



AGENDA OF THE
REGULAR MEETING OF THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
207 BIRCHWOOD AVENUE
WASHINGTON COUNTY, MINNESOTA
JUNE 28, 2011
7:00 P.M.

CALL TO ORDER – PLEDGE OF ALLEGIANCE

APPROVE AGENDA

COMMUNITY EVENTS AND ANNOUNCEMENTS

OPEN PUBLIC FORUM

CITY BUSINESS

1. 7:10 Approval of the Minutes of the June 14, 2011 Regular Meeting (see exhibit)
Time Limit: 5 minutes
2. 7:15 Research of Municipal Authority to Contract with a Private Assessor (Sandstrom – see exhibit)
Time Budget: 15 minutes
3. 7:30 Status of Parking Regulations on Park Avenue and Lake Avenue (Sampair – see exhibit)
Time Budget: 10 minutes
4. 7:40 2010 Crackfilling Project – Inadequacies (Harper)
Time Budget: 10 minutes
5. 7:50 Next Meeting – July 12, 2011 – Topics
Time Budget: 10 minutes
6. 8:00 ADJOURN

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**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
June 14, 2011**

MINUTES

MEMBERS PRESENT: Mayor Alan Mitchell; Council Members Barb Carson, Jane Harper, Mark Peterson, and Tony Sampair (@ 7:03pm)

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

OTHERS PRESENT: Jim Greeley, Mary Hauser, Bea Krinke, Doug Krinke, Roger Kropelnicki, Randy LaFoy, Bryan McGinniss, Peggy Moeller, Todd Smith, and Mary Wingfield.

Mitchell called the regular meeting to order @ 7:00pm, and the Pledge of Allegiance was recited.

AGENDA APPROVAL: *Harper/Peterson 4-0 (Sampair absent) to approve the agenda for the June 14, 2011 Regular Meeting.*

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

1. *Approval of the Minutes of the May 10, 2011 Regular Meeting*
2. *Approval of the Disbursements Register as prepared by the City Treasurer and presented to the City Council on June 14, 2011, including Check #'s 26604-26615, 26618-26655, 26659, 26661-26663, and Electronic Funds Transfers PERA043011, EFT052411, MN052011, PERA053011, and FED32011*
3. *Approval of maintaining the statutory tort limits on the City liability insurance coverage.*

Sampair arrived @ 7:03 pm.

COMMUNITY EVENTS AND ANNOUNCEMENTS: Mitchell noted the following announcements and community events:

- Washington County has been selected as a survey location for the National Health and Nutrition Examination Survey, and urged Birchwood residents to respond to the survey if called upon.
- Music in the Park started off well on June 5, with anywhere from 60-100 people attending. The series continues this coming Sunday June 19 with Joe and Roxy Cruz and Sunday June 26 with Men in Black.
- Manitou Days Parade is this coming Friday, June 17.
- Gay Pride Parade is Sunday June 26 in Minneapolis.
- 4th of July Parade in Birchwood is coming up; contact Mary Wingfield for more information.
- Father's Day is June 19th – spend it at Music in the Park.
- Swim Across The Lake is in July, at a date to be determined.
- Keep your car doors locked – there has been some vandalism in the community.

- 48 • Still looking for 2 representatives to serve on the White Bear Lake Conservation District Board.
49 • July 1, state government may shut down, but City offices will be open.

50

51 **OPEN PUBLIC FORUM:** Hauser, of 616 Hall Avenue, addressed the Council on the need to mow the
52 rights-of-way along the roadways. Hall Avenue and Birchwood Avenue especially need mowing, and
53 Hauser mentioned that it is a safety issue should someone walking along those heavily-travelled streets
54 need to get out of the way of traffic.

55

56 **Mitchell** inquired as to whether Ken Johnson could perform that service. **Powers** responded that he
57 could, but it is not in his contract. **Carson** noted that it was in the contract in the past, to mow these
58 rights-of-way once a year in July. **Carson** prepared a detailed list of tasks to be performed and a
59 schedule on when this work would be done, and will forward this on to the Parks Commission. **Hauser**
60 responded that it is a roads issue, not a parks issue. **Harper** recommends that this matter be discussed
61 later in the agenda when KEJ's contract is discussed.

62

63 **REVIEW OF THE CONTRACT WITH SMITH APPRAISAL:** City Attorney **Sandstrom** reviewed with the
64 Council a memorandum he prepared on the issue, and reviewed the history of the City's contracting
65 with Smith Appraisal Services for real property assessment. The Minnesota Department of Revenue
66 (DOR), when advised of the change to a private assessor, alerted the City that state statutes prohibit
67 cities similarly situated as Birchwood from using a private assessor. As this relates to the contract
68 entered into between the City and Smith Appraisal Services, **Sandstrom** noted that state statutes allow a
69 contract that was entered into illegally can be voided as a violation of public policy, and noted that case
70 law supports the notion that the subject contract qualifies as an illegal contract that can be voided.

71

72 **Smith** addressed the Council and stated that he was surprised by what has happened and discussed this
73 matter with Deb Volkert of DOR, and hoped there is a way this situation can be remedied. **Smith**
74 mentioned that he is not convinced that the prohibition is "hard and fast" and perhaps the City can
75 negotiate this with DOR. **Smith** is looking for Council direction on how to proceed, as he is ready to
76 perform on the contract.

77

78 **Sampair** asked whether the law had been repealed. **Sandstrom** responded that there were two ways to
79 have a local assessor. The first is whether there was an election in the 1970's to authorize a local
80 assessor, or under a provision of statute that was repealed in 1995 that authorized reinstatement of a
81 local assessor through the Commissioner of Revenue between 1980 and June 2, 1995. **Sandstrom**
82 concluded that once a city uses the county for assessment services, it can't go back to a local assessor
83 unless the preceding actions were taken.

84

85 **Peterson** said he is perplexed by this issue, due to his understanding that DOR recommended Smith
86 Appraisal to the City, and asked City staff if they were aware of any of these legal restrictions. **Powers**
87 noted that he was not a party to any discussions on this matter, and **Sandstrom** mentioned that the
88 legality of the City's actions was never an issue until this matter was raised by DOR.

89

90 **Wingfield**, who was Mayor at the time the City switched to a local assessor, commented that this is a
91 perplexing situation. The County was aware in 2008 that the City was concerned about the quality of its
92 work, and the City shared those concerns with DOR at that time. DOR was "on notice" since 2008, and
93 that DOR endorsed the quality of work of Smith Appraisal last summer. **Wingfield** also noted that Kevin
94 Corbid, Washington County Director of Property Records and Taxpayer Services and the party that
95 brought this matter to the City's attention, is not a disinterested party in this matter, and questioned the

96 timing of the communication with DOR at this time. **Wingfield** shared with the Council that Corbid was
97 at the Council meeting in which the contract was awarded to Smith Appraisal, and the raising of a legal
98 challenge at "the 13th hour" and "as the train has left the station" should be cause for Council concern.
99

100 As to the status of the contract between the City and Smith Appraisal, **Wingfield** noted that the contract
101 can only be terminated for cause and clearly notes that if Smith prevails in a court challenge to his
102 contract that the City would pick up his legal fees. **Wingfield** also alluded that the City Attorney, in his
103 capacity as legal representative for the City Council, did not pick up the alleged statutory bar to the City
104 contracting with a private assessor.
105

106 **Mitchell** commented that he has differing opinions on the matter than have been expressed, and noted
107 that the County is not a party to the contract. It was a lousy contract in that the City can be terminated
108 only for cause, and DOR is saying the contract is illegal. **Sandstrom** wanted the record to reflect that the
109 minutes of the meeting when the contract was approved was that the Council specifically voted to keep
110 the "for cause" clause in the contract, and noted that **Wingfield** performed the background work on the
111 contract. Harper asked Smith whether he has encountered any expenses in anticipation of performing
112 on the contract. **Smith** noted that he has not as of this time, but has made the commitment to maintain
113 his licensure in anticipation of performance. **Sampair** asked Smith for his opinion on how the Council
114 should proceed at this time, given the potential liability the City is exposed to at this time. **Smith** noted
115 that he has not consulted with an attorney and can't respond at this time, and is looking for direction
116 himself going forward. **Mitchell** responded by cautioning Smith against any expenditures at this time.
117 **Peterson** noted that he appreciates that **Smith** entered into this agreement in good faith, as did the City
118 Council. It seems that the DOR, when advising the City on this issue, apparently was itself unaware of
119 the statutory bar to the City. **Smith** noted that the statutory language is unclear and perhaps there is a
120 way for the City to join him in appealing to the Commissioner of Revenue.
121

122 **Peterson** asked **Sandstrom** for an opinion on the potential to appeal this matter to the Commission of
123 Revenue. **Sandstrom** responded that the sense he gets from DOR is that they are not eager to bless the
124 contract, and noted that regardless of the Commissioner's desire to approve the contract, the fact of the
125 matter is that the statute, while not clear as to standards, does say that the Commissioner needs to
126 approve the City's naming of a local assessor. The City's failure to get the approval of the Commissioner
127 before entering into the contract nullifies the contract. **Carson** asked whether it is too late to get
128 approval. **Sampair** asked whether July 1 is the "drop dead" date, and whether the Council can direct the
129 City Attorney to further research this matter and get back to the Council before that date. **Mitchell**
130 noted that he is willing to ask DOR for guidance, but wants to make sure that Smith does not incur any
131 expenses on this contract. **Mitchell** said his position is that the contract is null and void, but is willing to
132 negotiate a new contract in July with Smith Appraisal once DOR has granted the City's request for a
133 private assessor. **Harper** responded that the Council does not need to wait until July for a response,
134 stating that the City Attorney can research this matter further and report back to the Council at the June
135 28 meeting.
136

137 **Mitchell/Harper unanimous to instruct the City Attorney to contact the Minnesota Department of**
138 **Revenue to see if the City can get a definitive answer as to whether the City can have a private**
139 **assessor and report back to the Council at its June 28 meeting.**
140

141 **REVIEW OF THE CONTRACT WITH KEJ ENTERPRISES:** Powers mentioned that Council Member Harper
142 as ked to get Ash easement mowed and cleaned up and wondered why it wasn't done before. Powers
143 said that his investigation determined that Ash easement was originally in the KEJ contract, but Council

144 Member Carson said that a volunteer could maintain Ash and it was not necessary to include it in the
145 KEJ contract. Subsequent to execution of the contract, the volunteer ceased maintaining Ash easement.
146 However, the contract was not amended to include Ash in KEJ's maintenance schedule. The consensus
147 of the Council was that until such time that the contract could be formally amended, that KEJ had the
148 authority under the existing contract to perform work directed by the Council or Clerk at the \$45.00
149 rate. Harper mentioned that \$7,700.00 has been budgeted for park and open space maintenance for
150 this year.

151

152 *Harper/Sampair unanimous to direct the Clerk to require KEJ to mow Ash easement every other week*
153 *and to do the fall cleanup according to the schedule he is using for the mowing and cleanup of the*
154 *other public spaces of the City, and also to mow the road rights-of-way of Hall/Cedar and Birchwood*
155 *Avenue twice a year, in the middle of June and the middle of July, at the contract rate of \$45.00 per*
156 *hour.*

157

158 **PRESENTATION OF THE FISCAL YEAR 2010 AUDIT: Moeller**, of HLB Tauges Redpath, presented the
159 results of the City's fiscal year 2010 audit. Highlights of the presentation are as follows:

160

- 161 • The 2010 audit provided a clean opinion, whereas the 2009 audit provided a qualified opinion –
162 an improvement.
- 163 • The 2010 audit resulted in 6 material weaknesses, whereas the 2009 audit resulted in 19
164 material weaknesses – quite an improvement, according to Moeller.
- 165 • The 2010 audit resulted in 4 legal compliance findings, whereas the 2009 audit resulted in 8
166 legal compliance findings – an improvement.

167

168 **RESOLUTION 2011-15 MODEL PERFORMANCE MEASURES FOR CITIES:** Powers shared with the Council
169 correspondence from the Office of the State Auditor about implementing the enclosed model
170 performance measures. If so implemented, the City would receive 14 cents per capita as an incentive.
171 The consensus of the City Council was to not participate in the program; however, the Council directed
172 staff to develop a survey for Council review in a few months.

173

174 **RESOLUTION 2011-12 APPROVING ORDINANCE 2011-03: AN ORDINANCE TO REVISE SECTION 201**
175 **(CITY WATER SYSTEM) OF THE BIRCHWOOD CITY CODE TO CLARIFY REPAIR AND MAINTENANCE**

176 **RESPONSIBILITIES:** Mitchell opened the public hearing at 8:16pm and, hearing no requests to speak,
177 closed the public hearing at 8:17pm.

178

179 Mitchell noted that the Council conducted a public hearing last month on proposed changes to Section
180 201, and no testimony followed. Mitchell further stated that during the Council discussion last month,
181 Harper recommended adding language clarifying that every household is to pay a base water rate. That
182 addition prompted the Council to table action on the draft changes last month and to conduct a public
183 hearing on the new language this month.

184

185 *Harper/Peterson unanimous to approve Resolution 2011-12 adopting Ordinance 2011-03 revising*
186 *Section 201 and publication of the summary of the ordinance in the White Bear Press.*

187

188 **2011 CATCH BASIN PROJECT: REVIEW AND APPROVAL OF ADDITION \$5,500.00 EXPENDITURE:** City
189 Engineer Elfering reviewed this issue with the Council, and stated that after removing the existing catch
190 basin structure in front of 267 Wildwood Avenue in anticipation of installing the new structure, it was
191 determined that the sanitary sewer service for that property was located only 6 feet deep and lay in

192 such a manner that would prevent installation of the new structure. Elfering further stated that it was
193 determined that a smaller catch basin structure should be placed at the old location to provide a
194 connection for the existing pipes and the new, larger structure would be placed downstream an
195 appropriate distance from the sanitary sewer service. This additional work resulted in an additional cost
196 of \$6,000.00 above and beyond the cost bid by the contractor.

197
198 **Mitchell** commented that while he would like to see more formal contracts that address issues like this,
199 he is aware that situations in the field can come up, and asked Elfering about what contractual language
200 is typical for these situations. **Elfering** responded that it is not feasible to bind the contractor to pay for
201 all unforeseen circumstances. So the contract says that if the contractor finds something unforeseen in
202 the field, he is to contact me for guidance. **Peterson** asked whether drainage issues will be improved
203 after this work. **Elfering** said everything is functioning as it should, and with additional inlets and
204 regrading the stormwater flows will be improved.

205
206 **Mitchell** determined that the total cost of the project before the grant being \$27,808.00, and with the
207 \$13,460.00 in grant dollars, the total cost of the project ended up being \$14,348.00.

208
209 ***Harper/Sampair unanimous to approve the change order resulting in an additional cost of \$6,000.00,***
210 ***pay the contractor, and to take the money out of the Capital Improvement Account.***

211
212 **CHANGING THE NAME OF LOWER BIRCH STREET TO OWL STREET> REVIEW OF ANTICIPATED EXPENSES**
213 **AND DRAFT RESOLUTION/ORDINANCE LANGUAGE, AND SCHEDULING A PUBLIC HEARING:** Powers
214 reviewed with the Council the following information pertaining to anticipated expenses for the
215 proposed change of lower Birch Street to Owl Street:

- 216
217
 - Publication of the ordinance: \$77.82; publication of the notice of public hearing: \$63.68
 - 218 • Recording fees: \$46.00
 - 219 • Signage: \$50.00

220
221 **Mitchell** noted that the City would need a new Ordinance 702.010 codifying the name change.

222
223 ***Mitchell/Carson unanimous to approve proceeding with a public hearing on this matter at the July 12,***
224 ***2011 Council meeting.***

225
226 **SIGNS> REVIEW OF COST ESTIMATE AND CONSIDERATION OF 3-YEAR REPLACEMENT PLAN:** Sampair
227 reviewed the exhibit included in the packet that outlines how proposed sign changes would be paid over
228 a 3-year period, noting that "no parking" signs would be replaced in the first year at a cost of \$2,400.00;
229 regulatory signs such as "stop" and "yield" signs would be replaced in the second year at a cost of
230 \$3,600.00; and street name signs would be replaced in the third year at a cost of \$3,000.00. Powers
231 advised the Council that these costs are for the hardware and do not include \$600.00 in annual
232 installation costs. Mitchell noted that there is no need for a motion at this time, but wants to make sure
233 this is included in the budget for future years.

234
235 **HOME OCCUPATION – 501 WILDWOOD AVENUE – REVIEW OF PLANNING COMMISSION**
236 **RECOMMENDATION:** Powers reviewed with the Council the findings of the Planning Commission on the
237 issue of whether cabinet-making is considered to be an "allowed" home occupation or a "prohibited"
238 home occupation, and noted that the Commission voted 2-1 to recommend to the Council deem cabinet
239 making as a prohibited home occupation.

240 **Mitchell** noted that he agrees that cabinet making is not an allowed home occupation, but it is also not
241 a prohibited home occupation and recommends that Kropelnicki apply for a conditional use permit.
242 **Mitchell** also expressed his disappointment that shortly after Kropelnicki told the Council he was not
243 running a business that he (Kropelnicki) ran a "Certificate of Assumed Name" legal in the White Bear
244 Press. **Sampair** responded that the Planning Commission makes recommendations and did not follow
245 any specific guidelines in formulating its recommendation, and agreed with Commissioner Danks that a
246 conditional use permit is the best way to mitigate the noise issues that appear to be central to the
247 problems with the neighbors.

248

249 The general consensus of the Council is for Kropelnicki to be able to apply for a conditional use permit
250 and directed Kropelnicki to submit a conditional use permit application to the City.

251

252 **401 WILDWOOD AVENUE > COMPLAINT:** **Mitchell** reviewed his exhibit detailing his investigation of the
253 exterior storage complaints about 401 Wildwood Avenue, as well as to examine the parking situation on
254 Park Avenue. **Peterson** noted that some of these issues are clearly in violation of the ordinance, such as
255 the boat lift stored on the City's right of way is clearly a violation, while the others are more subjective.
256 **Harper** noted that there are 2 issues – one where it is stored, the other is when it is stored which applies
257 to a lot of properties in the city. **Peterson** noted that if something clearly is in violation, what happens?
258 **Mitchell** said the Clerk sends out a letter noting the violation.

259

260 **Peterson** noted that Harper hit on another issue with seasonal storage, and said that while **Mitchell**
261 struggles with a definition of "seasonal", he (**Peterson**) sees more clarity to the definition. **Harper** noted
262 that there are several lakeshore properties with lifts stored in the backyard and the City needs to be
263 consistent in its enforcement and not pick on this particular property owner. **Sampair** noted that if the
264 lift can be screened, that abides with the spirit of the ordinance. **Carson** asked whether he can move the
265 lift and screen it. **Harper** noted that there are specific hardships with the subject lot in that it is a triple-
266 frontage lot and perhaps a variance could be approved.

267

268 **Greeley** addressed the Council on his concerns and noted that while the ordinance prohibits non-
269 seasonal storage of the lift, if it is screened it isn't a problem. **Greeley** further noted that while the
270 **Mitchell** report notes the elevation of the lot as an issue, all of the items stored on the property are
271 visible from his property regardless of the variations of the lot. **Mitchell** asked **Greeley** for a summary of
272 his requests. **Greeley** responded with the following:

273

- 274 • No parking on Lake Avenue down the hill;
- 275 • Removal of the boat lift from Park Avenue;
- 276 • Clean up the yard – chaise lounge and canoe, etc.

277

278 **Harper** noted that it was in last 6 months or so that she had worked with White Bear Lake Police on the
279 parking issue, and noted that the "no parking" sign that was posted was unclear as to where the parking
280 restriction started. **Harper** further stated that Elfering and White Bear Lake Police Officer Rob Flick went
281 out to review the site and recommended new signs that more clearly defined where "no parking" was
282 allowed, and that these signs have been installed. **Harper** also said that the proposed "no parking"
283 location on Lake Avenue is outside the existing "no parking" area. **Mitchell** responded by saying that he
284 is inclined to have the hill down by the bottom of Lake Avenue be no parking. **Sampair** said that he and
285 Flick reviewed the area and found it is dangerous for school buses to see when cars are parked on the
286 hill.

287 Addressing the exterior storage issue, **Mitchell** noted that exterior storage ordinance doesn't prohibit
288 the storage of firewood, canoes, barbecue grills. As for boating paraphernalia, **Mitchell** stated this is an
289 issue that he would like the Planning Commission to review, and commented that there are a lot of this
290 stored outside in this town. **Peterson** commented that there should be an allowance for boat lift
291 storage if the lift can't be used as intended due to low water levels. **Harper** noted that if the Planning
292 Commission is going to look at the exterior storage issue, she would like to know why boat lifts were
293 singled out and boats, trailers, and trampolines were not.
294

295 ***Mitchell/Carson unanimous to direct the Clerk to send a letter to the owners at 401 Wildwood Avenue***
296 ***asking them to clean up their yard, remove the boat lift from City property, try to avoid parking at the***
297 ***bottom of the hill, and to let us know if they need any help.***
298

299 ***Mitchell/Sampair unanimous to ask the Planning Commission to look into the matter of Park Avenue***
300 ***including parking, right-of-way issues, safety, fences, fire hydrant and access, and to report their***
301 ***findings in September.***
302

303 As to the matter of parking on Lake Avenue, the consensus of the Council was to not install signage at
304 this time and to deal with the matter at the June 28th meeting after reviewing additional material.
305

306 **CAIN GARAGE RENTAL-REQUEST FOR LONGER CONTRACT:** Powers noted that this is before the Council
307 due to the lessee's request for additional time on the lease. The consensus of the Council was not to
308 extend the lease and, if the lessee did not want to accept these terms that was fine and the Council
309 would offer the lease to the next-highest bidder.
310

311 **BUDGET PROCESS:** Harper reviewed with the Council budget documents that assigned to staff and
312 Council members certain responsibilities relative to line items in the budget, and noted that the
313 previous "levy budget" format created categories that were too broad and did not give sufficient
314 direction to staff as to specific budgeted amounts for items within those specific categories. Harper also
315 noted that she is trying to get a budget handbook together and it would be helpful if each of you wrote
316 up a short paragraph about what is covered by each line item. Harper concluded her remarks by stating
317 that the Budget Committee (herself, Council Member Carson, and Larry Walker) will be meeting with the
318 3rd or 4th week in July to review the materials and start the 2012 budget process.
319

320 **WHITE PINE LANE OUTLOT – REMOVAL OF TREES AND BRUSH:** Powers brought this matter to the
321 Council's attention after an episode with the property owner at 7 White Pine Lane and branches of trees
322 on the City's outlot hanging over the property line. Powers reviewed with the Council a photo array
323 portraying the condition of the outlot and inquired as to how the Council wants to proceed. Harper
324 noted that Washington County has a sentence-to-serve (STS) program that might be appropriate to
325 investigate using. The Council directed staff to contact STS for this service.
326

327 **COMPUTER INSTALLATION AND SOFTWARE TRANSFER:** Powers shared with the Council that the
328 vendor that was awarded the contract in May subsequently refused to perform on the c contract.
329 Powers contacted the other 2 vendors, each of whom said they would honor their bids from before.
330 Powers concluded his remarks by saying that while he has no preference for one vendor over the other,
331 if forced to choose he would select the vendor that the City purchased the computers from (Compar).
332

333 ***Mitchell/Sampair unanimous to award the contract for computer installation and software transfer to***
334 ***Compar, and if Compar refuses the contract to award the contract to Connor IT Solutions.***

335 **CITY HALL IMPROVEMENTS>PLANNING COMMISSION RECOMMENDATION OF A FEASIBILITY STUDY:**
336 **Powers** shared with the Council comments made by the Planning Commission at its July 7th meeting
337 relating to review and cost estimates for major ADA compliance repairs at City Hall. Powers said the
338 Commission commented that if the Council was to contemplate tearing down the existing structure that
339 it recommends a feasibility study be conducted and reviewed by the Council before making that kind of
340 decision.

341
342 **LMCIT LAND USE INCENTIVE:** Powers reviewed with the Council correspondence received from the
343 League of Minnesota Cities Insurance Trust (LMCIT) pertaining to a land use incentive program it is
344 offering that could result in lower deductibles for land use claims. In exchange, Powers noted that a
345 quorum of the City Council, the Chair and one other planning commission member, and the city planner
346 would need to complete an on-line training course offered by LMCIT at a cost of \$30.00 per person with
347 a \$180.00 lifetime cap. The consensus of the Council was not to participate in the program and to
348 budget for training courses offered by GTS or other training providers in the 2012 budget.

349
350 **CITY CLERK'S ABSENCE:** Powers advised the Council and public that he will be away from the office on
351 June 15-17 to attend the League of Minnesota Cities annual conference, and also from July 11 -15 to
352 attend the Clerk's Institute. The office will be staffed on open office days on July 11 and 14 by the City
353 Treasurer.

354
355 **NEXT MEETING – JUNE 28, 2011 – TOPICS:** Mitchell related that the following issues will be on the June
356 28, 2011 agenda: results of the City Attorney's investigation of the City's authority to contract with a
357 private assessor; parking issues on Lake Avenue and Park Avenue.

358
359 **JULY 12, 2011 – TOPICS:** Mitchell noted the following topics will be on the July 12, 2011 agenda: Owl
360 Street public hearing, and a draft out-of-state travel policy.

361
362 **ADJOURN:** *Harper/Sampall Unanimous to adjourn @10:10pm*

363
364
365
366 _____
367 Dale Powers
City Clerk

SmartZone Communications Center

birchwoodvillage@comcast.net

[±](#) Font size -

Dale please include this with my exhibits sent earlier this week-- Parking Concerns

From : Anthony E Sampair
<ASampair@CBBURNET.COM>

Thu Jun 23 2011 12:09:07 PM

 1 attachment

Subject : Dale please include this with my exhibits sent
earlier this week-- Parking Concerns

To : birchwoodvillage
<birchwoodvillage@comcast.net>

The following is a sumation of the meeting today from our city engineer (Kristie) and WBL Police officer liason (Rob Flick) and my self: Please include all in the packet for tuesday. thanks dale.

Tony Sampair
CBBurnet-Shoreview
Realtor Appraiser
100 Village Ctr. Dr., Ste 100
North Oaks, MN 55127
Fax 651-483-3681
Cell 651-208-1701
www.shortsalecbb.com

-----Original Message-----

From: Robert Flick [mailto:rflick@whitebearlake.org]
Sent: Thursday, June 23, 2011 11:46 AM
To: Sampair, Anthony E
Subject: Parking Concerns

Councilmember Sampair:

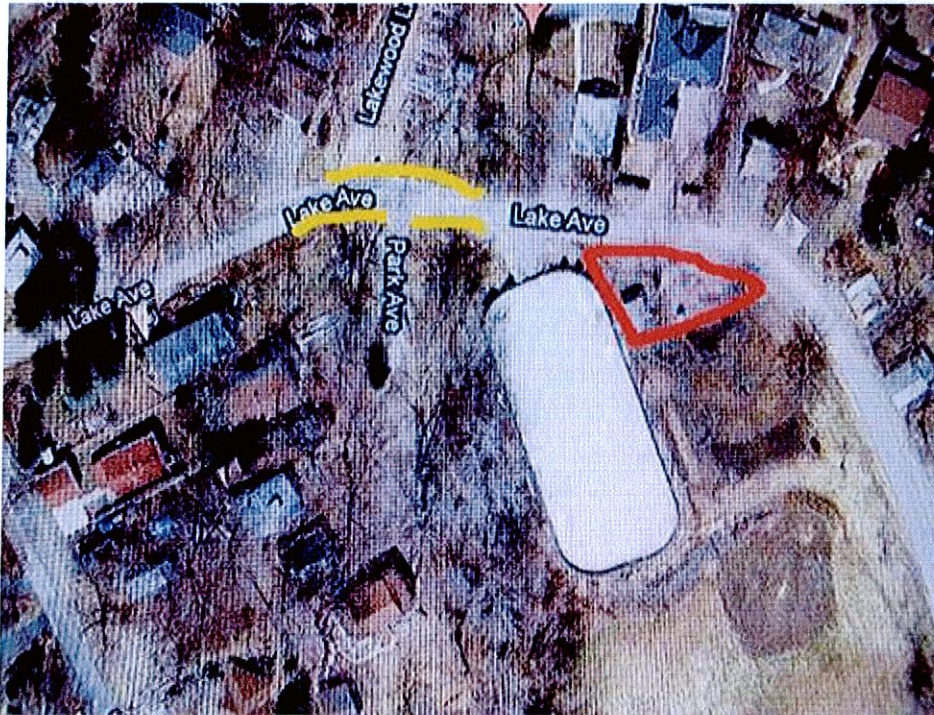
I appreciate being asked to be part of the review of parking concerns in the curve of Lake Avenue near the hockey rink.

For safety reasons, I feel it would be best to ban parking along the park side of Lake Avenue, from perhaps 40 feet before the 'crosswalk' sign, until reaching the paved entry to the rink itself. This will allow traffic heading 'up (west) to see what's coming 'down' (east), and won't block access to the hydrant in the driveway/unimproved Park Av.

On the opposite side, I would ban parking from the phone pole - near the west edge of the 409 property - until past the Dellwood Easement. The road narrows there, and the downgrade on Lake Av makes it necessary for drivers to have room to negotiate the curve.

I have marked those areas on the attached photo.

If parking needs become an issue, perhaps in the future an improved parking area (with space designations) could be created in the 'red triangle'. Alternatively, perhaps designating angled-in parking south on Lake Av.



Robert Flick

White Bear Lake Police

rflick@whitebearlake.org

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