

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

March 9, 2021

7:00PM

CALL TO ORDER

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

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

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:

- a. Joint Planning Commission meeting with the Council
- b. January minutes
- c. \$30,000 transfer to a Capital Improvements to 2021
- d. Biffy at tennis courts
- e. Weight limit permits
- f. State house hearing at the legislature for our sewer funding on the March 16th, 2021.

OPEN PUBLIC FORUM

- a. Randy LaFoy introduced the representative from Suburban Cable Company
- b. **Mayor Wingfield** shared a letter from Andy Sorenson thanking all for keeping up with the hockey rinks.
- c. **Mayor Wingfield** wanted to thank John Lund for his hard work and service with the Planning Commission.

ANNOUNCEMENTS

- A. We are social, follow us on Facebook @BirchwoodCityHall or Twitter @CityofBirchwood
- B. Canoes/kayak rack reservations open.
- C. The historical group are working on the Centennial and the booklet. They are asking for people to submit a couple of short stories, memories, pictures on any Birchwood activities or locations of people and submit items at the City Hall office, Mayor Wingfield's home or at the White Bear Society.

CITY BUSINESS-CONSENT AGENDA

A. Approve Treasurer's Report:

1. **Mayor Wingfield** questioned a \$3,500 that needs to be corrected into the right account.
2. **Mayor Wingfield** also mentioned a \$5,000, that also needs to be corrected into the right account.
3. **Mayor Wingfield** asked Administer Gonyou if he could contact City Treasurer Lay to have him get a short memo together for the City Council letting the Council know if these transfers can be done, or why it hasn't been done.
4. **Mayor Wingfield** talked about the water and sewer amounts are not right, water fund is low, sewer is high. Mayor Wingfield talked to Shelley from St Anthony Village, where Shelley suggested that the utility committee get together to discuss this issue.
6. Last page on expenses – (pg 19) paying Excel for things that seems like double charging. Mayor Wingfield would like Administrator Gonyou to check it out.

MOTION MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO PAY THE BILLS IN THE TREASURERS REPORT. ROLL CALL VOTES; AYES; FOSTER, MCCARTHY, FLECK, WOOLSTENCROFT, WINGFIELD. MOTION PASSED

B. Approve Regular Meeting Minutes from February 9, 2021

1. **Mayor Wingfield** and Councilmembers pointed out some items that needed to be corrected on the February minutes.

MOTION MADE BY COUNCILMEMBER MCCARTHY AND SECONDED BY FOSTER TO APPROVE THE FEBRUARY 9, 2021 MINUTES. ROLL CALL VOTES: AYES; FOSTER, MCCARTHY, WOOLSTENCROFT, FLECK, WINGFIELD. MOTION PASSED.

C. Approve Resolution 2021-07 (pg 33)

1. **Mayor Wngfield** would like the following taken out of the Resolution.

- a) WHEREAS, the Water Fund had unexpected expenditures arising from allocation of funds received from the CARES Act
- b) WHEREAS, the Water Fund has been replenished

MOTION MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER FLECK TO APPROVE RESOLUTION 2021-07 AS AMENDED. ROLL CALL VOTES: AYES: FLECK, WOOLSTENCROFT, MCCARTHY, FOSTER, WINGFIELD. MOTION PASSED.

CITY BUSINESS – REGULAR AGENDA

A. Suburban Cable Commission Presentation

I. Presentation

- a) A representative from the Suburban Cable Company made a power point presentation to propose starting the process of adopting an ordinance which would ultimately renew the agreement between Birchwood Village and the Cable Commission for a cable television franchise agreement.

- b) Discussion and concerns were made by the Mayor and Councilmembers pertaining to this agreement.
- c) Deadline for approval is April 1, 2021.
- d). Mayor Wingfield would like to have this put on the April 13th meeting.

II. 1st reading of Ordinance 2021-03-01

MOTION MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER FLECK, TO APPROVE THIS 1st READING AND TO PUT IT ON FOR A 2ND READING AT OUR APRIL 13TH MEETING, AND TO PUBLISH A NOTICE ON THE WEBSITE AND BULLETIN BOARD OUTSIDE OF CITY HALL. LIST IT UNDER CHAPTER 900 OF CITY CODE BOOK WITH THE APPROPRIATE NUMERICALIZATION FOR FITTING INTO OUR CODE BOOK. ROLL CALL VOTES: AYES; FLECK, WOOLSTENCROFT, FOSTER, MCCARTHY, WINGFIELD. MOTION PASSED.

B. Planning Commission Updates

- I. Undersized Lot Regulations
 - a) tabled
- II. Fence Ordinance
 - a) Council discussed and addressed some concerns on City Fence Ordinance (Sec. 302.070)
- III. Impervious Surface
 - b) tabled

C. Planning Commission Vacancy

- I. Discuss Chairperson John Lund Resignation
 - a) Discussion was made on Chairperson John Lund's Resignation which went into effect immediately
- II. Approve Posting Vacancy Notice and Request Letters of Interest
 - a) **Mayor Wingfield** and Councilmembers discussed areas to have the Planning Commission vacancy posted and to whom it should be emailed out to. April 5, 2021 was agreed by the Council as the deadline.

D. 2021 Local Board of Appeal and Equalization and Open Book Meeting April 13th.

- I. Council Deliberation
- II. Change Regular City Council Meeting Date
 - a) **Mayor Wingfield** gave an overview on how the Board of Appeal and Equalizations works.
 - b) Administrator Gonyou mentioned that the starting time is set for 6:00pm on the same day as the council meeting on April 13, 2021.
 - c) Council discussed the options of the timing of both the Council meeting starting at 7:00pm and the Board of Appeal meeting starting at 6:00pm

E. Uniform Maintenance Code

I. Council Deliberation

- a) **Mayor Wingfield** summarized the reason the Uniform Maintenance Code was brought up to the Council. Councilmembers discussed their views and concerns regarding this code.

F. Interim-City Administrator Check-in

I. Council Deliberation on City Staffing

- a) **Mayor Wingfield** and Councilmember McCarthy agreed that Administrator Gonyou is doing a great job and looking to postpone his 'check-in' review and bring it back in 6 months. Councilmember McCarthy also wanted to make sure Administrator Gonyou was getting the support and information he needs.

G. City Attorney Reports

I. Husnik Homes

- a) **Mayor Wingfield** mentioned that City Attorney Kantrud and Mayor Wingfield were not ready for the review this evening and will potentially have a short, closed session at a later date.

II. Mahtomedi Water Agreement

- a) There are 4 residences on the east side of town that are getting their water from Mahtomedi.
- b) City Attorney Kantrud explained the contents of the Mahtomedi Water Agreement.
- c) **Mayor Wingfield** and Councilmembers voiced their concerns and suggested that Mahtomedi come back to the Council after co-meeting the contract with the affected property owners.

H. Councilmembers Reports

I. Mayor Wingfield

i. 2040 Comp Plan Refund Update

- a) Looking for about \$5,000 from met council. Administrator Gonyou hopes to have finalized paperwork by next council meeting. Mayor Wingfield would like him to send an email to the Councilmembers when the paperwork comes in, does not have to be on next meeting's agenda.

II. Subdivision Task Force Update & Request for Engineering Review of First Draft

MOTION MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER MCCARTHY, TO AUTHORIZE THE CITY ENGINEER REVIEW THE FIRST DRAFT OF THE SUBDIVISION CODE FOR REVIEW AND COMMENT. ROLL CALL VOTES; AYES; MCCATHY, FLECK, WOOLSTENCROFT, FOSTER, WINGFIELD. MOTION PASSED.

- a) **Mayor Wingfield** discussed the delivery and working hours for commercial trades from the February 24, 2021 Subdivision Task Force Minutes, item #2, which is looking to change the working hours of commercial trades.
- b) **Mayor Wingfield** and Councilmembers discussed their views and concerns.
- c) **Mayor Wingfield** would like to have it on as a public hearing to get some outside input. Put on as a 1st reading on the April 13, 2021 Council meeting.

III. Historical Signage Updates

a) With grant money coming to the City of Birchwood Village, it would cover 2 signs.

1. **Village Hall** – (207 Birchwood Ave)

2. **Polly's Park Entrance**-(21 White Pine Ln)

i) Councilmembers discussed their views and concerns of possibly replacing some of the pavement with more green space. Will add it to Comprehensive Plan for consideration.

iv. South Side of the Hockey Rink Arborvitaes Planting

a) Discussion was made by Councilmembers

MOTION MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER FLECK TO AUTHORIZE COUNCILMEMBER FLECK TO COME UP WITH A MASTER PLAN, WORKING ALONG WITH MAYOR WINGFIELD, ON THE TYPES OF PLANTINGS TO PURCHASE, AND TO SPEND UP TO \$1,000 WITH A POSSIBLE GRANT OF \$500, TO BE DONE BY THIS SPRING. ROLL CALL VOTES: AYES; WOOLSTENCROFT, FLECK, FOSTER, MCCARTHY, WINGFIELD. MOTION PASSED.

v. Bike Interface with Mahtomedi Final Review

a) **Mayor Wingfield** and Councilmember Fleck met with Mahtomedi last fall. Discussion was made on what was discussed at the Mahtomedi meeting, and mentioned that Birchwood did not exactly receive everything that they agreed on. Speed limit 20mph, yellow stripping at pedestrian crossing.

b) Councilmembers discussed their views and concerns. Asked Administrator Gonyou to send an email out to Mahtomedi with the council's concerns.

Mayor Wingfield added from "Approve Agenda."

1) Joint Planning Commission meeting with the Council

i. Joint Planning Commission meeting to talk about working together. Would like an in-person workshop, if possible, in May.

2) January minutes?

3) Transfer \$30,000 to our Capital Improvement for 2021

i. Need to prepare a resolution, by our next City Council meeting on April 13th

4) Requested to put a biffy up at tennis/pickleball courts as soon as possible

i. Council agreed was a good idea

5) Weight limit permits

i. Deputy Clerk Smith was asked to put together a permit form and information sheet.

6) State House hearing at the legislator for our sewer funding on the 16th of March.

i. **Mayor Wingfield** read the letter she received from Representative Fisher.

7) **Mayor Wingfield** also mentioned that more soil was added to where the water main breaks occurred.

I. City Administrator Report

i. Village Hall Siding

a) No work has started, still waiting on a finalized contract from Pelco. City Attorney Kantrud will be drafting up the contract to present to Pelco.

ii. Music in The Park

a. Looking to see if Council is interested in pursuing music in the park.

b. Councilmembers discussed their views and concerns and would like to revisit it again at the April 13th meeting.

ADJOURN

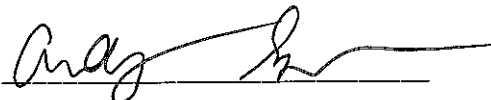
MOTION MADE BY COUNCILMEMBER FLECK AND SECONDED BY FOSTER TO ADJOURN THE MEETING. ROLL CALL VOTES: AYES; FOSTER, FLECK, WOOLSTENCROFT, MCCARTHY, WINGFIELD. MOTION PASSED. MEETING ADJOURNED AT 9:47PM

ATTEST:



Mary Wingfield

Mayor



Andy Gonyou

City Administrator



RESOLUTION 2021-07

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

**A RESOLUTION AUTHORIZING A TRANSFER OF \$35,000 FROM
THE WATER FUND TO THE WATER METER UPGRADE FEES FUND**

At a regular meeting of the City Council of the City of Birchwood Village held virtually through video and telephone conferencing on Tuesday, March 9, 2021, via Zoom Video Communications, Inc., with the following members present: Mayor Mary Wingfield, Council Members Jon Fleck, Justin McCarthy, Mark Foster, and Kevin Woolstencroft, and the following absent: none, the Birchwood City Council resolved:

WHEREAS, the Birchwood City Council has previously approved collection of a fee to upgrade water meters; and

WHEREAS, the fees collected have previously been kept in the Water Fund; and

WHEREAS, the City Council requested City Staff establish a separate fund to contain collected water meter upgrade fees to ensure availability at the time at which they are needed.

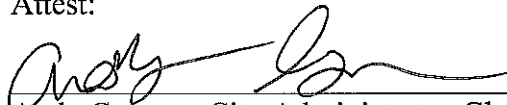
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby authorizes the transfer of \$35,000 from the Water Fund to the Water Meter Upgrade Fees Fund to establish a separate fund in which fees collected for water meter upgrades will be kept until needed.

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



Mary Wingfield, Mayor

Attest:



Andy Gonyou, City Administrator-Clerk

