



AGENDA OF THE REGULAR MEETING OF
THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
October 10th, 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.

There was a misstatement of Lift Station Fees in the September City Council meeting. Our Treasurer incorrectly stated that Thatcher fees for the Wildwood lift station were \$100,000. She went back to all invoices from 2022 and 2023 and the total was \$79,718.49.

2022= \$41,898.49

2023= \$37,820.00

Canoes and Kayaks need to be off the racks by 10/31/23.

2023-2024 Deer Hunt Dates: October 12-13, October 29-30, November 20-21, December 6-7.

CONSENT AGENDA

- A. Approve July Meeting Minutes* (pp. 4-10)
- B. Approve September Meeting Minutes* (pp. 11-23)
- C. Approve Election Services JPA* (pp. 24-39)
- D. Approve Treasurer's Report* (pp. 40-74)
- E. Approve Resolution 2023-40: Deer Hunt* (p. 75)
- F. Birchwood Dock Association (BDA) Dock Permit Application* (pp. 76-105)

1. Approve BDA's annual dock permit application – authorize BDA to apply for dock permits
2. Approve 2021 Dock Management Contract

CITY BUSINESS – OLD BUSINESS

- A. Parks and Natural Resources Committee Member Selection
- B. Wildwood lift station potential placement and timeline – Marcus Johnson* (p. 106)
- C. Second Reading of ORDINANCE 2023-07-01 (302.045): Zoning Code Requirement and Performance Standards: structure height* (pp. 107-116)
 - a. Public Hearing
 - b. Council Deliberation & Approval
 - c. Approve RESOLUTION 2023-41 Approving Summary Publication Ord 2023-07-01
- D. 2nd reading of ORDINANCE 2023-09-01 (607) City Parks Systems* (pp. 117-127)
 - a. Public Hearing
 - b. Council Deliberation & Approval
 - c. Approve RESOLUTION 2023-42 Approving Summary Publication Ord 2023-09-01
- E. 2nd reading of ORDINANCE 2023-09-02 (302) setback changes* (pp. 128-131)
 - a. Public Hearing
 - b. Council Deliberation & Approval
 - c. Approve Publication
- F. Discussion of ORDINANCE 2023-06-01 (Solar Panels) * (pp. 132-138)
 - a. Council Deliberation & Discussion

CITY BUSINESS – NEW BUSINESS

- A. Mayor Updates
- B. Snowplow contracts* (pp. 139-142)
 - a. Discussion
 - b. Decide on a snow removal company for 2023-24 snow season

- C. Recommendation for Past Due Expenses Due From Residents* (pp. 143-144)
- D. Recycling Grant – Ryan Hankins* (pp. 145-146)
- E. Fee Schedule Updates – Ryan Hankins* (pp. 147-188)
- F. Delinquent Utility Bill Certification

ADJOURN

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

**MINUTES OF THE CITY COUNCIL MEETING
JULY 11, 2023, 6:45 P.M.**

MEMBERS:

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

STAFF:

H. Alan Kantrud	City Attorney
Marcus Johnson	City Engineer
Therese Bellinger	City Staff

GUEST:

Heather Gustafson State Senator (from 6:45 p.m. to 6:57 p.m.)

Minutes prepared by Angela Fracassi of Minutes Solutions Inc. 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 (0:00:33)

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

Council added the following item to the agenda:

- Suggested Birchwood improvements
- Sand removal from streets
- Deer hunt
- Water utility user fees
- Water main break surcharge
- Pothole filling
- Construction site erosion

4. **OPEN PUBLIC FORUM (0:02:36)**

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

5. **PRESENTATION FROM STATE SENOR HEATHER GUSTAFSON (0:03:35)**

State Senator Heather Gustafson introduced herself and stated that the purpose of her visit was to openly communicate with City Council. She highlighted some of the achievements in the last legislative session, which included education and public safety funding for cities. She was the vice-chair of education finance. She opened the floor to questions.

Councilmember McCarthy inquired about additional funding for roads, as the City of Birchwood village has a budget of \$500,000 for road repairs, and the cost of rebuilding one road can be over \$1 million.

Senator Gustafson responded that a bonding session is coming up, and advised Council to inform her of any proposals or any information related to bonding.

Councilmember Foster asked when the public safety funds would be made available.

Senator Gustafson responded that the fund will be available in the fall of 2023 and do not have an expiration date.

With no further questions, Senator Gustafson departed the meeting.

6. **ANNOUNCEMENTS (0:13:11)**

- a. **City Cleanup:** Mayor Ford thanked those to volunteered to help with the City Cleanup.
- b. **Fourth of July Parade:** Mayor Ford noted that the Fourth of July parade was successful and thanked the volunteers for their hard work.

7. **CONSENT AGENDA (0:14:22)**

On a motion made by Mayor Ford, seconded by Councilmember McCarthy, it was resolved to approve Consent Agenda items B, and E, as presented, and to table Consent Agenda Item A to a later meeting. All in favor; motion carried.

8. **CITY BUSINESS – OLD BUSINESS (0:15:45)**

a. **2023-02-VB (127 Wildwood Avenue) Variance (0:15:51):**

On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to deny the variance application for the following reasons:

- 1) The decision of the Planning Commission to deny the Application based on its findings;
- 2) The reasons for denial as detailed in the Memorandum provided by the City Engineer;

3) The lack of a ‘practical difficulty’ as defined in State and City Code as evidenced by the following:

a) Plans for the deck were originally contemplated but abandoned by applicant to move the project forward, proving that the project was not dependent on the presence of the deck;

b) The property already has an existing deck “structure”;

c) The property clearly has a structure on it that forecloses any argument that the failure to obtain a variance would render the property useless and the structure sat in non-conformity when acquired (legal non-conforming) and thus the limitations came with the property;

4) Additionally, the strong opposition to the Request by the affected neighboring property owners and;

5) That the City may not authorize any variances that would expand a non-conforming use unless the requirements of Minn. Stat. 462.357 Subd. 1(e)(f) and(g) are met.

All in favor. Motion carried.

The Applicants, Al and Sue Reece, addressed Council. They provided Council with various handouts with renderings of the proposed deck and its potential effects on the abutting property’s site lines. The Applicant claimed that a new plan was made and distributed, and that no feedback from abutters was received. The designer’s blueprint and a floorplan were included in the handouts. Ms. Reese provided further explanation of the floorplan, and highlighted the changes from the previous plan to ensure that site lines are not obstructed. She presented various artistic renditions of the site lines after the proposed deck’s construction. She provided and outlines documentation stated that the impervious surfaces will not change and were immaterial to the variance request. She noted that the house was in a pre-existing, non-conforming location.

Mayor Ford opened to floor to public comment.

Len Pratt, 301 Wildwood Avenue, noted that the proposed deck does not meet the high-water setback regulations. In order for a variance to be issued, the Applicant has to show that the variance was necessary and that no other option exists.

Ellen Maas Pratt commented that no new construction projects have received waivers from the 50-foot setback requirement, and that variances for structures already built have been grandfathered in. She also submitted some photos of the property and noted that she reviewed the documents that were part of the original application and prepared a summary of the issues with the application.

Lucy Maas Holtz noted her opposition to the application and noted that the proposal was incomplete. She also presented a timeline for the project and pointed out some inconsistencies.

b. Ordinance 2023-05-05 – Amending the Utility Availability Fees (1:27:45):

On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to approve Resolution 2032-35, approving of summary publication ordinance 2023-05-05. All in favor. Motion carried.

Councilmember Hankins presented a summary of the ordinance. He noted that the resolution number should be changed to 35 because he believed that resolution 34 had already been used.

Mayor Ford opened the floor to public comment.

Naja Gail, 419B Wildwood Avenue, thanked the Council for the clarification on the Code and stated that the ordinance would affect her. The contractor installing her plumbing lines has already applied for a permit and asked if he would need to apply again.

Councilmember Hankins clarified that the ordinance would go into effect on the day that it is published. He advised the resident to wait approximately two weeks and to apply for a new permit without paying for the old one.

c. **2023 Year-End Financial Audit RFP Publication (1:34:00):**

On a motion made by Mayor Ford, seconded by Councilmember Weier, it was resolved to table the 2023 financial audit RFP publication to the Council meeting to be held in August of 2023. All in favor. Motion carried.

Mayor Ford suggested tabling discussion to the next meeting, in order to learn more about the scope of work and what to consider when selecting a firm.

d. **Ordinance 2023-06-01 Solar Panels (1:36:36):**

On a motion made by Councilmember McCarthy, seconded by Councilmember Hankins, it was resolved to table approval of Ordinance 2023-06-01 to a later date. All in favor. Motion carried.

On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to schedule time to workshop the conditions for ground-mounted solar panels at a later date. Motion carried.

Councilmember Hankins provided a brief summary of the ordinance and recommended tabling approval to a later date; however, he welcomed Council's suggestions.

Councilmember McCarthy expressed concern regarding the language around the height and setback requirements. He also recommended removing the language regarding visual impacts because they are subjective.

Councilmember Wier suggested that ground-mounted systems be reviewed by the Planning Commission as a variance, because it may have an impact on impervious surfaces, site views, and height.

Mr. Kantrud suggested that Council wants to encourage solar panels; however, making residents go through the variance applicant process can be discouraging. He suggested opting for a Conditional Use Permit instead, which is a simpler process. Councilmember McCarthy advised that roof-mounted units should be approved as soon as possible, and the conditions around ground-mounted units could be workshopped at a later date.

9. **CITY BUSINESS – NEW BUSINESS (1:48:26)**

Mayor Ford elected to return to the following Consent Agenda Items:

a. **Approve Treasurer's Report (Consent Agenda Item C) (1:48:30):**

On a motion made by Mayor Ford, seconded by Councilmember McCarthy, it was resolved to approve the Treasurer's Report, as amended. All in favor. Motion carried.

Councilmember Hankins highlighted some plumbing claims and advised that some of the more costly items should go through Council for approval in the future. He also noted a \$120 curb stop fee that should be paid by the homeowner and removed from the report.

b. Approve Mower Damage Claim (Consent Agenda Item D) (1:52:13):

On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to deny payment of the damage claim and to forward it to the insurance company. All in favor. Motion carried.

c. First Reading of Ordinance 2023-07-01 – Building Height (1:54:58):

On a motion by Mayor Ford, seconded by Councilmember Hankins, it was resolved to table the first reading of ordinance 2023-07-01. All in favor. Motion carried.

d. Request for Purchase of City Personal Computer (1:55:23):

On a motion made by Mayor Ford, seconded by Councilmember Foster, it was resolved to approve the desktop computer purchase for \$629 so everyone in the office has a working computer, and to revisit overall IT fees at a later date. All in favor. Motion carried.

Theresa Bellinger explained that the City staff require one additional desktop computer which would allow all City staff to work at the same time. This computer would replace the desktop that is currently inoperable.

e. Road Repair Bid from T.A. Shifsky (2:00:53):

On a motion made by Mayor Ford, seconded by Councilmember McCarthy, it was resolved to obtain an additional bid for road repairs which includes miscellaneous pothole repair and water main break repairs at White Pine Road and City Hall, and that Council schedule a special session to review the bid should it be received within two weeks. All in favor. Motion carried.

f. Street Sweeping (2:12:13):

On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to include street sweeping in the road repair bids to be reviewed at the special meeting. All in favor. Motion carried.

Councilmember Weier noted that she received several e-mails from residents concerned about street sweeping. Mayor Ford agreed to contact the contractor to verify whether street sweeping was completed. Councilmember McCarthy suggested that the road repair bids include street sweeping. Councilmember Hankins suggested that the contractors completing construction on Wildwood Avenue should be billed for a portion of the street sweeping.

g. Hourly Permit Fees (2:15:34):

On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to table the approval of the proposed changes to hourly permit fees. All in favor. Motion carried.

Theresa explained that the intention of the proposed changes is to process permit fees more efficiently. Mr. Kantrud advised Council to table the item so that the City Planner could be included in the conversation.

h. Staff Leave (2:24:36):

On a motion made by Councilmember Weier, seconded by Councilmember McCarthy, it was resolved to grant Rebecca Kellen up to 12 weeks of FMLA time, effective July 5, 2023. All in favor. Motion carried.

Council agreed to hold a special meeting to discuss hiring additional staff during Ms. Kellen's absence.

i. Suggested Improvement Work (2:31:34):

On a motion by Councilmember Weier, seconded by Councilmember McCarthy, it was resolved to organize volunteers to install board on the ice rink and remove fallen trees and branches from the right-of-way. All in favor. Motion carried.

j. Deer Hunt (2:42:15): Councilmember Weier agreed to recruit volunteers to work on the deer hunt. She also agreed to present a proposal at the special Council meeting. It was noted that there have been significant records requests in the past regarding the deer hunt.

k. Water Main Break Surcharge (2:44:15): Councilmember Hankins expressed concern about the cost of the water main breaks, and suggested including a proposal at the special Council meeting. Council expressed support for the idea.

10. ADJOURNMENT

On a motion made by Mayor Ford, seconded by Councilmember Weier and carried unanimously, it was agreed that there was no further business of the Council to transact; the meeting was closed at 9:31 p.m. by Mayor Ford.

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

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

**MINUTES OF THE CITY COUNCIL MEETING
SEPTEMBER 12, 2023, 6:45 P.M.**

MEMBERS:

Margaret Ford	Mayor
Mark Foster	Councilmember
Ryan Hankins	Councilmember (via teleconference)
Justin McCarthy	Councilmember
Katherine Weier	Councilmember

STAFF:

H. Alan Kantrud	City Attorney
Rebecca Kellen	City Administrator
Mary Cahill	City Treasurer (until 9:00 p.m.)
Marcus Johnson	City Engineer, Bolton & Menk (until 8:00 p.m.)

GUESTS:

Dan Starry Sheriff, Washington County Police Department (until 7:07 p.m.)

Minutes prepared by Anh Nguyen of Minutes Solutions Inc. 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 (0:00:41)

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

Council requested that the following amendments be made to the agenda:

- Add 184 Cedar Street
- Add an announcement regarding the Community Club
- Add Payment Plan for Overdue Water Bills
- Defer Section 8, Item H, Subsections B and c
- Remove Section 8, Item K

4. SHERIFF'S PRESENTATION ON 2024 POLICE SERVICES CONTRACT (0:03:43)

Sheriff Dan Starry introduced Chief Deputy Doug Anschutz, Patrol Commander Tim Harris, and Deputy Sheriff Ryan Corneha.

The Washington County Sheriff's Office has been contracting police services with Birchwood since 2014. The 2024 police services contract includes an additional deputy to meet resident expectations, provide safer and quicker responses, and allows more time to be proactive and avoid time being reactive.

Sheriff Dan Starry noted he is cognizant of the additional cost for the additional deputy but reported that the additional deputy is necessary given the increase in crisis calls, year after year, which requires time and staff to adequately address a person's needs. These calls, in addition to traffic and traffic accident calls, are time-consuming and take away from residents' expectations for traffic patrol. Based on an analysis of the calls for service data, the afternoon is the busiest for calls for service, and the additional deputy would be assigned to this time period.

Sheriff Dan Starry reported approximately 60 accidents in 2021, 72 accidents in 2022, and 84 accidents in 2023, and is expected to grow. There has also been an increase in mental health crisis calls throughout the state and the nation, and an increase in medical calls due to the aging population.

Sheriff Dan Starry provided a report of service calls for various cities in the county and reported 713 service calls in Birchwood for 2021, and 587 service calls in Birchwood in 2022, including 84 mental health crisis calls. Sheriff Dan Starry noted he is also advocating for the safety of the deputies on patrol, given the rise in the loss of law enforcement officers in the area.

Councilmember Hankins noted that the budget is allocated based on city populations; however, the number of service calls received based on the report provided by Sheriff Dan Starry does not correlate with the populations. Sheriff Dan Starry reported that the police services contract was initially delivered per capita, and then service calls were considered; however, he noted that the Washington County Police Department had no role in negotiations for the contract, which was between the four cities.

Councilmember McCarthy queried whether there is a trend of service calls over the last five years for Birchwood. Sheriff Dan Starry confirmed that, since 2019, there has been approximately the same number of service calls; however, the types of calls have changed. Before 2019, there were fewer two-person deputy calls. Currently, the focus of service calls is de-escalation and responding efficiently without force, which uses more resources than in the past.

Sheriff Dan Starry noted that all deputies undergo crisis response training, and the contract includes a crisis response team, a therapy dog, and a social worker who also goes out to the calls.

Councilmember Foster suggested re-implementing the monthly patrol reports in the meeting packets. Becky Kellen noted that the reports are available on the Birchwood website but were removed from the packet as per the previous mayor's request. Sheriff Dan Starry reported that the police department has a Public Information Officer who can customize the monthly reports to reflect what the Council or residents want to see.

Councilmember Weier requested a breakdown of how much time deputies spend in Birchwood. Sheriff Dan Starry was unable to provide the requested data but assured the Council that deputies are patrolling the city and making an effort to attend community events. Sheriff Dan Starry noted that deputy patrols are likely during the day and at night due to the large service call load in the afternoon.

5. **OPEN PUBLIC FORUM (0:22:00)**

Mayor Ford opened the floor to comments from the public.

Barton Winter, 1 Five Oaks Lane, previously expressed concerns about potholes on Cedar Street, Hall Avenue, and Birchwood Road in June 2023. Two significant areas were filled, but some areas still require attention, and he requested that the remaining areas be filled. He stated that he was told that boards would be put up at the rink but reported that the work has not been done, and offered to help with replacing the boards and to pay for the cost of some boards.

Mayor Ford confirmed that two rounds of patchwork were carried out due to the difficult winter. The Council decided to address the more severe potholes as the city does not have the funds to repair all the potholes.

Councilmember Weier reported that the city maintenance worker's priority is to remove tree debris from the storm but confirmed that the replacement of the rink boards is in the works.

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

6. **ANNOUNCEMENTS (00:29:10)**

- A. **2024 Deer Hunt Dates:** October 12, 2023, October 13, 2023, October 29, 2023, October 30, 2023, November 20, 2023, November 21, 2023, December 6, 2023, and December 7, 2023.
- B. **Birchwood Dock Association:** The annual fall meeting will be held on September 16, 2023, at 10:00 a.m. at City Hall.
- C. **Parks Committee:** The Parks Committee is seeking a volunteer to fill a vacant position. A final decision will be made at the October 2023 City Council meeting.
- D. **Permitting Software:** The new permitting software was launched on September 1, 2023.
- E. **Resignation of City Treasurer:** Mary Cahill, the City Treasurer, has resigned but has offered to help with the transition period.
- F. **Community Club:** The Community Club fall newsletter is available on the city's website. The Community Club is trying to gauge interest in a city-wide garage sale on September 29, 2023, and September 30, 2023.

Interested residents are asked to send an e-mail to communityclubbirchwood@gmail.com.

7. **CONSENT AGENDA (00:31:40)**

On a motion made by Councilmember Weier, seconded by Councilmember Foster, it was resolved to approve Consent Agenda items B, C, and D, as presented. All in favor; motion carried.

- A. **July 2023 Meeting Minutes (Consent Agenda Item A) (00:32:33):** The following changes were requested to the minutes of the meeting held on July 11, 2023:

- Section 8, subsection a: The reasons listed are inaccurate, and “there was strong opposition from the neighbors” should be removed as a reason for denial of the variance application. It was noted that going forward, any reasons for denial of a variance application listed in the meeting minutes should reflect the same as the reasons listed in the letter sent to the respective homeowner(s).
- Section 9, subsection d: The motion was approved as amended; however, there is no reference as to what the amendment(s) were.

The approval of the minutes of the Council meeting held on July 11, 2023, was deferred to the next Council meeting pending amendments.

B. Approve Owl Path Handrail Install (Consent Agenda Item E) (0:35:22):

On a motion made by Councilmember Hankins, seconded by Councilmember McCarthy, it was resolved to approve the installation of a handrail at Owl Path by employee Ron Koehnle at a cost not to exceed \$2,500 for materials, and at a rate of \$25 per hour for a maximum of 100 hours, as amended. All in favor; motion carried.

The proposal should state “100 hours”, not “10 hours”, at \$25 per hour. The cost of materials is based on an estimate from the Parks Department.

Councilmember Foster expressed concern regarding the city’s limited funds given the overspending on several items; however, it was noted that the Birchwood Dock Association has approximately \$15,000 that is solely designated for spending on parks. Councilmember Foster reiterated that the handrail should be installed prior to the winter season, as the city’s snow removal process entails relocating snow to Owl Path.

C. Approve Treasurer’s Report (Consent Agenda Item F) (00:39:20):

On a motion made by Councilmember Hankins, seconded by Councilmember McCarthy, it was resolved to approve the Treasurer’s report, as amended. All in favor; motion carried.

It was noted that \$6,750 from the water fund should be allocated towards check No. 32575 in the amount of \$8,000 to Asphalt Restoration Co. Inc., as previously approved by the Council.

8. CITY BUSINESS – OLD BUSINESS

A. City Street Project Update (00:57:55):

On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to approve holding a public forum to obtain resident feedback on the city street project and the Wildwood lift station project. All in favor; motion carried.

ACTION – Becky Kellen will post a notice on the city’s website and send an e-mail blast to residents advising that the Council conducted a road survey and is seeking resident feedback on the city street project at a special meeting to be held in September 2023, and to be attended by Marcus Johnson.

ACTION – Marcus Johnson will explore grant opportunities for the water main and any other grants related to the city street project and will review the water main breaks to determine the services that would be impacted.

Marcus Johnson recommended replacing the water main pipes since they are four inches and the standard is now eight inches, and reconstructing the split on Wildwood Avenue, except for the sanitation sewer, after the completion of the lift station project. The project for Wildwood Avenue will cost approximately \$800,000; however, some of the construction costs will already be included in the lift station project, which would provide some cost savings.

Marcus Johnson confirmed there is no immediate need to reconstruct any of the Birchwood roads, but the city may want to consider reconstruction based on the condition of the water main breaks. Marcus Johnson reviewed the road report, and noted that some of the priority roads could be deferred to 2024.

The city is considering implementing a bike lane on the shoulder, but the Lake Links Association requires that the bike lane must be paved and striped and that a design be submitted in advance. There is \$70,000 available, but Marcus Johnson has not yet confirmed how much the project would cost. It was suggested to also obtain public input on the bike lane at the special meeting.

The county is seeking the city's interest in joining a crack-filling project with other neighboring cities to have the roads crack-filled for a lump sum each year. A plan would have to be submitted to the county by October 20, 2023. There is no upfront cost for the application, but the Council would have to decide on the budget and inform the county. Marcus Johnson noted that joining the crack-filling project would save on mobilization costs and provide cost savings. Further discussion was deferred to the special meeting to be scheduled in September 2023.

- B. Wildwood Lift Station Update (00:40:45): ACTION – Marcus Johnson will confirm whether the Environmental Protection Agency (EPA) requires that the city show the funds for the lift station project are available before the EPA provides a cheque for \$480,000, or whether the cheque will not be written until the project is complete.**

ACTION – The Council will hold a special meeting in September 2023 to discuss the Wildwood lift station and determine its location and will invite Steven Thatcher, the previous city engineer, to the meeting for clarification.

Marcus Johnson met with Steven Thatcher for a review of the project and a status update and will be meeting with the Environmental Protection Agency (EPA) and the Rice Creek Watershed District (RCWD) to discuss funding.

The RCWD requires that a plan and specs be submitted by October 2025 for construction in 2026. The EPA requires that a location be determined, an environmental review be conducted (which will take a few months), and that a work plan including the site, scope, and cost assessment be submitted. The EPA also requires 20% profit match to their estimate of \$480,000, which is for construction only and does not cover the design process.

It was noted that funding needs to be secured prior to bidding, and Marcus Johnson is still trying to determine where the \$480,000 estimate has originated. Marcus Johnson noted that, based on the previous city engineer's plans, the project would cost \$1,000,000 due to the plans being very deep, which drives construction costs up; however, Bolton & Menk may be able to narrow the scope to a project cost of \$600,000 to \$700,000.

Councilmember McCarthy expressed concern that Steven Thatcher, the previous city engineer, was paid \$100,000 for the drawings and plan, and the city will have to pay an additional \$30,000 for Bolton & Menk to draft new drawings and a plan. It was also noted that Steven Thatcher was

aware of the city's budget of \$600,000 to \$800,000, yet drafted a plan for a project that is estimated to cost \$1,000,000.

Marcus Johnson confirmed that if the Council proceeds with the original plan and it is signed by Steven Thatcher, Bolton & Menk can carry out the construction only, and the city will not incur the additional \$30,000 cost. Mary Cahill confirmed that the city has been paying invoices to Steven Thatcher since 2022 for the lift station project.

C. Parks and Natural Resources (1:15:28):

- a. Tighe-Schmitz Update:** *ACTION – Becky Kellen will add the basketball hoop to the city's maintenance schedule, along with items from the inspection of the playground at Tighe-Schmitz Park.*

A memo was presented that includes ideas for maintenance and improvements to Tighe-Schmitz Park from the public forum held by the Parks Committee. An additional public forum will be held in spring 2024. The Parks Committee is currently exploring potential grants for any of the recommended improvements.

- b. Parks and Natural Resources Committee Representatives:** This item was not discussed.

c. First Reading of Ordinance 2023-09-01 (607) City Parks Systems:

i) First Reading and Council Deliberation:

On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to approve the first reading of Ordinance 2023-09-01. All in favor, motion carried.

The following amendments were requested:

- Section 607.201, add "with a valid boat slip permit" between "access a boat" and "on a city-licensed dock".
- Section 607.510, add "if any" after "machinery".
- Section 607.300, remove "any person so authorized by the City Council" and incorporate into Section A to include "during flood times".

ii) Order Second Reading and Public Hearing:

On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to approve the order of a second reading and public hearing for Ordinance 2023-09-01. All in favor, motion carried.

D. 2024 Final Preliminary Budget Discussion and Approval (1:29:55):

- a. Council Discussion:** H. Alan Kantrud reported that the police services contract is a supplemental contract, and the Sheriff is in charge of policing the county. If the Council is not in favor of the additional deputy, the apportionment would be divided by the other cities, or the other cities will have to determine how to supplement the difference within their internal financing.

Councilmember McCarthy emphasized that once a preliminary budget is approved, the budget can decrease but cannot increase; therefore, he recommended erring on the side of caution and

approving the police services contract, pending confirmation of the city's obligation to the contract. H. Alan Kantrud agreed with this recommendation.

Councilmember McCarthy recommended a budget of \$50,000 or \$100,000 to address two or three roads annually with a mill and overlay as an interim solution, citing concerns with justifying the cost of \$800,000 to reconstruct the roads.

Councilmember Foster noted that a budget increase from the previous \$30,000 to a proposed \$100,000 to address cul-de-sacs that are used by a small portion of the community may not be as warranted as an increase to \$100,000 to address Wildwood Avenue, which is used heavily by the community.

Mary Cahill confirmed that \$30,000 is included in the budget annually to be transferred to capital projects, and is historically used for road repairs. The transfer for 2023 still needs to be made. The Council agreed to budget \$100,000 for the roads, pending more information and feedback from residents at the special meeting.

Councilmember Hankins stated that, given the city's budget and taxpayers' time spent on discussing Council pay, he is also willing to forego his council salary for 2024, along with Mayor Ford and Councilmember McCarthy. The Council agreed to increase the council salary budget to \$4,500 to accommodate potential replacements or resignations.

Mary Cahill confirmed that any expenses for the lift station have been allocated to the sewer budget and are not from the general budget. Mary Cahill recommended monitoring the funds for sewer and water to determine whether surcharges are required to help offset the costs.

Mary Cahill noted that the city planner is being paid a contract price of \$1,600 per month; therefore, the expenses are not being allocated back to residents as part of permitting fees and queried how the city will recuperate the cost.

Councilmember Hankins reported his intention to amend the fee schedule so that expenses for the city planner come out of the planning and zoning budget to fund the city planner through the city's permits. The Council agreed to budget \$5,000 in permitting fees to cover the City Planner.

Mary Cahill noted that the city treasurer' budget is currently \$10 per hour, which will be a challenge to find a replacement, and suggested increasing the budget. Mary Cahill recommended a rate of \$30 per hour for 20 hours per month; however, she strongly encouraged cross-coverage, which would require more hours, and that the city consider hiring two individuals to manage the accounting and bookkeeping. The budget also does not account for PERACare. The Council agreed to budget \$15,100 for the treasurer and deputy clerk budget.

- b. **Council Approval of Preliminary Budget:** The approval of the preliminary budget was deferred to a special meeting to be held in September 2023.
- E. **Second Reading of Ordinance 2023-05-01: Repealing and Replacing 302.050 Impervious Surfaces in the City Code (2:18:50):**
 - a. **Public Hearing:** The public hearing was opened, and there were no comments.

On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to close the public hearing. All in favor; motion carried.

b. Council Deliberation and Approval:

On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to approve Ordinance 2023-05-01. All in favor; motion carried.

ACTION – Becky Kellen will send the approved city code to the Department of Natural Resources (DNR) within their 10-day deadline.

c. Approve Resolution 2023-38 Approving Summary Publication Ordinance 2023-05-01:

On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to approve Resolution 2023-38 for Ordinance 2023-05-01. All in favor; motion carried.

F. Second Reading of Ordinance 2023-05-02: Amending 302.020 Land Use in the City Code (2:21:18)

a. Public Hearing: The public hearing was opened, and there were no comments.

On a motion made by Mayor Ford, seconded by Councilmember McCarthy, it was resolved to close the public hearing. All in favor; motion carried.

b. Council Deliberation and Approval:

On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to approve Ordinance 2023-05-02. All in favor; motion carried.

H. Alan Kantrud confirmed that only the portion of the section that has been changed will be published and does not require a summary.

G. Second Reading of Ordinance 2023-05-03: Amending the Fee Schedule (2:22:25):

a. Public Hearing: The public hearing was opened, and there were no comments.

On a motion made by Mayor Ford, seconded by Councilmember McCarthy, it was resolved to close the public hearing. All in favor; motion carried.

b. Council Deliberation and Approval:

On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to approve Ordinance 2023-05-03. All in favor; motion carried.

H. Alan Kantrud confirmed that only the portion of the changed fee schedule will be published and does not require a summary.

H. Second Reading of Ordinance 2023-06-01: Solar Panels (2:23:51)

a. Public Hearing: The public hearing was opened, and there were no comments.

On a motion made by Mayor Ford, seconded by Councilmember McCarthy, it was resolved to close the public hearing. All in favor; motion carried.

b. **Council Deliberation and Approval:** The Council agreed that roof-mounted solar panels could be approved; however, there were concerns regarding the ground-mounted solar panels. Further discussion was deferred to a workshop to be scheduled.

I. **First Reading of Ordinance 2023-07-01: Zoning Code Requirement and Performance Standards (2:30:45)**

a. **Public Hearing:** The public hearing was opened, and there were no comments.

On a motion made by Mayor Ford, seconded by Councilmember McCarthy, it was resolved to close the public hearing. All in favor; motion carried.

b. **Council Deliberation and Approval:**

On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to approve the first reading of Ordinance 2023-07-01. All in favor, motion carried.

ACTION – Councilmember Hankins will include a definition of “break line” in Ordinance 2023-07-01 and will include his illustration as part of the ordinance.

The Council discussed whether to increase the height that the tallest point cannot exceed and agreed to keep it at 35 feet as most structures do not reach 35 feet. The Council also discussed how 35 feet is measured if the tallest point of a structure is not on the same façade as the lowest point of the structure. The Council agreed to include Councilmember Hankins’ illustration as part of the ordinance for clarity.

c. **Order Second Reading and Public Hearing:**

On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to approve the order of a second reading and public hearing for Ordinance 2023-07-01. All in favor, motion carried.

J. **Second Reading of Ordinance 2023-08-01: Cannabis Ban in Public Spaces (2:42:25):**

a. **Public Hearing:** The public hearing was opened, and there were no comments.

On a motion made by Mayor Ford, seconded by Councilmember Weier, it was resolved to close the public hearing.

b. **Council Deliberation and Approval:**

On a motion made by Councilmember Foster, seconded by Councilmember Weier, it was resolved to approve the second reading of Ordinance 2023-08-01. All in favor, motion carried.

The ordinance needs to be amended to align with the tobacco ordinance update in April 2023 to include cannabis, cannabis products, low-potency edibles, and hemp-derived consumer products.

Councilmember Hankins noted that the League of Minnesota Cities states that the use of tobacco and cannabis products can only be a petty misdemeanor; however, it would currently be deemed

as a misdemeanor under the city's penalties. In addition, "cannabis flower" is missing in the list of items not permissible for smoking as per state statute.

K. **Second Reading of Ordinance 2023-08-02:** This item was removed from the agenda.

9. **CITY BUSINESS – NEW BUSINESS**

A. **Lawn Mower Claim (2:49:05):**

On a motion made by Councilmember Hankins, seconded by Councilmember McCarthy, it was resolved to approve taking no action on the lawn mower claim.

The damage claim for the lawn mower was submitted to the city's insurance provider and was denied, as the responsibility is on the operator to inspect the area being mowed prior to use. The insurance provider has confirmed that the city was not negligent.

B. **Website Vendor Discussion (2:50:05):**

On a motion made by Mayor Ford, seconded by Councilmember McCarthy, it was resolved to approve a one-year extension of the contract with Catalis for website hosting services at a cost of \$1,000. All in favor; motion carried.

ACTION – Mayor Ford will spearhead a task force for the redesign of the city's website.

Becky Kellen reported that Catalis purchased GovOffice, which had been providing the city's website services since 2001. The city is currently paying \$570 with GovOffice; however, the price will increase to \$1,995 for Year 1 with Catalis, and will increase incrementally, for a four-year contract, that includes a website redesign in Year 1 and Year 4. Alternatively, the city can remain on a one-year contract for \$1,000. It was noted that the contract expired in June 2023.

Councilmember McCarthy noted that HostGator offers a premium package at a cost of \$6 per month; however, he queried whether the city owns the rights to its website in order to migrate the website data over to HostGator.

The Council discussed whether to change the provider for website services. It was noted that the city does not have the funds for a website redesign, but there may be capable residents who are willing to provide their service. The Council agreed to proceed with a one-year extension to allow time to explore alternative options and to create a task force for the website redesign.

C. **First Reading of Ordinance 2023-09-02 Setback Changes (2:59:55)**

i) **First Reading and Council Deliberation:**

On a motion made by Mayor Ford, seconded by Councilmember Hankins, it was resolved to approve the first reading of Ordinance 2023-09-02. All in favor, motion carried.

Councilmember McCarthy reported that the consensus from discussions with several parties, including the Planning Commission, is that the city's setback rule of 40 feet is unreasonably strict. There is also ambiguity over "lot line" and whether setbacks should be measured from the road rather than the lot line, since the prevailing setback in the

surrounding communities is 30 feet, and it has been misinterpreted through the years as 40 feet from the lot line.

The proposed changes include clarification on lot line, changing the setback from 40 feet to 30 feet, fencing and landscaping barriers based on feedback from the Planning Commission, a 25 feet setback instead of 30 feet setback on the non-address side of corner lots, and a fence update which was to be discussed at the next Planning Commission meeting but was canceled.

ii) Order Second Reading and Public Hearing:

On a motion made by Mayor Ford, seconded by Councilmember Hankins, it was resolved to approve the order of a second reading and public hearing for Ordinance 2023-09-02. All in favor, motion carried.

D. City Removal of Diseased Trees and Replacement – Grant Discussion (3:04:55): Mayor Ford and Councilmember Weier are working on public grants from the DNR for diseased trees. The first grant application deadline is September 18, 2023, and would include a full city tree inventory to help determine when trees need to be treated in advance. A second grant allows for the injection of emerald ash borers to be included. Mayor Ford and Councilmember Weier are looking into whether the grants can be spread out throughout the community or only used for public trees.

E. Treasurer Replacement (3:07:10): ACTION – Mayor Ford will speak with neighboring cities to determine partnership opportunities for a City Treasurer and the associated cost.

ACTION – Mayor Ford and Becky Kellen will create a job description for the Treasurer’s replacement to be posted online and in the press.

ACTION – Councilmember McCarthy will send Mayor Ford a list of some neighboring cities and their treasurer arrangements.

The Council extended their gratitude to Mary Cahill for her years of service to the city.

F. Fall Street Sweeping (3:12:00): ACTION – Becky Kellen will request a specific date for the fall street sweeping by T.A. Schifsky and will reiterate that better service is required given the poor service during the spring street sweeping.

The Council discussed whether to obtain an additional proposal from a second contractor due to concerns with the poor performance of T.A. Schifsky during the spring street sweeping, including the contractor’s failure to return to complete the street sweeping after their street sweeper was repaired. Becky Kellen reported that the fall street sweeping is included in the contract with T.A. Schifsky and is already paid for. The contractor recommended fall street sweeping in early November 2023 after the leaves have fallen.

G. City Garage Damage (3:14:30): Mayor Ford confirmed that a claim was filed for the damage to the city garage from a fallen tree on July 6, 2023, and a cheque was received. Jim Rydeen, the city maintenance worker, is scheduled to repair the garage.

H. Wildwood Lift Station Update: This item was discussed under the City Engineer’s updates.

I. 2024 Technology Services (3:15:45):

On a motion by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to approve the appointment of Councilmember Hankins to the Board for Metro-INET as a representative of Birchwood. All in favor; motion carried.

ACTION – Councilmember Hankins and H. Alan Kantrud will review and discuss the city’s contract with Metro-INET.

Metro-INET is asking \$6,000 for IT services compared to a quotation of approximately \$3,000 from Techie Dudes. It was noted that Techie Dudes offers support and security software, and in addition, Microsoft also includes satisfactory security software in their standard Windows program.

Councilmember Hankins reported that Metro-INET was established under the MN Joint Exercise of Powers Act, and there is a director position that can be filled as a city council that could serve the community by having a representative for Birchwood.

J. Payment Plan for Overdue Water Bills (1:48:38):

On a motion made by Mayor Ford, seconded by Councilmember Foster, it was resolved not to approve payment plans for overdue utilities. Councilmember McCarthy opposed. Motion carried.

Mary Cahill reported receiving a request from a resident for a payment plan for an overdue water bill balance of \$1,075. The resident has not made payment since January 2023, and does not believe that the balance can be paid off by October 2023, before the city stops its collection process and turns balances over to the county to be included on property taxes.

The Council discussed concerns regarding setting a precedent for payment plans. It was noted that deferring the outstanding balance to the county to be put on property taxes will provide the resident with more time to pay off the balance by May 2024.

K. 184 Cedar Street (2:15:43):

On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to authorize H. Alan Kantrud to send a legal letter to the property management company that owns 184 Cedar Street requesting maintenance of the property to bring it into compliance, and to register with the city as a vacant building. All in favor; motion carried.

ACTION – H. Alan Kantrud will send a letter to the property management company that owns 184 Cedar Street advising that the property needs maintenance to be in compliance, and to include a copy of the city’s vacant building ordinance.

The property at 184 Cedar Street has been vacant for some time. A resident reported damage to the property and their own property from an oak tree at 184 Cedar Street. During research, the same resident determined that the property is owned by a property management company in Texas; however, the property is not being maintained. Councilmember McCarthy referred to the city’s vacant building ordinance, which requires buildings that are vacant more than 30 days to register with the city and pay a fee, which has not been done.

10. **ADJOURNMENT**

On a motion made by Mayor Ford, seconded by Councilmember McCarthy and carried unanimously, it was agreed that there was no further business of the Council to transact; the meeting was closed at 10:09 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

AGREEMENT FOR ELECTION SERVICES

THIS AGREEMENT, made and entered into this ____ day of _____, 20____ by and between the City of _____, a Minnesota municipal corporation, herein referred to as the "City", and Washington County, a body politic and corporate, herein referred to as "County" pursuant to the authority contained in Minnesota Statutes 471.59, which authorizes the joint and cooperative exercise of powers common to contracting parties by agreement.

WITNESS:

WHEREAS, the County has certain election related duties imposed upon it under Minnesota election law and other relevant state and federal laws; and

WHEREAS, the City has certain election related duties imposed upon it under Minnesota election law and other relevant state and federal laws; and

WHEREAS, the City and County agree that efficiencies and economies of scale make it desirable for the County to assume some of the City's election related responsibilities; and

WHEREAS, MINN. STAT. § 471.59 authorizes local governmental units to enter into joint powers agreements with other governmental units to perform on behalf of that unit any service or function which that government would be authorized to provide for itself.

NOW, THEREFORE, pursuant to MINN. STAT. § 471.59 and the various Chapters of the Minnesota Election Laws, the County and City (hereinafter "Parties") agree as follows:

SECTION ONE - PARTIES

The City hereby contracts with the County to perform, and the County hereby agrees to perform, the election services hereinafter described. This agreement shall apply to the Statewide Primary Elections, the Statewide General Elections, and any other required election.

SECTION TWO - SERVICES

COUNTY RESPONSIBILITIES

The County shall perform the following election duties which are assigned to the City under Minnesota election law and other relevant state and federal laws:

- A. The County shall be responsible for recruitment, training, and assignment of election judges.

- B. The County shall be responsible to determine the pay rate of election judges and for the payment of the election judges' salaries and other authorized mileage and expenses.
- C. The County shall arrange for the use of optical scan voting systems, assistive voting devices, electronic rosters, and attendant other required polling place equipment for every primary, special or general election identified in this agreement.
- D. The County will coordinate with the City for the placement and use of City owned election equipment at each polling place.

a. Election equipment for purposes of this agreement shall mean voting booths, polling place signs, flags, stands and City supply boxes.

a.i. If election equipment provided for use at each polling place is not the exact equipment purchased by the City, it will be comparable.

a.ii. In the event that additional or replacement election equipment is needed at a polling place, the County shall purchase the equipment and bill the City for the cost of this additional or replacement election equipment. The County will notify the City of the need for election equipment and provide costs prior to the purchase.

- b. The County shall store the City election equipment in County facilities during the duration of the agreement.
 - i. At the termination of this agreement, the County will return all City election equipment stored in County facilities to the City.
 - ii. Notwithstanding anything in this agreement that may be to the contrary, the City shall be responsible to replace any lost, stolen, damaged or destroyed City election equipment and will hold the County harmless if any of the City's election equipment is lost, stolen, damaged or destroyed while in the care and custody of the County.

E. The County shall inform the City of the number of registered voters in each of its precincts within 5 business days of February 1st of each odd numbered year.

F. The County shall provide the City an estimate of costs for the next even numbered year election cycle by March 31st of each odd numbered year.

G. The County shall provide the City an estimate of costs for the next year's annual equipment maintenance by March 31st of each year.

G.H. The County shall arrange-coordinate for the use of polling places on Election Day in the City.

Formatted

Formatted: Font: (Default) +Body (Calibri), 12 pt

Formatted: Superscript

Formatted: Superscript

Formatted: Superscript

Formatted: Font: (Default) +Body (Calibri), 12 pt

Formatted: Indent: Left: 0.5", No bullets or numbering

H.I. The County shall be responsible to provide election forms, supplies and other related materials for each polling place and to publish any required primary or general sample ballots.

H.J. The County shall conduct preliminary tests and public accuracy tests of voting systems and publish and post notices of the public accuracy tests.

K. The County shall be responsible for the programming of optical scan voting systems, assistive voting devices, and electronic rosters for the City.

H.L. The County shall be responsible for the programming, layout, and printing of ballots for the City.

a. The county shall pay the ballot costs for State Elections.

b. Ballot costs for any other election will be paid by the election authority as a reimbursement of actual cost or direct payment by the election authority.

b.i. Election authority is defined as the city, town, or school district calling for the election.

Formatted: Indent: Left: 0.5", No bullets or numbering

Formatted: Font: (Default) +Body (Calibri), 12 pt

Formatted: Indent: Left: 0.5", No bullets or numbering

Formatted

K.M. The County shall administer absentee voting for the City.

a. The county shall pay for the absentee voting costs for State Elections.

b. Absentee voting costs for any other election will be paid by the election authority per the county fee schedule.

H.N. The County shall be responsible for the compiling and reporting of election results and election statistics and providing election related information to the Minnesota Office of the Secretary of State's election reporting system.

~~M. The County shall be responsible for providing the City an abstract and results reports to be reviewed by the City Canvass Board. on behalf of the City provide to City officials, candidates and the public information and assistance relating to election procedures.~~

O. The County shall be responsible for administering the Post-Election Review for the City's precincts.

Formatted: Font: (Default) +Body (Calibri), 12 pt

Formatted: Indent: Left: 0.5", No bullets or numbering

P. The County shall on behalf of the City provide to City officials, candidates, and the public information and assistance relating to election procedures.

Formatted: Font: (Default) +Body (Calibri), 12 pt

Formatted: Indent: Left: 0.5", No bullets or numbering

Formatted: List Paragraph

- a. Notwithstanding the above subparagraph, the County shall not be responsible to provide the City with legal advice concerning questions related to election law, and the City will seek any such advice from the City Attorney and other City officials.

CITY RESPONSIBILITIES

The City shall be responsible for the following under this agreement:

- A. The City shall designate a principal contact person for the County. This individual shall be available to assist as necessary on election day.
- B. The City shall provide the County with election equipment to be utilized at each polling place.

- a. Election equipment for purposes of this Agreement shall mean voting booths, polling place signs, flags, flag stands and City supply boxes.

Formatted: Font: (Default) +Body (Calibri), 12 pt

Formatted: Indent: Left: 0.5", No bullets or numbering

- C. The City shall be responsible for determining precinct boundary changes.

Formatted: Indent: Left: 0.5", No bullets or numbering

- a. The City shall not establish a precinct with more than 4,500 registered voters.

- i. The City will receive a list of the number of registered voters in each precinct from the County within 5 business days of February 1st of each odd numbered year. The City shall make a boundary change for any precincts on this list exceeding 4,500 registered voters. The boundary change must occur before December 31st of the odd numbered year.

Formatted: Superscript

Formatted: Superscript

- ii. The City shall pay the costs for the required notifications to voters of a precinct boundary change.

- a.iii. The City and County may mutually determine a boundary change be delayed and reevaluated in the next odd numbered year.

Formatted

- D. The City shall be responsible for establishing polling places, ~~and~~ preparing the resolution, ~~and requesting approval of the resolution by for~~ the City Council, ~~and determining precinct boundary changes.~~

- a. The County shall review and approve the establishment of polling places prior to approval by the City.

- b. Any formal agreements for the polling place facility are to be made between the City and the polling place. The City will make the polling place available to County personnel.

Formatted

- D.E. The City shall provide to the County the title and text of City ballot questions and provide the certification of candidate names for City offices as soon as they are available after the resolution is finalized or the Affidavit of Candidacy is filed.

~~E.F.~~ The City shall prepare a resolution authorizing the County to designate an absentee ballot board for the purpose of accepting and rejecting ballots for the City.

~~F.G.~~ The City shall perform the duties of candidate filing officer, providing to candidates the candidate filing packets. ~~Candidate filing packets shall include acceptance of affidavits of candidacy, petitions and information to campaign committees.~~

~~H.~~ The City shall administer initial and ongoing campaign financial reporting and economic disclosure activities; prepare, post, and publish election notices; ~~and~~ post sample ballots at the City Office, ~~and conduct the official canvass of election results following each City election.~~

~~G.I.~~ The City shall conduct the official canvass of election results following each City election.

- a. ~~The City shall provide the date of the City Canvass Board meeting at least 30 days before each election.~~

~~H.J.~~ The City shall retain election records for a period not less than twenty-two (22) months after each City election and retain a permanent archive of election results.

Formatted: Font: (Default) +Body (Calibri), 12 pt

Formatted: Indent: Left: 0.5", No bullets or numbering

Formatted: Font: (Default) +Body (Calibri), 12 pt

SECTION THREE - RECOUNTS

The parties recognize that under Minnesota State law the City Clerk or designee serves as the recount official for recounts conducted by the City Council or City Canvassing Board. If mutually agreed by the Parties, a County official may act as the recount official. —The Parties will determine the duties, responsibilities and cost reimbursements for any such recount agreement.

SECTION FOUR - LEGAL REPRESENTATION

The County shall not be responsible to provide the City with legal advice concerning questions of election law, and the City will seek such legal advice from its City Attorney. Moreover, the City Attorney shall approve in a timely manner the format of the City ballot prior to the ballot being printed. The County Attorney shall advise and represent the County in its performance of this Agreement.

SECTION FIVE – LIABILITY

~~The parties total liability under this agreement shall be governed by Minnesota Statute 471.59, subd. 1a. Each party agrees that it will be responsible for the acts or omissions of its officials, agents, and employees, and the results thereof, in carrying out the terms of this agreement, to the extent authorized by law and shall not be responsible for the acts or omissions of the other parties and the results thereof. For the purposes of determining total liability for damages, the participating governmental units are considered to be a single governmental unit, the total liability of which shall not exceed the limits for a single governmental unit as provided in Minnesota Statute 446.04, subd. 1.~~

SECTION FIVE-SIX - AGREEMENT PRICE

The City shall pay a fee to the County ~~each year~~ for election services each year they have an election. The election fee schedule is approved by the County Board each year and establishes the fee(s) associated with each election ~~year~~ year type. The City will be billed for election services upon the completion of the election cycle. The County will provide an invoice to the City no later than 60 days after the last election in the cycle payable 30 days after providing said billing.

The City will be billed for the actual costs of appointed election judges salaries, ~~and other~~ authorized mileage and other expenses to perform duties within their election precincts.

The City will be billed for any required legal publication costs.

~~The City will be billed for additional or replacement Election Equipment, if needed at a polling place.~~

SECTION SIX-SEVEN - INDEPENDENT CONTRACTOR

It is understood and agreed between the parties that the County is an independent contractor and not an employee of the City. The City shall not be required to maintain any insurance coverage needed in connection with the performance of the County services, including but not limited to automobile liability insurance, workers compensation insurance and public liability insurance.

SECTION SEVEN-EIGHT - DURATION AND TERMINATION

This agreement shall commence on the ____ day of _____, 20____ and remain in force until terminated by either party giving the other party a six-month written notice of its intent to terminate the agreement. Mutual agreement of both parties can terminate the agreement immediately, however the agreement cannot be cancelled during an even numbered year.

SECTION EIGHT-NINE – ENTIRE AGREEMENT

It is understood and agreed that the entire agreement of the Parties is contained herein, and that this agreement terminates, replaces, and supersedes the prior Joint Powers Agreement between the parties entered into on the ____ day of _____, 20____.

IN WITNESS WHEREOF, the parties hereto have made and executed this agreement the day and year first above written.

CITY OF _____

WASHINGTON COUNTY

By _____
Mayor

By _____
County Board Chair

Attest _____
City Clerk

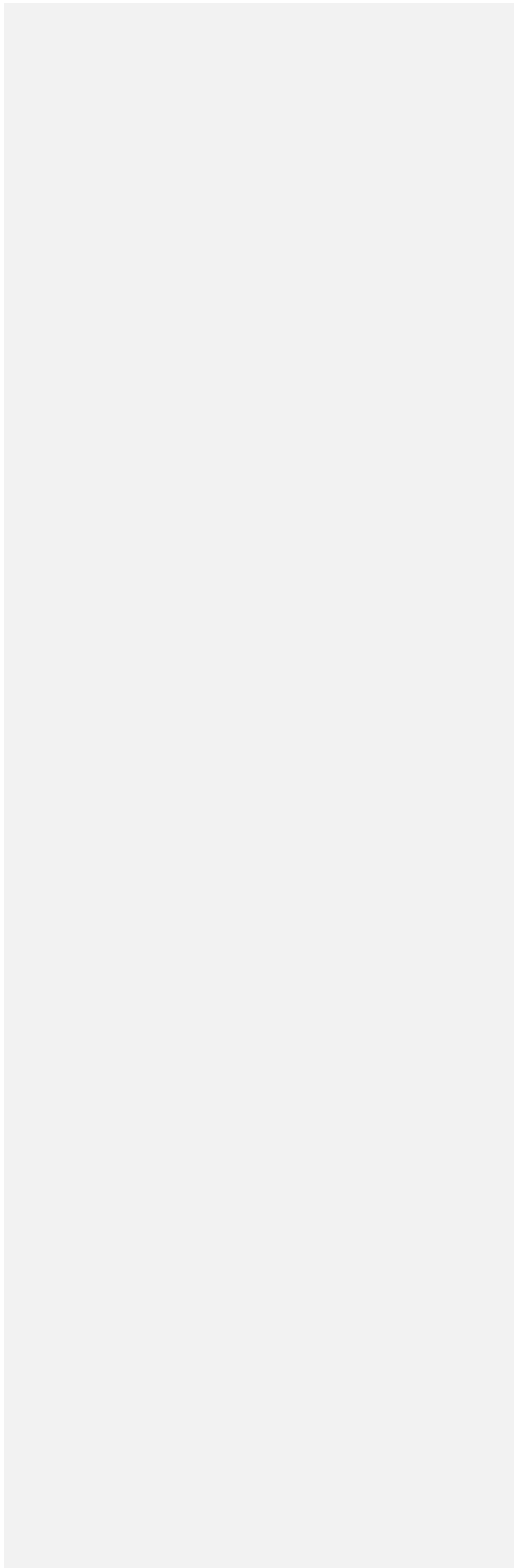
By _____
County Administrator

Recommended By:

Director, Property Records and Taxpayer Services

Approved as to form by:

Assistant Washington County Attorney



AGREEMENT FOR ELECTION SERVICES

THIS AGREEMENT (“Agreement”), made and entered into this 10 day of October, 2023, by and between the City of Birchwood Village, a Minnesota municipal corporation, herein referred to as the “City”, and Washington County, a body politic and corporate, herein referred to as “County,” hereafter collectively referred to as “Parties.”

WHEREAS, Minnesota Statutes, Section 471.59, authorizes two or more governmental units to enter into an agreement to jointly or cooperatively exercise any power common to the contracting parties; and

WHEREAS, pursuant to the United States Constitution, Minnesota election laws, and other relevant state and federal election laws, the Parties have certain election related duties imposed upon them in order to carry out the proper administration of elections; and

WHEREAS, the Parties agree that efficiencies and economies of scale make it desirable for the County to assume some of the City’s election related responsibilities; and

NOW, THEREFORE, in consideration of the mutual promises and agreements contained herein the Parties agree as follows:

SECTION ONE – DEFINITIONS

The following words, terms, and phrases when used in this Agreement shall have the meaning ascribed to them in this Section, except where the context clearly indicates a different meaning:

- A. **Precinct Supplies**: City owned voting booths, polling place signs, flags, flag stands, and supply boxes containing election related materials, including supplies, forms, and other required precinct supplies.
- B. **Voting Equipment**: County owned optical scan voting systems, assistive voting devices, electronic rosters, and other required voting equipment.
- C. **Election Authority**: The city, town, or school district calling for the election.

SECTION TWO – ELECTION SERVICES

The City hereby contracts with the County to perform, and the County hereby agrees to perform, the election services hereinafter described. This Agreement shall apply to statewide primary and general

elections, special elections called by a valid election authority and all other elections required by law. The Parties agree to carry out the election services hereinafter described in accordance with the United States Constitution, Minnesota election laws, and all other relevant state and federal election laws.

A. COUNTY RESPONSIBILITIES

The County shall perform the following election services which are assigned to the City under Minnesota election laws and other relevant state and federal laws for every election identified in this Agreement:

1. Election Judges:

- a. The County shall be responsible for recruitment, training, and assignment of election judges.
- b. The County shall be responsible for determining the hourly pay rate of the election judges.
- c. The County shall be responsible for paying the election judges directly for salaries, authorized mileage, and other authorized expenses.

2. Voting Equipment:

- a. The County shall arrange for the transport of and coordinate the placement and use of voting equipment for each polling place in the City.
- b. The County shall be responsible for the programming of voting equipment.
- c. The County shall conduct preliminary and public accuracy testing of optical scan voting systems. The County shall post and publish the required notices for the public accuracy testing.

3. Precinct Supplies: The County shall be responsible for providing election forms, supplies, and other election related materials for each polling place in the City.

- a. The County shall arrange for the transport of and coordinate the placement and use of precinct supplies at each polling place in the City.

- b. If the precinct supplies provided for use at each polling place are not the exact supplies purchased by the City, they will be comparable, as determined by the County.
- c. When the precinct supplies are not in use, the County shall store them in secure County facilities during the term of this Agreement. The County shall store the precinct supplies in an adequate manner to minimize the possibility of loss, theft, or damage. At the termination of this Agreement, the County will return all the City's precinct supplies to the City.
- d. If additional and/or replacement precinct supplies are needed, the County shall notify the City of the need and provide a cost estimate prior to the purchase. Following the approval of the City, the County shall purchase the supplies and bill the City for the costs.
- e. Notwithstanding anything in this Agreement that may be to the contrary, the City shall be responsible to replace any lost, stolen, damaged or destroyed City precinct supplies and will hold the County harmless if any of the City's precinct supplies are lost, stolen, damaged or destroyed while in the care and custody of the County.

4. Ballots:

- a. The County shall be responsible for the programming, layout, and printing of ballots for the City.
- b. The County shall pay the ballot costs for statewide elections.
- c. All ballot costs for any other election will be paid by the election authority as reimbursement of actual cost or direct payment.

5. Absentee Voting:

- a. The County shall administer absentee voting for the City.
- b. The County shall pay the absentee voting costs for statewide elections.
- c. Absentee voting costs for any other election will be paid by the election authority per the most recently adopted Countywide Fee Schedule.

- 6. The County shall coordinate directly with each facility for the election day use of designated polling places in the City.

7. Post-Election:

- a. The County shall be responsible for the compiling and reporting of election results and election statistics and providing election related information to the Minnesota Office of the Secretary of State's election reporting system.
 - b. The County shall be responsible for providing the City an abstract and results reports to be reviewed by the City Canvass Board.
 - c. The County shall be responsible for administering the Post-Election Review for the City's precincts.
8. The County shall provide to City officials, candidates, and the public, information and assistance related to election procedures. The County shall not be responsible for providing the City with legal advice concerning questions related to election law.
9. The County shall inform the City of the number of registered voters in each of its precincts within five (5) business days of February 1st of each odd numbered year.
10. The County shall provide the City an estimate of costs for election services for the next even numbered year's election cycle by March 31st of each odd numbered year.
11. The County shall provide the City an estimate of costs for the next year's annual equipment maintenance by March 31st of each year.

B. CITY RESPONSIBILITIES

1. Precinct Supplies:

- a. The City shall provide the County with its precinct supplies to be utilized at each polling place for each election required in this Agreement.
- b. At the conclusion of every election, the County shall store the City's precinct supplies pursuant to Section (2)(C)(3) on this Agreement.

2. Precincts:

- a. The City shall be responsible for determining precinct boundary changes.
- b. The City shall not establish a precinct with more than 4,500 registered voters.
- c. The City shall make a boundary change for any precincts exceeding 4,500 registered voters before December 31st of each odd numbered year.
 - i. The City will receive a list of the number of registered voters in each precinct from the County within five (5) business days of February 1st of each odd numbered year.
 - i. The City shall pay the costs for the required notifications to voters of a precinct boundary change.
 - ii. The City and County may mutually determine a boundary change for a precinct with more than 4,500 voters be delayed and reevaluated in the next odd numbered year.

3. Polling Places:

- a. The City shall be responsible for establishing polling places for each election precinct in the City, preparing the polling place resolution, and requesting approval of the resolution by the City Council.
 - b. The County shall review and provide input regarding the establishment of polling places prior to approval by the City.
 - c. Any formal agreements that may be required for the use of a designated polling place facility are to be made between the City and the polling place. The City will make the polling place available to County personnel.
4. The City shall provide to the County the title and text of any City ballot questions within a reasonable time after the resolution authorizing the ballot questions is approved by the City. The City shall provide the County with the certification of candidate names for City offices within a reasonable time after the Affidavit of Candidacy is filed with the City.
5. The City shall prepare a resolution authorizing the County to designate an absentee ballot board for the purpose of accepting and rejecting ballots for the City. The City shall request the approval of the resolution by the City Council.

6. The City shall perform the duties of candidate filing officer for elected city offices.
7. The City shall administer initial and ongoing campaign financial reporting and economic disclosure activities; prepare, post, and publish election notices at the City Office.
8. The City shall conduct the official canvass of election results following each City election.
 - a. The City shall strive to provide the County with the date of the City Canvass Board meeting at least thirty (30) days before each election.
9. The City shall retain election records for a period not less than twenty-two (22) months after each City election and retain a permanent archive of election results.

SECTION THREE - RECOUNTS

The Parties recognize that under Minnesota election laws, the City Clerk or designee serves as the recount official for recounts conducted by the City Council or City Canvassing Board. If mutually agreed by the Parties, a County official may act as the recount official. The Parties will determine the duties, responsibilities, and cost reimbursements for any such recount agreement.

SECTION FOUR – LIABILITY AND INSURANCE

- A. The Parties total liability under this Agreement shall be governed by Minnesota Statute 471.59, subd. 1a. For the purposes of determining total liability for damages, the participating governmental units are considered to be a single governmental unit, the total liability of which shall not exceed the limits for a single governmental unit as provided in Minnesota Statute 446.04, subd. 1.
- B. The Parties shall maintain such insurance as will protect such party from claims which may arise out of, or result from, the Parties actions under this Agreement. The City shall not be required to maintain any insurance coverage needed in connection with the performance of the County services, including but not limited to automobile liability insurance, workers compensation insurance and public liability insurance.

SECTION FIVE - AGREEMENT FEES

- A. The City shall pay a fee to the County for election services each year they have an election. The election fee schedule is approved by the County Board each year and establishes the fee(s)

associated with each election type. The City will be billed for election services upon the completion of the election cycle. The County will provide an invoice to the City no later than sixty (60) days after the last election in the cycle payable thirty (30) days after providing said invoice.

- B. The City will be billed for the actual costs of appointed election judges salaries, authorized mileage and other expenses to perform duties within their election precincts.
- C. The City will be billed for any required legal publication costs.

SECTION SIX - INDEPENDENT CONTRACTOR

It is understood and agreed between the Parties that the County is an independent contractor and not an employee of the City.

SECTION SEVEN - DURATION AND TERMINATION

- A. **Term:** This agreement shall commence on the ____ day of September, 2023, and remain in force until terminated pursuant to the terms of this Agreement.
- B. **Termination:**
 - 1. This Agreement may be terminated by either party upon six (6) months written notice of its intent to terminate the agreement delivered to the other party.
 - 2. This Agreement may be terminated immediately by the mutual written agreement of both Parties; however, the Agreement cannot be terminated during an even numbered year.
 - 3. Upon termination of this Agreement, the County will coordinate with the City for the return of all City owned precinct supplies stored in County facilities.

SECTION EIGHT – GENERAL PROVISIONS

- A. **Designated Representatives:**
 - 1. The City shall designate the City Clerk as the principal contact person for the City.
 - 2. The County shall designate the Taxpayer Services & Elections Division Manager as the principal contact person for the County.

3. The County shall designate the Election Coordinator as the secondary contact person for the County.

If either party requires assistance on election day with its election related duties under this Agreement, the designated contact person(s) shall be responsible for determining what resources are available and how such resources will be utilized to render assistance.

SECTION NINE – ENTIRE AGREEMENT

It is understood and agreed upon that the entire agreement of the Parties is contained herein, and that this Agreement terminates, replaces, and supersedes any and all prior Joint Powers Agreements for election services between the Parties.

IN WITNESS WHEREOF, the Parties hereto have made and executed this Agreement the day and year first above written.

CITY OF BIRCHWOOD VILLAGE

WASHINGTON COUNTY

By _____
Margaret Ford, Mayor

By _____
Gary Kriesel, County Board Chair

Attest _____
Rebecca Kellen, City Administrator

By _____
Kevin Corbid, County Administrator

Recommended By:

Amy Stenftenagel, Director,
Property Records & Taxpayer Services

Approved as to form by:

Stuart Campbell,
Assistant Washington County Attorney

2024 JPA Fees - Birchwood			
2022 JPA Fees	Precinct Number	2024 JPA Fee	% Change from 2022 Fees
\$6,334	1	\$5,137	-18.90%

Election Services for JPA
Election Staff Time (Planning/coordination, equipment testing, recruitment, hiring, scheduling election judges, election judge training, clerk training, polling place scheduling, polling place equipment pack in & out, odd-year work for even-year election)
Delivery of Equipment
Storage of Equipment & Supplies
Election Day Supplies
Mileage
Inflation

2024 Estimated Actual Costs	\$4,000
Total 2024 Estimated Election Costs	\$9,137

Annual Maintenance	\$1,332
---------------------------	----------------

September Treasurer Report

Mary Cahill <Mary.Cahill@cityofbirchwood.com>

Tue 10/3/2023 5:14 PM

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

August and September bank reconcilements are included in the report. For September, I combined the excel spreadsheet with the 4M statements. Items to note for September:

1. Two Invoices were received for the materials and equipment needed for the Owl path handrail. All of the expenses were allocated to the 210 Special Revenue Fund.
 - Menard's invoice totaling \$ 2,398.25, for the materials used for the rail
 - Oakdale Rental invoice totaling \$89.40 for the auger used to drill the holes for the posts.
2. Bolton and Menk, Inc submitted invoices included expenses relating to the Roadbotics study and Capital Improvement plan for our roads. These expenses were allocated to the 406 Capital Improvement Project Fund.
3. Companion Animal Control included a call to animal control for a dog. The charge for this service was \$124.89. I believe the resident should be billed for this service for the amount. We have the resident name and address. Please let me know if you agree and if so, I will bill the resident. I was not able to find prior data to confirm the process.
4. During treasurer review this month, I noticed some expenses were not correctly allocated to the appropriate fund and/or account number. These claims were crossed out on e paper claims list for approval and changed in CTAS. The disbursement reports show the correct coding. The four invoices included the payment to Bolton and Menk, MN mayor's association, Mary Cahill (for Microsoft licensing fees) and Oakdale Rental for the use of the power auger.

Please let me know if you have any questions. Thanks!

Mary Cahill

Treasurer

City of Birchwood Village, MN

email: mary.cahill@cityofbirchwood.com

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



Confidentiality Notice: The information contained in this e-mail communication and any attached documentation may be privileged, confidential or otherwise protected from disclosure. They are intended for the sole use of intended recipient(s). Any unauthorized review, use, disclosure, distribution or copying is prohibited. The unauthorized disclosure or interception of e-mail is a federal crime. See 18 U.S.C. SEC. 2517(4). If you are not the intended recipient, please contact the sender by replying to this e-mail and destroying/deleting all copies

For the Period : 9/6/2023 To 10/3/2023

<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	\$693,538.49	\$26,482.49	\$24,444.43	\$695,576.55	\$0.00	\$11,765.65	\$707,342.20
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	\$15,810.70	\$0.00	\$2,487.65	\$13,323.05	\$0.00	\$2,487.65	\$15,810.70
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	\$79,211.31	\$0.00	\$1,684.50	\$77,526.81	\$0.00	\$1,684.50	\$79,211.31
Water	\$39,192.34	\$17,875.95	\$3,695.46	\$53,372.83	\$0.00	\$3,626.03	\$56,998.86
Sewer	\$82,364.45	\$8,695.11	\$7,004.50	\$84,055.06	\$0.00	\$6,928.57	\$90,983.63
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	\$910,117.29	\$53,053.55	\$39,316.54	\$923,854.30	\$0.00	\$26,492.40	\$950,346.70

<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: 09/06/2023 To 10/03/2023

<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>
09/07/2023	Wikstrom, John	32602	Planning Services July and August	N	Engineer Service	100-41650-300-	\$ 3,200.00
	Total For Check	32602					\$ 3,200.00
09/13/2023	Payroll Period Ending 09/13/2023	32604	Rebecca Kellen--City Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 2,105.33
	Total For Check	32604					\$ 2,105.33
09/13/2023	Payroll Period Ending 09/13/2023	32605	Therese Bellinger-Deputy Clerk	N	Clerk - Treasurer	100-41401-100-	\$ 894.12
	Total For Check	32605					\$ 894.12
09/14/2023	MN Department of Revenue	EFT09132023-*	MN State Tax eFiling - Q3 2023 Aug pymt	N	Clerk - Treasurer	100-41401-115-	\$ 564.11
	Total For Check	EFT09132023-					\$ 564.11
09/14/2023	IRS - US Treasury	EFT09132023-A*	Federal Taxes - Q3 2023 -Aug Payment	N	Clerk - Treasurer	100-41401-100-	\$ 561.57
		EFT09132023-A*				100-41401-100-	\$ 1,527.00
		EFT09132023-A*				100-41401-100-	\$ 357.12
	Total For Check	EFT09132023-A					\$ 2,445.69
09/18/2023	Xcel Energy	09182023A*	Gas For 200 Wildwood 7/20-8/20	N	Sewer Utility	605-43190-380-	\$ 41.12
	Total For Check	09182023A					\$ 41.12
09/18/2023	Xcel Energy	09182023B*	Gas For 407 Lift Station 7/20-8/20	N	Sewer Utility	605-43190-380-	\$ 34.81
	Total For Check	09182023B					\$ 34.81
09/18/2023	Xcel Energy	09182023C*	Electricity for 210 Birchwood-7/20-8/20	N	Water Utility	601-43180-380-	\$ 15.93
	Total For Check	09182023C					\$ 15.93
09/22/2023	A T & T Mobility	09222023A*	Wireless for water tower- 9/2 - 10/2	N	Water Utility	601-43180-382-	\$ 53.50
	Total For Check	09222023A					\$ 53.50
09/27/2023	Payroll Period Ending 09/27/2023	32606	Becky Kellen, Administrator	N	Clerk - Treasurer	100-41401-100-	\$ 2,105.33
	Total For Check	32606					\$ 2,105.33

Fund Name: All Funds

Date Range: 09/06/2023 To 10/03/2023

<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>
09/27/2023	Payroll Period Ending 09/27/2023	32607	Payroll- Deputy Clerk, Therese Bellinger	N	Clerk - Treasurer	100-41401-100-	\$ 1,123.90
	Total For Check	32607					\$ 1,123.90
09/28/2023	PERA	EFT09282023AB	Retirement funds- Therese Bellinger & Rebecca Kellen, Payroll for 8/27-9/9 & 9/10-9/22	N	Clerk - Treasurer	100-41401-121-	\$ 549.79
		EFT09282023AB				100-41401-121-	\$ 595.97
	Total For Check	EFT09282023AB					\$ 1,145.76
10/02/2023	TSE, Inc. Work Account	32608*	Janitorial Services - 9/12 and 9/26, Inv# 414804 & 414834	N	General Government Buildings and Plant	100-41940-314-	\$ 51.26
	Total For Check	32608					\$ 51.26
10/02/2023	Metro - INET	32609*	IT Charges--Sept Tech Support	N	General Government Buildings and Plant	100-41940-320-	\$ 513.00
	Total For Check	32609					\$ 513.00
10/02/2023	Stoltzman, Cris	32610*	Videography - Council Mtg 9/12 & 9/25, 8 hrs total	N	Cable Eqpmt and Service	100-41950-314-	\$ 212.00
	Total For Check	32610					\$ 212.00
10/02/2023	Minnesota Mayors Association	32611*	Membership dues for Mayor--Period 9/2023-8/2024	N	City Training and Development	100-41914-433-	\$ 30.00
	Total For Check	32611					\$ 30.00
10/02/2023	Toshiba America Business Solutions	32612*	Printer Maintenance 9/9-10/8	N	Office Operations Supplies	100-41911-314-	\$ 10.62
	Total For Check	32612					\$ 10.62
10/02/2023	Merrick Inc.	32613*	Q3 mailer--Fall Newsletter	N	Newsletter	601-41960-350-	\$ 184.73
	Total For Check	32613					\$ 184.73
10/02/2023	Kamstrup Water Metering LLC	32614*	Annual Software License Fee for 9/20/23 thru 9/19/24	N	Water Utility	601-43180-314-	\$ 2,494.11
	Total For Check	32614					\$ 2,494.11
10/02/2023	White Bear Township	32615*	Contracted Services - August	N	Sewer Utility	605-43190-314-	\$ 858.53
	Total For Check	32615					\$ 858.53

Fund Name: All Funds

Date Range: 09/06/2023 To 10/03/2023

<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>
10/02/2023	Bolton & Menk, Inc.	32616*	(C Meet, Admin)(Halls Marsh) (117Wildwood) (RowPermRev) (Roadbotics/roads) (127Wildwood)	N	Engineer Service	100-41650-300-	\$ 596.00
		32616*				100-41650-300-	\$ 640.00
		32616*				100-41650-300-	\$ 447.00
		32616*				100-41650-300-	\$ 298.00
		32616*				100-41650-300-	\$ 298.00
		32616*				406-41650-300-	\$ 1,684.50
	Total For Check	32616					\$ 3,963.50
10/02/2023	USS Minnesota One MT LLC	32617*	Energy Charges - August Charges	N	General Government Buildings and Plant	100-41940-380-	\$ 141.45
		32617*			Sewer Utility	605-43190-380-	\$ 377.19
		32617*				605-43190-380-	\$ 683.65
	Total For Check	32617					\$ 1,202.29
10/02/2023	Mary Cahill	32618*	Office Supplies-MS License for Office	N	General Government Buildings and Plant	100-41940-320-	\$ 76.77
	Total For Check	32618					\$ 76.77
10/02/2023	Press Publications	32619*	ORD # 2023-05-01, 05-05-02, 023-05-03, PH Proposed 09/21	N	Ordinances and Proceedings	100-41130-351-	\$ 90.08
		32619*				100-41130-351-	\$ 120.12
		32619*				100-41130-351-	\$ 50.05
		32619*				100-41130-351-	\$ 50.05
	Total For Check	32619					\$ 310.30
10/02/2023	Core & Main	32620*	Meter Supplies--Couplings Purchased by John M	N	Water Utility	601-43180-220-	\$ 247.19
	Total For Check	32620					\$ 247.19
10/02/2023	LRS Portables, LLC	32621*	Portapotty Rental--Tennis crt-406 Birchwood, Schmidts Park-425 Lake Ave	N	Parks	100-45207-314-	\$ 174.00
	Total For Check	32621					\$ 174.00
10/02/2023	Oakdale Rental	32622*	Auger Rental for Rail Install at Owl Path	N	Parks	210-45207-400-	\$ 89.40
	Total For Check	32622					\$ 89.40

Fund Name: All Funds

Date Range: 09/06/2023 To 10/03/2023

<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>
10/02/2023	Menard's - MAPLEWOOD	32623*	Carpet Cleaning Supplies for City Hall	N	General Government Buildings and Plant	100-41940-400-	\$ 49.52
	Total For Check	32623					\$ 49.52
10/02/2023	MENARD'S - OAKDALE	32624*	Soap and Building Supplies	N	Office Operations Supplies	100-41911-400-	\$ 17.91
		32624*			General Government Buildings and Plant	100-41940-400-	\$ 1.41
	Total For Check	32624					\$ 19.32
10/02/2023	Therese Bellinger	32625*	Cleaning Supplies for TSE-City Hall Cleaners	N	Office Operations Supplies	100-41911-200-	\$ 60.87
	Total For Check	32625					\$ 60.87
10/02/2023	Manship Plumbing & Heating Inc	32626*	September Minimum Fee	N	Water Utility	601-43180-314-	\$ 700.00
	Total For Check	32626					\$ 700.00
10/02/2023	H.A. Kantrud, P.A.	32627*	Attorney Services -Oct 2023	N	Legal Services	100-41601-300-	\$ 1,500.00
	Total For Check	32627					\$ 1,500.00
10/02/2023	John Wikstrom	32628*	September Fees	N	Engineer Service	100-41650-300-	\$ 1,600.00
	Total For Check	32628					\$ 1,600.00
10/02/2023	Gopher State One Call	32629*	Email tickets- 30 Tickets In August	N	Utility Locates	605-42805-314-	\$ 40.50
	Total For Check	32629					\$ 40.50
10/02/2023	Press Publications	32630*	ORD # 2023-07-01, PH	N	Ordinances and Proceedings	100-41130-351-	\$ 80.08
		32630*	2023-09/28			100-41130-351-	\$ 80.08
	Total For Check	32630					\$ 160.16
10/02/2023	City of White Bear Lake Fire	32631	Fire Srvc -Oct 2023	N	Fire	100-42201-314-	\$ 3,049.17
	Total For Check	32631					\$ 3,049.17
10/02/2023	MENARD'S - OAKDALE	32632*	park supplies, rail supplies for Owl Path	N	Parks	100-45207-400-	\$ 57.86
		32632*				210-45207-400-	\$ 2,398.25
	Total For Check	32632					\$ 2,456.11
10/03/2023	Metropolitan Council - Env. Service	32634*	Wastewater Service-Sept	N	Sewer Utility	605-43190-217-	\$ 4,968.70
	Total For Check	32634					\$ 4,968.70

Fund Name: All Funds

Date Range: 09/06/2023 To 10/03/2023

<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>
10/03/2023	Kellen, Rebecca	32635	Star Tribune Treasurer Job Posting	N	Unallocated Expenditures	100-49201-320-	\$ 360.00
		Total For Check	32635				\$ 360.00
10/03/2023	Companion Animal Control LLC	32636	Animal Control Services -Sept. Resident found dog case for 435 Hall Ave	N	Animal Control	100-41916-314-	\$ 204.89
		Total For Check	32636				\$ 204.89
Total For Selected Checks							\$ 39,316.54

Fund Name: All Funds

Date Range: 09/06/2023 To 10/03/2023

<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>
09/06/2023	Minnesota Exteriors	171735904*	BP 2023-67, 165 Birchwood Ave	(09/06/2023) -	N	Building Permits	100-32211-	\$ 243.83
								\$ 243.83
09/07/2023	Eagle Siding	171735905*	BP 2023-92, 201 Wildwood	(09/07/2023) -	N	Building Permits	100-32211-	\$ 331.25
								\$ 331.25
09/07/2023	Libra, Brittany	171735906*	BP 2023-66, 157 Birchwood Ave	(09/07/2023) -	N	Building Permits	100-32211-	\$ 50.00
								\$ 50.00
09/08/2023	GreenerSide Landscape	171735921*	CUP 23-0027, 127 Wildwood Ave	(09/08/2023) -	N	Building Permits	100-32211-	\$ 460.00
						Escrow Deposits	100-36245-8	\$ 3,000.00
								\$ 3,460.00
09/11/2023	Pratt Homes	171735907*	BP 2023-95, 214 Wildwood Ave	(09/11/2023) -	N	Building Permits	100-32211-	\$ 151.00
								\$ 151.00
09/11/2023	Derosier, Mary	171735908*	BP 2023-94, 32 Oakridge Drive	(09/11/2023) -	N	Building Permits	100-32211-	\$ 171.35
								\$ 171.35
09/12/2023	Newlin Construction	171735910*	BP 23-0028, 16 White Pine	(09/12/2023) -	N	Building Permits	100-32211-	\$ 229.75
								\$ 229.75
09/12/2023	Wenzel Plymouth Plumbing	171735911*	BP 23-0034, 469 Lake Ave	(09/12/2023) -	N	Building Permits	100-32211-	\$ 151.00
								\$ 151.00
09/12/2023	Highview Plumbing	171735912*	BP 23-0033, 469 Lake Ave	(09/12/2023) -	N	Building Permits	100-32211-	\$ 69.34
								\$ 69.34
09/12/2023	MN Management & Budget	171735919*	Fines	(09/12/2023) -	N	Court Fines	100-35101-	\$ 153.31

Fund Name: All Funds

Date Range: 09/06/2023 To 10/03/2023

<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>
								\$ 153.31
09/13/2023	Bonfe	171735913*	BP 23-0030, 152 Wildwood Ave	(09/13/2023) -	N	Building Permits	100-32211-	\$ 151.00
								\$ 151.00
09/14/2023	League of Minnesota Cities	171735888*	Shed Damage Claim Payment--Minus \$250 Deductible	(09/14/2023) -	N	Miscellaneous	100-36140-	\$ 962.85
								\$ 962.85
09/14/2023	Hunt, Kyle	171735899*	BP 2023-78- 469 Lake Ave	(09/14/2023) -	N	Building Permits	100-32211-	\$ 14,334.75
								\$ 14,334.75
09/14/2023	Fensenko, Tonya	171735920*	BP 2023-67, 165 Birchwood Ave	(09/14/2023) -	N	Building Permits	100-32211-	\$ 145.00
								\$ 145.00
09/26/2023	Bear Roofing	171735914*	BP 23-0026, 264 Cedar Street	(09/26/2023) -	N	Building Permits	100-32211-	\$ 244.25
								\$ 244.25
09/26/2023	Fireplace Guys	171735915*	BP 23-0040, 469 Lake Ave	(09/26/2023) -	N	Building Permits	100-32211-	\$ 151.00
								\$ 151.00
09/26/2023	Bollig and Sons	171735916*	BP 23-0032, 165 Wildwood	(09/26/2023) -	N	Building Permits	100-32211-	\$ 273.25
								\$ 273.25
09/27/2023	Scrubtown	171735922*	BP2023-100, 262 Wildwood	(09/27/2023) -	N	Building Permits	100-32211-	\$ 50.00
								\$ 50.00
09/28/2023	Harmony, Lewis	171735900*	Dog Tag #096	(09/28/2023) -	N	Animal Licenses	100-32240-	\$ 20.00
								\$ 20.00
09/28/2023	Bonebright, Cecil	171735901*	BP 2023-71 268 Wildwood Ave	(09/28/2023) -	N	Building Permits	100-32211-	\$ 125.00
								\$ 125.00
09/28/2023	Ford, Margaret	171735902*	Hall Rental--Garden Club	(09/28/2023) -	N	City/Town Hall Rent	100-34101-	\$ 75.00

Fund Name: All Funds

Date Range: 09/06/2023 To 10/03/2023

<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>
								\$ 75.00
09/28/2023	Nickolaus, Tony	171735903*	BP 2023-103, 117 Wildwood Ave	(09/28/2023) -	N	Building Permits	100-32211-	\$ 779.04
								\$ 779.04
09/30/2023	Residents - via St Anthony Village	171735917*	Utility Billing September	(09/30/2023) -	N	Water Consumption	601-37111-	\$ 13,707.86
						Water Utility User Fee	601-37112-	\$ 3,734.25
						State Surcharge	601-37116-	\$ 259.25
						Administrative Fee Move/Out	601-37118-	\$ 148.98
						Penalties and Forfeited Discounts	601-37160-	\$ 25.61
						Sewer Consumption	605-37211-	\$ 4,625.95
						Sewer Minimum Charge	605-37212-	\$ 4,045.17
						Penalties and Forfeited Discounts	605-37260-	\$ 23.99
								\$ 26,571.06
09/30/2023	4 M Fund	171735918	Sept interest	(09/30/2023) -	N	Interest Earning	100-36210-	\$ 4,160.52
Total for Selected Receipts								\$ 53,053.55

As on 10/3/2023

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:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		3,420.69	
Total Receipts and Other Financing Sources		15,750.00	
Total Disbursements and Other Financing Uses		5,847.64	
Cash Balance as of 10/03/2023		13,323.05	

As on 10/3/2023

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		<u>34,184.50</u>	
Cash Balance as of 10/03/2023		77,526.81	

As on 10/3/2023

Water

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Water Consumption	0.00	63,008.03	63,008.03
Water Utility User Fee	0.00	34,868.29	34,868.29
Water Main-break Surcharge	0.00	7,415.15	7,415.15
Special Water Charges	0.00	677.08	677.08
State Surcharge	0.00	2,545.15	2,545.15
Certified Bills Collections	0.00	44.49	44.49
Administrative Fee Move/Out	0.00	378.98	378.98
Penalties and Forfeited Discounts	0.00	585.48	585.48
Total Acct 371	0.00	109,522.65	109,522.65
Total Revenues	0.00	109,522.65	109,522.65
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	54,461.85	(54,461.85)
Utility Services (381 through 389)	0.00	2,602.49	(2,602.49)
Utility Services: Water	0.00	481.50	(481.50)
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	98,415.74	(98,415.74)
Total Disbursements	0.00	107,706.89	(107,706.89)
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		109,522.65	
Total Disbursements and Other Financing Uses		107,706.89	
Cash Balance as of 10/03/2023		53,372.83	

As on 10/3/2023

Sewer

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Sewer Consumption	0.00	48,249.93	48,249.93
Sewer Minimum Charge	0.00	41,054.55	41,054.55
Sewer Only	0.00	29.07	29.07
Penalties and Forfeited Discounts	0.00	381.51	381.51
Total Acct 372	0.00	89,715.06	89,715.06
Total Revenues	0.00	89,715.06	89,715.06
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	214.70	(214.70)
Total Acct 428	0.00	214.70	(214.70)
Sewer Utility			
Sewer - Wastewater Charge	0.00	44,718.30	(44,718.30)
Contracted Services	0.00	6,324.31	(6,324.31)
Utility Services (381 through 389)	0.00	10,739.65	(10,739.65)
Total Acct 431	0.00	61,782.26	(61,782.26)
Total Disbursements	0.00	100,713.21	(100,713.21)
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		89,715.06	
Total Disbursements and Other Financing Uses		100,713.21	
Cash Balance as of 10/03/2023		84,055.06	

Date Range : 9/13/2023 To 9/14/2023

59

<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>
09/13/2023	IRS - US Treasury	Federal Taxes - Q3 2023 -Aug Payment	6635*	\$2,445.69	100-41401-100- 100-41401-100- 100-41401-100-	Clerk - Treasurer Clerk - Treasurer Clerk - Treasurer	\$561.57 \$1,527.00 \$357.12
09/14/2023	MIN Department of Revenue	MN State Tax eFiling - Q3 2023 Aug pymt	6637*	\$564.11	100-41401-115-	Clerk - Treasurer	\$564.11
Total For Selected Claims				\$3,009.80			\$3,009.80

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 : 9/28/2023 To 9/28/2023

<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>
09/28/2023	PERA	Retirement funds- Therese Bellinger & Rebecca Kellen, Payroll for 8/27-9/9 & 9/10-9/22	6638*	\$1,145.76			
					100-41401-121-	Clerk - Treasurer	\$549.79
					100-41401-121-	Clerk - Treasurer	\$595.97
Total For Selected Claims				\$1,145.76			\$1,145.76

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

Monthly Activity Summary

8/1/2023 - 8/31/2023

Class	Account	Beginning Balance	Contributions	Interest	Checks Paid	Other Withdrawals	Month End Balance
4M	35389 - 101 General Fund	\$916,132.83	\$16,954.22	\$4,019.37	(\$29,344.58)	(\$6,808.59)	\$900,953.25
4MP	35389 - 101 General Fund	\$56,483.29	\$0.00	\$254.49	\$0.00	\$0.00	\$56,737.78
LTD	35389 - 101 General Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$972,616.12	\$16,954.22	\$4,273.86	(\$29,344.58)	(\$6,808.59)	\$957,691.03

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

4M

Transaction	Trade Date	Settle Date	Description	Redemption	Purchase	Share Price	Shares this Transaction
2157687	08/31/2023	09/01/2023	US Bank Checks Paid Redemption	(\$4,014.23)	\$0.00	\$1.000	(4,014.230)
2157688	09/01/2023	09/01/2023	US Bank Deposit Package Purchase	\$0.00	\$815.75	\$1.000	815.750
				(\$4,014.23)	\$815.75		(3,198.480)

Beginning Balance: \$900,953.25 | Ending Balance: \$897,754.77

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

4M

Trade Date	Description	Amount
08/31/2023	Checking Outflow	(\$3,198.48)

City of Birchwood Village
Bank Reconciliation

US Bank
General Fund #1-801-2001-5920
8/31/2023

Genl Fund 4M #35172-101

US Bank 4M balance	General Fund	\$957,691.03
Outstanding Checks	Outstanding Checks	<u>(3,301.71)</u>
	Deposit on bank not on 4/M	815.75 ok Sept
	Deposit on bank not on 4/M	
	Deposit on bank not on 4/M	
Bank Open Items	General Fund Checks clrd not on 4M	(\$4,014.23) ok Sept

CTAS Open Items

total	<u>\$951,190.84</u>
Balance Per Cash Control Statement	<u>\$951,190.84</u>

DIFFERENCE \$0.00

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

<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>
10/02/2023	Press Publications	ORD # 2023-07-01, PH 2023-09/28	6665*	\$160.16			
					100-41130-351-	Ordinances and Proceedings	\$80.08
					100-41130-351-	Ordinances and Proceedings	\$80.08
10/02/2023	City of White Bear Lake Fire	Fire Srvc -Oct 2023	6666	\$3,049.17			
					100-42201-314-	Fire	\$3,049.17
10/02/2023	MENARD'S - OAKDALE	park supplies, rail supplies for Owl Path	6667*	\$2,456.11			
					100-45207-400-	Parks	\$57.86
					210-45207-400-	Parks	\$2,398.25
Total For Selected Claims				\$5,665.44			\$5,665.44

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 : 9/2/2023 To 10/2/2023

<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>
09/18/2023	Xcel Energy	Gas For 200 Wildwood 7/20-8/20	6661*	\$41.12	605-43190-380-	Sewer Utility	\$41.12
09/18/2023	Xcel Energy	Gas For 407 Lift Station 7/20-8/20	6662*	\$34.81	605-43190-380-	Sewer Utility	\$34.81
09/18/2023	Xcel Energy	Electricity for 210 Birchwood-7/20-8/20	6663*	\$15.93	601-43180-380-	Water Utility	\$15.93
09/18/2023	A T & T Mobility	Wireless for water tower- 9/2 - 10/2	6664*	\$53.50	601-43180-382-	Water Utility	\$53.50
Total For Selected Claims				\$145.36			\$145.36

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 : 10/2/2023 To 10/2/2023

<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>
10/02/2023	TSE, Inc. Work Account	Janitorial Services - 9/12 and 9/26, Inv# 414804 & 414834	6639*	\$51.26	100-41940-314-	General Government Buildings and Plant	\$51.26
10/02/2023	Metro - INET	IT Charges--Sept Tech Support	6640*	\$513.00	100-41940-320-	General Government Buildings and Plant	\$513.00
10/02/2023	Stoltzman, Cris	Videography - Council Mtg 9/12 & 9/25, 8 hrs total	6641*	\$212.00	100-41950-314-	Cable Eqpmt and Service	\$212.00
10/02/2023	Minnesota Mayors Association	Membership dues for Mayor--Period 9/2023-8/2024	6642*	\$30.00	100-41310-320-	Mayor	\$30.00
10/02/2023	Toshiba America Business Solutions	Printer Maintenance 9/9-10/8	6643*	\$10.62	100-41911-314-	Office Operations Supplies	\$10.62
10/02/2023	Merrick Inc.	Q3 mailer--Fall Newsletter	6644*	\$184.73	601-41960-350-	Newsletter	\$184.73
10/02/2023	Kamstrup Water Metering LLC	Annual Software License Fee for 9/20/23 thru 9/19/24	6645*	\$2,494.11	601-43180-314-	Water Utility	\$2,494.11
10/02/2023	White Bear Township	Contracted Services - August	6646*	\$858.53	605-43190-314-	Sewer Utility	\$858.53
10/02/2023	Bolton & Menk, Inc.	(C Meet, Admin)(Halls Marsh)(117Wildwood) (RowPermRev) (Roadbotics)(TJohnson) (127Wildwood)	6647*	\$3,963.50			

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

<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>
					100-41650-300-	Engineer Service	\$596.00
					100-41650-300-	Engineer Service	\$640.00
					100-41650-300-	Engineer Service	\$447.00
					100-41650-300-	Engineer Service	\$298.00
					100-41650-300-	Engineer Service	\$922.50
					100-41650-300-	Engineer Service	\$762.00
					100-41650-300-	Engineer Service	\$298.00
10/02/2023	USS Minnesota One MT LLC	Energy Charges - August Charges	6648*	\$1,202.29			
					605-43190-380-	Sewer Utility	\$683.65
					100-41940-380-	General Government Buildings and Plant	\$141.45
					605-43190-380-	Sewer Utility	\$377.19
10/02/2023	Mary Cahill	Office Supplies-MS License for Office	6649*	\$76.77			
					100-41911-230-	Office Operations Supplies	\$76.77
10/02/2023	Press Publications	ORD # 2023-05-01, 05-05-02, 023-05-03, PH Proposed 09/21	6650*	\$310.30			
					100-41130-351-	Ordinances and Proceedings	\$90.08
					100-41130-351-	Ordinances and Proceedings	\$120.12
					100-41130-351-	Ordinances and Proceedings	\$50.05
					100-41130-351-	Ordinances and Proceedings	\$50.05
10/02/2023	Core & Main	Meter Supplies--Couplings Purchased by John M	6651*	\$247.19			
					601-43180-220-	Water Utility	\$247.19
10/02/2023	LRS Portables, LLC	Portapotty Rental--Tennis crt-406 Birchwood, Schmidts Park-425 Lake Ave	6652*	\$174.00			
					100-45207-314-	Parks	\$174.00
10/02/2023	Oakdale Rental	Auger Rental for Rail Install at Owl Path	6653*	\$89.40			
					210-45208-400-	Lawn Care - Maintenance	\$89.40

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

<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>
10/02/2023	Menard's - MAPLEWOOD	Carpet Cleaning Supplies for City Hall	6654*	\$49.52	100-41940-400-	General Government Buildings and Plant	\$49.52
10/02/2023	MENARD'S - OAKDALE	Soap and Building Supplies	6655*	\$19.32	100-41911-400- 100-41940-400-	Office Operations Supplies General Government Buildings and Plant	\$17.91 \$1.41
10/02/2023	Therese Bellinger	Cleaning Supplies for TSE-City Hall Cleaners	6656*	\$60.87	100-41911-200-	Office Operations Supplies	\$60.87
10/02/2023	Manship Plumbing & Heating Inc	September Minimum Fee	6657*	\$700.00	601-43180-314-	Water Utility	\$700.00
10/02/2023	H.A. Kantrud, P.A.	Attorney Services -Oct 2023	6658*	\$1,500.00	100-41601-300-	Legal Services	\$1,500.00
10/02/2023	John Wikstrom	September Fees	6659*	\$1,600.00	100-41650-300-	Engineer Service	\$1,600.00
10/02/2023	Gopher State One Call	Email tickets- 30 Tickets In August	6660*	\$40.50	605-42805-314-	Utility Locates	\$40.50
Total For Selected Claims				\$14,387.91			\$14,387.91

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

<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 : 10/3/2023 To 10/3/2023

<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>
10/03/2023	Metropolitan Council - Env. Service	Wastewater Service-Sept	6668*	\$4,968.70	605-43190-217-	Sewer Utility	\$4,968.70
10/03/2023	Kellen, Rebecca	Star Tribune Treasurer Job Posting	6669	\$360.00	100-49201-320-	Unallocated Expenditures	\$360.00
10/03/2023	Companion Animal Control LLC	Animal Control Services -Sept. Resident found dog case for 435 Hall Ave	6670	\$204.89	100-41916-314-	Animal Control	\$204.89
Total For Selected Claims				\$5,533.59			\$5,533.59

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
9/31/2023

Genl Fund 4M #35172-101

4M balance	General Fund	\$950,431.09
Outstanding Checks	Outstanding Checks	<u>(905.46)</u>
	Deposit on bank not on 4/M	
	Deposit on bank not on 4/M	
	Deposit on bank not on 4/M	
Bank Open Items	General Fund Checks clrd not on 4M	(\$84.39)
CTAS Open Items		

total \$949,441.24

Balance Per Cash Control Statement \$949,441.24

DIFFERENCE \$0.00

City of Birchwood Village

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

Monthly Activity Summary

9/1/2023 - 9/30/2023

Class	Account	Beginning Balance	Contributions	Interest	Checks Paid	Other Withdrawals	Month End Balance
4M	35389 - 101 General Fund	\$900,953.25	\$49,708.78	\$3,910.22	(\$55,913.06)	(\$5,216.18)	\$893,443.01
4MP	35389 - 101 General Fund	\$56,737.78	\$0.00	\$250.30	\$0.00	\$0.00	\$56,988.08
LTD	35389 - 101 General Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$957,691.03	\$49,708.78	\$4,160.52	(\$55,913.06)	(\$5,216.18)	\$950,431.09

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

4M

Transaction	Trade Date	Settle Date	Description	Redemption	Purchase	Share Price	Shares this Transaction
2169877	09/29/2023	10/02/2023	US Bank Checks Paid Redemption	(\$84.39)	\$0.00	\$1.000	(84.390)
				(\$84.39)	\$0.00		(84.390)

Beginning Balance: \$893,443.01 | Ending Balance: \$893,358.62

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

4M

Trade Date	Description	Amount
09/29/2023	Checking Outflow	(\$84.39)

CTAS Claim

Claim Number : 6647*

Claim Date : 10/02/2023

To : Bolton & Menk, Inc., Claimant
1960 Premier Drive

Approved

Mankato, MN 56001

Note : Inv#0320388-0320403, (C Meet, Admin)(Halls Marsh)(117Wildwood) (RowPermRev)(Roadbotics)(TJohnson)(127Wildwood)

For :

100-41650-300	Engineer Service - PROFESSIONAL SERVICES (301 through 319)	\$447.00
100-41650-300	Engineer Service - PROFESSIONAL SERVICES (301 through 319)	\$596.00
100-41650-300	Engineer Service - PROFESSIONAL SERVICES (301 through 319)	\$298.00
100-41650-300	Engineer Service - PROFESSIONAL SERVICES (301 through 319)	\$640.00
100-41650-300	Engineer Service - PROFESSIONAL SERVICES (301 through 319)	\$298.00
406-41650-300	Engineer Service - PROFESSIONAL SERVICES (301 through 319)	\$1,684.50
Total		\$3,963.50

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 -----,

tb

Clerk

CTAS Claim

Claim Number : 6649*

Claim Date : 10/02/2023

To : Mary Cahill, Claimant
165 Birchwood Ave

Approved

White Bear Lake, MN 55110

Note : Office Supplies-MS License for Office

For :

100-41940-320

General Government Buildings and Plant -
Communication (321 through 329)

\$76.77

Total

\$76.77

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 -----, -----

tb

Clerk

CTAS Claim

Claim Number : 5551

Claim Date : 09/14/2021

To : MN Mayors Assn, Claimant
c/o Finance Dept
145 University Ave W
St. Paul, MN 55103-2044

Approved

Note :

For :

100-41914-433 City Training and Development - Miscellaneous: Dues and Subscriptions \$30.00

Total \$30.00

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 -----, -----

mcc

Clerk

CTAS Claim

Claim Number : 6653*

Claim Date : 10/02/2023

To : Oakdale Rental, Claimant
3133 Hadley Avenue N

Approved

Oakdale, MN 55128

Note : Inv#33737-Auger Rental for Rail Install at Owl Path

For :
210-45207-400 Parks - REPAIRS AND MAINTENANCE - CONTRACTUAL
(401 through 409)

\$89.40

Total \$89.40

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 -----, -----

tb

Clerk

City of Birchwood Village

Check # : 32575*
 Date: 09/03/23
 Pay to the Order of : Asphalt Restoration Co. Inc
 Description : road repair
 Notes : INV# 153

Fund	Account	Object Code	Program Code	Amount
100:General Fund	43101:Streets and Road Mntnc	314:Contracted Services		\$1,250.00
601:Water	43185:Wtr/Swr Emergency	314:Contracted Services		\$6,750.00
Total Amount				\$8,000.00

Authorized By: _____

RESOLUTION 2023-40
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA

**A Resolution Authorizing the dates of the 2023 Deer Hunt pursuant to the contract
with Metro Bowhunters Resource Base.**

WHEREAS, the City has contracted with Metro Bowhunters Resource Base (contractor) 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 the following dates for this year's contract:

October 12-13; 29-30, November 20-21, December 6-7

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

Pursuant to that certain Contract with Metro Bowhunters Resource Base, the City accepts and ratifies the following dates for execution of said Contract:

October 12-13; 29-30, November 20-21, December 6-7

Adopted by the City Council of The City of Birchwood Village, Minnesota this 10th day of October, 2023.

The Honorable Margaret Ford, Mayor

Attest:

Rebecca Kellen, City Administrator

APPROVAL FORM FOR ASSOCIATION DOCK PLANS
CITY OF BIRCHWOOD VILLAGE

(TO BE SUBMITTED TO CITY CLERK 10 DAYS PRIOR TO THE OCTOBER COUNCIL MEETING)

Date of entry: 9/26/2023

Dock Association Name: Birchwood Dock Association

Dock Association Contact Person: Nick Nephew

Dock Association Phone: 612-269-3492

Dock Association Officers:

President: Nick Nephew **Phone:** 612-269-3492

Vice President: Houstoun Clinch **Phone:** 651-784-4643

Secretary: Alicia Jackola **Phone:** 612-214-3816

Treasurer: Trevor Morehead **Phone:** 612-363-2845

Member at Large: Chris Sorenson **Phone:** 320-420-2207

Dock Permit Application Package Checklist:

- Association Bylaws, if not previously submitted
 - Attached
 - No Change
- Current Treasurer's Report
- Minutes of the Dock Associations meetings for the past year
 - Spring
 - Fall
- Dock Association Officer List
 - Complaint contact identified
- Dock Association Membership Dues
- Current Dock Association Members (indicating total boating seasons)
- Planned repairs or improvements reports
 - Attached
 - No Change
- Scale drawings for each proposed dock
- Plans for winter storage of Dock Associations lifts, docks and other property
 - Plans to store lifts, docks and other property on easements as in years past
- Completed WBLCD dock license application

Treasures Report - Fall Meeting - September 17th, 2022		\$ 15,880.08
Dock Out	(2,500.00)	\$ 13,380.08
WBLCD	(780.00)	\$ 12,600.08
Deposits	30,575.00	\$ 43,175.08
Slip Fee's to City - 18	(15,750.00)	\$ 27,425.08
City of Birchwood - \$25 Lift Fee's - 21	(525.00)	\$ 26,900.08
Insurance	(2,344.16)	\$ 24,555.92
Fee's / Supplies / Dock Parts	(468.03)	\$ 24,087.89
Slip Deposits Held - 18 @ \$200	(3,600.00)	\$ 20,487.89
Cash on Hand		\$ 20,487.89

Treasures Report - Spring Meeting - April 1, 2023		\$ 24,087.89
Deposits	\$ 2,265.00	\$ 26,352.89
Dock - In	\$ (2,500.00)	\$ 23,852.89
Fee's / Supplies / Dock Parts	\$ (748.62)	\$ 23,104.27
Dellwood Decking	(\$5,837.12)	\$ 17,267.15

Treasures Report - Fall Meeting - September 16th, 2023		\$ 17,267.15
Dock Out	\$ (300.00)	\$ 16,967.15
WBLCD	\$ (780.00)	\$ 16,187.15
Slip Deposits Held - 17 @ \$200	\$ (3,400.00)	\$ 12,787.15
Cash on Hand		\$ 12,787.15

BDA Meeting

April 1, 2023

President Nephew opened the meeting at 10:05 am.

Minutes of September 17, 2022 meeting were approved.

Old Business Review

2023 BDA Board:

President – Nick Nephew

Vice President – Houstoun Clinch

Treasurer – Trevor Morehead

Secretary – Alicia Jackola

Member at Large – Sara Nephew

BDA Liaison to City Council:

Mark Foster

Dock Configuration

No changes to dock configuration for 2023 compared to past season

Discussion conducted about possible anticipated changes for 2024 including reducing length of Birch dock and increasing length of Ash dock. This will be revisited prior to submission of 2024 dock plans.

Treasurer Report (separate document)

2023 Budget balance of \$2,020 expected

Dellwood decking will need to be replaced in 2024 or 2025

Dock & slip fee increased to \$1,600 for 2023 due to increased city fees. \$875 to City of Birchwood and \$725 for Association

New Business Review

Boat Slip Assignments & Waitlist

20 slips filled for the 2023 season. Full for 2023.

There are seven new slip assignments. Some members gave up their spaces due to increase in fees and other reasons, which opened up more spaces than in most in years.

Waitlist remains for Birch, Dellwood and Ash. Waitlist is 16.

Dock In Date

There is no specific date set yet. Planned date will be one to two weeks after ice out.

Date TBD to install first section of each dock. Email will be sent to ask for volunteers.

Any slip holders not returning need to have lifts off easements by May 1. Fee incurred for lifts left after that date.

Tree fell down on Birch docking. Some repairs are needed.

Reminders:

Have lifts labeled and ready to go for dock in

No canopies on lifts

Dock Managers:

Elm – Houston Clinch and Dana Klimp

Ash – Sara Nephew

Dellwood – Scott Lopez and Adam Seifert

Birch – Trevor Morehead and Troy Morehead

Other Notes:

Meeting attendees included Dana Klimp, Lori Klimp, Trevor Morehead, Lynn Hanson, Sara Nephew, Nick Nephew, Alicia Jackola, Dyanne Ross-Hanson, Dick Galena, Houston Clinch, Troy Morehead, Tami Heart, Scott Lopez, Megan Schaffhaussen, Adam Seifert, Carol Forsythe and Dave Forsythe

Meeting adjourned at 10:55am

Submitted by Alicia Jackola, Secretary

BDA Meeting

September 16, 2023 Birchwood Village Hall - Minutes DRAFT

President Nephew opened the meeting at 10:01 am.

Introductions of meeting attendees:

Mark Greseth, Claudio Danus, Dyanne Ross-Hanson, Lynn Hanson, Alicia Jackola, Nick Nephew, Sara Nephew, Houstoun Clinch, Megan Schaffhausen, Lori Klimp, Dana Klimp, Trevor Morehead, Chris Sorenson

Minutes of April 1, 2023 meeting were approved.

Old Business Review

Based on request from Birch dock neighbors and discussion at Fall 2022 meeting, Birch dock length will move back to 116 ft. for the 2024 boating season. The reduction in length will be in compliance with the dock plans approved by the city and conservation district. The plan is to have as many boats as possible within the approved plans, but that may have to be reduced based on water level. Water is down significantly since dock in this year which is consistent with recent years.

The plan is to add 16 ft. to the Ash dock in 2024, which will bring it back to the original length approved by the city and the conservation district.

In 2024, the plan is to keep the length of Dellwood and Elm docks the same as 2023.

Treasurer Report (separate document)

New decking for Dellwood purchased from Vibo in North Branch. Plan is to bring it to the easements to store for the winter so it is ready for installation in the spring. Lynn Hanson offered to pick it up in North Branch.

Cash on hand approximately \$9,500

Budget balance approximately \$2,500

Based on anticipated financial needs for 2024, there was a proposal to decrease annual slip/dock fees from \$1,600 to \$1,500 for the 2024 boating season. Motion passed.

Proposal to increase dock in/dock out annual fees to \$6,000 from \$5,000 (which is still less than fees charged by Miller Marine in prior years.) Motion passed.

Birch and Elm docking probably need to be replaced in 2026.

New Business Review

Discussion occurred regarding the waitlist and the number of members that have been on the waitlist for a significant amount of years and have declined a boat slip when approached about the opportunity.

Based on Ordinance 617.410 (9):

An applicant may decline and remain in the same position on the Boat Slip Wait List until the applicant has been offered a Boat Slip permit at each of the Public Lake Tracts selected on the application. Once an applicant has declined an offer at each one of their Public Lake Tracts they will no longer be eligible for a Public Lake Tract boat slip unless they resubmit a Waitlist application for consideration.

The plan is to start enforcing this ordinance for the 2024 season. An email will be sent out by Nick Nephew, President, to Birchwood Dock Association members communicating this plan along with a copy of the ordinance. This ordinance is currently stated on an attachment to the boat slip waitlist application.

2024 Dock Application Review

No changes to the 2024 dock application for Ash, Birch, Elm and Dellwood from configuration submitted for 2023. Proposed application to be reviewed at October city council meeting.

Boat Slip Assignments, Waitlist and Commitments

Slips were filled for the 2023 season.

There will be openings for 2024 season at Birch and Dellwood. Members who are completing their final season in 2023 can submit a waitlist application starting November 1.

Commitment for 2024 for current slip holders is December 15, 2023. 2024 dues and proof of insurance

is due by that date.

Dock Out Date

Dock out date set for 10/21/23.

Reminder: Have lifts raised all the way up for dock and lift removal.

Note: Non-returning boat members must remove lifts from easements by Spring 2024.

Executive Board Nominations & Elections:

Current executive board all expressed willingness to continue in current roles. Inquiry made during the meeting of others interested and no interest shown.

Executive Board Nominations Approved for 2024:

President	Nick Nephew
Vice President	Houston Clinch
Treasurer	Trevor Morehead
Secretary	Alicia Jackola
Members at Large	Chris Sorenson and Sara Nephew

Meeting adjourned at 11:00am

Submitted by Alicia Jackola, Secretary

Birchwood Dock Association Officers - 2024

President

Nick Nephew 612-269-3492 nicknephew@yahoo.com

Vice President

Houston Clinch 651-785-4643 skivet13@gmail.com

Treasurer

Trevor Morehead 612-363-2845 more0195@gmail.com

Secretary

Alicia Jackola 612-214-3816 aliciajackola@hotmail.com

Member at Large

Sara Nephew 651-249-3800 sararuthnephew@gmail.com

Chris Sorenson 320-420-2207 chrisleesorenson@gmail.com

Complaint Managers

Nick Nephew 651-249-3800 nicknephew@yahoo.com

Houston Clinch 651-784-4643 skivet13@gmail.com

Fall Meeting September 16th - 2024 Budget

City Fee \$875

Annual		Dues
Non Slip	\$ 35.00	Dock & Slip Fee
		\$ 1,500.00

Dock - Boats	Applied for	Dock - Boats	Slips used 2023	Slips Projected 2024	2011 Slip Fee's	2012 Slip Fee's	2013 Slip Fee's	2014 Slip Fee's	2015 Slip Fee's	2016 Slip Fee's	2017 Slip Fee's	2018 Slip Fee's	2019 Slip Fee's	2020 Slip Fee's	2021 Slip Fee's	2022 Slip Fee's	2023 Slip Fee's	2024 Slip Fee's	Association	Assoc + City	
																					32 Boats
Ash - 8	6	\$ 180.00	5	5	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Birch - 10	8	\$ 300.00	7	7	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Elm - 6	4	\$ 60.00	2	2	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Dellwood - 8	7	\$ 240.00	6	6	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Kay - 0					\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
32 Boats	25	\$ 780.00	20	20	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
					\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$

City Revenue	
City Slip Fee/Storage	\$ 875
Slips Used	\$ 20
City Revenue	\$ 17,500

Assoc. Expenses		
WBLCD -Docks - 25 Boats	\$ 780	
Insurance	\$ 2,500	
Dock & Lifts in / out	\$ 5,500	
Dock Purchase Funding	\$ 2,000	
City Slip/Storage Fee's	\$ 17,500	
Office Supplies - Postage	\$ 150	
Dock Maint. / Misc.	\$ 150	
Assoc. Expenses	\$ 28,580	

Assoc. Revenue		
Dock Only Dues	\$ 455	
Slip Fee's	\$ 30,000	
Assoc. Revenue	\$ 30,455	
Assoc. Expenses	\$ 28,580	
Budget Balance	\$ 1,875	

<u>Birchwood Dock</u>	<u>Association</u>	<u>Members</u>	
John & Martha	Arlandson	19 Oakridge Dr.	Birchwood
Birchwood Dock	Association	700 Hall Ave.	Birchwood
Peter & Michelle	Atakpu	201 Birchwood Ave.	Birchwood
Alan	Bachman	512 Wildwood Ave	Birchwood
Keith & Kathleen	Barton	28 Oakridge Dr.	Birchwood
Jim & Judy	Berg	889 Barbara Court	Mendota Heights
Chris & Debbie Jo	Bergeron	173 Birchwood Ave	Birchwood
Scott & Louise	Chapman	3834 E Co Line	White Bear Lake
Houston	Clinch	164 Wildwood Ave.	Birchwood
Karleen	Corliss	555 Wildwood Ave.	Birchwood
Sandy & Claudio	Danus	430 Wildwood Ave.	Birchwood
Aaron Will & Tara	Fernholz	212 Birch Street	Birchwood
Stephen & Nancy	Ferry	191 Wildwood Ave.	Birchwood
David & Carol	Forsythe	624 Birchwood Ave.	Birchwood
Mark & Jill	Greseth	214 Wildwood Ave.	Birchwood
Lynn & Dyanne	Hanson	700 Hall Ave.	Birchwood
Tami	Heart	506 Wildwood Ave	Birchwood
Greg & Bonnie	Hubbard	6 Oakhill Ct.	Birchwood
Andrew & Alicia	Jackola	15 Oakridge Drive	Birchwood
Wayne	Kazmierczak	140 Birchwood Ave	Birchwood
Dana & Lori	Klimp	414 Birchwood Ct	Birchwood
Scott	Lopez	268 Wildwood Ave.	Birchwood
Roger & Donna	Madison	158 Wildwood Ave.	Birchwood
Trevor	Morehead	4 Five Oaks Ln.	Birchwood
Troy & Naomi	Morehead	505 Wildwood Ave	Birchwood
Casey & Laura	Muhm	186 Cedar St	Birchwood
Joe & Whitney	Nasvik	406 Birchwood Ave.	Birchwood
Nick & Sara	Nephew	20 Birchwood Ave.	Birchwood
Sean & Molly	Roberts	600 Wildwood Ave.	Birchwood
Chris & Mary	Rollinger	305 Jay St.	Birchwood
Mark & Mary Jo	Schauffausen	262 Wildwood Ave.	Birchwood
Maureen	Seibert	425 Birchwood Court	Birchwood
Adam	Seifert	240 Wildwood Ave	Birchwood
Chris	Sorenson	5 Oakridge Dr.	Birchwood
Bridget	Sperl	110 Birchwood Ave	Birchwood
Stephen & Nancy	Standish	112 Cedar St.	Birchwood
Jennifer & Jason	Tell	697 Hall Ave.	Birchwood
Scott & Brenda	Tofte	293 Jay St	Birchwood

Updated

9/26/2023

Slip Assignments 2023

Years Used

	Name	Address	Phone	Seasons Completed	Years Remaining	City Lift #
Ash						
1	Wayne Kazmierczak	1401 Birchwood Ave	651-408-3444	4	2	1
2	Nick & Sara Nephew	20 Birchwood Ave	651-249-3800	3	3	3
3	Roger Madison	158 Wildwood Ave.	507-829-1913	1	5	2
4	Chris Sorenson	5 Oakridge Dr.	320-420-2207	1	5	5
5	Keith & Kathleen Barton	28 Oakridge Dr.	612-817-1972	1	5	5
6						
Birch						
1	Lynn Hanson	700 Hall Ave.	612-209-3055	5	1	1
2	Trevor Morehead	5 Oaks Lane	612-363-2845	2	4	Sea Legs
3	Troy Morehead	505 Wildwood Ave	651-653-1251	4	2	3
4	Claudio Danus	430 Wildwood Ave	651-762-1999	6	0	8
5	Andrew & Alicia Jackola	15 Oakridge Drive	612-214-3816	3.5	2.5	4
6	Mark & Jill Greseth	214 Wildwood Ave	612-715-1726	6	0	7
7	Dave & Carol Forsythe	186 Cedar	763-795-1821	1	5	2
8						
Dellwood						
1	Megan Schaufhausen/Seifert	240 Wildwood Ave	651-428-7358	5	1	1
2	Jason Tell	697 Hall Ave.	612-720-7977	3	3	2
3	Stephen & Nancy Standish	112 Cedar Street	651-210-1975	4	2	3
4	Sean & Molly Roberts	600 Wildwood Ave.	920-979-8096	1	5	
5	Karleen Corliss	555 Wildwood Ave.	651-303-3734	1	5	
6	Scott Lopez	268 Wildwood Ave.	651-328-1504	0.5	5.5	
7						
Elm						
1	Houstoun Clinch	164 Wildwood Ave	651-785-4643	2	4	1
2	Dana & Lori Klimp	414 Birchwood Cts	651-653-1184	1	5	2

Updated

8/19/2023

Boat Slip Wait List

<u>Position</u>	<u>Name</u>	<u>Address</u>	<u>Date added to</u>	<u>Phone</u>	<u>Easement Desired</u>
1	Laura Manske	706 Birchwood Ave	2/22/2011	651-429-7708	
2	Bridget Spearl	110 Birchwood Ave	2/22/2011	651-426-8066	
3	Tami Heart	506 Wildwood Ave	10/31/2016	612-384-8848, 651-341-3545	Birch
4	David Howard	426 Birchwood Ct.	8/16/2018	651-295-8124	Birch
5	Ross & Donna Cardozo	139 Birchwood Ave.	5/4/2020	651-231-1144	Ash
6	Mark & Mary Jo Schaffhausen	262 Wildwood Ave.	8/18/2020		Dellwood
7	Ben & Christine Creagh	16 White Pine Lane	9/27/2020	651-231-5741	Birch
8	Peter & Michelle Atakpu	201 Birchwood Ave.	11/16/2020	651-428-9906	Birch
9	Joshua & Melissa Nerlien	27 Oakridge Dr	4/9/2021	612-868-7659	Birch
10	Chris & Mary Rollinger	305 Jay St.	9/21/2021	651-428-6260	Birch
11	Joseph & Torie Wormwood	112 Wildwood Ave.	2/8/2022	651-329-7439	Birch
12	Rosemary Wallace	253 Cedar St.	4/14/2022	651-342-0077	Birch or Any
13	Emma Solheim	138 Wildwood Ave.	5/24/2022	651-336-7940	Ash then Birch
14	Jeremy & Gina Loosbrock	701 Birchwood Ave.	7/18/2022	763-218-2820	Dellwood
15	Joe & Whitney Nasvik	406 Birchwood Ave.	8/29/2022	612-425-8722	Birch
16	Aaron Will & Tara Fernholz	212 Birch Street	5/5/2023	651-341-3545	Birch
17	Casey & Laura Muhm	186 Cedar St	7/18/2023	612-704-7794	Birch or Elm
18					
20					
15					
19					
14					
17					
18					
9					

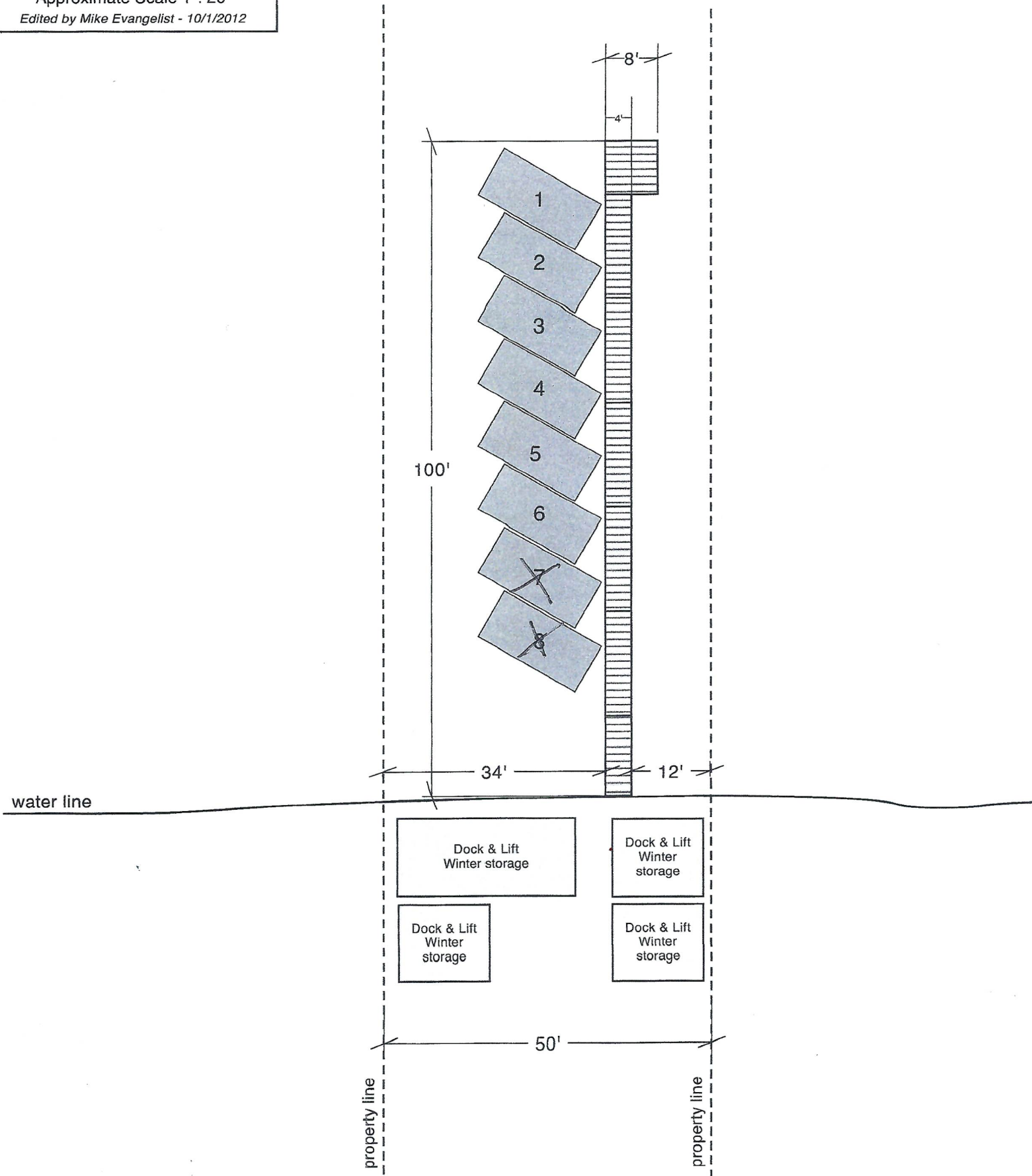
Assigned Slips 2023

20	Dana Klump	414 Birchwood Ct.	10/1/2022	612-364-5440	Elm
15	Chris Sorenson	5 Oakridge Dr.	12/5/2022	320-420-2207	Ash
19	Karieen Corliss	555 Wildwood Ave.	9/11/2022	651-303-3734	Dellwood
14	Sean & Molly Roberts	600 Wildwood Ave.	2/15/2022	920-979-8096	Dellwood
17	Roger Madison	158 Wildwood Ave.	10/1/2022	507-829-1913	Ash
18	Scott Lopez	268 Wildwood Ave.	11/5/2022	651-328-1504	Dellwood
9	David & Carol Forsythe	624 Birchwood Ave.	10/7/2020	763-795-1821	Birch

Ash Beach

Approximate Scale 1": 20'

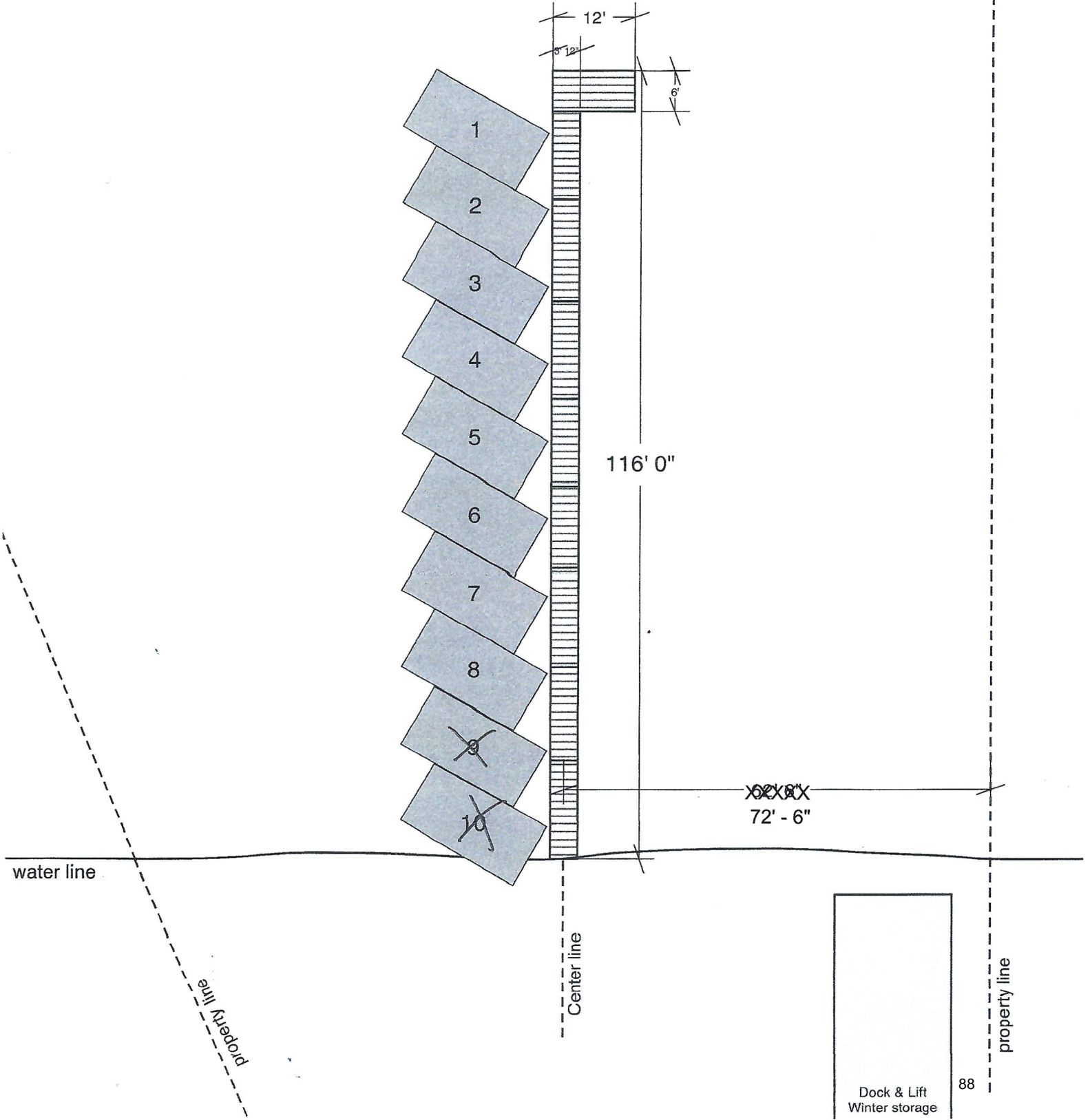
Edited by Mike Evangelist - 10/1/2012



Birch Beach

Approximate Scale 1": 20'

Edited by Mike Evangelist - 8/25/2012

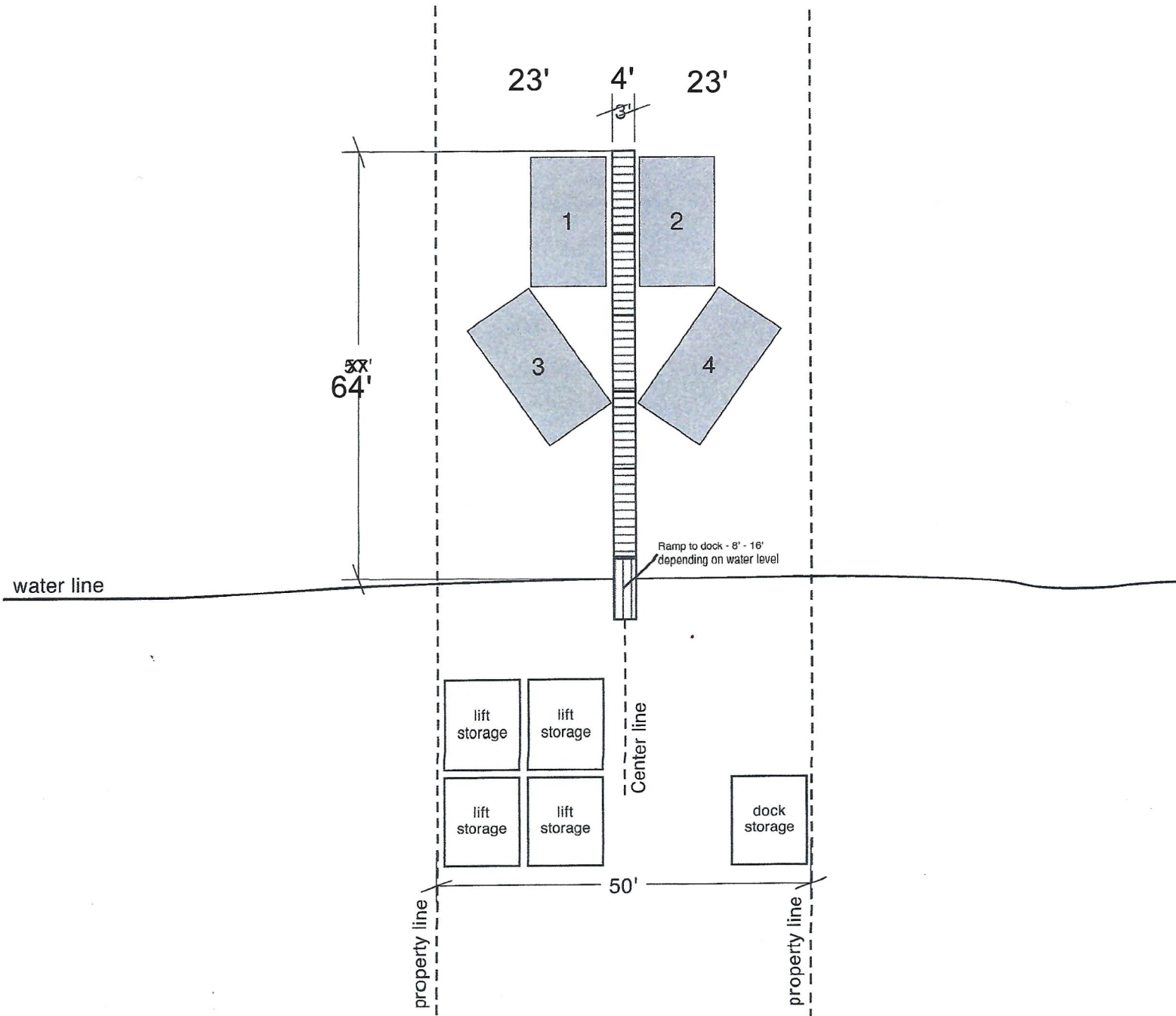


Dock & Lift
Winter storage

Elm Beach

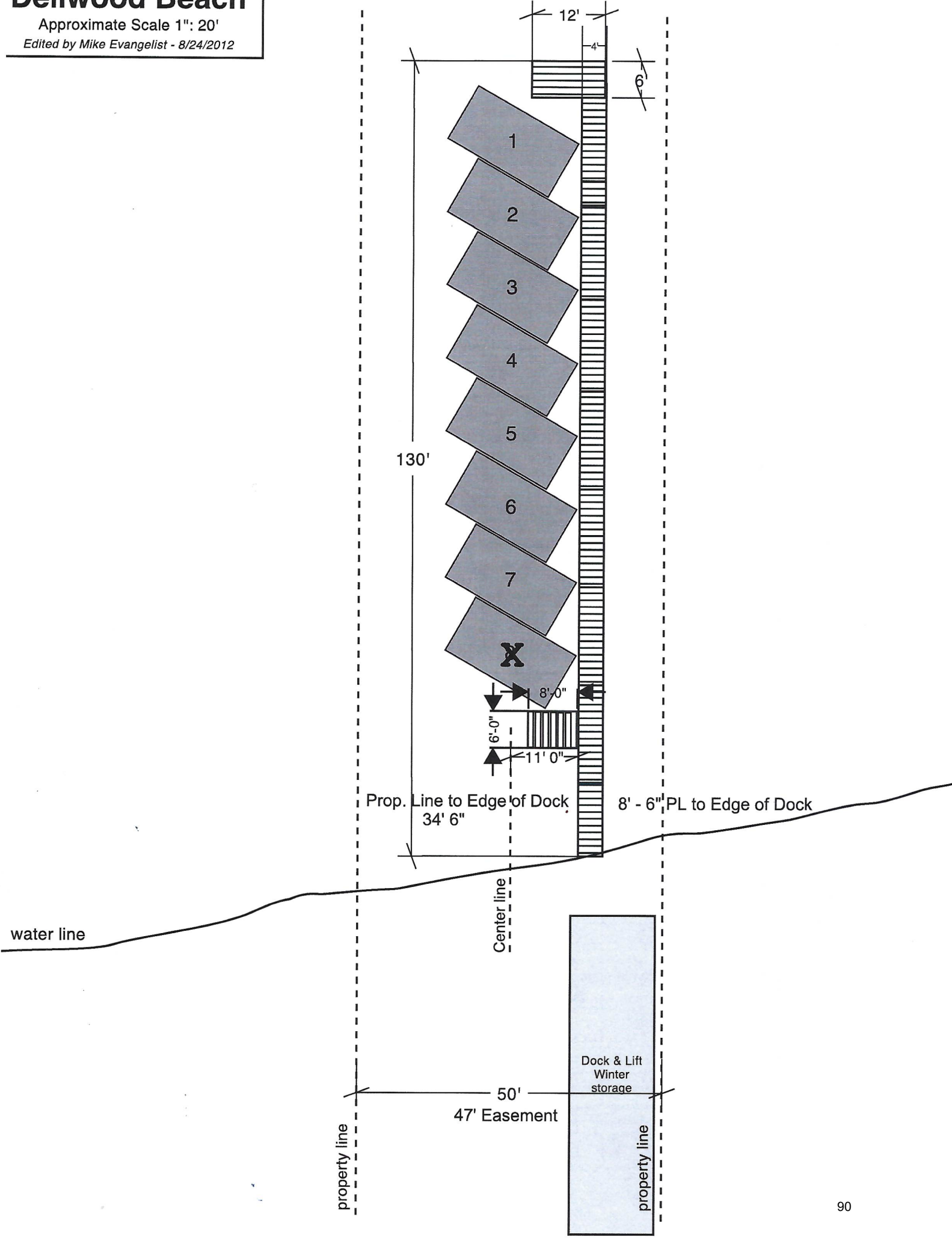
Approximate Scale 1" = 20'

Edited by Mike Evangelist - 10/1/2012



DELLWOOD BEACH

Approximate Scale 1" = 20'
Edited by Mike Evangelist - 8/24/2012



Birchwood Dock Association

2024 Boating Season

WBLCD Application Fee's

<u>Lake Tract - Boats</u>	<u>Dock</u>	<u>Add. Boats \$60</u>	<u>Shore Ramps \$10</u>	<u>Total</u>
Ash - 6	\$ 60	\$ 120	\$ -	\$ 180
Birch - 8	\$ 60	\$ 240	\$ -	\$ 300
Elm - 4	\$ 60	\$ -	\$ -	\$ 60
Dellwood - 7	\$ 60	\$ 180	\$ -	\$ 240
WBLCD FEE				\$ 780

Permit application – single dock or multiple user dock, ramp, mooring, and/or permanent structures for non-businesses

Application Process:

1. **Complete and submit application with \$60 application fee** (non-refundable), **unit fees, and a \$60 late fee** (for renewals only, if applicable) **by Oct. 15, 2023**. If submitting application by email, mail or drop off fee. Make check payable to WBLCD. An incomplete application or diagram will cause a delay in processing.
2. **Submit the following up-to-date documents, or information:**
 - A. Accurate dock/structure diagram
 - B. Permit information - DNR, other
 - C. Insurance Information
3. Applications will be reviewed by the WBLCD Board at a monthly meeting.

OFFICE USE ONLY

Date Received: _____

Attachments/Information Received:

Amount paid: \$ _____

Detailed diagram

Check #: _____

Permits: DNR, other

Approval Date: _____

Insurance Information

Permit Stipulations: No Yes (details): _____

Lake Elevation (at time of approval): _____

1. **STATUS:** New **Renewal** (identical to last year)
 Renewal (revised from LAST year) **Renewal** (revised from THIS year)

2. CONTACT INFORMATION:

Applicant: Birchwood Dock Association Title: (owner, assn. rep., etc.) Nick Nephew, BDA President

Address: 20 Birchwood Avenue Birchwood, MN 55110

Phone: 612-269-3492 Email: birchwooddocks@gmail.com

Owner of Site (if different from applicant): City of Birchwood Village

Address: 207 Birchwood Avenue Birchwood, MN 55110

Phone: 651-426-7747 Email: info@cityofbirchwood.com

Site location (If different from applicant or owner information):

Address: _____

[The above site information describes property which is riparian to White Bear Lake; and applies pursuant to the White Bear Lake Conservation District's Ordinance #5 for a new, renewed or revised Single and Multiple User Dock, Ramp or Mooring License, in accordance with all data and other information submitted herewith and made a part hereof.]

3. SITE USE CLASSIFICATION (Check one.):

- | | |
|--|--|
| <input type="checkbox"/> Dock/Homeowners Association | <input type="checkbox"/> Multiple Dwelling |
| <input type="checkbox"/> Outlot Association | <input type="checkbox"/> Municipal |
| <input checked="" type="checkbox"/> Private Club | <input type="checkbox"/> Private Municipal |
| <input type="checkbox"/> Other (please explain): _____ | |

State the intended use of the site: Provide boating and swimming access to WBL for property of Birchwood Village. This includes docks and boat slips.

- 4. SANITARY FACILITIES PROVIDED:** Yes, Number of units: _____
 No

5. APPLICATION DOCUMENTS (Please submit the following documents):

A. DOCK/STRUCTURE DIAGRAM

- The detailed diagram must be labeled with accurate dock and/or structure lengths, widths, or mooring positions.
- Include the depth of the water at the end of the dock.
- Include the date that the diagram was created.
- If neighboring Authorized Dock Use Areas (ADUAs) have docks or other structures in the lake, accurately show their position on your drawing.
- **Indicate your ADUA with a dashed line.** The line may start from where your property lines touch the 924.89 ft. Ordinary High Water Level (OHWL) and should surround the area you intend to use.

Check the box for each type of diagram submitted.

- Certified survey and legal description is preferred; however if not available, a detailed dock/structure diagram as described above may be acceptable.
- Site plan of structure to overlay survey
- Dock or structure construction detail sheet
- Gas storage detail sheet (if applicable)

B. PERMITS

All required permits, and licenses have been obtained from the MN Department of Natural Resources, and the municipality and county in which access to the site is located.

Check the box below regarding permit information:

- I do not require a DNR or city permit.
- The following permit(s) are attached to this application:

C. CERTIFICATE OF INSURANCE (COI) (Check one):

We/I have public liability insurance and have attached a certificate of Insurance (COI), naming the WBLCD is the Certificate Holder. (Preferred) **OR**

We/I have current coverage with a homeowner's insurance policy and have attached a copy. Complete the information below:

Company Name: EKBLAD, PARDEF + BEWALL INC.

Amount of coverage \$ 2,000,000 Date Expires: 3/1/24

Each individual dock user has coverage with a homeowner's insurance policy.

6. DOCK OR STRUCTURE INFORMATION:

- The diagram submitted with this application should contain detailed and accurate information.
- The Authorized Dock Use Area (ADUA)" means that area in the Lake which may be used for docks, moorings, boat storage, swimming floats, ski jump storage, diving towers, and other such equipment. The ADUA is further defined as that area extending into the Lake, as measured from the OHWL, (1) a distance of 200 feet, or (2) in situations where, at a distance of 200 feet, the Lake is less than four feet deep, then either that distance at which the Lake is four feet deep, or a distance of 300 feet, whichever is less. **ASH BEACH - Birchwood Village will allow 8 maximum - apply for 6**

7. APPLICATION AND UNIT FEES

Application Fee - \$60 \$ 60

Late Application Fee (if applicable) - \$60 \$ _____

Unit Fees - \$60 per each registered *watercraft within the defined ADUA:

SUB-TOTAL Units = 6

minus - 4

(First 4 units are free)

TOTAL Units = 2 x \$60 = \$ 120

Number of watercraft:

• **Municipal skid/ramp fee** Total Number _____ x \$12 = \$ _____

License Deposit (if applicable) - \$60 \$ _____

TOTAL FEES DUE WITH APPLICATION: \$ 180

*(Watercraft means any vessel or structure used or designed for navigation on water.)

INFORMATION ONLY - FOR LAKE USE STUDY

Please include the following information:

Number of watercraft on storage racks: _____

Number of watercraft stored on land (ie-beached): _____

8. PERMANENT DOCK OR STRUCTURE ON THE LAKE:

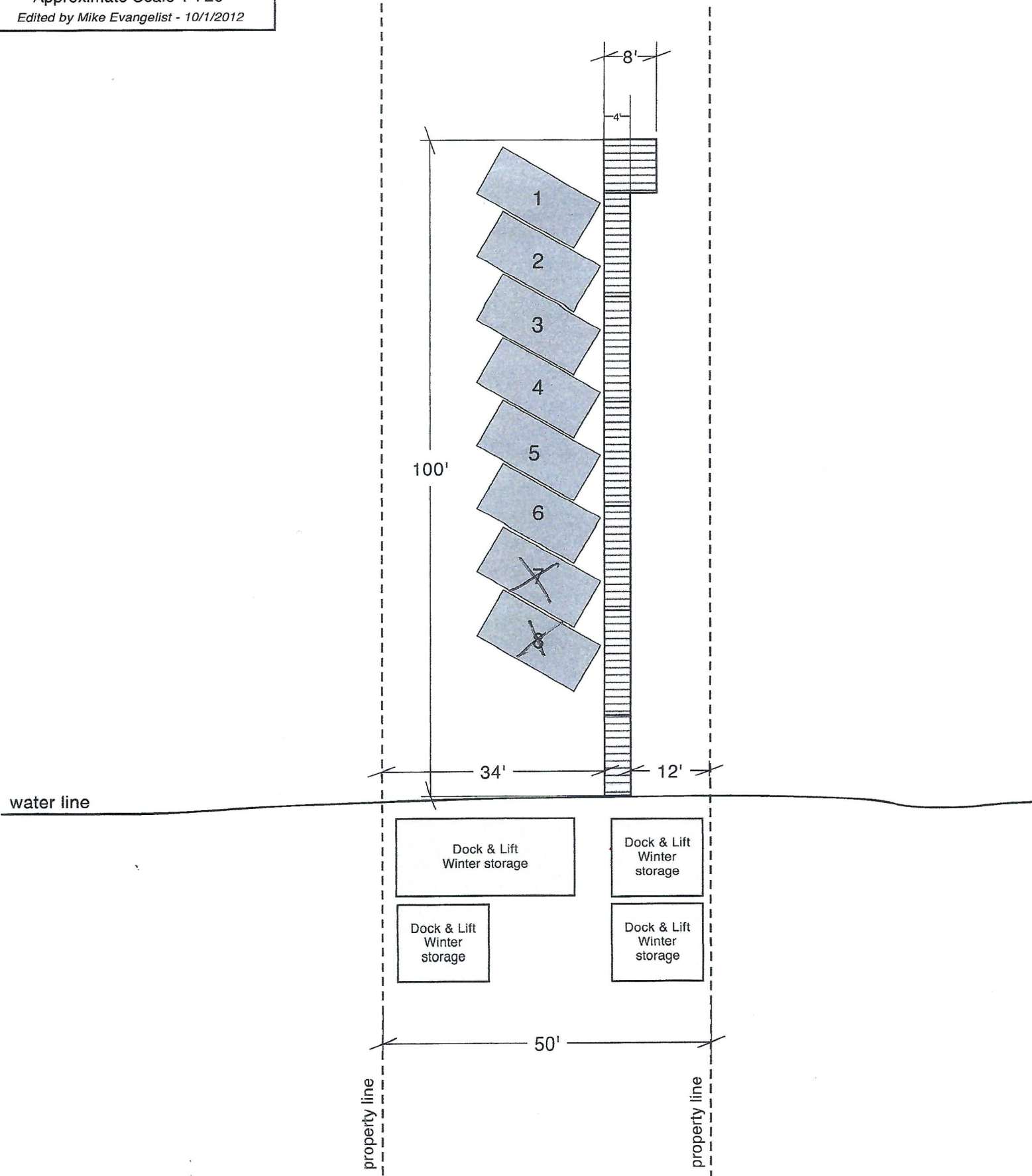
New permanent dock/structure fee - \$5,000.00 \$ _____

Annual Renewal dock/structure fee - \$1,000.00 \$ _____

Ash Beach

Approximate Scale 1" = 20'

Edited by Mike Evangelist - 10/1/2012



C. CERTIFICATE OF INSURANCE (COI) (Check one):

We/I have public liability insurance and have attached a certificate of Insurance (COI), naming the WBLCD is the Certificate Holder. (Preferred) **OR**

We/I have current coverage with a homeowner's insurance policy and have attached a copy. Complete the information below:

Company Name: EKBLAD, PARDEE + BEWALL INC.

Amount of coverage \$ 2,000,000 Date Expires: 3/1/24

Each individual dock user has coverage with a homeowner's insurance policy.

6. DOCK OR STRUCTURE INFORMATION:

- The diagram submitted with this application should contain detailed and accurate information.
- The Authorized Dock Use Area (ADUA)" means that area in the Lake which may be used for docks, moorings, boat storage, swimming floats, ski jump storage, diving towers, and other such equipment. The ADUA is further defined as that area extending into the Lake, as measured from the OHWL, (1) a distance of 200 feet, or (2) in situations where, at a distance of 200 feet, the Lake is less than four feet deep, then either that distance at which the Lake is four feet deep, or a distance of 300 feet, whichever is less.

Birch Beach - Birchwood Village will allow 10 maximum, applying for 8

7. APPLICATION AND UNIT FEES

Application Fee - \$60 \$ 60

Late Application Fee (if applicable) - \$60 \$ _____

Unit Fees - \$60 per each registered *watercraft within the defined ADUA:

SUB-TOTAL Units = 8

minus - 4

(First 4 units are free)

TOTAL Units = 4 **x \$60 =** \$ 240

Number of watercraft:

• **Municipal skid/ramp fee** Total Number _____ **x \$12 =** \$ _____

License Deposit (if applicable) - \$60 \$ 60

TOTAL FEES DUE WITH APPLICATION: \$ 300

**(Watercraft means any vessel or structure used or designed for navigation on water.)*

INFORMATION ONLY - FOR LAKE USE STUDY

Please include the following information:

Number of watercraft on storage racks: _____

Number of watercraft stored on land (ie-beached): _____

8. PERMANENT DOCK OR STRUCTURE ON THE LAKE:

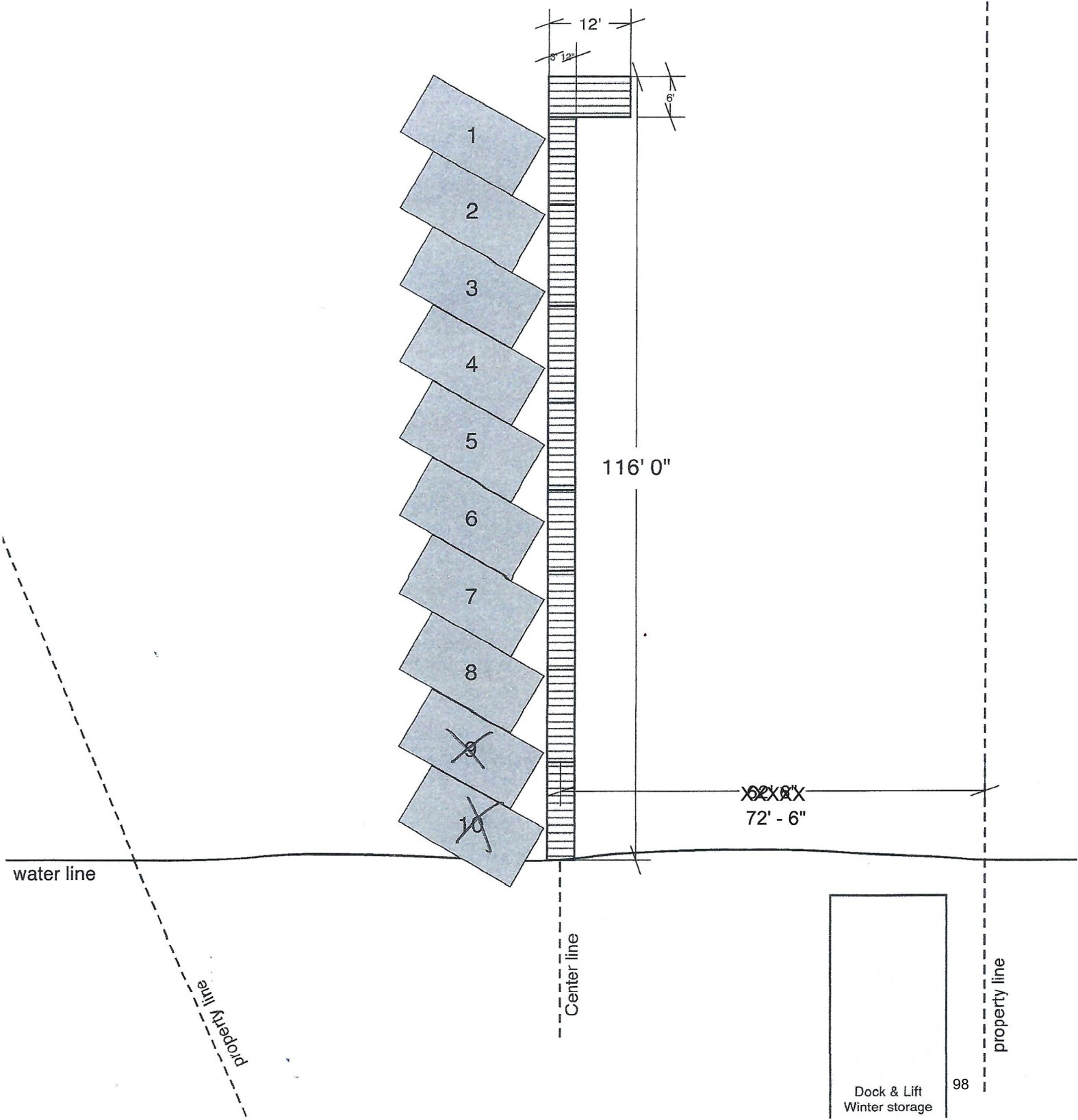
New permanent dock/structure fee - \$5,000.00 \$ _____

Annual Renewal dock/structure fee - \$1,000.00 \$ _____

Birch Beach

Approximate Scale 1": 20'

Edited by Mike Evangelist - 8/25/2012



Dock & Lift
Winter storage

C. CERTIFICATE OF INSURANCE (COI) (Check one):

We/I have public liability insurance and have attached a certificate of Insurance (COI), naming the WBLCD is the Certificate Holder. (Preferred) **OR**

We/I have current coverage with a homeowner's insurance policy and have attached a copy. Complete the information below:

Company Name: EKBLAD, PARDEE + BEWALL INC.

Amount of coverage \$ 2,000,000 Date Expires: 3/1/24

Each individual dock user has coverage with a homeowner's insurance policy.

6. DOCK OR STRUCTURE INFORMATION:

- The diagram submitted with this application should contain detailed and accurate information.
- The Authorized Dock Use Area (ADUA)" means that area in the Lake which may be used for docks, moorings, boat storage, swimming floats, ski jump storage, diving towers, and other such equipment. The ADUA is further defined as that area extending into the Lake, as measured from the OHWL, (1) a distance of 200 feet, or (2) in situations where, at a distance of 200 feet, the Lake is less than four feet deep, then either that distance at which the Lake is four feet deep, or a distance of 300 feet, whichever is less. Elm Beach - Birchwood Village will allow 6 maximum, applying for 4

7. APPLICATION AND UNIT FEES

Application Fee - \$60 \$ 60

Late Application Fee (if applicable) - \$60 \$ _____

Unit Fees - \$60 per each registered *watercraft within the defined ADUA:

SUB-TOTAL Units = 4

minus - 4

(First 4 units are free)

TOTAL Units = 0 x \$60 = \$ 0

Number of watercraft:

• **Municipal skid/ramp fee** Total Number _____ x \$12 = \$ _____

License Deposit (if applicable) - \$60 \$ _____

TOTAL FEES DUE WITH APPLICATION: \$ 60

**(Watercraft means any vessel or structure used or designed for navigation on water.)*

INFORMATION ONLY - FOR LAKE USE STUDY

Please include the following information:

Number of watercraft on storage racks: _____

Number of watercraft stored on land (ie-beached): _____

8. PERMANENT DOCK OR STRUCTURE ON THE LAKE:

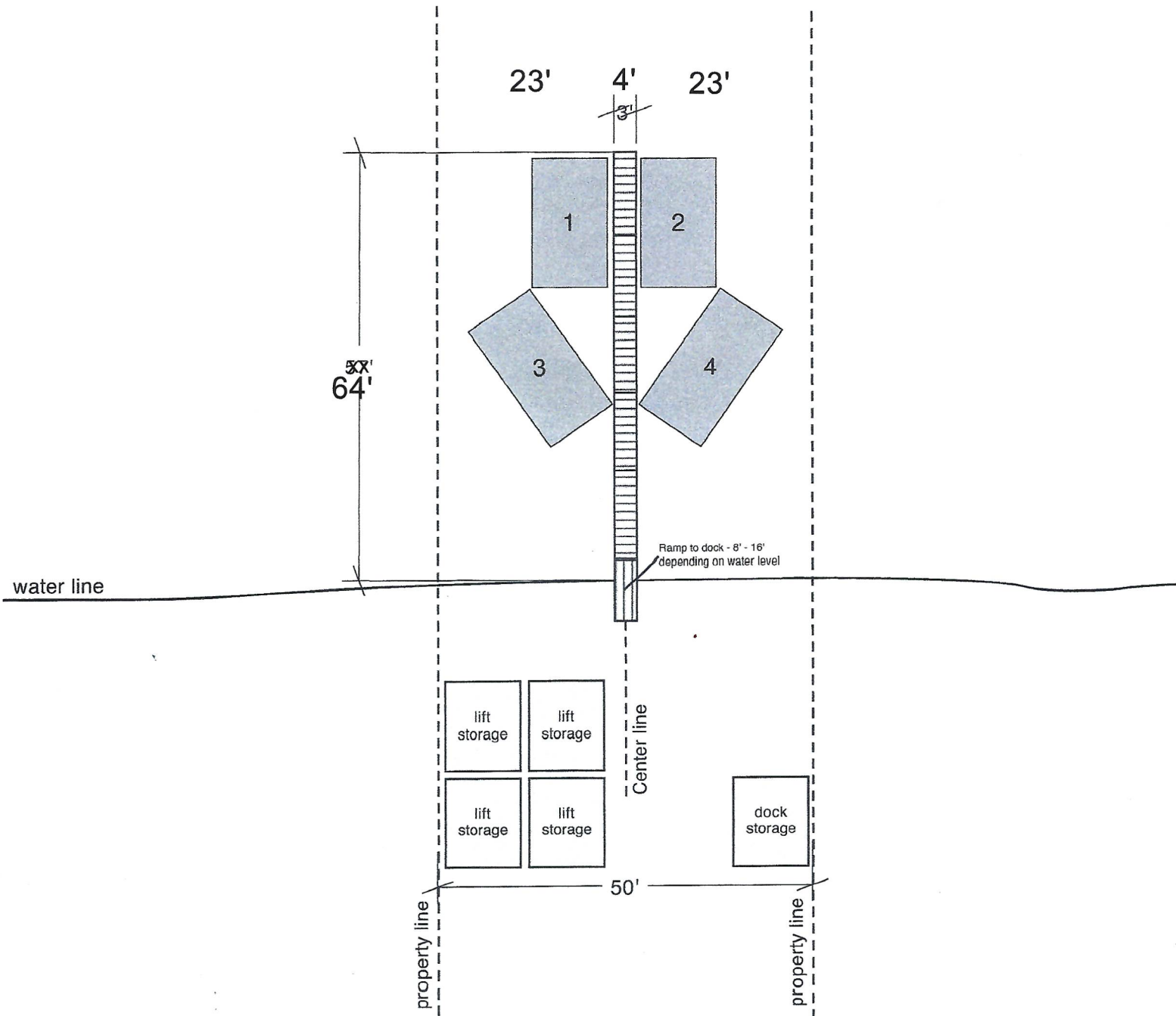
New permanent dock/structure fee - \$5,000.00 \$ _____

Annual Renewal dock/structure fee - \$1,000.00 \$ _____

Elm Beach

Approximate Scale 1" : 20'

Edited by Mike Evangelist - 10/1/2012



C. CERTIFICATE OF INSURANCE (COI) (Check one):

We/I have public liability insurance and have attached a certificate of Insurance (COI), naming the WBLCD is the Certificate Holder. (Preferred) **OR**

We/I have current coverage with a homeowner's insurance policy and have attached a copy. Complete the information below:

Company Name: EKBLAD, PARDEE + BEWALL, INC.

Amount of coverage \$ 2,000,000 Date Expires: 3/1/24

Each individual dock user has coverage with a homeowner's insurance policy.

6. DOCK OR STRUCTURE INFORMATION:

- The diagram submitted with this application should contain detailed and accurate information.
- The Authorized Dock Use Area (ADUA)" means that area in the Lake which may be used for docks, moorings, boat storage, swimming floats, ski jump storage, diving towers, and other such equipment. The ADUA is further defined as that area extending into the Lake, as measured from the OHWL, (1) a distance of 200 feet, or (2) in situations where, at a distance of 200 feet, the Lake is less than four feet deep, then either that distance at which the Lake is four feet deep, or a distance of 300 feet, whichever is less. **Dellwood Beach - Birchwood Village will allow 8 maximum, applying for 7.**

7. APPLICATION AND UNIT FEES

Application Fee - \$60 \$ 60

Late Application Fee (if applicable) - \$60 \$

Unit Fees - \$60 per each registered *watercraft within the defined ADUA:

SUB-TOTAL Units = 7

minus - 4

(First 4 units are free)

TOTAL Units = 3 **x \$60 =** \$ 180

Number of watercraft:

• **Municipal skid/ramp fee** Total Number **x \$12 =** \$

License Deposit (if applicable) - \$60 \$ 60

TOTAL FEES DUE WITH APPLICATION: \$ 240

**(Watercraft means any vessel or structure used or designed for navigation on water.)*

INFORMATION ONLY - FOR LAKE USE STUDY

Please include the following information:

Number of watercraft on storage racks:

Number of watercraft stored on land (ie-beached):

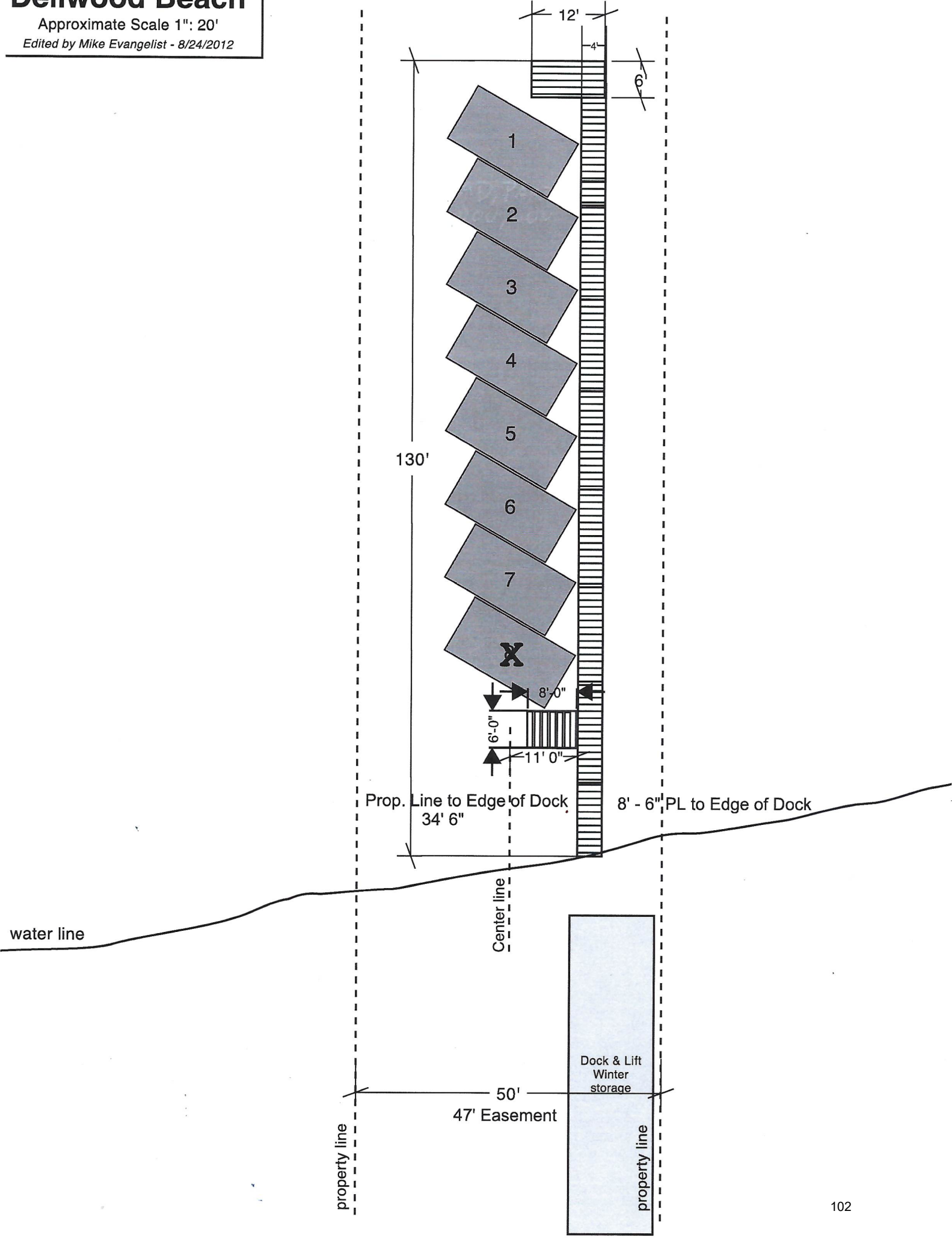
8. PERMANENT DOCK OR STRUCTURE ON THE LAKE:

New permanent dock/structure fee - \$5,000.00 \$

Annual Renewal dock/structure fee - \$1,000.00 \$

DEERWOOD BEACH

Approximate Scale 1" = 20'
Edited by Mike Evangelist - 8/24/2012



9. ADJOINING PROPERTY OWNERS - Includes all lakeshore owners within 200 feet either side of the property line.

North or West Owner(s): Full List Attached

Name _____

Address: _____

Name _____

Address: _____

Name _____

Address: _____

South or East Owner(s): Full List Attached

Name _____

Address: _____

Name _____

Address: _____

Name _____

Address: _____

Any other affected parties:

Name _____

Address: _____

Name _____

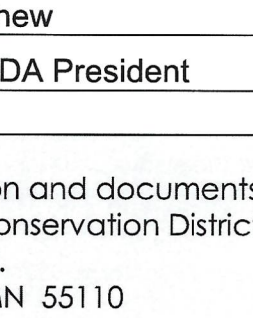
Address: _____

Birchwood Lake Tract Neighbors

	<u>First Name</u>	<u>Last Name</u>	<u>Address</u>	<u>City</u>	<u>Zip</u>	<u>Public Lake Tract</u>
1	Toni & Scott	Berg	131 Wildwood Ave.	Birchwood	55110	Ash - Neighbor West
2	Michael & Michelle	Appleman	135 Wildwood Ave.	Birchwood	55110	Ash - Neighbor West
3	John	Kruse	139 Wildwood Ave.	Birchwood	55110	Ash - Neighbor West
4	Mark & Nanacy	Mammel	143 Wildwood Ave.	Birchwood	55110	Ash - Neighbor West
5	Suzanne	Walfoort	145 Wildwood Ave.	Birchwood	55110	Ash - Neighbor East
6	Robert	Watkins	153 Wildwood Ave.	Birchwood	55110	Ash - Neighbor East
7	Roger & Mary	Kurtz	159 Wildwood Ave.	Birchwood	55110	Ash - Neighbor East
8	Timothy	Ehlenz	161 Wildwood Ave.	Birchwood	55110	Ash - Neighbor East
1	Steven & Nancy	Ferry	191 Wildwood Ave.	Birchwood	55110	Birch - Neighbor West
2	Nancy	Calderon	195 Wildwood Ave.	Birchwood	55110	Birch - Neighbor West
3	Keri	Pakonen	199 Wildwood Ave.	Birchwood	55110	Birch - Neighbor West
4	Thomas & Susan	Schway	201 Wildwood Ave.	Birchwood	55110	Birch - Neighbor East
5	Ted & Joanne	Thornquist	205 Wildwood Ave.	Birchwood	55110	Birch - Neighbor East
6	Richard	Galena	217 Wildwood Ave.	Birchwood	55110	Birch - Neighbor East
7	Richard & Janet	Christian	221 Wildwood Ave.	Birchwood	55110	Birch - Neighbor East
1	Kenneth	Broen	243 Wildwood Ave.	Birchwood	55110	Elm - Neighbor West
2	Trude	Harmon	780 Como Ave.	St. Paul	55103	Elm - Neighbor West
3	259 Wildwood	Rev Trs	259 Wildwood Ave.	Birchwood	55110	Elm - Neighbor West
4	Brian	Kraft	267 Wildwood Ave.	Birchwood	55110	Elm - Neighbor West
5	Ellen Maas & Len	Pratt	301 Wildwood Ave.	Birchwood	55110	Elm - Neighbor East
6	Darren & Amy	DeYoung	309 Wildwood Ave.	Birchwood	55110	Elm - Neighbor East
7	Ralph	Liebsch	315 Wildwood Ave.	Birchwood	55101	Elm - Neighbor East
8	Paul	Edwards	321 Wildwood Ave.	Birchwood	55110	Elm - Neighbor East
1	Terry & Jessica	Granec	363 Lakewood Lane	Birchwood	55110	Dellwood -Neighbor West
2	Sharon	Muellerleile	365 Lakewood Lane	Birchwood	55110	Dellwood -Neighbor West
3	Anthony & Christina	Demars	407 Lake Ave.	Birchwood	55110	Dellwood -Neighbor West
4	Jerry Carlson & Jackie	Jarosz	409 Lake Ave.	Birchwood	55110	Dellwood -Neighbor East
5	Kathleen	Madore	413 Lake Ave.	Birchwood	55110	Dellwood -Neighbor East
6	Coyleen	Davidson	425 Lake Ave.	Birchwood	55110	Dellwood -Neighbor East

CERTIFICATION PAGE

I certify that the information provided herein and the attachments hereto are true and correct statements. I understand that any License issued may be revoked by the District for violation of any WBLCD Ordinance. I agree to reimburse the District for any legal, surveying, engineering, inspection, maintenance or other expenses incurred by the district. I, also, understand that the District may require a deposit to cover these expenses. I consent to permitting officers and agents of the District to enter the premises at all reasonable times to investigate and to determine whether or not there is compliance with the Codes of the District.

Signature of Applicant:  **Date:** September 24, 2023

Print Name: Nick Nephew

Relationship to Site: BDA President

Submit your application and documents by email, mail, or in person to:
White Bear Lake Conservation District
4701 Highway 61 N.
White Bear Lake, MN 55110

Email: wblcd@msn.com

**If submitting application by email, please mail or deliver permit fees to the WBLCD.*

If you have any questions, please contact the WBLCD Administrator.

Phone #: (651) 429-8520;

Email: wblcd@msn.com

Completed applications will be reviewed at both the WBLCD Lake Utilization Committee (LUC) and Board meetings on the third Tuesday of the month (except December), White Bear Lake City Hall Council Chambers. The LUC meets at 6 pm; the Board at 7 pm.

For office hours, ordinances, and more information on the WBLCD, visit our webpage at www.wblcd.org.

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

I got some notes from Marcus.

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.

To: Birchwood City Council
From: Ryan Hankins

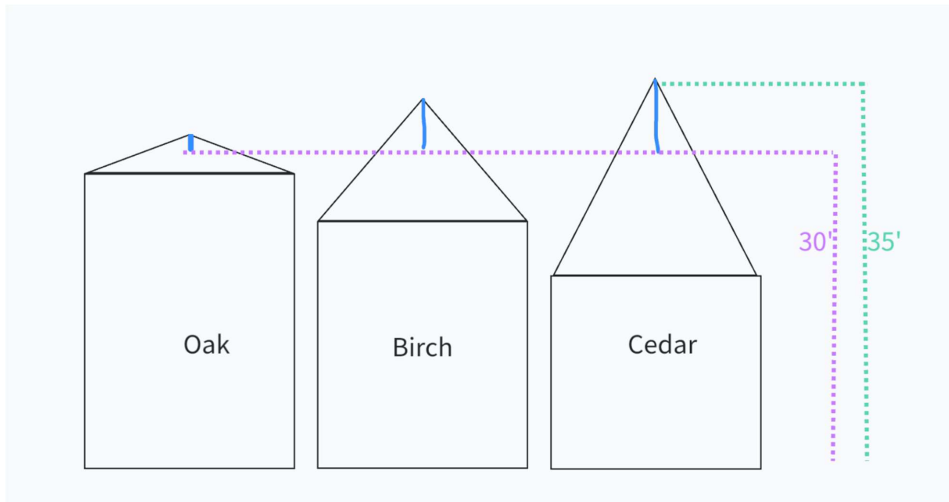
October Remarks:

I clarified some language and added a diagram to explain how heights are calculated. This code allows the peak of gable roofs to project 30% above 30 feet above the grade plane, makes height calculations easier for builders, makes them more consistent with other communities and makes language much easier to understand.

September Remarks:

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

1. [ACTION] Adopt ordinance.



Ryan's marginally helpful diagram.

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

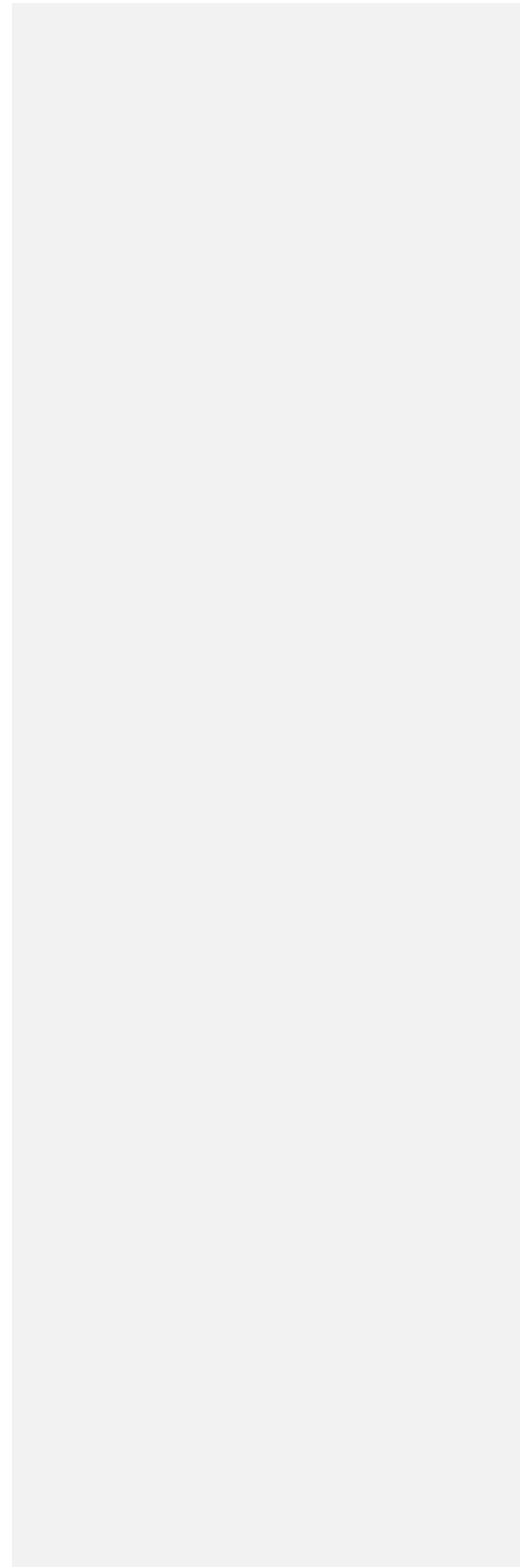
The following chart shows the maximum height based on the width of the house. Of course, if it is always capped at 35 feet. Most houses set the roofline parallel to the long edge of the house, which is typically less than 40 feet.

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

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

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

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



ORDINANCE NO. 2023-07-01

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

Findings and Purpose:

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

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

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

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

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

302.045 STRUCTURAL HEIGHT RESTRICTIONS

1. The height of a structure shall not exceed the maximum structure height for its type in 302.045(2).

2. STRUCTURAL HEIGHT LIMITATION: The maximum height of a structure as calculated by Method A, ~~or Method B~~ or C (see below) is as follows:

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

Limitation

Formatted: Font: (Default) Times New Roman, 12 pt, Bold, Underline

Formatted: Font: Bold

METHOD A: (~~Most a~~Applicable to 3-dimensional structures, e.g. houses and principal structures and attached garages.) ~~The maximum height of a structure is the difference between the elevation of the highest point of the structure and the average elevation of the grade plane. For flat and shed roofs, the height of a structure is the vertical distance measured between the average elevation of the grade plane and the highest point of the roof surface. For mansard roofs, the height of a structure is the vertical distance between the average elevation of the grade plane and the break line. For gable, gambrel and hip roofs, the height of a structure is the vertical distance between the eaves and the average elevation of the grade plane, plus 70% of the vertical distance between the eaves and the structure's highest roof ridge. For gable, gambrel and hip roofs with uneven eaves, the average of the heights of that roof's eaves is used to determine vertical distance. The grade plane shall be calculated based on the method shown in Exhibit A below. The height for gable, gambrel and hip roofs shall be calculated as shown in Exhibit B below.~~ Elevation points at the ground level shall be evenly distributed along each façade.

Formatted: Indent: Left: 0.5", Space After: 0 pt, Line spacing: single

Formatted: Font: (Default) Times New Roman

Formatted: Font: (Default) Times New Roman

Formatted: Font: (Default) Times New Roman

Formatted: Font: (Default) Times New Roman

Formatted: Font: (Default) Times New Roman

Formatted: Font: (Default) Times New Roman

Formatted: Font: (Default) Times New Roman

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

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

32. Grading/Fill Limitation

The ~~existing~~ grade of the property shall not be ~~raised around a new building or foundation in order~~ ~~changed~~ to comply with ~~the height requirements of this code restrictions.~~

43. Tallest Point Limitation

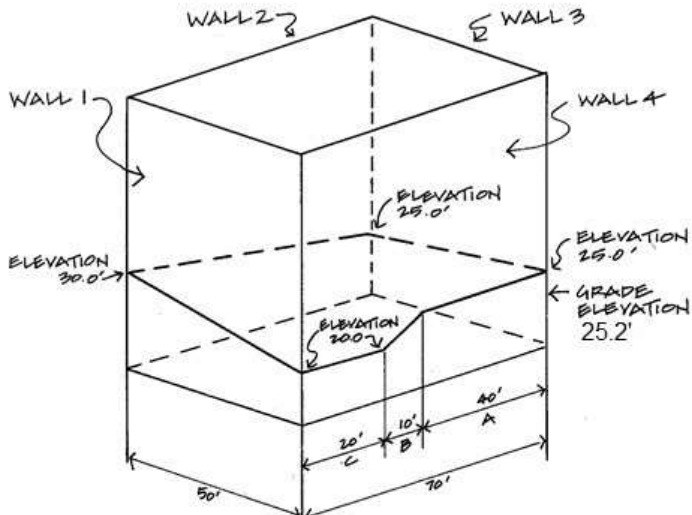
Regardless of the structure height limitations for principal structures specified in section 302.045 subsection 2+ above, the ~~lowest point on the façade to the vertical distance from the lowest level of where grade meets a structure to~~ tallest point of ~~that~~ structure shall not exceed 35 feet. Also, the ~~elevation of the~~ tallest point of an attached garage shall not exceed the ~~height-elevation~~ of the tallest point of the principal structure.

54. Exceptions.

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

Exhibit A:

ILLUSTRATION 16: GRADE, GRADE ELEVATION



GRADE = AVERAGE GROUND ELEVATION

$$\text{WALL 1 } \frac{20.0 + 30.0}{2} \times 50 = 1250$$

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

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

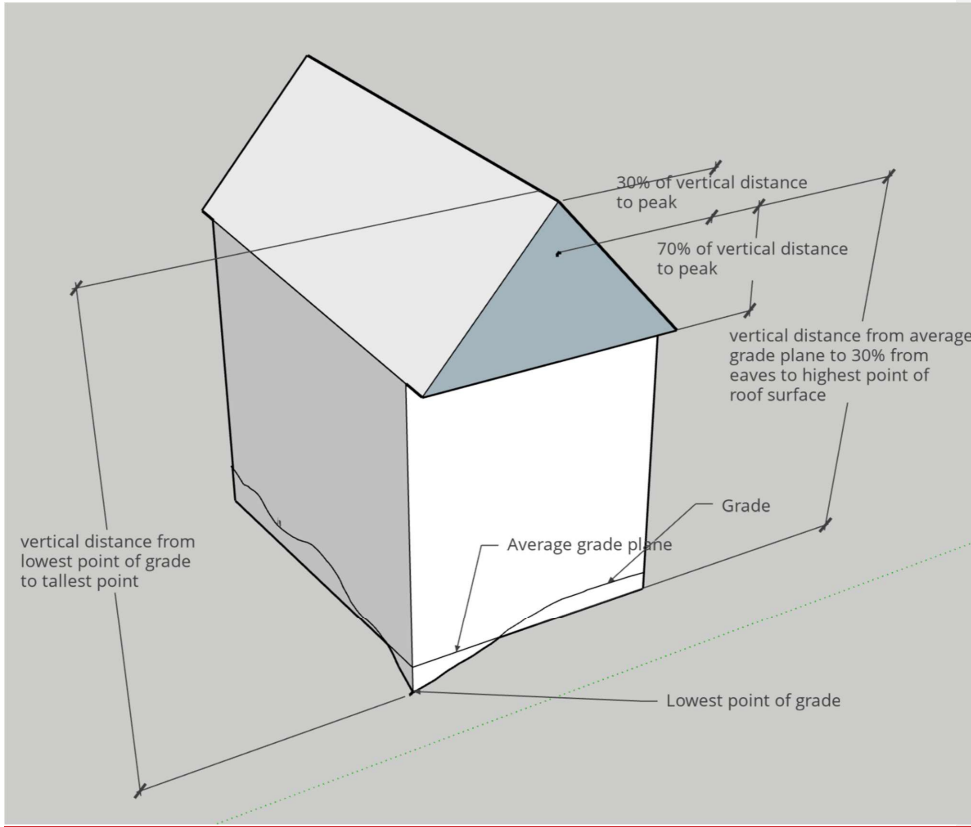
$$\text{WALL 4 A - } 25.0 \times 40 = 1000$$

$$\text{B - } \frac{25.0 + 20.0}{2} \times 10 = 225$$

$$\text{C - } 20.0 \times \frac{20}{2} = \frac{400}{240}$$

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

Exhibit B:



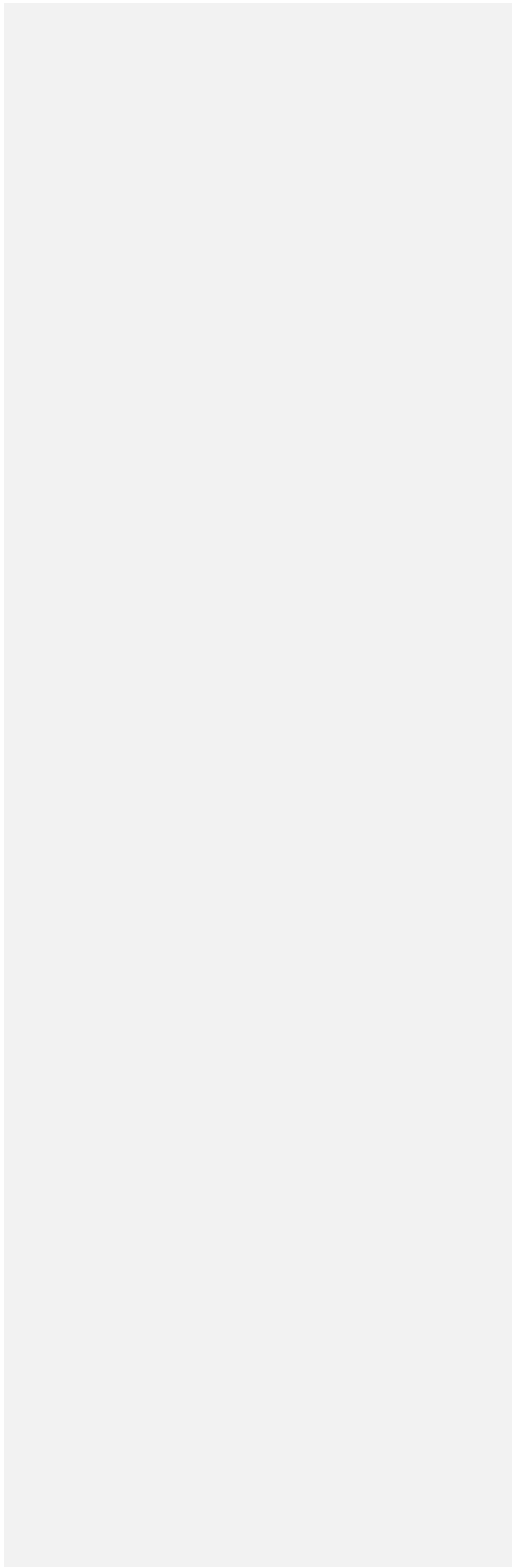
This ordinance becomes effective from and after its passage and publication.

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

 Mayor

Attested:

City Clerk



RESOLUTION 2023-41

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

**A RESOLUTION APPROVING SUMMARY PUBLICATION OF ORDINANCE
NO. 2023-07-01: AN ORDINANCE AMENDING SECTION 302.045 OF
ORDINANCE NO. 302 ADOPTED ON DECEMBER 13, 2016, AND TITLED
“ZONING CODE REQUIREMENTS AND PERFORMANCE STANDARDS.**

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. 2023-07-01, which amends the language of City Code 302.045; 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 2023-07-01 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

Please be advised that the City of Birchwood has duly-passed the following ORDINANCE:

AN ORDINANCE AMENDING SECTION 302.045 REGARDING STRUCTURE HEIGHT RESTRICTIONS AND CALCULATIONS

The following is a SUMMARY of the Ordinance:

On October 10, 2023 the City adopted an Ordinance (2023-07-01) to clarify and illustrate the methodology of calculating structure height for purposes of designing and permitting structures. The clarifications include illustrative aids to assist the user of the code.

PLEASE BE ADVISED, this is not the full text of the Ordinance passed and the published material is only a summary. The full text is available for public inspection at the City of Birchwood, 207 Birchwood Avenue, Birchwood, Minnesota 55110 or delivered upon request electronically or by U.S. Mail.

Summary complies with Minn. Stat. §§ 331A.05 subd. 8. & 412.191 subd 4.

**ORDINANCE NO. 2023-09-01
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
AN ORDINANCE REPEALING AND REPLACING CHAPTER 607 OF THE
BIRCHWOOD CITY CODE REGARDING PARKS**

607. BIRCHWOOD PARK SYSTEM

607.100. **PURPOSE.** This Code is being repealed and replaced to update the governance by the City of 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 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.

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. **PARADES, ENTERTAINMENT, PUBLIC MEETINGS.** No processions, parades, pageants, ceremonies, exhibitions, celebrations, training exercises, speeches, entertainment, tournaments, or other public gatherings shall be allowed to pass through or take place in any part of the City Park System or on any parkway except with written permission of the City Council.

607.214 **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.

607.215 **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.

607.216. **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.

607.217. **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.

607.218. STRUTURES 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.

B. Any Law Enforcement Officer and any person so authorized by the City Council may remove any person from a city skating rink who is violating any provision of this Code.

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.

D. Fishing. Fishing is permitted at all Public Lake Tracts except Kay Beach. All fishermen fishing from a Public Lake Tract must hold a proper and valid Minnesota fishing license.

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.

I

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 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.

Passed by the City Council of The City of Birchwood Village this 10th day of October, 2023.

Margaret Ford, Mayor

Attested:

Rebecca Kellen
City Clerk-Administrator

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

Please be advised that the City of Birchwood has duly-passed the following ORDINANCE:

AN ORDINANCE REPEALING AND REPLACING CHAPTER 607 REGARDING PARKS.

The following is a SUMMARY of the Ordinance:

On October 10th, 2023 the City adopted an Ordinance (2023-09-01) repealing and replacing Chapter 607 regarding Parks.

PLEASE BE ADVISED, this is not the full text of the Ordinance passed and the published material is only a summary. The full text is available for public inspection at the City of Birchwood, 207 Birchwood Avenue, Birchwood, Minnesota 55110 or delivered upon request electronically or by U.S. Mail.

Summary complies with Minn. Stat. §§ 331A.05 subd. 8. & 412.191 subd 4.

To: City Council
From: Justin McCarthy, City Council.
Re: Setback requirements.

Dear members of the City Council. Please find below the attached proposal to amend the city setbacks. I believe that the current 40 foot front setback is extreme and in my conversations with folks in the City, nobody seemed to have an answer as to why the setbacks were so large other than “that’s the way they have always been.”

In my surveys of White Bear Lake, White Bear Township, Mahtomedi, and other communities it seems that 30 feet is more common and accepted. Thus, I have changed the street setbacks to 30 feet. In addition, for corner lots, it seems like folks on corner lots are particularly hit hard. In addition to reducing the setback from 40 feet to 30 feet, I have added a section in the code that allows for reducing the setback an additional 5 feet for the non-address side setback. That is, from 30 to 25 feet for one side.

In addition,

Please provide me with your feedback and/or comments. The exact language of the proposed amendments to 302.020 are given below.

Thanks
Justin

**ORDINANCE NO. 2023-09-02
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
AN ORDINANCE AMENDING ORDINANCE NO. 302 TITLED “ZONING CODE:
REQUIREMENTS AND PERFORMANCE STANDARDS”**

Findings and Purpose:

The City of Birchwood Village has ascertained that our current setback requirements are not in line with other communities in the area. Furthermore, many structures that are existing do not comply with the current standards. The changes below are to ensure equitable treatment between existing structures and proposed new structures.

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

Ordinance No. 302, and titled “**ZONING CODE: REQUIREMENTS AND PERFORMANCE STANDARDS**” is hereby amended as follows:

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:

	<u>TYPE OF STRUCTURE</u>		
<u>Lot line or Land Boundary</u>	<u>Fences and Landscaping Barriers</u>	<u>Driveways & Walkways</u>	<u>All Other Structures</u>
<u>Municipal Street and County Road Front, Back, and Side Lot Line</u>	20 <u>10</u> ft.	0	40 ft. <u>30</u> ft.

<u>County Road</u> <u>Front, Back, and Side</u> <u>Lot Line</u>	<u>20-10 ft.</u>	0	<u>50 ft. 30 ft.</u>
<u>Municipal Street or</u> <u>County Road Front,</u> <u>Back, and Side Lot</u> <u>Line for Non-</u> <u>Address Side of</u> <u>Corner Lot</u>	<u>10 ft.</u>	0	<u>25 ft.</u>
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)

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.

“AMENDED BY ORDINANCE 2013-08-01; AUGUST 13, 2013.”

“AMENDED BY ORDINANCE 2021-01-01; FEBRUARY 9, 2021”

- 5. STRUCTURES IN WETLANDS. No structures are allowed within any wetlands.

“AMENDED BY ORDINANCE 1997-2; AUGUST 12, 1997.”

“AMENDED BY ORDINANCE 2003-1; FEBRUARY 12, 2003.”

302.030. HIGH WATER ELEVATIONS. All buildings shall be located such that the lowest floor surface is at a level at least three (3) feet in elevation above the highest known water level of any lake, pond, or wetland adjoining the lot. For three water bodies the high known water levels are:

HIGHEST KNOWN WATER LEVELS (Feet Above Mean Sea Level)

DNR ID #82-167	White Bear Lake	926.7 (NGVD, 1929)
DNR ID #82-134	Lost Lake	927.0 (NGVD, 1929)
DNR ID #82-480W	Hall's Marsh	926.7 (NGVD, 1929)

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

October (month six of solar code) Remarks:

The language of the ordinance is clarified and simplified. In addition, it is added that ground-mounted systems may not increase stormwater runoff onto neighboring properties or visually obstruct neighbor's shoreline.

August Remarks:

I have revised the code to limit systems to 10 inches above the roof surface and to require a conditional use permit for any system other than a rooftop system, which requires such systems to be considered at the planning commission and city council.

It also limits ground-mount systems to those where rooftop solar is not workable: "Ground-mount systems shall be permitted on a lot only where the applicant shows that a ground-mount system meeting the terms of this section can produce at least 125% of the average annual output of a full roof-mount solar installation."

July Remarks:

Actions:

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

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

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

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

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

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

June remarks:

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

ORDINANCE NO. 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”

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

Section 1. Findings and Purpose.

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

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

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

302.100. SOLAR ENERGY INSTALLATIONS

1. Definitions.

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

- d. Photovoltaic System. A solar energy system that converts solar energy directly into electricity
 - e. Roof-mount. A solar energy system mounted on a rack that is fastened to or ballasted on a structure roof. Roof-mount systems are accessory to the principal use.
 - f. Solar Collector. The panel or device in a solar energy system that collects solar radiant energy and transforms it into thermal, mechanical, chemical, or electrical energy. The collector does not include frames, supports, or mounting hardware.
 - g. Solar Energy System. A device, array of devices, or structural design feature, the purpose of which is to provide for generation or storage of electricity from sunlight, or the collection, storage and distribution of solar energy for space heating or cooling, daylight for interior lighting, or water heating.
2. Intent. Solar energy is an abundant, renewable, and nonpolluting energy resource and its conversion to electricity or heat is beneficial. The intent of this ordinance is to:
- a. preserve the health, safety and welfare of the community by promoting the safe, effective and efficient use of solar energy systems; and
 - b. promote sustainable building design and management practices to serve current and future generations; and
 - c. implement the solar resource protection element required under the Metropolitan Land Planning Act; and
 - d. reduce dependence on nonrenewable energy resources and decrease air and water pollution that results from the use of conventional energy sources; and
 - e. enhance the reliability and power quality of the power grid and make more efficient use of electric distribution infrastructure.
3. Roof-Mounted and Building-Integrated Solar Energy Systems
- a. Roof-mounted solar energy systems and building-integrated solar energy systems are allowed so long as:
 - i. the collector surface and mounting devices for roof-mounted and building-integrated solar energy systems do not extend beyond the exterior perimeter of the building on which the system is mounted or built, unless the collector and mounting system has been explicitly engineered to safely extend beyond the edge and setback standards are not violated; and
 - ii. exterior piping for solar hot water systems does not extend beyond the perimeter of the building on a side-yard exposure; and
 - iii. the applicant complies with section (5).
 - b. Roof-mounted solar energy systems are not to be considered for determining compliance with section 302.045 “Structural Height Restrictions” as long as the

roof-mounted solar energy system is installed at a same angle to that of the roof and extends no more than ten inches vertically above the roof.

4. Ground-Mounted Solar Energy Systems

- a. Certain ground-mounted solar energy systems are allowed as a conditional use so long as:
 - i. the total lot coverage does not exceed 30% of the building footprint of the principal structure in total collector area; and
 - ii. the applicant shows that a ground-mount system can produce at least 100% of the average annual electric output of a full roof-mount solar installation; and
 - iii. the installation obtains a conditional use permit, pursuant to § 301.070 of the city code; and
 - iv. the applicant complies with sections (5).
- b. Ground-mounted solar energy systems are not counted toward accessory structure limitations.
- c. Ground-mounted solar energy systems are not counted as impervious surface if the surface under the collector is pervious. Impervious mounting hardware covering pervious surfaces such as concrete pads and steel posts are impervious surface.
- d. Ground-mounted solar energy system installations must not increase stormwater runoff from the property.

5. General Requirements

- a. The applicant must obtain a building permit for any solar energy installation; and
- b. All building permit applications for solar energy systems shall provide a site plan for review, including to-scale horizontal and vertical (elevation) drawings. The drawings must show the location of the system on the building or on the property for a ground-mounted system, including the property lines; and
- c. Electric solar energy system components must have a UL or equivalent listing and solar hot water systems must have an SRCC rating; and
- d. All solar energy installations shall be consistent with the State of Minnesota Building Code and shall meet approval of local officials; and
- e. All photovoltaic systems shall comply with the Minnesota State Electric Code; and
- f. Solar thermal systems shall comply with applicable Minnesota State Plumbing Code requirements and with HVAC-related requirements of the Energy Code; and
- g. Grid-intertie solar energy systems shall conform to all electric utility requirements; and
- h. The electric utility shall be notified in advance of all grid-intertie solar energy system installations.

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

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

301.070. CONDITIONAL USES. Certain accessory uses permitted within the City have greater than usual chances to present safety hazards, impact on neighboring people and property, 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.

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

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

Passed by the City Council of The City of Birchwood Village this 10th day of October, 2023.

Mayor

Attested:

City Clerk

CITY OF Birchwood Village
REQUEST FOR COUNCIL ACTION

Meeting Date: 10/10/23	Originating Department: Maintenance
Agenda Item: Snow Removal Bids	
	Estimated Time: <input type="checkbox"/> 5 Min.
Council Action Requested: <input type="checkbox"/> Information/Review <input type="checkbox"/> Motion to approve a snow plow bid Two bids were received for council consideration. Last year we used Brightview and the new bid is from Remackel. Please review the bids and determine which to go with for the upcoming snow season. To note, the budget for 2024 for snow removal is \$40,000. In 2023 we spent \$44868 on snow removal.	
Supporting Documents: <input type="checkbox"/> Attached	

\\COUNCIL\REQUEST FOR COUNCIL ACTION FORM.DOC



Annual Snow Service Order

BrightView Landscapes, LLC (BrightView)

9/19/2023 10:14

38680_BVLS_Birch

3100 Spruce Street St. Paul MN 55117

Ph:

386800074

• SERVICE LOCATION (Location)

Loc ID Location Name Estimate
 22891887 CITY OF BIRCHWOOD 386800074

Location Address
 207 BIRCHWOOD AVE, BIRCHWOOD, MN 55110

• CLIENT INFORMATION (Client)

Client ID Company Name
 CITY OF BIRCHWOOD

Billing Address
 CITY OF BIRCHWOOD, 207 BIRCHWOOD AVE, BIRCHWOOD, MN 55110

• SCOPE OF SERVICES Service Start: **10/15/2023** Service End: **04/30/2024** Start Season: **2023**

<u>Vehicle Site Area(s) (VEH)</u>	<u>Service Start Trigger</u>	<u>Pedestrian Sites Areas (PED)</u>	<u>Service Start Trigger</u>
Parking/Driving Areas (RD)	1"	Private Sidewalks (PRI)	1"
Parking Structure (GAR)	N/A	Public Sidewalks (PUB)	N/A
Ice Watch (Vehicle)	Allowed	Ice Watch (Pedestrian)	Allowed
Anti-Ice/Pretreatment (Vehicle)	Allowed	Anti-Ice/Pretreatment (Pedestrian)	Allowed

BrightView is only responsible for performing Services in the selected Site Areas after the indicated Service Trigger is reached. Services requested before the Trigger is met shall begin upon a reasonable period after notification from the Client and may result in additional fees. Services provided under this agreement shall be directed and managed by BrightView in order to maintain safe conditions in the Site Areas indicated.

- BrightView will stake curbs and obstacles in the indicated site areas by 11/15 of each season and will invoice Client \$150.00 for staking.
- Speed bumps/humps/tables shall not be repaired/replaced regardless of staking conditions.
- Bulk de-icing material will be purchased (Supplied) by BrightView and applied by BrightView.
- Bagged de-icing material will be purchased (Supplied) by BrightView and applied by BrightView.
- All Time & Material Rates are Port-to-Port, and are subject to minimum fees as noted in the Price Schedule
- Notwithstanding any contrary language in the Master Snow Management Agreement, early termination of this Service Order for any reason other than BrightView's breach of this Service Order will require full payment for the Season at the Largest Tier Fee Schedule.
- Snowfall measurements will be determined by the Certified SnowFall Totals™ provided by WeatherWorks, Inc. or approved alternate.
- For Indicated Service Levels, the agreed to prices exclude Hauling, Stacking or Relocation of Snow piles, unless otherwise noted.
- See map for route reference and service areas.
- Hauling, relocation, blowing & moving of piles are outside of contract and by request only at T&M rates.
- BV is to begin services within 2 hours of snowfall reaching 1" of accumulation that is not expected to melt within the next 4 hours
- for sidewalks and the following specific performance of services: Full plow of city streets to begin after snowfall cessation on all
- snowfalls of 1" or more, plowing primary roads first (see map), followed by secondary roads. The goal of having majority of areas
- plowed by 7AM or 6PM based on timing of snowfall cessation. Contractor shall use best efforts to plow within 1' of the edge of plowable
- surfaces. Open Ups: Plowing of primary roads will begin prior to snowfall cessation when accumulation reach 2" or more. Plowing of
- secondary roads will begin prior to snowfall cessation when accumulation reaches 4" or more. While continuing to maintain safe passage of
- primary roads, as time allows. These opens may occur several times depending on snowfalls of extended duration and accumulation.
- Primary streets, intersections, & pre determined areas shall be pre treated with liquid de-icer, depending on site conditions within 36 hrs of
- snowfalls. Primary streets and intersections will be post event salted unless areas are melted due to pre-treatments. Secondary streets will
- salted as needed depending on site conditions. BV will not clear snow within 4' of parked vehicles. Return trips are upon request.
- All prices exclude any applicable sales tax, should client request tax to be included BrightView may automatically adjust the price if tax laws change to reflect such increase.

By signing this Service Order, Client acknowledges and agrees that (a) snow or ice may accumulate while Services are being performed, (b) even when there is no precipitation present, snow may blow or drift onto a Service Location or be brushed onto cars, parking, and driving areas or walkways, and (c) properly plowed snow may melt and refreeze after Services are fully performed. Accordingly, Client understands and agrees that (i) BrightView cannot guarantee that the performance of the Services will remove all snow and ice from any Service Location, and (ii) some snow or ice may still be present at a Service Location during or after the performance of Services.

CLIENT PRICING AGREEMENT

2023.22891887



Annual Snow Service Order

BrightView Landscapes, LLC (BrightView)

9/19/2023 10:14

38680_BVLS_Birch

3100 Spruce Street St. Paul MN 55117

Ph:

386800074

• **PRICE SCHEDULE** BrightView will be compensated for work performed at the Service Location according to the agreed to prices shown below. All listed equipment items includes the respective equipment and required operator.

Category	Area	Service/Unit Description	Unit	Min. Chg.	Price	Price	Price	Price	2023 Price
TM	ALL AREAS	Truck with Plow	Hr	1 Hr					\$115.00
TM	ALL AREAS	Skid - Multi-Speed w/ Bucket	Hr	1 Hr					\$98.00
TM	ALL AREAS	Skid (Hauling & Pushbacks)	Hr	1 Hr					\$98.00
TM	ALL AREAS	Skid w/ 8'-10' Containment	Hr	1 Hr					\$156.00
TM	ALL AREAS	Skid w/ Snow Blower - Hi-Flow	Hr	1 Hr					\$173.00
TM	ALL AREAS	Loader w/ 4yd Bucket	Hr	1 Hr					\$167.00
TM	ALL AREAS	Loader (Hauling & Pushbacks)	Hr	1 Hr					\$167.00
TM	ALL AREAS	Loader w/ 14'-16' Containment	Hr	1 Hr					\$252.00
TM	ALL AREAS	Tractor w/ Blower	Hr	1 Hr					\$184.00
TM	ALL AREAS	Snowblower	Hr	1 Hr					\$80.00
TM	ALL AREAS	Crew Member	Hr	1 Hr					\$70.00
TM	ALL AREAS	Dump Truck Tandem-Axle Hauling	Hr	1 Hr					\$110.00
TM	ALL AREAS	Dump Truck Quad-Axle Hauling	Hr	1 Hr					\$140.00
TM	ALL AREAS	Dump Truck Quint-Axle Hauling	Hr	1 Hr					\$165.00
TM	ALL AREAS	Dump Fee (Hauling)	EA						\$45.00
TM	ALL AREAS	High Cap. Salt Truck/Sprayer	Hr	1 Hr					\$95.00
TM	ALL AREAS	80/20 Brine Pre Treatment	GL	50 Gal					\$1.55
TM	ALL AREAS	80/20 Brine Post Treatment	GL	50 Gal					\$1.55
TM	ALL AREAS	100% Road Salt Un-Applied	TN	1 Ton					\$195.00
TM	ALL AREAS	Treated D.O.T. Road Salt Un-Applied	TN	1 Ton					\$230.00
TM	ALL AREAS	Sidewalk De-Icer	50 lbs	1 Bag					\$42.00
TM	ALL AREAS	Ice Patrol/Watch	EA						\$55.00
TM	ALL AREAS	Safety Salt Buckets	EA						\$80.00
TM	ALL AREAS	Safety Sand / Salt Barrels	EA						\$180.00
TM	ALL AREAS	Safety Sand / Salt Refills	50 lbs	1 Bag					\$18.00
FF	OTHER	Snow Staking of Site Installed	EA						\$150.00

• **ORDER EFFECTIVE DATE:** 10/15/2023 This Service Order is accepted by BrightView and Client and forms part of the Master Snow Management Agreement signed by the parties and restates and replaces any Service Order previously agreed to for the above Location.

For BrightView:

Printed: 10/15/2023
 Email:
 Title:

For Client:

Printed: Mary Wingfield 10/15/2023
 Email: Mary.Wingfield@cityofbirchwood.com
 Title: City Mayor

Snow Proposal/Contract



Chad & John Remackel
Owners
880 Duluth Street
St. Paul, MN 55106
Cell 651-226-1409

Bill To:

City of Birchwood Village
Attn: Rebecca Kellen
207 Birchwood Ave.
Birchwood, MN 55110
Phone 651-426-3403

Billing Date: 10/3/23

Date	Description	Charges	Credits	Balance
	SNOW REMOVAL: 1" trigger			
	2- Single axel dump trucks with 10' plows & sanders. \$150 per hr each x 2 hrs. 1- 3/4 ton pickup. \$100 per hr each x 2 hrs. 1-Bobcat, \$125 per hr x 4 Plowing per month, unlimited snow, brine & salt. Salt brine pretreat \$5 per gallon applied. Estimated of 200 gallons. Rock salt application. \$175 per ton applied. Estimate of 10 tn per event. Dump Truck Bobcat Front End Loader Dump fee starts at \$60 per load minimum fee depends on location & amount.	\$600 per push \$200 per push \$500 per push \$10,000 per month \$1,000 per application \$1,750 per application \$125 per hr \$125 per hr \$175 per hr		

***Checks payable to: Remackel Outdoor Services, Inc. (Payment Due Upon Receipt)**

Thank You for Your Business!

Property Representative

Date

We continue to struggle with getting engineering fees assigned and collected due to current practices/restraints within our system. We need to establish a consistent methodology to be applied to ensure the city is not left with expenses that should be passed to our residents.

Recommendations To City Council for The Collection of Past Due Engineering Expenses Incurred by Residents.

#1--Establish billing protocol for collecting fees or escrow from residents if permit is denied or cancelled after engineering has been engaged.

Example:

Resident applies for a permit, during permit review, it is determined that engineering needs to be engaged.

After engineer is engaged, resident decides not to pursue, or the permit is denied, and/or a variance is required. However, no money has been collected up to this point.

Recommendation:

The city passes a resolution that fees or escrow must be collected prior to new permit application when engineering is involved.

Bill in increments of \$500 or \$1,000.

Establish admin protocol.

Note: Any of these circumstances, the resident may petition council to waive or reduce fees.

#2—Resident inquiries about subdivision of their property and needs city Engineering expertise to proceed-OR-circumstance is complicated and time-consuming and to proceed they must engage our engineering or legal team to proceed. No permit has been submitted—still in planning stages.

Currently no money is being collected for this service.

Recommendation:

City passes a resolution that escrow is collected prior to engaging engineering.

Bill in increments of \$500 to \$1,000.

Establish engineering and admin protocol.

Note: Any of these circumstances, the resident may petition council to waive or reduce fees.

#3—Resident has past due fees for planning and engineering expenses--Then resident applies for new permit. We currently issue permits without requiring payment of past due dollars.

Recommendation:

We recommend holding the issuance of any permit until fees are paid.

Note: Any of these circumstances, the resident may petition council to waive or reduce fees.

#4--Crediting or Collecting Additional Engineering Expenses from Resident after a Permit Is Issued

Examples

- A. Estimate of engineering fees received by engineer for initial permit are less than estimated amount.
- B. Estimate of engineering fees received engineer for initial permit are more than estimated amount.
- C. Changes occur on a project where engineering needs are required after permit issuance.

Note: admin is not always aware of these circumstances for letters B & C above, because homeowner is going directly to engineers.

Recommendation

Engineering needs to inform the city of additional fees, city takes from the escrow that was paid up front, or returns overpayment back to resident

#5 Revisions to the permitting process documentation

Establish an additional one-page disclaimer that is included with our permit.

Note: if additional expenses are incurred after a permit is issued, the resident will be responsible to pay in full.

Also include this same verbiage in our fee schedule page posted online.

IE: "All expenses incurred are ultimately the responsibility of the permit applicant/property owner--to be billed by City of Birchwood."

Note: Any of these circumstances, the resident may petition council to waive or reduce fees.

#5--Fee Schedule Needs Price Updating—See category "Additional Fees" and review for accuracy

IE: Engineering is noting \$100/hour. Billing varies between planner and engineering. Recommend a flat fee for planner engagement and engineering to state: (\$149-\$193) That is the rate Bolton and Menk charge depending upon the type of engineer needed. Building Official charges should be reviewed and clarified.

To: Birchwood City Council
From: Ryan Hankins
Re: Washington County Recycling grant

In August, we discussed budgeting for 2024 and grants.

Washington County provides a recycling grant. Birchwood should have been eligible for at least \$1,500 in 2023, and we should be eligible again in 2024. We need to apply for the grant. Details are at:

<https://www.co.washington.mn.us/DocumentCenter/View/45324/Municipal-Recycling-Grant-Guidelines-and-Continuum>

We can also receive extra funding if we achieve items in the “improved” category or for defeating the storied recycling dungeon boss in the “advanced” category.

Washington County Municipal Recycling Grant Continuum

BASIC Administrative	IMPROVED Administrative	ADVANCED Administrative
Actively participate in municipal recycling grant program	Engage in professional development around recycling best practices	Provide professional development opportunities to municipal leadership and staff on recycling best practices
Participate in a minimum of two recycling coordinator meetings per year	Develop partnerships within the community to create more widespread knowledge of recycling best practices	Establish partnerships with other municipalities
Establish a curbside recycling program by ordinance or contract	Update solid waste/recycling ordinance and/or contract with county assistance to meet current state requirements	Update solid waste/recycling ordinance and/or contract with county assistance to expand and require recycling best practices
Require collection of standard list of recyclables	Support community wide efforts to increase recycling of non-standard items	Adopt municipal policies to support waste reduction, reuse, and recycling for non-standard items
Support state efforts in obtaining hauler reports through ordinance, contract or license requirements		
Capital Expenses	Capital Expenses	Capital Expenses
Establish signage or updated signage for collection best practices	Replace worn/torn/missing signage	Establish municipal drop locations for use by residents for items not available for curbside pick-up
Provide recycling in municipally owned/operated public spaces	Expand recycling in municipally owned/operated public spaces	Establish permanent-away-from-home recycling opportunities, such as fairs, parks, athletic fields, arenas, and recreation centers
Provide recycling in municipally owned/operated buildings (non-public facing)	Expand recycling in municipally owned/operated facilities (non-public facing)	Establish programs that target reuse
Education & Information	Education & Information	Education & Information
Establish and maintain web page with recycling and waste information for residents and businesses that meet minimum requirements set by the county	Improve information on municipal web page to encourage waste reduction and reuse	Provide recycling and waste information to all new residents in the community
Share designated county created communications	Encourage backyard composting and provide information on county's compost bin/rain barrel sales	Establish recycling targets for the community
Update county resources as shared by the county	Encourage special events in community to utilize the county's special event resources	Encourage special events in the community to utilize municipal-owned special event resources (ex. Clear Streams)
Reach 1% of resident population with municipal waste and recycling information and programs	Encourage reuse opportunities and provide outreach on environmental benefits of reuse	Provide recycling and food scrap containers for events hosted or sponsored by the municipality or located on public property
Multi-Unit Dwellings	Multi-Unit Dwellings	Multi-Unit Dwellings
Ensure all multi-unit dwellings (4 or more units) have recycling services available	Provide educational materials to interested properties and refer property managers to Washington County staff	Target education to specific multi-units and/or property managers
	Coordinate targeted information /events for multi-units	Host clean-up events for multi-units based on multi-unit turnover

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

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).					12/2022
<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		

**ANIMAL
FEES**

Returned Check	Minnesota Statute 604.113 Subd. 2(a)	\$30.00		
Chicken License - three years	605.028(2)	\$25.00	\$30.00	12/2022
Pig License - three years	605.029(3)	\$25.00	\$30.00	12/2022
Dog Permit - first year of term (2022)	605.021.1(1), 605.021.2	\$25.00	\$30.00	12/2022
Dog Permit - second year or term (2023)	605.021.1(1), 605.021.2	\$20.00	\$25.00	12/2022
Dog Permit - third year or term (2024)	605.021.1(1), 605.021.2	\$15.00	\$20.00	12/2022
Dog Permit Late Fee	605.021.2	\$5.00	\$7.00	12/2022
Dog Permit Administrative Fee	605.021.2	\$25.00	\$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
ASSOCIATI
ON 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**

Lake Tract Personal Property Abandonment Fee	617.250	\$300.00		12/2022
Fee in Lieu of Personal Property Removal	617.255	\$100.00/day		12/2022
Boat Hoist Registration Fee	617.380(11)	\$25.00/owner		12/2022
Annual Feistner Beach Boat Slip Beach Permit		\$1,000.00		1/2021
Annual Small Craft Permit	617.215(2)	\$30.00	\$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)	\$75.00	\$100.00	
Small Craft Removal Fee	617.215(3)	\$50.00	\$75.00	
Post-season Boat Storage Violation Fee	617.240	\$25.00	\$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	\$460.00	\$1,000.00	
	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	
	Refundable Interim Use Permit Escrow	302.050	\$3,000.00		8/2021

	for permitting costs incurred by city				
Street Vacation Application *			\$300.00	\$500.00	12/2022
	Refundable Street Vacation Escrow for permitting costs incurred by city	302.050	\$3,000.00		12/2022
Variance Application *		304.020	\$600.00	\$900.00	4/2021
	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	
	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	
	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			\$500.00		12/2022

not the new site is within the City. *					
	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		1/2019
	Stormwater Management Maintenance Review	302.050(8)	\$100		9/2023

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

<i>VALUATION OF STRUCTURE, ADDITION OR ALTERATION</i>	<i>CODE</i>	<i>FEE COMPUTATION</i>		<i>Last Revised</i>
\$1 to \$500 **, **	203.050, Minnesota Statute 326B.153	\$29.50		
\$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.		
\$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.		
\$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.		
\$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.		
\$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.		
\$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.		

	\$1,000,001 and up **, **	203.050, Minnesota Statute 326B.153	\$5,608.75 for the first \$1,000,000 + \$3.15 for each additional \$1,000, or fraction thereof.		
	State Surcharge	Minnesota 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	\$100 + \$100/hour after one hour	12/2022
	State Surcharge	Minnesota Statute 326B.148	\$1.00		
	Fire Sprinkler Permit **	202.040	\$150 + \$100/hour after one hour	\$100 + \$100/hour after one hour	12/2022

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

		Minnesota Statute 326B.148	\$1.00		
	State Surcharge	Minnesota Statute 326B.148	\$1.00		
Mechanical Permit **		202.040	\$150 + \$100/hour after one hour	\$100 + \$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	\$100 + \$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	\$100 + \$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	\$100 + \$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	\$100 + \$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 (\$25.00 for June - December, 2022 as of June, 2022)	As required. \$50.00 for October - September, 2023; \$35 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

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

<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>701.061</p>	<p>Up to the amount equal to the permit fee, in addition to the permit fee.</p>	<p>12/2022</p>
---	----------------	---	----------------

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, of 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: City Planning fee			125% of the permit fee	
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/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	12/2021

			employees involved, as well as any consulting fees	involved, as well as any consulting fees	
			\$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/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 & Planner: Inspections or other services				
	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		

TREE FEES AND DEPOSITS	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 amount necessary to cover the cost of replacement trees		12/2022
RIGHT OF WAY FEES	Significant Tree Removal Replacement deposit	302.055(2)(d)(3)			
	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
	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
* Escrow for City Permitting costs is required. Unused portion is returned to applicant.					

FOOTNOTE

S

** 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 Council of the City of Birchwood Village, Minnesota this 10th day of October, 2023.

Mayor

Attested:

City Clerk

Exhibit A.

CITY OF BIRCHWOOD VILLAGE 2023 FEE SCHEDULE				
All fees in this schedule are subject to "Other Inspections and Fees" (under Additional Fees).				12/2022
<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	Minnesota Statute 604.113 Subd. 2(a)	\$30.00	

**ANIMAL
FEES**

Chicken License - three years	605.028(2)	\$30.00	12/2022
Pig License - three years	605.029(3)	\$30.00	12/2022
Dog Permit - first year of term (2022)	605.021.1(1), 605.021.2	\$30.00	12/2022
Dog Permit - second year or term (2023)	605.021.1(1), 605.021.2	\$25.00	12/2022
Dog Permit - third year or term (2024)	605.021.1(1), 605.021.2	\$20.00	12/2022
Dog Permit Late Fee	605.021.2	\$7.00	12/2022
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
ASSOCIATI
ON 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	
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)	\$600.00	
Refundable Interim Use Permit Escrow	302.050	\$3,000.00	8/2021

	for permitting costs incurred by city			
Street Vacation Application *			\$500.00	12/2022
	Refundable Street Vacation Escrow for permitting costs incurred by city	302.050	\$3,000.00	12/2022
Variance Application *		304.020	\$900.00	4/2021
	Refundable Variance Escrow for staff review time incurred by city	302.050	\$3,000.00	
Subdivision: Lot Split Application *		308.121	\$300.00	
	Refundable Lot Split Escrow for permitting costs incurred by City	301.055(2)	\$3,000.00	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	\$60.00	
	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			\$500.00	12/2022

not the new site is within the City. *				
	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
	Stormwater Management Maintenance Review	302.050(8)	\$100.00	9/2023

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

VALUATION OF STRUCTURE, ADDITION OR ALTERATION	CODE		Last Revised
\$1 to \$500 **, **	203.050, Minnesota Statute 326B.153	\$29.50	
\$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.	
\$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.	
\$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.	
\$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.	
\$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.	
\$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.	

	\$1,000,001 and up **, **	203.050, Minnesota Statute 326B.153	\$5,608.75 for the first \$1,000,000 + \$3.15 for each additional \$1,000, or fraction thereof.	
	State Surcharge	Minnesota 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	\$2016.00	6/2023
PLUMBING AND FIRE PERMIT FEES	Plumbing Permit (piping inside the house) **	202.040	\$100 + \$100/hour after one hour	12/2022
	State Surcharge	Minnesota Statute 326B.148	\$1.00	
	Fire Sprinkler Permit **	202.040	\$100 + \$100/hour after one hour	12/2022

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

		Minnesota Statute 326B.148	\$1.00	
State Surcharge				
Mechanical Permit **		202.040	\$100 + \$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	\$100 + \$100/hour after one hour	12/2022
State Surcharge		Minnesota Statute 326B.148	\$1.00	
Air Conditioning Installation Permit **		203.050	\$100 + \$100/hour after one hour	12/2022
State Surcharge		Minnesota Statute 326B.148	\$1.00	
Air Conditioning Permit (part of mechanical installation) **		203.050	\$100 + \$100/hour after one hour	12/2022
State Surcharge		Minnesota Statute 326B.148	\$1.00	

Fireplace Permit (gas, wood or other type) **		203.050	\$100 + \$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 + \$0.00451 per gallon based on first quarter water consumption	6/2019
Sewer Fee (unmetered, quarterly)	202.110	\$80.00	6/2019
Water Utility User Fee			12/2022
Water Main Break Surcharge (as City exhausts budgeted funds for water main breaks)		As required. \$50.00 for October - September, 2023; \$35 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)

<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>701.061</p>	<p>Up to the amount equal to the permit fee, in addition to the permit fee.</p>	<p>12/2022</p>
---	----------------	---	----------------

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, of 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: City Planning fee		125% of permit fee	
Building Official: Additional plan review for changes, additions or revisions to plans		65% of permit fee	6/2019
Engineer: Consult or review land use plans		\$149.00/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	12/2021

			well as any consulting fees	
	Engineer: Inspections or other services		\$149.00/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	

TREE FEES AND DEPOSITS	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
RIGHT OF WAY FEES	Significant Tree Removal Replacement deposit	302.055(2)(d)(3)	amount necessary to cover the cost of replacement trees	
	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
	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
* Escrow for City Permitting costs is required. Unused portion is returned to applicant.				

FOOTNOTE

S

** State Surcharge is required