

**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
August 18th, 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: Justin McCarthy, Terence O’Loughlin, Brad Konkler, Terry Longville, Wayne Sandberg, Trilby White, Rachel Broughton, Steve Ferry, Ryan Hankins, John Mazzitello, Stan Karwoski, Matt Duffy, Ben Creagh, Greg Brown, Debbie Harrod, Judy Duffy, Michael Brooks, Amy Hoffman, Lindsay Wynne

Mayor Wingfield called the regular meeting to order at 7:02pm 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 two agenda items to the Regular Agenda

Councilmember LaFoy added two agenda items to the Regular Agenda

City Administrator Lay added two agenda items to the Regular Agenda, and also requested to table Regular Agenda Item H. Regular Agenda Item H was kept on the agenda as Agenda Item J.

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

OPEN PUBLIC FORUM

- A. **Judy Duffy (505 Lake Avenue):** Addressed the Council on concerns of property dispute
- B. **Matt Duffy (Attorney for 505 Lak Avenue Homeowners):** Stated intent to reserve right to speak on Regular Agenda Item B
- C. **Trilby White (3 Oakridge Drive):** Addressed concern on planned subdivision at 176 Cedar Street and the need for a storm management study.
 - a. Mayor and Council directed City Administrator Lay to provide a letter to the developer for need to follow City code and permitting requirements.
- D. **Terry OLaughlin (27 Birchwood Lane):** Expressed desire for a Westbound one-way trail along Birchwood Lane for the Lake Links Trail.

ANNOUNCEMENTS

- A. Lost & Found: An adult bicycle and child’s tricycle were found at Birch Beach. Also a set of keys.
- B. Mail theft alert: don’t leave mail in mailboxes overnight; call 911 for suspicious activity.
- C. Mask & Social Distancing Reminders.
- D. Toilet Efficiency Rebate (\$200). See www.cityofbirchwood.com/events for details.

- E. We are social, follow us on Facebook/Twitter and/or register for the email listserv

ADMINISTRATIVE PRESENTATION

- A. Sheriff Report

CONSENT AGENDA

- A. Approve Regular Meeting Minutes from June 9, 2020
- B. Approve Regular Meeting Minutes from July 14, 2020
- C. Approve Treasurer's Report
- D. Approve Schifsky's Crackfill Citywide - \$3500 (\$3000 estimate plus 15% contingency)
- E. Approve the 2020 City Tree Inspector Contract

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER FLECK TO APPROVE THE CONSENT AGENDA. ROLL CALL VOTE: LAFOY; AYE, FLECK; AYE, AAKRE; AYE, WOOLSTENCROFT; AYE, WINGFIELD; did not vote. MOTION PASSED.

CITY BUSINESS – REGULAR AGENDA

- A. Lake Links Trail Update
 - a. Ramsey/Washington Counties South Shore Blvd Presentation
 - b. Q&A and Council Deliberation
 - i. Mayor, Council, & Public deliberated traffic options. Councilmember Fleck volunteered to become the elected official person-of-contact for further communication on the project and the impact on Birchwood Village.
- B. Kay Beach Update
 - a. Council Deliberation and Approval
 - i. **Mayor & Council:** Discussed need to remove shrubbery on Key Beach for public urination concern.
 - ii. **Mayor, Council, & City Attorney:** Discussed actions to take on resolving property concern at 505 Lake Avenue.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER FLECK TO STAY THE ENFORCEMENT OF THE ORDINARY HIGH WATER LINE SETBACK OF FENCE ORDER UNTIL PROPERTY OWNERSHIP IS TRANSFERRED. ROLL CALL VOTE: AAKRE; AYE, LAFOY; AYE, FLECK; AYE, WOOLSTENCROFT; AYE, WINGFIELD; AYE. MOTION PASSED.

- C. Code Violation Procedure (Aakre)
 - a. Council Deliberation and Approval
 - i. **Mayor & Council:** Deliberated ideas for updating code enforcement procedure. Decision was made to schedule a workshop meeting for further development.
- D. CARES Act Funding
 - a. Council Deliberation and Approval
 - i. **Mayor Wingfield:** Informed Council of information received from St. Anthony Village financial liaison regarding CARES Act spending options on Lift Station and water meter upgrades
 - ii. **Councilmember LaFoy:** Expressed interest in spending a portion of CARES Act funds on iPads to be provided to Councilmembers for use during City Council meetings.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER FLECK TO AUTHORIZE CITY ENGINEER TO CREATE DESIGN BUILD BIDS FOR A STANDBY NATURAL GAS GENERATOR AT THE DELLWOOD LIFT STATION SIMILAR IN SCOPE TO WILDWOOD LIFT STATION. ROLL CALL VOTE: LAFOY; AYE, AAKRE; AYE, WOOLSTENCROFT; AYE, FLECK; AYE, WINGFIELD; AYE. MOTION PASSED.

- E. Water Meter Upgrades Update (Fleck)
 - a. Council Deliberation and Approval

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO AUTHORIZE CITY ENGINEER TO ASSIST THE COUNCIL IN PRODUCING DESIGN BUILD BIDS FOR A RADIO TOWER THAT WOULD SERVICE WATER METER READING TO HELP REDUCE THE AMOUNT OF EXPOSURE TO WORKERS AND CONTRACTORS DURING COVID-19 CRISIS IN REGARD TO METER READING AND SUPPORT. ROLL CALL VOTE: AAKRE; AYE, LAFOY; AYE, WOOLSTENCROFT; AYE, FLECK; AYE, WINGFIELD; AYE. MOTION PASSED.

- F. Council Salaries (Wingfield)
 - a. Council Deliberation and Approval
 - i. **Mayor & Council:** Deliberated potential increase to salaries for Mayor and Council. Agreed on proceeding with next steps to increase Councilmember salary to \$1,500 and Mayor salary to \$2,500.
 - ii. **City Attorney Kantrud:** Explained process for city staff to draft ordinance to be reviewed and potentially approved by Mayor and Council.

- G. Election Process Ownership
 - a. **Mayor Wingfield:** Offered idea to transfer ownership of administering elections to Washington County.
 - b. **City Administrator Lay:** Provided details on increased costs associated with transfer of election administration to Washington County.
 - c. **Mayor & Council:** Directed City Administrator Lay to work with Washington County to establish Joint Powers Agreement to be reviewed and potentially approved by the Council.

- H. Personnel Committee Update (LaFoy & Aakre)
 - a. Council Deliberation
 - i. **Mayor & Council:** Discussed proposed changes to the By-Laws of the Personnel Committee

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER AAKRE TO APPROVE THE AMENDED PERSONNEL COMMITTEE BYLAWS. ROLL CALL VOTE: AAKRE; AYE, WOOLSTENCROFT; AYE, FLECK; AYE, LAFOY; AYE, WINGFIELD; AYE. MOTION PASSED.

- ii. **Mayor & Council:** Discussed options for filling City Administrator vacancy. Stated the position will be posted for 7 days and interviews to follow.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER AAKRE TO APPROVE THE AMMENDED PERSONNEL DIRECTOR DUTIES DOCUMENT AND POLICY. ROLL CALL VOTE: FLECK; AYE, WOOLSTENCROFT; AYE, LAFOY; AYE, AAKRE; AYE, WINGFIELD; AYE. MOTION PASSED. (02:10:29)

- I. North Side of Iris St Rut
 - a. Council Deliberation and Approval

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO AUTHORIZE T.A. SCHIFSKY & SONS, INC. TO FIX THE RUT UP TO \$2,500.00. ROLL CALL VOTE: LAFOY; AYE, AAKRE; AYE, WOOLSTENCROFT; AYE, FLECK; AYE, WINGFIELD; AYE. MOTION PASSED.

- J. 2021 Budget Proposal
 - a. Review and Discuss
 - i. **Mayor & Council:** Directed Administrator Lay to include the Washington County Elections Joint-Powers Agreement (JPA) fees in the budget and present budget and JPA in September.

- K. Council Member Reports
 - a. Councilmember LaFoy
 - i. Wildwood Ave debris
 - 1. **Mayor, Council, & City Attorney:** Discussed concern with 310 Wildwood Avenue gravel runoff and options for City to address the concern. Mayor and Council directed City Attorney to begin the process of civil proceedings.
 - ii. Traffic Calming Taskforce
 - 1. Approval of Committee Recommendation to add Justin McCarthy to the taskforce.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE THE APPOINTMENT OF JUSTIN MCCARTHY TO THE TRAFFIC CALMING TASKFORCE. ROLL CALL VOTE: AAKRE; AYE, WOOLSTENCROFT; AYE, FLECK; AYE, LAFOY; AYE, WINGFIELD; AYE. MOTION PASSED.

- L. City Administrator's Report
 - a. NYFS Council visit
 - i. **Mayor & Council:** Discussed and agreed to schedule the NYFS visit to the 1st regular city council meeting of 2021.
 - b. Lift Station #2 Insurance Update
 - i. **City Administrator Lay:** Updated Mayor & Council on different reimbursement options from the insurance provider. Mayor & Council agreed to proceed with replacing the corrosion and receive full reimbursement.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE THE BID FROM PULSE ELECTRIC. ROLL CALL VOTE: WOOLSTENCROFT; AYE, FLECK; AYE, AAKRE; AYE, LAFOY; AYE, WINGFIELD; AYE. MOTION PASSED.

- c. Schedule Sept. Variance Hearings
 - i. **Mayor & Council:** Chose September 9th 2020 as the tentative date for variance hearings.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER FLECK TO SCHEDULE A SPECIAL CITY COUNCIL MEETING FOR SEPTEMBER 9, 2020 AT

7:00PM. ROLL CALL VOTE: AAKRE; AYE, WOOLSTENCROFT; AYE, FLECK; AYE, LAFOY; AYE, WINGFIELD; AYE. MOTION PASSED.

d. Videographer Rate Increase

MOTION WAS MADE BY COUNCILMEMBER FLECK AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE THE VIDEOGRAPHER RATE INCREASE. DISCUSSION: MAYOR WINGFIELD ADVOCATED FOR A HIGHER RATE THAN REQUESTED BY VIDEOGRAPHER AND DETAILED SOURCE OF FUNDING TO REIMBURSE THE CITY FOR THIS EXPENSE. MOTION WAS RETRACTED.

MOTION WAS MADE BY COUNCILMEMBER FLECK AND SECONDED BY COUNCILMEMBER AAKRE TO APPROVE A VIDEOGRAPHER RATE INCREASE TO \$27.50 TO BE EFFECTIVE ON 08/18/2020. ROLL CALL VOTE: WOOLSTENCROFT; AYE, FLECK; AYE, AAKRE; AYE, LAFOY; AYE, WINGFIELD; DID NOT VOTE. MOTION PASSED.

e. 2040 Comp Plan Update

- i. **Mayor Wingfield:** Informed Council of changes and updates she recommended throughout.
- ii. **Council:** Deliberated and came to consensus on language changes to be implemented.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER FLECK TO AUTHORIZE CITY ADMINISTRATOR LAY TO SEND THE 2040 COMPREHENSIVE PLAN UPDATE TO APPROPRIATE AGENCIES FOR COMMENT AS REQUIRED. ROLL CALL VOTE: LAFOY; AYE, FLECK; AYE, AAKRE; AYE, WOOLSTENCROFT; AYE, WINGFIELD; DID NOT VOTE. MOTION PASSED.

f. Fishing on Key Beach

- i. **Mayor & Council:** Discussed concern over fishing on Kay Beach. Consensus was reached that fishing is allowed at each of the beaches, including Kay Beach.

g. CARES Act Funds

- i. **City Administrator Lay:** Informed Mayor & Council of need for device to make council chambers cameras compatible with video recording/streaming.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER AAKRE TO AUTHORIZE PURCHASE OF REQUIRED DEVICE WITH USE OF CABLE COMMISSION FUNDS. ROLL CALL VOTE: WOOLSTENCROFT; AYE, LAFOY; AYE, AAKRE; AYE, FLECK; AYE, WINGFIELD; AYE. MOTION PASSED.

ADJOURN

MOTION WAS MADE BY COUNCILMEMBER FLECK AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO ADJOURN THE MEETING. ROLL CALL VOTE: WOOLSTENCROFT; AYE, FLECK; AYE, AAKRE; AYE, LAFOY; AYE, WINGFIELD; DID NOT VOTE. MOTION PASSED. MEETING ADJOURNED AT 10:10 PM.

ATTEST:

Mary Wingfield
Mayor

Tobin Lay
City Administrator - Clerk