

**MINUTES  
REGULAR MEETING  
CITY OF BIRCHWOOD VILLAGE  
JULY 13, 2021**

**CALL TO ORDER**

Mayor Wingfield called the meeting to order at 7:00pm

**MEMBERS PRESENT:** Mayor Mary Wingfield, Councilmembers: Mark Foster, Justin McCarthy, John Fleck, Kevin Woolstencroft

**STAFF PRESENT:** City Administrator Andy Gonyou, City Attorney, H. Alan Kantrud

**PLEDGE OF ALLIGIANCE**

**APPROVE AGENDA**

Councilmember McCarthy wanted to add

1. Parking exceptions
2. Updated picture of the intersection that Andy will be able to provide
3. Andy's valuation was to be under his name

City Administrator Gonyou to add a few items:

1. City Administrator valuation to go under his name
2. The first reading of the Amendment to City Code section 301.055

Mayor Wingfield would like to add:

1. talk about the radio tower for the water meters to be put at end of meeting
2. Talk about Hall's Marsh and Elm Easement
3. Under Old Business need to talk about fence code, deer management, and irrigation permits
4. Damage on the pavement on 221 Wildwood, after item c

**MOTION MADE BY COUNCILMEMBER MCCARTHY TO APPROVE THE AMENDED AGENDA. SECONDED BY COUNCILMEMBER FOSTER. AYES: ALL MOTION PASSED**

**OPEN PUBLIC FORUM**

1. Barton Winter (1 Five Oaks La)
  - a. discussed the maintenance of the hockey rink
  - b. Minutes are not updated for June
  - c. Discussed the property on Cedar

**ANNOUNCEMENTS**

- A. We are social, follow us on Facebook/Twitter and /or register for the email listserv
- B. Music in the Park concert series runs every Sunday at 6:00pm in Tighe-Schmitz Park
- C. Birchwood Village will host an open house for the City's 100 year anniversary on September 10<sup>th</sup>, 2021.  
Will be working with signage that is on for discussion later.
- D. A set of tree loppers was lost at Bloomquist park. Please return to/call City Hall if found
- E. Chipping volunteers are needed, if interested contact Mayor Wingfield.
- F. 4<sup>th</sup> of July was a success
- G. Centennial shirts for sale at Market Fest at White Bear Historical Society

**ADMINISTRATIVE PRESENTATION**

- A. Sheriff Report

**CITY BUSINESS-CONSENT AGENDA**

A. Approve Regular Meeting Minutes from June 8, 2021

- 1, page 3 – “decided to sell the trailer”
2. Park benches should add “privacy of residents”

**MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE THE MINUTES OF JUNE 8, 2021 WITH THE CHANGES. SECONDED BY COUNCILMEMBER FLECK. AYES: ALL MOTION PASSED**

B. Approve Treasurers Report

1. Question about a \$11,340 charge for street roads and maintenances to Schifsky. This charge should be split, since it also includes water main breaks, some should come out of the water fund, and the general fund.

**MOTION WAS MADE BY COUNCILMEMBER MCCARTHY TO APPROVE THE TREASURERS REPORT. SECONDED BY COUNCILMEMBER WOOLSTENCROFT. AYES: ALL. MOTION PASSED**

C. Approve Resolution 2021-17, Joint Powers Agreement with State of MN

1. Councilmember McCarthy wants to make sure that the language of the resolution authorizes the City to do both agreements. At end of agreement under **WHEREAS**, to add the wording of, “This includes the court date of services subscribed by agreement”

**MOTION MADE BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE RESOLUTION 2021-17 AS ADMENDED. SECONDED BY COUNCILMEMBER MCCARTHY. AYES: ALL. MOTION PASSED.**

D. Approve Resolution 2021-16 Appointing City Tree Inspector

1. Mayor Wingfield would like to add language under: **WHEREAS**: John Lund is willing to perform tree inspections and educational outreach .....

**MOTION WAS MADE BY COUNCILMEMBER FLECK TO ACCEPT RESOLUTION 2021-16 AS AMENDED. SECONDED BY COUNCILMEMBER MCCARTHY. AYES: ALL MOTION PASSED**

E. Approve Resolution 2021-18, Hiring of City Treasurer

Discussion was made to change the title of City “Treasurer” to “Assistant Treasurer”

**MOTION WAS MADE BY COUNCILMEMBER MCCARTHY TO PASS RESOLUTION 2021-18 AS AMENDED. SECONDED BY COUNCILMEMBER FLECK. AYES: ALL. MOTION PASSED**

**CITY BUSINESS – REGULAR AGENDA**

A. Parks Capital Improvement Plan

a. Public Hearing

- i. Barton Winter (1 five Oaks) talked about maintenance of the hockey rink
- ii. Susan Mahoney (474 Lake Ave) talked about improving the area of 9 and 10 White Pine La for a waking path for walkers to use instead of using Hall Ave. Property owned by both Birchwood and Mahtomedi.

**MOTION WAS MADE BY COUNCILMEMBER FLECK TO CLOSE THE PUBLIC HEARING. SECONDED BY COUNCILMEMBER FOSTER. AYES: ALL. MOTION PASSED**

Mayor Wingfield talked further on the Park Capital Improvement Plan (page 52), read off the list on “immediate” projects and said that Birch Beach is done, will update council with the rest of them which should be done by end of year. Ash Beach need caps on top of retaining wall and move to “In Due Time” and move Owl to “Immediate”. Elm/East Wildwood Park to be moved to Immediate from In Due Time.

Susan Mahoney is concerned about the open pipes that are not covered with wire. Possible safety hazard for kids.

**MOTION WAS MADE BY MAYOR WINGFIELD TO APPROVE THE PARKS CAPITAL IMPROVEMENT PLAN AS AMENDED. SECONDED BY COUNCILMEMBER MCCARTHY. AYES: ALL. MOTION PASSED**

b. Mayor Wingfield brought up the pathway as mentioned by Susan Mahoney that it would be nice to be a helper to get a path established, Sue Fleck and Cynthia Thomlison also showed interest.

**MOTION MADE BY MAYOR WINGFIELD TO CREATE A TASK FORCE OF SUSAN MAHONEY, SUE FLECK AND CYNTHIA THOMLISON TO DEVELOP THE CONCEPT OF A CONNECTION BETWEEN BIRCHWOOD AVE AND WHITE PINE TO COORDIATE WITH MAHTOMEDI IN CREATING SOME LINER PATH WITH MINIMUM INTRUSION. SECONDED BY COUNCILMEMBER WOOLSTENCROFT. AYES; ALL. MOTION PASSED**

**B. Appoint Planning Commissioner**

**a. Review Candidates and Appoint a commissioner**

- i. Joe Evans – Was at meeting and talked about his qualifications
- ii. Michael McKenzie
- iii. Paul Edwards

**b. Council had discussion on the applicants**

**MOTION WAS MADE BY COUNCILMEMBER FLECK APPOINT JOE EVANS TO FILL THE VACANCY. SECONDED BY COUNCILMEMBER WOOLSTENCROFT. AYES; WOOLSTENCROFT, FLECK, WINGFIELD – NAYS: FOSTER, MCCARTHY. MOTION PASSED**

**C. Appoint White Bear Lake Conservation District Representative**

**a. Review Candidates and Appoint Representative**

- i. Amanda Stanhope
- ii. Darren Deyoung – Was at meeting and talked about his qualifications
- iii. Michael McKenzie

**b. Council had discussion on the applicants**

**MOTION WAS MADE BY MAYOR WINGFIELD TO APPOINT DARREN DEYOUNG TO REPRESENT THE CITY OF BIRCHWOOD ON THE VACANCY ON THE WHITE BEARE LAKE CONSERVATION DESTRICT FOR A 3 YEAR TERM STARTNG THIS MONTH. SECONDED BY COUNCILMEMEMER WOOLSTENCROFT. AYES: FOSTER, MCCARTHY, WINGFIELD, WOOLSTENCROFT. NAYS: FLECK. MOTION PASSED.**

**Added by Mayor Wingfield for discussion:**

Damage on the pavement on 221 Wildwood

- i. Spoke with Steve Thatcher who went out to property along with representative from Schifsky that the repair would be \$2500. Can repair pothole for \$500.
- ii. Mayor Wingfield said would be willing to pay the repair or the pot hole for \$500.
- iii. Question about the park damage
  - a. parking on road caused damage to Wildwood park. Need a long term solution
  - b. The contractor is willing to fix the park to the cities approval. Mayor wants to revisit it in August to see how it recovers

**D. City Slogan**

**a. Review and Discuss**

- i. Nothing was selected and will come back with more suggestions

E. Wildwood Park

a. Review and Discuss

- i. Councilmember McCarthy suggested to put something unique and cool in that space for kids to play
- ii. Was thought that Wildwood Park was not a great space for kids due to the two roads on both sides
- iii. Was suggested that maybe Birch Beach would be a good place for a play area
- iv. Looking to apply for grants or fundraising

F. Scheduling of Special Meeting (Mayor Wingfield)

a. Discuss and Potentially Schedule Special Meeting

- i. Subdivision Code First Reading
- ii. Meeting with White Bear Lake Fire and Water Contracts
- iii 15 Birchwood Lane homeowners

b. Meeting set for Monday, July 26 at 6:00pm

G. Park Signage

a. Review and Discuss

- i. Bloomquist
- ii. Tighe-Schmitz
- iii. Wildwood Park

b Designed by Sarah Marko Hanson with the White Bear Historical Society

c. Received a grant for \$10,000 from the Clean Water Land and Legacy Fund

d. Mayor Wingfield asked council to approve the difference of the grant \$10,00 to the actual cost of \$16,407 or \$14,607 and have it come out of the Parks Fund

e. Final design on the folders of the signs need clarification

f. City would install

**MOTION MADE BY MAYOR WINGFIELD TO AUTHORIZE WHITE BEAR LAKE HISTORICAL SOCIETY TO ACT AS OUR AGENT FOR THIS PROJECT IN COORDINATING THE DESIGN, THE PRODUCTION AND THE AUTHOIIIZATION FOR GOING FORWARD. SECONDED BY COUNCILMEMBER FOSTER. AYES: ALL. MOTION PASSED**

H. Lake Links Trail (Mayor Wingfield)

a. Update

- i. Mayor Wingfield explained what Mahtomedi had come up with extra funding if Birchwood wanted to go forward with putting a trail on the opposite side that is on Birchwood Rd and continue that to Jay intersection.

b. Council discussed options

- i. Mayor Wingfield will come back to the August meeting on how much it is and what they can do and not paint the center line.

c. Halls Marsh has been a big liability to get it rebuilt and restructured

- i. Meeting is Wednesday July 14 at 9:00am for the long term process.

I. Council Member Reports

a. Mayor Wingfield

i. Signage for City Entrances

- a. East County Line
- b. Wildwood
- c. Birchwood Rd
- d. Cost \$1000 and Andy Sorenson would help

- II. Legislative update for lift Station funding
  - a. Didn't get the money but no one else did either
  - b. To be considered on the next bonding bill?
  - c. Mayor Wingfield read an email from a staffer in the legislature
  - d. Mayor Wingfield questioned about a low interest loan
    - i. Attorney Kantrud explained as to how it works
  - e. Council discussed if lift station failed what would happen
  - f. Grant vs low interest loan/bond

- iii. STS Update
  - a. Any tree that was boxelder, silver maple, buckthorn was cut
  - b. resprouted trees were cut
  - c. within the right of way
  - e hired a chipper
  - f. Mayor Wingfield would like her loppers that are missing
  - g. Polly's park have trees that are marked by John Lund and will cut down as a gift to the city. Will get a chipper in same day

**MOTION MADE BY MAYOR WINGFIELD TO HAVE JOHN LUND CUT THE 7-8 TREES THAT HAVE BEEN MARKED IN POLLY'S PARK. HE WILL DROP THEM AND THE STS CREW WILL CLEAN THEM UP. SECONDED BY COUNCILMEMBER FLECK. AYES: ALL MOTION PASSED**

- iv. Comp Plan Update
  - a. Moving forward
  - b. Met Council looking to monitor the private lines from house to the street for infiltration
  - c. Looking for quote for Birch path overlay
  - d. Need to budget more for annual maintenance on roads. up to \$6,000-\$7,000

- v. Schifsky Work Update
  - a. 221 has been worked out

- vi. Velocity Sewer Cleaning Report
  - a. City clear, no issues
  - b. Do it more often. On schedule 2026
  - c. 3 manhole covers on Oakridge Dr that need to be replaced because they are cracked. John Manship is looking into this. Going to order an extra one. Have an unusual size manhole cover
  - d. Elm easement there is a pipe on the easement. Too much flow of water and need to keep water in place, suggested by Rice Creek Watershed to clean the canopy to let the grass grow.

- b. Councilmember McCarthy
  - i. Parking exceptions
    - a. questions were risen by overnight parking exceptions for residents on city streets
    - b. Make a policy/guideline
    - c. Bring it up next month and adopt as policy

- ii, Movie Night
  - a. Make it part of centennial celebration
  - b. free to residences
  - c. maybe different place for showing

Mayor Wingfield said it is something for the Community Club to do  
Councilmember Fleck mentioned that the city is not in the entertainment industry

- iii. Wildwood and Iris Intersection  
Council discussed concerns

**MOTION MADE BY COUNCILMEMBER MCCARTHY TO APPROVE RESOLUTION 2021-20. SECONDED BY COUNCILMEMBER WOOLSTENCROFT. AYES: MCCARTHY, WINGFIELD NAYS: FOSTER, WOOLSTENCROFT (changed his vote) FLECK. MOTION DENIED**

- iv. Rain Garden Update – Will present it next month

J. City Attorney Report

- a. Uniform Maintenance Code
  - i. City Attorney Kantrud discussed what he did to reduce this code
  - ii. Councilmember McCarthy to work with City Attorney Kantrud to go over it
- b. Fence Ordinance 302 .070
  - i. Mayor Wingfield and City Attorney Kantrud to get together for put together a fence ordinance
- c. Deer Management
  - i. need a plan so residents know what is going on for next meeting

K. Old Business

- a. City Hall Restoration
  - i. Mayor Wingfield discussed window repair, added additional costs

**MOTION MADE TO DO THE SASH REPAIRS AND ADDITIONAL COST PER WINDOWS ADDING UP TO ABOUT \$8,000. COUNCILMEMBER FLECK SECONDED.**

Mayor Wingfield discussed the storms and the doors

**MOTION MADE TO APPROVE THE SUPPLEMENTAL REPORT FOR PAYMENT TO MARK JOHNSON TO CONTINUE ON WITH THE REHAB TO THE DOORS AND WINDOWS. COUNCILMEMBER FLECK SECONDED. AYES: ALL MOTION PASSED**

**ADDITIONAL INFORMATION ADDED FROM AGENDA ON FIRST PAGE**

1. City Administrator Gonyou

- a. Evaluation on Administrator Gonyou
  - i. Councilmember McCarthy asked if Gonyou wanted it a closed meeting or not
  - ii. City Attorney said it was up to the person being reviewed if open or not
  - iii. Discussion was then made by the Mayor and Councilmember McCarthy on his work
  - iv. bring this up again in December 2021
- b. The first reading of the Amendment to City Code section 301.055
  - i. under cash escrow if the applicant is the “homeowner” to just saying applicant
  - ii. Second reading on August meeting

**MOTION MADE BY MAYOR WINGFIELD TO ACCEPT THE FIRST READING OF CITY CODE SECTION 301.055 PARAGRAPH WITH THE CHANGE. COUNCILMEMBER FLECK SECONDED AYES: ALL MOTION PASSED**

- c. Rice Creek Watershed meeting is tomorrow (Wednesday, July 14) at 9:00am in person
  - i. City Attorney Kantrud volunteered to make the meeting

d. Doug Danks fee schedule is \$100

**MOTION MADE BY MAYOR WINGFIELD TO CHANGE PLANNER TO DOUG DANKS FEE TO \$100 PER HOUR THAT GETS BILLED OUT IN EXCESS OF THE AMOUNT WHEN HE IS USED IN EXCESS AMOUNT OF THE PERMIT AMOUNT. COUNCILMEMBER FLECK SECONDED. AYES: ALL MOTION PASSED**

2. Mayor Wingfield brought up the Radio Tower

a. City Attorney Kantrud explained the contents of the contract and as to why there is a change order of additional monies.

b. Looking to split the costs between the city and company

**MOTION MADE BY MAYOR WINGFIELD TO ACCEPT THEIR COMPROMISE, WHICH HAS BEEN NEGOTIATE THROUGH OUR ATTORNEY AND WANT IT DONE POST HASTE. COUNCILMEMBER WOOLSTENCROFT SECONDED. AYES: ALL MOTION PASSED.**

**MOTION MADE BY COUNCILMEMBER FLECK TO ADJOURN. SECONDED BY COUNCILMEMBER MCCARTHY.**

**ADJOURNED AT 9:57PM**

**ATTEST**

---

**MAYOR MARY WINGFIELD**

---

**CITY ADMINISTRATOR ANDY GONYOU**