



AGENDA OF THE REGULAR MEETING OF
THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
Aug 16, 2022
7:00 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 are appreciated during this process.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

OPEN PUBLIC FORUM

ANNOUNCEMENTS

ADMINISTRATIVE PRESENTATION

- A. Sheriff Report for June * (pp. 3-7)
- B. Sheriff Report for July* (pp. 8-14)

CITY BUSINESS – CONSENT AGENDA

- A. Approve Treasurer's Report* (pp. 15-32)
- B. Approve April Meeting Minutes* (pp. 33-41)
- C. Approve May Meeting Minutes* (pp. 42-50)
- D. Approve June Meeting Minutes* (pp. 51-59)
- E. Approve Videographer Contract* (pp. 60-62)
- F. Approve Tree Inspector Contract* (pp. 63-66)
- G. Approve Fiestner Beach Wormwood Lease Release* (pp. 67-70)

CITY BUSINESS – REGULAR AGENDA

- A. Second Reading Ord. 2022-07-01, Amending Section 617* (p. 71)
 - a. Public Hearing
 - b. Council Deliberation and Approval
- B. Discuss Eliminating \$3000 Escrow Fee for Some or All Permits
 - a. Except for Variances and Conditional Use Permits – Mary Wingfield
 - b. Replace with agreement – Justin McCarthy
- C. Proposal to Reopen Hall both ways on 9/1/22 – Justin McCarthy
- D. Admin Sick Leave Procedures – Justin McCarthy
- E. Approve replacement of willow tree at Feistner Preserve – Mary Wingfield
- F. Ash Path - – Mary Wingfield

* Denotes items that have supporting documentation provided

- a. Authorize Thatcher to make survey points for ash path
 - b. Approve installation cedar fence sections (like at Jay path) by staff.
- G. Terminate Remaining Overtime for Washington County Sheriff Deputy Patrol – Mary Wingfield
- H. Discuss increase of 2023 Boat fees to \$1000– Mary Wingfield
- I. Streetlights – Mary Wingfield
 - a. Send letters to nearby neighbors for lights that are slated for removal due to overlap, poor value due to placement.
 - b. They can ask Xcel to transfer ownership.
- J. \$10,000 EAB Grant in Place – Mary Wingfield
- K. Legacy Grant Signs Arrived and to be Installed in Four Parks- Mary Wingfield
- L. Tree Task Force Update – Jon Lund
- M. Birchwood Beach Sand and/or Waterslide – Justin McCarthy
- N. Ordinance 2022-04-02 / 302.050* (pp. 72-84)
 - a. Update from DNR
 - b. Next Steps
- O. First Reading Ord. 2022-02-01, Adding Section 300.025 - Alan Kantrud* (pp. 85-94)
 - a. Adding and incorporating the Minnesota pollution control agency's required stormwater best management practices
 - b. Council Deliberation
 - c. Order Second Reading and Public Hearing
- P. Hall's Marsh MOA – Justin McCarthy / Steve Thatcher* (pp. 95-99)
 - a. DRAFT MOA
 - b. Map
 - c. Ruth Jensen's Comments on Revised Draft
- Q. Administrator Updates
 - a. Upcoming Personnel Changes / Bookkeeper Position
 - b. Metro-INET add Jackie Smith's Computer* (p. 100)
 - c. AED Grant Approval and Prices* (pp. 101-105)
 - d. 2023 Budget* (pp. 106-112)
 - e. City Maintenance Equipment and Staff
 - f. Crosswalk Painting Bids
 - i. Sir Lines-A-Lot* (p. 113)
 - ii. Warning Lites MN bid pending
 - g. Century Avenue Policymakers Workshop* (p. 114)
 - h. Uninstalled Water Meters – Resident Notification

ADJOURN

* Denotes items that have supporting documentation provided

BIRCHWOOD, MN

JUNE 2022

WASHINGTON COUNTY SHERIFF'S OFFICE

MONTHLY NEWSLETTER



Washington County Drug Task Force

a multi-agency approach to combatting narcotics..



Pictured: Fifty pounds of methamphetamine, approximately one kilo of cocaine, and over \$150,000 in cash seized by the Washington County Drug Task Force in one operation.

Across the nation, the use and distribution of illegal drugs remain on the rise. Aside from the harmful and deadly consequences from narcotic consumption, violence and other criminal activity associated with the drug trade often find their way into our communities. In Washington County, we have a dedicated team of investigators, analysts, and support staff who work tirelessly to combat narcotics and their effects in our backyard.

The Washington County Drug Task Force (DTF) is a multi-jurisdictional unit that is housed in our investigations division. The DTF is comprised of a Washington County Sheriff's Office sergeant who oversees the task force, three Washington County Sheriff's Office deputy detectives, (one of whom is specifically assigned to the United States Drug Enforcement Agency) one

Cottage Grove Police Department detective, one Forest Lake Police Department detective, one Woodbury Public Safety Department detective, and two civilian analysts. The DTF also has a K9 assigned to the unit for illegal narcotics detection, "Kirk". Though they hail from agencies across Washington County, the unit works as one to disrupt and dismantle local and international drug trafficking organizations operating in our service area.

Crime doesn't sleep, and neither do our detectives. On call 24/7, our DTF doesn't work your typical 9-to-5. Dinner might be a 2 a.m. fast-food burger behind the wheel of an undercover squad car, and detectives are no stranger to cancelling plans and rearranging social calendars at a moments notice. Already in 2022, this group of dedicated detectives have participated in the seizure of over 7,000 Fentanyl pills, 13 firearms, 65 pounds of methamphetamine, 45 pounds of marijuana, and 457 marijuana cartridges. They are constantly working in collaboration with local, state, and federal partners to stop the flow of illegal narcotics in our communities, making our county safer every day.

-Sergeant Chris Howard
Washington County Drug Task Force



Over 45 pounds of methamphetamine recovered by WCOTF during an operation in 2021. Methamphetamine and opioids continue to be the most significant drug threat in our region.

Your Stats
at a glance

Incidents

43

Citations

8

Traffic Stops

14



in the

NEWS

LOCAL NEWS

Stillwater mother and daughter donate thousands in gift cards for cops to distribute



By MARY DIVINE | mdivine@pioneerpress.com | Pioneer Press
PUBLISHED: June 14, 2022 at 5:42 p.m. | UPDATED: June 15, 2022 at 6:48 p.m.

Click the photo for the story!



EMPLOYEE SPOTLIGHT

Coming up next Night to Unite and the County Fair...

We are looking forward to gathering with the community on Tuesday, August 2nd for this year's Night to Unite!

Night to Unite is a nationwide event that brings neighbors and public safety together to promote safe, united communities. Big or small, cookouts to front-porch visits, the Washington County Sheriff's Office would love to visit with you and your neighbors! Citizens are encouraged to visit our website and www.wcso.info to register their event. or click the link!

Then, the following day, we'll be looking forward to seeing even more friendly faces at the Washington County Fair, held August 3rd-7th. We'll be there every day from open to close, so stop by for a visit!



Register here for
NIGHT TO UNITE!
August 2nd, 2022



"Captain" Kirk
DRUG TASK FORCE K9

Five-year-old "Captain" Kirk joined us in 2018 after being adopted from a rescue shelter by the Washington County Sheriff's Office. He is currently assigned to the Washington County Drug Task Force (DTF) as a narcotics detection dog.

Certified by the U.S. Police Canine association, Kirk is deputized as an official K9 Deputy and has been involved in a number of narcotic seizures during his time with the sheriff's office. He has located large quantities of heroin, methamphetamine, cocaine, fentanyl, and other illicit and dangerous drugs.

Kirk works with his handler daily and has already made a lasting impact on our community.

In his free time, Kirk loves playing with his family and canine brother. His favorite toys are tennis balls and an old ATV tire!



WCSD pulled out the fishing poles for the annual "Cops & Kids" fishing event in Landfall on June 11 - over 100 fish were caught!



The Special Olympics Torch Run made it's way through Washington County, pictured here making a stop at Hugo City Hall. WCSD carried the flame down Hwy 61.

Happy retirement to a doggone good boy..



The Washington County Sheriff's Office wishes a happy retirement to K9 Vader, who was officially retired from service on June 3rd.

At 7 years old, K9 Vader has dedicated his life to serving the citizens of Washington County and beyond. He has tracked and located violent offenders, sniffed out illegal narcotics, and located valuable evidence. After a career full of success, K9 Vader retires in good health and will live the rest of his days comfortably at home with his handler, Sergeant Allen Degel and family.

K9 Vader, we thank you for your dedication to serving our communities and we wish you a long, happy retirement with all the doggy treats and human snuggles you can handle!

Incident Summary Report

PUBLIC

From:6/1/2022 12:00:00 AM To:6/30/2022 11:59:59 PM



WASHINGTON COUNTY SHERIFFS OFFICE

BIRCHWOOD VILLAGE - 43

6/1/2022 9:44:43 AM	WC22022494	10XXX -181 CEDAR ST, BIRCHWOOD VILLAGE	DIRECTED PATROL
6/3/2022 3:05:04 AM	WC22022822	XXX Wildwood Ave, BIRCHWOOD VILLAGE	SUSPICIOUS PERSON/ACTIVITY
6/3/2022 3:24:04 AM	WC22022824	XX Oakridge Dr, BIRCHWOOD VILLAGE	SUICIDE ATTEMPT/THREATS OF
6/3/2022 1:32:37 PM	WC22022906	Cedar St / Hall Ave, BIRCHWOOD VILLAGE	PARKING COMPLAINT
6/5/2022 6:04:31 PM	WC22023373	42XXX -499 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
6/6/2022 11:08:05 AM	WC22023525	Unknown, BIRCHWOOD VILLAGE	CITIZEN/PUBLIC ASSIST
6/6/2022 11:44:45 AM	WC22023529	XXX Cedar St, BIRCHWOOD VILLAGE	CITIZEN/PUBLIC ASSIST
6/7/2022 5:12:08 AM	WC22023668	XXX Hall Ave, BIRCHWOOD VILLAGE	SEIZURE
6/7/2022 9:12:25 AM	WC22023693	XXX Hall Ave, BIRCHWOOD VILLAGE	DISTURBANCE
6/7/2022 1:25:01 PM	WC22023749	XXX Hall Ave, BIRCHWOOD VILLAGE	DISTURBANCE
6/7/2022 10:30:55 PM	WC22023847	XXX Jay St, BIRCHWOOD VILLAGE	CIVIL MATTER/DISPUTE
6/9/2022 5:20:47 PM	WC22024130	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
6/11/2022 5:18:55 PM	WC22024608	XXX Birchwood Ave, BIRCHWOOD VILLAGE	CIVIL MATTER/DISPUTE
6/12/2022 3:48:03 PM	WC22024868	Wildwood Ave / East County Line Rd, BIRCHWOOD VILLAGE	PARKING COMPLAINT
6/13/2022 12:11:57 AM	WC22024944	Cedar St / Birchwood Ave, BIRCHWOOD VILLAGE	DISTURBANCE
6/14/2022 12:46:58 AM	WC22025144	HALL AVE / BIRCHWOOD RD, BIRCHWOOD VILLAGE	TRAFFIC STOP
6/14/2022 7:03:28 AM	WC22025176	XXX Hall Ave, BIRCHWOOD VILLAGE	911 ABANDONED/HANGUP/OPEN LINE
6/14/2022 9:56:24 AM	WC22025195	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
6/14/2022 12:05:05 PM	WC22025227	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
6/14/2022 12:15:08 PM	WC22025229	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
6/15/2022 7:25:57 AM	WC22025383	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
6/15/2022 10:48:52 AM	WC22025416	30XXX -427 HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
6/15/2022 10:55:18 AM	WC22025417	60XXX -699 BIRCHWOOD AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
6/16/2022 9:51:26 AM	WC22025600	30XXX -427 HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
6/16/2022 12:17:05 PM	WC22025627	30XXX -427 HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
6/16/2022 5:22:29 PM	WC22025681	XXX WILDWOOD AVE, BIRCHWOOD VILLAGE	ANIMAL COMPLAINT
6/16/2022 10:05:32 PM	WC22025720	XXX Wildwood Ave, BIRCHWOOD VILLAGE	SHOTS FIRED/SHOOTING COMPLAINT

Incident Summary Report

PUBLIC

From:6/1/2022 12:00:00 AM To:6/30/2022 11:59:59 PM

6/17/2022 7:46:06 AM	WC22025761	50XXX -699 HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
6/17/2022 9:37:07 AM	WC22025785	XXX CEDAR ST, BIRCHWOOD VILLAGE	ACCIDENT
6/17/2022 1:18:51 PM	WC22025836	XXX WILDWOOD AVE, BIRCHWOOD VILLAGE	CITIZEN/PUBLIC ASSIST
6/17/2022 4:43:14 PM	WC22025882	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
6/19/2022 3:40:47 PM	WC22026331	XXX Birch St, BIRCHWOOD VILLAGE	ALARM-BUSINESS/RES/FIRE/MEDICAL/ETC
6/20/2022 1:11:01 PM	WC22026498	Birchwood Ave / Birchwood Ct, BIRCHWOOD VILLAGE	SUSPICIOUS PERSON/ACTIVITY
6/21/2022 10:16:56 AM	WC22026668	50XXX -699 HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
6/22/2022 10:54:15 AM	WC22026887	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
6/22/2022 11:03:49 PM	WC22027018	XXX Cedar St, BIRCHWOOD VILLAGE	LOUD NOISE/MUSIC
6/23/2022 9:19:12 AM	WC22027065	50XXX -699 HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
6/24/2022 10:53:46 AM	WC22027248	1-9 OAKRIDGE DR, BIRCHWOOD VILLAGE	DIRECTED PATROL
6/25/2022 10:26:56 PM	WC22027626	Oakridge Dr / Five Oaks Ln, BIRCHWOOD VILLAGE	FIREWORKS
6/28/2022 3:36:59 AM	WC22028030	XXX Cedar St, BIRCHWOOD VILLAGE	DISTURBANCE
6/28/2022 5:51:20 PM	WC22028131	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
6/28/2022 10:08:50 PM	WC22028167	Cedar St / Birchwood Ave, BIRCHWOOD VILLAGE	DISTURBANCE
6/29/2022 8:34:16 PM	WC22028397	XXX Cedar St, BIRCHWOOD VILLAGE	CIVIL MATTER/DISPUTE

TOTAL INCIDENTS: 43

Citations for: Birchwood

6/1/2022 To 6/30/2022

Agcy	Date	Citation Number	Badge	Officer Name	Citation Type	Block	Street Name	Str Sfx	Cross Street Name	Cross St Sfx	City	Literal Description	Statute
WCSO	6/5/2022	820005215602	WC1299	A. Palmer	Citation	0	HALL AVE		JAY ST		Birchwood	MOV-Drive Over/Through/Around Barricade	160.2715(a)(14)
WCSO	6/7/2022	820022215801	WC1277	T. Jarrett	Citation	0	HALL AVE		JAY ST		Birchwood	BW - Fail to comply with posted signs	607.693
WCSO	6/9/2022	820045216001	WC117	M. Petrey	Citation	700	HALL AVE				Birchwood	REG-Expired Registration/# of Plates Reqd	169.79.1
WCSO	6/14/2022	820019216501	WC13396	Z. Nelson	Citation	0	HALL AVE		BIRCHWOOD RD		Birchwood	MOV-Drive Over/Through/Around Barricade	160.2715(a)(14)
WCSO	6/14/2022	820044216501	WC181	T. Harris	Citation	0	HALL AVE		JAY ST		Birchwood	MOV-Drive Over/Through/Around Barricade	160.2715(a)(14)
WCSO	6/15/2022	820022216601	WC1277	T. Jarrett	Citation	0	HALL AVE		JAY ST		Birchwood	BW - Fail to comply with posted signs	607.693
WCSO	6/17/2022	820022216801	WC1277	T. Jarrett	Citation	0	CEDAR ST		BIRCHWOOD AVE		Birchwood	DL-Driving w/o Valid MN Drivers License/More than one DL/Wrong Class Traffic Collision - Collision with Unattended Vehicle - Notify Victim or Police	171.02.1(a)
WCSO	6/17/2022	820022216801	WC1277	T. Jarrett	Citation	0	CEDAR ST		BIRCHWOOD AVE		Birchwood	DL-Driving w/o Valid MN Drivers License/More than one DL/Wrong Class Traffic Collision - Collision with Unattended Vehicle - Notify Victim or Police	169.09.4

BIRCHWOOD, MN

JULY 2022

WASHINGTON COUNTY SHERIFF'S OFFICE

MONTHLY NEWSLETTER



BIRCHWOOD
COTTAGE GROVE
AGE HALL

Heroes behind the headset

letter of commendation presented to Washington County telecommunicator...



Pictured: Sheriff Dan Starry attended the city council meeting where Michelle Swenson (second from right) was recognized along with other first responders and Menards manager Michael Chernyck (third from right) for their actions that saved the life of Pam (third from left).

Michal continued CPR until first responders arrived on scene. Crews were able to revive Pam with an automatic external defibrillator (AED), with additional personnel not far behind to help deliver advanced life support and bring Pam to the hospital.

Pam Larson is alive today because of Michael's actions, Michelle's guidance, and the actions of the public safety and emergency medical service responders who followed. Officers and firefighters from Cottage Grove Police Department and Cottage Grove Fire Department received recognition along with Michelle at the July 20th Cottage Grove City Council Meeting city council meeting, and Michael received the Citizen Lifesaving Award while standing beside woman he saved.

Check out the [WCCO news story](#) detailing the events of that heroic day! Congratulations and good work, Michelle.

- Darlene Pankonie
ECRC Division Manager

On May 2, 2022, Washington County Public Safety Telecommunications Supervisor Michelle Swenson answered a 911 call from Michael Chernyck, a Menards manager in Cottage Grove who had come to the aid of a woman who had collapsed in his store. She wasn't breathing, and time was quickly running out.

Calmly and collectively, Michelle Swenson spent the next five minutes talking Michael through CPR. He had never performed CPR before and did not have any training. Michelle asked Michael to put her on speakerphone and proceeded to give instructions to other bystanders in the store with ways they could help - all while simultaneously guiding Michael through CPR with support, encouragement, and clear instructions.

Letter of Commendation

This award may be granted to any member of the department for an outstanding act or achievement which brings credit to the department, and which involves performance above and beyond that required by the member's basic assignment, or an act that involves exceptional professional skill and conduct.

Presented to:
Michelle Swenson

On this 20th day of July, 2022

On May 2, 2022 at 5:30 PM you were working as the Washington County Telecommunications Supervisor when a call for help came from Menards in Cottage Grove. A customer's heart had stopped.

You provided instructions on CPR to an individual who had never been trained to perform it. Your ability to instruct this procedure over the phone, guide Police Officers and Fire Fighters to the scene while keeping everyone calm and informed was pivotal in saving the victim's life. The victim was subsequently transported to the hospital by the Cottage Grove Fire Department and survived the incident.

Supervisor Swenson, you are hereby commended for the exceptional judgment and skills demonstrated that evening.



PJK
Peter J. Koerner
Director of Public Safety—Police Chief



Pictured: Letter of Commendation presented to Public Safety Telecommunications Supervisor Michelle Swenson on July 20th.

Your Stats
at a glance

Incidents

76

Citations

22





EMPLOYEE SPOTLIGHT

Congresswoman McCollum visits Washington County

Last month, Congresswoman Betty McCollum and the House Appropriations Committee voted to approve the 2023 Commerce, Justice, Science, and Related Agencies Bill, including a \$1.6 million Community Project Funding request for the Washington County Sheriff's Office to purchase 20 hybrid patrol vehicles and two river patrol boats.

On August 2nd, Congresswoman McCollum stopped by Wolf Marine in Stillwater to talk alongside Sheriff Dan Stary and Washington County Commissioner Wayne Johnson about the project and the impact the funds would have on the Washington County community, public safety, and the environment.

"Our Washington County deputies drive over 2 million miles per year, and our office manages a fleet of over 150 different types of vehicles," said Sheriff Stary. "This project would allow the sheriff's office to invest in the latest hybrid vehicle technology to help reduce the fuel consumption and the impact the fleet has on the environment."

The Washington County Sheriff's Office currently has four hybrid vehicles in our fleet. Each hybrid squad car costs approximately \$60,000 to fully outfit for patrol use, while river boats can cost over \$200,000.



Sergeant Joel Legut SECURITY OPERATIONS

Sergeant Joel Legut was hired as a patrol deputy in December of 2003, but his time with the sheriff's office began long before that.

From the age of 14 until he was hired at age 21, Sergeant Legut volunteered with the Washington County Explorers - a program dedicated to youth interested in pursuing a career in law enforcement.

As a sworn deputy, Sergeant Legut has held assignments in patrol, water, parks & trails, as a school resource officer, K9 handler to "Zeke", field training officer, honor guard member, Explorers advisor, DARE instructor, Mobile Field Force Commander, patrol sergeant, special projects sergeant, and his current assignment in security operations. Sergeant Legut also serves as the current Washington County SWAT Commander.

Joel has been a Washington County resident his entire life, growing up in Afton where he lives today with his wife and three children.

Welcoming new faces and saying "so long" to a familiar one...



Last month, we welcomed two new deputies to the Washington County Sheriff's Office. Deputy Ramar Davis (top) comes to us from the St. Paul Police Department where he spent the last 15 years of his law enforcement career. He is retired from the U.S. Army National Guard after 25 years of service and recently obtained his Master's Degree in Criminal Justice. Deputy Davis enjoys travel and participating in triathlons.



A not-so-unfamiliar face, Deputy Nick Sweeney (middle) has been with the Sheriff's Office as a part-time deputy since April. Deputy Sweeney was previously employed by the Minnesota Department of Corrections and was assigned to the Oak Park Heights Prison. He enjoys hunting, fishing, and anything outdoors.



Both deputies will be assigned to the patrol division upon completion of field training. We are excited to have them with us!

After an impressive 31 years with the Washington County Sheriff's Office, we bid "farewell" to Deputy Mark Caroon (bottom) on August 1st as he begins his well-deserved retirement. Working in almost every division of the office, from patrol and investigations to water patrol and court security, Deputy Caroon has impacted many over his law enforcement career and he will be greatly missed by his friends, colleagues, and community. Congratulations and thank you for your service, Deputy Caroon!



Beginning in 2020, we invited inmates at the Washington County Jail to foster their creativity and exhibit their talent within our walls - literally. Inmates are invited to paint a brick inside the Washington County Jail as a form of expression and imagination. Here are some of the latest completed works of art:



Incident Summary Report

PUBLIC

From:7/1/2022 12:00:00 AM To:7/31/2022 11:59:59 PM



WASHINGTON COUNTY SHERIFFS OFFICE

BIRCHWOOD VILLAGE - 76

7/1/2022 3:41:10 PM	WC22028789	XXX Hall Ave, BIRCHWOOD VILLAGE	DRIVING COMPLAINT
7/1/2022 6:38:31 PM	WC22028833	HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
7/2/2022 2:45:18 PM	WC22028960	70XXX -714 HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
7/2/2022 5:44:44 PM	WC22029017	XXX HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
7/2/2022 10:03:07 PM	WC22029087	Cedar St / Oakridge Dr, BIRCHWOOD VILLAGE	FIREWORKS
7/3/2022 8:28:31 AM	WC22029144	50XXX -698 HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
7/3/2022 9:40:02 PM	WC22029286	XXX Cedar St, BIRCHWOOD VILLAGE	FIREWORKS
7/4/2022 5:47:37 PM	WC22029414	XXX Wildwood Ave, BIRCHWOOD VILLAGE	DISTURBANCE
7/4/2022 11:44:52 PM	WC22029493	XXX Hall Ave, BIRCHWOOD VILLAGE	ROAD HAZARD
7/5/2022 6:11:42 AM	WC22029529	XXX Wildwood Ave, BIRCHWOOD VILLAGE	NOISE COMPLAINT/DISTURBANCE
7/5/2022 6:43:14 AM	WC22029531	XXX Wildwood Ave, BIRCHWOOD VILLAGE	FOLLOW UP
7/6/2022 10:01:27 PM	WC22029867	XXX Lake Ave, BIRCHWOOD VILLAGE	FIREWORKS
7/7/2022 8:48:29 AM	WC22029940	10XXX -190 WILDWOOD AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
7/7/2022 8:52:22 AM	WC22029942	20XXX -255 CEDAR ST, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/7/2022 11:37:42 PM	WC22030089	XXX BIRCHWOOD AVE, BIRCHWOOD VILLAGE	PROPERTY DAMAGE
7/8/2022 8:09:20 AM	WC22030145	XXX BIRCHWOOD AVE, BIRCHWOOD VILLAGE	PROPERTY DAMAGE
7/8/2022 9:05:35 AM	WC22030152	1-199 BIRCHWOOD AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
7/8/2022 4:36:35 PM	WC22030222	XXX Wildwood Ave, BIRCHWOOD VILLAGE	MEDICAL
7/8/2022 11:03:36 PM	WC22030324	XXX Cedar St, BIRCHWOOD VILLAGE	SUSPICIOUS PERSON/ACTIVITY
7/9/2022 1:22:48 AM	WC22030344	3XXX East County Line Rd, BIRCHWOOD VILLAGE	LIFT ASSIST
7/9/2022 8:51:13 AM	WC22030372	50XXX -698 HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
7/10/2022 10:56:31 PM	WC22030721	XXX Cedar St, BIRCHWOOD VILLAGE	LOUD NOISE/MUSIC
7/11/2022 6:17:53 PM	WC22030829	XXX Wildwood Ave, BIRCHWOOD VILLAGE	ALARM-BUSINESS/RES/FIRE/MEDICAL/ETC
7/12/2022 12:11:32 PM	WC22030956	3XXX East County Line Rd, BIRCHWOOD VILLAGE	NUISANCE
7/13/2022 10:40:42 AM	WC22031157	XXX Birchwood Ct, BIRCHWOOD VILLAGE	IDENTITY THEFT
7/13/2022 12:01:39 PM	WC22031165	Cedar St / Wildwood Ave, BIRCHWOOD VILLAGE	ANIMAL BITE
7/14/2022 12:34:52 AM	WC22031264	XX WHITE PINE LN, BIRCHWOOD VILLAGE	ACCIDENT

Incident Summary Report**PUBLIC****From:7/1/2022 12:00:00 AM To:7/31/2022 11:59:59 PM**

7/14/2022 4:02:27 PM	WC22031450	XXX Wildwood Ave, BIRCHWOOD VILLAGE	CIVIL MATTER/DISPUTE
7/14/2022 6:22:57 PM	WC22031513	XXX Wildwood Ave, BIRCHWOOD VILLAGE	FOLLOW UP
7/15/2022 9:53:42 AM	WC22031642	XXX Lake Ave, BIRCHWOOD VILLAGE	CIVIL MATTER/DISPUTE
7/15/2022 7:03:30 PM	WC22031738	Hall Ave / Wildwood Ave, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/16/2022 11:33:24 AM	WC22031911	XXX Wildwood Ave, BIRCHWOOD VILLAGE	HARASSMENT
7/16/2022 4:00:32 PM	WC22031963	XXX WILDWOOD AVE, BIRCHWOOD VILLAGE	CITIZEN/PUBLIC ASSIST
7/16/2022 7:03:00 PM	WC22032026	70XXX -714 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/16/2022 7:30:34 PM	WC22032030	70XXX -714 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/17/2022 9:43:28 AM	WC22032137	42XXX -498 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/18/2022 5:32:32 AM	WC22032296	XX Birchwood Ln, BIRCHWOOD VILLAGE	SUSPICIOUS PERSON/ACTIVITY
7/18/2022 6:32:18 AM	WC22032299	XXX Wildwood Ave, BIRCHWOOD VILLAGE	PARKING COMPLAINT
7/18/2022 1:28:51 PM	WC22032354	XXX Lake Ave, BIRCHWOOD VILLAGE	CIVIL MATTER/DISPUTE
7/18/2022 5:00:38 PM	WC22032396	XXX Wildwood Ave, BIRCHWOOD VILLAGE	WELFARE CHECK
7/18/2022 7:55:27 PM	WC22032437	XXX Wildwood Ave, BIRCHWOOD VILLAGE	MEDICAL
7/19/2022 1:10:53 AM	WC22032488	XXX Wildwood Ave, BIRCHWOOD VILLAGE	SUSPICIOUS PERSON/ACTIVITY
7/19/2022 10:41:12 AM	WC22032541	20XXX -254 CEDAR ST, BIRCHWOOD VILLAGE	DIRECTED PATROL
7/19/2022 6:40:28 PM	WC22032624	50XXX -698 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/20/2022 8:19:22 PM	WC22032882	XXX Cedar St, BIRCHWOOD VILLAGE	DIABETIC
7/21/2022 8:13:15 AM	WC22032989	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/21/2022 8:37:43 AM	WC22032992	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/21/2022 8:46:33 AM	WC22032994	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/21/2022 8:55:48 AM	WC22032996	50XXX -699 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/21/2022 9:36:51 AM	WC22033004	Wildwood Ave / Hall Ave, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/21/2022 9:43:34 AM	WC22033025	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/21/2022 10:03:05 AM	WC22033034	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/21/2022 10:16:40 AM	WC22033038	70XXX -714 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/21/2022 10:33:47 AM	WC22033040	50XXX -698 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/21/2022 10:43:28 AM	WC22033042	70XXX -714 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/21/2022 10:52:07 AM	WC22033045	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/21/2022 11:01:34 AM	WC22033047	50XXX -699 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP

Incident Summary Report**PUBLIC****From:7/1/2022 12:00:00 AM To:7/31/2022 11:59:59 PM**

7/21/2022 11:22:10 AM	WC22033049	50XXX -699 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/21/2022 11:31:58 AM	WC22033052	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/21/2022 11:49:03 AM	WC22033056	50XXX -699 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/22/2022 4:04:19 PM	WC22033320	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/22/2022 4:27:52 PM	WC22033327	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/22/2022 5:50:43 PM	WC22033345	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/22/2022 6:11:26 PM	WC22033354	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/22/2022 6:22:19 PM	WC22033358	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/22/2022 6:59:02 PM	WC22033368	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/23/2022 8:43:25 AM	WC22033476	XXX Wildwood Ave, BIRCHWOOD VILLAGE	SUSPICIOUS PERSON/ACTIVITY
7/25/2022 5:45:05 PM	WC22033937	Hall Ave / White Pine Ln, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/25/2022 5:58:34 PM	WC22033941	Hall Ave / Wildwood Ave, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/26/2022 12:18:02 PM	WC22034073	10XXX -181 CEDAR ST, BIRCHWOOD VILLAGE	DIRECTED PATROL
7/26/2022 4:22:47 PM	WC22034110	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/26/2022 5:06:44 PM	WC22034121	70XXX -714 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/26/2022 5:34:16 PM	WC22034131	70XXX -714 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/26/2022 6:47:07 PM	WC22034143	70XXX -714 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/26/2022 7:04:08 PM	WC22034148	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
7/26/2022 7:09:21 PM	WC22034149	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP

TOTAL INCIDENTS: 76

Citations for: Birchwood

7/1/2022 To 7/31/2022

Agcy	Date	Citation Number	Badge	Officer Name	Citation Type	Block	Street Name	Str Sfx	Cross Street Name	Cross St Sfx	City	Literal Description	Statute
WCSO	7/7/2022	820022218801	WC1277	T. Jarrett	Citation	0	HALL AVE		JAY ST		Birchwood	DL-Drive After Revocation/DAR Traffic Regulation - Driver Must Carry Proof of Insurance when Operating Vehicle	171.24.2
WCSO	7/7/2022	820022218801	WC1277	T. Jarrett	Citation	0	HALL AVE		JAY ST		Birchwood	DL-Drive After Revocation/DAR Traffic Regulation - Driver Must Carry Proof of Insurance when Operating Vehicle	169.791.2(a)
WCSO	7/15/2022	820009219602	WC14495	S. Koenig	Citation	700	HALL AVE				Birchwood	MOV-Driving Wrong Way on One Way Street	169.18.6(a)
WCSO	7/16/2022	820001219708	WC1282	M. Ramos	Citation	700	HALL AVE				Birchwood	MOV-Driving Wrong Way on One Way Street	169.18.6(a)
WCSO	7/16/2022	820001219709	WC1282	M. Ramos	Citation	700	HALL AVE				Birchwood	MOV-Driving Wrong Way on One Way Street	169.18.6(a)
WCSO	7/16/2022	820001219710	WC1282	M. Ramos	Citation	700	HALL AVE				Birchwood	MOV-Driving Wrong Way on One Way Street	169.18.6(a)
WCSO	7/16/2022	820001219710	WC1282	M. Ramos	Citation	700	HALL AVE				Birchwood	MOV-Driving Wrong Way on One Way Street	171.24.1
WCSO	7/17/2022	820022219801	WC1277	T. Jarrett	Citation	0	wildwood av		CEDAR ST		Birchwood	BW - Fail to comply with posted signs	607.693
WCSO	7/18/2022	820022219901	WC1277	T. Jarrett	Written Warning	0	WILDWOOD AVE				Birchwood	PK-Stopping/parking in front of private or public driveway	169.34.1(a)(2)
WCSO	7/21/2022	820006220201	WC1297	R. Corniea	Citation	0	HALL AVE		JAY ST		Birchwood	MOV-Driving Wrong Way on One Way Street	169.18.6(a)
WCSO	7/21/2022	820006220202	WC1297	R. Corniea	Citation	0	HALL AVE		JAY ST		Birchwood	MOV-Driving Wrong Way on One Way Street	169.18.6(a)

Citations for: Birchwood

7/1/2022 To 7/31/2022

Agcy	Date	Citation Number	Badge	Officer Name	Citation Type	Block	Street Name	Str Sfx	Cross Street Name	Cross St Sfx	City	Literal Description	Statute
WCSO	7/21/2022	820006220203	WC1297	R. Corniea	Citation	0	HALL AVE		JAY ST		Birchwood	MOV-Driving Wrong Way on One Way Street	169.18.6(a)
WCSO	7/21/2022	820006220204	WC1297	R. Corniea	Citation	0	HALL AVE		JAY ST		Birchwood	MOV-Driving Wrong Way on One Way Street	169.18.6(a)
WCSO	7/21/2022	820006220205	WC1297	R. Corniea	Citation	0	HALL AVE		JAY ST		Birchwood	MOV-Driving Wrong Way on One Way Street	169.18.6(a)
WCSO	7/21/2022	820006220206	WC1297	R. Corniea	Citation	0	HALL AVE		JAY ST		Birchwood	MOV-Driving Wrong Way on One Way Street	169.18.6(a)
WCSO	7/22/2022	820022220301	WC1277	T. Jarrett	Citation	0	JAY ST		HALL AVE		Birchwood	MOV-Driving Wrong Way on One Way Street	169.18.6(a)
WCSO	7/22/2022	820022220302	WC1277	T. Jarrett	Citation	0	WILDWOOD AVE		HALL AVE		Birchwood	MOV-Driving Wrong Way on One Way Street	169.18.6(a)
WCSO	7/22/2022	820022220303	WC1277	T. Jarrett	Citation	0	WILDWOOD AVE		HALL AVE		Birchwood	MOV-Driving Wrong Way on One Way Street	169.18.6(a)
WCSO	7/25/2022	820061220602	WC1282	M. Ramos	Citation	700	HALL AVE				Birchwood	MOV-Driving Wrong Way on One Way Street	169.18.6(a)
WCSO	7/25/2022	820061220603	WC1282	M. Ramos	Citation	700	HALL AVE				Birchwood	MOV-Drive Over/Through/Around Barricade	160.2715(a)(14)
WCSO	7/31/2022	820003221201	WC13130	T. Freeman	Citation	0	HALL AVE		BIRCHWOOD RD		Birchwood	MOV-Drive Over/Through/Around Barricade	160.2715(a)(14)
WCSO	7/31/2022	820003221202	WC13130	T. Freeman	Citation	0	HALL AVE		BIRCHWOOD RD		Birchwood	MOV-Drive Over/Through/Around Barricade	160.2715(a)(14)

For the Period : 7/7/2022 To 8/9/2022

<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	\$764,412.01	\$70,287.19	\$116,673.83	\$718,025.37	\$10,467.56	\$57,860.62	\$765,418.43
Comp Plan Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Special Rev Projects	\$20,995.69	\$0.00	\$2,800.00	\$18,195.69	\$0.00	\$1,700.00	\$19,895.69
CAPITAL PROJECT FUNDS (401 through 499)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Capital Project PW	\$115,498.31	\$0.00	\$0.00	\$115,498.31	\$0.00	\$0.00	\$115,498.31
Water	(\$19,351.79)	\$19,341.50	\$13,738.37	(\$13,748.66)	\$0.00	\$800.00	(\$12,948.66)
Sewer	\$85,117.12	\$17,287.82	\$15,354.65	\$87,050.29	\$0.00	\$6,237.29	\$93,287.58
Water Meter Upgrade Fees	(\$2,317.31)	\$0.00	\$0.00	(\$2,317.31)	\$0.00	\$0.00	(\$2,317.31)
American Rescue Act Proceeds	\$524.15	\$0.00	\$0.00	\$524.15	\$0.00	\$0.00	\$524.15
Engineering Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$964,878.18	\$106,916.51	\$148,566.85	\$923,227.84	\$10,467.56	\$66,597.91	\$979,358.19

Jonathan E Fleck	City Council/Town Board	Date
Justin R. McCarthy	City Council/Town Board	Date
Kevin L Woolstencroft	City Council/Town Board	Date
Mary Wingfield	City Council/Town Board, Mayor	Date
Robert Mark Foster	City Council/Town Board	Date

Fund Name: All Funds

Date Range: 07/08/2022 To 08/09/2022

<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>
07/09/2022	Kellen de Trujillo, Rebecca	31987	Zoom	N	Unallocated Expenditures	100-49201-320-	\$ 16.09
	Total For Check	31987					\$ 16.09
07/09/2022	PELCO Construction	31988*	Front Door installation and frame	N	Unallocated Expenditures	100-49201-430-	\$ 1,100.00
	Total For Check	31988					\$ 1,100.00
07/09/2022	Metropolitan Council - Env. Service	31989*	Wastewater Service- July	N	Sewer Utility	605-43190-217-	\$ 5,105.97
	Total For Check	31989					\$ 5,105.97
07/09/2022	Companion Animal Control LLC	31990	Animal Control Services -June	N	Animal Control	100-41916-314-	\$ 80.00
	Total For Check	31990					\$ 80.00
07/09/2022	Gopher State One Call	31991*	email tickets	N	Utility Locates	605-42805-314-	\$ 40.50
	Total For Check	31991					\$ 40.50
07/09/2022	City of Roseville	31992*	IT charges July	N	General Government Buildings and Plant	100-41940-320-	\$ 386.13
	Total For Check	31992					\$ 386.13
07/09/2022	Wingfield, Mary	31993	Final Pymt on Front Door	N	Unallocated Expenditures	100-49201-430-	\$ 1,410.00
	Total For Check	31993					\$ 1,410.00
07/09/2022	Tennis Sanitation, LLC	31994*	Recycling for Service Period: May-June	N	Recycle	100-43300-314-	\$ 2,760.00
	Total For Check	31994					\$ 2,760.00
07/09/2022	City of White Bear Lake Fire	31995	Fire Srvc -June 2022	N	Fire	100-42201-314-	\$ 2,737.08
	Total For Check	31995					\$ 2,737.08
07/09/2022	H.A. Kantrud, P.A.	31996	Attorney Services -July 2022	N	Legal Services	100-41601-300-	\$ 1,500.00
	Total For Check	31996					\$ 1,500.00
07/09/2022	MENARD'S - OAKDALE	31997*	Supplies	N	Parks	100-45207-400-	\$ 4.48
		31997*				100-45207-400-	\$ 12.84
		31997*				100-45207-400-	\$ 7.99
	Total For Check	31997					\$ 25.31

Fund Name: All Funds

Date Range: 07/08/2022 To 08/09/2022

<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>
07/09/2022	Kodiak Power Solutions	31998*	Annual Generator Service and Inspection	N	Sewer Utility	605-43190-314-	\$ 485.13
	Total For Check	31998					\$ 485.13
07/09/2022	Press Publications	31999*	Legal Notice Publications June 23	N	Ordinances and Proceedings	100-41130-351-	\$ 76.28
	Total For Check	31999					\$ 76.28
07/09/2022	Manship Plumbing & Heating Inc	32000	Standby - July, locates, hydrant flushing	N	Water Utility	601-43180-314-	\$ 600.00
		32000				601-43180-314-	\$ 480.00
		32000				601-43180-314-	\$ 180.00
		32000				601-43180-314-	\$ 1,680.00
	Total For Check	32000					\$ 2,940.00
07/09/2022	White Bear Lk Conservation District	32001	Annual Community Assessment	N	Water Resources	100-46101-437-	\$ 1,791.06
	Total For Check	32001					\$ 1,791.06
07/09/2022	Jennifer Eckes	32002	Music in the Park- July 10, 2022	N	Recreation	210-45101-440-	\$ 300.00
	Total For Check	32002					\$ 300.00
07/09/2022	IRS - US Treasury	EFT07072022A	Federal Taxes - Q2 2022 - June Payment	N	Clerk - Treasurer	100-41401-100-	\$ 363.29
		EFT07072022A				100-41401-100-	\$ 895.44
		EFT07072022A				100-41401-100-	\$ 209.42
		EFT07072022A				100-41401-115-	\$ 1,160.56
	Total For Check	EFT07072022A					\$ 2,628.71
07/09/2022	PERA	EFT07082022A	Retirement funds- Becky Kellen, City Administrator	N	Clerk - Treasurer	100-41401-121-	\$ 366.13
	Total For Check	EFT07082022A					\$ 366.13
07/09/2022	PERA	EFT07082022B	Retirement funds- Jim Rydeen, maintenance	N	Parks	100-45207-121-	\$ 213.32
	Total For Check	EFT07082022B					\$ 213.32
07/09/2022	MN Department of Labor and Industry	EFT07082022C	Building Permit Surcharge - Q2 2022	N	Building Inspections Administration	100-42401-437-	\$ 1,045.57
	Total For Check	EFT07082022C					\$ 1,045.57
07/14/2022	R Leeves Productions LLC	32003	Videography - Council Mtgs, 7/12/22	N	Cable Eqpmt and Service	100-41950-314-	\$ 102.21

Fund Name: All Funds

Date Range: 07/08/2022 To 08/09/2022

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
	Total For Check	32003					\$ 102.21
07/14/2022	Menards - Oakdale	32004	Maintenance Supplies	N	Parks	100-45207-400-	\$ 10.35
	Total For Check	32004					\$ 10.35
07/14/2022	City of White Bear Lake	32005	Quarterly Water Billing 03/14-06/09	N	Water Utility	601-43180-314-	\$ 9,927.76
	Total For Check	32005					\$ 9,927.76
07/14/2022	Washington County Sheriff	32006*	Jan-Jun 2022 Police Services	N	Police	100-42101-314-	\$ 32,401.20
	Total For Check	32006					\$ 32,401.20
07/14/2022	Dale Dahlquist	32007	Music in the Park- July 17, 2022	N	Recreation	210-45101-440-	\$ 300.00
	Total For Check	32007					\$ 300.00
07/14/2022	Cahill, Mary	32011	Vaccum for Hall and Cleaning supplies	N	General Government Buildings and Plant	100-41940-220-	\$ 3.85
		32011			Unallocated Expenditures	100-49201-430-	\$ 214.74
	Total For Check	32011					\$ 218.59
07/20/2022	Forest Products Supply Co	32012*	Signs for Birchwood	N	Unallocated Expenditures	210-49201-430-	\$ 800.00
	Total For Check	32012					\$ 800.00
07/20/2022	White Bear Township	32013*	Contracted Services - June	N	Sewer Utility	605-43190-314-	\$ 2,220.92
	Total For Check	32013					\$ 2,220.92
07/20/2022	William Hayes	32014	Escrow deposit refund permit # 2022-47	N	Escrow Refunds	100-49250-430-8	\$ 3,000.00
	Total For Check	32014					\$ 3,000.00
07/20/2022	Gregory Contracting	32015*	Escrow refund- Building Permit # 2022-43	N	Escrow Refunds	100-49250-430-8	\$ 3,000.00
	Total For Check	32015					\$ 3,000.00
07/20/2022	Kellen de Trujillo, Rebecca	32016*	LMC clerk training	N	City Training and Development	100-41914-310-	\$ 249.00
	Total For Check	32016					\$ 249.00
07/20/2022	Toshiba Business Solutions	32017	Printer Maintenance - 07/09/2022-08/08/2022	N	Office Operations Supplies	100-41911-314-	\$ 10.62
	Total For Check	32017					\$ 10.62
07/20/2022	USS Minnesota One MT LLC	32018	Energy Charges - June	N	General Government Buildings and Plant	100-41940-380-	\$ 159.81

Fund Name: All Funds

Date Range: 07/08/2022 To 08/09/2022

<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>
		32018			Sewer Utility	605-43190-380-	\$ 426.14
		32018				605-43190-380-	\$ 772.37
		Total For Check	32018				\$ 1,358.32
07/20/2022	Bill Weigel Signs	32019*	Thermal Printed name plate for new city drop box	N	General Government Buildings and Plant	100-41940-220-	\$ 20.00
		Total For Check	32019				\$ 20.00
07/20/2022	Payroll Period Ending 07/20/2022	32020	Rebecca Kellen, City Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 1,989.30
		Total For Check	32020				\$ 1,989.30
07/20/2022	Payroll Period Ending 07/20/2022	32021	Jackie Smith- Deputy Clerk	N	Clerk - Treasurer	100-41401-100-	\$ 431.03
		Total For Check	32021				\$ 431.03
07/20/2022	PERA	EFT07202022A*	Retirement funds- Rebecca Kellen, City Administrator	N	Clerk - Treasurer	100-41401-121-	\$ 366.13
		Total For Check	EFT07202022A				\$ 366.13
07/22/2022	Minutes Solutions	32008*	Minutes for June 14	N	MISCELLANEOUS	100-49001-300-	\$ 270.00
		Total For Check	32008				\$ 270.00
07/22/2022	TSE, Inc. Work Account	32009	Janitorial Services - June	N	General Government Buildings and Plant	100-41940-314-	\$ 6.25
		Total For Check	32009				\$ 6.25
07/22/2022	Lutmer, Tom	32010	Music in the Park- July 24, 2022	N	Recreation	210-45101-440-	\$ 300.00
		Total For Check	32010				\$ 300.00
07/22/2022	Xcel Energy	EFT07182022A*	210 Birchwood Tower	N	Water Utility	601-43180-380-	\$ 16.31
		Total For Check	EFT07182022A				\$ 16.31
07/22/2022	Xcel Energy	EFT07182022B*	407 Lake St- Gas Service lift Station 5/18-6/19	N	Sewer Utility	605-43190-380-	\$ 30.59
		Total For Check	EFT07182022B				\$ 30.59
07/22/2022	Xcel Energy	EFT07182022C*	200 Wildwood - Lift station 5/18-6/19	N	Sewer Utility	605-43190-380-	\$ 35.74
		Total For Check	EFT07182022C				\$ 35.74
07/22/2022	A T & T Mobility	EFT07222022A*	Jul 2-Aug 1	N	Water Utility	601-43180-382-	\$ 54.30
		Total For Check	EFT07222022A				\$ 54.30

Fund Name: All Funds

Date Range: 07/08/2022 To 08/09/2022

<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>
07/25/2022	Sherwood, Gregory	32022	Escrow Refund- 2021-25	N	Escrow Refunds	100-49250-810-8	\$ 3,000.00
	Total For Check	32022					\$ 3,000.00
07/25/2022	Busy Bee Tree Service, Inc	32023	Brush Pile Removal from City Properties	N	Parks	210-45207-430-	\$ 500.00
	Total For Check	32023					\$ 500.00
07/25/2022	Clear CutXteriors LLC	32024*	Escrow Refund- Permit # 2022-49	N	Escrow Refunds	100-49250-810-8	\$ 3,000.00
	Total For Check	32024					\$ 3,000.00
07/25/2022	Ashton Mcgee Restoration	32025*	Escrow Refund 2022-60	N	Escrow Refunds	100-49250-810-8	\$ 3,000.00
	Total For Check	32025					\$ 3,000.00
07/25/2022	Wingfield, Mary	32026	Paint for Lane Marking, Spray pump repair kit and paint	N	Parks	100-45207-430-	\$ 23.80
	Total For Check	32026					\$ 23.80
07/25/2022	Press Publications	32027*	Legal Notice Publications July 21	N	Ordinances and Proceedings	100-41130-351-	\$ 57.21
	Total For Check	32027					\$ 57.21
07/25/2022	MENARD'S - OAKDALE	32028*	Supplies	N	Parks	100-45207-400-	\$ 41.28
		32028*				100-45207-400-	\$(14.65)
	Total For Check	32028					\$ 26.63
07/25/2022	James Sovell	32029*	Utiling billing overpymt- property sold	N	Unallocated Expenditures	100-49201-810-	\$ 38.77
	Total For Check	32029					\$ 38.77
07/25/2022	Joe Cruz & Jennifer Grimm	32030	Music in the Park, Sunday 7/31	N	Recreation	210-45101-440-	\$ 300.00
	Total For Check	32030					\$ 300.00
07/26/2022	HomeWorks Services, LLC	32031	Building Permit Fee reimbursement- customer paid twice- 2022-10	N	Unallocated Expenditures	100-49201-810-	\$ 142.32
	Total For Check	32031					\$ 142.32
07/26/2022	Lindus Construction	32032*	Escrow refund- 2022-50	N	Escrow Refunds	100-49250-810-8	\$ 3,000.00
	Total For Check	32032					\$ 3,000.00
07/28/2022	Joe and Torie Wormwood	32033	Feistner Beach Settlement and release agreement	N	Unallocated Expenditures	100-49201-810-	\$ 1,000.00

Fund Name: All Funds

Date Range: 07/08/2022 To 08/09/2022

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
	Total For Check	32033					\$ 1,000.00
07/28/2022	CARter Custom Construction	32034*	Escrow Deposit refund 2022-11	N	Escrow Refunds	100-49250-810-8	\$ 3,000.00
	Total For Check	32034					\$ 3,000.00
07/28/2022	ICC Restoration and Cleaning Servic	32035*	Escrow refund- building permit # 2022-40	N	Escrow Refunds	100-49250-810-8	\$ 3,000.00
	Total For Check	32035					\$ 3,000.00
08/03/2022	Payroll Period Ending 08/03/2022	32036	Jim Rydeen	N	Parks	100-45207-100-	\$ 981.94
	Total For Check	32036					\$ 981.94
08/03/2022	Payroll Period Ending 08/03/2022	32037	Becky Kellen, City Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 1,221.48
	Total For Check	32037					\$ 1,221.48
08/03/2022	Payroll Period Ending 08/03/2022	32038	Jackie Smith- Deputy Clerk	N	Clerk - Treasurer	100-41401-100-	\$ 524.07
	Total For Check	32038					\$ 524.07
08/03/2022	Payroll Period Ending 08/03/2022	32039	Rebecca Kellen, City Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 1,065.40
	Total For Check	32039					\$ 1,065.40
08/03/2022	Payroll Period Ending 08/03/2022	32040	Mary Cahill- Assistant Treasurer	N	Clerk - Treasurer	100-41401-100-	\$ 211.49
	Total For Check	32040					\$ 211.49
08/03/2022	Scottie Miller	32041	Music in the Park- August 7, 2022	N	Recreation	210-45101-440-	\$ 300.00
	Total For Check	32041					\$ 300.00
08/03/2022	Kellen, Rebecca	32042	Zoom	N	Unallocated Expenditures	100-49201-320-	\$ 16.09
	Total For Check	32042					\$ 16.09
08/03/2022	H.A. Kantrud, P.A.	32043	Attorney Services -Aug 2022	N	Legal Services	100-41601-300-	\$ 1,500.00
	Total For Check	32043					\$ 1,500.00
08/03/2022	City of White Bear Lake Fire	32044	Fire Srvc -July 2022	N	Fire	100-42201-314-	\$ 2,737.08
	Total For Check	32044					\$ 2,737.08
08/03/2022	Manship Plumbing & Heating Inc	32045	Standby - August plus \$100 increase for July	N	Water Utility	601-43180-314-	\$ 800.00
	Total For Check	32045					\$ 800.00

Fund Name: All Funds

Date Range: 07/08/2022 To 08/09/2022

<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>
08/03/2022	Thatcher Engineering, Inc	32046*	City Engineer - engineering services	N	Engineer Service	100-41650-300-	\$ 2,600.00
		32046*				100-41650-300-	\$ 200.00
		32046*				100-41650-300-	\$ 1,500.00
		32046*				100-41650-300-	\$ 550.00
		32046*				100-41650-300-	\$ 500.00
		32046*				100-41650-300-	\$ 2,550.00
		32046*				100-41650-300-	\$ 200.00
		32046*				100-41650-300-	\$ 200.00
	Total For Check	32046					\$ 8,300.00
08/03/2022	PERA	EFT08032022A	Retirement funds- Rebecca Kellen, City Administrator	N	Clerk - Treasurer	100-41401-121-	\$ 393.57
	Total For Check	EFT08032022A					\$ 393.57
08/03/2022	PERA	EFT08032022B	Retirement funds- Jim Rydeen, Maintenance	N	Parks	100-45207-121-	\$ 166.94
	Total For Check	EFT08032022B					\$ 166.94
08/09/2022	AirFresh Industries, Inc.	32047*	Portable Restrooms-July Billing and 4th of July Parade billing	N	Parks	100-45207-314-	\$ 130.00
		32047*				100-45207-314-	\$ 162.50
	Total For Check	32047					\$ 292.50
08/09/2022	TA Schifsky & Sons, Inc.	32048*	Traffic Control Signage for one way- AMT to be reimbursed by Washington County	N	Unallocated Expenditures	100-49201-314-	\$ 10,300.00
	Total For Check	32048					\$ 10,300.00
08/09/2022	TSE, Inc. Work Account	32049*	Janitorial Services - July	N	General Government Buildings and Plant	100-41940-314-	\$ 25.00
		32049*				100-41940-314-	\$ 28.13
	Total For Check	32049					\$ 53.13
08/09/2022	Metropolitan Council - Env. Service	32050*	Wastewater Service- Aug	N	Sewer Utility	605-43190-217-	\$ 5,105.97
	Total For Check	32050					\$ 5,105.97
08/09/2022	Gopher State One Call	32051*	email tickets	N	Utility Locates	605-42805-314-	\$ 43.20
	Total For Check	32051					\$ 43.20
08/09/2022	Companion Animal Control LLC	32052*	Animal Control Services -July	N	Animal Control	100-41916-314-	\$ 80.00
	Total For Check	32052					\$ 80.00

Fund Name: All Funds

Date Range: 07/08/2022 To 08/09/2022

<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>
08/09/2022	League of MN Cities	32053	Property/Casualty Coverage to include Water Meter Tower	N	City Insurance	100-41945-362-	\$ 277.00
		Total For Check	32053				\$ 277.00
08/09/2022	RJI Professionals, Inc	32054*	Escrow Refund 2022-59	N	Escrow Refunds	100-49250-810-8	\$ 3,000.00
		Total For Check	32054				\$ 3,000.00
08/09/2022	Hagstrom Builder	32055*	Escrow Refund 2022-28A	N	Escrow Refunds	100-49250-810-8	\$ 3,000.00
		Total For Check	32055				\$ 3,000.00
08/09/2022	Redline Contracting	32056*	Escrow Refund # 2022-45	N	Escrow Refunds	100-49250-810-8	\$ 3,000.00
		Total For Check	32056				\$ 3,000.00
08/09/2022	City of Roseville	32057*	IT charges Aug	N	General Government Buildings and Plant	100-41940-320-	\$ 386.13
		Total For Check	32057				\$ 386.13
08/09/2022	White Bear Township	32058*	Contracted Services - July	N	Sewer Utility	605-43190-314-	\$ 1,088.12
		Total For Check	32058				\$ 1,088.12
08/09/2022	APS	EFT07012022B*	Charge for annual compliance	N	Unallocated Expenditures	100-49201-314-	\$ 19.95
		Total For Check	EFT07012022B				\$ 19.95
08/09/2022	Xcel Energy	EFT08012022A*	Street Lighting 06/03-07/02	N	Street Lighting	100-43160-380-	\$ 1,488.16
		Total For Check	EFT08012022A				\$ 1,488.16
Total For Selected Checks							\$ 148,566.85

Fund Name: All Funds

Date Range: 07/07/2022 To 08/09/2022

<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>
07/08/2022	Holmen, Karen	171735524*	Kayak license- Dellwood	(07/08/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00
								\$ 30.00
07/08/2022	Monette, Hope	171735525*	Dog License	(07/08/2022) -	N	Animal Licenses	100-32240-	\$ 40.00
								\$ 40.00
07/08/2022	Monette, Hope	171735526*	Kayak permit- Birch	(07/08/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 60.00
								\$ 60.00
07/08/2022	LaFoy, Randall	171735527*	Dog License	(07/08/2022) -	N	Animal Licenses	100-32240-	\$ 20.00
								\$ 20.00
07/08/2022	Rick's Roofing	171735528*	Building Permit # 2022-56, Escrow Deposit	(07/08/2022) -	N	Building Permits	100-32211-	\$ 287.75
						Escrow Deposits	100-36245-8	\$ 3,000.00
								\$ 3,287.75
07/08/2022	Rick's Roofing, Inc	171735529*	Building Permit # 2022-55 and escrow deposit	(07/08/2022) -	N	Building Permits	100-32211-	\$ 331.25
						Escrow Deposits	100-36245-8	\$ 3,000.00
								\$ 3,331.25
07/08/2022	Crayford, Craig	171735530*	Building permit # 2022-30A, escrow deposit	(07/11/2022) -	N	Building Permits	100-32211-	\$ 287.82
						Escrow Deposits	100-36245-8	\$ 3,000.00
								\$ 3,287.82
07/08/2022	Bison Builders	171735531*	Building Permit # 2022-41, escrow deposit	(07/11/2022) -	N	Building Permits	100-32211-	\$ 128.25
						Escrow Deposits	100-36245-8	\$ 3,000.00
								\$ 3,128.25
07/08/2022	Air Mechanical	171735532	Building Permit # 2022-54	(07/11/2022) -	N	Building Permits	100-32211-	\$ 61.00
								\$ 61.00

Fund Name: All Funds

Date Range: 07/07/2022 To 08/09/2022

<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>
07/11/2022	Midwest Roofing and Siding and Wind	171735533*	Building permit # 2022-53 and escrow	(07/11/2022) -	N	Building Permits	100-32211-	\$ 199.75
						Escrow Deposits	100-36245-8	\$ 3,000.00
								\$ 3,199.75
07/12/2022	MN Management & Budget	171735549	Fines	(07/12/2022) -	N	Court Fines	100-35101-	\$ 56.65
								\$ 56.65
07/13/2022	Built Strong Exteriors	171735534*	Building Permit # 2022-57 and escrow deposit	(07/13/2022) -	N	Building Permits	100-32211-	\$ 258.41
						Escrow Deposits	100-36245-8	\$ 3,000.00
								\$ 3,258.41
07/15/2022	Ashton McGee Restoration Group	171735536	Building Permit # 2022-60 and escrow deposit	(07/15/2022) -	N	Building Permits	100-32211-	\$ 281.91
						Escrow Deposits	100-36245-	\$ 3,000.00
								\$ 3,281.91
07/15/2022	Ramsey/Washington Cable Commission	171735537	Redistribution Payment - Q2 2022	(07/15/2022) -	N	Refund-Reimbursemnt-Dividend	100-36240-	\$ 594.46
								\$ 594.46
07/20/2022	Clear Cut Xteriors LLC	171735535*	Building Permit # 2022-61 plus escrow deposit	(07/20/2022) -	N	Building Permits	100-32211-	\$ 370.75
						Escrow Deposits	100-36245-	\$ 3,000.00
								\$ 3,370.75
07/20/2022	Woodbury Mechanical	171735538*	Building permit # 2022-58	(07/20/2022) -	N	Building Permits	100-32211-	\$ 77.00
								\$ 77.00
07/22/2022	Midwest Roof and Solar, Inc	171735546*	Building Permit # 2022-66, Escrow Deposit	(07/22/2022) -	N	Building Permits	100-32211-	\$ 272.99
						Escrow Deposits	100-36245-8	\$ 3,000.00
								\$ 3,272.99
07/26/2022	Greatstone, Inc	171735539*	Building Permit- 2022-67 and escrow deposit	(07/26/2022) -	N	Building Permits	100-32211-	\$ 801.25
						Escrow Deposits	100-36245-8	\$ 3,000.00

Fund Name: All Funds

Date Range: 07/07/2022 To 08/09/2022

<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>
								\$ 3,801.25
07/27/2022	Jason Jeppesen	171735545*	Building Permit # 2022-63	(07/28/2022) -	N	Building Permits Escrow Deposits	100-32211- 100-36245-	\$ 331.25 \$ 3,000.00
								\$ 3,331.25
07/28/2022	Webber, Daniel	171735540*	Zoning Permit	(07/29/2022) -	N	Zoning Permits	100-32214-	\$ 30.00
								\$ 30.00
07/28/2022	RJI Professionals, Inc	171735541*	Building Permit # 2022-59	(07/29/2022) -	N	Building Permits Escrow Deposits	100-32211- 100-36245-8	\$ 171.74 \$ 3,000.00
								\$ 3,171.74
07/28/2022	Sela Roofing and Remodeling	171735542*	Building Permit # 2022-64	(07/29/2022) -	N	Building Permits Escrow Deposits	100-32211- 100-36245-8	\$ 273.25 \$ 3,000.00
								\$ 3,273.25
07/28/2022	Ramsey/Washington Cable Commission	171735543*	Redistribution Payment - Q2 2022	(07/29/2022) -	N	Refund-Reimbursemnt-Dividend	100-36240-	\$ 5,764.25
								\$ 5,764.25
07/28/2022	Hagstrom Builder	171735544*	Building Permit # 2022-28	(07/29/2022) -	N	Building Permits Escrow Deposits	100-32211- 100-36245-8	\$ 5,474.86 \$ 3,000.00
								\$ 8,474.86
07/29/2022	4 M Fund	171735547	Interest	(07/29/2022) -	N	Interest Earning	100-36210-	\$ 1,252.10
								\$ 1,252.10
07/29/2022	Residents - via St Anthony Village	171735557	Utility Billing - Month of July 2022	(07/29/2022) -	N	Leaf Collection	100-34408-	\$ 338.01
						Leaf Collection	100-34408-5	\$ 24.93
						Water Consumption	601-37111-	\$ 9,248.30
						Water Utility User Fee	601-37112-	\$ 4,864.99
						Water Main-break Surcharge	601-37113-	\$ 4,392.80
						Meter Upgrade Fees	601-37114-	\$ 147.69
						Special Water Charges	601-37115-	\$ 102.02
						State Surcharge	601-37116-	\$ 472.65
						Administrative Fee Move/Out	601-37118-	\$ 25.00
						Penalties and Forfeited Discounts	601-37160-	\$ 88.05

Fund Name: All Funds

Date Range: 07/07/2022 To 08/09/2022

<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>
						Sewer Consumption	605-37211-	\$ 9,746.93
						Sewer Minimum Charge	605-37212-	\$ 7,459.16
						Penalties and Forfeited Discounts	605-37260-	\$ 81.73
								<u>\$ 36,992.26</u>
08/01/2022	Xcel Energy	171735552*	186 Cedar St Row Permit	(08/01/2022) -	N	Building Permits	100-32211-	\$ 250.00
								<u>\$ 250.00</u>
08/01/2022	ERC Construction, Inc	171735553*	Building Permit # 2022-74 and Escrow	(08/01/2022) -	N	Building Permits	100-32211-	\$ 360.25
						Escrow Deposits	100-36245-	\$ 3,000.00
								<u>\$ 3,360.25</u>
08/02/2022	Carroll, Nicole	171735551*	Building Permit # 2022-69	(08/02/2022) -	N	Building Permits	100-32211-	\$ 128.00
								<u>\$ 128.00</u>
08/03/2022	New Life Contracting	171735550*	Building Permit 2022-73 and escrow	(08/03/2022) -	N	Building Permits	100-32211-	\$ 306.93
						Escrow Deposits	100-36245-	\$ 3,000.00
								<u>\$ 3,306.93</u>
08/09/2022	Gilbertson, Janet	171735554*	Escrow Deposit and building permit # 2022-77	(08/09/2022) -	N	Building Permits	100-32211-	\$ 330.88
						Escrow Deposits	100-36245-	\$ 3,000.00
								<u>\$ 3,330.88</u>
08/09/2022	Swanson, Eric	171735555*	Building permit # 2022-68	(08/09/2022) -	N	Building Permits	100-32211-	\$ 91.50
								<u>\$ 91.50</u>
Total for Selected Receipts								<u><u>\$ 106,916.51</u></u>

As on 8/9/2022

Special Rev Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Dock/Lift Permit Fee	0.00	15,750.00	15,750.00
Total Acct 322	0.00	15,750.00	15,750.00
Total Revenues	0.00	15,750.00	15,750.00
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Engineer Service			
PROFESSIONAL SERVICES (301 through 319)	0.00	4,900.00	(4,900.00)
Total Acct 416	0.00	4,900.00	(4,900.00)
Recreation			
Miscellaneous (431 through 499)	0.00	200.00	(200.00)
Community Events	0.00	2,400.00	(2,400.00)
Total Acct 451	0.00	2,600.00	(2,600.00)
Parks			
Miscellaneous (431 through 499)	0.00	500.00	(500.00)
Other Equipment	0.00	1,280.00	(1,280.00)
Total Acct 452	0.00	1,780.00	(1,780.00)
Unallocated Expenditures			
Miscellaneous (431 through 499)	0.00	800.00	(800.00)
Total Acct 492	0.00	800.00	(800.00)
Total Disbursements	0.00	10,080.00	(10,080.00)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		12,525.69	
Total Receipts and Other Financing Sources		15,750.00	
Total Disbursements and Other Financing Uses		10,080.00	
Cash Balance as of 08/09/2022		18,195.69	

As on 8/9/2022

Capital Project PW

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Other Financing Sources:			
Total Other Financing Sources	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Disbursements:			
General Government Buildings and Plant			
PROFESSIONAL SERVICES (301 through 319)	0.00	3,200.00	(3,200.00)
Contracted Services	0.00	4,917.00	(4,917.00)
Total Acct 419	<u>0.00</u>	<u>8,117.00</u>	<u>(8,117.00)</u>
Total Disbursements	<u>0.00</u>	<u>8,117.00</u>	<u>(8,117.00)</u>
Other Financing Uses:			
Total Other Financing Uses	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Beginning Cash Balance		123,615.31	
Total Receipts and Other Financing Sources		0.00	
Total Disbursements and Other Financing Uses		<u>8,117.00</u>	
Cash Balance as of 08/09/2022		115,498.31	

As on 8/9/2022

Water

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Penalty - Late Water/Sewer	0.00	202.57	202.57
Total Acct 341	0.00	202.57	202.57
Miscellaneous	0.00	3,056.14	3,056.14
Total Acct 361	0.00	3,056.14	3,056.14
Water Consumption	0.00	43,179.37	43,179.37
Water Utility User Fee	0.00	21,573.74	21,573.74
Water Main-break Surcharge	0.00	7,618.65	7,618.65
Meter Upgrade Fees	0.00	618.05	618.05
Special Water Charges	0.00	961.37	961.37
State Surcharge	0.00	2,188.25	2,188.25
Certified Bills Collections	0.00	25.00	25.00
Administrative Fee Move/Out	0.00	75.00	75.00
Penalties and Forfeited Discounts	0.00	276.93	276.93
Total Acct 371	0.00	76,516.36	76,516.36
Total Revenues	0.00	79,775.07	79,775.07
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Financial Administration			
Contracted Services	0.00	4,355.48	(4,355.48)
Total Acct 415	0.00	4,355.48	(4,355.48)
Newsletter			
Printing and Binding (351 through 359)	0.00	366.72	(366.72)
Total Acct 419	0.00	366.72	(366.72)
Water Utility			
Repair and Maintenance Supplies (221 through 229)	0.00	894.29	(894.29)
Contracted Services	0.00	45,282.24	(45,282.24)
Utility Services (381 through 389)	0.00	38,437.39	(38,437.39)
Utility Services: Water	0.00	567.82	(567.82)
Miscellaneous (431 through 499)	0.00	1,571.42	(1,571.42)
Fees	0.00	1,720.00	(1,720.00)
Wtr/Swr Emergency			
Repair and Maintenance Supplies (221 through 229)	0.00	700.00	(700.00)
PROFESSIONAL SERVICES (301 through 319)	0.00	784.58	(784.58)
Contracted Services	0.00	17,776.75	(17,776.75)
Total Acct 431	0.00	107,734.49	(107,734.49)
MISCELLANEOUS			
Fees	0.00	23.96	(23.96)
Total Acct 490	0.00	23.96	(23.96)
Total Disbursements	0.00	112,480.65	(112,480.65)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		18,956.92	
Total Receipts and Other Financing Sources		79,775.07	
Total Disbursements and Other Financing Uses		112,480.65	
Cash Balance as of 08/09/2022		(13,748.66)	

As on 8/9/2022

Sewer

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Miscellaneous	0.00	266.20	266.20
Total Acct 361	0.00	266.20	266.20
Sewer Consumption	0.00	43,744.54	43,744.54
Sewer Minimum Charge	0.00	34,975.62	34,975.62
Penalties and Forfeited Discounts	0.00	404.24	404.24
Total Acct 372	0.00	79,124.40	79,124.40
Total Revenues	0.00	79,390.60	79,390.60
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Engineer Service			
PROFESSIONAL SERVICES (301 through 319)	0.00	41,898.49	(41,898.49)
Total Acct 416	0.00	41,898.49	(41,898.49)
Utility Locates			
Contracted Services	0.00	348.35	(348.35)
Total Acct 428	0.00	348.35	(348.35)
Sewer Utility			
Sewer - Wastewater Charge	0.00	40,847.76	(40,847.76)
Contracted Services	0.00	16,958.08	(16,958.08)
Utility Services (381 through 389)	0.00	5,436.80	(5,436.80)
Utility Services: Gas Utilities	0.00	122.22	(122.22)
Miscellaneous (431 through 499)	0.00	836.70	(836.70)
Total Acct 431	0.00	64,201.56	(64,201.56)
Total Disbursements	0.00	106,448.40	(106,448.40)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		114,108.09	
Total Receipts and Other Financing Sources		79,390.60	
Total Disbursements and Other Financing Uses		106,448.40	
Cash Balance as of 08/09/2022		87,050.29	

As on 8/9/2022

American Rescue Act Proceeds

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Federal Grants - CARES	0.00	48,193.46	48,193.46
Total Acct 331	0.00	48,193.46	48,193.46
Total Revenues	0.00	48,193.46	48,193.46
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Engineer Service			
PROFESSIONAL SERVICES (301 through 319)	0.00	1,004.00	(1,004.00)
Total Acct 416	0.00	1,004.00	(1,004.00)
Total Disbursements	0.00	1,004.00	(1,004.00)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		(46,665.31)	
Total Receipts and Other Financing Sources		48,193.46	
Total Disbursements and Other Financing Uses		1,004.00	
Cash Balance as of 08/09/2022		524.15	

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

**MINUTES OF THE CITY COUNCIL MEETING
APRIL 12, 2022, 7:00 P.M.**

MEMBERS:

Mary Wingfield	Mayor
Jon Fleck	Councilmember
Mark Foster	Councilmember
Justin McCarthy	Councilmember
Kevin Woolstencroft	Councilmember

STAFF:

Andy Gonyou	City Administrator
H. Alan Kantrud	City Attorney
Steve Thatcher	City Engineer

GUESTS:

Ryan Hankins	Planning Commission Vice Chairman
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Minutes prepared by Anh Nguyen of Minutes Solutions Inc. from a video recording.

1. CALL TO ORDER

Mayor Wingfield called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA

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

Councilmember McCarthy requested the addition of the following items to the agenda:

- Late Fees for Dog Licenses
- Tree Issues
- Music in the Park

Mayor Wingfield requested the addition of the following items to the agenda:

- Special Meeting to Interview Candidates for City Administrator
- 369 Wildwood Avenue Re: Request by Steve Thatcher
- White Bear Lake Society Signage Grants
- Dellwood Lift Station
- Wildwood Lift Station Update

- Data Practices Policy

4. **OPEN PUBLIC FORUM**

Barton Winter, 1 Five Oaks Lane, expressed concern regarding the lack of flooding of the ice rink. The resident requested better maintenance of the ice rink and suggested that he be deputized to flood the ice rink as needed.

James Nelson, 256 Wildwood Avenue, expressed concern regarding what the resident felt was regulation of his free speech. The resident reported that he would continue to attend the Council meetings until a response is provided to him by the Council regarding details of the charges that were laid against him.

5. **ANNOUNCEMENTS**

- A. **Social Media:** Follow Birchwood Village on Facebook @BirchwoodCityHall or on Twitter @CityofBirchwood.
- B. **Dock Association:** Mayor Wingfield reported that the Dock Association has three slips available to fill.

6. **ADMINISTRATIVE PRESENTATION**

- A. **Sheriff Report:** A report of law enforcement incidents and citations for March, 2022, was provided for the Council's review.
- B. **Planning Commission Regular Meeting Minutes:** The minutes of the February 24, 2022, Planning Commission meeting was provided for the Council's review.

7. **CITY BUSINESS – CONSENT AGENDA**

On a motion made by Councilmember Fleck, seconded by Councilmember Woolstencroft, it was resolved to approve the consent agenda as amended. All in favor; motion carried.

On a motion made by Councilmember Woolstencroft, seconded by Councilmember McCarthy, it was resolved to approve the meeting minutes of the regular Council meeting held on March 8, 2022, as amended. All in favor; motion carried.

- A. **Approval of the Council Meeting Minutes:** The meeting minutes of the February 8, 2022, regular Council meeting was provided for the Council's review and approval.
- B. **Approval of the Council Meeting Minutes:** Councilmember McCarthy requested the following amendments to the meeting minutes of the March 8, 2022, regular Council meeting:
- Section 8, C, fourth motion: replace "hard cover" with "impervious surface"
 - Section 8, C, third paragraph, remove the first sentence

- C. **Approval of Resolution 2022-07 Re-establishing Precinct Boundaries and Polling Location**
- D. **Approval to Change the Dog License Term to Three Years Retroactive to January 1, 2022**
- E. **Approval of the Treasurer’s Report:** The Treasurer’s Report for the period ending April 7, 2022, was provided for the Council’s review and approval.

8. **CITY BUSINESS – REGULAR AGENDA**

A. **MS4: Storm Water Pollution Prevention Program (SWPPP) Review**

- a. **Public Hearing:** Mayor Wingfield reported that the MS4 permit process is an annual permit to keep residents and the Minnesota Pollution Control Agency (MPCA) informed on the city’s procedures and protocols to protect the water quality.

There were no additional comments for the public hearing.

- b. **On a motion made by Councilmember Woolstencroft, seconded by Councilmember Foster, it was resolved to close the public hearing. All in favor; motion carried.**

- c. **Council Deliberation:**

On a motion made by Mayor Wingfield, seconded by Councilmember Fleck, it was resolved to approve the SWPPP permit application with no changes and for the application to be forwarded to the MPCA. All in favor; motion carried.

B. **143 Wildwood Avenue – Previous Code Violation**

- a. **Council Deliberation:** *ACTION – Andy Gonyou will confirm with Mary Cahill, the Assistant Treasurer, whether a cheque has been received from the resident at 143 Wildwood Avenue.*

Andy Gonyou confirmed that the resident was notified in writing of the agenda item regarding a previous code violation due to a lack of a permit and improper drainage and grading by the resident’s contractor.

Andy Gonyou reported that the resident informed Mary Cahill, the Assistant Treasurer, that a cheque would be provided for all the monies owed to the city. Andy Gonyou noted that the contractor’s name and contact information was finally provided by the resident following the issuance of a letter indicating that money was owed to the city.

C. 310/312 Wildwood Avenue – Maintenance Code Concerns

- a. **Council Deliberation:** Mayor Wingfield reported that the owner of the property is deceased, and the property will inevitably be sold. The family is working with Alan Kantrud regarding legal proceedings for the property. The Council agreed to defer further action pending the ongoing legal proceedings.

D. First Reading Ordinance 2022-04-02, Repeal and Replace Section 302.050

- a. **First Reading and Council Deliberation:**

On a motion made by Councilmember McCarthy, seconded by Councilmember Woolstencroft, it was resolved to approve the first reading of Ordinance 2022-04-02, Repeal and Replace Section 302.050. All in favor; motion carried.

ACTION – Andy Gonyou will publish the second reading and public hearing for Ordinance 2022-04-02, Repeal and Replace Section 302.050.

Councilmember McCarthy reported that Ordinance 2022-04-02, Repeal and Replace Section 302.050 would change impervious surface to lot coverage including pervious pavement. Councilmember McCarthy noted that impervious surfaces from 25% to 35% only require an administrative permit as long as conditions are met and approval is obtained from the City Engineer, Steve Thatcher. Impervious surfaces over 35% will trigger the requirement for a variance request. The goal is to minimize the burden of residents coming to Council and the Planning Commission for impervious surfaces less than 35%.

Councilmember McCarthy noted that a maintenance agreement was added because the current ordinance does not explicitly state that applicants must implement the structures included in their plans. The maintenance agreement will be recorded with the county and run with the land to ensure that new owners adhere to the agreement. A small-fee certification must be filed with the city every five years to confirm that maintenance was completed.

- b. **Order Second Reading and Public Hearing:**

On a motion made by Councilmember McCarthy, seconded by Councilmember Woolstencroft, it was resolved to proceed with a second reading and public hearing for Ordinance 2022-04-02, Repeal and Replace Section 302.050 at the next Council meeting. All in favor; motion carried.

E. First Reading Ordinance 2022-04-01, Repeal Section 601

- a. **First Reading and Council Deliberation:**

On a motion made by Councilmember Fleck, seconded by Councilmember McCarthy, it was resolved to approve Ordinance 2022-04-01, Repeal Section 601 and to waive the second reading. All in favor; motion carried.

ACTION – Andy Gonyou will post Councilmember McCarthy’s memo dated March 24, 2022, regarding the Birchwood Sign Ordinance Section 601 repeal and replace on the City of Birchwood website.

ACTION – Andy Gonyou will publish Ordinance 2022-04-01, Repeal Section 601.

Councilmember McCarthy reported that the memo regarding Ordinance 2022-04-01, Repeal Section 601 was not included in the meeting package for the Council’s first reading prior to the meeting.

Alan Kantrud confirmed that a second reading can be waived; however, he advised that a second reading and public hearing for the repeal, along with a first reading of the replacement ordinance, be held at the next Council meeting in May, 2022.

The Council agreed that Section 601 is unconstitutional and should be repealed immediately with no further discussion as a future agenda item.

- b. **Order Second Reading and Public Hearing:** The second reading and public hearing was waived.

F. Personnel – City Administrator/Clerk Update

- a. **Update from Councilmember McCarthy:**

On a motion made by Councilmember McCarthy, seconded by Mayor Wingfield, it was resolved to approve a special meeting to be held on April 18, 2022, at 6:00 p.m. to interview candidates for the role of City Administrator. All in favor; motion carried.

ACTION – Andy Gonyou will post a notice regarding the special meeting to be held on April 18, 2022, on the City of Birchwood website.

ACTION – Alan Kantrud will provide the Council with a list of proposed interview questions for the special meeting on April 18, 2022.

Andy Gonyou submitted a letter of resignation and will be acting as the City Administrator until May 12, 2022. Councilmember McCarthy reported that a job posting was posted on several platforms. There are currently four applicants.

G. Councilmember Reports

- a. **Mayor Wingfield**

- i) **Fee Schedule Amendment:**

On a motion made by Mayor Wingfield, seconded by Councilmember Woolstencroft, it was resolved to approve a \$25 fee for a three-year dog license retroactive to January 1, 2022, with a \$5 early-bird discount up to February 15, 2022, and a \$5 late fee after April 15, 2022. Councilmember McCarthy abstained. Motion carried.

ACTION – Alan Kantrud will determine the non-compliance fee for dog licenses.

Councilmember McCarthy reported a discrepancy between the fee schedule stating triple the consequence for non-compliance of dog licenses and Ordinance 701.061 stating double the consequence. Alan Kantrud suggested the inclusion of “plus any additional fees incurred by the city” to Ordinance 701.061.

Mayor Wingfield suggested that a dog license required for 18 months or less would be \$15, and any license required for longer than 18 months would pay the full amount of \$25.

ii) Tree Follow-Up:

On a motion made by Councilmember Fleck, seconded by Councilmember McCarthy, it was resolved to authorize Mayor Wingfield to arrange the planting of birch clumps around City Hall at a cost not to exceed \$1,500. All in favor; motion carried.

Mayor Wingfield reported that the spruce next to the tennis courts will be planted in mid-May, 2022. Mayor Wingfield suggested planting birch clumps around City Hall. She noted that the birch clumps would be Japanese white birch and not birch that are susceptible to birch borers.

iii) Tennis Court/Animal Access: Mayor Wingfield reported an abundance of dog waste at the tennis court. The Council reported the same issue at the lake and the trails. The Council discussed issuing a reminder for residents to pick up after their dogs.

iv) Sanitary Sewer Survey of 200 Block of Birchwood Avenue: *ACTION – Mayor Wingfield will obtain a quote from Velocity Drain Services for the installation of a camera at the sewer line.*

Mayor Wingfield reported a water main break and Xcel Energy had a gas line severed. John Manship, the City Water Superintendent, suggested installing a camera at the sewer line to ensure no shifting occurred.

v) Backflow Valve Permits: *ACTION – Councilmember McCarthy will review whether any decisions were made by the Council regarding irrigation jets at the right of way.*

Mayor Wingfield reported that John Manship recommended a permit system to ensure that the city’s recently enacted code regarding backflow valves is applicable to all residents with an irrigation system.

The Council discussed various options to ensure all old and new irrigation systems have backflow preventors. Further action was deferred pending further discussion and consideration.

The Council expressed concern regarding contractors installing jets at the right of way. The Council reported past discussions noting that the city would not be liable for any damages to the jets.

- vi) **Road Updates:** Mayor Wingfield reported that T.A. Schifsky & Sons will be investigating the delamination on several roads to confirm whether the contractor's recommendations will change. T.A. Schifsky & Sons will provide a report regarding whether repairs are needed.
- vii) **369 Wildwood Avenue – Request:** *ACTION – Andy Gonyou will inform Steve Thatcher of the Council's authorization for the City Engineer to work with the City Building Official.*

Mayor Wingfield reported that the City Building Official requested Steve Thatcher's assistance due to grading concerns.

- viii) **Music in the Park:**

On a motion made by Mayor Wingfield, seconded by Councilmember Fleck, it was resolved to approve Al Mitchell's resolution regarding an annual Music in the Park event as drafted. All in favor; motion carried.

Mayor Wingfield reported that Al Mitchell drafted a resolution with a budget of \$3,700 for 10 concerts and permitting alcohol in city parks during the event. The resolution would be subject to the Council's review as deemed necessary.

- ix) **Tree Issues:**

On a motion made by Councilmember McCarthy, seconded by Councilmember Fleck, it was resolved to approve the resident's request for an extension until May 26, 2022, to remove the emerald ash borer. All in favor; motion carried.

Mayor Wingfield reported that a resident could not remove the emerald ash borer as required by the city due to weather-related delays with the tree removal service provider.

Mayor Wingfield noted that John Lund has informed the city of ash borers that need to be removed from easements. She has requested that STS remove the trees.

- x) **White Bear Lake Historical Society:**

On a motion made by Councilmember McCarthy, seconded by Councilmember Foster, it was resolved to approve the White Bear

Lake Historical Society to proceed with the six signs at an approximate cost of \$18,000. All in favor; motion carried.

Mayor Wingfield confirmed that the city received the \$10,000 grant for signage. There will be a total of six signs, three at City Hall and one each at Polly's Park, Feistner Reserve, and Hall's Marsh.

xi) Dellwood Lift Station: Mayor Wingfield reported a minimum \$10,000 cost to address a damaged pump and a check valve at the lift station. Mayor Wingfield informed the White Bear Township workers that the Council is not in a position to ascertain the level of work required and to proceed unless heard otherwise from the Council.

xii) Wildwood Lift Station:

On a motion made by Mayor Wingfield, seconded by Councilmember Fleck, it was resolved to adopt Resolution 2022-08 Declaring a Need to Replace a Local Sanitary Sewer Lift Station and Supporting Partnerships and commit to \$120,000 to be allocated from the reserve funds. All in favor; motion carried.

On a motion made by Mayor Wingfield, seconded by Councilmember Fleck, it was resolved that the City of Birchwood Village support Washington County's resolution for the funding of highway intersection improvements at 120 Wildwood Avenue and Trunk Highway 36. All in favor; motion carried.

Mayor Wingfield reported that the city was put into a queue for consideration of authorized monies from the Feds by Representative Betty McCollum's office. Mayor Wingfield drafted a request for 80% subsidies and grant money, and the city would have to match 20%. A similar request was submitted in parallel to Senator Tina Smith's office.

Mayor Wingfield reported that the city will try to secure funding before proceeding with the lift station project. The project will likely take place in 2023 as a response to the funding request will likely not be received until 2023.

Mayor Wingfield advised that she will request that Washington County, and the Rice Creek Watershed District, support the resolution for the Wildwood Lift Station as it benefits White Bear Lake and the surrounding vicinities. In conjunction, Mayor Wingfield reported that Washington County is seeking the city's support of a resolution to obtain funding for highway improvements.

xiii) Data Practices Policy: ACTION – Alan Kantrud will draft a data practices policy.

b. Councilmember McCarthy

- i) **Impervious Surface:** *ACTION – Alan Kantrud and Andy Gonyou will explore any requirements to inform the Department of Natural Resources of any changes regarding the city’s impervious surface ordinances.*

H. City Administrator Update:

- a. **Feistner Beach Raffle Winner Approval:** Mayor Wingfield reported that a contract needs to be drafted to permit the winner of the Feistner Beach Raffle to moor a boat at a cost of \$1,000 per year for a maximum of a three-year period.

9. ADJOURNMENT

On a motion made by Councilmember McCarthy, seconded by Councilmember Fleck and carried unanimously, it was agreed that there was no further business of the Council to transact; the meeting was closed at 8:35 p.m. by Mayor Wingfield.

DISCLAIMER

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

Mayor Mary Wingfield

City Administrator Andy Gonyou

Date

Date

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

**MINUTES OF THE CITY COUNCIL MEETING
MAY 10, 2022, 7:00 P.M.**

MEMBERS:

Mary Wingfield	Mayor
Jon Fleck	Councilmember
Mark Foster	Councilmember
Justin McCarthy	Councilmember
Kevin Woolstencroft	Councilmember

STAFF:

Andy Gonyou	City Administrator
Becky Kellen	Incoming City Administrator
H. Alan Kantrud	City Attorney

GUESTS:

Stan Karowski	Washington County Commissioner
Kevin Peterson	Project Manager, Public Works Department

Minutes prepared by Anh Nguyen of Minutes Solutions Inc. from a video recording.

1. CALL TO ORDER

Mayor Wingfield called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA

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

Mayor Wingfield requested the addition of the following items to the agenda:

- Road Closure
- Birchwood Beach Dock
- Park Benches at Tennis Court
- Thursday Office Hours
- Signs Entering Birchwood
- Streetlight Update

Councilmember McCarthy requested the addition of the following item to the agenda:

- Discuss the Treasurer's Report

4. OPEN PUBLIC FORUM

Mary Sue Simmons, 418 Birchwood Court, reported that the tree removal service provider noticed more than one tree infected with beetles. Four infected trees will be removed including trees that may not belong to the resident. Mayor Wingfield advised that a survey of the trees can be arranged through the city.

Randy Elroy, 200 Wildwood Avenue, reported new hires for the Cable Commission including a tech specialist, consultant, and designer for the facility. The Cable Commission will be upgrading the truck and equipment.

Dana Klemp, appealed to the Council to reconsider the urgency of moving the Birchwood Beach dock 15 to 20 feet and suggested devising a plan over summer 2022 for implementation in fall 2022.

Lynn Hanson, 700 Hall Avenue, supported Dana Klemp's sentiments.

Trovie White, 3 Oakridge Drive, expressed concern regarding the road issues with Highway 244. The resident reported that the road serves as sidewalk for residents, and the road detours are posing safety concerns. The resident also noted that access to the water at Birchwood Beach is underused, and requests to convert the beach to a more accessible swimming beach have been made for several years.

Barton Winter, 1 Five Oaks Lane, expressed concern regarding the maintenance of the corner boards of the ice rink. The resident recommended white paint in the center of the rink to deflect sunlight and to provide a resident with access to flood and level the figure skating rink to ensure the longevity of rink.

James Nelson, 256 Wildwood Avenue, reported that he has not received a response or an apology from Council. The resident expressed concern regarding the regulation of his sign and requested that the city cover the cost to have the charges removed from his record citing concerns with cross border patrol when entering Canada.

5. ANNOUNCEMENTS

A. Social Media: Follow Birchwood Village on Facebook @BirchwoodCityHall or on Twitter @CityofBirchwood.

B. Road Closure at Old Highway 244: Mayor Wingfield reported that the road closure is causing hardship to the city. The City Commissioner and the Public Works Department are in attendance to help provide solutions.

C. New City Administrator: Becky Kellen will be the new City Administrator as of May 18, 2022.

6. ADMINISTRATIVE PRESENTATION

A. Sheriff Report: A report of law enforcement incidents and citations for April, 2022, was provided for the Council's review.

- B. **Planning Commission Regular Meeting Minutes:** The minutes of the March 24, 2022, Planning Commission meeting was provided for the Council's review.

7. **CITY BUSINESS – CONSENT AGENDA**

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

- A. **Approval of the LBAE Meeting Minutes:** The meeting minutes of the April 12, 2022, LBAE meeting was provided for the Council's review and approval.
- B. **Approval of the Council Meeting Minutes:** The meeting minutes of the April 18, 2022, special Council meeting was provided for the Council's review and approval.
- C. **Approval of the Council Meeting Minutes:** The meeting minutes of the April 25, 2022, special Council meeting was provided for the Council's review and approval.
- D. **Approval of the Treasurer's Report:**

On a motion made by Councilmember Fleck, seconded by Councilmember Woolstencroft, it was resolved to approve the Treasurer's Report for the period ending May 5, 2022. All in favor; motion carried.

ACTION – Mayor Wingfield will review the funds taken out of the special revenue projects fund with Mary Cahill, the Treasurer, and provide an update to Councilmember McCarthy via e-mail.

Councilmember McCarthy reported funds taken out of the special revenue projects fund for fireworks, electric service upgrades for City Hall, and the fence for the water tower. Councilmember McCarthy queried whether the items were allocated to the correct fund.

- E. **Approval of Resolution 2022-08, Workers Compensation Coverage**

8. **CITY BUSINESS – REGULAR AGENDA**

- A. **Road Closure:**

On a motion made by Councilmember Fleck, seconded by Councilmember Foster, it was resolved to approve a hard road closure at Hall Avenue and Jay Street effective May 13, 2022, with adequate signage at the four entrances on the west end leading to the road closure. Councilmember Woolstencroft and Councilmember McCarthy opposed. Motion carried.

ACTION – Public Works will inform the Mahtomedi and White Bear Lake school districts and bus companies of the road closure at Hall Avenue and Jay Street which will affect the school bus route.

ACTION – Kevin Peterson will prepare a detailed mapped plan for the road closures and provide it to the Council.

ACTION – Andy Gonyou and Becky Kellen will issue multiple e-mail blasts to residents regarding the upcoming road closures.

Mayor Wingfield reported concerns of careless driving at Highway 244 including no regard for pedestrians, running stop signs, and speeding. She noted that additional police patrol has not been effective with only one police officer on site. Mayor Wingfield reported that several residents volunteered to open and close the barricades during the road closures to accommodate school buses.

Trovie White, 3 Oakridge Drive, appealed that a detour be arranged to mitigate the heavy traffic or to install speed bumps to deter vehicles from passing through to Mahtomedi. The resident reiterated that Highway 244 is a pedestrian thoroughfare.

Lisa Refeld, address unknown, echoed the same concerns as Trovie White.

Stan Karowski reported there was no intention to have alternative routes through Birchwood Village. The City Commissioner had a meeting with Wayne Sandberg, the Public Works Director, on May 10, 2022, to discuss options to address the traffic including closing the road, signage, speed bumps or speed trailers.

The City Commissioner noted that he would not oppose a road closure with volunteers opening and closing barricades in the morning and afternoon for school buses; however, the county cannot provide staff to monitor the barricades, and it would be the city's responsibility to obtain volunteers. The Commissioner noted that school buses using the assigned detour road would be better for the integrity of the project and to prevent other motorists from trying to pass the barricades. The sheriff's office agreed to additional patrolling and suggested robust signage.

Kevin Peterson reported that the intended detour was Highway 120 Century Avenue to Highway 694 to Highway 36 and back up Hilton Trail. He noted that Road Closed Ahead signs will be placed at Birchwood Avenue, Wildwood Avenue, and Cedar Avenue. He expressed concerns regarding opening and closing barricades as it confuses motorists and will pose an enforcement challenge for police officers. He noted that the barricades would consist of sand bags and be placed on the east side of the intersection of Hall Avenue and Jay Street. He reiterated that traffic is usually increased for the first two weeks of a project and then subsides.

Councilmember McCarthy queried whether the project manager considered closing Ash Street to local traffic only. Kevin Peterson reported that it was intentional to close the road at Coney Highway 12, east of Birchwood Road and west of Lincoln Town to encourage motorists to go south; however, motorists are not following that route. He confirmed that the City of Mahtomedi does not support closing Birchwood Road.

B. Birchwood Dock Association:

On a motion made by Councilmember Fleck, seconded by Mayor Wingfield, it was resolved to approve the Dock Association moving the dock 10 feet to the west of the previously approved plan by the Conservation District on the condition that the adjoining residents are agreeable to the relocation of the dock. Councilmember McCarthy opposed. Motion carried.

Mayor Wingfield reported that the Dock Association had previously agreed in October, 2021, to move the Birchwood Beach dock 15 to 20 feet to the west to accommodate more swimming space. She noted that the dock is in the middle of a 125-foot easement. The dock has not been moved.

Mayor Wingfield confirmed that the resident on the west side of the dock was receptive to having the silver maple tree on the property trimmed at the trunk to accommodate more space for boats to maneuver. The resident on the other side was also agreeable to moving the deck to the west. H. Alan Kantrud confirmed that if all parties are agreeable, then the Dock Association does not have to obtain approval again from the Conservation District.

The Dock Association expressed concern regarding clear access to the end of the dock and noted that the dock would be below the high-water mark if relocated to the west. The Dock Association noted that it had followed the correct process and procedure for the initial dock application and expressed concern regarding the Council's dismissal of the Dock Association's efforts to follow protocol. The Dock Association recommended that the dock be erected as originally planned and that a plan be devised over summer 2022 for implementation in fall 2022.

Nick Nephew, 20 Birchwood Avenue, stated that he did not feel there is currently inadequate swimming space at Birchwood Beach and noted that an additional 10 feet would ultimately not add much swimming space.

C. First Reading Ordinance 2022-05-01, Section 601

a. First Reading and Council Deliberation:

On a motion made by Councilmember McCarthy, seconded by Councilmember Fleck, it was resolved to approve the first reading of Ordinance 2022-05-01, Section 601 on the condition that the exceptions listed under Section 601.030 A are eliminated, the total square feet is changed to nine, and the section relating to flags under Section 601.050 is eliminated. All in favor; motion carried.

Councilmember McCarthy reported that the sign ordinance was repealed due to constitutional concerns.

The Council expressed concern regarding a lack of resources to regulate and enforce the sign ordinance. The Council reiterated that the content of signs will not be regulated; however, the proposed ordinance will set parameters on the size of signs.

H. Alan Kantrud reported that sign pollution is a problem and noted that too many signs in Birchwood would lead to concerns regarding decreased property values. He advised that signs should be regulated with set limitations. He was in agreement with statements such as "anything not keeping with this is considered a public nuisance".

b. Order Second Reading and Public Hearing:

On a motion made by Councilmember McCarthy, seconded by Councilmember Fleck, it was resolved to proceed with a second reading and public hearing for Ordinance 2022-05-01, Replace Section 601 at the next Council meeting in June, 2022. All in favor; motion carried.

E. Councilmember Reports

a. Mayor Wingfield

i) Fee Schedule Amendment:

On a motion made by Mayor Wingfield, seconded by Councilmember McCarthy, it was resolved to authorize Ryan Hankins, the Vice Chairman of the Planning Commission, to review the fee schedule and work with the city's Treasurer to update the schedule as needed. Motion carried.

Mayor Wingfield reported outdated items on the fee schedule such as seal coating that need to be removed or updated.

ii) Tree Follow-Up:

On a motion made by Mayor Wingfield, seconded by Councilmember Fleck, it was resolved to authorize Steve Thatcher, the City Engineer, to identify the property point lines on the west side of City Hall for demarcation. All in favor; motion carried.

Mayor Wingfield reported questions regarding the city's property lines based on the Washington County assessor's map. Mayor Wingfield noted that confirmation of the property lines should be obtained before proceeding with the planting of the trees at City Hall.

iii) Data Practices Policy:

On a motion made by Mayor Wingfield, seconded by Councilmember McCarthy, it was resolved to adopt the data practices policy to be included in the city's policy handbook. All in favor; motion carried.

iv) Road Updates:

On a motion made by Councilmember Fleck, seconded by Councilmember Foster, it was resolved to authorize Mayor Wingfield to inform T.A. Schifsky & Sons to proceed with the major repairs of the roads at a cost not to exceed \$45,000. All in favor; motion carried.

Mayor Wingfield reported that T.A. Schifsky & Sons recommended a 0.5-inch overlay or a 1.5-inch overlay for a longer lifespan of the road at a cost of \$36,000.

v) **Water Main Surcharge:**

On a motion made by Councilmember Woolstencroft, seconded by Councilmember Fleck, it was resolved to approve a \$25 surcharge for the water main. All in favor; motion carried.

The Council agreed that a \$25 surcharge would allow the city to recuperate water main costs. The surcharge would start in June, 2022, and terminate in December, 2022.

vi) **Park Benches at Tennis Court:**

On a motion made by Councilmember Foster, seconded by Councilmember Woolstencroft, it was resolved to approve the purchase of three park benches at a cost not to exceed \$1,500. All in favor; motion carried.

On a motion made by Councilmember Fleck, seconded by Councilmember McCarthy, it was resolved to authorize Mayor Wingfield to obtain a concrete pad for the bench at Jay Path at a cost not to exceed \$1,500 including bench installation.

Mayor Wingfield reported three broken park benches. She noted that the Rotary may provide benches for the city parks.

Mayor Wingfield reported that the Birchwood Community Club will sponsor the bench at Jay Path and is not included in the three broken park benches. A 5x8-foot concrete pad is needed for the bench.

vii) **Sewer Line Scoping:** Mayor Wingfield reported that the scoping of the sewer line will be conducted on May 11, 2022, at a cost of \$219.

viii) **LMCIT: ACTION – Councilmember McCarthy will speak to the insurance adjuster regarding the city's cyber security coverage.**

Mayor Wingfield reported that the city's insurance needs to be renewed. She had a meeting with an insurance adjuster on May 13, 2022, to review the city's coverage. The insurance adjuster will provide a report to the League of Minnesota Cities Insurance Trust, and the city will receive a bill statement.

The Council queried whether the city has cyber security coverage through its partnership with Metro-INET. H. Alan Kantrud reported that \$250,000 is the standard coverage for cyber security.

ix) **Wildwood Lift Station: ACTION – Mayor Wingfield will confirm whether the White Bear Township lift station is caged.**

Mayor Wingfield reported that the grant applications have been submitted to Representative Betty McCollum's office and Senator Tina Smith's office.

The Wildwood Lift Station project is on hold pending conformation of the city's eligibility for government funding.

Mayor Wingfield expressed concern regarding the generator at the lift station not being caged.

- x) **Drainage at City Hall:** Mayor Wingfield reported that the erosion pit was filled with logs but must be monitored for ongoing erosion.
- xi) **Thursday Office Hours:** The Council agreed to have office hours on Monday, Tuesday, and Thursday. Jacky Smith will continue to work on Mondays, and Becky Kellen will work from 10:30 a.m. to 1:30 p.m. on Tuesdays and Thursdays.
- xii) **Signs Entering Birchwood:** This item was not discussed due to time constraints.
- xiii) **Streetlight Update:** This item was not discussed due to time constraints.

b. Councilmember McCarthy

i) Administrator Transition:

1. Approve Resolution 2022-09, Administrator Training

On a motion made by Councilmember McCarthy, seconded by Mayor Wingfield, it was resolved to approve Becky Kellen's attendance at the League of Minnesota Cities Clerks Academy for the three-day event to be paid by the city. All in favor; motion carried.

2. Approve Resolution 2022-10, Administrator Cellphone

On a motion made by Mayor Winfield, seconded by Councilmember Fleck, it was resolved to authorize Councilmember Woolstencroft to investigate a cellphone plan with Mint Mobile for the City Administrator's use. All in favor; motion carried.

H. City Administrator Update:

- a. **Kayak Racks for Non-Residents:** Andy Gonyou reported that several non-residents have expressed interest in renting a space on the kayak rack. He confirmed that there was space available.

The Council expressed concern regarding increased traffic from non-residents and noted it is a privilege for Birchwood residents. The Council agreed to leave the kayak rack as is for residents only.

9. **ADJOURNMENT**

On a motion made by Councilmember McCarthy, seconded by Councilmember Fleck and carried unanimously, it was agreed that there was no further business of the Council to transact; the meeting was closed at 10:05 p.m. by Mayor Wingfield.

DISCLAIMER

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

Mayor Mary Wingfield

City Administrator Rebecca Kellen

Date

Date

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

**MINUTES OF THE CITY COUNCIL MEETING
JUNE 14, 2022, 7:00 P.M.**

MEMBERS:

Mary Wingfield	Mayor
Mark Foster	Councilmember
Justin McCarthy	Councilmember
Kevin Woolstencroft	Councilmember

STAFF:

Becky Kellen	City Administrator
H. Alan Kantrud	City Attorney

GUESTS:

Ryan Hankins	Vice Chairman, Planning Commission
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REGRETS:

Jon Fleck	Councilmember
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Minutes prepared by Anh Nguyen of Minutes Solutions Inc. from a video recording.

1. CALL TO ORDER

Mayor Wingfield called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA

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

ACTION – Becky Kellen will include an affirmative declaration on the consent agenda for the Council meeting in July 2022, stating that the Council meeting regularly scheduled on the second Tuesday of every month will take place on August 16, 2022, and November 15, 2022, to accommodate the Washington County elections.

Mayor Wingfield requested the addition of the following items to the agenda:

- Door Lock
- 232 Cedar Street Complaint
- Special Closed Meeting for Litigation Discussion with City Attorney

Becky Kellen requested the addition of the following item to the consent agenda:

- Approval of City Hall as a Voter Polling Station for Washington County Elections

4. **OPEN PUBLIC FORUM**

Barton Winter, 1 Five Oaks Lane, offered to repair the three corner boards of the hockey rink. The resident recommended white paint in the crown of the rink to deflect sunlight and that the figure skating rink be flattened out to accommodate easier flooding. The resident also requested that the hockey nets be relocated inside to prevent rusting and to consider purchasing net bags for 2023.

James Nelson, 256 Wildwood Avenue, presented comments from Birchwood Village residents in support of his concerns regarding the regulation of his sign.

Mayor Wingfield clarified that the Council was under the assumption that the City Administrator, at the time, had sent the resident a letter of complaint and that the police department had provided the resident with a verbal warning, as had occurred with a neighboring resident with a similar sign violation. Mayor Wingfield noted that the Council was not aware that its statute regarding signs was unconstitutional until brought to the Council's attention.

Dana Klemp, 414 Birchwood Court, provided clarification on the Birchwood Dock Association's intentions regarding relocating the Birch Beach dock 10 feet to the west of its original alignment. He noted that the Dock Association will fulfill the request in compliance with the White Bear Lake Conservation District.

5. **ANNOUNCEMENTS**

- Music in the Park:** The concert series began on June 12, 2022, at 6:00 p.m. at Tighe-Schmitz Park and will continue through to August 2022.
- Birchwood 4th of July Parade:** The 4th of July parade will be held on July 4, 2022, at 10:30 a.m. starting from 5 Birchwood Avenue with a queue up time of 9:00 a.m.

6. **ADMINISTRATIVE PRESENTATION**

- Sheriff's Report:** A report of law enforcement incidents and citations for May 2022, was provided for the Council's review.

7. **CITY BUSINESS – CONSENT AGENDA**

On a motion made by Councilmember Woolstencroft, seconded by Councilmember McCarthy, it was resolved to approve the consent agenda. All in favor; motion carried.

- Approval of the Treasurer's Report:** The Treasurer's report for the period ending June 7, 2022, was provided for the Council's review and approval.
- Approval of the Council Meeting Minutes:** The meeting minutes of the May 15, 2022, special Council meeting was provided for the Council's review and approval.

C. **Approval of City Hall as a Voter Polling Station:** City Hall will serve as a polling station for the Washington County elections to be held on August 9, 2022, and November 8, 2022.

8. **CITY BUSINESS – REGULAR AGENDA**

A. **Second Reading Ordinance 2022-05-01, Replacing City Code 601.030 Signs**

a. **Public Hearing:**

On a motion made by Councilmember McCarthy, seconded by Councilmember Woolstencroft, it was resolved to close the public hearing. All in favor; motion carried.

b. **Council Deliberation and Approval:**

On a motion made by Councilmember McCarthy, seconded by Councilmember Woolstencroft, it was resolved to approve Ordinance 2022-05-01, Replacing City Code 601.030 Signs on the condition that Section 601.040, paragraph two, “all signs must be a minimum of five feet from other lot lines”, be eliminated and Section 601.030 be changed from a total of nine square feet to a total of 12 square feet. All in favor; motion carried.

On a motion made by Councilmember McCarthy, seconded by Councilmember Foster, it was resolved to approve the summary publication for Ordinance 2022-05-01, Replacing City Code 601.030 Signs as drafted by H. Alan Kantrud on June 14, 2022. All in favor; motion carried.

B. **Ryan Hankins**

a. **Fee Schedule Changes:** *ACTION – Councilmember McCarthy will review the Council’s ruling regarding late dog license fees and work with Ryan Hankins to update the fee schedule accordingly.*

ACTION – Councilmember McCarthy will review the renewal fee and annual fee under the dangerous dog ordinance for discussion at the next Council meeting.

ACTION – H. Alan Kantrud will make an amendment to Section 617 to include that boat lift storage requires registration, to be approved at the next Council meeting.

ACTION – Ryan Hankins will investigate the boat slip fees of other neighboring communities for comparison.

Councilmember McCarthy noted that it may be redundant to have a renewal fee as well as an annual fee for the dangerous dog ordinance.

The Council noted that the post-season boat storage violation fee should be amended to state “post-season storage violation fee” to include other items such as boat lifts. The Council also noted that “season” should be clearly identified.

The Council agreed that the storage of boat lifts requires registration to keep track of ownership. This will help to identify owners who violate boat storage policies and costs incurred by the city can be charged back to owners accordingly.

The Council suggested that specific fee amounts stated in the city's ordinances should be replaced with a reference to "as set by the fee schedule". This will ensure consistency and accuracy between fees set in the city's ordinances and the fee schedule and will not require a change to an ordinance every time a fee is updated in the fee schedule.

The Council reported that the lot coverage permit application fee is pending approval from the Department of Natural Resources of the impervious surfaces code 302.050.

H. Alan Kantrud referred to the Street Vacation Application and advised that "permitting costs" should be changed to "staff review time" since city staff do not issue any permits for the street vacation application.

Ryan Hankins reported that the city is well below the state statute amounts for the Roofing, Siding Replacement, Window Replacement, and Building Permit fees. He noted that Shelly Rueckert, the finance director from St. Anthony Village suggested that the city increase its fees to be in accordance with the state statute.

- b. **Monthly On-Call Fee for John Manship:** The monthly on-call fee for John Manship, the City Water Superintendent, is \$700.

C. Birch Beach Dock Discussion

On a motion made by Mayor Wingfield, seconded by Councilmember McCarthy, it was resolved to amend the city's dock application to include a request to relocate the dock 10 feet to the west of the midpoint of the easement at Birch Beach. All in favor; motion carried.

On a motion made by Mayor Wingfield, seconded by Councilmember McCarthy, it was resolved to proceed with a Task Force of up to five people, to be established at the next Council meeting, to investigate how the community would like to proceed with Birch Beach and its management. All opposed except Mayor Wingfield. Motion not carried.

Mayor Wingfield reported that unsuccessful attempts were made to include the Birch Beach Dock on the agenda of the May 17, 2022, White Bear Lake Conservation District.

Mayor Wingfield expressed concern regarding a boat lift at the entrance of Birch Beach that is interfering with public use of the space.

Mayor Wingfield noted that the Birch Beach dock is 26 feet over the length that was approved by the Council in October 2021. The Elm Beach dock is also 23 feet over the approved length. Mayor Wingfield expressed concern regarding the Birchwood Dock Association's (BDA) failure to comply with what was approved by the Council.

Mayor Wingfield reiterated that the city's assets need to be used in the best interest of the community. She noted that the BDA is a private organization and not complying should result in a revocation of the permit to operate at Birch Beach. Mayor Wingfield noted that the city has liability insurance that would cover the dock at no additional cost should the city decide to manage the Birch Beach dock.

The floor was opened for public comments.

Dana Klemp, 414 Birchwood Court, referred to Curt Feistner Memorial Preserve and expressed concern that the city was not complying with its own code Section 617 with a dock limit of 19 feet length. He noted that the BDA is permitted 57 feet at Elm Beach but is at 65 feet over water in part due to the lake rising one foot since the installation. He agreed that the Birch Beach dock is over the length limit and not in compliance; however, he reported no complaints from residents regarding the dock length. He noted that a boat may have to be removed to shorten the dock to be in compliance with the length limit as approved by the Council.

Mayor Wingfield reported that the boat at Curt Feistner Memorial Preserve is based on a dock permit that does not follow the same regulations as dock associations. She expressed concern that the dock application was put forward to the White Bear Lake Conservation District under the BDA's knowledge that the docks were not in compliance. This information was provided to Mayor Wingfield by the Board of the BDA itself.

H. Alan Kantrud confirmed that the White Bear Lake Conservation District measures dock length from the ordinary high-water mark. H. Alan Kantrud reported that the White Bear Lake Conservation District would not investigate the dock length unless a complaint was filed. An alternative option would be to send the BDA back to the White Bear Lake Conservation District to amend the existing permits for their docks. He reiterated that the permits should be amended to account for the difference in the dock lengths and the dock relocated 10 feet to the west of its original alignment to remedy all the violations.

Dick Galena, 217 Wildwood Avenue, reported that he is a resident in the Birch Beach neighborhood. He noted that the Birch Beach dock is in a residential area, therefore, resident feedback is important regarding the size, length, and location of the dock. This has historically been achieved by the BDA inviting residents in the vicinity of the intended docks to attend the BDA's annual meeting. The resident reported that he had no intention of filing a complaint regarding the length of the dock and suggested permitting the extended dock length as a temporary measure and to revisit the item in 2023.

Further discussion was deferred to the next Council meeting pending efforts by the BDA to enter into compliance for all docks exceeding the lengths as approved by Council.

D. Diseased Tree Ordinance Proposal

On a motion made by Councilmember McCarthy, seconded by Councilmember Woolstencroft, it was resolved to designate a Task Force to review the city's diseased tree ordinance. All in favor; motion carried.

Mayor Wingfield reported that Section 403 regarding diseased trees is incomplete and insufficient compared to the proposal presented by White Bear Township.

E. Emerald Ash Borer Update

Mayor Wingfield reported that she submitted a \$25,000 grant application. The city was approved for \$9,500 to be received by July 1, 2022.

A request was made to use some of the grant funding for planting trees. Approval was not granted for the planting of spruce trees unless the city can prove that less than 10% of its trees are spruce trees. A tree inventory at a cost of \$500 will provide confirmation to the Department of Natural Resources. A tree survey will also include a count of the green ashes in the city park easements.

Mayor Wingfield reported that \$4,500 will be allocated to remove emerald ash borers and \$4,500 will be allocated to the planting of trees.

F. Sewer Lift Station Grant Update

Mayor Wingfield reported an application for federal assistance in the amount of \$480,000. The grant is currently one of the top projects being considered and is before the Senate Appropriations Committee with help from Representative Betty McCollum's office.

Letters of support from Washington County Commissioner Stan Kowarski and the Rice Creek Watershed District Board were provided to Representative Betty McCollum's and Senator Tina Smith's office.

G. Erosion Sock at 310-312 Wildwood Avenue

ACTION – Becky Kellen will issue a letter to the estate and the current residents at 310-312 Wildwood Avenue advising that the Council granted the request for an erosion sock at the property.

Mayor Wingfield reported that a resident is requesting an erosion sock to be placed at the driveway of 310-312 Wildwood Avenue to prevent rocks from falling onto Wildwood Avenue after a rainstorm.

H. Alan Kantrud suggested issuing a letter to the property owner advising that the Council will be placing an erosion sock to address the ongoing public nuisance issue of rocks on the right of way.

H. Park Bench at City Hall

ACTION – Mayor Wingfield will inform the property owner next to the City Hall property lines of the park bench.

Mayor Wingfield reported that a donation of a park bench was made by a resident in honor of the resident's deceased husband.

I. **Wormwood Dock Request**

On a motion made by Councilmember McCarthy, seconded by Councilmember Woolstencroft, it was resolved to authorize H. Alan Kantrud to take the appropriate measures to register Curt Feistner Memorial Preserve as owned by Birchwood Village and recorded with Washington County. All in favor, motion carried.

ACTION – H. Alan Kantrud will ensure that the parcel of land at Curt Feistner Memorial Preserve is registered as owned by the city of Birchwood Village.

ACTION – Becky Kellen will issue a notice to the Wormwood residence advising that the canopy on the boat lift violates the lease agreement with the city and must be removed by June 30, 2022. Failure to comply will result in a termination of the lease.

Councilmember McCarthy reported that as per Darren, the city's White Bear Lake Conservation District representative, the White Bear Lake Conservation District would be agreeable to the dock request.

H. Alan Kantrud confirmed that a permit from the White Bear Lake Conservation District would only be required for a multi-use dock or a dock accommodating more than four boats.

Councilmember McCarthy expressed concern regarding whether the dock would be accessible to the public and the city's need for liability coverage. He noted the limited space for a dock at Curt Feistner Memorial Preserve.

Mayor Wingfield expressed concern regarding the lease agreement granting a lift for boat access and not a lift acting as a buoy, as it is currently being used. Mayor Wingfield noted that the mooring needs to be remedied immediately and any further violation would result in a rescinding of the lease.

The floor was opened for public comments.

Greg Sherwood, 15 Birchwood Lane, reported that there are three houses on Birchwood Lane with deeded access to 20 feet of space on White Bear Lake adjacent to Curt Feistner Memorial Preserve. The dock request would violate the White Bear Lake Conservation District's rule that a dock cannot be installed if it will prevent other residents from safely accessing other docks that are in the ordinance. He noted that, as per the White Bear Lake Conservation District, any dock must be 10 feet from any structure and there is not enough space to accommodate the dock request. The resident also expressed concern regarding the boat lift and its violation of the city's ordinance. The resident queried who would be liable if a watercraft were damaged by the boat lift.

H. Alan Kantrud confirmed that Curt Feistner Memorial Preserve is in the jurisdiction of Birchwood Village. If the parcel of land is unowned then the assumption is that it is owned by the city. He reported that if a boat or watercraft is damaged by the boat lift at Curt Feistner Memorial Preserve, the liability would be on the individual operating the watercraft, not the lift, which is a stationary structure on the water. H. Alan Kantrud noted that the White Bear Lake Conservation District only regulates docks that are connected to the land. Any structure in the water such as a lift or buoy is regulated by the Sheriff's office.

Torie Wormwood, 112 Wildwood Avenue, expressed concern regarding the Birchwood Village spring 2022 newsletter advertising the Curt Feistner Memorial Preserve as access for one boat and a lift. She noted that the lease agreement does not make any reference to a canopy being unauthorized.

Mayor Wingfield reported that the spring 2022 newsletter was issued well in advance of any finalized details regarding the boat lottery at Curt Feistner Memorial Preserve. She noted that it was conveyed to the resident that boat lift access would not be included when the boat access was awarded to the resident.

H. Alan Kantrud confirmed that although a canopy is not explicitly excluded in the lease agreement, it does not authorize the use of a canopy as a canopy is not required for the purpose of a lift. He noted that a canopy is a visual obstruction and distraction.

Torie Wormwood, 112 Wildwood Avenue, reported that the canopy would be removed.

The Council agreed to deny the Wormwood dock request and that concerns arising from the lift should be addressed to the White Bear Lake Conservation District.

J. Mahtomedi Request for Meeting

ACTION – Becky Kellen will send an e-mail informing the city of Mahtomedi that the Council has declined their request for a meeting.

K. Mayor Wingfield Updates

a. Storm Water Management Plan for RCWD: Mayor Wingfield reported that the Rice Creek Watershed District Board recommended the city adopt a plan to support its demand for storm water management especially as it pertains to Hall's Marsh.

b. Birchwood Village City Entrance Signs: Mayor Wingfield reported Forest Products could provide two signs made of pseudo wood at a cost of \$800. The Council agreed to proceed with the installation of the city entrance signs.

c. Code Red Info: Mayor Wingfield reported that, as an alternative to posting notices across the city, Code Red will distribute information to 1,212 contacts via phone, text, and e-mail in the event of an emergency. Residents interested in being added to the notification list, or removed, were advised to go to the link on the city's website.

The Council encouraged residents to sign-up for the city's e-mail list.

d. New Benches at Tennis/Pickleball Courts: Mayor Wingfield reported that the new benches at the tennis courts have been well-received and are of better quality than the previous benches.

e. Sewer Line Review at Watermain Break at 207 Birchwood Avenue: Mayor Wingfield reported that both sides of the sewer line were scoped by Gopher Sewer and Drain to ensure there was no rock shifting and was found to be clear.

- f. **Streetlights Update:** *ACTION – Councilmember McCarthy will provide Mayor Wingfield with an update regarding the streetlight on the end of his street.*
- g. **Door Lock:** Mayor Wingfield reported that new door locks will be installed at City Hall.
- h. **232 Cedar Street Complaint:** *ACTION – H. Alan Kantrud will follow up with the Sheriff's office to investigate the complaints regarding 232 Cedar Street.*

The Council noted that residents reported loud noise and unruly behavior at all hours of the night and are concerned regarding the use of the property as a short-term rental.

- i. **Special Closed Meeting for Litigation Discussion with City Attorney:** *ACTION – Becky Kellen will post a notice regarding the closed meeting at least three days prior to the confirmed date.*

The Council agreed to schedule the closed meeting with the League of Minnesota Cities on either June 20, 2022, at 5:00 p.m. or June 23, 2022, at 5:00 p.m. via Zoom.

L. City Administrator Updates:

- a. **Ordinance 2022-04-22 Pending DNR Approval to Move Forward with Public Hearing:** *ACTION – Becky Kellen will follow up with the Department of Natural Resources (DNR) for confirmation that the DNR agrees with Ordinance 2022-04-22 and the city can proceed with a public hearing if no response is provided by the DNR after 30 days as per the state statute.*

Becky Kellen reported that a response from the DNR is pending. She noted that a similar request was made by the city to the DNR in 2017 and was not approved.

- b. **SWPPP Amendments into City Code Per MS4 Permit:** *ACTION – Becky Kellen will send city code 212 to H. Alan Kantrud to be updated to include new language.*

9. ADJOURNMENT

On a motion made by Councilmember McCarthy, seconded by Councilmember Foster and carried unanimously, it was agreed that there was no further business of the Council to transact; the meeting was closed at 10:39 p.m. by Mayor Wingfield.

DISCLAIMER

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

Mayor Mary Wingfield

City Administrator Becky Kellen

Date

Date

A G R E E M E N T
BETWEEN THE CITY OF BIRCHWOOD VILLAGE
AND
CRISTIAN STOLTZMAN
FOR INDEPENDENT VIDEOGRAPHER SERVICES

THIS AGREEMENT, made and entered into this ___ day of _____, 2022, by and between the CITY OF BIRCHWOOD VILLAGE, Washington County, Minnesota, herein referred to as "CITY," and Cristian Stoltzman, herein referred to as "VIDEOGRAPHER."

WHEREAS, the CITY desires to contract with a videographer to record and broadcast City Council meetings, special meetings and produce other City-based materials; and

WHEREAS, the CITY has recording and broadcasting facilities as well as government-access/credentials to broadcast its content through the Ramsey Washington Suburban Cable Commission; and

WHEREAS, the VIDEOGRAPHER has the desired capacity, skills and experience to operate, manage and conduct the recording of City Council or other City activities utilizing the recording and broadcasting facilities owned by the CITY.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

1. The CITY shall be responsible for providing and maintaining the broadcast equipment and facility. The CITY is responsible for establishing broadcast policies and procedures and meeting schedules. In December the CITY shall provide the VIDEOGRAPHER with the upcoming year's City Council meeting schedule it desires to have recorded and broadcast.
2. The CITY shall provide any additional training for the VIDEOGRAPHER on broadcast equipment. The CITY shall pay the VIDEOGRAPHER for initial training on the equipment at a rate of \$25.00 per hour, with a minimum of three hours up to 5 hours.
3. For recording and broadcasting CITY meetings, VIDEOGRAPHER shall be paid at the rate of \$25.00 per hour, with a minimum payment of three hours for each scheduled meeting. It is understood that should a scheduled meeting be cancelled for any reason within twenty-four (24) hours of that meeting, the VIDEOGRAPHER shall nonetheless be paid for the minimum three hours time. The VIDEOGRAPHER may choose to renegotiate the rate of pay annually during the month of August and adjustments approved by the CITY will take effect the next CITY budget year.
4. VIDEOGRAPHER shall submit billing invoices to the City Administrator for services rendered, at least quarterly. The invoice shall list meeting dates, type of meeting, and actual hours worked, if in excess of the three-hour minimum per meeting.
5. VIDEOGRAPHER shall arrive at City Hall, 207 Birchwood Avenue, at least 30 minutes before the start of each scheduled meeting and open the production booth and set up and test all electronic equipment required to properly record and broadcast the meeting. Food and beverages are not allowed in the production booth. Upon departing, VIDEOGRAPHER shall shut down equipment in the production booth, put away all electronic equipment, turn off lights in the production booth, and secure the door to the production booth.
6. VIDEOGRAPHER shall be professional, accommodating, courteous, and timely at all times.
7. The CITY shall notify the VIDEOGRAPHER, via email, at least three business days in advance for any special recording and/or broadcast coverage requirements, e.g. special meetings, or changes in the meeting

schedule as established. The VIDEOGRAPHER shall notify the CITY, via email, at least three business days in advance in the event that VIDEOGRAPHER is not available to record and/or broadcast any meeting and the VIDEOGRAPHER shall contact substitute videographer Robert Leeves at 651-206-6262, or robert.leeves2018@gmail.com or assist in finding another substitute videographer to film the meeting. If neither the VIDEOGRAPHER nor Robert Leeves are available to record and broadcast a meeting, the VIDEOGRAPHER shall contact the City Clerk at 651-426-3403 as soon as possible.

8. VIDEOGRAPHER is expected to respect the confidentiality of all closed meetings that VIDEOGRAPHER is asked to record. Any production, recording, dissemination or communication of any such meeting or the sharing of any part thereof, including on social media, of said meetings is strictly prohibited. All closed meetings shall be recorded as requested but not broadcast.
9. From time to time, the CITY may want to contract with the VIDEOGRAPHER to produce, record and edit CITY sponsored videos, including Public Service Announcements, footage for the City's YouTube channel, training, etc., and / or to produce, record and edit City-sponsored events and programs. The CITY shall provide the VIDEOGRAPHER with specific details and ample time to produce such videos. The CITY shall have final approval prior to any such recordings being broadcast or posted on social media and the CITY shall own all content produced by VIDEOGRAPHER at the request of CITY, free and clear of any claims or demands from VIDEOGRAPHER including but not limited to claims of Copyright to the material(s).
10. VIDEOGRAPHER shall notify the City Clerk of any changes or issues with any recording or broadcasting equipment as soon as discovered.
11. VIDEOGRAPHER shall be responsible for any damage to any City facility or equipment damaged through the negligent operation or handling or such facility or equipment; such liability shall only attach upon a showing of such negligence and the presumption of any such failure shall be on the malfunction of any such facility or equipment and not the negligence of the operator/videographer.
12. This Agreement shall remain in effect until terminated by either party by delivering to the other party a thirty (30) day written notice of such intent to terminate by certified mail. Termination to be effective thirty (30) days after the letter to terminate is deposited in the United States mail.
13. Upon contract termination, VIDEOGRAPHER shall return all keys to the CITY and provide any outstanding demands or invoices to be paid and such final payment shall be made in the regular course of City business.
14. Any notice required by this Agreement shall be sent as follows:

TO CITY: City of Birchwood Village 207 Birchwood Avenue Birchwood, MN 55110	TO VIDEOGRAPHER: Cristian Stoltzman _____ _____ _____
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15. **Entire Agreement.** This Agreement contains the entire agreement of the parties, and there are no other promises or conditions in any other agreement whether oral or written that apply or are in effect.
16. **Severability.** If any provision of this Agreement is deemed invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable.
17. **Applicable Law.** The Agreement shall be governed by the laws of the State of Minnesota and brought in the County of Washington.
18. **Independent Contractor.**

A. Nothing contained in this Agreement is intended to or shall be construed in any manner as creating or establishing the relationship of employer/employee between the parties. VIDEOGRAPHER shall at all times remain an independent contractor with respect to the services to be provided under this Agreement.

B. CITY shall be exempt from payment of all unemployment insurance, FICA, retirement, life and medical insurance, and workers' compensation insurance for any and all of VIDEOGRAPHER's employees and agents. Payment of insurance premiums, tax withholding, and all other benefits are strictly VIDEOGRAPHER's responsibility.

19. **Taxes and Insurance.** VIDEOGRAPHER shall be responsible for paying their own income taxes and social security taxes. In addition, VIDEOGRAPHER shall provide their own unemployment and worker's compensation insurance, and general liability insurance, if applicable and/or desired.

IN WITNESS WHEREOF, the parties hereto have made and executed this agreement the day and year first above written.

CITY OF BIRCHWOOD VILLAGE

VIDEOGRAPHER

Mary Wingfield, Mayor

Cristian Stoltzman, Videographer

Date

Date

Rebecca Kellen, City Clerk/Administrator

Date

INDEPENDENT CONSULTANT SERVICES AGREEMENT

The agreement ("Agreement") is made by and between The City of Birchwood Village, a Minnesota Public Entity ("City"), and John Lund, 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 of his findings to the City on a bi-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 and be communicated to the owners of the properties affected.

2. **COMPENSATION.**

Consultant shall be compensated on an annual basis in the amount of \$1300.00 per year, payable following the receipt of his 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. **Definition of Confidential Information.** "Confidential Information" as used in the Agreement shall mean any and all technical and non-technical information and proprietary information, including without limitation, techniques, sketches, drawings, models, Intellectual Property, apparatus, equipment, algorithms, software programs and software source code documents, related to the current, future and proposed products and services of City, or its information concerning research, experimental work, development or resident and property data it may be provided in order to complete the work being contracted for hereby.

4.1.b. **Nondisclosure and Nonuse Obligations.** Consultant will use the Confidential Information solely to perform Consulting Services for the benefit of City. Consultant agrees that it shall treat all Confidential Information of City with the same degree of care as it accords to its own Confidential Information, and Consultant represents that it exercises reasonable care to protect its own Confidential Information. Consultant will immediately give notice to City of any unauthorized use or disclosure of the Confidential Information, whether intentional or not. Consultant agrees to assist City in remedying any such unauthorized use or disclosure of the Confidential Information.

4.1.c. **Exclusions from Nondisclosure Obligations.** Consultant's obligations under Paragraph 4.2(b)("Nondisclosure") with respect to Confidential Information shall terminate when Consultant can document that: (a) the information was in the public domain at or subsequent to the time it was communicated to Consultant by the disclosing party through no fault of Consultant; (b) the information was rightfully in Consultant's possession free of any obligation of confidence at or subsequent to the time it was communicated to Consultant by the disclosing party; or (c) the information was developed by employees or agents of Consultant independently of and without reference to any information communicated to Consultant by the disclosing party. If Consultant is required to disclose the Confidential Information in response to a valid order by a court or other government body, or as otherwise required by law or as necessary to establish the rights of either party under the Agreement, Consultant agrees to provide City with prompt written notice so as to provide City with a reasonable opportunity to protect such Confidential Information.

4.1.d. **Disclosure of Third Party Information.** Neither party shall communicate any information to the other in violation of the proprietary rights of any third party.

4.2. **RETURN OF CITY PROPERTY.** All materials (including, without limitation, content articles, documents, drawings, models, apparatus, sketches, and lists) furnished to Consultant by City, whether delivered to Consultant by City or made by Consultant in the performance of services under the Agreement (collectively referred to as the "CITY OF BIRCHWOOD Property") are the sole and exclusive property of CITY OF BIRCHWOOD and/or its suppliers or customers. Consultant agrees to keep all CITY OF BIRCHWOOD property at City's premises unless otherwise permitted in writing by City. Consultant agrees to promptly deliver the original and any copies of the City's Property to City at any time upon City's request. Upon termination of the Agreement by either party for any reason, Consultant agrees to promptly deliver to City or destroy, at City's option, the original and any copies of the City Property.

Within five (5) days after the termination of the Agreement, Consultant agrees to certify in writing that Consultant has so returned or destroyed all such City Property.

4.3 **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.

4.4 **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.

Mary Wingfield

CITY OF BIRCHWOOD
By: Its Mayor

John Lund, Certified Tree Inspector

Rebecca Kellen

CITY OF BIRCHWOOD
By: Its Administrator

**SETTLEMENT AND RELEASE AGREEMENT
("AGREEMENT")**

WHEREAS, the Parties (the "Parties") entered into a Lease attached hereto as Exhibit A ("the Lease") whereby The City of Birchwood ("City") agreed to provide access and allow for the storage of a single small watercraft at its Kurt Feistner Preserve public lake tract area (the "Leased Area") to Joe Wormwood (collectively "Homeowners") for the 2022 boating season and;

WHEREAS, the Parties wish to terminate the Lease prior to the end of the boating season and;

WHEREAS, the Parties agree to be absolved from the remaining obligations each may have and;

WHEREAS, City has received payment of \$1000.00 from Homeowners for the 2022 boating season and;

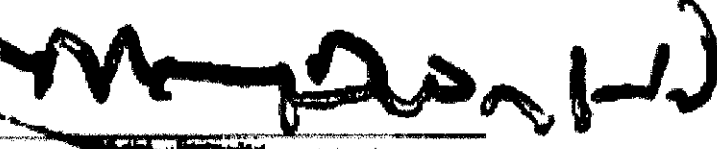

WHEREAS, the Parties wish to terminate the Lease between themselves in an amicable and businesslike fashion.

NOW, THEREFORE, for good and valuable consideration, the adequacy of which is hereby acknowledged, City and Homeowners agree as follows:

1. Refund. City agrees to make refund payment of One Thousand and no/100 Dollars (\$1,000.00) to Homeowners via cash, check or certified funds within 3 days of the date of full execution of this Agreement and providing it to City's attorney, the receipt of which Homeowners acknowledges shall constitute settlement in full of Homeowners' claims, if any.
2. Release by City. In exchange for the release identified in paragraph 3 below, and the removal of all personal effects from the Feistner Preserve area, which the City acknowledges has been done, City hereby releases and fully and completely discharges Homeowners from any and all charges, complaints, liabilities, obligations, promises, agreements, damages (money or otherwise), actions, causes of action, suit, debts, costs, expenses, liens and claims of any nature whatsoever, known or unknown, including without limitation those arising out of or any way connected to the Lease and occupation of the Leased Area.
3. Release by Homeowners. In exchange for the refund identified in paragraph 1 above and City's agreement to release Homeowners as described in paragraph 2 above, Homeowners hereby fully and completely discharge City from any and all past present and futures charges, complaints, liabilities, obligations, promises, agreements, damages (money or otherwise), actions, causes of action, suit, debts, costs, expenses and claims of any nature whatsoever, known or unknown, including without limitation those arising out of or any way connected to the leasing of the Leased Area.

4. Complete Agreement. This Agreement contains the entire agreement between the parties with respect to its subject matter. This Agreement supersedes any all prior agreements, negotiations, understandings, and proposed agreements, oral or written, between the City and Homeowners.

By their signatures below, the parties enter into this Agreement, effective upon signature of all parties and payment as described in paragraph 1. This Agreement may be signed in counterparts, with the same effect as if the signature thereto were upon the same instrument. By signing below, the parties represent that they have read this Agreement, that they know and understand the meaning and intent of this Agreement, they have each been represented by legal counsel, and that they are entering the Agreement knowingly and voluntarily.

CITY OF BIRCHWOOD	HOMEOWNERS
	
Dated: <u>8/1/2022</u>	Dated: <u>8/11/22</u>
By: <u>Rebecca Kellen</u> Rebecca Kellen, Administrator	By: <u>Torrie Wormword</u> Torrie Wormword
Dated: <u>8/1/2022</u>	Dated: <u>8/11/22</u>

City of Birchwood Village
207 Birchwood Ave.
Birchwood, MN
55110

SLIP LEASE AGREEMENT

1. PARTIES TO AGREEMENT The parties to this Lease Agreement are the City of Birchwood, hereinafter referred to as Lessor, and JOE WORMWOOD hereinafter referred to as Lessee.

2. LESSEE IDENTIFICATION Lessee's full name and address are:

Name JOSEPH WORMWOOD Home Address 117 Wildwood Place
City Birchwood State MN Zip 55110
Telephone: Home (612) 334-7356 Business _____

3. VESSEL IDENTIFICATION Description of Lessee's Vessel that is to be placed in the leased slip:

Vessel Name Lil Darlin' Sail Power
Manufacturer Supra Model Saltace Hull Identification number _____
Registration or Documentation Number 7447 FB
Home Port or State of Registration MN LOA 22 Beam 99" Draft 38"
Trailer Make N/A License # N/A

NOTE: LOA is the longest dimension of the boat and is to include railing, swim platforms or other appendages off stern of the boat.

4. AGREEMENT In agreement of receipt is hereby acknowledged, Lessor and Lessee agree as follows:

- DN*
- A. PERMISSION TO MOOR VESSEL BY terms of this Lease Agreement, Lessee shall be allowed to dock/moor/store/park the above-described Vessel at the Feltner Preserve. Lessee agrees that Lessor shall designate the location of the slip within the area.
 - B. LEASE DURATION This Lease Agreement commences on May 1, 2022 and terminates on March 1, 2023 unless sooner terminated as hereinafter provided. This Agreement is renewable for two (2) additional one (1) year terms, which must be declared in writing sixty (60) days in advance of the natural expiration date. The parties agree that weather and water level conditions may result in an actual boating season beginning and ending on dates other than the stated term of this Lease Agreement. No fee adjustments will be made for these conditions.
 - C. ~~LEASE NOT TRANSFERABLE This Lease Agreement is not transferable, without the Lessor's consent, either to another person or for any vessel other than that specifically described above.~~
 - D. ACCESS AND LESSOR'S RIGHT TO USE Lessee shall recognize that access to the Slip Area may be limited on occasion by environmental factors beyond the Lessor's control. Lessor does not guarantee access by terms of the Lease Agreement either implied or stated.
 - E. VESSEL IS INSURED Lessee warrants that the Vessel is insured for liability. Lessee agrees that Lessee will be held responsible for damage, which the Vessel may cause, by any means, to other vessels in the area or to the City's structures, equipment or facilities.
 - F. INDEMNIFICATION Lessee agrees to defend, indemnify and hold harmless lessor, its Council Members, manager, agents and assigns including death, or damage to property arising out of the use by Lessee (including Lessee's family, employees, agents, guests or invitees including business invitees) of the Vessel, or the mooring of the Vessel by Lessee.
 - G. VESSEL IS IN GOOD CONDITION This Lease Agreement is contingent upon examination and approval by the Lessor of the Vessel. Vessels not in good condition will not be admitted to the slip-area. Failure to maintain the Vessel in good condition shall be cause for termination of the Lease Agreement. The condition of the Vessel shall be appraised and determined by the City, in its sole discretion. All decisions of condition and maintenance of good condition made by the City shall be final and binding on the parties.
 - H. LESSOR NOT LIABLE FOR FIRE, THEFT, ETC. Lessor and its staff will take all reasonable precautions to protect the safety and property of lessee. However, Lessor and its staff assumes no responsibility for the safety of any vessel moored in the slip/mooring area and will not be liable for fire, theft, damage or vandalism to Lessee's Vessel, its equipment, appurtenances, engines, dinghies, etc., however arising; it being the parties understanding that Lessee shall moor the Vessel at Lessee's own risk. Lessor and its staff DO NOT insure against fire, theft, damage, vandalism or any other loss or casualty to Lessee's Vessel, its equipment, appurtenances, engines (including outboard engines), dinghies, etc. including trailers and cradles.



- L. CREATION OF LIEN** Lessee hereby grants to the Lessor a landlord's lien as further consideration for the Lease Agreement, against the Vessel for all sums due the Lessor from the Lessee for slip rental, provisions, labor, storage, maintenance or fuel, in favor of the Lessor, which lien may be enforced by the Lessor according to the laws of the State of Minnesota, as well as pursuant to the maritime laws and customs of the United States of America.
- J. NO WARRANTIES** Lessee shall rent the slip/mooring area from Lessor in its "as is" condition. Lessor specifically disclaims all warranties including but not limited to those of merchantability or fitness for a particular use.
- K. SUNKEN VESSEL** In the event that Lessee's Vessel sinks in its slip or within the mooring area, Lessee will commence salvage activities within 24 hours of notice by the City that such sinking has taken place. Failure to commence such salvage action within the prescribed time shall give the Lessor the right to salvage the Vessel and Lessee shall reimburse Lessor for all expenses incurred in the salvaging or attempted salvaging of the Vessel.
- L. EMERGENCY SALVAGE ATTEMPT** In the event that Lessee's Vessel is observed to be sinking or on fire while moored in the slip/mooring area, Lessee grants to Lessor without recourse the right to enter the Vessel to attempt salvage, and to take whatever measures Lessor deems appropriate and Lessee shall reimburse Lessor for all expenses incurred in the salvaging of the Vessel. Lessor shall not claim salvage rights on any action that might be so taken.
- M. REMOVAL OF VESSEL UPON TERMINATION** upon termination of this Lease Agreement for any reason, Lessee shall remove the Vessel from the slip/mooring area within two (2) days notice of termination.
- N. HOLD OVER** Should Lessee fail to remove the Vessel upon termination of the Lease Agreement, Lessee shall be deemed a hold-over Tenant, and shall be liable for the removal and storage of the vessel.

I certify that I have read and agreed to the above terms and that I will agree to abide by the current Rules and Regulations of the City and WBLCD.

LESSEE

Date 5/1/2022

By: Joseph W. Wood 

Date

LESSEE

LEASE ACCEPTED:

By: 

City of Birchwood, LESSOR (MAYOR)

Date 5/25/22

By: 

City of Birchwood, LESSOR (CLERK)

Date 5/25/22

ORDINANCE 2022-07-01

**CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
AN ORDINANCE REPLACING 617.240 NO DOCKS WITHOUT A PERMIT
AND 617.250 FEES AND IMPOUNDMENT**

The City Council of the City of Birchwood Village hereby ordains that section 617.240 (No Docks Without a Permit) and 617.250 (Fees and Impoundment) of the Municipal Code of the City of Birchwood Village is hereby amended to read as follows:

617.240 No Dock Without a Permit.

No docks shall be installed on any Public Lake Tract unless:

- (1) The dock, lift, hoist or other non-small-craft is identified with clear identification and contact information of the person or legal entity personally responsible for the article; and
- (2) A Dock Permit for the dock has been issued by the City Council; and
- (3) A WBLCD CUP application for the dock is first approved by the City Council and then the same application is submitted to and approved by the WBLCD; and
- (4) All applicable Chapter 701 Dock Permit Fees and WBLCD dock permit fees have been paid.
- (5) Vehicle and Trailer Parking Prohibited. No person shall park or cause to be parked any house, hauling or boat trailer upon any Public Lake Tract. The City Council may adopt such parking regulations as vehicles thereon as it may deem necessary. Unless such regulations are adopted, parking of vehicles on any Public Lake Tract shall be prohibited.
- (6) Storage Prohibited. No person shall store or allow to remain on any Public Lake Tract any personal property such as boats, oars, motors, boat hoists, lifts, docks or other equipment for any period of time unless such storage has been authorized by the City Council.

617.250 Fees and Impoundment.

A per day charge will be assessed for each day any small craft, lift, dock or other item that is not removed from the Public Lake Tract by the end of the Boating Season or left on the Public Lake Tract after May 15, per fee schedule as adopted. Any article left on any Public Lake Tract in violation of this Chapter may also be removed and impounded at the owner's expense.



Central Region Headquarters
1200 Warner Road
St. Paul, MN 55106

July 14, 2022

Rebecca Kellen, MBA
City Administrator - Clerk
207 Birchwood Avenue
City of Birchwood Village, MN 55110

Re: Preliminary Comments on City of Birchwood Village Proposed Shoreland Ordinance Amendment

Dear Rebecca Kellen:

Thank you for submitting your proposed shoreland ordinance amendment to DNR for preliminary review. A shoreland ordinance is an important land use regulation that helps to protect surface water quality, near shore habitat and shoreland character of Minnesota's public waters. The purpose of this review is to help you develop "near final" language that can be conditionally approved by the DNR in time for a public hearing.

Ordinance Evaluation

We have reviewed the following section that you propose to amend in your draft ordinance received on May 25, 2022 for compliance with state shoreland rules (MR 6120.2500 – 6120.3900). Specifically, we reviewed proposed changes to Section 302.050 regarding impervious surface and lot coverage.

As part of reviewing this proposed amendment, DNR reviewed our shoreland ordinance files for the City of Birchwood Village. Our files show that DNR approved the city's shoreland ordinance on August 14, 1992 with the following standard included in Section 302.50 (2)(a): "Impervious surface coverage of lots must not exceed 25 percent of the lot area."

Through 2016-2017, former DNR East Metro Area Hydrologist Jen Sorensen corresponded extensively with city officials regarding proposed revisions to the city's impervious surface standard in Section 302.50. On May 9, 2017, DNR sent a formal comment letter (see attached) on a draft impervious surface ordinance amendment (Ordinance 2017-01-01) that would specify what is required if a variance is given to the 25% impervious surface standard. DNR's letter recommended the city retain the 25% impervious standard as originally written in Section 302.50 and indicated that significant changes were necessary to meet DNR's statewide shoreland standards. In follow-up email correspondence on June 12, 2017 (see attached), DNR explained that the intent of the shoreland standard limiting percent impervious to 25% is to allow at least 75% of residential lot to remain in green space for habitat and for maintaining shoreland character (in addition to infiltration of localized runoff). Ordinance 2017-01-01 included

variance criteria that only considered stormwater concerns while not accounting for impacts to shoreland habitat and character. DNR expressed willingness to consider allowing higher levels of impervious surface provided the ordinance included an offsetting requirement for restoration of the shore impact zone on riparian lots along with an easement or deed restriction to maintain the restoration long-term. However, a review of the City's current code on its [website](#) indicates that Ordinance 2017-01-01 was adopted on December 12, 2017 despite DNR's prior determination that the amendment was not in compliance with state shoreland management standards.

We recognize the city's extensive efforts in the proposed Ordinance 2022-04-02 to ensure stormwater best management practices (BMPs) are designed properly and maintained in perpetuity. However, like Ordinance 2017-01-01, the current proposal only considers stormwater concerns and does not account for impacts to shoreland habitat and character. Ordinance 2022-04-02 would allow lot coverage up to 35% (up from 25%) by right with an administrative permit while not including offsetting provisions for restoration of the shore impact zone on riparian lots. Ordinance 2022-04-02 would also provide for variances for lot coverage greater than 35% without consideration of impacts to shoreland habitat and character. Many riparian lots in Birchwood Village are small and were not designed to accommodate larger structures that negatively shoreland habitat and character. As proposed, we find that the amendment is not compliant with the state's shoreland management standards.

To meet the state shoreland standards, the proposed ordinance must be revised to include (1) offsetting provisions for restoration of the shore impact zone on riparian lots that would exceed 25% coverage and (2) a maximum lot coverage for riparian residential lots.

Next Steps

1. Revise the Ordinance and Submit it for Conditional Approval Review
Revise the ordinance based on my comments using the attached Word document to show all changes, and submit the near-final draft to me for conditional approval. Submit the draft at least 30-days prior to a public hearing to consider the ordinance. This will give me time to review your revisions and make a conditional approval decision in time for the public hearing. If the ordinance is substantially compliant with the rules, the DNR will conditionally approve the ordinance. Conditional approval means that no changes, or only minor changes are needed to receive final approval. If such changes are needed, they will be listed as conditions of approval in the letter. If the revised ordinance still contains provisions that significantly deviate from the minimum state standards, I will suggest changes that can achieve conditional approval but will not conditionally approve them until the changes have been made. Please send me the public hearing notice at least 10 days prior to the public hearing to consider ordinance amendments. Having the DNR's conditional approval at the time of the public hearing will expedite city council adoption and implementation.
2. Public Hearing to Consider the Ordinance
Hold the public hearing. The DNR's conditional approval is read and/or entered into the hearing record.
3. Adoption

The city council adopts the ordinance that was conditionally approved.

4. Final Review and Approval

Send the adopted ordinance to me within 10 days of adoption by the city council. I will review the adopted ordinance for consistency with the ordinance we conditionally approved. If the adopted ordinance is consistent, the DNR will send you a final approval letter and the ordinance will be effective. State rules require DNR final approval of shoreland ordinances and amendments for those ordinances to be effective.

Please call me if you have any questions on my comment and the review process. I'd be happy to discuss my comments and steps for receiving DNR approval. Please let me know your anticipated schedule for moving this project forward.

Sincerely,



Dan Scollan
East Metro Area Hydrologist

Attachments:

Proposed Ordinance Amendment received May 25, 2022
DNR Letter dated May 9, 2017
DNR Email dated June 12, 2017

c: Megan Moore, DNR District Manager
John (Jack) Gleason, DNR Hydrologist Supervisor
Ordinance.review.dnr@state.mn.us

ORDINANCE 2022-04-02

**CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
AN ORDINANCE REPEALING AND REPLACING 302.050 IMPERVIOUS SURFACES IN
THE CITY CODE**

The City Council of the City of Birchwood Village hereby ordains that section 302.050 IMPERVIOUS SURFACE of the Municipal Code of the City of Birchwood Village is hereby repealed and replaced with the following:

302.050 Impervious Surfaces and Lot Coverage

1. **Intent.** Stormwater runoff from properties pollutes public waters, erodes land, and can create nuisances to other properties. The City of Birchwood Village has limited stormwater management facilities throughout the City. As a result, to reduce the unwanted harmful effects of stormwater, it is the policy of the City of Birchwood Village that each property within the City manage its own stormwater in a manner to limit the occurrence of stormwater runoff into streets, waterways, and neighboring properties. As one way of limiting the stormwater runoff from each property, the City seeks to reduce the impervious surface of properties in the City. Minimizing impervious surface means that more stormwater is absorbed into the soil and less flows off the property. This reduces erosion, pollution of public waters and damage to other properties within the City from stormwater. It is the City of Birchwood policy to maintain and preserve green space and to protect property values and the health, safety, and welfare of all residents. This section is intended to balance the amount of man-made surfaces against the benefits of retaining the natural character of properties.
2. **Definitions.** The following definitions are used in this section:
 - a. **Impervious Surface** is defined as a ground surface covered or compacted with material so as to substantially retard the entry of water into the soil, and to cause water to remain on the surface or to run off the surface in greater quantities or at an increased rate of flow than would occur if there was a natural soil surface. Impervious surfaces shall include improvements utilizing concrete, asphalt, gravel, or other non-porous materials. Examples of impervious surfaces include, but are not limited to, roads, driveways, parking areas, swimming pools, sidewalks, patios, rooftops, and covered decks. Examples of impervious surfaces resulting from compacting include unpaved or ungraveled driveways and parking areas. For purposes of this section, pervious pavement systems are not considered impervious surfaces.
 - b. **Impervious Surface Coverage** is defined as the percentage of a lot covered by impervious surfaces.
 - c. **Lot Coverage** is defined as the percentage of a lot covered by both impervious surfaces and pervious pavement systems or other non-natural areas.
 - d. **Pervious Pavement Systems** are defined as any pavement system designed to limit runoff of stormwater and infiltrate it into the soil below. Examples include permeable pavers, porous pavers, pervious pavers, and pervious pavement.

- e. **Retention Volume** is defined as the volume of 1.1 inches of stormwater from the post-construction impervious surfaces. For example, if the lot is 15,000 square feet and the post construction impervious surface coverage is 35%, the Retention Volume would be 35% of 15,000 or 5,250 sq feet * 1.1 inches or 481.25 cubic feet of water that would need to be infiltrated within 48 hours or less.
 - f. **Stormwater management structures and best management practices** include any surface water management system or practice that is designed, constructed, or implemented to control stormwater by collecting, conveying, storing, absorbing, inhibiting, treating, using, infiltrating, or reusing water. Example stormwater management structures include pervious pavement systems; rain gardens; infiltration basins; and bioswales.
3. **Lot Coverage Limitation.** Lot coverage shall not exceed twenty-five (25) percent of the lot area unless the provisions of either 302.050(4) or 302.050(5) are met.
4. **Lot Coverage Permit.** Projects that result in lot coverage that exceeds twenty-five (25) percent but does not exceed thirty-five (35) percent shall be permitted if the applicant complies with the requirements of Section 302.050(6) to the satisfaction of the City Engineer. Applicants who are dissatisfied with the opinion of the City Engineer may seek a review of the decision of the City Engineer in accordance with the requirements and procedures of section 310.
- a. Applicants unable or unwilling to comply with 302.050(6) to the satisfaction of the City Engineer are not entitled to a permit under this section, but instead may seek a variance according to subsection 302.050(5).
5. **Variance.** Projects that result in lot coverage that exceeds thirty-five (35) percent, or those projects that result in impervious surface coverage that exceeds twenty-five (25) percent but do not meet the requirements of 302.050(4) may be permitted if the applicant obtains a variance. To apply for a variance, the applicant shall comply with, and demonstrate compliance with, the requirements of subsection 302.050(6); or explain how and why the Applicant is unable or unwilling to comply with subsection 302.050(6). In addition to the requirements of subsection 302.050(6), the applicant must follow the procedures and meet the standards defined in Section 304 for obtaining a variance, including demonstrating to the satisfaction of the City Council that a practical difficulty exists.
- a. **Applicant unable to meet the requirements of 302.050(6).** Any applicant unable or unwilling to meet the requirements of 302.050(6) may still apply for a variance and have the variance application heard according to section 304. In this case, Applicant shall enumerate which requirements of section 302.050(6) the Applicant does not comply with and why. Additionally, the City Engineer shall note in the City Engineer's report that the Applicant is unable or unwilling to comply with 302.050(6) and shall enumerate the reasons (if known) that the applicant is unable or unwilling to comply with 302.050(6). Applicants are strongly encouraged to comply with 302.050(6).
6. **Requirements.** The following are requirements for applying for a variance or permit for the lot coverage requirements.
- a. **Stormwater Management Plan.** The applicant shall provide a stormwater management plan that:

- i. Documents the proposed development including the area(s) of impervious surfaces and direction of runoff.
 - ii. Includes calculations showing the Retention Volume.
 - iii. Documents proposed structures and/or best management practices that infiltrate the Retention Volume within a forty-eight (48) hour period or less and meet the requirements of 302.050(7).
 - iv. For variances, provides results from application of the most recent version of the Minnesota MIDS (Minimum Impact Design Standards) Calculator (available on the Minnesota Pollution Control Agency's website), the U.S. Environmental Protection Agency's National Stormwater Calculator, HydroCAD, or another similar stormwater design calculator approved by the City Engineer that show that the proposed stormwater management practices meet the required infiltration standard.
 - v. For variances, documents that the rate and volume of stormwater runoff from the property from a hundred year storm after development is not increased.
 - b. **Implementation and Maintenance Agreement.** The applicant shall include an implementation and maintenance agreement signed by the property owner or owners for the approved stormwater management practices and structures. The agreement must include the requirements of 302.050(8).
 - c. **Requirement to Record.** The variance or permit shall not be valid unless and until the applicant properly records the variance or permit and the maintenance agreement with the property records at the Washington County Recorder's Office and submits a copy of the recording to the City for verification.
7. **Requirements of Structures and/or Best Management Practices.** Structures and/or best management practices used to obtain a permit or variance shall be designed to infiltrate the Retention Volume within forty-eight (48) hours or less. Said structures and/or best management practices must meet the following requirements:
 - a. Comply, where applicable, with the Minnesota Pollution Control Agency's Minnesota Stormwater Manual, National Pollutant Discharge Elimination System (NPDES) stormwater standards, Interlocking Concrete Pavement Institute Manual, or with standards otherwise required by the City Engineer.
 - b. Provide a means to visually verify that the structures and/or best management practices are in working order as approved by the City Engineer.
 - c. The base of installed infiltration structures or practices must be a minimum of three (3) feet above the established ground water table or the OHWL of White Bear Lake, whichever is higher.
 - d. The site design must comply with section 302.055 and must minimize changes in ground cover, loss of natural vegetation, and grade change as much as possible.
8. **Requirements of Maintenance and Implementation Agreement.** Maintenance agreements required by section 302.050 must contain the following provisions, be signed by the property owner, be recorded as provided for in 302.050(6)(c) and be approved by the City Attorney.
 - a. An agreement to implement the stormwater management plan by implementing the stormwater best management practices and/or constructing the stormwater management structures as identified in the stormwater management plan.
 - b. An identification of the performance standards of the stormwater management structures or best management practices. The applicant will identify the proposed testing protocol⁷⁷

- and standards to determine how the performance of the structures or best management practices are to be judged.
- c. An identification of the type of maintenance and the maintenance intervals.
 - d. An agreement to perform the identified maintenance and any other repairs, replacement, or other necessary work to maintain the stormwater management structures or stormwater best management practices in a condition consistent with the performance standards for which they were originally designed.
 - e. An identification of the Responsible Party who is responsible for maintenance of the stormwater management best practices and structures. The applicant shall notify the City within 30 days of any changes to the responsible party.
 - f. An agreement that this agreement runs with the land and shall bind future successors in title.
 - g. An agreement to allow the City and its representatives the right-of-entry on the property for the purposes of inspecting the stormwater management structures and best management practices.
 - h. An agreement that should any stormwater management structures or best management practices not be implemented, or fail to operate in a condition consistent with the performance standards for which they were originally designed or pose a threat to public safety, public health, or property as determined by the City Engineer, the City may, after reasonable notice to the responsible party, perform any work necessary in order to implement, or bring the structures into a condition consistent with the performance standards for which they were originally designed or to eliminate any threat to public safety, public health, or property. The applicant agrees to pay the costs of any such work performed by the City.
 - i. An agreement to provide to the City, every three years, documentation that the maintenance required by this agreement was completed and to pay the required fee to the City.
9. **Requirement to implement Stormwater Management Plan.** Upon receiving the variance and/or CUP, the property owner must construct the proposed structures and/or implement the best management practices in accordance with the stormwater management plan as approved by the City Council or City Engineer, with any modifications directed by the City Council in granting any necessary variance. Failure to construct the proposed structures and/or implement the best management practices will render the variance or permit invalid and any such structures or construction built pursuant to said variance or permit will be deemed illegal. Such structures may be torn down at the expense of the property owner. In the alternative, the City may construct the proposed structures and/or implement the best management practices and charge the property owner costs for doing so. Such costs may be assessed to the property taxes of the property. This requirement shall run with the property and shall be binding upon all future property owners.
10. **Requirement to perform maintenance.** The property owner is required to perform, or cause to be performed, maintenance as identified in the maintenance agreement, as well as any other additional work necessary to keep the stormwater management structures or best management practices in a condition consistent with the performance standards for which they were originally designed, including replacement of the structures or best management practices if necessary. The City may inspect the stormwater management structures and/or best practices to ensure that the required maintenance is performed. This requirement shall run with the property and shall be binding upon all future property owners.

11. **City May Perform Maintenance or Replacement.** Should any stormwater management structure or best management practice fail to operate in a condition consistent with the performance standards for which they were originally designed or pose a threat to public safety, public health, or property as determined by the City Engineer, the City may, after reasonable notice to the responsible party, perform any work necessary in order to bring the stormwater management structure or best management practice into a condition consistent with the performance standards for which they were originally designed or to eliminate any threat to public safety, public health, or property. The costs of any such work may be assessed to the property owner and may be certified to Washington County for assessment against the property taxes of the property.
12. **Reasonable Notice.** For purposes of this section, reasonable notice normally means 45 days. If, however, the City Engineer provides a written opinion that the condition of the Storm Water Management Structure is a danger to public safety, public health, or public or private property, and that 45 days' notice would not be in the best interests of public safety; public health; or the protection of public or private property; the City Administrator shall reduce or eliminate this notice to the extent necessary to protect the public safety; public health; or public or private property.
13. **Certification Required, Maintenance Fee.** Every five years, any property owner obtaining either a CUP or a variance shall document that the conditions in the maintenance agreement have been met and shall pay a maintenance fee of an amount set by the Council in order to cover the administrative burden on the City in ensuring compliance with this section.

Remedy for Violations. In addition to the remedies described above, such as in sections 302.050(9) and 302.050(11), violation of this section is also governed by Section 619.

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

Adopted by the City of Birchwood Village City Council this 10th day of May, 2022.

Mary Wingfield, Mayor

Attest:

Andy Gonyou, City Administrator-Clerk

5/9/2017

Tobin Lay
City Administrator/Clerk
207 Birchwood Avenue
City of Birchwood Village, MN 55110

Tobin –

Below are DNR's comments on Birchwood's draft impervious cover ordinance (2017-01-01):

Birchwood's current impervious surface standard is 25% and this percentage would not change with the adoption of ordinance 2017-01-01 (attached). This draft ordinance would specify what is required if a variance is given to the impervious surface standard, and the variance requirements would address the management of runoff from individual lots by including a Minimal Impact Design (MID) stormwater management standard.

There are two parts to stormwater regulation: a volume standard and a rate control standard. This draft ordinance is only considering a volume standard. The MID volume standard is meant to improve runoff water quality by retaining the first 1.1 inches of runoff (the amount of runoff produced by 90th percentile storm events in MN). However, this draft ordinance does not include a standard for runoff during larger storm events – this is what is regulated by a rate control standard. A rate control standard is meant to provide flood control.

From DNR's perspective, it is better to keep the percent impervious standard as it is currently written in City code (and which meets DNR shoreland rule requirements), and comprehensively regulate stormwater management elsewhere within the City's code, rather than trying to partially build stormwater management into the City's percent impervious standard.

To meet the state shoreland standard for percent impervious, DNR would require that this ordinance be rewritten to apply only to lots that are not single family residential and to lots that are not riparian (not adjacent to a public water). As part of the variance requirements, the property owner would need to have a long term maintenance agreement with the City of Birchwood and the City would need to have a process in place to verify that regular maintenance is being performed per the agreement. Without functioning infiltration structures, percent impervious surface would be permanently increased on lots where variances were given, effectively defeating the purpose of the draft ordinance's requirements. Also, there is no language in the draft ordinance that limits the amount of impervious surface allowed with a variance if the specified MID standard (retention of 1.1 inches of runoff) is achieved.

Sincerely,



Jenifer Sorensen
MN DNR, East Metro Area Hydrologist
1200 Warner Road
St. Paul, MN 55106
651-259-5754; jenifer.sorensen@state.mn.us

ORDINANCE 2017-01-01

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

**AN ORDINANCE AMENDING IMPERVIOUS COVER STANDARD AND VARIANCE
STANDARDS IN CITY CODE**

The City Council of the City of Birchwood Village hereby ordains that Chapter 302 (Zoning Code: Requirements and Performance Standards) of the Municipal Code of the City of Birchwood Village is hereby amended to read as follows:

SECTION 302.050: IMPERVIOUS SURFACES

- 302.050 1. Impervious surface coverage of lots shall not exceed twenty-five (25) percent of the lot area unless the applicant obtains a variance and the following conditions are satisfied:
- a. The applicant shall submit a stormwater management plan for the site that analyzes the proposed development including the area(s) of impervious surfaces, direction of runoff, proposed best management practices to manage runoff, and stormwater retention that the best management practices will achieve.
 - b. The stormwater management plan shall include structures and/or best management practices for the mitigation of stormwater impacts on receiving waters in compliance with the City's Surface Water Management Plan, or as approved by the City Engineer, so that the site design includes stormwater management practices that control the stormwater runoff volumes, and the post-construction runoff volume shall be retained on site for 1.1 inches of runoff from impervious surfaces. Examples of best management practices that may be included in the plan include, but are not limited to, the following: pervious pavements, rainwater gardens, and french drains.
 - c. The applicant shall utilize the most recent version of the Minnesota MIDS (Minimum Impact Design Standards) Calculator (available on the Minnesota Pollution Control Agency's website), the U.S. Environmental Protection Agency's National Stormwater Calculator, or another similar stormwater design calculator approved by the city to complete the plan and show that the proposed stormwater management practices meet the required infiltration standard. The applicant shall submit the calculator results to the City with the stormwater management plan.
 - d. The applicant shall provide documentation that the proposed stormwater management methods meet the required standard, will be designed and installed consistent with the City's Surface Water Management Plan, NPDES stormwater

standards, and the Minnesota Pollution Control Agency’s Minnesota Stormwater Manual.

- e. No permeable pavement system is permitted in the Shore Impact Zone. (The Shore Impact Zone is the land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50 percent of the required structure setback. The required structure setback from the OHWL in the City of Birchwood Village is 50 feet, and the Shore Impact Zone is 25 feet.)
- f. Site design shall comply with the City’s Tree Ordinance, and shall minimize changes in ground cover, loss of natural vegetation, and grade change as much as possible.
- g. The base of installed infiltration structures or practices must be a minimum of three (3) feet above the established ground water table or the Ordinary High Water Level of White Bear Lake, whichever is higher.
- h. The stormwater management practices shall be designed in accord with the Minnesota Stormwater Manual, American Concrete Pavement Association design criteria, Center for Watershed Protection, *Stormwater BMP Design Supplement for Cold Climates*, or other design guidance provided by the City.
- i. The stormwater management plan shall include the applicant’s description of how the practices shall be maintained to function as designed for the long-term. The City may inspect the installation of the stormwater management system at the site.
- j. The applicant shall include the maintenance plan and a maintenance schedule for the approved stormwater management practices with the building permit application.
- k. The applicant shall record the variance with the property records at Washington County.

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

Adopted by the City of Birchwood Village City Council this ___ day of _____, 2017

Mary Wingfield
Mayor

Attest:

Tobin Lay
City Administrator-Clerk

From: [Sorensen, Jenifer \(DNR\)](#)
To: "Megan Malvey"
Cc: [Tobin Lay \(tobin.lay@cityofbirchwood.com\)](mailto:tobin.lay@cityofbirchwood.com); [Mary Wingfield \(mary.wingfield@juno.com\)](mailto:mary.wingfield@juno.com); [Dan Petrik \(daniel.petrik@state.mn.us\)](mailto:daniel.petrik@state.mn.us)
Subject: RE: impervious surface ordinance
Date: Monday, June 12, 2017 10:29:00 AM

Megan –

You are correct in your assessment that, if single family residential and riparian lots are excluded from the City's draft impervious cover standard ordinance, the percent impervious requirements for many of the lots in Birchwood would not change. The City's request to allow widespread use of permeable pavers through a variance is a significant departure from the state shoreland rules and one that DNR does not support. Variances should be rare and only for exceptional circumstances. The reasons for the shoreland standard limiting percent impervious to 25% is to allow at least 75% of a lot to remain in green space for habitat and for maintaining shoreland aesthetics (in addition to infiltration of localized runoff).

As an option, DNR is open to discussing options with the City to allow higher levels of impervious surface on riparian lots through mitigation. For example, as a mitigation requirement for higher impervious, the City could require restoration of the riparian edge along with an easement or deed restriction to maintain restoration long term. This would address the reasons that decreased impervious cover is in place in shoreland areas (to protect habitat and shoreland aesthetics).

Regarding 1g in the draft ordinance, a three foot clearance is a required best practice in all guidance for installing permeable pavement systems. For topographic data, you can look at DNR's MNTopo website (<http://dnr.state.mn.us/maps/mntopo/index.html>). The MNTopo website has 2-foot LIDAR contours over a base map (street map or imagery) and you can use tools on this online map to get elevations for point locations or draw a line and get elevations along that line (to see the elevation profile).

Jen

Jenifer Sorensen

East Metro Area Hydrologist (Ramsey and Washington Counties)
Division of Ecological and Water Resources

Minnesota Department of Natural Resources

1200 Warner Road
St Paul, MN 55106
Phone: 651-259-5754
Email: jenifer.sorensen@state.mn.us

From: Megan Malvey [mailto:malvey.birchwood@gmail.com]
Sent: Wednesday, June 07, 2017 10:10 PM
To: Sorensen, Jenifer (DNR) <jenifer.sorensen@state.mn.us>

Cc: Tobin Lay <Tobin.Lay@cityofbirchwood.com>

Subject: impervious surface ordinance

Jenifer,

Tobin Lay provided council members with your comments about Birchwood' draft impervious cover ordinance. I have two questions.

1. The cover letter includes a statement that, "To meet state shoreland standard for percent impervious, DNR would require that this ordinance be rewritten to apply only to lots that are not single family residential and to lots that are not riparian."

My question is, if the ordinance was rewritten to exclude single family residential and to exclude lots adjacent to a public water, I'm not sure what good the ordinance would do for our city. Nearly all of Birchwood is single family residential and much of it is adjacent to public water. Can you comment on this? Also, if the ordinance excluded single family residential and excluded properties adjacent to public water, then what impervious ordinance would apply to those properties?

2. In 1g, it states that the base of installed infiltration structures or practices must be a minimum of 3 feet about the water table or the OHWL of WBL. I'm curious if we look at the topography of some of the properties, how much ground height this will give homeowners to work with on some properties. For the homes along the lake (which I believe DNR doesn't want this ordinance to apply to anyway) I'm not sure that some of the homes have much more than 3 feet above OHW in which to bury the base of an infiltration structure. Do you know if DNR or another agency have topographic maps that we could look at to ensure that homeowners have an opportunity to be in compliance via using a management plan?

Best regards,

Megan Malvey
Birchwood City Councilmember

ORDINANCE 2022-02-01

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

**AN ORDINANCE ADDING AND INCORPORATING THE MINNESOTA POLLUTION
CONTROL AGENCY'S NPDES/SDS POST-CONSTRUCTION STORMWATER
REQUIRED BEST MANAGEMENT PRACTICES**

The City Council of the City of Birchwood Village hereby ordains that Chapter 3 ___ (Land Use) of the Municipal Code of the City of Birchwood Village is hereby amended to read as follows:

SECTION 300. LAND USE

300. ___ hereby adopts and incorporates by reference the erosion, sediment, and waste control standards established by the Minnesota Pollution Control Agency's NPDES/SDS Construction Stormwater General Permit MNR100001 (CSW Permit) as now constituted and from time to time amended. Further, the requirement of Section 3 regarding Construction Site Stormwater Management contained in the MCM 4 and MCM 5 (post-construction) Regulatory Mechanisms are additionally adopted.

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

Adopted by the City of Birchwood Village City Council this ___ day of _____, 2022

Attest:

Mary Wingfield, Mayor

Rebecca Kellen, City Administrator-Clerk

“Model” MCM 4 and MCM 5 Regulatory Mechanism Guidance

The goal of the MPCA is to provide the MS4 regulated community with options to meet the requirements of the Minnesota Pollution Control Agency’s NPDES/SDS Small Municipal Separate Storm Sewer Systems General Permit MNR040000 (MS4 Permit), issued November 16, 2020.

The following guidance offers multiple options for meeting the MCM 4 and MCM 5 Requirements of the MS4 Permit.

Option #1*: Blanket incorporation of the entire Minnesota Pollution Control Agency’s NPDES/SDS Construction Stormwater General Permit MNR100001 (CSW Permit) by reference.

“**[NAME OF MS4]** hereby adopts and incorporates by reference the standards established by the Minnesota Pollution Control Agency’s NPDES/SDS Construction Stormwater General Permit MNR100001 (CSW Permit) as amended in its entirety as now constituted and from time to time amended.”

Option #1 allows the MS4 to quickly incorporate all of the requirements of the CSW Permit into their Regulatory Mechanism. This option also is designed, if the MS4 uses the language proposed above, so that if the MPCA makes any amendments/changes/alterations to the CSW permit, the MS4’s Regulatory Mechanism automatically reflects the most current version of the permit. One thing to keep in mind though, this option incorporates ALL of the CSW permit requirements into the MS4’s Regulatory Mechanism; because of that, this option may not be the best option for the MS4. Please consult with your legal representative prior to implementing this option to discuss how this affects your local program.

Option #2*: Blanket incorporation of sections of the Minnesota Pollution Control Agency’s NPDES/SDS Construction Stormwater General Permit MNR100001 (CSW Permit) by reference.

“**[NAME OF MS4]** hereby adopts and incorporates by reference the erosion, sediment, and waste control standards established by the Minnesota Pollution Control Agency’s NPDES/SDS Construction Stormwater General Permit MNR100001 (CSW Permit) as now constituted and from time to time amended.”

As with Option #1, Option #2 allows the MS4 to quickly incorporate only those erosion, sediment, and waste control standard requirements of the CSW Permit that the MS4 permit requires the MS4 to implement into their Regulatory Mechanism. This option, if the MS4 uses the language proposed above, is also designed so that if the MPCA makes any amendments/changes/alterations to the CSW permit, the MS4’s Regulatory Mechanism

*Please note, if either Option 1 or Option 2 are adopted, the MS4 would be required to also incorporate additional requirements of MCM 5 (Section 20) of the MS4 permit to be compliant with all MCM 4 and MCM 5 requirements of the MS4 permit. One possibility to meet this requirement would be to incorporate requirements in Section 3 (Post-Construction Stormwater Management) of the “Model” MCM 4 and MCM 5

automatically reflects the most current version of the permit.

Option #3: Adoption of the “Model” MCM 4 and MCM 5 Regulatory Mechanism

The following “Model” Regulatory Mechanism may be adopted in its entirety by an MS4 permittee in an effort to obtain compliance with the MCM 4 and MCM 5 requirements of the Minnesota Pollution Control Agency’s NPDES/SDS Small Municipal Separate Storm Sewer Systems General Permit MNR040000 (MS4 Permit), issued November 16, 2020.

installed as dictated by individual site conditions, including all down-slope boundaries and side-slope boundaries. In determining whether installing a sediment basin is infeasible, the owner/operator(s) must consider public safety and may consider factors such as site soils, slope, and available area on site. The determination of infeasibility must be documented in the site plan.

3. Post-Construction Stormwater Management

a. Submittal of Site Plans consisting of Post-Construction Plans [\[Item 20.4, 20.17, and 20.20\]](#)

- i. Site plans must be submitted for review and confirmation that ordinance requirements have been met, prior to start of construction activity. [\[Item 20.4\]](#)
- ii. Site plans must consist of: [\[Item 20.20\]](#)
 - 1) All calculations for the permanent stormwater treatment system;
 - 2) The water quality volume that will be treated through volume reduction practices;
 - 3) Rationale and documentation supporting the location of any off-site permanent stormwater treatment projects;
 - 4) If applicable, the amount paid to the [\[NAME OF MS4\]](#) for in lieu of off-site treatment under Part 3.b.vii.4.; and
 - 5) All legal mechanisms related to Part 3.c. (Long-term Maintenance).

b. Post-Construction Stormwater Management BMPs must meet the following criteria:

- i. Designed with accepted engineering practices and in accordance with part 3.d. (Permanent Stormwater Management System Design Criteria). [\[Item 20.4\]](#)
- ii. Treat the water quality volume on any project where the sum of the new impervious surface and the fully reconstructed impervious surface equals one or more acres. [\[Item 20.5\]](#)
- iii. For non-linear projects, water quality volume (calculated as an instantaneous volume) must be calculated as one (1) inch times the sum of the new and the fully reconstructed impervious surface. [\[Item 20.6\]](#)
- iv. For linear projects, water quality volume (calculated as an instantaneous volume) must be calculated as the larger of one (1) inch times the new impervious surface or one-half (0.5) inch times the sum of the new and the fully reconstructed impervious surface. Where the entire water quality volume cannot be treated within the existing right-of-way, a reasonable attempt to obtain additional right-of-way, easement, or other permission to treat the stormwater during the project planning process must be made. Volume reduction practices must be considered first, as described in Section 3.b.v. Volume reduction practices are not required if the practices cannot be provided cost effectively. If additional right-of-way, easements, or other permission cannot be obtained, the owner/operator of construction activity must maximize the treatment of the water quality volume prior to discharge from [\[NAME OF MS4\]](#)'s MS4. [\[Item 20.7\]](#)
- v. Volume reduction practices (e.g., infiltration or other) to retain the water quality volume on-site must be considered first when designing the permanent stormwater treatment system. Wet sedimentation basins and filtration systems are not considered volume

reduction practices. If infiltration is prohibited, as described in Part 3.d.i.15. (Infiltration System), other volume reduction practices, a wet sedimentation basin, or a filtration basin may be considered. [\[Item 20.8\]](#)

- vi. For discharges to a trout stream, the system must be designed so the discharge from the project minimizes any increase in the temperature of trout streams resulting from the one (1) or two (2) year 24-hour precipitation events. This includes all tributaries of designated trout streams located within the same Public Land Survey System (PLSS) Section. The design must incorporate one or more of the following measures, in order of preference:
 - 1) Provide stormwater infiltration or other volume reduction practices as described in Part 3.b.iii., 3.b.iv., and 3.b.v. above, to reduce runoff. Infiltration systems must discharge all stormwater routed to the system within 24 hours;
 - 2) Provide stormwater filtration as described in Part 3.d.ii. (Filtration System). Filtration systems must discharge all stormwater routed to the system within 24 hours;
 - 3) Minimize the discharge from connected impervious surfaces by discharging to vegetated areas, or grass swales, and through the use of other non-structural controls;
 - 4) If ponding is used, the design must include an appropriate combination of measures such as shading, vegetated swale discharges or constructed wetland treatment cells that limit temperature increases. The pond must be designed as a dry pond and should draw down in 24 hours or less; and
 - 5) Other methods that minimize any increase in the temperature of the trout stream.

Note: Items vi. 1-5 are only required if you have discharges to a trout stream within your jurisdiction.

- vii. Off-site Treatment [\[Items 20.10-20.14\]](#)
 - 1) For non-linear projects, where the water quality volume cannot cost effectively be treated on the site of the original construction activity, the remaining water quality volume must be addressed through off-site treatment and meet the following requirements (must be selected in the following order of preference):
 - a) Locations that yield benefits to the same receiving water that receives runoff from the original construction activity.
 - b) Locations within the same DNR catchment area as the original construction activity.
 - c) Locations in the next adjacent DNR catchment area up-stream.
 - d) Locations anywhere within the [\[NAME OF MS4\]](#)'s jurisdiction.
 - 2) Off-site treatment projects must involve the creation of new structural stormwater BMPs or the retrofit of existing structural stormwater BMPs, or the use of a properly designed regional structural stormwater BMP. Routine maintenance of structural stormwater BMPs owned or operated by [\[NAME OF MS4\]](#) cannot be used to meet this requirement.
 - 3) Off-site treatment projects must be completed no later than 24 months after the start of the original construction activity.
 - 4) The applicant may provide payment to the [\[NAME OF MS4\]](#) in lieu of off-site treatment.

Note: Items vii. 1-4 are discretionary and it is up to the MS4 if they would like to allow these off-site treatment options within their jurisdictions and include them in their ordinance. However, if the MS4 does not adopt these items, the expectation is that the water quality volume will be treated onsite.

c. Long-term Maintenance *[Item 20.15]*

- i. The *[Term determined by the MS4]* must enter into a long-term maintenance agreement with *[NAME OF MS4]* that documents all responsibilities for long-term operation and maintenance of stormwater treatment practices that are not owned or operated by *[NAME OF MS4]*. At a minimum, the long-term maintenance agreement must include provisions that:
 - 1) Allow *[NAME OF MS4]* to conduct inspections of structural stormwater BMPs not owned or operated by *[NAME OF MS4]*, perform necessary maintenance, and assess costs for those structural stormwater BMPs when *[NAME OF MS4]* determines the owner of that structural stormwater BMP has not ensured proper function;
 - 2) Are designed to preserve *[NAME OF MS4]*'s right to ensure maintenance responsibility, for structural stormwater BMPs not owned or operated by *[NAME OF MS4]*, when those responsibilities are legally transferred to another party; and
 - 3) Are designed to protect/preserve structural stormwater BMPs. If structural stormwater BMPs change, causing decreased effectiveness, new, repaired, or improved structural stormwater BMPs must be implemented to provide equivalent treatment to the original BMP.

d. Permanent Stormwater Management System Design Criteria

- i. Infiltration System
 - 1) Infiltration options include, but are not limited to: infiltration basins, infiltration trenches, rainwater gardens, bioretention areas without underdrains, swales with impermeable check dams, and natural depressions;
 - 2) To determine if an infiltration system is suitable, either the MPCA's contamination screening checklist must be completed or an assessment must be conducted. The checklist or assessment must be documented in the site plan. For more information and to access the MPCA's "contamination screening checklist" see the Minnesota Stormwater Manual;
 - 3) Must be designed such that pre-existing hydrologic conditions of wetlands in the vicinity are not impacted (e.g., inundation or breaching a perched water table supporting a wetland);
 - 4) Must not be excavated to final grade, or within three (3) feet of final grade, until the contributing drainage area has been constructed and fully
 - 5) When excavating to within three (3) feet of final grade, the *[Term determined by the MS4]* must stake off and mark the area so heavy construction vehicles or equipment do not compact the soil in the infiltration area;
 - 6) When excavating to within three (3) feet of final grade, the *[Term determined by the MS4]* must stake off and mark the area so heavy construction vehicles or equipment do not compact the soil in the infiltration area;
 - 7) A pretreatment device such as a vegetated filter strip, forebay, or water quality inlet (e.g., grit chamber) to remove solids, floating materials, and oil and grease from the

runoff, to the maximum extent practicable, must be used before the system routes stormwater to the infiltration system;

- 8) Designed to provide a water quality volume as described in Section 3.b.iii and iv;
- 9) Designed to discharge all stormwater (including stormwater in excess of the water quality volume) routed to the system through the uppermost soil surface or engineered media surface within 48 hours. Additional flows that cannot infiltrate within 48 hours must bypass the system through a stabilized discharge point;
- 10) Must provide a means to visually verify the infiltration system is discharging through the soil surface or filter media surface within 48 hours or less;
- 11) Must provide at least one soil boring, test pit or infiltrometer test in the location of the infiltration practice for determining infiltration rates;
- 12) For design purposes, divide field measured infiltration rates by 2 as a safety factor or use soil-boring results with the infiltration rate chart in the Minnesota Stormwater Manual to determine design infiltration rates. When soil borings indicate type A soils, field measurements should be performed to verify the rate is not above 8.3 inches per hour.
- 13) Must employ appropriate on-site testing to ensure a minimum of three (3) feet of separation from the seasonally saturated soils (or from bedrock) and the bottom of the proposed infiltration system;
- 14) Must design a maintenance access, typically eight (8) feet wide;
- 15) Infiltration Systems are prohibited in the following areas (See "higher level of engineering review" in the Minnesota Stormwater Manual for more information): [\[Item 20.9\]](#)
 - a) Areas that that receive runoff from vehicle fueling and maintenance areas;
 - b) Areas where infiltrating stormwater may mobilize high levels of contaminants in soil or groundwater;
 - c) Areas where soil infiltration rates are field measured at more than 8.3 inches per hour unless the soils are amended to slow the infiltration rate below 8.3 inches per hour;
 - d) Areas with less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock;
 - e) Areas of predominately Hydrologic Soil Group type D soils (clay);
 - f) Within a Drinking Water Supply Management Area (DWSMA) as defined in Minn. R. 4720.5100, subp. 13, if the system will be located:
 - i. In an Emergency Response Area (ERA) within a DWSMA classified as having high or very high vulnerability as defined by the Minnesota Department of Health; or
 - ii. In an ERA within a DWSMA classified as moderate vulnerability unless a higher level of engineering review sufficient to provide a functioning treatment system and to prevent adverse impacts to groundwater has been approved by the [\[NAME OF MS4\]](#); or
 - iii. Outside of an ERA within a DWSMA classified as having high or very high vulnerability unless a higher level of engineering review sufficient to

provide a functioning treatment system and to prevent adverse impacts to groundwater has been approved by the [NAME OF MS4].

- g) Areas within 1,000 feet upgradient or 100 feet downgradient of active karst features; and
- h) Areas that receive runoff from the following industrial facilities not authorized to infiltrate stormwater under the NPDES stormwater permit for industrial activities:
 - i. automobile salvage yards;
 - ii. scrap recycling and waste recycling facilities;
 - iii. hazardous waste treatment, storage, or disposal facilities;
 - iv. wood preserving facilities; or
 - v. air transportation facilities that conduct deicing activities.

ii. Filtration System

- 1) Filtration options include, but are not limited to: sand filters with underdrains, biofiltration areas, swales using underdrains with impermeable check dams and underground sand filters;
- 2) Must not install filter media until the contributing drainage area is constructed and fully stabilized unless they provide rigorous erosion prevention and sediment controls (e.g., diversion berms) to keep sediment and runoff completely away from the filtration area;
- 3) Designed to remove at least 80 percent of TSS;
- 4) Must use a pretreatment device such as a vegetated filter strip, small sedimentation basin, water quality inlet, forebay or hydrodynamic separator to remove settleable solids, floating materials, and oils and grease from the runoff, to the maximum extent practicable, before runoff enters the filtration system;
- 5) Designed to provide a water quality volume as described in Section 3.b.iii and iv;
- 6) Designed to discharge all stormwater (including stormwater in excess of the water quality volume) routed to the system through the uppermost soil surface or engineered media surface within 48 hours. Additional flows that the system cannot filter within 48 hours must bypass the system or discharge through an emergency overflow; Designed to provide a means to visually verify the system is discharging through the soil surface or filter media within 48 hours;
- 7) Designed to provide a means to visually verify the system is discharging through the soil surface or filter media within 48 hours;
- 8) Employ appropriate on-site testing to ensure a minimum of three (3) feet of separation between the seasonally saturated soils (or from bedrock) and the bottom of the proposed filtration system;
- 9) Construct with an impermeable liner when the system has less than three (3) feet of separation between seasonally saturated soils or bedrock;
- 10) Designed with a maintenance access, typically eight (8) feet wide.

iii. Wet Sedimentation Basin

- 1) Permanent volume of 1,800 cubic feet of storage below the outlet pipe for each acre that drains to the basin;

- 2) Permanent volume must reach a minimum depth of at least three (3) feet and must have no depth greater than 10 feet;
 - 3) Must be configured to minimize scour or resuspension of solids;
 - 4) In addition to the permanent volume, the basin must provide the water quality volume as live storage. Water quality volume is described in Section 3.b.iii and iv;
 - 5) Water quality volume discharges at no more than 5.66 cubic feet per second (cfs) per acre of surface area of the basin;
 - 6) Designed to prevent short-circuiting and the discharge of floating debris;
 - 7) Basin outlets must have energy dissipation;
 - 8) Must include a stabilized emergency overflow to accommodate storm events in excess of the basin's hydraulic design;
 - 9) Must have a maintenance access, typically eight (8) feet wide, for the basin;
 - 10) Must be located outside of surface waters and any buffer zones identified in part 2.c.ii. (Sediment Control Practices).
 - 11) Permittees must design basins using an impermeable liner if located within active karst terrain.
- iv. Regional Wet Sedimentation Basins
- 1) When the entire water quality volume cannot be retained onsite, regional wet sedimentation basins can be used or created, provided they are constructed basins, not a natural wetland or water body.
 - 2) The regional basin conforms to all requirements for a wet sedimentation basin as described in Part 3.d.iii. (Wet Sedimentation Basin)
 - 3) Must be large enough to account for the entire area that drains to the basin.
 - 4) Waterways between the project and the regional basin must not be significantly degraded.
 - 5) Written authorization from *[NAME OF MS4]* or private entity that owns and maintains the regional basin.

4. Right of Entry

- a. The *[Term determined by the MS4]* must allow *[NAME OF MS4]* and their authorized representatives to enter all properties at any reasonable time for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharge to the MS4 as often as may be reasonably necessary to determine compliance. These activities include, but are not limited to, the following:
 - i. Conducting investigations or surveys.
 - ii. Examining and copying any books, papers, records, or memoranda pertaining to activities or records required to be kept under the terms and conditions of the permitted activity.
 - iii. Inspecting the requirements of this ordinance.
 - iv. Sampling and monitoring any items or activities pertaining to this ordinance.

BMP Summary Sheet Instructions

Minimum Control Measure 5: POST-CONSTRUCTION STORMWATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT

Key to Unique BMP ID Numbers	Required BMP Title	Permit Reference
5a-1	Development and Implementation of Structural and/or Non-structural BMPs	V.G.5.a
5b-1	Regulatory Mechanism to Address Post Construction Runoff from New Development and Redevelopment	V.G.5.b
5c-1	Long-term Operation and Maintenance of BMPs	V.G.5.c
	Additional BMP Summary Sheet (Copy as Necessary)	

For each of the Best Management Practices (BMPs) associated with Minimum Control Measure 5 (MCM-5), **Post Construction Stormwater Management in New Development and Redevelopment**, fill out the attached BMP Summary Sheets completely. The completion of all of the associated BMP Summary Sheets for the BMPs listed above are mandatory for a complete application. To aid in review and comment by the public, you must use the numbers listed in the key above and the BMP Titles which are consistent with the MS4 General Permit language. This summary is simply an overview of the BMP and does not contain all of the details associated with implementation. Be sure to include a reference to the specific locations of detailed information on which the summary sheet is based in your Storm Water Pollution Prevention Program (SWPPP).

1. BMP Description

Summarize the major components of this BMP and how you plan to implement them. Identify the following:

- BMP program components
- Plans for program implementation
- Target audience
- Post-Construction BMPs already in place in the MS4 – include information that specifies if the stormwater is treated prior to discharge to receiving waters
- Future plans for the long-term goal of stormwater management
- Include the exact locations (page numbers) of detailed information in the SWPPP

2. Measurable Goals

Define the milestones that are to be reached through the implementation of this BMP. Establish a baseline from which you will measure effectiveness, how the measurements are to be made, and how the success will be defined and quantified. Ensure that the measurable goals include a strategy for reducing pollutants in stormwater discharge as well as control of the rate of discharge to receiving waters. Determine the baseline from which quantifiable measurements will be taken. Also include information related to sites that disturb less than one acre of land but are part of a larger common plan of development.

3. Timeline/Implementation Schedule

Provide specific dates that milestones identified as measurable goals are to be met. The schedule should also outline dates when measurable goals will be evaluated to determine program effectiveness.

4. Specific Components and Notes for this MCM

Include any additional notes relevant to the specific purpose of each BMP and how the BMPs for the minimum control measure have been modified from past practice based on experience and measures.

5. Responsible Party for this BMP

Indicate who specifically is responsible for the implementation and monitoring of this BMP. This should be the individual who is actively involved with the BMP and not simply a city official who is signing the application for permit coverage.

General Considerations:

- Costs associated with each activity below are individual responsibility of each respective partner
- Each party to provide 5-day advance notice to other parties before any maintenance activities occur; advance notice for inspection activities or emergency maintenance not required
- Each party provides standard indemnifications to all other parties
- Each party agrees to communicate and cooperate in good faith to allow each partner to carry out its MOA activities, including waiver of any applicable permit fees
- Each party agrees to share the results or reports of inspection activities
- All deadlines referenced are subject to change due to weather and permitting timelines; RCWD work at Hall's Marsh contingent upon other upstream maintenance work being completed first
- Each party is responsible for communicating with its respective constituents regarding the shared goals and actions to be enacted through the MOA
- Map showing entire PLOP system, Priebe Lake, Pond A, Wedgewood Hills dry basin, and Hall's Marsh, including construction details for each, attached to MOA

Birchwood Village Agrees To:

- Provide RCWD with access to Hall's Marsh property under City ownership (map attached to MOA) for inspection and maintenance activities outlined in MOA
- Rescind formal objection to DNR approval of Priebe Lake drawdown to allow for sediment removal, OCS maintenance and other water quality improvement activities
- Accept sole responsibility for vegetative and/or habitat management activities within Hall's Marsh related to its deeded function as a wildlife sanctuary

Mahtomedi Agrees To:

- Inspect Wedgewood Hills dry basin every five years
- Jointly with RCWD, analyze Wedgewood Hills dry basin for possible water quality retrofit improvements; if a feasible and cost-effective project is found, cooperate with RCWD to implement the project
- Complete PAH testing at Wedgewood Hills dry basin within 12 months of MOA execution by all parties
- Remove existing sediment buildup at Wedgewood Hills dry basin within 24 months of MOA execution by all parties; concurrently make any necessary outlet control structure repairs
- Remove sediment and maintain outlet control structure in Wedgewood Hills dry basin as required by future inspections

White Bear Lake Agrees To:

- Inspect storm sewer outfalls into Priebe Lake at least every five years
- Inspect "Pond A" for sediment buildup and outlet control structure function at least every five years
- Jointly with RCWD, analyze Pond A for possible water quality retrofit improvements; if a feasible and cost-effective project is found, cooperate with RCWD to implement the project
- Complete PAH testing at Priebe Lake outfalls and within Pond A within 12 months of MOA execution by all parties
- Serve as co-applicant with RCWD for DNR permit to complete drawdown of Priebe Lake
- Remove existing sediment deltas at Priebe Lake within 24 months of MOA execution by all parties
 - This action requires drawdown of Priebe Lake. DNR permit issuance is required for a drawdown. The Priebe Lake outlet control structure provides functionality for gradual, controlled lowering of water levels in 0.5-foot increments from the normal water level of 977.5 feet to a minimum of 973.6 feet.
- Remove existing sediment buildup at Pond A within 24 months of MOA execution by all parties; concurrently make any necessary OCS repairs
- Remove sediment deltas at Priebe Lake and Pond A as required by future inspections

RCWD Agrees To:

- Complete PAH testing (expanded scope from 2021 Birchwood testing) in Hall's Marsh within six months of completion of all sediment removal assigned to White Bear Lake and Mahtomedi above
- Manage DNR permitting process for drawdown of Priebe Lake; White Bear Lake is co-applicant
- Manage DNR permitting process for sediment removal from Hall's Marsh
- Remove accumulated sediment from PLOP outfall to Hall's Marsh within 12 months of completion of PAH expanded PAH testing in Hall's Marsh above
- Inspect Hall's Marsh for sediment accumulation at PLOP outfall every five years
- Remove sediment deltas at PLOP outfall to Hall's Marsh as required by future inspections
- Cooperate with White Bear Lake if a feasible and cost-effective water quality retrofit improvement project is found for Pond A
- Cooperate with Mahtomedi if a feasible and cost-effective water quality retrofit improvement project is found for the Wedgewood Hills dry basin

**WHITE BEAR
LAKE**

**HALL'S
MARSH**

POND A

**PRIEBE
LAKE**

**WEDGEWOOD
HILLS DRY BASIN**

**LOST
LAKE**



Fwd: PLOP Partner Workshop

Justin McCarthy <justin.mccarthy@cityofbirchwood.com>

Wed 8/10/2022 3:47 PM

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

Please also add the email from Ruth to the agenda as well as the MOA from RCWD

Get [Outlook for iOS](#)**From:** Ruth Jensen <rwelterj@gmail.com>**Sent:** Wednesday, August 10, 2022 1:36 PM**To:** Mary Wingfield <wingfield.mary@gmail.com>**Cc:** Bud Jensen <jbasegraphics@q.com>; Justin McCarthy <justin.mccarthy@cityofbirchwood.com>**Subject:** Re: PLOP Partner Workshop

Obviously Bud and I were not invited to the MOA discussion, but I do have comments on the revised draft on RCWD's website as of 06/08/2022, which may or may not be the current one.

Under "General Considerations:"

"Each party is responsible for communicating with its respective constituents regarding the shared goals and actions to be enacted through the MOA."
Birchwood has not communicated anything to us regarding the MOA.

Under "Birchwood Village Agrees To:"

"Provide RCWD with access to Hall's Marsh...for inspection and maintenance activities outlined in MOA"

1. Does this mean Birchwood will provide RCWD with a *legal easement that includes RCWD's maintenance obligations*, as is now usual (and legally required) in RCWD water management activity?

"Rescind formal objection to DNR approval of Priebe Lake drawdown...for water quality improvement activities"

1. Priebe drawdown will dump all Priebe's severely impaired water into Hall's Marsh. Birchwood must insist that Priebe's water be treated for removal of algae and contaminants before it enters the Marsh, as RCWD has done with other contaminated drawdowns (e.g. Long Lake?? Not sure if that was the one...)

"Accept sole responsibility for vegetative and/or habitat management..."

1. This is impossible, because it requires knowledge of the unknown future effects of biological and chemical pollution entering the Marsh in Priebe storm water runoff.
2. The sediment and "bog travel" caused by storm water flow through the Marsh are creating excessive overgrowth, vegetative buildup and blockage at the Marsh outlet into White Bear Lake; the *entire drainage course* of water through the Marsh must

be analyzed for slope. There should not be (as there constantly is) six inches or more of standing water in the PLOP outflow (inlet pipe) into the Marsh.

Under "**White Bear Lake Agrees To:**"

"...The Priebe Lake outlet control structure provides functionality for gradual, controlled lowering of water levels in 0.5-foot increments from the normal water level of 977.5 feet to a minimum of 973.6 feet."

1. As stated above, the drawdown outflow from Priebe must be cleaned before being put in Hall's Marsh.
2. Re the "normal water level of 977.5'", what is the actual additional holding capacity, if any, of storm sewer runoff in Priebe? Given the normal level in Priebe, is it not simply "water in, water out" when WBL storm sewers empty into it? As noted in the original DNR review of the Project, Priebe was not dredged deeper as part of the project because treatment was seen as *relegated to Hall's Marsh*.

Under "**RCWD Agrees To:**"

"Remove accumulated sediment from PLOP outfall to Hall's Marsh..."

1. This should include analysis and removal of sediment *throughout* the Marsh, including buildup at the outfall into WBL.
2. Inspection and clearing of the debris and vegetation at the Marsh inlet and outlet should be more frequent than every five years.
3. What are "cost-effective water quality retrofit improvement projects"? Who decides, given that maintaining wetlands is supposed to be a state and local priority? Who pays? Are Pond A and the Wedgewood Hills dry basin the only retrofits to be considered?
4. RCWD must maintain ALL PLOP infrastructure throughout Birchwood (i.e. all PLOP storm sewer pipes) and all infrastructure on Hall's Marsh.

Respectfully,
Ruth Jensen

On Tue, Aug 9, 2022 at 9:11 PM Mary Wingfield <wingfield.mary@gmail.com> wrote:

Fyi...i can't make it tomorrow

m

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

From: **Kyle Axtell** <KAxtell@ricecreek.org>

Date: Tue, Aug 9, 2022, 10:23 AM

Subject: PLOP Partner Workshop

To: Connie Taillon <ctaillon@whitebearlake.org>, John Sachi <JSachi@wsbeng.com>, Bob Goebel <bgoebel@ci.mahtomedi.mn.us>, Mary Wingfield <wingfield.mary@gmail.com>, Justin McCarthy <justin.mccarthy@cityofbirchwood.com>

Cc: Nicholas Tomczik <ntomczik@ricecreek.org>, Matthew Kocian <MKocian@ricecreek.org>, Ashlee Ricci <ARicci@ricecreek.org>, Chris Otterness <cotterness@houstoneng.com>, Scollan, Daniel (DNR) <daniel.scollan@state.mn.us>, Gleason, John (DNR) <john.gleason@state.mn.us>, Jenifer Sorensen (jenifer.sorensen@state.mn.us) <jenifer.sorensen@state.mn.us>

MEMORANDUM

DATE: 7/18/22

TO: Mayor and City Council
FROM: Rebecca Kellen, City Administrator
COPIED:
SUBJECT: Computer Security

Birchwood Village

Birchwood Village currently has a contract with Metro INET to provide internet security and malware services for 2 of our computers.

1. BVM801 is the laptop that Rebecca Kellen is using and it is supported by Metro-INET.
2. BV802 is a desktop being used by Mary Cahill and it is supported by Metro-INET.
3. BVM802 is a laptop being used by Jackie SMith that is not supported by Metro-INET.

There is one other computer owned by Birchwood Village. A Lonova that was recently purchased and is used in the AV room for city council meeting. To the best of my knowledge, this computers does not have any safegaurds in terms of security and/or virus protection.

City Administration requests approval to request that Metro-INET provide secuti y and malware services for BVM801 that Jackie Smith is using. The monthly cost to add these services is \$68/computer.

If these actions are approved by the council, all employees will have a functioning protected supported computer and there will be one additional “extra” computer that is kept in the AV room as required by AV staff.

<https://support.metro-inet.us/Lists/Services/Full%20Description.aspx>

MEMORANDUM

DATE: 8/10/22

TO: Mayor and City Council
FROM: Rebecca Kellen, City Administrator
COPIED:
SUBJECT: AED Grant Approval and Prices

Birchwood Village

Birchwood Village currently has a functioning Automated External Defibrillator (AED) manufactured by Advanced First Aid, Inc, however the model was discontinued in 2008 and the battery is no longer replaceable. It is the understanding of City Administration that this AED was gifted to City Hall by a resident. While current FDA regulations do not detail the level of required oversight on AEDs, they do consider them restricted devices requiring a physician's prescription. The AED located in Birchwood Village City Hall it is not being actively managed as a physician's prescribed device.

Advanced First Aid, Inc can place our current old AED into a state required maintenance plan for 3 years for \$376, non-reundable. This includes 3-Year AED Program Management, Medical Direction, Rx, Oversight, Web Tracking, Registration, Post Event, WiFi connection, Customer Support, Forward Hearts, (see MyAED Program Management flyer and invoice).

On June 27th, 2022, City Administration applied for an AED Grant to potentially replace the old AED. On July 15th, the grant was approved to allow for reduced pricing for a new AED. Several options are provided on the AED Grant Approval Flyer. The highlighted offer is for a Heartstart Defibrillator by Philips for a price of \$1053.35 at an MSRP of \$1529.37 with no prescription needed.

City Administration requests that Birchwood Village Mayor and City Council determine if they would like to:

1. Keep the existing discontinued AED model without service coverage
2. Kepp the existing discontued AED model and add service coverage
3. Accept the grant for a new reduced price non-prescription AED and if so, decide which model to purchase.



MyAED PROGRAM MANAGEMENT Small Business

- Medical direction oversight and **prescription per FDA**
- Monthly AED **inspection email reminders – MN state law**
- AED **Registry** – Registration – according to **Minnesota state law**
- **Online tracking of all expirations** and training. **We notify you when your AEDs need service, and provide the services locally. \$7,000 OSHA fine for expired battery**
- Wifi Connection Monitoring
- 24/7 administrative customer support: **844-CPR-AEDS (844-277-2337)**
- Local AED maintenance service and record keeping
- Post event services
- Forward Hearts

3-Year, \$376 per device

This maintenance plan exceeds Minnesota Law 403.51 AED

Medical Direction, Oversight & Prescription

The FDA views AEDs as *restricted devices requiring a physician's prescription*, and allows each state to control the use of public access defibrillation. A licensed physician will provide the necessary prescription for purchase and continuing oversight services for the site's AED program, through **Advanced First Aid, Inc. (AFA)**.

Currently, FDA regulations do not detail the precise nature and scope of medical direction, oversight or training required to own and use AEDs. When future FDA, OSHA or state regulations come to fruition, **AFA** will alert your business and will assist you to remain compliant.

Web Based AED Tracking and Recordkeeping

Our web application will assist your coordinator to maintain all records including: monthly AED inspections, training records, Rx, policy/procedures, disposable replenishment, personal protective equipment, post event tracking.

Local and State Registration

Area EMS notification and county 911 integration (where applicable).

Post Event Services

Install new battery and electrode (cardiac arrest victims only) and clean device. Once an AED is used, this information belongs to the patient's medical chart and needs to be handled in accordance with HIPPA guidelines. Q/A question addressing.

Customer Support

Anyone, even employees, can contact **AFA** for administrative support related to the AED/CPR, maintenance, or to notify **AFA** of the use of the AED on a cardiac arrest victim.

Forward Hearts

If a SCA victim is shocked, resuscitated by a lay rescuer, and is discharged from the hospital, **AFA** will donate a full AED package back into the community, of the survivor's choice. This is for new AED sales, Lifepak CR Plus, Lifepak Express, all Heartsine models, Zoll, Philips FRx Onsite.

Non refundable



Advanced First Aid Inc

ADVANCED FIRST AID, INC.

9724 Vale Street NW
Minneapolis, MN 55433

Estimate

Date	Estimate #
6/3/2022	0422-0334

Name / Address
Birchwood Village City of Becky Kellen (de Trujillo) 207 Birchwood Ave Birchwood village MN 55110

Ship To
Birchwood Village City of Becky Kellen (de Trujillo) 207 Birchwood Ave Birchwood village MN 55110

Tax Exempt No.	Estimate Expiration	Sales Rep
Due on receipt	Due on receipt	

Item	Description	Qty	Cost	Total
MyAED PM	TO PLACE YOUR CURRENT OLD AED INTO STATE REQUIRED MAINTENANCE PLAN 3-Year AED Program Management, Medical Direction, Rx, Oversight, Web Tracking, Registration, Post Event, WiFi connection, Customer Support, Forward Hearts, Non-refundable Nontaxable	1	376.00	376.00T
			0.00%	0.00

<p>Estimate may not include tax/shipping/handling. Credit cards accepted with 3% convenience fee.</p>		<p>Total \$376.00</p>
Phone #	E-mail	<p>Sign below to accept terms and order. DURABLE GOODS ARE NOT RETURNABLE. X _____</p>
844-277-2337	paul@afaed.com	

Your Application for our AED Corporate Grant / Buy Down has been **APPROVED** for...

- 1) Free Prescription (Item #: FREERX)
- 2) AED Options and Packages Listed Below.

***The prices listed are your net cost AFTER Corporate Grant / Corporate Buy Down incentive**
Make sure to see the next page for alternate package options and grant contact information!

HEARTSTART

ONSITE DEFIBRILLATOR

by **PHILIPS**

Item #: M5066A_C02
 MSRP: \$1,539.27

Only **\$1053.35** after your approved level of grant funding is applied

The Philips HeartStart OnSite Defibrillator the leader in portable defibrillation technology, designed the HeartStart OnSite Defibrillator for the ordinary person in the extraordinary moment. Available without a prescription, the OnSite is designed to be the easiest-to-use and most reliable defibrillator available. Our innovative technology, based on extensive research and user feedback, has produced a defibrillator so easy to use that you can potentially save the life of a co-worker, friend, or anyone else stricken with sudden cardiac arrest.

The HeartStart OnSite Defibrillator offers:

- Lightweight (3.3 lbs)
- Clear and natural voice instructions that guide you through each step of defibrillation and CPR
- Integrated SMART Pads placed on the patients bare skin transmit information to the defibrillator, which senses and adapts to your actions every step of the way.
- Proven Philips technologies for heart rhythm assessment (SMART Analysis)
- Defibrillation energy delivery (SMART Biphasic)
- Can be used to treat adults, as well as infants and children

Included:

- Battery
- 1 SMART Pads Cartridge
- Quick Start Poster
- Quick Reference Guide
- Owners Manual
- The HeartStart OnSite Defibrillator device includes a 96-month manufacturer's warranty
- HS1 battery includes a 4 year warranty from time of installation.
- SMART Pads Cartridge warranty extends to the expiration date.




No RX Needed

Includes FREE Case


Accessories for the HeartStart OnSite Defibrillator:



Fast Response Kit
 Price: **\$22.50**
 Item #: OBC-FRK



Extra Adult Pads
 Price: **\$65.55**
 Item #: M5071A



Pedi Pads
 Price: **\$105.45**
 Item #: M5072A



AED Cabinet with Alarm
 Price: **\$89.00**
 Item #: 60112

FITS ALL AEDS OFFERED

HeartStart FRx PHILIPS




Includes FREE Case

Semi-Automatic
Item #: 861304
MSRP: \$2,146.41

Grant Price: \$1,444.92

AED Plus ZOLL




Semi-Automatic
Item #: ZOL214
MSRP: \$2,268.00

Grant Price: \$1,403.52

Fully-Automatic
Item #: ZOL214-FA
MSRP: \$2,268.00

Grant Price: \$1,452.67

AED3 ZOLL




Semi-Automatic
Item #: 8511-001101-01
MSRP: \$3,019.00

Grant Price: \$1,655.32

Fully-Automatic
Item #: 8511-001102-01
MSRP: \$3,019.00

Grant Price: \$1,685.40

Lifepak CR2 PHYSIO CONTROL



Semi-Automatic
Item #: 99512-001435
MSRP: \$2,295.00

Grant Price: \$1,472.27

Fully-Automatic
Item #: 99512-001434
MSRP: \$2,395.00

Grant Price: \$1,499.80

Lifepak 1000 PHYSIO CONTROL




Basic
Item #: 99425-000023
MSRP: \$2,975.00

Grant Price: \$2,140.52

Advanced
Item #: 99425-000025
MSRP: \$3,665.00

Grant Price: \$2,946.18

Lifeline defibtech




w/ 5 Year Battery
Item #: DCF-100
MSRP: \$1,495.00

Grant Price: \$1,063.91

w/ 7 Year Battery
Item #: DCF-110
MSRP: \$1,545.00

Grant Price: \$1,090.84

AUTO AED defibtech



w/ 5 Year Battery
Item #: DCF-A120-EN
MSRP: \$1,570.00

Grant Price: \$1,099.32

w/ 7 Year Battery
Item #: DCF-A130-EN
MSRP: \$1,620.00

Grant Price: \$1,125.75

Lifeline View defibtech




See the Demo @ AEDGrant.com

Item #: DCF-A2310EN
MSRP: \$1,970.00

Grant Price: \$1,327.56

Samaritan PAD 350P HeartSine



Semi-Automatic
Item #: HS80514-000263
MSRP: \$1,782.00

Grant Price: \$956.41

Fully-Automatic
Item #: HS80514-000309
MSRP: \$1,926.00

Grant Price: \$989.73

For More Information, visit AEDGrant.com

- Please email for more information and notate which brand of AED you are interested in.
- Additional Accessories and Prescriptions available for ALL models.
- A Grant Order form is also attached to your approval email, allowing you to place your order for whichever of the approved package(s) you feel best suits your needs.

Thank You!
Grant Approval Department
AEDGrant.com
888-228-6694
Info@AEDGrant.com
Fax: 760-944-2959

Need to raise additional funds to meet your approved Grant Prices?

Try the Home and Auto First Aid Kit Fundraiser Program with First-Aid-Product.com!

Many of our grant customers have taken advantage of this program to raise the remaining funds required to purchase their AED through the grant program – it's fun, easy, and unique! We've all seen, heard of, and likely purchased from the gift wrap, candy, and knick-knack fundraisers – but *everyone can use a first aid kit*, making this program an exceptional, and successful alternative for raising money! This fundraiser directly relates to your lifesaving effort in deploying AEDs and at 100%-150% profit, it is simple to raise the funds you need quickly. Visit their site to read more on the program and get your first aid fundraiser started today!



	A	B	R	S	T
1	City of Birchwood Village Revenue and Expenditure				
2			2021	2022	2023
3					
4	RECEIPTS				
5	General Property Taxes (levy)		\$512,000.00	\$512,000.00	\$462,304.00
43	NON-LEVY REVENUE		\$0.00	\$0.00	\$0.00
44	ALL REVENUE - including levy		\$512,000.00	\$512,000.00	\$462,304.00
45	TOTAL REVENUES		\$512,000.00	\$512,000.00	\$462,304.00
46					
47	DISBURSEMENTS				
48			2021	2022	2023
49	GENERAL GOVERNMENT				
50	Publishing				
51	Printing and Binding (City Codes and other to include job p	100-41130-350	\$500.00	\$500.00	\$500.00
52	Legal Notice Publication (WBP)	100-41130-351	\$2,000.00	\$2,000.00	\$2,000.00
53	Subtotal Publication		\$2,500.00	\$2,500.00	\$2,500.00
54	City Council				
55	Wages and Salaries	100-41310-100	\$8,500.00	\$8,500.00	\$8,500.00
56	Employer Cont.-Retirement	100-41310-121	\$200.00	\$200.00	\$200.00
58	Medicare - Employer	100-41401-100	\$130.00	\$130.00	\$130.00
59	Social Security Employer	100-41401-100	\$530.00	\$530.00	\$530.00
62	City Council Subtotal		\$9,360.00	\$9,360.00	\$9,360.00
63	Clerk				
64	Wages and Salaries	100-41401-100	\$55,000.00	\$43,000.00	\$70,380.00
67	Employer Cont.-Retirement	100-41401-121	\$4,200.00	\$3,250.00	\$5,350.00
69	Medicare - Employer	100-41401-100	\$850.00	\$650.00	\$1,407.00
70	Social Security Employer	100-41401-100	\$3,500.00	\$2,700.00	\$4,800.00
73	Other Pay (insurance stipend)	100-41401-100	\$0.00	\$0.00	\$0.00
76	Accounting (Assistant Treasurer, & Deputy Clerk)				
77	Wages and Salaries	100-41401-100	\$29,815.00	\$18,000.00	\$40,000.00
78	Employer Cont.-Retirement	100-41401-121	\$2,640.00	\$0.00	\$5,600.00
79	Medicare - Employer	100-41401-100	\$515.00	\$300.00	\$600.00

	A	B	R	S	T
80	Social Security Employer	100-41401-100	\$2,200.00	\$1,500.00	\$2,800.00
81	Contracted Services (SAV bank rec.)	100-41501-314	\$2,400.00	\$2,400.00	\$2,400.00
84	Office Support				
85	Wages and Salaries	100-41401-100	\$1,000.00	\$1,000.00	\$1,000.00
86	Medicare - Employer	100-41401-100	\$15.00	\$15.00	\$15.00
87	Social Security Employer	100-41401-100	\$62.00	\$62.00	\$62.00
88	Admin. Staff Subtotal		\$102,197.00	\$72,877.00	\$134,414.00
89	Elections				
90	Wages and Salaries	100-41410-100	\$0.00	\$0.00	\$0.00
91	Operating Supplies	100-41410-210	\$0.00	\$0.00	\$0.00
92	Contracted Services (Wash. Cty. JPA)	100-41410-314	\$4,750.00	\$5,510.00	\$5,510.00
93	Repair & Maint. Supplies	100-41410-220	\$1,140.00	\$1,140.00	\$1,140.00
95	Legal Notice Publication	100-41410-351	\$200.00	\$200.00	\$200.00
96	Elections Subtotal		\$6,090.00	\$6,850.00	\$6,850.00
97	Office Supplies				
98	Office Supplies	100-41911-200	\$2,000.00	\$2,100.00	\$2,100.00
101	Office Equipment	100-41911-230	\$0.00	\$0.00	\$0.00
103	Contracted Services (Toshiba)	100-41911-314	\$625.00	\$625.00	\$250.00
104	Postage/Postal Permits				
105	Office Supplies	100-41430-200	Non Levy	Non Levy	Non Levy
107	Office Operations Subtotal		\$2,625.00	\$2,725.00	\$2,350.00
108	Financial Administration				
110	Fees (banking)	100-41501-437	\$400.00	\$400.00	\$0.00
111	Subtotal		\$400.00	\$400.00	\$0.00
112	Insurance - City				
113	Insurance				
114	Packaged Liability (incl. gen. liab.)	100-41945-361	\$6,200.00	\$6,500.00	\$8,500.00
115	Property Insurance	100-41945-362			
116	Worker's Comp (for employees & contractors per audit)	100-41945-150	\$2,663.00	\$3,100.00	\$3,100.00
118	Excess Liability	100-41945-369	\$855.00	\$855.00	\$855.00
121	Insurance Subtotal		\$9,718.00	\$10,455.00	\$12,455.00
122	Assessing				
123	Contracted Services	100-41550-314	\$5,550.00	\$5,550.00	\$6,000.00

	A	B	R	S	T
124	Legal Services				
125	Professional Services	100-41601-300	\$18,000.00	\$18,000.00	\$24,000.00
126	Engineer Service				
127	Professional Services	100-41650-300	\$7,000.00	\$10,000.00	\$12,000.00
128	Planner Service				
129	Professional Services	100-41650-300		\$2,000.00	\$0.00
131	Planning & Zoning	100-41910-314			
132	Services Subtotal		\$30,550.00	\$35,550.00	\$42,000.00
133	City Training & Development				
134	Training (Admin & Council)	100-41914-310	\$3,000.00	\$3,000.00	\$2,000.00
135	Travel & Subsistence (Admin trainings)	100-41914-334			
136	Dues & Subscriptions (LMC memberships, etc.)	100-41914-433	\$1,040.00	\$1,105.00	\$1,500.00
138	Grants - Counseling Center (NYFS)	100-41905-438	\$2,000.00	\$1,805.00	\$1,805.00
139	T & D Subtotal		\$6,040.00	\$5,910.00	\$5,305.00
140	City Hall-Gov't Buildings				
141	Repair, Operating & Maint. Supplies	100-41940-220	\$765.00	\$810.00	\$810.00
143	Contracted Services (janitorial)	100-41940-314	\$1,000.00	\$1,000.00	\$1,000.00
145	Utility Services	100-41940-380	\$3,500.00	\$3,500.00	\$3,500.00
146	Buildings & Structures	100-41940-520			
147	I.T./Internet/Telephone (Metro-INET & GovOffice)	100-41940-320	\$9,100.00	\$5,250.00	\$7,000.00
148	Contracted I.T. Software (Microsoft & iDrive)	100-41940-320		\$900.00	\$900.00
149	Gov't Bldgs Subtotal		\$14,365.00	\$10,560.00	\$12,310.00
150	Cable Eqpmt and Service				
151	Contracted Services (videographer)	100-41950-314			
152	Communication (Minutes Solutions and zoom)	100-41950-320			\$3,000.00
157	Communication Subtotal		\$0.00	\$0.00	\$3,000.00
158	TOTAL Gen Government		\$183,845.00	\$157,187.00	\$230,544.00
159	PUBLIC SAFETY				
160	Police				
161	Contracted Services	100-42101-314	\$63,500.00	\$64,805.00	\$72,500.00
162	Fire				
163	Contracted Services	100-42201-314	\$29,545.00	\$32,845.00	\$33,400.00
164	Building Inspection (non levy)				

	A	B	R	S	T
166	Contracted Services	100-42401-314	Non Levy	Non Levy	Non Levy
167	Fees (variance, cond.use permits)	100-42401-437	Non Levy	Non Levy	Non Levy
168	Other Protection				
169	Contracted Services (Code Red)	100-42801-314	\$100.00	\$100.00	\$100.00
172	Animal Control	100-41916-314	\$1,000.00	\$1,000.00	\$1,000.00
176	PUBLIC SAFETY TOTAL		\$94,145.00	\$98,750.00	\$107,000.00
177	PUBLIC WORKS				
180	Highways, Streets & Roadways				
181	Repair & Maint. Supplies	100-43101-220			
182	Contracted Services (Pot Holes)	100-43101-314	\$6,000.00	\$10,000.00	\$10,000.00
183	Street Sweeping	100-43103-314	\$4,000.00	\$4,000.00	\$4,000.00
187	Street Maintenance Subtotal		\$10,000.00	\$14,000.00	\$14,000.00
188	Street Lights				
189	Utility Services	100-43160-380	\$15,000.00	\$15,000.00	\$16,800.00
190	Drainage - Structure Care				
192	Contracted Services (sump cleanout - Schifsky's)	100-43150-314	\$2,000.00	\$2,000.00	\$0.00
193	Fees (mpca)	100-43150-437	\$400.00	\$400.00	\$0.00
194	Subtotal		\$2,400.00	\$2,400.00	\$0.00
195	Ice and Snow Removal				
196	Operating Supplies (salt, sand)	100-43125-210	\$5,000.00	\$5,000.00	\$7,500.00
197	Contracted Services (Birch)	100-43125-314	\$17,000.00	\$17,000.00	\$20,000.00
198	Snow & Ice Subtotal		\$22,000.00	\$22,000.00	\$27,500.00
199	Water Utility				
200	Refunds & Reimbursements	100-43180-810	Non Levy	Non Levy	Non Levy
201	Sewer Utility				
202	Refunds & Reimbursements	100-43190-810	Non Levy	Non Levy	Non Levy
204	TOTAL - Public Works		\$49,400.00	\$53,400.00	\$58,300.00
205	CULTURE & RECREATION				
206	Recreation				
208	Dues & Subscriptions (WBLCD)	100-45101-433	Non Levy	Non Levy	Non Levy
209	Community Events (Volunteer Recognition)	210-45101-440	Non Levy	Non Levy	Non Levy
210	TOTAL Recreation		\$0.00	\$0.00	\$0.00
211	Parks				

	A	B	R	S	T
212	Wages and Salaries	100-45207-100	\$21,500.00	\$21,500.00	\$22,800.00
213	Employer Cont.-Retirement	100-45207-121	\$850.00	\$850.00	\$3,192.00
217	Medicare - Employer	100-41401-100	\$450.00	\$450.00	\$342.00
218	Social Security - Employer	100-41401-100	\$1,780.00	\$1,780.00	\$1,596.00
222	Operating Supplies	100-45207-210			\$3,000.00
223	Repair & Maint. Supply/Contractual	100-45207-400	\$2,000.00	\$2,100.00	\$2,100.00
225	Contracted Services (porta potty)	100-45207-314	\$2,500.00	\$2,500.00	\$2,500.00
226	Utility Services	100-45207-380	\$800.00	\$800.00	\$800.00
227	Fees	100-45207-530			
232	Projects				
233	Parks GF Subtotal		\$29,880.00	\$29,980.00	\$38,382.00
234	TOTAL Parks & Recreation		\$29,880.00	\$29,980.00	\$38,382.00
235	SANITATION				
236	Tree Care - Inspection & Removal				
237	Contracted Services (tree inspector)	100-43104-314	\$1,300.00	\$1,300.00	\$1,378.00
238	Tree Removal				
239	Operating Supplies	100-43135-210			
241	Contracted Services	100-43135-314	\$5,000.00	\$5,000.00	\$6,700.00
242	Sanitation - Recycling				
243	Contracted Services (Tennis Sanitation)	100-43300-314	\$14,500.00	\$14,500.00	\$18,000.00
245	Lawn Care/Maintenance				
246	Contracted Services	100-45208-100	\$0.00	\$0.00	\$0.00
248	TOTAL - Sanitation		\$20,800.00	\$20,800.00	\$26,078.00
249	CONSERVATION - NATURAL RESOURCE				
250	Fees, Dues & Subscriptions (WBLCD)	100-46101-437	\$2,000.00	\$2,000.00	\$2,000.00
252	TOTAL - Conservation		\$2,000.00	\$2,000.00	\$2,000.00
253	UNALLOCATED EXPENDITURES				
258	Miscellaneous	100-49201-430	\$1,930.00	\$2,000.00	
262	Transfer to Capital Projects Fund	100-49360-722	\$30,000.00	\$30,000.00	
263	Sewer L/S 1 Project	100-49365-530	\$100,000.00	\$100,000.00	
264	Village Hall Restoration	100-41940-220		\$17,883.00	
266	TOTAL - Other Unallocated		\$131,930.00	\$149,883.00	\$0.00

	A	B	R	S	T
	TOTAL OPERATING EXPENDITURES (DISBURSEMENTS)		\$512,000.00	\$512,000.00	\$462,304.00
267					
268					
269					
270			<u>2021</u>	<u>2022</u>	<u>2023</u>
271	Levy		\$ 512,000	\$ 512,000	\$ 462,304
272	Proposed \$\$ Change		\$ 23,500	\$ 23,500	\$ (49,696)
273	Proposed % Change		4.81%	4.81%	-9.71%
274					
275					
276					

2023 Budget Preliminary Discussion – August 2022

On the 2023 Budget Worksheet - Addressing changes highlighted in orange and uncertainties in red font

- Clerk/admin salary increased to current clerk salary plus 6% increase for 2023 (line 64, 67, 69, 70)
- Accounting salary increased to accommodate potential staffing changes in 2023 (line 77 – 80)
- Contracted services reduced to actual costs for Toshiba printer (line 103)
- Financial Administration (bank fees) reduced to 0 because we do not incur bank fees (line 110)
- Package liability increased to 2022 actual rounded up to the nearest 500 (line 114)
- Assessing increased to Asst. Treasurer estimate for 2023 (line 123)
- Legal professional services increased from 1500/month to 2000/month (line 125)
- Engineer professional Services increased to meet actuals (line 127)
- Planner professional services reduces to 0 and added to line 127 as we do not use this budget code (line 129)
- Training reduced by 1K coming more in line with actuals (line 134)
- Dues and subscriptions increased by nearly \$500 for inflation (line 136)
- IT/Internet/telephone increase to add all 3 computers (line 147)
- Communications increasing because using this line item for zoom and minutes solution going forward (line 152)
- Police increase to 2023 actuals received from WASHCO (line 161)
- Fires increasing for anticipated inflation (line 163)
- Highway/streets and roads contracted services unsure as no bill received yet. Waiting on Schifsky bill. (line 182)
- Street light utility services are increasing. We were under budget for 2022 (line 189)
- Drainage/structure care eliminated as was unused ledger code in 2021 and 2022 (line 192-193)
- Ice and snow removal increased closer to 2022 actuals and for inflation (lines 196-197)
- Parks wages and salary increase by 6% (line 212, 213, 217, 218)
- Parks operating supplies increased to purchase city owned equipment such as a lawnmower (line 222)
- Tree care contracted services increased by 6% (line 237)
- Tree removal contracted services increased to 2022 actuals (line 241)
- Sanitation increasing for anticipated price increases (line 243)
- Close to \$150K in unallocated expenses REMOVED as per MW (line 258, 262, 263, 264)



7175 Cahill Road - Edina, MN 55439
 Phone: (952)-913-8382 Email: sales@linesalot.com
 www.linesalot.com

PROPOSAL

To: City Of Birchwood Village	Contact:
Address: 207 Birchwood Ave. Birchwood, MN 55110	Phone:
	Email:
Project Name: Birchwood Village Crosswalks, 2022	Bid Number: H22-0974
Project Location: City Of Birchwood Village, MN	Bid Date: 8/5/2022

Line #	Item Description	Estimated	Unit	Unit Price	Total Price
1	CROSSWALK MARKINGS - PAINT	1.00	LS	\$1,925.00	\$1,925.00

Total Bid Price: \$1,925.00

Notes:

- 1. Does not include any brooming, late season markings, parking stall/trail striping, or pavement marking removals.
- 2. This quote includes ONE mobilization to complete this project. Additional, if requested, are \$950.00 each.
- 3. Pavement marking material manufacturer's warranty will supersede any warranty requirements called out by owner and/or contractual obligations.
- 4. Owner/engineer must be on site to assist and approve layout of all new pavement markings.
- 5. Assumes all pavement markings are surface applied PAINT only. Not Epoxy, and not ground in or wet reflective.
- 6. Scope of work is limited to re-striping of 4 legs of existing crosswalk markings only. No layout included.

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: Sir-Lines-A-Lot</p> <p>Authorized Signature: _____</p> <p>Estimator: TJ Phillips (612) 434-0090 tj.phillips@linesalot.com</p>
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MEMORANDUM

DATE: 8/10/22

TO: Mayor and City Council
FROM: Rebecca Kellen, City Administrator
COPIED:
SUBJECT: Century Avenue Policymakers Workshop

Birchwood Village

City Administration attended the Century Avenue Policymaker Workshop on July 27 that included policy makers for Century Avenue surrounding communities. The following information was presented

Metro Transit

- aerial BRT (Bus Rapid Transit) - assessment identifying certain corridors that would benefit from faster better buses and routes
- “net work next” that focuses on enticing people to ride the bus more.
- analysis will be revisited again in 2025 and will be updated every five years to keep up with the changing community landscapes.

Purple line BRT

- will be implemented in 2024 along Century Avenue where Century College will be included in the route as stop number three and will be part of “bus rapid transit”.
- A gold line will be coming as well with a new bridge over Century Avenue by the 3M campus for the BRT and pedestrian bridge.

Mndot presented their planning and environmental linkage (PEL) study.

- the future of electric buses
- removal of trees being taken into consideration and the replacement of those trees with non-invasive species that are native to the community.

120 will be under county jurisdiction as opposed to state.

The purpose of the meeting was to entice communities that surround Century Avenue to participate in an “Elected Official Coalition for 120 Century Ave” to participate in, prepare and plan for upcoming changes to Century Avenue including road construction projects that will accompany these changes. The coalition will meet no more than quarterly. More to come as City Administration obtains more information.