

**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
June 9th, 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: Paul Edwards, Cathy Wandmacher, Sheri Stronach, Cora Hankins, Judy Duffy, Matthew Duffy and others

Mayor Wingfield called the regular meeting to order at 7:00pm 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 five items to Regular Agenda Item G Subsection A.

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

OPEN PUBLIC FORUM

- A. Mary Wingfield (Community Club): Offered idea for 4th of July celebration that would be compliant with social distancing.
- B. Sheri Stronach (200 Block of Wildwood Avenue): Expressed traffic calming ideas pertaining to Regular Agenda Item C.

ANNOUNCEMENTS

- A. Crime Alert Notice (Wingfield)
- B. No Birchwood Garage Sale, Music in the Park, or July 4th Parade
- C. Follow us on Facebook at @BirchwoodCityHall or Twitter at @CityofBirchwood
- D. Metropolitan Control District: Tire pick-up planned
- E. Kay Beach dock has been realigned
- F. City Council meetings now broadcast live via Facebook

ADMINISTRATIVE PRESENTATION

A. Sheriff Report

CONSENT AGENDA

- A. Approve Regular Meeting Minutes from May 12, 2020
- B. Approve Treasurer's Report
- C. Approve Resolution 2020-20, Variance No. 20-01-VB Denial
- D. Approve GovCard Agreement for Processing Credit Cards
- E. Reschedule August City Council Meeting – Aug 18
- F. Approve Sewer Line Jetting Bid
 - a. **Mayor, Council, & City Administrator:** Discussed authorization of televising work recommended by City Engineer. Additional work pending information from contractor.

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

CITY BUSINESS – REGULAR AGENDA

- A. MS4: Storm Water Pollution Prevention Program Review
 - a. Public Hearing

MAYOR WINGFIELD OPENED THE PUBLIC HEARING AT 7:25PM.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER AAKRE TO CLOSE THE PUBLIC HEARING. ROLL CALL VOTE: LAFOY; AYE, AAKRE; AYE, FLECK; AYE, WOOLSTENCROFT; AYE, WINGFIELD; AYE. MOTION PASSED AND PUBLIC HEARING CLOSED AT 7:27PM.

- B. Appeal of Administrative Decision
 - a. Case No. 20-01-AP
 - i. Public Hearing
 - ii. Council Deliberation
 - 1. **Administrator Lay:** Summarized case being appealed at 321 Wildwood Avenue. Building permit denied due to being a non-conforming pre-existing structure.
 - 2. **Paul Edwards (321 Wildwood):** Provided explanation to reason for appeal.
 - 3. **Mayor, Council, & City Attorney:** Deliberated merits to appeal versus variance request.
 - iii. Approve Resolution 2020-21

MOTION WAS MADE BY COUNCILMEMBER FLECK AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE RESOLUTION 2020-21. ROLL CALL VOTE:

LAFOY; AYE, AAKRE; AYE, FLECK; AYE, WOOLSTENCROFT; AYE, WINGFIELD; AYE. MOTION PASSED.

- b. Case No. 20-02-AP
 - i. Public Hearing
 - ii. Council Deliberation
 - 1. **Administrator Lay:** Summarized case being appealed at 415 Wildwood Avenue. Zoning permit denied.
 - 2. **Mayor, Council, & City Attorney:** Advised applicant to request a variance with the Planning Commission and stayed the appeal pending those results.
 - iii. Approve Resolution 2020-22

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO STAY THE APPEAL OF CASE NO. 20-02-AP AND UNDERLYING ENFORCEMENT IS STAYED PENDING VARIANCE PROCEDURE BY THE APPLICANT. ROLL CALL VOTE: LAFOY; AYE, AAKRE; AYE, FLECK; AYE, WOOLSTENCROFT; AYE, WINGFIELD; AYE. MOTION PASSED.

- C. Wildwood Ave Traffic Calming
 - a. Public Discussion
 - b. Council Deliberation
 - i. **Administrator Lay:** Summarized original escalation by residents and Council decision to postpone discussion to allow for more resident feedback.
 - ii. **Mayor & Council:** Discussed options for traffic calming measures. Invitation to community members to create/join task force to be published.
- D. Diseased Trees
 - a. Public Discussion
 - b. Council Deliberation and Approval
 - i. **Mayor Wingfield:** Expressed concern with the City's current policies in regard to tree inspection/removal on private property. Requested feedback from Council.
 - ii. **Mayor & Council:** Consensus was reached on directing City Tree Inspector to not enter private property during course of inspection work. The City will increase efforts to educate residents when tree disease is identified.
- E. Tighe-Schmitz Park Improvements – hockey rink surface
 - a. Public Discussion
 - b. Council Deliberation and Approval
- F. City Attorney Report
 - a. 11 Birchwood Ln Utility Easement Update
 - i. **City Attorney Kantrud:** Provided update that homeowner wished to wait on formalizing agreement until meeting with T.A. Schifsky, Inc.
 - b. Lake Tract Surveys Update
 - i. **City Attorney Kantrud:** Provided update that surveyors are compiling exhibits.

- ii. **Council Members:** Discussed posts at Kay Beach and desire to have staff remove them.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO DIRECT CITY STAFF TO REMOVE EXPEDITIOUSLY THE TWO POSTS AT KAY BEACH WHICH ARE ON CITY PROPERTY. DISCUSSION. NO VOTE TAKEN. (Timestamp beginning 01:28:00)

G. Council Member Reports

- a. Mayor Wingfield
 - i. Joint Workshop with Planning Commission – June 30
 - ii. Halls Marsh Yellow Iris
 - 1. **Mayor Wingfield:** Informed and received approval from Council to remove invasive species.
 - iii. City Hall Garage
 - 1. **Mayor Wingfield:** informed and received approval from Council to assist in clean-out of garage.
 - iv. Jay Path
 - 1. **Administrator Lay:** Provided update on woodchips and fencing.
 - v. Baseball Field
 - 1. **Mayor & Council:** Confirmed plan to lay down grass seed and let field naturally grow over.
- b. Councilmember LaFoy
 - i. Tree Program
 - 1. **Councilmember LaFoy:** Requested to postpone discussion to July 2020 Regular City Council Meeting.
 - ii. Personal Comments
 - 1. **Councilmember LaFoy:** Announced decision to not run for re-election.

H. City Administrator's Report

- a. Water Meter Upgrade
 - i. **Administrator Lay:** Provided update on potential agreement to use White Bear Township's water tower in conjunction with the water meter upgrades.
 - ii. **Councilmember Fleck:** Volunteered to meet with the White Bear Township Board to further discuss options.
- b. Tree Work
 - i. **Administrator Lay:** Summarized trees in need of removal and bids available.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE \$650 BID FOR TREE WORK AT TIGHE-SCHMITZ PARK. ROLL CALL VOTE: LAFOY; AYE, AAKRE; AYE, FLECK; AYE, WOOLSTENCROFT; AYE, WINGFIELD, AYE. MOTION PASSED.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER FLECK TO APPROVE \$1,000 BID FOR THE REMOVAL OF A TREE AT HALL COURT. ROLL CALL VOTE: LAFOY; AYE, AAKRE; AYE, FLECK; AYE, WOOLSTENCROFT; AYE, WINGFIELD; AYE. MOTION PASSED.

- c. City Project No. 2019-3 – Emergency Lift Station Bypass
 - i. **Administrator Lay:** Informed Mayor and Council of need for reflector test.

ADJOURN

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER AAKRE TO ADJOURN THE MEETING. ROLL CALL VOTE: LAFOY; AYE, AAKRE; AYE, FLECK; AYE, WOOLSTENCROFT; AYE, WINGFIELD; AYE. MOTION PASSED. MEETING ADJOURNED AT 9:08 PM.

ATTEST:

Mary Wingfield

Mayor

Tobin Lay

City Administrator - Clerk