

**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
July 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: Tony DeMars; Jacqueline Jarosz; Cora Hankins; Stan Karwoski and others.

Mayor Wingfield called the regular meeting to order at 7:04pm 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 three items to Agenda Item F subsection a.

Councilmember LaFoy added one item to Agenda Item F subsection b.

City Administrator Lay added one item to Agenda Item H.

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

OPEN PUBLIC FORUM

- A. **Tony DeMars (407 Lake Avenue):** Expressed concern about the City Engineer's report about drainage on Dellwood Beach.
- B. **Jacqueline Jarosz (409 Lake Avenue):** Expressed concern about the City Engineer's report about drainage on Dellwood Beach.

ANNOUNCEMENTS

- A. Elections: Aug 11 Primary; Nov 3 General and City. Affidavit of Candidacy accepted July 28-Aug 11
- B. August City Council Meeting Rescheduled to August 18th
- C. Impounded 17' Alumacraft canoe. Contact City Hall if this is yours
- D. \$200 Toilet Efficiency Rebates – see events page on City website
- E. New Wildwood Library opening (limited) on July 20
- F. 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 Special Meeting Minutes from June 30, 2020
- ~~C. Approve Treasurer's Report~~
- ~~D. Approve Resolution 2020-23, Fund Transfers~~
- ~~E. Approve Resolution 2020-25, Appointment of City Tree Inspector~~
- F. Approve Sewer Line Jetting Bid

Mayor Wingfield pulled Consent Agenda Items A, C, D, & E for further discussion.

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

PULLED CONSENT AGENDA ITEMS

- A. Approve Regular Meeting Minutes from June 9, 2020
 - a. **Mayor & Council:** Discussed and agreed on need for further detail in Council Meeting Minutes. Directed Deputy Clerk to add further explanation to Regular Meeting Minutes from June 9, 2020 before approval.
- C. Approve Treasurer's Report
 - a. **Mayor Wingfield:** Directed City Staff to reconcile various funds on the Treasurer's Report by the August 2020 Regular City Council meeting.
- D. Approve Resolution 2020-23, Fund Transfers
 - a. **Mayor Wingfield:** Added fund transfer of \$30,000.00 to Capital Works Fund from General Fund per 2019 budget & fund transfer of \$30,000.00 to Capital Works Fund from General Fund per 2020 budget. Also directed General Fund transfer to Reimbursement Contracted Services Fund in the amount of \$7,285.26. Final direction to transfer entirety of Birchwood Bond Rehab Fund and Sewer Rehab Debt Fund into Sewer Fund.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE TREASURERS REPORT AND APPROVE RESOLUTION 2020-23 AS AMENDED. ROLL CALL VOTE: LAFOY; AYE, WOOLSTENCROFT; AYE, AAKRE; AYE, FLECK; AYE, WINGFIELD; AYE. MOTION PASSED.

CITY BUSINESS – REGULAR AGENDA

- A. Traffic Calming Task Force
 - a. Council Deliberation
 - i. **Mayor & Council:** Deliberated on enlarging the scope of the task force. Final direction to staff task force and receive ideas on scope from the task force. Addition of a Councilmember Liaison to the task force established.
 - b. Approve Resolution 2020-26, Creating Traffic Calming Task Force

- i. **Mayor Wingfield:** recommended appointment of candidates Cora Hankins, Steph Oyloe, Sheri Stronach and Carl Bayley and Councilmember Randy LaFoy as liaison. She also recommended the following amendments to Resolution 2020-26:
 - 1. Strick bullet points 2-4 in Sec 2
 - 2. Strick “ideally...representing the following residents, stakeholders, and professionals” and replace “of nine (9)” with “by the following” in Sec 2

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE RESOLUTION 2020-26 AS AMENDED AND TO APPOINT CORA HANKINS, SHERI STRONACH, CARL BAYLEY AND STEPH OYLOE AS TASK FORCE MEMBERS. ROLL CALL VOTE: FLECK; AYE, LAFOY; AYE, WOOLSTENCROFT; AYE, AAKRE; AYE, WINGFIELD; AYE. MOTION PASSED.

- c. Appoint Members
- B. Terminate Roads Committee
 - a. Council Deliberation
 - i. **Councilmember Woolstencroft:** Explained Roads Committee consensus to disband.
 - b. Approve Resolution 2020-27, Terminating Roads Committee

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER FLECK TO APPROVE RESOLUTION 2020-27. ROLL CALL VOTE: AAKRE; AYE, FLECK; AYE, LAFOY; AYE, WOOLSTENCROFT; AYE, WINGFIELD; AYE. MOTION PASSED.

- C. Tighe-Schmitz Park Improvements – multi-use surface
 - a. Update
 - i. **Mayor Wingfield:** Updated the Council on feedback from residents regarding this project and the proposal to move the site from the hockey rink to the pleasure rink field. Introduced a bid to perform soil boring which would be required for a subsequent as-build bid. Requested Council consensus on proceeding with or cancelling project.
 - b. Council Deliberation and Approval
 - i. **Councilmember Fleck:** Expressed approval for proceeding with project.

MOTION WAS MADE BY COUNCILMEMBER FLECK AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE BID FROM AMERICAN ENGINEERING TO PERFORM SOIL BORING AT TIGHE-SCHMITZ PARK. ROLL CALL VOTE: AAKRE; AYE, FLECK; AYE, LAFOY; AYE, WOOLSTENCROFT; AYE, WINGFIELD; AYE. MOTION PASSED.

- D. Deer Management
 - a. Council Deliberation and Approval

- i. **Mayor Wingfield:** Directed City Administrator Lay to work with MBRB and residents to select potential hunting zones and to present a proposal at the September 2020 Regular City Council Meeting.

E. Lake Links Trail

a. Council Deliberation and Approval

- i. **Mayor & Council:** Deliberated about safety concerns regarding a proposed on-way route along South Shore Blvd in conjunction with the Lake Links Trail project.
- ii. **Stan Karwoski:** Explained this project and recommended inviting Ramsey County Project Leader to a future council meeting to discuss options.
- iii. **Mayor Wingfield:** Made note that with the East end connection of Lake Links Trail in Birchwood, Council was told the route had to go on North side because of clockwise rotation around White Bear Lake, but current plan of McKnight to Birchwood focuses on counterclockwise rotation.

F. Council Member Reports

a. Mayor Wingfield

- i. 2021 Preliminary Budget
 - 1. **Mayor & Council:** Asked that the preliminary 2021 budget be on the August agenda and that an updated general fund balance be provided by August 1st 2020. Raises for Mayor & Council added to budget proposal.
- ii. Covid-19 Relief Fund
 - 1. **Mayor, Council, City Attorney, & City Administrator:** Discussed specifics of using funds provided.
- iii. Mowing
 - 1. **Mayor Wingfield:** Detailed cost to City due to inefficient lawnmower.
 - 2. **Council:** Deliberated over the options of contracting with a 3rd party lawncare service vs. purchasing a professional lawnmower.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER FLECK TO AUTHORIZE COUNCILMEMBER WOOLSTENCROFT AND MAYOR WINGFIELD TO RESEARCH PURCHASE OF A LAWNMOWER OF UP TO \$5,000.00. ROLL CALL VOTE: FLECK; AYE, LAFOY; AYE, AAKRE; AYE, WOOLSTENCROFT; AYE, WINGFIELD; AYE. MOTION PASSED.

iv. Impounded 17' Alumacraft canoe

- 1. **Mayor Wingfield:** Authorized City Administrator Lay to set impounded canoe out on street if owner could not be found after a period of 10 days.

v. July 4th Update

vi. Complaints Fielded by WBLCD

vii. Jay Path Update – new platform span, bench, woodchips

b. Councilmember LaFoy

- i. Tree Program

1. **Mayor & Council:** Deliberated idea of City purchasing trees. Mayor Wingfield & Councilmember LaFoy will work together on a proposal and present to Council in August.
- ii. SEC
 1. **Councilmember LaFoy:** updated Council on the administrative hearings regarding the Comcast Franchise Agreement.
- c. Councilmember Fleck
 - i. White Bear Township meeting update
 1. **Councilmember Fleck:** Provided Council an update on his meeting with the White Bear Township Board. Discussed potential alternative of constructing a tower in Birchwood to support water meter upgrades and boost cell coverage. Will research costs and present at the August Council meeting.

G. City Attorney's Report

- a. National Prescription Opiate Litigation
 - i. **City Attorney Kantrud:** Informed Mayor & Council of the City's invitation to join a class-action litigation against Purdue Pharmaceutical.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER AAKRE TO AUTHORIZE THE CITY ATTORNEY AND CITY ADMINISTRATOR TO ENTER THE CITY IN THE CLASS-ACTION LITIGATION. ROLL CALL VOTE: FLECK; AYE, LAFOY; AYE, WOOLSTENCROFT; AYE, AAKRE; AYE, WINGFIELD; AYE. MOTION PASSED.

- b. Survey Update

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER AAKRE TO DIRECT STAFF TO INFORM OWNERS OF 505 LAKE AVENUE TO REMOVE THEIR FENCE THAT IS WITHIN THE ESTABLISHED EASEMENT. MOTION WITHDRAWN BY MAYOR WINGFIELD.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO DIRECT CITY ADMINISTRATOR TO SEND A LETTER TO OWNERS OF 505 LAKE AVENUE REQUIRING THEM TO REMOVE THE LAST TWO SECTIONS OF THEIR FENCE THAT ENCROACH INTO EASEMENT ZONE WITHIN 14 DAYS OR ELSE CITY STAFF WILL REMOVE THEM AND THAT THE CITY WILL DISCUSS OTHER ENCROACHMENTS ON CITY RIGHT OF WAY AT NEXT MEETING. ROLL CALL VOTE: FLECK; AYE, LAFOY; AYE, AAKRE; AYE, WOOLSTENCROFT; AYE, WINGFIELD; AYE. MOTION PASSED.

H. City Administrator's Report

- a. Approve Resolution 2020-24, Appointment of Election Judges 2020

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE RESOLUTION 2020-24 TO APPOINT AMY VREELAND AS AN

ELECTION JUDGE AND TO AUTHORIZE THE CITY ADMINISTRATOR TO APPOINT OTHER QUALIFIED PERSONS AS NEEDED DURING THE REMAINDER OF THE 2020 ELECTION CYCLE. ROLL CALL VOTE: AAKRE; AYE, LAFOY; AYE, WOOLSTENCROFT; AYE, FLECK; AYE, WINGFIELD; AYE. MOTION PASSED.

- b. Items to Discard
 - i. **Mayor & Council:** City Administrator was directed to discard the old rink lights.
- c. Kay & Dellwood Beach Drainage
 - i. **City Administrator Lay:** Detailed report from City Engineer Thatcher on drainage problems at Dellwood and Kay Beaches.
 - ii. **Mayor, Council, City Attorney, & City Administrator:** Deliberated and elected to ask adjacent property owners to redirect water drainage spouts.
- d. Approve Resolution 2020-25, Appointment of City Tree Inspector

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER FLECK TO APPROVE RESOLUTION 2020-25. ROLL CALL VOTE: AAKRE; AYE, LAFOY; AYE, FLECK; AYE, WOOLSTENCROFT; AYE, WINGFIELD; AYE. MOTION PASSED.

ADJOURN

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER AAKRE TO ADJOURN THE MEETING. ROLL CALL VOTE: LAFOY; AYE, AAKRE; AYE, WOOLSTENCROFT; AYE, FLECK; AYE, WINGFIELD; AYE. MOTION PASSED. MEETING ADJOURNED AT 9:36 PM.

ATTEST:

Mary Wingfield
Mayor

Tobin Lay
City Administrator - Clerk