



AGENDA OF THE
REGULAR MEETING OF THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
207 BIRCHWOOD AVENUE
WASHINGTON COUNTY, MINNESOTA
JULY 10, 2012
7:00 P.M.

CALL TO ORDER – PLEDGE OF ALLEGIANCE

APPROVE AGENDA

COMMUNITY EVENTS AND ANNOUNCEMENTS

OPEN PUBLIC FORUM

CITY BUSINESS – CONSENT CALENDAR

1. Approval of the Minutes of the June 12, 2012 Regular Meeting (see exhibit)
2. Acceptance of the Financial Report and Approval of Disbursements (see exhibit)
3. Re-Appointment of Debbie Harrod, and Appointment of James Ecker, to the Parks & Natural Resource Committee for 3-year terms ending July 2015 (see exhibits)

CITY BUSINESS – REGULAR ORDER

4. 7:30 Council Vacancy: Appointment vs. Special Election: Discussion and Selection of Option to Fill Vacancy (Sandstrom – see exhibit)
 - a. Approval of RESOLUTION 2012-23 Accepting the Resignation of Council Member Mark Peterson, Declaring a Council Vacancy, and Adopting a Procedure for Filling the Vacancy
Time Budget: 20 minutes
5. 7:50 Roads and Streets Committee: Appointment of Members (Powers – see exhibit)
Time Budget: 10 minutes
6. 8:00 Variance for the Proposed Warming House @ Tighe-Schmitz Park: Review of Planning Commission Report (Hankins – see exhibit)
Time Budget: 15 minutes
7. 8:15 Discussion of Dock Issues With the Birchwood Dock Association (Hanson)
Time Budget: 20 minutes
8. 8:35 Revision of City Code Section 617.360 (Public Lake Tracts-Neighborhood Meeting) Clarifying the Requirement of a Separate Neighborhood Meeting; Review of Draft and Consideration of Scheduling a Public Hearing (Sampair – see exhibit)
Time Budget: 15 minutes
9. 8:50 RESOLUTION 2012-24 Adopting Ordinance 2012-10 Establishing City Code Section 618 (Complaints): Review of Draft and Consideration of Adoption (Sampair – see exhibits)
Time Budget: 15 minutes

10. 9:05 RESOLUTION 2012-25 Adopting Ordinance 2012-11 Establishing City Code Section 619 (Penalties and Enforcement): Review of Draft and Consideration of Adoption (Sampair – see exhibits)
Time Budget: 15 minutes
11. 9:20 Personnel Policies: Review of Draft Policies and Consideration of Adoption (Mitchell/Sampair – see exhibits)
Time Budget: 15 minutes
12. 9:35 Manhole Ring Replacement Project: Update (Elfering – see exhibit)
Time Budget: 15 minutes
13. 9:50 City Coordinator's Report (Powers)
 - a. Dog License Issue (see exhibit)
 - b. Snow Plowing Contract
 - c. Set Date In August for Budget Workshop MeetingTime Budget: 10 minutes
14. 10:00 Council Reports
Time Budget: 15 minutes
15. 10:15 Next Meeting – August 7, 2012 (NOTE: This is the FIRST Tuesday in August): Topics
Time Budget: 5 minutes
16. 10:20 ADJOURN

10. **9:05 RESOLUTION 2012-25 Adopting Ordinance 2012-11 Establishing City Code Section 619 (Penalties and Enforcement): Review of Draft and Consideration of Adoption (Sampair – see exhibits)**
Time Budget: 15 minutes

11. **9:20 Personnel Policies: Review of Draft Policies and Consideration of Adoption (Mitchell/Sampair – see exhibits)**
Time Budget: 15 minutes

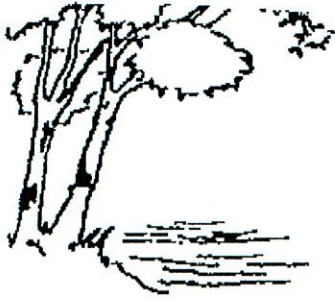
12. **9:35 Manhole Ring Replacement Project: Update (Elfering – see exhibit)**
Time Budget: 15 minutes

13. **9:50 City Coordinator’s Report (Powers)**
 - a. **Dog License Issue**
 - b. **Snow Plowing Contract**
 - c. **Other****Time Budget: 10 minutes**

14. **10:00 Council Reports**
Time Budget: 15 minutes

15. **10:15 Next Meeting – August 7, 2012 (NOTE: This is the FIRST Tuesday in August): Topics**
Time Budget: 5 minutes

16. **10:20 ADJOURN**



CITY OF BIRCHWOOD VILLAGE
207 Birchwood Avenue
Birchwood Village, MN 55110
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EXECUTIVE SUMMARY – JULY 10, 2012 CITY COUNCIL MEETING

NOTE: This executive summary is provided to give a broader detail on the various agenda items. This summary is to be used as an adjunct to the agenda packet, and should not be considered a substitute for reading the packet.

CITY BUSINESS - CONSENT CALENDAR: There are three items on the consent calendar, as follows:

1. Approval of the Minutes of the June 12, 2012 Regular Meeting
2. Acceptance of the Financial Report & Approval of Disbursements
3. Re-appointment of Debbie Harrod, and appointment of James Ecker, to the Parks & Natural Resources Committee for 3-year terms ending July 2015. Debbie's term ends July 2012, and she indicated to staff an interest in continuing to serve on the Committee. James Ecker's letter of interest (and Debbie's) are included in the agenda packet as exhibits.

CITY BUSINESS – REGULAR ORDER:

4. **COUNCIL VACANCY (APPOINTMENT VS. SPECIAL ELECTION)> DISCUSSION AND SELECTION OF OPTION TO FILL VACANCY:** At last month's Council meeting, Council Member Peterson indicated his intention to resign from the Council due to his accepting a position with Northland College in Ashland, Wisconsin. Minn. Stat. § 351.01 requires Council resignations to be in writing and signed by the resigning Council member. Subdivision 3(b) of that statute calls for the resignation to take effect at 12:01am on the date stated by Council Member Peterson as the effective date of his resignation. An e-mail dated July 3, 2012 from Council Member Peterson stated that his resignation is effective July 15, 2012.

The next step in the process is for the Council to accept (with regret, I'm sure) Council Member Peterson's resignation and to declare a vacancy on the City Council. Minn. Stat. § 412.02, Subd. 2(a) calls for the Council to fill the vacancy by Council appointment "until the qualification of a successor elected at a special election to fill the unexpired portion of the term." Staff asked the City Attorney whether the Council is obligated to fill the vacancy immediately until the November general election, or can the Council leave the position vacant until a successor is qualified. City Attorney Sandstrom's opinion is that the language of Minn. Stat. § 412.02, Subd. 2(a) requires the Council to fill the vacancy immediately, and also cited a Minnesota Attorney General's opinion (Op. Atty. Gen. 471-M, Oct. 18, 1951) to support that opinion. **A copy of Op. Atty. Gen. 471-M, as well as the relevant sections of the League of Minnesota Cities (LMC) memo on special elections, is included in the agenda packet as exhibits.** On Page 6 of the LMC memo, it states the following: "*For prospective vacancies that will occur as a result of a resignation, preparations for the special election may begin immediately after the written resignation is received by the Council. Cities should not appoint a person to a vacancy before the vacancy exists.*"

Staff has prepared Resolution 2012-23, which accepts the resignation of Council Member Peterson, declares the vacancy, adopts procedures for filling the vacancy, and requests letters of application to fill the vacancy until the special election.

QUESTION: Should the City Council adopt Resolution 2012-23?

5. **ROADS AND STREETS COMMITTEE> APPOINTMENT OF MEMBERS:** At its June 12, 2012 meeting, the City Council approved creation of the Roads and Streets Committee and also approved a set of by-laws for the Committee. The next step is to populate the Committee with members. Solicitation of letters of interest from interested residents was made in the City's newsletter and cable channel. As of the date of this writing, the City has received letters of interest from John Anderson (2 White Pine Lane), Mark Anderson (506 Wildwood Avenue), David Reynolds (523 Hall Avenue), Tom Patsy (1 Hall Court), and Mary Wingfield (730 Birchwood Avenue). These letters are included in the agenda packet as exhibits. The City has not received enough interest to fully populate the Committee as of yet.

The Council could appoint the four residents at this time. The by-laws of the Committee call for a seven-member Committee; four constitutes a quorum of the Committee (although a quorum is not required for the Committee to meet). Another option is for the Council to continue solicitation of interest in serving on the Committee and make the appointments once there is enough interest to fully populate the Committee.

QUESTIONS: Should the City Council appoint John Anderson, Mark Anderson, David Reynolds, Tom Patsy, and Mary Wingfield to the Roads and Streets Committee at this time? Should the City Council continue solicitation of interest in serving on the Committee and make the appointments once there is enough interest to fully populate the Committee?

6. **VARIANCE FOR THE PROPOSED WARMING HOUSE AT TIGHE-SCHMITZ PARK> REVIEW OF PLANNING COMMISSION REPORT:** The Parks and Natural Resource Committee received Council permission to pursue a grant from the Minnesota Department of Natural Resources (DNR) for partial funding of construction of a warming house and ice rink improvements at Tighe-Schmitz Park. The placement of the proposed warming house inside the right-of-way of Lake Avenue required a variance from the City's front yard area requirements (City Code § 302.020, Subd. 2). The Planning Commission conducted a public hearing on the variance request on May 1, 2012 and, after receiving testimony from the public, recommended approval of a 20-foot variance. Approval of the variance would authorize placement of the proposed warming house 20 feet inside the right-of-way area of Lake Avenue. A copy of the minutes of the May 1, 2012 Planning Commission meeting is included in the agenda packet as an exhibit.

The DNR, in a letter dated June 18, 2012, informed the City that its grant request was denied; DNR noted that over \$3,200,000 in funding requests were made for \$369,713 in available funding. Given the denial of the grant request by DNR, the viability of the proposed warming house being constructed as contemplated by the Parks and Natural Resources Committee is at best questionable. Consequently, staff strongly advises against approval of the variance at this time. Minn. Stat. § 15.99 (commonly known as the "60-day rule") authorizes an unlimited extension of the 60-day review period if approved in writing by the applicant. The City is both the applicant and the reviewing agency and has the authority to extend the time period for agency review of the request. *This item is before the City Council for informational purposes only; no action is proposed.*

7. **DISCUSSION OF DOCK ISSUES WITH THE BIRCHWOOD DOCK ASSOCIATION:** At the June Council meeting, it came to the Council's attention that the docks at Birch and Deilwood Beaches exceed the limit recommended by the City Council and authorized by the White Bear Lake Conservation District. The Council invited Dock Association President Lynn Hanson to discuss this issue, as well as other issues relating to Dock Association activity at the easements, with the Council.

8. **REVISION OF CITY CODE SECTION 617.360 (PUBLIC LAKE TRACTS-NEIGHBORHOOD MEETING) CLARIFYING THE REQUIREMENT OF A SEPARATE NEIGHBOR MEETING> REVIEW OF DRAFT AND CONSIDERATION OF SCHEDULING A PUBLIC HEARING:** Last October, the Birchwood Dock Association met to review the placement and lengths of the docks proposed to be placed at each of the City's 5 public lake tracts. City Code § 617.360 requires the Dock Association to hold a meeting "to which each adjoin neighbor of a Public Lake Tract shall be invited, to discuss the placement and operation of the proposed dock..." The Dock Association sent invitations to each adjoining lake tract neighbor to the Association's October meeting; Dock Association President Lynn Hanson stated that he believed that action met the ordinance requirement of § 617.360. Council Member Sampair disagreed with

Hanson's interpretation and has drafted an amendment to § 617.360 clarifying that a separate meeting with those residents within 200 feet of the side boundaries of each public lake tract, and that this meeting take place prior to the Dock Association's meeting with its members to review the placement and lengths of the docks. A copy of the draft amendment is included in the agenda packet as an exhibit.

QUESTION: Should the Council approve the draft language? Should the Council amend the language? Should the City Council schedule a public hearing for the draft amendment? If yes, should the public hearing be scheduled during the August 7, 2012 Council meeting?

9. RESOLUTION 2012-24 ADOPTING ORDINANCE 2012-10 ESTABLISHING CITY CODE SECTION 618 (COMPLAINTS): REVIEW OF DRAFTS AND CONSIDERATION OF ADOPTION: As a part of an investigation last year into a violation of the City's Exterior Storage Ordinance, the Council noted that the only language detailing a method of enforcement of an ordinance was in the Exterior Storage Ordinance. The Council desired language specifying a method and procedure for processing complaints regarding potential violations of the City Code.

Mayor Mitchell developed draft ordinance and presented it to the Council for review at its March 2012 meeting. During the review, the Council disagreed over the entity issuing the "notice of violation"; Council Members Harper and Sampair believe staff should have that authority, while Mayor Mitchell believes that the Council should have that authority and reducing the staff's authority to only investigating the complaint and reporting back the finding to the Council. The Council directed Council Members Harper and Sampair to develop amendments to these ordinances for review and comment at the April 10, 2012 public hearing. A copy of the amended ordinances is included in the agenda packet as exhibits.

The revised draft Ordinance 618, in addition to vesting in staff the authority to issue notices of violation, also included a section that establishes administrative penalties of up to \$500.00. The minutes of the April 2012 meeting indicate that the Council referred this matter on to the Planning Commission for review, comment, and recommendation.

The Planning Commission reviewed the draft ordinance at its May 1, 2012 meeting. The Commission's only comment was that the "violations were spelled out with more specific fines for different violations". A copy of the minutes of the May 1, 2012 Planning Commission meeting are included in the agenda packet as an exhibit.

Since the Council already has held the public hearing required by its Rules of Procedure, it has the authority to adopt this ordinance as revised. The Council could make further revisions to the drafts at tonight's meeting and approved the draft as further revised. The Council could decide the revisions change the ordinance such that another public hearing is warranted.

Council Member Harper provided commentary on some parts of the proposed ordinance. Her comments are included in the agenda packet as an exhibit.

QUESTION: Should the City Council adopt Resolution 2012-24? Should the Council decide the revisions change the ordinance such that another public hearing is warranted? If another public hearing is warranted, when should the public hearing take place?

10. RESOLUTION 2012-25 ADOPTING ORDINANCE 2012-11 ESTABLISHING CITY CODE SECTION 619 (PENALTIES AND ENFORCEMENT)> REVIEW OF DRAFT AND CONSIDERATION OF ADOPTION: Please see previous discussion about Resolution 2012-24/Ordinance 2012-10. This draft ordinance establishes a general procedure for responding

to code violations, and should be considered in tandem with Ordinance 2010-10. This draft did not generate a level of discussion amongst Council members such that a Planning Commission review was desired.

QUESTION: Should the City Council adopt Resolution 2012-25?

11. PERSONNEL POLICIES> REVIEW OF DRAFT POLICIES AND CONSIDERATION OF SCHEDULING A PUBLIC HEARING: Mayor Mitchell and Council Member Sampair, each Personnel Committee members, are bringing this matter to the Council's attention. Mayor Mitchell has provided a cover memo on the draft policies; a copy of this memo, along with the draft policies, are included in the agenda packet as an exhibit.

QUESTION: Should the City Council adopt the proposed personnel policies?

12. MANHOLE RING REPLACEMENT PROJECT> UPDATE: City Engineer Kristie Elfering submitted a memo to the Council on the results of the manhole ring replacement project. Due to a delay in getting cost estimates from the contractor, her memo was not submitted to staff in time for insertion in the agenda packet and will be submitted via e-mail to the Council.

13a. DOG LICENSE ISSUE: City Coordinator Dale Powers has provided a memo about this issue, which is included in the agenda packet as an exhibit.

13b. SNOW PLOWING CONTRACT: The agreement with KEJ Enterprises, Inc. for snow removal expired on April 30, 2012. A copy of the agreement is included in the agenda packet as an exhibit. Staff recommends the issuance of a RFP soliciting bids for snow removal service, for review and consideration of approval at the August 7, 2012 Council meeting.

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**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
June 12, 2012**

MINUTES

MEMBERS PRESENT: Mayor Alan Mitchell; Council Members Barb Carson, Mark Peterson, and Tony Sampair

MEMBERS ABSENT: Council Member Jane Harper

STAFF PRESENT: City Engineer Kristie Elfering, City Clerk Dale Powers, City Treasurer Cindie Reiter, and City Attorney Kevin Sandstrom

OTHERS PRESENT: Barb Brenny, Suzanne Donnell, Greg Donovan, Don Hankins, Tami Heart, John Lund, Nino Nardecchia, Tom Patsy, Shelly Rueckert, and Mary Wingfield

Mitchell called the regular meeting to order @ 7:05pm, and the Pledge of Allegiance was recited.

AGENDA APPROVAL: *Peterson/Carson 4-0 (Harper absent) to approve the agenda for the June 12, 2012 Regular Meeting, as amended to take Item # 6 (Approval of RESOLUTION 2012-22 Directing the City Treasurer to Move the Mayor's Salary to Culture and Recreation to Pay for Acts Performing at the "Music In the Park" series in 2012) to Regular Order, and to add the appointment of Suzanne Donnell to the White Bear Lake Conservation District Under Item # 15 (Coordinator's Report)*

COMMUNITY EVENTS AND ANNOUNCEMENTS: Mitchell noted that the Personnel Committee will be meeting in June for the city clerk's annual performance appraisal – notice will be posted on the bulletin board; Music in the Park continues with the Kenwood Symphony Orchestra on June 17, David Prunty on June 24, Optimum Trajectory on July 1, and Amy and Adams on July 8; 4th of July is coming up – the City's annual parade starts at 10:00am, with band practice at 9:15am; Birchwood Community Club dues is \$4, Birchwood Dock Association dues is \$35. Mitchell also said that he is not running for Mayor this year – that his term will end in December with a new mayor starting in January.

Peterson mentioned that he has accepted a position as the Director of the Sigurd Olson Environmental Institute at Northland College in Ashland, Wisconsin, and as such will be resigning from the Council at some point. Peterson noted that we moved here 7 years ago not knowing a soul, and in that time we've felt a part of this community – a wonderful experience.

OPEN PUBLIC FORUM: The following residents addressed the Council at this time:

Nardecchia commended the Council for pursuing the Roads Committee; however, he feels the Council should institute the Minnesota standard road maintenance schedule as recommended by MN/DOT; and feels it is better to budget sewer/water main repairs rather than wait and schedule a replacement that will cost more money.

46 **Hankins**, representing the Planning Commission, wanted to address the Council on the Commission's
47 recommendation on the requested variance for the warming house, and noted that he did not see the
48 variance request on tonight's agenda. **Mitchell** said that the variance will be on next month's agenda.

49

50 **Donnell** shared with the Council her concern about the proposal to spend around \$1,000.00 to a
51 consultant to tell the City the roads need repair; we know the roads need repair. **Donnell** stated that
52 what is needed is for someone to tell us which roads need what kind of repair. **Donnell** also noted that
53 while it is OK to have a notice in the newsletter about volunteering to serve on the Roads Committee,
54 the newsletter just came out and it is hit and miss – the Committee needs to be filled sooner rather than
55 later. Finally, **Donnell** noted the continued placement of a commercial sign at the Grotto steps and
56 asked that it be removed; the Council directed staff to take care of the matter.

57

58 **CONSENT CALENDAR: Sampair/Peterson 4-0 (Harper absent) unanimous to approve the following**
59 **consent calendar items:**

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61 1. **Approval of the Minutes of the May 8, 2011 Regular Meeting**

62 2. **Acceptance of the Financial Report and Disbursements Register as prepared by the City**
63 **Treasurer and presented to the City Council on June 12, 2012 in the amount of \$57,384.96,**
64 **including Check #'s 27120-27221 and Electronic Funds Transfers MN042012, FED042012,**
65 **PERA051512, EFT052412, LEFT062012, FED052012, MN052012, and PERA053012**

66 3. **Re-Appointment of John Lund to the Parks & Natural Resource Committee for a 3-year term**
67 **ending July 2015**

68 4. **Approval of Resolution 2012-20 Declining to Waive the Statutory Tort Liability Coverage Limits**

69 5. **Approval of Resolution 2012-21 Appointing Election Judges for the Primary and General**
70 **Elections**

71

72 **APPROVAL OF RESOLUTION 2012-22 DIRECTING THE CITY TREASURER TO MOVE THE MAYOR'S SALARY**
73 **TO CULTURE AND RECREATION TO PAY FOR ACT PERFORMING AT THE "MUSIC IN THE PARK" SERIES IN**
74 **2012:** **Mitchell** noted that he wanted to clarify that he is not actually receiving the \$1,500.00 mayoral
75 salary and then giving it back to the City to pay for the acts; rather, this is a bookkeeping item
76 transferring the dollar amount within the budget.

77

78 **Mitchell/Carson 4-0 (Harper absent) to adopt Resolution 2012-22 Accepting a Donation of \$1,500.00**
79 **From Mayor Alan Mitchell for Payment to the Acts Performing at the "Music in the Park" Concert**
80 **Series.**

81

82 **REVIEW OF STREET MAINTENANCE HISTORY AND COST ESTIMATE FOR GENERATION OF A PAVEMENT**
83 **CONDITION INDEX (PCI) FOR THE CITY'S STREET NETWORK:** **Elfering** reviewed with the Council the

84 memo on this item included in the agenda packet, and noted that she had produced a spreadsheet that
85 indicated when each City street was sealcoated, cracksealed, milled & overlaid, and date of original
86 pavement. **Elfering** stated that the first time a mill & overlay procedure is used, it has a life of 20 years;
87 subsequent mill & overlay procedures do not last as long. As it relates to the capital improvement plan,
88 the reason the roads section was left blank was to allow the Roads Committee to develop an action
89 recommendation to the Council.

90

91 **Elfering** next went over the proposed pavement condition index bid from GoodPointe Technology. This
92 firm is knowledgeable about analyzing pavement beyond the mere noting of a crack in the road. **Elfering**
93 stated that for the cost – under \$1,000,000 – it is worth the expense.

94 **Peterson** went over the scope of pavement surface condition stresses and agrees with Elfering that the
95 level of information the City will receive is impressive. **Carson** asked whether sewer and water mains
96 will be analyzed; **Elfering** said this proposal is only pavement, but Saint Paul Regional Water will be
97 analyzing sewer and water mains as part of its contract with the City. **Mitchell** noted that the pavement
98 condition work is scheduled to be done before the end of July with a report available to the Council for
99 the August 7 Council meeting.

100

101 ***Peterson/Sampair 4-0 (Harper absent) to contract with GoodPointe Technology for performing a***
102 ***pavement condition index for the City's streets for the bid rate of \$995.00, conditioned on each party***
103 ***entering into a contractual agreement.***

104

105 **PROPOSED ROADS COMMITTEE>REVIEW OF DRAFT BY-LAWS AND CONSIDERATION OF ESTABLISHING**

106 **SAID COMMITTEE:** **Peterson** noted that several citizens came forward and recommended a committee
107 be established to advise the City Council on roads and road maintenance. This could be either an "ad
108 hoc" committee, or a formal Roads committee. **Peterson** stated that Mayor Mitchell has written a draft
109 set of by-laws for the formal Roads and Streets Committee, and went over the highlights of the draft
110 with the Council. **Mitchell** prefers a formal committee structure, with the ability to form task forces to
111 deal with, for example, Hall/Cedar.

112

113 **Sampair** recommended that an ad-hoc committee be formed to review the draft by-laws and make a
114 recommendation to the Council on the by-laws. **Mitchell** is concerned about the nature of an "ad hoc"
115 committee where anyone shows up, and prefers a process where the Council appoints members of the
116 Committee and charges them to review the draft by-laws and make recommendations to the Council on
117 any amendments to the document.

118

119 **Carson** stated that Hall/Cedar should be considered one street; the way the by-laws are written, 3
120 members could live on Hall and 3 members could live Cedar. **Peterson** responded that the Council could
121 take that into account when it appoints the Committee.

122

123 ***Peterson/Sampair 4-0 (Harper absent) to establish the Roads and Streets Committee and adopt the***
124 ***draft by-laws as presented, amended to state in Section 3a of the by-laws that Hall/Cedar is***
125 ***considered to be one street.***

126

127 **SEWER AND WATER PROPOSED RATE INCREASES:** **Rueckert** reviewed with the Council the proposed
128 rate increases, which were developed after consultation with the Finance Committee and required to
129 maintain the financial adequacy of the Sewer and Water Funds. The proposed water rate increase is
130 from a flat rate of \$1.65 per 100 cubic feet to a tiered structure of \$2.00 per 100 cubic feet for the first
131 2000 cubic feet used; \$2.20 per 100 cubic feet for the next 2000 cubic feet used; \$2.42 per 100 cubic
132 feet for the next 6000 cubic feet used; and \$2.66 per 100 cubic feet for usage beyond 10000 cubic feet.

133

134 **Mitchell** opened the public hearing at 8:00pm. **Wingfield** pointed out that while she does not dispute
135 the need for rate increases, she believes that these funds tend to fluctuate over the course of time and
136 that the last time the funds appeared to be depleted the City did not increase the rates. **Wingfield**
137 further asked the Council to provide a number that represents "enough money" for the funds, and for
138 what specific future expenses are contemplated with the additional funds. **Wingfield** concluded by
139 stating that the notice of public hearing sent with the utility bills noted that the proposed rate increases
140 are for "budgeted capital improvements", and wanted to know what those are. **Rueckert** responded by
141 saying that with the recent rainy summers, water sales have been lower; this means less revenue

142 coming in to the City. **Rueckert** commented that the Finance Committee has discussed an infrastructure
143 fee , but held off on that pending development of a capital improvement plan. **Peterson** asked for
144 clarification on what is driving the rate increase; **Rueckert** responded that the 6-cent increase from the
145 City of White Bear Lake is a small part of the equation; a large part is the reduced water usage and the
146 fixed cost of \$1,500.00 a month to Saint Paul Regional Water for system maintenance, and that the fixed
147 cost for service will help standardize routine maintenance and in the long run help reduce the exposure
148 to unexpected large costs such as water main breaks.

149
150 **Heart** asked for an explanation on the sewer and water costs on why it costs more when we are using
151 less; **Peterson** responded that the City is selling water to customers and estimating how much revenue
152 we will receive, that the City has fixed costs for operations and maintenance regardless of the amount of
153 water being used, and if the revenue is reduced the City has less dollars to devote to operations and
154 maintenance. **Heart** also asked about the proposed replacement of the water main under Hall/Cedar
155 and whether there has been a cost-benefit analysis of that project; **Mitchell** said no there hasn't been a
156 cost-benefit analysis, and **Elfering** stated that cost has been pulled out the rate analysis pending its
157 inclusion into the capital improvement plan.

158
159 **Nardecchia** reiterated Peterson's analysis, and posed a question about how the City lowers its fixed cost
160 to reflect the lower revenue stream; **Peterson** responded that the City is in this position based on a
161 couple of wet years and if dry years return the City will be increasing its revenue and perhaps an
162 adjustment may be warranted. **Nardecchia** urged the Council to look at a "worst case" scenario – the
163 dry years don't return – and determine ways to lower costs based on that. **Carson** asked what the
164 typical rate increase will be; **Mitchell** said that for a typical minimum water user, the increase would be
165 \$3.50 per quarter.

166
167 **Peterson/Sampair 4-0 (Harper absent) to adopt the proposed sewer and water rate increases,**
168 **effective 3rd quarter 2012.**

169
170 **PROPOSAL FROM THE CITY OF SAINT ANTHONY VILLAGE FOR PROPOSING UTILITY BILLING SERVICES:**

171 **Powers** reviewed the history of this item, noting that the City of Little Canada requested a review of the
172 memorandum of understanding for providing utility billing (UB) services to the City and provided a
173 memo to the City detailing increased costs to Little Canada, as well as \$5,433.01 in underbilling to the
174 City for services previously provided to the City. **Powers** noted that the Council appointed members
175 Carson and Peterson to work with him on this matter; the committee first asked Powers to investigate
176 those cities that use the same UB software as Little Canada to ascertain their interest in providing the
177 City with a bid for UB services. After each of those cities declined to submit a proposal, **Powers**
178 explained that Peterson and Carson directed him to expand the scope of the search to any city; the
179 result was that 3 governmental entities desired to provide a bid, but 2 of them just hired finance
180 directors and wanted to wait until later in the year to provide a bid. **Powers** further noted that the third
181 governmental entity - the City of Saint Anthony Village – has provided a bid which is included in the
182 packet. **Powers** went over the proposal with the Council and noted the "per account" rate of \$4.45,
183 with an annual adjustment tied to the consumer price index but not less than 2%, and a one-time fee of
184 \$3,750 for data transfer which will be lowered to \$2,250 if history files can be obtained from Little
185 Canada. **Powers** concluded that the amount of the City's underbilling has been negotiated down from
186 \$5,433.01 to \$2,500.00.

187

188 **Sampair** noted that he supports going with Saint Anthony Village, and indicated that this situation points
189 out that Kathy and Jackie were providing free work for the City and, as a result, some costs of providing
190 service to City residents have increased.

191

192 **Sampair/Mitchell 4-0 (Harper absent) to approve the proposal from Saint Anthony Village to provide**
193 **utility billing services to the City, provided a contract can be agreed upon and executed by the parties,**
194 **and also to approve the payment of \$2,500.00 to the City of Little Canada as final payment for past**
195 **underbilling by the City of Little Canada to the City of Birchwood Village.**

196

197 **PROPOSAL FROM LAKE MANAGEMENT, INC. FOR REMOVING AQUATIC VEGETATION FROM THE LAKE**
198 **EASEMENTS>REVIEW AND CONSIDERATION OF ACCEPTANCE:** **Powers** noted that on an annual basis,

199 White Bear Lake is invaded with aquatic vegetation, and explained that the task of removing this
200 vegetation is jointly held by the White Bear Conservation District and the individual property owners.
201 **Powers** further noted that Council Member Harper asked that this matter be held pending review of the
202 proposal from Lake Management to remove aquatic vegetation in the part of the lake governed by the
203 Conservation District. **Powers** concluded by saying that the review indicated no difference in the rate.
204 **Powers** explained that the vendor would be providing treatment only if needed, and that the proposal
205 represents the “worst case” scenario. **Mitchell** asked who will determine if the easements need treating;
206 **Powers** stated that representatives of the City or the dock association would be involved; **Mitchell**
207 responded by directing the City Attorney to make sure that issue is addressed in any contract with the
208 vendor. **Mitchell** said his preference is for the vendor to advise the City on whether a 2nd treatment is
209 needed and to let the City authorize it.

210

211 **Carson/Mitchell 4-0 (Harper absent) to hire Lake Management, Inc. to apply treatments at the City's**
212 **beaches at a maximum cost of \$1,679.00 for removal of aquatic vegetation at the City's beaches.**

213

214 **REVISED CITY POLICY ON CONTRACTS>REVIEW OF DRAFT AND CONSIDERATION OF ADOPTION:**

215 **Mitchell** said he is bringing this matter to the Council's attention, and noted that the existing policy for
216 contacting the City's vendors (such as the City Attorney or City Engineer) is unrealistic. **Mitchell**
217 proposes changing the policy to make it more realistic to recognize that there are times when
218 employees or Councilmembers will need to contact one or more of the City's vendors in order to make a
219 decision on City business. **Mitchell** also stated that the draft policy provides that if a proposed business
220 transaction exceeds \$1,000.00 or is for a duration of over 6 months, that a written contract be entered
221 into.

222

223 **Donnell** mentioned that the policy is nebulous, and specific dollar limits should be in the policy. **Reiter**
224 noted that the City sets its professional services budget each year, and if it looks like the Council is going
225 over budget, the Council can handle it at that time.

226

227 As it relates to the clause about at what point agreements should be required between the City and
228 vendors, **Peterson** asked whether the word “should” should be changed to “must”; **Mitchell** responded
229 that “must” is mandatory and the Council's discretion is removed. **Mitchell** noted that in the past the
230 City has struggled with vendors because of contractual issues, and that we've come a long way in
231 making sure these agreements are in writing.

232

233 **Mitchell/Sampair 2-2 (Carson and Peterson opposed; Harper absent) to approve the revised Policy**
234 **Regarding Contracts for Goods and Services and to repeal the 2007 Policy Guideline for Use of**
235 **Professional Services. THE MOTION FAILED.**

236 **Peterson/Carson 2-2 (Mitchell and Sampair opposed; Harper absent) to approve the revised Policy**
237 **Regarding Contracts for Goods and Services, amended to establish a \$1,000.00 cap per year. THE**
238 **MOTION FAILED.**

239

240 **Peterson/Carson 4-0 (Harper absent) to repeal the existing 2007 Policy Guideline for Use of**
241 **Professional Services.**

242

243 **2012 SEWER CAPITAL PROJECTS UPDATE:** Elfering alerted the Council that the televising of the
244 remaining sewer lines has yet to occur; they plan on starting Thursday afternoon.

245

246 Elfering then turned to the matter of rehabilitation of the remaining 69 manhole rings in the City. The
247 City received a quote of \$25,840.00; the City budgeted for \$30,000.00. Elfering further noted that the
248 bid is a "per unit" item, so whatever they use in the field they will bill us; if the contractor reaches a
249 specific dollar amount, do you want them to stop work and get Council approval? Mitchell stated that
250 he wants the option of calling an emergency meeting to approve any cost overruns. Peterson is thinking
251 that maybe a "stop loss" should be established, but wondered at what number that would be. Elfering
252 said using the bid amount would be tough; since the manholes are old she expects a cost overrun from
253 the bid amount. Mitchell asked how fast the contractor will go; Elfering responded that the contractor
254 will go pretty fast and if the Council approves the bid, the work will be completed this month.

255

256 **Sampair/Peterson 4-0 (Harper absent) to approve the expenditure of \$25,840.00 to Underground**
257 **Utility Specialties for rehabilitation of the remaining 69 manholes in the City, provided that if the cost**
258 **of the project goes beyond a 10% overrun [\$2,584.00], work will cease until such time that the Council**
259 **approves the additional expenditures, and further provided that a contract be entered into by the**
260 **parties.**

261

262 Elfering next addressed the Council on the replacement of the pump at the Wildwood Avenue lift
263 station; a quote of \$6,554.00 has been received by General Repair for the work. Elfering noted that the
264 existing pump most likely will not last through the winter, and the City has budgeted \$7,000.00 for
265 pump parts and labor.

266

267 **Sampair/Carson 4-0 (Harper absent) to approve the expenditure of \$6,554.00 to General Repair for the**
268 **replacement of the pump at the Wildwood Lift Station, provided that a contract be entered into by the**
269 **parties.**

270

271 **SET THE 2013 BUDGET PROCESS AND SCHEDULE:** Powers went over the recommended budget process
272 and schedule as proposed by Council Member Harper, and recommends adoption of the submitted
273 schedule.

274

275 **Sampair/Peterson 4-0 (Harper absent) to adopt the proposed 2013 budget process and schedule.**

276

277 **5-YEAR CAPITAL IMPROVEMENT PLAN> INITIAL REVIEW:** Elfering reviewed with the Council the draft
278 capital improvement plan (CIP), and noted that this is a first draft and is intended to be built upon and
279 further refined. Elfering stated that the CIP outlines potential capital projects to be undertaken in the
280 next five years. Mitchell noted that some of the projects – such as manhole ring replacement – are
281 being undertaken this year.

282

283 **APPOINTMENT OF SUZANNE DONNELL TO THE WHITE BEAR LAKE CONSERVATION DISTRICT (WBLCD)**
284 **BOARD OF DIRECTORS:** Donnell addressed the Council on her interest in serving on the WBLCD Board of
285 Directors, and went over her background and interests.

286

287 *Peterson/Sampair 4-0 (Harper absent) to appoint Suzanne Donnell to the White Bear Lake*
288 *Conservation District Board of Directors for a term ending July 2014.*

289

290 **COORDINATOR'S REPORT:** Powers shared with the Council an issue relating to dog licenses that will be
291 brought up at the July meeting, and also informed the Council that he contacted Lynn Hanson about the
292 dock length issue at Dellwood Beach that Council Member Sampair raised last month. Powers stated
293 that Hanson told him that at the time the dock was installed it complied with the 130-foot requirement.
294 Sampair said that John Lund measured the dock at 136 feet.

295

296 Sampair also commented that people have been at the easement before it is open; boat lifts have been
297 abandoned at the lake; and that the police have been called to investigate out-of-town youths bouncing
298 at the docks and using inappropriate language. Sampair noted that the police asked them to leave.
299 Sampair believes Lynn Hanson should be asked to address the Council on these issues, and thinks that
300 the activity at the easements needs to be policed more by the dock association. Mitchell noted that one
301 of the lifts is owned by Jackie and Randy Felt and is broken.

302

303 **COUNCIL REPORTS:** Mitchell has heard complaints about dog droppings and reminded everyone to
304 clean up after their dog. Mitchell also shared an idea about "little free libraries" that started in
305 Stillwater, which is similar to a large birdhouse on a post where people put books in there and also take
306 books to read. Mitchell said a resident is willing to pay for the birdhouse that could be put by the
307 bulletin board.

308

309 Peterson mentioned that he was contacted by a resident concerned by the amount of sand on
310 Wildwood by Randy LaFoy's house and wondered if the citizens can help remove the sand; Powers
311 noted that the area will be swept before the July 4th parade. Peterson also heard a complaint about the
312 vegetation along Hall/Cedar that makes it difficult to walk along the side of the street; the Council
313 directed staff to arrange for mowing an area on Hall/Cedar east of Birchwood Avenue to allow for ease
314 of pedestrian walking.

315

316 **NEXT MEETING – JULY 10, 2012> TOPICS:** Mitchell and Powers noted the following topics are scheduled
317 for the July 10th meeting: review of draft personnel policies; appointing Roads Committee members;
318 review of the variance for the warming house at Tighe-Schmitz; review of the dog license issue brought
319 up by the City Coordinator; discussion about the snow plowing contract; amendment to 617 on neighbor
320 meetings; complaints and investigations ordinance; budget; further refinement of the capital
321 improvement plan.

322

323 **ADJOURN:** *Sampair/Peterson 4-0 (Harper absent) to adjourn the meeting @ 10:10pm.*

324

325

326

327

328

329 _____
Dale Powers
330 City Clerk

Birchwood Village
Treasurer's Report
7-3-12

2

To: City Council
From: Cindie J Reiter, Treasurer



Financial Report

Attached are the CTAS reports:

The **DISBURSEMENTS REGISTER** is for those claims presented for approval and/or payment this eve. Disbursement Register includes check numbers or EFT identifier. July 2012 checks #27222 – 27335 and EFTs for Xcel Sewer LIFT, US Bank Service Charge (SC), PERA, FED and MN payroll taxes.

The **Interim Financial Report** shows the year to date totals for each revenue and expense of each Fund. The report is presented by ACCOUNT code. Fund 100 is the operating fund (General Fund) for which property taxes are levied, and also includes other revenues the city receives. In the **disbursement section** of this report you will find a running total (YTD) and **variance** (remaining balance) of the **full year budgeted** amount for each category of expense.

The **Cash Balance Statement** is the beginning balances (same as: prior year-end). The beginning balances are all cash balances – which reside at US Bank (checking for operating funds & savings) and at Piper Jaffray (money market accounts for various fund reserves & savings)

Current Items of Interest-

- **Special assessment interest refunds*** - All refund checks processed. Council approval 5/08/2012 to **allow checks to be signed as processed** and mailed to recipient.
- **Water main break January 2012** – Small repair expenses continue for this break, YTD is \$7,678.
- **Recycle rate increase** - 2.22% from \$936.90 to 957.72 per month
- **2013 Budget spreadsheet prep** has begun. Current city vendors/service providers to be sent letter week of 7/9/12 seeking 2013 service rates for aide in budget projections.
- **2012 Budget** adjusted \$1700 for added Weed Control account (Ice & Snow budget reduced \$1700)
- **WA County Tax Settlement** expected to arrive at city within days.
- **CIP expense** is included in Engineer Service – General Gov't.

Please call/email with any questions.

Cindie J Reiter,
Birchwood City Treasurer

Note: **Special Assessment – Pay 2011 REFUND IN 2012

Resolution of over calculation of interest for Pay 2011 is to refund all PAID debt service special assessment for Pay 2011. This refund will be sent to property owners after the county provides report of those properties paid for 2011. COMPLETED

As of 07/03/2012
 Fiscal Year:2012

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursements</u>	<u>Ending Balance</u>
General Fund	\$513,015.66	\$12,779.29	\$161,594.04	\$364,200.91
Special Rev Projects	\$11,481.67	\$4,135.00	\$4,170.09	\$11,446.58
Sewer 2004 Bonds	\$0.00	\$0.00	\$3,068.96	(\$3,068.96)
Birchwood In Re-hab Bond	\$0.00	\$0.00	\$136.40	(\$136.40)
Sewer Re-hab 2008 Debt	\$0.00	\$241.82	\$7,344.26	(\$7,102.44)
Cap Project - PW	\$41,571.00	\$0.00	\$0.00	\$41,571.00
Capital Projects	\$59,527.99	\$0.00	\$940.00	\$58,587.99
Cap Proj - Catchbasin	\$0.00	\$0.00	\$0.00	\$0.00
Water Enterprise Fund	\$35,730.61	\$17,795.75	\$35,923.97	\$17,602.39
Sewer Enterprise Fund	\$174,704.05	\$33,059.52	\$37,445.55	\$170,318.02
Total	\$836,030.98	\$68,011.38	\$250,623.27	\$653,419.09

Fund Name: All Funds
Date Range: 06/13/2012 to 07/10/2012

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
06/13/2012	Xcel Energy	Street Lights June 2012	27224	\$1,180.97	100-43160-380	\$1,180.97
06/13/2012	League of Mn Cities Insurance Trust	Volunteer Accident Plan 2012/2013	27225	\$145.00	100-41945-150	\$145.00
06/13/2012	Qwest/CenturyLink	Phone/Fax lines June 2012	27226	\$107.96	100-41940-321	\$107.96
06/13/2012	Eckberg, Lammers, Briggs, Wolf	Legal Service -May 2012	27227	\$753.25	100-41600-300 601-41600-300	\$465.75 \$287.50
06/13/2012	Kenwood Symphony Orchestra	Music in Park - June 17, 2012	27228	\$150.00	100-45100-305	\$150.00
06/13/2012	Jensen, Ernest & Ruth	Interest Refund - Spec Asmt Pay 2011	27229	\$45.45	305-49200-810	\$45.45
06/13/2012	Kapsner, Cyril & Susan	Interest Refund - Spec Asmt Pay 2011	27230	\$45.45	305-49200-810	\$45.45
06/13/2012	Langin, Richard & Peggy	Interest Refund - Spec Asmt Pay 2011	27231	\$45.45	305-49200-810	\$45.45
06/13/2012	Lind, Brian & Karen	Interest Refund - Spec Asmt Pay 2011	27232	\$45.45	305-49200-810	\$45.45
06/13/2012	Lund, John	Interest Refund - Spec Asmt Pay 2011	27233	\$45.45	305-49200-810	\$45.45
06/13/2012	Lund, Kellie	Interest Refund - Spec Asmt Pay 2011	27234	\$45.45	305-49200-810	\$45.45
06/13/2012	Malles, Kathy & Ron	Interest Refund - Spec Asmt Pay 2011	27235	\$45.45	305-49200-810	\$45.45
06/13/2012	Manke, Robert & Kathleen	Interest Refund - Spec Asmt Pay 2011	27236	\$45.45	305-49200-810	\$45.45
06/13/2012	Millner, Debra	Interst Refund - special Asmt Pay 2011	27237	\$45.45	305-49200-810	\$45.45
06/13/2012	MCNelly, Greg	Interest REFund - spec Asmt Pay 2011	27238	\$45.45	305-49200-810	\$45.45
06/13/2012	Muellerleile Larry & Sharon	Interst Refund - Spec Asmt Pay 2011	27239	\$45.45	305-49200-810	\$45.45
06/13/2012	Nardecchia, Stella	Interest Refund - Spec Asmt Pay 2011	27240	\$45.45	305-49200-810	\$45.45
06/13/2012	Olson, Christopher & Natalie	Interst Refund - Spec Asmt Pay 2011	27241	\$45.45	305-49200-810	\$45.45
06/13/2012	Pavek, Robert & Susan	Interest Refund - spec Asmt Pay 2011	27242	\$45.45	305-49200-810	\$45.45
06/13/2012	Purvis, Andrea	Interest Refund - spec Asmt Pay 2011	27243	\$45.45	305-49200-810	\$45.45
06/13/2012	Rankin, Ted & Judith	Interest Refund - spec Asmt Pay 2011	27244	\$45.45	305-49200-810	\$45.45

City of Birchwood Village

Disbursements Register

07/03/2012

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
06/13/2012	Sampair, Anthony & Laurie	Interest Refund - Spec Asmt Pay 2011	27245	\$45.45	305-49200-810	\$45.45
06/13/2012	Schoenrock Rosalyn & Herbart Trs	Interest Refund - Spec Asmt Pay 2011	27246	\$45.45	305-49200-810	\$45.45
06/13/2012	Sternal, Ron & Mary	Interest Refund - Spec Asmt Pay 2011	27247	\$45.45	305-49200-810	\$45.45
06/13/2012	Swenson, Jim	Interst Refund - Spec Asmt Pay 2011	27248	\$45.45	305-49200-810	\$45.45
06/13/2012	Tell, Jason & Jennifer	Interst Refund - Spec Asmt Pay 2011	27249	\$45.45	305-49200-810	\$45.45
06/13/2012	Thompson, Rodney & Karen	Interest Refund - Spec Asmt Pay 2011	27250	\$45.45	305-49200-810	\$45.45
06/13/2012	Thorud, Richard & Sheila	Interest Refund - Spec Asmt Pay 2011	27251	\$45.45	305-49200-810	\$45.45
06/13/2012	Webber, Daniel & Sarah	Interst Refund - Spec Asmt Pay 2011	27252	\$45.45	305-49200-810	\$45.45
06/13/2012	West, Denise	Interst Refund - Spec Asmt Pay 2011	27253	\$45.45	305-49200-810	\$45.45
06/13/2012	White, Richard & Joyce	Interest Refund - spec Asmt Pay 2011	27254	\$45.45	305-49200-810	\$45.45
06/13/2012	Winter, Phillip & Karen	Interst Refund - Spec ASmt Pay 2011	27255	\$45.45	305-49200-810	\$45.45
06/13/2012	Ronnan, Kenny	Videographer - Service May 2012 (4.0)	27256	\$56.00	100-41950-305	\$56.00
06/13/2012	Steve Dean Tree Trimming	Removal - Court Tree/Trim Willows TS Park	27257	\$642.75	100-43135-305	\$642.75
06/15/2012	Payroll Period Ending 05/31/2012		27222	\$1,047.94	100-41400-100	\$1,047.94
06/15/2012	Payroll Period Ending 05/31/2012		27223	\$397.37	100-41400-100	\$397.37
06/25/2012	Prunty, David	Music in the Park 6/24	27258	\$150.00	100-45100-305	\$150.00
06/26/2012	PERA	Staff Retirement PE05/31/12	PERA061512	\$263.02	100-41400-120	\$141.25
					100-41400-121	\$121.77
06/27/2012	Steve Hillson	Optimum Trajectory - Music in the Park 7/1/2012	27259	\$150.00	100-45100-305	\$150.00
06/27/2012	Xcel Energy	City Hall Gas/Electric June 2012	27260	\$110.56	100-41940-380	\$110.56
06/27/2012	Xcel Energy	Park Electric June 2012	27261	\$6.62	100-45200-380	\$6.62
06/27/2012	City of White Bear Lake Public Work	Lift Sin ck/Mo records fee/Emergency Response Sewer/Lift	27264	\$1,638.85	605-43185-305	\$173.10
					605-43185-305	\$177.00
					605-43185-305	\$288.70
					605-43185-305	\$173.10
					605-43190-305	\$826.75

City of Birchwood Village

Disbursements Register

07/03/2012

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
06/27/2012	City of White Bear Lake Bldg Inspec	Bldg Inspections -Apr - May 2012	27265	\$1,457.00	100-42401-305	\$1,166.92
					100-45200-305	\$290.08
06/27/2012	Little Canada, City of	Utility Billing Fees Qtr 2 2012 & Reimb Underbill Srvc	27266	\$4,004.70	601-43180-305	\$2,002.35
					605-43190-305	\$2,002.35
06/29/2012	Payroll Period Ending 06/15/2012		27262	\$1,047.94	100-41400-100	\$1,047.94
06/29/2012	Payroll Period Ending 06/15/2012		27263	\$404.37	100-41400-100	\$404.37
07/03/2012	TA Schifsky & Sons, NC	Street Patch at main break location	27267	\$972.00	601-43185-305	\$972.00
07/03/2012	Winter Carpet Care	City Hall Carpet Cleaning	27268	\$294.26	100-41940-305	\$294.26
07/03/2012	TSE, INC	City Hall Janitorial - 6/5/2012	27269	\$19.00	100-41940-305	\$19.00
07/03/2012	League of MN Cities	LC Safety Workshop April 26 2012	27270	\$20.00	100-41920-433	\$20.00
07/03/2012	TSE, INC	City Hall Janitorial - 5/22/2012	27271	\$19.00	100-41940-305	\$19.00
07/03/2012	Anderson, John & Alice	Interest Refund - Spec Asmt Pay 2011	27272	\$21.16	301-49200-810	\$21.16
07/03/2012	Arlardson, John & MI Romser	Interest Refund - Spec Asmt Pay 2011	27273	\$21.16	301-49200-810	\$21.16
07/03/2012	Berglund, Robert & Marie	Interst Refund - Spec Asmt Pay 2011	27274	\$21.16	301-49200-810	\$21.16
07/03/2012	Broen, Ken	Interest Refund - Spec Asmt Pay 2011	27275	\$21.16	301-49200-810	\$21.16
07/03/2012	Broomell, Laura	Interest Refun - Spec Asmt Pay 2011	27276	\$21.16	301-49200-810	\$21.16
07/03/2012	Brydjes, Robert & Nancy	Interest Refund - Spec Asmt Pay 2011	27277	\$21.16	301-49200-810	\$21.16
07/03/2012	Carson, Robert	Interest Refund - Spec Asmt Pay 2011	27278	\$21.16	301-49200-810	\$21.16
07/03/2012	Citek, Shannon	Interest Refund - Spec Asmt Pay 2011	27279	\$21.16	301-49200-810	\$21.16
07/03/2012	Diez, Gayle	Interest Refund - Spec Asmt Pay 2011	27280	\$21.16	301-49200-810	\$21.16
07/03/2012	Doniel, David & Suzanne	Interest Refund - Spec Asmt Pay 2011	27281	\$21.16	301-49200-810	\$21.16
07/03/2012	Dowal, Barbara	Interest Refund - Spec Asmt Pay 2011	27282	\$21.16	301-49200-810	\$21.16
07/03/2012	Dresler, Wayne J	Interest Refund - Spec Asmt Pay 2011	27283	\$21.16	301-49200-810	\$21.16
07/03/2012	Drew, David & Rachel	Interst Refund - Spec Asmt Pay 2011	27284	\$21.16	303-49200-810	\$21.16
07/03/2012	Ecker, James & Sarah	Interest Refun - Spec Asmt Pay 2011	27285	\$21.16	301-49200-810	\$21.16

City of Birchwood Village

Disbursements Register

07/03/2012

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
07/03/2012	Engebretson, Charlene	Interst Refund - Spec Asmt Pay 2011	27286	\$21.16	301-49200-810	\$21.16
07/03/2012	Galena, Richard	Interest REfund - Spec Asmt Pay 2011	27287	\$21.16	301-49200-810	\$21.16
07/03/2012	Halverson, James & Judy	Interst Refund - Spec Asmt Pay 2011	27288	\$21.16	301-49200-810	\$21.16
07/03/2012	Hankins, Donald &^ Cor	Interst Refund - Spec Asmt Pay 2011	27289	\$21.16	301-49200-810	\$21.16
07/03/2012	Harrod, James & Debra	Interst Refund - Spec Asmt Pay 2011	27290	\$21.16	301-49200-810	\$21.16
07/03/2012	Herbert, Edward & Isakson S	Interest Refund - Spec Asmt Pay 2011	27291	\$21.16	301-49200-810	\$21.16
07/03/2012	Holmberg, Harry & Lois	Interst REfund - Spec Asmt Pay 2011	27292	\$21.16	301-49200-810	\$21.16
07/03/2012	Holmen, Karen C	Refund Interest - Spec Asmt Pay 2011	27293	\$21.16	301-49200-810	\$21.16
07/03/2012	Howe, Scott & Tracy	Interest Refund - Spec Asmt 2011	27294	\$21.16	301-49200-810	\$21.16
07/03/2012	Jackson, Jerome & Laura	Refund -Interst - Spec Asmt Pay 2011	27295	\$21.16	301-49200-810	\$21.16
07/03/2012	Jasper, Robert & Yoko	Refund - Interst - Spec Asmt Pay 2011	27296	\$21.16	301-49200-810	\$21.16
07/03/2012	Johnson, Van & Diane	Refund Interest - Spec Asmt Pay 2011	27297	\$21.16	301-49200-810	\$21.16
07/03/2012	Kaufman, Charles & Carol	Interest Refund - Spec Asmt Pay 2011	27298	\$21.16	301-49200-810	\$21.16
07/03/2012	Korich, George & Rae	Interest REfund - Spec Asmt pay 2011	27299	\$21.16	301-49200-810	\$21.16
07/03/2012	Anderson, John & Alice	REfund Interst - Spec Asmt pay 2011	27300	\$21.16	301-49200-810	\$21.16
07/03/2012	Kuczynski, Adrian & Dawn	Refund Interst - Spec Asmt Pay 2011	27301	\$21.16	301-49200-810	\$21.16
07/03/2012	Martinucci, David & Mary	Interest Refund - Spec Asmt Pay 2011	27302	\$21.16	301-49200-810	\$21.16
07/03/2012	MCKenzie, Michael & Julie	Interst Refund - spec Asmt Pay 2011	27303	\$21.16	301-49200-810	\$21.16
07/03/2012	Morehead, Troy & Naomi	Interest Refund - Spec Asmt Pay 2011	27304	\$21.16	301-49200-810	\$21.16
07/03/2012	Mueller, Wayne & Kathleen	Interest Refund - Spec Asmt Pay 2011	27305	\$21.16	301-49200-810	\$21.16
07/03/2012	Murray, Dennis & Dana	Interest Refund - Spec Asmt Pay 2011	27306	\$21.16	301-49200-810	\$21.16
07/03/2012	Niehart, Karen	Interest Refund - Spec Asmt Pay 2011	27307	\$21.16	301-49200-810	\$21.16
07/03/2012	Nelson, james	Interest Refund - Spec Asmt Pay 2011	27308	\$21.16	301-49200-810	\$21.16
07/03/2012	Newman, Steven & Mary	Interest Refund - Spec Asmt Pay 2011	27309	\$21.16	301-49200-810	\$21.16

City of Birchwood Village

Disbursements Register

07/03/2012

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
07/03/2012	Nicholson, Robert & Robin	Interest Refund - Spec Asmt Pay 2011	27310	\$21.16	301-49200-810	\$21.16
07/03/2012	Norton, Therese	Interst REfund - Spec Asmt Pay 2011	27311	\$21.16	301-49200-810	\$21.16
07/03/2012	Peterson, Curtis & Susan	Interest Refund - Aopec Asmt Pay 2011	27312	\$21.16	301-49200-810	\$21.16
07/03/2012	Powers, Wm & Miller, Cheryl	Interest REfund - Spec Asmt Pay 2011	27313	\$21.16	301-49200-810	\$21.16
07/03/2012	Pratt Ellen Maas, & Pratt Leonard	Interst REfund - Spec Asmt Pay 2011	27314	\$21.16	301-49200-810	\$21.16
07/03/2012	Reynolds, David	Interest Refund - Spec Asmt Pay 2011	27315	\$21.16	301-49200-810	\$21.16
07/03/2012	Rod, Beverly	Interest Refund - Spec Asmt Pay 2011	27316	\$21.16	301-49200-810	\$21.16
07/03/2012	Schad, Steven & Tracy	Interst Refund - Spec Asmt Pay 2011	27317	\$21.16	301-49200-810	\$21.16
07/03/2012	Schnellman, Lewis	Interst Refund - Spec Asmt Pay 2011	27318	\$21.16	301-49200-810	\$21.16
07/03/2012	Serier, Donald & Mechthild	Interst Refund - Apec Asmt Pay 2011	27319	\$21.16	301-49200-810	\$21.16
07/03/2012	Skytland, Adrian & ML Jacobson	Interest REfund - Spec Asmt Pay 2011	27320	\$21.16	301-49200-810	\$21.16
07/03/2012	Smith, John	Interest REfund - Spec Asmt Pay 2011	27321	\$21.16	301-49200-810	\$21.16
07/03/2012	Stanton, Robert & Debra	Interest Refund - Spec Asmt Pay 2011	27322	\$21.16	301-49200-810	\$21.16
07/03/2012	Underwood, Scott	Interest Refund - Spec Asmt Pay 2011	27323	\$21.16	301-49200-810	\$21.16
07/03/2012	Walker, Larry & Judith	Interst Refund - Spec Asmt Pay 2011	27324	\$21.16	301-49200-810	\$21.16
07/03/2012	Weber, Elmer	Interest Refund - Spec Asmt Pay 2011	27325	\$21.16	301-49200-810	\$21.16
07/03/2012	Weber, John K	Interest Refund - Spec Asmt Pay 2011	27326	\$21.16	301-49200-810	\$21.16
07/03/2012	Wohlwned, Scott & Grundtner Lisa	Interst REfund - Spec Asmt pay 2011	27327	\$21.16	301-49200-810	\$21.16
07/03/2012	Wyland, John	Interst Refund - Spec Asmt Pay 2011	27328	\$21.16	301-49200-810	\$21.16
07/03/2012	City of White Bear Lake Police	Law Enforcement - July 2012	27329	\$7,481.33	100-42100-305	\$7,481.33
07/03/2012	City of White Bear Lake Fire	Fire Srvc -July 2012	27330	\$1,776.42	100-42200-305	\$1,776.42
07/03/2012	Pipe Services Corp	Sewer cleaning & Inspection	27331	\$4,265.37	605-43190-305	\$4,265.37
07/03/2012	Elfering & Associates	Eng Srvc-June 2012 (Sewer/St CIP/General)	27332	\$1,493.50	100-41650-300	\$99.00
					100-41650-300	\$495.00
					605-41650-300	\$899.50

City of Birchwood Village

Disbursements Register

07/03/2012

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
07/03/2012	MCFOA	Clerk/Treasurer Annual Dues 2012	27333	\$75.00	100-41920-433	\$75.00
07/03/2012	On-Site Sanitation Inc	Rental Unit -Tennis Crt/Tighe Schmidt July 2012	27334	\$173.90	100-45200-305	\$86.95
					100-45200-305	\$86.95
07/03/2012	Postmaster	Stamps - 300	27335	\$135.00	100-41430-200	\$135.00
07/03/2012	IRS - US Treasury	FEDTaxes June 2012	FED062012	\$893.24	100-41400-110	\$373.71
					100-41400-160	\$56.64
					100-41400-162	\$242.19
					100-41400-164	\$56.64
					100-41400-166	\$164.06
07/03/2012	MN Department of Revenue	State W/H June 2012	MN082012	\$170.02	100-41400-115	\$170.02
07/03/2012	PERA	Staff Retirement PE06/15/12	PERA63012	\$264.31	100-41400-120	\$141.95
					100-41400-121	\$122.36
Total For Period				\$34,199.72		
Total Year To Date				\$250,623.27		

City of Birchwood Village

Receipts Register

07/03/2012

Fund Name: All Funds
 Date Range: 06/13/2012 to 07/10/2012

<u>Date</u>	<u>Remitter</u>	<u>Description</u>	<u>Receipt #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
06/15/2012	Residents - via LC	Utility Billing - LC JE#19	756	\$1,660.75	601-34110 601-34160 601-34170 605-34190	\$579.15 \$10.30 \$31.80 \$1,039.50
06/15/2012	Residents - via LC	Utility Billing LC JE#18	757	\$3,089.45	601-34110 601-34160 601-34170 605-34190	\$987.49 \$0.10 \$60.99 \$2,040.87
06/27/2012	Landberg, Diane	Hall Rental 6/3/2012	758	\$25.00	100-34101	\$25.00
06/27/2012	Kramer-Lentsch, Gwen	Dog License	759	\$15.00	100-32240	\$15.00
06/27/2012	Evangelist, Michael	Dock Permit Fee	760	\$200.00	210-32260	\$200.00
06/27/2012	Tell, Jason	Dock Permit Fee 2012	761	\$200.00	210-32260	\$200.00
06/27/2012	Velin, John	Garage Rent	762	\$21.00	100-34101	\$21.00
06/27/2012	Fireside Hearth & Home	Bldg Permit #WB055020	763	\$25.48	100-32210	\$25.48
06/27/2012	Sedgwick Htg & AC	Bldg permit #WB054918	764	\$47.03	100-32210	\$47.03
06/27/2012	Boldt, Jeff	Bldg permit #WB054970	765	\$113.41	100-32210	\$113.41
Total For Period				\$5,397.12		
Total Year To Date				\$68,011.38		

City of Birchwood Village Financial Report by Account Number (YTD)

07/03/2012

As of 12/31/2012

General Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
General Property Taxes	\$325,000.00	\$409.80	(\$324,590.20)
Total Acct 310	\$325,000.00	\$409.80	(\$324,590.20)
Building Permits	\$8,500.00	\$4,118.03	(\$4,381.97)
Dog Licenses	\$1,000.00	\$590.00	(\$410.00)
Total Acct 322	\$9,500.00	\$4,708.03	(\$4,791.97)
State Grants and Aids	\$238.00	\$0.00	(\$238.00)
Total Acct 334	\$238.00	\$0.00	(\$238.00)
Recycle Grant	\$1,650.00	\$0.00	(\$1,650.00)
Cable Comm. Grant	\$7,000.00	\$6,152.79	(\$847.21)
Total Acct 336	\$8,650.00	\$6,152.79	(\$2,497.21)
City Hall and Garage Rent	\$500.00	\$215.50	(\$284.50)
Total Acct 341	\$500.00	\$215.50	(\$284.50)
Fines	\$1,000.00	\$309.98	(\$690.02)
Total Acct 351	\$1,000.00	\$309.98	(\$690.02)
Interest Earnings	\$1,000.00	\$3.09	(\$996.91)
Contrib. and Donations-Private	\$400.00	\$670.00	\$270.00
Refunds and Reimbursements	\$0.00	\$310.10	\$310.10
Total Acct 362	\$1,400.00	\$983.19	(\$416.81)
Total Revenues	\$346,288.00	\$12,779.29	(\$333,508.71)
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Publishing	\$2,175.00	\$3,212.94	(\$1,037.94)
Total Acct 411	\$2,175.00	\$3,212.94	(\$1,037.94)
City Council	\$2,700.00	\$319.20	\$2,380.80
Total Acct 413	\$2,700.00	\$319.20	\$2,380.80
Clerk - Treasurer	\$56,000.00	\$29,487.75	\$26,512.25
Elections	\$4,400.00	\$470.00	\$3,930.00
Office Operations/Supplies	\$4,275.00	\$1,107.28	\$3,167.72
Postage/Postal Permits	\$800.00	\$450.48	\$349.52
Total Acct 414	\$65,475.00	\$31,515.51	\$33,959.49
Financial Administration	\$0.00	\$139.75	(\$139.75)
Assessing	\$5,325.00	\$5,436.23	(\$111.23)
Total Acct 415	\$5,325.00	\$5,575.98	(\$250.98)
Legal Services	\$8,000.00	\$3,468.03	\$4,531.97
Engineer Service	\$6,000.00	\$2,080.43	\$3,919.57
Total Acct 416	\$14,000.00	\$5,548.46	\$8,451.54

City of Birchwood Villagegerim Financial Report by Account Number (YTD)

07/03/2012

Per Diem	\$1,560.00	\$0.00	\$1,560.00
Total Acct 418	\$1,560.00	\$0.00	\$1,560.00
City Training and Development	\$5,000.00	\$325.00	\$4,675.00
City Hall-Gov't Buildings	\$9,300.00	\$4,212.52	\$5,087.48
City Insurance	\$10,324.00	\$2,079.00	\$8,245.00
Cable Eqpmt and Service	\$1,200.00	\$259.00	\$941.00
Newsletter	\$400.00	\$203.45	\$196.55
Total Acct 419	\$26,224.00	\$7,078.97	\$19,145.03
Police	\$90,935.00	\$52,369.31	\$38,565.69
Total Acct 421	\$90,935.00	\$52,369.31	\$38,565.69
Fire	\$20,500.00	\$12,434.94	\$8,065.06
Total Acct 422	\$20,500.00	\$12,434.94	\$8,065.06
Building Inspection	\$10,100.00	\$5,729.80	\$4,370.20
Total Acct 424	\$10,100.00	\$5,729.80	\$4,370.20
Other Protection	\$68.00	\$93.88	(\$25.88)
Animal Control	\$925.00	\$882.00	\$43.00
Total Acct 428	\$993.00	\$975.88	\$17.12
Streets and Road Mntnc	\$7,000.00	\$360.00	\$6,640.00
Street Sweeping	\$4,000.00	\$1,935.00	\$2,065.00
Ice and Snow Removal	\$15,300.00	\$5,092.29	\$10,207.71
Tree Care/Inspection	\$800.00	\$0.00	\$800.00
Tree Removal	\$2,550.00	\$642.75	\$1,907.25
Weed Control	\$1,700.00	\$0.00	\$1,700.00
Drainage - Structure Care	\$1,400.00	\$0.00	\$1,400.00
Street Signs	\$3,000.00	\$0.00	\$3,000.00
Street Lights	\$15,000.00	\$7,409.21	\$7,590.79
Wtr/Swr Emergency	\$1,000.00	\$0.00	\$1,000.00
Survey - Public Property	\$2,500.00	\$0.00	\$2,500.00
Total Acct 431	\$54,250.00	\$15,439.25	\$38,810.75
Sanitation - Recycling	\$12,700.00	\$5,642.22	\$7,057.78
Total Acct 441	\$12,700.00	\$5,642.22	\$7,057.78
Lawn Care/Mntnc	\$6,000.00	\$1,400.00	\$4,600.00
Total Acct 450	\$6,000.00	\$1,400.00	\$4,600.00
Recreation	\$2,000.00	\$950.00	\$1,050.00
Total Acct 451	\$2,000.00	\$950.00	\$1,050.00
Parks	\$13,000.00	\$7,704.24	\$5,295.76
Total Acct 452	\$13,000.00	\$7,704.24	\$5,295.76
CONSERVATION - NATURAL RESOURC	\$5,700.00	\$5,697.34	\$2.66
Total Acct 461	\$5,700.00	\$5,697.34	\$2.66
Unallocated Expenditures	\$8,251.00	\$0.00	\$8,251.00
Total Acct 492	\$8,251.00	\$0.00	\$8,251.00
Total Disbursements	\$341,888.00	\$161,594.04	\$180,293.96

Other Financing Uses:
Purchase of Investments
Transfers to other Funds

\$0.00
\$0.00

City of Birchwood Village Financial Report by Account Number (YTD)

07/03/2012

Beginning Cash Balance	\$513,015.66
Cash Balance as of 12/31/2012	\$364,200.91

City of Birchwood Village Financial Report by Account Number (YTD)

07/03/2012

As of 12/31/2012

Special Rev Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Dock/Lift Permit Fee	\$0.00	\$4,135.00	\$4,135.00
Total Acct 322	\$0.00	\$4,135.00	\$4,135.00
Total Revenues	\$0.00	\$4,135.00	\$4,135.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Parks	\$5,000.00	\$4,170.09	\$829.91
Total Acct 452	\$5,000.00	\$4,170.09	\$829.91
Total Disbursements	\$5,000.00	\$4,170.09	\$829.91
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$11,481.67	
Cash Balance as of 12/31/2012		\$11,446.58	

City of Birchwood Village Interim Financial Report by Account Number (YTD)

07/03/2012

As of 12/31/2012

Sewer 2004 Bonds

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	\$0.00	\$0.00	\$0.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Bond Payment	\$0.00	\$1,884.00	(\$1,884.00)
Total Acct 471	\$0.00	\$1,884.00	(\$1,884.00)
Unallocated Expenditures	\$0.00	\$1,184.96	(\$1,184.96)
Total Acct 492	\$0.00	\$1,184.96	(\$1,184.96)
Total Disbursements	\$0.00	\$3,068.96	(\$3,068.96)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$0.00	
Cash Balance as of 12/31/2012		(\$3,068.96)	

City of Birchwood Village Interim Financial Report by Account Number (YTD)

07/03/2012

As of 12/31/2012

Birchwood In Re-hab Bond

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	\$0.00	\$0.00	\$0.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Unallocated Expenditures	\$0.00	\$136.40	(\$136.40)
Total Acct 492	\$0.00	\$136.40	(\$136.40)
Total Disbursements	\$0.00	\$136.40	(\$136.40)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$0.00	
Cash Balance as of 12/31/2012		(\$136.40)	

City of Birchwood Village Interim Financial Report by Account Number (YTD)

07/03/2012

As of 12/31/2012

Sewer Re-hab 2008 Debt	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Sewer Re-hab A&B	\$0.00	\$241.82	\$241.82
Total Acct 361	\$0.00	\$241.82	\$241.82
Total Revenues	\$0.00	\$241.82	\$241.82
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Bond Payment	\$0.00	\$3,571.91	(\$3,571.91)
Total Acct 471	\$0.00	\$3,571.91	(\$3,571.91)
Unallocated Expenditures	\$0.00	\$3,772.35	(\$3,772.35)
Total Acct 492	\$0.00	\$3,772.35	(\$3,772.35)
Total Disbursements	\$0.00	\$7,344.26	(\$7,344.26)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$0.00	
Cash Balance as of 12/31/2012		(\$7,102.44)	

City of Birchwood Village Interim Financial Report by Account Number (YTD)

07/03/2012

As of 12/31/2012

Cap Project - PW

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	\$0.00	\$0.00	\$0.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Total Disbursements	\$0.00	\$0.00	\$0.00
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$41,571.00	
Cash Balance as of 12/31/2012		\$41,571.00	

City of Birchwood Villagerim Financial Report by Account Number (YTD)

07/03/2012

As of 12/31/2012

Capital Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	\$0.00	\$0.00	\$0.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
City Hall-Gov't Buildings	\$15,000.00	\$940.00	\$14,060.00
Total Acct 419	\$15,000.00	\$940.00	\$14,060.00
Total Disbursements	\$15,000.00	\$940.00	\$14,060.00
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$59,527.99	
Cash Balance as of 12/31/2012		\$58,587.99	

City of Birchwood Village Interim Financial Report by Account Number (YTD)

07/03/2012

As of 12/31/2012

Cap Proj - Catchbasin

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	\$0.00	\$0.00	\$0.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Total Disbursements	\$0.00	\$0.00	\$0.00
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$0.00	
Cash Balance as of 12/31/2012		\$0.00	

City of Birchwood Village Financial Report by Account Number (YTD)

07/03/2012

As of 12/31/2012

Water Enterprise Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Water Fee	\$0.00	\$16,070.02	\$16,070.02
Penalty - Late Water/Sewer	\$0.00	\$628.83	\$628.83
State and Misc fees	\$0.00	\$897.13	\$897.13
Total Acct 341	\$0.00	\$17,595.98	\$17,595.98
DELQ - Water-Sewer fees	\$0.00	\$199.50	\$199.50
Total Acct 361	\$0.00	\$199.50	\$199.50
Interest Earnings	\$0.00	\$0.27	\$0.27
Total Acct 362	\$0.00	\$0.27	\$0.27
Total Revenues	\$0.00	\$17,795.75	\$17,795.75
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Legal Services	\$0.00	\$981.45	(\$981.45)
Engineer Service	\$0.00	\$1,375.50	(\$1,375.50)
Total Acct 416	\$0.00	\$2,356.95	(\$2,356.95)
Utility Locates	\$0.00	\$168.36	(\$168.36)
Total Acct 428	\$0.00	\$168.36	(\$168.36)
Water Utility	\$27,000.00	\$25,720.56	\$1,279.44
Wtr/Swr Emergency	\$0.00	\$7,678.10	(\$7,678.10)
Total Acct 431	\$27,000.00	\$33,398.66	(\$6,398.66)
Total Disbursements	\$27,000.00	\$35,923.97	(\$8,923.97)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$35,730.61	
Cash Balance as of 12/31/2012		\$17,602.39	

City of Birchwood Village Interim Financial Report by Account Number (YTD)

07/03/2012

As of 12/31/2012

Sewer Enterprise Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Sewer Fee	\$0.00	\$32,859.16	\$32,859.16
Total Acct 341	\$0.00	\$32,859.16	\$32,859.16
DELQ - Water-Sewer fees	\$0.00	\$199.50	\$199.50
Total Acct 361	\$0.00	\$199.50	\$199.50
Interest Earnings	\$0.00	\$0.86	\$0.86
Total Acct 362	\$0.00	\$0.86	\$0.86
Total Revenues	\$0.00	\$33,059.52	\$33,059.52
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Financial Administration	\$0.00	\$489.00	(\$489.00)
Total Acct 415	\$0.00	\$489.00	(\$489.00)
Engineer Service	\$0.00	\$1,048.00	(\$1,048.00)
Total Acct 416	\$0.00	\$1,048.00	(\$1,048.00)
Utility Locates	\$0.00	\$68.34	(\$68.34)
Total Acct 428	\$0.00	\$68.34	(\$68.34)
Drainage - Structure Care	\$58,200.00	\$0.00	\$58,200.00
Wtr/Swr Emergency	\$0.00	\$988.90	(\$988.90)
Sewer Utility	\$0.00	\$34,851.31	(\$34,851.31)
Total Acct 431	\$58,200.00	\$35,840.21	\$22,359.79
Total Disbursements	\$58,200.00	\$37,445.55	\$20,754.45
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$174,704.05	
Cash Balance as of 12/31/2012		\$170,318.02	

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XFINITY Connect**bwclerk@comcast.net**± Font Size ±

parks

From : Debbie Harrod <debbleharrod@hotmail.com>

Tue, Jul 03, 2012 03:29 AM

Subject : parks**To :** Birchwood Clerk <bwclerk@comcast.net>

Dale,

Got your message about the parks committee. I would like to continue my position on the parks committee for another 3 year term.

Ann Salo is no longer a committee member she resigned a few months back due to work obligations. Not sure if you were aware of that or not.

Thanks.
Debbie Harod.

3

XFINITY Connect

birchwoodvillage@comcast.net

± Font Size ±

Re: Parks Committee

From : James Ecker <jecker@crescendobio.com>
Subject : Re: Parks Committee
To : birchwoodvillage@comcast.net

Tue, Jun 26, 2012 05:11 PM

3 attachments

Hi Dale-

A little background:

Birchwood resident for 17 years – 4000 East County Line Road

On tennis committee that worked on tennis court resurfacing

Three kids that like and use the village parks

Love the outdoors!

Know many Birchwood residents.

Please let me know if you need anything else. I will plan on attending the 7/10 council meeting.

Jim Ecker
Sr. Director- Strategic Accounts
Crescendo Bioscience
Jecker@crescendobio.com
Office 651-426-4987
Cell 651-336-3765



From: cb <jecker@crescendobio.com>
Date: Tuesday, June 26, 2012 11:51 AM
To: "birchwoodvillage@comcast.net" <birchwoodvillage@comcast.net>
Subject: Parks Committee

Hello-

I understand there is an opening on the Parks Committee. I would be interested in filling that spot if it is available. Please let me know what steps I need to take.

Thank you,

Jim Ecker
Sr. Director- Strategic Accounts
Crescendo Bioscience
Jecker@crescendobio.com
Office 651-426-4987
Cell 651-336-3765

**XFINITY Connect**

birchwoodvillage@comcast.net

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My Resignation

From : Mark Peterson
<mpeterson@audubon.org>

Tue, Jul 03, 2012 03:39 PM

Subject : My Resignation

To : birchwoodvillage@comcast.net

To Whom It May Concern:

It is with sadness that I must submit my resignation as member of the Birchwood City Council due to having accepted new employment at Northland College in Ashland, WI. My resignation will be effective July 15.

I have truly enjoyed representing the people of Birchwood. I have found people here to be interested and engaged in their community, supportive of the outstanding natural attributes Birchwood possesses that contribute to our high quality of life. I have enjoyed working with our Council members and the city staff in what I believe were productive ways that advance the interests of our community.

My family too will miss Birchwood and we hope we have contributed to its well-being with the tree survey and recommendations our son Chad conducted, to Erica's work with others in Arbor Day programs and restoring Nordling Park.

Thank you for the opportunity to serve and to work with so many wonderful people who care about this community.

Mark Peterson

Necessity to filling Vacancy in Office of 415 B1
~~CITIES AND VILLAGES~~ - Vacancies in Office of trustee or *Councilman*
is to be filled by council when vacancy
occurs.

M. S. 1949, § 212.34; L. 1949, c. 119, § 107.

OCT 29 1951

October 18, 1951

Mr. M. H. Greenberg
Mountain Iron Village Attorney
Evelath, Minnesota

Dear Sir:

Your letter of October 15, 1951 presents these

FACTS:

The Village of Mountain Iron is organized under the laws of the state of Minnesota. One of the village trustees died, whose term of office will expire on the 31st of December, 1951.

QUESTION:

Is it mandatory upon the council to appoint someone to fill the vacancy caused by death?

OPINION:

This question is answered in the affirmative.

M. S. 1949, § 212.34, provides for the election of trustees and other municipal officers, and says in part: " * * * Vacancies in office shall be filled for the remainder of the term by the council; in case of a tie, the mayor shall fill the vacancy by appointment for the unexpired term. * * *"

Prior to 1949 the word "shall", underlined above, was "may". The M. S. 1945, § 212.34. Since the legislature in 1949, by L. 1949, c. 119, § 107, amended § 212.34 and changed the word "may" to "shall", it is clear that the legislature intended that the appointment by the council was to be mandatory. That is, where a vacancy has occurred it is incumbent upon the council to fill the same for the remainder of the term.

Yours very truly

J. A. H. BURNQUIST
Attorney General

EDWARD M. BRUNDEL
Special Assistant
Attorney General

EHA/DE



GOVERNING & MANAGING INFORMATION

City Special Elections

180J.2
August 2010

145 UNIVERSITY AVE. WEST
ST. PAUL, MN 55103-2044

PHONE: (651) 281-1200
TOLL FREE: (800) 925-1122
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I. Introduction

Special elections are held so local voters can weigh in on a city-specific issue. There are two basic special elections:

Minn. Stat. § 205.01, subd. 2.

- An election to fill a vacancy in public office.

Minn. Stat. § 200.02, subd. 4.

- An election to decide a question relating to the city that is lawfully submitted to the local voters.

Minn. Stat. § 205.10.

For simplicity, this document uses “special election” or “ballot question” to describe any city election held to fill a vacancy or on a city-specific question. Special elections may be held at the same time as the general city or state election. Alternatively, special elections may be held at other times as long as the city holding the election meets the timelines and posting requirements in state law. City councils cannot hold special elections on questions unless authorized to do so by state law.

When a special election is held in conjunction with a regular election, it is still called a special election. In other words, a special election does not become part of the regular election just because it is held at the same time. For example, a special election to fill a vacancy has a special heading on the general election ballot that says “Special election for council member to fill vacancy in term expiring,”

Minn. R. 8250.0390, subp. 2.

Best practice suggests, and on some election issues the law requires, that any city holding a special election on a city-specific issue consult the city attorney as far in advance as possible.

II. General election law applies

Secretary of State 2010 City Clerk Election Guide.

Cities must follow any requirements in the statute authorizing the special election. In addition, cities must follow general election procedures. For example, a city must ensure that all general election-related deadlines can be met before scheduling the election. For ballot question elections, consider both general election law and the specific statute authorizing the ballot question.

Minn. Stat. § 205.16, subd. 1.

Minn. Stat. § 473.121, subd. 2.

This means notice, publication, and posting requirements for elections on filling vacancies and ballot questions are the same as those for a general city election. Special elections on questions must be preceded by two weeks’ published notice. Ten days’ posted notice is optional. Fourth-class cities (under 10,000 in population) in non-metropolitan cities (generally outside of the seven-county metro area) may choose to give 10 days’ posted notice instead of publishing notice. Election judges who served at the last election may serve for the special election.

Minn. Stat. § 205.16.

When a special election is to be held at the same time as the general election, the notice of the general election and the special election may be included in the same notice. The notice should include wording to indicate that a special election will be held in conjunction with the regular election. In other words, the notice would state: the date of the election; voting hours; the locations of the polling places; the offices to be filled and the questions to be voted on in the regular election; and the offices to be filled and the questions to be voted on at the special election.

2010 Minn. Laws Ch. 201 § 65, amending Minn. Laws Ch. 184, § 29, amending Minn. Stat. § 205.16, subd. 4.

The city clerk must provide written notice of an election to the county auditor at least:

- Sixty-seven days before every city election held in conjunction with a regularly scheduled primary for federal, state, county, city, or school board office or a special primary for federal office.
- Seventy-four days before every municipal election held in connection with a regularly scheduled general election for federal, state, county, city, or school board office or a special election for federal office.
- Fifty-three days before any other municipal election.

The notice must include the date of the election, the offices to be voted on, and the title and language for each ballot question.

Minn. Stat. § 205.10; 2010 Minn. Laws Ch. 201 § 65, amending Minn. Laws Ch. 184, § 29, amending Minn. Stat. § 205.16, subd. 4.

A special election ordered by the governing body of the municipality on its own motion may be canceled by motion. Written notice of the cancelled special election must be provided to the county auditor at least:

- Sixty-seven days before every municipal election held in conjunction with a regularly scheduled primary for federal, state, county, city, or school board office or a special primary for federal office.
- Seventy-four days before a regularly scheduled general election for federal, state, county, city, or school board office or a special election for federal office.
- Forty-six days before any other election.

Minn. Stat. § 410.21.

Where general election laws and charter provisions dealing with nominations, primary elections, and municipal office elections are inconsistent, the charter provisions control. In this case, general election laws apply only as far as they are consistent with the charter.

2010 Minn. Laws Ch. 201, §§ 63, 64, amending Minn. Stat. § 205.16, subds. 2, 3.

The same ballot publication and posting requirements also apply. At least two weeks before the election, the clerk must publish a sample ballot in the city's official newspaper. (A fourth class city not in the metropolitan county may dispense with publication.) At least two weeks before the election, the clerk must also prepare a sample ballot and make them available for public inspection in the clerk's office.

Minn. Stat. § 473.121

III. Filling Vacancies in Elective Offices

Minn. Stat. § 412.02, subd. 2a.
Minn. Stat. § 205.10, subd. 2.
Minn. Stat. § 645.44, subd. 16.
A.G. Op. 471-M (Oct. 18, 1951).

Handbook, Chapter 6.

Sample Resolution.

When a vacancy occurs in a statutory city council, the statutes provide that a vacancy “shall” be filled by appointment, generally indicating that the action is mandatory. The attorney general has held that it is mandatory to fill vacancies in office. In certain situations, the city must hold a special election in addition to making an appointment. When a special election is necessary, the council must appoint a person to hold the vacant position until voters elect a candidate to serve in that position at the special election. Procedurally, the council should adopt a resolution that declares the vacancy. After considering interested and qualified residents, the council must appoint an eligible person to fill the vacancy. Where appropriate, the city council then calls for a special election.

A. Determining need

Minn. Stat. § 412.02, subd. 2a.
Handbook, Chapter 6, Section IE; Section 1F.

In deciding whether a special election is necessary in a statutory city, look at when the vacancy occurred and the amount of time left on the unexpired term. To determine if a special election is necessary, the city must answer the following two questions:

- Did the vacancy occur before the first day to file affidavits of candidacy for the next regular city election?
- Do more than two years remain in the unexpired term?

Minn. Stat. § 412.02, subd. 2a.
Handbook, Chapter 6, Section IE; Section 1F.

When the answer to both questions is “yes,” a special election to fill the vacancy is necessary. If the answer to either or both of these questions is “no,” a special election is not necessary. Where no special election is necessary, the appointed person serves for the duration of the term.

Minn. Stat. § 205.02, subd. 2.;
Minn. Stat. § 205.10
A.G. Op. 63-A-11 (Dec. 20, 1966). A.G. Op. 63-A-11 (April 24, 1979).
Minn. Stat. § 205.02.

In a charter city, look to the charter to determine how a vacancy should be filled. City charter provisions may govern how to fill the vacancy over general state law. For example, if a charter provides that a vacancy is filled by appointing a replacement for the remainder of the term (regardless of when the vacancy occurs or how much time is left on the term), the charter provision overrides the requirement in state law that calls for a special election. Certain election law provisions do not apply to charter cities so charter cities should work with their city attorney on election issues.

Minn. Stat. § 410.33; Minn. Stat. § 412.02, subd. 2a.

If the charter is silent on how to fill vacancies, the city may follow the same process as statutory cities. Consult the city attorney for specific advice on how to fill a vacancy.

B. Timing

Minn. Stat. § 412.02, subd. 2a.

Sample Ordinance.

A special election to fill a council vacancy may be held at or before the next regular city election. Many cities hold this type of special election at the same time as the next regular city election. In order to hold a special election before the next regular city election, the council must adopt an ordinance that specifies under what circumstances it will hold a special election to fill a vacancy before the next regular city election. The city may choose to adopt an ordinance that addresses all future special elections on vacancies. An example of this would be an ordinance that requires a special election every time a vacancy occurs within a specified period of time before the filing period for the next regular election. A different option would be to adopt an ordinance that addresses only one particular election; this type of ordinance would *not* apply to all future special elections.

Minn. Stat. § 645.44, subd. 5.

Generally, if an ordinance allows the city to hold a special election before the next regular city election, an election to fill a vacancy may be held on any day except a legal holiday.

Minn. Stat. § 351.055.

If it is certain that a vacancy will occur in the future and there must be a special election for the position, the city council may begin the process leading up to the special election so that a successor may be elected at the earliest possible time. For prospective vacancies that will occur as a result of a resignation, preparations for the special election may begin immediately after the written resignation is received by the council. Cities should not appoint a person to a vacancy before the vacancy exists.

A.G. Op. 471-M (June 6, 1958).

C. Election administration

Handbook, Chapter 5.
Secretary of State 2010 City
Clerk Election Guide.

A special election to fill a vacancy is administered in the same manner as a general election. This means that the same notice requirements must be followed. Similarly, filing for the office takes place in the same way for both general and special elections.

D. Taking office

Minn. Stat. § 204D.02, subd. 2.

A.G. Op. 471-M (Nov. 23, 1999).

Generally, the terms of elected city offices begin on the first Monday in January following the election. However, in a special election to fill a vacancy, the new council member is eligible to qualify and take office upon receipt of an election certificate.

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

RESOLUTION 2012-23

A Resolution Accepting the Resignation of Council Member Mark Peterson, Declaring a Council Vacancy, and Adoption of Procedures for Filling the Council Vacancy

WHEREAS, Mark Peterson on June 12, 2012, declared his intent to resign from the Birchwood Village City Council; and

WHEREAS, Peterson submitted his letter of resignation, effective July 15, 2012, to the City of Birchwood Village and Birchwood Village City Council on July 3, 2012; and

WHEREAS, the City Council of the City of Birchwood Village thanks Council Member Peterson for his service to the Council and the Birchwood Village community.

NOW THEREFORE BE IT RESOLVED, that the Birchwood Village City Council accepts with regret the resignation of Mark Peterson from the City Council; and

BE IT FURTHER RESOLVED, that the Birchwood Village City Council hereby declares there to be a vacancy on the Council as of July 15, 2012 for an unexpired term that ends on December 31, 2014; and

BE IT FURTHER RESOLVED, that the Birchwood Village City Council declares that a special election be held in conjunction with the General Election to be held on November 6, 2012 to fill the Council vacancy; and

BE IT FURTHER RESOLVED, that the Birchwood Village City Council directs City staff to cause to be published in the City's official newspaper the intent of the City Council to fill this vacancy by special election; and

BE IT FURTHER RESOLVED, that the Birchwood Village City Council hereby solicits letters of application from interested and qualified Birchwood Village residents for appointment to the City Council until such time that a successor is qualified by the aforementioned special election.

Adopted by the City Council on this 10th day of June, 2012.

Approved:

Alan Mitchell, Mayor

Attest:

Dale Powers, City Clerk/Coordinator

Request to serve on the Birchwood Roads Committee

To the Mayor and City Council members of Birchwood Village:

I moved to Birchwood with my family back in December of 1992. The reasons we chose Birchwood were varied, but include the trees and the wooded atmosphere, good schools, close proximity to the 'Big City', closer proximity to White Bear Lake (which we love!), deeded access to the Birchwood beaches and very friendly people. Probably the biggest reasons were the small town feel of Birchwood as well as the fact that it was a small close-knot community of great people. This last aspect was important as the few remaining lots left for sale meant that there would be no room for corrupt politics, favoritism, cronyism and such as the village was completely built-up already. Having helped my parents fight much of this within their home city of Brooklyn Park back in the late 1980's through mid 1990, it meant a lot that we wouldn't have to deal with that here in Birchwood, and could concentrate more on being good neighbors and parents. Birchwood was, and still is, a great place to live! People here just like that old-time, small-town feel, and are very resistant to any major changes. This is exactly what keeps Birchwood the small town that it is, and we hope, that it will remain.

When we moved in, some of the roads were in a bad state of repair and one in particular (County road 29, aka: Cedar/Hall) was worse as it was under jurisdiction of Washington County at that time. The Village Council worked through the various roads and soon all were in good shape save for County 29. In 1993 (I believe?) the County offered a mill/overlay for County 29 to the Birchwood Village Council, along with care for three years and deposited funding to take care of the next mill/overlay whenever that was needed (I guess it was expected after 18-20 years?). The road was officially turned over to Birchwood Village and became our property. At that time the assessment laws should have been amended as Cedar/Hall is not an ordinary city street – it is a main trunk (collector route) that most of our streets use as access to the other streets. Almost all Birchwood residents use Cedar/Hall to get to and from their homes so the need to treat it differently than the other streets is evident. Not only that, Cedar/Hall receives a huge amount of traffic from non-residents as it always has been the shortcut along the south shore of the lake. It never has been the 'same' as other city streets and never will be. At the time that Birchwood took possession of Cedar/Hall, many residents voiced their opinions that some changes were needed when the need for maintenance was eventually called for, and were reassured by the Council that since the street was a major 'Thoroughfare' that all residents would be assessed equally, as we all used the street. The other anomaly we noticed was when our street (White Pine Lane) was resurfaced, the residents along our street (and similarly along other streets) were assessed based on the old-fashioned method using a share of linear frontage. This was done as it was the law that was on the books at that time and still is. There are better and much more equitable ways of assessment that are used by other cities and that need to be considered for Birchwood also. Secondly, the City currently has no concrete maintenance plan at this time and in the interest of utilizing our tax dollars in the best way (and in the best interest of all Birchwood residents) I feel that the formation of this committee in order to create a comprehensive road maintenance policy is an idea that is long overdue.

Living in this community for almost twenty years, I have a great amount of respect for my fellow residents as well as a genuine understanding of what is expected from our local Government. Now that I am retired, I feel a civic obligation to give back to the City. I feel that I can do that by serving on the new Roads Committee.

My qualifications are varied and include the following:

Having served on several Committees, I understand the formal process and what is expected of members. I served on the Recreational Committee for the St. Paul Main Post Office for close to twenty years, planning events, dances, picnics and such for 1600 employees. I can coordinate, budget and execute complex plans as needed to achieve the desired outcome. I also served on Pack and Troop Committees for Cub Scout Pack and Boy Scout Troop 439 in White Bear Lake for about 12 years, organizing events and overseeing the growth of the Pack/Troop and its young members within the BSA organization.

I have studied urban politics to a degree, and participated firsthand when my parents were both very active in

Brooklyn Park politics due to a large amount of corruption there. Much of this had to do with many road and street projects, and as a result, I learned a bit about assessment methods within that city as well as some others.

I spent some time in Industrial Sales and fully understand Engineering Specifications (writing and interpreting) as well as dealing with engineers, various ordinances, blueprints and maps, etc.

Having spent my life doing mostly maintenance and repairs for the US Postal Service in St. Paul, I have a very high degree of mechanical ability, electrical and electronics knowledge. I also possess the spatial ability to visualize ideas, taking them from a rough dimensional sketch to completion. There has not been much I have encountered in life that I couldn't personally improve or fix and even less that I wouldn't try! My wife says that if I can't fix it, it can't be fixed! I have quite a bit of knowledge with construction (residential and industrial), various structural elements as well as materials. Some friends have referred to me as a 'Jack of all Trades', which I do not consider myself to be.....but I do have some experience in many aspects of life..

I am intelligent, great at solving problems and thinking outside the box. I have not yet encountered a problem in life that cannot be effectively resolved for the benefit of all parties concerned, and as I said before, I will try hard to attain a reasonable outcome to any problem.

I am an old Eagle Scout and honest to a fault. Whether it benefits me directly or not, you'll always get a fair shake from me. In my opinion, there's always a better way to achieve a goal more effectively and fairly for all concerned. My goal in serving on this Committee is to help this Committee draft a comprehensive maintenance plan for ALL STREETS in Birchwood based on current condition, usage and various indicators in order for our streets to remain in the best usable condition for ALL RESIDENTS for the least amount of tax dollars. I don't believe in scrimping, only in careful planning and even more careful shopping. I'd like to see the outdated road assessment laws in Birchwood amended to be more equitable for all residents and there are a couple good ways to accomplish this. In the end, the happiness of all residents and neighbors is the most important thing to me, and I want everyone to look at whatever I accomplish and say "That works good, it's fair for everyone, and that makes me happy"! Nothing pleases me more than hearing someone say "Thanks" for something I have done right, and I fully expect to be held accountable when I have done something wrong. I don't drop the ball and I won't pass the buck.

I feel that I can do a great job for the City Council and ask that you give me that chance. Please let me know if you have any further questions. Thank You.

Respectfully submitted,

John Anderson
2 White Pine Lane
Birchwood, MN. 55110

andefam@hotmail.com
home - 651-653-4548
cell - 651-895-7493

XFINITY Connect

RE: Roads Committee

Tue, Jul 03, 2012 12:36 AM

From : Tami Heart <tamiheart@hotmail.com>
Subject : RE: Roads Committee
To : birchwoodvillage@comcast.net

Dale,
I passed on your message to David. Thank you for asking about the spelling of his last name. It is REYNOLDS.
Tami Heart

Date: Mon, 2 Jul 2012 14:17:11 +0000
From: birchwoodvillage@comcast.net
To: tamiheart@hotmail.com
Subject: Re: Roads Committee

Tell David (is it Renolds or Reynolds) that the Council will consider naming the Committee members at the July 10th Council meeting. I strongly recommend that David attend that meeting.

CITY OF BIRCHWOOD VILLAGE

Dale Richard Powers, MA, AICP
City Clerk-Coordinator
207 Birchwood Avenue
Birchwood, MN 55110
651-426-3403

From: "Tami Heart" <tamiheart@hotmail.com>
To: birchwoodvillage@comcast.net
Sent: Friday, June 29, 2012 8:16:14 PM
Subject: Roads Committee

Dear City of Birchwood Village,
David Renolds wishes to be considered for the Roads Committee.
His contact information is below.

Thank you.
David H. Renolds
523 Hall Ave.
Birchwood, MN 55110
651-429-129

XFINITY Connect

birchwoodvillage@comcast.net

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Roads committee

From : Tom's Email <tom1263@comcast.net>

Wed, Jun 27, 2012 02:48 PM

Subject : Roads committee

To : Birchwood Village <birchwoodvillage@comcast.net>

I am willing to serve on the road committee.

Please contact me if you have any questions.

Thanks

Tom Patsy
1 Hall Ct
651 331 8595

XFINITY Connect

bwclerk@comcast.net

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Fw: Roads committee

From : mary wingfield <mary.wingfield@juno.com>

Wed, Jun 27, 2012 01:49 AM

Subject : Fw: Roads committee**To :** bwclerk@comcast.net

----- Forwarded message -----

From: mary wingfield <mary.wingfield@juno.com>

To: birchwoodisbest@gmail.com

Date: Thu, 24 May 2012 21:09:45 -0500

Subject: Roads committee

Hi Mark:

As a long time Birchwood resident and past mayor, I believe a roads committee is in the city's best interests. Such a committee can address issues that can never be tackled in a three hour council meeting held once a month. Areas of concern that other residents have expressed to me over the years include safety and traffic management, equitable application of assessment fees, and short and long term maintenance plans to ensure we maximize our infrastructure value. A committee can thoroughly research and discuss, and present options for the council's consideration. But most importantly, the committee can give the council credibility by preparing a comprehensive approach to the issues raised.

I can offer a lot of help and information in these areas and would like to be part of that committee. As you probably know, I found and invited the representative from MNDOT who presented the "Highway 244" option for an overlay to the council in December, 2010. This is one option a committee can explore in addressing the Hall/Cedar Street maintenance concerns raised by residents. In the past few years, I also have conferred with about a half dozen paving contractors who are have always been willing to share their knowledge. And I have spoken with many more civil engineers who have shared their insight. These contacts would provide valuable assistance the process.

It has been my experience that residents do care about the decisions the city council makes. I would like to help with that process. I would be happy to discuss any additional information you need.

m

53 Year Old Mom Looks 33

The Stunning Results of Her Wrinkle Trick Has Botox Doctors Worried

<http://thirdpartyoffers.juno.com/TGL3141/4fea66e9258e721c31m01vuc>

XFINITY Connect

bwclerk@comcast.net

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Roads committee

From : mark anderson <f10fixer@gmail.com>

Sat, Jun 30, 2012 04:26 PM

Subject : Roads committee

To : bwclerk@comcast.net

I would like to be on the roads committee.

Mark Anderson
506 Wildwood ave.
651-270-8353

Thank You,

Mark Anderson ACMT
Best Jets Intl.
6855 34th ave. S. hangar #8
Minneapolis, MN 55450
651-270-8353 f10fixer@gmail.com

Minnesota Department of Natural Resources
500 Lafayette Road • St. Paul, MN • 55155-4052



June 18, 2012

REC'D JUN 21 2012

Mr. John Lund
Chair, Parks Committee, City of Birchwood Village
207 Birchwood Ave
Birchwood, MN 55110

RE: FY 2013 Outdoor Recreation Grant Program
Tighe-Schmitz Park

Dear Mr. Lund:

The review of the FY 2013 Outdoor Recreation applications has been completed. Unfortunately, your application was not recommended for funding this year.

Over \$3.2 million in grant requests were received by the Outdoor Recreation Program with \$369,713 available for funding. Funding for this program comes from the federal Land and Water Conservation Fund (LWCF) appropriated by Congress through the Department of Interior.

If you would like information regarding your application or the grant program, please call me at 651/259-5549.

Sincerely,

Audrey Mularie, Grants Coordinator
Division of Parks and Trails

XFINITY Connect

birchwoodvillage@comcast.net

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May 1 Planning Commission Meeting Minutes

From : Don Hankins <dehankins@gmail.com> Thu, Jun 21, 2012 01:52 AM
Subject : May 1 Planning Commission Meeting
Minutes
To : Birchwood City Hall
<birchwoodvillage@comcast.net>

Meeting was called to order by acting chair John Winters at 7:00 pm
Members present: Randy Feldt, Don Hankins, John Winters

Item 1:

Variance Request by City of Birchwood Village for Variance from the 40 foot front yard area requirement for the purpose of placement of a proposed warming house at Tighe-Schmitz Park.

Planning commission recommended approval of a 20 foot variance from the 40 foot front yard area.

Class V material to be used to fill in extra distance to the building.

Request by planning commission, that if possible, the building be moved further back from the street, than what would be allowed by the 20 foot variance.

Passed 3-0 vote.

Item 2:

Discussion regarding administrative complaints.

Planning commission favored the idea of having City Clerk investigate the complaints, vs having a council member do the investigation.

There was concern expressed about the fines. Planning commission agreed that it would be better if violations were spelled out with more

specific fines for different violations as was shown in some of the example material.

This was a discussion only. No motion or action was taken.

Meeting adjourned at 8:30 pm

-Don Hankins

Existing Language

617.360 **NEIGHBORHOOD MEETING.** Prior to submitting a Dock Permit Application Package, the Dock Association shall hold a meeting, to which each adjoining side neighbors within 200 feet of a Public Lake Tract shall be invited, to discuss the placement and operation of the proposed dock for the upcoming Boating Season. This meeting shall occur prior to The Dock Association Member Meeting for dock permit review and submittal for the City Council. The Dock Association shall include in its Dock Permit Application Package the minutes of that adjacent Neighbors meeting. The minutes shall include the persons in attendance, issues discussed, areas of agreement, and unresolved issues. At a minimum, the meeting shall address the following issues:

- (1.) Proposed length the Dock Association’s dock
- (2.) Proposed configuration of the Dock Association’s dock, including number and location of boat slips, lifts, canopies and shore ramps.
- (3.) Proposed location and orientation of the Dock Association’s dock and shore ramps on the Public Lake Tract relative to the shore line and property boundaries.

Redline Changes

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617.360 **SPECIAL NEIGHBORHOOD MEETING.**

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(1.) Prior to submitting a Dock Permit Application Package and prior to the Dock Association, the Dock Association shall hold a special meeting, to which each adjoining neighbor of a Public Lake Tract shall be invited, to discuss the placement and operation of the proposed docks for the upcoming Boating Season. The Dock Association shall provide written notice of the meeting to Dock Association members, neighboring lakeshore property owners within 200 feet of a Public Lake Tract’s side boundaries, and the City Clerk at least one week prior to the meeting. The notice shall contain the time, date, location, and purpose of the meeting. The City Clerk shall post the notice on the bulletin board outside city hall.

~~The Dock Association shall include in its Dock Permit Application Package the minutes of that meeting. The minutes shall include the persons in attendance, issues discussed, areas of agreement, and unresolved issues.~~

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(2.) At a minimum, the meeting shall address the following issues:

- (a.) Proposed length of each of the Dock Association’s docks

(2b.) Proposed configuration of each of the Dock Association's docks, including number and location of boat slips, lifts, canopies and shore ramps.

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(3c.) Proposed location and orientation of each of the Dock Association's docks and shore ramps on the Public Lake Tract relative to the shore line and property boundaries.

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(3.) The Dock Association shall include in its Dock Permit Application Package the minutes of the neighborhood at meeting. The minutes shall include the persons in attendance, issues discussed, areas of agreement, and unresolved issues.

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New Language

617.360 **SPECIAL NEIGHBORHOOD MEETING.**

(1.) Prior to submitting a Dock Permit Application Package, the Dock Association shall hold special meeting to discuss the final placement and operation of the proposed docks for the upcoming Boating Season. The Dock Association shall provide written notice of the meeting to Dock Association members, neighboring lakeshore property owners within 200 feet of a Public Lake Tract's side boundaries, and the City Clerk at least one week prior to the meeting. The notice shall contain the time, date, location, and purpose of the meeting. The City Clerk shall post the notice on the bulletin board outside city hall.

(2.) At a minimum, the meeting shall address the following issues:

(a.) Proposed length of each of the Dock Association's docks

(b.) Proposed configuration of each of the Dock Association's docks, including number and location of boat slips, lifts, canopies and shore ramps.

(c.) Proposed location and orientation of each of the Dock Association's docks and shore ramps on the Public Lake Tract relative to the shore line and property boundaries.

(3.) The Dock Association shall include in its Dock Permit Application Package the minutes of the neighborhood meeting. The minutes shall include the persons in attendance, issues discussed, areas of agreement, and unresolved issues.

XFINITY Connect

birchwoodvillage@comcast.net

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May 1 Planning Commission Meeting Minures

From : Don Hankins <dehankins@gmail.com> Thu, Jun 21, 2012 01:52 AM

Subject : May 1 Planning Commission Meeting
Minures

To : Birchwood City Hall
<birchwoodvillage@comcast.net>

Meeting was called to order by acting chair John Winters at 7:00 pm
Members present: Randy Feldt, Don Hankins, John Winters

Item 1:

Variance Request by City of Birchwood Village for Variance from the 40 foot front yard area requirement for the purpose of placement of a proposed warming house at Tighe-Schmitz Park.

Planning commission recommended approval of a 20 foot variance from the 40 foot front yard area.

Class V material to be used to fill in extra distance to the building.

Request by planning commission, that if possible, the building be moved further back from the street, than what would be allowed by the 20 foot variance.

Passed 3-0 vote.

Item 2:

Discussion regarding administrative complaints.

Planning commission favored te idea of having City Clerk investigate the complaints, vs having a council member do the investigation.

There was concern expressed about the fines. Planning commission agreed that it would be better if violations were spelled out with more

specific fines for different violations as was shown in some of the example material.

This was a discussion only. No motion or action was taken.

Meeting adjourned at 8:30 pm

-Don Hankins

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

RESOLUTION 2012-24

**A Resolution Approving Ordinance 2012-10 Establishing City Code Chapter 618
(COMPLAINTS)**

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 Council desires to adopt an ordinance that codifies an administrative procedure for responding to complaints alleging violations of the Birchwood City Code; and

WHEREAS, the City Council reviewed the draft Ordinance and approved its language for review by the public at a public hearing, as required by the City Council's Rules of Procedure; and

WHEREAS, the City Council held a public hearing on April 10, 2012; and

WHEREAS, the City Council referred the matter to the Planning Commission for review and comment; and

WHEREAS, the Planning Commission reviewed the proposed ordinance and provided written comments to the City Council; and

WHEREAS, the proposed Ordinance is deemed by the City Council to be reasonable and appropriate.

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

1. That Chapter 618 of the City Code, entitled COMPLAINTS, is hereby established.
2. That the text of the new Chapter 618 is as indicated on the attached exhibit.
3. That Sections 615.040 and 615.050 of the City Code are hereby deleted.
4. The effective date of this Ordinance shall be upon publication as required by law.

Adopted by the City Council on this 10th day of July, 2012.

Approved:

Alan Mitchell, Mayor

Attest:

Dale Powers, City Clerk/Coordinator

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

AN ORDINANCE ADOPTING CITY ADMINISTRATIVE COMPLAINT PROCESS, CHAPTER 618

THE COUNCIL OF THE CITY OF BIRCHWOOD VILLAGE ORDAINS:

- 1. That Sections 615.040 and 615.050 of the Municipal Code of the City of Birchwood Village are hereby deleted and removed in their entirety and replaced with the new Chapter 618 set forth below.**
- 2. That Chapter 618 (Administrative Complaints) of the Municipal Code of the City of Birchwood Village is hereby adopted as follows:**

618. ADMINISTRATIVE COMPLAINTS

618.010. GENERALLY. A violation of any provision of the Code of Ordinances of the City of Birchwood Village is hereby deemed an administrative offense which may be subject to any administrative notice of violation and civil penalties pursuant to this chapter. Each day a violation exists constitutes a separate offense. It is in the best interest of all residents of the City to try to resolve all problems regarding nuisances and other violations of the city code by polite personal contact between neighbors. It is recognized that such personal contact may not satisfactorily correct a particular situation or there may be reasons that a resident may not desire to use that approach. If a resident determines that polite personal contact will not resolve the problem, the following steps are to be followed.

618.020. COMPLAINT. Any person may file a complaint with the City on a form provided by the City. The complaint shall identify the specific ordinance provision that is allegedly being violated and the property at which the alleged violation is occurring. Anonymous complaints may be accepted at the discretion of City staff. The name of the complainant who complains about the use of real property will be classified as confidential data at all times pursuant to the provisions of Minnesota Statutes section 13.44. City staff or local law enforcement, on their own volition, may initiate an investigation into any suspected ordinance violation.

618.030. INVESTIGATION. Upon receipt of a written complaint, or upon their own volition, City staff shall conduct an investigation of the matter to determine if a violation exists. City staff shall summarize the results of the investigation in writing. The staff report shall be a public document but no confidential or non-public data shall be disclosed.

618.040. NOTICE OF VIOLATION. The City Clerk shall make a determination whether a violation has occurred. Upon determination that a violation exists, the City Clerk shall send via regular U.S. Mail a "Notice of Violation" to the alleged violator. Said notice shall set forth the nature, date and time of the violation, the name of the official issuing the notice, direct the alleged violator to comply with the ordinance provision or provisions that are being violated within a specific period of time, shall specify any actions to be undertaken, shall inform of the scheduled penalties if the violation is not remedied, and shall inform the alleged violator of his right to a public hearing in front of the city council and the procedures and deadline for requesting a hearing.

Upon written complaint from a Complainant, if the City Clerk determines after investigation that no violation exists, then the Clerk shall mail a "Notice of No Violation" to the Complainant advising of the lack of a violation, and shall inform the Complainant of his right to a public hearing in front of the city council and the procedures and deadline for requesting a hearing.

618.050. PUBLIC HEARING. Within 15 calendar days of the date of mailing of the Notice, the recipient may file a written request with the City Clerk requesting a public hearing on the matter. The alleged violator shall describe in the request the reasons why no violation has occurred or why no further action should be taken by the City. A complainant shall describe in the request the reasons why a violation has occurred or why further action should be taken by the City. The Clerk shall provide the investigation report, Notice of Violation/No Violation, and the alleged violator's or complainant's response to the City Council for review. The City Council shall conduct the public hearing within sixty (60) days of receipt of the request. The City Council may request the Planning Commission to review the matter and provide comments prior to the public hearing. Unless the Government Data Practices Act provides otherwise, the hearing held by the City Council shall be open to the public. Upon completion of the public hearing, the City Council shall prepare a written decision on the matter that includes the determination of the City Council and the rationale for its determination. The City Council shall have the authority to dismiss the matter, uphold the violation, and reduce or waive the penalties, or modify the proposed abatement action. The City Clerk shall mail a copy of the written decision to the interested parties via U.S. mail.

618.060. ABATEMENT. If the City Council concludes that a violation has occurred, the City Clerk shall send a "Notice of Abatement" to the alleged violator. Said notice shall direct the alleged violator to comply with the ordinance provision or provisions that are being violated within a specific period of time and may specify certain actions to be undertaken. If the alleged violator does not abate the violation within the specified period of time, the City may take action itself to remedy the violation or pursue any other enforcement action or remedy available to the City.

618.070. COSTS OF ABATEMENT BILLED TO PROPERTY OWNER. If the City elects to undertake abatement of a violation, after completion of the abatement action, the City shall send an invoice for the cost of the abatement to the responsible person for payment.

618.080. CERTIFICATION ON PROPERTY TAXES. If an invoice for payment of abatement costs is not paid on or before September 1 of any given year, and the violator is a property owner in the City of Birchwood, the City may extend such sum owed as a special tax or special assessment against the property upon which the violation occurred and to certify the same to

the County Auditor for collection in the same manner as taxes and special assessments are certified and collected, as otherwise allowed by law.

618.090 CIVIL PENALTIES. Any violation of an ordinance hereunder shall be subject to an administrative penalty of up to \$500.00, payable to the City.

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 10th day of July, 2012

Attest: _____ Mayor
Alan Mitchell

Attest: _____, City Clerk
Dale Powers

Council Member Harper's Comments

City of Birchwood Village
Ordinance No. 2012-_____

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

AN ORDINANCE ADOPTING CITY ADMINISTRATIVE COMPLAINT PROCESS, CHAPTER 618

THE COUNCIL OF THE CITY OF BIRCHWOOD VILLAGE ORDAINS:

- 1. That Sections 615.040 and 615.050 of the Municipal Code of the City of Birchwood Village are hereby deleted and removed in their entirety and replaced with the new Chapter 618 set forth below.**
- 2. That Chapter 618 (Administrative Complaints) of the Municipal Code of the City of Birchwood Village is hereby adopted as follows:**

618. ADMINISTRATIVE COMPLAINTS

618.010. GENERALLY. A violation of any provision of the Code of Ordinances of the City of Birchwood Village is hereby deemed an administrative offense which may be subject to any administrative notice of violation and civil penalties pursuant to this chapter. Each day a violation exists may be considered a separate offense. It is in the best interest of all residents of the City to try to resolve all problems regarding nuisances and other violations of the city code through respectful interaction and communication. If such personal contact does not satisfactorily correct a particular situation or a resident does not desire to use that approach the following steps may be followed.

618.020. COMPLAINT. Any person may file a complaint with the City on a form provided by the City. The complaint shall identify the specific ordinance provision that is allegedly being violated and the property at which the alleged violation is occurring. Anonymous complaints may be accepted at the discretion of City staff. The name of the complainant who complains about the use of real property will be classified as confidential data at all times pursuant to the provisions of Minnesota Statutes section 13.44. City staff or local law enforcement, on their own volition, may initiate an investigation into any suspected ordinance violation.

618.030. INVESTIGATION. Upon receipt of a written complaint, or upon their own volition, City staff shall conduct an investigation of the matter to determine if a violation exists. City staff shall summarize the results of the investigation in writing. The staff report shall be a public document but no confidential or non-public data shall be disclosed.

618.040. NOTICE OF VIOLATION. The City clerk shall make a determination whether a violation has occurred. Upon determination that a violation exists, the City clerk shall prepare and

Comment [jmh1]: AI is proposing that the penalties be in a separate Chapter 619.

Comment [jmh2]: I would be fine with removing this sentence entirely unless you think we need it for added teeth.

Comment [jmh3]: This assumes that all complaints are between neighbors. Many times they are not.

Comment [jmh4]: It is unreasonable for the complainant to do this. For example, if a resident complains about light shining in there yard, I don't think they should have to figure out what specific ordinance is in violation. I think that should be part of the staff investigation of the complaint.

Comment [jmh5]: I think a section should be added regarding the staff attempting to work with the alleged violator to correct the violation before a notice of violation is sent. I would hope that most violations could be resolved in this manner and would not result in a notice of violation.

Council Member Harper's Comments

send via regular U.S. Mail a "Notice of Violation" to the alleged violator. Said notice shall set forth the nature, date and time of the violation, the name of the official issuing the notice, direct the alleged violator to comply with the ordinance provision or provisions that are being violated within a specific period of time, any actions to be undertaken, and the scheduled penalties if the violation is not remedied, and shall inform the alleged violator of his right to a public hearing in front of the city council and the procedures and deadline for requesting a hearing.

Upon written complaint from a Complainant, if the City clerk determines after investigation that no violation exists, then the Clerk shall mail a "Notice of No Violation" to the Complainant advising of the lack of a violation, and shall inform the Complainant of his right to a public hearing in front of the city council and the procedures and deadline for requesting a hearing.

618.050. PUBLIC HEARING. Within 15 calendar days of the date of mailing of the Notice, the recipient may file a written request with the City clerk requesting a public hearing on the matter. The alleged violator shall describe in the request the reasons why no violation has occurred or why no further action should be taken by the City. A complainant shall describe in the request the reasons why a violation has occurred or why further action should be taken by the City. The clerk shall provide the investigation report, Notice of Violation/No Violation, and the alleged violator's or complainant's response to the City Council for review. The city council shall conduct the public hearing within sixty days of receipt of the request. The city council may request the Planning Commission to review the matter and provide comments prior to the public hearing. Unless the Government Data Practices Act provides otherwise, the hearing held by the City Council shall be open to the public. Upon completion of the public hearing, the City Council shall prepare a written decision on the matter that includes the determination of the city council and the rationale for its determination. The City Council shall have the authority to dismiss the matter, uphold the violation, reduce or waive the penalties, or modify the proposed abatement action. The city clerk shall mail a copy of the written decision to the interested parties via U.S. mail.

618.055. COUNCIL APPROVAL. Regardless of whether or not party requests a public hearing relating to the City Clerk's issuance of a Notice of Violation or Notice of No Violation, the matter shall be reviewed by the City Council for a final authorization of the City Clerk's determination, including review and potential modification of any abatement actions or penalties issued by the City Clerk.

618.060. ABATEMENT. If the city council concludes that a violation has occurred, the city clerk shall send a "Notice of Abatement" to the alleged violator. Said notice shall direct the alleged violator to comply with the ordinance provision or provisions that are being violated within a specific period of time and may specify certain actions to be undertaken. If the alleged violator does not abate the violation within the specified period of time, the city may take action itself to remedy the violation or pursue any other enforcement action or remedy available to the City.

618.070. COSTS OF ABATEMENT BILLED TO PROPERTY OWNER. If the City elects to undertake abatement of a violation, after completion of the abatement action, the City shall send an invoice for the cost of the abatement to the responsible person for payment.

Council Member Harper's Comments

618.080. CERTIFICATION ON PROPERTY TAXES. If an invoice for payment of abatement costs is not paid on or before September 1 of any given year, and the violation is related to a property, the City may extend such sum owed as a special tax or special assessment against the property upon which the violation occurred and to certify the same to the County Auditor for collection in the same manner as taxes and special assessments are certified and collected, as otherwise allowed by law.

Comment [jmh6]: What if the violation is not against a property, e.g. expired license plate, a noisy party, illegal parking, etc.

618.090 CIVIL PENALTIES. Any violation of an ordinance hereunder may be subject to an administrative penalty of up to \$500.00, payable to the City.

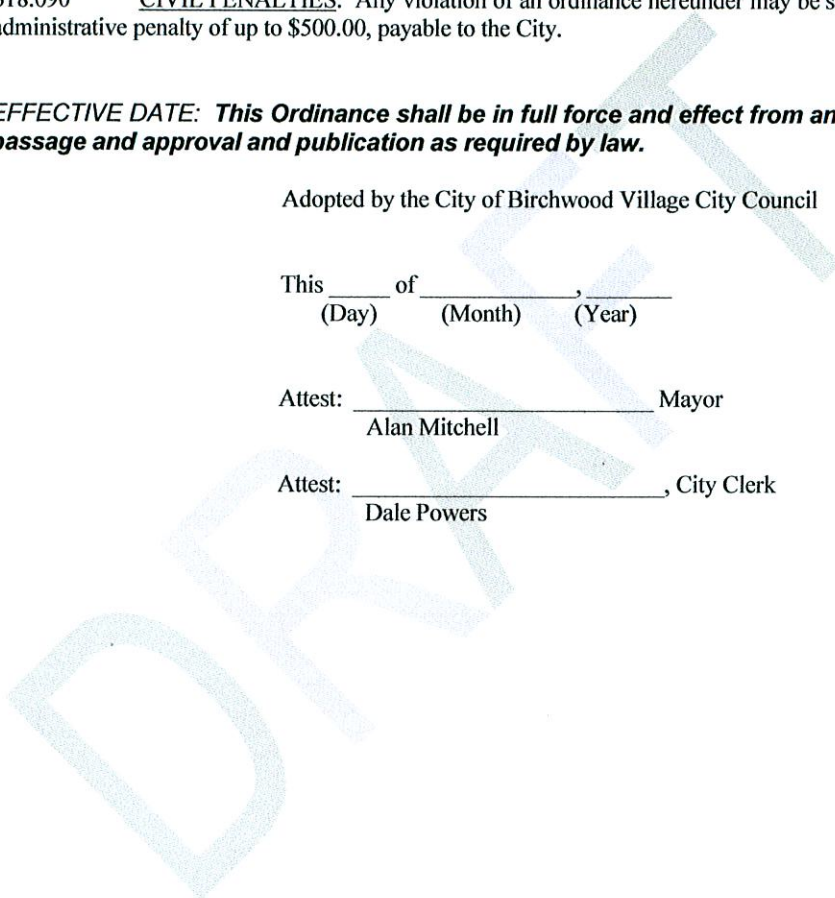
EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Adopted by the City of Birchwood Village City Council

This _____ of _____,
(Day) (Month) (Year)

Attest: _____ Mayor
Alan Mitchell

Attest: _____, City Clerk
Dale Powers



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

Ordinance No. 2012-11

AN ORDINANCE ADOPTING CHAPTER 619 (PENALTIES AND ENFORCEMENT) DESCRIBING THE PENALTIES THAT MAY ATTACH AND THE ENFORCEMENT OPTIONS AVAILABLE TO THE CITY FOR CODE VIOLATIONS

WHEREAS, the City of Birchwood Village has adopted a city code establishing various requirements regulating conduct within the city limits: and

WHEREAS, provisions regarding enforcement of the city code and the penalties for violation are found throughout the code; and

WHEREAS, it is appropriate to set forth in one place in the city code those penalties that attach to violation and the enforcement options available to the City.

NOW, THEREFORE, the City Council of the City of Birchwood Village ordains that chapter 619 (PENALTIES AND ENFORCEMENT) is hereby adopted to read as follows:

619.010. MISDEMEANOR. Any person who violates any provision of the City of Birchwood Code shall be guilty of a misdemeanor, unless state law provides for a different criminal penalty.

619.020. INJUNCTION. The City of Birchwood may seek to enjoin any conduct that is in violation of the City of Birchwood Code.

619.030. CITY INVESTIGATION. Whether or not a complaint has been filed under chapter 618, the City Council may elect to conduct an investigation into any alleged violation of the City Code. The Council may ask the Planning Commission or the Parks and Natural Resources Committee or other city employee to investigate an alleged violation and report back to the Council. After investigation, the Council may ask the alleged violator to implement certain actions or to refrain from certain conduct. The Council shall not take any action without providing the alleged violator notice of the matter and providing the person an opportunity to be heard before the Council. The alleged violator may request that the City hold a public hearing on the matter pursuant to section 618.050 of the Code.

619.030. CITY OPTIONS. The City may at any time elect to commence civil or criminal action against a person who is alleged to have violated any provision of the City Code, regardless of whether an investigation has been conducted or a hearing has been requested and held.

619.40. COLLECTION. The City may, after obtaining a court order directing the violator to pay a fine, fees, costs, disbursements, attorneys fees or any other monies to the City, seek to recover such monies through any method available to the City. If the violator is a property

owner in the City of Birchwood, the City may extend such sum owed as a special tax against the property upon which the violation occurred and to certify the same to the County Auditor for collection in the same manner as taxes and special assessments are certified and collected, as otherwise allowed by law.

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 10th day of July, 2012

Attest: _____ Mayor
Alan Mitchell

Attest: _____, City Clerk
Dale Powers

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

RESOLUTION 2012-25

**A Resolution Approving Ordinance 2012-11 Establishing City Code Chapter 619
(PENALTIES AND ENFORCEMENT)**

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 Council desires to adopt an ordinance that describes the penalties that may attach, and the enforcement options available to, the City for violations of the Birchwood City Code; and

WHEREAS, the City Council reviewed the draft Ordinance and approved its language for review by the public at a public hearing, as required by the City Council's Rules of Procedure; and

WHEREAS, the City Council held a public hearing on April 10, 2012; and

WHEREAS, the City Council referred the matter to the Planning Commission for review and comment; and

WHEREAS, the Planning Commission reviewed the proposed ordinance on May 1, 2012 and provided written comments to the City Council; and

WHEREAS, the proposed Ordinance is deemed by the City Council to be reasonable and appropriate.

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

1. That Chapter 619 of the City Code, entitled PENALTIES AND ENFORCEMENT, is hereby established.
2. That the text of the new Chapter 619 is as indicated on the attached exhibit.
3. The effective date of this Ordinance shall be upon publication as required by law.

Adopted by the City Council on this 10th day of July, 2012.

Approved:

Alan Mitchell, Mayor

Attest:

Dale Powers, City Clerk/Coordinator

TO: City Council
FROM: Alan Mitchell, Mayor
SUBJECT: PROPOSED PERSONNEL POLICIES
DATE: June 28, 2012

The bylaws for the Personnel Committee say that the Committee should develop for Council consideration personnel policies relating to various personnel matters. In March, 2012, the Personnel Committee (Alan Mitchell and Tony Sampair) met with Jennifer Nodes of the Eckberg Lammers law firm and City Clerk Dale Powers to discuss several possible policies relating to discipline, grievance procedures, compensation, internet use, and personal motor vehicle use. Jennifer provided draft versions for the Committee to review. The Committee has worked from the drafts provided by Jennifer, made changes as deemed appropriate for Birchwood, and is bringing several policies to the full Council for consideration at the July meeting.

The Personnel Committee is recommending that the Council adopt the following policies:

- Grievance Procedure
- Disciplinary Policy
- Internet Access and Email Policy
- Policy on Compensation of City Employees
- Birchwood Personal Motor Vehicle Use Policy

Many of the policies are quite a bit simpler than what other larger cities have, reflecting the fact that Birchwood has only two employees – a city clerk/coordinator and a treasurer. The Personnel Committee attempted to keep the policies short and concise and applicable to the situation in Birchwood.

I. Grievance Procedure

This policy establishes a procedure for an employee of the City to file a grievance regarding a dispute between an employee and the City or between two employees over the application, meaning, or interpretation of any personnel issue or policy or workplace incident. The policy declares that grievances should be dealt with promptly and in a fair and equitable manner.

Under the policy a grievance is initiated when an employee files a written grievance with the Personnel Committee, setting forth the details of the grievance. The policy establishes short time periods for the Personnel Committee to respond and make a recommendation for resolving the situation. Generally, the matter should be handled within 30 days, although more time is allowed if the Committee requires additional information.

If the employee is not satisfied with the Personnel Committee's recommended resolution, the employee may ask the entire City Council to consider the matter. The Council has sixty days to respond. If the Council does not take action within sixty days, the grievance is considered denied.

The policy specifically states that certain matters are not grievable. These include performance evaluations, pay increases or lack thereof, and merit pay awards. The reason for this is because these are all discretionary matters for the entire Council to consider.

The policy also states that the City may discipline any employee who retaliates against another person who reports alleged violations of city policies or unlawful action. Finally, the policy states that the City must comply with the Open Meeting Law and the Data Practices Act in considering any grievance. Whether or not meetings are open or documents are public will be determined under those laws.

II. Disciplinary Policy

This policy will cover disciplinary matters that arise with any city employee. However, because Birchwood employees are at-will employees, the policy recognizes that the City reserves the right to deviate from the policy and terminate the employment of any at-will employee.

The policy provides that it is the full City Council that takes disciplinary action. The policy sets forth three levels of misconduct, depending on the seriousness of the action. The policy recognizes that discipline can cover everything from a verbal warning to dismissal. As the misconduct becomes more serious, the sanction options also increase.

The policy states that the City must comply with the Open Meeting Law and the Data Practices Act in consideration of any disciplinary action, and since the matter will involve conduct of a city employee, the provisions of those two laws may very well impact the Council's deliberations and actions.

III. Internet Access and Email Policy

This policy is intended to provide guidance on use of City computer equipment by employees. It is common for cities to have policies doing so. The draft Birchwood policy recognizes that employees may use City equipment for personal use provided such use is limited and does not interfere with normal work activities. The policy prohibits employees from using City equipment to conduct private business or engage in political activities or fundraising. It also states that an employee should not identify himself or herself as an employee of the City on social medial accounts the employee creates.

IV. Policy on Compensation of City Employees

This policy simply puts into writing certain common-sense statements regarding payment to city employees for their work. Two primary statements are that employees will be paid twice per month and that, while not required, employees are permitted and encouraged to participate in direct deposit.

V. Birchwood Personal Motor Vehicle Use Policy

Larger cities may require more extensive policies regarding the operation of city equipment, since these cities often have heavy equipment and vehicles that city employees operate in the course of their employment. Birchwood does not have any heavy equipment or vehicles, but it is appropriate to have a policy covering the use of an employee's private automobile while at work for the City since the Clerk and the Treasurer do use their personal automobiles for city business on occasion.

This policy provides that only the Clerk and the Treasurer may use a private automobile to conduct city business. Seasonal employees are not to use their private vehicles to conduct city business. The policy requires an employee to be properly insured and to have a valid driver's license. If the employee receives any tickets while operating his or her motor vehicle on city business, the employee must notify the Clerk and the Mayor and the City will not pay any fines that are due. The City Council may take disciplinary action against an employee who receives tickets while on city business or engages in negligent or careless operation of a motor vehicle.

VI. Summary

Upon adoption by the City Council, these policies would go into effect. The Clerk would post them on the City's webpage and maintain them in a policy book in the office. The City Council could amend them at any time.

GRIEVANCE PROCEDURE

It is the policy of the City to minimize the occurrence of grievances and to deal promptly with those that do occur in a fair and equitable manner. Employees shall use the following process to seek redress of grievances.

Any dispute between an employee and the City or between employees relative to the application, meaning, or interpretation of any personnel issue or policy or workplace incident shall be addressed in the following manner:

Step 1: The employee must present the grievance in writing to the Personnel Committee, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the personnel policies allegedly violated, if applicable, and the remedy requested. The Personnel Committee shall respond to the employee in writing within fifteen (15) calendar days and may request additional information. The Personnel Committee shall make its recommendation in writing within thirty (30) days after submission of the grievance or receipt of additional information if more information is requested.

Step 2: If the grievance is not resolved to the employee's satisfaction in accordance with Step 1, the employee may ask the City Council to consider the grievance by filing a notice with the City Clerk to that effect within ten (10) days of receipt of the Personnel Committee's written recommendation. The City Council may refuse to consider an appeal that is filed after the ten day limit. The employee shall explain his or her reasons for disagreeing with the Personnel Committee's recommendation. The City Clerk shall provide the Council with the original written grievance, the recommendation of the Personnel Committee, and the employee's written notice and explanation. The City Council shall address the matter and respond in writing to the employee within sixty (60) days of the filing of the notice. The decision of the City Council is final.

If the Personnel Committee or the City Council does not answer a grievance or an appeal within the specified time limits, the grievance shall be considered denied. The time limit in each step may be extended by mutual agreement of the Personnel Committee or the City Council and the employee without prejudice to either party.

The following actions are not grievable:

1. Performance evaluations;
2. Pay increases or lack thereof; and
3. Merit pay awards.

The City may discipline any individual who retaliates against any person who reports alleged violations of City policies or of unlawful action. The City may also discipline any individual who retaliates against any participant in an investigation, proceeding or hearing relating to the report of alleged violations. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

The City shall comply with the Open Meeting Law and the Data Practices Act in consideration of any grievance.

DISCIPLINARY POLICY

Policy Intent

The City of Birchwood Village recognizes the benefit of a standard means of dealing with disciplinary issues that arise, but also acknowledges that circumstances may exist which require deviation from the standard approach. As such, the City has adopted the following policy to guide any disciplinary issue that develops, but the City preserves the right to deviate from the guidance set forth herein when circumstances warrant other action including the right to terminate the employment of any at-will employee.

Policy Provisions

Disciplinary action and corrective measures are taken at the discretion of the City Council whenever a disciplinary matter is brought to its attention.

The possible measures for disciplinary action include counseling, verbal warning, one or more formal written warnings, performance evaluations including substandard performance, demotion, suspension, probation, and dismissal. The selection of the action will be made upon full examination of the facts and circumstances and the seriousness of the behavior alleged. By reference, this policy includes those rules, provisions, policies, and guidelines outlined in the City's policies and procedures and applicable ordinances.

In the event the behavior or violation alleged involves possible criminal activity, the appropriate law enforcement officials should be notified. Under such circumstances, the Mayor should be immediately notified.

Disciplinary Actions

Level 1 Actions

Level 1 Actions include, but are not limited to, the following:

- Unauthorized or excessive absence, tardiness.
- Failure to abide by City policy.
- Failure to meet assigned duties and/or responsibilities.
- Obscene, abusive, or disruptive language or behavior.
- Violation of the City's harassment policy.
- Failure to perform assigned job responsibilities.
- Failure to follow prescribed work procedures.
- Neglect of City property.
- Excessive personal use of the telephone and/or email.
- Misuse of City property.

The City Council may take any of the following actions if justified in a disciplinary matter regarding a Level 1 Action:

- Instruction or Counseling
- Verbal warning
- Formal written warning
- Suspension or probation
- Discharge

Level 2 Actions

Level 2 Actions are more serious than Level 1 Actions and include, but are not limited to, the following:

- Absences without approved leave.
- Refusal to comply with instructions of the City Council.
- Conduct endangering the safety of the employee, co-workers or members of the public.
- Violating major safety rules.
- Working when ability is impaired by the use of alcohol, illegal and/or prescription drugs.
- Unauthorized use of City materials and/or supplies.

The City Council may take any of the following actions if justified in a disciplinary matter regarding a Level 2 Action:

- Written warning
- Suspension or probation
- Discharge

Level 3 Actions

Level 3 Actions are behaviors that are serious enough to justify either a suspension or termination of employment. Behaviors for which immediate suspension or termination can be justified include, but are not limited to, the following:

- Sexual harassment.
- Insubordination or the refusal to comply with the specific instructions of the City Council in the context of an assigned job duty.
- Falsification of personnel records, time records, or any other organization documents and records.
- Fighting during work time or on work premises.
- Use of or possession of, alcohol or illegal drugs during work time or on work property.
- Damaging, defacing, or misusing City property or the property of co-workers.

- Theft, misappropriation, embezzlement, unauthorized possession or removal of organization property or the property of employees or members of the public.
- Indecent conduct which occurs on City property or at a work site.
- Unauthorized or illegal possession of explosives, firearms, or other dangerous weapons on work premises, including work sites.
- Conviction of a criminal offense, including a misdemeanor, gross misdemeanor, or felony level offense.
- Unauthorized use of confidential information.
- Continued unsatisfactory work performance.
- Violation of the City's conflict of interest/ethical standards policies.
- Other behaviors that seriously threaten the safety and well-being of the City, City employees, or the public at large.
- Intentional or deliberate injury to another person.

The City shall comply with the Open Meeting Law and the Data Practices Act in consideration of any disciplinary action.

INTERNET ACCESS AND EMAIL POLICY

I. General Policy. The City of Birchwood Village provides Internet access and electronic mail (email) capabilities to the City Clerk and City Treasurer at city expense to further city business. The purpose of this Policy is to describe the proper use of these public resources and technology.

II. Privacy. The City Council preserves the right to monitor and log all network, Internet activity and email use and content accessed via city equipment or systems and to access, review, read, disclose, and use all records of use and all content in any way it deems necessary. This monitoring may include, but is not limited to, accessing computers, hard drives, attached/connected devices, external media, flash drives, disks, and adjacent work areas. No person should expect that any message or its contents, or any record of use, whether for city business, personal use, or even a prohibited use, will be private, even when a personal password is used.

III. Personal Use of Email and Internet Access. City employees may use city technology, including email and Internet access, for personal use on a limited basis provided such use does not interfere with normal work. Incidental and occasional personal use of email and Internet access is permitted provided that the incremental cost is negligible, no city business activity is preempted by personal use, and no city policies or laws are violated. An employee may access a personal email account via city equipment subject to the conditions set forth in this policy.

IV. Social Media. No employee shall create a social media profile on behalf of the City or as a representative of the City or with the City name or logo without approval from the City Council. Any nonprofessional social media profile created by an employee on personal equipment, or on personal email addresses, shall not identify the person as an employee of the City of Birchwood Village. Nonprofessional social media includes but is not limited to Facebook, Twitter, blogs, chat rooms, YouTube, wikis, and other types of social bookmarking. Employees creating personal profiles on professional social media, such as LinkedIn, may indicate on the profile that they are an employee of the City of Birchwood Village.

V. Other Prohibited Uses. In addition to other restrictions set forth herein, no employee shall use the Internet or email on City time, or use City equipment, to conduct a personal commercial business, political activity, or fundraising. No employee shall illegally copy, install, transfer, or download a pirated or copyrighted software program or other data. No employee shall knowingly download any software that compromises the integrity of the city system. An employee shall notify the City Council if the city system may have been jeopardized by the infiltration of a virus or other computer hacking program. No employee shall allow any unauthorized person to have access to the city system.

VI. Data Practices. City employees shall be cognizant that data stored on the city system is subject to the Data Practices Act requirements of public disclosure.

VII. Violation. Violation of the requirements of this Policy may subject the employee to disciplinary action.

POLICY ON COMPENSATION OF CITY EMPLOYEES

Subject to the provisions of the Pay Equity Act (M.S. 471.991 to 471.999), employees of the City shall be compensated for their work on behalf of the City according to a wage or salary established by the City Council. The wage or salary so established shall be the total remuneration for the work performed. Compensation for seasonal and temporary employees will be set by the City Council at the time of hire, or on an annual basis.

Unless approved by the Council, an employee shall not receive any amount from the City in addition to the pay authorized for the position to which the person was hired. Expense reimbursements or travel expenses in addition to regular pay may be authorized by the City Council in accordance with city policy on travel expenses.

There shall be two pay periods for each month. The first pay period is from the first day of the month through the fifteenth of the month. The second pay period is from the sixteenth day of the month through the last day of the month. Each pay period will commence at 12:00 a.m. on the first day and end of 11:59 p.m. on the last day. As provided for in Minnesota law, all employees are permitted and encouraged to participate in direct deposit.

Paychecks will not be given to anyone other than the person for whom they were prepared, unless the person to whom a paycheck is made out to authorizes the City to give the check to another person. Checks will be given to the spouse, or another appropriate immediate family member, in the case of a deceased employee.

Employees are responsible for notifying the City Clerk of any change in status including changes in address, phone number, names of beneficiaries, marital status, or banking information, that may affect the method of payment.

BIRCHWOOD PERSONAL MOTOR VEHICLE USE POLICY

I. Policy. It is the policy of the City of Birchwood Village that only the City Clerk and the City Treasurer may use a personal motor vehicle to conduct city business. Seasonal employees and other part-time employees may not use their motor vehicles for conducting city business, without the approval of the City Clerk for certain one-time tasks.

II. Properly Licensed. Any employee driving a personal motor vehicle to conduct city business must have a valid driver's license at all times the vehicle is in such use. The City may, in its discretion, request the employee to provide documentation that the employee has valid driving privileges. Any employee who loses his or her driver's license or receives restrictions on the license shall immediately notify the City Clerk and the Mayor of such action or status. Such employee shall not drive a motor vehicle for city business in violation of any such restrictions.

III. Insurance. Any employee driving his or her own motor vehicle for city business must at all such times have the vehicle insured for both liability and property damage. The City may, in its discretion, request the employee to provide documentation of insurance at any time.

IV. Tickets and Accidents. Employees driving their personal vehicles for city business shall notify the City Clerk and Mayor of any moving violations they receive while on business for the City. The City will not pay the costs of any parking tickets or traffic violations that employees incur, whether they occur while on city business or not. Any employee involved in an accident while on city business, whether major or minor, whether or not any injuries or property damage occurs, that occur while on city business shall be reported immediately to the local police department or other appropriate law enforcement agency. Employees in an accident while on city business shall also inform the City Clerk and the Mayor as soon as possible of the accident. The employee shall participate in any investigation performed by law enforcement, the City, the City's representative, or the insurance company.

V. Disciplinary Action. The improper, careless, negligent, destructive, or unsafe use or operation of a motor vehicle while on city business or the accumulation of excessive or avoidable traffic or parking violations while on city business can result in disciplinary action, up to and including termination of employment.



CITY OF BIRCHWOOD VILLAGE
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Birchwood Village, MN 55110
651-426-3403 tel
651-426-7747 fax
birchwoodvillage@comcast.net

MEMORANDUM

DATE: July 5, 2012
TO: City Council
FROM: Dale Powers, City Coordinator
RE: Dog License Issue

=====

I'm writing the Council to advise it of two issues relating to the issuance of two-year dog licenses. City Code § 605.021 states, in part, that "[t]he [dog license] application must be accompanied by a certificate from a qualified licenses veterinarian certifying that the dog has been vaccinated against rabies on a date that is not more than 24 months prior to the expiration date of the license to be issued." When the City issued one-year licenses, that language did not present an issue. The term of the license was less than 2 years.

There is an issue with the "24 month" requirement with a 2-year license. Vaccinations are given for variable terms of either 1, 2, or 3 years. Most dog owners get 2 year vaccinations. The way the ordinance is written, the dog would need to have received this vaccination *the same day as receiving the license* in order to comply with the ordinance. **Less than 5% of Birchwood dog licensees met this requirement.**

When the 2012 dog license renewal, staff decided not to make the great majority of dog owners go back and get their dogs vaccination for a term that would comply with the ordinance. Instead, staff created a tracking spreadsheet, and when a dog's vaccination was within a month of expiration a reminder letter would be sent out. Calls were also made to the veterinarian of record to see if the dog received an updated rabies vaccination. Most dog owners have submitted update certificates of rabies vaccination; a few have not.

The first issue is how to address those dog owners who refuse to comply with the ordinance. City Code § 605.160 calls for enforcement by the Animal Control Officer, which is the White Bear Lake Police Department, and § 605.170 establishes violation of § 605 as a misdemeanor. Before going to this remedy, I wanted to bring this matter to the Council for direction.

The second issue is to consider rewriting the relationship between the length of the license and the length of the term of the vaccination. With a 1-year license, the 24 month vaccination period made sense. One thought is for the length of the vaccination period to be established as 12 months longer than the license period. Another thought is for the license term to expire when the vaccination expires. There are only 60 licensed dogs in the City – a manageable number. Staff agrees with former Mayor Mary Wingfield, who wrote in the White Bear Press that "the current dog license fee of \$10.00 for two years does not begin to cover all this extra staff time". I can research what other communities charge for dog licenses and report back to the Council.

~~we can once again become the No. 1 nation in the world.~~

~~Please vote for the party asking you to tax the extremely wealthy to resolve our educational and vocational problems.~~

~~Still bumpy~~

~~Bernie Salchow~~

~~MAHTOMEDI — The May 2 article regarding the “smooth ride on White Bear Avenue” sounded like a good fix for the street.~~

~~I have driven on the new patches several times and am disappointed in the finished product. Although the holes are filled, the new concrete slabs are all apparently higher than the existing roadway and cause a definite “bump” over each patch.~~

~~The \$2.3 million being spent on this project is a huge waste of money. They should have tried this on a short section of the roadway first before committing to the total 1.7-mile stretch.~~

~~Orwell visits~~

~~Mary Wingfield~~

~~BIRCHWOOD — George Orwell is alive and well in Birchwood.~~

~~City dog license applications were due by Feb. 15, and I filed for renewal in early February. Ten days later I received a receipt in the mail, but nothing more. A month later, I got my documents back, but still no dog license.~~

~~This past week I went to City Hall to pick up the elusive tag. A day later I received a letter from the city clerk telling me that my dog's rabies vaccination expired three weeks ago. More surprisingly, the clerk wrote that he had contacted my dog's clinic and asked them if I had scheduled an appointment yet for another shot. The clerk then threatened to revoke my dog's license if I did not comply with his demand to show proof of a new certificate by June 1.~~

~~One would expect this behavior from a fascist regime.~~

~~Moreover, this time mismanagement comes at the heels of the staff needing 40 hours of overtime in January to complete the year-end accounting, using the contract city engineer (at \$99/hour) to contact other government agencies for procuring and negotiating city services, and reducing the city newsletter to no substantive content.~~

~~Clearly, city taxes will go up with this new approach to administration. (It has already happened with the city water rates — they are going up nearly 50 percent next quarter.)~~

~~{ The current dog license fee of \$10 for two years does not begin to cover all this extra staff time, not to mention attorneys' fees for prosecuting doggie scofflaw. }~~



**CITY OF BIRCHWOOD VILLAGE
BID FORM FOR SNOW REMOVAL**

I hereby submit a bid to the Birchwood Village City Council for snow removal for the winter season of November 2010 through April 2012.

Area of snow removal

All improved city streets, except East County Line Road.

Equipment described:

1993 Ford L 8000 dump truck with plow, wing plow, belly plow and sander

2003 Ford F-250 with 9' plow

2003 Ford F-250 with 7' snowblower

ASV with bucket

The successful bidder will be required to furnish a certificate of insurance coverage's (\$200/\$600 or \$300 CSL). Worker Compensation Insurance will also be required for employee (s) or exemption declared if applicable.

Bid rate per hour man and machine \$ 75.00 type of machine L 8000 dump truck

Bid rate per hour man and machine \$ 55.00 type of machine Ford F-250 w/ plow

Bid rate per hour man and machine \$ 75.00 type of machine Ford F-250 w/ blower

Bid rate per hour man and machine \$ 75.00 type of machine ASV with bucket

Company: KEJ Enterprises

Address: 611 Florence Ave
Mahtomedi, Minn 55115

Phone: 651-775-0843

Signature of person preparing bid: _____

Title: Owner

Date: September 29, 2010

Ford L 8000 with wing and sander time approximately 3 hours per snowfall.

Ford F-250 with plow time approximately 3 hours per snowfall.

Ford F-250 with snowblower used as needed for cul de sacs.

ASV as needed