

**MINUTES
OF THE REGULAR MEETING OF THE
CITY OF BIRCHWOOD VILLAGE**

VIRTUAL MEETING

FEBRUARY 9, 2021

7:00PM

CALL TO ORDER

Mayor Wingfield called the meeting to order at 7:01pm and stated that the meeting was being held remotely in compliance with Governor Waltz Stay at Home Order, then shared the procedure for public hearing and community comment.

MEMBERS PRESENT: Mayor Mary Wingfield, Council Members: Kevin Woolstencroft, John Fleck, Justin McCarthy, Mark Foster

STAFF PRESENT: City Administrator, Andy Gonyou; City Attorney, H. Alan Kantrud; City Planning Commission Chairperson, John Lund

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

Mayor Wingfield: Stated that she would like to add items under Council Member Reports under her name.

- a. Water main breaks
- b. Park comp plan
- c. Shed at 312 Wildwood.
- d. Building inspection for 310 Wildwood
- e. Uniform Maintenance Code

MOTION WAS MADE BY COUNCILMEMBER FLECK AND SECONDED BY COUNCILMEMBER FOSTER TO ADOPT THE AMENDED AGENDA. ROLL CALL: AYES: FOSTER, FLECK, MCCARTHY, WOOLSTENCROFT, WINGFIELD. MOTION PASSED

OPEN PUBLIC FORUM

Nadja Gale: at 419 Wildwood questioned on if she would speak now on E the Second Reading, Ord. 2021-01-01 or wait for when it came up. She will wait.

ANNOUNCEMENTS

A. We are social, follow us on Facebook @BirchwoodCityHall or Twitter @CityofBirchwood

CITY BUSINESS-CONSENT AGENDA

Approve Treasure's Report

Mayor Wingfield asks that we consider that separately and would like to do this under the Council Member Reports.

CITY BUSINESS-REGULAR AGENDA

A. State of the City – Mayor Wingfield

1. Working on getting a second generator for the lift station at the hockey rink and it would give 100% backup power in case of emergency.
2. Working on being self-sufficient with our water meter reading situation that is not sustainable, and our contractor does not want to provide the service and that is a service that is obsolete in our system and we are working well on moving into the 21st century
3. Upkeep on hockey rink going well
4. Tennis/pickleball courts are being cleaned and used this winter at 25 degrees on up
5. This year is our 100year anniversary. We have the White Bear Historical Society providing or trying to obtain grants for us on getting historical signage to recognize who our founders and leaders have been.
6. Our historical guidebook coming out this year
7. The city hall renovation group is looking into rehabbing the city hall inside and out
8. We had two water main breaks
9. Also new this year; Andy Gonyou is our new City Administrator. Jackie Smith is our new Deputy Clerk. New Council Members; Mark Foster and Justin McCarthy.

B) Prevailing setback Review for 15 Birchwood La

- a. Planning Commission Chairperson Summary
 - i. John Lund, Planning Commission Chairperson summarized the Planning Commission's findings.
- b. Council Deliberation
 - i. **Greg and Kathy Sherwood (15 Birchwood Lane):** explained as to why they were requesting the prevailing setback.
 - ii. **Mayor and Council:** Deliberated concerns of approving prevailing setback request.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER FLECK THAT WILL SAY TO ADD ON THE CONDITION, TO BE DETERMINED BY OUR ENGINEER. ROLL CALL VOTES: AYES: FLECK, WOOLSTENCROFT, MCCARTHY, FOSTER, WINGFIELD. MOTION PASSED.

C. Variance Case No 21-01-VB for 419b Wildwood Ave

a. Planning Commission Chairperson Summary

i. John Lund, Planning Commission Chairperson, summarized the Planning Commission's findings.

b. Council Deliberation

i. **Nadja Gale** (419B Wildwood Avenue) Explained as to why she would like to be considered for this variance.

ii. **Mayor and Council:** Deliberated concerns of approving this variance.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY MCCARTHY TO TABLE/WITHDRAW THE VARIANCE REQUEST FOR 60 DAYS PENDING FURTHER INFORMATION, AND ASKED NADYA GALE (HOMEOWNER) TO CONFIRM IT IN WRITING THAT SHE AGREES. ROLL CALL: AYES: MCCARTHY, FOSTER, FLECK WOOLSTENCROFT, WINGFIELD. MOTION PASSED

D. Planning Commission Updates

a. Undersized Lot Regulations (Sec. 301.050, 302.015, 300.020.34)

i. tabled.

b. Fence Ordinance (Sec. 302.070)

i. tabled.

c. Impervious Surface (Sec. 302.050)

i. tabled.

E. Second Reading Ord. 2021-01-01, Sec. 302.020 Structure Loc. Requirements

MAYOR WINGFIELD OPENED THE PUBLIC HEARING AT 8:23PM

a. Public Hearing

1. Brian McGinnis – Expressed concerns about dropping this section.

2. Mike Kraemer: From the Planning Commission mentioned that he has not had a chance to review this or been asked to

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER FLECK TO CLOSE THE PUBLIC HEARING. ROLL CALL VOTE: AYES; FLECK, WOOLSTENCROFT, FOSTER, MCCARTHY, WINGFIELD. MOTION PASSED

b. Council Deliberation and Approval

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER FLECK TO ACCEPT IT AS WRITTEN BY DELETING IT. ROLL CALL VOTES: AYES; FLECK, FOSTER, WOOLSTENCROFT, WINGFIELD. MOTION PASSED.

c. Approve Resolution 2023-06, Summary Publication

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER FLECK TO APPROVE THE RESOLUTION 2023-06, SUMMARY PUBLICATION. ROLL CALL VOTE: AYES; FOSTER, WOOLSTENCROFT, MCCARTHY, FLECK, WINGFIELD. MOTION PASSED

F. City Hall Building Updates

a. Mayor Wingfield Update

i. Mayor Wingfield: Shared her findings to the council on getting two bids to help maintain City Hall's siding issues.

b. Council Deliberation

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER FLECK THAT AUTHORIZATION GO TO PELCO TO GO FORWARD AFTER A CONTRACT HAS BEEN APPROVED BY OUR CITY ATTORNEY ALAN KANTRUD. ROLL CALL VOTES: AYES; FLECK, WOOLSTENCROFT, MCCARTHY, FOSTER, WINGFIELD. MOTION PASSED

G. Council Member Report.

a. Mayor Wingfield:

i. Treasures Report (Carried from "Consent Agenda")

Discussion and concerns were made on the Treasure's Report, made a comment that she cannot at this time approve the Treasure's Report.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY WOOLSTENCROFT TO PAY THE BILLS IN ADDITION TO HAVING ADMINISTRATOR GONYOU CHECK WITH WASHINGTON COUNTY AND PAY WASHINGTON COUNTY CHARGES IF NECESSARY. ROLL CALL: AYES; FOSTER, WOOLSTENCROFT, MCCARTY, FLECK, WINGFIELD. MOTION PASSED

MOTION WAS MADE BY MAYOR WINGFIELD TO SET ASIDE \$35,000 IN A SPECIAL FUND FOR WATER METER REPLACEMENTS. ROLL CALL VOTES: AYES; WOOLSTENCROFT, FLECK, MCCARTY, FOSTER, WINGFIELD. MOTION PASSED

i. 3 Way intersection at Wildwood and Iris, Stop Sign Request/Public Hearing

Mayor Wingfield would like to move this to our April Agenda for further discussion.

ii. Subdivision Task Force Update

Mayor Wingfield: working through it and making progress, getting good feedback and productive. Mayor Wingfield also said that she would take minutes of the meetings, a request from Councilmember McCarthy.

iii. White Bear Township Water Fee

Mayor Wingfield: Mentioned that it is actually White Bear Lake Water Fee and just finished up our billing for last quarter and the last time we are paying Lake Litigation fee. In White Bear Press they are now going to add on a facilities fee, don't have any more information on that. Went on to explain the Lake Litigation Fee.

iv. Generator/Water Tower Pole

Mayor Wingfield: Is requesting that the council endorse the idea that the monies for those two expenses, generator/water tower pole, come out of the General Fund and any miscellaneous unanticipated allocated expense. Asked if all agree, councilmembers answered yes. Administrator Gonyou will convey this to City Treasurer Tobin.

“FROM APPROVE AGENDA”

1. Water Main Break at Wildwood/Birchwood

Mayor Wingfield: Discussed events that went on during the water main breaks on Wildwood and Birchwood.

2. Park Comp Plan

Mayor Wingfield sent out a packet of the Park Comprehensive Plan. Would like to have a workshop for it and combine it with the Planning Commission workshop. Looking to have each workshop run about 45 minutes Administrator Gonyou will address the Planning Commission Workshop.

3. 312 Wildwood Shed

Mayor Wingfield mentioned that it has not been taken down. Mayor and Councilmembers discussed options.

4. Building inspection for 310 Wildwood

Mayor Wingfield and Council discussed the issues on this property and how to handle it. Both 312 and 310 Wildwood will be discussed more at the next Council meeting.

5. Uniform Maintenance Code

Mayor Wingfield will email a copy out to Councilmembers for their review to discuss at next meeting to see if it should be accepted as is or modified.

b. Planning Commission Workshop

Administrator Gonyou discussed what went on during the workshop.

Mayor Wingfield suggested that Administrator Gonyou work with the Planning Commission in terms of how to handle meetings. Council can come in and discuss how the planning and council can work together.

H. City Administrator's Report

a. Deputy Clerk Update

i. New deputy clerk started February 8, 2021.

b. Planning Commission Workshop

i. Discussion made under “From Approve Agenda” subtitle b- Planning Commission Workshop

c. Warming House Parking Lot Paving

Treasurer Tobin asked for some guidance on what and where to coat. Council mentioned it was \$3500 and should come out of parks special revenue funds.

d. Public Notices for Variances

Administrator Gonyou is looking for guidance on to where variances should be posted. Council would like to publish it on the website rather than in paper.

e. L/S 3 Reimbursement

Looking for guidance on the issue of the electrical wiring that was to being repaired which was instead of going on a tower it was upgraded and put underground. Issues have arisen from the Insurance company, giving us two options, one is the loss of reimbursement to the city which would be \$5,000 less or try to track down invoices from company who made the repair. Mayor Wingfield and Councilmembers discussed this, and Administrator Gonyou will work with X-Cel and Treasurer Tobin to try and rectify the \$5,000 discrepancy.

f. Water Main Break at 300 Wildwood

Discussion made under "Approved Agenda" under Mayor Wingfield, subtitle a.

ADJOURN

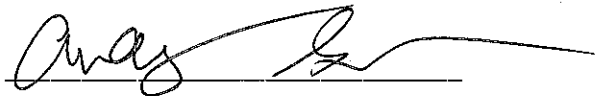
MOTION WAS MADE BY COUNCILMEMBER MCCARTHY AND SECONDED BY COUNCILMEMBER FOSTER TO ADJOURN THE MEETING. ROLL CALL VOTES: AYES; FOSTER, WOOLSTENCROFT, MCCARTHY. FLECK, WINGFIELD. MOTION PASSED. MEETING ADJOURNED AT 10:15PM.

ATTEST:



Mary Wingfield

Mayor



Andy Gonyou

City Administrator



RESOLUTION 2021-06

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

**A RESOLUTION APPROVING SUMMARY PUBLICATION OF
ORDINANCE NO. 2021-01-01, AN ORDINANCE AMENDING
STRUCTURE LOCATION REQUIREMENTS IN SECTION 302 OF
CITY CODE**

WHEREAS, the City of Birchwood Village is a political subdivision, organized and existing under the laws of the State of Minnesota; and

WHEREAS, the City has adopted Ordinance No. 2021-01-01, which amends City Code Section 302 Structure Location Requirements; and

WHEREAS, the new ordinance is lengthy and would be costly for the City to publish in its entirety as required by law for the adoption of an ordinance.

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

1. Because the terms of Ordinance 2021-01-01 are lengthy, the City may publish the attached summary of the Ordinance as allowed by statute, and need not publish the entire ordinance. The attached summary clearly informs the public of the intent and effect of the Ordinance. Summary publication has been approved by at least a 4/5 vote of the City Council.
2. The effective date of the Ordinance amendments shall be upon their publication by summary as required by law.

Resolution duly seconded and passed this 9th day of February, 2021.



Mary Wingfield, Mayor

Attest:



Andy Gonyou, City Administrator-Clerk

