

CITY OF BIRCHWOOD VILLAGE
207 BIRCHWOOD AVENUE
BIRCHWOOD, MINNESOTA

MINUTES OF THE CITY COUNCIL MEETING
DECEMBER 12, 2023, 6:45 P.M.

MEMBERS:

Margaret Ford	Mayor
Mark Foster	Councilmember
Ryan Hankins	Councilmember
Justin McCarthy	Councilmember
Katherine Weier	Councilmember

STAFF:

Rebecca Kellen	City Administrator
Alan Kantrud	City Attorney

Minutes prepared by Angela Fracassi of Minutes Solutions from a video recording.

1. **CALL TO ORDER**

Mayor Ford called the meeting to order at 6:45 p.m.

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF AGENDA (0:00:42)**

On a motion made by Councilmember McCarthy, seconded by Councilmember Foster, it was resolved to approve the agenda as amended. All in favor; motion carried.

The following changes were made to the agenda:

- Add the appointment of a road safety task force.
- Add discussion of winter road care services.
- Remove discussion of Permitting Fee Reconciliation.

4. **OPEN PUBLIC FORUM (0:02:15)**

Barton Winter, 15 Oaks Lane, commented that the Parks Committee had requested water costs to flood the rink, and the possible installation of a water meter. He also added his dissatisfaction with the new rink manager and requested access to the equipment shed to ensure ice quality.

On a motion by Councilmember McCarthy, seconded by Councilmember Foster, it was resolved to close the public forum. All in favor. Motion carried.

5. **ANNOUNCEMENTS (7:14)**

- a. **Ice Rink Opening:** The opening date is to be determined, and an announcement will be made on the website.

- b. **Planning Commission:** Planning Commission applications are open. Interested applicants may send a letter of interest to the city clerk by January 3, 2024.
- c. **Lake Links Task Force:** The task force is looking for volunteers. Interested applicants may contact the city clerk.

6. **CONSENT AGENDA (8:14)**

On a motion made by Councilmember Weier, seconded by Councilmember McCarthy, it was resolved to approve the consent agenda items B to F, as presented. All in favor. Motion carried.

a. **Treasurer's Report (0:08:30):**

On a motion made by Councilmember McCarthy, seconded by Councilmember Hankins, it was resolved to approve the Treasurer's Report for the period ending December 5, 2023. All in favor. Motion carried.

Mayor Ford commented that over \$200,000 was received after the last Treasurer's Report was completed, and this amount would be added to the general fund on the Treasurer's Report for January of 2024, making the general fund balance approximately \$924,300.

7. **CITY BUSINESS (10:13)**

a. **Truth in Taxation/Adoption of Final Levy and Budget (0:10:15):**

- i. **Public Hearing:** Mayor Ford opened the public hearing for comment from the public.

Dick Galina, 217 Wildwood Avenue, noted that his taxes increased by 40%, despite the City's budget increase of 33%. He inquired about the City's share of the lift station project, and asked for more detail regarding the road improvement plan.

Councilmember McCarthy responded that the City was still in the process of tendering bids for the lift station project; however, the City was able to secure significant funds from various levels of the government. He added that the tax increase will likely be reduced on the final budget. He also had a document from the City's engineers that shows which roads need to be repaired. Depending on the type of repair chosen, the cost would be approximately \$850,000; however, repaving all of the affected roads would cost \$11 million, which is outside of the City's budget. He offered Mr. Galina access to the document. Other increases were due to increased snow removal allocation and increases in the police budget.

Dick Galina inquired about the increase in "General Government" and "Professional Services."

Councilmember Weier and Mayor Ford responded that a new part-time employee was added, and the new Treasurer needed to be paid the market rate. The various improvement projects require additional engineering fees; however, it was likely that the engineering fee numbers would decrease in the final budget.

Larry Mahoney, 479 Lake Avenue, noted that administration, engineering services, police, and pothole repairs comprise over 90% of the proposed budget increase.

City Council responded that the administrative staff is required to maintain the level of services, and that other costs would be reduced in the final draft, now that more information regarding costs was available to City Council.

Susie Mahoney, 479 Mahoney Avenue, inquired about the contribution to the capital fund, and the balance of the capital fund. She noted a decrease in fees for utility hookups, and made a complaint regarding snow removal.

City Council responded that the capital fund contribution was \$30,000 for 2025. The previous utility hookup fees were out of the line with neighboring cities. In addition, the City was not legally permitted to make a profit on permitting fees, and therefore the fees had to be reduced. It was noted that discussion of snow removal was on the agenda for this meeting. The capital fund balance was approximately \$75,000, which can be seen in the Treasurer's Report.

John Burke, 171 Wildwood Avenue, noted his surprise at the increase in his tax bill and the City budget. He encouraged Council to rework the budget to lower the tax increase for residents.

Don Hankins, 165 Wildwood Avenue, noted that he was concerned by the increase in staff expenses.

Mayor Ford responded that the previous Treasurer was basically a volunteer, and the new staff member needs to be paid the market rate. In addition, existing staff need a cost of living salary increase.

On a motion made by Councilmember McCarthy, seconded by Councilmember Weier, it was resolved to close the public hearing. All in favor. Motion carried.

ii. **Review of 2024 Levy and Budget (50:15):** Council approved the following budget changes:

- Audit expenses were decreased to by \$2,000.
- Engineer Service expenses were decreased by \$18,000.
- Police expenses were decreased by \$4,843.
- Pothole Repair expenses were decreased by \$50,000.
- Village Hall Restoration Window Repair: this item was removed from the budget, resulting in a decrease of \$3,000.
- Minute Taking Expenses: payments to Minutes Solutions were eliminated, resulting in a decrease of \$4,180.
- NYFS expenses were increased by \$95 to \$2,095.
- Recycling expenses were decreased by \$1,500 due to anticipated grant funding.

As a result of the above changes, the budget increase was approximately 16% from 2023.

iii. **Resolution 2023-50, Final Budget Adoption (1:21:25):**

On a motion made by Councilmember Hankins, seconded by Councilmember McCarthy, it was resolved to approve resolution 2023-50, Final Budget Adoption. All in favor. Motion carried.

iv. **Resolution 2023-51, Final Levy Adoption (1:22:23):**

On a motion made by Councilmember McCarthy, seconded by Councilmember Foster, it was resolved to approve resolution 2023-51, Final Levy Adoption, as amended, at \$573,534.59. All in favor. Motion carried.

b. Resolution 2023-52, Certification of Delinquent Utility Accounts to the County (1:29:19):

i. **Public Hearing:** Mayor Ford opened the public hearing. There were no comments from the public, and the hearing was then closed.

ii. **Council Deliberation and Approval:**

On a motion made by Councilmember McCarthy, seconded by Councilmember Weier, it was resolved to approve resolution 2023-52 Certification of Delinquent Utility Accounts to the County as presented. All in favor. Motion carried.

c. Approve Joint Powers Agreement for South Shore Boulevard Trail Management (1:30:30):

Attorney Kantrud explained that the City is responsible for maintaining the section of the trail that is located within the City limits. Mayor Ford explained that the City would be charged back for the maintenance. Councilmember McCarthy expressed his opposition to the agreement because it allows White Bear Township to spend without any oversight from Birchwood Village, and Birchwood Village would not be able to cancel the contract. Council was unsure about the City's obligations toward trail maintenance. It was decided to investigate this item further and continue the discussion at the next meeting.

d. Traffic Study Results (1:36:00):

On a motion made by Councilmember Weier, seconded by Councilmember McCarthy, it was resolved to appoint a traffic safety task force beginning January 1, 2024, and ending June 30, 2024. All in favor. Motion carried.

Mayor Ford agreed to work with the task force and have the task force draft a policy. Ms. Kellen agreed to advertise the task force to the public.

e. Earned Sick and Safe Time (1:47:32):

On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to amend the City's employment policies so that they are compliant with the new earned sick and safe time requirements. All in favor. Motion carried.

f. Wildwood Lift Station Status Update (1:49:39): Council reviewed the lift station update report. Councilmember Hankins added that he anticipated that the project would be under-budget.

g. 232 Cedar Street Property Vacancy (1:51:35): Councilmember Hankins reported that the property was vacant and owned by the bank. Attorney Kantrud had sent a legal letter notifying the bank that the property must be registered as vacant. Council anticipated that the property would be up for sale in the future.

h. 310 and 312 Rental Properties (1:53:30): Attorney Kantrud reported that he spoke to the owner and there is a potential purchaser for the property, which would result in significant changes.

i. Snowplow Contract (1:55:24): Mayor Ford reported that residents have complained that they are being overserved by the current contractors. Mayor Ford volunteered to liaise with the snow removal contractor with Ms. Kellen.

8. MEETING CLOSE (2:03:19)

On a motion duly made by Councilmember McCarthy, seconded by Councilmember Weier, it was agreed that there was no further business of the Council to transact in an open session; the meeting was closed to the public at 8:57 p.m.

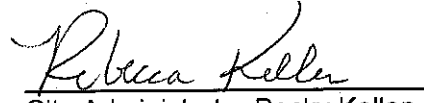
DISCLAIMER

The above minutes should be used as a summary of the motions passed and issues discussed at the meeting. This document shall not be considered a verbatim copy of every word spoken at the meeting.



Mayor Margaret Ford

1-9-23
Date



City Administrator Becky Keller

1-9-23
Date

