



AGENDA OF THE REGULAR MEETING OF
THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
November 14th, 2023
6:45 P.M.

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

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

OPEN PUBLIC FORUM

ANNOUNCEMENTS

Truth in Taxation Hearing on December 12th at 6:45 PM at City Hall.

Delinquent utility bill letters went to residents on 10/16/2023 and payments are due November 17th.

City Clean up November 18th at 10am. Meet at City Hall.

Joint Council and Planning Commission Workshop November 30th, 2023 at 7pm.

Vacant Home Registration has been completed for 184 Cedar Street.

Music in the Park update for Summer 2023* (pp. 3-4)

CONSENT AGENDA

- A. Approve September Special Meeting Minutes* (pp. 5-10)
- B. Approve Treasurer's Report* (pp. 11- 49)
- C. Approve Resolution 2023-44, Approving Summary Publication for Ordinance 2023-06-01, Solar Panels* (p. 50)
- D. Approve Council Meeting Schedule & Official Holidays 2024* (p. 51)
- E. Approve Washinton County All Hazard Mitigation Plan* (pp. 52-53)
- F. Approve additional days for deer hunt, resolution 2023-45 and 2023-46* (pp 54-59)
- G. Approve Resolution 2023-47, engineering fees* (pp. 60-61)
- H. Approve JPA for South Shore Boulevard Trail Management

CITY BUSINESS

- A.** 2nd reading of ORDINANCE 2023-09-01 (607) City Parks Systems* (pp. 62-72)
 - a. Public Hearing
 - b. Council Deliberation & Approval
 - c. Approve RESOLUTION 2023-42 Approving Summary Publication Ord 2023-09-01

- B.** 1st reading of ORDINANCE 2023-11-01 Repealing 617 sections regarding City Parks System* (p. 73)
 - a. First Reading and Council Deliberation
 - b. Order Second Reading and Public Hearing

- C.** Approve ORDINANCE 2023-07-01 (302.045) language
 - a. Public Hearing
 - b. Council Deliberation & Approval

- D.** 2024 Budget Review* (pp. 74-80)

- E.** EPA Grant / lift station update – Ryan Hankins* (p. 81)

- F.** City of Birchwood State Bonding Appropriation, Lake Links Trail Discussion* (pp. 82-83)

- G.** Fee Schedule Updates – Ryan Hankins* (pp. 84-119)

- H.** Ordinance 2023-11-02 Side Setbacks – Ryan Hankins* (pp. 120-124)

ADJOURN

TO: Mayor Margaret Ford
Councilmember Justin McCarthy
Councilmember Mark Foster
Councilmember Kathy Weier
Councilmember Ryan Hankins

FROM: Alan Mitchell

DATE: November 6, 2023

SUBJECT: Music in the Park

Birchwood had another successful music concert series this past summer, with ten Sunday night concerts over June, July, and August. We had a nice mix of music, from individual performers to six piece cover bands to large show choirs to a three- piece bassoonist group. We heard everything from the Beatles to Mozart to Judy Garland to Abba. And more. Audience members hear a good number of original compositions by the musicians. Most of the artists are musicians and singers who have performed in Birchwood over the past years and are crowd favorites. We even had a couple of Birchwood residents who performed this summer.

All the concerts were held in the hockey rink at Tighe-Schmitz Park. The musicians often announce how much they enjoy performing at our venue. One performer stated that he has performed all around the country, at Carnegie Hall, on cruise ships, and in Europe, but this is the only place he gets to perform in a hockey rink.

The hockey rink works out well for the concerts. There is plenty of room for the audience to spread out with their lawn chairs and enjoy their picnic lunches. A group of line dancers enjoy the space to choreograph their steps to the music. Kids have a chance to run around. Many fans bring their dogs (on a leash of course). And the bugs are not bad. And the trees provide plenty of shade for the musicians and audience alike on those 90 degree evenings we sometimes have.

We always have at least fifty people in the audience, and on several occasions we had more than 125 people in attendance. Audience members are not just Birchwood residents; people come from Mahtomedi and White Bear and Vadnais Heights and from a number of other communities as well. One guy from Vadnais Heights, who is usually the first person to arrive and sets up his lawn chair right in front of the artists, commented to me that Birchwood has the best music and its free. A good number of people look forward to Sunday nights and come to almost every concert. One Birchwood group of neighbors often holds a potluck picnic before heading down to the rink for the evening concert.

I wanted to express appreciation for the work of Jim Rydeen, who each Sunday opened up the hockey rink and prepared the power cord needed for the audio equipment, and closed up everything after the concert. Also, Cyril Kapsner deserves kudos for the several times he swept and blew the leaves and clutter off the rink in advance of the concert, sometimes early Sunday morning.

On February 14, 2023, the City Council passed a continuing resolution, Resolution 2023-08, authorizing a summer concert series every summer, with a budget of \$3700 and specifying that there would be ten concerts over the months of June, July, and August. So there will be a concert series again in summer 2024.

I am willing to assist again in 2024 with arranging all the artists for the concerts, but I am also available to help a city person or other volunteer with this task, who could then take it on in future years. One point I would bring to the Council's attention is that there are thirteen Sundays in June, July, and August 2024. No concert is held over the Fourth of July weekend, but that still leaves the possibility of twelve Sundays for concerts. I wanted to alert the Council to the possibility that perhaps there could be eleven concerts next summer, while still keeping within the budget because I don't anticipate any one-time expenses in 2024. Last summer the City purchased a new A-frame waterproof sign that we put out every concert weekend, and that expense will not occur this year. I'll work with the City Administrator if an eleventh concert seems possible before making any commitments. If you have any questions about the concerts or about plans for next summer, please let me know.

Thank you, City Council, for your support of the Music in the Park summer concert series.

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

**MINUTES OF THE CITY COUNCIL MEETING
SEPTEMBER 25, 2023, 6:00 P.M.**

MEMBERS:

Margaret Ford	Mayor
Mark Foster	Councilmember
Ryan Hankins	Councilmember
Justin McCarthy	Councilmember
Katherine Weier	Councilmember

STAFF:

H. Alan Kantrud	City Attorney
Rebecca Kellen	City Administrator
Mary Cahill	City Treasurer
Marcus Johnson	City Engineer, Bolton & Menk (until 6:53 p.m.)

GUESTS:

John Manship	Water Department
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Minutes prepared by Angela Fracassi of Minutes Solutions from a video recording.

1. CALL TO ORDER

Mayor Ford called the meeting to order at 6:45 p.m.

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA (0:00:15)

On a motion made by Councilmember McCarthy, seconded by Councilmember Foster, it was resolved to approve the agenda as amended. All in favor; motion carried.

4. OPEN PUBLIC FORUM (0:00:20)

On a motion made by Councilmember McCarthy, seconded by Councilmember Foster, it was resolved to close the open public forum. All in favor; motion carried.

5. VISIT TO WILDWOOD LIFT STATION (0:01:22)

Council temporarily paused the meeting for a brief site visit at Wildwood Lift Station. Mayor Ford reconvened the meeting at 6:45 p.m.

6. **CITY BUSINESS**

- a. **Wildwood Lift Station (0:02:08):** City Engineer Johnson provided a summary of the different options for the Wildwood Lift Station. Council agreed that they did not want to extend the lift station into the Boulevard. Engineer Johnson stated that his final recommendation would be submitted in approximately two weeks, after listening to City Council and the public.

Mayor Ford opened the floor to public comment.

Don Hankins, 165 Wildwood, noted that his home had flooded when the lift station failed, and wanted to see the right decision made.

Cory Hankins, 165 Wildwood, expressed her preference for not having the boulevard extended.

Councilmember Weier expressed a preference for keeping the lift station on the grassy area and off the street to maintain easy maintenance access.

Councilmember McCarthy expressed a preference for keeping the lift station off of the beach as much as possible.

Councilmember Hankins inquired if the station could be placed adjacent to the existing generator.

Engineer Johnson stated that the generator would need to be moved.

7. **CONSENT AGENDA**

- a. **Approve Resolution 2023-39 – Lift Station (0:19:59):**

On a motion made by Councilmember McCarthy, seconded by Councilmember Weier, it was resolved to authorize work by Bolton and Menk and Braun for the Wildwood Lift Station replacement project. All in favor; motion carried.

- b. **Approve Revised July Meeting Minutes (00:21:27):** Councilmember McCarthy asked that the minutes be revised to better reflect the exact motion that was made regarding item 4.

- c. **City Street Project Update (00:23:00):** Engineer Johnson provided a document that outlined several proposed street replacements and/or overlays that should be worked into the City's operating budget. Council noted that Wildwood Avenue was identified as an area of need. Engineer Johnson spoke about the LRIB grant that would cover full construction costs, which is available every several years. He recommended that the grant application come from the City, with his firm's input. If his firm were to write the entire application, they would charge approximately \$7,000. The grant application requires a rough plan and an estimate, but does not require an accepted bid. The application should outline the background of the project and why the community needs the funds.

It was noted that the preliminary cost estimate provided by Engineer Johnson extends about 50 feet past the boulevard. Councilmember Weier expressed a preference for replacing old watermains before replacing the roads.

John Manship, Water Department, explained that it is a good idea to replace the watermains when replacing the roads, if there is sufficient funding available. He recommended using the existing trenches instead of creating a whole new design. He also explained that frost and ground shifting cause watermain breaks rather than the age of the pipes, and noted that even new lines may break if the ground shifts.

The Council discussed whether a large overlay area would be preferable to reconstructing a smaller section of road. Engineer Johnson advised that the grant reviewers may view a road reconstruction as more of a need than an overlay. He also advised that the proposed project should include an area that includes parks, trails, and other public attractions.

Councilmember Hankins volunteered to work closely with Engineer Johnson on the LRIB grant application.

d. Wildwood Traffic Study (00:52:46):

On a motion made by Councilmember McCarthy, seconded by Councilmember Foster, it was resolved to authorize Mayor Ford and Cory Hankins to work with the Washington County Sheriff on a traffic study of Wildwood Avenue. All in favor; motion carried.

Cory Hankins, 165 Wildwood, stated that traffic on Wildwood Avenue has been a concern for many years. She asked that the Council request that the Washington County Sheriff conduct a traffic study to determine speed and number of cars. Mayor Ford reported that they met with the Sheriff today and he had expressed interest. Ms. Hankins also identified the bus stop at Wildwood and Owl as a potentially dangerous area. Mayor Ford responded that the area can be examined when the traffic study data is received.

e. Finalize Preliminary Budget:

On a motion made by Councilmember McCarthy, seconded by Councilmember Hankins, it was resolved to increase the engineering budget by \$12,000. All in favor; motion carried.

On a motion made by Councilmember Hankins, seconded by Mayor Ford, it was resolved to approve the preliminary budget as amended. All in favor; motion carried unanimously.

Council noted that a 30% budget increase may be difficult for the public to accept. Council agreed that there is still a great deal of uncertainty on some budget items, and expressed hope that the final figures will be lower. It was also noted that several grant applications were still in process.

f. Administrator's Annual Performance Review (1:07:40): Mayor Ford noted that the administrator's performance review would be conducted in closed session, should Ms. Kellen agree. Ms. Kellen confirmed that she preferred a closed meeting.

GENERAL EXPLANATION OF OVERALL REVIEW: Overall there is a sense that she is meeting expectations, generally, but that the areas of communication and team building need improvement, which will in turn allow more effective delegation and once that piece is worked out the City will not be such a stressed and reactive posture with projects and other priorities that really rely on a cohesive and functional office team. The CC is there to support her but needs to be aware of issues as they arise to help, not when it is too late and the matter has to be addressed in "crisis mode".

8. MEETING CLOSE (1:07:55)

On a motion duly made and carried unanimously, it was agreed that there was no further business of the Council to transact in an open session; the meeting was closed to the public at 7:08 p.m.

DISCLAIMER

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

Mayor Margaret Ford

City Administrator Becky Kellen

Date

Date

To: Birchwood Mayor and City Council

From: Bryan and Karin McGinnis
194 Wildwood Avenue

Date: September 20, 2023

Subject: September 25 Special City Council Meeting On Wildwood Lift Station

We are offering the following comments and questions requesting that they be officially included in the record of the OPEN PUBLIC FORUM item of the September 25 meeting.

We were surprised to see the September 19 email announcement for the September 25 Special City Council Meeting on Wildwood Lift Station with a quite short Notice of the Meeting. With only six days notice and September 25 date not available, we will not be able to attend. A longer notice time might have allowed a change in our schedule. It's not clear if the public is invited on the "walk around" and can offer questions or comments at that time

We are disappointed that not even sketch plan drawings were offered as preliminary possibilities for locations of new lift station equipment although the Engineer's report and City notice say: "Location needs to be determined." and "potential lift station sites", respectively. And the listing of mechanical components is not helpful for anyone to determine what a new facility will look like.

Nowhere in the City's proposed resolution or in the Engineer's report did we find any reference to safety issues. We believe safety, hazards, and health should be formally addressed.

As we heard earlier, if one of the alternative plans for the new lift station is for it to occupy more of the current paved area to the "west" of the current facilities and grass area, we believe that residents on both sides of the Wildwood Park boulevard, as well as a few properties to the "west", should have been individually informed of this possibility and very specifically invited to come and give input. They could then question what would be the impact if the facility extended far enough "west" that no west-bound vehicle could make a u-turn around the end of the boulevard or turn left onto Owl Street, and vehicles going out of Owl Street could be restricted to "one-way" to the "east"? Currently residents' vehicles, delivery vans, school buses, and others use the "two-way"/u-turn options at the Owl Street corner. We are opposed to a loss of this "two-way" capability.

Trucks servicing the lift station now have a reasonable place to temporarily park when the service people are working. Parking on a narrowed Wildwood Ave would create a safety issue with reduced paved area, and parking on Owl Street would not be an option for trucks that have to be very close to the lift station itself.

The issue of noise should be included. Will a new facility be more noisy? ..or less? Does the present emergency electrical generator have to run as long as it does in the periodic tests?

We notice on the Meeting Agenda "CITY BUSINESS C. Traffic Study for Wildwood". We hope that safety is a major consideration. The impact of a new lift station should be included. In the past, speeding vehicles have ended up on the boulevard, with at least one causing damage to lift station parts. We think that there is more of a hazard since there are no longer large snow piles left in the middle of the paved street. When the emergency electrical generator unit was completed, Bryan reported on what he thought was a real danger, i.e. exposed, above ground, natural gas pipes and valves that were quite vulnerable to being hit by an errant vehicle. Only cosmetic improvements were made.

We also hope that the "Traffic Study" includes the impact of Wildwood Avenue being part of the Lake Links Trail. We believe that Wildwood Avenue is not a safe trail. We only hope that the City and residents are not held responsible if there is ever an injury or worse attributed to the Trail being "approved" by the City. We should be sure that City liability insurance would cover such a mishap. On a related note, some time ago we recommended to the City Administrator that the City should be informed whenever there is to be an organized run or bike trek through the City, and that the City, by the email system, inform residents to be alerted on the hours of the event. These precautions have not been taken. Just a couple weeks ago a run through the Village had a water-stand or other stop set up on Wildwood between East County Line and Wildwood Park. (Is this the safest place for a watering station?) We didn't drive that way, but it appeared that tables, etc were partially blocking the street.

Thanks,

Bryan and Karin McGinnis

Re: Treasurer Report

Mary Cahill <Mary.Cahill@cityofbirchwood.com>

Tue 11/7/2023 9:52 AM

To: Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>

Cc: Therese Bellinger <Therese.Bellinger@cityofbirchwood.com>

One additional item. The resident with the found dog from animal control indicated it wasn't their dog, it was a neighbors. We are attempting to find out who owns the dog to charge them.

Mary Cahill

Treasurer

City of Birchwood Village, MN

email: mary.cahill@cityofbirchwood.com

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



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From: Mary Cahill <Mary.Cahill@cityofbirchwood.com>

Sent: Tuesday, November 7, 2023 9:50 AM

To: Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>

Cc: Therese Bellinger <Therese.Bellinger@cityofbirchwood.com>

Subject: Treasurer Report

Items to note for Nov Council meeting:

1. Sewer Availability Charge (SAC) Q3 charge for sewer for 419B Wildwood was \$2,485.00
2. Boiler repair for the Hall for \$ 304.00
3. Amazon charges for new equipment for video conferencing totaled: \$3421.74. This expense will be reimbursed by the Ramsey/Washington County Cable Commission.
4. I made a few corrections to entries during the treasurer review. The correcting entries are included in your documents and the disbursements report will reflect the changes.
5. Ron Koehnle completed the Owl rail. He has submitted 100 hours to complete the rail. \$2500.00. Since payroll cannot be assigned to a fund other than the general fund, I have transferred \$2500 from the 210 Special Revenue fund to the 100 fund.

For the Period : 10/4/2023 To 11/7/2023

<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	\$693,093.73	\$22,614.45	\$37,562.18	\$678,146.00	\$2,744.24	\$17,840.26	\$693,242.02
Road and Bridge	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other Federal Programs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Comp Plan Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Tree Canopy Care	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Special Rev Projects	\$13,323.05	\$0.00	\$2,500.00	\$10,823.05	\$0.00	\$2,500.00	\$13,323.05
Spec Rev - Warm House	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
REIMBURSED CONTRACTED SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Birchwood In Re-hab Bond	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sewer Re-hab Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CAPITAL PROJECT FUNDS (401 through 499)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
General Capital Projects	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Capital Project PW	\$77,526.81	\$0.00	\$0.00	\$77,526.81	\$0.00	\$0.00	\$77,526.81
Water	\$53,372.83	\$31,996.00	\$26,373.16	\$58,995.67	\$0.00	\$25,463.76	\$84,459.43
Sewer	\$85,408.34	\$18,041.48	\$8,694.80	\$94,755.02	\$0.00	\$8,670.50	\$103,425.52
Transit System	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sewer Infrastructure	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Water Meter Upgrade Fees	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
American Rescue Act Proceeds	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Engineering Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$922,724.76	\$72,651.93	\$75,130.14	\$920,246.55	\$2,744.24	\$54,474.52	\$971,976.83

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

Fund Name: All Funds

Date Range: 10/04/2023 To 11/07/2023

<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>
10/04/2023	Payroll Period Ending 10/04/2023	32637	Payroll- Mary Cahill Treasurer	N	Clerk - Treasurer	100-41401-100-	\$ 238.89
	Total For Check	32637					\$ 238.89
10/04/2023	Payroll Period Ending 10/04/2023	32638	Payroll- Jim Rydeen, Maintenance	N	Parks	100-45207-100-	\$ 1,622.55
	Total For Check	32638					\$ 1,622.55
10/04/2023	IRS - US Treasury	EFT10042023A*	Federal Taxes - Q3 2023 -Sept Payment	N	Clerk - Treasurer	100-41401-100-	\$ 1,344.64
		EFT10042023A*				100-41401-100-	\$ 314.48
		EFT10042023A*				100-41401-100-	\$ 477.68
	Total For Check	EFT10042023A					\$ 2,136.80
10/04/2023	MN Department of Revenue	EFT10042023B*	MN State Tax eFiling - Q3 2023 Sept pymt	N	Clerk - Treasurer	100-41401-115-	\$ 507.11
	Total For Check	EFT10042023B					\$ 507.11
10/04/2023	PERA	EFT10042023C*	Retirement funds- Jim Rydeen, month of Sept	N	Parks	100-45207-121-	\$ 281.96
	Total For Check	EFT10042023C					\$ 281.96
10/10/2023	Manship Plumbing & Heating Inc	32639*	2nd 1/2 Sept Inv--Water Testing, Eng Meet, Emergency Locates, 4 Call Outs	N	Water Utility	601-43180-314-	\$ 840.00
	Total For Check	32639					\$ 840.00
10/10/2023	Press Publications	32640*	ORD 09/21---PH 2023-05-01, 02-05-02, 023-05-03, ORD 9/28---PH 2023, 2023-07-01	N	Ordinances and Proceedings	100-41130-351-	\$ 470.47
	Total For Check	32640					\$ 470.47
10/10/2023	Minutes Solutions	32642*	Minutes for Sept 12th council meeting	N	MISCELLANEOUS	100-49001-300-	\$ 305.00
	Total For Check	32642					\$ 305.00
10/12/2023	Payroll Period Ending 10/26/2023	32647	Rebecca Kellin-City Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 2,105.33
	Total For Check	32647					\$ 2,105.33

Fund Name: All Funds

Date Range: 10/04/2023 To 11/07/2023

<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>
10/13/2023	Payroll Period Ending 10/13/2023	32643	Rebecca Kellen--City Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 2,105.33
	Total For Check	32643					\$ 2,105.33
10/13/2023	Payroll Period Ending 10/13/2023	32644	Ron Koehule-Seasonal Help	N	Parks	100-45207-100-	\$ 1,495.91
	Total For Check	32644					\$ 1,495.91
10/13/2023	Payroll Period Ending 10/13/2023	32645	Therese Bellinger-Deputy Clerk	N	Clerk - Treasurer	100-41401-100-	\$ 1,207.21
	Total For Check	32645					\$ 1,207.21
10/13/2023	Payroll Period Ending 10/13/2023	32646	Jim Rydeen-Maintenance	N	Parks	100-45207-100-	\$ 361.63
	Total For Check	32646					\$ 361.63
10/17/2023	Xcel Energy	EFT 10172023 A	Electric 210 Birchwood Tower 8/20-9/19	N	Water Utility	601-43180-380-	\$ 15.90
	Total For Check	EFT 10172023 A					\$ 15.90
10/17/2023	Xcel Energy	EFT 10172023 B	Gas 200 Wildwood 8/20 - 9/19	N	Sewer Utility	605-43190-380-	\$ 12.99
	Total For Check	EFT 10172023 B					\$ 12.99
10/17/2023	Xcel Energy	EFT 10172023 C	Gas 407 Lake Lift 8/20 - 9/19	N	Sewer Utility	605-43190-380-	\$ 11.31
	Total For Check	EFT 10172023 C					\$ 11.31
10/19/2023	Amazon	EFT10192023A*	Protection plan for Video Equipment ordered	N	MISCELLANEOUS	100-49001-430-	\$ 159.99
	Total For Check	EFT10192023A					\$ 159.99
10/22/2023	A T & T Mobility	EFT 10222023*	Wireless for water tower- 10/2-11/1	N	Water Utility	601-43180-382-	\$ 53.50
	Total For Check	EFT 10222023					\$ 53.50
10/26/2023	Payroll Period Ending 10/26/2023	32649	Therese Bellinger- Deputy Clerk	N	Clerk - Treasurer	100-41401-100-	\$ 1,191.78
	Total For Check	32649					\$ 1,191.78
10/26/2023	Payroll Period Ending 10/26/2023	32650	Mary Cahill-Treasurer	N	Clerk - Treasurer	100-41401-100-	\$ 67.37
	Total For Check	32650					\$ 67.37
10/26/2023	Payroll Period Ending 10/26/2023	32651	Ron Koehnle- Parks	N	Parks	100-45207-100-	\$ 1,082.84
	Total For Check	32651					\$ 1,082.84
10/26/2023	Payroll Period Ending 10/26/2023	32652	Jim Rydeen- Parks	N	Parks	100-45207-100-	\$ 1,432.86
	Total For Check	32652					\$ 1,432.86

Fund Name: All Funds

Date Range: 10/04/2023 To 11/07/2023

<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>
10/26/2023	MN Department of Labor and Industry	EFT10262023A*	Building Permit Surcharge - Q3-2023	N	Building Inspections Administration	100-42401-437-	\$ 1,040.47
	Total For Check	EFT10262023A					\$ 1,040.47
10/28/2023	Amazon	EFT10282023A*	equipment for Video- sub snakes- will be reimbursed by the Cable Commission	N	MISCELLANEOUS	100-49001-430-	\$ 183.11
	Total For Check	EFT10282023A					\$ 183.11
10/30/2023	PERA	32679*	Retirement funds-PR 10/13--Becky, Jim, Therese	N	Clerk - Treasurer	100-41401-121-	\$ 652.62
		32679*			Parks	100-45207-121-	\$ 63.21
	Total For Check	32679					\$ 715.83
10/31/2023	Xcel Energy	EFT 10302023 A	Street Lighting 9/3 - 10/2	N	Street Lighting	100-43160-380-	\$ 1,357.68
	Total For Check	EFT 10302023 A					\$ 1,357.68
11/02/2023	LRS Portables, LLC	32658*	Portable Restrooms- Oct Billing	N	Parks	100-45207-314-	\$ 348.00
	Total For Check	32658					\$ 348.00
11/02/2023	Gopher State One Call	32659*	Email tickets- 40 Tickets In September	N	Utility Locates	605-42805-314-	\$ 54.00
	Total For Check	32659					\$ 54.00
11/02/2023	City of White Bear Lake	32660*	Quarterly Water Billing 6/20/23-9/28/23	N	Water Utility	601-43180-314-	\$ 22,273.76
	Total For Check	32660					\$ 22,273.76
11/02/2023	GovOffice	32661*	Annual Hosting Fee 2023	N	General Government Buildings and Plant	100-41940-320-	\$ 1,000.00
	Total For Check	32661					\$ 1,000.00
11/02/2023	Stoltzman, Cris	32662*	Videography - Council Mtg 10/10/23, 4.5 hrs total	N	Cable Eqpmt and Service	100-41950-314-	\$ 119.25
	Total For Check	32662					\$ 119.25
11/02/2023	Toshiba America Business Solutions	32663*	Printer Maintenance 10/9 - 11/8	N	Office Operations Supplies	100-41911-314-	\$ 10.62
	Total For Check	32663					\$ 10.62
11/02/2023	TSE, Inc. Work Account	32664*	Janitorial Services - 10/5 and 10/19	N	General Government Buildings and Plant	100-41940-314-	\$ 56.26
	Total For Check	32664					\$ 56.26

Fund Name: All Funds

Date Range: 10/04/2023 To 11/07/2023

<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>
11/02/2023	Minutes Solutions	32665*	Minutes for 9/25 council meeting	N	MISCELLANEOUS	100-49001-300-	\$ 200.00
	Total For Check	32665					\$ 200.00
11/02/2023	USS Minnesota One MT LLC	32666*	Energy Charges - September Charges	N	General Government Buildings and Plant	100-41940-380-	\$ 93.09
		32666*			Sewer Utility	605-43190-380-	\$ 248.24
		32666*				605-43190-380-	\$ 449.93
	Total For Check	32666					\$ 791.26
11/02/2023	Kodiak Power Solutions	32667*	Lake Ave Lift Station: Service	N	Sewer Utility	605-43190-314-	\$ 414.68
	Total For Check	32667					\$ 414.68
11/02/2023	H.A. Kantrud, P.A.	32668*	Attorney Services -Nov 2023	N	Legal Services	100-41601-300-	\$ 1,500.00
	Total For Check	32668					\$ 1,500.00
11/02/2023	City of White Bear Lake Fire	32669*	Fire Srvc -Nov 2023	N	Fire	100-42201-314-	\$ 3,049.17
	Total For Check	32669					\$ 3,049.17
11/02/2023	John Wikstrom	32670*	October Fees	N	Engineer Service	100-41650-300-	\$ 1,600.00
	Total For Check	32670					\$ 1,600.00
11/02/2023	Manship Plumbing & Heating Inc	32671*	locates, 469 sewer insp & install, drain parks drinking fountains	N	MISCELLANEOUS	100-49001-314-	\$ 120.00
		32671*			Water Utility	601-43180-314-	\$ 1,190.00
	Total For Check	32671					\$ 1,310.00
11/02/2023	Metro - INET	32672*	IT Charges--Oct Tech Support	N	General Government Buildings and Plant	100-41940-320-	\$ 513.00
	Total For Check	32672					\$ 513.00
11/02/2023	Rebecca Kellen	32673*	Reimburse for Treas Job Post wi Monster 10/6 & 10/16, Month of Oct	N	MISCELLANEOUS	100-49001-999-	\$ 342.33
	Total For Check	32673					\$ 342.33
11/02/2023	Press Publications	32674*	ORD 2023-07-01 10/26, 2023-09-02 10/26, Oct 26 10/12	N	Ordinances and Proceedings	100-41130-351-	\$ 80.08
		32674*				100-41130-351-	\$ 200.20
		32674*				100-41130-351-	\$ 80.08
	Total For Check	32674					\$ 360.36

Fund Name: All Funds

Date Range: 10/04/2023 To 11/07/2023

<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>
11/02/2023	Metropolitan Council - Env. Service	32675*	Wastewater Service-Oct	N	Sewer Utility	605-43190-217-	\$ 4,968.70
	Total For Check	32675					\$ 4,968.70
11/02/2023	MENARD'S - OAKDALE	32676*	Painting in City Hall, Misc lumber, Grass Seed, Tools	N	Parks	100-45207-400-	\$ 89.96
	Total For Check	32676					\$ 89.96
11/02/2023	Therese Bellinger	32677*	Office stamps and radon test	N	Office Operations Supplies	100-41911-200-	\$ 530.30
		32677*				100-41911-200-	\$ 59.95
	Total For Check	32677					\$ 590.25
11/02/2023	Therese Bellinger	32678*	TV Equip for City Hall-Funded By SCCTV	N	MISCELLANEOUS	100-49001-999-	\$ 3,261.75
	Total For Check	32678					\$ 3,261.75
11/03/2023	PERA	EFT 11032023*	Retirement funds-PR 10/26--Becky, Jim, Therese	N	Clerk - Treasurer	100-41401-121-	\$ 649.25
		EFT 11032023*			Parks	100-45207-121-	\$ 260.77
	Total For Check	EFT 11032023					\$ 910.02
11/06/2023	Metropolitan Council - Env. Service	32683	Sewer Availability Charge- 419B Wildwood Road	N	Sewer Utility	605-43190-430-	\$ 2,485.00
	Total For Check	32683					\$ 2,485.00
11/06/2023	Companion Animal Control LLC	32684*	Animal Control Services -Oct	N	Animal Control	100-41916-314-	\$ 80.00
	Total For Check	32684					\$ 80.00
11/06/2023	H2O Analytics	32685*	Annual Support feed for Hoted Software for Water meters	N	Water Utility	601-43180-314-	\$ 2,000.00
	Total For Check	32685					\$ 2,000.00
11/06/2023	Heating & Cooling Exxperts, LLC	32686*	Repair and tune boiler	N	General Government Buildings and Plant	100-41940-300-	\$ 304.00
	Total For Check	32686					\$ 304.00
11/06/2023	Tennis Sanitation, LLC	32687*	Recycling for Service Period: Sept- Oct 2023	N	Recycle	100-43300-314-	\$ 2,944.00
	Total For Check	32687					\$ 2,944.00
11/06/2023	Gopher State One Call	32688*	Email tickets- 40 Tickets In October	N	Utility Locates	605-42805-314-	\$ 49.95
	Total For Check	32688					\$ 49.95

Fund Name: All Funds

Date Range: 10/04/2023 To 11/07/2023

<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>
11/07/2023	Internal Transfer	Transfer	Internal Transfer for Ronald Koenhle payroll for Owl Path	N	Transfer To Governmental Fund	210-49360-720-	\$ 2,500.00
		Total For Check	Transfer				\$ 2,500.00
Total For Selected Checks							\$ 75,130.14

Fund Name: All Funds

Date Range: 10/04/2023 To 11/07/2023

<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>
10/07/2023	Blacktop Concepts	171735931*	BP 112 Wildwood Ave #23-0042	(10/07/2023) -	N	Building Permits	100-32211-	\$ 50.00
								\$ 50.00
10/10/2023	Ellis, Tracy	171735932*	BP 110 Birchwood Ave #23-0055	(10/10/2023) -	N	Building Permits	100-32211-	\$ 151.00
								\$ 151.00
10/11/2023	Bear Roofing and Ext	171735933*	BP 405 Birchwood #23-0043	(10/11/2023) -	N	Building Permits	100-32211-	\$ 345.75
								\$ 345.75
10/11/2023	Innovative Basement Authority	171735934*	BP 152 Wildwood Ave #23-0038	(10/11/2023) -	N	Building Permits	100-32211-	\$ 167.25
								\$ 167.25
10/11/2023	Paul Bunyan Plumbing	171735935*	BP 215 Cedar Street #23-0053	(10/11/2023) -	N	Building Permits	100-32211-	\$ 151.00
								\$ 151.00
10/12/2023	Topline Construction	171735936*	BP 5 White Pine Ln #23-0054	(10/12/2023) -	N	Building Permits	100-32211-	\$ 403.75
								\$ 403.75
10/12/2023	Topline Construction	171735937*	BP 5 White Pine Ln #23-0054	(10/12/2023) -	N	Building Permits	100-32211-	\$ 457.25
								\$ 457.25
10/12/2023	Magistad, Marcia	171735938*	BP 415 Birchwood Ave #23-0049	(10/12/2023) -	N	Building Permits	100-32211-	\$ 151.00
								\$ 151.00
10/13/2023	Heiden, David	171735939*	BP 242 Wildwood Ave #23-0031	(10/13/2023) -	N	Building Permits	100-32211-	\$ 606.63
								\$ 606.63
10/19/2023	Western Cedar-Dale Merkord	171735940*	BP 109 Wildwood Ave #2023-110	(10/19/2023) -	N	Building Permits	100-32211-	\$ 562.72
								\$ 562.72

Fund Name: All Funds

Date Range: 10/04/2023 To 11/07/2023

<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>
10/19/2023	McQuillan Home Serv	171735941*	BP 180 Cedar St #23-0018	(10/19/2023) -	N	Building Permits	100-32211-	\$ 154.35
								\$ 154.35
10/20/2023	MN Roofing	171735924*	BP 171 Wildwood #2023-108	(10/20/2023) - 1	N	Building Permits	100-32211-	\$ 822.50
								\$ 822.50
10/20/2023	Wells Fargo-Jason Gray	171735925*	BP 715 Wildwood #23-0036	(10/20/2023) - 1	N	Building Permits	100-32211-	\$ 258.75
								\$ 258.75
10/20/2023	Pineview Builders	171735927*	BP 365 Birchwood Ln #23-0051	(10/20/2023) - 1	N	Building Permits	100-32211-	\$ 258.50
								\$ 258.50
10/20/2023	WhiteBear Plumbing	171735928*	BP 214 Wildwood Ave #23-0052	(10/20/2023) - 1	N	Building Permits	100-32211-	\$ 151.00
								\$ 151.00
10/20/2023	Heisdorffer, Kevin	171735929*	BP 423 Wildwood #2023-105	(10/20/2023) - 1	N	Building Permits	100-32211-	\$ 7,635.38
								\$ 7,635.38
10/20/2023	Highview Plumbing	171735942*	BP 469 Lake Ave #23-0067	(10/20/2023) -	N	Building Permits	100-32211-	\$ 153.00
								\$ 153.00
10/23/2023	Bear Roofing & Ext	171735943*	BP 405 Birchwood Ave #23-0058	(10/23/2023) -	N	Building Permits	100-32211-	\$ 509.76
								\$ 509.76
10/23/2023	Collins Roofing and S Metal	171735944*	BP 290 Jay St #23-0059	(10/23/2023) -	N	Building Permits	100-32211-	\$ 811.25
								\$ 811.25
10/23/2023	Anderson, Karen	171735945*	BP 364 Hall Ave #23-0062	(10/23/2023) -	N	Building Permits	100-32211-	\$ 50.00
								\$ 50.00
10/23/2023	Muhm, Casey	171735946*	BP 186 Cedar St #2023-111	(10/23/2023) -	N	Building Permits	100-32211-	\$ 215.25
								\$ 215.25

Fund Name: All Funds

Date Range: 10/04/2023 To 11/07/2023

<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>	
10/30/2023	Owens Companies	171735947*	BP 367 Wildwood Ave #23-0076	(10/30/2023) -	N	Building Permits	100-32211-	\$ 151.00	
								\$ 151.00	
10/31/2023	Suburban Cable Commission	171735909*	Reimbursement for Q3 Video	(10/31/2023) - 1	N	Refund-Reimbursemnt-Dividend	100-36240-	\$ 512.00	
								\$ 512.00	
10/31/2023	Bruggeman Ext	171735923*	BP for 262 Wildwood RD #2023-47	(10/31/2023) - 1	N	Building Permits	100-32211-	\$ 746.25	
								\$ 746.25	
10/31/2023	Residents - via St Anthony Village	171735926	Utility Billing October	(10/31/2023) -	N	Water Consumption	601-37111-	\$ 23,402.52	
							Water Utility User Fee	601-37112-	\$ 7,494.40
							Water Utility User Fee	601-37112-	\$ 75.00
							Special Water Charges	601-37115-	\$ 300.37
							State Surcharge	601-37116-	\$ 520.25
							Administrative Fee Move/Out	601-37118-	\$ 100.00
							Penalties and Forfeited Discounts	601-37160-	\$ 103.46
							Sewer Consumption	605-37211-	\$ 9,512.49
							Sewer Minimum Charge	605-37212-	\$ 8,472.62
							Penalties and Forfeited Discounts	605-37260-	\$ 56.37
								\$ 50,037.48	
10/31/2023	4 M Fund	171735950	Oct interest	(10/31/2023) -	N	Interest Earning	100-36210-	\$ 4,394.87	
								\$ 4,394.87	
11/01/2023	Austad Construction	171735948*	BP 4 Oakview Ct #23-0069	(11/01/2023) -	N	Building Permits	100-32211-	\$ 244.24	
								\$ 244.24	
11/07/2023	internal funds transfer	171735949	Salary for Ron Koehnle- Owl Path	(11/07/2023) -	N	Transfers from other Funds	100-39205-	\$ 2,500.00	
								\$ 2,500.00	
Total for Selected Receipts								\$ 72,651.93	

As on 11/7/2023

Special Rev Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Dock/Lift Permit Fee	0.00	15,750.00	15,750.00
Total Acct 322	0.00	15,750.00	15,750.00
Total Revenues	0.00	15,750.00	15,750.00
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Recreation			
Miscellaneous (431 through 499)	0.00	200.00	(200.00)
Community Events	0.00	3,159.99	(3,159.99)
Total Acct 451	0.00	3,359.99	(3,359.99)
Parks			
REPAIRS AND MAINTENANCE - CONTRACTUAL (401 through 409)	0.00	2,487.65	(2,487.65)
Total Acct 452	0.00	2,487.65	(2,487.65)
Total Disbursements	0.00	5,847.64	(5,847.64)
Other Financing Uses:			
Transfer To Governmental Fund			
Interfund Transfers	0.00	2,500.00	(2,500.00)
Total Acct 493	0.00	2,500.00	(2,500.00)
Total Other Financing Uses	0.00	2,500.00	(2,500.00)
Beginning Cash Balance		3,420.69	
Total Receipts and Other Financing Sources		15,750.00	
Total Disbursements and Other Financing Uses		8,347.64	
Cash Balance as of 11/07/2023		10,823.05	

As on 11/7/2023

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)	<u>0.00</u>	<u>1,684.50</u>	<u>(1,684.50)</u>
Total Acct 416	<u>0.00</u>	<u>1,684.50</u>	<u>(1,684.50)</u>
Streets and Road Mntnc			
Contracted Services	<u>0.00</u>	<u>32,500.00</u>	<u>(32,500.00)</u>
Total Acct 431	<u>0.00</u>	<u>32,500.00</u>	<u>(32,500.00)</u>
Total Disbursements	<u>0.00</u>	<u>34,184.50</u>	<u>(34,184.50)</u>
Other Financing Uses:			
Total Other Financing Uses	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Beginning Cash Balance		111,711.31	
Total Receipts and Other Financing Sources		0.00	
Total Disbursements and Other Financing Uses		34,184.50	
Cash Balance as of 11/07/2023		77,526.81	

As on 11/7/2023

Water

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Water Consumption	0.00	86,410.55	86,410.55
Water Utility User Fee	0.00	42,437.69	42,437.69
Water Main-break Surcharge	0.00	7,415.15	7,415.15
Special Water Charges	0.00	977.45	977.45
State Surcharge	0.00	3,065.40	3,065.40
Certified Bills Collections	0.00	44.49	44.49
Administrative Fee Move/Out	0.00	478.98	478.98
Penalties and Forfeited Discounts	0.00	688.94	688.94
Total Acct 371	0.00	141,518.65	141,518.65
Total Revenues	0.00	141,518.65	141,518.65
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Financial Administration			
Contracted Services	0.00	8,556.81	(8,556.81)
Total Acct 415	0.00	8,556.81	(8,556.81)
Newsletter			
Printing and Binding (351 through 359)	0.00	734.34	(734.34)
Total Acct 419	0.00	734.34	(734.34)
Water Utility			
Repair and Maintenance Supplies (221 through 229)	0.00	247.19	(247.19)
Contracted Services	0.00	80,765.61	(80,765.61)
Utility Services (381 through 389)	0.00	2,618.39	(2,618.39)
Utility Services: Water	0.00	535.00	(535.00)
Fees	0.00	2,537.00	(2,537.00)
Wtr/Swr Emergency			
PROFESSIONAL SERVICES (301 through 319)	0.00	1,406.64	(1,406.64)
Contracted Services	0.00	36,595.28	(36,595.28)
REPAIRS AND MAINTENANCE - CONTRACTUAL (401 through 409)	0.00	83.79	(83.79)
Total Acct 431	0.00	124,788.90	(124,788.90)
Total Disbursements	0.00	134,080.05	(134,080.05)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		51,557.07	
Total Receipts and Other Financing Sources		141,518.65	
Total Disbursements and Other Financing Uses		134,080.05	
Cash Balance as of 11/07/2023		58,995.67	

As on 11/7/2023

Sewer

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Sewer Consumption	0.00	57,762.42	57,762.42
Sewer Minimum Charge	0.00	49,527.17	49,527.17
Sewer Only	0.00	29.07	29.07
Penalties and Forfeited Discounts	0.00	437.88	437.88
Total Acct 372	0.00	107,756.54	107,756.54
Total Revenues	0.00	107,756.54	107,756.54
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Postage/Postal Permits			
Refunds and Reimbursements	0.00	896.25	(896.25)
Total Acct 414	0.00	896.25	(896.25)
Engineer Service			
PROFESSIONAL SERVICES (301 through 319)	0.00	37,820.00	(37,820.00)
Total Acct 416	0.00	37,820.00	(37,820.00)
Utility Locates			
Contracted Services	0.00	318.65	(318.65)
Total Acct 428	0.00	318.65	(318.65)
Sewer Utility			
Sewer - Wastewater Charge	0.00	49,687.00	(49,687.00)
Contracted Services	0.00	6,738.99	(6,738.99)
Utility Services (381 through 389)	0.00	10,108.84	(10,108.84)
Miscellaneous (431 through 499)	0.00	2,485.00	(2,485.00)
Total Acct 431	0.00	69,019.83	(69,019.83)
Total Disbursements	0.00	108,054.73	(108,054.73)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		95,053.21	
Total Receipts and Other Financing Sources		107,756.54	
Total Disbursements and Other Financing Uses		108,054.73	
Cash Balance as of 11/07/2023		94,755.02	

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

4M

Transaction	Trade Date	Settle Date	Description	Redemption	Purchase	Share Price	Shares this Transaction
2183489	10/31/2023	11/01/2023	US Bank Checks Paid Redemption	(\$1,082.84)	\$0.00	\$1.000	(1,082.840)
2183490	11/01/2023	11/01/2023	US Bank Deposit Package Purchase	\$0.00	\$1,258.25	\$1.000	1,258.250
2183491	11/01/2023	11/01/2023	US Bank Deposit Package Purchase	\$0.00	\$3,121.09	\$1.000	3,121.090
2183849	11/01/2023	11/01/2023	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$264.24	\$1.000	264.240
				(\$1,082.84)	\$4,643.58		3,560.740

Beginning Balance: \$911,432.42 | Ending Balance: \$914,993.16

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

4M

Trade Date	Description	Amount
10/31/2023	Checking Inflow	\$3,296.50
11/01/2023	Checking Inflow	\$264.24



City of Birchwood Village

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

Monthly Activity Summary

10/1/2023 - 10/31/2023

Class	Account	Beginning Balance	Contributions	Interest	Checks Paid	Other Withdrawals	Month End Balance
4M	35389 - 101 General Fund	\$893,443.01	\$61,639.06	\$4,135.04	(\$39,672.92)	(\$8,111.77)	\$911,432.42
4MP	35389 - 101 General Fund	\$56,988.08	\$0.00	\$259.83	\$0.00	\$0.00	\$57,247.91
LTD	35389 - 101 General Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$950,431.09	\$61,639.06	\$4,394.87	(\$39,672.92)	(\$8,111.77)	\$968,680.33

City of Birchwood Village

Check # : EFT08302023A*
 Date: 08/30/23
 Pay to the Order of : Xcel Energy
 Description : Street Lighting, 07/3-08/02
 Notes : EFT08302023A

Fund	Account	Object Code	Program Code	Amount
100:General Fund	43160:Street Lighting	380:Utility Services (381 through 389)		\$1,353.28
Total Amount				\$1,353.28

Authorized By: _____

City of Birchwood Village

Check # : EFT 10022023*
 Date: 10/02/23
 Pay to the Order of : Xcel Energy
 Description : Street Lighting 8/3-9/2
 Notes : EFT 10022023

Fund	Account	Object Code	Program Code	Amount
100:General Fund	43160:Street Lighting	380:Utility Services (381 through 389)		\$1,357.02
Total Amount				\$1,357.02

Authorized By: _____

City of Birchwood Village

Check # : EFT 10302023 A*
 Date: 10/31/23
 Pay to the Order of : Xcel Energy
 Description : Street Lighting 9/3 - 10/2
 Notes : EFT 10302023 A

Fund	Account	Object Code	Program Code	Amount
100:General Fund	43160:Street Lighting	380:Utility Services (381 through 389)		\$1,357.68
Total Amount				\$1,357.68

Authorized By: _____

City of Birchwood Village

Check #: 32679*
 Date: 10/30/23
 Pay to the Order of: PERA
 Description: Retirement funds-PR 10/13--Becky, Jim, Therese

Notes: EFT 10302023 Retirement funds-PR 10/13--Becky, Jim, Therese

Fund	Account	Object Code	Program Code	Amount
100:General Fund	41401:Clerk - Treasurer	121:Employer Contributions for Retirement: PERA Contributions		\$652.62
100:General Fund	45207:Parks	121:Employer Contributions for Retirement: PERA Contributions		\$63.21
Total Amount				\$715.83

Authorized By: _____

City of Birchwood Village

Check # : EFT04052023C*
 Date: 04/05/23
 Pay to the Order of : PERA
 Description : Retirement funds- Jim Rydeen, Maintenance
 Notes : EFT pymt

Fund	Account	Object Code	Program Code	Amount
100:General Fund	45207:Parks	121:Employer Contributions for Retirement: PERA Contributions		\$103.88
Total Amount				\$103.88

Authorized By: _____

City of Birchwood Village

Check # : EFT10042023C*
 Date: 10/04/23
 Pay to the Order of : PERA
 Description : Retirement funds- Jim Rydeen, month of Sept
 Notes : EFT10042023C

Fund	Account	Object Code	Program Code	Amount
100:General Fund	45207:Parks	121:Employer Contributions for Retirement: PERA Contributions		\$281.96
Total Amount				\$281.96

Authorized By: _____

City of Birchwood Village

Check # : 32671*
 Date: 11/02/23
 Pay to the Order of : Manship Plumbing & Heating Inc
 Description : locates, 469 sewer insp & install, drain parks drinking fountains
 Notes : Note: 469 Wildwood exp \$120 billed as part of BP

Fund	Account	Object Code	Program Code	Amount
601:Water	43180:Water Utility	314:Contracted Services		\$1,190.00
100:General Fund	49001:MISCELLANEOUS	314:Contracted Services		\$120.00
Total Amount				\$1,310.00

Authorized By: _____

Date Range : 11/2/2023 To 11/2/2023

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
11/02/2023	LRS Portables, LLC	Portable Restrooms- Oct Billing	6677*	\$348.00	100-45207-314-	Parks	\$348.00
11/02/2023	Gopher State One Call	Email tickets- 40 Tickets In September	6678*	\$54.00	605-42805-314-	Utility Locates	\$54.00
11/02/2023	City of White Bear Lake	Quarterly Water Billing 6/20/23-9/28/23	6679*	\$22,273.76	601-43180-314-	Water Utility	\$22,273.76
11/02/2023	GovOffice	Annual Hosting Fee 2023	6680*	\$1,000.00	100-41940-320-	General Government Buildings and Plant	\$1,000.00
11/02/2023	Stoltzman, Cris	Videography - Council Mtg 10/10/23, 4.5 hrs total	6681*	\$119.25	100-41950-314-	Cable Eqpm and Service	\$119.25
11/02/2023	Toshiba America Business Solutions	Printer Maintenance 10/9 - 11/8	6682*	\$10.62	100-41911-314-	Office Operations Supplies	\$10.62
11/02/2023	TSE, Inc. Work Account	Janitorial Services - 10/5 and 10/19	6683*	\$56.26	100-41940-314-	General Government Buildings and Plant	\$56.26
11/02/2023	Minutes Solutions	Minutes for 9/25 council meeting	6684*	\$200.00	100-49001-300-	MISCELLANEOUS	\$200.00
11/02/2023	USS Minnesota One MT LLC	Energy Charges - September Charges	6685*	\$791.26	605-43190-380- 100-41940-380- 605-43190-380-	Sewer Utility General Government Buildings and Plant Sewer Utility	\$449.93 \$93.09 \$248.24
11/02/2023	Kodiak Power Solutions	Lake Ave Lift Station: Service	6686*	\$414.68			

Date Range : 11/2/2023 To 11/2/2023

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
					605-43190-314-	Sewer Utility	\$414.68
11/02/2023	H.A. Kantrud, P.A.	Attorney Services -Nov 2023	6687*	\$1,500.00			
					100-41601-300-	Legal Services	\$1,500.00
11/02/2023	City of White Bear Lake Fire	Fire Srvc -Nov 2023	6688*	\$3,049.17			
					100-42201-314-	Fire	\$3,049.17
11/02/2023	John Wikstrom	October Fees	6689*	\$1,600.00			
					100-41650-300-	Engineer Service	\$1,600.00
11/02/2023	Manship Plumbing & Heating Inc	Sewer/Water-461 Lake, Lift Station locate, 469 sewer insp & install, drain parks drinking	6690*	\$1,310.00			
					601-43180-314-	Water Utility	\$1,310.00
11/02/2023	Metro - INET	IT Charges--Oct Tech Support	6691*	\$513.00			
					100-41940-320-	General Government Buildings and Plant	\$513.00
11/02/2023	Rebecca Kellen	Reimburse for Treas Job Post wi Monster 10/6 & 10/16, Month of Oct	6692*	\$342.33			
					100-49001-999-	MISCELLANEOUS	\$342.33
11/02/2023	Press Publications	ORD 2023-07-01 10/26, 2023-09-02 10/26, Oct 26 10/12	6693*	\$360.36			
					100-41130-351-	Ordinances and Proceedings	\$80.08
					100-41130-351-	Ordinances and Proceedings	\$200.20
					100-41130-351-	Ordinances and Proceedings	\$80.08
11/02/2023	Metropolitan Council - Env. Service	Wastewater Service-Oct	6694*	\$4,968.70			
					605-43190-217-	Sewer Utility	\$4,968.70
11/02/2023	MENARD'S - OAKDALE	Painting in City Hall, Misc lumber, Grass Seed, Tools	6695*	\$89.96			

Date Range : 11/2/2023 To 11/2/2023

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
					100-45207-400-	Parks	\$89.96
11/02/2023	Therese Bellinger	Office stamps and radon test	6696*	\$590.25			
					100-41911-200-	Office Operations Supplies	\$530.30
					100-41911-200-	Office Operations Supplies	\$59.95
11/02/2023	Therese Bellinger	TV Equip for City Hall-Funded By SCCTV	6697*	\$3,261.75			
					100-49001-999-	MISCELLANEOUS	\$3,261.75
Total For Selected Claims				\$42,853.35			\$42,853.35

Justin R. McCarthy

City Council/Town Board

Date

Katherine A Weier

City Council/Town Board

Date

Margaret Arola Ford

City Council/Town Board, Mayor

Date

Robert Mark Foster

City Council/Town Board

Date

Ryan Q Hankins

City Council/Town Board

Date

Date Range : 10/6/2023 To 11/6/2023

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
11/06/2023	Metropolitan Council - Env. Service	Sewer Availability Charge- 419B Wildwood Road	6710	\$2,485.00	605-43190-430-	Sewer Utility	\$2,485.00
11/06/2023	Companion Animal Control LLC	Animal Control Services -Oct	6711*	\$80.00	100-41916-314-	Animal Control	\$80.00
11/06/2023	H2O Analytics	Annual Support feed for Hoted Software for Water meters	6712*	\$2,000.00	601-43180-314-	Water Utility	\$2,000.00
11/06/2023	Heating & Cooling Exxperts, LLC	Repair and tune boiler	6713*	\$304.00	100-41940-300-	General Government Buildings and Plant	\$304.00
11/06/2023	Tennis Sanitation, LLC	Recycling for Service Period: Sept- Oct 2023	6714*	\$2,944.00	100-43300-314-	Recycle	\$2,944.00
11/06/2023	Gopher State One Call	Email tickets- 40 Tickets In October	6715*	\$49.95	605-42805-314-	Utility Locates	\$49.95
Total For Selected Claims				\$7,862.95			\$7,862.95

Date Range : 10/6/2023 To 11/6/2023

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

Date Range : 10/1/2023 To 11/6/2023

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
10/03/2023	Amazon	Dog waste bags	6707*	\$137.97	100-45207-400-	Parks	\$137.97
10/19/2023	Amazon	Protection plan for Video Equipment ordered	6708*	\$159.99	100-49001-430-	MISCELLANEOUS	\$159.99
10/28/2023	Amazon	equipment for Video-sub snakes- will be reimbursed by the Cable Commission	6709*	\$183.11	100-49001-430-	MISCELLANEOUS	\$183.11
Total For Selected Claims				\$481.07			\$481.07

Justin R. McCarthy

City Council/Town Board

Date

Katherine A Weier

City Council/Town Board

Date

Margaret Arola Ford

City Council/Town Board, Mayor

Date

Robert Mark Foster

City Council/Town Board

Date

Ryan Q Hankins

City Council/Town Board

Date

Date Range : 10/4/2023 To 10/4/2023

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
10/04/2023	IRS - US Treasury	Federal Taxes - Q3 2023 -Sept Payment	6671*	\$2,136.80			
					100-41401-100-	Clerk - Treasurer	\$1,344.64
					100-41401-100-	Clerk - Treasurer	\$314.48
					100-41401-100-	Clerk - Treasurer	\$477.68
10/04/2023	MN Department of Revenue	MN State Tax eFiling - Q3 2023 Sept pymt	6672*	\$507.11			
					100-41401-115-	Clerk - Treasurer	\$507.11
10/04/2023	PERA	Retirement funds- Jim Rydeen, month of Sept	6673*	\$281.96			
					100-41401-121-	Clerk - Treasurer	\$281.96
Total For Selected Claims				\$2,925.87			\$2,925.87

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

Date Range : 10/26/2023 To 10/26/2023

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
10/26/2023	MN Department of Labor and Industry	Building Permit Surcharge - Q3- 2023	6706*	\$1,040.47	100-42401-437-	Building Inspections Administration	\$1,040.47
Total For Selected Claims				\$1,040.47			\$1,040.47

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

Date Range : 10/1/2023 To 11/2/2023

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
10/22/2023	A T & T Mobility	Wireless for water tower- 10/2-11/1	6699*	\$53.50	601-43180-382-	Water Utility	\$53.50
10/02/2023	Xcel Energy	Electricity for 180 Birchwood Ave 8/3-9/2	6700*	\$1,357.02	601-43180-380-	Water Utility	\$1,357.02
10/30/2023	Xcel Energy	Electric 180 Birchwood Ave 9/3 - 10/2	6701*	\$1,357.68	601-43180-380-	Water Utility	\$1,357.68
10/17/2023	Xcel Energy	Electric 210 Birchwood Tower 8/20-9/19	6702*	\$15.90	601-43180-380-	Water Utility	\$15.90
10/17/2023	Xcel Energy	Gas 200 Wildwood 8/20 - 9/19	6703*	\$12.99	605-43190-380-	Sewer Utility	\$12.99
10/17/2023	Xcel Energy	Gas 407 Lake Lift 8/20 - 9/19	6704*	\$11.31	605-43190-380-	Sewer Utility	\$11.31
Total For Selected Claims				\$2,808.40			\$2,808.40

Date Range : 10/1/2023 To 11/2/2023

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

Date Range : 11/3/2023 To 11/3/2023

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
11/03/2023	PERA	Retirement funds-PR 10/26--Becky, Jim, Therese	6705*	\$910.02			
					100-41401-121-	Clerk - Treasurer	\$910.02
Total For Selected Claims				\$910.02			\$910.02

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

Date Range : 11/7/2023 To 11/7/2023

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
11/07/2023	Internal Transfer	Internal Transfer for Ronald Koenhle payroll for Owl Path	6716	\$2,500.00			
					210-49360-720-	Transfer To Governmental Fund	\$2,500.00
Total For Selected Claims				\$2,500.00			\$2,500.00

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

City of Birchwood Village
Bank Reconciliation

US Bank
General Fund #1-801-2001-5920
10/31/2023

Genl Fund 4M #35172-101

4M balance	General Fund	\$968,680.33
Outstanding Checks	Outstanding Checks	<u>(348.20)</u>
	Deposit on bank not on 4/M	1,258.25 ok Nov
	Deposit on bank not on 4/M	3,121.09 ok Nov
	Deposit on bank not on 4/M	
	General Fund Checks clrd not on 4M	(\$1,082.84) ok Nov
Bank Open Items		
CTAS Open Items		
	Total	\$971,628.63
	Balance Per Cash Control Statement	<u>\$971,628.63</u>

DIFFERENCE \$0.00

CTAS Claim

Claim Number : 6698*

Claim Date : 10/30/2023

To : PERA, Claimant
60 Empire Drive
Ste 200
St Paul, MN 55103

Note : EFT 10302023 Retirement funds-PR 10/13--Becky, Jim, Therese

For :
100-41401-121 Clerk - Treasurer - Employer Contributions for
Retirement: PERA Contributions

\$715.83

Total \$715.83

Declaration

I declare under penalties of law that this account, claim or demand is just and correct and that no part of it has been paid

-
Date

-
Signature of Claimant

Paid by Order - Check Number -----

Filled in my office this ----- day of -----, -----

Clerk

RESOLUTION 2023-44

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

A RESOLUTION APPROVING SUMMARY PUBLICATION OF ORDINANCE NO. 2023-06-01: AN ORDINANCE AMENDING ORDINANCES NO. 301 TITLED “ZONING CODE: GENERAL PROVISIONS,” NO. 302 TITLED “ZONING CODE: REQUIREMENTS AND PERFORMANCE STANDARDS,” AND NO. 306 TITLED “ZONING CODE: CONDITIONAL USE PERMITS

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

WHEREAS, the City has adopted Ordinance No. 2023-06-01, which amends the language of City Code Section 301, 302, and 306; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Birchwood Village, Minnesota, as follows:

1. Because the terms of Ordinance 2023-06-01 are lengthy, the City may publish the attached summary of the Ordinance as allowed by statute, and need not publish the entire ordinance. The attached summary clearly informs the public of the intent and effect of the Ordinance. Summary publication has been approved by at least a 4/5 vote of the City Council.
2. The effective date of the Ordinance amendments shall be upon their publication by summary as required by law.

Resolution duly seconded and passed this _____ day of _____, 2023.

Margaret Ford, Mayor

Attest:

Rebecca Kellen, City Administrator-Clerk



**2024 SCHEDULE OF
REGULAR CITY COUNCIL
MEETINGS**

(Start time 6:45 p.m. at City Hall)

- January 9
- February 13
- March 12
- April 9
- May 14
- June 11
- July 9
- August 6
- September 10
- October 8
- November 12
- December 10

City Staff Office Hours
Tuesdays and Thursdays
 10:30 am – 1:30 pm
 Or By Appointment
 Phone: 651-426-3403

**2024 SCHEDULE OF OFFICIAL
CITY HOLIDAYS**

- New Year's Day** – Mon, Jan 1, 2024
- MLK Jr. Day** – Mon, Jan 15
- Presidents Day** – Mon, Feb 19
- Memorial Day** – Mon, May 27
- Juneteenth** – Wed, June 19
- Independence Day** – Thurs, July 4
- Labor Day** – Mon, Sep 2
- Veterans Day** – Mon, Nov 11
- Thanksgiving** – Thu-Fri, Nov 28-29
- Christmas Day** – Wed, Dec 25

**COMMITTEE/COMMISSION
MEETING SCHEDULE:**

Planning Commission meets the 4th Thursday of every month.

All other committees meet as needed, with notice.

ACTION NEEDED to maintain FEMA grant eligibility

Allison Strohl <Allison.Strohl@co.washington.mn.us>

Fri 10/27/2023 10:45 AM

 2 attachments (65 KB)

City Resolution template.DOC; Township Resolution template.doc;

The 2023 Washington County All Hazard Mitigation Plan has been reviewed and approved by the State and FEMA! Thank you to all that participated in this process and provided feedback on the plan.

The final task is collecting adoption resolutions from each City and Township (templates attached). Please add this to your next City Council or Town Board meeting agenda. After the resolution is signed, **please send me a copy** via email or mail. All resolutions will be sent to the State and FEMA, as required. For awareness purposes, the Washington County Commissioners adopted the All-Hazard Mitigation Plan and signed the resolution on Tuesday, October 24th.

The 2018 Washington County Hazard Mitigation Plan expires on Nov 22nd. Please submit your resolutions before this date to maintain eligibility to apply for and/or receive FEMA grant funding.

Please reach out with any questions and have a great weekend!

Allison

Allison Strohl
Washington County Sheriff's Office
Emergency Management Senior Planner
Allison.Strohl@co.washington.mn.us
(651) 430-7636

RESOLUTION OF THE CITY OF BIRCHWOOD VILLAGE

ADOPTION OF THE
WASHINGTON COUNTY ALL-HAZARD MITIGATION PLAN

WHEREAS, the City of Birchwood Village has participated in the hazard mitigation planning process as established under the Disaster Mitigation Act of 2000, and

WHEREAS, the Act establishes a framework for the development of a multi-jurisdictional County Hazard Mitigation Plan; and

WHEREAS, the Act as part of the planning process requires public involvement and local coordination among neighboring local units of government and businesses; and

WHEREAS, the Washington County Plan includes a risk assessment including past hazards, hazards that threaten the County, an estimate of structures at risk, a general description of land uses and development trends; and

WHEREAS, the Washington County Plan includes a mitigation strategy including goals and objectives and an action plan identifying specific mitigation projects and costs; and

WHEREAS, the Washington County Plan includes a maintenance or implementation process including plan updates, integration of the plan into other planning documents and how Washington County will maintain public participation and coordination; and

WHEREAS, the Plan has been shared with the Minnesota Division of Homeland Security and Emergency Management and the Federal Emergency Management Agency for review and comment; and

WHEREAS, the Washington County All-Hazard Mitigation Plan will make the county and participating jurisdictions eligible to receive FEMA hazard mitigation assistance grants; and

WHEREAS, this is a multi-jurisdictional Plan and cities that participated in the planning process may choose to also adopt the County Plan.

NOW THEREFORE BE IT RESOLVED that the City of Birchwood Village supports the hazard mitigation planning effort and wishes to adopt the Washington County All-Hazard Mitigation Plan.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 14th day of November, 2023.

Margaret Ford, Mayor

Attest:

Rebecca Kellen, City Administrator

To: Council
From: Kathy Weier
RE: Deer Hunt –

Council,

The City Council has a contract with the Metro Bow Hunters Resource Base (MBHRB) to reduce an overabundance of Whitetail Deer causing destruction of ornamental plants, trees and property. It was requested that a group of volunteers be employed to gain signatures and materials necessary for the hunt to move forward to reduce administrative strain.

Due to a rain out on the first two days of the hunt (October 12-13) The Metro Bow Hunters (MBHRB) has requested an additional two days to have the hunt continue. See below added date in bold.

The dates of the hunt will be:

October 12-13

October 29-30

November 20-21

November 28-29

December 6-7

RESOLUTION NO. 2023-45
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
RESOLUTION SUSPENDING CITY ORDINANCE SECTION 609.020 FOR SPECIAL
BOW HUNT

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

WHEREAS, the City of Birchwood Village currently has a contract with Metro Bow Hunters Resource Base (MBHRB) to cull the deer herd within the City of Birchwood Village on an annual basis that runs through 2025, and

WHEREAS, the deer herd in Birchwood Village is estimated to be three (3) times the recommended size by Minnesota Department of Natural Resources (DNR) for the City, and

WHEREAS, the City Ordinance Section 609.020 prohibits hunting within the City by any means.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Birchwood Village as follows:

1. Section 609.020 of the Birchwood Village City Code be suspended for the duration for the 2023 special archery deer hunt as authorized by the City Council for bow hunters from MBHRB authorized by the City.
2. Hunting to be confined to designated hunt zone only.

Vote in Favor:

Vote Against:

I certify that the City of Birchwood Village adopted the above Resolution

on this ____ day of November, 2023.

ATTEST:

Mayor

City Administrator

RESOLUTION NO. 2023-46
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA

A Resolution Authorizing the Additional Dates of the 2023 Deer Hunt Pursuant to the Contract with the Metro Bowhunters Resource Base.

WHEREAS, the City of Birchwood Village has a contract with Metro Bow Hunters Resource Base (MBHRB) for the orderly removal of nuisance-deer from the City, and

WHEREAS, the City has authorized the continuing nature of the activity with annual declarations following assurances by contractor, and

WHEREAS, contractor has provided their annual certificate of insurance pursuant to the contract requirements and has proposed an additional two dates to replace two days that were cancelled due to rain which were approved on resolution 2023-40 authorizing four two-day hunt periods:
November 28 - 29

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Birchwood Village hereby authorizes the following:

1. Pursuant to the certain Contract with Metro Bowhunters Resource Base, the City accepts and ratifies the additional two-day time for execution of said Contract:

November 28-29

Adopted by the City Council of the City of Birchwood Village, Minnesota this 14th day of November, 2023.

The Honorable Margaret Ford, Mayor

ATTEST:

Rebecca Kellen, City Administrator

**REVISED Scope of Services
2021 - 2025 Deer Management Program**

Dated: November 14, 2023

Metro Bowhunters Resource Base (MBRB) is to provide hunt management services as delineated below or as would be necessary to help the City achieve its goal of a reduction in deer population while recognizing the need to maintain a high degree of professionalism and sensitivity to public concerns associated with deer hunting.

MBRB Activities: _____

- Provide a group of MBRB qualified archers
- Provide certificate of liability insurance with the City named as an “additional insured” covering a period from October 1, 2023 through December 31, 2023, renewed annually
- Assist City staff at Hunt Orientation Check-in and Meeting on date to be determined.
- Conduct deer hunting on the following (tentative) dates in calendar year 2023: October 12 -13, October 29-30, November 20-21, November 28-29, and December 6 - 7. New dates for each calendar year between years 2022 – 2025 will be decided and mutually agreed upon by both parties by July 31st of each calendar year.
- Gather hunt data from each participant each day consisting of the number of deer taken by sex and location and the number of unrecovered deer.
- Provide City a verbal report on hunt progress and issues as needed no later than 24 hours following the conclusion of each hunt period to City Administrator, Rebecca Kellen at 651-426-3403.
- Administer hunt in accordance with hunt rules and other procedures necessary for a safe and orderly hunt.
- Assist in tracking and recovery of deer that are reported hit by archers.
- Remove all entrails.
- Provide liaison with the City and the Washington County Sheriff’s Department so that there is one point of contact for all hunting activities.
- Report rule infractions and other pertinent incidents (such as unauthorized hunt area visitors) to City and Washington County Sheriff’s Department.
- Comply with the Hunt Rules as attached to this document.
- Send final summary report of hunt data to City staff by December 31 of the calendar year in which the hunts take place.

EXHIBIT B

**2023 BIRCHWOOD VILLAGE SPECIAL ARCHERY DEER HUNT
RULES**

- 1) Deer hunt locations are limited to the areas as identified. Hours are limited to between ½ hour before dawn and ½ hour after dusk.
- 2) Hunts are conducted using sharpshooter status MBRB archers and are held during the following dates in calendar year 2023: October 12 -13, October 29- 30, November 20-21, November 28-29 and December 6 - 7. Tree stands can be erected one day preceding the hunt.
- 3) All hunters are selected through the Metro Bowhunters Resource Base (MBRB).
- 4) Hunters must follow all Minnesota DNR laws and all MBRB special rules.

- 5) All hunt periods are for all deer except fawns. Fawns **may not** be taken.
- 6) Hunters must carry a hunt authorization letter from the City at all times during hunt.
- 7) Hunt areas are not closed to the public during the hunt. All incidents of trespass on private property should be reported to the MBRB hunt coordinator who will contact the Washington County Sheriff.
- 8) All archers must hunt from elevated stands. Only TMA approved stands/ steps are acceptable. Use of any homemade stands/steps is prohibited for safety reasons.
- 9) Hunters must have a flashlight and a warning whistle within easy reach during entry, egress, and while on stand. A cell phone is also recommended.
- 10) A five-point fall restraint harness is required to be used by hunters at all times while on stand.
- 11) Only buckthorn can be cut for shooting lanes.
- 12) Stands can only be up during the designated hunt periods and must be removed from the area at the completion of each hunt by one (1) hour after legal shooting time on the final evenings of each hunt period.
- 13) Archers are to obey hunt boundaries shown on the map.
- 14) Archers must park in designated areas only.
- 15) Cars must have a City supplied parking permit properly displayed.
- 16) Only deer may be taken during special hunts (fawns **may not** be taken).
- 17) All entrails must be removed.
- 18) Hunters must log in and out of the hunt areas each time they leave. The MBRB Hunt Coordinator will provide a log in sheet at an appropriate location.
- 19) Archers cannot track deer outside of hunt boundaries. Hunters must contact the MBRB hunt coordinator if deer retrieval is required outside of hunt boundaries.
- 20) The maximum amount of deer that may be taken during the 2023 hunt season is **THIRTY (30)**.

RESOLUTION 2023-47

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

**A RESOLUTION APPROVING THE PROCESS OF COLLECTION OF ENGINEERING
EXPENSES INCURRED BY THE CITY PURSUANT TO RESIDENTIAL PERMIT
APPLICATIONS.**

WHEREAS, residents apply for all manner of permits for which the City incurs engineering fees as part of the approval process AND,

WHEREAS, while it is the intent of the City to absorb the costs of engineer-review into its application fee, large or complex projects may and have resulted in fees that are not readily-absorbed by the permit fee, AND,

WHEREAS, the City has a policy that residents are responsible for the actual costs of any professional fees incurred as part of their permit-approval process, AND,

WHEREAS, the City may and has denied Permits or approved them but the resident then decides not to move forward with the approved work but professional fees for services remain outstanding and uncollected, AND,

WHEREAS, the City needs to have a policy in-place to help resolve these outstanding fees for services.

NOW, THEREFORE, BE IT RESOLVED, it is the policy of the City that all City-incurred fees that are part of any permitting process be paid by the applicant for said permit prior to its issuance AND,

BE IT FURTHER RESOLVED that when a resident has any past-due permitting expenses incurred by the City, the resident may not apply for a new permit until prior permitting expenses are cleared, AND,

BE IT FURTHER RESOLVED that the City shall include an additional one-page disclaimer that is included on permits and posted with our fee schedule noting that if additional City-incurred expenses are realized after a permit is issued, the resident will be responsible to pay in full those charges as if they had been incurred as part of the permitting process and that the failure to address said expenses will result in a revocation of any permit based on those expenses.

This designation is effective until subsequently rescinded by the Birchwood Village City Council.

I certify that the City of Birchwood Village adopted the above Resolution on this 14th day of November, 2023.

Margaret Ford, Mayor

Attest:


Rebecca Kellen
City Administrator-Clerk

Parks stuff

Justin McCarthy <justin.mccarthy@cityofbirchwood.com>

Fri 10/13/2023 12:24 PM

To:Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>;Alan Kantrud <hakantrud@protonmail.com>

 1 attachments (27 KB)

607 For alan.docx;

Becky, Alan,

As discussed the version in the packet for the second reading did not appear to be correct. See attached for the version showing all changes. Those that are highlighted are those that were changed at the first reading. Those that are shown in redline but not highlighted are the changes from the second reading.

We also need an ordinance then to Repeal sections 617.220, 617.225, 617.230, 617.235, 617.255, and 617.260 because these provisions are included in the new chapter 607 and change the title of Chapter 617 from Public Lake Tracts to Birchwood Dock Associations.

Thanks

Justin

Sent from Mail for Windows

ORDINANCE 2023-09-01

607. BIRCHWOOD PARK SYSTEM

607.100. **PURPOSE.** This Code has been enacted to govern the conduct of members of the public during their use and enjoyment of the City Park System so as to further the safety, health, enjoyment and welfare of all persons in the use thereof.

607.120. **DEFINITIONS.**

A. City Park System. The City Park System includes the following:

- (1) Four dedicated municipal parks known as Tighe-Schmitz Park, Bloomquist Field, Wildwood Avenue Boulevard, and Polly’s Park.

- (2) Six public lake tracts owned by the City known as Curt Feistner Memorial Preserve, Ash Beach, Birch Beach, Elm Beach, Dellwood Beach, and Kay Beach.

- (3) Undeveloped areas known as Out Lot A Lakewood Rearrangement and Hall’s Marsh.

- (4) Birchwood City Hall.

- (5) Existing trails known as the Ash and Grotto Street walkways.

- (6) Unimproved street rights-of-way known as Birch, Ash, Grotto, and Highwood rights-of-way.

B. Law Enforcement Officer. A Law Enforcement Officer is any person duly deputized or commissioned by the Board of Washington County Commissioners, the State of Minnesota, the White Bear Lake Conservation District, or the City for the purpose of enforcing the laws, codes, ordinances, and regulations of their respective jurisdictions.

607.200. **USE OF CITY PARK SYSTEM.** Any person utilizing any part of the City Park System shall comply with all the restrictions and limitations specified in chapter 607 or other provisions of the City Code regulating the use of the City Park System.

607.201 **HOURS AND ACCESS.**

A. Hours. No person shall remain, stop, use or be present within the confines of any part of the City Park System between the hours of 9:30 P.M. and 6:00 A.M. other than on a Public Lake Tract for the purpose of obtaining access to a boat **with a valid boat slip permit** on a city-licensed dock. Exceptions may be made at the discretion of the City Council in the case of emergency or for other reasons the Council may determine necessary or desirable.

B. Access. Any part of the City Park System may be declared closed to the public by the City Council at any time or for any interval of time, either temporarily or at regular and stated intervals, either entirely or for certain uses. as the Council shall find necessary.

~~C.~~ Any Law Enforcement Officer and any so person authorized by the City Council may remove any person from any city park or open space who is violating any provision of this Code.

607.202. MOTOR VEHICLES PROHIBITED.

A. Motor Vehicle. A motor vehicle is any car, truck, motorcycle, motorbike, tractor, golf cart, All Terrain Vehicle (ATV) or snowmobile. An electric bicycle is not a motor vehicle under this chapter.

B. Prohibition. No person shall park, drive or operate a motor vehicle within any part of the City Park System except upon roadways, parking areas, or other areas designated for such use, unless a Park Use Permit or Limited License is issued pursuant to part 500 of this chapter to allow such use.

C. Abandoned. The owner of any motor vehicle illegally parked, disabled or abandoned in any part of the City Park System shall be subject to the provisions of City Code chapters 613 (Unclaimed and Abandoned Property) and 614 (Abandoned and Junked Motor Vehicles).

607.203. CAMPING. No person shall establish or maintain any camp or other temporary lodging or sleeping place anywhere in the City Park System.

607.204. PROTECTION OF PROPERTY AND RESOURCES.

A. No person shall tamper with, injure, deface, destroy, disturb, damage or remove any part of building, structure, sign, light pole, drinking fountain, hydrant, table, grill, equipment, statue or other property found in the City Park System.

B. No person shall deface, disturb or remove in any manner any soil, artifact, fossil, rock or other mineral resource in any part of the City Park System..

C. No person shall excavate any ditch, trench, tunnel, or hole in any part of the City Park System.

607.205. PRESERVATION OF VEGETATION.

A. No person shall injure, cut, destroy, mutilate, uproot, disturb, or remove any flower, tree, shrub, or any plant whether wild or cultivated, or any part thereof in the City Park System.

B. No person shall plant or cause to be planted in the City Park System any wild, cultivated or exotic tree, shrub, or plant except in specifically designated areas with the written permission of the City Council.

C. No person shall fell any tree; pick any flowers, trample any flowers, tree seedlings, flower beds, or new turf seedlings in the City Park System.

D. No person shall hitch any animal or fasten, anchor or otherwise attach any wire, rope, cable, signs, posters, or other articles to any tree, shrub or plant in the City Park System.

E. No person shall make any unauthorized use of any part of the City Park System that is detrimental to the turf and soil conditions.

F. No person shall remove any device, apparatus or material installed for the protection, support, or preservation of any tree, shrub or plant in the City Park System.

607.206 **MOLESTING WILDLIFE.** No person shall rob, disturb, or molest the nest, eggs, or young of any birds, or other animals within the confines of the City Park System.

607.207. **FIRES.**

A. No person shall start or maintain a fire in any part of the City Park System except small recreational fires in fireplaces, fire rings, and grills provided for that purpose.

B. Any person who starts or maintains a fire in an authorized area of the City Park System shall exercise continuous supervision from the time the fire is kindled until it is extinguished. No person shall start or maintain a fire that may cause damage or constitute a threat to site vegetation and resources, or cause discomfort to other users of the area.

C. The City Council may prohibit fires for limited periods at any location for any purpose when it is necessary for the continued protection of the City Park System.

607.208 **WASTE AND LITTER.**

A. No person shall throw, cast, drop, pour, spill or discharge or permit to escape in or upon any part of the City Park System or into Public Waters any substance, matter or thing whether solid, liquid, or gas, which shall result in the pollution of said waters, interfere with the conservation management of the water resource, or endanger the health of the public.

B. No person shall deposit, scatter, drop or abandon in any part of the City Park System, any paper, bottles, cans, sewage, cigarette butts, waste, trash, or other debris except in receptacles provided by the City for such purpose. No person shall deposit in any receptacle provided by the City any accumulation of waste or trash generated outside the boundaries of the site.

C. No person shall drop, throw or otherwise leave unattended in any part of the City Park System any lighted matches, burning cigars, cigarettes, tobacco, paper or other combustible material.

607.209 **DISTURBING THE PEACE.**

A. No person or group of persons shall disturb the peace and good order in any part of the City Park System by either work or act.

B. No person or group of persons shall use threatening, abusive, insulting, obscene or indecent language or commit, perform or engage in any lewd, lascivious, obscene or indecent act in any part of the City Park System.

C. No person or group of persons shall engage in fighting, quarreling, wrangling, riotous clamor, or tumult in any part of the City Park System.

D. No person or group of persons shall disturb, harass or interfere with any user or the user's property in any part of the City Park System.

E. No person shall solicit or ask anyone to commit, perform or engage in any lewd, lascivious, obscene or indecent act or behavior in any part of the City Park System.

607.210 **AUDIO DEVICES.** No person shall operate or play any musical instrument, radio, television, record or tape player, loudspeaker, public address system or sound amplifying equipment of any kind in any part of the City Park System in such a manner that the sound emanating therefrom is audible beyond the immediate vicinity of the set or instrument, and subsequently interferes with the use of the area by other users or disturbs the residents of the adjacent property.

607.211. **LOITERING.** No person shall lurk or loiter in or around any toilet or other structure in any part of the City Park System except to use such facility for the purpose for which it is intended.

607.212. **ALCOHOLIC AND INTOXICATING BEVERAGES AND CONTROLLED SUBSTANCES.** No person shall transport, possess, offer for sale, consume or be under the influence of any beer, wine, liquor, other alcoholic or intoxicating beverage in any part of the City Park System except with the approval of the City Council.

607.213 **UNLAWFUL SALES.** No person shall sell, offer for sale, hawk, peddle or lease any object, merchandise or service or carry on any manner of business, or commercial enterprise in any part of the City Park System except those concessions authorized by the City Council.

607.214 **LOST AND FOUND ARTICLES.** Lost or mislaid articles or money or personal property which are found in any part of the City Park System shall be delivered or turned over to the City Administrator. If the lawful owner of any article or money

deposited with the City does not claim the same within a period of sixty (60) days, it shall be returned to the finder upon request of the finder.

607.215. POSTED REGULATIONS, DIRECTION SIGNS AND GRAPHICS. No person shall disregard or fail to comply with any posted regulations, directional signs and graphics, barriers or other control devices located within any part of the City Park System.

607.216. DOGS.

A. No person shall allow a dog to be unrestrained in any part of the City Park System. Dogs in any part of the City Park System must be on a leash and under control of the person handling the animal.

B. Any person handling a dog on a leash in any part of the City Park System must clean up all pet waste immediately and properly dispose of the waste in an appropriate container.

C. Dogs are not permitted on any part of Kay Beach. No person shall bring or allow a dog on Kay Beach.

607.217. STRUCTURES PROHIBITED No person may place or construct any structure on any part of the City Park System. No person shall place any object upon any part of the City Park System that obstructs access by another to the area or facility.

607.300. ICE SKATING AREAS.

A. No person shall ice skate on city skating rinks in any part of the City Park System between the hours of 9:30 P.M. and 6:00 A.M. or any time during flooding of the ice.

607.400. PUBLIC LAKE TRACTS. In addition to all other restrictions and requirements that apply to the City Park System, the following provisions apply to all the Public Lake Tracts.

A. Definitions. The following definitions apply to section 607.400.

(1). Public Lake Tracts. There are six public lake tracts owned by the City, known as Curt Feistner Memorial Preserve, Ash Beach, Birch Beach, Elm Beach, Dellwood Beach, and Kay Beach.

(2). Small Craft. Small craft shall include canoes, kayaks, paddle boards, and other small non-motorized watercraft.

(3). Boating Season. Boating season is defined in section 617.113.

B. Public Property. All Public Lake Tracts are public property and are open to general recreation.

C. Swimming. Swimming is permitted at all Public Lake Tracts. All swimmers swim at their own risk. Children under the age of ten must be accompanied by a parent or guardian or other person with supervision over the child when swimming at any Public Lake Tract.

E. Small Craft Storage. No person shall store a small craft on any Public Lake Tract except in compliance with the following requirements.

(1). A permit is obtained from the City.

(2). Only Birchwood residents or owners of property in Birchwood may apply for a permit to store small craft on racks located at a Public Lake Tract. The cost for each permit is set forth in the City Fee Schedule. When purchasing a permit, the small craft owner must show proof of residency. The City Administer is authorized to issue or deny a permit request for storage of a small craft at one of the Public Lake Tracts. A sticker accompanying the permit must be placed on each small craft registered with the City.

(3). Residents may not rent their small craft storage spot to non-residents.

(4). Small craft may be stored on a Public Lake Tract only during the Boating Season and the owner shall remove such during the non-boating season. Owners of small craft must not leave any chains or locks on the racks at the end of each Boating Season. As a matter of courtesy, families who own more than one small craft are encouraged to place both on the same rack.

(5). The owner of a small craft on a Public Lake Tract that does not have valid permit attached will be charged an additional fee as set forth in the City Fee Schedule. The City reserves the right to remove the small craft and charge the owner a removal cost as set forth in the City Fee Schedule. The City shall give such notice of its intent as may be required by law before assessing additional fees or removing the small craft.

(6) The owner of a small craft may be assessed for each day any small craft is not removed from the Public Lake Tract by the end of the Boating Season.

F. No Use as Boat Launch. No person shall launch or land any trailered watercraft on or from any shoreline of a Public Lake Tract.

G. No Private Docks. No person shall install a private dock on any Public Lake Tract. A Dock Association may obtain a permit to install a dock on a Public Lake Tract pursuant to the requirements of chapter 617.

H. Parking Prohibited. No person shall park or cause to be parked any house, hauling or boat trailer upon any Public Lake Tract, unless authorized by the City Council.

I. 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, lifts, docks or other equipment for any period of time unless such storage has been authorized by the City Council.

607.401. KAY BEACH. In addition to all other restrictions and requirements established for Public Lake Tracts, the following provisions also apply to Kay Beach.

A. No person shall fish from the shore or from the dock or while in the water at Kay Beach.

B. No motorized boats are permitted inside the buoyed area or where swimmers are swimming nearer the shore.

C. Pursuant to section 607.217.C, dogs are not permitted on Kay Beach at any time.

607.500. PARK USE PERMIT. The City Council may issue a Park Use Permit to any person seeking authorization for the exclusive use of all or portions of any part of the City Park System, or to gain access to their property from any part of the City Park System in a manner that would otherwise violate any provision of this code, or to engage in other conduct in the City Park System that is otherwise prohibited,.

607.510. PERMIT APPLICATION. Any person seeking a Park Use Permit shall submit an application to the City with the following information:

A. The name of the applicant seeking the permit.

B. The nature and scope of the project or use.

C. Why access to the public property is requested.

D. What type and size of equipment or machinery, if any, will be used on or across the public property.

E. Is there potential for damage to the public property.

F. How will the damage be minimized.

G. The dates and times that the public property will be used and restored.

H. The names of all persons who will use the permit.

I. Financial security, if applicable, in the amount determined in Section 607.522.

J. Permit Fee. The applicant shall include with the application any fee set from time to time by the City Council for a permit and posted in its fee Schedule.

607.520. FINANCIAL SECURITY.

A. The City may require an applicant to provide financial security if there is potential for damage to the public property.

B. Such financial security shall be based on the reasonable estimate of any possible damage

C. The financial security may include insurance, bond, escrow account, or cash and can be used by the City to pay for any damage remaining after the permit expires.

D. The City shall release the financial security minus any restoration costs incurred by the City within 30 days of the permit expiration.

E. If there is no opportunity for damage to the public property, no financial security shall be required.

607.530. PERMIT CONDITIONS.

A. Any Park Use Permit issued by the City shall describe the following:

- (1) the nature and scope of the project;
- (2) the public property for which access is granted;
- (3) the type of equipment or machinery allowed;
- (4) the potential damage possible and the actions required to minimize such damage;
- (5) the amount of financial security required;
- (6) the date(s) and times for which the access is granted;
- (7) the deadline for any damage restoration; and
- (8) any other reasonable and necessary conditions required to ensure that public property is protected.

B. The City may provide the license holder with an access key during the period of the permit. The permittee shall return the key within three days of the permit expiration.

607.540. PERMIT DECISION. The City shall make a final decision on a Park Use Permit within sixty days of receipt of a complete application, unless the City lawfully

extends the period . The City shall issue a permit if the City determines that the use or conduct is appropriate and can be implemented without causing disruption to use by the general public or damage to the City Park System. The City may impose reasonable conditions in any permit that is issued.

607.550 **PERMIT REVOCATION.** The City may revoke a Park Use Permit at any time if the City determines that any conditions of the permit might be or were violated.

607.600 **LAW ENFORCEMENT AND REGULATIONS.**

A. No person shall willfully resist, refuse or fail to comply with any order, direction or request lawfully given by any law enforcement officer or City employee acting under the authority of the City Council in accordance with this Code.

B. No person shall interfere with, or in any manner hinder any law enforcement officer or City employee during the performance of assigned duties; nor any employee of a contractor or the City engaged in construction repairing or caring for any part of the City Park System, or while in the discharge of duties conferred by this Code.

C Any person violating any of the provisions of this Code may be expelled, at the discretion of a law enforcement officer, from any part of the City Park System where the unlawful conduct has occurred.

RESOLUTION 2023-42

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

**A RESOLUTION APPROVING SUMMARY PUBLICATION OF
ORDINANCE NO. 2023-09-01: AN ORDINANCE AMENDING ORDINANCE NO. 607
PARKS**

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

WHEREAS, the City has adopted Ordinance No. 2023-09-01, which amends the language of City Code Section 607; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Birchwood Village, Minnesota, as follows:

1. Because the terms of Ordinance 2023-09-01 are lengthy, the City may publish the attached summary of the Ordinance as allowed by statute, and need not publish the entire ordinance. The attached summary clearly informs the public of the intent and effect of the Ordinance. Summary publication has been approved by at least a 4/5 vote of the City Council.
2. The effective date of the Ordinance amendments shall be upon their publication by summary as required by law.

Resolution duly seconded and passed this _____ day of _____, 2023.

Margaret Ford, Mayor

Attest:

Rebecca Kellen, City Administrator-Clerk

ORDINANCE NO. 2023-11-01

**CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
AN ORDINANCE REPEALING SECTIONS OF CHAPTER 617
OF THE BIRCHWOOD CITY CODE**

617. BIRCHWOOD PUBLIC LAKE TRACTS

PURPOSE. The Code Sections below are being repealed as they have been rendered redundant with the passage of the new Chapter 607 regarding the City Park System.

Sections 617.220, 617.225, 617.230, 617.235, 617.255, and 617.260 of Chapter 617 of the Birchwood City Code are hereby repealed.

Passed by the City Council of The City of Birchwood Village this 14th day of November, 2023.

Margaret Ford, Mayor

Attested:

Rebecca Kellen
City Clerk-Administrator

City of Birchwood Village Revenue and Expenditure Trends

Source: 2022 budget and actuals, 2023 known expenditures

		2021	2022	2023	2024					
RECEIPTS										
General Property Taxes (levy)		\$512,000.00	\$512,000.00	\$493,841.00	\$656,808.59					
DISBURSEMENTS										
		2021	2022	2023	2024	Comments	2022 Actual	YTD 2023	Notes from 8/8/23 CC Mtg	Notes from 9/12/23 CC Mtg
GENERAL GOVERNMENT										
Publishing										
Printing and Binding	100-41130-350	\$500.00	\$500.00	\$500.00	\$500.00	\$500 for job posting, posting was logged to Misc versus printing- keep				
Legal Notice Publication (WBP)	100-41130-351	\$2,000.00	\$2,000.00	\$2,000.00	\$2,500.00	inc based on 2023 YTD	\$1,330.00	\$1,752.00	Changed from 3K to 2500.	
Subtotal Publication		\$2,500.00	\$2,500.00	\$2,500.00	\$3,000.00					
City Council										
Wages and Salaries	100-41310-100	\$8,500.00	\$8,500.00	\$8,500.00	\$4,500.00	2 council members have declined their 2024 salary. 3 have declined their 2023 salary. Keeping budget as is for future years	\$8,500.00	NA	Changed from 8500 to 1200 due to 3 councilmembers declining salaries	Changed from 1200 to 4500.
Employer Cont.-Retirement	100-41310-121	\$200.00	\$200.00	\$200.00	\$0.00	Pera does not apply	\$200.00			
Medicare - Employer	100-41401-100	\$130.00	\$130.00	\$130.00	\$67.50		\$127.50			
Social Security Employer	100-41401-100	\$530.00	\$530.00	\$530.00	\$292.50		\$552.50			
City Council Subtotal		\$9,360.00	\$9,360.00	\$9,360.00	\$4,860.00					
Clerk										
Wages and Salaries	100-41401-100	\$55,000.00	\$43,000.00	\$70,380.00	\$73,195.00	assume 6% inc eff 5/1, Becky started end of April 2022, pro-rated				
Employer Cont.-Retirement	100-41401-121	\$4,200.00	\$3,250.00	\$9,853.20	\$10,247.30					
Medicare - Employer	100-41401-100	\$850.00	\$650.00	\$1,055.70	\$1,097.93					
Social Security Employer	100-41401-100	\$3,500.00	\$2,700.00	\$4,574.70	\$4,757.68					
Other Pay (insurance stipend)	100-41401-100	\$0.00	\$0.00	\$0.00	\$0.00					
Accounting (Assistant Treasurer, & Deputy Clerk)										
Wages and Salaries	100-41401-100	\$29,815.00	\$18,000.00	\$37,990.00	\$61,306.00	Deputy Clerk and Treasurer, assume 6 % inc, Therese started in April 2023 @ \$30 hourly. Assume 30 hrs per week Deputy Clerk, 20 hours per month Treasurer @ \$10 hourly.	\$46,800.00	\$2,400.00		Changed from 51306 to 61306
Employer Cont.-Retirement	100-41401-121	\$2,640.00	\$0.00	\$5,318.60	\$336.00					
Medicare - Employer	100-41401-100	\$515.00	\$300.00	\$569.85	\$919.59					
Social Security Employer	100-41401-100	\$2,200.00	\$1,500.00	\$2,469.35	\$3,984.89					

	100-41501-314					St. Anthony does not complete bank reconciliation, remove, add \$10,000 for audit			Changed from 10K to 8K per the 8/8/23 Mtg.
Contracted Services (SAV bank rec.)		\$2,400.00	\$2,400.00	\$2,400.00	\$8,000.00				
Office Support									
	100-41401-100	\$1,000.00	\$1,000.00	\$1,000.00	\$0.00	Has not worked since 2020, too difficult to keep current			
Wages and Salaries									
Medicare - Employer	100-41401-100	\$15.00	\$15.00	\$15.00	\$0.00				
Social Security Employer	100-41401-100	\$62.00	\$62.00	\$62.00	\$0.00				
Admin. Staff Subtotal		\$102,197.00	\$72,877.00	\$135,688.40	\$163,844.38				
Elections									
Wages and Salaries	100-41410-100	\$0.00	\$0.00	\$0.00	\$0.00				
Operating Supplies	100-41410-210	\$0.00	\$0.00	\$0.00	\$0.00				
Contracted Services (Wash. Cty. JPA)	100-41410-314	\$4,750.00	\$5,510.00	\$5,510.00	\$9,137.00	Confirmed actuals for 2024			
Repair & Maint. Supplies	100-41410-220	\$1,140.00	\$1,140.00	\$1,140.00	\$1,332.00	Confirmed actuals for 2024			
Elections Subtotal		\$6,090.00	\$6,850.00	\$6,850.00	\$10,469.00	Confirmed actuals for 2024			
Office Supplies									
	100-41911-200	\$2,000.00	\$2,100.00	\$2,100.00	\$1,900.00	Donated supplies keeping supply cost down, suggest decreasing by \$200	\$960.00	\$827.00	
Office Supplies									
	100-41911-230	\$0.00	\$0.00	\$0.00	\$0.00	2023 purchased web-cam for planning commission			
Office Equipment									
	100-41911-314	\$625.00	\$625.00	\$250.00	\$200.00	printer maintenance fee, currently \$11 month plus any high usage fee			
Contracted Services (Toshiba)									
Postage/Postal Permits									
	100-41430-200					added postage costs since mailings are related to a variety of services. Utility mailings, permits, variances, and other notifications			Goes to 0 per the 8/8/23 mtg. •Eliminate postage fees related to utility billing, as the funds can be recouped through utility fees.
Office Supplies		Non Levy	Non Levy	Non Levy	\$0.00				
Office Operations Subtotal		\$2,625.00	\$2,725.00	\$2,350.00	\$2,100.00				
Financial Administration									
	100-41501-437	\$400.00	\$400.00	\$0.00	\$0.00	we haven't incurred fees for services			
Fees (banking)									
Subtotal		\$400.00	\$400.00	\$0.00	\$0.00				
Insurance - City									
Insurance									
Packaged Liability (incl. gen. liab.)	100-41945-361	\$6,200.00	\$6,500.00	\$8,500.00	\$ 11,781.00	Confirmed for 2024	\$8,385.00	\$10,933.00	
Property Insurance	100-41945-362						\$277.00		
	100-41945-150	\$2,663.00	\$3,100.00	\$3,100.00	\$ 2,768.00	unknown until we have the audit. Leaving the same as 2022.	\$2,768.00	\$1,902.00	
Worker's Comp (for employees & contractors per audit)									
Excess Liability	100-41945-369	\$855.00	\$855.00	\$855.00	\$855.00		\$855.00	\$1,200.00	
Insurance Subtotal		\$9,718.00	\$10,455.00	\$12,455.00	\$15,404.00				

Assessing													
Contracted Services	100-41550-314	\$5,550.00	\$5,550.00	\$6,000.00	\$6,500.00	Per new fee schedule from contractor							
Legal Services													
Professional Services	100-41601-300	\$18,000.00	\$18,000.00	\$18,000.00	\$18,000.00	assume same rate							
Engineer Service													
Professional Services	100-41650-300	\$7,000.00	\$10,000.00	\$12,000.00	\$30,000.00	based on actuals for services that are for city only, does not include lift station-part of sewer utility billing?						Went from 25350 to 18K per 8/8/23 mtg.	
Planner Service													
Professional Services	100-41650-300		\$2,000.00	\$1,000.00	\$5,000.00	planner is paid \$1600 a month, need to determine how to allocate expense. Contract began in mid April	0					Updated to 2K per the 8/8/23 meeting	Changed from 2K to 5K.
Planning & Zoning	100-41910-314												
Services Subtotal		\$30,550.00	\$35,550.00	\$37,000.00	\$59,500.00								
City Training & Development													
Training (Admin & Council)	100-41914-310	\$3,000.00	\$3,000.00	\$2,000.00	\$2,000.00	Kathy Weier and Becky training for 2023, keep for future needs, 2022 Foster and Kellen	\$579.00	\$1,462.00					
Travel & Subsistence (Admin trainings)	100-41914-334												
Dues & Subscriptions (LMC memberships, etc.)	100-41914-433	\$1,040.00	\$1,105.00	\$1,137.00	\$1,237.00	assume \$100 inc in 2023	\$1,137.00						
Grants - Counseling Center (NYFS)	100-41905-438	\$2,000.00	\$1,805.00	\$1,805.00	\$1,805.00	assume inc based on prior yr	\$1,805.00	\$1,958.00				Went from 2K to \$1805 as per the 8/8/23 meeting	
T & D Subtotal		\$6,040.00	\$5,910.00	\$4,942.00	\$5,042.00								
City Hall-Gov't Buildings													
Repair, Operating & Maint. Supplies	100-41940-220	\$765.00	\$810.00	\$810.00	\$2,500.00	many supplies for 2023 have been donated, 2022 included \$1700 for door, 2023 included checks (\$362) plan on window upgrade of \$2000	\$2,022.00	\$782.00					
Professional Services	100-41940-300												
Contracted Services (janitorial)	100-41940-314	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	TSE \$660, add \$340 for other		\$330.00					
Utility Services	100-41940-380	\$3,500.00	\$3,500.00	\$3,500.00	\$5,000.00	Includes utility services for gas, lighting, solar, plus boiler repair, increase based on 2022 actuals	\$5,057.00	\$2,409.00					
Buildings & Structures	100-41940-520												

I.T./Internet/Telephone (Metro-INET & GovOffice)	100-41940-320	\$9,100.00	\$5,250.00	\$5,250.00	\$ 9,351.00	\$513 monthly for Metro- INET, add \$1200 for additional PC support in 2024, hosting fee Gov Office \$600	\$6,744.00	\$3,611.00	Gov office was bought out by Catalis which is now costing \$1995.yr for 2024 (or \$1000)
Contracted I.T. Software (Microsoft & iDrive & permitting technology)	100-41940-320		\$900.00	\$900.00	\$ 3,100.00	Added the permitting	\$813.00		
Gov't Bldgs Subtotal		\$14,365.00	\$10,560.00	\$11,460.00	\$20,951.00				
Cable Eqpmt and Service									
Contracted Services (videographer)	100-41950-314				\$1,500.00	Cable commission has been reimbursing due to grant. Need to see if continues for 2024. Longer meetings.	\$1,722.75	\$787.50	
Communication (Minutes Solutions and zoom)	100-41950-320			\$3,000.00	\$4,180.00	cancelled zoom. Longer meetings, resulting in increased costs, YTD is 6 mo		\$2,090.00	
Communication Subtotal		\$0.00	\$0.00	\$3,000.00	\$5,680.00				
TOTAL Gen Government		\$183,845.00	\$157,187.00	\$225,605.00	\$290,850.38				
PUBLIC SAFETY									
Police									
Contracted Services	100-42101-314	\$63,500.00	\$64,805.00	\$72,500.00	\$91,869.66	Washington County proposes to add one additional person to the force. Note: we should get a grant of \$30 K to help pay for enforcement of police, fire, etc, note: 2022 included \$866.47 for additional patrol	\$65,688.87	6 mo = \$36,216.53	
Fire									
Contracted Services	100-42201-314	\$29,545.00	\$32,845.00	\$36,590.00	\$0.00	new contract amount	\$32,845.00		Went from 37809 to 0 due to grant in that exact amount
Building Inspection (non levy)									
Contracted Services	100-42401-314	Non Levy	Non Levy	Non Levy	Non Levy	paid Inspector \$50,709 for 2022. Non-Levy due to admin salary, permit cost and software			
Fees (variance, cond.use permits)	100-42401-437	Non Levy	Non Levy	Non Levy	Non Levy				
Other Protection									
Contracted Services (Code Red)	100-42801-314	\$100.00	\$100.00	\$100.00	\$70.00	lowered due to actual cost	\$68.00	\$68.00	

Animal Control	100-41916-314					\$80 monthly plus any animal reporting, if resident animal bill resident, if undetermined city pays	\$1,000.00	\$1,000.00	\$1,000.00	\$1,200.00	\$1,557.40	\$703.00		
PUBLIC SAFETY TOTAL							\$94,145.00	\$98,750.00	\$110,190.00	\$93,139.66				
PUBLIC WORKS														
Highways, Streets & Roadways														
Repair & Maint. Supplies	100-43101-220													
Contracted Services (Pot Holes)	100-43101-314					NOTE: \$33,787 was taken from capital projects fund for 2022, and \$ 32,500 for 2023, additional repair for \$8K expected. Expenses include mill and overlay- part of capital expense below	\$6,000.00	\$10,000.00	\$14,000.00	\$100,000.00	\$43,965.00	\$42,500.00	went from 20,500 to 30K per 8/8/23 meeting	Changed from 30K to 100K.
Street Sweeping	100-43103-314					paid for fall/spring, did not occur in 2022	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	0	\$3,500.00		
Street Maintenance Subtotal							\$10,000.00	\$14,000.00	\$18,000.00	\$104,000.00				
Street Lights														
Utility Services	100-43160-380					2023 YTD is for 7 months, keep same as budget	\$15,000.00	\$15,000.00	\$16,800.00	\$ 16,800.00	\$17,368.00	\$9,680.00		
Drainage - Structure Care														
Contracted Services (sewer cleanout - Schifsky's)	100-43150-314					not recorded as occurred. Should keep service?	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00				
Fees (mpca)	100-43150-437					not recorded	\$400.00	\$400.00	\$400.00	\$400.00				
Subtotal							\$2,400.00	\$2,400.00	\$2,400.00	\$2,400.00				
Ice and Snow Removal														
Operating Supplies (salt, sand)	100-43125-210					NOTE: 2023 season was unusual snow fall, plus gas increases. Billing is difficult to determine supplies versus just services. 2022 actuals were significantly less, however both years were over budget.	\$5,000.00	\$5,000.00	\$7,500.00	\$20,000.00	\$12,971.00	\$44,868.00		
Contracted Services (Birch)	100-43125-314						\$17,000.00	\$17,000.00	\$20,000.00	\$20,000.00	\$16,941.00	\$31,302.00		
Snow & Ice Subtotal							\$22,000.00	\$22,000.00	\$27,500.00	\$40,000.00				
Water Utility														
Refunds & Reimbursements	100-43180-810	Non Levy	Non Levy	Non Levy	Non Levy									
Sewer Utility														
Refunds & Reimbursements	100-43190-810	Non Levy	Non Levy	Non Levy	Non Levy									
TOTAL - Public Works							\$49,400.00	\$53,400.00	\$64,700.00	\$163,200.00				
CULTURE & RECREATION														
Recreation														
Dues & Subscriptions (WBLCD)	100-45101-433	Non Levy	Non Levy	Non Levy	Non Levy									

	210-45101-440					Music in the park costs \$3000 annually, plus \$200 contribution to WBL for fireworks. Costs are offset by Dock Assoc fees				
Community Events (Volunteer, Music in the Park, an firew		Non Levy	Non Levy	Non Levy	Non Levy					
TOTAL Recreation		\$0.00	\$0.00	\$0.00	\$0.00					
Parks										
Wages and Salaries	100-45207-100	\$21,500.00	\$21,500.00	\$22,800.00	\$24,170.00	through June. Assume 6% inc as summer/fall hours increase	\$15,051.00	\$12,006.09		
Employer Cont.-Retirement	100-45207-121	\$850.00	\$850.00	\$3,192.00	\$3,383.80					
Medicare - Employer	100-41401-100	\$450.00	\$450.00	\$342.00	\$362.55					
Social Security - Employer	100-41401-100	\$1,780.00	\$1,780.00	\$1,596.00	\$1,691.90					
Operating Supplies	100-45207-210									
Repair & Maint. Supply/Contractual	100-45207-400	\$2,000.00	\$2,100.00	\$2,100.00	\$1,000.00	2022 included wood chipper, not used in 2023	\$1,624.00	\$571.00		
Contracted Services (porta potty)	100-45207-314	\$2,500.00	\$2,500.00	\$2,500.00	\$2,930.00	price increase \$185.50 monthly budgeted - excel	\$2,242.50	\$974.60		
Utility Services	100-45207-380	\$800.00	\$800.00	\$800.00	\$685.00	emergency	\$270.00	\$399.72		
Fees	100-45207-530				\$0.00					
Projects										
Parks GF Subtotal		\$29,880.00	\$29,980.00	\$35,382.00	\$36,398.55					
TOTAL Parks & Recreation		\$29,880.00	\$29,980.00	\$35,382.00	\$36,398.55					
SANITATION										
Tree Care - Inspection & Removal										
Contracted Services (tree inspector)	100-43104-314	\$1,300.00	\$1,300.00	\$1,300.00	\$5,000.00	need to hire new contractor	\$1,300.00			
Tree Removal										
Operating Supplies	100-43135-210									
Contracted Services	100-43135-314	\$5,000.00	\$5,000.00	\$5,000.00	\$15,000.00	Cost went up substantially due to easements and parks that had Emerald Ash trees removed.	\$500.00	\$22,500.00	Changed from 20K to 15K per the 8/8/23 mtg	
Sanitation - Recycling										
Contracted Services (Tennis Sanitation)	100-43300-314	\$14,500.00	\$14,500.00	\$17,664.00	\$17,480.00	YTD is for 8 months	\$16,192.00	\$11,592.00		
Lawn Care/Maintenance										
Contracted Services	100-45208-100	\$0.00	\$0.00	\$0.00	\$0.00					
TOTAL - Sanitation		\$20,800.00	\$20,800.00	\$23,964.00	\$37,480.00					
CONSERVATION - NATURAL RESOURCE										
Fees, Dues & Subscriptions (WBLCD)	100-46101-437	\$2,000.00	\$2,000.00	\$2,000.00	\$740.00	actual based on info f	\$1,791.00	\$1,100.00		
TOTAL - Conservation		\$2,000.00	\$2,000.00	\$2,000.00	\$740.00					
UNALLOCATED EXPENDITURES										
Miscellaneous	100-49201-430	\$1,930.00	\$2,000.00	\$2,000.00	\$ 2,000.00	catch all, note 2022 Zoom and PC's were logged				
Transfer to Capital Projects Fund	100-49360-722	\$30,000.00	\$30,000.00	\$30,000.00	\$ 30,000.00	road repair				
Sewer L/S 1 Project	100-49365-530	\$100,000.00	\$100,000.00	\$0.00	\$ -	assume bond or utility billing to cover sewer lift project?				
Village Hall Restoration	100-41940-220		\$17,883.00	\$0.00	\$ 3,000.00	New window for 2024				
Transfer to Water Fund					\$ -					
TOTAL - Other Unallocated		\$131,930.00	\$149,883.00	\$32,000.00	\$35,000.00					

TOTAL OPERATING EXPENDITURES (DISBURSEMENTS)		\$512,000.00	\$512,000.00	\$493,841.00	\$656,808.59					
		<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2023</u>					
	Levy	\$ 512,000	\$ 512,000	\$ 493,841	\$ 656,809					
	Proposed \$\$ Change	\$ 23,500	\$ 23,500	-\$18,159.00	\$162,967.59					
	Proposed % Change	4.81%	4.81%	-3.55%	33.00%					

To: Birchwood City Council
From: Ryan Hankins
Re: November 2023 Wildwood Lift Station Status update

The soil boring work for the Wildwood lift station was completed on October 27, by Haugo Geotechnical, the cheapest bid from Haugo Geotechnical, Braun and AET. The geotechnical report and billing to the city are pending. Environmental Engineer Seth Peterson has been working on the design to get it far enough along to submit the work plan to the EPA to get started with their review. The work plan should be submitted to the EPA in November 2023.

October Updates:

The next steps are soil borings from Braun and plan completion by Bolton and Menck.

Bolton and Menck Environmental Engineer Seth Peterson met at the lift station with Birchwood Water Superintendent John Manship and Birchwood City Engineer Marcus Johnson on Friday, September 29 to take pictures and discuss technical preferences. The following is a rough timeline; a more detailed plan will follow during the plan completion phase.

No action is required of the council right now; this is just an update.

Project Status Line Items

Soil Borings: Waiting for a status update from Braun.

Bolton and Menck plan completion: Will start on plan completion within the next two weeks.

EPA Review: After plan completion and soil borings, will take between 3 weeks and 2 months.

Advertising for bids: After EPA review, month-long process.

Lead times for lift station components: Approximately 4 months after EPA review

Construction: 3-4 weeks duration in Summer, 2024.

City of Birchwood State Bonding Appropriation

Clapp, Nicole <Nicole.Clapp@metc.state.mn.us>

Wed 11/1/2023 3:34 PM

To: Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>

Rebecca & Margaret,

The City of Mahtomedi has closed out their grant and there is the full \$70,000 remaining available for a grant to Birchwood Village. Let me know if you'd like to connect on the required documentation or any process questions. Otherwise I will await the list of documentation referenced below.

Thanks,

Nicole Clapp

Pronouns: she/her/hers

Acting Grants Manager

CD/MTS Finance and Administration

P. 651-602-1723 |

From: Clapp, Nicole

Sent: Thursday, June 8, 2023 3:56 PM

To: rebeca.kellen@cityofbirchwood.com

Subject: City of Birchwood State Bonding Appropriation

Rebecca,

The city of Birchwood was the recipient of a State Bonding pass through grant that will be administered by the Metropolitan Council. [Chapter 72 - MN Laws](#)

“Up to \$70,000 of the amount remaining after substantial completion of the project described in paragraph (c) is for a grant to the city of Birchwood Village to predesign, design, construct, furnish, and equip a Lake Links Trail segment extending through the city of Birchwood Village and connecting to Lake Links Trail segments in adjacent communities to complete a loop around White Bear Lake.”

In order to move ahead with executing a grant agreement the city of Birchwood will be required to provide some documentation for Minnesota Management and Budget to approve the project to move forward. The following will be required:

- Completed Source and Use of Funds form (included here for reference)
- City Council Resolution showing approval of the project
- Excerpt from the City's CIP showing the project in the budget
- Recorded Declaration (this is not needed right away but is required before the first reimbursement can be paid)
- Project Completion Schedule

Attached is an email sent by MMB, which incorrectly identifies your Council contact for this grant, please reach out to me if you have questions or want to discuss the details of the process.

Thanks,



Nicole Clapp

Pronouns: she/her/hers

Acting Grants Manager | CD/MTS Finance and Administration
Metropolitan Council

390 North Robert Street, St. Paul, MN 55101

P. 651-602-1723 |

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To: Birchwood City Council
From: Ryan Hankins
Re: Fee Schedule updates

I reduced the city planner fees to 75% of the base permit fee based on feedback and removed the reductions in plumbing fees. I also placed the planner fees with the permit fees. Staff should add the permit fee based on permit valuation, using a similar calculation to that used to calculate the base permit fee itself.

October Remarks:

We discussed in August revising city fees to fund our city planner; I would also suggest that we revise fees in some other areas to offset our staffing costs. The rule of thumb previously had been that it was hard to process a permit for less than \$25; I propose that, on balance, permit processing requires enough time that \$30 should become our new minimum.

Of course, no one likes to see fee increases, but over the long term, every dollar increase in fees means we can keep taxes that much lower.

We have seen how difficult it is to handle certain "special" permits correctly; conditional use permits, variances, interim use permits and street vacation applications are rare enough that we should anticipate that processing each might require significant time of several staff members, perhaps several work days in total, plus publication expenses. Although our attorney is on retainer, we should anticipate that it also requires a not insignificant portion of that retainer to ensure correct processing, and we further expect that where there is no common process, and that the research, for example, to review LMC recommendations, to process a permit correctly and to reduce the associated risks to the city are considerable. I anticipate that proper handling of each variance, conditional use and interim use permit application, plus providing support to and advising applicants, requires, on average, at least 15-20 hours of staff time, plus publication costs and costs of \$300 each for our engineer to attend a city council and planning commission meeting.

I have included a table for reference below showing current fees and proposed fees, as well as an ordinance that the council may adopt with revised fees. A couple fees in our current fee schedule refer to ordinances that were never adopted; I have tried to remove each such fee.

We anticipate \$19,200 in expenses in 2024 for our city planner, plus approximately \$2000 relating to planning software. Until our former city engineer and planner retired, all these fees should have been billed to permit applicants; when we hired a new engineer and planner, engineering fees continue to be billed to applicants, but our city planner is on a retainer and was paid out of the general fund through 2023. In addition, we have a part-time staff member who oversees some aspects of the permitting process, and whom the city's portion of application fees does not fully fund.

Excluding plan review, deposit and other fees, the city collected the following in permit fees:

In 2018, \$10,870.

in 2019, \$9,235.

In 2020, \$21,299.

In 2021, \$23,147.

It does not appear fee totals have been calculated for 2022 or 2023. I recommend that we set our city planning fee to 125% of the permit fees to cover our planner, plus reasonable employee overhead. That would amount to:

2018: \$13,588.

2019: \$11,544.

2020: \$26,624.

2021: \$28,933.

The water main break surcharge of \$25 was not assessed on water bills in the third quarter, so this fee schedule implements a \$50 surcharge in the fourth, plus \$35 per quarter for 2024. Because we have approximately 370 households, this should supplement our water fund approximately \$18,500 in 2023 and \$51,800 in 2024, providing some cushion above our near-zero current balance for water main breaks.

I have included below a fee schedule with a “proposed fee” column, plus an ordinance with the proposed fees.

CITY OF BIRCHWOOD VILLAGE 2023 FEE SCHEDULE					
All fees in this schedule are subject to “Other Inspections and Fees” (under Additional Fees).					12/2023
<i>Category</i>	<i>Description</i>	<i>Code</i>	<i>Fee</i>	<i>Proposed Fee</i>	<i>Last Revised</i>
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 + \$100.00 refundable deposit		
	Postage & Envelopes for Mailings & Public Hearing Notices		\$1.00 + postage		
	Returned Check	Minnes ota Statute 604.11 3 Subd. 2(a)	\$30.00		
ANIMAL FEES					
	Chicken License - three years	605.02 8(2)	\$25.00	\$30.00	12/20 22
	Pig License - three years	605.02 9(3)	\$25.00	\$30.00	12/20 22
	Dog Permit - first year of term (2022)	605.02 1.1(1), 605.02 1.2	\$25.00	\$30.00	12/20 22
	Dog Permit - second year or term (2023)	605.02 1.1(1), 605.02 1.2	\$20.00	\$25.00	12/20 22
	Dog Permit - third year or term (2024)	605.02 1.1(1), 605.02 1.2	\$15.00	\$20.00	12/20 22
	Dog Permit Late Fee	605.02 1.2	\$5.00	\$7.00	12/20 22

Dog Permit Administrative Fee	605.02 1.2	\$25.00	\$30.00	12/20 22
Potentially dangerous dog or dangerous dog appeal fee		\$100.00		12/20 22
Dangerous dog annual fee	605.02 4(9)	\$500.00		12/20 22
Potentially dangerous dog annual fee	605.02 4(11)	\$100.00		12/20 22
Potentially dangerous dog or dangerous dog administrative review fee	605.02 4(12)	\$100.00		12/20 22

DOCK ASSOCIATION FEES

Annual Boat Slip Permit Fee	617.118	Set and collected by Dock Association		
Annual Dock Permit Fee (\$875 per boat)	617.44, 617.11 9	\$875 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.		3/201 8

	Lake Tract Personal Property Abandonment Fee	617.25 0	\$300.00		12/20 22
	Fee in Lieu of Personal Property Removal	617.25 5	\$100.00/day		12/20 22
	Boat Hoist Registration Fee	617.38 0(11)	\$25.00/owner		12/20 22
	Annual Feistner Beach Boat Slip Beach Permit		\$1,000.00		1/202 4
SMALL CRAFT STORAGE FEES					
	Annual Small Craft Permit	617.21 5(2)	\$30.00	\$35.00	7/202 2
	Annual Small Craft Permit for household upon proof of adjusted gross income of \$35,000 or less	617.21 5(2)	no cost		1/202 0
	Use of Small Craft Rack without a permit	617.21 5(3)	\$75.00	\$100.00	
	Small Craft Removal Fee	617.21 5(3)	\$50.00	\$75.00	
	Post-season Boat Storage Violation Fee	617.24 0	\$25.00	\$35.00	3/201 8

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 when listed.

Conditional Use Permit (CUP) Application or Amendment *		306.010	\$460.00	\$1,000.00	Nov-23
	Refundable Conditional Use Permit or CUP Amendment Escrow for permitting costs incurred by city		\$3,000.00		8/2021
Interim Use Permit Application *		305.020, 305.040(6)	\$400.00	\$600.00	Nov-23
	Refundable Interim Use Permit Escrow for permitting costs incurred by city	302.050	\$3,000.00		8/2021

Street Vacation Application *			\$300.00	\$500.00	Nov-23
Refundable Street Vacation Escrow for permitting costs incurred by city	302.050		\$3,000.00		12/2022
Variance Application *	304.020		\$600.00	\$1,000.00	Nov-23
Refundable Variance Escrow for staff review time incurred by city	302.050		\$3,000.00		
Subdivision: Lot Split Application *	308.121		\$225.00	\$300.00	Nov-23
Refundable Lot Split Escrow for permitting costs incurred by City	301.055(2)		\$1,000.00		12/2022
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	\$60.00	Nov-23
Refundable Zoning Permit Escrow for permitting costs incurred by city	301.055(2)		\$3,000.00		11/2021
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		12/2022
Refundable building move escrow for permitting costs incurred by city	301.055(2)		\$1,000.00		12/2022
Certificate of occupancy			\$25.00	\$35.00	12/2022

Public Property Access Limited License	607.235	\$50.00		1/201 9
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Building Permit: \$1 to \$500 **, **	203.05 0, Minnes ota Statute 326B.1 53	\$29.50		
Building Permi Planner Feet: \$1 to \$500 **, **		\$22.13		
Building Permit: \$501 to \$2,000 **, **	203.05 0, Minnes ota Statute 326B.1 53	\$23.50 for the first \$500 + \$3.05 for each additional \$100, or fraction thereof, to and including \$2,000.00.		
Building Permit Planner Fee: \$501 to \$2,000 **, **			\$17.63 for the first \$500 + \$2.29 for each additional \$100 or fraction thereof, to and including \$2000	11/20 23
Building Permit: \$2,001 to \$25,000 **, **	203.05 0, Minnes ota Statute 326B.1 53	\$69.25 for the first \$2,000 + \$14.00 for each additional \$1,000, or fraction thereof, to and including \$25,000.		
Building Permit Planner Fee: \$2,001 to \$25,000 **, **			\$51.94 for the first \$500 + \$10.50 for each additional \$100 or fraction thereof, to and including \$2000	11/20 23
Building Permit: \$25,001 to \$50,000 **, **	203.05 0, Minnes ota Statute 326B.1 53	\$391.25 for the first \$25,000 + \$10.10 for each additional \$1,000, or fraction thereof, to and including \$50,000.		
Building Permit Planner Fee: \$25,001 to \$50,000 **, **			\$293.44 for the first \$500 + \$7.58 for each additional \$100 or fraction thereof, to and including \$2000	11/20 23
Building Permit: \$50,001 to \$100,000 **, **	203.05 0, Minnes ota Statute	\$643.75 for the first \$50,000 + \$7.00 for each additional \$1,000, or fraction thereof, to and including \$100,000.		

	326B.1 53			
Building Permit Planner Fee: \$50,001 to \$100,000 **, **			\$482.81 for the first \$500 + \$5.25 for each additional \$100 or fraction thereof, to and including \$2000	11/20 23
Building Permit: \$100,001 to \$500,000 **, **	203.05 0, Minnes ota Statute 326B.1 53	\$993.75 for the first \$100,000 + \$5.60 for each additional \$1,000, or fraction thereof, to and including \$500,000.		
Building Permit Planner Fee: \$100,001 to \$500,000 **, **			\$745.31 for the first \$500 + \$3.94 for each additional \$100 or fraction thereof, to and including \$2000	11/20 23
Building Permit: \$500,001 to \$1,000,000 **, **	203.05 0, Minnes ota Statute 326B.1 53	\$3,233.75 for the first \$500,000 + \$4.75 for each additional \$1,000, or fraction thereof, to and including \$1,000,000.		
Building Permit Planner Fee: \$500,001 to \$1,000,000 **, **			\$2,425.31 for the first \$500,000 + \$3.56 for each additional \$1,000, or fraction thereof, to and including \$1,000,000.	11/20 23
Building Permit: \$1,000,001 and up **, **	203.05 0, Minnes ota Statute 326B.1 53	\$5,608.75 for the first \$1,000,000 + \$3.15 for each additional \$1,000, or fraction thereof.		
Building Permit Planner Fee: \$1,000,001 and up **, **			\$4,206.56 for the first \$1,000,000 + \$2.36 for each additional \$1,000, or fraction thereof.	11/20 23
State Surcharge	Minnes ota Statute 326B.1 48	Using calculator at: https://www.dli.mn.gov/about-department/permit-surcharge-report		

DEMOLITION FEES	Demolition Permit	203.050	\$100.00		12/2022
	Metropolitan Council Environmental Services Sewer Availability Charge .	202.070		The most recent fee published by MCES. \$2485.00 as of July, 2022.	
UTILITY AVAILABILITY FEES	Water Connection Fee	202.070	\$1960.00		6/2023
	Sewer Connection Fee	202.070	\$2,016.00		6/2023
PLUMBING AND FIRE PERMIT FEES	Plumbing Permit (piping inside the house) **	202.040	\$150 + \$100/hour after one hour		12/2022
	State Surcharge	48	\$1.00	Minnesota Statute 326B.1	
	Fire Sprinkler Permit **	202.040	\$150 + \$100/hour after one hour		12/2022
	State Surcharge	48	\$1.00	Minnesota Statute 326B.1	

**GAS,
HEATING
AND
MECHANIC
AL PERMIT
FEES**

	Mechanical Permit **	202.040	\$150 + \$100/hour after one hour	12/2022
	State Surcharge	Minnesota Statute 326B.148	\$1.00	
	Gas Piping Permit (that is not part of mechanical installation) **	202.040	\$150 + \$100/hour after one hour	12/2022
	State Surcharge	Minnesota Statute 326B.148	\$1.00	
	Air Conditioning Installation Permit **	203.050	\$150 + \$100/hour after one hour	12/2022
	State Surcharge	Minnesota Statute 326B.148	\$1.00	
	Air Conditioning Permit (part of mechanical installation) **	203.050	\$150 + \$100/hour after one hour	12/2022
	State Surcharge	Minnesota Statute 326B.148	\$1.00	

	Fireplace Permit (gas, wood or other type) **	203.050	\$150 + \$100/hour after one hour		12/2022
	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 -	201.090	\$0.00410 per gallon		1/2022

after 6,000 gallons up to 9,000 gallons				
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	144.3831	The most recent fee assessed by the Minnesota commissioner of health, divided into quarters. \$2.43 as of July, 2022.		
Sewer Fee (metered, quarterly)	202.110	\$36.00 + \$.00451 per gallon based on first quarter water consumption		6/2019
Sewer Fee (unmetered, quarterly)	202.110	\$80.00		6/2019
Water Utility User Fee		\$35.00		12/2022
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)	As required; \$45 for January-December 2024	5/2022
Street excavation permit *		\$50.00	\$60.00	12/2022
Refundable Street Excavation Damage Deposit		\$3,000.00		12/2022
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		12/2022
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		12/2022
Utility Bill Late Fee	201.100, 202.120	5% of the unpaid balance		

Utility Bill Quarterly Automated Clearing House (ACH) Discount		\$3.00		5/2022
Non-electronic water meter fee	201.080	\$25.00/quarter		1/2023
Non-submission of emailed photo of non-electronic water meter	201.080	\$25.00	\$35.00	1/2023
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		12/2022

<p>ADDITIONAL FEES (All fees in this schedule are subject to the following charges when required by the City)</p>	<p>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.</p>	<p>701.06 1</p>	<p>Up to the amount equal to the permit fee, in addition to the permit fee.</p>	<p>12/20 22</p>
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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.	701.06 2			
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	Minnesota Statute 326B.153 Subd. 2	65% of permit fee		6/2019
Building Official: Plan Review fee for similar plans	Minnesota Statute 326B.153 Subd. 5	25% of permit fee		12/2022
Building Official: Additional plan review for changes, additions or revisions to plans		\$31.63 + \$63.25/hour after one half hour		6/2019
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	\$149.00 to \$193.00/hour, or the total cost to the city, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe	12/2021

			employees involved, as well as any consulting fees	benefits of the employees involved, as well as any consulting fees	
	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	\$149.00 to \$193.00/hour, or the total 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	\$480.00 + 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		
	Diseased Tree Abatement fee	403.080(c)	\$50.00 + cost of abatement		12/2022

TREE FEES AND DEPOSITS	Significant Tree Removal Replacement deposit	302.05 5(2)(d)(3)	amount necessary to cover the cost of replacement trees		
	RIGHT OF WAY FEES				
	Refundable ROW Excavation Permit Deposit	301.05 5(2)	\$3,000.00		6/2023
	Obstruction Permit	208B.0 60(2)	\$200.00		6/2023
	Excavation Permit	208B.0 60(1)	\$200.00		6/2023
	Small Wireless Facility Permit	208B.0 60(3)	\$500 up to 5 sites, \$100 for each additional		6/2023
	Delay Fee Minimum	208A.0 90(3)	\$60 plus \$20 per day each day late over 3 days		6/2023
	Delay Fee, One Lane Blocked to Motor Vehicle Traffic	208A.0 90(3)	\$60 per day		6/2023
	Delay Fee, Fully Blocked to Motor Vehicle Traffic	208A.0 90(3)	\$100 per day		6/2023
	Refundable Right of Way Non-Excavation Damage Deposit	208A.1 00(6)	\$3,000.00		6/2023
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
FOOTNOTES	* Escrow for City Permitting costs is required. Unused portion is returned to applicant. ** State Surcharge is required				

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY FEE SCHEDULE

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

Section 1.

The City Fee Schedule is amended to read as in Exhibit A.

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

Passed by the City of Birchwood Village, Minnesota This 14th day of November, 2023.

Mayor

Attested

City Clerk

CITY OF BIRCHWOOD VILLAGE 2023 FEE SCHEDULE				
All fees in this schedule are subject to "Other Inspections and Fees" (under Additional Fees).				12/2023
<i>Category</i>	<i>Description</i>	<i>Code</i>	<i>Fee</i>	<i>Last Revised</i>
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 + \$100.00 refundable deposit	
Postage & Envelopes for Mailings & Public Hearing Notices		\$1.00 + postage	
Returned Check	Minnesot a Statute 604.113 Subd. 2(a)	\$30.00	
ANIMAL FEES			
Chicken License - three years	605.028(2)	\$30.00	12/202 2
Pig License - three years	605.029(3)	\$30.00	12/202 2
Dog Permit - first year of term (2022)	605.021.1 (1), 605.021.2	\$30.00	12/202 2
Dog Permit - second year or term (2023)	605.021.1 (1), 605.021.2	\$25.00	12/202 2
Dog Permit - third year or term (2024)	605.021.1 (1), 605.021.2	\$20.00	12/202 2
Dog Permit Late Fee	605.021.2	\$7.00	12/202 2

Dog Permit Administrative Fee	605.021.2	\$30.00	12/2022
Potentially dangerous dog or dangerous dog appeal fee		\$100.00	12/2022
Dangerous dog annual fee	605.024(9)	\$500.00	12/2022
Potentially dangerous dog annual fee	605.024(11)	\$100.00	12/2022
Potentially dangerous dog or dangerous dog administrative review fee	605.024(12)	\$100.00	12/2022

DOCK ASSOCIATION FEES

Annual Boat Slip Permit Fee	617.118	Set and collected by Dock Association	
Annual Dock Permit Fee (\$875 per boat)	617.44, 617.119	\$875 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.	3/2018

SMALL CRAFT STORAGE FEES				
	Annual Small Craft Permit	617.215(2)	\$35.00	7/2022
	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)	\$100.00	
	Small Craft Removal Fee	617.215(3)	\$75.00	
	Post-season Boat Storage Violation Fee	617.240	\$35.00	3/2018

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 when listed.**

Conditional Use Permit (CUP) Application or Amendment *		306.010	\$1,000.00	Nov-23
	Refundable Conditional Use Permit or CUP Amendment Escrow for permitting costs incurred by city		\$3,000.00	8/2021
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	Refundable Interim Use Permit Escrow for permitting costs incurred by city	302.050	\$3,000.00	8/2021
Street Vacation Application *			\$500.00	Nov-23
	Refundable Street Vacation Escrow for permitting costs incurred by city	302.050	\$3,000.00	12/2022

Variance Application *	304.020	\$1,000.00	Nov-23
Refundable Variance Escrow for staff review time incurred by city	302.050	\$3,000.00	
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Subdivision: Refundable Preliminary Plat Application Escrow for permitting costs incurred by city	301.055(2)	\$10,000.00	8/2021
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Subdivision: Refundable Final Plat Application Escrow for permitting costs incurred by city	301.055(2)	\$10,000.00	8/2021
Zoning Permit *	307.010	\$60.00	Nov-23
Refundable Zoning Permit Escrow for permitting costs incurred by city	301.055(2)	\$3,000.00	11/2021
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	12/2022
Refundable building move escrow for permitting costs incurred by city	301.055(2)	\$1,000.00	12/2022
Certificate of occupancy		\$35.00	12/2022
Public Property Access Limited License	607.235	\$50.00	1/2019

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

**VALUATION OF STRUCTURE,
ADDITION OR ALTERATION**

CODE

FEE COMPUTATION

**Last
Revised**

Building Permit: \$1 to \$500 **, **	203.050, Minnesota Statute 326B.153	\$29.50	
Building Permi Planner Feet: \$1 to \$500 **, **		\$22.13	
Building Permit: \$501 to \$2,000 **, **	203.050, Minnesota Statute 326B.153	\$23.50 for the first \$500 + \$3.05 for each additional \$100, or fraction thereof, to and including \$2,000.00.	
Building Permit Planner Fee: \$501 to \$2,000 **, **		\$17.63 for the first \$500 + \$2.29 for each additional \$100 or fraction thereof, to and including \$2000	11/2023
Building Permit: \$2,001 to \$25,000 **, **	203.050, Minnesota Statute 326B.153	\$69.25 for the first \$2,000 + \$14.00 for each additional \$1,000, or fraction thereof, to and including \$25,000.	
Building Permit Planner Fee: \$2,001 to \$25,000 **, **		\$51.94 for the first \$500 + \$10.50 for each additional \$100 or fraction thereof, to and including \$2000	11/2023
Building Permit: \$25,001 to \$50,000 **, **	203.050, Minnesota Statute 326B.153	\$391.25 for the first \$25,000 + \$10.10 for each additional \$1,000, or fraction thereof, to and including \$50,000.	
Building Permit Planner Fee: \$25,001 to \$50,000 **, **		\$293.44 for the first \$500 + \$7.58 for each additional \$100 or fraction thereof, to and including \$2000	11/2023
Building Permit: \$50,001 to \$100,000 **, **	203.050, Minnesota Statute 326B.153	\$643.75 for the first \$50,000 + \$7.00 for each additional \$1,000, or fraction thereof, to and including \$100,000.	
Building Permit Planner Fee: \$50,001 to \$100,000 **, **		\$482.81 for the first \$500 + \$5.25 for each additional \$100 or fraction thereof, to and including \$2000	11/2023
Building Permit: \$100,001 to \$500,000 **, **	203.050, Minnesota Statute 326B.153	\$993.75 for the first \$100,000 + \$5.60 for each additional \$1,000, or fraction thereof, to and including \$500,000.	
Building Permit Planner Fee: \$100,001 to \$500,000 **, **		\$745.31 for the first \$500 + \$3.94 for each additional \$100 or fraction thereof, to and including \$2000	11/2023
Building Permit: \$500,001 to \$1,000,000 **, **	203.050, Minnesota Statute 326B.153	\$3,233.75 for the first \$500,000 + \$4.75 for each additional \$1,000, or fraction	

			thereof, to and including \$1,000,000.	
	Building Permit Planner Fee: \$500,001 to \$1,000,000 **, **		\$2,425.31 for the first \$500,000 + \$3.56 for each additional \$1,000, or fraction thereof, to and including \$1,000,000.	11/2023
	Building Permit: \$1,000,001 and up **, **	203.050, Minnesota a Statute 326B.153	\$5,608.75 for the first \$1,000,000 + \$3.15 for each additional \$1,000, or fraction thereof.	
	Building Permit Planner Fee: \$1,000,001 and up **, **		\$4,206.56 for the first \$1,000,000 + \$2.36 for each additional \$1,000, or fraction thereof.	11/2023
	State Surcharge	Minnesota a Statute 326B.148	Using calculator at: https://www.dli.mn.gov/about-department/permit-surcharge-report	
DEMOLITION FEES	Demolition Permit	203.050	\$100.00	12/2022
UTILITY AVAILABILITY FEES	Metropolitan Council Environmental Services Sewer Availability Charge	202.070	The most recent fee published by MCES. \$2485.00 as of July, 2022.	
	Water Connection Fee	202.070	\$1960.00	6/2023
	Sewer Connection Fee	202.070	\$2,016.00	6/2023
PLUMBING AND FIRE PERMIT FEES	Plumbing Permit (piping inside the house) **	202.040	\$150 + \$100/hour after one hour	12/2022

**GAS, HEATING
AND
MECHANICAL
PERMIT FEES**

	State Surcharge	Minnesota Statute 326B.148	\$1.00	
Fire Sprinkler Permit **		202.040	\$150 + \$100/hour after one hour	12/2022
	State Surcharge	Minnesota Statute 326B.148	\$1.00	
Mechanical Permit **		202.040	\$150 + \$100/hour after one hour	12/2022
	State Surcharge	Minnesota Statute 326B.148	\$1.00	
Gas Piping Permit (that is not part of mechanical installation) **		202.040	\$150 + \$100/hour after one hour	12/2022
	State Surcharge	Minnesota Statute 326B.148	\$1.00	
Air Conditioning Installation Permit **		203.050	\$150 + \$100/hour after one hour	12/2022
	State Surcharge	Minnesota Statute 326B.148	\$1.00	
Air Conditioning Permit (part of mechanical installation) **		203.050	\$150 + \$100/hour after one hour	12/2022
	State Surcharge	Minnesota Statute 326B.148	\$1.00	
Fireplace Permit (gas, wood or other type) **		203.050	\$150 + \$100/hour after one hour	12/2022

		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 July, 2022.	
Sewer Fee (metered, quarterly)	202.110	\$36.00 + \$.00451 per gallon based on first quarter water consumption	6/2019
Sewer Fee (unmetered, quarterly)	202.110	\$80.00	6/2019
Water Utility User Fee		\$35.00	12/2022
Water Main Break Surcharge (as City exhausts budgeted funds for water main breaks)		As required; \$45.00 per quarter for January-December 2024	5/2022
Street excavation permit *		\$60.00	12/2022
Refundable Street Excavation Damage Deposit		\$3,000.00	12/2022
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	12/2022
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	12/2022
Utility Bill Late Fee	201.100, 202.120	5% of the unpaid balance	
Utility Bill Quarterly Automated Clearing House (ACH) Discount		\$3.00	5/2022
Non-electronic water meter fee	201.080	\$25.00/quarter	1/2023
Non-submission of emailed photo of non-electronic water meter	201.080	\$35.00	1/2023
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	12/2022

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

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

Up to the amount equal to the permit fee, in addition to the permit fee.

12/2022

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	Minnesota Statute 326B.153 Subd. 2	65% of permit fee	6/2019
Building Official: Plan Review fee for similar plans	Minnesota Statute 326B.153 Subd. 5	25% of permit fee	12/2022
Building Official: Additional plan review for changes, additions or revisions to plans		\$31.63 + \$63.25/hour after one half hour	6/2019
Engineer: Consult or review land use plans		\$149.00 to \$193.00/hour, or the total 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: Inspections or other services		\$149.00 to \$193.00/hour, or the total 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)	\$480.00 + 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 + cost of abatement	12/2022
	Significant Tree Removal Replacement deposit	302.055(2)(d)(3)	amount necessary to cover the cost of replacement trees	
RIGHT OF WAY FEES	Refundable ROW Excavation Permit Deposit	301.055(2)	\$3,000.00	6/2023
	Obstruction Permit	208B.060(2)	\$200.00	6/2023
	Excavation Permit	208B.060(1)	\$200.00	6/2023
	Small Wireless Facility Permit	208B.060(3)	\$500 up to 5 sites, \$100 for each additional	6/2023
	Delay Fee Minimum	208A.090(3)	\$60 plus \$20 per day each day late over 3 days	6/2023
	Delay Fee, One Lane Blocked to Motor Vehicle Traffic	208A.090(3)	\$60 per day	6/2023
	Delay Fee, Fully Blocked to Motor Vehicle Traffic	208A.090(3)	\$100 per day	6/2023

	Refundable Right of Way Non-Excavation Damage Deposit	208A.100 (6)	\$3,000.00	6/2023
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
FOOTNOTES	* Escrow for City Permitting costs is required. Unused portion is returned to applicant.			
	** State Surcharge is required			

ORDINANCE NO. 2023-11-02

AN ORDINANCE AMENDING SECTION 302.020 OF ORDINANCE 302 ADOPTED ON OCTOBER 13, 2023, AND TITLED: “ZONING CODE: REQUIREMENTS AND PERFORMANCE STANDARDS.”

Findings and Purpose:

Birchwood currently requires 10-foot setbacks on lot lines not along shoreline or a street or road. While this works well for properties on wide lots, many lots are narrower, and we have granted many variances to reduce the required setbacks.

While it would be ideal to develop code that prescribes comprehensive setback reductions for narrower properties, leaving the planning commission and city council the flexibility to add conditions to setback reductions and proposing a “default” reduction of up to six feet is more desirable. A conditional use permit allows the city to evaluate how structures might fit onto a narrow property and assign conditions, and to apply those to construction, rather than the state standard of practical difficulty.

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

Section 1.

Section 302.020 of ordinance 302. ZONING CODE: REQUIREMENTS AND PERFORMANCE STANDARDS is hereby amended to read:

302.020. STRUCTURE LOCATION REQUIREMENTS

1. **GENERAL REQUIREMENTS.** All structures must be located so that minimum setback requirements are met or exceeded. All measurements (in feet) as set forth below shall be determined by measuring from the foundation of the appropriate structure perpendicular to the appropriate lot line.

Exceptions: Front, back, side street and other lot line setback requirements shall not apply to chimneys, flues, belt courses, sills, pilasters, lintels, ornamental features, cornices, eaves, gutters, and the like, provided they do not project more than two (2) feet into a required yard setback.

2. **MINIMUM SETBACK REQUIREMENTS:**

TYPE OF STRUCTURE

Lot line or	Fences	Driveways &	All Other
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<u>Land Boundary</u>	<u>and Landscaping Barriers</u>	<u>Walkways</u>	<u>Structures</u>
Municipal Street and County Road Front, Back, and Side Lot Line	10 ft.	0	30 ft.
Municipal street or County Road Front, Back, And Side Lot Line for Non address side of Corner lot	10 ft.	0	25 ft.
Ordinary High Water Level of Lost Lake	75 ft.	75 ft.	75 ft.
Ordinary High Water Level of White Bear Lake, Hall's Marsh, and other wetlands	50 ft.	50 ft.	50 ft.
All Other Lot Lines	0 ft.	1 ft.	10 ft.

The ordinary high water levels of three water bodies have been established to be the following:

ORDINARY HIGH WATER LEVELS (Feet Above Mean Sea Level)

DNR ID #82-167	White Bear Lake	924.7 (NGVD, 1929)
DNR ID #82-134	Lost Lake	925.6 (NGVD, 1929)
DNR ID #82-480W	Hall's Marsh	924.7 (NGVD, 1929)

“AMENDED BY ORDINANCE 2023-09-02 OCTOBER 10, 2023”

3. ACCESSORY STRUCTURES. No accessory building or structure, unless an integral part of the principal structure shall be erected, altered, or moved to, within five (5) feet of the principal structure except fences, driveways, walkways, and decks which may be as close as actually abutting the principal structure.

4. SETBACK REQUIREMENTS EXCEPTIONS.

- a. Dock and Pier Setbacks: Setback requirements from the ordinary high water levels shall not apply to piers and docks. Locations of piers and docks shall be controlled by applicable state and local regulations.

- b. Retaining Wall Setbacks: Front, back, side street and other lot line setback requirements shall not apply to retaining walls except that the ordinary high water level setback requirements shall apply to retaining walls.

- c. Nominal Structures: Front, back, side street and other lot line setback requirements shall not apply to nominal structures such as small arbors, moveable yard furniture, moveable docks, storage boxes, dog houses, mail boxes, library small boxes, lock boxes, flagpoles, lawn ornaments and other similar items, which shall be exempt from setback regulations, but not including decks, platforms, or shelters such as pergolas.

- d. Minimum Dwelling Size: For any lot of record as of January 1, 1975, which remains in its then-existing dimensions, and for which the Minimum Setback Requirements preclude construction or reconstruction of a single dwelling 24 feet wide and 32 feet long, a conditional use permit may be granted to reduce up to two setbacks from All Other Lot Lines a combined total of up to four feet to permit a dwelling up to 24 feet wide and 32 feet long. Conditional Use Permit Standards shall apply to:
 - (i) minimize extension into prevailing street, road and shoreline setbacks. The prevailing setback is to a line extending between the nearest point to the street, road or shoreline of the dwellings and/or garages of the nearest two contiguous lots in each direction along the same street, road or shoreline; and
 - (ii) maintain distances between structures and ensure driveways and walkways are of sufficient width for vehicle and pedestrian access and use of abutting lots; and
 - (iii) reduce the extension of existing structures on the lot into setbacks; and
 - (iv) provide sufficient space for a garage and off-street parking; and
 - (v) maintain sightlines from abutting lots to shoreline.

- e. Minimum Garage Size: For any lot of record as of January 1, 1975, which remains in its then-existing dimensions, does not contain an attached or detached garage, or contains one such garage which will be replaced, and for which the Minimum Setback Requirements preclude a detached garage 24 feet wide and twenty feet deep and set back thirty feet from a street or road, a conditional use permit may be granted to reduce up to two setbacks from All Other Lot Lines a combined total of up to four feet to permit a detached garage up to 24 feet wide and twenty feet deep. Conditional Use Permit Standards shall apply to:

- (i) minimize extension into prevailing street, road and shoreline setbacks. The prevailing setback is to a line extending between the nearest point to the street, road or shoreline of the dwellings and/or garages of the nearest two contiguous lots in each direction along the same street, road or shoreline; and
- (ii) maintain distances between structures and ensure driveways and walkways are of sufficient width for vehicle and pedestrian access and use of abutting lots; and
- (iii) maintain sufficient space for off-street parking; and
- (iv) reduce the extension of existing structures on the lot into setbacks; and
- (v) limit the number and size of accessory structures on the property; and
- (vi) maintain sightlines from abutting lots to shoreline.

Section 2.

Section 301.070 of ordinance 301. ZONING CODE: GENERAL PROVISIONS is hereby amended to read:

301.070. **CONDITIONAL USES.** Certain accessory uses permitted within the City have greater than usual chances to present safety hazards, impact on neighboring people and property, and nuisance situations. Because of these greater effects, the City requires these uses to be covered under Conditional Use Permits. Applications for Conditional Use Permits must comply with all provisions of Section 306. **CONDITIONAL USE PERMITS.**

1. A Conditional Use Permit shall be required for the following projects:

- a. Any land disturbance activity where the slope is toward a lake, pond, wetland, or watercourse leading to such waters, and the alteration is closer to such waters than the structure setback requirement. See Note at end of Section 301.070.
- b. Any land disturbance activity where such work involves an area greater than four hundred (400) square feet and/or more than fifty (50) cubic yards in volume. See Note at end of Section 301.070.
- c. Any swimming pool with a capacity over three thousand (3000) gallons or with a depth of over three and one-half (3 1/2) feet of water.
- d. Any tennis court.
- e. Any ground-mounted solar energy system. Such solar energy systems is subject to conditions to minimize the visual obstruction of shorelines from nearby lots.
- f. Any reduction to structure location setbacks from All Other Lot Lines pursuant to Section 302.020(4): (d) and (e).

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

This ordinance becomes effective from and after its passage and publication. Passed by the City Council of The City of Birchwood Village, Minnesota this _____ day of Month, Year.

Mayor

Attested: _____

City Clerk