

**MINUTES
OF THE REGULAR MEETING OF THE
CITY OF BIRCHWOOD VILLAGE
FIRST IN PERSON MEETING HELD AT CITY HALL SINCE COVID
JUNE 8, 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 ALLEGIANCE

APPROVE AGENDA

Mayor Wingfield stated that she would like to add the following:

1. Park Benches at Tennis courts and Jay path
2. Damage at Tighe Schmidt
3. Water Meter Contract
4. Update on 143 Wildwood on the timeline
5. Citation ordered on contractor 143 Wildwood to be tagged
6. Elm easement the tree canopy there
7. help with the tree canopy on the road
8. Velocity, sewer cleaning that was complete

Administrator Gonyou mentioned that he had a request from a homeowner for temporary parking restrictions. Drafted a resolution 2021-15. To be put under old business under Administrator Gonyou.

MOTION MADE BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE THE ADMENDED AGENDA. SECONDED BY COUNCILMEMBER FLECK. AYES: WINGFIELD, FLECK, MCCARTHY, FOSTER, WOOLSTENCROFT. MOTION PASSED

OPEN PUBLIC FORUM

1. Barton Winter (1 Five Oaks La) brought up his concerns

ANNOUNCEMENTS

- A. We are social, follow us on Facebook/Twitter and/or register for the email
- B. Mayor Wingfield mentioned that Senator Chuck Wiger was here before 7:00pm. Dropped off Commemoration of the Centennial, which is officially September 10th. But actually the whole year is the city's Centennial. Post on bulletin board outside/inside
- C. The Parade is on Sunday, the 4th of July. The start is at 10:00. Band is going to practice a little longer, queuing up at 9:00 at 5 Birchwood. Go out on the website. Contact Mayor Wingfield is interested in helping out.
- D. Great to be back in person
- E. Music in the Park starts on June 13th at 6:00pm at Tighe Schmidt Park, signs will be out

ADMINISTRATIVE PRESENTATION:

- A. Sheriff Report

CITY BUSINESS – CONSENT AGENDA

- A. Approve Regular Meeting Minutes from May 11, 2021
- B. Approve Treasurer’s Report
- C. Approve scheduling of Parks Capital Improvement Public Hearing For July 13, 2021
- D Approve Parks Maintenance Plan
- E Add the bill for Velocity Sewer Cleaning which is \$11,200.00
- F. Trees that Councilmember Fleck purchased come out of the Parks Fund

Councilmember Fleck mentioned that he would like to change the language in the Parks Maintenance Plan for surface maintenance. On an “as needed” basis.

MOTION WAS MADE BY MAYOR WINGFIELD TO APPROVE THE CONSENT AGENDA WITH CHANGES. SECONDED BY COUNCILMEMBER MCCARTHY. AYES: WINGFIELD, FLECK, MCCARTHY, WOOLSTENCROFT, FOSTER. MOTION PASSED

CITY BUSINESS-REGULAR AGENDA

A. MS4: Storm water Pollution Prevention Program Review

- a. Public Hearing

MOTION MADE BY COUNCILMEMBER MCCARTHY TO CLOSE THE PUBLIC HEARING. SECONDED BY COUNCILMEMBR FLECK. AYES: WINGFIELD, FLECK, MCCARTHY, WOOLSTENCROFT, FOSTER. MOTION PASSED

Mayor Wingfield wanted the public to know that this Storm Water Pollution Prevention Hearing is held every May or June and it is to inform the public that the city is doing what is expected and that is required by the Metropolitan Pollution Control Agency. Holding facilities take out silt, dirt, sand, and a little bit of chemicals. Newsletter keeps residents updated.

B. Second Reading Ord. 2021-04-01, Amending City Code Sec. 301.060(B)

This is in regards to the starting and ending times of commercial construction. Was originally 7:00am to 7:00pm. Subdivision Task Force requested changing later start time and earlier ending time. Council suggested start time change from 7:00am to 7:30am and leave the ending time at 7:00pm Same on Saturdays and no work on Sundays.

- i. Council discussed the pros and cons on changing the start time from 7:00 to 7:30am

- a. Public Hearing

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

- b. Council Deliberation and approval

MOTION WAS MADE BY COUNCILMEMEBR MCCARTHY TO APPROVE THE STARTING TIME FROM 7:00AM TO 7:30AM AND KEEP THE END TIME AT 7:00PM. COUNCILMEMBER FLECK SECONDED. AYES: WINGFIELD, MCCARTHY, FLECK, WOOLSTENCROFT. APOSE: FOSTER. MOTION PASSED

C. City Treasurer Position

- a. Update (Councilmember McCarthy & Mayor Wingfield)

1. Tobin Lay has resigned as the City Treasurer and went to City of Landfall
2. Councilmember McCarthy mentioned that the Treasurer position is open and one of the opportunities is to engage St Anthony Village to help with the Treasurer. Shelley Rueckert is the finance director there and is familiar with the City of Birchwood’s books.
3. Mayor Wingfield talked to Mary Cahill who is a resident who has expressed interest in helping out with the books. Mary Cahill would write out the checks and do some of the bookkeeping tasks. She suggested, depending on time commitment, that she would do as a service to the community, rather than being paid. Shelley from St Anthony and her team would be oversight. Mary Cahills qualification is 40 years in the banking industry with quality assurance.

Minutes/BirchwoodCityCouncil/June 8, 2021

4. Question came up if she needed to be an employee of the city, and it was suggested that she would get paid a nominal fee. Mary Cahill would just prepare the checks and Shelley would finish the procedure. Mayor Wingfield will check on this.

5. Not hiring Shelley as Treasurer but the City of St Anthony

b. Council Deliberation

c. Approve Resolution 2021-14. Appoint Treasurer

MOTION WAS MADE BY COUNCILMEMBER MCCARTY TO APPROVE RESOLUTION 2021-14. SECONDED BY MAYOR WINGFIELD. AYES: WINGFIELD, MCCARTHY, WOOLSTENCROFT, FLECK, FOSTER. MOTION PASSED

MOTION WAS MADE TO APPOINT MARY CAHILL TO BE THE BOOKKEEPER OF BIRCHWOOD VILLAGE, PENDING FURTHER RESOLUTION ON THE STATUS. SECONDED BY MAYOR WINGFIELD. AYES: WINGFIELD, FOSTER, MCCARTHY, WOOLSTENCROFT, FLECK. MOTION PASSED

D. Council Member Reports

a. Mayor Wingfield

i. Washington County Historical Society

a. Did give monies to the society of \$1.00 per resident

b. The county board has decided to fund them for one year

ii. Birchwood Road/Hall Ave Interface

a. Mayor Wingfield and Councilmember Fleck went to the Mahtomedi Council meeting

b. Mahtomedi might reduce the speed limit city wide

c. Issue of the 3 way stop sign on Lost Lake Ct is still pending

iii. Contractor Insurance vs Cash Escrow

a. Homeowners pay the cash escrow and contractors don't pay

b. City Attorney Kantrud explained why the contractors have the insurance and not cash escrow

c. City Deputy Clerk Smith explained why city should also have contractors pay the escrow

d. Put on review for next month

iv. Sell trailer

a. discussion was made to sell the city's trailer.

v. 1. Park Benches at Tennis courts and Jay path

a. Bridget Sperl offered to donate one in honor of John McCormick at the tennis courts/pickleball courts

b. The Birchwood Community Club to add a park bench at Jay Path

1. Councilmember Woolstencroft discussed reasoning on why one should not be on Jay Path, due to privacy for homeowner located on path.

vi.. Damage at Tighe Schmidt

a. Discussion was made on how to handle damages to Tighe Schmidt

b. Maybe check with neighbors on cameras

c. Trail cams discussion

vii. Water Meter Contract

a. Purchase order pending with Dakota Supply Group(DSG)

b. Expires June 30th

c. We don't have a contract just a purchase order.

d. City Attorney Kantrud discussed the purchase order.

e. Also went over other options from other companies.

f. Mayor Wingfield mentioned that it has already been authorized with DSG and need to have Administrator Gonyou follow through with it.

- viii. Update on 143 Wildwood on the timeline (shoreline)
 - a. In May Council gave a 60 day window for resolution.
 - b. Submission was incomplete at the Planning Commission.
 - c. Cancelled the garage application.
 - d. City Engineer Thatcher and City Planner Danks are both working with homeowner on the shoreline.
 - e. City Attorney Kantrud will also reach out to the homeowner
- ix. Citation ordered on contractor 143 Wildwood to be tagged.
 - a. City Attorney Kantrud will follow through with the citation.
- x. Easement manage
 - a. Mayor Wingfield and Councilmember Fleck visited the rain garden at Birch easement with an official from Rice Creek Watershed District. All in agreement to have to the silt cleaned out at Birch easement.
 - b. Proceeded to Elm easement and asked about remedy on keeping dirt out of the lake.
 - c. Suggested to trim back the canopy of trees for more light in area.
 - d. Trees will be marked so residents know they are marked for removal.
 - e. Come back to July meeting with cost of removal and council approval.
- b. Councilmember Fleck
 - i. 2021 Deer Hunt
 - a. Discussion was made on how aggressive the city wants to be on the deer hunt
 - b. Want to start in September.
 - b. Mayor Wingfield asked Councilmember Fleck to reach out to the metro bow hunters and come up with a plan to tell the public.
 - ii. Looking at parks maintenance
 - a. Discussion on additional soil at Tighe Schmidt park
 - b. 221 Wildwood had soil and soil on Cedar to capture it for park
 - c. Council discussed issue
- c. Councilmember McCarthy
 - i. Birch Brine
 - a. Discussed with Birch about their deicing policy
 - b. Discussed the Anti icing guide
 - c. Birch is following the guidelines and will make amendments
 - d. Suggested giving Birch another year and if no change then consider opting out of using Birch
 - e. Councilmember McCarthy will be the go to person to keep an eye on it.
- E. City Attorney Report
 - a. Rain Garden Maintenance
 - i. City Attorney Kantrud discussed the ordinance he wrote up for the city and what it is.
 - ii. Mayor Wingfield suggested getting a permit with a fee to help manage them
 - iii. Mayor Wingfield bought up issues to add restrictions saying that it would not interfere with public safety, traffic hazard and public utilities and create a nuisance.
 - iv. Put on as first reading at the July meeting, and if any changes contact City Attorney Kantrud
 - v. Councilmember McCarthy discussed his concerns and the enforcement of it
 - vi. Mayor Wingfield mentioned that maybe it should be a right-of-way permit only
 - vii. Councilmember McCarthy questioned

Minutes/BirchwoodCityCouncil/June 8, 2021

1. BMP credit (Best Management Practice)
2. Owner responsibility on proper maintenance on the rain garden,
3. Surety
 - i. City Attorney Kantrud addressed his questions.

b. City Right-of-way

1. Discussion was made on having the rain garden included in the right-of-way permit
2. Councilmember McCarthy read City Code #309.060
3. Maintenance is required due to imperious surface to include driveways or anything that needs to be maintained with in the right-a -way
4. Would be a Conditional Permit
5. Council made further discussion on the rain garden and the maintenance

c. 312 Wildwood Update

1. The shed looks like better
2. Meets the standards of the community
3. Attorney Kantrud will keep the council informed as collecting costs

d. Uniform Maintenance Code

1. City Attorney Kantrud wrote up a Uniform Maintenance Code and mailed a copy to Mayor Wingfield and Administrator Gonyou.
2. Will put this on the July 2021 meeting for discussion

F. Old Business

1. City Hall Restoration

- a. The painting bid has gone down to \$15,000
- b. No warranty but Pelco will stand behind their work
- c. repairs to be made for \$5,000 from Pelco
- d. Metal doors need to be replaced, and interior
- e. Not dealing with the lower level until city decides what to do with the office space
- f. Front door would be more natural material
- g. Roof bid will come soon after

MOTION MADE BY COUNCILMEMBER MCCARTHY TO APPROVE THE PAINTING BID. SECONDED BY COUNCILMEMBER FLECK. AYES: MCCARTHY, FLECK. WOOLSTENCROFT, WINGFIELD. MOTION PASSED

SECOND MOTION MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY FLECK TO AUTHORIZE PELCO TO ALSO FINISH MAKING THE REPAIRS AND REPLACING THE DOOR TO PROCEED WITH THE PAINTING. AYES: WOOLSTENCROFT, FLECK, MCCARTHY, WINGFIELD. MOTION PASSED

2. Administrator Gonyou

- a. Request from homeowner to park overnight for guests on street
 - i. Two events this summer end of June and mid September
 - ii. Council discussed the pros and cons on parking on the street for all residents
 - iii. Going to monitor

Minutes/BirchwoodCityCouncil/June 8, 2021

MOTION MADE BY COUNCILMEMBER FLECK TO APPROVE THE RESOLUTION THAT ADMINISTRATOR GONYOU HAS DRAFTED WITH THE CHANGE. SECONDED BY MCCARTHY. AYES: MCCARTHY, WINGFIELD, FLECK, WOOLSTENCROFT. MOTION PASSED.

MOTION MADE BY COUNCILMEMBER FLECK TO ADJOURN. SECONDED BY COUNCILMEMBER WOOLSTENCROFT. AYES: FLECK, WOOLSTENCROFT, WINGFIELD, MCCARTHY

ADJOUNED AT 9:07PM

ATTEST:

MAYOR MARY WINGFIELD

CITY ADMINISTRATOR ANDY GONYOU