



AGENDA OF THE REGULAR MEETING OF
THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
May 10, 2022
7:00 P.M.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVE AGENDA
OPEN PUBLIC FORUM

ANNOUNCEMENTS

- A. We are social, follow us on Facebook at @BirchwoodCityHall or Twitter at @CityofBirchwood
- B. Road closure on old Hwy 244 could result in additional traffic through Birchwood. Washing County Sheriff's dept will be adding patrols here for the duration.

ADMINISTRATIVE PRESENTATION

- A. Sheriff Report* (pp. 3-6)
- B. Planning Commission Meeting Minutes from March 24, 2022* (pp. 7-8)

CITY BUSINESS – CONSENT AGENDA

- A. Approve LBAE Meeting Minutes from April 12, 2022* (pp. 9-10)
- B. Approve Special Meeting Minutes from April 18, 2022* (pp. 11-12)
- C. Approve Special Meeting Minutes from April 25, 2022* (pp. 13-14)
- D. Approve Treasurer's Report* (pp. 15-27)
- E. Approve Resolution 2022-08, Workers Compensation Coverage* (pp. 29)

CITY BUSINESS – REGULAR AGENDA

- A. First Reading Ord. 2022-05-01, Sec. 601* (pp. 31-35)
 - a. First Reading & Council Deliberation
 - b. Order Second Reading & Public Hearing
Time Budget: 10 Minutes
- B. Council Member Reports:
 - a. Mayor Wingfield* (pp. 37-44)
 - i. See Addendum
 - b. Justin McCarthy* (pp. 45-47)
 - i. Administrator Transition
 - 1. Approve Resolution 2022-09, Administrator Training
 - 2. Approve Resolution 2022-10, Administrator Cellphone

* Denotes items that have supporting documentation provided

- C. City Administrator Update
 - a. Kayak Racks for Non-Residents
Time Budget: 5 Minutes

- D. Road Closure
 - a. Council to deliberate road closure/detour

ADJOURN

BIRCHWOOD, MN

APRIL 2022

WASHINGTON COUNTY SHERIFF'S OFFICE

MONTHLY NEWSLETTER



National Public Safety Telecommunications Week

April 10th through 16th, we celebrated National Telecommunicator Response week. Our telecommunicators are the "first" first responders, and they are who we call when we need help. Our telecommunicators answer over 500 calls per day and dispatch for all public safety agencies throughout Washington County. We are thankful for their service, and we'll take the opportunity in this issue to highlight some of their great work!

Over fifty years of 911...

From rotary phones to cell phones, American's have known what number to dial in an emergency.

911 has linked the nation to a help line since 1968, and has seen some changes along the way. The 1980's saw the evolution to enhanced 911, or E911, where phone numbers are associated with a geo-validated address to improve police response. Today, the emergency network is evolving again. Driven by the need to route smart calling devices by geographic location, Next Generation 911, or "NG911", brings updates to software, hardware, and databases to meet the new public demands.



Rest assured, the Washington County Emergency Communications Response Center (ECRC) will be ready to answer the call. Highly trained Public Safety Telecommunicators are on duty 24/7.

Key things to remember about Washington County 911:

- o Anytime you need an ambulance, fire service, or law enforcement response call 911 - both in emergency or non-emergency situations
- o Those unable to create a voice call, may text 911. Remember: call if you can, text if you can't.
- o Location accuracy is critical, therefore, NEVER "forward" a line to 911 as it will not provide the caller's accurate location. It is best for the caller to hang-up and dial 911 themselves.
- o Administrative requests should be directed to the appropriate city, agency, or records division.
- o Washington County Emergency Communications Response Center administration number is 651-439-9381.

- Darlene Pankonie

Emergency Communications Response Center Manager

Your Stats
at a glance

Incidents
18

Citations
1

Traffic Stops
6

APRIL 27TH WAS
Administrative Professionals Day!

Watch how we said "thank you" to all of the support staff who keep our office running

[▶ video link](#)



EMPLOYEE SPOTLIGHT



A delivery behind the headset...

"It's the only 'good' call we get, and it's terrifying."

After sixteen years as a telecommunicator, there aren't many calls Christy Clark hasn't heard. In fact, the call she answered in the late evening hours of April 1st wasn't the first of its kind for her – but this one was a little different.

"Last time I got [this call], mom and dad had pretty much done all the work."

But tonight, Christy got to help deliver a baby boy to first-time parents in Cottage Grove. By the time the call came in to 911, they could see the head. Following her extensive training, years of experience, & Emergency Medical Dispatch (EMD) reference cards, Christy calmly walked a family through childbirth.

"I could hear the baby cry, and Dad in the background celebrating. It was an amazing experience"

As a badge of honor, telecommunicators at the Washington County Sheriff's Office who help deliver a baby receive a stork pin to commemorate their incredible work. In the Washington County Emergency Communications Response Center, you might spot a few of these pins on any given shift.



Pam Bradshaw

**PUBLIC SAFETY
TELECOMMUNICATOR**

Pam started with us as a telecommunicator in 2002, and in that time has had assignments in call-taking, dispatching, supervisor detail, warrant entry, and gun permits. Pam was integral in the transition of all warrant-related duties to the communications center, including the development of training and creation of templates and entry process. She is Washington County's Terminal Agency Coordinator for the BCA, is trained to assist with Code Red activations, and has been a Certified Training Officer for the Communications Center.

Pam is the mother of four boys with two grandchildren and one on the way. After growing up on a farm in southern Minnesota, she and her husband moved to the Twin Cities metro in 1996 before settling in Washington County 11 years ago. Before becoming a telecommunicator, Pam worked side-by-side with her husband at their property maintenance business. Pam keeps busy with their large garden, 29 chickens, a needy Collie, and a fat Russian Blue cat.

Other April Highlights...



WCSO Explorers proudly displaying their awards after the annual State Explorer Competition in Rochester.



Deputies, correctional officers, support staff, and more from WCSO participated in a charity basketball tournament in Dakota County

Coming Up...

The third week of May is National Police Week. Established by a joint resolution of Congress in 1962, National Police Week pays special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others. At **Noon on Friday, May 13th**, the Washington County Sheriff's Office will be hosting a **Law Enforcement Memorial Day Ceremony** at the Historic Courthouse in Stillwater. All are invited to offer honor, remembrance, and share in support for all law enforcement.



Incident Summary Report PUBLIC

From: 4/1/2022 12:00:00 AM To: 4/30/2022 11:59:59 PM



WASHINGTON COUNTY SHERIFFS OFFICE

BIRCHWOOD VILLAGE - 18

4/3/2022 8:21:18 AM	WC22012903	10XXX -181 CEDAR ST, BIRCHWOOD VILLAGE	DIRECTED PATROL
4/4/2022 1:54:44 AM	WC22013000	XXX Jay St, BIRCHWOOD VILLAGE	CIVIL MATTER/DISPUTE
4/4/2022 12:59:35 PM	WC22013057	XXX Jay St, BIRCHWOOD VILLAGE	CIVIL MATTER/DISPUTE
4/4/2022 1:54:39 PM	WC22013064	Unknown, BIRCHWOOD VILLAGE	CIVIL MATTER/DISPUTE
4/4/2022 2:04:44 PM	WC22013068	XXX Hall Ave, BIRCHWOOD VILLAGE	TRAFFIC COMPLAINT
4/6/2022 12:17:21 PM	WC22013313	XX Birchwood Ln, BIRCHWOOD VILLAGE	SUSPICIOUS PERSON/ACTIVITY
4/7/2022 7:18:00 PM	WC22013483	XXX HALL AVE, BIRCHWOOD VILLAGE	TRAFFIC COMPLAINT
4/10/2022 8:03:37 AM	WC22013850	34XXX -398 WILDWOOD AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
4/12/2022 7:37:40 AM	WC22014138	40XXX -599 WILDWOOD AVE, BIRCHWOOD VILLAGE	DIRECTED PATROL
4/12/2022 11:52:52 AM	WC22014193	XXX Lake Ave, BIRCHWOOD VILLAGE	ORDINANCE VIOLATION
4/12/2022 12:46:17 PM	WC22014196	39XXX -4030 EAST COUNTY LINE RD, BIRCHWOOD VILLAGE	TRAFFIC STOP
4/14/2022 2:05:48 PM	WC22014502	XXX Lake Ave, BIRCHWOOD VILLAGE	ATV/OHV COMPLAINT
4/19/2022 8:02:28 AM	WC22015127	Oakridge Dr / Five Oaks Ln, BIRCHWOOD VILLAGE	ACCIDENT
4/19/2022 9:50:27 PM	WC22015277	XXX Birchwood Ave, BIRCHWOOD VILLAGE	OFFICER INFORMATION
4/20/2022 8:58:10 AM	WC22015320	XXX Cedar St, BIRCHWOOD VILLAGE	ANIMAL COMPLAINT
4/20/2022 9:22:31 AM	WC22015326	XXX Birchwood Ave, BIRCHWOOD VILLAGE	OFFICER INFORMATION
4/28/2022 4:33:52 PM	WC22016650	XXX Wildwood Ave, BIRCHWOOD VILLAGE	UNWANTED PERSON/VEHICLE
4/29/2022 8:32:32 AM	WC22016709	XXX Wildwood Ave, BIRCHWOOD VILLAGE	CIVIL MATTER/DISPUTE

TOTAL INCIDENTS: 18

Citations for: Birchwood

4/1/2022 To 4/30/2022

Agcy	Date	Citation Number	Badge	Officer Name	Citation Type	Block	Street Name	Str Sfx	Cross Street Name	Cross St Sfx	City	Literal Description	Statute
WCSO	4/12/2022	820022210201	WC127 7	T. Jarrett	Citation	0	CEDAR ST		CENTURY AVE		Birchwood	MOV-Fail to Drive with Due Care	169.14.1

MEETING MINUTES (Final)

Birchwood Planning Commission Regular Meeting

City Hall - 7:00 PM Regular Meeting 3/24/2022

Submitted by Michael Kraemer – secretary

COMMISSIONERS PRESENT: – Andy Sorenson – Chairman, Ryan Hankins – Vice Chairman, Michelle Maiers-Atakpu, Joe Evans, Michael Kraemer.

COMMISSIONERS ABSENT:

OTHERS PRESENT: None

CALL TO ORDER Meeting called to order by Chairman Andy Sorenson at 7:05 PM.

1. PUBLIC FORUM – none

2. APPROVE AGENDA

- a. Motion by Maiers-Atakpu, 2nd by Hankins add a discussion about Planning Commission protocol during the review of variance request applications at their meetings. Vote Yes -5, No -0 Motion passed to add this discussion as the first Agenda item.
- b. Motion to approve amended agenda by Maiers-Atakpu, 2nd Evans. Vote: Yes – 5, No – 0. Motion to approve amended agenda passed.

3. REGULAR AGENDA

a. Item A. Variance Review Meeting Protocol (added to the agenda)

- i. The Planning Commission is recommending that the following process becomes part of their agenda and becomes the process used during the review of variance requests that come before them. They recommend that this sequence be added to the Planning Commission meeting agenda to guide the Commission and help all participants understand how the meeting on each variance will be handled.
- ii. Proposed “process” for each Variance review.
 1. Step 1 - Overview presentation of the Variance Request by City Staff and/or Property Owner(or Representative)
 2. Step 2 - Public Hearing (Opened and closed by Chairman)
 3. Step 3 - Planning Commission Discussion
 - a. During the discussion the Planning Commission Chairman may recognized members of the city staff and/or audience as needed for their discussion.
 4. Step 4 – Decision on Planning Commission Recommendations (determined by majority vote of commission)

b. Item B – Lot Setbacks

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

**MINUTES OF THE CITY OF BIRCHWOOD VILLAGE LOCAL BOARD OF APPEAL AND
EQUALIZATION MEETING OF 2022
April 12, 2022, 6:00 P.M.**

MEMBERS PRESENT:

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

MEMBERS ABSENT:

None

STAFF:

Andy Gonyou	City Administrator
Alan Kantrud	City Attorney
Chase Peloquin	City Assessor

1. CALL TO ORDER

Mayor Wingfield called the meeting to order at 6:00 p.m.

2. CITY BUSINESS – REGULAR AGENDA

- A. 2022 Assessment Report for Birchwood Village
 - a. Presentation from City Assessor
- B. Appeals
 - a. Board of Appeals and Equalization to hear appeals

The Local Board of Appeals and Equalization heard the appeals from the property owner(s) of two properties in Birchwood Village; 483 Lake Avenue & 529 Lake Avenue. A complete video recording of the full meeting is available online at www.cityofbirchwood.com.

On a motion made by Mayor Wingfield, seconded by Councilmember McCarthy and carried unanimously, it was agreed to deny the request for a change at 529 Lake Avenue, but authorize the City Assessor to visit and review the property, create an analysis, and deliver that analysis to the County Board of Appeals.

On a motion made by Councilmember Fleck, seconded by Councilmember Foster and carried unanimously, it was agreed to deny the request for a change at 483 Lake Avenue.

3. **ADJOURNMENT**

On a motion made by Councilmember Fleck, seconded by Councilmember Woolstencroft and carried unanimously, it was agreed that there was no further business of the Council to transact; the meeting was closed at 6:35 p.m. by Mayor Wingfield.

DISCLAIMER

The above minutes should be used as a summary of the motions passed and issues discussed at the meeting of the members of the Birchwood Village City Council. This document shall not be considered to be a verbatim copy of every word spoken at the meeting.

Mayor Mary Wingfield

City Administrator Andy Gonyou

Date

Date

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

**MINUTES OF THE SPECIAL CITY COUNCIL MEETING
April 18, 2022, 6:00 P.M.**

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Kevin Woolstencroft	Councilmember
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STAFF:

Andy Gonyou	City Administrator
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1. CALL TO ORDER

Mayor Wingfield called the meeting to order at 6:00 p.m.

2. CITY BUSINESS – REGULAR AGENDA

- A. City Administrator Candidate Interviews
 - a. City Council to interview each candidate individually
- B. City Council Deliberation
 - a. Council to discuss potential offer of employment

The City Council conducted candidate interviews and deliberated on which candidate the Council wished to extend an offer of employment. A complete video recording of the full meeting is available online at www.cityofbirchwood.com.

On a motion made by Councilmember Fleck, seconded by Councilmember McCarthy and carried unanimously, it was agreed to extend an offer of employment to Shari Salzman-Hankins with an annual salary of \$68,500.00, three (3) weeks of vacation, and coverage through PERA.

3. ADJOURNMENT

On a motion made by Councilmember Foster, seconded by Councilmember Fleck and carried unanimously, it was agreed that there was no further business of the Council to transact; the meeting was closed at 7:25 p.m. by Mayor Wingfield.

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Mayor Mary Wingfield

City Administrator Andy Gonyou

Date

Date

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

**MINUTES OF THE SPECIAL CITY COUNCIL MEETING
April 25, 2022, 7:00 P.M.**

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Mark Foster	Councilmember
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STAFF:

Andy Gonyou	City Administrator
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1. CALL TO ORDER

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

2. CITY BUSINESS – REGULAR AGENDA

- A. City Administrator Candidate Interviews
 - a. City Council to interview each candidate individually
- B. City Council Deliberation
 - a. Council to discuss potential offer of employment
- C. Feistner Easement
 - a. Alternative boat mooring

The City Council conducted candidate interviews and deliberated on which candidate the Council wished to extend an offer of employment. A complete video recording of the full meeting is available online at www.cityofbirchwood.com.

On a motion made by Mayor Wingfield, seconded by Councilmember Fleck and carried unanimously, it was agreed to extend an offer of employment to Rebecca Kellen with an annual salary of \$68,000.00, three (3) weeks of vacation, ½ day of Sick Leave accrued per pay period, and coverage through PERA. The motion also stated that until Rebecca Kellen’s official start date to be agreed upon through a fully executed contract, Rebecca would receive \$25 per hour for all hours worked while training with current City Administrator Gonyou. The offer of employment is contingent upon the successful completion of a background check.

On a motion made by Mayor Wingfield, seconded by Councilmember Fleck and carried unanimously, it was agreed to extend the opportunity to place a boat lift at the end of Feistner beach for the duration of the three (3) year contract or less if Joe Wormwood terminates the contract early.

On a motion made by Mayor Wingfield, seconded by Councilmember Fleck and carried unanimously, it was agreed to require Rebecca Kellen to return a fully executed copy of the contract of employment by 12:00pm on Thursday, April 28th or otherwise forfeit the offer of employment.

3. ADJOURNMENT

On a motion made by Councilmember Woolstencroft, seconded by Councilmember Fleck and carried unanimously, it was agreed that there was no further business of the Council to transact; the meeting was closed at 8:48 p.m. by Mayor Wingfield.

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Mayor Mary Wingfield

City Administrator Andy Gonyou

Date

Date

For the Period : 4/13/2022 To 5/5/2022

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$460,219.44	\$9,012.74	\$67,796.88	\$401,435.30
Other Federal Programs (Inactive)	\$0.00	\$0.00	\$0.00	\$0.00
Comp Plan Grant	\$0.00	\$0.00	\$0.00	\$0.00
Special Rev Projects	\$24,025.69	\$0.00	\$8,317.00	\$15,708.69
Spec Rev - Warm House (Inactive)	\$0.00	\$0.00	\$0.00	\$0.00
REIMBURSED CONTRACTED SERVICES (Inactive)	\$0.00	\$0.00	\$0.00	\$0.00
General Debt Service (Identify) (Inactive)	\$0.00	\$0.00	\$0.00	\$0.00
Birchwood In Re-hab Bond (Inactive)	\$0.00	\$0.00	\$0.00	\$0.00
Sewer Re-hab Debt (Inactive)	\$0.00	\$0.00	\$0.00	\$0.00
CAPITAL PROJECT FUNDS (401 through 499)	\$0.00	\$0.00	\$0.00	\$0.00
General Capital Projects (Inactive)	\$0.00	\$0.00	\$0.00	\$0.00
Municipal State Aid Streets - Construction (Inactive)	\$0.00	\$0.00	\$0.00	\$0.00
Capital Project PW	\$123,615.31	\$0.00	\$0.00	\$123,615.31
Water	(\$25,047.98)	\$16,370.90	\$19,999.54	(\$28,676.62)
Sewer	\$119,296.89	\$18,287.03	\$2,712.42	\$134,871.50
Water Meter Upgrade Fees	(\$2,317.31)	\$0.00	\$0.00	(\$2,317.31)
American Rescue Act Proceeds	(\$47,669.31)	\$0.00	\$0.00	(\$47,669.31)
Engineering Services	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$652,122.73	\$43,670.67	\$98,825.84	\$596,967.56

Fund Name: All Funds

Date Range: 04/13/2022 To 05/05/2022

<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>
04/13/2022	MN Department of Revenue	eft04132022A	MN State Tax eFiling - Q1 2022	N	Clerk - Treasurer	100-41401-115-	\$ 1,072.65
	Total For Check	eft04132022A					\$ 1,072.65
04/14/2022	Smith, Jackie	31864*	Postage	N	Unallocated Expenditures	100-49201-430-	\$ 5.80
	Total For Check	31864					\$ 5.80
04/14/2022	Minutes Solutions	31865*	Minutes for March	N	MISCELLANEOUS	100-49001-300-	\$ 340.00
	Total For Check	31865					\$ 340.00
04/14/2022	City of White Bear Lake	31866	Quarterly Water Billing 12/15/21-3/14/22	N	Water Utility	601-43180-314-	\$ 18,315.30
	Total For Check	31866					\$ 18,315.30
04/14/2022	White Bear Lake Fireworks Fund	31867	Annual Contribution - 2022	N	Recreation	210-45101-430-	\$ 200.00
	Total For Check	31867					\$ 200.00
04/14/2022	Lakeridge Electric	31868*	Electric Service Upgrade for Hall	N	General Government Buildings and Plant	210-41940-300-	\$ 3,200.00
	Total For Check	31868					\$ 3,200.00
04/14/2022	White Bear Township	31869*	Contracted Services -Mar 2022	N	Sewer Utility	605-43190-314-	\$ 750.08
	Total For Check	31869					\$ 750.08
04/14/2022	Payroll Period Ending 04/14/2022	31870	Jackie Smith, Deputy Clerk	N	Clerk - Treasurer	100-41401-100-	\$ 547.34
	Total For Check	31870					\$ 547.34
04/14/2022	Simanski, Julie	31871*	refund of dog license late fee	N	Unallocated Expenditures	100-49201-430-	\$ 40.00
	Total For Check	31871					\$ 40.00
04/14/2022	McCarthy, Jessa	31872	refund of dog license late fee	N	Unallocated Expenditures	100-49201-430-	\$ 80.00
	Total For Check	31872					\$ 80.00
04/14/2022	Payroll Period Ending 04/14/2022	31873	Andy Gonyou, City Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 989.24
	Total For Check	31873					\$ 989.24
04/19/2022	PERA	EFT04192022A*	Retirement funds- Andy Gonyou	N	Clerk - Treasurer	100-41401-121-	\$ 183.64
	Total For Check	EFT04192022A					\$ 183.64

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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>
04/21/2022	Midwest Fence & Mfg	31874*	Fence for around Water Tower	N	General Government Buildings and Plant	210-41940-314-	\$ 4,917.00
	Total For Check	31874					\$ 4,917.00
04/21/2022	Toshiba Business Solutions	31875*	Printer Maintenance - 04/09-05/08	N	Office Operations Supplies	100-41911-314-	\$ 10.62
	Total For Check	31875					\$ 10.62
04/21/2022	USS Minnesota One MT LLC	31876	Energy Charges - Feb	N	General Government Buildings and Plant	100-41940-380-	\$ 71.47
		31876			Sewer Utility	605-43190-380-	\$ 190.57
		31876				605-43190-380-	\$ 345.41
	Total For Check	31876					\$ 607.45
04/21/2022	MENARD'S - OAKDALE	31880*	Supplies	N	General Government Buildings and Plant	100-41940-400-	\$ 27.97
	Total For Check	31880					\$ 27.97
04/21/2022	White Bear Rental	31881*	Chipper	N	Parks	100-45207-400-	\$ 489.37
	Total For Check	31881					\$ 489.37
04/21/2022	USS Minnesota One MT LLC	31882	Energy Charges - March	N	General Government Buildings and Plant	100-41940-380-	\$ 99.77
		31882			Sewer Utility	605-43190-380-	\$ 266.05
		31882				605-43190-380-	\$ 482.22
	Total For Check	31882					\$ 848.04
04/27/2022	Payroll Period Ending 04/27/2022	31877	payroll- Jackie Smith, Deputy Clerk	N	Clerk - Treasurer	100-41401-100-	\$ 267.42
	Total For Check	31877					\$ 267.42
04/27/2022	Payroll Period Ending 04/27/2022	31878	Andy Gonyou, City Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 1,287.87
	Total For Check	31878					\$ 1,287.87
04/29/2022	Xcel Energy	EFT04182022A*	200 Wildwood Ave Lift Station	N	Sewer Utility	605-43190-380-	\$ 32.60
	Total For Check	EFT04182022A					\$ 32.60
04/29/2022	Xcel Energy	EFT04182022B*	407 Lake Ave Lift Station	N	Sewer Utility	605-43190-380-	\$ 30.59
	Total For Check	EFT04182022B					\$ 30.59
04/29/2022	Xcel Energy	EFT04182022C*	Electricity- 210 Birchwood Ave Tower	N	Water Utility	601-43180-380-	\$ 15.76

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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>
		Total For Check	EFT04182022C				\$ 15.76
04/29/2022	Xcel Energy	EFT04192022A*	Electricity for 202 Wlldwood Lift Station, 407 1/2 Lake lift station & 423 Lake (ice rink)	N	Parks	100-45207-380-	\$ 86.74
		EFT04192022A*			Sewer Utility	605-43190-380-	\$ 246.12
		EFT04192022A*				605-43190-380-	\$ 233.78
		Total For Check	EFT04192022A				\$ 566.64
04/29/2022	A T & T Mobility	EFT04222022A*	Water Meter 4/2-5/1	N	Water Utility	601-43180-382-	\$ 57.10
		Total For Check	EFT04222022A				\$ 57.10
04/29/2022	Xcel Energy	EFT04292022A*	Street lighting	N	Street Lighting	100-43160-380-	\$ 1,444.22
		Total For Check	EFT04292022A				\$ 1,444.22
05/02/2022	Payroll Period Ending 05/02/2022	31879	Jim Rydeen- Maintenance	N	Parks	100-45207-100-	\$ 767.69
		Total For Check	31879				\$ 767.69
05/02/2022	Payroll Period Ending 05/02/2022	31883	Payroll, Mary Cahill, Assistant Treasurer	N	Clerk - Treasurer	100-41401-100-	\$ 271.58
		Total For Check	31883				\$ 271.58
05/02/2022	Thatcher Engineering, Inc	31884*	City Engineer - engineering services	N	Engineer Service	100-41650-300-	\$ 700.00
		31884*				100-41650-300-	\$ 3,212.12
		31884*				100-41650-300-	\$ 50.00
		31884*				100-41650-300-	\$ 17,500.00
		Total For Check	31884				\$ 21,462.12
05/02/2022	R Leeves Productions LLC	31885	Videography - Council Mtgs, 04/12, 4/18, 04/25	N	Cable Eqpmt and Service	100-41950-314-	\$ 262.63
		Total For Check	31885				\$ 262.63
05/02/2022	Manship Plumbing & Heating Inc	31886	Standby - May, Locates and Water testing	N	Water Utility	601-43180-314-	\$ 600.00
		31886				601-43180-314-	\$ 240.00
		31886				601-43180-314-	\$ 240.00
		Total For Check	31886				\$ 1,080.00
05/02/2022	AirFresh Industries, Inc.	31887*	Portable Restrooms-May Billing	N	Parks	100-45207-314-	\$ 162.50
		Total For Check	31887				\$ 162.50
05/02/2022	City of White Bear Lake Fire	31888*	Fire Srvc -Apr 2022	N	Fire	100-42201-314-	\$ 32,845.00

Fund Name: All Funds
 May 10, 2022 Regular City Council Meeting
Date Range: 04/13/2022 To 05/05/2022

<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>
		Total For Check	31888				\$ 32,845.00
05/02/2022	H.A. Kantrud, P.A.	31889	Attorney Services -Apr 2022	N	Legal Services	100-41601-300-	\$ 1,500.00
		Total For Check	31889				\$ 1,500.00
05/02/2022	Rydeen, Jim	31890*	Reimbursement - Park Supplies	N	Parks	100-45207-400-	\$ 172.47
		31890*				100-45207-400-	\$(27.97)
		Total For Check	31890				\$ 144.50
05/04/2022	TSE, Inc. Work Account	31896*	Janitorial Services - 04/12/22	N	General Government Buildings and Plant	100-41940-314-	\$ 28.13
		Total For Check	31896				\$ 28.13
05/04/2022	Gopher State One Call	31897*	email tickets	N	Utility Locates	605-42805-314-	\$ 135.00
		Total For Check	31897				\$ 135.00
05/04/2022	Companion Animal Control LLC	31898	Animal Control Services -April	N	Animal Control	100-41916-314-	\$ 80.00
		Total For Check	31898				\$ 80.00
05/04/2022	Tennis Sanitation, LLC	31899*	Recycling for Service Period: Mar-Apr 2022	N	Recycle	100-43300-314-	\$ 2,760.00
		Total For Check	31899				\$ 2,760.00
05/04/2022	Washington County - Property & Tax	31900*	Truth in Taxation	N	Assessing	100-41550-314-	\$ 93.88
		Total For Check	31900				\$ 93.88
05/04/2022	PERA	EFT05052022A	Retirement funds- Andy Gonyou- April 27 payroll	N	Clerk - Treasurer	100-41401-121-	\$ 244.87
		Total For Check	EFT05052022A				\$ 244.87
05/04/2022	PERA	EFT05052022B	Retirement funds- Jim Rydeen	N	Parks	100-45207-121-	\$ 129.86
		Total For Check	EFT05052022B				\$ 129.86
05/04/2022	NSF check	NSF	ACH return from resident for utility billing	N	Water Utility	601-43180-430-	\$ 531.38
		Total For Check	NSF				\$ 531.38
Total For Selected Checks							\$ 98,825.84

Fund Name: All Funds

Date Range: 04/13/2022 To 05/05/2022

<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>
04/14/2022	Miller, Joseph	171735425*	Dog License	(04/15/2022) -	N	Animal Licenses	100-32240-	\$ 20.00
								\$ 20.00
04/14/2022	Place, Andrew	171735426*	Dog License	(04/15/2022) -	N	Animal Licenses	100-32240-	\$ 20.00
								\$ 20.00
04/14/2022	Malvey, Megan	171735427*	Dog License	(04/15/2022) -	N	Animal Licenses	100-32240-	\$ 20.00
								\$ 20.00
04/14/2022	Neiehart, Karen	171735428*	Hall Rental	(04/15/2022) -	N	City/Town Hall Rent	100-34101-	\$ 25.00
								\$ 25.00
04/14/2022	Easton, Marsha	171735429*	Art Group Hall rental	(04/15/2022) -	N	City/Town Hall Rent	100-34101-	\$ 10.00
								\$ 10.00
04/14/2022	Huth, Zachary	171735430*	Kayak permit	(04/15/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00
								\$ 30.00
04/14/2022	Place, Andrew	171735431*	Kayak permit	(04/15/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00
								\$ 30.00
04/14/2022	Foster, Mark	171735432*	Kayak permit	(04/15/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00
								\$ 30.00
04/14/2022	Strobel, David	171735433*	2 kayak permits	(04/15/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 60.00
								\$ 60.00
04/14/2022	Johnson, Gretchen	171735434*	2 Kayak permits	(04/15/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 60.00
								\$ 60.00
04/14/2022	Canyon Creek Construction, Inc	171735435*	Variance permit fee	(04/15/2022) -	N	Building Permits	100-32211-	\$ 600.00
								\$ 600.00

Fund Name: All Funds
 May 10, 2022 Regular City Council Meeting
Date Range: 04/13/2022 To 05/05/2022

<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>
04/14/2022	Canyon Creek Construction, Inc	171735436*	Escrow Deposit	(04/15/2022) -	N	Escrow Deposits	100-36245-8	\$ 3,000.00
								\$ 3,000.00
04/14/2022	Weier, Katherine	171735437*	Building Permit # 2022-24	(04/14/2022) -	N	Building Permits	100-32211-	\$ 24.00
								\$ 24.00
04/15/2022	Schad, Steve	171735456*	2 dog licenses	(04/15/2022) -	N	Animal Licenses	100-32240-	\$ 40.00
								\$ 40.00
04/15/2022	Webber, Dan	171735457*	Canoe permit	(04/15/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00
								\$ 30.00
04/21/2022	Loosbrock, Jeremy	171735439*	Kayak permit	(04/22/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00
								\$ 30.00
04/21/2022	Werra, Melissa	171735440*	Building Permit	(04/22/2022) -	N	Building Permits	100-32211-	\$ 78.50
								\$ 78.50
04/21/2022	Werra, Melissa	171735441*	Escrow Deposit	(04/22/2022) -	N	Escrow Deposits	100-36245-8	\$ 3,000.00
								\$ 3,000.00
04/21/2022	Ramsey/Washington Cable Commission	171735442	Redistribution Payment - Q1 2022	(04/22/2022) -	N	Refund-Reimbursemnt-Dividend	100-36240-	\$ 373.08
								\$ 373.08
04/21/2022	Cahill, Mary	171735443	Chipper rental less gas	(04/22/2022) -	N	Park Fees Park Fees	100-34780- 100-34780-	\$ 100.00 \$(46.70)
								\$ 53.30
04/26/2022	The Fireplace Guys	171735445*	Building Permit # 2022-24	(04/26/2022) -	N	Building Permits	100-32211-	\$ 90.30
								\$ 90.30
04/26/2022	Hartman, John	171735446*	Dog License	(04/29/2022) -	N	Animal Licenses	100-32240-	\$ 20.00
								\$ 20.00
04/26/2022	Lundberg, Britta	171735447*	Kayak Permit	(04/29/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 30.00
								\$ 30.00

Fund Name: All Funds
 May 10, 2022 Regular City Council Meeting
Date Range: 04/13/2022 To 05/05/2022

<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>	
04/26/2022	Haupt, Mark	171735448*	Kayak Permit- 2 permits	(04/29/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 60.00	
								\$ 60.00	
04/26/2022	Tell, Jason	171735449*	3 Kayak Permits	(04/29/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 90.00	
								\$ 90.00	
04/26/2022	Ford, Margaret	171735450*	Donation for Bell Tower/City Hall project	(04/29/2022) -	N	Contributions and Donations from Private Sources	100-36230-	\$ 1,000.00	
								\$ 1,000.00	
04/28/2022	Residents - via St Anthony Village	171735454	Utility Billing - Month of April 2022	(04/28/2022) -	N	Water Consumption	601-37111-	\$ 10,552.89	
							Water Utility User Fee	601-37112-	\$ 5,070.39
							Water Main-break Surcharge	601-37113-	\$ 9.44
							Meter Upgrade Fees	601-37114-	\$ 62.33
							Special Water Charges	601-37115-	\$ 79.84
							State Surcharge	601-37116-	\$ 493.12
							Administrative Fee Move/Out	601-37118-	\$ 50.00
							Penalties and Forfeited Discounts	601-37160-	\$ 52.89
							Sewer Consumption	605-37211-	\$ 10,444.28
							Sewer Minimum Charge	605-37212-	\$ 7,804.11
							Penalties and Forfeited Discounts	605-37260-	\$ 38.64
								\$ 34,657.93	
04/28/2022	Bergeron, Christopher	171735455	Kayak permits-2	(04/28/2022) -	N	Kayak/Canoe Permits	100-32212-	\$ 60.00	
								\$ 60.00	
04/30/2022	4 M Fund	171735453	Interest	(04/29/2022) -	N	Interest Earning	100-36210-	\$ 128.56	
								\$ 128.56	
Total for Selected Receipts								\$ 43,670.67	

As on 5/5/2022

Special Rev Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Dock/Lift Permit Fee	0.00	15,000.00	15,000.00
Total Acct 322	0.00	15,000.00	15,000.00
Total Revenues	0.00	15,000.00	15,000.00
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Engineer Service			
PROFESSIONAL SERVICES (301 through 319)	0.00	3,500.00	(3,500.00)
Total Acct 416	0.00	3,500.00	(3,500.00)
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	0.00	8,117.00	(8,117.00)
Recreation			
Miscellaneous (431 through 499)	0.00	200.00	(200.00)
Total Acct 451	0.00	200.00	(200.00)
Total Disbursements	0.00	11,817.00	(11,817.00)
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		15,000.00	
Total Disbursements and Other Financing Uses		11,817.00	
Cash Balance as of 05/05/2022		15,708.69	

As on 5/5/2022

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:			
Total Disbursements	<u>0.00</u>	<u>0.00</u>	<u>0.00</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>0.00</u>	
Cash Balance as of 05/05/2022		123,615.31	

As on 5/5/2022

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	27,288.28	27,288.28
Water Utility User Fee	0.00	13,119.45	13,119.45
Water Main-break Surcharge	0.00	81.50	81.50
Meter Upgrade Fees	0.00	383.03	383.03
Special Water Charges	0.00	688.42	688.42
State Surcharge	0.00	1,365.75	1,365.75
Administrative Fee Move/Out	0.00	50.00	50.00
Penalties and Forfeited Discounts	0.00	88.72	88.72
Total Acct 371	0.00	43,065.15	43,065.15
Total Revenues	0.00	46,323.86	46,323.86
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Financial Administration			
Contracted Services	0.00	2,138.88	(2,138.88)
Total Acct 415	0.00	2,138.88	(2,138.88)
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	31,014.48	(31,014.48)
Utility Services (381 through 389)	0.00	38,389.50	(38,389.50)
Utility Services: Water	0.00	400.92	(400.92)
Miscellaneous (431 through 499)	0.00	1,571.42	(1,571.42)
Fees	0.00	860.00	(860.00)
Wtr/Swr Emergency			
Repair and Maintenance Supplies (221 through 229)	0.00	700.00	(700.00)
Contracted Services	0.00	17,776.75	(17,776.75)
Total Acct 431	0.00	91,607.36	(91,607.36)
MISCELLANEOUS			
Fees	0.00	23.96	(23.96)
Total Acct 490	0.00	23.96	(23.96)
Total Disbursements	0.00	93,957.40	(93,957.40)
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		46,323.86	
Total Disbursements and Other Financing Uses		93,957.40	
Cash Balance as of 05/05/2022		(28,676.62)	

As on 5/5/2022

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	26,863.13	26,863.13
Sewer Minimum Charge	0.00	22,004.39	22,004.39
Penalties and Forfeited Discounts	0.00	221.09	221.09
Total Acct 372	0.00	49,088.61	49,088.61
Total Revenues	0.00	49,354.81	49,354.81
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Utility Locates			
Contracted Services	0.00	221.45	(221.45)
Total Acct 428	0.00	221.45	(221.45)
Sewer Utility			
Sewer - Wastewater Charge	0.00	20,423.88	(20,423.88)
Contracted Services	0.00	4,747.07	(4,747.07)
Utility Services (381 through 389)	0.00	2,304.49	(2,304.49)
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	28,369.95	(28,369.95)
Total Disbursements	0.00	28,591.40	(28,591.40)
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		49,354.81	
Total Disbursements and Other Financing Uses		28,591.40	
Cash Balance as of 05/05/2022		134,871.50	

As on 5/5/2022

American Rescue Act Proceeds

	<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	1,004.00	(1,004.00)
Total Acct 416	<u>0.00</u>	<u>1,004.00</u>	<u>(1,004.00)</u>
Total Disbursements	<u>0.00</u>	<u>1,004.00</u>	<u>(1,004.00)</u>
Other Financing Uses:			
Total Other Financing Uses	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Beginning Cash Balance		(46,665.31)	
Total Receipts and Other Financing Sources		0.00	
Total Disbursements and Other Financing Uses		<u>1,004.00</u>	
Cash Balance as of 05/05/2022		(47,669.31)	

RESOLUTION 2022-08

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

**APPROVING COVERAGE FOR CITY WORKERS' COMPENSATION
INSURANCE POLICY**

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, May 10, 2022, with the following members present: Mayor Mary Wingfield, Council Members Jon Fleck, Justin McCarthy, Mark Foster, and Kevin Woolstencroft, and the following absent: none, the Birchwood Village City Council resolved:

WHEREAS, the City of Birchwood Village has workers' compensation insurance coverage through the League of Minnesota Cities Insurance Trust (LMCIT); and

WHEREAS, the City's workers' compensation insurance policy must be renewed by June 12, 2022.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village, pursuant to Minnesota Statute 176.011, subd. 9(6), the Minnesota Workers' Compensation Act, members of the following groups are included in the City's worker's compensation coverage:

1. Members of the Birchwood City Council;
2. Members of all Birchwood advisory commissions; and,
3. Volunteers working for the City of Birchwood Village.

Resolution duly seconded and passed this 10th day of May, 2022.

Mary Wingfield, Mayor

Attest:

Andy Gonyou, City Administrator-Clerk

MEMORANDUM

DATE: 05/04/2022

TO: City Council
FROM: Justin McCarthy, City Councilmember
SUBJECT: Birchwood Sign Ordinance Section
601 replacement



Previously, the Council repealed Section 601 which regulated signs. The Council should decide whether to replace section 601, and if so, what regulations on signage it feels are in the best interests of Birchwood.

Some arguments for not regulating signage are that sign ordinances tend to be problematic both politically and legally. Politically, residents have deep rooted feelings about their ability to express themselves with their property. Legally, sign ordinances can easily run afoul of the First Amendment. Finally, should a resident sign become an issue, we could always reconsider at that time.

On the other hand, should a problem develop in the future, regulating signage now can insulate the City from later charges that any particular resident was singled out.

When considering any replacement language, I would direct the Council to the League of Minnesota Cities which has a comprehensive document describing sign ordinances and providing guidance here: <https://www.lmc.org/resources/sign-ordinances-and-the-first-amendment/> (last visited 2/26/2022). I've listed some of the guidance from that section below. Please note that this list is not a comment on our current/previous sign ordinance but intended as a guide to help us when we consider a replacement. According to the LMC, a good sign ordinance should:

- Not regulate based on content. That is, if you have to look at what the sign says to determine how its regulated, the ordinance is not content neutral.
- Not favor commercial speech over noncommercial speech.
- Further substantial government interests, such as traffic safety or aesthetics, without regulating more than necessary to accomplish their objectives.
- Leave ample alternative channels for communication, such as limiting the size of signs but still allowing signs.
- Include a statement of purpose
- Include a substitution clause that provides that for every commercial sign allowed, any non-commercial message could be legally substituted.
- Include a severability clause
- Include an election season pre-emption clause required by state law (Minn. Stat. § 211B.045). Under this law, municipalities must allow noncommercial signs of any size or number during election season, which runs from 46 days before the state general primary until 10 days after the state general election.
- Adopt regulations based on time place and manner.
 - general limitations on the number and size of signs have withstood constitutional challenges since such limitations have nothing to do with a sign's message, and

they further governmental interests in protecting property values, preventing distractions for drivers, or avoiding clutter.

I have included a sample ordinance for your consideration. This proposal has been paired down some from an earlier draft that was submitted for consideration last month (but did not make it for discussion as it was not included in the packet due to a clerical error).

I'm open to discussion on what the proposed aggregate size should be. I've seen ordinances with six feet. That seems a bit small to me, so I've tentatively included eight feet. Similarly, for flags, I'm not sure what the standard size residential flag pole height and flag size is, but I would recommend we stick to that size, or even go a hair larger to accommodate flag lovers within reason.

Finally, given the prevalence in the community for holiday signage that features lighted elements, do we want to allow a limited exception to the rule against lighted signage? Given that we cannot regulate based upon content, we would have to do so in a content neutral fashion that would allow a small carve out for these features for a small portion of the year (regardless of content and season). I currently have such an exception in the code below, but it is highlighted for your consideration.

Thank you,
Justin McCarthy
City Councilmember

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 and Flags

601.01 FINDINGS, PURPOSE, AND EFFECT

1. Findings. The City Council hereby finds as follows:
 - (a) Signs and flags provide important mediums through which individuals may convey a variety of messages.
 - (b) Signs and flags can create safety hazards by distracting traffic.
 - (c) Exterior signs and flags 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 and flags 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 and flags 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. *Flag* means any fabric or similar lightweight material attached at one end of the material, to a staff or pole, so as to allow movement of the material by atmospheric changes and which contains distinctive colors, patterns, symbols, emblems, insignia, or other symbolic devices or text.

2. *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.

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

601.030. POSTING SIGNS AND FLYING FLAGS. 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 (8?) 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.

a. Exception: signs with lighting, motion aspects, and flashing aspects are allowed for a maximum of thirty days per year, per residence, provided that the lighting, motion aspects, and flashing aspects are disabled every night after 10 p.m. until sunrise and provided that the lighting, motion aspects, or flashing aspects are not positioned in a way to constitute a nuisance to neighboring properties.

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.

601.050 FLAGS. It shall be unlawful for any person to fly or display, or to permit to be flown or displayed, upon his or her property any flag **EXCEPT** flags attached to a pole of no more than 25? feet high and provided that, in the aggregate, any such flags do not exceed 24? square feet in total area.

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 this 14th day of June, 2022.

Mary Wingfield, Mayor

Attest:

Becky Kellen, City Administrator-Clerk

MEMORANDUM

DATE: 05/04/2022

TO: City Council
FROM: Mary Wingfield, City Mayor
SUBJECT: Addendum



Fee Schedule:

Ryan Hankins has volunteered to review our fee schedule for consistency and cost recovery as well as verifying whether council updates have been properly cataloged.

Under the circumstances, it makes sense that Ryan be charged with reviewing and making recommendations. One other issue that came up recently is that the schedule should specifically state that SAC and WAC charges apply to any new connections where that lot has NOT been previously assessed.

Also, in light of new meter system, water meter purchase and connection should be \$500 (which includes installation); and discount for ACH utility bill payments should increase for \$3/qtr.

New trees at city hall:

It would be helpful if our engineer could verify the lot line on the west side of the property. (The neighbor to the east still has stakes in marking that line). Need authorization to do so.

Proposed Data practices policy: (per our discussion two months ago)

It is the policy of the City of Birchwood Village that its city clerk, or designated staff, forward any requests for information under the Minnesota Data Practices act within ten days to the members of the Birchwood City Council. This policy will help the council become aware of and understand the amount of staff time being spent in complying with any requests. Also, this policy can assist the council in providing support staff with the resources or help to meet such requests.

Further, it is the intent of this policy that knowledge of any Data Practices request can help the city council anticipate future costs and budget accordingly.

Roads:

The last Shifsky bid in March was for pothole filling and did not include areas where larger milling and new overlay patching is necessary. The total proposed bid is for \$43,800 for 1.5 inch pavement replacement and pothole repair. (We could go thinner, but the durability goes down substantially. This council has historically followed the adage "Do it once, do it right" philosophy. The thicker repair is recommended.) Work would start in about a week or so...as would street sweeping. See attached bid.

Watermain Surcharge:

Due to the excessive costs of breaks this past winter, we need to recover those costs via our surcharge policy. A \$20 surcharge starting with the June water bill and terminating in December is needed.

Benches at Tennis courts.

The two benches at the tennis courts are substandard and one is broken. Replacement benches (140 lbs each, uv rubber coated, metal diamond lath would cost \$1400--see attached specs). Color? Forest green? See attached pix.

A third bench at Jay Path would need a concrete pad (price pending). The Birchwood Community club would sponsor the bench, but not the pad.) The homeowner has asked for placement that has been staked out. The placement is an excellent locale to see wildlife. Bench request is scroll type, brown color.

Sewer line scoping at village hall:

Council previously approved this to ensure the ground shift last winter didn't doink our sewer line. Scoping is scheduled for Wed, May 11. Cost \$219.

LCMIT insurance.

Needs to be done asap. I have an appt scheduled with our adjuster May 6. Info for council pending that mtg.

Lift station grant application:

Requests for EPA/STAG funding have been submitted to Rep Betty McCullom's and Sens. Amy Klobuchar's and Tina Smith's office. The time frame for approval will probably be twelve months at best, longer if there is gridlock in Wash. DC.

In the meantime, Thatcher has essentially completed "shovel-ready" plans for the Wildwood Liftstation.

STS update:

Washco has provided a crew approximately twenty-five times in the last year. Virtually all roadside overgrowth, Green ash EAB trees and buckthorn at Jay Path, Bloomquist and behind city hall have been removed. Washco has no more crew dates for helping us. Regrowth will have to be monitored YEARLY to keep these areas clear of regrowth. Just an fyi.

Drainage area aside of city hall:

The chute has been re-set to address water escaping the main channel. The area needs to be kept clear of leaves and sticks. The removal of brittle trees in that area should help. Staff have been informed to watch the area and keep it clear.

Substantial erosion has occurred below the hall building. Old logs and branches were dumped in the ditch to slow down the erosion. This area needs to be watched to ensure it is not getting worse.

Thank you,
Mary Wingfield
City Mayor

T. A. Schifsky & Sons, Inc.
 2370 Highway 36 East
 North St. Paul, MN 55109
 Phone (651) 777-1313
 Fax (651) 777-7843
www.taschifsky.com



PROPOSAL

Bid To:	Birchwood Misc.	Attention:	Mary Wingfield
Job:		Address:	City of Birchwood Village, MN
Location:	Birchwood, MN	Phone:	651-653-1022
Addendums:	NA	Fax:	
Date:	3.10.2022	Email:	wingfield.mary@gmail.com

We propose the following for the above referenced project:

<u>Crack Filling</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Amount</u>
City Wide Crack Filling				
Route and fill bituminous cracks	LF	3000	\$1.50	\$4,500.00
<u>Patching</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Amount</u>
City Wide Patching				
45 patches -11,000 SF				
Mobilization PER DAY				
Crew Rate for Patching Crew				
Furnish Bituminous Asphalt per ton price				
Milling for Removals (Based on 36-6' Wide)				
				\$38,987.00
1- Watermain Breaks				
Mobilization PER DAY				
Milling for Removals (Based on 36" Wide)				
Furnish Bituminous Asphalt per ton price				
Crew Rate for Patching Crew				
				\$5,275.00
Hall Ave	Remove Vegetation and excess fill.			\$32,000.00
Note: Install class 5 Limerock up to 3' compact with roller		ADD Limestone		\$4,000.00
Mahtomedi City Limits to Lake Ave.		Total		\$36,000.00

Notes:

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

Contractor's Guarantee

We guarantee all material used in this contract to be as specified above and the entire job to be done in a neat, workmanlike manner. Bid is based on quantities stated. Any variations from the plan or alterations requiring extra labor or material will be performed only upon written order and billed in addition to the sum covered by this contract. Prices are for 2021 unless otherwise specified.

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

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

By: _____ Date 3.10.2022

Nicholas Schifsky - 651.808.0952

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

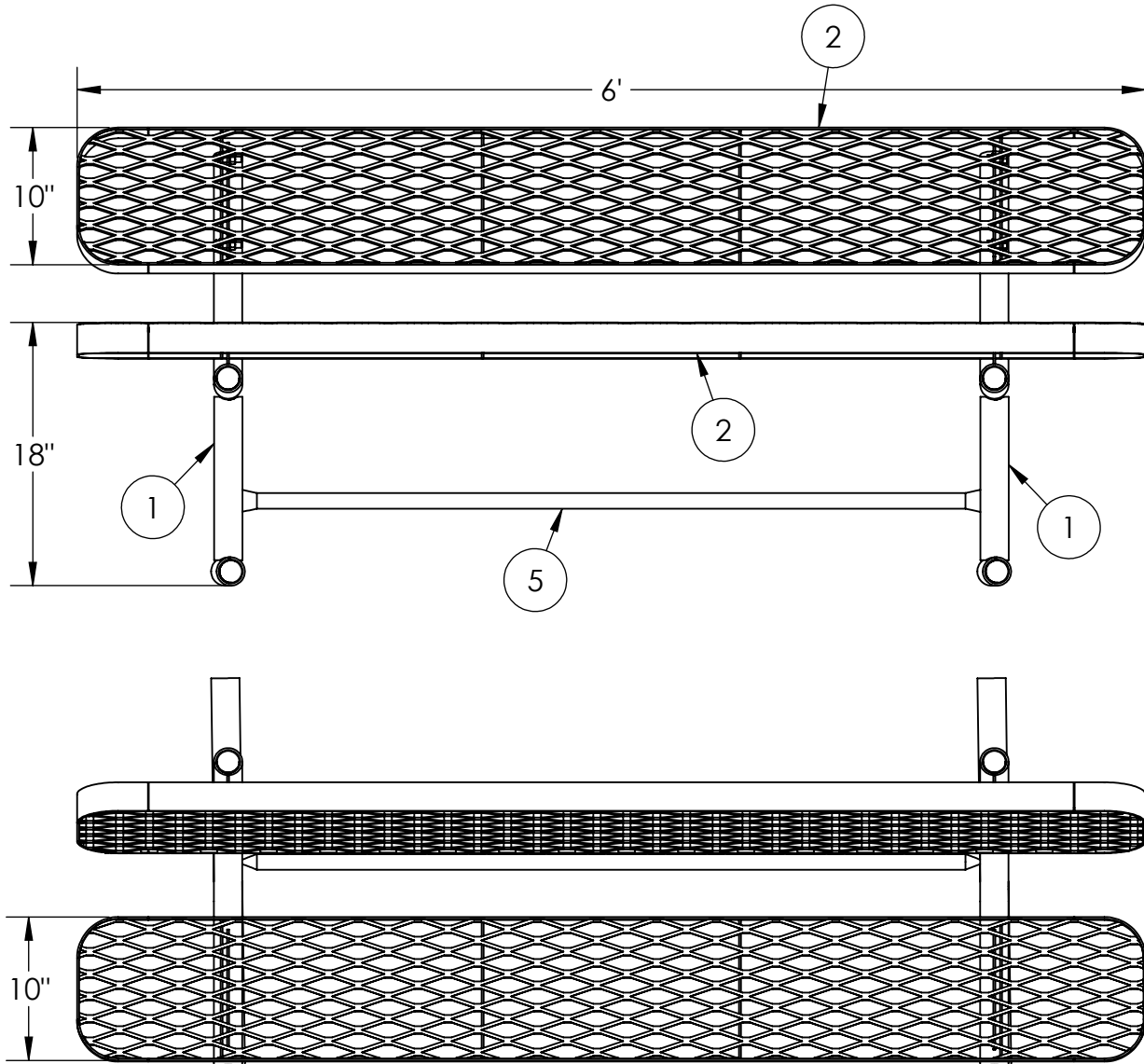
M:\2022\2022 Proposals\Patching\City of Birchwood Patching

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M:\2022\2022 Proposals\Patching\City of Birchwood Patching



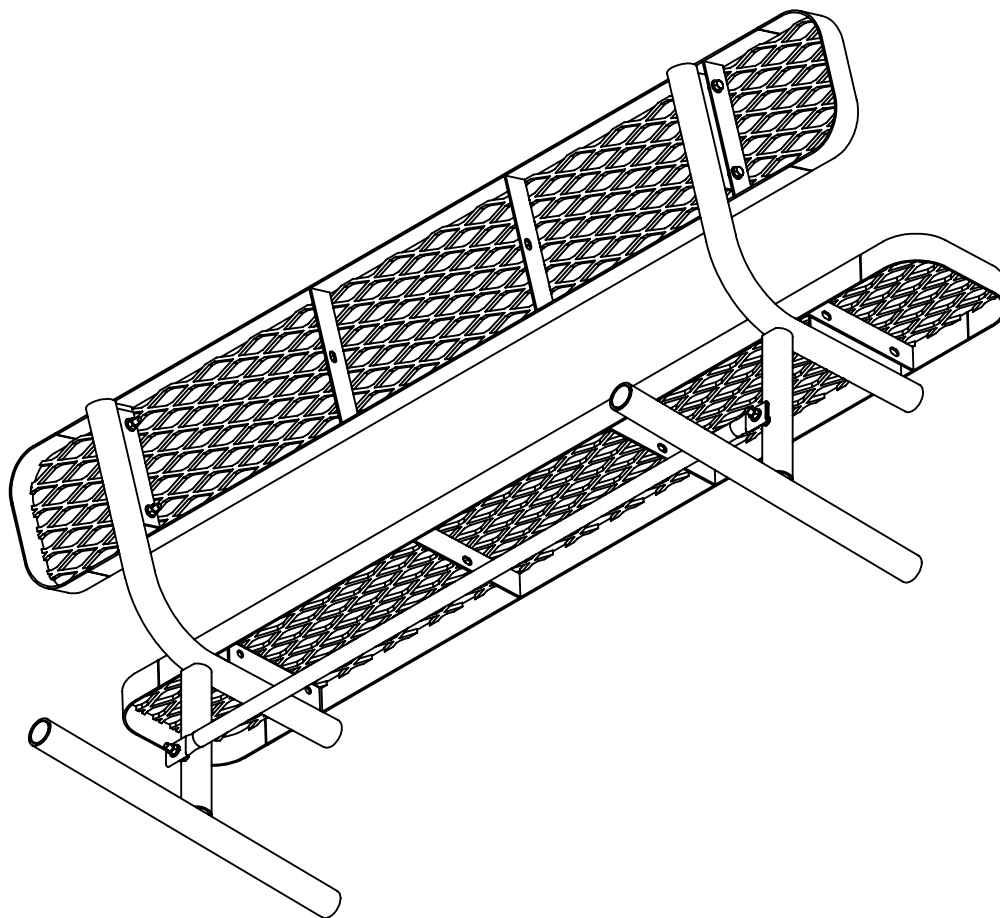
ITEM NO.	PART NUMBER	DESCRIPTION	QTY.
1	630-010	Bench With Back stand FS	2
2	622-013	6' Champion Seat/Back (QS)	2
3	516-058	3/8"x1-1/2" SS Hex Bolt	4
4	516-023	3/8" SS Flat Washer	12
5	630-013	6' FS BENCH BRACE	1
6	516-028	3/8" SS Nylock Nut	6



PREMIER POLYSTEEL

The Best Commercial Outdoor Furniture Available. Period.





1. Drill plastic out of the mounting holes on the seat, stands and braces using a 7/16" diameter drill bit.
2. Bolt the seat/back to the stands and brace loosely using fixings provided.
3. Set on level surface and tighten up.

Tools List

- 7/16" Drill bit
- 9/16" Socket
- 9/16" Wrench
- Level
- Impact Gun (Optional)
- Drill

Periodic check of bolts tightness recommended

In accordance to California law: WARNING - This product contains a chemical known to the State of California to cause cancer and birth defects or other reproductive harm.



PREMIER POLYSTEEL

The Best Commercial Outdoor Furniture Available. Period.



MEMORANDUM

DATE: 05/04/2022

TO: City Council
FROM: Justin McCarthy, City Councilmember
SUBJECT: Goodbye to Andy Gonyou and Welcome to Rebecca Kellen!



Council,

Andy Gonyou is leaving as City Clerk / Administrator on May 12th. Please join me in thanking him for his contributions to our City over the past several years and join me in wishing him luck in his new endeavors.

Additionally, Rebecca Kellen has accepted our offer of full-time employment to be our City Clerk / Administrator! Please join me in giving Becky a warm welcome. We are excited to have her on board and we feel that she will be an asset to our community.

Finally, I have some housekeeping with respect to the new City Clerk / Administrator. First, I would request that the City Council approve her to attend the League of Minnesota Cities "2022 Clerks Academy." More information on that can be found at the League's website: [2022 Clerks Academy - League of Minnesota Cities \(lmc.org\)](https://www.lmc.org/2022-clerks-academy) Becky has already, or will attend the League's Clerks Foundational Program (which is a three hour on-demand course).

Next, I would request that the City Council approve a work cellphone and plan for our Clerk/Administrator, to be used for City business. The cellphone would be City property. Approximate cost would be \$70.00 plus taxes and fees per month for the plan (@ Verizon), and an iPhone 12 is no additional cost.

Thank you,
Justin McCarthy
City Councilmember

RESOLUTION 2022-09

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

**RESOLUTION AUTHORIZING REBECCA KELLEN TO ATTEND THE
LEAGUE OF MINNESOTA CITIES 2022 CLERKS ACADEMY**

WHEREAS, the City of Birchwood Village recently hired a new City Clerk/Administrator Rebecca Kellen, and

WHEREAS, the City desires to provide training for our employees, and

WHEREAS, the City has found that the League of Minnesota Cities has training courses for Clerks that would be beneficial to our new Clerk / Administrator.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Birchwood Village that the City of Birchwood Village hereby authorizes Rebecca Kellen to attend the 2022 Clerks Academy put on by the League of Minnesota Cities.

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

Resolution duly seconded and passed this 10th day of May, 2022.

Mary Wingfield, Mayor

Attest:

Andy Gonyou, City Administrator-Clerk

RESOLUTION 2022-10

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

**RESOLUTION AUTHORIZING A CELLPHONE FOR THE CITY
CLERK/ADMINISTRATOR**

WHEREAS, City business and emergencies may arise at all times.

WHEREAS, the City desires for its Clerk/Administrator to be connected to email and voice communications to respond to these emergencies and other situations and to have the tools to provide excellent service to residents, even while away from the Office.

WHEREAS, it would be desirable for the Clerk/Administrator to have a dedicated work phone to avoid mixing City records and personal data.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Birchwood Village that the City of Birchwood Village hereby authorizes the City Clerk-Administrator to procure a cellphone plan.

Resolution duly seconded and passed this 10th day of May, 2022.

Mary Wingfield, Mayor

Attest:

Andy Gonyou, City Administrator-Clerk