



AGENDA OF THE REGULAR MEETING OF
THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
July 11th, 2023
6:45 P.M.

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

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

OPEN PUBLIC FORUM

PRESENTATIONS

- A. State Senator Heather Gustafson is visiting to present the latest legislative provisions.

ANNOUNCEMENTS

- A. Thank you to the hardworking volunteers who participated in the June city clean up.
- B. The Fourth of July parade was a great success. Thank you to the community club, village band, and all those who volunteered, marched, and attended.

CONSENT AGENDA

- A. Approve June Meeting Minutes* (pp. 3)
- B. Approve June Special Meeting Minutes. (pp. 4 - 4A)
- C. Approve Treasurer's Report* (pp. 5 - 35)
- D. Approve mower damage claim. (pp. 36 - 38)
- E. Approve recognition of June 19 (Juneteenth) as a City Holiday*

CITY BUSINESS – OLD BUSINESS

- A. 2023-02-VB (127 Wildwood) Variance * (pp. 39 - 57)
 - a. Council deliberation
Time Budget: 15 Minutes
- B. ORDINANCE 2023-05-05 amending the utility availability fees and sections 201, titled "city water systems" and section 202, titled "city plumbing and sewage system"*
 - a. Approve RESOLUTION 2023-34 Approving Summary Publication Ord. 2023-05-05* (p. 58)
Time Budget: 5 Minutes

* Denotes items that have supporting documentation provided

- C. Approve request for publication of an RFP for a year end 2023 financial audit to consider in budgeting proposals for 2024* (pp. 59 - 75)

Time Budget: 5 Minutes

- D. Ordinance 2023-06-01 (Solar Panels): an ordinance amending ordinances no. 301 titled "zoning code: general provisions," no. 302 titled "zoning code: requirements and performance standards," and no. 306 titled "zoning code: conditional use permits"* (pp. 77 - 87)

- a. Request publication of a public hearing notice for the 2nd reading of Ordinance 2023-06-01

CITY BUSINESS – NEW BUSINESS

- A. First Reading: Ordinance 2023-07-01: zoning code requirement and performance standards: structure height. (pp. 88 – 93)

- a. First reading and council deliberation.

- b. Order second reading and public hearing.

Time Budget: 10 Minutes

- B. Request for purchase of city Personal Computer. *(p.94)

- C. Road repair bid from TA Schifsky. *(p.95)

- D. Approve processing of hourly permit fees by the city planner and engineer. *(p.96)

ADJOURN

* Denotes items that have supporting documentation provided

June Council Meeting Minutes In Process

MINUTES
OF THE CITY COUNCIL
FOR THE CITY OF
BIRCHWOOD VILLAGE
WASHINGTON COUNTY,
MINNESOTA HELD
June 29th, 2023, 6:30 PM

Mayor Ford convened the meeting at 6:30 pm. Roll call indicated all members present.

PLEDGE OF ALLEGIANCE

Pledged.

APPROVE AGENDA

Moved by McCarthy, Seconded by Weier to Approve as Amended with the deletion of item, "B," from the Original Agenda. **All aye.**

AGENDA

- A. Presentation of Proposal From Our City Engineer, Marcus Johnson
10 Year Plan To Improve Birchwood Roads

Marcus Johnson presented a proposal from Bolton and Menck for phase one regarding potential road improvement projects in the City. Phase one would be evaluative in nature and scope with the notion that identifying the areas of greatest need and determining if other infrastructure is implicated would be good data from which to then design projects and determine financing and/or project them out in CIP format. Handouts were distributed.

Discussion with the engineer and Council included the use of robotics in the process of evaluation and creating a scope for a CIP. Also discussed and tacit approval given to work on an application for Federal assistance for scoping infrastructure (e.g. lead pipes) due July 31st.

Moved by the Mayor and Seconded by McCarthy to authorize Bolton and Menck to employ robotics to assess street conditions with a not-to-exceed budget of \$2000.00.
All aye.

Moved by Mayor and Seconded by Hankins to prepare a CIP based on the survey with a deliverable in the form of a map of the community that reflects the condition and location of the City's infrastructure; roads and pipes, primarily and recommendations for projects/project areas. Mayor, McCarthy and Hankins **aye**; Foster and Weier **nay**.
Motion passes 3-2.

OPEN PUBLIC FORUM

Nobody presented.

ANNOUNCEMENTS

None.

ADJOURN

Moved by Foster to adjourn, Seconded by Mayor; all aye.

Meeting adjourned at 8:00pm.

Treasurers Report

1. Water Main break costs submitted as of 7/5 for the water main break = \$8,154.28
2. Semi-Annual permit software bill for \$2000
3. Therese paid for the portable bathroom for the parade. The Community club had forgotten to order.
4. A \$6000.00 correcting entry was made in CTAS. This was for 469 Lake Ave. They owed for engineering fees. I subtracted the two \$3000 escrow payments made and they wrote a check for the net amount due. I should have had them pay the full amount and reimbursed from escrow to get the escrow balanced. This is a net entry. You will see a receipt for \$6000 in permits and a disbursement of \$6000 for escrow.
5. LMC sent us a check for \$352 for the credit on our property/casualty bill. I asked them to VOID so I wouldn't have to deposit and then write them a check, however, their billing department requested I deposit and write them a check so I did.
6. June Reconciliation is complete. I will need a council member volunteer to come in and review the mid-year reconciliations. I can be available outside business hours as needed. Please contact me on my cell phone 612-723-4506. I would like to schedule this review to occur the week of July 17.

City of Birchwood Village

PMA Financial Network
 2135 City Gate Lane
 7th Floor
 Naperville, IL 60563
 Phone: 630-657-6400
 Fax: 630-718-8701

Monthly Activity Summary

6/1/2023 - 6/30/2023

Class	Account	Beginning Balance	Contributions	Interest	Checks Paid	Other Withdrawals	Month End Balance
4M	35389 - 101 General Fund	\$780,689.26	\$22,942.13	\$3,200.76	(\$39,362.53)	(\$5,345.50)	\$762,124.12
4MP	35389 - 101 General Fund	\$56,002.91	\$0.00	\$235.00	\$0.00	\$0.00	\$56,237.91
LTD	35389 - 101 General Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$836,692.17	\$22,942.13	\$3,435.76	(\$39,362.53)	(\$5,345.50)	\$818,362.03

(35389 - 101) City of Birchwood Village - General Fund

4M

Transaction	Trade Date	Settle Date	Description	Redemption	Purchase	Share Price	Shares this Transaction
2130562	06/30/2023	07/03/2023	US Bank Checks Paid Redemption	(\$1,401.79)	\$0.00	\$1.000	(1,401.790)
2130563	07/03/2023	07/03/2023	US Bank Deposit Package Purchase	\$0.00	\$2,301.57	\$1.000	2,301.570
2130564	07/03/2023	07/03/2023	US Bank Deposit Package Purchase	\$0.00	\$6,147.57	\$1.000	6,147.570
2131234	07/03/2023	07/03/2023	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$223.71	\$1.000	223.710
2131235	07/03/2023	07/03/2023	US Bank ACH Purchase, WASHINGTON COUNT	\$0.00	\$274,460.81	\$1.000	274,460.810
				(\$1,401.79)	\$283,133.66		281,731.870

Beginning Balance: \$762,124.12 | Ending Balance: \$1,043,855.99

(35389 - 101) City of Birchwood Village - General Fund (Checking Inflow/Outflow Summary)

4M

Trade Date	Description	Amount
06/30/2023	Checking Inflow	\$7,047.35
07/03/2023	Checking Inflow	\$274,684.52

City of Birchwood Village
Bank Reconciliation

US Bank
General Fund #1-801-2001-5920
6/30/2023

Genl Fund 4M #35172-101

US Bank 4M balance	General Fund	\$818,362.03
Outstanding Checks	Outstanding Checks	(\$114,422.22)
	Deposit on bank not on 4/M	2,301.57 ok July
	Deposit on bank not on 4/M	6,147.57 ok July
	Deposit on bank not on 4/M	
	General Fund Checks clrd not on 4M	(\$1,401.79) ok July
Bank Open Items		

Genl Ledger Open Items

total \$710,987.16

Balance Per Cash Control Statement \$710,987.16

DIFFERENCE \$0.00

As on 7/5/2023

Special Rev Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Dock/Lift Permit Fee	0.00	15,750.00	15,750.00
Total Acct 322	0.00	15,750.00	15,750.00
Total Revenues	0.00	15,750.00	15,750.00
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Recreation			
Miscellaneous (431 through 499)	0.00	200.00	(200.00)
Community Events	0.00	3,159.99	(3,159.99)
Total Acct 451	0.00	3,359.99	(3,359.99)
Total Disbursements	0.00	3,359.99	(3,359.99)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		3,420.69	
Total Receipts and Other Financing Sources		15,750.00	
Total Disbursements and Other Financing Uses		3,359.99	
Cash Balance as of 07/05/2023		15,810.70	

As on 7/5/2023

Capital Project PW

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	0.00	0.00	0.00
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Streets and Road Mntnc			
Contracted Services	0.00	32,500.00	(32,500.00)
Total Acct 431	0.00	32,500.00	(32,500.00)
Total Disbursements	0.00	32,500.00	(32,500.00)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		111,711.31	
Total Receipts and Other Financing Sources		0.00	
Total Disbursements and Other Financing Uses		32,500.00	
Cash Balance as of 07/05/2023		79,211.31	

As on 7/5/2023

Water	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Water Consumption	0.00	40,340.56	40,340.56
Water Utility User Fee	0.00	23,834.22	23,834.22
Water Main-break Surcharge	0.00	7,415.15	7,415.15
Special Water Charges	0.00	379.56	379.56
State Surcharge	0.00	1,787.88	1,787.88
Certified Bills Collections	0.00	44.49	44.49
Administrative Fee Move/Out	0.00	180.00	180.00
Penalties and Forfeited Discounts	0.00	480.54	480.54
Total Acct 371	0.00	74,462.40	74,462.40
Total Revenues	0.00	74,462.40	74,462.40
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Financial Administration			
Contracted Services	0.00	5,278.81	(5,278.81)
Total Acct 415	0.00	5,278.81	(5,278.81)
Newsletter			
Printing and Binding (351 through 359)	0.00	549.61	(549.61)
Total Acct 419	0.00	549.61	(549.61)
Water Utility			
Contracted Services	0.00	49,507.74	(49,507.74)
Utility Services (381 through 389)	0.00	2,554.87	(2,554.87)
Utility Services: Water	0.00	321.00	(321.00)
Fees	0.00	1,677.00	(1,677.00)
Wtr/Swr Emergency			
PROFESSIONAL SERVICES (301 through 319)	0.00	1,050.44	(1,050.44)
Contracted Services	0.00	29,845.28	(29,845.28)
REPAIRS AND MAINTENANCE - CONTRACTUAL (401 through 409)	0.00	83.79	(83.79)
Total Acct 431	0.00	85,040.12	(85,040.12)
Total Disbursements	0.00	90,868.54	(90,868.54)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		51,557.07	
Total Receipts and Other Financing Sources		74,462.40	
Total Disbursements and Other Financing Uses		90,868.54	
Cash Balance as of 07/05/2023		35,150.93	

As on 7/5/2023

Sewer	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Sewer Consumption	0.00	34,646.54	34,646.54
Sewer Minimum Charge	0.00	29,005.08	29,005.08
Sewer Only	0.00	29.07	29.07
Penalties and Forfeited Discounts	0.00	276.45	276.45
Total Acct 372	0.00	63,957.14	63,957.14
Total Revenues	0.00	63,957.14	63,957.14
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Postage/Postal Permits			
Refunds and Reimbursements	0.00	896.25	(896.25)
Total Acct 414	0.00	896.25	(896.25)
Engineer Service			
PROFESSIONAL SERVICES (301 through 319)	0.00	37,820.00	(37,820.00)
Total Acct 416	0.00	37,820.00	(37,820.00)
Utility Locates			
Contracted Services	0.00	141.80	(141.80)
Total Acct 428	0.00	141.80	(141.80)
Sewer Utility			
Sewer - Wastewater Charge	0.00	29,812.20	(29,812.20)
Contracted Services	0.00	4,374.19	(4,374.19)
Utility Services (381 through 389)	0.00	5,672.49	(5,672.49)
Total Acct 431	0.00	39,858.88	(39,858.88)
Total Disbursements	0.00	78,716.93	(78,716.93)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		95,053.21	
Total Receipts and Other Financing Sources		63,957.14	
Total Disbursements and Other Financing Uses		78,716.93	
Cash Balance as of 07/05/2023		80,293.42	

City of Birchwood Village

Receipt # : 171735845*
Date : 06/19/23
Deposit Date/ID : (06/19/2023) -
Received From : CE
Description : 469 Lake- BP net fees adjustment to reflect escrow refunds.
Notes : 06192023CE

<u>Fund</u>	<u>Account</u>	<u>Program Code</u>	<u>Amount</u>
100:General Fund	32211:Building Permits		\$6,000.00
Total Amount			\$6,000.00

Authorized By: _____

Date	Vendor	Check #	Description	Void	Account Name	F-A-O-P	Total
06/22/2023	PERA	32507	Payroll- Therese Bellingier-Deputy Clerk	N	Clerk - Treasurer	100-41401-100-	\$ 1,401.79
		Total For Check					\$ 1,401.79
06/22/2023	PERA	EFT06222023A*	Retirement funds- Therese and Becky--Payroll 6/4-6/17	N	Clerk - Treasurer	100-41401-121-	\$ 652.68
		Total For Check					\$ 652.68
06/26/2023	USS Minnesota One MT LLC	32508*	Energy Charges - May Charges	N	General Government Buildings and Plant	100-41940-380-	\$ 157.89
		32508*			Sewer Utility	605-43190-380-	\$ 421.03
		32508*				605-43190-380-	\$ 763.10
		Total For Check					\$ 1,342.02
06/26/2023	Merrick Inc.	32509*	Q2 mailer	N	Newsletter	601-41960-350-	\$ 188.65
		Total For Check					\$ 188.65
06/26/2023	White Bear Township	32510*	Contracted Services - May 2023	N	Sewer Utility	605-43190-314-	\$ 219.58
		Total For Check					\$ 219.58
06/26/2023	Toshiba America Business Solutions	32511*	Printer Maintenance 6/9-7/8	N	Office Operations Supplies	100-41911-314-	\$ 10.62
		Total For Check					\$ 10.62
06/26/2023	League of MN Cities Insurance Trust	32512*	Property/Casualty Coverage Premium	N	City Insurance	100-41945-361-	\$ 10,581.00
		32512*				100-41945-369-	\$ 1,200.00
		Total For Check					\$ 11,781.00
06/26/2023	Washington County Sheriff	32513*	Police Services- Jan-Jun	N	Police	100-42101-314-	\$ 36,216.53
		Total For Check					\$ 36,216.53
06/26/2023	Bolton & Menk, Inc.	32514*	Professional Services 4/29-5/26, Transition mtg, hall's marsh, permit reviews	N	Engineer Service	100-41650-300-	\$ 596.00
		32514*				100-41650-300-	\$ 1,293.50
		32514*				100-41650-300-	\$ 298.00
		Total For Check					\$ 2,187.50
06/26/2023	Stoltzman, Cris	32515	Videography - Council Mtgs, May 9, June 13	N	Cable Eqpmt and Service	100-41950-314-	\$ 125.00
		32515				100-41950-314-	\$ 125.00
		Total For Check					\$ 250.00

Date	Vendor	Check #	Description	Void	Account Name	F-A-O-P	Total
07/05/2023	Payroll Period Ending 07/05/2023	32521	Payroll- Mary Cahill- Treasurer	N	Clerk - Treasurer	100-41401-100-	\$ 266.82
	Total For Check	32521					\$ 266.82
07/05/2023	Payroll Period Ending 07/05/2023	32522	Payroll- Therese Bellingner- Deputy Clerk	N	Clerk - Treasurer	100-41401-100-	\$ 1,289.14
	Total For Check	32522					\$ 1,289.14
07/05/2023	Payroll Period Ending 07/05/2023	32523	Payroll- Rebecca Kellen, City Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 2,105.33
	Total For Check	32523					\$ 2,105.33
07/05/2023	Bellingner, Therese	32524*	Portable Bathroom for 4th of July Parade and office supplies	N	Office Operations Supplies	100-41911-200-	\$ 105.32
	Total For Check	32524*					\$ 105.32
07/05/2023	Metro - INET	32525*	IT Charges July	N	General Government Buildings and Plant	100-41940-320-	\$ 513.00
	Total For Check	32525*					\$ 513.00
07/05/2023	Tennis Sanitation, LLC	32526*	Recycling for Service Period: May-June 2023	N	Recycle	100-43300-314-	\$ 2,944.00
	Total For Check	32526*					\$ 2,944.00
07/05/2023	City of White Bear Lake	32527*	Quarterly Water Billing 3/14-6/20	N	Water Utility	601-43180-314-	\$ 21,517.40
	Total For Check	32527*					\$ 21,517.40
07/05/2023	Companion Animal Control LLC	32528*	Animal Control Services -June	N	Animal Control	100-41916-314-	\$ 223.23
	Total For Check	32528*					\$ 223.23
07/05/2023	CivicPlus LLC	32529*	Permitting Software, Annual maint/support.	N	Unallocated Expenditures	100-49201-430-	\$ 2,000.00
	Total For Check	32529*					\$ 2,000.00
07/05/2023	Manship Plumbing & Heating Inc	32530	Standby, flush hydrants, broken water main & curb stops	N	Water Utility	601-43180-314-	\$ 700.00
	Total For Check	32530					\$ 700.00
07/05/2023		32530				601-43180-314-	\$ 1,080.00
	Total For Check	32530					\$ 1,080.00
07/05/2023		32530				601-43185-314-	\$ 740.00
	Total For Check	32530					\$ 740.00
07/05/2023	City of St. Anthony Village	32531*	2nd Qtr Utility Billing	N	Financial Administration	601-41501-314-	\$ 3,028.00
	Total For Check	32531*					\$ 3,028.00

Date	Vendor	Check #	Description	Void	Account Name	F-A-O-P	Total
07/05/2023	Steve Dean	32532	Water M Break \$400, 14 Ash Trees Removal \$6800	N	Tree Removal	100-43135-314-	\$ 6,800.00
		32532			Wtr/Swr Emergency	601-43185-314-	\$ 400.00
		Total For Check					\$ 7,200.00
07/05/2023	League of MN Cities Insurance Trust	32533*	Property/Casualty Coverage Premium	N	City Insurance	100-41945-361-	\$ 352.00
		Total For Check					\$ 352.00
07/05/2023	CAPRAS UTILITIES, INC	32534*	Water Main Break @ 5 White Pine Lane	N	Wtr/Swr Emergency	601-43185-314-	\$ 7,014.28
		Total For Check					\$ 7,014.28
07/05/2023	MENARD'S - OAKDALE	32535*	Park supplies, Pothole Patch, Roundup, hose repair less rebate	N	Parks	100-45207-400-	\$ 59.84
		Total For Check					\$ (9.22)
07/05/2023	Xcel Energy	EFT07032023A*	Street lighting- 5/3-6/2	N	Street Lighting	100-43160-380-	\$ 1,317.28
		EFT07032023A					\$ 1,317.28
		Total For Check					\$ 629.57
07/05/2023	PERA	EFT07052023A*	Retirement funds- Therese and Becky--Payroll 6/18-7/1	N	Clerk - Treasurer	100-41401-121-	\$ 629.57
		EFT07052023B*	Retirement funds- Jim Rydeen, Month of June	N	Parks	100-45207-121-	\$ 259.71
		EFT07052023B					\$ 259.71
		Total For Selected Checks					\$ 259.71
							\$ 131,658.84

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Fund Name: All Funds

Date Range: 06/08/2023 To 07/05/2023

Date	Remitter	Receipt #	Description	Deposit ID	Void	Account Name	F-A-P	Total
06/09/2023	Olsons Sewer Service	171735840*	BP- 2023-46, 127 Wildwood Ave	(06/09/2023) -	N	Building Permits	100-32211-	\$ 154.35
06/09/2023	Dan Weber	171735841*	BP 2023-27 and 2023-27A-4 Oakridge Drive	(06/09/2023) -	N	Building Permits	100-32211-	\$ 154.35
06/13/2023	Tradewinds HVAC	171735842*	BP # 2023-53 121 Wildwood	(06/13/2023) -	N	Building Permits	100-32211-	\$ 151.00
06/14/2023	Jagged Edge Builders	171735843*	BP# 2023-54, 612 Hall Ave	(06/14/2023) -	N	Building Permits	100-32211-	\$ 70.25
06/16/2023	Steinhauser, Paul	171735833*	Kayak Rack Rental-2 each	(06/16/2023) - 1	N	Kayak/Canoe Permits	100-32212-	\$ 60.00
06/16/2023	Sperl, Bridget	171735834*	Build Permit 2023-51, 110 Birchwood Ave	(06/16/2023) - 1	N	Building Permits	100-32211-	\$ 50.00
06/16/2023	Ryan, Tom	171735835*	Build Permit 2023-48, 363 Lakewood Ave	(06/16/2023) - 1	N	Building Permits	100-32211-	\$ 404.25
06/16/2023	Ramsey/Washington Cable Commission	171735836*	Reimburse for Office Computer Purchase	(06/16/2023) - 1	N	Refund-Reimbursement Dividend	100-36240-	\$ 1,233.45
06/19/2023	Correcting Entry	171735844	***VOID\$3000.00***469 Lake- net entry included payment for eng fees/less escrow. CE to escrow.	(06/19/2023) -	Y	Building Permits	100-32211-	\$ -
								\$ 1,233.45
								\$ -

Fund Name: All Funds

Date Range: 06/08/2023 to 07/05/2023

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Date	Remitter	Receipt #	Description	Deposit ID	Void	Account Name	F-A-P	Total
06/19/2023	CE	171735845*	469 Lake- BP net fees adjustment to reflect escrow refunds.	(06/19/2023) -	N	Building Permits	100-32211-	\$ 6,000.00
06/19/2023	Crown Exteriors, Inc	171735851*	BP #2023-44, 309 Wildwood Ave	(06/19/2023) -	N	Building Permits	100-32211-	\$ 6,000.00
06/19/2023	GO Permits	171735852*	BP# 2023-59, 608 Wildwood Ave	(06/19/2023) -	N	Building Permits	100-32211-	\$ 647.64
06/22/2023	Miller, Yoshiko	171735847*	2 Kayak Permits	(06/22/2023) - 1	N	Kayak/Canoe Permits	100-32212-	\$ 60.00
06/22/2023	Sherwood, Gregory	171735848*	Dog Permit	(06/22/2023) - 1	N	Animal Licenses	100-32240-	\$ 25.00
06/22/2023	Bear Roofing and Exteriors, INC	171735849*	BP # 2023-56, 18 White Pine Lane	(06/22/2023) - 1	N	Building Permits	100-32211-	\$ 244.25
06/22/2023	Bear Roofing and Exteriors, Inc	171735850*	BP # 2023-57, 264 Cedar Street	(06/22/2023) - 1	N	Building Permits	100-32211-	\$ 244.25
06/28/2023	Crown Exteriors	171735853*	BP#2023-63, 3980 E Co Line N	(06/28/2023) -	N	Building Permits	100-32211-	\$ 287.30
06/30/2023	Residents - Via St Anthony Village	171735846	Utility Billing June 2023	(06/30/2023) - 1	N	Water Consumption	601-37111-	\$ 5,773.81
			Water Utility User Fee				601-37112-	\$ 4,366.92
			Water Main-break Surcharge				601-37113-	\$ 50.29
			Special Water Charges				601-37115-	\$ 55.00
			State Surcharge				601-37116-	\$ 306.30
			Penalties and Forfeited Discounts				601-37160-	\$ 86.94
			Sewer Consumption				605-37211-	\$ 5,413.12
			Sewer Minimum Charge				605-37212-	\$ 4,750.15

Fund Name: All Funds

Date Range: 06/08/2023 To 07/05/2023

12

Date	Remitter	Receipt #	Description	Deposit ID	Void	Account Name	F-A-P	Total
06/30/2023	LMC	171735854*	refund of insurance, workman's comp	(06/30/2023) - 1	N	Miscellaneous	100-36140-	\$ 352.00
								\$ 352.00
06/30/2023	Apollo Heating	171735855*	BP2023-64, 471 Lake Ave	(06/30/2023) - 1	N	Building Permits	100-32211-	\$ 96.91
								\$ 96.91
06/30/2023	Pratt Construction, Inc	171735856*	BP#2023-42, 214 Birchwood Ave	(06/30/2023) - 1	N	Building Permits	100-32211-	\$ 1,709.16
								\$ 1,709.16
06/30/2023	W D & D Permit Service, Inc	171735857*	BP 2023-65, 619 Birchwood Ave	(06/30/2023) - 1	N	Building Permits	100-32211-	\$ 143.50
								\$ 143.50
06/30/2023	4 M Fund	171735858	June Interest	(06/30/2023) -	N	Interest Earning	100-36210-	\$ 3,435.76
								\$ 3,435.76
07/03/2023	Washington County	171735862*	Property Taxes	(07/03/2023) -	N	General Property Taxes (31001 through 31299)	100-31001-	\$ 274,460.81
								\$ 274,460.81
07/03/2023	Tachery Exteriors	171735863*	BP# 2023-61, 509 Wildwood Ave	(07/03/2023) -	N	Building Permits	100-32211-	\$ 223.71
								\$ 223.71
07/05/2023	Sherwood, Gregory	171735859*	Zoning Permit- 2023-36, 15 Birchwood Lane	(07/06/2023) - 1	N	Building Permits	100-32211-	\$ 460.00
								\$ 460.00
07/05/2023	Richard, Diana	171735860*	Artist's Group Rental	(07/06/2023) - 1	N	Contributions and Donations from Private Sources	100-36230-	\$ 10.00
								\$ 10.00
07/05/2023	All Around Property Preservation	171735861*	BP 2023-62, 303 Jay Street	(07/05/2023) -	N	Building Permits	100-32211-	\$ 360.05
								\$ 360.05

Fund Name: All Funds

Date Range: 06/08/2023 To 07/05/2023

Date Remitter Receipt # Description Deposit ID Void Account Name F-A-P

Total for Selected Receipts

<u>Total</u>	
	\$ 360.05
	\$ 314,804.39

Date Range : 6/1/2023 To 6/26/2023

23

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
06/20/2023	Xcel Energy	210 Birchwood Ave 4/20-5/21	6543*	\$15.80	601-43180-380-	Water Utility	
06/20/2023	Xcel Energy	407 Lake Ave Lift Station 4/20-5/21	6544*	\$32.06	601-43180-380-	Water Utility	\$15.80
06/20/2023	Xcel Energy	200 Wildwood Ave 4/20-5/21	6545*	\$32.06	605-43190-380-	Sewer Utility	\$32.06
06/20/2023	Xcel Energy	202 Wildwood Ave, 207 Birchwood, 407 1/2 Lake and 423 Lake Ave	6546*	\$201.40	605-43190-380- 100-41940-380-	Sewer Utility General Government Buildings and Plant	(\$9.16) \$88.40
06/01/2023	Xcel Energy	Street Lighting- 4/3/25	6547*	\$1,361.79	605-43190-380- 100-45207-380-	Sewer Utility Parks	\$81.53 \$40.63
06/22/2023	A T & T Mobility	Wireless for water tower- June 2-Jul 01	6548*	\$53.50	601-43180-382-	Water Utility	\$53.50
Total For Selected Claims				\$1,696.61			\$1,696.61

Date Range : 6/1/2023 To 6/26/2023

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
	Justin R. McCarthy		City Council/Town Board			Date	
	Katherine A Weier		City Council/Town Board			Date	
	Margaret Arola Ford		City Council/Town Board, Mayor			Date	
	Robert Mark Foster		City Council/Town Board			Date	
	Ryan Q Hankins		City Council/Town Board			Date	

Claims List for Approval

Date Range : 7/3/2023 To 7/5/2023

52

Date	Vendor	Description	Claim #	Total	Account #	Account Name	Detail
07/03/2023	Xcel Energy	Street Lighting- 5/3-6/2	6561*	\$1,317.28	100-43160*380-	Street Lighting	
07/05/2023	PERA	Retirement funds- Therese and Becky--Payroll 6/18-7/1	6562*	\$629.57			\$1,317.28
07/05/2023	PERA	Retirement funds- Jim Rydeen, Month of June	6563*	\$259.71	100-41401-121-	Clerk - Treasurer	\$629.57
					100-45207-121-	Parks	\$259.71
Total For Selected Claims				\$2,206.56			\$2,206.56

Justin R. McCarthy	City Council/Town Board	Date
Katherine A Weier	City Council/Town Board	Date
Margaret Arola Ford	City Council/Town Board, Mayor	Date
Robert Mark Foster	City Council/Town Board	Date
Ryan Q. Hankins	City Council/Town Board	Date

Date Range : 7/3/2023 To 7/5/2023

Date	Vendor	Description	Claim #	Total	Account #	Account Name	Detail
07/03/2023	Bellinger, Therese	Portable Bathroom for 4th of July Parade and office supplies	6549*	\$290.32	100-45207-300- 100-41911-200-	Parks Office Operations Supplies	\$185.00 \$105.32
07/03/2023	Metro - INET	IT Charges July	6550*	\$513.00	100-41940-320-	General Government Buildings and Plant	\$513.00
07/03/2023	Tennis Sanitation, LLC	Recycling for Service Period: May-June 2023	6551*	\$2,944.00	100-43300-314-	Recycle	\$2,944.00
07/03/2023	City of White Bear Lake	Quarterly Water Billing 3/14-6/20	6552*	\$21,517.40	601-43180-314-	Water Utility	\$21,517.40
07/03/2023	Companion Animal Control LLC	Animal Control Services -June	6553*	\$223.23	100-41916-314-	Animal Control	\$223.23
07/03/2023	CivicPlus LLC	Permitting Software, Annual maint/support,	6554*	\$2,000.00	100-49201-430-	Unallocated Expenditures	\$2,000.00
07/03/2023	Manship Plumbing & Heating Inc	Standby, flush hydrants, broken water main & curb stops	6555	\$7,640.00	601-43180-314- 601-43180-314- 601-43185-314- 601-43180-314-	Water Utility Water Utility Wtr/Swr Emergency Water Utility	\$700.00 \$1,080.00 \$740.00 \$120.00
07/03/2023	City of St. Anthony Village	2nd Qtr. Utility Billing	6556*	\$3,028.00	601-41501-314-	Financial Administration	\$3,028.00
07/03/2023	Steve Dean	Water M Break \$400. 14 Ash Trees Removal \$6800	6557	\$7,200.00	100-43135-314- 601-43185-314-	Tree Removal Wtr/Swr Emergency	\$6,800.00 \$400.00

Date Range : 7/3/2023 To 7/5/2023

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<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
07/03/2023	League of MN Cities Insurance Trust	Property/Casualty Coverage Premium	6558*	\$352.00	100-41945-361-	City Insurance	\$352.00
07/03/2023	CAPRA'S UTILITIES, INC	Water Main Break @ 5 White Pine Lane	6559*	\$7,014.28	601-43185-314-	Wtr/Swr Emergency	\$7,014.28
07/03/2023	MENARD'S - OAKDALE	Park supplies, Pothole Patch, Roundup, hose repair less rebate	6560*	\$50.62	100-45207-400- 100-45207-400-	Parks Parks	\$59.84 (\$9.22)

Total For Selected Claims

\$47,772.85

\$47,772.85

Justin R. McCarthy	City Council/Town Board	Date
Katherine A Weier	City Council/Town Board	Date
Margaret Arola Ford	City Council/Town Board, Mayor	Date
Robert Mark Foster	City Council/Town Board	Date
Ryan Q Hankins	City Council/Town Board	Date

Date Range : 6/26/2023 To 6/26/2023

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
06/26/2023	USS Minnesota One MT LLC	Energy Charges - May Charges	6531*	\$1,342.02	605-43190-380-100-41940-380-	Sewer Utility General Government Buildings and Plant	\$763.10 \$157.89
06/26/2023	Merrick Inc.	Q2 mailer	6532*	\$188.65	605-43190-380-601-41960-350-	Sewer Utility Newsletter	\$421.03 \$188.65
06/26/2023	White Bear Township	Contracted Services - May 2023	6533*	\$219.58	605-43190-314-	Sewer Utility	\$219.58
06/26/2023	Toshiba America Business Solutions	Printer Maintenance 6/9-7/8	6534*	\$10.62	100-41911-314-	Office Operations Supplies	\$10.62
06/26/2023	League of MN Cities Insurance Trust	Property/Casualty Coverage Premium	6535*	\$11,781.00	100-41945-369-100-41945-361-	City Insurance City Insurance	\$1,200.00 \$10,581.00
06/26/2023	Washington County Sheriff	Police Services- Jan-Jun	6536*	\$36,216.53	100-42101-314-	Police	\$36,216.53
06/26/2023	Bolton & Menk, Inc.	Professional Services 4/29-5/26, Transition mtg, hall's marsh, permit reviews	6537*	\$2,187.50	100-41650-300-100-41650-300-100-41650-300-	Engineer Service Engineer Service Engineer Service	\$596.00 \$1,293.50 \$298.00
06/26/2023	Stoltzman, Cris	Videography - Council Mtgs, May 9, June 13	6538	\$250.00	100-41950-314-100-41950-314-	Cable Eqpmt and Service Cable Eqpmt and Service	\$125.00 \$125.00
06/26/2023	TSE, Inc. Work Account	Janitorial Services - 6/1, 6/15	6539*	\$56.26			

Date Range : 6/26/2023 To 6/26/2023

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<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
06/26/2023	H.A. Kartrud, P.A.	Attorney Services- July 2023	6540	\$1,500.00	100-41940-314-	General Government Buildings and Plant	\$28.13
					100-41940-314-	General Government Buildings and Plant	\$28.13
06/26/2023	City of White Bear Lake Fire	Fire Svc- July 2023	6541	\$3,049.17	100-41601-300-	Legal Services	\$1,500.00
06/26/2023	Wilstrom, John	Planning Services July	6542	\$1,600.00	100-42201-314-	Fire	\$3,049.17
					100-41650-300-	Engineer Service	\$1,600.00
Total For Selected Claims				\$58,401.33			\$58,401.33

Justin R. McCarthy	City Council/Town Board	Date
Katherine A Weier	City Council/Town Board	Date
Margaret Arola Ford	City Council/Town Board, Mayor	Date
Robert Mark Foster	City Council/Town Board	Date
Ryan Q Hankins	City Council/Town Board	Date

Date Range : 6/22/2023 To 6/22/2023

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
06/22/2023	PERA	Retirement funds- Therese and Becky--Payroll 6/4-6/17	6530*	\$652.68	100-41401-121-	Clerk - Treasurer	\$652.68

Total For Selected Claims

\$652.68

\$652.68

Justin R. McCarthy	City Council/Town Board	Date
Katherine A Weier	City Council/Town Board	Date
Margaret Aroia Ford	City Council/Town Board, Mayor	Date
Robert Mark Foster	City Council/Town Board	Date
Ryan Q Hankins	City Council/Town Board	Date

Date Range : 6/19/2023 To 6/19/2023

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
06/19/2023	Correcting Entry	BP- eng fees, permit paid less two escrow pymts from Kyle Hunt. CTAS entry to fix escrow.	6529	\$6,000.00	100-49250-810-8	Escrow Refunds	\$6,000.00

Total For Selected Claims \$6,000.00

Justin R. McCarthy	City Council/Town Board					Date
Katherine A Weier	City Council/Town Board					Date
Margaret Arola Ford	City Council/Town Board, Mayor					Date
Robert Mark Foster	City Council/Town Board					Date
Ryan A Hankins	City Council/Town Board					Date

Date Range : 6/14/2023 To 6/14/2023

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
06/14/2023	MN Department of Revenue	MN State Tax eFiling - Q2 2023 May pymt	6526*	\$412.35	100-41401-115-	Clerk - Treasurer	\$412.35
06/14/2023	IRS - US Treasury	Federal Taxes - Q2 2023 -May Payment	6527*	\$1,771.18	100-41401-100- 100-41401-100- 100-41401-100-	Clerk - Treasurer Clerk - Treasurer Clerk - Treasurer	\$399.64 \$1,111.58 \$259.96
Total For Selected Claims				\$2,183.53			\$2,183.53

Justin R. McCarthy
 City Council/Town Board
 Date

Katherine A Weier
 City Council/Town Board
 Date

Margaret Arola Ford
 City Council/Town Board, Mayor
 Date

Robert Mark Foster
 City Council/Town Board
 Date

Ryan A Hankins
 City Council/Town Board
 Date

Date Range : 5/13/2023 To 6/13/2023

MM

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
06/13/2023	PERA	Retirement Funds- Therese and Becky--Payroll 5/21 - 6/3, James for May Payroll	6525*	\$812.68	100-41401-121- 100-45207-121-	Clerk - Treasurer Parks	\$604.54 \$208.14

Total For Selected Claims

\$812.68

\$812.68

Justin R. McCarthy	City Council/Town Board	Date
Katherine A Weier	City Council/Town Board	Date
Margaret Arola Ford	City Council/Town Board, Mayor	Date
Robert Mark Foster	City Council/Town Board	Date
Ryan A Hankins	City Council/Town Board	Date

Cash Control Statement

7/6/2022:

for the Period : 6/6/2023 To 7/5/2023

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Name of Fund	Beginning Balance	Total Receipts	Total Disbursed	Ending Balance	Less Deposits In Transit	Plus Outstanding Checks	Total Per Bal Per Statemen
General Fund	\$545,989.24	\$294,967.40	\$120,070.83	\$720,885.81	\$1,053.76	\$94,164.74	\$813,996.7
road and Bridge	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.0
Other Federal Programs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.0
Comp Plan Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.0
Tree Canopy Care	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.0
Special Rev Projects	\$16,270.69	\$0.00	\$459.99	\$15,810.70	\$0.00	\$0.00	\$0.0
Spec Rev - Warm House	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,400.00	\$18,210.7
REIMBURSED CONTRACTED SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.0
Birchwood In Re-hab Bond	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.0
Water Re-hab Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.0
APITAL PROJECT FUNDS (401 through 499)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.0
General Capital Projects	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.0
Capital Project PW	\$111,711.31	\$0.00	\$32,500.00	\$79,211.31	\$0.00	\$0.00	\$111,711.3
Water	\$64,384.30	\$10,639.26	\$39,872.63	\$35,150.93	\$0.00	\$39,103.33	\$74,254.2
Water	\$77,008.94	\$10,250.23	\$6,965.75	\$80,293.42	\$0.00	\$1,403.71	\$81,697.1
Transit System	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.0
Water Infrastructure	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.0
Water Meter Upgrade Fees	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.0
American Rescue Act Proceeds	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.0
Engineering Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.0
Total	\$815,364.48	\$315,856.89	\$199,869.20	\$931,352.17	\$1,053.76	\$169,571.78	\$1,099,870.1

<u>Beginning</u>	<u>Total</u>	<u>Total</u>	<u>Ending</u>	<u>Less</u>	<u>Plus</u>	<u>Total</u>
<u>Balance</u>	<u>Receipts</u>	<u>Disbursed</u>	<u>Balance</u>	<u>Deposits</u>	<u>Outstanding</u>	<u>Per Banl</u>
				<u>In Transit</u>	<u>Checks</u>	<u>Statements</u>

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Justin R. McCarthy City Council/Town Board

Date

Katherine A. Weier City Council/Town Board

Date

Margaret Arola Ford City Council/Town Board, Mayor

Date

Robert Mark Foster City Council/Town Board

Date

Ryan Q. Hankins City Council/Town Board

Date

6/6/23

Ms. Kellen:

My college age son mows John Fleck's properties including his residence on 425 Hall Avenue.

On May 31st while mowing the grass along the street, his mower struck a street sign stub that was sticking up approximately 2.5 to 3 inches above the ground. From the force of the blade striking this stub, the mower's engine was ruined due to a bent crankshaft with repairs running over \$1100 estimated (please see attached estimate from Hugo Equipment).

I have included many pictures also of this steel stub. The raw, ragged top edge of it shows it to have been cut off with a welder's cutting torch at some point. This amounts to a dangerous situation, not just for someone mowing, but to any walker, bicyclist, or other person who might fall onto this protruding stub.

It is clear this remaining post should have been removed by the village when the other sign location was established closer to the road as the picture indicates. Why was this not done?

I am asking the City of Birchwood Village to cover the repair costs of the ruined lawn mower, a Toro 21" PROLINE Commercial mower.

Please call me at 651-334-5357 to discuss the next steps.

C. Ryan Solberg
White Bear Lake





City of Birchwood Village
Petition for Variance Application

207 Birchwood Ave, Birchwood, MN 55110
 Phone: 651-426-3403 Fax: 651-426-7747
 Email: info@cityofbirchwood.com

FOR OFFICIAL USE ONLY

Application Received Date: 2/28/2023 Amount Paid: \$ 3600.00

Payment Type (Circle One): Cash / Check / Money Order / Credit Card

Check/Money Order # 5005 (\$3000); 5006 (\$600)

Application Complete? Yes No If no, date application was deemed complete: _____

Signature of City Planner: _____ Date: _____

Completed requests for variances submitted prior to the first Thursday of the month will be considered by the Planning Commission at its next meeting on the fourth Thursday of the month. Requests submitted after the first Thursday of the month will be considered at the following meeting. All final decisions on variance applications are made by the City Council, which meets on the second Tuesday every month.

1. Name of Applicant(s) Alan & Susan Reiss (Al & Sue)
 Address 20693 N. Enchantment Dr.
 City Surprise State AZ Zip Code 85387
^{Cell}~~Business~~ Phone 612-418-4066 Home Phone N/A
2. Address of Property Involved if different from above: _____
127 Wildwood Ave., Birchwood, MN 55110
3. Name of Property Owner(s) if different from above and describe Applicant's interest in the property:
N/A
4. Specific Code Provision from which Variance is requested: See Exhibit A attached
5. Describe in narrative form what the Applicant is proposing to do that requires a variance:
See Exhibit A attached

6. Type of Project:

- New Construction (empty lot)
- Addition
- Demolition
- Landscaping
- Repair or removal of nonconforming structure
- Other (describe) Relocation of 2 non-conforming pre-existing structures

7. Type of Structure Involved:

- Single Dwelling
- Garage
- Tennis Court
- Grading/Filling
- Other (describe) Deck and 'Steps to Lawn'
- Double Dwelling
- Addition
- Pool

8. Using the criteria from the City Code for a variance (see last page), explain why a variance is justified in this situation and describe what "Practical Difficulties" exist:

see Exhibit A attached

9. Describe any measures the Applicant is proposing to undertake if the variance is granted, including measures to decrease the amount of water draining from the property:

see Exhibit A attached

10. Describe any alternatives the Applicant considered (if any) that do not require a variance:

see Exhibit A attached

11. Can an emergency vehicle (Fire Truck or Ambulance) access all structures on the property after the proposed change? Yes No

12. Does the proposed change bring any other nonconforming use into conformity with the City Building Code? Yes No

If yes, explain: However, it reduces/lessens the severity of the non-conformance - see Exhibit A attached for details.

13. Are there other governmental regulations that apply to the proposed action, including requirements of the Rice Creek Watershed District? Yes No

If yes, please identify the regulations AND attach evidence demonstrating compliance:

N/A

14. Please provide the applicable information in the following Table:

	Approved Remodel EXISTING In Progress	PROPOSED	CHANGE
1. Total Square Footage of Lot	8,417	8,417	0
2. Maximum Impervious Surface (25% of item 1)	2,104	2,104	0
3. Roof Surface	1,919	1,919	0
4. Sidewalks	204	204	0
5. Driveways	64	64	0
6. Other Impervious Surface	238	238	0
7. Total of Items 3-6	2,424	2,424	0
8. Percent Impervious Surface	28.8%	28.8%	0

15. Please attach the following:

- Legal description of property.
- Plot plan drawn to scale showing existing and proposed new and changed structures on the lot. Also show existing structures on adjacent lots.

Criteria for Granting a Variance. Pursuant to Minn. Stat. Sec. 462.357, subd. 6, as it may be amended from time to time, the Planning Commission may issue recommendations to the City Council for variances from the provisions of this zoning code. A variance is a modification or variation of the provisions of this zoning code as applied to a specific piece of property.

Variances to the strict application of the provisions of the Code may be granted, however, no variance may be granted that would allow any use that is prohibited within the City. Conditions and safeguards may be imposed on the variances so granted. A variance shall not be granted unless the following criteria are met:

SUBD. 1.

- A. Variances shall only be permitted
 - i. when they are in harmony with the general purposes and intent of the ordinance and
 - ii. when the variances are consistent with the comprehensive plan.
- B. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance.

SUBD. 2. "Practical difficulties," as used in connection with the granting of a variance, means that

- i. Special conditions or circumstances exist which are peculiar to the land, structure, or building involved.
- ii. The condition which result in the need for the variance were not created by the applicant's action or design solution. The applicant shall have the burden of proof for showing that no other reasonable design solution exists.
- iii. The granting of a variance will result in no increase in the amount of water draining from the property.
- iv. Granting the variance will not impair an adequate supply of light and air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the City.
- v. No variance shall be granted simply because there are no objections or because those who do not object outnumber those who do.
- vi. Financial gain or loss by the applicant shall not be considered if reasonable use for the property exists under terms of the Zoning Code.

NOTICE:

***The City and its representatives accept no responsibility for errors and/or damages caused due to incomplete and/or inaccurate information herein. It is the responsibility of the applicant to ensure the accuracy and completeness of this information.**

***The City will hold applicant responsible for any damage to public property that occurs in the course of performing the activities of this permit.**

***Under penalty of perjury the applicant declares that the information provided in and enclosed herewith is complete and all documents represented are true and correct representations of the actual project/building that will be built in conformance with such representation if approved.**

Signature of Applicant: Susan S. Reiss Date: 2-20-2023

Alan T. Reiss

127 Wildwood Avenue, Birchwood Village, MN
Variance Application
Exhibit A

Variance Form #4 - Specific Code Provision from which Variance is requested:

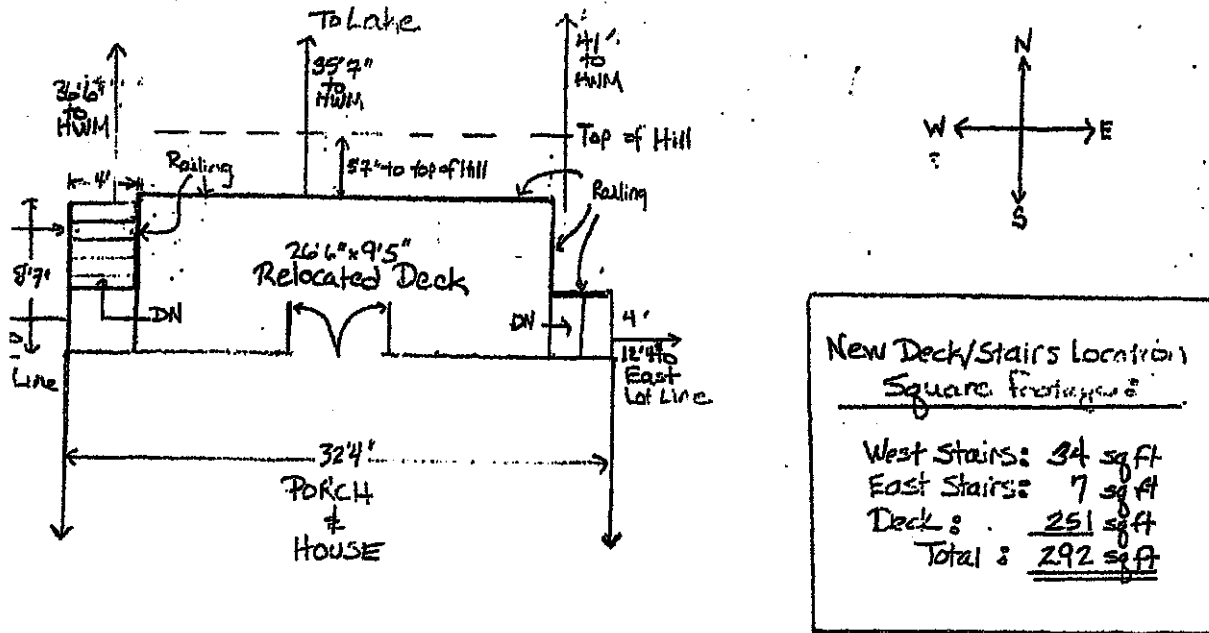
1. Minimum Setback Requirement. Variance is requested for relocation of a deck and “Steps to Lawn” from City Code 302.020 (2) that states the minimum setback requirement from the High Water Level of White Bear Lake is 50’.

Variance Form #5 - Describe in narrative form what the Applicant is proposing to do that requires a variance:

1. Background:
 - a. The property currently has a non-conforming pre-existing deck at the water’s edge. Details of existing deck:
 - i. Setback from the High Water mark: 8’
 - ii. Setback from the West lot line: 0’ (deck is abutting the lot line)
 - iii. Setback from the East lot line: (N/A – located on West side of property)
 - iv. Dimensions: 17’9”x13’8”, Area: 242.64 square feet
 - b. The property currently has non-conforming pre-existing “Steps to Lawn”. They are located on the Northwest side of the house. Details of the steps:
 - i. Setback from the High Water mark: 42’
 - ii. Setback from the West lot line: 4’ (infringement of side lot line setbacks)
 - iii. Setback from the East lot line: (N/A – located on West side of property)
 - iv. Dimensions: 3’8”x 13’5”, Area: 49.58 square feet
2. Proposal:
 - a. We would like to clean up the lakeshore by relocating the existing deck and attaching it as a new structure to the North side of the house. Along with the deck relocation, we would like to relocate the “Steps to Lawn” as a new structure attached to and servicing the deck. Their new locations would still be non-conforming, but this proposal lessens the severity of the non-conformance. Details of the deck area (deck and steps) in the new location:
 - i. Setback from High Water mark: 35’7” (moving the deck area from 8’ from the High Water mark to 35’7” making it 27’7’ further away from the High Water mark, a significant improvement)
 - ii. Setback from the West lot line: 10’ (the deck and steps would be relocated out of the West side lot line setback area making the deck and steps compliant with side lot line code, another significant improvement)
 - iii. Setback from the East lot line: 12’ 4” (keeping deck and steps out of the East lot line setback area)
 - iv. Dimensions: Irregular, Area: 292 square feet (basically the same size as existing deck and steps combined (242.64+49.58=292.22))
 - b. The drawing at the top of the next page shows the specifics of the new deck and steps location in more detail.

**127 Wildwood Avenue, Birchwood Village, MN
Variance Application
Exhibit A**

Relocated Deck and Steps Plan



Variance Form #8 – Using the criteria from the City Code for a variance (see last page), explain why a variance is justified in this situation and describe what “Practical Difficulties” exist:

1. SUBD 1 A.:

i. Harmony with the General Purposes and Intent of the Ordinance:

We believe the relocation of two non-conforming pre-existing structures (deck and “Steps to Lawn”) are in harmony with the general purposes and intent of the ordinance. While the deck and steps new location would still be non-conforming, it would significantly lessen the severity of the non-conformance by moving the new combined structure further away from the High Water mark – from 8’ to about 35’7” an improvement of 27’7” AND, it would eliminate their side lot line setback infringements. In addition, the old rickety structure at the water’s edge (the deck) would no longer be an eye-sore from the lake as it would be relocated as a new structure away from the lake. The relocations would be preferred to their current locations and would, therefore, better harmonize with the purpose and intent of the ordinance.

ii. Consistent with the Comprehensive Plan:

Per the Comprehensive Plan, maintaining the historical perspective of the community is extremely important. Our house was built in 1910, 11 years before Birchwood was incorporated as a village and later as a city. The house and its

127 Wildwood Avenue, Birchwood Village, MN
Variance Application
Exhibit A

location on the lot embodies that historical perspective as it was originally built as a lake home and has a deck on the lakeside - a quintessential feature of the house. The first bullet point under Community Goals states; "Maintain the existing character of the community through preservation of the single-family residential land use and neighborhood patterns". We believe a deck area on the lakeside of the house is important; it promotes the historical perspective of why the house was initially built - lake enjoyment.

2. SUBD 2 (Practical Difficulties):

- i. Our lot is undersized and the house's original non-conforming pre-existing location on the lot offers no space for a compliant lakeside deck.
- ii. In order to have a lakeside deck area, there are two options:
 - Option 1: "Keep, maintain, and perform incidental alterations" to the current deck and "Steps to Lawn" in their current locations. This option would not make any improvement toward code compliance.
 - OR
 - Option 2: Relocate the deck to clean up the shoreline and bring it into significantly better compliance with the High Water mark setback requirement. In addition, relocate the "Steps to Lawn" and add them as part of the deck structure. The deck and steps relocations would eliminate their side setback infringements and bring their side lot line setbacks into compliance.

We think Option 2 (deck and steps relocation) is the better option for us, our neighbors, and the City of Birchwood Village.

- iii. The impervious surface will not change – see commentary under Variance Form #9 in the next section.
- iv. Granting the variance will not impair an adequate supply of light and air to adjacent properties. We feel property values of neighboring properties would only benefit from a cleaned-up lakeshore and a well-constructed deck area that would replace poorly located structures.

Variance Form #9 - Describe any measures the Applicant is proposing to undertake if the variance is granted, including measures to decrease the amount of water draining from the property:

1. Deck and stairs in their new locations will be built compliant to Code 300.020 (23) Exception 1 ("open joints ¼ inch wide per 8 inch wide board"). As such, impervious surface would not be increased.

127 Wildwood Avenue, Birchwood Village, MN
Variance Application
Exhibit A

Variance Form #10 – Describe any alternatives the Applicant considered (if any) that do not require a variance:

As mentioned previously, there are two options for the deck and stairs. See #ii under practical difficulties.

Variance Form #15 – Please attach the following:

Legal Description of the property:

LEGAL DESCRIPTION

All of Lot A, Block 3, of LAKEWOOD PARK FIRST DIVISION, according to the plat thereof on file and of record in the office of the Register of Deeds in and for Washington County, Minnesota, except the Southeasterly 100 feet of Lot 1 of BIRCHWOOD being that part thereof lying West of a line drawn parallel to the West line of said Lot 1 and 55 feet Easterly thereof, together with that portion of Wildwood Avenue vacated by Court Decree filed in Book 64 of Deeds, page 151, including any portion of any street or alley adjacent thereto, vacated or to be vacated.

AND

Westerly 51.12 feet of Lot A, Block 3, LAKEWOOD PARK FIRST DIVISION.

Plot Plan drawn to scale showing existing and proposed new and changed structures on the lot. See Page 5 of this Exhibit.

Also show existing structures on adjacent lots. See Page 5 of this Exhibit.

disclosure. They are intended for the sole use of intended recipient(s). Any unauthorized review, use, disclosure, distribution or copying is prohibited. The unauthorized disclosure or interception of e-mail is a federal crime. See 18 U.S.C. SEC. 2517(4). If you are not the intended recipient, please contact the sender by replying to this e-mail and destroying/deleting all copies of this message.

From: Sue Reiss <sue.reiss@live.com>

Sent: Wednesday, June 14, 2023 6:18 PM

To: Margaret Ford <Margaret.Ford@cityofbirchwood.com>; Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>; hakantrud@protonmail.com <hakantrud@protonmail.com>

Cc: Al Reiss <al.reiss@live.com>

Subject: Variance 2023-02-VB (Deck Variance - 127 Wildwood Ave.)

Margaret, Becky and Alan,

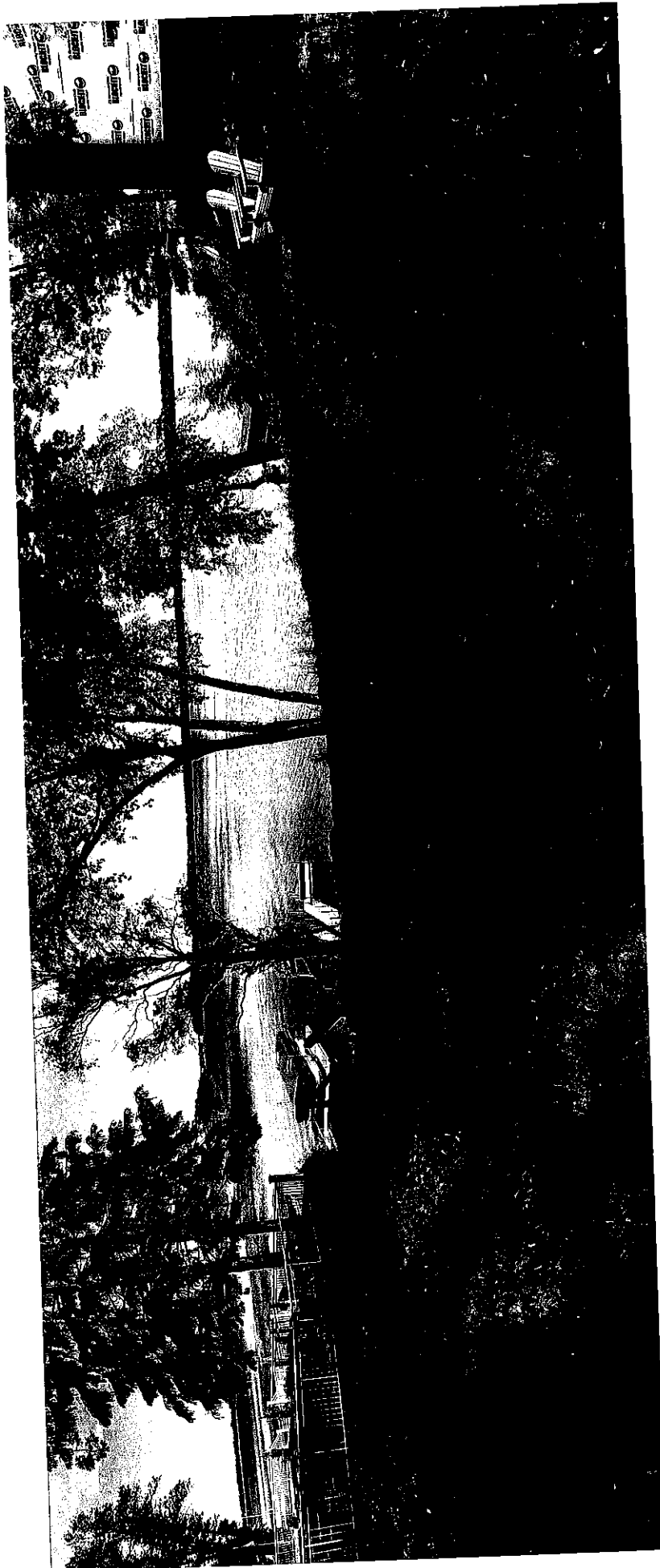
Without waving or in any way limiting our rights under Minnesota Statute Section 15.99 or any other applicable laws, please consider this request to have our variance application reviewed by the Birchwood Village City Council at the next meeting on July 11, 2023. As the City Council is aware, we believe our variance application has been approved as a matter of law given the City of Birchwood Village did not timely request an extension of time in which to consider the application. That said, in the interests of maintaining goodwill and harmony in the community, which is of utmost importance to us, we are willing to appear on a conditional and courtesy basis before the City Council again to answer any additional questions and provide such additional information as shall be reasonably necessary to address any remaining issues or questions the City Council may have. To that end, we would find it immensely helpful if we could receive in writing/email any questions the City Council has in advance of the next meeting so that we may respond as efficiently and completely as possible under the circumstances.

It is our sincere hope to maintain a good and amicable relationship with the City of Birchwood Village and the community at large, and further to avoid anything of an adversarial nature with all concerned. We thank you for your time and consideration.

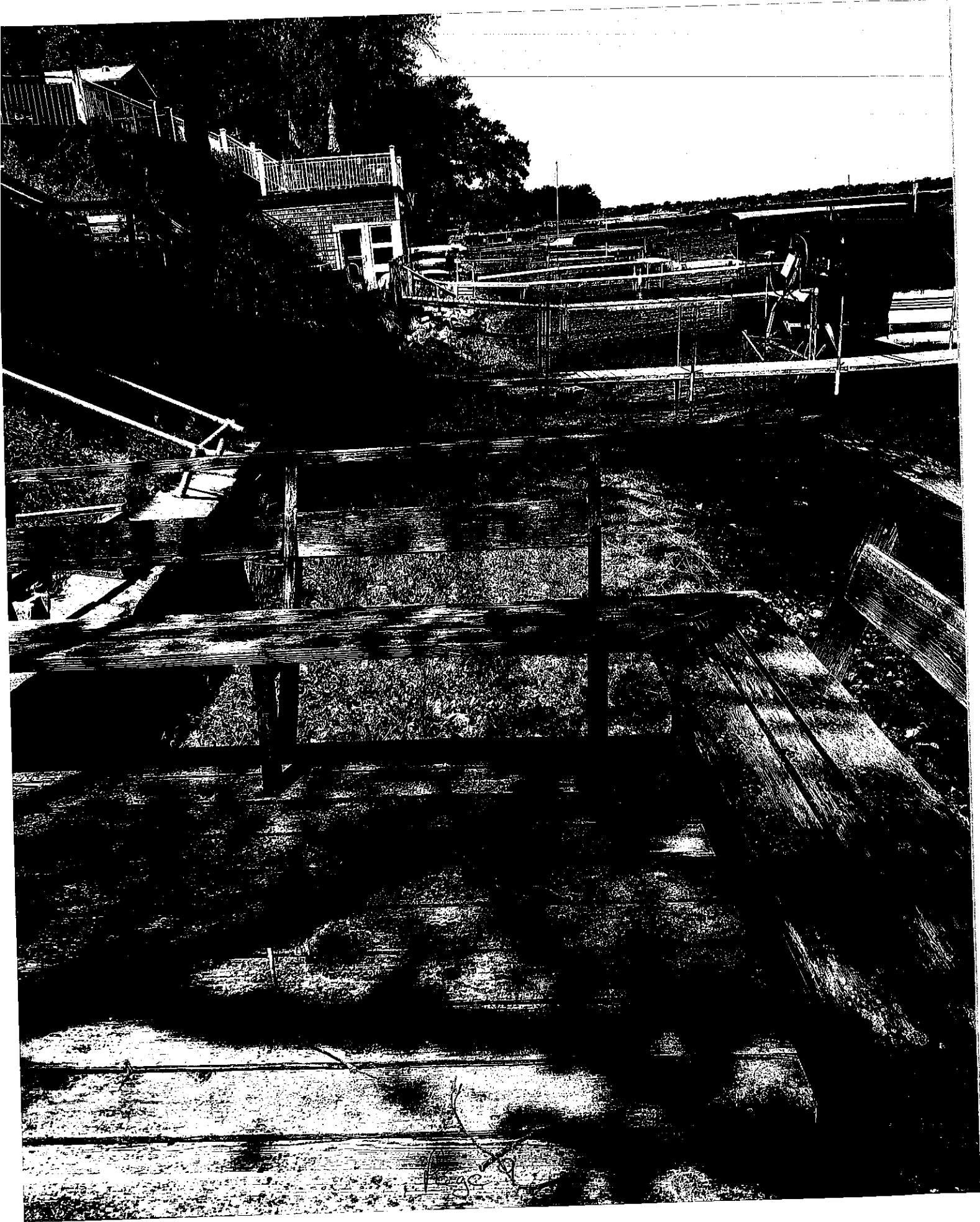
Sue and Al Reiss

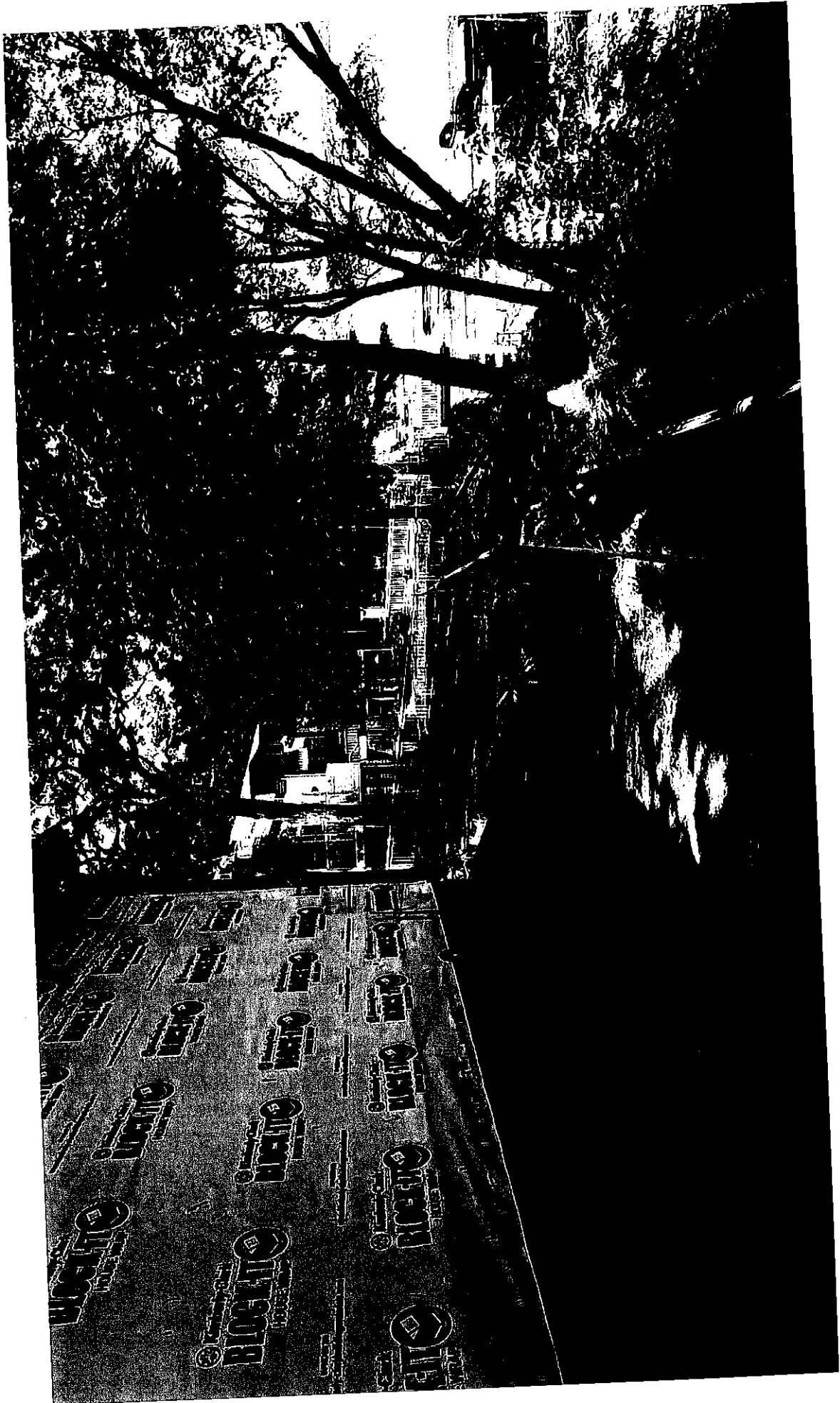
(612-418-4066 and 612-418-1560 respectively)

Sent from my iPad

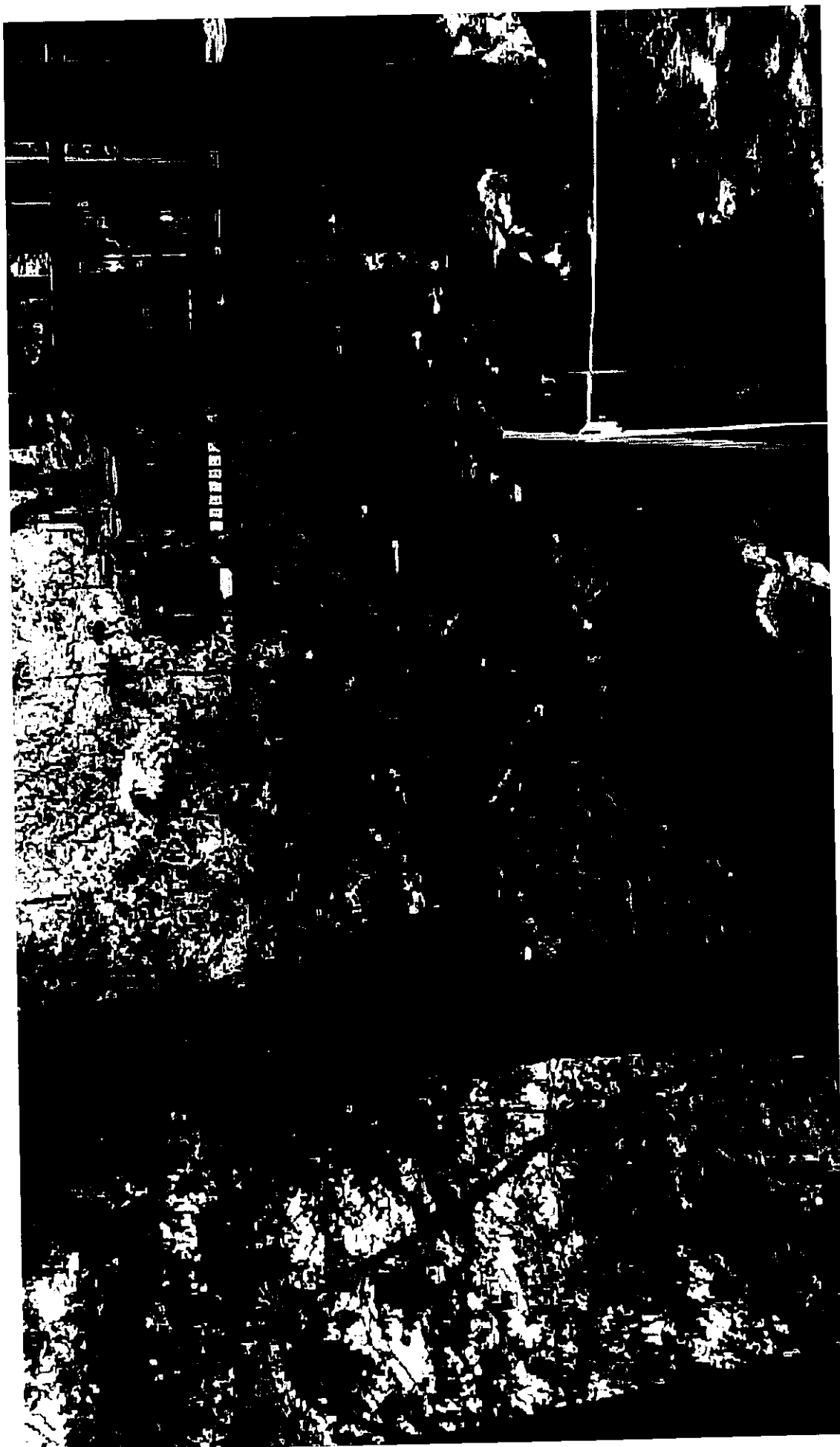


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Rebecca Kellen, MBA
City Administrator
City of Birchwood Village, MN.
office: (651) 426-3403
fax: (651) 426-7747
email: rebecca.kellen@cityofbirchwood.com
website: <http://www.cityofbirchwood.com/>



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From: Ben Wikstrom <benwikstrom@gmail.com>
Sent: Friday, June 16, 2023 12:57 PM
To: Marcus Johnson <Marcus.Johnson@bolton-menk.com>
Cc: Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>; Alan Kantrud <hakantrud@protonmail.com>
Subject: Re: Variance 2023-02-VB (Deck Variance - 127 Wildwood Ave.)

I don't have any specific things that came out of the meeting. If action remains to be taken on the variance, it would be good to have not only their deck plans but some sort of sight-line exhibit or pictures from the neighboring properties to see what exactly they are or will be looking at, so the council can react to the neighbors' claims with some information in hand. This will also put to scale the house on the other side (that is encroaching the lake-side setback) of the applicants'.

Thanks.

Ben

On Thu, Jun 15, 2023 at 3:29 PM Marcus Johnson <Marcus.Johnson@bolton-menk.com> wrote:

The main thing that I understood from the meeting is that they need to submit a plan for the deck. I didn't take any notes so I can look back at the meeting to see if there are any other items to add to this.

Marcus Johnson, PE

Project Engineer

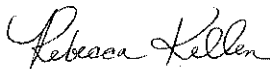
Mobile: (507) 440-0537

Bolton-Menk.com

From: Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>
Sent: Wednesday, June 14, 2023 7:08 PM
To: Marcus Johnson <Marcus.Johnson@bolton-menk.com>; Ben Wikstrom
<benwikstrom@gmail.com>
Cc: Alan Kantrud <hakantrud@protonmail.com>
Subject: Fw: Variance 2023-02-VB (Deck Variance - 127 Wildwood Ave.)

Please see the email below from Sue and Al Reiss.

Marcus and Ben - We will need some details on what additional information is needed for this. The council had some technical questions however I could use some guidance in informing the Reiss's exactly what information and documentation is necessary for them to provide. I am wondering if the two of you could discuss this because Ben you are familiar with it and Marcus you were at the meeting yesterday. Please let me know if that works for you and then when you could provide that list to me so I can inform the Reiss's. Let me know if that works for you. Thanks.



Rebecca Kellen, MBA

City Administrator

City of Birchwood Village, MN

office: (651) 426-3403

fax: (651) 426-7747

email: rebecca.kellen@cityofbirchwood.com

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

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127 Wildwood-RE-Deck/Additional Information Requested

Therese Bellinger <Therese.Bellinger@cityofbirchwood.com>

Fri 6/30/2023 12:56 PM

To:Sue Reiss <sue.reiss@live.com>

Cc:Alan Kantrud <hakantrud@protonmail.com>;Margaret Ford <Margaret.Ford@cityofbirchwood.com>

Hi Sue and Al,

I apologize for the delay in our response. Our City Administrator, Rebecca Kellen, has been out of the office since June 17th, so I am forwarding the information promised after the City Council meeting of June 13th, 2023.

Both our Planner Ben Wikstrom, and our City Planner Marcus Johnson, reviewed your information. They asked for additional details that they believe would be helpful for us, and the reacting neighbors.

Here's what information is needed to evaluate your request to add a deck plan to your property.

Deck Plans

Include with those plans a visual that provides a sight-line exhibit and/or pictures from the neighboring properties.

Purpose will be to react to the neighbors' claims. Re: Help all, to visually put to scale the houses on each side of your property, along with helping all to visually see the house on the other side that is encroaching the lake-side setback.

If we may provide anything further, or if you have any questions, please reach out to me.

Have a happy and safe holiday.

Respectfully,

Therese

Therese Bellinger

Deputy Clerk

207 Birchwood Ave

Birchwood Village, MN 55110

Office: (651) 426-3403

Fax: (651) 426-7747

Email: therese.bellinger@cityofbirchwood.com

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

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RESOLUTION NO. 2023--

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

A RESOLUTION APPROVING SUMMARY PUBLICATION OF ORDINANCE NO. 2023-05-05: AN ORDINANCE AMENDING THE UTILITY AVAILABILITY FEES IN THE CITY FEE SCHEDULE, AMENDING SECTIONS 201.060 AND 201.070 OF ORDINANCE NO. 201, TITLED "CITY WATER SYSTEMS" AND SECTION 202.070 OF ORDINANCE NO. 202, TITLED "CITY PLUMBING AND SEWAGE SYSTEM"

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

WHEREAS the City has adopted Ordinance No. 2023-05-05 which amends the sections 201 and 202 of the city code regarding water and sewer connections; and

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

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

Because the terms of Ordinance 2023-05-05 are lengthy, the City may publish the attached summary of the Ordinance as allowed by statute, and need not publish the entire ordinance. The attached summary clearly informs the public of the intent and effect of the Ordinance. Summary publication has been approved by at least a four fifths vote of the City Council.

Passed by the the City Council of City of Birchwood Village, Minnesota this 11th day of July, 2023.

Mayor

Attested:

City Clerk

To: Birchwood City Council
From: Ryan Hankins

We considered moving forward with an audit of 2023 finances in our June meeting. The following RFP for an audit would allow us to consider budgeting proposals in 2024.

Council Action: Request staff post included Request for Proposals.

Attested:

City Clerk

Request for Proposal for Professional Auditing Services For The Fiscal Year Ending 2023

July 11, 2023

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- B. Schedule of Proposed Fees for City of Birchwood Audit
- C. Schedule of Proposed Fees for City of Birchwood Financial Statement Preparation
- D. Schedule of Current Audit & Accounting Service Hours

I. INTRODUCTION

- A. General Information

The City of Birchwood is requesting a proposal from qualified firms of certified public accountants to audit its financial statements for the fiscal year ending December 31, 2023. This audit is to be performed in accordance with U.S. generally accepted auditing standards, the standards set forth for financial audits in the General Accounting Office's (GAO) Government Auditing Standards (July 2007), the provisions of the federal Single Audit Act of 1984 as amended, and U.S. Office of Management and Budget (OMB) Circular A-133, Audits of States, Local Governments, and Non-profit Organizations, as applicable.

There is no expressed or implied obligation for the City of Birchwood to reimburse responding firms for any expenses incurred in preparing proposals in response to this request.

To be considered, one copy of the proposal must be received by Rebecca Kellen, City Administrator, rebecca.kellen@cityofbirchwood.com) 207 Birchwood Avenue, Birchwood, MN 55110 by 4:00 P.M. on September 5, 2023. The City of Birchwood reserves the right to reject any or all proposals submitted.

Proposals submitted may be evaluated by City Staff and City Council.

During the evaluation process, the City reserves the right, where it may serve the City's best interest, to request additional information or clarifications from responding firms, or to allow corrections of errors or omissions.

The City reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the firm of the conditions contained in this request for proposals, unless clearly and specifically noted in the proposal submitted and confirmed in the engagement letter between the City of Birchwood and the firm selected.

It is anticipated that the selection of a firm will be completed by October 10, 2023. Following the notification of the selected firm, it is expected a Letter of Engagement will be executed by November 10, 2023.

B. Term of Engagement

A one-time contract for audit is contemplated.

C. Subcontracting

Following the award of the audit contract, no subcontracting will be allowed without the express prior written consent of the City of Birchwood.

II. NATURE OF SERVICES REQUIRED

A. General

The City of Birchwood is soliciting the services of qualified firms of certified public accountants to audit its financial statements for the fiscal years ending December 31, 2023, The audit is to be performed in accordance with the provisions contained in this request for proposals.

B. Scope of Work to be Performed

The City of Birchwood desires the auditor to express an opinion on the fair presentation of its basic financial statements in conformity with generally accepted accounting principles. The auditor shall also be responsible for performing certain limited procedures involving required supplementary information required by the Governmental Accounting Standards Board as mandated by generally accepted auditing standards.

The auditor is not required to audit the schedule of expenditures of federal awards if such audit is not triggered by the threshold of funding received by the City.

C. Auditing Standards to Be Followed

To meet the requirements of this request for proposals, the audit shall be performed in accordance with:

- The auditing standards generally accepted in the United States of America.
- The standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States, if applicable.
- The provisions of Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance).
- The provisions of U.S. Office of Management and Budget (OMB) Circular A-133.
- The provisions of the Minnesota Legal Compliance Audit Guide for Local Government.

D. Reports to be Issued

Following the completion of the audit of the fiscal year's financial statements, the auditor shall issue:

1. A report on the fair presentation of the financial statements in conformity with generally accepted accounting principles.
2. A report on the compliance and internal control over financial reporting based on an audit of the financial statements.
3. A report on compliance with applicable laws and regulations.

In the required report(s) on internal controls, the auditor shall communicate any control deficiencies found during the audit. A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a deficiency, or combination of deficiencies in internal control that is less than a material weakness, yet important enough to merit attention by those charged with governance.

The reports on compliance shall include all instances of noncompliance.

Irregularities and illegal acts. Auditors shall be required to make an immediate, written report of all irregularities and illegal acts or indications of illegal acts of which they become aware to the following parties:

The City Council.

E. Reporting to those charged with governance

Auditors shall assure themselves that the City of Birchwood's governing body is informed of each of the following:

1. The auditor's responsibility under generally accepted auditing standards
2. Planned scope and timing of the audit
3. Significant findings from the audit

F. Special Considerations

1. The City of Birchwood may prepare one or more official statements in connection with the sale of debt securities which will contain the basic financial statements and the auditor's report thereon. The auditor shall be required, if requested by the underwriter, to issue a "consent and citation of expertise" as the auditor and any necessary "comfort letters."

G. Working Paper Retention and Access to Working Papers

All working papers and reports must be retained, at the auditor's expense, for a minimum of seven (7) years, unless the firm is notified in writing by the City of Birchwood of the need to extend the retention period. The auditor will be required to make working papers available, upon Request.

In addition, the firm shall respond to the reasonable inquiries of successor auditors and allow successor auditors to review working papers relating to matters of continuing accounting significance.

III. DESCRIPTION OF THE GOVERNMENT

A. Major Contact Person: The auditor's principal contact with the City will be Rebecca Kellen, Finance Deputy Clerk ((651) 426-3403), rebecca.kellen@cityofbirchwood.com or a designated representative, who will coordinate the assistance to be provided by the City of Birchwood to the auditor.

B. Background Information:

- € The City of Birchwood is located in Washington County and serves an area of 0.34 square miles with a population of 863.
- € The City of Birchwood's fiscal year begins on January 1 and ends on December 31.
- € The City is a Plan A form of government with an elected Mayor and four elected City Council members.
- € The City provides the usual services to its citizens which include public safety; public works; public health; culture; recreation, and community development.
- € More detailed information on the government and its finances can be found on the city's website at: <https://www.cityofbirchwood.com/audits>

C. Budgetary Basis of Accounting

The City prepares its budgets on a basis consistent with generally accepted accounting principles.

D. Federal and State Financial Assistance

During the fiscal year to be audited, the City does not expect to have expended in excess of \$750,000 of Federal assistance from various programs.

E. Magnitude of Finance Operations

The finance department is headed by Mary Cahill, Treasurer. There are two full-time employees. The principal functions performed, and the number of employees assigned to each area, are as follows:

<u>Function</u>	<u>Number of Full Time Employees</u>
City Administrator	1
Deputy City Administrator	1

IV. TIME REQUIREMENTS

A. Proposal Calendar:

Request for proposal issued	July 11, 2023
Due date for proposals	September 5, 2023, 4:00 p.m.
City Council Approval	October 10, 2023

B. Notification and Contract Dates:

Selected firm notified October 17, 2023

Engagement Letter executed October 24, 2023

C. Schedule for Audits

The City will have all records ready for audit and all management personnel available to meet with the firm's personnel at a date that is mutually convenient. Each of the following should be completed by the auditor no later than the dates indicated.

1. Interim Work: The auditor shall complete interim work by the end of January.
2. Detailed Audit Plan: The auditor shall provide by the end of January, to the City, both a detailed audit plan, and a list of all schedules to be prepared by the City.
3. Fieldwork: The auditor shall complete all fieldwork by the end of April.
4. Draft Reports: The auditor shall have reviewed drafts of the audit report by the middle to end of May.

D. Date Final Report is Due

The selected firm shall prepare draft financial statements, notes and required supplementary schedules by the middle of May. The auditor shall provide all recommendations, revisions, and suggestions for improvement to the City by the end of May. The final auditor reports and five signed copies (and 1 copy in Adobe pdf format) should be delivered to the Finance Deputy Clerk by the beginning of June.

V. ASSISTANCE TO BE PROVIDED TO THE AUDITOR & REPORT PREPARATION

A. Administration Department

The Finance Deputy Clerk and responsible personnel will be available during the audit to assist the firm by providing information, documentation, and explanations. The preparation of confirmations will be the responsibility of the City.

B. Work Area, Telephones, Photocopying, and Wi-Fi.

The City will provide the auditor with reasonable work space, desks, and chairs. The auditor will also be provided with access to telephone lines photocopying facilities and Wi-Fi

C. Report Preparation

Report preparation, editing, and printing shall be either the responsibility of the City or the auditor.

VI. PROPOSAL REQUIREMENTS

A. General Requirements

1. Time will be made available to Audit Firms for an on-site visit should one be desired.
2. Inquiries: Inquiries concerning the request for proposals and the subject of the request for proposals must be made to:

Rebecca Kellen, City Administrator
207 Birchwood Avenue
Birchwood, MN 55110
Email: rebecca.kellen@cityofbirchwood.com
Phone: 651-426-3403
www.cityofbirchwood.com

3. Submission of Proposals: The following material is required to be received by September 2, 2022 for a proposing firm to be considered:
 - a. A master copy (so marked) of a Technical Proposal and two copies to include the following:
 - i. Title Page: Title page showing the request for proposals subject; the firm's name; the name, address, and telephone number of the contact person; and the date of the proposal.
 - ii. Table of Contents
 - iii. Transmittal Letter: A signed letter of transmittal briefly stating the proposer's understanding of the work to be done, the commitment to perform the work within the time period, a statement why the firm believes it to be best qualified to perform the engagement and a statement that the proposal is a firm and irrevocable offer for 60 days.
 - iv. Detailed Proposal: The detailed proposal should follow the order set forth in Section VI B of this request for proposals.
 - v. Proposers should send the completed proposal to the following address or email address: rebecca.kellen@cityofbirchwood.com
City of Birchwood
207 Birchwood Avenue
Birchwood, MN 55110

B. Proposal

1. General Requirements

The purpose of the Proposal is to demonstrate the qualifications, competence and capacity of the firms seeking to undertake an independent audit of the City of Birchwood in conformity with the requirements of this request for proposals. As such, the substance of proposals will carry more weight than their form or manner of presentation. The Technical Proposal should demonstrate the qualifications of the firm and of the particular

staff to be assigned to this engagement. It should also specify an audit approach that will meet the request for proposals requirements.

The Proposal should address all the points outlined in the request for proposals. The Proposal should be prepared simply and economically, providing a straightforward, concise description of the proposer's capabilities to satisfy the requirements of the request for proposals. While additional data may be presented, the following subjects, items No.2 through 10, must be included. They represent the criteria against which the proposal will be evaluated.

2. Independence

The firm should provide an affirmative statement that is independent of the City as defined by generally accepted auditing standards/the U.S. General Accounting Office's Government Auditing Standards (July 2007). The firms should also list and describe the firm's professional relationship involving the City or any of its agencies for the past five (5) years, together with a relative to performing the proposed audit. In addition, the firm shall give the City written notice of any professional relationships entered into during the period of this agreement.

3. License to Practice in Minnesota

An affirmative statement should be included that the firm and all assigned key professional staff are properly registered and licensed to practice in Minnesota.

4. Firm Qualifications and Experience

The proposer should state the size of the firm, the size of the firm's governmental audit staff, the location of the office from which the work on this engagement is to be performed, and the number and nature of the professional staff to be employed in this engagement on a full-time basis and the number and nature of the staff to be so employed on a part-time basis. If the proposer is a joint venture or consortium, the qualifications of each firm comprising the joint venture or consortium should be separately identified and the firm that is to serve as the principal auditor should be noted, if applicable. The firm is also required to submit a copy of the report on its most recent external quality control review, with a statement whether that quality control review included a review of specific government engagements. The firm shall also provide information on the results of any federal or state desk reviews or field reviews of its audits during the past three (3) years. In addition, the firm shall provide information on the circumstances and status of any disciplinary action taken or pending against the firm during the past three (3) years with state regulatory bodies or professional organizations.

5. Partner, Supervisory and Staff Qualifications, and Experience

Identify the principal supervisory and management staff, including engagement partners, managers, other supervisors and specialists, who would be assigned to the engagement. Indicate whether each such person is registered or licensed to practice as a certified public accountant in Minnesota. Provide information on the government auditing experience of each person, including information on relevant continuing professional education for the past three (3) years and membership in professional organizations relevant to the performance of this audit.

Provide as much information as possible regarding the number, qualifications, experience and training, including relevant continuing professional education, of the specific staff to be assigned to this engagement. Indicate how the quality of staff over the term of the agreement will be assured.

Engagement partners, managers, or other assigned staff may be changed if those personnel leave the firm, are promoted, or are assigned to another office; provided that the replacements have substantially the same or better qualifications or experience. The City retains the right to approve or reject replacements.

6. Similar Engagements with Other Government Entities

For the firm's office that will be assigned responsibility for the audit, list the most significant engagements (maximum - 5) performed in the last five years that are similar to the engagement described in this request for proposal. These engagements should be ranked on the basis of total staff hours. Indicate the scope of work, date; engagement partners, total hours, and the name and telephone number of the principal client contact.

7. Specific Audit Approach

The proposal should set forth a work plan, including an explanation of the audit methodology to be followed, to perform the services required in Section II of this request for proposal. In developing the work plan, reference should be made to such sources of information as the City's budget and related materials, organizational charts, manuals and programs, and financial and other management information systems.

Proposers will be required to provide the following information on their audit approach:

- a. Proposed segmentation of the engagement
- b. Level of staff and number of hours to be assigned to each proposed segment of the engagement
- c. Sample size and the extent to which statistical sampling is to be used in the engagement

8. Identification of Anticipated Potential Audit Problems

The proposal should identify and describe any anticipated potential audit problems, the firm's approach to resolving these problems and any special assistance that will be requested from the City.

C. Dollar Cost Bid

1. Total All-Inclusive Maximum Price

The dollar cost bid should contain all pricing information relative to performing the audit engagement as described in this request for proposal. The total all-inclusive maximum price to be bid is to contain all direct and indirect costs including all out-of-pocket expenses.

The City will not be responsible for expenses incurred in preparing and submitting the proposal. Such costs should not be included in the proposal.

2. Rates by partner, manager, supervisory and staff level times and hours anticipated for each. The dollar cost bid should include a schedule of professional fees and expenses, presented in the format provided in Attachment B, that supports the total all-inclusive maximum price.
3. All estimated out-of-pocket expenses to be reimbursed should be presented in the format provided in Attachment B. All expense reimbursements will be charged against the total all-inclusive maximum price submitted by the firm.

4. Rates for Additional Professional Services

If it should become necessary for the City to request the auditor to render any additional services to either supplement the services requested in this RFP or to perform additional work as a result of the specific recommendations included in any report issued on this engagement, then such additional work shall be performed only if set forth in an addendum to the contract between the City and the firm. Any such additional work agreed to between the City and the firm shall be performed at the same rates set forth in the schedule of fees and expenses included in the dollar cost bid.

5. Manner of Payment

Progress payments will be made on the basis of hours of work completed during the course of the engagement and out-of-pocket expenses incurred in accordance with the firm's dollar cost bid proposal. Interim billing shall cover a period of not less than a calendar month.

VII. EVALUATION PROCEDURES

Proposals submitted may be evaluated by Staff and City Council. The City Nowthen reserves the right to retain all proposals submitted and use any idea in a proposal regardless of whether that proposal is selected.

Proposals will be evaluated using three sets of criteria. Firms meeting the mandatory criteria will have their proposals evaluated and scored for both technical qualifications and price. The following represent the principal selection criteria which will be considered during the evaluation process.

1. Mandatory Elements

- a. The audit firm is independent and licensed to practice in Minnesota.
- b. The firm has no conflict of interest with regard to any other work performed by the firm for the City
- c. The firm adheres to the instructions in this request for proposal on preparing and submitting the proposal
- d. The firm submits a copy of its last external quality control review report and the firm has a record of quality audit work

2. Technical Qualifications

- a. Expertise and Experience
 - i. The firm's past experience and performance on comparable government engagements
 - ii. The quality of the firm's professional personnel to be assigned to the engagement and the quality of the firm's management support personnel to be available for technical consultation
- b. Audit Approach
 - i. Adequacy of a proposed staffing plan for various segments of the engagement
 - ii. Adequacy of sampling techniques
 - iii. Adequacy of analytical procedures
 - iv. Price: Please complete Attachment B

3. Price

C. Oral Presentations

During the evaluation process the City may, at its discretion, request anyone or all firms to make oral presentations. Such presentations will provide firms with an opportunity to answer any questions the City may have on a firm's proposal.

C. Final Selection

The City Clerk/Treasurer may recommend to the City Council the appointment of a CPA firm judged to be most responsive and responsible proposer for the auditing services requested. The final decision with respect to the appointment will be made by the City Council.

D. Right to Reject Proposals

Submission of a proposal indicates acceptance by the firm of the conditions contained in this request for proposal unless clearly and specifically noted in the proposal submitted and confirmed in the engagement letter between the City and the firm selected. The City of Birchwood reserves the right, without prejudice, to reject any or all proposals.

E. Current Audit and Accounting Service Hours

Proposals should include major hours of work performed for the audit. For additional information about hours and services to be performed, please contact the city clerk/treasurer.

ATTACHMENT A

PROPOSER WARRANTIES

- A. Proposer warrants that it is willing and able to comply with State of Minnesota laws with respect to foreign (non-state) corporations.
- B. Proposer warrants that it is willing and able to obtain an errors and omissions insurance policy providing a prudent amount of coverage for the willful or negligent acts, or omissions of any officers, employees or agents thereof.
- C. Proposer warrants that it will not delegate or subcontract its responsibilities under an agreement without the prior written permission of the City.
- D. Proposer warrants that all information provided by it in connection with this proposal is true and accurate.--

Signature of Official: _____

Name (typed): _____

Title: _____

Firm: _____

Date: _____

ATTACHMENT B

**SCHEDULE OF PROFESSIONAL FEES AND EXPENSES FOR
THE AUDIT OF THE FINANCIAL STATEMENTS**

	<u>HOURS</u>	STANDARD HOURLY <u>RATES</u>	QUOTED HOURLY <u>RATES</u>	<u>TOTAL</u>
PARTNERS	_____	_____	_____	_____
MANAGERS	_____	_____	_____	_____
SUPERVISORY STAFF	_____	_____	_____	_____
OTHER (SPECIFY)	_____	_____	_____	_____
SUBTOTAL	_____			_____
TOTAL NOT-TO-EXCEED COST FOR THE 2023 AUDIT				_____

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCES NO. 301 TITLED "ZONING CODE: GENERAL PROVISIONS," NO. 302 TITLED "ZONING CODE: REQUIREMENTS AND PERFORMANCE STANDARDS," AND NO. 306 TITLED "ZONING CODE: CONDITIONAL USE PERMITS"

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

Section 1. Findings and Purpose.

Solar installations have become commonplace in surrounding areas, but shade in Birchwood has made our own solar development proceed more slowly. As Birchwood's high tree cover diminishes due to emerald ash borer, sunlight will fall more directly onto houses and garages. Moreover, the Metropolitan Land Use Plan in Minn. Stat. § 473.859 calls for "an element for protection and development of access to direct sunlight for solar energy systems"

A conditional use permit for rooftop solar systems no longer makes sense; these systems can be regulated administratively with building permits without direct planning commission or city council oversight. Ground mount systems have significant enough potential impacts, however, that more oversight may ensure that aesthetic concerns can be addressed.

Because Minn. Stat. § 462.358 Subd. 6 provides that "unusual hardship includes, but is not limited to, inadequate access to direct sunlight for solar energy systems," we should allow variances.

Section 2. Ordinance No. 302 titled "Zoning Code: Requirements and Performance Standards" is amended to insert section 302.100, to read:

302.100. SOLAR ENERGY INSTALLATIONS

1. Definitions.

- a. Building-integrated Solar Energy Systems. A solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. Building-integrated systems include, but are not limited to, photovoltaic or hot water solar energy systems that are contained within roofing materials, windows, skylights, and awnings.
- b. Grid-intertie Solar Energy System. A photovoltaic solar energy system that is connected to an electric circuit served by an electric utility company.

- c. Ground-mount. A solar energy system mounted on a rack or pole that rests or is attached to the ground.
 - d. Photovoltaic System. A solar energy system that converts solar energy directly into electricity
 - e. Roof-mount. A solar energy system mounted on a rack that is fastened to or ballasted on a structure roof. Roof-mount systems are accessory to the principal use.
 - f. Solar Collector. The panel or device in a solar energy system that collects solar radiant energy and transforms it into thermal, mechanical, chemical, or electrical energy. The collector does not include frames, supports, or mounting hardware.
 - g. Solar Energy System. A device, array of devices, or structural design feature, the purpose of which is to provide for generation or storage of electricity from sunlight, or the collection, storage and distribution of solar energy for space heating or cooling, daylight for interior lighting, or water heating.
2. Intent. Solar energy is an abundant, renewable, and nonpolluting energy resource and its conversion to electricity or heat is beneficial. The intent of this ordinance is to:
- a. preserve the health, safety and welfare of the community by promoting the safe, effective and efficient use of solar energy systems; and
 - b. promote sustainable building design and management practices to serve current and future generations; and
 - c. implement the solar resource protection element required under the Metropolitan Land Planning Act; and
 - d. reduce dependence on nonrenewable energy resources and decrease air and water pollution that results from the use of conventional energy sources; and
 - e. enhance the reliability and power quality of the power grid and make more efficient use of electric distribution infrastructure; and
 - f. maintain the aesthetic qualities of the City, minimize the visibility of solar systems from roads and shorelines, and reduce impact on neighboring properties.
3. Height and Setback. Solar energy systems must meet the following height and setback requirements:
- a. Building- or roof-mounted solar energy systems shall not exceed the maximum allowed height. For purposes for height measurement, solar energy systems other than building-integrated systems shall not exceed two feet in height above the surface of the roof.

- b. Ground-mount solar energy systems shall not exceed six feet in height when oriented at maximum design tilt.
 - c. Solar energy systems must meet the structure setback for the lot on which the system is located, except as allowed below.
 - d. The collector surface and mounting devices for roof-mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built, unless the collector and mounting system has been explicitly engineered to safely extend beyond the edge and setback standards are not violated. Exterior piping for solar hot water systems shall be allowed to extend beyond the perimeter of the building on a side-yard exposure. Solar collectors mounted on the sides of buildings and serving as awnings are considered to be building-integrated systems and may project as permitted in § 302.020 Subd. 1.
 - e. Ground-mount solar energy systems may not extend into any setback when oriented at minimum design tilt, except as otherwise allowed for building mechanical systems.
4. Visibility. Solar energy systems shall be designed to minimize visual impacts from the public right-of-way, to the extent that doing so does not affect the cost or efficacy of the system. The following standards shall apply:
- a. Building Integrated Photovoltaic Systems. Building integrated photovoltaic solar energy systems shall be allowed regardless of whether the system is visible from the public right-of-way, provided the building component in which the system is integrated meets all required setbacks and performance standards.
 - b. Reflectors. All solar energy systems using a reflector to enhance solar production shall not cause glare from the reflector affecting adjacent or nearby properties.
5. Ground Mount Systems.
- a. Lot Coverage. Ground-mount Solar Systems shall:
 - i. not exceed 50% of the building footprint of the principal structure in total collector area; and
 - ii. not count toward accessory structure limitations; and
 - iii. be exempt from impervious surface standards if the surface under the collector is not impervious surface.
 - b. Roof-mount infeasible. Ground-mount systems shall be permitted on a lot only where the applicant shows that a roof-mount solar installation is infeasible.
6. Plan Approval Required. All solar energy system permit applications shall provide a site plan for review, including to-scale horizontal and vertical (elevation) drawings. The drawings must show the location of the system on the building or on the property for a ground-mount system, including the property lines.

7. Compliance with Codes and Standards.
 - a. Electric solar energy system components must have a UL or equivalent listing and solar hot water systems must have an SRCC rating.
 - b. All solar energy installations shall be consistent with the State of Minnesota Building Code and shall meet approval of local officials.
 - c. All photovoltaic systems shall comply with the Minnesota State Electric Code.
 - d. Solar thermal systems shall comply with applicable Minnesota State Plumbing Code requirements and with HVAC-related requirements of the Energy Code.
 - e. Grid-intertie solar energy systems shall conform to all electric utility requirements.

8. Utility Notification. The electric utility shall be notified in advance of all grid-intertie solar energy system installations.

9. Permits Required. All solar installations require a building permit.

10. Exception from Conditional Use Permit. A conditional use permit is required in addition to all other permits required, except for:
 - a. building-integrated installations; and
 - b. ground-mount solar installations which exceed 30% of the total footprint of the principle structure in total building area; and
 - c. ground-mount solar installations which receive (as input) in sunlight fewer kilowatt hours per year than a roof-mount solar installation that would not require a conditional use permit; and

d.

roof-mount solar installations no more than ten inches above the roof, with each panel within 5 degrees of the pitch of the roof and within the bounds of the roof surface; and

11. Variations. An applicant with inadequate access to direct sunlight for solar energy systems or another practical difficulty under the terms of § 302.100 may apply for a variance. The variance application shall meet the requirements for plan approval and shall also demonstrate why the requirements of the code cannot be met without practical difficulty.

Section 3. Section 306.060 titled “Solar Energy Systems” of Ordinance No. 306 titled “ZONING CODE: CONDITIONAL USE PERMITS” is repealed.

Section 4. Section 301.070 titled “Conditional Uses” of Ordinance No. 301 titled “ZONING CODE: GENERAL PROVISIONS” is amended to read:

301.070. CONDITIONAL USES. Certain accessory uses permitted within the City have greater than usual chances to present safety hazards, impact on neighboring people and property, reduced aesthetics and nuisance situations. Because of these greater effects,

the City requires these uses to be covered under Conditional Use Permits. Applications for Conditional Use Permits must comply with all provisions of Section 306. **CONDITIONAL USE PERMITS.**

1. A Conditional Use Permit shall be required for the following projects:
 - a. Any land disturbance activity where the slope is toward a lake, pond, wetland, or watercourse leading to such waters, and the alteration is closer to such waters than the structure setback requirement. See Note at end of Section 301.070.
 - b. Any land disturbance activity where such work involves an area greater than four hundred (400) square feet and/or more than fifty (50) cubic yards in volume. See Note at end of Section 301.070.
 - c. Any swimming pool with a capacity over three thousand (3000) gallons or with a depth of over three and one-half (3 1/2) feet of water.
 - d. Any tennis court.
 - e. Any solar energy system for which § 302.100 does not provide an exception.

NOTE: A separate Conditional Use Permit is not required for a land disturbance activity in conjunction with construction as part of a building permit as granted. However, as part of the Building Permit Application, the applicant shall provide information required pursuant to Section 306.030 and shall follow all provisions of Sections 302.050 IMPERVIOUS SURFACES and 302.055 LAND DISTURBANCE ACTIVITY STANDARDS.

Section 5. This ordinance becomes effective from and after its passage and publication.

Passed by the City Council of The City of Birchwood Village this [] day of [Month], [Year].

Mayor

Attested:

City Clerk

To: Birchwood City Council
From: Ryan Hankins
Re: Solar Ordinance

July Remarks:

Actions:

Request publication of a public hearing notice for the second reading of this ordinance in August.
--

I revised the code somewhat to allow more flexibility on ground-mount systems. Ground-mount is allowed without a conditional use permit, if the installation is less than 30% of the area of the roof and receives more sunlight than an allowable rooftop system.

There was some discussion on the council about how much ground-mount should be allowed. As a compromise, I removed aesthetic restrictions, and allowed ground-mount without a conditional use permit if the system will receive the same amount of sunlight as a feasible rooftop system, and the ground-mount system is less than 30% of the footprint of the principle structure. Ground-mount of up to 50% is allowed with a conditional use permit.

If the council has little interest in aesthetic regulation, it is possible to remove the conditional use permit requirement entirely, and to issue building permits for all solar systems. In Birchwood, the requirements for a conditional use permit and variances are similar anyway.

For useful background, LMC has an excellent resource for those of us who are ready to go beyond food to learn the "permit pyramid" in Minnesota; Cities have a great deal of discretion in ordinances and plans, very little flexibility in the administration and issuance of building permits and a balance with conditional use permits and variances:

<https://www.lmc.org/resources/zoning-decisions/>

June remarks:

The planning commission reviewed the following with me at its May 25 meeting. In addition, Mike Kraemer provided valuable comments, and I have updated the proposed ordinance with all of those comments. I am grateful for that feedback.

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCES NO. 301 TITLED "ZONING CODE: GENERAL PROVISIONS," NO. 302 TITLED "ZONING CODE: REQUIREMENTS AND PERFORMANCE STANDARDS," AND NO. 306 TITLED "ZONING CODE: CONDITIONAL USE PERMITS"

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d. roof-mount solar installations no more than ten inches above the roof, with each panel within 5 degrees of the pitch of the roof and within the bounds of the roof surface; and

11. Variances. An applicant with inadequate access to direct sunlight for solar energy systems or another practical difficulty under the terms of § 302.100 may apply for a variance. The variance application shall meet the requirements for plan approval and shall also demonstrate why the requirements of the code cannot be met without practical difficulty.

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 - b. Any land disturbance activity where such work involves an area greater than four hundred (400) square feet and/or more than fifty (50) cubic yards in volume. See Note at end of Section 301.070.
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Section 5. This ordinance becomes effective from and after its passage and publication.

Passed by the City Council of The City of Birchwood Village this [] day of Month, Year.

Mayor

Attested:

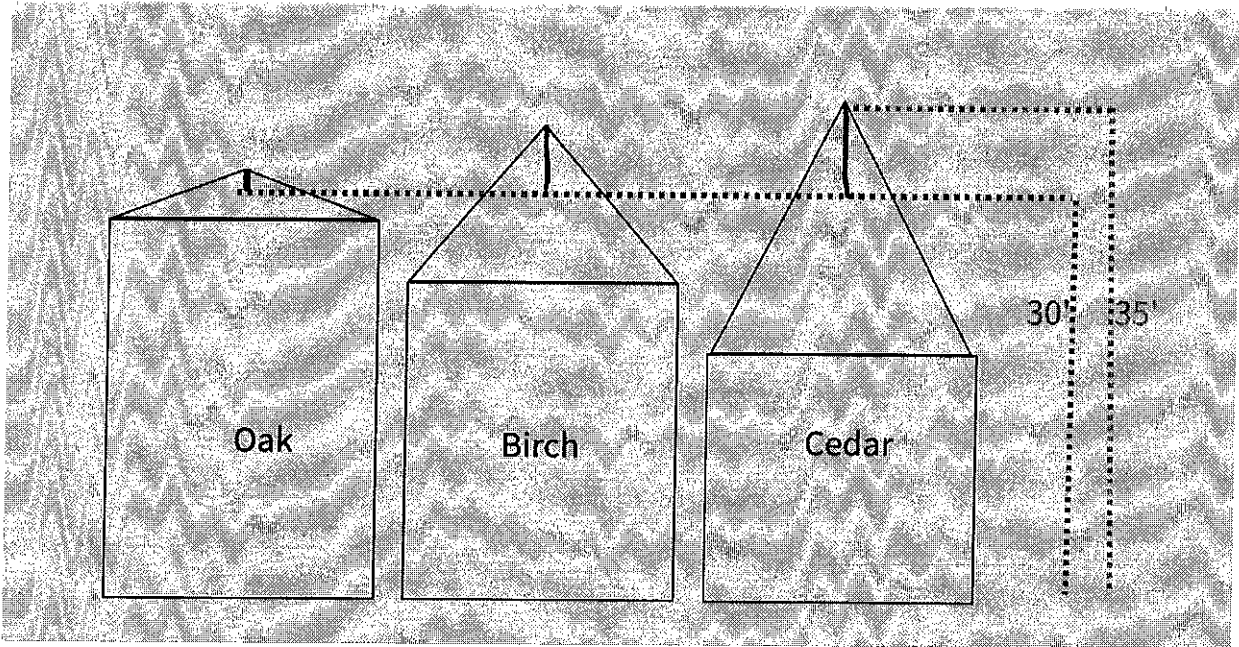
City Clerk

To: Birchwood City Council

From: Ryan Hankins

Please see a discussion below and in the *findings and purpose* section.

1. [ACTION] Adopt ordinance.



Ryan's marginally helpful diagram.

The height code proposal works like this for most single-family houses: the top 30% of the structure is excluded from calculation, so a house with a more sloped roof can poke up higher above 30 feet. The Oak house with a less sloped roof can must have a lower total height; the Cedar house with a very high pitch occupies less visible space. The purple line shows that the 30 foot maximum. All single-family dwellings remain limited to 35 feet at the tallest point.

The following chart shows the maximum height based on the width of the house. Of course, if it is always capped at 35 feet. Most houses set the roofline parallel to the long edge of the house, which is typically less than 40 feet.

House Width	40	38	36	34	32	30	28	26	24
Half of House Width	20	19	18	17	16	15	14	13	12
3/12 Pitch 3	5.00	4.75	4.50	4.25	4.00	3.75	3.50	3.25	3.00
30% of rise	1.5	1.425	1.35	1.275	1.2	1.125	1.05	0.975	0.9
Maximum Height	31.5	31.425	31.35	31.27	31.2	31.125	31.05	30.975	30.9
4/12 Pitch 4	6.67	6.33	6.00	5.67	5.33	5.00	4.67	4.33	4.00
30% of rise	2	1.9	1.8	1.7	1.6	1.5	1.4	1.3	1.2
Maximum Height	32	31.9	31.8	31.7	31.6	31.5	31.4	31.3	31.2
5/12 Pitch 5	8.33	7.92	7.50	7.08	6.67	6.25	5.83	5.42	5.00
30% of rise	2.5	2.375	2.25	2.125	2	1.875	1.75	1.625	1.5
Maximum Height	32.5	32.375	32.25	32.12	32	31.875	31.75	31.625	31.5
6/12 Pitch 6	10.00	9.50	9.00	8.50	8.00	7.50	7.00	6.50	6.00
30% of rise	3	2.85	2.7	2.55	2.4	2.25	2.1	1.95	1.8
Maximum Height	33	32.85	32.7	32.55	32.4	32.25	32.1	31.95	31.8
8/12 Pitch 8	13.33	12.67	12.00	11.33	10.67	10.00	9.33	8.67	8.00
30% of rise	4	3.8	3.6	3.4	3.2	3	2.8	2.6	2.4
Maximum Height	34	33.8	33.6	33.4	33.2	33	32.8	32.6	32.4
10/12 Pitch 10	16.67	15.83	15.00	14.17	13.33	12.50	11.67	10.83	10.00
30% of rise	5	4.75	4.5	4.25	4	3.75	3.5	3.25	3
Maximum Height	35	34.75	34.5	34.25	34	33.75	33.5	33.25	33
12/12 Pitch 12	20.00	19.00	18.00	17.00	16.00	15.00	14.00	13.00	12.00
30% of rise	6	5.7	5.4	5.1	4.8	4.5	4.2	3.9	3.6
Maximum Height	35	35	35	35	34.8	34.5	34.2	33.9	33.6

As a reference, Mahtomedi defines building height similarly to this proposal, except it allows half the vertical height to stick above the limit (rather than 30%).

Building Height. The vertical distance measured from the average ground level prior to construction to the top cornice line of a flat and mansard roof, to the uppermost point on a

shed, round, or other arch-type roof, or to the midpoint of the tallest gable of a pitched or hipped roof.

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 302.045 OF ORDINANCE NO. 302 ADOPTED ON DECEMBER 13, 2016, AND TITLED “ZONING CODE REQUIREMENTS AND PERFORMANCE STANDARDS.”

Findings and Purpose:

Our structural height restrictions limit energy-efficient housing design. New energy code requires 7-inch energy heel, 9-foot ceilings, and building methods that use 18- to 48-inch deep trusses to span open floor plans result in common two-story building heights that can easily exceed the existing code limitation of 30-foot average exposure height on a flat lot. Allowing higher structures when roofs have greater pitch balances goals of regulating structure size and meeting stricter energy codes.

This changes allows the upper 30% of a roof of a house or its attached garage, measured vertically, to protrude above the 30-foot maximum structure height. It limits the amount of the structure that may fill that area, preserving light and space outdoors, but reducing the advantage in expanded interior space that flatter roofs provide over pitched roofs.

Our current code for detached structures has more reasonable results; that is unchanged.

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

Section 1. Section 302.045 of Ordinance No. 302 adopted on December 13, 2016 and titled ZONING CODE REQUIREMENTS AND PERFORMANCE STANDARDS is amended to read:

302.045 STRUCTURAL HEIGHT RESTRICTIONS

1. The height of a structure shall not exceed the maximum structure height for its type in 302.045(2).
2. STRUCTURAL HEIGHT LIMITATION: The maximum height of a structure as calculated by Method A, B or C (see below) is as follows:

<u>Structure type</u>	<u>Maximum Structure Height</u>
Principal Structure/attached garage	30 feet
Detached garage	18 feet
Detached storage shed	12 feet

METHOD A: (Applicable to principal structures and attached garages.) For flat and shed roofs, the height of a structure is the vertical distance measured between the average elevation of the grade plane and the highest point of the roof surface. For mansard roofs, the height of a structure is the vertical distance between the average elevation of the grade plane and the break line. For gable, gambrel and hip roofs, the height of a structure is the vertical distance between the eaves and the average elevation of the grade plane, plus 70% of the vertical distance between the eaves and the structure's highest roof ridge. For gable, gambrel and hip roofs with uneven eaves, the average of the heights of that roof's eaves is used to determine vertical distance. The grade plane shall be calculated based on the method shown in Exhibit A below. Elevation points at the ground level shall be evenly distributed along each façade.

METHOD B: (Applicable to detached 3-dimensional structures, e.g. detached garages and storage sheds): The height of a structure is the difference between the elevation of the highest point of the structure and the average elevation of the grade plane. The grade plane shall be calculated based on the method shown in Exhibit A below. Elevation points at the ground level shall be evenly distributed along each façade.

METHOD C: (Applicable to structures which are mainly 1- or 2-dimensional, e.g. towers and walls.) The height of a structure is the difference in elevation between any point on the structure and the ground directly below that point.

3. Grading/Fill Limitation

The grade of the property shall not be changed to comply with height restrictions.

4. Tallest Point Limitation

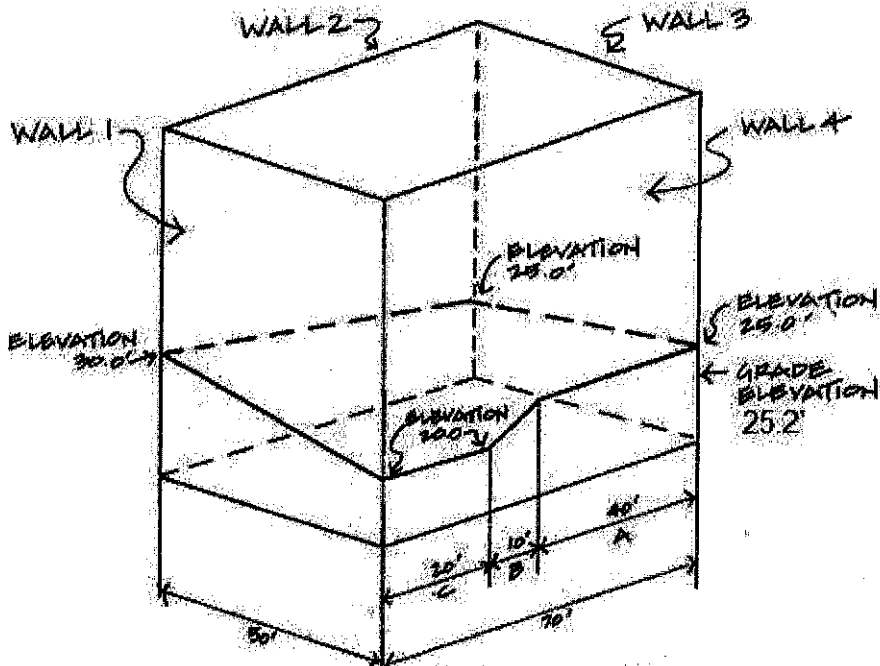
Regardless of the structure height limitations for principal structures specified in section 302.045 subsection 2 above, the lowest point on the façade to the tallest point of a structure shall not exceed 35 feet. Also, the tallest point of an attached garage shall not exceed the height of the tallest point of the principal structure.

5. Exceptions.

The maximum structure height and tallest point limitations established herein shall not apply to chimneys and flues, provided the footprint or horizontal area of the chimney or flue does not exceed 16 square feet and the top of the chimney or flue and does not extend more than three feet above the tallest point of the roof.

Exhibit A:

ILLUSTRATION 10: GRADE, GRADE ELEVATION



GRADE = AVERAGE GROUND ELEVATION

WALL 1 $\frac{30.0 + 30.0}{2} \times 50 = 1500$

WALL 2 $\frac{30.0 + 25.0}{2} \times 70 = 1925$

WALL 3 $\frac{25.0 + 25.0}{2} \times 50 = 1250$

WALL 4 A- $25.0 \times 40 = 1000$

B- $\frac{25.0 + 30.0}{2} \times 10 = 275$

C- $20.0 \times 30 = 600$

GRADE = $\frac{6050}{240} = 25.2$

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

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

Mayor

SUPPORTING INFORMATION FOR REQUESTION FOR PC.

As you know, the council approved \$2500 for two new laptops. The purchase is complete and we are in the process of scheduling them to be installed. (Part of the delay has been administrative on our part). Because one of the PC's could be used for presentations by the Administrator, I requested a reimbursement for one. The reimbursement occurred last month. Based on our needs in the office, I believe we need three PCS. I would like to propose we purchase a desktop. That can be used for the CTAS software and for other administrative functions. I checked with METRO-INET and they said they could get a PC shipped tomorrow for \$629. This would be a standard PC with 16 GB RAM, 15 and 256 Storage. If we wanted 1 Terabyte SSD it would be more. However, I can't see how this desktop would need additional storage as all is saved to the ONE Drive. I asked about support and they would cover this year without any additional charge. 2024 would be an additional cost of \$1016 annually. Thank you for your consideration.

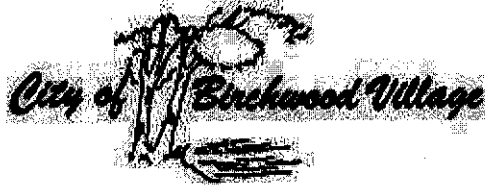
Mary Cahill

Treasurer

City of Birchwood Village, MN

email: mary.cahill@cityofbirchwood.com

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



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 2370 Highway 36 East
 North St. Paul, MN 55109
 Phone (651) 777-1313
 Fax (651) 777-7843
 www.taschifsky.com

"BID"



Bid To:	Birchwood Misc.	Attention:	Margaret Ford / Rebecca Kellen
Job:		Address:	City of Birchwood Village, MN
Location:	Birchwood, MN	Phone:	612-396-5038
Addendums:	NA	Fax:	
Date:	7.5.23	Email:	Rebeccakellen@cityofbirchwood.com

<i>Misc. For holes</i>			
Mobilization PER DAY			
Crew Rate for Patching Crew			
Furnish Bituminous Asphalt per ton price			
Milling -Based on 36-6' Wide)			
		Total	\$7,560.00
	SF	720	
Mobilization PER DAY			
Remove 3" of bituminous and 6" of class five			
Furnish Install class 5 as needed			
Furish and install 3" of SPWEB340B compacted			
		1.20	\$8,160.00
	SF	36	
Mobilization PER DAY			
Remove 3" of bituminous and 6" of class five			
Furnish Install class 5 as needed			
Furish and install 3" of SPWEB340B compacted			
		1.20	\$2,280.00
**Staking right of way by city			
Hall Ave	Remove Vegetation and excess fill.		\$32,000.00
Note:	Install class 5 Limerock up to 3' compact with roller	6" thick	\$4,000.00
	Mahtomedi City Limits to Lake Ave.	ADD Limestone	\$36,000.00
		Total	

Bid is based on SY listed above and provided plan. Not included in bid are permits, unforeseen site conditions, surveying, subgrade correction or excavation, geotextile fabric, and testing.

Contractor's Guarantee

We guarantee all material used in this contract to be as specified above and the entire job to be done in a neat, workmanlike manner. Bid is based on quantities stated. Any variations from the plan or alterations requiring extra labor or material will be performed only upon written order and billed in addition to the sum covered by this contract. Prices are for 2023 unless otherwise specified.

Thank you for the opportunity to quote. If you have any questions please do not hesitate to call.

T.A. Schifsky & Sons, Inc. (Affirmative Action, Equal Opportunity Employer)

By: _____ Date 7.5.23

Rob Stangler 651-775-8399

Accepted By: _____ Date _____

(Bid must be signed and returned)

Due to the rising cost of asphalt oil fuel, we can only honor our quotes for 30days. After 30 days bids/quotes are subject to our review and possible cost increase. Payment due upon completion.
 M:\2023\2023 Proposals\Patching\City of Birchwood Patching

New Business

Approve the processing of hourly permit fees by our Planner and Engineer through emailed confirmations presented by them. These emails will provide the hours spent reviewing individual resident permit applications. Purpose is to expedite the charging and collecting of permits fees upfront, rather than waiting for monthly billings presented by our Planner and Engineer. In turn, this will expedite the handling and processing time for our residents and reduce admin costs.

Note: In the event unforeseen expenses occur, the resident will be issued an additional invoice by the city for those costs.