



**AGENDA OF THE REGULAR MEETING OF
THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
AND THE REMOTE LOCATION OF
LATITUDE: 47 Degrees 17' 8.40" N
LONGITUDE: 0 Degrees 18' 15.00" E
June 14, 2021**

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

OPEN PUBLIC FORUM

ANNOUNCEMENTS

- A. Music in the Park concert series began Sunday, June 12 at 6:00pm in Tighe-Schmitz Park
- B. 4th of July Parade Monday, July 4th. 9 a.m. queue up for a 10 a.m. start

ADMINISTRATIVE PRESENTATION

- A. Sheriff Report for May* (pp. 3-5)

CITY BUSINESS – CONSENT AGENDA

- A. Approve Treasurer's Report* (pp. 6-22)
- B. Approve Special Meeting Minutes from April 15th, 2022* (pp. 23-25)

CITY BUSINESS – REGULAR AGENDA

- A. Second Reading Ord. 2022-05-01, Replacing City Code 601.030 Signs* (pp. 24-25)
 - a. Public Hearing
 - b. Council Deliberation and Approval
- B. Ryan Hankins
 - a. Fee Schedule Changes * (pp. 28-43)
 - b. Monthly on call fee for Manship (\$700)
- C. Birch Beach Dock Discussion* (pp. 44-45)
- D. Diseased Tree Ordinance Proposal* (p. 46)
- E. Emerald Ash Borer Update* (p. 47)
- F. Sewer Lift Station Grant Update* (p. 48)

* Denotes items that have supporting documentation provided

- G. Erosion Sock at 310-312 Wildwood
- H. Park Bench at City Hall* (p. 49)
- I. Wormwood Dock Request* (p. 50)
- J. Mahtomedi Request for Meeting
- K. Mayor Wingfield Updates* (p. 51)
 - a. Storm water Management plan for RCWD
 - b. Birchwood Village city entrance signs
 - c. Code Red info
 - d. New benches at Tennis/pickleball courts
 - e. Sewer line review at watermain break at 207 Birchwood Ave
 - f. Streetlights Update* (p. 52)
- L. Administrator Updates
 - a. Ordinance 2022-04-02 pending DNR approval to move forward with public hearing
 - b. SWPPP Amendments into City Code per MS4 Permit* (p. 53)

ADJOURN

* Denotes items that have supporting documentation provided

Incident Summary Report

PUBLIC

From:5/1/2022 12:00:00 AM To:5/31/2022 11:59:59 PM



WASHINGTON COUNTY SHERIFFS OFFICE

BIRCHWOOD VILLAGE - 29

5/3/2022 3:02:28 PM	WC22017325	XX Birchwood Ln, BIRCHWOOD VILLAGE	CIVIL MATTER/DISPUTE
5/7/2022 7:34:14 AM	WC22017986	50XXX -699 HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
5/9/2022 11:57:40 PM	WC22018439	JAY ST / HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
5/11/2022 1:52:31 AM	WC22018648	CEDAR ST / BIRCHWOOD AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
5/12/2022 7:45:07 AM	WC22018875	50XXX -699 HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
5/12/2022 10:42:12 AM	WC22018919	70XXX -715 HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
5/12/2022 11:16:01 PM	WC22019049	XX Five Oaks Ln, BIRCHWOOD VILLAGE	SUSPICIOUS PERSON/ACTIVITY
5/13/2022 7:19:19 AM	WC22019090	50XXX -698 HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
5/13/2022 2:23:52 PM	WC22019167	Unknown, BIRCHWOOD VILLAGE	CITIZEN/PUBLIC ASSIST
5/13/2022 3:12:32 PM	WC22019170	70XXX -714 HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC STOP
5/13/2022 3:59:30 PM	WC22019178	XX Oakhill Ct, BIRCHWOOD VILLAGE	MEDICAL
5/13/2022 8:49:34 PM	WC22019243	Jay St / Birchwood Ave, BIRCHWOOD VILLAGE	CITIZEN/PUBLIC ASSIST
5/13/2022 9:35:55 PM	WC22019245	Birchwood Ave / Birchwood Ct, BIRCHWOOD VILLAGE	SUSPICIOUS PERSON/ACTIVITY
5/17/2022 8:40:00 PM	WC22019884	HALL AVE/BIRCHWOOD RD, BIRCHWOOD VILLAGE	TRAFFIC COMPLAINT
5/20/2022 11:06:29 AM	WC22020312	Wildwood Ave / Jay St, BIRCHWOOD VILLAGE	DISTURBANCE
5/21/2022 7:50:51 AM	WC22020471	XXX HALL AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
5/22/2022 8:45:48 AM	WC22020658	XX Hall Ct, BIRCHWOOD VILLAGE	MEDICAL
5/22/2022 10:48:27 AM	WC22020671	4XXX East County Line Rd, BIRCHWOOD VILLAGE	ANIMAL COMPLAINT
5/23/2022 10:01:55 AM	WC22020816	XXX Wildwood Ave, BIRCHWOOD VILLAGE	CITIZEN/PUBLIC ASSIST
5/23/2022 10:25:08 AM	WC22020827	XX Birchwood Ave, BIRCHWOOD VILLAGE	ANIMAL COMPLAINT
5/23/2022 11:19:38 AM	WC22020842	XXX Lake Ave, BIRCHWOOD VILLAGE	CITIZEN/PUBLIC ASSIST
5/23/2022 12:57:27 PM	WC22020851	XXX Wildwood Ave, BIRCHWOOD VILLAGE	CIVIL MATTER/DISPUTE
5/24/2022 10:46:51 AM	WC22021034	60XXX -698 WILDWOOD AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
5/25/2022 10:06:00 PM	WC22021267	WILDWOOD AVE/EAST COUNTY LINE RD, BIRCHWOOD VILLAGE	SUSPICIOUS PERSON/ACTIVITY
5/25/2022 10:25:00 PM	WC22021269	XX BIRCHWOOD LN, BIRCHWOOD VILLAGE	SUSPICIOUS VEHICLE
5/28/2022 8:23:32 AM	WC22021742	40XXX -598 WILDWOOD AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL

Incident Summary Report

PUBLIC

From:5/1/2022 12:00:00 AM To:5/31/2022 11:59:59 PM

5/29/2022 10:31:46 AM	WC22021953	40XXX -598 WILDWOOD AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
5/29/2022 5:54:03 PM	WC22022035	10XXX -181 CEDAR ST, BIRCHWOOD VILLAGE	DIRECTED PATROL
5/29/2022 5:57:57 PM	WC22022036	40XXX -498 LAKE AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL

TOTAL INCIDENTS: 29

Citations for: Birchwood

5/1/2022 To 5/31/2022

Agcy	Date	Citation Number	Badge	Officer Name	Citation Type	Block	Street Name	Str Sfx	Cross Street Name	Cross St Sfx	City	Literal Description	Statute
WC SO	5/12/2022	820031213201	WC133 96	Z. Nelson	Citation	0	HALL AVE		JAY ST		Birchwood	MOV-Stop Sign Violation	169.30(b)

For the Period : 5/6/2022 To 6/7/2022

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>	<u>Less Deposits In Transit</u>	<u>Plus Outstanding Checks</u>	<u>Total Per Bank Statement</u>
General Fund	\$437,865.52	\$41,240.06	\$58,813.62	\$420,291.96	\$26,303.68	\$537,798.62	\$931,786.90
Comp Plan Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Special Rev Projects	\$27,325.69	\$750.00	\$1,280.00	\$26,795.69	\$750.00	\$26,315.00	\$52,360.69
Spec Rev - Warm House (Inactive)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$14,466.10	\$14,466.10
General Debt Service (Identify) (Inactive)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$143,146.82	\$143,146.82
Birchwood In Re-hab Bond (Inactive)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,241.71	\$2,241.71
Sewer Re-hab Debt (Inactive)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40,023.57	\$40,023.57
CAPITAL PROJECT FUNDS (401 through 499)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
General Capital Projects (Inactive)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$103,203.91	\$103,203.91
Municipal State Aid Streets - Construction (Inactive)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$58,587.99	\$58,587.99
Capital Project PW	\$111,998.31	\$0.00	\$0.00	\$111,998.31	\$0.00	\$66,000.00	\$177,998.31
Water	(\$28,676.62)	\$554.35	\$4,535.49	(\$32,657.76)	\$0.00	\$118,855.59	\$86,197.83
Sewer	\$134,871.50	\$592.84	\$12,567.56	\$122,896.78	\$0.00	\$252,866.53	\$375,763.31
Water Meter Upgrade Fees	(\$2,317.31)	\$0.00	\$0.00	(\$2,317.31)	\$0.00	\$0.00	(\$2,317.31)
American Rescue Act Proceeds	(\$47,669.31)	\$0.00	\$0.00	(\$47,669.31)	\$0.00	\$0.00	(\$47,669.31)
Engineering Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$633,397.78	\$43,137.25	\$77,196.67	\$599,338.36	\$27,053.68	\$1,363,505.84	\$1,935,790.52

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

Fund Name: All Funds

Date Range: 05/06/2022 To 06/07/2022

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
05/11/2022	Payroll Period Ending 05/11/2022	31901	Jackie Smith, Deputy Clerk	N	Clerk - Treasurer	100-41401-100-	\$ 400.01
	Total For Check	31901					\$ 400.01
05/11/2022	Payroll Period Ending 05/11/2022	31902	Rebecca Kellen Administrator/Clerk	N	Clerk - Treasurer	100-41401-100-	\$ 225.51
	Total For Check	31902					\$ 225.51
05/11/2022	Payroll Period Ending 05/07/2022	31903	Andy Gonyou, City Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 1,088.85
	Total For Check	31903					\$ 1,088.85
05/11/2022	City of White Bear Lake Fire	31904	Fire Srvc -Apr 2022	N	Fire	100-42201-314-	\$ 2,737.08
	Total For Check	31904					\$ 2,737.08
05/11/2022	TSE, Inc. Work Account	31905	Janitorial Services - 04/26/2022	N	General Government Buildings and Plant	100-41940-314-	\$ 25.00
	Total For Check	31905					\$ 25.00
05/11/2022	City of Roseville	31906*	IT charges May	N	General Government Buildings and Plant	100-41940-320-	\$ 386.13
	Total For Check	31906					\$ 386.13
05/11/2022	Metropolitan Council - Env. Service	31907*	Wastewater Service- May	N	Sewer Utility	605-43190-217-	\$ 5,105.97
	Total For Check	31907					\$ 5,105.97
05/11/2022	Hoffman Weber Construction	31908*	Escrow refund	N	Escrow Refunds	100-49250-810-8	\$ 3,000.00
	Total For Check	31908					\$ 3,000.00
05/11/2022	MENARD'S - OAKDALE	31909	Supplies	N	Parks	100-45207-400-	\$ 71.55
	Total For Check	31909					\$ 71.55
05/11/2022	Kellen de Trujillo, Rebecca	31911	On-line training course	N	City Training and Development	100-41914-310-	\$ 55.00
	Total For Check	31911					\$ 55.00
05/11/2022	Wingfield, Mary	31912	Reimbursement - Light with Camera for Hall	N	General Government Buildings and Plant	100-41940-220-	\$ 136.01
	Total For Check	31912					\$ 136.01

Fund Name: All Funds

Date Range: 05/06/2022 To 06/07/2022

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
05/11/2022	Gopher Sewer and Drain	31913*	Camera inspection of main sewer lines to Village Hall	N	Unallocated Expenditures	100-49201-314-	\$ 319.00
	Total For Check	31913					\$ 319.00
05/12/2022	IRS - US Treasury	EFT05122022A	Federal Taxes - Q2 2022 - April Payment	N	Clerk - Treasurer	100-41401-100-	\$ 676.33
		EFT05122022A				100-41401-100-	\$ 307.00
	Total For Check	EFT05122022A					\$ 983.33
05/13/2022	PERA	EFT05132022A*	Retirement funds- Andy Gonyou	N	Clerk - Treasurer	100-41401-121-	\$ 204.06
	Total For Check	EFT05132022A					\$ 204.06
05/13/2022	PERA	EFT05132022B*	Retirement funds- Rebecca Kellen	N	Clerk - Treasurer	100-41401-121-	\$ 37.63
	Total For Check	EFT05132022B					\$ 37.63
05/22/2022	Wingfield, Mary	31914*	Reimbursement - Laminator for office	N	General Government Buildings and Plant	100-41940-230-	\$ 25.00
	Total For Check	31914					\$ 25.00
05/22/2022	Washington County - Property & Tax	31915*	2022 Assessment Fees	N	Assessing	100-41550-314-	\$ 5.21
	Total For Check	31915					\$ 5.21
05/22/2022	USS Minnesota One MT LLC	31916*	Energy Charges - May	N	General Government Buildings and Plant	100-41940-380-	\$ 89.75
		31916*			Sewer Utility	605-43190-380-	\$ 239.32
		31916*				605-43190-380-	\$ 433.76
	Total For Check	31916					\$ 762.83
05/22/2022	Mow Joe Inc	31917*	Spring Leaf Pick up 2022	N	Leaf Pick-Up	100-43110-314-	\$ 730.15
	Total For Check	31917					\$ 730.15
05/22/2022	Toshiba Business Solutions	31918*	Printer Maintenance - 05/09/2022-06/08/2022	N	Office Operations Supplies	100-41911-314-	\$ 10.62
	Total For Check	31918					\$ 10.62
05/22/2022	White Bear Township	31919*	Contracted Services -April	N	Sewer Utility	605-43190-314-	\$ 6,487.17
	Total For Check	31919					\$ 6,487.17
05/22/2022	Thompson, Rodney	31920	Escrow Deposit Refund	N	Escrow Refunds	100-49250-430-8	\$ 3,000.00
	Total For Check	31920					\$ 3,000.00

Fund Name: All Funds

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<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
05/22/2022	Twin Cities Siding Professionals	31921	Escrow refund	N	Escrow Refunds	100-49250-430-8	\$ 3,000.00
	Total For Check	31921					\$ 3,000.00
05/25/2022	Payroll Period Ending 05/25/2022	31922	Jackie Smith, Deputy Clerk	N	Clerk - Treasurer	100-41401-100-	\$ 670.74
	Total For Check	31922					\$ 670.74
05/25/2022	Payroll Period Ending 05/25/2022	31923	Rebecca Kellen, City Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 900.22
	Total For Check	31923					\$ 900.22
05/25/2022	Wingfield, Mary	31924	2 park benches	N	Parks	210-45207-587-	\$ 1,280.00
	Total For Check	31924					\$ 1,280.00
05/25/2022	Heating & Cooling Exxperts, LLC	31925*	Tune and AC repair for hall	N	General Government Buildings and Plant	100-41940-300-	\$ 469.00
	Total For Check	31925					\$ 469.00
05/25/2022	Minnesota Department of Health	31926*	Community Water Supply Service Connection Fee 04/01/2022-06/30/2022	N	Water Utility	601-43180-437-	\$ 860.00
	Total For Check	31926					\$ 860.00
05/25/2022	Water Conservation Service Inc.	31927*	Water Main Leak Locates - 02/10/22	N	Wtr/Swr Emergency	601-43185-300-	\$ 784.58
	Total For Check	31927					\$ 784.58
05/25/2022	Kitten, Marichris	31928*	Escrow Deposit refund	N	Escrow Refunds	100-49250-430-8	\$ 100.00
	Total For Check	31928					\$ 100.00
05/27/2022	BrightView Landscapes, LLC.	31931* 31931*	Snow Removal Services	N	Ice and Snow Removal	100-43125-210- 100-43125-314-	\$ 1,919.50 \$ 2,987.50
	Total For Check	31931					\$ 4,907.00
05/27/2022	St. Anthony Village	31932*	Utility Billing Services - Q2 2021	N	Financial Administration	601-41501-314-	\$ 2,216.60
	Total For Check	31932					\$ 2,216.60
05/31/2022	Payroll Period Ending 05/31/2022	31929	Payroll- Jim Rydeen Maintenance	N	Parks	100-45207-100-	\$ 1,643.20
	Total For Check	31929					\$ 1,643.20
05/31/2022	Rydeen, Jim	31930* 31930*	Reimbursement - Park Supplies	N	Parks	100-45207-400- 100-45207-400-	\$ 13.90 \$ 71.30

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		Total For Check	31930				\$ 85.20
05/31/2022	Xcel Energy	EFT05172022A	Gas Service 407 Lake Ave Lift Station	N	Sewer Utility	605-43190-380-	\$ 30.21
		Total For Check	EFT05172022A				\$ 30.21
05/31/2022	Xcel Energy	EFT05172022B*	Gas usage for 200 Wildwood Ave Lift Station	N	Sewer Utility	605-43190-380-	\$ 34.06
		Total For Check	EFT05172022B				\$ 34.06
05/31/2022	Xcel Energy	EFT05172022C*	Electricity for Tower 210 Birchwood Ave	N	Water Utility	601-43180-380-	\$ 15.41
		Total For Check	EFT05172022C				\$ 15.41
05/31/2022	Xcel Energy	EFT05202022A*	Electricity for 202 Wlldwood Lift Station, 407 1/2 Lake lift station & 423 Lake (ice rink)	N	Parks	100-45207-380-	\$ 46.98
		EFT05202022A*			Sewer Utility	605-43190-380-	\$ 247.65
		EFT05202022A*				605-43190-380-	\$(53.78)
		Total For Check	EFT05202022A				\$ 240.85
05/31/2022	A T & T Mobility	EFT05222022A*	Water Meter 5/2-6/1	N	Water Utility	601-43180-382-	\$ 58.90
		Total For Check	EFT05222022A				\$ 58.90
05/31/2022	Xcel Energy	EFT05312022A*	Street Lighting	N	Street Lighting	100-43160-380-	\$ 1,488.84
		Total For Check	EFT05312022A				\$ 1,488.84
06/01/2022	Thatcher Engineering, Inc	31933*	City Engineer - engineering services	N	Engineer Service	100-41650-300-	\$ 700.00
		31933*				100-41650-300-	\$ 1,350.00
		31933*				100-41650-300-	\$ 1,000.00
		31933*				100-41650-300-	\$ 550.00
		31933*				100-41650-300-	\$ 300.00
		31933*				100-41650-300-	\$ 8,218.49
		Total For Check	31933				\$ 12,118.49
06/01/2022	City of White Bear Lake Fire	31934	Fire Srvc -May 2022	N	Fire	100-42201-314-	\$ 2,737.08
		Total For Check	31934				\$ 2,737.08
06/01/2022	H.A. Kantrud, P.A.	31935	Attorney Services -June 2022	N	Legal Services	100-41601-300-	\$ 1,500.00
		Total For Check	31935				\$ 1,500.00
06/01/2022	Manship Plumbing & Heating Inc	31936	Standby - June	N	Water Utility	601-43180-314-	\$ 600.00

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		Total For Check	31936				\$ 600.00
06/01/2022	Sherwood, Gregory	31937	Escrow Deposit refund	N	Escrow Refunds	100-49250-430-8	\$ 3,000.00
		Total For Check	31937				\$ 3,000.00
06/01/2022	TSE, Inc. Work Account	31938*	Janitorial Services - May	N	General Government Buildings and Plant	100-41940-314-	\$ 50.00
		Total For Check	31938				\$ 50.00
06/01/2022	Payroll Period Ending 06/01/2022	31939	Payroll, Mary Cahill, Assistant Treasurer	N	Clerk - Treasurer	100-41401-100-	\$ 199.80
		Total For Check	31939				\$ 199.80
06/01/2022	Payroll Period Ending 06/01/2022	31940	Payroll for Andy Gonyou, City Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 474.87
		Total For Check	31940				\$ 474.87
06/01/2022	Andrew Gonyou	31942	zoom - May	N	Unallocated Expenditures	100-49201-320-	\$ 16.09
		Total For Check	31942				\$ 16.09
06/01/2022	PERA	EFT06012022A*	Retirement funds- James Rydeen	N	Clerk - Treasurer	100-41401-121-	\$ 289.37
		Total For Check	EFT06012022A				\$ 289.37
06/03/2022	IRS - US Treasury	EFT06022022A	Federal Taxes - Q2 2022 - May Payment	N	Clerk - Treasurer	100-41401-100-	\$ 948.20
		EFT06022022A				100-41401-100-	\$ 221.76
		EFT06022022A				100-41401-100-	\$ 302.71
		Total For Check	EFT06022022A				\$ 1,472.67
06/03/2022	PERA	EFT06032022A	Retirement funds- Andy Gonyou	N	Clerk - Treasurer	100-41401-121-	\$ 81.63
		Total For Check	EFT06032022A				\$ 81.63
06/07/2022	National Bank and Tag Company	31946*	Dog Tags	N	Office Operations Supplies	100-41911-200-	\$ 79.59
		Total For Check	31946				\$ 79.59
06/07/2022	Washington County - Property & Tax	31947*	2022 Special Asmt Billing	N	Assessing	100-41550-314-	\$ 135.00
		Total For Check	31947				\$ 135.00
06/07/2022	Mow Joe, Inc	31948*	***VOID\$730.15***Spring Leaf clean up- 2022	Y	Leaf Pick-Up	100-43110-314-	\$ -

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		Total For Check	31948				\$ -
06/07/2022	Companion Animal Control LLC	31949	Animal Control Services -May	N	Animal Control	100-41916-314-	\$ 80.00
		Total For Check	31949				\$ 80.00
06/07/2022	City of Roseville	31950*	IT charges June	N	General Government Buildings and Plant	100-41940-320-	\$ 386.13
		Total For Check	31950				\$ 386.13
06/07/2022	R Leeves Productions LLC	31951	Videography - Council Mtgs, 05/10/22	N	Cable Eqpmt and Service	100-41950-314-	\$ 111.83
		Total For Check	31951				\$ 111.83
06/07/2022	Gopher State One Call	31952*	email tickets	N	Utility Locates	605-42805-314-	\$ 43.20
		Total For Check	31952				\$ 43.20
06/07/2022	League of MN Cities Insurance Trust	31953*	Municipal Excess Liability - Thru 06/12/2020	N	City Insurance	100-41945-361-	\$ 8,385.00
		31953*				100-41945-369-	\$ 855.00
		Total For Check	31953				\$ 9,240.00
Total For Selected Checks							\$ 77,196.67

Fund Name: All Funds

Date Range: 05/06/2022 To 06/07/2022

<u>Date</u>	<u>Remitter</u>	<u>Receipt #</u>	<u>Description</u>	<u>Deposit ID</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-P</u>	<u>Total</u>
05/10/2022	The Kingdom Builders	171735461*	Building Permit # 2022-22	(05/10/2022) -	N	Building Permits	100-32211-	\$ 200.50
								\$ 200.50
05/11/2022	Solheim, Christine	171735462*	Canoe and Kayak Permit	(05/12/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 60.00
								\$ 60.00
05/11/2022	Florence, Mitchell	171735463*	2 Kayak Permits	(05/12/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 60.00
								\$ 60.00
05/11/2022	Lafoy, Randall	171735464*	damage to streets due to driveway/retaining wall install	(05/12/2022) -	N	Miscellaneous	100-36140-	\$ 150.00
								\$ 150.00
05/11/2022	Astrup, Bob	171735465*	Annual fee for Hall Rental for Art Group	(05/12/2022) -	N	City/Town Hall Rent	100-34101-	\$ 10.00
								\$ 10.00
05/11/2022	MN Management & Budget	171735491	Fines	(05/11/2022) -	N	Court Fines	100-35101-	\$ 85.31
								\$ 85.31
05/16/2022	Archer Exteriors	171735476*	Building Permit # 2022-27	(05/16/2022) -	N	Building Permits	100-32211-	\$ 128.25
								\$ 128.25
05/19/2022	Corliss, Karleen	171735466*	2 kayak permits	(05/20/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 60.00
								\$ 60.00
05/19/2022	Fleck, Sue	171735467*	Kayak permit	(05/20/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00
								\$ 30.00
05/19/2022	Fleck, Jon	171735468*	Donation to city hall restoration	(05/20/2022) -	N	Contributions and Donations from Private Sources	100-36230-	\$ 100.00
								\$ 100.00
05/19/2022	Mahler, Lori	171735469*	Hall rental	(05/20/2022) -	N	City/Town Hall Rent	100-34101-	\$ 25.00

Fund Name: All Funds

Date Range: 05/06/2022 To 06/07/2022

<u>Date</u>	<u>Remitter</u>	<u>Receipt #</u>	<u>Description</u>	<u>Deposit ID</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-P</u>	<u>Total</u>
								\$ 25.00
05/19/2022	Kazmierczak, Wayne	171735470*	Kayak Permit	(05/20/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00
								\$ 30.00
05/19/2022	Witcher, Loren	171735471*	Canoe Permit	(05/20/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00
								\$ 30.00
05/19/2022	Hail Pro, LLC	171735472*	Building Permit 2022-28	(05/20/2022) -	N	Building Permits	100-32211-	\$ 113.75
								\$ 113.75
05/19/2022	Shellenberger, Lindsey	171735473*	Building Permit # 2022-26	(05/20/2022) -	N	Building Permits	100-32211-	\$ 331.25
								\$ 331.25
05/19/2022	Precise Exteriors, LLC	171735474*	Building Permit # 2022-25	(05/20/2022) -	N	Building Permits	100-32211-	\$ 215.25
								\$ 215.25
05/19/2022	Precise Exteriors, LLC	171735475*	Escrow Deposit # 2022-25	(05/20/2022) -	N	Escrow Deposits	100-36245-8	\$ 3,000.00
								\$ 3,000.00
05/20/2022	Seifert, Adam	171735477*	2 kayak Permits	(05/20/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 60.00
								\$ 60.00
05/20/2022	Cristan, Richard	171735478*	Building Permit engineering fees	(05/20/2022) -	N	Building Permits	100-32211-	\$ 2,295.00
								\$ 2,295.00
05/25/2022	CandM Heating and Conditioning	171735479*	Building permit # 2022-32	(05/25/2022) -	N	Building Permits	100-32211-	\$ 93.35
								\$ 93.35
05/25/2022	Nickolaus, Anthony	171735480*	Building Permit # 2022-34 and escrow deposit	(05/25/2022) -	N	Building Permits	100-32211-	\$ 215.25
						Escrow Deposits	100-36245-	\$ 3,000.00
								\$ 3,215.25
05/25/2022	Solhiem, Emma	171735481*	Building Permit # 2022-30	(05/23/2022) -	N	Building Permits	100-32211-	\$ 30.60
								\$ 30.60

Fund Name: All Funds

Date Range: 05/06/2022 To 06/07/2022

<u>Date</u>	<u>Remitter</u>	<u>Receipt #</u>	<u>Description</u>	<u>Deposit ID</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-P</u>	<u>Total</u>	
05/25/2022	Husnik Homes Inc	171735482*	Lot split fee-176 Cedar Street	(05/27/2022) -	N	Building Permits	100-32211-	\$ 225.00	
								\$ 225.00	
05/25/2022	Underwood, Scott	171735483*	Building Permit # 2022-29	(05/27/2022) -	N	Building Permits	100-32211-	\$ 92.50	
								\$ 92.50	
05/25/2022	Carter Custom Construction & Firepl	171735484*	Building Permit # 2022-11, escrow deposit	(05/27/2022) -	N	Building Permits	100-32211-	\$ 457.25	
							Escrow Deposits	100-36245-8	\$ 3,000.00
								\$ 3,457.25	
05/27/2022	Wd&D Permit Service	171735485*	Building Permit # 2022-36	(05/27/2022) -	N	Building Permits	100-32211-	\$ 389.25	
								\$ 389.25	
05/28/2022	Dupey, Michelle	171735489*	Canoe and Kayak permit	(05/29/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 60.00	
								\$ 60.00	
05/31/2022	Residents - via St Anthony Village	171735486	Utility Billing - Month of May 2022	(05/31/2022) -	N	Leaf Collection	100-34408-	\$ 64.08	
							Leaf Collection	100-34408-5	\$ 4.73
							Water Consumption	601-37111-	\$ 197.38
							Water Utility User Fee	601-37112-	\$ 190.34
							Water Main-break Surcharge	601-37113-	\$ 25.00
							Special Water Charges	601-37115-	\$ 76.57
							State Surcharge	601-37116-	\$ 19.40
							Certified Bills Collections	601-37117-	\$ 25.00
							Penalties and Forfeited Discounts	601-37160-	\$ 20.66
							Sewer Consumption	605-37211-	\$ 278.43
							Sewer Minimum Charge	605-37212-	\$ 287.58
							Penalties and Forfeited Discounts	605-37260-	\$ 26.83
								\$ 1,216.00	
05/31/2022	4 M Fund	171735490	Interest	(05/31/2022) -	N	Interest Earning	100-36210-	\$ 320.06	
								\$ 320.06	
06/01/2022	Conway, Michael	171735487*	Building Permit #2022-33 and Escrow	(06/01/2022) -	N	Building Permits	100-32211-	\$ 616.25	
							Escrow Deposits	100-36245-	\$ 3,000.00
								\$ 3,616.25	

Fund Name: All Funds

Date Range: 05/06/2022 To 06/07/2022

<u>Date</u>	<u>Remitter</u>	<u>Receipt #</u>	<u>Description</u>	<u>Deposit ID</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-P</u>	<u>Total</u>
06/01/2022	Husnik Homes	171735488*	Building Permit # 2022-35, escrow deposit	(06/01/2022) -	N	Building Permits	100-32211-	\$ 10,304.43
						Escrow Deposits	100-36245-	\$ 3,000.00
								<u>\$ 13,304.43</u>
06/01/2022	Twin City Fireplace	171735492*	Building Permit # 2022-37	(06/01/2022) -	N	Building Permits	100-32211-	\$ 63.00
								<u>\$ 63.00</u>
06/07/2022	Birchwood Dock Association	171735493*	BDA Boat Slip Payment	(06/08/2022) -	N	Dock/Lift Permit Fee	210-32260-	\$ 750.00
								<u>\$ 750.00</u>
06/07/2022	Tom Ryan Remodeling and Constructio	171735494*	Building Permit # 2022-38 and Escrow	(06/08/2022) -	N	Building Permits	100-32211-	\$ 113.75
						Escrow Deposits	100-36245-8	\$ 3,000.00
								<u>\$ 3,113.75</u>
06/07/2022	Sherwood, Gregory	171735495*	Escrow Deposit garage	(06/08/2022) -	N	Escrow Deposits	100-36245-8	\$ 3,000.00
								<u>\$ 3,000.00</u>
06/07/2022	Groundworks MN	171735496*	Building Permit # 2022-31	(06/08/2022) -	N	Building Permits	100-32211-	\$ 186.25
								<u>\$ 186.25</u>
06/07/2022	Groundworks MN	171735497*	Escrow Deposit 2022-31	(06/08/2022) -	N	Escrow Deposits	100-36245-8	\$ 3,000.00
								<u>\$ 3,000.00</u>
06/07/2022	Trepanier, Pat	171735498*	Dog Permit #71	(06/08/2022) -	N	Animal Licenses	100-32240-	\$ 20.00
								<u>\$ 20.00</u>
Total for Selected Receipts								<u><u>\$ 43,137.25</u></u>

As on 6/7/2022

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)
Total Acct 451	0.00	200.00	(200.00)
Parks			
Other Equipment	0.00	1,280.00	(1,280.00)
Total Acct 452	0.00	1,280.00	(1,280.00)
Total Disbursements	0.00	1,480.00	(1,480.00)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		12,525.69	
Total Receipts and Other Financing Sources		15,750.00	
Total Disbursements and Other Financing Uses		1,480.00	
Cash Balance as of 06/07/2022		26,795.69	

As on 6/7/2022

Capital Project PW

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Other Financing Sources:			
Total Other Financing Sources	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Disbursements:			
Engineer Service			
PROFESSIONAL SERVICES (301 through 319)	0.00	3,500.00	(3,500.00)
Total Acct 416	<u>0.00</u>	<u>3,500.00</u>	<u>(3,500.00)</u>
General Government Buildings and Plant			
PROFESSIONAL SERVICES (301 through 319)	0.00	3,200.00	(3,200.00)
Contracted Services	0.00	4,917.00	(4,917.00)
Total Acct 419	<u>0.00</u>	<u>8,117.00</u>	<u>(8,117.00)</u>
Total Disbursements	<u>0.00</u>	<u>11,617.00</u>	<u>(11,617.00)</u>
Other Financing Uses:			
Total Other Financing Uses	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Beginning Cash Balance		123,615.31	
Total Receipts and Other Financing Sources		0.00	
Total Disbursements and Other Financing Uses		<u>11,617.00</u>	
Cash Balance as of 06/07/2022		111,998.31	

As on 6/7/2022

Water

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Penalty - Late Water/Sewer	0.00	202.57	202.57
Total Acct 341	0.00	202.57	202.57
Miscellaneous	0.00	3,056.14	3,056.14
Total Acct 361	0.00	3,056.14	3,056.14
Water Consumption	0.00	27,485.66	27,485.66
Water Utility User Fee	0.00	13,309.79	13,309.79
Water Main-break Surcharge	0.00	106.50	106.50
Meter Upgrade Fees	0.00	383.03	383.03
Special Water Charges	0.00	764.99	764.99
State Surcharge	0.00	1,385.15	1,385.15
Certified Bills Collections	0.00	25.00	25.00
Administrative Fee Move/Out	0.00	50.00	50.00
Penalties and Forfeited Discounts	0.00	109.38	109.38
Total Acct 371	0.00	43,619.50	43,619.50
Total Revenues	0.00	46,878.21	46,878.21
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Financial Administration			
Contracted Services	0.00	4,355.48	(4,355.48)
Total Acct 415	0.00	4,355.48	(4,355.48)
Newsletter			
Printing and Binding (351 through 359)	0.00	187.20	(187.20)
Total Acct 419	0.00	187.20	(187.20)
Water Utility			
Repair and Maintenance Supplies (221 through 229)	0.00	894.29	(894.29)
Contracted Services	0.00	31,614.48	(31,614.48)
Utility Services (381 through 389)	0.00	38,404.91	(38,404.91)
Utility Services: Water	0.00	459.82	(459.82)
Miscellaneous (431 through 499)	0.00	1,571.42	(1,571.42)
Fees	0.00	1,720.00	(1,720.00)
Wtr/Swr Emergency			
Repair and Maintenance Supplies (221 through 229)	0.00	700.00	(700.00)
PROFESSIONAL SERVICES (301 through 319)	0.00	784.58	(784.58)
Contracted Services	0.00	17,776.75	(17,776.75)
Total Acct 431	0.00	93,926.25	(93,926.25)
MISCELLANEOUS			
Fees	0.00	23.96	(23.96)
Total Acct 490	0.00	23.96	(23.96)
Total Disbursements	0.00	98,492.89	(98,492.89)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		18,956.92	
Total Receipts and Other Financing Sources		46,878.21	
Total Disbursements and Other Financing Uses		98,492.89	
Cash Balance as of 06/07/2022		(32,657.76)	

As on 6/7/2022

Sewer

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Miscellaneous	0.00	266.20	266.20
Total Acct 361	0.00	266.20	266.20
Sewer Consumption	0.00	27,141.56	27,141.56
Sewer Minimum Charge	0.00	22,291.97	22,291.97
Penalties and Forfeited Discounts	0.00	247.92	247.92
Total Acct 372	0.00	49,681.45	49,681.45
Total Revenues	0.00	49,947.65	49,947.65
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Utility Locates			
Contracted Services	0.00	264.65	(264.65)
Total Acct 428	0.00	264.65	(264.65)
Sewer Utility			
Sewer - Wastewater Charge	0.00	25,529.85	(25,529.85)
Contracted Services	0.00	11,234.24	(11,234.24)
Utility Services (381 through 389)	0.00	3,235.71	(3,235.71)
Utility Services: Gas Utilities	0.00	57.81	(57.81)
Miscellaneous (431 through 499)	0.00	836.70	(836.70)
Total Acct 431	0.00	40,894.31	(40,894.31)
Total Disbursements	0.00	41,158.96	(41,158.96)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		114,108.09	
Total Receipts and Other Financing Sources		49,947.65	
Total Disbursements and Other Financing Uses		41,158.96	
Cash Balance as of 06/07/2022		122,896.78	

As on 6/7/2022

American Rescue Act Proceeds

	<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:			
Engineer Service			
PROFESSIONAL SERVICES (301 through 319)	0.00	1,004.00	(1,004.00)
Total Acct 416	0.00	1,004.00	(1,004.00)
Total Disbursements	0.00	1,004.00	(1,004.00)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		(46,665.31)	
Total Receipts and Other Financing Sources		0.00	
Total Disbursements and Other Financing Uses		1,004.00	
Cash Balance as of 06/07/2022		(47,669.31)	

SPECIAL BIRCHWOOD CITY COUNCIL MEETING

MAY 15, 2021

The Special Meeting of the Birchwood City Council was called to order by Mayor Mary Wingfield at 7 p.m.

Present: Wingfield, Fleck, McCarthy, and Foster, and city attorney Alan Kantrud.

The meeting was audio recorded.

The mayor and council members presented an overview of the events leading up to the Hall Av/Birchwood Road closure including the issues of road safety, lack of law enforcement and traffic control, including speeding, stop sign violations, passing on double yellow lines, talking on cell phones, and substantial increase in traffic volume and commercial trucks and semis, tankers and dump trucks. The cost of wear and tear by heavy trucks exposes the city to substantial repair costs. Information was also provided on the coordination between the county commissioner, sheriff and public works department. Emergency fire and rescue are provided by White Bear Lake and are unaffected by the closure.

Members of the audience were heard, including Julie Molitor, Trilby White, Chris Rollinger, Andrea Evans. Gina Loosbrock, Sara Nephew, Ron Malles. Megan Malvey, Mark McGibbon, Torie Wormwood, William Merrill, Linea Pratt, Dyanne Ross-Hanson, Cassie Potter, David Drew, and Mike McKenzie. The comments were similar to the issues the council discussed.

MOTION (Wingfield)/S (Fleck): Starting tomorrow, open east-bound traffic lane from 7-9 am to allow busses and families to get to school. The schedule will remain in place through June 9th.
Pass 4-0

MOTION: (Wingfield)/S (Fleck): Starting tomorrow, open east-bound traffic lane from 2:30-4:30 pm to allow busses and families to get to school. The schedule will remain in place through June 9th. Pass 4-0

Wingfield informed everyone that Jennifer Tell has offered and will be coordinating a spreadsheet for volunteers to staff the barricade opening and closing times. Wingfield will call the Mahtomedi School Bus transit coordinator to update him on the council's action.

MOTION (Wingfield)/S (McCarthy): Move signs/barricades to eastern Birchwood Village city line as soon as practicable to allow Birchwood services for fire, rescue, refuse and recycling to the entire community. Pass 4-0. The city attorney informed the council that the county must move the signs.

MOTION (McCarthy)/ S to re-open Hall Avenue at Jay Street subject to the following: Local traffic only signs; Speed humps on Wildwood and Hall/Cedar (all the County can provide); Stop signs on every intersection and every direction on Hall/Cedar and Wildwood; Get the speed limit display truck from the county; 20 mph throughout Birchwood; and Temporary chicanes on both wildwood and hall/cedar as indicated by the traffic engineer.

Failed for lack of a Second

Councilmember Woolstencroft arrived at 8:20 pm

MOTION(Wingfield)/S (McCarthy) City council to work with Mahtomedi to facilitate access for Lost Lake Court and other Mahtomedi residents who have been constrained as a result of Mahtomedi's ongoing flooding problem on Birchwood Road. Passed 5-0.

Wingfield will contact Mahtomedi regarding this. She will also update our county commissioner, sheriff's department and public works department of the council's actions tonight.

MOTION (Fleck)/S (McCarthy) to adjourn. Passed 5-0.

Meeting was adjourned at 8:30 pm

PARTIAL LIST OF NAMES AT 5/15/21 SPECIAL
COUNCIL MEETING

NAME	ADDRESS
SHARON MUELLERLEITZ	365 LAKEWOOD LN.
Megan Malvey	525 Lake Ave
Shelli Heinsch	367 Wildwood Ave.
Jessica Granec	363 Lakewood Ln
Lisa McKown	441 Lake Ave
BOB MAUER	612 HALL AVE.
Allison Borch	435 Hall Ave
Gina Loosbrock	701 Birchwood Ave
Cassie Potter	412 Birchwood Ct.
Bob Le Lane	135 Lost Lake Ct
RON MALLIS	920 WILDWOOD AVE
SARA NORTON	20 Birchwood Ave
Dyanne Ross-Hanson	700 Hall Ave
William Merrill	145 Lost Lake Ct.
David & Rachael Drew	180 Cedar St.
TRUBY WHITE	3 - OAKRIDGE DR.
CASEY MUTH	186 CEDAR ST.
Jorie Wormwood	112 Wildwood
JOE EVANS	545 Wildwood

ORDINANCE 2022-05-01

**CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
AN ORDINANCE REPLACING 601 SIGNS AND FLAGS IN THE CITY CODE**

The City Council of the City of Birchwood Village hereby ordains that section 601. SIGNS AND FLAGS of the Municipal Code of the City of Birchwood Village, previously repealed, is hereby replaced with the following:

601. Signs

601.01 FINDINGS, PURPOSE, AND EFFECT

1. Findings. The City Council hereby finds as follows:
 - (a) Signs provide important mediums through which individuals may convey a variety of messages.
 - (b) Signs can create safety hazards by distracting traffic.
 - (c) Exterior signs may have a substantial impact on the aesthetics and character of the City and thereby affect property values.
 - (d) The City seeks to regulate signs in an effort to provide adequate means of expression while at the same time protecting the City and its citizens from a proliferation of signs of a type, size, location and character that would adversely impact the aesthetics of the community, distract traffic thereby creating a safety hazard, and threaten the health, safety and welfare of the community. The regulation of the physical characteristics of signs within the City has had a positive impact on traffic safety and the appearance of the community.
2. Purpose and intent. The purpose and intent of this article is to:
 - (a) Regulate the number, location, size, type, illumination and other physical characteristics of signs within the City in order to promote the public health, safety and welfare.
 - (b) Maintain, enhance and improve the aesthetic environment of the City by preventing visual clutter that is harmful to the appearance of the community.
 - (c) Improve the visual appearance of the City while providing for effective means of communication, consistent with Constitutional guarantees and the City's goals of public safety and aesthetics.
 - (d) Provide for fair and consistent enforcement of the sign regulations set for herein under the zoning authority of the City.

601.015 SEVERABILITY If any section, subsection, sentence, clause, or phrase of this article is for any reason held to be invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of this article. The City Council hereby declares that it would have adopted this article in each section, subsection, sentence, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

601.020 DEFINITIONS

1. *Sign* means any letter, word or symbol, poster, picture, statuary, reading matter or representation in the nature of advertisement, announcement, message or visual communication, other than a “flag” as defined in this section, whether painted, posted, printed, affixed, engraved, or constructed, including all associated brackets, braces, supports, wires and structures, which is displayed for informational or communicative purposes.

2. *Non-permanently mounted sign* means a sign whose face and support structures are easily removable from the ground.

601.030. POSTING SIGNS. It shall be unlawful for any person to post or display or to permit to be posted or displayed upon his or her property any sign **EXCEPT** non-permanently mounted signs that do not exceed, in the aggregate, a total of 9 square feet. No part of the sign may exceed eight feet in height from the ground. Signs may not be placed upon a roof of a residence, and may not contain audio features, pyrotechnics, motion aspects, video displays, or lighting.

601.040 EXCEPTION. Notwithstanding any of the other provisions of this section, noncommercial signs of any size may be posted in any number and location during the period specified in MN. STAT. §211B.045.

601.040 SIGN SETBACK REQUIREMENTS

1. **STREET SETBACKS:** To prevent distractions to traffic and impingements of the City right-of-way, all signs, with the exception of street, warning, or traffic control signs must be a minimum of 5 feet from a property line facing a street.

2. **ALL OTHER SETBACKS:** All signs must be a minimum of 5 feet from other lot lines.

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

Adopted by the City of Birchwood Village City Council on this 14th day of June 2022.

Mary Wingfield, Mayor

Attest:

Rebecca Kellen, City Administrator-Clerk

To: Birchwood City Council
From: Ryan Hankins

At the regular May City Council meeting, the City Council authorized me to review our fee schedule, including with City Staff. I have a draft ready for the council for discussion and further revision as necessary.

Thank you to Mike Kraemer, Bryan McGinnis, Jackie Smith, Shelly Rueckert and Mayor Wingfield for contributions, corrections, constructive criticisms and improvements.

I make the following recommendations. I have attempted to highlight changes in red, but I recommend the council review the full document, given the amount of change involved.

I have tried to reorganize the Birchwood Fee Schedule around a few objectives:

- Eliminate unneeded or duplicated fees.
- Group similar fees together
- Where possible, relate fees to the section of City Code that describes them, so that we can better track the purpose, description and application of each fee.
- Where possible, track the date when the fee was last updated, to make future review easier.
- Make fees consistent with other cities and with each other
- Ensure we have a fee listed, where a fee is referenced in City Code.
- Reduce ambiguity in fee descriptions.

Administrative Service Fees

Many of our “General Fees” are reasonable and similar to other cities. I changed the name of this section to “Administrative Service Fees” to make it more descriptive. I removed the fax fee because no one remembers what a fax is.

Woof, Oink and Cluck Fees

I separated Animal Fees from General Fees. Dog permits are \$25 for three years. We can make chicken and pig licenses consistent by setting those at the same rate for the same term as follows:

605.028. CHICKENS.

2. License. No person shall keep, maintain or breed chickens on property located within the City of Birchwood Village unless a license is obtained pursuant to the provisions stated herein.

Application shall be made on a form provided by the City Clerk or Administrator. The fee shall be established from time to time by resolution as set forth in Chapter 701.

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

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

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

605.029. MINIATURE VIETNAMESE POT-BELLIED PIGS.

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

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

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

I added several fees that are described in code, but we did not list, relating to dangerous and potentially dangerous dogs, at amounts similar to other cities.

Dock Association Fees

The current fee schedule indicates fees are 650 + 100 per slip. There is a “boat slip permit” listed in section 617.118. This fee is paid to the Dock Association. There is also a Dock Permit and fee issued by the City to a Dock Association. City Code requires that the City charge a single fee to the Dock Association, and the Dock association collects fees for individual slips. I have updated the fee schedule to indicate that the Dock Permit fee is based on the number of boat slip permits for which the Dock Association has applications, that fees are due by April 1, and that fees can be paid after that date to add slips. This should be consistent with our current code and its application, but it does make clear that the Boat Slip fee is not paid to the city. I also pulled forward the language relating to low water.

Planning and Zoning Fees

Several of our fees are likely never used, and I’ve removed them:

- Comprehensive Plan Amendment Application Fee
- Planned Unit Development Application
- Rezoning Application Fee

I added a Lot Coverage Permit for our new impervious surface code.

The right-of-way permit application fee indicates that the applicant must pay “time and materials for utility locates,” but this appears to be prohibited by Minnesota Statute 216D.04 Subd. 3, so I removed it. Instead, we can estimate the cost of utility locates and include them in our fee.

I added the “right-of-way degradation fee” that is described in section 309.08 of city code, but does not appear to be listed anywhere else in the fee schedule.

I moved the fee to move a building into this section. This is likely uncommon, but \$500 is likely at least closer to our costs than \$100.

I merged the Certificate of Occupancy fee into this section. \$25 for this fee seems more consistent with other cities.

City Staff recommends adding some charge for lot split escrow, because expenses are likely. I recommend assigning an escrow of \$1000.

City code refers to no fee for zoning permits. I recommend the City Council amend the code as follows:

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

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

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

Escrows and Damage Deposits

I moved these deposits next to their associated permits.

I clarified that these fees are for escrows in the case where they are refundable pre-payment for services of the City Engineer or other staff, and damage deposits where they are to recover costs of damage to city property. I also removed the section for these fees and paired them with the associated permit (or variance).

Our current fee schedule says:

All Other Land uses (Including building, driveway, grading, fence and retaining wall permits), unless specifically exempted by the City Administrator and/or Building Official pursuant to Chapter 301.055.

I removed this exception from the fee schedule because no exceptions to the deposit are listed in 301.055.

309.062 indicates a deposit for a right-of-way permit, and I added this at the same amount as other deposits.

Building Permit Fees

Building permit fees scale by project value. Since they increase somewhat with construction expenses increases, the City collects more without adjusting the fees. I recommend we change the fees to the state maximums.

The following chart shows example current and state maximum building permit fees by the valuation of the project. It also shows the fees as a percentage of project cost in both cases, and the percentage state maximum fees are above our current fee schedule.

Valuation	Current Building Permit Fee	Current Building Permit Fee as a percentage of Valuation	State Maximum Building Permit Fee	State Maximum Building Permit Fee as a percentage of Valuation	Percentage Increase from Current Fee
\$1,000.00	\$38.75	3.88%	\$46.50	4.65%	20.00%
\$2,000.00	\$69.25	3.46%	\$83.50	4.18%	20.58%
\$3,000.00	\$83.25	2.78%	\$100.05	3.34%	20.18%
\$4,000.00	\$97.25	2.43%	\$116.60	2.92%	19.90%
\$5,000.00	\$111.25	2.23%	\$133.15	2.66%	19.69%
\$6,000.00	\$125.25	2.09%	\$149.70	2.50%	19.52%
\$7,000.00	\$139.25	1.99%	\$166.25	2.38%	19.39%
\$8,000.00	\$153.25	1.92%	\$182.80	2.29%	19.28%
\$9,000.00	\$167.25	1.86%	\$199.35	2.22%	19.19%
\$10,000.00	\$181.25	1.81%	\$215.90	2.16%	19.12%
\$20,000.00	\$321.25	1.61%	\$381.40	1.91%	18.72%
\$30,000.00	\$441.75	1.47%	\$524.15	1.75%	18.65%
\$40,000.00	\$542.75	1.36%	\$644.15	1.61%	18.68%
\$50,000.00	\$643.75	1.29%	\$764.15	1.53%	18.70%

\$60,000.00	\$713.75	1.19%	\$848.65	1.41%	18.90%
\$70,000.00	\$783.75	1.12%	\$933.15	1.33%	19.06%
\$80,000.00	\$853.75	1.07%	\$1,017.65	1.27%	19.20%
\$90,000.00	\$923.75	1.03%	\$1,102.15	1.22%	19.31%
\$100,000.00	\$993.75	0.99%	\$1,186.65	1.19%	19.41%
\$200,000.00	\$1,553.75	0.78%	\$1,861.65	0.93%	19.82%
\$300,000.00	\$2,113.75	0.70%	\$2,536.65	0.85%	20.01%
\$400,000.00	\$2,673.75	0.67%	\$3,211.65	0.80%	20.12%
\$500,000.00	\$3,233.75	0.65%	\$3,886.65	0.78%	20.19%
\$600,000.00	\$3,708.75	0.62%	\$4,436.65	0.74%	19.63%
\$700,000.00	\$4,183.75	0.60%	\$4,986.65	0.71%	19.19%
\$800,000.00	\$4,658.75	0.58%	\$5,536.65	0.69%	18.84%
\$900,000.00	\$5,133.75	0.57%	\$6,086.65	0.68%	18.56%
\$1,000,000.00	\$5,608.75	0.56%	\$6,636.65	0.66%	18.33%

City staff also recommends using Minnesota State maximums to ensure we cover our permitting costs.

Plan Review fees are 65% and are charged in addition to these fees, so each increase of \$100 in this fee will amount to an increase of \$165 for the permit.

Demolition Fees

I recommend simplifying this to a single fixed fee.

Seal Coating Fees

As a matter of policy, Birchwood pays for seal coating of roads out of its general fund. If a subdivision looks likely, we can revisit this at that time. I recommend removing this fee.

Grading Fees

Birchwood has no grading permit in our code. I recommend we treat grading together with zoning permits.

Utility Availability Fees

Water and Sewer Availability Charges (WAC and SAC) fund the City’s underlying utility infrastructure. Met Council charges a fee of \$2,485 for each newly established connection to the sewer. Met council exempts from this fee any property that was connected before January

1, 2009, and provides a full credit if a unit is torn down and rebuilt. I recommend we make clear, in the fee schedule, the purpose of utility availability fees, and where they apply.

Plumbing and Fire Permit Fees

Dellwood has simplified its fees significantly in this area. Its fee schedule is here:
<https://www.dellwood.us/fee-schedule/>

Dellwood charges \$100 for most permits in this area. We are small enough in Birchwood that this simplification makes sense, particular since most of our inspection jobs are residential, and travel to the site composes most of the time involved. We discussed these fees with John Manship, and he sees a fixed fee, combined with an hourly rate for extensive inspections that extend beyond one hour, as fair.

Since fire sprinklers are no longer mandated for 1 and 2-family dwellings of any size, we are unlikely to receive permit applications for fire sprinklers, but if we do see such an application, we can apply a similar rate.

Gas, Heating and Mechanical Permit Fees

As with plumbing and fire sprinkler fees, many of these fees can be simplified and fixed, with an hourly rate beyond one hour.

State Surcharge Fees

Rather than listing fees separately in the fee schedule that the state determines, I recommend including a link to the state calculator with the scaled building fees.

Electrical Fees

Birchwood does not inspect or collect fees; individuals must pay fees to the state. I removed this section.

Water and Sewer Fees

I removed all non-residential fees, and made our fees more consistent with other cities. We charge no storm sewer fees, because we have limited storm sewers. I recommend that when the utility committee revisits water rates, we change tier 4 to include up to 45,000 gallons to make things round. I converted our rates from per-1,000 gallon to per-gallon rates because we are now billing that way with our new meters.

As a note, we have unmetered sewer for residents or non-residents who receive water service from White Bear Township, but sewer service from Birchwood.

I adjusted the “safe drinking water fee” to the current amount, and indicated that this is \$2.43, and is set by the state.

Structures connected to the Birchwood sewer may pay the “unmetered sewer fee” when they receive water from other municipalities. We should ensure we consider this rate when we next adjust sewer rates.

I updated water meter installation fees to the current council discussion, and eliminated the fee for self-installs, because electronic meters make that infeasible.

I increased the utility ACH discount to \$3, per council discussion.

I added a water meter testing fee that is described in city code, at a rate similar to other cities.

Additional Fees

We charge a late fee. Some cities charge an “investigative fee” up to the amount of a permit. I recommend the City Council consider the following, because such a fee is more likely to correspond to actual costs. I also recommend we change “fines” to “penalties,” to make it clearer that those penalties are not civil fees and that they are not limited to fines.

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

701.061 **Investigation Fee.** If work or activity for which a license or permit is required by the code has been commenced without first obtaining the permit or license, a special investigation shall be made before a permit may be issued for the work. An investigation fee equal to and in addition to the required license or permit fees established by the City and listed in the fee schedule shall be collected.

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

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

Vacant Buildings Fees

Section 407.03(k) lists a fee for this of \$1440.00. This fee may be in excess of our costs. I recommend we change the fee to \$360.00, plus any costs of additional maintenance, and indicate that we expect City Staff to monitor the property as follows:

(k) Vacant building fees:

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

Law Enforcement Fees

These fees are listed in section 406.03(3)(b). We may wish to revisit this section of code to ensure it works well with our administrative structure.

Tree Fees

302.055(2)(d)(3) includes a deposit for “significant tree removal.” It’s unclear what happens to this deposit if a tree is not replaced or how to calculate tree replacement cost. City Staff recommends City Council review this section of code to ensure these deposits are being used for the same purpose for which they are being collected and to make sure it fits Birchwood well.

The diseased tree abatement fee is listed in section 302.055(2)(d)(3).

Communications Fees

These fees are described in section 403.080(c). If evaluating an application requires around one half hour of engineer time, a reasonable fee is \$50.00. It’s unclear if this fee or code section ever applies in Birchwood. We may want to consider repeal.

CITY OF BIRCHWOOD VILLAGE 2022 FEE SCHEDULE

All fees in this schedule are subject to "Other Inspections and Fees" (under Additional Fees).

6/1/2022

Category	Description	Code Reference	Amount	Last Revised
ADMINISTRATIVE SERVICE FEES	Compact Disc		\$1.00	
	Copies (Black and White) per page 8 1/2 x 11 or 8 1/2 x 14		\$0.25	
	Copies (Black and White) per page 11 x 17		\$0.35	
	Copies (Color) per page		\$1.00	
	Hall Rental		\$25.00 plus \$100.00 refundable deposit	
	Postage & Envelopes for Mailings & Public Hearing Notices		\$1.00 + postage	
	Public Property Access Limited License	607.235	\$50.00	1/2019
	Returned Check	Minnesota Statute 604.113 Subd. 2(a)	\$30.00	
ANIMAL FEES	Chicken License - three years	605.028(2)	\$25.00	6/2022
	Pig License - three years	605.029(3)	\$25.00	6/2022
	Dog License - three years	605.021.1(1), 605.021.2	\$25.00	4/2022
	Potentially dangerous dog or dangerous dog appeal fee	605.024(4)	\$100.00	6/2022
	Dangerous dog annual fee	605.024(9)	\$500.00	6/2022
	Potentially dangerous dog annual fee	605.024(11)	\$100.00	6/2022
	Potentially dangerous dog or dangerous dog administrative review fee	605.024(12)	\$100.00	6/2022
DOCK ASSOCIATION FEES	Annual Boat Slip Permit Fee	617.118	Set and collected by Dock Association \$750 times the number of Boat Slip Permits issued by the Birchwood Dock Association (BDA) on or before April 1, due by April 1. In the event of low water, the greater of the number of boats proposed next year or Boat Slip Permits issued by the BDA in the most recent year. For Boat Slip Permits issued by BDA after April 1, the additional amount is due before the permitted watercraft is placed at the dock.	
	Annual Dock Permit Fee (composed of a per-boat fee of \$650, plus a winter storage fee of \$100 per slip)	617.44, 617.119		3/2018
	Annual Feistner Beach Boat Slip Beach Permit		\$1,000.00	1/2021
SMALL CRAFT STORAGE	Annual Small Craft Permit	617.215(2)	\$30.00	2/2019

STORAGE FEES

Annual Small Craft Permit for household upon proof of adjusted gross income of \$35,000 or less	617.215(2)	no cost	1/2020
Use of Small Craft Rack without a permit	617.215(3)	\$75.00	
Small Craft Removal Fee	617.215(3)	\$50.00	
Post-season Boat Storage Violation Fee	617.240	\$25.00 per day	03/2018

PLANNING AND ZONING FEES, ESCROWS AND DEPOSITS
 *subject to additional fees, in that section of the fee schedule. All planning and zoning permits require an additional refundable permit escrow or damage deposit when listed.

Conditional Use Permit (CUP) Application or Amendment *	306.010	\$460.00	
Refundable Conditional Use Permit or CUP Amendment Escrow for permitting costs incurred by city		\$3,000.00	
Lot Coverage Permit Application *	302.050	\$460.00	6/2022
Refundable Lot Coverage Permit Application Escrow for permitting costs incurred by city		\$3,000.00	
Lot Coverage Maintenance Review	302.050	\$50.00	6/2022
Interim Use Permit Application *	305.020, 305.040(6)	\$400.00	
Refundable Interim Use Permit Escrow for permitting costs incurred by city	302.050	\$3,000.00	
Street Vacation Application *		\$300.00	6/2022
Refundable Street Vacation Escrow for permitting costs incurred by city	302.050	\$3,000.00	
Variance Application *	304.020	\$600.00	4/2021
Refundable Variance Escrow for permitting costs incurred by city	302.050	\$3,000.00	
Subdivision: Lot Split Application *	308.121	\$225.00	
Refundable Lot Split Escrow for permitting costs incurred by City	301.055(2)	\$1,000.00	6/2022
Subdivision: Preliminary Plat Application *	308.040(3)	\$1,000.00	8/2021
Subdivision: Refundable Preliminary Plat Application Escrow for permitting costs incurred by city	301.055(2)	\$10,000.00	8/2021
Subdivision: Final Plat Application *	308.050	\$1,000.00	8/2021
Subdivision: Refundable Final Plat Application Escrow for permitting costs incurred by city	301.055(2)	\$10,000.00	8/2021
Zoning Permit *	307.010	\$50.00	
Refundable Zoning Permit Escrow for permitting costs incurred by city	301.055(2)	\$3,000.00	11/2021
Right-of-Way (ROW) Permit Application Fee *	309.061	\$300.00 + \$100.00 /hour for plan review after two hours	1/2018
Refundable ROW Permit Escrow for permitting costs incurred by city	301.055(2)	\$3,000.00	11/2021
Right-of-Way Degradation Fee	309.080	Permit holder responsible for actual costs	
Move a building from its present location in Birchwood to any other site, whether or not the new site is within the City. *		\$500.00	6/2022

ROOFING,
SIDING
REPLACEMENT,
WINDOW
REPLACEMENT,
AND
BUILDING
PERMIT FEES

Refundable building move deposit and escrow for permitting costs incurred by city	301.055(2)	\$1,000.00	11/2021
Certificate of occupancy		\$25.00	6/2022
Damage Deposit and Escrow for permitting costs incurred by City for All Other Land use Permits	301.055(2)	\$3,000.00	11/2021
<i>VALUATION OF STRUCTURE, ADDITION OR ALTERATION</i>		<i>FEE COMPUTATION</i>	
\$1 to \$500 **, ***	203.050, Minnesota Statute 326B.153	\$29.50	6/2022
\$501 to \$2,000 **, ***	203.050, Minnesota Statute 326B.153	\$28.00 for the first \$500 plus \$3.70 for each additional \$100, or fraction thereof, to and including \$2,000.00.	6/2022
\$2,001 to \$25,000 **, ***	203.050, Minnesota Statute 326B.153	\$83.50 for the first \$2,000 + \$16.55 for each additional \$1,000, or fraction thereof, to and including \$25,000.	6/2022
\$25,001 to \$50,000 **, ***	203.050, Minnesota Statute 326B.153	\$464.15 for the first \$25,000 + \$12.00 for each additional \$1,000, or fraction thereof, to and including \$50,000.	6/2022
\$50,001 to \$100,000 **, ***	203.050, Minnesota Statute 326B.153	\$764.15 for the first \$50,000 + \$8.45 for each additional \$1,000, or fraction thereof, to and including \$100,000.	6/2022
\$100,001 to \$500,000 **, ***	203.050, Minnesota Statute 326B.153	\$1,186.65 for the first \$100,000 + \$6.75 for each additional \$1,000, or fraction thereof, to and including \$500,000.	6/2022
\$500,001 to \$1,000,000 **, ***	203.050, Minnesota Statute 326B.153	\$3,886.65 for the first \$500,000 + \$5.50 for each additional \$1,000, or fraction thereof, to and including \$1,000,000.	6/2022
\$1,000,001 and up **, ***	203.050, Minnesota Statute 326B.153	\$6,636.65 for the first \$1,000,000 + \$4.50 for each additional \$1,000, or fraction thereof.	6/2022
Refundable damage deposit and escrow for building, re-siding and re-roofing permitting costs incurred by City	301.055(2)	\$3,000.00	11/2021

				Using calculator at: https://www.dli.mn.gov/about-department/permit-surcharge-report
	State Surcharge	Minnesota Statute 326B.148		
DEMOLITION FEES	Demolition Permit **	203.050	\$100.00	6/2022
	Damage deposit for demolition.	301.055(2)	\$3,000.00	11/2021
UTILITY AVAILABILITY FEES	<p>Prior to connecting, the owner or representative of a building or dwelling constructed in the City must pay the Metropolitan Council Environmental Services (MCES) Sewer Availability Charge (SAC) as set by the Metropolitan Council per Minnesota statute 473.517. Dwelling units replacing an existing dwelling unit with a water meter or that was assessed previously for sanitary sewer and that can establish that a dwelling unit on the lot was connected to the municipal sanitary sewer system before January 1, 2009, or that previously paid the fee for the existing dwelling unit, are exempt from one fee per dwelling unit. This fee must be collected when a plumbing permit for sewer connection or a building permit is issued for construction of dwelling.</p> <p>The most recent fee published by MCES. \$2485.00 as of June, 2022.</p>			
	<p>Dwelling units existing or constructed in the City must connect to the municipal sanitary sewer system so long as it is reasonably available. Prior to connecting, the owner or representative must pay the City Sewer Availability Charge (SAC). Dwelling units replacing a dwelling unit with a water meter or that were specially assessed previously for sanitary sewer are exempt from the fee for one dwelling unit. This fee must be collected when a plumbing permit for sewer connection or a building permit is issued for construction of dwelling.</p>			
		202.070	\$5,500.00	8/2021
	<p>Dwelling units existing or constructed in the City must connect to the municipal water system so long as it is reasonably available. Prior to connecting, the owner or representative must pay the City Water Availability Charge (WAC). Dwelling units replacing a dwelling unit with a water meter or that were specially assessed previously for City water are exempt from the fee for one dwelling unit. This fee must be collected when a plumbing permit for water connection or a building permit is issued for construction of dwelling.</p>			
		201.070	\$3,500.00	8/2021
PLUMBING AND FIRE PERMIT FEES	Plumbing Permit ***	202.040	\$100 + \$100/hour after one hour	6/2022
	State Surcharge	Minnesota Statute 326B.148	\$1.00	

GAS, HEATING
AND
MECHANICAL
PERMIT FEES

Fire Sprinkler Permit ***	202.040	\$100 + \$100/hour after one hour	6/2022
State Surcharge	Minnesota Statute 326B. 148	\$1.00	
Mechanical Permit ***	202.040	\$100 + \$100/hour after one hour	6/2022
State Surcharge	Minnesota Statute 326B. 148	\$1.00	
Gas Piping Permit (that is not part of mechanical installation) ***	202.040	\$100 + \$100/hour after one hour	6/2022
State Surcharge	Minnesota Statute 326B. 148	\$1.00	
Air Conditioning Installation Permit ***	203.050	\$100 + \$100/hour after one hour	6/2022
State Surcharge	Minnesota Statute 326B. 148	\$1.00	
Air Conditioning Permit (part of mechanical installation) ***	203.050	\$100 + \$100/hour after one hour	6/2022
State Surcharge	Minnesota Statute 326B. 148	\$1.00	
Fireplace Permit (gas, wood or other type) ***	203.050	\$100 + \$100/hour after one hour	6/2022
State Surcharge	Minnesota Statute 326B. 148	\$1.00	

WATER AND
SEWER FEES

Residential and non-residential water use: Tier 1 - up to 6,000 gallons	201.090	\$0.00356 per gallon	1/2022
Residential and non-residential water use: Tier 2 - after 6,000 gallons up to 9,000 gallons	201.090	\$0.00410 per gallon	1/2022
Residential and non-residential water use: Tier 3 - after 9,000 gallons up to 15,000 gallons	201.090	\$0.00471 per gallon	1/2022
Residential and non-residential water use: Tier 4 - after 15,000 gallons up to 44,883 gallons	201.090	\$0.00544 per gallon	1/2022
Residential and non-residential water use: Tier 5 - after 44,883 gallons	201.090	\$0.00623 per gallon	1/2022
Quarterly Safe Drinking Water Fee	Minnesota Statute 144.3831	The most recent fee assessed by the Minnesota commissioner of health, divided into quarters. \$2.43 as of June, 2022. \$36.00 + \$.00451 per gallon based on first quarter water consumption	
Sewer Fee (metered, quarterly)	202.110		6/2019
Sewer Fee (unmetered, quarterly)	202.110	\$80.00	6/2019
Water Utility User Fee		\$25.00	1/2022

Water Main Break Surcharge (as City exhausts budgeted funds for water main breaks)		As required (\$25.00 for June - December, 2022 as of June, 2022)	5/2022
Street excavation permit *		\$50.00	6/2022
Refundable Street Excavation Damage Deposit		\$3,000.00	6/2022
Turning water service on or off at street, including seasonally	201.240	\$150.00	
Water Meter Installation or Replacement 3/4" or smaller	201.080	\$500.00 + \$150.00 /hour after one hour	6/2022
Water Meter Installation or Replacement 1" or larger or other non-standard meter	201.080	Cost of meter + \$150.00/hour, with 1 hour minimum	6/2022
Utility Bill Late Fee	201.100, 202.120	5% of the unpaid balance	
Utility Bill Quarterly Automated Clearing House (ACH) Discount		\$3.00	6/2022
Open water and sewer account		\$25.00	
Close water and sewer account		\$25.00	
Costs to City for damages and liabilities for irrigation system backflow into water system	202.095	actual costs	3/2022
Water meter testing (refundable as described in City code)	201.170	\$300.00	6/2022
Investigation Fee: If work or activity for which a license or permit is required by the code has been commenced without first obtaining the permit or license.	701.061	The amount equal to the permit fee, in addition to the permit fee.	6/2022
Additional Fee: An additional fee, not to exceed actual expenses or the original amount of the fee, whichever is less, shall be paid if the City Council determines that the applicant has changed the project after submission of the initial application, or if it is necessary to conduct an excessive number of re-inspections of the project in order to ensure compliance with the City Code or the terms of the permit or license.	701.062		
Building Official: Inspections outside of normal business hours		\$126.50 + \$63.25 /hour after two hours	6/2019
Building Official: Reinspection fee		\$63.25/hour	6/2019
Building Official: Inspection for which no fee is specifically indicated		\$31.63 + \$63.25/hour after one half hour	6/2019
Building Official: Plan Review fee	326B.153 Subd. 2	65% of permit fee	6/2019
Building Official: Plan Review fee for similar plans	326B.153 Subd. 5	25% of permit fee	6/2022
Building Official: Additional plan review for changes, additions or revisions to plans		\$31.63 + \$63.25/hour after one half hour	6/2019

ADDITIONAL FEES (All fees in this schedule are subject to the following charges when required by the City)

	Engineer & Planner: Consult or review land use plans		\$100.00/hour, or the total hourly cost to the city, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved, as well as any consulting fees	12/2021
	Engineer & Planner: Inspections or other services		\$100.00/hour, or the total hourly cost to the city, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved, as well as any consulting fees	12/2021
	Attorney: Consultations, reviews and analysis		actual costs, including administrative and overhead costs, and attorney review and analysis expenses	
	Other Professionals: Consultations, reviews and inspections		actual costs, including administrative and overhead costs, and consultant review and analysis expenses	
VACANT BUILDING FEES	Vacant building annual registration fee	407.03(k)	\$360.00 + City costs incurred for property maintenance	
LAW ENFORCEMENT FEES	Excessive Use of Law Enforcement - first incident	406.03(3)(b)	cost, with \$100.00 minimum	
	Excessive Use of Law Enforcement - second incident	406.03(3)(b)	cost, with \$200.00 minimum	
	Excessive Use of Law Enforcement - after second incident	406.03(3)(b)	cost, with \$300.00 minimum	
TREE FEES AND DEPOSITS	Diseased Tree Abatement fee	403.080(c)	\$50.00 plus cost of abatement	6/2022
	Significant Tree Removal Replacement deposit	302.055(2)(d)(3)	amount necessary to cover the cost of replacement trees	
COMMUNICATIONS FEES	Permit to install, repair, remove or relocate communications facilities *, **	208.020	\$50.00	6/2022
	Refundable communications facility damage deposit and permit escrow for permitting costs incurred by city	301.055(2)	\$3,000.00	11/2021

REFUNDS

Permit, license or fee refund, if the applicant requests a refund within 15 days after payment, and the City has incurred no expenses to process the application.	50% of the fee	4/2018
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FOOTNOTES

* Escrow for City Permitting costs is required. Unused portion is returned to applicant.
** Refundable Damage Deposit Escrow is required. Unused portion is returned to applicant.
*** State Surcharge is required

Issues regarding Birch Easement and the Birchwood Dock Association

As of June 8, 2022 a boat lift remains on the easement. It is about thirty feet into the park and interfering with the public’s use of the city space.

The BDA has taken no action on the city’s May 10, 2022 directive to move the dock ten feet to the west of its original alignment.

Based on information provided to me during a May meeting with the BDA board members, there was a concern about the docks being in compliance with the permits approved. The following are relevant measurements:

	DOCK LENGTH On shore	DOCK LENGTH over water	TOTAL DOCK LENGTH	WBLCD/CITY Approved
ASH	12.5 ft	87.5	100 ft	101.67 ft
BIRCH	7	135	142	116
ELM	15	65	80	57
DELLWOOD	12.5	129.5	142	130

In light of these discrepancies, and the city’s recent staffing change, it would be prudent to verify the BDA’s insurance per 617.390(1) and all boat slip users per 617.390(2)

Relevant Code sections:

617.119 “Dock Permit” shall mean a permit issued by the City to a Dock Association to allow the installation of a dock on a Public Lake Tract. Such permit is subject to the payment of the appropriate fee as set forth in Chapter 701 and in compliance with all provisions of this ordinance.

617.240 (5) Storage Prohibited. No person shall store or allow to remain on any Public Lake Tract any personal property such as boats, oars, motors, boat hoists, or other equipment for any period of time other than when in actual use unless such storage has been authorized by the City

617.255 Obstructions Prohibited. No person shall deposit or construct any object upon any Public Lake Tract which shall obstruct access to the lake, docks, or other facilities

617.360 Dock Permits. The City may issue a Dock Permit to the Dock Association authorizing the Dock Association to install and operate a private dock(s) on the Public Lake Tracts subject to the following: (1) Compliance with all requirements set forth in this code and the WBLCD ordinances.

617.380 (3) Docks shall not exceed the length specified in the WBLCD approved dock license.

617.390 (1) The Dock Association shall maintain and provide written proof of commercial general liability insurance coverage for the docks of at least \$2,000,000.00 per occurrence, and shall name the City of Birchwood Village, including its elected and appointed officials, employees, and agents, as an additional insured. A certificate of insurance shall be submitted by March 1 for the next boating season and shall include: name of insurance company, policy number, policy limits, dates of coverage; and certification by the Dock Association that the policy shall remain in full force and effect for the duration of the Boating Season. The Dock Association's insurance shall be primary insurance and non-contributory to any other valid and collectible insurance available to the City with respect to any claim arising out of the docks. To the fullest extent permitted by law, the Dock Association shall defend, indemnify and hold harmless the City, and its elected and appointed officials, employees, and agents, from and against all claims, actions, damages, losses and expenses, including reasonable attorney fees, arising out of the Dock Association's negligence or the Dock Association's performance or failure to perform its obligations under this Ordinance.

617.390 (2) Prior to receiving a Boat Slip Permit, each boat owner shall provide the Dock Association with a Certificate of Insurance showing proof of liability insurance in the minimum amount of \$1,000,000 per occurrence, covering bodily injury and property damage related to the boat and boat lift (if applicable). An umbrella or excess liability insurance policy may be used to supplement the boat owner's policy limits to satisfy the full policy limits required by this section. The boat owner shall certify the policy will remain in full force and effect for the duration of the Boating Season. Any boat slip permit without valid insurance is void and the next eligible boat slip permit applicant shall be offered the boat slip.

617.550 Revocation of Dock Permit. The City may deny or revoke a Dock Association Dock Permit if the City Council determines that the Dock Association: (1) Misrepresented information in its Dock Permit Application Package or its WBLCD dock license application; or (2) Violates any provision set forth in this Chapter 617.

MEMO

Birch Beach has 125 feet of lake front and is one of the city's most valuable assets. It provides the closest swimming area to the majority of residents of the village. The Birchwood Dock Association has eight pontoon boats docked at the easement and use half of the easement. The other half of the easement is used by the rest of public.

Because our residents have not had full use and enjoyment of this park and because of the ongoing problems of compliance listed above, it is reasonable to appoint a task force to research and review the highest and best use of this space with an eye toward the city providing the management and dock. In addition, the task force can review the economic efficiencies the city offers as the city already has liability insurance that would cover the dock at no additional costs. A task force can be established at the July city council meeting so the task force can report back to the city council in September to guide the city through the next Dock permitting phase in October.

PROTOTYPE
DISEASED TREE
ORDINANCE (WBT)

WHITE BEAR TOWNSHIP

AN ORDINANCE AMENDING ORDINANCE NO. 27 OF THE TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA, BEING AN ORDINANCE RELATING TO PLANT PESTS AND PROVIDING FOR THE CONTROL AND ABATEMENT THEREOF AND REPEALING ORDINANCE NO. 25

THE TOWN BOARD OF THE TOWN OF WHITE BEAR DOES ORDAIN:

SECTION 1. AMENDMENT AND REPEAL OF CONFLICTING ORDINANCES. The Ordinance relating to plant pests and providing for the control and abatement thereof and repealing Ordinance No. 25 passed and approved November 17, 1969, as amended, is hereby amended to read as follows, and all other ordinances or parts of Ordinances inconsistent herewith are hereby repealed. In all other respects all other Ordinances shall remain in full force and effect.

SECTION 2. DECLARATION OF POLICY.

2-1. The Town Board of the Town of White Bear has determined that the health of shade trees and other plants within the Town limits is threatened by such diseases as dutch elm disease, oak wilt, emerald ash borer, and other plant pests, and that the loss of such trees and other plants growing upon public and private property would substantially depreciate the value of property within the Town and impair the safety, good order, general welfare and convenience of the public. It is therefore declared to be the intention of the Town Board to control and prevent the spread of such diseases, and this Ordinance is enacted for that purpose.

2-2. It is the intention of the Town Board to conduct a program of plant pest and shade tree disease control pursuant to authority granted by Minnesota Statutes, Section 18G.13.

SECTION 3. DUTIES OF PUBLIC WORKS DIRECTOR.

3-1. It is the duty of the Public Works Director to coordinate under the direction and control of the Town Board all activities of the Town relating to the control and prevention of dutch elm disease, oak wilt, emerald ash borer, and other plant pests as defined in Minnesota Statutes, Section 18G.13, and in this Ordinance.

3-2. The Public Works Director or his duly authorized agents shall inspect all premises and places within the Town as often as practicable to determine whether any conditions described in Section 5 of the Ordinance exist thereon. He shall investigate all reported incidents of infestation by dutch elm fungus, elm bark beetles, oak wilt, emerald ash borer or other plant pests.

3-3. The Public Works Director or his duly authorized agents may enter upon private premises at any reasonable time for the purpose of carrying out any of the duties assigned him under this Ordinance.

3-4. The Public Works Director shall, upon finding conditions indicating dutch elm infestation, oak wilt, emerald ash borer, or other plant pests, immediately schedule the Town's Arborist to confirm the infestation.

SECTION 4. NUISANCES DECLARED. The following things are public nuisances whenever they may be found within the Town of White Bear:

4-1. Any living or standing elm tree, oak tree, ash tree, or other tree, or part thereof, infested to any degree with dutch elm disease fungus, oak wilt, emerald ash borer, or with any harmful plant pest as defined in Minnesota Statutes, Section 18G.02, together with any other form of plant or animal life, including any disease producing organism dangerous to plants of this State and including alternate hosts of any plant disease, hereinbefore and hereinafter referred to as "Plant Pests".

4-2. Any dead elm tree or part thereof, including logs, branches, stumps, firewood or other elm material from which the bark has not been removed and burned; and any other dead tree or part thereof such as logs, branches, stumps and firewood, which are harboring plant pests, or which are determined to be likely to harbor such pests.

4-3. Any standing dead tree.

SECTION 5. ABATEMENT. It is unlawful for any person to permit any public nuisance as defined in Section 4 to remain on any premises they own

7-1. In the case of removing or treating of trees located on street terraces or boulevards, fifty percent (50%) of such expense will be assessed to the abutting properties by the Town which expense shall become a lien on the property.

7-2. If the affected tree is near to another tree or trees of the same species, elm to elm, or oak to oak, whereby root graft is possible, trenching or a VAPAM Barrier, as prescribed by Minnesota Department of Agriculture must be completed so as to protect other non-diseased trees.

7-3. It is the responsibility of the property owner or controller to trim any dead or dying branch or branches that could be a place for the elm or oak bark beetles to harbor and propagate. Trees must not be trimmed in the late spring season (sap time, April and May) to prevent the infection of the fungi spores through the fresh wound and infecting any otherwise healthy trees.

SECTION 8. SPRAYING AND/OR INJECTING INFECTED TREES. Whenever the Public Works Director determines that any tree or wood within the Town is infected with dutch elm fungus, oak wilt, emerald ash borer or other plant pests, the Township may spray and/or inject all nearby high value trees with an effective plant pest destroying concentrate. Spraying and/or injecting activities authorized by this section shall be conducted in accordance with the recommendations of the Town's Arborist. The notice and assessment provision of Section 5 apply to spraying or injecting operations conducted under this section.

SECTION 9. TRANSPORTING INFECTED WOOD PROHIBITED.

9-1. It is unlawful for any person to transport within the Town any bark bearing elm wood, oak wood, or other wood infected with plant pests without having obtained a permit from the Public Works Director. The Director shall grant such permits only when the purposes of this Ordinance will be served thereby.

9-2. It is unlawful for any person to store diseased firewood between April 1 and September 1 of each year without having obtained a permit from the Public Works Director. The Director shall grant such permits only when the purposes of this Ordinance will be served thereby.

9A. INTERFERENCE PROHIBITED.

1. It is unlawful for any person to prevent, delay or interfere with the Public Works Director or his agents while they are engaged in the performance of duties imposed by this Ordinance, Minnesota Statutes, and the rules of the Commissioner of Agriculture.

2. It is unlawful to cover over, deface or otherwise obliterate any identification noted on trees to mark them as infected to any degree with dutch elm disease fungus, oak wilt, emerald ash borer, or plant pests, which are to be removed or treated to abate the existing public nuisance.

SECTION 10. PENALTY. Every person convicted of a violation of any provision of this Ordinance shall be punished as provided by Ordinance No. 26 (Maximum Fines).

SECTION 11. SEVERABILITY. Each and every section, paragraph, sentence, clause or phrase of this Ordinance is separate and distinct of any other provision, and if any part or provision thereof shall be declared unconstitutional, it shall not affect the validity of any other part or provision thereof.

SECTION 12. REPEAL. Ordinance No. 25, adopted July 29, 1968, and entitled "An Ordinance Relating to Dutch Elm Disease and Providing for the Control and Abatement Thereof" is repealed.

SECTION 13. EFFECTIVE DATE. Passed by the Town Board of the Town of White Bear, Minnesota, this 2nd day of May, 2022.

APPROVED: ED M. PRUDHON

ATTEST: PATRICK CHRISTOPHERSON, Clerk-Treasurer
Board of Supervisors:

ED M. PRUDHON, Chair

STEVEN A. RUZEK, Supervisor

SCOTT MCCUNE, Supervisor

Published one time in the White Bear Press on May 11, 2022.

Emerald Ash Borer Update

As we discussed in February, John Lund alerted us to the possibility of DNR grant money to assist in combatting the Emerald Ash Borer. I submitted an application for \$25,000 in early March. We were recently informed that an amount of \$9,500 has been approved. There are some additional requirements for information/details. Once we receive final approval, the funds should be available July 1. I believe the agreement is the final date for expenditures is Sept 30....so this program needs tight monitoring to ensure we get the maximum benefit.

m

Memo for Lift Station Grant

Earlier this year, I submitted a grant application for federal assistance/ matching funds for rebuilding the Wildwood liftstation. The amount requested was \$480,000. The match involves a 20% match by us. Rep. Betty McCollum's office is shepherding this request for us. Recently, staff contacted me informing us that we made the cut for the top 15 projects being considered (out of a total of 70...and we are the least expensive project as all others are for multi-millions)

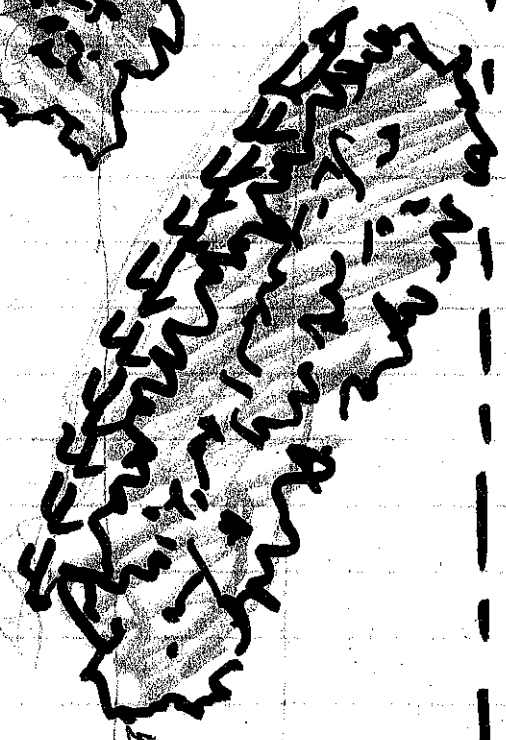
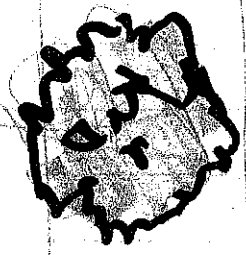
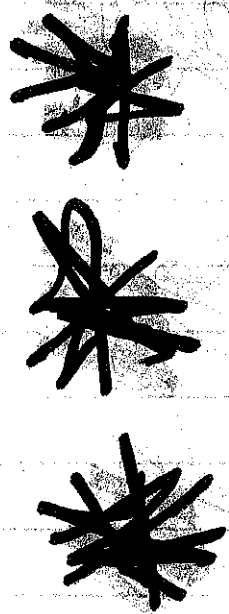
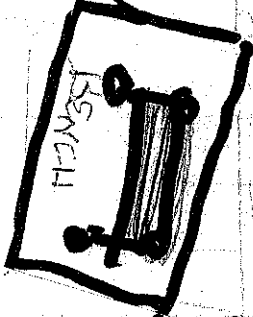
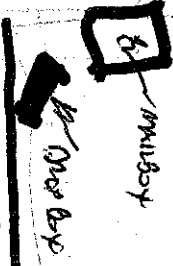
The request for FY3023 is now before the Senate Appropriations Committee. And it all takes time. I suspect the earliest we will know will be next year. While there is no guarantee that we will receive these monies, it is important to note that the request is tied to appropriations so the filibuster issue does not apply.

It is also important to note that we received support from WashCo Commissioner Stan Karowski and the Rice Creek Watershed Board.

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BIRCHWOOD AVENUE

PARKING LOT



CITY PARK

From: [Torie Redpath](#)

Sent: Monday, June 6, 2022 4:51 PM

To: wingfield.mary@gmail.com; jonathan.fleck1@gmail.com; kevinshouse25@gmail.com; [Mark Foster](#); [Justin McCarthy](#); [Joe Wormwood](#)

Subject: Dock Proposal at Kurt Feistner Memorial

Birchwood Mayor Mary and Councilmembers,

We are writing to request that you consider allowing us to purchase and install a dock to access our boat lift at the Kurt Feistner Memorial lake parcel. The purpose of the dock would simply be to give us access to the lift and provide a safer mooring situation. The conservation district representatives, Mark Ganz and Darren DeYoung, are aware of our proposed solution and claim it's appropriate to add a dock. Thank you for your consideration.

Joe and Torie Wormwood
112 Wildwood Ave.
651-334-7356

Storm water Management plan for RCWD

Our representative and advocate on the Rice Creek Watershed District Board recommends we have a plan adopted to support our demand for action now and the long-term for Hall's Marsh. The committee that was preciously established could be charged with this task. It is unknown how much time or how involved the project is, but other communities can probably provide templates for guidance.

Birchwood Village city entrance signs

This was previously discussed last year. The signage would be like the one at Cedar Avenue and East Co Line Rd. The placement of two new signs would be at Wildwood Av and East Co Line Rd and at the eastern entrance of the city on Hall Ave. The signs are reminiscent of those in the city fifty years ago. The new signs would be routered out of extra sheets (like MDF). The cost is \$800. Poles and installation would be extra. Forest Products, Inc would perform the work as I have been unable to find anyone who has the proper templates.

Code Red

Code Red is available to our city through the Washington County Sheriff's office. We pay an annual fee. There is no additional fee for the use per time. It is a quick communication tool that provides information to 1212 contacts (1192 phones, 123 emails and 159 texts). The city has not used this tool in quite some time. It is a resource we should remember.

New benches at Tennis/pickleball courts

Put together by Mark Cahill and myself. They are a huge improvement to what was there and appreciated already by the court users.

Sewer line review at watermain break at 207 Birchwood Av

Gopher Sewer and Drain provided the scoping. No issues were found. The scoping was done to the west and east of the manhole directly in front of the village hall.

Gopher has the proper video camera equipment needed the next time the city needs to jet the sewer lines. Their price was reasonable.

Street light update

There is a street light at the far end of Lakewood Lane that fits the same criteria for considering deleting it from the city network. Please take a look at it to understand whether it functions as a city purpose.

SWPPP Amendments into City Code per MS4 Permit

Birchwood Village was issued permit coverage on October 8, 2021. You have one year from this date to update your stormwater program to be in compliance with the new permit requirements. I am not sure where the city is at in this process so I would recommend checking on this to make sure the city has updated any necessary documents or ordinances. Here is a highlighted version of the permit: <https://www.pca.state.mn.us/sites/default/files/wq-strm4-94a.pdf> to help you identify what permit items are new or have been updated. Please let me know if you have any other questions as you get more familiar with the MS4 permit and the requirements. I also attached the 2020 Annual Report for reference.

Thank you,

Carlee Kjeldahl | Environmental Specialist
Minnesota Pollution Control Agency (MPCA)
Municipal Stormwater Unit
520 Lafayette Road | St. Paul, MN | 55155
651-757-2171
carlee.kjeldahl@state.mn.us | www.pca.state.mn.us
Pronouns: she/her/hers



Our mission is to protect and improve the environment and human health.

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