



AGENDA OF THE REGULAR MEETING OF
THE PARKS AND NATURAL RESOURCES COMMITTEE
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
APRIL 25, 2023
6:30 P.M.

CALL TO ORDER

APPROVE AGENDA

APPROVE MINUTES FROM PREVIOUS MEETING

- A. March 30, 2023 Meeting Minutes

COMMITTEE BUSINESS - REGULAR AGENDA

- A. Review and Approval of Final Committee Bylaws
- B. Election of Committee Officers
- a. Chairperson
 - b. Secretary
- C. Finalize Date and Time for Regular Meetings
- D. Kay Beach Handicap Parking
- a. Discuss and Vote on Whether or Not to Recommend Removing Handicap Parking Spot to the City Council
- E. Discussion Items
- a. Public Signs on City Beaches throughout Birchwood Village
 - b. City Code Review* (p. 3-4)
 - c. Options for Tighe-Schmitz Park
 - d. Hand Railing on Owl Street Trail
 - e. Maintenance of the Birch Beach Rain Garden* (p. 5-10)
 - f. Wood Chips at Birch Beach Park* (p. 11)
- F. Confirm Next Month's Meeting and Identify Agenda Topics

ADJOURN

* denotes an attachment in the agenda packet

ATTACHMENTS

Parks and Open Spaces References in City Code

The major ordinances relating to Parks and Open Spaces are chapter 607 (Open Space, Park Areas and Facilities) and chapter 617 (Public Lake Tracts) and chapter 804 (Parks Special Revenue Fund). There are other references to parks and open spaces scattered through various parts of the City Code.

Director. Section 607.120 subpart 3 defines “Director” Director. Shall mean and refer to the City Council-member assigned to head the Parks Committee or his duly appointed representative who is authorized by the City Council to administer the City Parks and Open Space System.

In addition, the Director is authorized under section 504.020 subpart 1 to authorize the use of a snowmobile or all-terrain vehicle on public land but there is no definition in chapter 504 of who the Director is.

Planning Commission Role. Section 303.660 subpart 2 says in part: **Comprehensive Plan.** It shall be the purpose of the **Planning Commission** to advise and inform the City Council regarding its comprehensive plan for the physical development of the city, including proposed public buildings, street arrangements and improvements, efficient design of major thoroughfares for moving of traffic, parking facilities, public utilities services, **parks and playgrounds**, a general land use plan and other matters relating to the physical development of the city.

Definitions. Different terms are used throughout the City Code, including Parks, Open Space, Open Space Site, Open Space System, Public Park, and Public Lake Tract.

I. Parks and Open Spaces

Only two references to this phrase in City Code

203.060 subpart D.4.(ii)

301.060 subpart D.4

Both provisions say no parking or staging equipment in parks or open spaces.
There is no definition of parks and open spaces in either ordinance.

II. Open Space Site

- i. 300.020 Definitions subpart 36. **Open Space.** Land with no structures upon it.
- ii. 300.020 Definitions subpart 37. **Open Space Site.** Any park, beach, open area, special use area, lake easement or other area owned, improved, maintained, operated or otherwise controlled by the City of Birchwood Village for recreational and natural resource preservation purposes.
- iii. 607.120, Definitions subpart 1 **Open Space Site.** Shall mean and refer to any park, reserve, beach, open area, special use area, lake easement tract, or any other

area owned, improved, maintained, operated or otherwise controlled by the City of Birchwood Village for recreation and natural resource preservation purposes.

III. Public Park

- i. 409.010 subpart 6 **“Public Park”** means the following Birchwood public parks and lake easements or beaches: Bloomquist Park/Field, Tighe-Schmitz Park, Wildwood Park, Nordling Park, Ash Beach, Birch Beach, Dellwood Beach, Elm Beach, and Kay Beach.

IV. City Park System

- i. 607.120 subpart 2. **System.** Shall mean and refer to the City Parks and Open Space System which includes the sites and facilities owned, maintained, and operated by and otherwise under the authority of the City.
- ii. 804.020. **CITY PARK SYSTEM.** The City Park System includes the following:
 - (1) Four dedicated municipal parks known as Tighe-Schmidt, Bloomquist Field, Wildwood Avenue Boulevard, and Nordling Park.
 - (2) Six public lake tracts owned by the City known as Curt Feistner Beach, Ash Beach, Birch Beach, Elm Beach, Dellwood Beach, and Kay Beach.
 - (3) Several undeveloped areas of open space known as Lakewood Rearrangement, Out Lot A, 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.

To: Birchwood Village Parks and Natural Resources Committee

From: Bryan McGinnis
194 Wildwood Avenue

Date: April 8, 2023

Subject: Birch Beach Park Rain Garden

I recommend that the Parks and Natural Resources Committee take a lead role in developing and implementing a plan to maintain and improve the function of the Rain Garden on Birch Beach Park to maximize treatment of stormwater runoff thereby reducing pollution of White Bear Lake.

Background: (Included here are only a few incidents among many.)

Unknown, but quite a few years ago.: A rain garden consisting of a riprap sump near the street and a swale extending from the sump to the lake was constructed.

2007: A concrete catch basin was installed at Birch Beach Park near the edge of Wildwood Avenue.

12/14/2010 Catch Basin/Sump Cleaning Policy was adopted by the City Ref. 1

6/13/2016 (from my notes for City Council Meeting.) "I requested that the City arrange to pump out solids from the inlet sump to the Birch Beach Rain garden. No clean out had been done quite some time as planned." (One of numerous contacts with the City)

12/1/16 I emailed Tobin Lay, City Administrator with strong complaints that the riprap sump had not been pumped out, "Rather the worker dug out a channel, roughly 2 feet wide, most of the way to the lake." I stated and believed that this action violated Birchwood codes and possibly those of the Rice Creek Watershed District. See pictures 1 – 3.

4/11/2017 (from my notes for City Council Meeting) "I request that Birchwood MS4 Program include raingardens since they are part of the City's stormwater system.

Specific concern with Birch Beach."

8/11/2017 **SE White Bear Lake Stormwater Retrofit Analysis See Reference 2**

2018? Riprap sump was expanded and the swale widened.

To present: There has been no consistent pumping of the sump. There was pumping in 2022.

I recommend :

1. The riprap sump, a part of the rain garden on Birch Beach Park should be pumped out when it gets full. (A better definition of “gets full” is needed.) I believe this could be done at minimal expense if the pumping is coordinated with the pumping of catch basins per the City’s CATCH BASIN/SUMP CLEANING POLICY, provided that this policy is being followed. Reference 1
2. The City should develop and follow a specific maintenance plan for all aspects of the rain garden. I expect that Washington Conservation District and the Rice Creek Watershed District have management plans that Birchwood could adopt for our needs.

I will be present at the PRNC meeting where this topic is on the Agenda.

Thanks,

Bryan McGinnis
194 Wildwood Avenue
651-426-3972
mcginnis1717@gmail.com

Reference 1: (on Birchwood Village website April 8, 2023)

CATCH BASIN/SUMP CLEANING POLICY

Adopted 12/14/2010

In order to be in compliance with the city’s MS4 permit, and to effectively manage costs and maximize the efficiency of cleaning the city’s sumps, catch basins will be checked for sediment twice a year in the spring and fall. Recordings shall be reduced to writing and provided to the clerk and kept permanently on file. Sumps will be cleaned when the water depth is 26 inches or less in at least three catch basins.

Reference 2 (Since the file is huge, I did not send it. I will bring to the meeting a thumb drive for copying for anyone who wants the whole report.

WashCountyConservation SEWBL SWA_FINAL 11Aug2017.pdf) 110 pages

SE White Bear Lake Stormwater Retrofit Analysis

by Washington Conservation District for the Rice Creek Watershed District May 2017

Page 40 **WBL-04: BMP 3 Swale with RipRap Sump**

(Note: Wildwood Avenue is erroneously called Wildwood Road)

Quote from report, on Birch Beach rain garden:

“Riprap sump is full of sediment and should be shoveled out and expanded to 300 sf to increase capture opportunity. Swale is channelizing as flow path is constricted at several points. Widen swale bottom from 1’ to 4’ to decrease erosion.”

This project was completed i.e. sump was expanded and the swale was widened and replanted with new vegetation.

Page 39 WBL-04: BMP 2 Filtration Basin in Front Yard

This project was proposed for my front yard with my permission. Not implemented

I found it very interesting that the report says that more frequent street sweeping is a very cost effective method for reducing pollutant loadings.

Pictures:

1. Sump 1Dec2016
2. Channel 6Dec2016
3. Channel 21Feb2017







To: Birchwood Village Parks and Natural Resources Committee

From: Bryan McGinnis
194 Wildwood Avenue

Date: April 8, 2023

Subject: Wood Chip Pile(s) on Birch Beach Park

I request the Parks and Natural Resources Committee to arrange for removal, from the “east” side of Birch Beach Park, huge pile(s) of wood chips.

In the autumn of 2021 a large tree fell or was cut down on Birch Beach Park. The tree stood near the “east” side of the property. A large amount of wood chips was generated and blown to near the “east” boundary, behind where the boat lifts are now stored.

After I brought to the attention of the Mayor that I was unhappy with excessive blowing of chips onto my property by the same crew, the residue of a tree cut on the right-of-way, I urged that the pile(s) on the Park be removed. Very soon, a City employee cleaned up the mess on my yard, but nothing was done with the mountain in the Park.

Early in 2022 I contacted the City Councilmember assigned to Birch Beach Park and said I bet the chips would soon be gone if the City announced “Free Wood Chips, You Haul”. Since no action was taken, the unsightly pile is still there. I hope that no valuable trees have been killed. A nice, small hemlock has so far been spared.

I recommend that the PNRRC consider announcing in the Newsletter and by a sign in the park that the chips are there for the taking, or set up some other means to get rid of them.

Thanks,

Bryan McGinnis
194 Wildwood Avenue
651-426-3972
mcginnis1717@gmail.com