**CITY OF BIRCHWOOD VILLAGE**

**REGULAR CITY COUNCIL MEETING**

**August 7, 2012**

**MINUTES**

**MEMBERS PRESENT: Mayor Alan Mitchell; Council Members Barb Carson and Tony Sampair**

**MEMBER ABSENT: Council Member Jane Harper**

**STAFF PRESENT: City Engineer Kristie Elfering and City Clerk Dale Powers**

**OTHERS PRESENT: Greg Donovan**

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

**AGENDA APPROVAL: *Mitchell/Sampair 3-0 (Harper absent) to approve the agenda for the August 7, 2012 Regular Meeting.***

**COMMUNITY EVENTS AND ANNOUNCEMENTS: Mitchell** noted the following: (1) the state primary election will be on Tuesday, August 14th; (2) the filing period for City Council elections continues until 5:00pm on August 14th; (3) the City Council is soliciting statements of interest from residents interested in serving on the Council from August 23 to November 6 to fill the vacancy created by Mark Peterson’s resignation; (4) Music In The Park continues with Wayne Hamilton and Friends scheduled for August 12th  at Dellwood Beach, and the Dirty Shorts Brass Band scheduled for August 19th at Birch Beach. **Powers** advised the Council that the pavement condition index report has been completed and posted on the City’s web site, and a CodeRED announcement has been sent for solicitation of residents interested in serving on the Roads Committee. **Elfering** noted that the pavement report reveals that the roads are in better condition than originally thought.

**OPEN PUBLIC FORUM:**  **Donovan**, one of Birchwood’s representatives on the Ramsey Washington Suburban Cable Commission, reported that Comcast has a new Internet program for households with children who receive free school lunches. **Donovan** added that the cost of this program, called Internet Essentials, is $9.95 per month and qualifying households are eligible to purchase a computer for $149.99. The Council directed staff to include information on this program in the next newsletter.

**CONSENT CALENDAR: *Sampair/Carson 3-0 (Harper absent) to approve the following consent calendar items:***

1. ***Approval of the Minutes of the July 10, 2012 Regular Meeting***
2. ***Acceptance of the Financial Report and Disbursements Register as prepared by the City Treasurer and presented to the City Council on August 7, 2012 in the amount of $101,243.95, including Check #’s 27336-27348, Check #’s 27350-27376, and Electronic Funds Transfers LIFT072012, PERA063012, EFT072612, SC072012, FED072012, MN072012, and PERA071512.***
3. ***Approval of RESOLUTION 2012-24 Establishing Limited Clean Up And Property Damage Protection For Sewer Back Ups and Water Main Breaks For Water And Sewer Customers.***

**STORMWATER POLLUTION PREVENTION PROGRAM (SWPPP) ANNUAL REVIEW>OPPORTUNITY FOR PUBLIC COMMENT: Mitchell** said that the City operates a municipal storm sewer system, and state and federal law requires the City to receive a permit to be able to maintain and operate the system. **Mitchell** noted that smaller cities like Birchwood operate under a general permit issued by the Minnesota Pollution Control Agency (MPCA), and stated that one of the City’s obligations is to file an annual report. **Mitchell** explained that a public meeting is required before filing the report, and it appears that there is no one in the audience that wants to address the Council on this matter.

**Mitchell** stated that MPCA is in the process of revising the general MS4 (Municipal Separate Storm Sewer Systems) permit and is expected to adopt the revisions in September or October, and we will have an obligation to go back and review our SWPPP after the revision is approved. **Sampair** asked the clerk about a course of action; **Powers** advised that submission of the MS4 report is separate from the potential revision of the SWPPP and recommends approving the report tonight and dealing with the SWPPP revisions later.

***Mitchell/Sampair 3-0 (Harper absent) to approve the 2011 MS4 report.***

The consensus of the Council is to direct staff to refer to the Planning Commission the City’s SWPPP and to task the Commission with making recommendations on any required changes to that document.

**REVIEW OF QUOTES>MANHOLE RING REPLACEMENT: Elfering** noted that the Council directed her to get quotes for this service, and stated that the work requested is considered a specialty such that she could receive only 2 quotes for each service. **Elfering** said that the low bid for manhole lining was from Thul Specialty Contracting at $5,962.95, and the low bid for televising the sewer main along Lake Avenue was from Pipe Services at $840.00. **Sampair** asked whether this work should resolve the issue of infiltration into the City’s sanitary sewer; **Elfering** responded by saying that there may be some infiltration from service lines to private property, but cautioned that there is no ordinance requiring individual property owners to maintain their sewer service lines. **Mitchell** asked where the additional funding would come from; **Elfering** said that there still are funds in the Sewer Fund for this work.

***Sampair/Mitchell 3-0 (Harper absent) to approve the low bid of $5,962.95 from Thul Specialty Contracting, Inc. for lining three manholes, and the low bid of $840.00 from Pipe Services for televising the remaining portion of the sanitary sewer main along Lake Avenue.***

**REVIEW OF QUOTES>LAND SURVEYING: Mitchell** brought this matter to the Council’s attention due to the $2,500.00 budgeted for land surveying, and stated the Council requested Elfering to investigate the cost of surveying to determine the right-of-way and property lines at Tighe-Schmitz Park, Dellwood Beach, and Kay Beach. **Elfering** went over with the Council her memo which detailed the cost estimates for surveying Dellwood ($3,570.00), Tighe-Schmitz ($2,645.00), and Kay ($1,845.00), and noted that if all three areas were completed at the same time the City would save $1,270.00 due to reduced mobilization costs passed on to the City, resulting in a total project cost of $6,790.00. **Elfering** assured the City that these figures are considered a “worst case scenario” and represent the maximum cost of the project. **Sampair** would like a notice given to the public to not pull survey irons, stakes, and monuments; **Powers** said he would put something in the next newsletter. **Sampair** asked where the additional $4,290.00 would come from; **Powers** recommends taking the funds out of Unallocated Expenditures, which has $8,351.00 budgeted and $0.00 spent.

***Carson/Mitchell 3-0 (Harper absent) to approve the expenditure of $6,790.00 for surveying Dellwood Beach, Tighe-Schmitz Park, and Kay Beach; and to approve transferring $4,290.00 from Unallocated Expenditures to Surveying to account for this expense.***

**COUNCIL REPORTS: Mitchell** noted than on July 12, he attended a meeting with the U. S. Geological Survey (USGS) on the lake level study, and was advised that USGS is $11,500.00 short for completing the study. **Mitchell** said that Birchwood has been asked to contribute an additional $500.00 for the project, and asked that this matter be put on the August 23 agenda for consideration of approval.

**Mitchell** shared with the Council that the resident who volunteered to construct the Little Free Library that the Council talked about a month ago has completed the structure, and directed staff to work with the volunteer to get the structure placed next to the bulletin board outside the hall.

**Carson** said that the Tighe-Schmitz ball field has been sprayed with organic weed killer, and will be dragged every two weeks to make sure the weeds are removed.

**Mitchell** asked Elfering to explain an issue regarding a stormwater pond at East County Line Road and Riviera Drive; **Elfering** explained that this pond receives stormwater from areas in Birchwood, White Bear Lake, and Washington County; the pond was scheduled for cleanout in 2008, and it was determined at that time that the City’s share of the cost would be $1,000.00; the pond has yet to be cleaned out; the pond is now scheduled for cleanout; and the City has been advised by the City of White Bear Lake that Birchwood’s cost is now $3,000.00. **Mitchell** requested this matter be put on the August 23rd agenda for Council review.

**NEXT MEETING – AUGUST 23, 2012> TOPICS: Mitchell** noted that the majority of the time at this special meeting will be devoted to a workshop on reviewing the proposed 2013 City budget; however, before the workshop the Council will be discussing the request for an additional $500.00 for the White Bear Lake lake level study; review of the $3,000.00 request for cleaning out the holding pond at East County Line Road and Riviera Drive; and also consideration of appointing a resident to the City Council to fill the vacancy on the Council created by Mark Peterson’s resignation until a successor is elected on November 6th.

**ADJOURN:**  ***Mitchell/Sampair 3-0 (Harper absent) to adjourn the meeting @ 7:45pm.***

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Dale Powers

City Clerk