if diesel is at/above \$5 per gal at time of project.**

**Proposed Total- \$9,970.00**

ACCEPTANCE OF PROPOSAL- Nugent Sealcoating is hereby authorized to complete this contract as specified. All material is guaranteed to be as specified and all work will be performed in a workman like manner according to standard practices. Payments will be made to Nugent Sealcoating within 10 days of invoice date. A 1.5% finance charge will be added to the remaining balance of any past due invoice. Additional fees may be charged if Nugent Sealcoating is prevented from completing this work in a timely manner. These fees generally only apply to waiting for vehicles to be moved or time spent drying asphalt due to sprinklers being left on and would not apply for reasons related to naturally occurring causes. Any alteration or deviation from the above specifications will only be executed upon written orders. Customer is responsible to have the asphalt surface cleared off by the time agreed upon including vehicles, dumpsters, pallets, equipment, etc.

PLEASE SIGN AND RETURN AND SOMEONE FROM OUR SCHEDULING DEPARTMENT WILL CONTACT YOU.

Accepted by: \_\_\_\_\_ Title: \_\_\_\_\_  
 (PRINT)

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# MEMORANDUM

DATE: 2/28/24

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TO: City Council  
FROM: Rebecca Kellen, City Administrator  
COPIED:  
SUBJECT: General Service Repair Quote

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**Birchwood Village**

THE CITY RECEIVED A QUOTE FROM GENERAL SERVICE REPAIR TO REBUILD A SPARE ROTATING ASSEMBLY THAT CAN BE USED AT EITHER LIFT STATION FOR \$3289.80. A SPARE ROTATING ASSEMBLY IS THE MAIN COMPONENT OF THE LIFT STATION HELD INSIDE A PUMP CASING. WHILE WE DO NOT NEED A SPARE FOR EITHER LIFT STATION TO FUNCTION CURRENTLY IT MAY COME IN HANDY IF WE HAVE FURTHER ISSUES WITH EITHER LIFT STATION. THIS INVOICE WOULD NOT BE COVERED BY OUR LEAGUE OF MINNESOTA CITIES INSURANCE CLAIM.

ADMINISTRATION WOULD LIKE TO KNOW IF THE COUNCIL WOULD LIKE TO PURCHASE THE SPARE ROTATING ASSEMBLY OR NOT.

Regards,  
Rebecca Kellen  
City Administrator/Clerk  
City of Birchwood Village, MN  
office: (651) 426-3403  
email: [rebecca.kellen@cityofbirchwood.com](mailto:rebecca.kellen@cityofbirchwood.com)  
website: <http://www.cityofbirchwood.com/>





To: Birchwood City Council  
From: Ryan Hankins  
Re: April 2024 Wildwood Lift Station Status update

I talked to Marcus and John Manship about the lift station. A question that had been raised was whether the city could purchase the control board in advance to reduce lead times. According to Marcus, this would maintain the manufacturer's warranty, but the installing contractor typically provides a warranty of maybe two years, and this would void that warranty. Marcus advises that we can expect lead times for components to remain unpredictable, that there is still no word on approval from the EPA, and we should be flexible with our planning.

#### *Previous Updates*

We expect lift station plans and cost estimates soon, but in any case by the March meeting. It's possible they could be available for February. Bidding is now anticipated in April. There is no word back from the EPA, but this seems to be similar to other projects.

#### Project Status Line Items

Soil Borings: Boring completed; final report provided to city.

Bolton and Menck plan completion: Plans sufficiently completed for EPA review. Final plans and estimates should be available in ~~January~~ February April for bidding.

EPA Review: After plan completion and soil borings, it will take between 3 weeks and 2 months. ~~We expect an estimate by mid-December on how long the review will take.~~ There is no estimate available, but review has not been completed for similar projects.

Advertising for bids: After EPA review, month-long process.

Lead times for lift station components: Approximately 4 months after EPA review

Construction: 3-4 weeks duration in late summer or fall 2024.

#### *Previous Updates*

Bolton and Menck is still drafting the plans for the lift station. The cost estimate will come at the same time the plans are ready. They did not quite get costs prepared for the January meeting. We expect those in February.

Marcus has reached out to the EPA, without response, which is normal. Unless we hear differently, planning appears to be on schedule.

#### Project Status Line Items

Soil Borings: Boring completed; waiting for final report.

Bolton and Menck plan completion: Plans sufficiently completed for EPA review. Final plans and estimates should be available in ~~January~~ February.

EPA Review: After plan completion and soil borings, it will take between 3 weeks and 2 months. We expect an estimate by mid-December on how long the review will take.

Advertising for bids: After EPA review, month-long process.

Lead times for lift station components: Approximately 4 months after EPA review

Construction: 3-4 weeks duration in late summer or fall 2024.

### *Previous updates*

Bolton & Menk submitted lift station plans to the EPA the week of November 27 for EPA review; Marcus plans to get an update on the time it will take for review by mid-December. The lift station plans that were not submitted should be sufficient for review but are not complete enough for construction.

The soil boring tests and report are being finalized, and some testing remains relating to dewatering. The soil borings are likely to cost around \$4,000. The tests show rock at 20 feet.

Marcus will have lift station cost estimates available to the council in January, but Bolton & Menk's current estimate is \$500,000. The village has grants in the amount of \$580,000. The estimate includes some funds for rock excavation.

Marcus writes that we should be reasonably secure that we can afford the lift station fully within grants. He writes:

"We have 580,000 in grant funds at the moment, with a 500k estimate, our estimate are normally slightly higher to account for bids coming in worse case scenario, so I'd hope bids to come in 450-480,000 ish. Our estimates are based on what we are seeing for numbers for similar project's with some protection in there. The 500,000 is not including any engineering, administrative, or construction inspection services from BMI.

I wouldn't say there is a guarantee, but it is the best estimate we have to date with what we are expecting. Should the scope change, or the city gets the plans and wants to make changes from there, prices obviously has a lot of variables but based on our current estimate, the funds planned to be available with the EPA and the RCWD. It looks like you should easily be able to afford the bids, before the city provides any funds from their budget."

In my opinion, we should budget some funds for Bolton & Menk to oversee, administer and inspect the lift station project construction. Ideally, this will not exceed the \$580,000, but I would suggest we maintain an additional \$50,000 for the project for 2024, over and above grant amounts.

### Project Status Line Items

Soil Borings: Boring completed; waiting for final report.

Bolton and Menck plan completion: Plans sufficiently completed for EPA review. Final plans and estimates should be available in January.

EPA Review: After plan completion and soil borings, it will take between 3 weeks and 2 months. We expect an estimate by mid-December on how long the review will take.

Advertising for bids: After EPA review, month-long process.

Lead times for lift station components: Approximately 4 months after EPA review

Construction: 3-4 weeks duration in late summer or fall 2024.

#### November Updates:

The soil boring work for the Wildwood lift station was completed on October 27, by Haugo Geotechnical, the cheapest bid from Haugo Geotechnical, Braun and AET. The geotechnical report and billing to the city are pending. Environmental Engineer Seth Peterson has been working on the design to get it far enough along to submit the work plan to the EPA to get started with their review. The work plan should be submitted to the EPA in November 2023.

#### October Updates:

The next steps are soil borings from Braun and plan completion by Bolton and Menck.

Bolton and Menck Environmental Engineer Seth Peterson met at the lift station with Birchwood Water Superintendent John Manship and Birchwood City Engineer Marcus Johnson on Friday, September 29 to take pictures and discuss technical preferences. The following is a rough timeline; a more detailed plan will follow during the plan completion phase.

No action is required of the council right now; this is just an update.

#### Project Status Line Items

Soil Borings: Waiting for a status update from Braun.

Bolton and Menck plan completion: Will start on plan completion within the next two weeks.

EPA Review: After plan completion and soil borings, will take between 3 weeks and 2 months.

Advertising for bids: After EPA review, month-long process.

Lead times for lift station components: Approximately 4 months after EPA review

Construction: 3-4 weeks duration in Summer, 2024.

To: Birchwood City Council  
From: Ryan Hankins  
Subject: Wildwood LRIP Grant Application

The city applied for a grant to fund road improvement work on Wildwood Ave., in common with lift station construction. The Minnesota Department of Transportation has rejected our application in favor of others.



State Aid for Local Transportation  
395 John Ireland Blvd., MS 500  
St. Paul, MN 55155  
Phone: 651-366-3800

April 1, 2024

Ryan Hankins  
City of Birchwood Village  
183 Wildwood Ave  
Saint Paul, MN 55110-1624

Re: 2023 Local Road Improvement Program Project Selection

Dear Ryan Hankins,

Thank you for your application submittal under the 2023 Local Road Improvement Program (LRIP) solicitation. The purpose of this letter is to inform you that your project on Wildwood Ave. was not selected for funding for the 2023 LRIP solicitation which closed on December 8, 2023. We will keep your project application on file until the 2024 legislative session ends. If additional LRIP funds become available, we may be able to reconsider your application and fund additional projects. Updates and program information will be posted on the MnDOT State Aid LRIP webpage (<http://www.dot.state.mn.us/stateaid/lrip.html>).

Sincerely,

A handwritten signature in blue ink that reads 'Rashmi Brewer'.

Rashmi Brewer, P.E.  
State Aid State Programs Engineer

copy: Washington County Public Works, Washington County  
Dan Erickson, Metro District State Aid Engineer

# ASH PATH

CONTACT:  
CITY OF BIRCHWOOD

COUNTY/CITY:  
WASHINGTON COUNTY  
CITY OF BIRCHWOOD

REVISIONS:  
DATE REVISION  
03-29-2024 INITIAL ISSUE

CERTIFICATION:  
I hereby certify that this plan was prepared by me, or under my direct supervision, and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.  
*Daniel L. Thurmes*  
Daniel L. Thurmes Registration Number: 25718  
Date: 03-29-2024

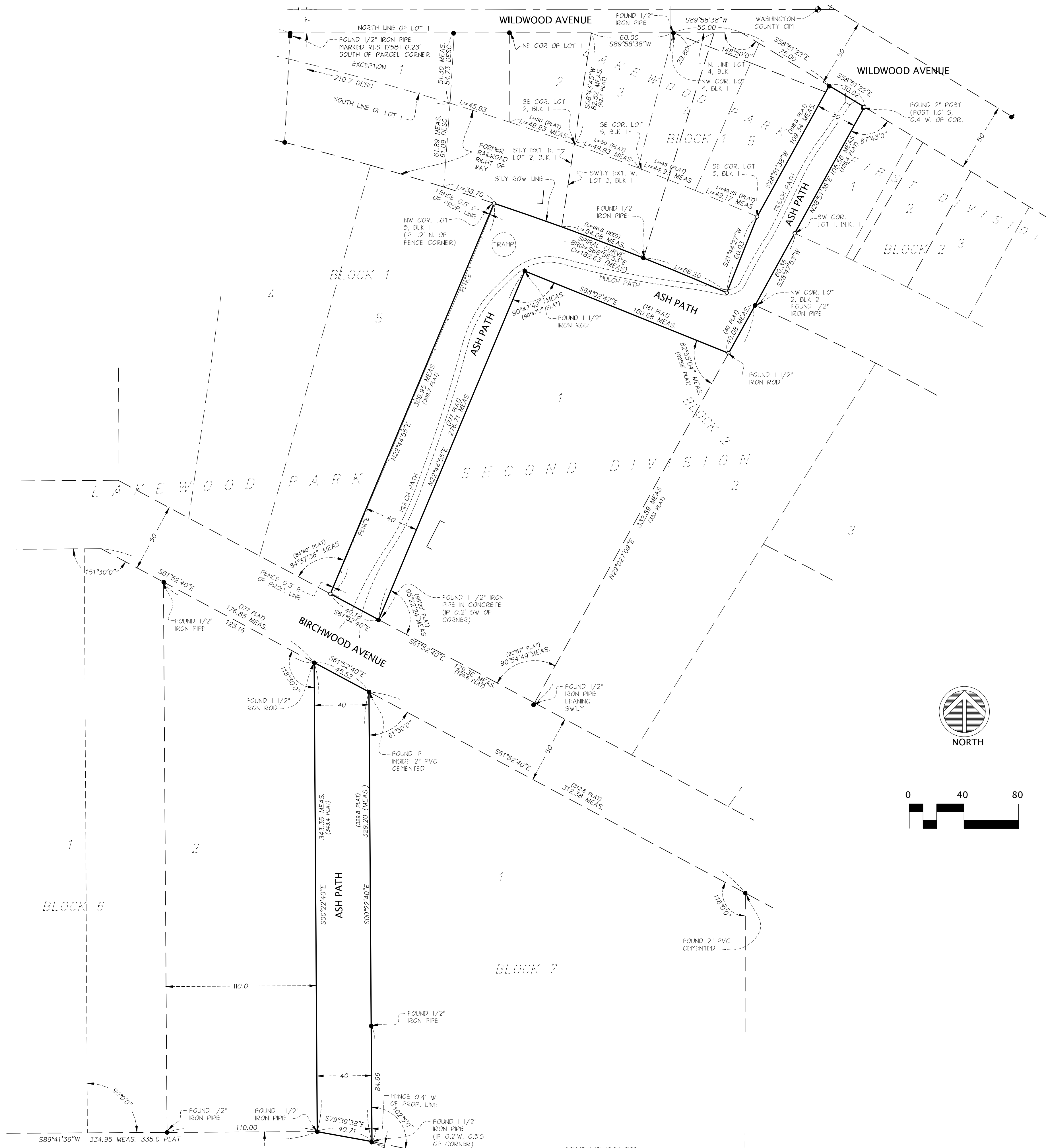
PROJECT LOCATION:  
**ASH PATH**

Suite #200  
1970 Northwestern Ave  
Stillwater, MN 55082  
Phone 651.275.8969  
Fax 651.275.8976  
dan@  
cssurvey.net

**CORNERSTONE**  
LAND SURVEYING, INC.

FILE NAME SURVBW001-F  
PROJECT NO. BW23008

ASH PATH  
SKETCH



**LEGAL DESCRIPTION:**

NO LEGAL DESCRIPTIONS WERE PROVIDED FOR THIS SURVEY.

THIS SKETCH DEPICTS THE LOCATION OF ASH PATH BASED ON THE LOCATION OF ASH STREET AS PLATTED ON LAKEWOOD PARK FIRST DIVISION, LAKEWOOD PARK SECOND DIVISION AND THE ADJACENT PARCEL DESCRIPTIONS PER DOC. NO. 4299880 AND DOC. NO. 3333081.

**TITLE NOTES:**

\*No titlework was provided for this survey. Easements of which we are unaware may exist.

**AREA:**

NORTHERLY PORTION ASH PATH = 23,993 SQ. FT.  
SOUTHERLY PORTION ASH PATH = 13,452 SQ. FT.

**SURVEY NOTES:**

- BEARINGS ARE BASED ON COORDINATES SUPPLIED BY THE WASHINGTON COUNTY SURVEYORS OFFICE.
- THERE MAY BE SOME UNDERGROUND UTILITIES, GAS, ELECTRIC, ETC. NOT SHOWN OR LOCATED.

**UNDERGROUND UTILITIES NOTES:**

NO UNDERGROUND UTILITIES WERE LOCATED DURING THE COURSE OF THIS SURVEY. UTILITIES OF WHICH WE ARE UNAWARE MAY EXIST.



**LEGEND**

- FOUND MONUMENT
- SET 1/2" IRON PIPE MARKED RLS NO. 25718
- DENOTES FENCE

# MEMORANDUM

DATE: 3/28/24

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TO: City Council  
FROM: Rebecca Kellen, City Administrator  
COPIED:  
SUBJECT: Tree Inspector

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**Birchwood Village**

ON MAY 15, 2023, THE TREE INSPECTOR INVITATION TO BID WAS POSTED ON THE CITY WEBSITE. THE OPENING WAS ALSO NOTICED IN THE FALL 2023 NEWSLETTER. IT IS INCLUDED IN THIS PACKET ON THE FOLLOWING PAGES, ALONG WITH A DRAFT OF THE CONTRACT. SINCE THEN, NO INDIVIDUALS HAVE EXPRESSED INTEREST IN THE POSITION. NO TREE INSPECTION WAS COMPLETED IN 2023 SINCE THERE WAS NO TREE INSPECTOR. THERE HAVE ALSO BEEN OCCASIONS WHERE STAFF IS CONTACTED ABOUT TREE ISSUES IN THE CITY THAT WOULD NORMALLY BE DIRECTED TO THE TREE INSPECTOR FOR ASSESSMENT.

ACCORDING TO CITY CODE 403.030, "THE COUNCIL SHALL AT LEAST ANNUALLY DESIGNATE A TREE INSPECTOR OR TREE INSPECTORS, CERTIFIED BY THE MINNESOTA COMMISSIONER OF AGRICULTURE....." ACCORDING TO 403.060, INSPECTIONS TYPICALLY HAVE A DUE DATE OF AUGUST 1<sup>ST</sup> OF A GIVEN YEAR.

ADMINISTRATION SPOKE WITH GOERGE WELLES OF NORTHEAST TREE INC RECENTLY TO INQUIRE ABOUT SERVICES AND WAS TOLD THAT SUCH A SERVICE, WHICH WOULD REQUIRE GPS MAPPING TO BE SUCCESSFUL, WOULD COST APPROXIMATELY \$25000. WITH THE HELP OF THE PARKS AND RECREATION COMMITTEE WE ARE ALSO REACHING OUT TO JAY RIGGS, DISTRICT MANAGER AT WASHINGTON CONSERVATION DISTRICT, TO SEE IF THEY HAVE ANY IDEAS ON HOW TO MOVE FORWARD.

ADMINISTRATION WOULD LIKE FOR COUNCIL TO REVIEW THE INVITATION TO BID AND DISCUSS NEXT STEPS IN OBTAINING A TREE INSPECTOR FOR THE 2024 ANNUAL TREE INSPECTION.

Regards,  
Rebecca Kellen  
City Administrator/Clerk  
City of Birchwood Village, MN  
office: (651) 426-3403  
email: [rebecca.kellen@cityofbirchwood.com](mailto:rebecca.kellen@cityofbirchwood.com)  
website: <http://www.cityofbirchwood.com/>



## INVITATION TO BID

**Project Description:** Annual Tree Inspection Services

**Scope of the Work:** The City of Birchwood Village wishes to contract with an outside consulting firm or individual to administer the City's Tree Inspection Program by providing tree inspections on an annual basis and perform such duties as may be set forth within the City's Municipal Code related to tree care and maintenance. City Tree Inspector shall conduct a City-wide inspection of all trees for evidence of pestilence (insect-borne) and disease and provide data summaries, electronic reports, and maps of their findings to the City. City Tree Inspector shall, based on their findings, make such recommendations for mitigation and treatment for all observed instances of insect infestation and/or instances of disease as they deem appropriate and effective based on their training, experience, and latest technical information available. Such recommendations may include the removal of trees when appropriate.

**Project Budget:** The City of Birchwood Village budgeted \$2,500 for tree inspection services in 2023.

**Service Agreement, Insurance, and Independent Contractor Status:** The successful service provider will be asked to enter into a service agreement (See Addendum 1) and to provide a certificate of insurance naming the City as an additional insured showing coverage for liability, workers compensation, and automobile.

**Receipt of Bids:** Bids shall be addressed to via mail or email.

To: City of Birchwood Village  
Attn: Rebecca Kellen, City Administrator  
207 Birchwood Avenue,  
Birchwood Village, MN 55110  
651-426-3403  
[Rebecca.kellen@cityofbirchwood.com](mailto:Rebecca.kellen@cityofbirchwood.com)



## INDEPENDENT CONSULTANT SERVICES AGREEMENT

The agreement ("Agreement") is made by and between The City of Birchwood Village, a Minnesota Public Entity ("City"), and \_\_\_\_\_, an individual ("Consultant") and is effective as of \_\_\_\_\_ ("Effective Date").

1. **ENGAGEMENT OF SERVICES.** Herein is a description of the services to be provided by Consultant pursuant to the terms of the Agreement ("Consulting Services"). Consultant hereby agrees to utilize best efforts in performing the following Consulting Services:

Consultant will be administering the City's Tree Inspection Program by providing tree inspections on an annual basis.

Consultant shall conduct a City-wide inspection of all trees, public and private, for evidence of pestilence (insect-borne) and disease and provide a report findings to the City on a annual basis.

Consultant shall, on the basis of his findings, make such recommendations for mitigation and treatment for all observed instances of insect infestation and/or instances of disease as he deems appropriate and effective based on his training, experience and latest technical information available. Such recommendations may include the removal of trees when appropriate.

2. **COMPENSATION.**

Consultant shall be compensated on an annual basis in the amount of \_\_\_\_\_ per year, payable following the receipt of final inspection reports to the City.

3. **INDEPENDENT CONTRACTOR RELATIONSHIP.** Consultant's relationship with the City is that of an independent contractor, and nothing in this Agreement is intended to, or should be construed to, create a partnership, agency, joint venture or employment relationship. Consultant will not be entitled to any of the benefits that City may make available to its employees, including, but not limited to, group health or life insurance, profit sharing or retirement benefits. Consultant is not authorized to make any representation, contract or commitment on behalf of City unless specifically requested or authorized in writing to do so by City. Consultant is solely responsible for, and will file, on a timely basis, all tax returns and payments required to be filed with, or made to, any federal, state or local tax authority with respect to the performance of services and receipt of fees under the Agreement. Consultant is solely responsible for, and must maintain adequate records of, expenses incurred in the course of performing services under the Agreement. No part of Consultant's compensation will be subject to payroll taxes. City will regularly report amounts paid to Consultant by filing Form 1099-MISC with the Internal Revenue Service.

4. **CONFIDENTIAL INFORMATION.**

4.1 **OBSERVANCE OF CITY OF BIRCHWOOD RULES.** At all times while on City premises, Consultant will observe CITY OF BIRCHWOOD'S rules and regulations with respect to conduct, health and safety and protection of persons and property.

4.2 **NO CONFLICT OF INTEREST.** During the term of the Agreement, Consultant will not accept work, enter into a contract, or accept any obligation, inconsistent or incompatible with Consultant's obligations, or the scope of services rendered for City, under the Agreement. Consultant warrants that, to the best of its knowledge, there is no other contract or duty on Consultant's part, which conflicts with or is inconsistent with the Agreement. Consultant agrees to indemnify City from any and all loss or liability incurred by reason of the alleged breach by Consultant of any services agreement with any third party.

5. **TERM AND TERMINATION.**

5.1. **TERM.** The Agreement is effective as of the Effective Date set forth above.

5.2. **TERMINATION.** Either party may terminate the Agreement, with or without cause, at any time upon thirty (30) days' prior written notice to the other party.

6. **SUCCESSOR AND ASSIGNS.** Consultant may not assign the Agreement or subcontract or otherwise delegate its obligations under the Agreement without City's prior written consent. Subject to the foregoing, the Agreement will be for the benefit of City's successors and assigns, and will be binding on Consultant's assignees.

7. **CONSEQUENTIAL DAMAGES.** Neither party will be liable to the other for any consequential, special or incidental.

8. **NOTICES.** Any notice required or permitted by the Agreement shall be in writing and shall be delivered as follows with notice deemed given as indicated: (i) by personal delivery when delivered personally; (ii) by overnight courier upon written verification of receipt; (iii) by telecopy or facsimile transmission upon acknowledgment of receipt of electronic transmission; or (iv) by certified or registered mail, return receipt requested, upon verification of receipt. Notice shall be sent to the addresses set forth above or such other address as either party may specify in writing.

9. **GOVERNING LAW.** The Agreement shall be governed in all respects by the laws of the United States of America and by the laws of the State of Minnesota, excluding Minnesota's conflict of law provisions.

10. **SEVERABILITY.** Should any provisions at the Agreement be held by a court of law to be illegal, invalid or unenforceable, the legality, validity and enforceability of the remaining provisions of the Agreement shall not be affected or impaired thereby.

11. **WAIVER.** The waiver by City of a breach of any provision of the Agreement by Consultant

shall not operate or be construed as a waiver of any other or subsequent breach by Consultant.

12. **INJUNCTIVE RELIEF FOR BREACH.** Consultant's obligations under the Agreement are of a unique character that gives them particular value; breach of any of such obligations will result in irreparable and continuing damage to City or which there will be no adequate remedy at law; and, in the event of such breach, City will be entitled to injunctive relief and/or a decree for specific performance, and such other and further relief as may be proper (including monetary damages if appropriate).
13. **ENTIRE AGREEMENT.** The Agreement constitutes the entire agreement between the parties relating to the subject matter and supersedes all prior or contemporaneous oral or written agreements concerning such subject matter. The terms of the Agreement will govern all Project Assignments and services undertaken by Consultant for City. The Agreement will govern all aspects of the Project as laid out herein and services offered by Consultant. The Agreement may only be changed by mutual agreement of authorized representatives of the parties in writing.

IN WITNESS WHEREOF, the parties have executed the Agreement as of the date first written above.

Margaret Ford

\_\_\_\_\_  
CITY OF BIRCHWOOD  
By: Its Mayor

\_\_\_\_\_, Certified Tree Inspector

Rebecca Kellen

\_\_\_\_\_  
CITY OF BIRCHWOOD  
By: Its Administrator

**JOINT POWERS AGREEMENT**  
**City of Birchwood Village and Town of White Bear**  
**Trail Management Agreement**

This Joint Powers Agreement made and entered into this \_\_\_\_\_ day of December, 2023 by and between the City of Birchwood Village, Washington County, (“City”) Minnesota and Town of White Bear, Ramsey County, (“Town”) Minnesota.

WHEREAS, the parties, pursuant to the provision of Minnesota Statutes Chapter 471.59, are authorized to enter into agreements to exercise jointly the governmental powers and functions each has individually; and,

WHEREAS, the County of Ramsey did, as part of the reconstruction of South Shore Boulevard construct a trail along the Northerly and Easterly right-of-way of South Shore Boulevard; and

WHEREAS, approximately two hundred and sixty feet of said trail lies within the boundaries of the City of Birchwood Village as shown on Exhibit A hereto; and,

WHEREAS, the City of Birchwood Village is responsible for the maintenance, repair, or reconstruction of said trail to the extent said trail lies within the City’s boundaries; and

WHEREAS, the City has requested the Town maintain, repair, and if necessary reconstruct said trail. And the Town has agreed to be responsible for maintenance, repair, and reconstruction of said trail.

NOW, THEREFORE, it is hereby agreed by and between the parties hereto as follows:

1. That the Town shall be responsible for the maintenance, repair, and reconstruction of the trail. This shall include but not be limited to snow removal, surface sealing, crack repair, pavement repair, and any other maintenance and repairs that Town, at its sole discretion, deems necessary to maintain the trail in a safe condition. The Town shall have sole discretion as to the means and methods used to carry out the duties set forth above.
2. Costs. By the tenth day of each calendar month, the Town shall send an invoice to the City outlining the work performed pursuant to this Agreement and stating the costs to

be reimbursed. The City shall pay said invoice within thirty (30) days of the Town transmitting said invoice.

3. Reconstruction. If the Town determines the trail must be reconstructed, and in the event the Town elects to reconstruct that portion of the trail lying within Town boundaries and requires reconstruction of that portion lying within the boundaries of the City, the Town shall retain those engineering services necessary to prepare plans and specifications for both the trail lying within the Town boundaries and that part of the trail governed by this Agreement. The Town shall consult with the City regarding said plans and specifications, however: the Town retains final authority over all plans and specifications. The City hereby appoints the Town as its agent and grants the Town the authority to obtain bids for the completion of the work set forth in the plans and specifications approved. The City retains the right to accept or reject any contract for the work to be performed pursuant to this section. However, if the City rejects any such contract, the Town reserves the right to terminate this Agreement with thirty (30) days written notice to the City.

The City shall be responsible for its share of the engineering and contract costs relating to the reconstruction of the trail. Such share will be based on the ratio of the lengths of the City trail being reconstructed to the length of the entire trail being reconstructed.

4. The parties agree to indemnify each other and hold each other harmless from any and all claims, causes of action, lawsuits, judgments, charges, demands, costs, and expenses, including, but not limited to, interest involved therein and attorneys' fees and costs and expenses connected therewith, arising out of or resulting from the failure of either party to satisfy the provisions of this agreement or for damages caused to other parties as a result of the manner in which the offending party performs or fails to perform duties imposed on each party by the terms of this agreement.
5. Unless otherwise stated this agreement shall remain in full force and effect until terminated by mutual agreement of the parties, by operation of this agreement, or by an independent arbitrator in the event that there is not a mutual agreement.

6. It is agreed that, except as specifically provided hereby the execution of this agreement, neither party relinquishes any rights or powers possessed by it, neither party is relieved of any responsibility, duty or obligation imposed on it by law or regulation.
7. Data Practices:
  - a. The parties agree to comply with the Minnesota Data Practices Act and all other state and federal laws relating to data privacy or confidentiality;
  - b. The parties will immediately report to each other any requests from third parties for information relating to this Agreement.
  - c. The parties agree to promptly respond to each other's inquiries concerning data requests.
8. Arbitration of Disputes: Any controversy claim arising out of or relating to this Agreement or breach thereof shall be settled by arbitration in accordance with the rules of the American Arbitration Association. Judgment upon the award rendered by the arbitrator may be entered in any court having jurisdiction thereof.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their respective duly authorized representatives.

Dated

\_\_\_\_\_ 12/18/23

TOWN OF WHITE BEAR

By   
Its Town Board Chair

By   
Its Clerk-Treasurer

Dated

\_\_\_\_\_

CITY OF BIRCHWOOD VILLAGE

By \_\_\_\_\_  
Its Mayor

By \_\_\_\_\_  
Its City Administrator

To: Birchwood City Council  
From: Ryan Hankins  
Re: 310 and 312 Wildwood Ave.

The city has been dealing with properties at 310 and 312 Wildwood Ave. for some time. The current council dealt with the issue in September 2023. At that time, and in October, the council heard that the properties would become vacant in the fall and cleaned up, and that a sale was expected in spring, 2024.

Since that time, 310 Wildwood appears to have been vacated, but 312 Wildwood is occupied, although an eviction action was filed March 18. At its March council meeting, the council made several requests of the property owner.

We can take this opportunity to understand from the property owner and her representatives the path forward for the properties.

Because these problems are complex, we should invite the property owner and her representatives to contact the council and attend city council meetings as needed to promote cooperation and coordinate efforts on the properties, and to allow for revisions of our path forward.

The city sent a notice with the following on March 19, 2024:

- Within 30 days, register 310 Wildwood as vacant and pay the appropriate fee.
- a. Within 30 days, remove all rubbish from the property grounds.
  - b. Within 90 days, provide a plan to eliminate erosion into the street from the driveway, such as adding a silt fence.
  - c. Require the property owner to certify that they have secured the utilities such as gas, electric, and water.
  - d. Direct staff to reach out to the property owner to offer the assistance of Jack Kramer, Building Inspector, in securing the property against squatters.

Email from Amy Barrett, 3/11/2024

Hello Rebecca,

Thank you for reaching out. Please allow me to update you on the progress that's been made and address some concerns expressed in the attached letter.

- There is still one tenant living in the property at 312 Wildwood. The problem tenant is gone but the remaining tenant will not be out of the property for another week. He is an older gentleman and has experienced difficulty finding housing that will allow him and his pets. But he notified the landlord last week that he would be moving out by the 18th of March.
- The property is currently occupied and secure. It is not vacant. The owner checks on the property several times a week.
- The owner has been hauling away trash, so I am unsure about why there is an assertion that trash is accumulating. That said, the owner has hired South Suburban to remove all trash remaining on the property once the current tenant moves out.

We had an offer back in December that seemed very promising but the buyer eventually backed out. We received another offer but couldn't reach terms with that buyer so the home will be listed on the MLS next week when I return from England.

The owner added gravel to the driveway believing that it would provide a temporary solution to the erosion issues while we clean up and market the property. The next owner will likely relocate the driveway and need to do extensive grading when the property is sold. We hope to be able to delay any permanent measures that would dictate the orientation of a future home, which could result in making the property less desirable to potential builders and make it take longer to sell.

We admit that progress has been slow but we are making progress and we appreciate the Council's patience as we work through the issues with the property.

Apart from the erosion concerns and the trash, which will be removed, are there any concerns by the city that should be communicated to our potential buyers?

Thank you again for your patience regarding the property.



Email from Amy Barrett, 10/3/2023

Good Morning Rebecca,

We are making progress at the houses.

The tenant at 310 is actively moving from the property. She still has a bit of property to take from the home but she appears to be participating in good faith. The basketball hoop will be gone by the end of the week.

The tenant at 312 is having a difficult time identifying housing for himself and his two pets. We had hoped to get emergency assistance from the county for him but as he is currently unemployed, that does not appear to be an option. We are hoping to avoid an eviction because he was a friend of Liz's father. However, if he cannot come up with a concrete plan by next week, we will be forced to begin the eviction process.

We will continue to keep you apprised of the situation.

Thank you,  
Amy Barrett

Email from Amy Barrett, 9/14/2023

Good Morning Becky,

It was a pleasure meeting you and the Council briefly at the Birchwood Village Council Meeting on September 12th. I look forward to working with you, the Council and my client on the sale of the properties in Birchwood.

It is my understanding that there is a long history with the homes but my focus will be on getting to know what the current situation is.

I asked Liz to forward me any communication she has received from the city since acquiring the homes and it isn't much. The city attorney stated in my presence that there "are many issues" so

I was hoping that you might be willing to summarize what those issues are so that we may attempt to address them. *I used to be responsible for a small city in Washington County and I detest data practices requests. They are time consuming, combative, and expensive so I sincerely hope that we can move forward on this in a relaxed and collaborative manner.*

Our plan regarding the homes is to have both tenants out of the properties by September 30th so that we may assess what work needs to be completed prior to marketing them. Notice to vacate was served to each tenant on August 30th. As I mentioned on the 12th, it appears that one unit will be cooperative and the other unit may not. Liz is getting her paperwork in order in the event that we need to go to housing court. If that is the case and she files paperwork on Monday, October 2nd, then the hearing will likely take place on or around October 16th. With this in mind, the properties will not likely be offered for sale until the end of October or possibly November.

You mentioned at the Council meeting that this email address was the best to use to communicate with the Village. Liz and I will continue to use this email address to keep the Village apprised of our progress. However, I would like to bring to your attention that the Village website lists an email address for the City Attorney that does not match the email address on the business card given to my client on Tuesday. Liz had used the coyotelawyer address in previous communications and it sounds like those emails are not getting to their intended destination. I have used both addresses on the cc line of this email. If you would like the City Attorney copied in on future emails, please let me know which address to use.

Liz is a resident of Birchwood Village and cares about her community. She has been overwhelmed having to assume her father and brother's affairs while in the midst of a profound grief over their deaths. She regrets the amount of time she has allowed to pass and is still low over her family's losses but she is taking the steps necessary to resolve the situation with her late father's estate. Much thanks is due to you and the Village for your patience to this point. I look forward to working with all of you toward a happy resolution.

House wrap on west side of 310 (3/29/2024):



Damaged eaves, soffit and roof on north side of 310 (3/29/2024):



Damaged eaves, soffit and roof on east side of 310 (3/29/2024):



Tire, bicycles, furniture, basketball hoop and base, trailer and other rubbish, and gravel added to driveway (3/19/2024):



Damaged (wavy, likely from moisture) siding on east side of 310 (3/29/2024):



## 310 and 312 Wildwood

Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>

Tue 3/19/2024 1:27 PM

To:liz@theadsgroup.com <liz@theadsgroup.com>

Cc:Amy Barrett <amy@aftonamy.com>;Alan Kantrud <hakantrud@protonmail.com>;Jack Kramer <inspjack@msn.com>

Bcc:R. Mark Foster <robertmarkfoster@gmail.com>;margaret ford <margaret.ford@cityofbirchwood.com>;Ryan Hankins

<ryan.hankins@cityofbirchwood.com>;kathy weier <kathy.weier@cityofbirchwood.com>;Mark Foster

<mark.foster@cityofbirchwood.com>;Justin McCarthy <justin.mccarthy@cityofbirchwood.com>

📎 2 attachments (524 KB)

VACANT\_BLDG\_REGISTRATION\_FORM.pdf; 407.pdf;

Dear Ms. Elizabeth Simning,

I'm writing to inform you that during the March 12<sup>th</sup> City Council meeting, the City Council directed the following in regard to the properties at 310 and 312 Wildwood Ave:

- a. Within 30 days, register 310 Wildwood as vacant and pay the appropriate fee.
- b. Within 30 days, remove all rubbish from the property grounds.
- c. Within 90 days, provide a plan to eliminate erosion into the street from the driveway, such as adding a silt fence.
- d. Require the property owner to certify that they have secured the utilities such as gas, electric, and water.
- e. Direct staff to reach out to the property owner to offer the assistance of Jack Kramer, Building Inspector, in securing the property against squatters.

I have attached the vacant property registration form. The fee to register is \$480 annually per property. I also attached code 407, Vacant Properties, for your review. The city would request that, in addition to securing the property that is currently vacant at 310 Wildwood, the property at 312 Wildwood be registered as a vacant building within 30 days of becoming vacant as per the city code 407.03.a. Also, please confirm that the utilities have been secured at both properties, once vacated.

Finally, I am passing along the information of our building official, Jack Kramer, who the city would like to offer as a resource for securing the properties. He can be reached at [inspjack@msn.com](mailto:inspjack@msn.com) or at 651-269-5633. I have also copied him on this email.

The City Council indicated that these items will be discussed in the following 2 meetings, being held on April 9<sup>th</sup> and May 14<sup>th</sup> at 6:45pm so we invite you to attend those meetings.

Thank you for your attention to this and please let me know if you have any questions.



Rebecca Kellen, MBA

City Administrator

City of Birchwood Village, MN

office: (651) 426-3403

fax: (651) 426-7747

email: [rebecca.kellen@cityofbirchwood.com](mailto:rebecca.kellen@cityofbirchwood.com)



**RE: FW: FW: 8102057034 -Property Registration**

H.A.Kantrud <BirchwoodLegal@protonmail.com>

Tue 3/19/2024 10:25 AM

To:Berry, Linda F <linda.f.berry@citizensbank.com>;Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>

📎 1 attachments (2 MB)

232lowerwindowunsecured copy.tiff;

The City met yesterday and while not specifically for the building situation, a circumstance at your property was pointed out to me that I was asked to point out to you for correction. While your service company did secure some entrances it appears that a new opening has been created that needs attention (in addition to the items indicated earlier) and this should take some priority as it is clearly an unsecured access point to your property and a criminal nuisance in the City. Please address these issues post-haste.

We must fight against the spirit of unconscious cruelty with which we treat the animals. Animals suffer as much as we do. True humanity does not allow us to impose such sufferings on them.

-Albert Schweitzer, philosopher, physician, musician, Nobel laureate (14 Jan 1875-1965)

\*\*\*\*\*

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Sent with [Proton Mail](#) secure email.

On Friday, March 15th, 2024 at 12:55 PM, H.A.Kantrud <BirchwoodLegal@protonmail.com> wrote:

I assume you found the form fairly straightforward?

The City Council met and discussed the situation and I assured them that the property would come into compliance shortly. That said there are a few details that you should be aware of and assign to the local outfit you contract with to secure properties. Of chief concern is the securing of the utilities; please make sure that is done so the inspection can go smoothly. Two other matters need to be addressed as well and have been of concern to the City and neighbors for some time: the landscaping in the rear has subsided and the timbers/cribbing need to be removed and the area secured from erosion and runoff. Various screens on the windows and

doors are perished as well and need to be removed or repaired. Finally the "downspouts" on the gutter system are missing which creates a nuisance for the neighbors and they need to be put in place or the entire gutter system needs to be removed, one or the other. Once these items have been addressed and the registration process is undertaken the local building official will be able to validate your compliance with the law.

Thank you for your attention to this matter,

H. ALan Kantrud  
City Attorney  
Birchwood Village

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-Albert Schweitzer, philosopher, physician, musician, Nobel laureate (14 Jan 1875-1965)

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Sent with Proton Mail secure email.

On Monday, March 11th, 2024 at 6:27 PM, H.A.Kantrud  
<BirchwoodLegal@protonmail.com> wrote:

Here is our form, Linda, and it is pretty-straightforward.

H. Alan

We must fight against the spirit of unconscious cruelty with which we treat the animals. Animals suffer as much as we do. True humanity does not allow us to impose such sufferings on them.

-Albert Schweitzer, philosopher, physician, musician, Nobel laureate (14 Jan 1875-1965)

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Sent with [Proton Mail](#) secure email.

On Tuesday, March 5th, 2024 at 9:52 AM, Berry, Linda F <linda.f.berry@citizensbank.com> wrote:

Ok sounds good hope the weather is nice. Thank you 😊

---

**From:** H.A.Kantrud <BirchwoodLegal@protonmail.com>  
**Sent:** Tuesday, March 05, 2024 10:45 AM  
**To:** Berry, Linda F <linda.f.berry@citizensbank.com>  
**Subject:** RE: FW: FW: 8102057034 -Property Registration

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I certainly will when I am able. I am in coastal Georgia right now in a kayak. I will get over that condition this weekend.

H. Alan

Sent from [Proton Mail](#) for iOS

On Tue, Mar 5, 2024 at 10:01 AM, Berry, Linda F  
<[linda.f.berry@citizensbank.com](mailto:linda.f.berry@citizensbank.com)> wrote:

Good morning Mr. Kantrud would you be able to provide the letter and documentation you had sent to us, this information was never given to me to process your request. Thank you 😊

---

**From:** H.A.Kantrud  
<[BirchwoodLegal@protonmail.com](mailto:BirchwoodLegal@protonmail.com)>  
**Sent:** Wednesday, February 28, 2024 10:30 PM  
**To:** Berry, Linda F <[linda.f.berry@citizensbank.com](mailto:linda.f.berry@citizensbank.com)>  
**Cc:** Patterson, Heather  
<[Heather.Patterson@citizensbank.com](mailto:Heather.Patterson@citizensbank.com)>  
**Subject:** Re: FW: FW: 8102057034 -Property Registration

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

There is no confusion here except for your vendor, who fails to realize that the city of Birchwood is where the residential address is. The postal code is for the larger city next-door that actually handles the mail for the city, and hence it shows as a different city by name, but we would not be going through this exercise if I thought (or knew) that the city did not have this address. If your vendor had taken the time to look any deeper, they would've realized that if the residential address was in the city that they indicate, all of your bank documents/recordings would be incorrect as that city isn't even in the same county as Birchwood...

This response could've been provided in response to the letter that I already wrote to the bank, but was not. The letter and documentation, including the law and registration were included with the correspondence. The property was vacant then, and is certainly vacant now, and it is a requirement of the city under its ordinance that it be registered.

H. Alan Kantrud

City Attorney

Sent from [Proton Mail](#) for iOS

On Wed, Feb 28, 2024 at 12:40 PM, Berry, Linda F <[linda.f.berry@citizensbank.com](mailto:linda.f.berry@citizensbank.com)> wrote:

Good afternoon Mr. Kantrud here is the response from our vendor on the property registration. Thank you

---

**From:** VPR Orders  
<[vpr.orders@safeguardproperties.com](mailto:vpr.orders@safeguardproperties.com)>  
**Sent:** Wednesday, February 28, 2024 1:36 PM  
**To:** Berry, Linda F  
<[linda.f.berry@citizensbank.com](mailto:linda.f.berry@citizensbank.com)>  
**Subject:** RE: FW: 8102057034 -Property Registration

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

That may be the case if this property was in the municipality of St. Paul, MN but it's within Birchwood Village municipality - as seen in the attached tax account detail.

There are two very similar addresses which may be causing some confusion. The first address is the one this loan is for.

232 Cedar St, White Bear Lake, MN  
55110 (residential house) Loan  
8102057034

232 Cedar St, St Paul, MN 55110 (office  
building downtown)

Thank you!

Cole Vickery

VPR Coordinator

Safeguard Properties

O: 1-800-852-8306 Extension 3002

7887 Safeguard Circle (Hub Parkway)

Valley View, OH 44125

[cole.vickery@safeguardproperties.com](mailto:cole.vickery@safeguardproperties.com)

[www.safeguardproperties.com](http://www.safeguardproperties.com)

"Customer Service = Resolution®"

Safeguarding our clients' interests

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**From:** Berry, Linda F  
<[linda.f.berry@citizensbank.com](mailto:linda.f.berry@citizensbank.com)>

**Sent:** Tuesday, February 27, 2024 12:12  
PM

**To:** VPR Orders  
<[vpr.orders@safeguardproperties.com](mailto:vpr.orders@safeguardproperties.com)>  
**Subject:** FW: FW: 8102057034 -Property  
Registration

**Safeguard External Email**  
**Warning:**  
**Do not click links or open attachments unless you recognize the sender and know the content is safe. If you believe that this email is unsafe, please report it by using the Phish Alert button in Outlook**

---

Good afternoon Safeguard, please see below this attorney says the property is required to be registered. Thanks 😊

---

**From:** H.A.Kantrud  
<[BirchwoodLegal@protonmail.com](mailto:BirchwoodLegal@protonmail.com)>  
**Sent:** Tuesday, February 27, 2024 11:38 AM  
**To:** Berry, Linda F  
<[linda.f.berry@citizensbank.com](mailto:linda.f.berry@citizensbank.com)>  
**Cc:** Patterson, Heather  
<[Heather.Patterson@citizensbank.com](mailto:Heather.Patterson@citizensbank.com)>  
**Subject:** Re: FW: 8102057034 -Property  
Registration

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

It is required to be.

Sent from [Proton Mail](#) for iOS

On Tue, Feb 27, 2024 at 10:04 AM, Berry, Linda F <[linda.f.berry@citizensbank.com](mailto:linda.f.berry@citizensbank.com)> wrote:

Good morning just wanted to make sure you received this response back from our vendor that this property is not required to be registered. Thank you 😊

---

**From:** VPR Orders  
<[vpr.orders@safeguardproperties.com](mailto:vpr.orders@safeguardproperties.com)>  
**Sent:** Tuesday, February 27, 2024 10:46 AM  
**To:** Berry, Linda F  
<[linda.f.berry@citizensbank.com](mailto:linda.f.berry@citizensbank.com)>  
**Subject:** RE: 8102057034 - Property Registration

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Linda,

This property is in BIRCHWOOD MN and has no VPR or Foreclosed



Registration ordinance. We do not need to proceed.

Thank you 😊

Cole Vickery

VPR Coordinator

Safeguard Properties

O: 1-800-852-8306 Extension  
3002

7887 Safeguard Circle (Hub  
Parkway)

Valley View, OH 44125

[cole.vickery@safeguardproperties.com](mailto:cole.vickery@safeguardproperties.com)

[www.safeguardproperties.com](http://www.safeguardproperties.com)

"Customer Service =  
Resolution®"

Safeguarding our clients'  
interests

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**From:** Berry, Linda F  
<[linda.f.berry@citizensbank.com](mailto:linda.f.berry@citizensbank.com)>

**Sent:** Friday, February 23,  
2024 1:46 PM

**To:** VPR Orders  
<[vpr.orders@safeguardproperties.com](mailto:vpr.orders@safeguardproperties.com)>

**Subject:** 8102057034 -  
Property Registration

**Safeguard External  
Email Warning:**

**Do not click links  
or open  
attachments unless  
you recognize the  
sender and know  
the content is safe.  
If you believe that  
this email is  
unsafe, please  
report it by using  
the Phish Alert  
button in Outlook**

---

Good afternoon Safeguard  
please review this property  
for registration and follow  
back up if we can proceed or  
not , the loan is delinquent  
and it is active in foreclosure.  
Thank you 😊

*Linda Berry*

*Property Preservation Specialist*

*Citizens*

*Consumer Specialty Operations*

*Telephone: 804-935-2714 x 2714*

*Fax: 804-627-5711*

*Mailstop: VAM360*

This communication is from a  
debt collector attempting to  
collect a debt. Any  
information obtained will be  
used for that purpose. If you  
are subject to a pending  
bankruptcy proceeding, or if

you have received a discharge, this communication is for information purposes only. It is to advise you of the status of the loan and is not an attempt to collect a debt.

This message is confidential and subject to terms at: <https://www.citizensbank.com/account-safeguards/overview.aspx>. If you are not the intended recipient, please delete this message and notify the sender immediately. Any unauthorized use is strictly prohibited.

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