



AGENDA OF THE SPECIAL MEETING
OF THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
September 16, 2020
7:00 P.M.

CALL TO ORDER

In light of the Governor’s Executive Order regarding social-distancing and restrictions on gatherings, the City of Birchwood Village is conducting its meetings of the City Council using interactive web-based technology. Pursuant to Minnesota Statutes, Chapter 13D. 021 Subdivision 1(1) the City of Birchwood is declaring that, “an in-person meeting or a meeting conducted under section 13D.02 is not practical or prudent because of a health pandemic...”

The meeting will be conducted using the Zoom meeting platform and the details of that are directly below for attending. If you plan to attend it is suggested that you familiarize yourself with the technology in advance.

The Moderator of the meeting shall be City Administrator Tobin Lay and all participants, except Council Members, shall have their microphones muted unless recognized by the Mayor.

Join Zoom Meeting:

<https://us02web.zoom.us/j/89446085380?pwd=elhIVXkybGRSZ2o2eXFUUTNkV05RZz09>

Meeting ID: 894 4608 5380

Passcode: 384079

Phone: +1 312 626 6799

APPROVE AGENDA

COUNCIL REGULAR AGENDA

- A. 2021 Preliminary Budget* (pp. 3-7)
 - a. Council Deliberation and Approval
- B. Administrator Search* (pp. 9-12)
 - a. Council Deliberation and Approval
- C. Prevailing Setback for 221 Wildwood Avenue* (pp. 13-15)
 - a. Council Deliberation and Approval
- D. Policy on Complaints/Enforcement/Notice
 - a. Council Deliberation and Approval

ADJOURN

	A	B	N	O	P	Q	R
1	City of Birchwood Village Revenue and Expenditure Trends						
2			2017	2018	2019	2020	2021
3							
4	RECEIPTS						
5	General Property Taxes (levy)		\$326,299.00	\$354,500.00	\$364,000.00	\$488,500.00	\$524,512.00
43	NON-LEVY REVENUE		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
44	ALL REVENUE - including levy		\$326,299.00	\$354,500.00	\$364,000.00	\$488,500.00	\$524,512.00
45	TOTAL REVENUES		\$326,299.00	\$354,500.00	\$364,000.00	\$488,500.00	\$524,512.00
46							
47	DISBURSEMENTS						
48			2017	2018	2019	2020	2021
49	GENERAL GOVERNMENT						
50	Publishing						
51	Printing and Binding (City Codes)	100-41130-350	\$80.00	\$0.00	\$0.00	\$500.00	\$500.00
52	Legal Notice Publication (WBP)	100-41130-351	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
53	Subtotal Publication		\$2,080.00	\$2,000.00	\$2,000.00	\$2,500.00	\$2,500.00
54	City Council						
55	Wages and Salaries	100-41310-100	\$3,900.00	\$3,900.00	\$3,900.00	\$3,900.00	\$8,500.80
56	Employer Cont.-Retirement	100-41310-121		\$195.00	\$195.00	\$195.00	\$200.00
58	Medicare - Employer	100-41401-100		\$57.00	\$57.00	\$57.00	\$130.00
59	Social Security Employer	100-41401-100		\$242.00	\$242.00	\$242.00	\$530.00
62	City Council Subtotal		\$3,900.00	\$4,394.00	\$4,394.00	\$4,394.00	\$9,360.80
63	Clerk						
64	Wages and Salaries	100-41401-100	\$65,000.00	\$65,000.00	\$66,500.00	\$68,163.00	\$70,000.00
67	Employer Cont.-Retirement	100-41401-121		\$9,100.00	\$5,000.00	\$5,000.00	\$5,000.00
69	Medicare - Employer	100-41401-100		\$943.00	\$960.00	\$1,200.00	\$1,200.00
70	Social Security Employer	100-41401-100		\$4,030.00	\$4,100.00	\$4,800.00	\$4,800.00
73	Other Pay (insurance stipend)	100-41401-100		\$6,000.00	\$6,000.00	\$6,216.00	\$6,000.00
76	Accounting (Treasurer-Deputy Clerk)						
77	Wages and Salaries	100-41401-100	\$5,000.00	\$7,128.00	\$8,640.00	\$7,344.00	\$14,400.00
78	Employer Cont.-Retirement	100-41401-121		\$1,000.00	\$700.00	\$600.00	\$1,000.00
79	Medicare - Employer	100-41401-100		\$105.00	\$200.00	\$150.00	\$220.00
80	Social Security Employer	100-41401-100		\$448.00	\$700.00	\$600.00	\$900.00
81	Contracted Services (SAV bank rec.)	100-41501-314					\$2,400.00
84	Office Support						
85	Wages and Salaries	100-41401-100			\$1,000.00	\$1,000.00	\$1,000.00
86	Medicare - Employer	100-41401-100			\$15.00	\$15.00	\$15.00
87	Social Security Employer	100-41401-100			\$60.00	\$60.00	\$62.00
88	Admin. Staff Subtotal		\$70,000.00	\$93,754.00	\$93,875.00	\$95,148.00	\$106,997.00

	A	B	N	O	P	Q	R
89	Elections						
90	Wages and Salaries	100-41410-100	\$1,750.00	\$1,750.00	\$1,750.00	\$1,750.00	\$0.00
91	Operating Supplies	100-41410-210	\$125.00	\$125.00	\$125.00	\$125.00	\$0.00
92	Contracted Services (Wash. Cty. JPA)	100-41410-314					\$4,750.00
93	Repair & Maint. Supplies	100-41410-220	\$500.00	\$500.00	\$500.00	\$500.00	\$1,140.00
95	Legal Notice Publication	100-41410-351	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00
96	Elections Subtotal		\$2,575.00	\$2,575.00	\$2,575.00	\$2,575.00	\$6,090.00
97	Office Supplies						
98	Office Supplies	100-41911-200	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
101	Office Equipment	100-41911-230	\$800.00	\$800.00	\$800.00	\$800.00	\$0.00
103	Contracted Services (Toshiba)	100-41911-314	\$375.00	\$625.00	\$625.00	\$625.00	\$625.00
104	Postage/Postal Permits						
105	Office Supplies	100-41430-200	\$650.00	\$200.00	Non Levy	Non Levy	Non Levy
107	Office Operations Subtotal		\$3,825.00	\$3,625.00	\$3,425.00	\$3,425.00	\$2,625.00
108	Financial Administration						
110	Fees (banking)	100-41501-437	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00
111	Subtotal		\$400.00	\$400.00	\$400.00	\$400.00	\$400.00
112	Insurance - City						
113	Insurance						
114	Packaged Liability (incl. gen. liab.)	100-41945-361	\$6,100.00	\$5,499.00	\$5,400.00	\$5,200.00	\$6,200.00
115	Property Insurance	100-41945-362	\$2,400.00				
116	Worker's Comp (for employees & contractors per audit)	100-41945-150	\$1,600.00	\$2,159.00	\$2,500.00	\$2,526.00	\$2,663.00
118	Excess Liability	100-41945-369	\$1,000.00	\$855.00	\$855.00	\$855.00	\$855.00
121	Insurance Subtotal		\$11,250.00	\$8,513.00	\$8,755.00	\$8,581.00	\$9,718.00
122	Assessing						
123	Contracted Services	100-41550-314	\$5,450.00	\$6,300.00	\$6,200.00	\$6,352.00	\$5,550.00
124	Legal Services						
125	Professional Services	100-41601-300	\$7,000.00	\$18,000.00	\$18,000.00	\$18,000.00	\$18,000.00
126	Engineer Service						
127	Professional Services	100-41650-300	\$7,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$10,000.00
132	Planning & Zoning	100-41910-314	\$0.00				
133	Services Subtotal		\$19,950.00	\$29,800.00	\$29,200.00	\$29,352.00	\$33,550.00
134	City Training & Development						
135	Training (Admin & Council)	100-41914-310		\$2,005.00	\$2,500.00	\$3,500.00	\$3,500.00
136	Travel & Subsistence (Admin trainings)	100-41914-334		\$600.00	\$1,200.00	\$1,200.00	\$1,200.00
137	Dues & Subscriptions (LMC memberships, etc.)	100-41914-433	\$1,040.00	\$215.00	\$220.00	\$1,300.00	\$1,300.00
139	Grants - Counseling Center (NYFS)	100-41905-438	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
140	T & D Subtotal		\$3,040.00	\$4,820.00	\$5,920.00	\$8,000.00	\$8,000.00

	A	B	N	O	P	Q	R
141	City Hall-Gov't Buildings						
142	Repair, Operating & Maint. Supplies	100-41940-220	\$500.00	\$500.00	\$765.00	\$765.00	\$765.00
144	Contracted Services (janitorial)	100-41940-314	\$600.00	\$750.00	\$1,000.00	\$1,000.00	\$1,000.00
146	Utility Services	100-41940-380	\$4,500.00	\$3,500.00	\$3,500.00	\$3,500.00	\$3,500.00
147	Buildings & Structures	100-41940-520					
148	I.T./Internet/Telephone (Metro-INET & GovOffice)	100-41940-320	\$5,200.00	\$6,000.00	\$6,250.00	\$6,250.00	\$9,100.00
149	Gov't Bldgs Subtotal		\$10,800.00	\$10,750.00	\$11,515.00	\$11,515.00	\$14,365.00
150	Cable Eqpmt and Service						
151	Contracted Services (videographer)	100-41950-314					
152	Communication	100-41950-320					
157	Communication Subtotal		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
158	TOTAL Gen Government		\$127,820.00	\$160,631.00	\$162,059.00	\$165,890.00	\$193,605.80
159	PUBLIC SAFETY						
160	Police						
161	Contracted Services	100-42101-314	\$52,000.00	\$53,000.00	\$57,600.00	\$59,500.00	\$63,500.00
162	Fire						
163	Contracted Services	100-42201-314	\$20,000.00	\$21,139.00	\$22,000.00	\$29,715.00	\$29,545.00
164	Building Inspection (non levy)						
166	Contracted Services	100-42401-314	Non Levy	Non Levy	Non Levy	Non Levy	Non Levy
167	Fees (variance, cond.use permits)	100-42401-437	\$100.00	\$500.00	Non Levy	Non Levy	Non Levy
168	Other Protection						
169	Contracted Services (Code Red)	100-42801-314	\$150.00	\$100.00	\$100.00	\$100.00	\$100.00
172	Animal Control	100-41916-314	\$1,000.00	\$900.00	\$900.00	\$1,000.00	\$1,000.00
176	PUBLIC SAFETY TOTAL		\$73,250.00	\$75,639.00	\$80,600.00	\$90,315.00	\$94,145.00
177	PUBLIC WORKS						
180	Highways, Streets & Roadways						
181	Repair & Maint. Supplies	100-43101-220	\$1,000.00	\$500.00	\$500.00		
182	Contracted Services (Pot Holes)	100-43101-314	\$5,000.00	\$3,000.00	\$5,500.00	\$6,000.00	\$6,000.00
183	Street Sweeping	100-43103-314	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
187	Street Maintenance Subtotal		\$10,000.00	\$7,500.00	\$10,000.00	\$10,000.00	\$10,000.00
188	Street Lights						
189	Utility Services	100-43160-380	\$18,000.00	\$19,000.00	\$16,000.00	\$16,000.00	\$15,000.00
190	Drainage - Structure Care						
192	Contracted Services (sump cleanout - Schifsky's)	100-43150-314	\$1,600.00	\$1,600.00	\$2,000.00	\$2,000.00	\$2,000.00
193	Fees (mpca)	100-43150-437	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00
194	Subtotal		\$2,000.00	\$2,000.00	\$2,400.00	\$2,400.00	\$2,400.00
195	Ice and Snow Removal						
196	Operating Supplies (salt, sand)	100-43125-210	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
197	Contracted Services (Birch)	100-43125-314	\$11,000.00	\$10,000.00	\$10,000.00	\$17,000.00	\$17,000.00
198	Snow & Ice Subtotal		\$16,000.00	\$15,000.00	\$15,000.00	\$22,000.00	\$22,000.00

	A	B	N	O	P	Q	R
199	Water Utility						
200	Refunds & Reimbursements	100-43180-810				Non Levy	Non Levy
201	Sewer Utility						
202	Refunds & Reimbursements	100-43190-810				Non Levy	Non Levy
204	TOTAL - Public Works		\$46,000.00	\$43,500.00	\$43,400.00	\$50,400.00	\$49,400.00
205	CULTURE & RECREATION						
206	Recreation						
208	Dues & Subscriptions (WBLCD)	100-45101-433	\$200.00	Non Levy	Non Levy	Non Levy	Non Levy
209	Community Events (Volunteer Recognition)	210-45101-440	\$1,500.00	Non Levy	Non Levy	Non Levy	Non Levy
210	TOTAL Recreation		\$1,700.00	\$0.00	\$0.00	\$0.00	\$0.00
211	Parks						
212	Wages and Salaries	100-45207-100	\$10,000.00	\$10,000.00	\$20,000.00	\$21,500.00	\$24,000.00
213	Employer Cont.-Retirement	100-45207-121			\$1,560.00	\$850.00	\$1,235.00
217	Medicare - Employer	100-41401-100		\$70.00	\$450.00	\$450.00	\$360.00
218	Social Security - Employer	100-41401-100		\$300.00	\$1,780.00	\$1,780.00	\$1,490.00
222	Operating Supplies	100-45207-210					
223	Repair & Maint. Supply/Contractual	100-45207-400	\$500.00	\$600.00	\$1,500.00	\$1,500.00	\$2,000.00
225	Contracted Services (porta potty)	100-45207-314	\$2,000.00	\$3,000.00	\$2,500.00	\$2,500.00	\$2,500.00
226	Utility Services	100-45207-380	\$1,000.00	\$600.00	\$800.00	\$800.00	\$800.00
227	Fees	100-45207-530					
232	Projects			\$1,000.00	\$0.00	\$0.00	
233	Parks GF Subtotal		\$13,500.00	\$15,570.00	\$28,590.00	\$29,380.00	\$32,385.00
234	TOTAL Parks & Recreation		\$15,200.00	\$15,570.00	\$28,590.00	\$29,380.00	\$32,385.00
235	SANITATION						
236	Tree Care - Inspection & Removal						
237	Contracted Services (tree inspector)	100-43104-314		\$500.00	\$1,300.00	\$1,300.00	\$1,300.00
238	Tree Removal						
239	Operating Supplies	100-43135-210					
241	Contracted Services	100-43135-314	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
242	Sanitation - Recycling						
243	Contracted Services (Tennis Sanitation)	100-43300-314	\$10,000.00	\$10,000.00	\$10,000.00	\$12,200.00	\$14,500.00
245	Lawn Care/Maintenance						
246	Contracted Services	100-45208-100	\$10,000.00	\$9,000.00	\$0.00	\$0.00	\$0.00
248	TOTAL - Sanitation		\$25,000.00	\$24,500.00	\$16,300.00	\$18,500.00	\$20,800.00
249	CONSERVATION - NATURAL RESOURCE						
250	Fees, Dues & Subscriptions (WBLCD)	100-46101-437	\$1,885.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
252	TOTAL - Conservation		\$1,885.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00

	A	B	N	O	P	Q	R
253	UNALLOCATED EXPENDITURES						
258	Miscellaneous	100-49201-430	\$7,144.00	\$2,660.00	\$1,051.00	\$2,015.00	\$2,176.20
262	Transfer to Capital Projects Fund	100-49360-722	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00
263	Sewer L/S 1 Project	100-49365-530				\$100,000.00	\$100,000.00
265	TOTAL - Other Unallocated		\$37,144.00	\$32,660.00	\$31,051.00	\$132,015.00	\$132,176.20
266	TOTAL OPERATING EXPENDITURES (DISBURSEMENTS)		\$326,299.00	\$354,500.00	\$364,000.00	\$488,500.00	\$524,512.00
267							
268							
269							
					<u>2019</u>	<u>2020</u>	<u>2021</u>
270	Levy				\$ 364,000	\$ 488,500	\$ 524,512
271	Proposed \$\$ Change				\$ 9,500	\$ 124,500	\$ 36,012
272	Proposed % Change				2.68%	34.20%	7.37%

**City of Birchwood Village, Minnesota
POSITION JOB DESCRIPTION**

Position Title:	City Administrator-Clerk
Department/Location:	Administration/City Hall
Immediate Supervisor:	Mayor-City Council
Position & FLSA Status:	Full-Time/Exempt
Compensation:	\$55,000 - \$70,000 (DOQ)
Application Deadline:	August 31, 2020 5:00 PM CDT

POSITION SUMMARY:

This is a visible and exempt position that requires the performance of complex executive work, including but not limited to: executing the City's governmental functions; directing the administration of the City Government; administrative support to the City Council; managing public requests and feedback; enforcing City Code; administering City elections; coordinating City Council and Planning Commission materials and activities; overseeing the City's accounting and finance functions and the maintaining of the official City records and files, including the fiscal records and system of the City as provided by City Council action and state and federal statutes; and related work as apparent or assigned. Work involves setting policies and goals under the direction of the City Council. Organizational supervision is exercised over all personnel within the organization.

APPLY:

To apply, email a completed Employment Packet, cover letter, resume, and at least four (4) references to info@cityofbirchwood.com. The Employment Packet and additional information can be found at www.cityofbirchwood.com/employment. Submission deadline is **Monday August 31, 2020 at 5:00pm CDT**.

QUALIFICATION REQUIREMENTS:

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

ESSENTIAL RESPONSIBILITIES AND DUTIES:

Executive Officer of the City Council:

1. Oversees, negotiates and executes contracts with service providers as approved by the City Council to ensure proper services are provided and recommends changes as appropriate.
2. Prepares, executes, certifies, maintains, files and publishes complete and accessible official records, easements, lawsuits, documents, resolutions, ordinances, legal notices, minutes, City Codes and other legal papers.
3. Prepares agendas and other working papers used at meetings, including the copying and assembling of packets for distribution to the Mayor and City Council, media and staff as appropriate.
4. Attends, coordinates with the Mayor, and participates in monthly City Council meetings.
5. Handles all correspondence on behalf of the City Council.
6. Recommends policies that will further goals of the City Council and generally improve the quality of City administration.

7. Prepares reports and summaries relating to proposed municipal projects/improvements and submit them with recommendations as may be required to the council for study and subsequent action.
8. Represents the City in intergovernmental matters involving cities, townships, the county, state and federal governments; attend community meetings and official functions on the City's behalf.
9. Supervises and have day-to-day oversight of the activities of all city staff.

Financial:

10. Oversees the maintaining and safeguarding of all financial records, including General Ledger, Accounts Payable, Cash Receipts, Payroll, Utility Billing, Budget and Fixed Assets.
11. Develops, monitors and controls annual City operating budget. Recommends budget for consideration by City Council.
12. Develops long-term financial plans; recommends investments, reviews rates and fees, monitors capital improvement program, etc.
13. Provides technical advice and service; interprets rules and regulations relating to state guidelines.

Administrative:

14. Maintains the City's official seal and assures documents are recorded as legally required.
15. Acts as the City's Data Practices Official and oversees the City's record retention plan.
16. Interprets and coordinates the enforcement of local, state or federal laws, ordinances, policies and rules related to local government.
17. Issues licenses and permits following Council approval.
18. Provides public records and information to citizens, civic groups and other agencies as requested.
19. Takes and certifies acknowledgements and administers oaths.
20. Prepares bid advertisements for required City products and services in accordance with state statutes.
21. Responds to inquiries, requests and complaints from the public.
22. Manages the City's ice rinks; including recruiting, interviewing, hiring, training and supervising seasonal rink attendants.
23. Serves as a Notary Public for the City.
24. Prepares reports and summaries relating to proposed municipal projects/improvements and submits them with recommendations as may be required to the Council for study and subsequent action.
25. Coordinates City related communications, including the City's newsletters, emails, and social media and correspondence between elected and appointed City official to ensure compliance with the Open Meeting Law.
26. Serves as the webmaster for the City's webpage.
27. Provides recommendations to the Council regarding employment and removal of City staff. Administers all personnel policies and actions; maintains and recommends modifications to the City's compensation and benefit program; recommends employee hiring and disciplinary actions; and direct the evaluation of employee performance.
28. Supports the Planning Commission, including publishing public hearing notices, mailing notifications of public hearings copying and assembly of packets for distribution to the Planning Commissioners and attending meetings when needed.
29. Supports and attends (at administrator's discretion or by invitation) other committee and commission meetings.

Elections:

30. Conducts all city, county, state and federal elections as prescribed by statute and ordinance. Prepares election notices and materials and prepares voting machines. Responsible for conducting the recruitment and training of elections judges. Picks up and supervises the tabulation and delivery of election results.

General:

31. Works in cooperation with the city's attorney, engineer, planner, building official, water superintendent tree inspector and other consultants.
32. Consults with appointed officials and with other public or private agencies as may be required.
33. Be informed of federal, state, and county programs that affect the City.
34. Oversees, recommends and purchases administrative equipment and supplies.
35. Assigns duties, trains staff and organizes work load.
36. Establishes and maintains frequent, timely and constructive communication with staff.
37. Coordinates ongoing training programs to ensure personal and staff development.
38. Prepares news releases, and develops and discusses public relations materials. Maintains good public relations with general public.
39. Perform all other duties required of administrator and/or clerk by ordinances or resolutions adopted by the council; both apparent and assigned.

KNOWLEDGE, ABILITIES, AND SKILLS:

1. Comprehensive knowledge of the principles and practices of public administration; thorough knowledge of municipal finance practices; comprehensive knowledge of the laws, ordinances and regulations underlying a municipal corporation;
2. Knowledge of principles, practices, methods, and techniques of official record maintenance and retention;
3. Ability to analyze complex problems and develop comprehensive plans from general instructions
4. Certification as Minnesota Certified Municipal Clerk;
5. Ability to lead effective City Council meetings and drive alignment between multiple groups of stakeholders;
6. Ability to establish and maintain effective working relationships with City staff, City Council and the public; ability to deal with public relations problems courteously, effectively and tactfully; keep the City Council informed of all matters she/he must know in order to perform their job responsibilities effectively;
7. Ability to meet the public and to discuss problems and complaints;
8. Ability to exercise independent judgment and discretion in decision making with minimal supervision;
9. Ability to produce quality, accurate work. Must be able to detect and correct errors;
10. Proficient knowledge of and experience with operating office equipment and personal computers; working with standard office software and equipment, including but not limited to: Microsoft Windows and software programs such as Word, Excel, PowerPoint, Access and Outlook;
11. Ability to plan and direct the work of operating departments;

MINIMUM JOB QUALIFICATIONS:

- Bachelor's degree or higher in business administration, public administration or closely related field; with coursework in finance, accounting, public administration or related field.
- Extensive experience in a municipal government leadership position; or equivalent combination of education and experience.
- Must possess and maintain a valid driver's license.

Or

Such alternatives to the above qualifications as the City may find appropriate and acceptable

DESIRABLE JOB QUALIFICATIONS:

- Master's degree in business administration, public administration or a closely related field.
- Previous work related experience with managing local elections.

- Has obtained the necessary training to be a Certified Clerk in the State of Minnesota.
- Has previous work related experience with administering and maintaining public records.
- Has obtained training or work experience in conflict resolution.
- Has work experience in recruiting, interviewing and training personnel and in administering performance reviews and disciplinary action.

TYPICAL WORK ENVIRONMENT:

Work space is contained in a climate controlled, smoke-free office environment. Furniture, equipment, and filed records limit space within the office. Work is generally in a moderately noisy location (e.g. business office, light traffic) with distracting noise levels that may be present at times due to office machines, telephones, and conversations. Sections of the office area are open to the public. Opportunities to leave the immediate area may be limited to those occasions when other employees are available to monitor the area.

PHYSICAL DEMANDS:

This work requires the occasional exertion of up to 25 pounds of force; work requires occasional lifting, reaching, and handling of files and reports; work regularly requires speaking or hearing and using hands to finger, handle or feel; frequent keyboard use involves repetitive motions of arms, wrists, and fingers; work frequently requires sitting, reaching with hands and arms and repetitive motions and occasionally requires standing, walking, climbing or balancing, stooping, kneeling, crouching or crawling, pushing or pulling and lifting; a moderate amount of time is spent moving within the building and throughout the City to communicate with staff and the public; work has standard vision requirements - vision must be sufficient to read instructions and words and numbers on paper and computer screens; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using of measuring devices, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work occasionally requires exposure to outdoor weather conditions.

Employee Signature and Date: _____

Mayor's Signature and Date: _____

Tobin Lay

From: Steven W. Thatcher <sthatcher@thatcher-eng.com>
Sent: Monday, September 14, 2020 8:49 PM
To: Tobin Lay
Subject: Variance Application - 221 Wildwood Avenue - Prevailing Setback in the Immediate Vicinity
Attachments: 2020-9-14 Setback Summary of Structures on the 200 Block of Wildwood Ave.pdf;
2020-9-14 Setback Summary of Structures on the 200 Block of Wildwood Ave.xlsx
Follow Up Flag: Follow up
Flag Status: Flagged

Caution: This email originated outside our organization; please use caution.

Hi Tobin,

City Code 302.020 Section 4. SETBACK REQUIREMENTS EXCEPTIONS. States: “a. Street and Highway Setbacks: If structures on adjacent lots, existing as on January 1, 1975, have lesser street or highway setbacks from those required, the minimum setback of a new structure may conform to the prevailing setback in the immediate vicinity. The City Council shall, upon recommendation of the Planning Commission, determine the necessary minimum front yard setback in such areas.”

It is the opinion of Thatcher Engineering, Inc. that the prevailing setback in the immediate vicinity of 221 Wildwood Avenue is 23.1 feet.

This opinion is based on the following:

1. The setback summary of structures on the 200 block of Wildwood Avenue (attached in PDF and Xcel formats) shows that the median setback of structures on the north side of Wildwood Avenue is 23.1 feet.
2. The definitions from Merriam-Webster dictionary as follows:
 - a. Prevail: to be usual, common, or popular.
 - b. Average: a value that is computed by dividing the sum of a set of terms by the number of terms.
 - c. Median: a value in an ordered set of values below and above which there is an equal number of values or which is the average of the two middle values if there is no one middle number.

The words “immediate vicinity” are subjective and may support a different conclusion.

Please let me know if you have any questions or want further information. My cell is 612-867-7234.

Thanks,
Steve

**Steven Thatcher, PE
Thatcher Engineering Inc.**

6201 Creek Valley Road
Edina, MN 55439
Phone: 612-781-2188 Cell: 612-867-7234 Fax: 612-781-2188 Web: www.thatcher-eng.com

REGULAR C PREVAILING SETBACK

City of Birchwood Village, MN
 Setback Summary of Structures on the 200 Block of Wildwood Avenue
 Prepared by: Thatcher Engineering, Inc. (TEI)
 9/14/2020

Setback of Structures on the North Side of Wildwood Avenue (200 Block)						
#	Address	Type of Structure Closest to the Street	Distance from Street to Structure Measured on September 14, 2020 (feet)	Distance from Street to Lot Line (feet)	Setback Distance from Lot Line to Structure (feet)	Notes
1	201 Wildwood Avenue	Garage	107.2	3.9	103.3	
2	205 Wildwood Avenue	Garage	25.0	3.9	21.1	
3	217 Wildwood Avenue	Garage	17.8	3.9	13.9	
4	221 Wildwood Avenue	Garage	18.7	3.9	14.8	Setback distance from Lot Line to Structure is from Certificate of Survey prepared by E. G. Rud & Sons, Inc. dated August 6, 2020. (Distance from Street to Lot Line = Distance from street to structure minus Setback Distance on COS.
5	229 Wildwood Avenue	Garage	132.0	3.9	128.1	
6	233 Wildwood Avenue	Garage	23.4	3.9	19.5	
7	237 Wildwood Avenue	Garage	18.2	3.9	14.3	
8	243 Wildwood Avenue	Garage	27.0	3.9	23.1	Garage has two (2) addresses on it (243 and 245)
9	251 Wildwood Avenue	Garage	69.5	7.9	61.6	Distance from the street to lot line is greater than the same distance for lots #1 through lot #8 (above) because the street curves away from the lot line.
10	259 Wildwood Avenue	Garage	71.2	11.9	59.3	Distance from the street to lot line is greater than the same distance for lots #1 through lot #8 (above) because the street curves away from the lot line.
11	267 Wildwood Avenue	Garage	41.7	16.9	24.8	Distance from the street to lot line is greater than the same distance for lots #1 through lot #8 (above) because the street curves away from the lot line.
Average Setback of Structures on North Side of Wildwood Avenue					44.0	
Median Setback of Structures on North Side of Wildwood Avenue					23.1	

Setback of Structures on the South Side of Wildwood Avenue (200 Block)						
#	Address	Type of Structure Closest to the Street	Distance from Street to Structure Measured on September 14, 2020 (feet)	Distance from Street to Lot Line (feet)	Setback Distance from Lot Line to Structure (feet)	Notes
1	200 Wildwood Avenue	House	79.2	6.0	73.2	Distance from the street to lot line is estimated to be 6.0 feet because the power pole near 268 Wildwood Avenue is 6.0 feet from the street.
2	214 Wildwood Avenue	House	74.0	6.0	68.0	
3	226 Wildwood Avenue	House	74.0	6.0	68.0	
4	232 Wildwood Avenue	Garage	49.9	6.0	43.9	
5	240 Wildwood Avenue	Deck on the street side of the house	54.6	6.0	48.6	Distance from the deck to the house = 11.0 feet
6	248 Wildwood Avenue	House	55.8	6.0	49.8	
7	256 Wildwood Avenue	House	93.8	6.0	87.8	
8	262 Wildwood Avenue	Deck on the street side of the house	49.0	6.0	43.0	Distance from the deck to the house = 8.0 feet
9	268 Wildwood Avenue	House	52.5	6.0	46.5	
Average Setback of Structures on South Side of Wildwood Avenue					58.8	
Median Setback of Structures on South Side of Wildwood Avenue					49.8	

Setback of Structures on Wildwood Avenue (200 Block)		
Average Setback	50.6	
Median Setback	47.6	

BIRCHWOOD CITY CODE:

302.020.4. SETBACK REQUIREMENTS EXCEPTIONS.

- a. Street and Highway Setbacks: If structures on adjacent lots, existing as on January 1, 1975, have lesser street or highway setbacks from those required, the minimum setback of a new structure may conform to the prevailing setback in the immediate vicinity. The City Council shall, upon recommendation of the Planning Commission, determine the necessary minimum front yard setback in such areas.