



AGENDA OF THE REGULAR MEETING OF  
THE CITY COUNCIL  
CITY OF BIRCHWOOD VILLAGE  
WASHINGTON COUNTY, MINNESOTA  
January 10, 2023  
7:00 P.M.

NOTE: Due to Open Meeting Law restrictions, the City Council may be discussing agenda items for the first time. Your patience and understanding is appreciated during this process.

**PLEDGE OF ALLEGIANCE**

**SWEARING IN**

- A. Swear in Mayor & Council Members\* (pp. 5-7)

**APPROVE AGENDA**

**OPEN PUBLIC FORUM**

**ANNOUNCEMENTS**

- A. Federal Lift Station Funding in the amount of \$480,000 has come through
- B. RCWD Grant request submitted for \$100,000 in Lift Station Funding:  
2/8/2023 RCWD Public Hearing\* (p. 8)
- C. 2023 Schedule of Meetings and Holidays\* (p. 9)
- D. 2023 Fee Schedule in Effect
- E. Ice Rink is Open

**PRESENTATIONS**

- A. TH 120/Century Ave Coalition Presentation - Washington County Public Works Department\* (pp. 10 - 12)
- B. Gravel Presentation - Randy Lafoy

**CLOSED MEETING OF THE CITY COUNCIL CITY OF BIRCHWOOD VILLAGE (7:15pm) \* (p. 13)**

- A. Closure of meeting pursuant to Minnesota Statute Chapter 13D subd. 3(b) (meetings may be closed as permitted by the attorney-client privilege)
  - a. Discussion of pending civil litigation regarding claim for permit with LMCT appointed-counsel Paul Merwin, esq.
- B. Re-open meeting

**CITY BUSINESS – CONSENT AGENDA**

- A. Approve Treasurer's Report\* (pp. 14-32)

\* Denotes items that have supporting documentation provided

- B. Approve Regular Meeting Minutes from December, 2022\* (pp. 33 - 43)
- C. Approve Resolution 2023-01, Designating White Bear Press as the Official Newspaper for Publication\* (p. 44)
- D. Approve Resolution 2021-02, Naming U.S. Bank and the 4M Fund as Official Depositories of Municipal Funds\* (pp. 45-46)
- E. Approve RESOLUTION 2023-03 LMC Elected Officials Training\* (p. 47)
- F. Approve RESOLUTION 2023-08 Mary Cahill Appreciation\*\* (p. 48)
- G. Approve salary increase of City Hall cleaner to new minimum wage\* (p. 49) – additional materials to be distributed at the meeting and available to the public).

### **CITY BUSINESS – OLD BUSINESS**

- A. Second Reading ORDINANCE 2022-10-01, Amend Sec. 307.010 Zoning Permit Application \* (p. 50)
  - a. Public Hearing
  - b. Council Deliberation & Approval
  - c. Approve RESOLUTION 2023-05 Approving Summary Publication Ord. 2022-10-01\*(pp. 51-52)
- B. Third Reading ORDINANCE 2022-10-02, Amending Animals Sec 605\* (pp. 53-57)
  - a. Public Hearing
  - b. Council Deliberation & Approval
  - c. Approve RESOLUTION 2022-24 Approving Summary Publication Ord. 2022-10-02\*(pp. 58-59)
- C. Third Reading ORDINANCE 2022-10-04, Amending Public Lake Tracts Sec 617\* (pp. 60-62)
  - a. Public Hearing
  - b. Council Deliberation & Approval
  - c. Approve RESOLUTION 2022-26 Approving Summary Publication Ord. 2022-10-02\*(pp. 63-64)
- D. Third Reading ORDINANCE 2022-10-05, Amending Fees Sec 701\* (p. 65)
  - a. Public Hearing
  - b. Council Deliberation & Approval
  - c. Approve RESOLUTION 2022-27 Approving Summary Publication Ord. 2022-10-05\*(pp. 66-67)
- E. First Reading ORDINANCE 2022-10-07, Amending Fees Sec 407\* (p. 68)
  - a. Public Hearing
  - b. Council Deliberation & Approval
  - c. Approve RESOLUTION 2023-06 Approving Summary Publication Ord. 2022-10-07 \*(pp. 69-70)
- F. Second Reading ORDINANCE 2022-11-01, Amending Section 201 Meters\* (pp. 71-72)
  - a. Public Hearing

\* Denotes items that have supporting documentation provided

- b. Council Deliberation & Approval
- c. Approve RESOLUTION 2023-07 Approving Summary Publication Ord. 2022-11-01\*(pp. 73-74)
- G. Review RFP for City Engineer and Planner\* (pp. 75-82)
- H. Streetlight Removal at the End of Lake Ave\* (pp. 83-85)
- I. Bids for Wildwood Lift Station\* (p. 86)

### **CITY BUSINESS – NEW BUSINESS**

- A. 2023 Local Board and Open Book Meeting\* (pp. 87-89)
  - a. Confirm date and time
- B. Planning Commissioners
  - a. RESOLUTION 2023-04 Planning Commission Terms\* (pp. 90-91)
    - i. Council Deliberation
    - ii. Approve Resolution 2023-04
  - b. Appoint Planning Commissioners\* (pp. 92-93)
    - i. Review Candidates & Appoint Commissioners
- C. CivicGov Permitting Software\* (pp. 94-113)
- D. Village Hall Security and Access – Ryan Hankins \* (pp. 114-115)
- E. ORDINANCE 2023-01-01: Structural Height Restrictions – Ryan Hankins \* (pp. 116-117)
  - a. First Reading & Council Deliberation
  - b. Order Second Reading & Public Hearing
- F. Creation of the Parks Committee – Justin McCarthy\* (pp. 118-130)
- G. City Council Meeting Agenda Discussion – Ryan Hankins\* (p. 131)
- H. Radon Testing at Village Hall – Ryan Hankins\* (p. 132)
- I. Internal Reconciliation of our Accounting – Ryan Hankins\* (p. 133)

### **CITY BUSINESS – PENDING BUSINESS**

- A. Birchwood Village Water Management Plan (pending resolution/acceptance)\* (pp. 134-135)
- B. Reconciliation Update (pending documentation)
- C. CUP revisions regarding solar panels (further discussion)
- D. Ordinance to approve past salaries (further discussion)
- E. Ash Path Survey Lines (awaiting survey)
- F. Ordinance 2022-04-02 / 302.050 (pending documentation)
- G. 310-312 Wildwood Run off (in process)
- H. Animal Code Updates (pending documentation)

\* Denotes items that have supporting documentation provided

- I. Regulating City Rights of Way – (pending discussion)
- J. Mitigation Plan Update (pending discussion)

**ADJOURN**

\* Denotes items that have supporting documentation provided



## OATH OF OFFICE

*State of Minnesota  
County of Washington*

### ***CITY OF BIRCHWOOD VILLAGE***

*I, MARGARET FORD, do solemnly swear to support the Constitution of the United States, the Constitution of the State of Minnesota, and to discharge faithfully the duties of the office of MAYOR of the City of Birchwood Village, Minnesota, to the best of my judgment and ability, so help me God.*

---

*Signature*

*Subscribed and sworn to before me this 10<sup>th</sup> day of January 2023.*

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*Rebecca Kellen  
City Administrator-Clerk*



## OATH OF OFFICE

*State of Minnesota  
County of Washington*

### ***CITY OF BIRCHWOOD VILLAGE***

*I, RYAN HANKINS, do solemnly swear to support the Constitution of the United States, the Constitution of the State of Minnesota, and to discharge faithfully the duties of the office of COUNCILMEMBER of the City of Birchwood Village, Minnesota, to the best of my judgment and ability, so help me God.*

---

*Signature*

*Subscribed and sworn to before me this 10<sup>th</sup> day of January 2023.*

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*Rebecca Kellen  
City Administrator-Clerk*



## OATH OF OFFICE

*State of Minnesota  
County of Washington*

### ***CITY OF BIRCHWOOD VILLAGE***

*I, **KATHERINE A. WEIER**, do solemnly swear to support the Constitution of the United States, the Constitution of the State of Minnesota, and to discharge faithfully the duties of the office of **COUNCILMEMBER** of the City of Birchwood Village, Minnesota, to the best of my judgment and ability, so help me God.*

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*Signature*

*Subscribed and sworn to before me this 10<sup>th</sup> day of January 2023.*

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*Rebecca Kellen  
City Administrator-Clerk*

January 10 2023 City Council Agenda Packet

## 2/8/2023 RCWD Public Hearing on SWG requests from Cities of Birchwood Village & New Brighton

ricecreekwd@listserv.govoffice.com <ricecreekwd@listserv.govoffice.com>

Thu 1/5/2023 11:39 AM

To: birchwoodvillage@comcast.net <birchwoodvillage@comcast.net>

PLEASE TAKE NOTICE that the Rice Creek Watershed District (District) Board of Managers will hold a public hearing under Minnesota Statutes 103B.251 on the ordering of one or more of the following projects: City of Birchwood Village – Birchwood Village Wildwood Lift Station Replacement (\$100,000) and City of New Brighton – Storm Grant 2023 (\$8,283). The District may select all, some or none of the applications for full or partial funding. The District's total share of cost for selected projects will not exceed \$300,000 and would be funded by general tax levy on real property within the watershed. The public hearing will be held during the District's regular board meeting on Wednesday, February 8, 2023, at 9:00 a.m. in the Shoreview City Council Chambers, 4600 North Victoria Street, Shoreview, Minnesota and also via Zoom. The Zoom meeting instructions are below. If you have any questions, please contact Catherine Nester [cnester@ricecreek.org](mailto:cnester@ricecreek.org); 763-398-3081. The grant requests can be viewed on the district website at [www.ricecreek.org/smgp](http://www.ricecreek.org/smgp), or at the District office: 4325 Pheasant Ridge Drive NE, Suite 611, Blaine, MN 55449.

Join Zoom Meeting

<https://us06web.zoom.us/j/88565620672?pwd=VUN1enpuOVowcFpkUnV1S1dDY3hzQT09>

Meeting ID: 885 6562 0672

Passcode: 737003

Dial by your location +1 312 626 6799 US (Chicago)

Meeting ID: 885 6562 0672

Passcode: 737003

To unsubscribe from this email list please click on the following Link: [Click Here](#)

or copy the following address and paste it into your browser:

<http://ricecreekwatershed.govoffice2.com/index.asp?type=UNSUBSCRIBE&SEC={681C7C62-E129-4F40-8C53-B12DB6D4E1DB}&action=unsubscribe&emailaddress=birchwoodvillage@comcast.net>





**2023 SCHEDULE OF  
REGULAR CITY COUNCIL  
MEETINGS**

(Start time is 7:00 p.m. at City Hall)

- January 10
- February 14
- March 14
- April 11
- May 9
- June 13
- July 11
- August 8
- September 12
- October 11
- November 14
- December 12

**City Staff Office Hours**  
**Tuesdays and Thursdays**  
10:30 am – 1:30 pm  
Or By Appointment  
Phone: 651-426-3403

**2023 SCHEDULE OF OFFICIAL  
CITY HOLIDAYS**

- MLK Jr. Day** – Mon, Jan 16
- Presidents Day** – Mon, Feb 20
- Memorial Day** – Mon, May 29
- Independence Day** – Tues, July 4
- Labor Day** – Mon, Sep 4
- Veterans Day** – Fri, Nov 11
- Thanksgiving** – Thu-Fri, Nov 23-24
- Christmas Day** – Mon, Dec 25
- New Year's Day** – Mon, Jan 1, 2023

**COMMITTEE/COMMISSION  
MEETING SCHEDULE:**

Planning Commission meets the 4<sup>th</sup>  
Thursday of every month.

All other committees meet as needed,  
with notice.

# Century Avenue Policymakers Workshop

## Meeting Summary

*Policymakers Workshop, July 27, 2022, 6:00-7:30 p.m.*

*North St. Paul City Hall*

### Attendees

<b>Birchwood</b>	Rebecca Kellen, City Admin	<b>Met Council</b>	Susan Vento, Met Council Rep
<b>Mahtomedi</b>	Scott Neilson, City Admin	<b>Ramsey County</b>	Victoria Reinhardt, Commissioner Brian Isaacson, Director PW
<b>White Bear Lake</b>	Paul Kauppi, City Engineer Tracy Shimek, Housing/Economic Development Coordinator	<b>MnDOT</b>	Molly McCartney Lindsey Bruer
<b>North St. Paul</b>	Scott Thorsen, Councilmember Morgan Dawley, City Engineer Tim Cole, Councilmember Candy Petersen, Councilmember Kari Erpenbach, Communications Brian Frandle, Int. City Manager	<b>Washington County</b>	Stan Karwoski, Commissioner Wayne Sandberg, Director PW Joe Ayers-Johnson, Planner Lyssa Leitner, Planning Director
<b>Maplewood</b>	Nikki Villavicencio	<b>Metro Transit</b>	Kyle O'Donnell Burrows, aBRT
<b>Oakdale</b>	Paul Reinke, Mayor Susan Olson, Councilmember Colleen Swedberg, Councilmember	<b>WSB</b>	Jack Corkle Travis Wieber Bret Weiss Peter Muehlbach
<b>Landfall</b>	Stan Suedkamp, Mayor Tobin Lay, City Admin		
<b>State Members</b>	Peter Fischer, House of Reps Sam O'Neill, Office of Rep Little		

### Purpose of Meeting

The purpose of Workshop was to share updates on recent transportation planning efforts along Century Avenue, to reaffirm the communities' vision for the corridor as discussed during a previous workshop held in 2019, and to discuss next steps on how to maintain focus and keep work progressing in the corridor.

### Meeting Overview

1. **Welcome and Introductions**
2. **Century Avenue Corridor Updates**
  - Summary of 2019 Community Conversation  
*Washington County presented a summary of the 2019 Century Avenue Community Conversation, including the vision, needs, and constraints identified by participants during group discussion.*

# Century Avenue Policymakers Workshop

- **Metro Transit Update**

- **Past Study of Arterial Bus Rapid Transit (BRT)**

*Metro Transit's Network Next Arterial BRT planning process considered several important corridors across the metro area for enhanced bus service – including Century Avenue, but it ultimately did not make it past the initial screening stage mostly due to low baseline service levels and existing ridership. Metro Transit will be updating the arterial BRT plans in 2025 to refresh and reprioritize corridors, at which point Century Ave could potentially be reconsidered.*

- **METRO Purple Line**

*The METRO Purple Line is undergoing a route modification process during which time Met Council staff are analyzing new termini for the corridor – including a potential connection to Century College via Century Avenue. Met Council staff is working with affected communities to collect input and gauge support while conducting analysis.*

- **METRO Gold Line**

*The METRO Gold Line is beginning construction and the bus lane and collocated bike/ped trail will be bridging over Century Ave.*

- **MnDOT Planning and Environmental Linkages (PEL) Study**

*MnDOT gave an update on the Planning and Environmental Linkages (PEL) study underway. Phase I of the PEL was completed in May 2022 and Phase II will begin this Fall. Phase II will continue public engagement, develop a vision for the corridor, and evaluate several corridor sections eventually resulting in recommendations and high-level cost estimates.*

- **TH 120 (Century Ave) Turnback Status Update**

*Washington County gave an update on the turnback process for transferring TH 120 from state to county jurisdiction. The segment south of I-94 has already been transferred to Counties but needs and costs for the rest of the corridor need to be developed prior to turnback to ensure Counties don't take on unsupported financial liabilities. The MnDOT Phase II PEL Study should help identify these needs and costs and prioritize segments for jurisdictional transfer.*

### **3. Moving Forward and Next Steps**

*Washington County touched on the challenges ahead for improvements to Century Avenue including the intersection with TH 36. Key challenges include state jurisdiction, no designated state funding, and highway safety and mobility needs that continue to rise. Creating an informal coalition of communities in the Century corridor was suggested to bring community partners together as one voice and better advocate for corridor improvements and funding.*

### **4. Thank You**

# Century Avenue Policymakers Workshop

## Discussion Summary

- General agreement from participants that a coalition of Century-adjacent communities could be an effective platform to centralize communication, help advance corridor improvements, and advocate for funding.
- Many residents are motivated by doing good for the environment, so when thinking about transit electric buses are crucial (Ramsey County)
- The best way to message improvements to Century Ave – particularly transit - to residents is emphasizing jobs and equity benefits (Ramsey County)
- There has been significant investment in the west metro area and much less in the east metro; we've noticed the regional disparity (Oakdale)
  - The Metropolitan Council has also noticed this disparity, and Councilmember Vento is advocating for more East Metro projects (Metropolitan Council)
  - Part of the issue is that the rating system for regional solicitation (and TAB) is weighted in a way that weakens the competitiveness of East Metro applications (Washington County)
- Engagement with and buy-in of cities is imperative; even if/when it becomes a county road, it will really be serving the cities (Washington County)
- When we inevitably remove trees for construction, we must be sure to replace the trees we remove to minimize the heat impact. We should also take the opportunity to remove invasive species like buckthorn. This would be a good selling point for residents. (MN State Legislator Peter Fischer)
- Landfall is worried about the design on Hudson Boulevard for those wanting to turn left (South) due to safety concerns. The current setup for left turns is not sufficient – drivers must turn right, cut across several lanes of traffic (with people exiting the freeway with no traffic control), then make a U-turn. An additional crosswalk in that area without any other changes would make the intersection even more hazardous. Landfall feels that over time they've been pinched off more and more. (Landfall)
- Using native species in plantings/re-plantings is important (Maplewood)
- Walkability, wayfinding, and lighting are all important considerations for Century Ave improvements (Maplewood)
- RE: Transit Study: Do the aBRT principles include safety? (Oakdale)
  - Safety is something considered more in the implementation of a line than in the prioritization process. Safety is something Metro Transit incorporates every day. aBRT infrastructure improvements include better lighting at stations, emergency call buttons, and cameras (Metro Transit)
- To make a successful coalition, be sure to also include key businesses, like was done for I-94 Corridor (WSB)



**NOTICE OF AND AGENDA FOR THE CLOSED MEETING OF THE CITY COUNCIL  
CITY OF BIRCHWOOD VILLAGE  
WASHINGTON COUNTY, MINNESOTA**

**January 10, 2023**

**7:15 P.M.**

**Call to Order**

**Approve Agenda**

**City Business**

- A. **Closure of meeting pursuant to Minnesota Statute Chapter 13D subd. 3(b)**  
**(meetings may be closed as permitted by the attorney-client privilege)**
  - 1. **Discussion of pending civil litigation regarding claim for permit with LMCT**  
**appointed-counsel Paul Merwin, esq.**
- B. **Re-open meeting**

**Adjournment**

Cash Control Statement

For the Period : 12/6/2022 To 1/5/2023

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>	<u>Less Deposits In Transit</u>	<u>Plus Outstanding Checks</u>	<u>Total Per Bank Statement</u>
General Fund	\$823,933.55	\$11,790.95	\$112,527.35	\$723,197.15	\$516.03	\$94,541.40	\$817,222.52
Road and Bridge	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other Federal Programs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Comp Plan Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Tree Canopy Care	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Special Rev Projects	\$3,420.69	\$0.00	\$0.00	\$3,420.69	\$0.00	\$0.00	\$3,420.69
Spec Rev - Warm House	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
REIMBURSED CONTRACTED SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Birchwood In Re-hab Bond	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sewer Re-hab Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CAPITAL PROJECT FUNDS (401 through 499)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
General Capital Projects	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Capital Project PW	\$111,711.31	\$0.00	\$0.00	\$111,711.31	\$0.00	\$0.00	\$111,711.31
Water	\$30,771.58	\$4,849.47	\$5,179.63	\$30,441.42	\$0.00	\$2,921.49	\$33,362.91
Sewer	\$94,753.61	\$3,596.98	\$11,664.31	\$86,686.28	\$0.00	\$4,595.13	\$91,281.41
Transit System	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sewer Infrastructure	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Water Meter Upgrade Fees	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
American Rescue Act Proceeds	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Engineering Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$1,064,590.74</b>	<b>\$20,237.40</b>	<b>\$129,371.29</b>	<b>\$955,456.85</b>	<b>\$516.03</b>	<b>\$102,058.02</b>	<b>\$1,056,998.84</b>

<u>Name of Fund</u>	January 10 2023 City Council Agenda Packet	<u>Beginning</u> <u>Balance</u>	<u>Total</u> <u>Receipts</u>	<u>Total</u> <u>Disbursed</u>	<u>Ending</u> <u>Balance</u>	<u>Less</u> <u>Deposits</u> <u>In Transit</u>	<u>Plus</u> <u>Outstanding</u> <u>Checks</u>	<u>Total</u> <u>Per Bank</u> <u>Statement</u>
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Jonathan E Fleck	City Council/Town Board				Date
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Justin R. McCarthy	City Council/Town Board				Date
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Kevin L Woolstencroft	City Council/Town Board				Date
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Mary Wingfield	City Council/Town Board, Mayor				Date
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Robert Mark Foster	City Council/Town Board				Date
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Disbursements Register

Fund Name: All Funds

Date Range: 12/05/2022 To 01/05/2023

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
12/05/2022	MN Department of Health	32233	Community Water Supply Connection Fee - Q3-2022	N	Water Utility	601-43180-437-	\$ 903.00
	<b>Total For Check</b>	<b>32233</b>					<b>\$ 903.00</b>
12/05/2022	Gopher State One Call	32234*	email tickets	N	Utility Locates	605-42805-314-	\$ 51.30
	<b>Total For Check</b>	<b>32234</b>					<b>\$ 51.30</b>
12/05/2022	Thatcher Engineering, Inc	32235*	City Engineer - engineering services	N	Engineer Service	100-41650-300-	\$ 1,500.00
		32235*				100-41650-300-	\$ 150.00
		32235*				100-41650-300-	\$ 500.00
		32235*				100-41650-300-	\$ 850.00
		32235*				100-41650-300-	\$ 350.00
		32235*				100-41650-300-	\$ 150.00
	<b>Total For Check</b>	<b>32235</b>					<b>\$ 3,500.00</b>
12/05/2022	H.A. Kantrud, P.A.	32236	Attorney Services -Nov 2022	N	Legal Services	100-41601-300-	\$ 1,500.00
	<b>Total For Check</b>	<b>32236</b>					<b>\$ 1,500.00</b>
12/05/2022	City of White Bear Lake Fire	32237	Fire Srvc - Nov 2022	N	Fire	100-42201-314-	\$ 2,737.08
	<b>Total For Check</b>	<b>32237</b>					<b>\$ 2,737.08</b>
12/05/2022	AirFresh Industries, Inc.	32238*	Portable Restrooms- Dec Billing	N	Parks	100-45207-314-	\$ 162.50
	<b>Total For Check</b>	<b>32238</b>					<b>\$ 162.50</b>
12/05/2022	Minutes Solutions	32239*	Minutes for Oct 11 meeting	N	MISCELLANEOUS	100-49001-300-	\$ 305.00
	<b>Total For Check</b>	<b>32239</b>					<b>\$ 305.00</b>
12/05/2022	TSE, Inc. Work Account	32240*	Janitorial Services - 11/17/22	N	General Government Buildings and Plant	100-41940-314-	\$ 25.00
	<b>Total For Check</b>	<b>32240</b>					<b>\$ 25.00</b>
12/05/2022	Manship Plumbing & Heating Inc	32241	Standby - December, Testing and Sewer/water plans for 419B Wildwood	N	Water Utility	601-43180-314-	\$ 700.00
		32241				601-43180-314-	\$ 120.00
		32241				601-43180-314-	\$ 120.00
	<b>Total For Check</b>	<b>32241</b>					<b>\$ 940.00</b>



**Fund Name:** All Funds  
 January 10 2023 City Council Agenda Packet  
**Date Range:** 12/05/2022 To 01/05/2023

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
12/05/2022	Companion Animal Control LLC	32242	Animal Control Services -Nov	N	Animal Control	100-41916-314-	\$ 80.00
	<b>Total For Check</b>	<b>32242</b>					<b>\$ 80.00</b>
12/05/2022	H2O Analytics	32243*	Anuual Support feed for Hoted Software for Water meters	N	Water Utility	601-43180-314-	\$ 2,000.00
	<b>Total For Check</b>	<b>32243</b>					<b>\$ 2,000.00</b>
12/06/2022	Metropolitan Council - Env. Service	32244*	Wastewater Service- Dec	N	Sewer Utility	605-43190-217-	\$ 4,968.70
	<b>Total For Check</b>	<b>32244</b>					<b>\$ 4,968.70</b>
12/07/2022	Amazon	EFT12072022a	Entry in CTAS for refund was \$130.42, actual was \$65.21 on 11/17/20	N	General Government Buildings and Plant	100-41940-220-	\$ 65.21
	<b>Total For Check</b>	<b>EFT12072022a</b>					<b>\$ 65.21</b>
12/07/2022	Payroll Period Ending 12/07/2022	32245	Becky Kellen, City Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 1,989.30
	<b>Total For Check</b>	<b>32245</b>					<b>\$ 1,989.30</b>
12/07/2022	Payroll Period Ending 12/07/2022	32246	Tom Nitti, Bookkeeper/Asst Clerk	N	Clerk - Treasurer	100-41401-100-	\$ 566.44
	<b>Total For Check</b>	<b>32246</b>					<b>\$ 566.44</b>
12/07/2022	Residents- Utility Billing	EFT12072022B	Utility billing for April 14,2021 entered into CTAS on 4/14 on 4/16	N	MISCELLANEOUS	100-49001-430-	\$ 239.53
		EFT12072022B			Water Utility	601-43180-382-	\$ 896.62
		EFT12072022B			Sewer Utility	605-43190-380-	\$ 826.30
	<b>Total For Check</b>	<b>EFT12072022B</b>					<b>\$ 1,962.45</b>
12/07/2022	NSF return check	EFT12072022C	NSF check from 4/21/2020 logged into CTAS as a deposit, net to zero, NSF's logged separate	N	Water Utility	601-43180-382-	\$ 30.68
		EFT12072022C			Sewer Utility	605-43190-380-	\$ 74.32
	<b>Total For Check</b>	<b>EFT12072022C</b>					<b>\$ 105.00</b>
12/07/2022	Xcel Energy	EFT12072022D	error in entry by \$5, May 2020	N	Sewer Utility	605-43190-380-	\$ 5.00
	<b>Total For Check</b>	<b>EFT12072022D</b>					<b>\$ 5.00</b>
12/07/2022	PERmits	EFT12072022E	Duplicate entry made for 2020 EFT deposit	N	MISCELLANEOUS	100-49001-430-	\$ 62.31
	<b>Total For Check</b>	<b>EFT12072022E</b>					<b>\$ 62.31</b>

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12/08/2022	PERA	EFT12082022*	Retirement funds- Becky Kellen \$366.13, Tom Nitti \$112.71	N	Clerk - Treasurer	100-41401-121-	\$ 478.84
		<b>Total For Check</b>	<b>EFT12082022</b>				<b>\$ 478.84</b>
12/13/2022	City of Roseville	32247*	IT charges Dec	N	General Government Buildings and Plant	100-41940-320-	\$ 386.13
		<b>Total For Check</b>	<b>32247</b>				<b>\$ 386.13</b>
12/13/2022	TSE, Inc. Work Account	32248*	Janitorial Services - 12/01/22	N	General Government Buildings and Plant	100-41940-314-	\$ 25.00
		<b>Total For Check</b>	<b>32248</b>				<b>\$ 25.00</b>
12/13/2022	MENARD'S - OAKDALE	32249*	Supplies- BSC Pleat Filter	N	General Government Buildings and Plant	100-41940-220-	\$ 13.32
		<b>Total For Check</b>	<b>32249</b>				<b>\$ 13.32</b>
12/13/2022	MENARD'S - OAKDALE	32250*	Supplies- Seafoam, WRESIST LS 4 Pk	N	General Government Buildings and Plant	100-41940-220-	\$ 41.95
			32250*			100-41940-220-	\$(28.48)
		<b>Total For Check</b>	<b>32250</b>				<b>\$ 13.47</b>
12/13/2022	Minutes Solutions	32251*	Minutes for Nov 21 meeting	N	MISCELLANEOUS	100-49001-300-	\$ 200.00
		<b>Total For Check</b>	<b>32251</b>				<b>\$ 200.00</b>
12/13/2022	White Bear Township	32252*	Contracted Services - Nov	N	Sewer Utility	605-43190-314-	\$ 748.12
		<b>Total For Check</b>	<b>32252</b>				<b>\$ 748.12</b>
12/14/2022	St. Paul Stamp Works, Inc	32253*	Engraved Nameplates (3), Signature stamp for Margaret Ford	N	Office Operations Supplies	100-41911-200-	\$ 21.75
			32253*			100-41911-200-	\$ 32.05
		<b>Total For Check</b>	<b>32253</b>				<b>\$ 53.80</b>
12/14/2022	Cahill, Mary	32254*	Paper & Office Supplies - envelopes, calendar, 1099 and W2 forms	N	Office Operations Supplies	100-41911-200-	\$ 152.17
		<b>Total For Check</b>	<b>32254</b>				<b>\$ 152.17</b>
12/14/2022	Historic Design Consulting LLC	32255*	Town Hall Windows Restoration	N	Unallocated Expenditures	100-49201-430-	\$ 10,354.75
		<b>Total For Check</b>	<b>32255</b>				<b>\$ 10,354.75</b>

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12/14/2022	Xcel Energy	EFT12142022A*	200 Wildwood Ave, 10/17/22-11/15/22	N	Sewer Utility	605-43190-380-	\$ 34.45
		<b>Total For Check</b>	<b>EFT12142022A</b>				<b>\$ 34.45</b>
12/14/2022	Xcel Energy	EFT12142022B*	407 Lake Ave Lift Station, 10/17/22-11/15/22	N	Sewer Utility	605-43190-380-	\$ 35.41
		<b>Total For Check</b>	<b>EFT12142022B</b>				<b>\$ 35.41</b>
12/14/2022	Xcel Energy	EFT12142022C*	210 Birchwood Ave Tower, 10/17/22-11/15/22	N	Water Utility	601-43180-380-	\$ 16.02
		<b>Total For Check</b>	<b>EFT12142022C</b>				<b>\$ 16.02</b>
12/15/2022	Cahill, Mary	32256*	Microsoft Prescription Charges	N	General Government Buildings and Plant	100-41940-320-	\$ 651.78
		<b>Total For Check</b>	<b>32256</b>				<b>\$ 651.78</b>
12/15/2022	Otter Lake Animal Care Center	32257*	Rescue Boarding	N	Animal Control	100-41916-314-	\$ 151.77
		<b>Total For Check</b>	<b>32257</b>				<b>\$ 151.77</b>
12/15/2022	IRS - US Treasury	EFT12152022*	Federal Taxes - Q4 2022 - Nov Payment	N	Clerk - Treasurer	100-41401-100-	\$ 312.08
		EFT12152022*				100-41401-100-	\$ 1,140.04
		EFT12152022*				100-41401-100-	\$ 266.62
		<b>Total For Check</b>	<b>EFT12152022</b>				<b>\$ 1,718.74</b>
12/19/2022	Residents- ACH returns	CE 12192022A*	Return items unable to collect- resident moved	N	Water Utility	601-43180-382-	\$ 238.71
		CE 12192022A*				601-43180-382-	\$ 57.00
		CE 12192022A*			MISCELLANEOUS	601-49001-430-	\$ 4.77
		CE 12192022A*			Sewer Utility	605-43190-430-	\$ 321.14
		CE 12192022A*				605-43190-430-	\$ 108.00
		<b>Total For Check</b>	<b>CE 12192022A</b>				<b>\$ 729.62</b>
12/19/2022	Residents- ACH returns	CE 12192022B*	Returned items from 2018, added back to utility bill	N	Water Utility	601-43180-382-	\$ 42.45
		CE 12192022B*				601-43180-382-	\$ 15.00
		CE 12192022B*				601-43180-382-	\$ 9.36
		CE 12192022B*			MISCELLANEOUS	601-49001-430-	\$ 1.59
		CE 12192022B*			Sewer Utility	605-43190-430-	\$ 31.20
		CE 12192022B*				605-43190-430-	\$ 36.00
		<b>Total For Check</b>	<b>CE 12192022B</b>				<b>\$ 135.60</b>

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12/19/2022	Residents- ACH returns	CE 12192022C*	Returned items from 2019, added back to utility bill	N	Water Utility	601-43180-382-	\$ 43.42
		CE 12192022C*				601-43180-382-	\$ 20.67
		CE 12192022C*			MISCELLANEOUS	601-49001-430-	\$ 1.56
		CE 12192022C*			Sewer Utility	605-43190-430-	\$ 26.54
		CE 12192022C*				605-43190-430-	\$ 35.44
	<b>Total For Check</b>	<b>CE 12192022C</b>					<b>\$ 127.63</b>
12/19/2022	Residents- ACH returns	CE 12192022D*	Returned items from 2018, added back to utility bill	N	Water Utility	601-43180-382-	\$ 70.60
		CE 12192022D*				601-43180-382-	\$ 30.00
		CE 12192022D*			MISCELLANEOUS	601-49001-430-	\$ 3.18
		CE 12192022D*			Sewer Utility	605-43190-430-	\$ 81.12
		CE 12192022D*				605-43190-430-	\$ 72.00
	<b>Total For Check</b>	<b>CE 12192022D</b>					<b>\$ 256.90</b>
12/19/2022	Residents- ACH returns	CE 12192022E*	Returned items from 2019, added back to utility bill	N	Water Utility	601-43180-382-	\$ 315.40
		CE 12192022E*				601-43180-382-	\$ 77.33
		CE 12192022E*			MISCELLANEOUS	601-49001-430-	\$ 6.30
		CE 12192022E*			Sewer Utility	605-43190-430-	\$ 210.63
		CE 12192022E*				605-43190-430-	\$ 142.86
	<b>Total For Check</b>	<b>CE 12192022E</b>					<b>\$ 752.52</b>
12/19/2022	Residents- ACH returns	CE 12192022F*	Returned items from 2020, added back to utility bill	N	Water Utility	601-43180-382-	\$ 209.79
		CE 12192022F*				601-43180-382-	\$ 83.21
		CE 12192022F*				601-43180-382-	\$ 33.54
		CE 12192022F*				601-43180-382-	\$ 99.05
		CE 12192022F*			MISCELLANEOUS	601-49001-430-	\$ 8.80
		CE 12192022F*			Sewer Utility	605-43190-430-	\$ 257.06
		CE 12192022F*				605-43190-430-	\$ 142.64
	<b>Total For Check</b>	<b>CE 12192022F</b>					<b>\$ 834.09</b>
12/19/2022	Residents- ACH returns	CE 12192022G*	Returned items from 2017, added back to utility bill	N	Water Utility	601-43180-382-	\$ 9.20
		CE 12192022G*				601-43180-382-	\$ 15.00
		CE 12192022G*				601-43180-382-	\$ 9.36
		CE 12192022G*			MISCELLANEOUS	601-49001-430-	\$ 1.59
		CE 12192022G*			Sewer Utility	605-43190-430-	\$ 9.36
		CE 12192022G*				605-43190-430-	\$ 36.00
	<b>Total For Check</b>	<b>CE 12192022G</b>					<b>\$ 80.51</b>

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12/19/2022	Residents- ACH returns	CE 12192022H*	Returned items from 2018, added back to utility bill	N	Water Utility	601-43180-382-	\$ 33.80
		CE 12192022H*				601-43180-382-	\$ 60.00
		CE 12192022H*				601-43180-382-	\$ 9.36
		CE 12192022H*			MISCELLANEOUS	601-49001-430-	\$ 6.36
		CE 12192022H*			Sewer Utility	605-43190-430-	\$ 37.44
		CE 12192022H*				605-43190-430-	\$ 144.00
	<b>Total For Check</b>	<b>CE 12192022H</b>					<b>\$ 290.96</b>
12/19/2022	Residents- ACH returns	CE 12192022I*	Returned items from 2019, added back to utility bill	N	Water Utility	601-43180-382-	\$ 39.85
		CE 12192022I*				601-43180-382-	\$ 76.45
		CE 12192022I*			MISCELLANEOUS	601-49001-430-	\$ 6.24
		CE 12192022I*			Sewer Utility	605-43190-430-	\$ 48.81
		CE 12192022I*				605-43190-430-	\$ 141.37
	<b>Total For Check</b>	<b>CE 12192022I</b>					<b>\$ 312.72</b>
12/19/2022	Residents- ACH returns	CE 12192022J	Returned items from 2020, added back to utility bill	N	Water Utility	601-43180-382-	\$ 37.70
		CE 12192022J				601-43180-382-	\$ 82.58
		CE 12192022J				601-43180-382-	\$ 33.17
		CE 12192022J				601-43180-382-	\$ 98.30
		CE 12192022J			MISCELLANEOUS	601-49001-430-	\$ 8.73
		CE 12192022J			Sewer Utility	605-43190-430-	\$ 43.06
		CE 12192022J				605-43190-430-	\$ 141.55
	<b>Total For Check</b>	<b>CE 12192022J</b>					<b>\$ 445.09</b>
12/19/2022	Xcel Energy	CE 12192022K*	XCEL energy input errors from 2019	N	Sewer Utility	605-43190-380-	\$ 73.98
	<b>Total For Check</b>	<b>CE 12192022K</b>					<b>\$ 73.98</b>
12/19/2022	Xcel Energy	CE 12192022L*	XCEL energy input errors from 2019	N	Sewer Utility	605-43190-380-	\$ 389.85
	<b>Total For Check</b>	<b>CE 12192022L</b>					<b>\$ 389.85</b>
12/19/2022	Xcel Energy	CE 12192022M	XCEL energy input errors from 2019- Sept	N	Sewer Utility	605-43190-380-	\$ 491.12
	<b>Total For Check</b>	<b>CE 12192022M</b>					<b>\$ 491.12</b>
12/19/2022	Residents- Utility Billing	CE 12192022N*	July 27, 2019 utility billing input into CTAS as 1470.26, actual bank deposit = \$1375.49.	N	Water Utility	601-43180-382-	\$ 94.77

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		<b>Total For Check</b>	<b>CE 12192022N</b>				<b>\$ 94.77</b>
12/19/2022	Evolv	CE 12192022O	Charge in July of 2020	N	Unallocated Expenditures	100-49201-437-	\$ 199.00
		<b>Total For Check</b>	<b>CE 12192022O</b>				<b>\$ 199.00</b>
12/21/2022	Payroll Period Ending 12/21/2022	32264	Becky Kellen, City Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 1,989.30
		<b>Total For Check</b>	<b>32264</b>				<b>\$ 1,989.30</b>
12/21/2022	Payroll Period Ending 12/21/2022	32265	Tom Nitti Bookkeeper/Asst Clerk	N	Clerk - Treasurer	100-41401-100-	\$ 646.61
		<b>Total For Check</b>	<b>32265</b>				<b>\$ 646.61</b>
12/22/2022	BrightView Landscapes, LLC.	32258*	Snow Removal Services	N	Ice and Snow Removal	100-43125-210-	\$ 7,852.60
		32258*				100-43125-314-	\$ 4,936.40
		<b>Total For Check</b>	<b>32258</b>				<b>\$ 12,789.00</b>
12/22/2022	St. Anthony Village	32259*	Q4 Utility Billing \$2188.62, Fall leaf pickup Res Fee \$100	N	Unallocated Expenditures	100-49201-430-	\$ 100.00
		32259*			Financial Administration	601-41501-314-	\$ 2,188.62
		<b>Total For Check</b>	<b>32259</b>				<b>\$ 2,288.62</b>
12/22/2022	Kodiak Power Solutions	32260*	Generator Repair gas leak	N	Sewer Utility	605-43190-314-	\$ 1,277.50
		<b>Total For Check</b>	<b>32260</b>				<b>\$ 1,277.50</b>
12/22/2022	Stoltzman, Cris	32261*	Videography - Council Mtgs, 12/13/22 4 hrs	N	Cable Eqpmt and Service	100-41950-314-	\$ 92.00
		<b>Total For Check</b>	<b>32261</b>				<b>\$ 92.00</b>
12/22/2022	St. Paul Stamp Works, Inc	32262*	Stands for nameplates for new council members (3)	N	Office Operations Supplies	100-41911-200-	\$ 33.36
		<b>Total For Check</b>	<b>32262</b>				<b>\$ 33.36</b>
12/22/2022	Toshiba America Business Solutions	32263*	Printer Maintenance - 12/09/22-1/08/23	N	Office Operations Supplies	100-41911-314-	\$ 10.62
		<b>Total For Check</b>	<b>32263</b>				<b>\$ 10.62</b>
12/22/2022	PERA	EFT12222022*	Retirement funds- Becky Kellen \$366.13, Tom Nitti \$135.24	N	Clerk - Treasurer	100-41401-121-	\$ 501.37
		<b>Total For Check</b>	<b>EFT12222022</b>				<b>\$ 501.37</b>
12/28/2022	MENARD'S - OAKDALE	32266*	Supplies- Shovel, batteries & salt	N	General Government Buildings and Plant	100-41940-220-	\$ 7.99
		32266*			Ice and Snow Removal	100-43125-210-	\$ 6.99

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		32266*				100-43125-210-	\$ 33.98
	<b>Total For Check</b>	<b>32266</b>					<b>\$ 48.96</b>
12/28/2022	USS Minnesota One MT LLC	32267*	Energy Charges - November	N	General Government Buildings and Plant	100-41940-380-	\$ 39.28
		32267*			Sewer Utility	605-43190-380-	\$ 104.73
		32267*				605-43190-380-	\$ 189.83
	<b>Total For Check</b>	<b>32267</b>					<b>\$ 333.84</b>
12/28/2022	AirFresh Industries, Inc.	32268*	Portable Restrooms- Jan Billing	N	Parks	100-45207-314-	\$ 162.50
	<b>Total For Check</b>	<b>32268</b>					<b>\$ 162.50</b>
12/28/2022	Washington County - Property & Tax	32269*	2022 JPA Election Svcs	N	Elections	100-41410-314-	\$ 8,968.80
	<b>Total For Check</b>	<b>32269</b>					<b>\$ 8,968.80</b>
12/28/2022	Washington County Sheriff	32270*	Jul - Dec 2022 Police Services	N	Police	100-42101-314-	\$ 32,401.20
	<b>Total For Check</b>	<b>32270</b>					<b>\$ 32,401.20</b>
12/28/2022	N&M Transfer Co, Inc.	32271*	Freight Costs for Skid Markers/Street Cones	N	Streets and Road Mntnc	100-43101-220-	\$ 159.39
	<b>Total For Check</b>	<b>32271</b>					<b>\$ 159.39</b>
12/29/2022	Payroll Period Ending 12/29/2022	32272	Kevin Woolstencroft, Council Member	N	Mayor	100-41310-100-	\$ 1,385.25
	<b>Total For Check</b>	<b>32272</b>					<b>\$ 1,385.25</b>
12/29/2022	Payroll Period Ending 12/29/2022	32273	Justin McCarthy, Council Member	N	Mayor	100-41310-100-	\$ 1,385.25
	<b>Total For Check</b>	<b>32273</b>					<b>\$ 1,385.25</b>
12/29/2022	Payroll Period Ending 12/29/2022	32274	Mark Foster, Council Member	N	Mayor	100-41310-100-	\$ 1,185.25
	<b>Total For Check</b>	<b>32274</b>					<b>\$ 1,185.25</b>
12/29/2022	Payroll Period Ending 12/29/2022	32275	Jon Fleck, Council Member	N	Mayor	100-41310-100-	\$ 1,385.25
	<b>Total For Check</b>	<b>32275</b>					<b>\$ 1,385.25</b>
12/29/2022	Payroll Period Ending 12/29/2022	32276	Mary Wingfield, Mayor	N	Mayor	100-41310-100-	\$ 1,883.75
	<b>Total For Check</b>	<b>32276</b>					<b>\$ 1,883.75</b>
12/29/2022	Thatcher Engineering, Inc	32277*	City Engineer - engineering services	N	Engineer Service	100-41650-300-	\$ 400.00
		32277*				100-41650-300-	\$ 200.00

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		<b>Total For Check</b>	<b>32277</b>				<b>\$ 600.00</b>
12/29/2022	Mow Joe Inc	32278*	Fall Leaf Pick up 2022. Replacement for lost ck 32220	N	Leaf Pick-Up	100-43110-314-	\$ 3,480.00
		<b>Total For Check</b>	<b>32278</b>				<b>\$ 3,480.00</b>
12/29/2022	Hyland Hills	CC12192022*	Accidental use of Bank Card, Reimbursed to city by Becky Kellen on ck 2278 in 12/29/22 dep	N	Unallocated Expenditures	100-49201-430-	\$ 42.00
		<b>Total For Check</b>	<b>CC12192022</b>				<b>\$ 42.00</b>
12/30/2022	PERA	EFT12302022*	Retirement funds- Mary Wingfield \$250.00	N	Mayor	100-41310-121-	\$ 250.00
		<b>Total For Check</b>	<b>EFT12302022</b>				<b>\$ 250.00</b>
01/03/2023	Steve Dean	32279* 32279*	Tree and Brush Removal	N	Tree Removal	100-43135-314- 100-43135-314-	\$ 5,800.00 \$ 700.00
		<b>Total For Check</b>	<b>32279</b>				<b>\$ 6,500.00</b>
01/03/2023	Payroll Period Ending 01/03/2023	32280	Mary Cahill, Treasurer	N	Clerk - Treasurer	100-41401-100-	\$ 326.63
		<b>Total For Check</b>	<b>32280</b>				<b>\$ 326.63</b>
01/03/2023	Payroll Period Ending 01/03/2023	32281	Jim Rydeen, Maintenance and Rink	N	Parks	100-45207-100-	\$ 1,937.08
		<b>Total For Check</b>	<b>32281</b>				<b>\$ 1,937.08</b>
01/03/2023	H.A. Kantrud, P.A.	32282	Attorney Services -Dec 2022	N	Legal Services	100-41601-300-	\$ 1,500.00
		<b>Total For Check</b>	<b>32282</b>				<b>\$ 1,500.00</b>
01/03/2023	City of White Bear Lake Fire	32283	Fire Srvc - Dec 2022	N	Fire	100-42201-314-	\$ 2,737.08
		<b>Total For Check</b>	<b>32283</b>				<b>\$ 2,737.08</b>
01/03/2023	Xcel Energy	EFT01032023*	Street Lighting 11/3/22 - 12/2/22	N	Street Lighting	100-43160-380-	\$ 1,504.07
		<b>Total For Check</b>	<b>EFT01032023</b>				<b>\$ 1,504.07</b>
01/03/2023	A T & T Mobility	EFT12222023*	Wireless for water tower- Dec 1 - Jan 1, 2023	N	Water Utility	601-43180-382-	\$ 53.50
		<b>Total For Check</b>	<b>EFT12222023</b>				<b>\$ 53.50</b>
01/04/2023	White Bear Township	32284*	Contracted Services - Dec	N	Sewer Utility	605-43190-314-	\$ 378.78



**Fund Name:** All Funds  
 January 10 2023 City Council Agenda Packet  
**Date Range:** 12/05/2022 To 01/05/2023

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
		<b>Total For Check</b>	<b>32284</b>				<b>\$ 378.78</b>
01/04/2023	Tennis Sanitation, LLC	32285*	Recycling for Service Period: Nov - Dec	N	Recycle	100-43300-314-	\$ 2,760.00
		<b>Total For Check</b>	<b>32285</b>				<b>\$ 2,760.00</b>
01/04/2023	Companion Animal Control LLC	32286	Animal Control Services -Dec	N	Animal Control	100-41916-314-	\$ 80.00
		<b>Total For Check</b>	<b>32286</b>				<b>\$ 80.00</b>
01/04/2023	Press Publications	32287*	PH Ordinance, Codifying Fee Schedule	N	Ordinances and Proceedings	100-41130-351-	\$ 57.21
		32287*				100-41130-351-	\$ 66.75
		<b>Total For Check</b>	<b>32287</b>				<b>\$ 123.96</b>
01/04/2023	Payroll Period Ending 01/04/2023	32288	Becky Kellen, City Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 1,998.27
		<b>Total For Check</b>	<b>32288</b>				<b>\$ 1,998.27</b>
01/04/2023	Payroll Period Ending 01/04/2023	32289	Tom Nitti Bookkeeper/Asst Clerk	N	Clerk - Treasurer	100-41401-100-	\$ 536.68
		<b>Total For Check</b>	<b>32289</b>				<b>\$ 536.68</b>
01/05/2023	IRS - US Treasury	EFT01052023*	Federal Taxes - Q4 2022 - Dec Payment	N	Clerk - Treasurer	100-41401-100-	\$ 861.40
		EFT01052023*				100-41401-100-	\$ 2,014.02
		EFT01052023*				100-41401-100-	\$ 471.02
		EFT01052023*				100-41401-115-	\$ 1,490.81
		<b>Total For Check</b>	<b>EFT01052023</b>				<b>\$ 4,837.25</b>
01/05/2023	PERA	EFT01052023A	Retirement funds- Jim Rydeen \$343.54	N	Parks	100-45207-121-	\$ 343.54
		<b>Total For Check</b>	<b>EFT01052023A</b>				<b>\$ 343.54</b>
01/05/2023	PERA	EFT01052023B*	Retirement funds- Becky Kellen \$366.13, Tom Nitti \$115.92	N	Clerk - Treasurer	100-41401-121-	\$ 482.05
		<b>Total For Check</b>	<b>EFT01052023B</b>				<b>\$ 482.05</b>
01/05/2023	Evolv	EFT12122022A	Fee charged in Dec	N	Unallocated Expenditures	100-49201-437-	\$ 0.04
		<b>Total For Check</b>	<b>EFT12122022A</b>				<b>\$ 0.04</b>
<b>Total For Selected Checks</b>							<b>\$ 141,575.17</b>

Fund Name: All Funds

Date Range: 12/05/2022 To 01/05/2023

<u>Date</u>	<u>Remitter</u>	<u>Receipt #</u>	<u>Description</u>	<u>Deposit ID</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-P</u>	<u>Total</u>
12/07/2022	Building Permits	171735680	2020-2021 EFT building permits received but not input into CTAS	(12/07/2022) -	N	Building Permits	100-32211-	\$ 1,047.64
								<b>\$ 1,047.64</b>
12/07/2022	Residents - via St Anthony Village	171735681	Utility Billing- from June 30, 2021 not entered into CTAS	(12/07/2022) -	N	Water Consumption	601-37111-	\$ 927.13
						Water Utility User Fee	601-37112-	\$ 449.07
						State Surcharge	601-37116-	\$ 43.72
						Penalties and Forfeited Discounts	601-37160-	\$ 15.52
						Sewer Consumption	605-37211-	\$ 1,269.34
						Penalties and Forfeited Discounts	605-37260-	\$ 8.94
								<b>\$ 2,713.72</b>
12/07/2022	EFT deposit	171735682	Misc credit of \$15 on Bank stmt from 11/14/2020	(12/07/2022) -	N	Miscellaneous	100-36140-	\$ 15.00
								<b>\$ 15.00</b>
12/07/2022	US Bank	171735683	\$3 error in addition on deposit from May 2020	(12/07/2022) -	N	Miscellaneous	100-36140-	\$ 3.00
								<b>\$ 3.00</b>
12/07/2022	XCEL Energy	171735684	Billed logged incorrectly in March 2020, Diff = 33.32	(12/07/2022) -	N	Miscellaneous	100-36140-	\$ 33.32
								<b>\$ 33.32</b>
12/10/2022	10K Construction	171735687*	2022-162, 180 Cedar St	(12/10/2022) -	N	Building Permits	100-32211-	\$ 345.75
								<b>\$ 345.75</b>
12/12/2022	MN Management & Budget	171735702	Fines	(12/12/2022) -	N	Court Fines	100-35101-	\$ 536.62
								<b>\$ 536.62</b>
12/13/2022	Bald Eagle Builders	171735688*	2022-163, 143 Wildwood	(12/13/2022) -	N	Building Permits	100-32211-	\$ 4,162.68
								<b>\$ 4,162.68</b>

**Fund Name:** All Funds  
 January 10 2023 City Council Agenda Packet  
**Date Range:** 12/05/2022 To 01/05/2023

<u>Date</u>	<u>Remitter</u>	<u>Receipt #</u>	<u>Description</u>	<u>Deposit ID</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-P</u>	<u>Total</u>
12/13/2022	Nick Knabe/First Choice Builders	171735689*	2022-166, 709 Hall	(12/13/2022) -	N	Building Permits	100-32211-	\$ 186.05
								<b>\$ 186.05</b>
12/15/2022	Atakpu, Michelle	171735685*	Hall Rental	(12/15/2022) - 1	N	City/Town Hall Rent	100-34101-	\$ 25.00
								<b>\$ 25.00</b>
12/15/2022	Frattalones Hardware	171735686*	Hall Rental Adam Henderson	(12/15/2022) - 1	N	City/Town Hall Rent	100-34101-	\$ 25.00
								<b>\$ 25.00</b>
12/15/2022	Perfection Plumbing	171735690*	2022-165, 10 White Pine Ln	(12/15/2022) -	N	Building Permits	100-32211-	\$ 26.00
								<b>\$ 26.00</b>
12/19/2022	Xcel Energy	171735691	Input error- Mar 2019 input as \$2106.82 S/B 2104.95	(12/19/2022) -	N	Miscellaneous	605-36140-	\$ 1.87
								<b>\$ 1.87</b>
12/21/2022	League of Minnesota Cities	171735692*	Dividends reimbursement	(12/21/2022) - 1	N	Refund-Reimbursemnt-Dividend	100-36240-	\$ 503.00
								<b>\$ 503.00</b>
12/21/2022	K. B. Service Company	171735693*	2022-168, 3868 East County Line	(12/21/2022) - 1	N	Building Permits	100-32211-	\$ 62.00
								<b>\$ 62.00</b>
12/22/2022	Hoffman Ref & Heating	171735694*	2022-169, 109 Wildwood	(12/22/2022) -	N	Building Permits	100-32211-	\$ 67.02
								<b>\$ 67.02</b>
12/22/2022	Krinkie Heating & A/C	171735695*	2022-167, 268 Wildwood	(12/22/2022) -	N	Building Permits	100-32211-	\$ 140.29
								<b>\$ 140.29</b>
12/29/2022	Kellen, Rebecca	171735696*	Reimburse for accidental use of city bank card on 12/19/22	(12/29/2022) - 1	N	Miscellaneous	100-36140-	\$ 42.00
								<b>\$ 42.00</b>
12/29/2022	Xcel	171735697*	ROW Permit fee, 419B Wildwood	(12/29/2022) - 1	N	Building Permits	100-32211-	\$ 250.00
								<b>\$ 250.00</b>

**Fund Name:** All Funds  
 January 10 2023 City Council Agenda Packet  
**Date Range:** 12/05/2022 To 01/05/2023

<u>Date</u>	<u>Remitter</u>	<u>Receipt #</u>	<u>Description</u>	<u>Deposit ID</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-P</u>	<u>Total</u>
12/31/2022	4 M Fund	171735700	Dec Interest	(12/31/2022) -	N	Interest Earning	100-36210-	\$ 3,804.55
								<b>\$ 3,804.55</b>
12/31/2022	Residents - via St Anthony Village	171735701*	Utility Billing-Dec	(12/31/2022) -	N	Water Consumption	601-37111-	\$ 1,870.96
							601-37112-	\$ 725.96
							601-37112-	\$ 24.18
							601-37113-	\$ 635.40
							601-37116-	\$ 71.32
							601-37118-	\$ 50.00
							601-37160-	\$ 36.21
							605-37211-	\$ 1,174.65
							605-37212-	\$ 1,100.61
							605-37260-	\$ 41.57
								<b>\$ 5,730.86</b>
01/04/2023	TLT Enterprises	171735698*	BP 2023-1, 191 Wildwood	(01/04/2023) -	N	Building Permits	100-32211-	\$ 61.03
								<b>\$ 61.03</b>
01/05/2023	PM Properties	171735699*	Thatcher Fee Paymant of Inv 569, 176 Cedar Street	(01/05/2023) -	N	Building Permits	100-32211-	\$ 455.00
								<b>\$ 455.00</b>
<b>Total for Selected Receipts</b>								<b>\$ 20,237.40</b>

As on 1/5/2023

Special Rev Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
<b>Receipts:</b>			
Total Revenues	0.00	0.00	0.00
<b>Other Financing Sources:</b>			
Total Other Financing Sources	0.00	0.00	0.00
<b>Disbursements:</b>			
Total Disbursements	0.00	0.00	0.00
<b>Other Financing Uses:</b>			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		(7,205.38)	
Total Receipts and Other Financing Sources		0.00	
Total Disbursements and Other Financing Uses		0.00	
Cash Balance as of 01/05/2023		(7,205.38)	

As on 1/5/2023

Capital Project PW

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
<b>Receipts:</b>			
Total Revenues	0.00	0.00	0.00
<b>Other Financing Sources:</b>			
Total Other Financing Sources	0.00	0.00	0.00
<b>Disbursements:</b>			
Total Disbursements	0.00	0.00	0.00
<b>Other Financing Uses:</b>			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		0.00	
Total Receipts and Other Financing Sources		0.00	
Total Disbursements and Other Financing Uses		0.00	
Cash Balance as of 01/05/2023		0.00	

As on 1/5/2023

Water

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
<b>Receipts:</b>			
Total Revenues	0.00	0.00	0.00
<b>Other Financing Sources:</b>			
Total Other Financing Sources	0.00	0.00	0.00
<b>Disbursements:</b>			
Water Utility			
Utility Services: Water	0.00	53.50	(53.50)
Total Acct 431	0.00	53.50	(53.50)
Total Disbursements	0.00	53.50	(53.50)
<b>Other Financing Uses:</b>			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		0.00	
Total Receipts and Other Financing Sources		0.00	
Total Disbursements and Other Financing Uses		53.50	
Cash Balance as of 01/05/2023		(53.50)	

As on 1/5/2023

Sewer

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
<b>Receipts:</b>			
<b>Total Revenues</b>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<b>Other Financing Sources:</b>			
<b>Total Other Financing Sources</b>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<b>Disbursements:</b>			
Sewer Utility			
Contracted Services	0.00	378.78	(378.78)
<b>Total Acct 431</b>	<u>0.00</u>	<u>378.78</u>	<u>(378.78)</u>
<b>Total Disbursements</b>	<u>0.00</u>	<u>378.78</u>	<u>(378.78)</u>
<b>Other Financing Uses:</b>			
<b>Total Other Financing Uses</b>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<b>Beginning Cash Balance</b>		0.00	
<b>Total Receipts and Other Financing Sources</b>		0.00	
<b>Total Disbursements and Other Financing Uses</b>		<u>378.78</u>	
<b>Cash Balance as of 01/05/2023</b>		(378.78)	



**CITY OF BIRCHWOOD VILLAGE  
207 BIRCHWOOD AVENUE  
BIRCHWOOD, MINNESOTA**

**MINUTES OF THE CITY COUNCIL MEETING  
DECEMBER 13, 2022, 7:00 P.M.**

**MEMBERS:**

Mary Wingfield	Mayor
Jon Fleck	Councilmember
Mark Foster	Councilmember
Justin McCarthy	Councilmember
Kevin Woolstencroft	Councilmember

**STAFF:**

Becky Kellen	City Administrator
H. Alan Kantrud	City Attorney

**GUESTS:**

Stan Karwoski	Washington County Commissioner
Randy Lafoy	Birchwood Commissioner

Minutes prepared by Anh Nguyen of Minutes Solutions Inc. from a video recording.

**1. CALL TO ORDER**

Mayor Wingfield called the meeting to order at 7:00 p.m.

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF AGENDA**

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

Councilmember McCarthy requested the following change to the agenda:

- Move Item C from the Regular Agenda to Item B

Mayor Wingfield requested the following changes to the agenda:

- Move Item R from the Regular Agenda to Administrative Update
- Add Ash Easement Survey Update

**4. OPEN PUBLIC FORUM**

**Ryan Hankins, 183 Wildwood Avenue**, clarified his concerns regarding Council pay and expressed gratitude to the Council for their service to the city of Birchwood Village.

**Barton Winter, 1 Five Oaks Lane**, expressed concern regarding the flooding of the ice rink and the failure to replace every rink board.

**James Nelson, 256 Wildwood Avenue**, reiterated his opinion regarding the Council's political views and bias.

**5. AWARD CEREMONY**

**A. Outgoing Mayor and Councilmember Comments:** The floor was opened to comments from Councilmember Fleck, Councilmember Woolstencroft, and Mayor Wingfield respectively.

**B. Presentation of Awards**

**6. ANNOUNCEMENTS**

**A. Ice Rink:** The opening date of the ice rink will be weather dependent.

**B. Citizen Advisory Committee Members for the Rice Creek Watershed District (RCWD):** Additional details can be found on the Birchwood Village website.

**C. Birchwood Christmas Party:** The Christmas party is scheduled for December 14, 2022, from 5:30 p.m. to 7:00 p.m.

**D. Diseased Tree Removal in Public Spaces:** This item is in progress.

**E. Planning Commission Open Position:** Interested applicants can send a letter of interest to [info@cityofbirchwood.com](mailto:info@cityofbirchwood.com) by January 3, 2023.

**F. Deer Hunt:** The final deer hunt is scheduled for December 19, 2022, and December 20, 2022.

**7. CITY BUSINESS – CONSENT AGENDA**

**On a motion made by Councilmember Woolstencroft, seconded by Councilmember Fleck, it was resolved to approve the consent agenda, as presented. All in favor; motion carried.**

**A. Approval of the Treasurer's Report:** The Treasurer's report for the period ending December 6, 2022, was provided for the Council's review and approval.

Mayor Wingfield highlighted the city's assets of approximately \$1,000,000.

**B. Approval of the November Council Meeting Minutes:** The minutes of the Council meeting held on November 15, 2022, was provided for the Council's review and approval.

**C. Approval of Canvassing Board Meeting Minutes:** The minutes of the Canvassing Board meeting held on November 18, 2022, was provided for the Council's review and approval.

**D. Approval of Resolution 2022-17 – Accepting Donations:** The resolution authorizes donations to the city of Birchwood Village.

**E. Approval of Resolution 2022-21 – Designating Polling Place:** The resolution designates Birchwood Village Hall at 207 Birchwood Avenue as a polling place for elections held in 2023.

**F. Approval of 2023 Northeast Youth and Family Services (NYFS) Contract:** The contract with NYFS is effective through to December 31, 2023.

**G. Approval of the Emerald Ash Borer (EAB) Management Plan:** The management plan will mitigate the spread of EAB and manage the cost of tree loss and replacement.

**8. CITY BUSINESS – REGULAR AGENDA**

**A. Truth in Taxation/Adoption of Final Levy and Budget**

**a. Public Hearing:**

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

**b. Review of Proposed 2023 Levy and Budget:**

**On a motion made by Mayor Wingfield, seconded by Councilmember Woolstencroft, it was resolved to transfer \$1,000 from legal services to planner services. All in favor; motion carried.**

The Council queried whether engineering services should be classified as a non-levy item. City Treasurer Mary Cahill noted that engineering service fees are generally recuperated through the permit process; however, some engineering expenses, such as work required for Hall’s Marsh, were incurred that could not be collected through the permitting process.

**c. Approve Resolution 2022-19, Final Budget Adoption:**

**On a motion made by Councilmember Woolstencroft, seconded by Councilmember Fleck, it was resolved to approve Resolution 2022-19, Final Budget Adoption. All in favor; motion carried.**

**d. Approve Resolution 2022-20, Final Levy Adoption:**

**On a motion made by Councilmember Woolstencroft, seconded by Councilmember McCarthy, it was resolved to approve Resolution 2022-20, Final Levy Adoption. All in favor; motion carried.**

**B. 8 Oak Hill Court Rooftop Solar Project – Conditional Use Permit Review**

- a. **Planning Commission Recommendation:** As per the meeting minutes of the Planning Commission meeting held on December 1, 2022, the conditional use permit for the solar project at 8 Oak Hill Court was recommended for approval, as presented.

- b. **Public Hearing:**

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

- c. **Council Deliberation and Approval:**

**On a motion made by Councilmember McCarthy, seconded by Councilmember Fleck, it was resolved to approve the conditional use permit for the solar project at 8 Oak Hill Court based on the fulfillment of all requirements for the city's ordinances. All in favor; motion carried.**

*ACTION – Becky Kellen will include a discussion regarding the retroactive removal of the conditional use permit for the solar project at 8 Oak Hill Court on the agenda for the next Council meeting.*

Mayor Wingfield noted the conditional use permit should not have been required for the solar project at 8 Oak Hill Court. Mayor Wingfield reiterated that only structures that impede on open spaces in yards should require a conditional use permit. Mayor Wingfield recommended a retroactive removal of the conditional use permit and that fees collected be returned to the respective parties.

**C. Resolution 2022-18, Certification of Delinquent Utility Accounts to the County**

- a. **Public Hearing:**

**On a motion made by Councilmember Woolstencroft, seconded by Councilmember Fleck, it was resolved to close the public hearing. All in favor; motion carried.**

*ACTION – Becky Kellen will amend Resolution 2022-18, Certification of Delinquent Utility Accounts to the County, to include that an additional collection fee of \$50 per account will be levied by the county against each resident.*

Letters were sent to residents with delinquent utility accounts with a deadline for payment of November 30, 2022. If payment is not received before December 14, 2022, the outstanding amounts will be included in the property tax owed by each respective homeowner.

- b. **Council Deliberation and Approval:**

**On a motion made by Councilmember Foster, seconded by Councilmember McCarthy, it was resolved to approve Resolution 2022-18, Certification of Delinquent Utility Accounts to the County, as amended. All in favor; motion carried.**

**D. Resolution 2022-23, Council Salary**

**a. Council Deliberation:**

**On a motion made by Councilmember McCarthy, seconded by Councilmember Foster, it was resolved to direct the City Attorney to obtain an advisory opinion from the state Attorney General's office regarding the Council pay raise initiated in 2020. All in favor; motion carried.**

On August 18, 2020, the previous Council agreed to increase councilmember salary from \$600 to \$1,500, and the mayor's salary from \$1,500 to \$2,500. The proposed salary increase was published in the adopted budget and posted online to notify residents. A preliminary budget hearing was scheduled for September 8, 2020, and a first hearing was held where the pay increase was passed. The pay increase was also published in a newsletter distributed to all residents in September 2020. A second public hearing was held in October 2020 with no comments made. A public forum for the League of Women Voters was held on October 12, 2020, and again no issue was made despite all previous notices. Mayor Wingfield was subsequently re-elected in November 2020.

H. Alan Kantrud reiterated that concerns regarding the Council pay raise are not a publication issue, but rather that the Council pay raise was not passed until November 2020 and published in December 2020, after the election.

**b. Approval of Resolution 2022-23:**

**On a motion made by Mayor Wingfield, seconded by Councilmember Woolstencroft, it was resolved to approve Resolution 2022-23 for the Council pay as was set out in 2020 before the election. Councilmember Foster and Councilmember McCarthy opposed; motion carried.**

**E. Second Reading Ordinance 2022-10-02, Amending Section 605 Animals**

**a. Public Hearing:**

**On a motion made by Councilmember Fleck, seconded by Councilmember Woolstencroft, it was resolved to close the public hearing. All in favor; motion carried.**

**b. Council Deliberation and Approval:**

**On a motion made by Councilmember McCarthy, seconded by Councilmember Fleck, it was resolved to approve the second reading of Ordinance 2022-10-02, Amending Section 605 Animals, as amended. All in favor; motion carried.**

The Council requested the following amendments:

- Section 605.028. Chickens: re-number "2. License" and "3. Inspection" as "1. License" and "2. Inspection" accordingly.
- Section 605.028. Chickens and Section 605.029. Miniature Vietnamese Pot-Bellied Pigs: replace "Chapter 701" with "the fee schedule".

**c. Approve Resolution 2022-24, Summary Publication:**

On a motion made by Councilmember Woolstencroft, seconded by Councilmember McCarthy, it was resolved to approve a summary publication of Resolution 2022-24. All in favor; motion carried.

**F. Second Reading Ordinance 2022-10-03, Amending Section 607.400 Camping**

**a. Public Hearing:**

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

**b. Council Deliberation and Approval:**

On a motion made by Councilmember McCarthy, seconded by Councilmember Woolstencroft, it was resolved to approve the second reading of Ordinance 2022-10-03, Amending Section 607.400 Camping, as presented. All in favor; motion carried.

**c. Approve Resolution 2022-25, Summary Publication:**

On a motion made by Councilmember McCarthy, seconded by Councilmember Woolstencroft, it was resolved to approve a summary publication of Resolution 2022-25. All in favor; motion carried.

**G. Second Reading Ordinance 2022-10-04, Amending Section 617 Public Lake Tracts**

**a. Public Hearing:**

On a motion made by Councilmember Foster, seconded by Councilmember Fleck, it was resolved to close the public hearing. All in favor; motion carried.

**b. Council Deliberation and Approval:**

On a motion made by Councilmember Fleck, seconded by Councilmember McCarthy, it was resolved to approve the second reading of Ordinance 2022-10-04, Amending Section 617 Public Lake Tracts, as amended. All in favor; motion carried.

The Council requested the following amendment:

- Section 617.380: add “designed to be” between “structure” and “placed”.

**c. Approve Resolution 2022-26, Summary Publication:**

On a motion made by Councilmember McCarthy, seconded by Councilmember Fleck, it was resolved to approve a summary publication of Resolution 2022-26. All in favor; motion carried.

**H. Second Reading Ordinance 2022-10-05, Amending Section 701 Fees**

**a. Public Hearing:**

**On a motion made by Councilmember Woolstencroft, seconded by Councilmember Fleck, it was resolved to close the public hearing. All in favor; motion carried.**

**b. Council Deliberation and Approval:**

**On a motion made by Councilmember McCarthy, seconded by Councilmember Woolstencroft, it was resolved to approve the second reading of Ordinance 2022-10-05, Amending Section 701 Fees, as presented. All in favor; motion carried.**

**c. Approve Resolution 2022-27, Summary Publication:**

**On a motion made by Councilmember Woolstencroft, seconded by Councilmember McCarthy, it was resolved to approve a summary publication of Resolution 2022-27. All in favor; motion carried.**

**I. Second Reading Ordinance 2022-10-06, Fee Schedule Ordinance**

**a. Public Hearing:**

**On a motion made by Councilmember Fleck, seconded by Councilmember Woolstencroft, it was resolved to close the public hearing. All in favor; motion carried.**

**Cathy Weir, 613 Wildwood Avenue,** requested clarification regarding the city's definition of a dangerous dog.

**The Council** reported that the city follows Minnesota state law regarding dangerous dogs. The definition of a dangerous dog is dependent on behavior, not breed, as per state code.

**b. Council Deliberation and Approval:**

**On a motion made by Councilmember Woolstencroft, seconded by Councilmember McCarthy, it was resolved to approve the second reading of Ordinance 2022-10-06, Fee Schedule Ordinance, as amended. All in favor; motion carried.**

*ACTION – Becky Kellen will include a discussion regarding an RPZ backflow preventer installation and test in the city's code on the agenda for the next Council meeting.*

The Council requested the following amendments:

- Boat Hoist Registration Fee: add "per owner" to the \$25 fee.

- Plumbing, Fire, Gas, Heating, and Mechanical Permit Fees: change the fees to \$150 plus \$100 per hour after one hour to cover John Manship's hourly rate and the City Administrator's hourly rate.

**c. Approve Resolution 2022-28, Summary Publication:**

**On a motion made by Councilmember McCarthy, seconded by Councilmember Woolstencroft, it was resolved to approve a summary publication of Resolution 2022-28. All in favor; motion carried.**

**J. Resolution 2022-22, Lost Lake Discussion**

- a. Council Deliberation:** The resolution requires the city of Mahtomedi to seek alternative measures to correct flooding problems from the reconstruction of Birchwood Road.

**b. Approve Resolution 2022-22**

**On a motion made by Mayor Wingfield, seconded by Councilmember Woolstencroft, it was resolved to approve Resolution 2022-22. All in favor; motion carried.**

**K. Highland Avenue/Birchwood Avenue Trail Extension Discussion**

**On a motion made by Councilmember Fleck, seconded by Councilmember Foster, it was resolved to authorize Mayor Wingfield to coordinate a volunteer group, including Jim Rydeen the City Maintenance worker, to proceed with the trail extension to Highland Avenue and Birchwood Avenue at a cost not to exceed \$1,000 for engineering fees and material costs. All in favor; motion carried.**

*ACTION – Becky Kellen will issue an informational letter to residents residing in the vicinity of the proposed trail extension to Highland Avenue and Birchwood Avenue to inform them of the city's plan to proceed with the trail extension in spring 2023.*

*ACTION – Mayor Wingfield will include a notice in the next newsletter seeking volunteers for the trail extension to Highland Avenue and Birchwood Avenue.*

The Council confirmed that the trail extension would be on public property and is of low cost and low impact to the city. The trail extension would also satisfy several resident requests for additional paths.

**L. Grant Monies**

**a. Wildwood Lift Station:**

- i. Federal:** The funding committee is requesting an extension for the grant deadline to December 23, 2022. Senate approval by a minimum vote of 60 is required. An update will be provided by December 31, 2022, and posted to the city's website.



ii. **RCWD:** The deadline for additional funding from the RCWD is December 22, 2022. Becky Kellen submitted a draft proposal on December 12, 2022.

b. **Lake Links Association:** *ACTION – Mayor Wingfield will send Becky Kellen the additional funding resources from the Lake Links Association for consideration by the new incoming Council.*

The Lake Links Association reported having no funds available for the city. Mayor Wingfield suggested withholding signs to discourage the active mobility of residents from the city of Mahtomedi through Birchwood Village.

The city of Mahtomedi previously indicated they had \$53,000 in unspent funds and that legislative action would be taken to have the money re-assigned to Birchwood Village; however, no action was taken.

**M. 310/312 Wildwood Avenue Runoff from Driveway**

*ACTION – The Council will provide the City Building Inspector with a copy of the city’s maintenance code and request that the inspector provide a report to Council in January 2023 regarding non-compliance items identified at 310/312 Wildwood Avenue.*

*ACTION – Becky Kellen will include an update on 310/312 Wildwood Avenue on the agenda for the next Council meeting.*

Drainage from the driveway at 310/312 Wildwood Avenue has been perpetual and unaddressed and poses a safety concern.

H. Alan Kantrud recommended waiting for another drainage incident to issue a citation, at which point the Council can declare a public nuisance, which would justify an abatement action.

A legal letter will be issued to the estate of 310/312 Wildwood Avenue regarding the failure to address the runoff from the driveway of the property in addition to non-compliance items identified pending a report from the building inspector.

**N. RFP for City Engineer**

This item was deferred to the next Council meeting for the new incoming Council to review and discuss given that the proposal deadline is not until March 1, 2023.

Mayor Wingfield advised that the RFP be scaled back to be inclusive of smaller engineering firms citing concerns regarding the service provided by large engineering firms and prices that are cost prohibitive.

**O. RFP for City Planner**

This item was deferred to the next Council meeting for the new incoming Council to review and discuss given that the proposal deadline is not until March 1, 2023.

Mayor Wingfield cautioned that several of the large engineering firms also provide planner services; however, she expressed concern regarding the conflict of interest in having an engineer and planner working for the same firm.

**P. 15 Birchwood Lane**

*ACTION – Becky Kellen will follow up with the City Engineer regarding his reconsideration of the swale at 15 Birchwood Lane as an impervious surface given the water infiltration that serves as a pervious surface.*

The Council noted that the fence is 40 feet away from the lake instead of 50 feet and needs to be in compliance.

The homeowner of 15 Birchwood Lane reported that a third party confirmed that the impervious surface is pervious through a riprap. The Council noted it must be verified and confirmed with the City Engineer. The homeowner expressed concern regarding the lack of direct feedback from the City Engineer.

Mayor Wingfield recommended the homeowner's contractor provide adequate proof to the City Engineer that the swale acts as an absorbent. The homeowner reiterated that the City Engineer's claim is the surface of the swale is impermeable and should be included in the impervious surface calculation; however, the surface is in fact permeable by definition of a swale. The homeowner reported that several surveys have been conducted throughout the process to ensure the property remains below the 25% impervious surface allowance.

As per the maintenance agreement, should the draining system fail, the city will be responsible to cover the cost.

**Q. Mayor Wingfield Updates**

Updates were included in the meeting package. Items that required further elaboration are documented below.

**a. Council Hall Mayor Board:**

**On a motion made by Councilmember McCarthy, seconded by Councilmember Fleck, it was resolved to authorize Mayor Wingfield to update the Council Hall mayor board at a cost not to exceed \$200. All in favor; motion carried.**

**b. City Hall Windows:**

**On a motion made by Mayor Wingfield, seconded by Councilmember Fleck, it was resolved to approve the invoice from Historic Restorations for all the city hall windows at a cost of \$10,354.75. All in favor; motion carried.**

**c. Deer Update:** As of December 13, 2022, there has been no success with hunting deer. A recommendation was made to start the deer hunt earlier in November to ensure greater success.

- d. **Signs:** The new city signs need to be painted and can be erected in 2023.

**R. City Attorney Updates**

- a. **Ash Easement Survey Update:** A separate bid for the land survey of Ash Path is pending and will be followed up on December 15, 2022.

The Council reported several resident complaints regarding a homeowner using a four-wheeler to go on city property, which needs to be addressed to protect city property rights.

**S. Administrator Updates**

- a. **Correction to Public Tree Inspection Results Communication:** The correct estimated amount to remove infected trees after the initial 2022 public tree inspection was \$45,010, not \$72,825.

**9. ADJOURNMENT**

**On a motion made by Councilmember Fleck, seconded by Councilmember Woolstencroft and carried unanimously, it was agreed that there was no further business of the Council to transact; the meeting was closed at 9:42 p.m. by Mayor Wingfield.**

**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 Mary Wingfield

\_\_\_\_\_  
City Administrator Becky Kellen

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**RESOLUTION 2023-01**

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

**A RESOLUTION DESIGNATING THE WHITE BEAR PRESS  
AS THE OFFICIAL NEWSPAPER FOR PUBLICATION  
FOR ALL CITY LEGAL NOTICES**

**BE IT RESOLVED**, by the City Council of the City of Birchwood Village that:

The White Bear Press is designated as the official newspaper for all City of Birchwood Village legal notices.

I certify that the City of Birchwood Village adopted the above Resolution on this 10th day of January, 2023.

---

Margaret Ford - Mayor

ATTEST:

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Rebecca Kellen  
City Administrator-Clerk

**RESOLUTION 2023-02**

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

**A RESOLUTION NAMING U. S. BANK, N.A. AND THE MINNESOTA MUNICIPAL  
MONEY MARKET FUND (A/K/A “4M FUND”) AS THE OFFICIAL DEPOSITORIES  
OF MUNICIPAL FUNDS**

**SECTION 1.** RESOLVED, that U. S. Bank, N.A. and the Minnesota Municipal Money Market Fund (a/k/a “4M Fund”) are hereby designated as depositories for the funds of the City of Birchwood Village. The City Treasurer is authorized to deposit city funds therein.

**SECTION 2.** RESOLVED ALSO, that before any deposits are made that exceed the amount that is guaranteed by the Federal Deposit Insurance Corporation (FDIC), the depository must supply to the City a corporate surety bond in the amount of at least 10 percent more than the amount on deposit at the depository’s cutoff hour. The bond is subject to the approval of the City Council. The surety bond must be conditioned to repay the above amount or any part thereof upon proper demand therefore and to perform such other duties in connection with the deposit as the council may require.

**SECTION 3.** RESOLVED FURTHER, that, in lieu of the above bond, the depository may furnish collateral in the manner and to the extent permitted by law. All such collateral must be approved by the City Council and accompanied by a written assignment providing that, upon default, the financial institution shall release to the City on demand, free of exchange or any other charges, the collateral pledged.

**SECTION 4.** RESOLVED FURTHER, all collateral must be placed in safekeeping in a restricted account at either a Federal Reserve Bank or in an account at a trust department of a commercial bank or other financial institution that is not owned or controlled by the financial institution that is furnishing the collateral. The selection must be approved by the City Council. In case of default upon the part of the depository, the City Council shall have full power and authority to sell such collateral or as much as may be necessary to realize the full amount due the city over such federal guarantee.

This designation is effective until subsequently rescinded by the Birchwood Village City Council.

I certify that the City of Birchwood Village adopted the above Resolution on this 10<sup>th</sup> day of January, 2023.

\_\_\_\_\_  
Margaret Ford, Mayor

Attest:

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Rebecca Kellen  
City Administrator-Clerk

**RESOLUTION 2023-03**

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

**RESOLUTION AUTHORIZING NEWLY ELECTED MAYOR AND  
CITY COUNCIL MEMBERS TO ATTEND THE LEAGUE OF  
MINNESOTACITIES 2023 Elected Leaders Institute Foundational Program**

**WHEREAS**, the City of Birchwood Village recently elected a new Mayor Margaret Ford and two new City Council Members Ryan Hankins and Kathy Weier, and

**WHEREAS**, the City desires to provide training for our elected officials, and

**WHEREAS**, the City has found the League of Minnesota Cities training courses beneficial.

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Birchwood Village that the City of Birchwood Village hereby authorizes Margaret Ford, Ryan Hankins and Kathy Weier to attend the 2023 Elected Leaders Institute Foundational Program offered by the League of Minnesota Cities.

**NOW THEREFORE BE IT ALSO RESOLVED**, by the City Council of the City of Birchwood Village that the City of Birchwood pay for this course.

Resolution duly seconded and passed this 10<sup>th</sup> day of January, 2023.

\_\_\_\_\_  
Margaret Ford, Mayor

Attest:

\_\_\_\_\_  
Rebecca Kellen, City Administrator-Clerk

**RESOLUTION 2023-08**

**A RESOLUTION IN APPRECIATION OF OUTSTANDING PUBLIC SERVICE BY MARY CAHILL**

**WHEREAS**, Mary Cahill was appointed City Treasurer by Resolution of the City Council on July 13, 2021, and was re-appointed on November 15, 2022.

**WHEREAS**, Mary Cahill has worked diligently and selflessly to improve the City’s accounting and to reconcile our finances.

**WHEREAS**, Mary Cahill sought to serve the City as a volunteer and has never asked for significant recognition of her work, but has endeavored in the service of Birchwood taxpayers, in addition to other volunteer service to Birchwood over many years.

**WHEREAS**, Mary Cahill has earned the respect of the City Council, City Staff and residents through her unwavering commitment to public service.

**WHEREAS**, Mary Cahill has provided detailed reports to the City Council on the budget reconciliation process, and continues to reduce the amount of funds that remain unreconciled.

**WHEREAS**, Mary Cahill has provided an excellent foundation for the hiring of a new City Bookkeeper, and has worked to ensure his success in the City.

**WHEREAS**, Mary Cahill has spent significant time at Village Hall, has helped in City Operations outside of the demands of her position as City Treasurer, and has become indispensable in her ongoing help with City needs.

**NOW, THEREFORE**, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BIRCHWOOD VILLAGE, MINNESOTA AS FOLLOWS:

The City Council of Birchwood Village does hereby commend Mary Cahill for her time-honored legacy of dedication, enthusiasm and outstanding volunteerism and public service given to Birchwood over many years and especially as City Treasurer.

Passed by the City Council of Birchwood Village, Minnesota this 10th day of January 2023.

\_\_\_\_\_  
Margaret Ford, Mayor

Attested:

\_\_\_\_\_  
Rebecca Kellen, City Clerk



January 10 2023 City Council Agenda Packet

**Re: TSE, Inc. Cleaner for City of Birchwood**

Mary Wingfield <wingfield.mary@gmail.com>

Tue 12/27/2022 11:51 AM

To: Jim Freeman <jfreeman@tse-inc.org>

Cc: Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>;Margaret Ford <margaretford0511@gmail.com>

That is a fair wage. Thanks for letting me know. We love Steve and appreciate his help. Have a wonderful New Year!

m

Ps...i am no longer mayor as of Jan 3. Becky is copied on this email....as is our new mayor Margaret Ford. I am sure you will find working with them a positive experience.

On Tue, Dec 27, 2022, 9:35 AM Jim Freeman <[jfreeman@tse-inc.org](mailto:jfreeman@tse-inc.org)> wrote:

Good morning Mary,

The Minnesota minimum wage is increasing on January 1st. Would you be okay with an increase in Steve Ryan's wages to match the state minimum wage? This would bring our billable rate to \$12.18 and Steve's rate to \$10.59 per hour.

Thank you,

*Jim Freeman*

*Employment Services Director*

**TSE-Inc.**

2027 Rice St

Roseville, MN 55113

651.489.2595 ext. 213

[www.tse-inc.org](http://www.tse-inc.org)



**SAVE A TREE! PLEASE DO NOT PRINT THIS EMAIL UNLESS IT IS NECESSARY.**

"This message and any attachments are solely for the intended recipient and may contain confidential or privileged information. If you are not the intended recipient, any disclosure, copying, use, or distribution of the information included in this message and any attachments is prohibited. If

**ORDINANCE 2022-10-01**

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

**AN ORDINANCE AMENDING SECTION 307.010 ZONING PERMIT APPLICATION  
IN THE CITY ZONING CODE**

The City Council of the City of Birchwood Village hereby ordains that Chapter 307 (Zoning Code: Zoning Permit) of the Municipal Code of the City of Birchwood Village is hereby amended to read as follows:

**SECTION 307. ZONING CODE: ZONING PERMIT**

**307.010 Application.** An applicant may apply for a Zoning Permit by filling out a form obtained from the City Office and paying the fee set in the Fee Schedule. The application must at a minimum:

- a. Identify and describe the work to be covered by the permit.
- b. Describe the land on which the proposed work is to be done, by lot, block, tract, and house and street address, or similar description that will readily identify the proposed work.
- c. Indicate the use or occupancy for which the proposed work is intended.
- d. Be accompanied by the following plans:
  - i. Drawing to scale, showing the location of the proposed work and all existing structures, buildings, and improvements on the property.
  - ii. Elevation drawings to scale if the structure has a height dimension (i.e., is not a driveway, walkway, etc.)

The City ~~reserves the right to request~~ may require additional information ~~that would help the City~~ necessary to review the application.

**EFFECTIVE DATE:** This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Adopted by the City of Birchwood Village City Council this 10<sup>th</sup> day of January 2023

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Margaret Ford, Mayor

Attest:

---

Rebecca Kellen, City Administrator-Clerk

**RESOLUTION 2023-05**

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

**A RESOLUTION APPROVING SUMMARY PUBLICATION OF  
ORDINANCE NO. 2022-10-01, AN ORDINANCE Amending Section 307.010 Zoning  
Permit Application**

**WHEREAS**, the City of Birchwood Village is a political subdivision, organized and existing under the laws of the State of Minnesota; and

**WHEREAS**, the City has adopted Ordinance No. 2022-10-01, which amends the language of City Code Section 307.010; and

**WHEREAS**, the new ordinance is lengthy and would be costly for the City to publish in its entirety as required by law for the adoption of an ordinance.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Birchwood Village, Minnesota, as follows:

1. Because the terms of Ordinance 2022-10-01 are lengthy, the City may publish the attached summary of the Ordinance as allowed by statute, and need not publish the entire ordinance. The attached summary clearly informs the public of the intent and effect of the Ordinance. Summary publication has been approved by at least a 4/5 vote of the City Council.
2. The effective date of the Ordinance amendments shall be upon their publication by summary as required by law.

Resolution duly seconded and passed this 10<sup>th</sup> day of January, 2023.

\_\_\_\_\_  
Margaret Ford, Mayor

Attest:

\_\_\_\_\_  
Rebecca Kellen, City Administrator-Clerk

## SUMMARY PUBLICATION

Please be advised that the City of Birchwood has duly-passed the following ORDINANCE:  
AN ORDINANCE AMENDING & ADDING TO SECTION 307.010

The following is a SUMMARY of the Ordinance:

On January 10, 2022 the City adopted an Ordinance (2022-10-01) to call for the payment for a permit and that the City may require additional information if needed on applications.

PLEASE BE ADVISED, this is not the full text of the Ordinance passed and the published material is only a summary. The full text is available for public inspection at the City of Birchwood, 207 Birchwood Avenue, Birchwood, Minnesota 55110 or delivered upon request electronically or by U.S. Mail.

Summary complies with Minn. Stat. §§ 331A.05 subd. 8. & 412.191 subd 4.

**ORDINANCE 2022-10-02**

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

**AN ORDINANCE AMENDING SECTION 605 ANIMALS IN THE CITY CODE**

**The City Council of the City of Birchwood Village ordains that Sections 021, 028 and 029 of Chapter 605 (Animals) of the Municipal Code of the City of Birchwood Village is hereby amended to read as follows:**

**605.021. PERMIT.**

1. Required; exceptions. No person shall, without first obtaining a permit in writing from the City Clerk or Administrator, own, keep, harbor, or have custody of any dog over six months of age. However, this section shall not apply to the keeping of small caged birds or aquatic and amphibian animals solely as pets or for police canines of any political subdivision.

a. Upon a showing by any applicant for a permit required under this division that he is prepared to comply with the regulations promulgated by the council, a permit shall be issued following payment of the applicable fee, as follows:

(1). For each dog, the fee is as may be imposed, set, established and fixed by the city council, by resolution, from time to time.

(2). No fee or permit shall be required of any Humane Society or veterinary hospital.

b. No permit shall be granted for a dog which has not been vaccinated against rabies as provided in this section on such date, and when not more than two years will have elapsed from the date of such vaccination to the time of the expiration of the permit to be issued, unless stated upon the certificate that the vaccination is effective for at least three years. Vaccination shall be performed only by a doctor qualified to practice veterinary medicine in the state in which the dog is vaccinated, and the applicant shall present an original certificate from a qualified veterinarian showing that the dog to be permitted has been given a vaccination against rabies and the date on which the vaccination was administered.

2. Term; renewal; late penalty charge. Dog permits shall be issued for three-year terms in 2022 and every third year thereafter, and the owner shall pay the fee set in the fee schedule for the year of the term in which the permit is first required. A permit for

each licensed dog shall be renewed each even every third year after 2022 by every owner and a permit fee paid. A permit, if not revoked, shall be valid until the end of the permit period the permit deadline three calendar years after the permit deadline in the first year of the term. Renewal permits must be obtained prior to the expiration date, and there shall be a late penalty charge fee on all renewal permits issued applications received after the expiration date for dogs that have been kept in the City for more than fourteen (14) consecutive days.

~~A new permit shall be obtained each even year by every owner and a new fee paid. A permit, if not revoked, shall be valid until the end of the permit period. Renewal permits must be obtained prior to the expiration date, and there shall be a late penalty charge on all renewal permits issued after the expiration date.~~

The City Clerk or Administrator may revoke any permit issued under this division if the person holding the permit refuses or fails to comply with this article, any regulations promulgated by the council pursuant to this article, or any state or local law governing cruelty to animals or the keeping of animals. Any person whose permit is revoked shall, within ten days thereafter, humanely dispose of all dogs being owned, kept or harbored by such person; and no part of the permit fee shall be refunded.

3. Administrative Fee If the City Administrator receives a complaint or observes a dog and reasonably believes that the dog is kept in violation of 605.021, the owner shall pay a Dog License Administrative Fee in addition to the Permit fee and the Late fee. Late and Administrative Fees may be appealed using the procedures in Chapter 310

4. Tags. Upon issuing a permit to keep any dog under this division, the City Clerk or Administrator shall issue to the owner a metallic or durable plastic tag stamped with an identifying number and with the month/date/year of expiration and so designated that it may be conveniently fastened to a dog collar or harness. Such tag shall be fastened to the dog's collar or harness by the owner and shall be worn at all times. The City Clerk or Administrator shall maintain a record of the identifying numbers and shall make this record available to the public.

5. Exemptions from division. The sections of this division requiring a permit shall not apply to owners of certified seeing eye and other handicapped-aid dogs, owners and handlers of bona fide working dogs (guard dogs, search dogs, etc.) and nonresidents of the city who are keeping only domestic pets, provided that domestic pets of nonresident owners shall not be kept in the city longer than 30 days annually and the animals shall be kept under restraint.

605.028. **CHICKENS.**

1. Chickens may be kept within the City limits on residential properties subject to the following conditions:

a. A maximum of six (6) hen chickens or pullets are permitted.

b. Roosters are prohibited.

c. The butchering of chickens is prohibited.

d. Shelter. Proper shelter in the form of barns, coops or hutches shall be provided in any area where chickens are permitted to roam. Such shelters shall be adequately fenced to ensure the chickens remain on the owner's premises. Shelters must comply with all requirements of the Zoning Code concerning accessory structure and said structures shall not be placed in the front, side yard or side yard abutting a street on residential property. Said shelters shall be setback a minimum of 30-feet from an adjacent principal dwelling.

(1). All chicken coops must have a minimum size of three (3) square feet per chicken, a maximum size of forty (40) square feet, and must not exceed six (6) feet in total height.

(2). Chicken coops must be elevated a minimum of twelve (12) inches and a maximum of twenty-four (24) inches to allow for circulation beneath the coop.

e. Space. Chickens shall be fully contained on the property at all times through use of adequate fencing.

(1). Fencing must not exceed six (6) feet in height and must be built according to the zoning code.

(2). Chickens are restricted to the rear yard.

(3). Chicken runs may be enclosed with wood and/or woven wire materials, or any other material so long as the chickens cannot escape through the fencing.

f. Food Storage. Food materials that are stored outside shall be in closed containers with lids.

g. Manure Removal. All containment areas and shelters shall be maintained in a clean, sanitary, and odor free environment and shall be free from the presence of rodents or vermin at all times. Organic matter shall not be allowed to accumulate for more than one (1) week at a time. However, organic matter shall be removed

more often than one (1) time per week if it is necessary to eliminate any odors that constitute a nuisance.

h. Fighting. Chickens shall not be raised or kept for fighting. Cockfighting is prohibited.

i. Consent. The applicant for any permit required under the provisions of this section shall provide with the application the written consent of seventy-five (75) percent of the owners or occupants of real property within the City and within one hundred (100) feet of the outer boundaries of the premises for which the permit is being requested. However, where a street or right of way separates the premises for which the permit is being requested from the other neighboring property, no consent is required from the owners or occupants of property located on the opposite side of the street or right of way.

2. License. No person shall keep, maintain or breed chickens on property located within the City of Birchwood Village unless a license is obtained pursuant to the provisions stated herein. Application shall be made on a form provided by the City Clerk or Administrator. The fee shall be established from time to time by resolution as set forth in Chapter 701.

a. A license shall be issued for a period of ~~two~~ three years.

b. Upon completion of the application form and receipt of the license fee, the City Clerk or Administrator shall cause a license to be issued to the applicant.

3. Inspection. The Animal Control Officer shall, at any reasonable time, be permitted upon the premises where chickens are kept for the purpose of making an inspection to determine compliance with this Chapter.

605.029. **MINIATURE VIETNAMESE POT-BELLIED PIGS.**

1. Restrictions. Miniature Vietnamese Potbellied Pigs may be kept within the City limits if it is kept as a “Domestic-House Pet” as defined in Code 605.010 (1), and shall be subject to the following conditions:

a. The possession of a Vietnamese Potbellied Pig is limited to two (2) per residence.

b. Male Vietnamese Potbellied Pigs must be neutered when they reach the age of four weeks.



c. Adult Vietnamese Potbellied Pigs shall not weigh more than 120 pounds or stand more than 22 inches at the shoulders.

d. Vietnamese Potbellied Pigs shall undergo a blood test to show that the animal is free from pseudorabies.

2. Consent. The applicant for any permit required under the provisions of this section shall provide with the application the written consent of seventy-five (75) percent of the owners or occupants of real property within the City and within 100 feet of the outer boundaries of the premises for which the permit is being requested. However, where a street or right-of-way separates the premises for which the permit is being requested from the other neighboring property, no consent is required from the owners or occupants or property located on the opposite side of the street or right-of-way.

3. License. No person shall keep, maintain Vietnamese pot-bellied pigs on property located within the City of Birchwood Village unless a license is obtained pursuant to the provisions stated herein. Application shall be made on a form provided by the City Clerk or Administrator. The fee shall be established from time to time by resolution as set forth in Chapter 701.

a. A license shall be issued for a period of ~~two~~ three years.

b. Upon completion of the application form, receipt of the license fee, and proof that the Vietnamese potbellied pig is free from pseudorabies, the City Clerk or Administrator shall cause a license to be issued to the applicant.

4. Inspection. The Animal Control Officer shall, at any reasonable time, be permitted upon the premises where Vietnamese pot-bellied pig(s) are kept for the purpose of making an inspection to determine compliance with this Chapter.

EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Adopted by the City of Birchwood Village City Council this 10<sup>th</sup> day of January 2023

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Margaret Ford, Mayor

Attest:

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Rebecca Kellen, City Administrator-Clerk

**RESOLUTION 2022-24**

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

**A RESOLUTION APPROVING SUMMARY PUBLICATION OF  
ORDINANCE NO. 2022-10-02, AN ORDINANCE AMENDING SECTION 605 OF  
CITY CODE**

**WHEREAS**, the City of Birchwood Village is a political subdivision, organized and existing under the laws of the State of Minnesota; and

**WHEREAS**, the City has adopted Ordinance No. 2022-10-02, which amends the language of City Code Section 605; and

**WHEREAS**, the new ordinance is lengthy and would be costly for the City to publish in its entirety as required by law for the adoption of an ordinance.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Birchwood Village, Minnesota, as follows:

1. Because the terms of Ordinance 2022-10-02 are lengthy, the City may publish the attached summary of the Ordinance as allowed by statute, and need not publish the entire ordinance. The attached summary clearly informs the public of the intent and effect of the Ordinance. Summary publication has been approved by at least a 4/5 vote of the City Council.
2. The effective date of the Ordinance amendments shall be upon their publication by summary as required by law.

Resolution duly seconded and passed this 10<sup>th</sup> day of January, 2023.

\_\_\_\_\_  
Margaret Ford, Mayor

Attest:

\_\_\_\_\_  
Rebecca Kellen, City Administrator-Clerk

## Summary Publication

Please be advised that the City of Birchwood has duly-passed the following  
ORDINANCE:

AN ORDINANCE AMENDING & ADDING TO SECTION 605 regarding animals

The following is a SUMMARY of the Ordinance:

On January 10, 2023 the City adopted an Ordinance (2022-10-02) lengthening the permit duration from two to three years for certain animals and clarifying when a permit is needed for dogs.

PLEASE BE ADVISED, this is not the full text of the Ordinance passed and the published material is only a summary. The full text is available for public inspection at the City of Birchwood, 207 Birchwood Avenue, Birchwood, Minnesota 55110 or delivered upon request electronically or by U.S. Mail.

Summary complies with Minn. Stat. §§ 331A.05 subd. 8. & 412.191 subd 4.

**ORDINANCE 2022-10-04**

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

**AN ORDINANCE AMENDING SECTION 617 PUBLIC LAKE TRACTS IN THE CITY CODE**

**The City Council of the City of Birchwood Village hereby ordains that Section 250 of Chapter 617 (Public Lake Tracts) of the Municipal Code of the City of Birchwood Village is hereby repealed and replaced by Sections 251 and 252 and Section 380 of the Municipal Code of the City of Birchwood Village is repealed and replaced to read as follows:**

~~**617.250 Fees. Fees and Impoundment.** A per day charge will be assessed for each day any small craft, lift, dock or other item that is not removed from the Public Lake Tract by the end of the Boating Season or left on the Public Lake Tract after May 15, per fee schedule as adopted. Any article left on any Public Lake Tract in violation of this Chapter may also be removed and impounded at the owner's expense.~~

**617.251 Personal Property Abandonment on Lake Tract.** Public use of Lake Tracts is valuable and property abandoned on Lake Tracts diminishes that value. The City shall assess the fee set in the Fee Schedule plus removal and storage, sale and disposal costs for any dock, boat hoist, boat, appurtenance or other personal property that is not allowed by the City or that does not meet the requirements set forth in the Dock Permit approved by the City, including after the end of the Boating Season or during winter storage. If the property is allowed to remain by the Dock Association or by a member of the Dock Association, costs and fees shall be assessed jointly and severally to the member, if any, and the Dock Association. Costs and fees for personal property allowed to remain by a non-member shall be assessed to that person. The City shall dispose of the property pursuant to section 613.

**617.252 Fee in Lieu of Removal.** At the City's option, the City may defer assessing the fee and costs in 617.251 and removing property. For each day property remains, the City may assess, jointly and severally, to the member, if any, and the Dock Association, or to the non-member, the fee in lieu of removal set in the Fee Schedule for the loss of use of the Lake Tract to the public. On or before the first day the City assesses the fee, the City shall mail a letter to the Dock Association, if it is being assessed, and the property owner, if known, describing the property that is not permitted or allowed.

**617.380 Docks, Boat Slips, Boat Hoists, Boat Lifts and Boats.**

Boat hoist or “lift” means a structure placed in the water or below the ordinary high-water mark for boat storage, including platforms for storage of personal watercraft.

- (1) Docks, boat slips, boat hoists, boat lifts, shore ramps, and boats shall be installed and configured so as to allow, inasmuch as natural conditions allow, at least 50% of the Public Lake Tract beach area and adjacent water to be available for non-boating activities.
- (2) Docks shall be installed and configured such that:
  - a. Boat hoists, boat lifts and slips shall not extend beyond the end of the dock.
  - b. A dock's location shall not unreasonably impede the non-boating beach use.
  - c. Boat hoist, boat lift and slip placement shall minimize the need for boats to enter designated swimming areas during ingress or egress.
- (3) Docks shall not exceed the length specified in the WBLCD approved dock license. Dock length shall be consistent with other docks in the vicinity.
- (4) Shore ramps shall not exceed 4 feet in width and 12 feet in length and shall be secured to the shore in a location and manner that does not pose a hazard for persons.
- (5) ~~The City retains the right to may inspect all Dock Association docks, boat hoists, boat lifts, boats and shore ramps installed on the Public Lake Tracts to ensure health, safety and well-being and conformance with Minnesota Department of Natural Resources (DNR) Rules, City code and permits.~~ The City shall forward all dock safety non-conformities, concerns or deficiencies to the Dock Association's complaint-president via the Dock Liaison for action. The Dock Association shall have seven (7) days to reply in writing to the City addressing the identified deficiencies. The City Council shall thereafter review the matter if necessary.
- (6) Boats installed on any Public Lake Tract shall not exceed twenty-two (22) feet in length on Birch Beach and shall not exceed nineteen (19) feet in length on all other Public Lake Tracts.
- (7) Boat length and width shall be determined by one of the following methods.
  - a. First, by the manufacturer's specification, which shall be used without regard to motors, swim platforms or other appurtenances that add to the dimensions, or
  - b. Second, by physical measurement of the boat. Length shall be measured at the longest part and width measured at the widest part of the vessel.
- (8) The City Council in its discretion may allow winter storage of boat hoists on a Public Lake Tract. Storage shall require pre-approval by the City Council. The slip fee shall include the cost of winter lift storage.
- (9) Installation and removal of all docks, ~~lifts~~ boat hoists and boat lifts at any Public Lake Tract shall be in compliance with all applicable DNR Minn. Department of Natural Resources Rules.
- (10) Boat canopies shall not be allowed on any boat ~~lift~~ hoists or boat lifts installed or stored on any Public Lake Tract.

(11) Each owner of a boat hoist or boat lift shall display the registration information supplied by the dock association to the boat hoist or boat lift before it is placed at the Public Lake Tract. The owner shall ensure that the registration information remains visible from the dock and during winter storage.

EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Adopted by the City of Birchwood Village City Council this 10<sup>th</sup> day of January 2023

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Margaret Ford, Mayor

Attest:

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Rebecca Kellen, City Administrator-Clerk

**RESOLUTION 2022-26**

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

**A RESOLUTION APPROVING SUMMARY PUBLICATION OF  
ORDINANCE NO. 2022-10-04, AN ORDINANCE AMENDING SECTION 617 OF  
CITY CODE**

**WHEREAS**, the City of Birchwood Village is a political subdivision, organized and existing under the laws of the State of Minnesota; and

**WHEREAS**, the City has adopted Ordinance No. 2022-10-04, which amends the language of City Code Section 617; and

**WHEREAS**, the new ordinance is lengthy and would be costly for the City to publish in its entirety as required by law for the adoption of an ordinance.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Birchwood Village, Minnesota, as follows:

1. Because the terms of Ordinance 2022-10-04 are lengthy, the City may publish the attached summary of the Ordinance as allowed by statute, and need not publish the entire ordinance. The attached summary clearly informs the public of the intent and effect of the Ordinance. Summary publication has been approved by at least a 4/5 vote of the City Council.
2. The effective date of the Ordinance amendments shall be upon their publication by summary as required by law.

Resolution duly seconded and passed this 10<sup>th</sup> day of January, 2023.

\_\_\_\_\_  
Margaret Ford, Mayor

Attest:

\_\_\_\_\_  
Rebecca Kellen, City Administrator-Clerk

## SUMMARY PUBLICATION

Please be advised that the City of Birchwood has duly-passed the following  
ORDINANCE:

AN ORDINANCE AMENDING SECTION 617 regarding use of public lake tracts.

The following is a SUMMARY of the Ordinance:

On January 10, 2023 the City adopted an Ordinance (2022-10-04) clarifying rules surrounding the use of boat hoists or lifts.

PLEASE BE ADVISED, this is not the full text of the Ordinance passed and the published material is only a summary. The full text is available for public inspection at the City of Birchwood, 207 Birchwood Avenue, Birchwood, Minnesota 55110 or delivered upon request electronically or by U.S. Mail.

Summary complies with Minn. Stat. §§ 331A.05 subd. 8. & 412.191 subd 4.



**ORDINANCE 2022-10-05**

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

**AN ORDINANCE AMENDING SECTION 701 FEES IN THE CITY CODE**

**The City Council of the City of Birchwood Village ordains that Chapter 701 (Fees) of the Municipal Code of the City of Birchwood Village is hereby amended to read as follows:**

~~701.061 **Late Fee.** In the event a person shall engage in conduct for which a permit or license is required without first paying the appropriate fee and obtaining the permit or license, the fee established shall be doubled.~~

701.061 **Investigation Fee.** If work or activity for which a license or permit is required by the code has been commenced without first obtaining the permit or license, a special investigation shall be made by the City Administrator or their designee to determine the appropriate permits to be applied, and a report issued to the property owner before permits may be issued for the work. An investigation fee equal to and in addition to the required license or permit fees established by the City and listed in the fee schedule shall be collected at the time of application in addition to any required escrows.

701.062 **Additional Fee:** An additional fee, not to exceed actual expenses or the original amount of the fee, whichever is less, shall be paid if the City Council determines that the applicant has changed the project after submission of the initial application, ~~or~~ if it is necessary to conduct an excessive number of re-inspections of the project in order to ensure compliance with the City Code or the terms of the permit or license.

701.063 ~~Fines~~ **Penalties.** Payment ~~if~~ of any Investigation or Additional Fees shall be in addition to any ~~fines~~ criminal penalties that may be imposed for violation of the City Code.

EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Adopted by the City of Birchwood Village City Council this 10<sup>th</sup> day of January 2023

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Margaret Ford, Mayor

Attest:

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Rebecca Kellen, City Administrator-Clerk

**RESOLUTION 2022-27**

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

**A RESOLUTION APPROVING SUMMARY PUBLICATION OF  
ORDINANCE NO. 2022-10-05, AN ORDINANCE AMENDING SECTION 701 OF  
CITY CODE**

**WHEREAS**, the City of Birchwood Village is a political subdivision, organized and existing under the laws of the State of Minnesota; and

**WHEREAS**, the City has adopted Ordinance No. 2022-10-05, which amends the language of City Code Section 701; and

**WHEREAS**, the new ordinance is lengthy and would be costly for the City to publish in its entirety as required by law for the adoption of an ordinance.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Birchwood Village, Minnesota, as follows:

1. Because the terms of Ordinance 2022-10-05 are lengthy, the City may publish the attached summary of the Ordinance as allowed by statute, and need not publish the entire ordinance. The attached summary clearly informs the public of the intent and effect of the Ordinance. Summary publication has been approved by at least a 4/5 vote of the City Council.
2. The effective date of the Ordinance amendments shall be upon their publication by summary as required by law.

Resolution duly seconded and passed this 10<sup>th</sup> day of January, 2023.

\_\_\_\_\_  
Margaret Ford, Mayor

Attest:

\_\_\_\_\_  
Rebecca Kellen, City Administrator-Clerk

## SUMMARY PUBLICATION

Please be advised that the City of Birchwood has duly-passed the following ORDINANCE:

AN ORDINANCE amending Section 701.

The following is a SUMMARY of the Ordinance:

On January 10, 2023 the City adopted an Ordinance (2022- 10-05) amending Section 701 removing late fees and replacing the same with investigative fees.

PLEASE BE ADVISED, this is not the full text of the Ordinance passed and the published material is only a summary. The full text is available for public inspection at the City of Birchwood, 207 Birchwood Avenue, Birchwood, Minnesota 55110 or delivered upon request electronically or by U.S. Mail.

*Summary complies with Minn. Stat. §§ 331A.05 subd. 8. & 412.191 subd 4.*

**ORDINANCE 2022-10-07**

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

**AN ORDINANCE AMENDING SECTION 407 VACANT BUILDINGS IN THE CITY  
CODE**

**The City Council of the City of Birchwood Village ordains that Section 03 of Chapter 407 (Vacant Buildings) of the Municipal Code of the City of Birchwood Village is hereby amended to read as follows:**

407.03. Vacant building registration.

(k) Vacant building fees:

(1) The owner of a vacant building shall pay ~~an~~ the annual registration fee ~~of one thousand four hundred forty dollars (\$1,440.00)~~ set in the City fee schedule each year the building remains a vacant building. The registration fee is intended to ~~at least partially recoup, and shall be reasonably related to~~ recover the administrative costs for registering and processing the vacant building ~~owner~~ registration form and ~~for the costs of~~ to the city in monitoring to monitor the ~~vacant building~~ site.

EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Adopted by the City of Birchwood Village City Council this 10<sup>th</sup> day of January 2023

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Margaret Ford, Mayor

Attest:

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Rebecca Kellen, City Administrator-Clerk

**RESOLUTION 2023-06**

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

**A RESOLUTION APPROVING SUMMARY PUBLICATION OF  
ORDINANCE NO. 2022-10-07, AN ORDINANCE AMENDING SECTION 407 OF  
CITY CODE**

**WHEREAS**, the City of Birchwood Village is a political subdivision, organized and existing under the laws of the State of Minnesota; and

**WHEREAS**, the City has adopted Ordinance No. 2022-10-07, which amends the language of City Code Section 407; and

**WHEREAS**, the new ordinance is lengthy and would be costly for the City to publish in its entirety as required by law for the adoption of an ordinance.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Birchwood Village, Minnesota, as follows:

1. Because the terms of Ordinance 2022-10-07 are lengthy, the City may publish the attached summary of the Ordinance as allowed by statute, and need not publish the entire ordinance. The attached summary clearly informs the public of the intent and effect of the Ordinance. Summary publication has been approved by at least a 4/5 vote of the City Council.
2. The effective date of the Ordinance amendments shall be upon their publication by summary as required by law.

Resolution duly seconded and passed this 10<sup>th</sup> day of January, 2023.

\_\_\_\_\_  
Margaret Ford, Mayor

Attest:

\_\_\_\_\_  
Rebecca Kellen, City Administrator-Clerk

**SUMMARY PUBLICATION**

Please be advised that the City of Birchwood has duly-passed the following ORDINANCE:

**AN ORDINANCE amending Section 407.**

The following is a SUMMARY of the Ordinance:

On January 10, 2023 the City adopted an Ordinance (2022- 10-07) amending Section 407 removing the fee for vacant buildings in order to add it to the fee schedule.

**PLEASE BE ADVISED**, this is not the full text of the Ordinance passed and the published material is only a summary. The full text is available for public inspection at the City of Birchwood, 207 Birchwood Avenue, Birchwood, Minnesota 55110 or delivered upon request electronically or by U.S. Mail.

*Summary complies with Minn. Stat. §§ 331A.05 subd. 8. & 412.191 subd 4.*

**ORDINANCE 2022-11-01**

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

**AN ORDINANCE AMENDING SECTION 201.080 METERS**

The City Council of the City of Birchwood Village hereby ordains that Section 201.080 (Meters) of the Municipal Code of the City of Birchwood Village is hereby amended to read as follows:

201.080. METERS.

1. The City will monitor water usage by consumers through a water meter furnished by Kamstrup Electronic Water Meters, designated by the Council. Every household or other final consumer of City water must have its own meter. A suitable place, safe from frost and other damage, and accessible for examination and reading must be provided at the expense of the consumer.

2. Meters shall be installed by the City at the owner's expense. All meters shall be under the control and supervision of the City and shall be sealed by the proper City employees. No person other than City employees or other person designated by the City in charge of said work shall break said seals

3. Non-Kamstrup Electronic Water Meters

1. Any water meter that is not the designated Kamstrup Electronic Water Meter will require manual readings and a non-electronic water meter service fee as designated in the fee schedule. For any water meter that is not the designated Kamstrup Electronic Water Meter, a legible timestamped photo of the resident's current meter reading must be emailed to the city's designee between the first and the fifteen of February, May, August and November or a Non-Submission Fee designated in the fee schedule will be imposed.

2. Failure to timely report any water meter reading two times in any four-quarter period is a violation of this code and is a misdemeanor. Submitting an intentionally erroneous reading is also a violation of this code and is a misdemeanor. Submitting an intentionally erroneous reading is a violation of this code and is a misdemeanor. Failure to timely produce a legible timestamped

photo of the current reading shall results in double the fee set in the fee schedule.

3. Upon the sale of any property in the City the Kamstrup Electronic Water Meter must be installed.

4. Consumers must keep their service pipes, attachments, and meters in order, and must protect them from frost.

4. In case of the breakage or stoppage of any meter, the consumer shall immediately notify the City. Any repairs necessary shall be made at the expense of the owner, except in the case of normal wear and tear.

5. In cases where the meters are difficult to access by the officers of the City, or are exposed to danger from frost, the water shall be shut off from such premises until the obstruction is removed or the danger is avoided.

EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Adopted by the City of Birchwood Village City Council this 10<sup>th</sup> day of January 2023

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Margaret Ford, Mayor

Attest:

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Rebecca Kellen, City Administrator-Clerk



**RESOLUTION 2023-07**

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

**A RESOLUTION APPROVING SUMMARY PUBLICATION OF  
ORDINANCE NO. 2022-11-01, AN ORDINANCE AMENDING SECTION 201.080 OF  
CITY CODE**

**WHEREAS**, the City of Birchwood Village is a political subdivision, organized and existing under the laws of the State of Minnesota; and

**WHEREAS**, the City has adopted Ordinance No. 2022-11-01, which amends the language of City Code Section 201.080; and

**WHEREAS**, the new ordinance is lengthy and would be costly for the City to publish in its entirety as required by law for the adoption of an ordinance.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Birchwood Village, Minnesota, as follows:

1. Because the terms of Ordinance 2022-11-01 are lengthy, the City may publish the attached summary of the Ordinance as allowed by statute, and need not publish the entire ordinance. The attached summary clearly informs the public of the intent and effect of the Ordinance. Summary publication has been approved by at least a 4/5 vote of the City Council.
2. The effective date of the Ordinance amendments shall be upon their publication by summary as required by law.

Resolution duly seconded and passed this 10<sup>th</sup> day of January, 2023.

\_\_\_\_\_  
Margaret Ford, Mayor

Attest:

\_\_\_\_\_  
Rebecca Kellen, City Administrator-Clerk

## Summary Publication

Please be advised that the City of Birchwood has duly-passed the following **ORDINANCE:**  
**AN ORDINANCE AMENDING SECTION 201** regarding water metering.

The following is a **SUMMARY** of the Ordinance:

On January 10, 2023 the City adopted an Ordinance (2022-11-01) requiring the upgrade of all residential water meters to Kamstrup Electronic Reporting Meters, alternative reporting procedures and the consequences of not doing so.

**PLEASE BE ADVISED**, this is not the full text of the Ordinance passed and the published material is only a summary. The full text is available for public inspection at the City of Birchwood, 207 Birchwood Avenue, Birchwood, Minnesota 55110 or delivered upon request electronically or by U.S. Mail.

Summary complies with Minn. Stat. §§ 331A.05 subd. 8. & 412.191 subd 4.

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**agenda item**

Ryan Hankins &lt;rhankins@gmail.com&gt;

Sun 12/18/2022 9:59 AM

To: Rebecca Kellen &lt;Rebecca.Kellen@cityofbirchwood.com&gt;

To: Birchwood City Council

From: Ryan Hankins

Re: City Engineer and Planner RFP

I propose the following RFP for City Engineer and Planner.

These are much simpler proposals than those in the December Agenda, and I've tried to tailor the requirements to our own needs. I'll appreciate feedback on further improvements.

I move that we direct City Staff to:

- Post the following RFPs for a City Engineer and Planner.
- Accept applications and forward those applications to the City Council as specified in the RFP.

**City of Birchwood Village City Engineer****SUMMARY**

The City of Birchwood Village requests concise and condensed proposals to provide professional engineering services. Proposals must be received no later than 4:00 PM, March 1, 2023. Proposals received after the above date and time may not be considered. Firms selected as finalists may be asked to interview before the City Council. If the Council desires, an interview schedule will be established.

Please submit your proposal to:

City of Birchwood Village  
Attn: Rebecca Kellen, City Administrator  
207 Birchwood Avenue  
Birchwood, MN 55110

[rebecca.kellen@cityofbirchwood.com](mailto:rebecca.kellen@cityofbirchwood.com)

Notwithstanding any other provisions of the RFP, the City reserves the right to reject any or all proposals, to waive any irregularity in a proposal, and to accept or reject any item or a combination of items, when to do so would be to the advantage of the City or its taxpayers. It is further within the right of the City to reject proposals that do not contain all elements and information requested in this document. The City may also identify more than one service provider in order to ensure backup or obtain

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specialized expertise, if it determines that it is in the best interests of the public to do so. The City of Birchwood shall not be liable for any losses incurred by any responders throughout this process.

## **GENERAL INFORMATION**

The City of Birchwood Village is a small, fully developed residential community located on the southeast shoreline of White Bear Lake of approximately 864 residents and 375 households. The City covers 214 acres in Washington County.

Birchwood Village is a City of the Fourth Class with a City Council form of government. The City Council consists of the Mayor and four council members who are elected at large.

The City of Birchwood Village manages 4.2 miles of bituminous surfaced streets and one gravel roadway (Grotto Street) located off Wildwood Avenue. There are several areas with dedicated street rights-of-way that have not been improved and function today mostly as open space/trail easement areas. These areas are known as Birch, Ash, Elm, Dellwood, and Park Avenues and Jay and Highwood Streets.

There are 13.8 acres of park and public open space land within Birchwood Village. The City's park system includes four park areas, six lake easements that provide access to White Bear Lake, and several undeveloped areas (easements and rights-of way). Significant natural resources in the community include White Bear Lake and Halls Marsh. The City's private lot areas and easement areas include extensive tree cover and rolling topography.

Birchwood Village has rolling topography which slopes gradually toward White Bear Lake. The City has 2 permanent rain gardens to help clean and filter water that require regular maintenance. The City is positioned to follow water management strategies and regulations set forth by the governing watershed district, Rice Creek Watershed District (RCWD) under the Metropolitan Surface Water Management Act of 1982.

The City's sewer system has two lift stations, 0 flow meter(s), and 5.3 miles of sewer main.

The City has five employees: one full-time City Administrator, one part-time Bookkeeper, a part-time Treasurer, and two on-call maintenance workers. Some municipal services such as sewer maintenance, police and fire protection are contracted primarily from nearby government agencies. Private contractors currently maintain the water system and provide building inspections and engineering and planning services.

## **SCOPE OF SERVICES**

The City of Birchwood Village wishes to contract with an outside engineering consulting firm or individual to provide engineering services, referenced herein after as "City Engineer". The City Engineer shall perform such duties as may be usual and customary within the profession and as set forth within the City Ordinances and Regulations, or any additional engineering matters as directed by the City.

## **RESPONSIBILITIES**

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1. Maintain an accurate understanding of the city's comprehensive plan, zoning ordinances, subdivision regulations and other city codes and policies, with special emphasis on infrastructure conditions and needs, and on the special requirements of shoreland zoning;
2. Evaluate and provides report on impervious surface, stormwater management and runoff, rain gardens, and other needs that arise relating to constructing and reconstruction permitting;
3. Evaluate projects, plans and properties for their conformance with City engineering requirements.
4. Provide surveying.
5. Supervise and verifies the work of the City Planner.
6. When necessary, meet with City Staff to review project proposals to assure that there is a clear understanding of plan designs and City requirements;
7. Review and, if requested, prepare written reports regarding land use applications and convey comments to the appropriate staff to ensure proper engineering for code compliance and to ensure that timely information is delivered to the Planning Commission and City Council so that they can comply with statutory deadlines;
8. Perform a role as directed by the City Council in the process of preparing or reviewing plans and assessment rolls for projects, and especially lift station improvement plans.
9. Make presentations before the Planning Commission and City Council;
10. Attend at the regular monthly City Council meeting and other meetings as needed;
11. Supports City Council and staff in planning, budgeting and funding applications; prepares needs assessments and makes cost estimates as directed; assists with technical inspections of infrastructure or provides oversight to third parties performing such activities;
12. Work with outside agencies as necessary to evaluate permits and funding requirements affecting City infrastructure;
13. When directed, prepare detailed plans and estimates for improvement projects (Note that the City Council may decide to utilize other firms for engineering services relating to improvement projects);
14. Represent the City to residents and applicants in a respectful manner and make reasonable efforts to accurately estimate the cost of application related services.

## **CONTENT OF PROPOSAL**

Proposals including cover letter and company brochure shall be clear and concise and may not exceed 25 pages and shall contain the following information:

- Cover letter and introduction (not more than 2 pages) including the name of the firm or individual and the name and telephone numbers of the person(s) authorized to represent the company regarding all matters related to the proposal;
- A list of current clients with reference contacts of three clients;
- Resumes of key personnel to be performing the engineering functions for the city, including education and professional certifications;
- A fee schedule identifying specific hourly rates for key personnel (not a rate range), fee for other services and meeting attendance.

## **OWNERSHIP OF MATERIALS**

All materials submitted in response to the RFP become the property of the City of Birchwood Village and supporting materials will not be returned. The City of Birchwood is not responsible for any costs incurred by the company in the preparation of the proposal or for presentation or related meeting time.

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**SERVICE AGREEMENT AND INSURANCE**

The successful service provider will be asked to enter into a service agreement and to provide a certificate of insurance naming the City as an additional insured showing coverage for liability, workers compensation, and automobile. The service agreement will contain a provision specifying a deadline for submitting invoices. Any invoices submitted for services not billed in accordance with applicable deadlines may, at the sole discretion of the City, be considered invalid and payment may be refused. Any future relationship between the Contractor and the City will be on an "independent contractor" basis and may be terminated by either party, for any reason, following a 30-day notice.

**INDEPENDENT CONTRACTOR STATUS**

The City Engineer will not be an employee of the city and must meet the IRS requirements for designation as an independent contractor or firm.

**CONFLICT OF INTEREST**

The City of Birchwood Village requires that service providers disclose conflicts of interest when they may occur. The City, at its discretion, may arrange for alternative third-party support in such cases.

**CONTACT INFORMATION**

Direct all inquiries regarding the Request for Proposals to City Administrator Rebecca Kellen 207 Birchwood Avenue, Birchwood, MN 55110, at 651-426-3403.

**REQUESTS FOR PROPOSALS AND SELECTION SCHEDULE**

City Council Approval of RFC: January 10, 2023

Advertise and Distribute RFC: January 13, 2023

RFP Submittal Deadline: March 1, 2023

Review of Proposals: March 14, 2023

Interviews: Scheduled as needed

Appointment of City Engineer: April 11, 2023

Start State: April 27, 2023

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## **City of Birchwood Village City Planner**

**SUMMARY**

The City of Birchwood Village requests concise and condensed proposals to provide professional planning services. Proposals must be received no later than 4:00 PM, March 1, 2023. Proposals

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received after the above date and time may not be considered. Firms selected as finalists may be asked to interview before the City Council. If the Council desires, an interview schedule will be established.

Please submit your proposal to:

City of Birchwood Village  
Attn: Rebecca Kellen, City Administrator  
207 Birchwood Avenue  
Birchwood, MN 55110

[rebecca.kellen@cityofbirchwood.com](mailto:rebecca.kellen@cityofbirchwood.com)

Notwithstanding any other provisions of the RFP, the City reserves the right to reject any or all proposals, to waive any irregularity in a proposal, and to accept or reject any item or a combination of items, when to do so would be to the advantage of the City or its taxpayers. It is further within the right of the City to reject proposals that do not contain all elements and information requested in this document. The City may also identify more than one service provider in order to ensure backup or obtain specialized expertise, if it determines that it is in the best interests of the public to do so. The City of Birchwood shall not be liable for any losses incurred by any responders throughout this process.

### **GENERAL INFORMATION**

The City of Birchwood Village is a small, fully developed residential community located on the southeast shoreline of White Bear Lake of approximately 864 residents and 375 households. The City covers 214 acres in Washington County.

Birchwood Village is a City of the Fourth Class with a City Council form of government. The City Council consists of the Mayor and four council members who are elected at large.

The City of Birchwood Village manages 4.2 miles of bituminous surfaced streets and one gravel roadway (Grotto Street) located off Wildwood Avenue. There are several areas with dedicated street rights-of-way that have not been improved and function today mostly as open space/trail easement areas. These areas are known as Birch, Ash, Elm, Dellwood, and Park Avenues and Jay and Highwood Streets.

There are 13.8 acres of park and public open space land within Birchwood Village. The City's park system includes four park areas, six lake easements that provide access to White Bear Lake, and several undeveloped areas (easements and rights of way). Significant natural resources in the community include White Bear Lake and Halls Marsh. The City's private lot areas and easement areas include extensive tree cover and rolling topography.

Birchwood Village has rolling topography which slopes gradually toward White Bear Lake. The City has 2 permanent rain gardens to help clean and filter water that require regular maintenance. The City is positioned to follow water management strategies and regulations set forth by the governing watershed district, Rice Creek Watershed District (RCWD) under the Metropolitan Surface Water Management Act of 1982.

January 10 2023 City Council Agenda Packet

The City's sewer system has two lift stations, 0 flow meter(s), and 5.3 miles of sewer main.

The City has five employees: one full-time City Administrator, one part-time Bookkeeper, a part-time Treasurer, and two on-call maintenance workers. Some municipal services such as sewer maintenance, police and fire protection are contracted primarily from nearby government agencies. Private contractors currently maintain the water system and provide building inspections and engineering and planning services.

## **SCOPE OF SERVICES**

The City of Birchwood Village wishes to contract with an outside planning consulting firm or individual to provide planning services, referenced herein after as "City Planner". The City Planner shall perform such duties as may be usual and customary within the profession and as set forth within the City Ordinances and Regulations, or any additional Planner matters as directed by the City.

## **RESPONSIBILITIES**

1. Provide planning services on an as-needed, on call basis.
2. Maintain an accurate understanding of the City's general plan, zoning ordinances, subdivision regulations and other City codes and policies.
3. Organize the application process in a manner that provides critical information to applicants so that they can gain an understanding of the procedures they must follow and the information they must provide with land use applications.
4. When applications are more complex than can be conveyed with standard informational materials, meet with applicants to review their proposal, and identify the proper submittal guidelines to assure that there is a clear understanding of what is required for a complete application.
5. Review and prepare reports on Subdivision Maps with input from appropriate consultants and/or departments, to ensure code compliance and to ensure that timely information is delivered to the Planning Commission and City Council so that they can comply with statutory decision deadlines.
6. Review and prepare reports on zoning and land use applications.
7. Make appropriate presentations before the Planning Commission and /or City Council as needed.
8. Coordinate permit review with appropriate stakeholders, and the City Engineer.
9. Prepare written records and reports of investigation and violations of zoning codes; provide on-site field verification or direct others to perform inspections documenting compliance; encourage voluntary compliance and, when necessary, coordinate enforcement of zoning ordinances through communication with landowners and cooperation with the City Attorney; order the issuance of citations where appropriate; testify in court concerning inspection results if necessary.
10. Provide administrative support to the Planning Commission by preparing reports, maintaining records, and completing directives of the Planning Commission.
11. Coordinate with staff and monitor recording of legal documents relating to land use.
12. Attend regular monthly City Council meeting and other meetings as needed;
13. Represent the City to residents and applicants in a respectful manner and make reasonable efforts to accurately estimate the cost of application related services.

## **CONTENT OF PROPOSAL**



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Proposals including cover letter and company brochure shall be clear and concise and may not exceed 25 pages and shall contain the following information:

- Cover letter and introduction (not more than 2 pages) including the name of the firm or individual and the name and telephone numbers of the person(s) authorized to represent the company regarding all matters related to the proposal;
- A list of current clients with reference contacts of three clients;
- Resumes of key personnel to be performing the planning functions for the city, including education and professional certifications;
- A fee schedule identifying specific hourly rates for key personnel (not a rate range), fee for other services and meeting attendance.

### **OWNERSHIP OF MATERIALS**

All materials submitted in response to the RFP become the property of the City of Birchwood Village and supporting materials will not be returned. The City of Birchwood is not responsible for any costs incurred by the company in the preparation of the proposal or for presentation or related meeting time.

### **SERVICE AGREEMENT AND INSURANCE**

The successful service provider will be asked to enter into a service agreement and to provide a certificate of insurance naming the City as an additional insured showing coverage for liability, workers compensation, and automobile. The service agreement will contain a provision specifying a deadline for submitting invoices. Any invoices submitted for services not billed in accordance with applicable deadlines may, at the sole discretion of the City, be considered invalid and payment may be refused. Any future relationship between the Contractor and the City will be on an "independent contractor" basis and may be terminated by either party, for any reason, following a 30-day notice.

### **INDEPENDENT CONTRACTOR STATUS**

The City Planner will not be an employee of the city and must meet the IRS requirements for designation as an independent contractor or firm.

### **CONFLICT OF INTEREST**

The City of Birchwood Village requires that service providers disclose conflicts of interest when they may occur. The City, at its discretion, may arrange for alternative third-party support in such cases.

### **CONTACT INFORMATION**

Direct all inquiries regarding the Request for Proposals to City Administrator Rebecca Kellen 207 Birchwood Avenue, Birchwood, MN 55110, at 651-426-3403.

### **REQUESTS FOR PROPOSALS AND SELECTION SCHEDULE**

City Council Approval of RFC: January 10, 2023

Advertise and Distribute RFC: January 13, 2023

RFP Submittal Deadline: March 1, 2023

January 10, 2023 City Council Agenda Packet  
Review of Proposals: March 14, 2023

Interviews: Scheduled as needed

Appointment of City Planner: April 11, 2023

Start State: April 27, 2023

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**FW: Letter of December 6, 2022**

Justin McCarthy <justin.mccarthy@cityofbirchwood.com>

Mon 12/19/2022 10:53 AM

To: Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>

Lets add this to the January meeting

Sent from [Mail](#) for Windows

**From:** [Rebecca Kellen](#)

**Sent:** Friday, December 16, 2022 3:47 PM

**To:** [City of Birchwood Village](#)

**Subject:** Fw: Letter of December 6, 2022

Forwarding more information for consideration regarding the streetlight removal at the end of Lake Avenue. Thanks.

Rebecca Kellen, MBA

City Administrator - Clerk

City of Birchwood Village, MN

office: (651) 426-3403

fax: (651) 426-7747

email: [rebecca.kellen@cityofbirchwood.com](mailto:rebecca.kellen@cityofbirchwood.com)

website: <http://www.cityofbirchwood.com/>



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**From:** Sandy <skrizherb@comcast.net>

**Sent:** Friday, December 16, 2022 2:13 PM

**To:** Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>

**Subject:** Re: Letter of December 6, 2022

Thank you Rebecca, Dave and I very much appreciate your attention to this issue. The turn around at the dead end is owned by David, he very much hopes the down light will stay in place. Throughout the years the turn

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January 10 2023 City Council Agenda Packet  
around has been abused and used by those who like to park and just hang out. The light at the dead end has also been a deterrent for those who want to just park and hang out in the secluded area.

Sent from my iPhone

On Dec 16, 2022, at 1:44 PM, Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com> wrote:

Hi Sandra and David.

Thank you for your email. I have reached out to Mayor Wingfield to see if the removal is already in process or if not, I can ask the council to reconsider this decision in the January meeting. I will keep you posted. Kind regards.

Rebecca Kellen, MBA

City Administrator - Clerk

City of Birchwood Village, MN

office: (651) 426-3403

fax: (651) 426-7747

email: [rebecca.kellen@cityofbirchwood.com](mailto:rebecca.kellen@cityofbirchwood.com)

website: <http://www.cityofbirchwood.com/>



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**From:** Sandra Kriz Buerkle <skrizherb@comcast.net>  
**Sent:** Thursday, December 15, 2022 9:07 PM  
**To:** City of Birchwood Village <info@cityofbirchwood.com>  
**Cc:** David Buerkle <dave.buerkle@buerkle.com>  
**Subject:** Letter of December 6, 2022

Dear City of Birchwood Village:

In response to your letter dated December 6, 2022; I am in disagreement that you would consider removing the city light at the end of Lake Avenue. For many reasons this light should stay in place.

1) The safety of those who live close to the dead end need light to enter and leave their driveways. There is a turn around at the dead end of Lake Avenue where postal trucks and other

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delivery trucks, paper delivery, snow plows, street cleaners and other traffic all need light to avoid the pole that holds a transformer, all of the telephone and cable lines for this entire area plus into the Mahtomedi area. If this pole is not lighted and someone would run into it it could be costly for the city. There is also a fire hydrant at the end of the street. You will not be able to see this if you are turning around to leave the dead end.

2) Elder people live at the end of the dead end, Mary Ellen Calderwood, she needs the light for coming and going. She had incurred a cost of putting up a light 25 years ago on that same pole and incurs a monthly fee from excel energy, she is taking that light down because of the monthly cost. A citizen should not have to incur a cost for their safety. The City of Birchwood has a down light on the same pole and should keep this down light for the safety of its citizens and all others who travel on the dead end of Lake Avenue.

We are hopeful you will reconsider your review and determine that the light is needed for safety on the dead end of Lake Avenue.

Regards,  
Sandra Kay Kriz-Buerkle  
David Alan Buerkle

Sent from my iPad

# MEMORANDUM

DATE: 1/10/23

---

TO: Mayor and City Council

FROM: Rebecca Kellen, City Administrator

COPIED:

SUBJECT: Bids for the Wildwood Lift Station

**Birchwood Village**

---

Dear Mayor and City Council,

Federal funding for the Wildwood Lift Station has been approved for \$480,000. An additional \$100,000 has been requested in the form of a grant from RCWD (Rice Creek Watershed District). City Engineer Steve Thatcher previously completed the plans and specs for this project so that it is shovel ready.

City Administration recommends that the City of Birchwood Village Mayor and City Council approve City Engineer Steve Thatcher to begin posting for bids for the Wildwood Lift Station work so that it can be completed this year.



---

## MEMORANDUM

**DATE:** December 23, 2022  
**TO:** Washington County City and Township Clerks  
**FROM:** Lisa Young, Washington County Assessor  
**SUBJECT:** 2023 Local Board of Appeal and Equalization/Open Book Meetings

---

The tentative schedule for the 2023 Board of Appeal and Equalization/Open Book Meetings is attached. The time frame in establishing dates for your Local Boards and Open Book meetings will be similar to last year.

1. Establish and distribute tentative schedules by December 23, 2022.
2. Allow 30 days for feedback from local jurisdictions to confirm or to change tentative dates. Please call or email Michele Burg with any date or time changes.
3. Establish and distribute the Final Board of Appeal and Equalization/Open Book Meeting schedule by February 15, 2023. No changes will be made to the schedule after this date.

For those communities that offer their property owners an Open Book Meeting format, please recall that those property owners can attend any of the **four** Regional Open Book Meetings held throughout the County. This year we will have meetings held in Cottage Grove, Oakdale, Woodbury, and Stillwater.

If we do not hear from you, we will assume the meeting will be conducted on the date and time listed on the schedule; a quorum will be in attendance; and a meeting room will be made available. Please note that each board must have a trained certified member to be in compliance for the 2023 meeting.

During the month of February, the Assessor's Office will again be developing the annual Assessment Report. The purpose of this report is to provide general information to the communities in Washington County regarding the appeals process and the 2023 assessment. The report will be made available on the Washington County Assessor web page ([washington.minnesotaassessors.com/](http://washington.minnesotaassessors.com/)) under "Appraisal Reports" prior to April 1, 2023.

If you have any questions, please call Michele Burg (651.430.6104).  
Thank you.

cc: Amy Stenftenagel, Director Property Records and Taxpayer Services  
Robin Nelson, Deputy County Assessor - Commercial  
Rebecca Heili, Appraisal Supervisor -Residential  
Joyce Larson, Assessment Support Manager

*A great place to live, work and play...today and tomorrow*

Government Center | 14949 62nd Street North | P. O. Box 6 | Stillwater, MN 55082-0006  
P: 651-430-6175 | TTY: 651-430-6246  
[www.co.washington.mn.us](http://www.co.washington.mn.us)

*Washington County is an equal opportunity organization and employer*

2023 Meeting Schedule				
Board of Appeal & Equalization and Open Book Meetings				
City/Township	Format	Meeting Date	Time	Location
Baytown	Local Board	Monday, April 10, 2023	4-5pm	Baytown Community Center 4020 McDonald Dr N
Birchwood	Local Board	Tuesday, April 11, 2023	6-6:30pm	Birchwood Village City Hall 207 Birchwood Ave
Dellwood	Local Board	Monday, April 10, 2023	5-5:30pm	Dellwood City Hall 111 Wildwood Rd
Denmark	Local Board	Tuesday, April 11, 2023	4:30-5:30pm	Denmark Town Hall 14008 90th St S
Forest Lake	Local Board	Monday, April 10, 2023	5:30-6:30pm	Forest Lake City Hall 1408 Lake St S
Grey Cloud Island	Local Board	Thursday, April 13, 2023	6-7pm	Grey Cloud Island Town Hall 9910 Grey Cloud Island Dr S
Hugo	Local Board	Thursday, April 6, 2023	5:30-7pm	Hugo City Hall 14669 Fitzgerald Ave N
Lake Elmo	Local Board	Wednesday, April 19, 2023	5-7pm	Lake Elmo City Hall 3800 Laverne Ave N
Mahtomedi	Local Board	Wednesday, April 5, 2023	5-6pm	Mahtomedi City Hall 600 Stillwater Rd
Marine on St Croix	Local Board	Tuesday, April 4, 2023	9-10am	Marine on St Croix City Hall 121 Judd St
May	Local Board	Wednesday, April 19, 2023	9-10am	May Town Hall 13939 Norell Ave N
Scandia	Local Board	Monday, April 17, 2023	5-6pm	Scandia Community Center 14727 209th St N
Willernie	Local Board	Monday, April 24, 2023	5:30-6:30pm	Willernie City Hall 111 Wildwood Rd
Afton	Open Book	May attend any one of four Regional Open Book meetings  <b>Regional Open Book-Cottage Grove</b> Cottage Grove City Hall Thursday, April 6, 2023 <b>5-7pm</b> 12800 Ravine Pkwy S  <b>Regional Open Book-Oakdale</b> Oakdale City Hall Wednesday, April 12, 2023 <b>5-7pm</b> 1584 Hadley Ave N  <b>Regional Open Book-Woodbury</b> Woodbury City Hall Thursday, April 20, 2023 <b>5-7pm</b> 8301 Valley Creek Rd  <b>Regional Open Book-Stillwater</b> Washington Cty Govt Center Wednesday, April 26, 2023 <b>2-7pm</b> 14949 62nd St N		
Bayport	Open Book			
Cottage Grove	Open Book			
Grant	Open Book			
Hastings	Open Book			
Lake St Croix Beach	Open Book			
Lakeland	Open Book			
Lakeland Shores	Open Book			
Landfall	Open Book			
Newport	Open Book			
Oak Park Heights	Open Book			
Oakdale	Open Book			
Pine Springs	Open Book			
St Mary's Point	Open Book			
St Paul Park	Open Book			
Stillwater City	Open Book			
Stillwater Township	Open Book			
West Lakeland	Open Book			
White Bear Lake	Open Book			
Woodbury	Open Book			

<b>County Board</b>	<b>Govt Center</b>	<b>Tuesday, June 13, 2023</b>	<b>5:00pm</b>	<b>**By Appointment</b>
		<b>Tuesday, June 20, 2023</b>	<b>11:00am</b>	(times subject to change)

**\*\*Appointment deadline for County Board      Wednesday      May 3, 2023**



2023 Tentative Meeting Schedule				
Board of Appeal & Equalization and Open Book Meetings				
City/Township	Format	Meeting Date	Time	Location
Marine on St Croix	Local Board	Tuesday, April 4, 2023	9-10am	Marine on St Croix City Hall 121 Judd St
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Pine Springs	Open Book			
St Mary's Point	Open Book			
St Paul Park	Open Book			
Stillwater City	Open Book			
Stillwater Township	Open Book			
West Lakeland	Open Book			
White Bear Lake	Open Book			
Woodbury	Open Book			

**County Board      Govt Center      Tuesday, June 13, 2023      5:00pm      \*\*By Appointment**  
**Tuesday, June 20, 2023      11:00am      (times subject to change)**

**\*\*Appointment deadline for County Board      Wednesday May 3, 2023**

**RESOLUTION NO. 2023-04**

**A RESOLUTION RESETTING AND CORRECTING PLANNING COMMISSIONER TERMS**

**WHEREAS** The City Council has appointed five Planning Commissioners over the past three years.

**WHEREAS** Former City Staff failed to keep reasonably accessible records of the terms of Planning Commissioners.

**WHEREAS** §303.020 of the City Code specifies that when a Planning Commissioner is appointed to a vacancy, the end date of the term does not change.

**WHEREAS** The effort required for City Staff to determine the current end dates of each term would be too extensive for the benefit the City would derive.

**WHEREAS** The City would be well-served to reset and correct the terms of Planning Commissioners to conform to our City Code, and for City Staff to record those dates so that we continue in the spirit and letter of the code.

**WHEREAS** Commissioner Joe Evans is recorded as having been appointed in July, 2021. Commissioner Evans’ term must expire no later than December, 2023.

**WHEREAS** Commissioner Mike Kraemer’s is recorded as having been appointed in January, 2021, with his term expiring December 31, 2023.

**WHEREAS** Commissioner Michelle Maiers-Atakpu’s is recorded as having been appointed in April, 2021, with her term expiring December 31, 2023.

**WHEREAS** Commissioner Andy Sorenson’s is recorded as having been appointed in January, 2020, with his term having expired December 31, 2022.

**WHEREAS** Former Commissioner Ryan Hankins has recently joined the City Council and is recorded as having been appointed in January, 2021, with his term expiring December 31, 2023.

**WHEREAS** At least one vacancy exists on the Planning Commission for Former Commissioner Ryan Hankins' seat.

**WHEREAS** Our City works best when we maintain continuity and stagger terms of Planning Commissioners.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BIRCHWOOD, MINNESOTA AS FOLLOWS:**

Commissioner Kraemer's and Commissioner Atakpu's seats shall next expire December 31, 2023. Commissioner Evans' and Commissioner Sorensens' seats shall next expire December 31, 2025, and Former Commissioner Ryan Hankins' seat shall next expire December 31, 2024. City staff shall record these in the minutes and on the website as the expiration dates of Planning Commission terms. The terms recorded on this day shall supersede any previously established.

Passed by the City Council of \_\_\_\_\_, Minnesota this \_\_\_\_\_ day of Month, Year.

\_\_\_\_\_  
Margaret Ford, Mayor

Attested:

\_\_\_\_\_  
Rebecca Kellen, City Clerk

January 10 2023 City Council Agenda Packet

## Planning Commission

MICHAEL McKenzie <mgmcke31@comcast.net>

Thu 12/29/2022 6:38 PM

To: Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>; **City of Birchwood Village**  
<**info@cityofbirchwood.com**>

I would like to apply to be a member of the planning commission.

I have lived in Birchwood since 1994.

Although my career has been in education, I do have experience in construction. I worked for about 20 years in construction during the summers building decks, sheds, pouring concrete driveways and sidewalks, and also roofing houses.

Michael G. McKenzie, Ed.D.

509 Lake Ave

Birchwood, MN 55110-1631

651.429.0353

January 10 2023 City Council Agenda Packet

## Planning Commission opening

Mary Wingfield <wingfield.mary@gmail.com>

Mon 12/26/2022 1:19 PM

To: Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>

Please add me to the list of candidates for consideration for this position.

My experience is as follows:

- 18 years Birchwood elected office
- 36 years legal experience including work in municipal law
- Undergraduate degree in Environmental Design (landscape architecture) understanding urban design scapes including water runoff
- 54 year resident of Birchwood with a deep knowledge of historical context
- Countless hours of civic volunteerism to Birchwood community.

Thank you  
m

# MEMORANDUM

DATE: 1/10/23

---

TO: Mayor and City Council  
FROM: Rebecca Kellen, City Administrator  
COPIED: Tom Nitti  
SUBJECT: CivicPlus Permitting Software

## Birchwood Village

---

On 11/9/22 I attended a demonstration of the CivicPlus Permitting Software. The capabilities seemed to fit our needs, so I reached out for a follow up meeting to discuss next steps which took place on 11/21/22. A further meeting was scheduled and took place on 12/6/22 to review the capabilities more in depth with our Bookkeeper/Assistant Clerk and myself. On 12/7/22 I received the attached proposal reflecting a discounted rate of 50% the annual rate that was discussed previously. After a review of the software the City Administration believes the following benefits would be derived from purchasing the software.

- **Increased Workflow Efficiencies from a Self-Service Portal**
  - Self-service site allows for customer autonomy, for both residents and staff.
  - Reduction in calls and emails regarding permitting.
  - Built in workflow and interactive interface among multiple users provides a streamlined trackable process and increases process efficiency.
  - Contractor, resident, inspectors, planner, and city portals all interactive.
- **Collecting Metrics Allow for More Informed Decision Making**
  - Metrics and reporting capabilities would allow us to do data management and analysis.
  - Dashboard that tracks contractor licensing, expired permits, inspection due dates, does invoicing and generates automatic emails/premade responses.
- **Improved Records Management**
  - Better organized and centralized record keeping management system where documents, plans, meeting minutes from Planning Commission reviews, etc. can be housed within the system and allows for common access.
- **Improved Payment Tracking**
  - Fees are generated automatically based on the permit type which reduces error.
  - Invoices are generated directly from the site and alert customers.
- **Increased Functionality Provides a Quality Service Experience for our Residents**
  - Specific to our needs – customized.
  - City code can be added to the site for reference.
  - Ability to notify adjacent properties through the system.
  - Calendar and map view available.
  - Ability to search for business licenses right from the site.

**City Administration recommends that the City of Birchwood Village accept the proposal provided and implement the CivicPlus Permitting Software to be able to process permits more efficiently, and better track and organize this work.**



**civicgov**

POWERED BY CIVICPLUS

**Permitting, Planning, Licensing, Code Enforcement and  
Fire Life Safety Inspection Software Proposal for**

**Village of Birchwood, MN**

12/07/2022



Tim Koeshall | Account Executive | [tim.koeshall@civicplus.com](mailto:tim.koeshall@civicplus.com) | 785.706.9458

**CP CIVICPLUS**

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# Executive Summary

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This proposal outlines our plan to provide your organization with a professional, end-to-end solution tailored to the needs of permit technicians, building and code enforcement officials, inspectors, fire marshals, homeowners, property owners, contractors, and business owners. On the pages that follow, we provide specific details regarding our professional team, best-in-class features, and proposed approach.

## A Modular Solution Designed to Scale

Whether your organization's requirements are simple and straight-forward or more complex and far-reaching, our integrated yet independently modular offering allows us to tailor a solution that fits your needs. Key features that are available as either stand-alone modules or an integrated suite include:

- Permitting – a complete solution to submit, review, approve, and issue permits.
- Planning & Zoning – robust functionality to manage the intricacies of new subdivisions, plats, site plans, and other projects.
- Code Enforcement – process complaints and track violations end-to-end from initial inspection and notice of violation through citation processing, court proceedings, and resolution.
- Fire & Life Safety Inspections – conduct and schedule one-time and cyclical reoccurring inspections across your organization. Generate inspection failure notices and track court appearances.
- Business Licensing – create and manage license applications, renewals, payments, inspections, and contractor credentials
- Value Added Features – premium features and integrations available for ESRI-based GIS systems, Digital Plan Review software, Local/State/Federal Codes, payment providers, and other 3<sup>rd</sup> party back-office systems.

## Why Civicgov?

CivicPlus is committed to making government work better. Our Civicgov permitting, licensing, and code enforcement solution enables civic leaders to do just that. Our Civic Experience Platform allows municipalities to increase revenue and operate more efficiently while generating goodwill with their citizens.

- Built for Ease of Use - Civicgov was designed from the ground up by former government employees who know the permitting, licensing, and code enforcement space inside and out.
- Aggressive Product Roadmap Driven by Customer Feedback – We are committed to ensuring CivicPlus remains a leader in the permitting, licensing, code enforcement, and fire safety space. As such, we intend to invest heavily in product feature improvements. As a Civicgov customer, we need your help and value your input. Your feedback will directly influence our product roadmap and provide additional benefit from this investment.
- Simple, Seamless Integrations – As the newest product to the CivicPlus suite, we are excited about plans to integrate Civicgov with other products including our public website solution (Civic Engage), our 311 and Citizen Request Management Solution (SeeClickFix), our Municipal Code of Ordinances Solution (Municode NEXT), and our payment gateway (CP Pay).

Commitment to Serving You and your Community – not only are we dedicated to supporting you and your staff, but we are also focused on ensuring that Civicgov and all CivicPlus products enable you to create positive civic experiences and build public trust and appreciation.

# Company Overview



At CivicPlus, we have one goal: to empower the public sector to accomplish impactful initiatives using innovative solutions that save them time while connecting them to the citizens they serve. We began in 1998 when our founder, Ward Morgan, decided to focus on helping local governments work better and engage their citizens through their web environment.

CivicPlus continues to implement new technologies and services to maintain the highest standards of excellence and efficiency for our customers, including solutions for website design and hosting, parks and recreation management, emergency and mass communications, agenda and meeting management, talent management, 311 and citizen relationship management, codification, and licensing and permits.

Our commitment to deliver the right solutions in design and development, end-user satisfaction, and secure hosting has been instrumental in making us a world leader in government web technology. We consider it a privilege to partner with municipal leaders and provide them with solutions that will serve their needs today and well into the future.

## Company Headquarters

302 S. 4th Street, Suite 500  
Manhattan, KS 66502  
Toll Free: 888.228.2233  
Fax: 785.587.8951  
civicplus.com  
Federal Tax ID: 48-1202104

7,500+

local government clients across the United States and Canada

20+

years of experience with a focus to help local governments

550+

employees, many with experience in local government

## Recognition



10-time Inc. 5000 Honoree



COMPANY 2016-2021

## Technical Support



Recognized with multiple, global Stevie® Awards for sales and customer service excellence

# CivicGov Team

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## Brian Gilday, Project Sponsor

Brian is a seasoned local government entrepreneur, business executive and information technology expert. A former U.S. Naval Officer and Management Consultant, he holds a BS in Computer Science with distinction from the United States Naval Academy (Annapolis) and an MS in CIS from Boston University. He served as an Associate Professor at MIT and BU and was the founder and President of Aha Consulting

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## Bill Gau, Director of Professional Services

Bill has over three decades of experience in local and federal government including various law enforcement positions. He has expert-level knowledge of community development/land management, permitting and code enforcement operations. Bill has a degree in Criminal Justice and is a certified Novell engineer. He holds instructor level certifications in terrorism/emergency response, information security, and disaster contingency planning. Bill is enthusiastic about helping local government implement software to operate efficiently and increase collaboration with residents and businesses.

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## Travis Bond, Professional Services

Travis is a seasoned implementation and integration professional with two decades of Learning Management, Performance Management, and Position Management experience in the healthcare industry. Travis has a Bachelor of Science in Information Technology, served in the United States Marine Corps doing Avionics for F-18 Hornets, and is big proponent of client advocacy.

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## Lindsey Reese, Professional Services

Lindsey brings over 14 years of experience working in the public sector where she managed various projects with municipalities on the state, city and special district level. She holds a Master's in Public Administration and has held numerous boards of director positions. She has led multiple software implementation projects resulting in improved organizational function. She brings a unique perspective on the challenges public entities face and working closely with organizations meeting their needs.

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## Janelle Rosa, Professional Services

Janelle brings over 10 years of customer service and project management experience. She holds a Master of Science in Project Management from the University of Kansas and certifications in Six Sigma and Agile methodologies. Janelle has a passion for process improvement and through her innovative approach has collaborated cross-departmentally to enhance the CivicPlus suite of products.

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## Pratik Kumar, Engineering

Pratik provides over two decades of government software development and project management experience. He has a Bachelor of Engineering degree from Birla Institute of Technology, India with a background in requirement analysis and process improvement. Prior to CivicPlus, he worked with PwC as a Project Management Consultant for the Government of Maharashtra, India where he worked on the pilot implementation and statewide rollout of municipal and district level government to citizen services.

# References

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## Town of Mamakating, New York

Population: 12,000

Modules: Permitting, Licensing, Inspections, Code Enforcement

Customer for over 9 years

Contact: Mary Grass | 845-888-3030 | [Mary.Grass@mamakating.org](mailto:Mary.Grass@mamakating.org)

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## Macon County, Georgia

Population: 14,000

Modules: Permitting, Inspections, Code Enforcement

Customer for over 8 years

Contact: David Parrott | 478-472-7023 | [bldginspt@windstream.net](mailto:bldginspt@windstream.net)

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## City of Vancouver, Washington

Population: 161,000

Modules: Fire Marshal Equipment and Inspections, Contractor Management

Customer for over 7 years

Contact: Heidi Scarpelli | 360-487-7202 | [Heidi.Scarpelli@cityofvancouver.us](mailto:Heidi.Scarpelli@cityofvancouver.us)

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The customers listed below are currently inflight with implementation and can discuss their experience with the implementation process.



## City of Portland, Oregon

Population: 652,000

Modules: Permitting, Planning, Licensing, Inspections, Code Enforcement  
Ongoing Implementation

Contact: Nate Takara | 503-209-8231 | [nate.takara@portlandoregon.gov](mailto:nate.takara@portlandoregon.gov)

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## Village of Newark, New York

Population: 14,000

Modules: Permitting, Inspections, Code Enforcement

Ongoing Implementation

Contact: Robbin Bremer | 315-226-8105 | [rbremer@villageofnewark.com](mailto:rbremer@villageofnewark.com)

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## State of Connecticut Office of State Building Inspector

Population: 3.57 million

Modules: Permitting, Planning, Licensing, Code Enforcement, Fire/Life Safety Inspections

Ongoing Implementation

Contact: Darren Hobbs | 860-897-6914 | [darren.hobbs@ct.gov](mailto:darren.hobbs@ct.gov)

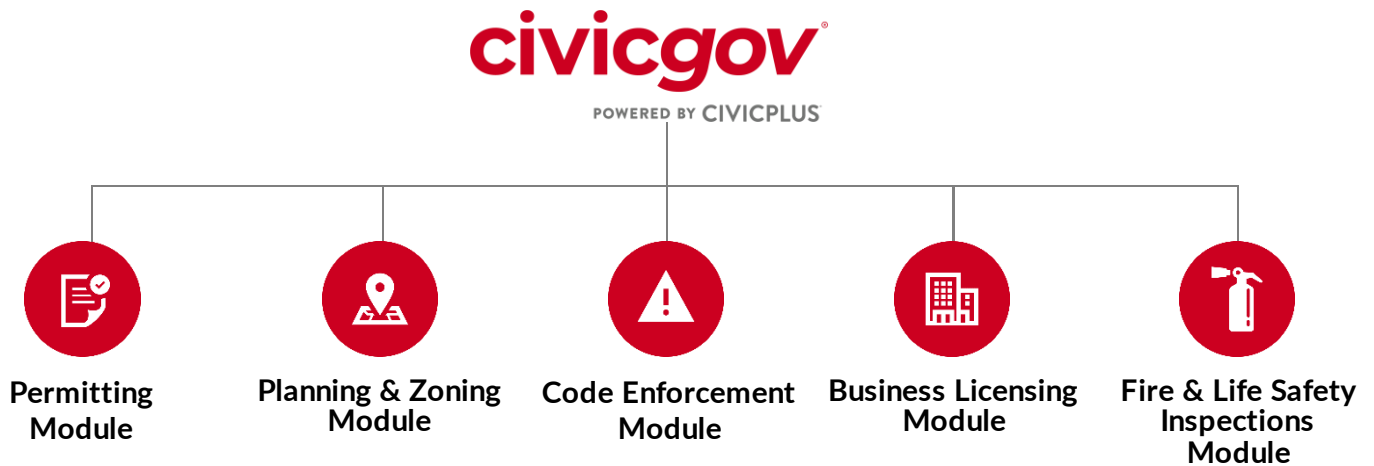
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# Description of Solution

## A Modular Solution Designed to Scale

CivicGov is a cloud-based modular software solution configured to fit your needs. Whether your organization's requirements are simple and straight-forward or more complex and far-reaching, our integrated yet independently modular offering allows us to tailor a solution that fits your needs.

Modules that are available as either stand-alone solutions or as an integrated suite include:



<b>Permitting</b>	A complete solution to submit, review, approve, and issue permits.
<b>Planning &amp; Zoning</b>	Robust functionality to manage the intricacies of new subdivisions, plats, site plans, and other projects.
<b>Business Licensing</b>	Create and manage license applications, renewals, payments, inspections, and contractor credentials.
<b>Code Enforcement</b>	Process complaints and track violations end-to-end from initial inspection and notice of violation through citation processing, court proceedings, and resolution.
<b>Fire &amp; Life Safety Inspections</b>	Conduct and schedule one-time and cyclical reoccurring inspections across your organization. Generate inspection failure notices and track court appearances.
<b>Value Added Features</b>	Premium features and integrations available for ESRI-based GIS systems, Digital Plan Review software, Local/State/Federal Codes, payment providers, and other 3 <sup>rd</sup> party back-office systems.



## Permitting Module

A complete solution to submit, review, approve, and issue permits.

### Included Features

- **Create an unlimited number of permit applications**
  - o Customize types & sub-types (commercial, residential, etc.)
  - o Upload and track application documents and photos
  - o Track standard fields or customer-defined additional fields
- **Manage properties, buildings, and occupants**
  - o Populate system with tax parcels, buildings, and suites
  - o Track permits related to the properties, property owners, contractors, business owners, and occupants
- **Allow online submission of permit applications**
  - o Enable/disable online submittal on a per permit basis
  - o Standardized online template and document upload capability included.
- **Enable end to end review & approval (case management)**
  - o Application reviews – one or more departments
  - o Inspections, Financial Reviews, Board Reviews
  - o Override Routing, Final Approval Authority
- **Schedule and conduct inspections**
  - o Select inspection type, track status, and assign inspectors
  - o Take and store photos of inspection results
  - o Attach codes (local municipal codes, state, federal)
  - o Personalized “Today’s Inspections” area for each inspector
- **Create digital checklists**
  - o Customize checklists based on type and sub-type
- **Collect permit application fees**
  - o Assign fees, generate invoices, and process payments (\* requires CP Pay authorized payment gateway)
- **Generate certificates and letters**
  - o Certificates of Occupancy, Certificates of Use, and other standardized templates provided
- **Track contractors, insurance requirements, & contacts**
  - o Ensure contractor insurance requirements are met for a given permit application
  - o Track multiple permit-related points of contact
- **Track related projects**
- **Generate reports (CSV, PDF, HTML)**
- **Integrates with other optional CivicGov Modules:**  
 Planning & Zoning, Business License, Code Enforcement, and Fire & Life Safety Inspections

### Project Timeline Estimate

A typical permitting project takes 8-16 weeks. Please note that actual timelines vary based on size of organization and final scope of services.

Requirements	1 week
Configuration & Data Import	4-12 weeks
Testing	1 weeks
Training	1-2 weeks
Go-Live	1 week

### Included Project Tasks / Milestones

- ✓ Tax parcel setup via GIS (ESRI) endpoint or customer-provided import files
- ✓ Municode Code of Ordinances integration
- ✓ Permit directory setup (permit types and use/sub-types)
- ✓ 1 Department Setup included per module (users: technicians, inspectors, department reviewers, approvers, administrators)
- ✓ Inspection setup
- ✓ Digital checklist setup (5 included)
- ✓ Certificates and letters setup (5 included)
- ✓ Review and approval process setup
- ✓ Public permit directory setup
- ✓ 1 standardized online permit form setup
- ✓ Payments and fees setup
- ✓ Testing
- ✓ Training
- ✓ Go-Live

### Optional Value-Added Features

- Premium GIS (ESRI) Mapping Integration
- Mobile App (Offline/Online Inspections)
- ICC Code Repository Integration
- 3<sup>rd</sup> party API Integrations
- Additional Departments/Groups

### Optional Professional Services

- Additional data imports (historical records, contractor data, 3<sup>rd</sup> party codes, etc.)
- Additional training
- Additional configuration items (Additional custom checklists, certificates, online fillable forms, etc.)
- Custom development



## Planning & Zoning Module

Robust functionality to manage the intricacies of new subdivisions, plats, site plans, & other projects

### Included Features

- **Create an unlimited number of master or sub projects**
  - o Customize project types and sub-types (City Council, Planning Comm., Stormwater, Subdivision Adv., ZBA, etc.)
  - o Upload and track project documents and photos
  - o Track standard fields or customer-defined additional fields
- **Manage properties, buildings, and occupants**
  - o Populate system with tax parcels, buildings, and suites
  - o Track projects related to the properties, property owners, contractors, business owners, and occupants
- **Track affidavits, bonds, and escrow accounts**
- **Create notification letters for adjacent properties**
  - o Adjacent/proximity parcel search (requires GIS integration)
- **Issue and track variances**
- **Track project questions and answers**
- **Create and track project meetings**
- **Track related projects**
- **Create digital checklists**
  - o Customize checklists based on type and sub-type
- **Enable end to end review & approval (case management)**
  - o Application reviews – one or more departments
  - o Inspections, Checklists, Financial Reviews, Board Reviews
  - o Override Routing and Final Approval Authority
- **Schedule and conduct inspections**
  - o Select inspection type, track status, and assign inspectors
  - o Take and store photos of inspection results
  - o Attach codes (local municipal codes, state codes, federal)
  - o Personalized “Today’s Inspections” area for each inspector
- **Collect project fees**
  - o Assign fees, generate invoices, and process payments (\* requires CP Pay authorized payment gateway)
- **Generate certificates and letters**
  - o Certificates of Occupancy/Use, and other templates
- **Track contractors, insurance requirements, & contacts**
  - o Ensure permit application insurance requirements are met
  - o Track multiple permit-related points of contact
- **Generate reports (CSV, PDF, HTML)**
- **Integrates with other optional CivicGov Modules:**
  - Permitting, Business License, Code Enforcement, and Fire & Life Safety Inspections

### Project Timeline Estimate

A typical planning & zoning project takes 8-16 weeks. Please note that actual timelines vary based on size of organization and final scope of services.

Requirements	1 week
Configuration & Data Import	4-12 weeks
Testing	1 week
Training	1-2 weeks
Go-Live	1 week

### Included Project Tasks / Milestones

- ✓ Tax parcel setup via GIS (ESRI) endpoint or customer-provided import files
- ✓ Municode Code of Ordinances integration
- ✓ Project directory setup (project types and use/sub-types)
- ✓ 1 Department Setup included per module (users: technicians, inspectors, department reviewers, approvers, administrators)
- ✓ Inspection setup
- ✓ Digital checklist setup (5 included)
- ✓ Certificates and letters setup (5 included)
- ✓ Review and approval process setup
- ✓ Payments and fees setup
- ✓ Testing
- ✓ Training
- ✓ Go-Live

### Optional Value-Added Features

- Premium GIS (ESRI) Mapping Integration
- Mobile App (Offline/Online Inspections)
- Bluebeam Digital Plan Review integration
- ICC Code Repository Integration
- 3<sup>rd</sup> party API Integrations
- Additional Departments/Groups

### Optional Professional Services

- Additional data imports (historical records, contractor data, 3<sup>rd</sup> party codes, etc.)
- Additional training
- Additional configuration items (Additional custom checklists, certificates, online fillable forms, etc.)
- Custom development



## Business Licensing Module

Create and manage license applications, renewals, payments, inspections, and contractor credentials.

### Included Features

- **Track detailed business license records**
  - o Customize business types and sub-types
  - o Upload and track business license documents and photos
  - o Track business license data via standard fields and customer-defined additional fields
  - o Track insurance requirements and expirations
  - o Identify annual vs. temporary licenses
- **Integrates with property management system**
  - o Optionally populate system with tax parcels, buildings, and suites to track business licenses related to each property
- **Allow online submission of business license applications**
  - o Enable new business license applications and renewals
- **Automatically generate license renewal notifications**
  - o customer-defined time intervals
- **Enable end to end review and approval (Case Management)**
  - o Application reviews – one or more departments
  - o Financial Review and Payment
  - o Override Routing
  - o Final Approval Authority
- **Collect business license application fees**
  - o Assign fees, generate invoices, and process payments (\* requires CP Pay authorized payment gateway)
- **Schedule one-time & re-occurring inspections**
- **Generate business certificates and letters**
- **Publish public business license directory**
- **Generate reports (CSV, PDF, HTML)**
- **Integrates with other optional CivicGov Modules:**  
Permitting, Planning & Zoning, Code Enforcement, and Fire & Life Safety Inspections

### Project Timeline Estimate

A typical business licensing project takes 6-12 weeks. Please note that actual timelines vary based on size of organization and final scope of services.

Requirements	1 week
Configuration & Data Import	2-4 weeks
Testing	1 week
Training	1-2 weeks
Go-Live	1 week

### Included Project Tasks / Milestones

- ✓ Business directory import (Existing business list)
- ✓ Business license directory setup (Business types, sub-types, insurance requirements, renewal requirements)
- ✓ 1 Department Setup included per module (users: technicians, inspectors, department reviewers, approvers, administrators)
- ✓ 1 online business license application form setup
- ✓ Business certificates and letters setup
- ✓ Review and approval process setup
- ✓ Public business license directory setup
- ✓ Payments and fees setup
- ✓ Tax parcel setup via GIS (ESRI) endpoint or customer-provided import files (optional)
- ✓ Testing
- ✓ Training
- ✓ Go-Live

### Optional Value-Added Features

- Premium GIS (ESRI) Mapping Integration
- 3<sup>rd</sup> party API Integrations
- Additional Departments/Groups

### Optional Professional Services

- Additional data imports (historical records, contractor data, 3<sup>rd</sup> party codes, etc.)
- Additional training
- Additional configuration items (Additional custom checklists, certificates, online fillable forms, etc.) Custom development





## Code Enforcement Module

Process complaints and track violations end-to-end from initial inspection and notice of violation through citation processing, court proceedings, and resolution.

### Included Features

- **Track detailed complaint and violation records**
  - o Customize complaint/violation types and sub-types
  - o Upload and track application documents and photos
  - o Track complaints/violations via standard data fields or customer-defined additional fields
- **Manage properties, buildings, and occupants**
  - o Populate system with tax parcels, buildings, and suites
  - o Track complaints and violations related to properties, property owners, contractors, business owners, and occupants
- **Submit Complaints and Violations online or manually**
  - o Online public submission
  - o Manual staff submission (walk ins, phone, email requests)
- **Conduct on demand and pre-scheduled inspections**
  - o Select inspection type, track status, and assign inspectors
  - o Take and store photos of inspection results
  - o Personalized "Today's Inspections" area for each inspector
- **Schedule inspections**
- **Cite code violations**
  - o Reference local municipal/zoning code, state code, national code repositories
- **Track court hearings**
  - o Hearing date/time, ticket/docket #, judge, notes
- **Issue fines and collect payment**
  - o Assign fees, generate invoices, and process payments (\* requires CP Pay authorized payment gateway)
- **Enable end-to-end review and approval (Case Management)**
  - o Track from initial inspection, notice of violation, re-inspection, citation processing, court proceedings, and final resolution
- **Generate citation notices of violation / citation letters**
  - o Send via email or certified mail
- **Generate reports (CSV, PDF, HTML)**
- **Integrates with other optional CivicGov Modules:**  
 Permitting, Planning & Zoning, Business License, and Fire & Life Safety Inspections

### Project Timeline Estimate

A typical code enforcement project takes 8-16 weeks. Please note that actual timelines vary based on size of organization and final scope of services.

Requirements	1 week
Configuration & Data Import	4-12 weeks
Testing	1 week
Training	1-2 weeks
Go-Live	1 week

### Included Project Tasks / Milestones

- ✓ Tax parcel setup via GIS (ESRI) endpoint or customer-provided import files
- ✓ Municode Code of Ordinances integration
- ✓ Complaint/violation setup (Types and sub-types)
- ✓ 1 Department Setup included per module (users: technicians, inspectors, department reviewers, approvers, administrators)
- ✓ Inspection setup
- ✓ Digital checklist setup (5 included)
- ✓ Certificates and letters setup (5 included)
- ✓ Review and approval process setup
- ✓ Payments and fees setup
- ✓ 1 online public complaint form setup
- ✓ Testing
- ✓ Training
- ✓ Go-Live

### Optional Value-Added Features

- Premium GIS (ESRI) Mapping Integration
- Mobile App (Offline/Online Inspections)
- ICC Code Repository Integration
- 3<sup>rd</sup> party API Integrations
- Additional Departments/Groups

### Optional Professional Services

- Additional data imports (historical records, contractor data, 3<sup>rd</sup> party codes, etc.)
- Additional training
- Additional configuration items (Additional custom checklists, certificates, online fillable forms, etc.)
- Custom development



## Fire & Life Safety Inspections Module

Conduct and schedule one-time and cyclical reoccurring inspections across your organization. Generate inspection failure notices and track court appearances.

### Included Features

- **Schedule and conduct fire & safety inspections**
  - o Select inspection type, track status, and assign inspectors
  - o Take and store photos of inspection results
  - o Attach codes (local municipal codes, state codes, federal) to inspection records
  - o Personalized "Today's Inspections" area for each inspector
- **Manage properties, buildings, and occupants**
  - o Populate system with tax parcels, buildings, and suites
  - o Track inspections related to the properties, property owners, contractors, business owners, and occupants
- **Create digital checklists**
  - o Customize checklists based on inspection type and sub-type
- **Schedule one-time and recurring inspections**
- **Collect inspection fees**
  - o Assign fees, generate invoices, and process payments (\* requires CP Pay authorized payment gateway)
- **Enable end to end review & approval (Case Management)**
  - o Inspection reviews – one or more departments
  - o Financial Reviews, Board Reviews
  - o Override Routing
  - o Final Approval Authority
- **Generate certificates and letters**
  - o Standardized templates provided
- **Generate reports (CSV, PDF, HTML)**
- **Integrates with other optional CivicGov Modules:**  
Permitting, Planning & Zoning, Business License, and Code Enforcement.

### Project Timeline Estimate

A typical fire & safety inspection project takes 8-16 weeks. Please note that actual timelines vary based on size of organization and final scope of services.

Requirements	1 week
Configuration & Data Import	4-12 weeks
Testing	1 week
Training	1-2 weeks
Go-Live	1 week

### Included Project Tasks / Milestones

- ✓ Tax parcel setup via GIS (ESRI) endpoint or customer-provided import files
- ✓ Municode Code of Ordinances integration
- ✓ Complaint/violation setup (types and sub-types)
- ✓ 1 Department Setup included per module (users: technicians, inspectors, department reviewers, approvers, administrators)
- ✓ Inspection setup
- ✓ Digital checklist setup (5 included)
- ✓ Certificates and letters setup (5 included)
- ✓ Review and approval process setup
- ✓ Payments and fees setup
- ✓ 1 online public complaint form setup
- ✓ Testing
- ✓ Training
- ✓ Go-Live

### Optional Value-Added Features

- Premium GIS (ESRI) Mapping Integration
- Mobile Application for Offline Inspections
- ICC Code Repository integration
- 3<sup>rd</sup> party business system Integrations
- Additional Departments/Groups

### Optional Project Setup & Configuration Tasks

- Historical data import (complaints/violations, buildings/suites, contractors, 3rd party municipal codes, etc.)
- Additional certificates and letters
- Additional digital checklists

# Ongoing Support

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## **Around-the-Clock Service and Support**

With technology, unlimited support is crucial. Our live support engineers based in the United States are ready to answer your staff members' questions and ensure their confidence

## **Award-Winning**

The CivicPlus Technical Support Team has been honored with two Silver Stevie Awards and four Bronze Stevie Awards, which are the world's top honors for customer service, sales professionals, and more.



## **2021 Support Metrics**

We responded to over 100,000 tickets with an overall Customer Satisfaction Score of 95.7%. Our team resolved over 70% of tickets in One Touch and our average phone response time was under 8 minutes.

## **Technical Support**

Technical support personnel are available via phone and email 7 a.m. – 7 p.m. (CST) Monday-Friday (excluding holidays). We provide 24/7 emergency support for named points of contact and a 4-hour response time during normal hours. In addition, we provide online self-service help with the CivicPlus Help Center

## **Data Center**

CivicPlus hosts CivicGov in a secure data center. The data center is staffed 24x7x365.

## **Site Monitoring, Site Recovery, and Guaranteed Uptime**

CivicPlus leverages auto-monitoring tools to proactively detect and identify server performance and alert us of potential issues. In the unlikely event we encounter a critical issue, our engineering team will act promptly and provides regular status updates via our Help Center's online status page. CivicPlus guarantees a web server uptime of 99.9 percent.

## **Security**

CivicPlus leverages third party experts to conduct security and penetration tests on a periodic basis to proactively validate product security against the latest attack vectors and implement corrective actions as needed. CivicGov conducted its most recent tests in 2021 and included automated and manual tests for both unauthenticated (i.e., without login) and authenticated users. CivicGov is SSL encrypted to secure data transmission. In addition, CivicGov restricts user access via role-based permissions. The application requires users to log in with a unique user ID and password. We also support two-factor authentication using Google Authenticator and Microsoft Authenticator.

## **The CivicPlus Help Center**

CivicPlus customers have 24/7 access to our online Help Center where users can review articles, user guides, FAQs, and can get tips on best practices. Our Help Center is continually monitored and updated by our dedicated Knowledge Management Team to ensure we are providing the information and resources you need to optimize your solution. In addition, the Help Center provides our release notes to keep your staff informed of upcoming enhancements and maintenance.

# Project Pricing

Proposed Solution Estimate	One-Time Fees	Year 1 Annual	Total Year 1 Investment	Year 2 Annual Recurring <sup>^</sup>
Permitting Module	\$2,000	\$2,000	\$4,000	\$2,100
CP Pay Integration - Forte	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$2,000</b>	<b>\$2,000</b>	<b>\$4,000</b>	<b>\$2,100</b>

The above pricing reflects our proposed solution based on our understanding of your requirements. This proposal can be easily modified to add or remove features to best fit your needs. Please refer to the detailed price sheet below.

## Detailed Price Sheet

	One-Time Fees	Year 1 Annual	Total Year 1 Investment	Year 2 Annual Recurring <sup>^</sup>	
<b>Core Modules</b>	Permitting Module	\$2,000	\$4,000	\$6,000	\$4,200
	Planning & Zoning Module	\$2,000	\$4,000	\$6,000	\$4,200
	Code Enforcement Module	\$2,000	\$4,000	\$6,000	\$4,200
	Business Licensing Module	\$2,000	\$4,000	\$6,000	\$4,200
	Fire & Life Safety Inspections Module	\$2,000	\$4,000	\$6,000	\$4,200
<b>Additional Value Added Features</b>	Additional Departments/Groups (per module)	\$1,000	\$2,000	\$3,000	\$2,100
	Mobile App (Offline Inspections)	\$500	\$1,000	\$1,500	\$1,050
	ICC Code Integration (Unlimited users - up to 9 titles)*	\$500	\$1,500	\$2,000	\$1,575
	ICC Code Integration (X Users up to Y Titles)*	n/a	n/a	n/a	n/a
	Bluebeam Review integration*	\$500	\$1,000	\$1,500	\$1,050
	Premium GIS (ESRI) Mapping Integration	\$500	\$1,000	\$1,500	\$1,050
	CP Pay Integration	\$3,000	\$1,500	\$4,500	\$1,575
	Pre-built 3rd party API integrations*	\$1,000	\$2,000	\$3,000	\$2,100
	Custom 3rd party API integration+	n/a	n/a	n/a	n/a
<b>Professional Services</b>	Data import (Per record type)	\$2,000	n/a	\$2,000	n/a
	Additional training	\$200	n/a	\$200	n/a
	Custom checklists, letters, certificates, online fillable forms	\$200	n/a	\$200	n/a

This proposal is valid for 90 days.

<sup>^</sup> Annual Recurring Services shall be subject to a 5% annual increase beginning year 2.

\* Customer responsible for licenses to 3rd party products; CP not responsible for changes to 3rd party product terms and conditions,

+ Custom 3<sup>rd</sup> party integrations require additional scoping meeting and custom quote.

# Customer Responsibilities

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Successful project implementation is a shared responsibility between CivicPlus and our customers. As such, we request the following customer commitments to help ensure project success.

- **Designated Project Lead:** The customer will assign a Project Lead who acts as a single point of contact for project discussions. This person will be responsible for coordinating the schedules of other project stakeholders.
- **Designated Decision Maker:** The customer will assign one person who will act as the "ultimate decision maker" in situations where consensus among the organizational team members cannot be reached. The customer will review any deliverables requiring formal approval within 5 business days and return all comments/issues at or before those 5 days have elapsed.
- **Timely Access to Organizational Data:** The customer is responsible for providing complete and accurate organizational data (tax parcels, users, contractors, historical records, ESRI endpoints, etcetera) in pre-approved formats and in a timely manner. This is critical to successful project initiation.
- **3rd Party Products and Services:** The customer acknowledges that CivicPlus does not have control over 3rd party products and services (e.g., ESRI, Digital Plan Review software, ICC, NFPA, payment providers, etc.). CivicPlus is not responsible for 3rd party decisions related to changing terms and conditions or APIs. Should changes to 3rd party services adversely impact product features and functions, CivicPlus and the customer agree to work together to develop the best resolution in a timely matter.

## Terms\*

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- Any signed Statement of Work ("SOW") related to this proposal shall be subject to the terms and conditions of the CivicPlus Master Services Agreement located at <https://www.civicplus.com/master-services-agreement>.
- Any signed SOW related to this proposal shall remain in effect for an initial term equal to 365 days from date of signing ("Initial Term"). In the event that neither party gives 60 days' notice to terminate prior to the end of the Initial Term, or any subsequent Renewal Term, this SOW will automatically renew for an additional 1-year renewal term ("Renewal Term"). The Initial Term and all Renewal Terms are collectively referred to as the "Term".
- The Total Investment - Year 1 will be invoiced as follows: a. Upon signing any SOW related to this proposal, fifty percent (50%) of the Total Investment Year 1 Fees: b. The earlier of 180 days from signing or upon completion of CivicGov Implementation (completion of training), the remaining fifty percent (50%) of the Total Investment Year 1.
- Annual Recurring Services shall be invoiced on the start date of each Renewal Term. Annual Recurring Services, including but not limited to hosting, support, and maintenance services, shall be subject to a 5% annual increase beginning year 2. Client will pay all invoices within 30 days of the date of such invoice.

\* Terms are subject to change based on customer need and final project scope discussions.

January 10 2023 City Council Agenda Packet

**RE: Fw: CivicPlus Proposal - Birchwood MN**

Tim Koeshall &lt;tim.koeshall@civicplus.com&gt;

Fri 12/9/2022 5:01 PM

To: Ryan Hankins &lt;rhankins@gmail.com&gt;

Cc: Rebecca Kellen &lt;Rebecca.Kellen@cityofbirchwood.com&gt;

 1 attachments (1 MB)

CivicGov Proposal-MN-Birchwood-20221207.pdf;

Ryan,

Good evening and great to meet you.

- Who owns the data in your system?
  - The client owns the data. Below is the link to our MSA.
  - <https://www.civicplus.com/master-services-agreement>
- Can we retrieve and dump all data at any time?
  - Yes from the included "Advanced Reporting" function.
  - A backup file can be requested at anytime.
- Some of our permits have multiple components. For example, a building permit can have a variance attached. Does the permitting software handle thing?
  - Yes. There is a "related permits" function.
  - Related permits is used for subordinate permits (electrical, mechanical, plumbing, etc)
  - The module contains a feature to add a "Zoning Permit" which many times is a land-use certificate or a variance approval.
- Sometimes permits have deadlines for activity. Can the system remind people of those deadlines? The city or our consultants may be required to respond, or the property owner may be required to complete work.
  - Yes. The permit record has date thresholds that prompt notice and placement on system widgets.
  - Yes. The permit record has a workflow feature which can assign tasks to be completed by a individual, department and or group. The task has a deadline and status.
- Can we expect rates to remain similar into the future? Increases are expected, to be sure, but we need to have a system that fits within budgets for several years.
  - The standard "uplift" is 5% per year beginning in the second year.
- Do you customize the software for us?
  - The Implementation team will configure the module. I have attached the proposal which provides details.
  - The Site Administration area is under your control going forward for you to make amendments and improvements to permit practices.
- What effort is required of our staff to set up the system?
  - The One Time fees cover the setup of the system. The largest responsibility of the staff is to provide the "required items" to build the system.
  - Required Items are things link application forms, fee schedules, output documents, and workflow diagrams.

Here is short video of the CivicGov Permitting module.

<https://vimeo.com/733694553/4d0bf7d55f>

Here is a fact sheet.

[CivicGov: Software Fact Sheet - Permit, Planning, License, Code Enforcement and Fire/Life Safety Inspections.pdf](#)

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**From:** Ryan Hankins <rhankins@gmail.com>**Sent:** Friday, 9 December 2022 12:38

January 10, 2023 City Council Agenda Packet  
**To:** Tim Koeshall <[tim.koeshall@civicplus.com](mailto:tim.koeshall@civicplus.com)>  
**Subject:** Re: Fw: CivicPlus Proposal - Birchwood MN

You don't often get email from [rhankins@gmail.com](mailto:rhankins@gmail.com). [Learn why this is important](#)

Hi Tim,

I'm joining the Birchwood City Council in January. Becky is pretty excited about the permitting module you are offering. In real life I'm a software engineer and I know a lot about our permitting processes.

I have a few questions for you. Email is good or else 651-447-9192

- Who owns the data in your system? Can we retrieve and dump all data at any time?
- Some of our permits have multiple components. For example, a building permit can have a variance attached. Does the permitting software handle thing?
- Sometimes permits have deadlines for activity. Can the system remind people of those deadlines? The city or our consultants may be required to respond, or the property owner may be required to complete work.
- Can we expect rates to remain similar into the future? Increases are expected, to be sure, but we need to have a system that fits within budgets for several years.
- Do you customize the software for us? What effort is required of our staff to set up the system?

Thanks,

-Ryan

On Fri, Dec 9, 2022 at 11:56 AM Rebecca Kellen <[Rebecca.Kellen@cityofbirchwood.com](mailto:Rebecca.Kellen@cityofbirchwood.com)> wrote:

Here is the proposal. He came down 50% from the annual cost that he gave earlier this week. I am of the opinion that by implementing this software we would easily save that amount spent by implementing a reliable process that has gains in efficiency and financial transaction processing.  
Thanks.

Rebecca Kellen, MBA  
City Administrator - Clerk  
City of Birchwood Village, MN  
office: (651) 426-3403  
fax: (651) 426-7747  
email: [rebecca.kellen@cityofbirchwood.com](mailto:rebecca.kellen@cityofbirchwood.com)  
website: <http://www.cityofbirchwood.com/>

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**From:** Tim Koeshall <[tim.koeshall@civicplus.com](mailto:tim.koeshall@civicplus.com)>  
**Sent:** Wednesday, December 7, 2022 5:06 PM  
**To:** Rebecca Kellen <[Rebecca.Kellen@cityofbirchwood.com](mailto:Rebecca.Kellen@cityofbirchwood.com)>  
**Subject:** CivicPlus Proposal - Birchwood MN

January 10 2023 City Council Agenda Packet  
Hello Rebecca,

Based on our conversation I have prepared the attached proposal for your review and consideration. The module rate was discounted by 50% and the CP Pay (for credit card processing) was discounted fully. This represents the lowest price point I can make available.

[Product Fact Sheet](#)



CivicPlus Fact Sheet - Permit, Planning, License and Code Enforcement.pdf

**CivicPlus Fact Sheet - Permit, Planning, License and Code Enforcement.pdf**

<https://hubs.ly/Q01vkfdh0>

Please let me know your questions and feedback related to the proposal.

[CivicGov: Meet With Tim](#)

I have a reminder to contact you in early January if I don't hear from you before then.

## Tim Koeshall

Regional Sales Director • **CivicPlus**

**P:** 785.706.9458 • **M:** 785.706.9458

[civicplus.com](http://civicplus.com)



January 10 2023 City Council Agenda Packet

Powering and Empowering Local Governments

### Agenda Item: Village Hall Security and Access Policy

Ryan Hankins <rhankins@gmail.com>

Thu 12/15/2022 8:50 AM

To: Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>

Becky,

Please add the following to the council agenda.

Thanks,

-Ryan

To: Birchwood City Council

From: Ryan Hankins

Re: Village Hall Access

We would add significant convenience and security to the village hall if we replaced our current front door handle with a Wi-Fi solution, and minimized the sharing of physical keys.

**City of Birchwood Village  
Village Hall Security and Access Policy**

The Village Hall is valuable to our residents, and houses critical services and materials for which we must maintain adequate security. The reason for this policy is to ensure security and maintain access to Village Hall.

1. Village Hall access means the ability to enter Village Hall.
2. Village Hall access shall be limited to staff, to residents who have reserved the hall, to those who are conducting official city business.
3. The City Administrator shall obtain and distribute physical keys to City staff members as needed. The City Administrator shall determine whether each employee should receive a key or use the key code system.
4. Except with council authorization, physical keys shall never be distributed to anyone who is not a City Employee.
5. Every physical key that is issued shall be stamped with the words "do not duplicate."
6. No employee shall cause a key to be duplicated. An employee who loses a key shall promptly inform the City Administrator, and the City Administrator shall record which key has been lost.
7. The City Administrator shall cause the lock to be changed as necessary to ensure security, but not less frequently than every five years.
8. The City Administrator shall issue a key code for the keypad for the following:
  - a. Official City Business, to the leader or chair of the meeting or event.
  - b. City Hall Rentals, to the renting party
9. The City Administrator shall keep a log of when each key code or physical key is issued when it ends or is returned, and the responsible party for the key code or physical key.

January 10 2023 City Council Agenda Packet

10. The City Administrator shall issue key codes for the minimum amount of time necessary to conduct the meeting or event, but in no case for more than 24 hours.
11. For recurring meetings, the City Administrator may issue a new code for each meeting, or may program a single key code to be valid for each meeting.
12. Anyone who rents the hall maintains responsibility for the use of the key code with whom it is shared.
13. Anyone who uses the hall for official business limits sharing to those leading the meeting.
14. Recurring key codes shall be rotated every no less frequently than every 12 months.
15. Anyone who suspects that the village hall may not be secure from individuals without access shall immediately contact the City Administrator.

I move that:

- We direct city staff to spend:
  - Up to \$250.00 to purchase a “Kwikset Halo Touchscreen Wi-Fi Smart Lock with Halifax Lever,” or a similar device, that has the following features:
    - Wi-Fi and the ability to remotely lock and unlock the device.
    - A physical key slot.
    - A keypad with key codes that can be enabled and disabled on a schedule.
  - Up to \$200.00 to fund installation of the device.
- We direct the city administrator to put the aforementioned Village Hall Security and Access Policy into practice.

<https://www.costco.com/.product.100655475.html>

**ORDINANCE NO. 2023-01-01**

**AN ORDINANCE AMENDING SECTION 045 OF ORDINANCE NO. 302 ADOPTED ON DECEMBER 13, 2016, AND TITLED “AN ORDINANCE RELATING TO STRUCTURAL HEIGHT RESTRICTIONS.”**

**Findings and Purpose:**

The Planning Commission considered this code and made the following recommendation. New energy code requires 7-inch energy heel. Nine-foot ceilings, and building methods that use 18- to 48-inch deep trusses to span open floor plans result in common two-story building heights that can easily exceed the existing code limitation of 30-foot average exposure height on a flat lot. Allowing higher structures when roofs have greater pitch balances goals of regulating structure size and meeting stricter energy codes.

**The City Council of The City of Birchwood Village, Minnesota ordains:**

**Section 1.** Section 045 of Ordinance No. 302 adopted on December 13, 2016 and titled STRUCTURAL HEIGHT RESTRICTIONS is amended to read:

**302.045 STRUCTURAL HEIGHT RESTRICTIONS**

**1. STRUCTURAL HEIGHT LIMITATION:** The maximum height of a structure as calculated by Method A or Method B (see below) is as follows:

Structure type	Structure Height Limitation
Principal Structure/attached garage	30 feet
Principal Structure/attached garage with average roof pitch greater than 8/12	35 feet
Principal Structure/attached garage with average roof pitch greater than 5/12 and not greater than 8/12	32 feet
Principal Structure/attached garage with average roof pitch not greater than 5/12	30 feet
Detached garage	18 feet
Detached storage shed	12 feet

This ordinance becomes effective from and after its passage and publication.

Passed by the City Council of The City of Birchwood Village, Minnesota this \_\_\_\_\_ day of  
Month, Year.

\_\_\_\_\_  
Mayor

Attested:

\_\_\_\_\_  
City Clerk

To: Birchwood Village City Council

From: Justin McCarthy

Subject: Creation of a Parks and Natural Resources Committee

Dear Mayor and Council Members,

We would like to propose that the City Council create a new Parks and Natural Resources Committee made up of five residents and two members of the City Council. One of the most popular requests that people have when we ask them what improvements they would like to see in the City, was to reconstitute the Parks Committee. Birchwood residents desire to contribute to the community and love our parks and natural resources.

Not only would creation of such a committee allow Birchwood residents to get involved in maintaining our several city parks, but it would free our City Administrator and City Councilmembers from various duties that were of necessity imposed on them regarding issues involving the parks. In addition, the committee would be a valuable resource for the Council when considering important matters regarding our parks.

The Parks and Natural Resources Committee would be charged with the responsibility of making recommendations to staff regarding maintenance of our city parks and public spaces. The Parks Committee would also be tasked with recommending new capital expenditures to the Council.

The previous Council had put together a comprehensive Parks and Natural Resources plan which would serve as a blueprint for the work of the Park's Committee. I have also attached a set of bylaws which I also suggest we adopt.

Thank you

Justin McCarthy

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION CREATING A PARKS AND NATURAL  
RESOURCES COMMITTEE**

**WHEREAS**, the City of Birchwood Village recognizes the value of our parks and natural resources, and

**WHEREAS**, the City of Birchwood Village has determined that residents have an interest in decision-making in the City, and

**WHEREAS**, the City of Birchwood Village has determined that residents have a particular interest in deciding how our parks and natural resources are maintained and upgraded.

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Birchwood Village that a new committee, a Parks and Natural Resources Committee is hereby created.

**NOW THEREFORE BE IT ALSO RESOLVED**, by the City Council of the City of Birchwood Village that the Parks and Natural Resources Committee shall be composed of 5 members of the community and 2 members of the City Council.

**NOW THEREFORE BE IT ALSO RESOLVED**, by the City Council of the City of Birchwood Village that the Parks and Natural Resources Committee shall meet regularly, in an open meeting complying with Minnesota Law.

**NOW THEREFORE BE IT ALSO RESOLVED**, by the City Council of the City of Birchwood Village that the Parks and Natural Resources Committee shall operate according to the bylaws proscribed by the City Council.

I certify that the City of Birchwood Village adopted the above Resolution

on this \_\_\_\_ day of January, 2021

ATTEST:

\_\_\_\_\_

Margaret Ford, Mayor

---

Rebecca Kellen  
City Administrator



## **PARKS AND NATURAL RESOURCES COMMITTEE**

### **BYLAWS**

#### **I. NAME OF THE COMMITTEE**

The name of the committee shall be the Parks and Natural Resources Committee.

#### **II. PURPOSE OF THE COMMITTEE**

The purpose of the Parks and Natural Resources Committee is to advise the City Council on the parks and open spaces within the city limits of Birchwood, including advising on maintenance, upgrades, and repair of these facilities and the funding of all such work.

#### **III. COMMITTEE MEMBERSHIP**

- A. Members.** The committee shall consist of up to seven members appointed by the City Council, with two members being City Council members.
- B. Terms.** The terms of each member shall be for two years. A person may be reappointed to the committee by the Council and serve more than one term. Terms shall run from February to February. Any new member appointed in months other than February shall end his/her term two years after her/his appointed month.
- C. Resignation.** Any member of the committee may resign before his or her term expires by providing written notice of such intent to the City Council. The resignation shall be effective upon receipt of the written notification, unless the member identifies a later date.
- D. Removal.** The City Council may remove any member from the committee prior to expiration of the member's term with a majority vote.
- E. Vacancy.** In the event of a vacancy through resignation or vacancy through removal, the City Council shall appoint a person to serve the remainder of the term of the person who resigned or was removed. The person appointed to fill a vacancy may be appointed to a full two year term upon expiration of the filled term.
- F. Council Liaison.** Two members of the City Council shall serve as the liaison to the committee. The Council liaisons shall be voting members of the committee and may participate in committee functions as well as vote on all matters before the Council involving the committee.

**G. List of Members.** The City Clerk shall maintain a list of the members of the committee and the date of each member's term and shall post the same information on the City webpage.

#### IV. COMMITTEE OFFICERS

**A. Chair.** The committee shall elect a Chair of the committee. The Chair shall be elected for a one year term. The term shall run from February to February. The Chair may serve up to three consecutive terms.

**B. Secretary.** The committee shall also elect a Secretary. The term shall run from February to February. The Secretary may serve up to three consecutive terms.

**C. Majority Vote.** All officers shall be elected by a simple majority vote.

**D. Resignation.** Any officer may resign his or her position by providing written notice of the resignation to the City Clerk and the Mayor. The resignation shall be effective upon receipt of the notice or upon such later date, not to exceed three months, that the officer designates. The officer may resign only their officer position, but not their position on the committee, or they may resign both their officer position and their position on the committee.

**E. Vacancy.** Upon a vacancy in the position of one of the officers, the committee shall elect another member to serve the remainder of the vacated term.

#### V. COMMITTEE MEETINGS

**A. Scheduling.** The committee shall meet on a regularly set time monthly. The Chair of the committee may call for a special meeting of the committee. Three committee members may call for a special meeting.

**B. Open Meeting and Notice.** All meetings of the Parks and Natural Resources Committee shall be open to the public. Notice of all committee meetings shall be given at least three days in advance by posting notice on the City's webpage and by posting a notice on the bulletin board outside city hall, along with a draft agenda.

- C. Quorum and Taking of Actions.** The committee can meet regardless of how many members are in attendance at the meeting. A quorum is not necessary for the committee to hold a meeting. However, a quorum shall be necessary to take action. The committee cannot take any action unless a majority of all the members vote in favor of the action.
- D. Minutes.** The committee shall keep Minutes of all its meetings. The Secretary or other person shall be responsible for keeping the Minutes of each meeting. Upon approval of the Minutes by the committee, the Chair shall forward the approved Minutes to the City Administrator and the Council and the approved Minutes shall be posted on the city webpage.

**VI. COMMITTEE ACTION**

- A. Recommendations to the City Council.** The committee shall make recommendations to the City Council and the City Administrator on the maintenance, upgrade, repair, and other work on any parks or other open spaces or any facility therein within the city limits of Birchwood. The committee shall also make recommendations regarding the funding of any of the work recommended by the committee. The committee may file both a majority report and a minority report with the Council on any recommendation.
- B. Authority.** The committee shall have no authority to make final decisions with regard to any work other than providing a report to the City Administrator on maintenance issues of any park or open space that needs to be addressed. The City Administrator will either direct City staff to handle the issues, or will bring the issue to the attention of the Council at her discretion. All final decisions shall be made by the Council.
- C. Expenses and Budget.** The committee shall not incur any expenses without the approval of the City Council. The committee may request the City Council to budget funds for the work of the committee. The committee shall submit any budget requests to the Council by October 1 of the year previous to the year for which funding is requested.
- D. Report to the Council.** Upon the request of the City Council, the Chair or another member shall report to the Council on the activities of the committee.

**VII. COMMITTEE CONTINUATION**

The committee shall continue in existence until terminated by action of the Council.

**VIII. COMPENSATION**

Members of the Parks and Natural Resources Committee shall receive no compensation for their service on the committee.

**IX. AMENDMENT OF BYLAWS**

These bylaws may be amended at any time by action of the City Council. The committee may recommend changes to the Council.

Adopted this \_\_\_\_ day of January, 2023

\_\_\_\_\_  
Margaret Ford, Mayor

Attest

\_\_\_\_\_  
Rebecca Kellen

To: Council  
From: Justin McCarthy  
RE: Kay Beach Disabled Parking

Kay Beach is a beach in Birchwood dedicated to swimming. Previous Council experimented with opening the chain gate at Kay and putting a disabled parking space in the center of the parcel, about half-way down.

In talking with nearby residents and in my own observations, this disabled space is rarely used for disabled parking. Unfortunately, by removing the chain gate, it allows cars to (illegally) drive right down on the beach and to the water's edge. This has been happening with increasing frequency. Cars have frequently been observed backing all the way to the waterfront to launch watercraft such as kayaks and canoes and to dump substances into the lake.

Because this traffic is well past the parking spot, this conduct is in violation of City Ordinance 607.810 which states "No person shall park, drive or operate a motor vehicle within any Open Space Site except upon roadways, parking areas, parkways, or other areas designated for such use ..."

In addition to being a violation of City Ordinances, such conduct is dangerous as Kay Beach has become a very popular destination for beach-goers. Small children often play in the shallow and sandy beaches there and are often less attentive to traffic and their surroundings whilst there. Having traffic mixed with that usage is a recipe for disaster.

In addition to being a violation of Ordinances and dangerous, such usage threatens the health of White Bear Lake. Motor vehicles that are not properly maintained and in good working order may leak fluids such as motor oil and gasoline onto the sand and into the Lake.

This past summer I personally observed a woman who repeatedly and regularly launched her Kayak into the lake by backing her car right up to the shore. I also witnessed a man and his son back up their car to the lake to dump some unknown muddy substances from a large fish-tank into the lake. It was only due to my intervention that the man and his son left without dumping the contents.

Finally, because the gate is open, a large path has been worn on the beach from vehicular traffic where the grass is no longer growing and there is nothing but dirt.

I propose that the City task the Parks and Natural Resources committee to study the issue and consider whether we should close the chain gate and move the disabled parking spot at Kay Beach. We could move the disabled spot be moved to just in front of the gate on the Beach side. (See attached diagram). This would allow disabled individuals to have preferential parking, but at the same time, preserves our safety and natural resources.

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DIRECTING THE PARKS AND NATURAL RESOURCES COMMITTEE TO  
EVALUATE MOVING THE DISABLED PARKING SPOT AT KAY BEACH

**WHEREAS**, the City of Birchwood Village currently has a disabled parking spot that allows disabled persons to drive their car part-way down Kay Beach.

**WHEREAS**, the City of Birchwood Village has designated Kay Beach as a “swimming only” beach.

**WHEREAS**, the City of Birchwood Village finds that there are concerns with motor vehicles on the beach.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Birchwood Village that:

- I. The Parks and Natural Resources Committee is hereby directed to determine whether the parking spot should be moved to prevent vehicles from accessing the pedestrian areas of the beach and if so, to determine where the disabled spot should be moved.

To: Council  
From: Justin McCarthy  
RE: Park Rules and Park Rule Signage

Council,

The previous City Council removed the park rules signs that were present in all our Parks. The argument was that people didn't follow the rules anyway and the signs represented visual clutter. The problem with this argument is that adequate signage is necessary to inform the public of the park rules and ordinances. Without signage, we cannot hope to enforce any of our ordinances with respect to these spaces.

Before we go and order expensive signage, I would propose that we task the Parks Committee with reviewing our ordinances and rules as they relate to the Parks and Open Spaces. I believe that some cleanup is in order. For example, I think section 607 relating to Parks and Open Spaces can be merged with Section 617 related to Lake Tracts. The Lake Tracts are also Parks and Open Spaces, so having two separate code sections is at best confusing and at worst could be problematic if contradictory rules are present in each.

Once the rules are in order, I would also propose tasking the Parks Committee with selecting rules to put on new signs and I would direct that the signs be posted in our Parks.

Thanks  
Justin

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DIRECTING THE PARKS COMMITTEE TO REVIEW AND MAKE  
RECOMMENDATIONS FOR REVISING CITY CODE AS IT RELATES TO PARKS AND OPEN  
SPACES

**WHEREAS**, the City of Birchwood Village currently has several provisions in our City Code related to Parks and Open Spaces, including without limitation sections 607 and 617.

**WHEREAS**, the City of Birchwood Village wishes to ensure that these sections are up-to-date, harmonious with each other, and still reflect the wishes of the citizens with respect to the conduct of persons within the parks.

**WHEREAS**, the City of Birchwood Village wishes to place signage of selected park rules to ensure that

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Birchwood Village that:

- I.** The Parks Committee is hereby charged with reviewing City Ordinances related to Parks and Open Spaces and making recommendations for new and/or revised ordinances to the City Council no later than April of 2022 or at a later date at the request of the Parks Committee.
- II.** The Parks Committee is hereby charged with providing the City Council with a list of selected rules to place on signage at parks throughout the City. These signs will be posted at each Park.



To: Council  
From: Justin McCarthy  
RE: Tighe Schmidt Park and Hockey Rink

Council,

Despite being one of the largest open spaces in the City, Tighe Schmidt park is underutilized. This may be due to a number of factors, including the fact that it often is swampy and the fact that the park is mostly empty. In addition, the Hockey Rink on the north end could use some love and care.

I would recommend that the City Council task the Parks Committee with evaluating ways of increasing usage of Tighe Schmidt park. I would encourage the Parks Committee to be creative in their thinking. For example, I would encourage the Committee to consider obstacle courses, bicycle courses, etc in addition to the classic usage as a sports field. One component of this effort should be to survey City residents on how they would use that space. I would recommend that the Parks Committee gather ideas, come up with a few plans, then present those plans to the Council and the public for consideration.

One component to consider is refurbishing or restoring the hockey rink.

Thanks  
Justin

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DIRECTING THE PARKS COMMITTEE TO REVIEW POTENTIAL UPGRADES  
AND USAGES OF TIGHE SCHMITZ PARK

**WHEREAS**, the City of Birchwood Village maintains a large open space park on Lake Avenue called Tighe Schmitz park.

**WHEREAS**, the City of Birchwood Village finds that Tighe Schmitz park is underutilized

**WHEREAS**, the City of Birchwood Village desires to increase utilization of Tighe Schmitz park.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Birchwood Village that:

- I. The Parks Committee is hereby charged with reviewing the utilization of Tighe Schmitz park, gather ideas to increase utilization, obtain public feedback, and present ideas to the City Council.
- II. The Parks Committee should also consider, what, if any improvements we should consider for the Hockey Rink.

January 10 2023 City Council Agenda Packet

## agenda item

Ryan Hankins <rhankins@gmail.com>

Sat 12/17/2022 8:11 AM

To: Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>

To: Birchwood City Council

From: Ryan Hankins

Subject: Bullet-proofing our agenda

I would like to visit the area of our city council agendas, and to discuss with council members on how we might improve the flow and efficiency of our meetings and our own time. While we could amend our rules of procedure to create strict requirements, A general understanding may be more flexible.

I propose that we consider a somewhat earlier start time of 6:30pm of our meetings and attempt to complete meetings within 2 ½ hours. The council may wish to consider advising staff on how our agenda is constructed.

Our rules of procedure ask that staff “determine whether to place [an item] on the agenda, considering the number of items already on the agenda and whether supporting materials are available and the urgency of the matter.”

The city administrator may wish to group items into four categories:

- Consent items.
- Items with a written motion or resolution included in the agenda packet (Action Items).
- Items which include a memorandum to the council with a description of the desired result from the council, such as a general discussion, outcome or agreement (Memo Items).
- Items with no supporting memorandum (Unsupported Items).

When the agenda is assembled, the administrator may wish to place the groups in the following order:

1. Consent Items.
2. Action Items.
3. Memo Items.
4. Unsupported Items

I propose that we request the administrator estimate the time requirement of each item, and, when other concerns do not prevail, limit the items on the agenda to fit within two hours, removing the items from the end of the agenda first. Our city administrator may, in her best judgement, give herself or other city staff preference and include items from staff with a higher preference.

A councilmember whose item has been removed may, of course, request that the item be added back to the agenda per section 4.05 of our rules, or may add a written motion, resolution or memo to an item to seek higher priority at a subsequent meeting.

Additionally, I propose that when the meeting has reached 2.5 hours, the mayor or council consider deferring all unsupported items on which discussion has not yet begun.

January 10 2023 City Council Agenda Packet

**agenda item**

Ryan Hankins &lt;rhankins@gmail.com&gt;

Fri 12/23/2022 8:30 AM

To: Rebecca Kellen &lt;Rebecca.Kellen@cityofbirchwood.com&gt;

January if it makes it, or else February.

To: Birchwood City Council

Re: Radon Testing at Village Hall

City staff at village hall work in the basement, with limited air circulation. It is worth conducting at least one Radon test of the work area to ensure that Radon levels are safe for our staff.

The Minnesota Department of Health endorses an Air Chek Radon test kit that can provide an initial indication of whether Radon levels are unsafe, for \$12.95.

<https://mn.radon.com/>

It is also worth noting for the benefit of our residents that elevated Radon levels are not uncommon in Birchwood, and Radon test kits are available at no cost for pickup in Washington County:

<https://www.co.washington.mn.us/2481/Radon>

I move that the City Council direct City Staff to:

- Order up to three Air Chek Radon test kits; and
- Run the Radon test(s) per the kit conditions, with help from council members as necessary; and
- Provide the test results to the City Council, if City Staff believes that further action is warranted, or if the Radon level reported is 4 pCi/L or higher.

January 10 2023 City Council Agenda Packet

**please add to the agenda**

Ryan Hankins &lt;rhankins@gmail.com&gt;

Thu 12/22/2022 11:08 AM

To: Rebecca Kellen &lt;Rebecca.Kellen@cityofbirchwood.com&gt;

Last thing I have, but it has a motion, which may move things faster.

To: Birchwood City Council

From: Ryan Hankins

The village has been conducting an internal reconciliation of our accounting for some time, and correcting failures in record-keeping under the authority of former staff. Funds that are in bank accounts but not in accounting create risks to the city.

We should be immensely grateful to Mary Cahill and Tom Nitti for the work they have performed to reconcile the city's books.

I move that the city council direct city staff to provide for the February council meeting information on the following:

- When do we expect the accounting reconciliation to be completed?
- Do we expect that we will fully reconcile our accounts?
- When did the city last have books fully reconciled?
- Which time periods are currently reconciled and which are not?
- Does a financial audit make sense, and, if so, at what point would the city be prepared for such a financial audit? What should be audited (which years, etc.)
- To what extent do our *de facto* accounting procedures match those of our internal control procedures policy?
- How should the council review reports each month to provide the necessary oversight of our financial functions?

January 10 2023 City Council Agenda Packet

## Re: Birchwood Village Water Management Plan Approval

Ali Chalberg <achalberg@ricecreek.org>

Wed 12/28/2022 8:53 AM

To: Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>

Good morning,

Sorry for the confusion -

RCWD is requesting that a copy of the City’s resolution or motion of local adoption of the Surface Water Management Plan be forwarded to the District office. The City may have already done this when it adopted its 2024 Comprehensive Plan. If not, yes it should be discussed by the City Council.

Bottom line we would like confirmation that Birchwood Village is aware of its commitment to its local water plan and will work to protect the water resources within its boundaries!

Thank you!

### Ali Chalberg

She/her/hers

Water Resources Specialist/Inspector

[Rice Creek Watershed District](#)

Phone: (763) 398-3078

Office: (763) 398-3070

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[Please consider following the RCWD on Facebook!](#)

**From:** Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>

**Sent:** Wednesday, December 21, 2022 1:30 PM

**To:** Ali Chalberg <achalberg@ricecreek.org>

**Subject:** Re: Birchwood Village Water Management Plan Approval

Hi Ali,

Am I to understand that Birchwood Village is asked to pass a resolution adopting Rice Creek Watershed District Resolution 2022-029? Please let me know if that is correct. Thanks.

Rebecca Kellen, MBA

City Administrator - Clerk

City of Birchwood Village, MN

office: (651) 426-3403

fax: (651) 426-7747

email: [rebecca.kellen@cityofbirchwood.com](mailto:rebecca.kellen@cityofbirchwood.com)

website: <http://www.cityofbirchwood.com/>

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**From:** Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>  
**Sent:** Wednesday, December 21, 2022 1:23 PM  
**To:** Ali Chalberg <achalberg@ricecreek.org>  
**Subject:** Re: Birchwood Village Water Management Plan Approval

Great! Thank you for letting me know. I will include documents in the January city council meeting packet. Kind regards.

Rebecca Kellen, MBA  
City Administrator - Clerk  
City of Birchwood Village, MN  
office: (651) 426-3403  
fax: (651) 426-7747  
email: [rebecca.kellen@cityofbirchwood.com](mailto:rebecca.kellen@cityofbirchwood.com)  
website: <http://www.cityofbirchwood.com/>

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**From:** Ali Chalberg <achalberg@ricecreek.org>  
**Sent:** Tuesday, December 20, 2022 9:50 AM  
**To:** Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>  
**Subject:** Birchwood Village Water Management Plan Approval

Good morning!

My name is Ali Chalberg and I am the Water Resources Specialist at RCWD. I recently reviewed the City's CIP Chapter 6 for approval as the local water management plan. I am happy to report our board approved the plan, attached is that approval.

Please let me know if you have any comments, questions or concerns, I look forward to working with you in the future!

**Ali Chalberg**

She/her/hers

Water Resources Specialist/Inspector

[Rice Creek Watershed District](#)

Phone: (763) 398-3078

Office: (763) 398-3070

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