

**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
April 14th, 2020**

MINUTES

MEMBERS PRESENT: Mayor Mary Wingfield; Council Members: Randy LaFoy, Kevin Woolstencroft, Jonathan Fleck, & Jessi Aakre.

STAFF PRESENT: Tobin Lay, City Administrator; Alan Kantrud, City Attorney.

OTHERS PRESENT: Meeting held virtually through Zoom.

Mayor Wingfield called the regular meeting to order at 7:00pm and explained the reason for the meeting being conducted virtually via the Zoom platform as is permitted by Minnesota State Statute. The pledge of allegiance was recited.

AGENDA APPROVAL

Mayor Wingfield: Added the approval of the City of Birchwood Village's State of Emergency declaration to the agenda.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCIL MEMBER AAKRE TO APPROVE THE ADGENDA AS AMENDED. ALL AYES. MOTION PASSED.

OPEN PUBLIC FORUM

- A. **Barton Winters:** Detailed research he had conducted for possible changes to the hockey rink.

ANNOUNCEMENTS

- A. Leaf Pick Up April 20th & 27th. RSVP Required – see enclosed flier for detail
- B. We are social, follow us on Facebook/Twitter and/or register for the email listserv

LOCAL EMERGENCY

Approve Resolution 2020-15, Local Emergency

MOTION WAS MADE BY COUNCILMEMBER AAKRE AND SECONDED BY COUNCIL MEMBER LAFOY TO APPROVE RESOLUTION 2020-15. ALL AYES. MOTION PASSED.

ADMINISTRATIVE PRESENTATION

- A. Sheriff Report
- B. BDA Boat Slip Update

CONSENT AGENDA

- A. Approve Regular Meeting Minutes from March 10, 2020
- B. Approve Treasurer's Report
- ~~C. Approve Resolution 2020-10, Fund Transfers~~
- D. Approve Resolution 2020-13, Special Assessment Policy Amendments
- E. Ratify Purchase of Copy Machine
- ~~F. Approve Extension Request for Variance Case No. 20-01-VB; 15 Birchwood Lane~~

Mayor Wingfield: Pulled Consent Agenda items C and F for further deliberation.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCIL MEMBER WOOLSTENCROFT TO APPROVE THE CONSENT AGENDA AS AMENDED. ALL AYES. MOTION PASSED.

- C. Approve Resolution 2020-10, Fund Transfers
 - a. **Mayor Wingfield:** Modified language in the second clause to reflect that some projects have already been completed.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCIL MEMBER AAKRE TO APPROVE RESOLUTION 2020-10 AS AMENDED. ALL AYES. MOTION PASSED.

- F. Approve Extension Request for Variance Case No. 20 01 VB, Birchwood Lane
 - Administrator Lay:** Explained request for extension from the Sherwood's.
 - Attorney Kantrud:** Explained statutory requirements for extensions.

MOTION WAS MADE BY COUNCILMEMBER FLECK AND SECONDED BY COUNCIL MEMBER AAKRE TO APPROVE EXTENSION REQUEST FOR VARIANCE CASE NO. 20-01-VB, 15 BIRCHWOOD LANE. ALL AYES. MOTION PASSED.

CITY BUSINESS – REGULAR AGENDA

- A. Second Reading Ordinance 2017-07-01, Sec. 615 Exterior Storage
 - a. Public Hearing

Mayor Wingfield opened the Public Hearing at 07:29pm.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCIL MEMBER FLECK TO CLOSE THE PUBLIC HEARING AT 07:32. ALL AYES. MOTION PASSED.

- b. Council Deliberation and Approval
 - i. Council agreed upon two changes to the ordinance language.
- c. Approve Resolution 2020-11, Summary Publication

MOTION WAS MADE BY COUNCILMEMBER FLECK AND SECONDED BY COUNCIL MEMBER LAFOY TO APPROVE SECOND READING OF ORDINANCE 2017-07-01, SEC. 615 AS AMENDED. ALL AYES. MOTION PASSED.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO RATIFY PREVIOUS VOTES TO CONSENT THAT ALL PREVIOUS VOTES WERE UNANIMOUS. ROLL CALL VOTE: WINGFIELD; AYE, FLECK; AYE, AAKRE; AYE, LAFOY; AYE, WOOLSTENCROFT; AYE. MOTION PASSED.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCIL MEMBER FLECK TO APPROVE RESOLUTION 2020-11, SUMMARY PUBLICATION. ROLL CALL VOTE: LAFOY; AYE, AAKRE; AYE, FLECK; AYE, WOOLSTENCROFT; AYE, WINGFIELD; AYE. MOTION PASSED.

- B. Second Reading Ordinance 2020-02-01, Sec. 300 Nominal & Accessory Structures Definitions
 - a. Public Hearing

Mayor Wingfield opened the Public Hearing at 07:43pm.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCIL MEMBER WOOLSTENCROFT TO CLOSE THE PUBLIC HEARING. ROLL CALL VOTE: WINGFIELD; AYE, FLECK; AYE, WOOLSTENCROFT; AYE, LAFOY; AYE, AAKRE; AYE. MOTION PASSED.

- b. Council Deliberation and Approval

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER AAKRE TO APPROVE ORDINANCE 2020-02-01, SEC. 300 NOMINAL & ACCESSORY STRUCTURES DEFINITIONS AS AMENDED. ROLL CALL VOTE: WINGFIELD; AYE, WOOLSTENCROFT; AYE, FLECK; AYE, AAKRE; AYE, LAFOY; AYE. MOTION PASSED.

- c. Approve Resolution 2020-12, Summary Publication

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCIL MEMBER WOOLSTENCROFT TO APPROVE RESOLUTION 2020-12, SUMMARY PUBLICATION. ROLL CALL VOTE: WINGFIELD; AYE, WOOLSTENCROFT; AYE, FLECK; AYE, AAKRE; AYE, LAFOY; AYE. MOTION PASSED.

- C. Tighe-Schmitz Park Improvements – baseball diamond, pleasure rink alignment, hockey rink surface
 - a. Public Discussion

Mayor & Council Members: Directed City staff to turn baseball diamond into grass field.

- b. Council Deliberation and Approval

- D. Water Main Break Surcharge
 - a. Council Deliberation and Approval

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE A \$17 SURCHARGE TO EACH UTILITY CUSTOMER FOR THE REMAINING 2020 BILLING CYCLES. ROLL CALL VOTE: WINGFIELD; AYE, FLECK; AYE, AAKRE; AYE, WOOLSTENCROFT; AYE, LAFOY; AYE. MOTION PASSED.

- E. City Responses to COVID-19
 - a. Suspension of utility late fees

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER AAKRE TO APPROVE SUSPENSION OF LATE FEES AS DESCRIBED IN THE MEMO ON PAGE 55 OF THE AGENDA PACKET. ROLL CALL VOTE: WINGFIELD; AYE, AAKRE; AYE, FLECK; AYE, WOOLSTENCROFT; AYE, LAFOY; AYE. MOTION PASSED.

- b. Tennis court, playgrounds, port-a-potties

- i. Council deliberated on actions to take. Agreed upon keeping open the tennis courts, beaches, closing the playgrounds, placing a sign advising of social distancing, & deferring action on port-a-potties to the Regular City Council Meeting in May 2020.
 - c. Lawn care, spring clean-up, etc.
 - i. Council directed maintenance staff to continue performing lawn care
 - d. City docks, kayaks
 - i. Council directed maintenance staff to put out dock at Kay Beach
- F. Lake Links Trail Update
 - a. Water Connection
 - b. Traffic Calming
- G. Washington County Cooperative Weed Management agreement
 - a. Council Deliberation and Approval

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEBER LAFOY TO APPROVE ENTERING INTO AGREEMENT WITH THE WASHINGTON COUNTY COOPERATIVE WEED MANAGEMNT PROGRAM. ROLL CALL VOTE: WINGFIELD; AYE, WOOLSTENCROFT; AYE, LAFOY; AYE, AAKRE; AYE, FLECK; AYE. MOTION PASSED.

- H. City Park Address Assignments
 - a. Council Deliberation and Assignment
 - i. Council deliberated options for all parks and beaches.
 - b. Approve Resolution 2020-14

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE RESOLUTION 2020-14 AS AMENDED. ROLL CALL VOTE: AAKRE; AYE, FLECK; AYE, WOOLSTENCROFT; AYE, LAFOY; AYE, WINGFIELD; AYE. MOTION PASSED.

- I. City Attorney Report
 - a. 11 Birchwood Ln Utility Easement Update
 - b. Survey Quotes

Attorney Kantrud: Informed Council of his progress for both.

- J. Council Member Reports
 - a. Mayor Wingfield
 - i. Water Meter Upgrades Update
 - 1. **Mayor Wingfield:** Informed Council on the progress and opined that project may need to be postponed to 2021 due to the COVID-19 pandemic.

- K. City Administrator's Report
 - a. Diseased Trees
 - i. **Council Members:** Asked for a public discussion on this at the May 12 meeting.
 - b. Mahtomedi Garden Club Grant
 - c. Old Storage Items

ADJOURN

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER FLECK TO ADJOURN THE MEETING. ROLL CALL VOTE: LAFOY; AYE, AAKRE; AYE, WOOLSTENCROFT; AYE, WINGFIELD; AYE, FLECK; AYE. MOTION PASSED. MEETING ADJOURNED AT 8:45 PM.

ATTEST:

Mary Wingfield
Mayor

Tobin Lay
City Administrator - Clerk