

CITY OF BIRCHWOOD VILLAGE
207 BIRCHWOOD AVENUE
BIRCHWOOD, MINNESOTA

MINUTES OF THE CITY COUNCIL MEETING
FEBRUARY 13, 2024, 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 Rebecca Kellen from a video recording.

1. **CALL TO ORDER**

Mayor Ford called the meeting to order at 6:46 p.m.

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF AGENDA**

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

The following change were made to the agenda:

- Add Resolutions 2024-14, 2024-15, and 2024-16
- Add Discussion on Next Steps to Replace Treasurer who Resigned
- Remove Planning Commission Presentation by William Hullsiek
- Add Discussion of Ash Path Survey

4. **OPEN PUBLIC FORUM (0:01:59)**

Sara Halverson, Washington County Sheriff's Office, new Patrol Commander introduced herself and commented about the department's commitment to serve Birchwood Village. She indicated Deputy Gibney would be available to attend city council meetings and Deputy Derrick Schweich is the midnight deputy.

Henry Gibney, Washington County Sheriff's Office, introduced himself and told the committee he is here to serve Birchwood Village as the day patrol officer and gave business cards with the 24-hour dispatch number.

Councilmember Hankins asked about rental property oversight. Sara Halverson provided her business card and agreed to get a history on and work with the council on rental property issues. Henry Gibson said they can put these into their system to monitor and provide extra patrols.

Councilmember McCarthy said he thinks it would be helpful for deputies from Washington County Sheriff's Office to attend the city council meetings.

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

5. ANNOUNCEMENTS (0:07:14)

- a. The registration for kayak and canoe rack rental will be available on March 1st and can be found on the website.

6. CONSENT AGENDA (0:7:33)

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

7. CITY BUSINESS

- a. **Planning Commission Appointment (0:8:11):**

- i. **Casey Muhm, 186 Cedar Street, planning commission applicant**, addressed the committee indicating his skills and desire to be a part of the planning commission to become more civically involved. He moved to Birchwood Village in 2019 and has worked for the past decade as a nonpartisan analyst for the MN senate.
- ii. Council member Hankins said that he thinks that Casey will be a good addition to the committee for procedural matters and suggested that the appointment be until December 31st of 2025, a two year appointment and make the other 2 reappointments three year appointments to stagger terms. Casey Muhm is a replacement for Joe Evans.
- iii. Council member McCarthy said that he is supportive of the appointment.

On a motion made by Councilmember McCarthy and seconded by Councilmember Weier, it was resolved to approve appointment of Casey Muhn to the Planning Commission. All in favor. Motion carried.

On a motion made by Councilmember Foster and seconded by Councilmember McCarthy, it was resolved to approve re-appointment of Michelle Maiers-Atakpu and Michael Kraemer to the Planning Commission. All in favor. Motion carried.

- b. **Utility Rate Increase (0:13:27)**

- i. **Shelly Rueckert, Saint Anthony Village Treasurer**, described the process that was used to come up with utility rate adjustments and the factors that are impacting the rates in 2024: White Bear Lake has increased its rates to the city by 9%, Met Council Treatment costs are going up a

little over 6%, estimating about a 20% drop in water usage in 2024, average out a 6 year cost for water main breaks that are reoccurring, and the fact that we have some upcoming engineering costs for the lift station that will occur in 2024. Proposed a \$5 increase to the quarterly fee for the water flat fee and a 4% increase in the no usage fee. The sewer flat fee will be held at the same level as 2023 and a slight increase of 2% for the sewer usage fee. The overall increase in the utility bill will be between 2.5% and 3.75% if you assume the water usage stays the same.

- ii. Councilmember Hankins liked that the flat fee was raised and that she was able to get rid of the watermain break surcharge. He suggested that the fees need to be changed by ordinance and not by a resolution and that the fee schedule ordinance that is passed later includes these fees.
- iii. Council member McCarthy agreed that that it should be passed by ordinance.
- iv. The council decided to include these price increases to the fee schedule ordinance being discussed later in the meeting and pass them by ordinance instead of by resolution.

On a motion by Councilmember McCarthy, seconded by Council member Weier, it was resolved to approve resolution 2024-14: Approving the Transfer of \$30,000 to the City Capital Improvement Fund from the General Fund. All in favor. Motion carried.

On a motion by Councilmember McCarthy, seconded by Councilmember Foster, it was resolved to approve resolution 2024-15: Approving the Transfer of \$4580.10 to the City Sewer Fund from the General Fund. All in favor. Motion carried.

On a motion by Councilmember McCarthy, seconded by Councilmember Foster, it was resolved to approve resolution 2024-16: Approving the Transfer of \$6287.74 to the City Water Fund from the General Fund. All in favor. Motion carried.

c. Second Reading of Ordinance 2024-01-01 (Fees) (24:35)

- i. Councilmember McCarthy discussed the ordinance explaining he went to a flat 5% late fee after 60 days and after 90 days the amount delinquent gets certified to property taxes. He added a notice to residents in section to 701.71. He added more detail to the appeal process and added section 701.82 that suspends additional late fees or collection while the appeal is being made.
- ii. Mayor Ford opened the public hearing. There were no comments. Mayor Ford closed the public hearing.

On a motion by Councilmember Weier, seconded by Councilmember Hankins, it was resolved to approve ordinance 2024-01-01, Fees. All in favor. Motion carried.

On a motion by Councilmember McCarthy, seconded by Councilmember Foster, it was resolved to approve resolution 2024-12, Approving Summary Publication of Ordinance 2024-01-01. All in favor. Motion carried.

d. Second Reading ORDINANCE 2024-01-02 (Fee Schedule) (0:31:35):

- i. Mayor Ford explained that changes were made to include charges for planner and engineering services, some adjustments to permit fees, and that the utility rate increases would also be included that were stated in resolution 2024-10 in the packet.
- ii. Councilmember Weier Reviewed the 4 charges on page 91 of the packet that were deletions.
- iii. Councilmember Hankins said that the citation on page 94 should be changed to reference ordinance 2024-01-01 regarding section 701 instead of the resolution 2023-47.
- iv. Mayor Ford opened the public hearing. There were no comments. Mayor Ford closed the public hearing.

On a motion by Councilmember McCarthy, seconded by Councilmember Hankins, it was resolved to approve ordinance 2024-01-02, Fees Schedule, with the addition of the water and sewer rate increases that are described in 2024-10 and subject to changing the citation on page 94 of the packet, striking resolution 2023-47 and inserting city code section 701. All in favor. Motion carried.

On a motion by Councilmember McCarthy, seconded by Councilmember Weier, it was resolved to approve resolution 2024-13, Approving Summary Publication of Ordinance 2024-01-02. All in favor. Motion carried.

e. Park Maintenance (0:38:26):

- i. Councilmember McCarthy explained that the Parks Committee is suggesting a volunteer sign up sheet for the parks that goes on the website.
- ii. Councilmember Foster asked about the type of tasks that would go on the list to ensure they are not needing oversight.
- iii. Councilmember McCarthy asks attorney Kantrud about possible issues with liability.
- iv. Attorney Kantrud suggested an acknowledgement and waiver for any volunteers that he would put together.
- v. Councilmember McCarthy suggested that the Parks Committee manage the list to ensure the volunteer list has tasks that are appropriate for volunteers.
- vi. Councilmember Weier said that this list contains donation item requests as well as volunteer tasks.

f. Lift Station Update (0:44:46):

- i. Councilmember Hankins explained that the Lift station is still working its way through the EPA and we expect to bid in April and looking at late summer construction. He also indicated there are diagrams in the packet.

g. Insurance Claims for the Lift Station Repairs Update (0:46:02):

- i. Administrator Kellen explained that the invoice for lift station 2 was covered by insurance and that one of two invoices for lift station 3 were covered by insurance.
- ii. Mayor Ford indicated that these were permanent fixes.

h. Ash Path Survey Status (0:49:06):

- i. Attorney Kantrud explained that he reached out to Connie at Cornerstone in late January to ask for an update. She explained that she was in continuing education and that she would get back to him which has not happened yet. He indicated that he would contact her again this week.
- ii. Councilmember McCarthy suggested that pressure needs to be put on Cornerstone to complete the project due to the delay and to give them another month to complete the project or another surveyor should be hired.

i. Treasurer Resignation (0:51:30):

- i. Mayor Ford said that the new Treasurer resigned today and that a replacement will need to be found. She also explained that our current Treasurer, Mary Cahill will be on vacation so a backup for the March City Council meeting will need to be found.
- ii. Councilmember Foster suggested that a good long-term solution may be to contract with another municipality if there is another municipality is interested.
- iii. Councilmember McCarthy suggested that an audit may be necessary if the Treasurer work is outsourced to another municipality and that that is something to consider with respect to cost.

On a motion by Councilmember McCarthy, seconded by Councilmember Weier, it was resolved to authorize Mayor Ford to contract with Saint Anothony Village or another provider for the March meeting for a maximum of \$3000. All in favor. Motion carried.

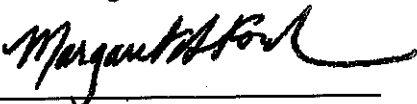
On a motion by Councilmember McCarthy, seconded by Councilmember Hankins, it was resolved to approve Mayor Ford to put together long-term options for hiring a Treasurer including reposting the job, reaching out to past candidates, and exploring outsourcing to another municipality. All in favor. Motion carried.

8. MEETING CLOSE (0:59:37)

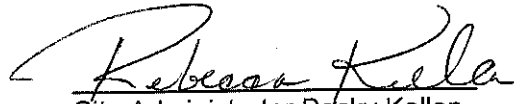
On a motion duly made by Councilmember McCarthy, seconded by Mayor Ford, it was agreed that there was no further business of the Council to transact in an open session; the meeting was closed to the public at 7:46 p.m.

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



City Administrator Becky Kellen

3-12-24
Date

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Date

