

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

**MINUTES OF THE CITY COUNCIL MEETING  
April 9, 2024, 5:15 P.M.**

**MEMBERS:**

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

**STAFF:**

Rebecca Kellen	City Administrator
Alan Kantrud	City Attorney

Minutes prepared by Rebecca Kellen from a video recording.

**1. CALL TO ORDER**

A. Mayor Ford called the meeting to order at 5:18PM.

**On a motion made by Mayor Ford, seconded by Councilmember McCarthy, it was resolved to move City Business agenda item A, Ash Path Survey – Site Visit, to the front of the agenda. All in favor; motion carried.**

**2. Ash Path Survey - Site Visit**

- A. The city council walked Ash Path with the surveyor from Cornerstone to review the results of the survey.
- B. Attorney Alan Kantrud will be looking into any possible title issues.
- C. One corner of Ash Path may need to be moved slightly to be more in line with city property.
- D. A ribbon was strung to mark city property.
- E. Some items from neighbors may need to be moved that are on city property.
- F. The group returned to City Hall at 5:50PM and the meeting went into recess until 6:45PM.
- G. City councilmember Mark Foster was not present for the site visit.

3. Meeting Reconvened at 6:45PM

**On a motion made by Councilmember McCarthy, seconded by Councilmember Weier, it was resolved to reconvene the meeting. All in favor; motion carried.**

4. **APPROVE AGENDA**

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

A. The following changes were made to the agenda:

- a. Mayor Ford added “Appoint City Liaisons and Deputy Mayor” under City Business.
- b. Mayor Ford moved item G, 310/312 Wildwood Discussion, in City Business and to the beginning of City Business.

5. **PUBLIC FORUM (0:02:36)**

**Barton Winters, 1 Five Oaks Lane** said that he deserves to be heard and expressed concerns about icy intersections during a February snow event. He also said that he hopes that rubber will not be used when fixing the roads.

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

6. **ANNOUNCEMENTS (0:05:08)**

**On a motion by Councilmember McCarthy, seconded by Councilmember Weier, it was resolved to move item E in City Business, Tree Inspector, to before 310/312 Wildwood Discussion. All in favor. Motion carried.**

- A. Music in the Park schedule is finalized, in the meeting packet, and posted to the notice boards and website. The council expressed gratitude to Al Mitchell for organizing.
- B. Clean up day will take place on April 27, 2024 at 10AM, meet at City Hall.

7. **CONSENT AGENDA (0:6:58)**

**On a motion made by Councilmember McCarthy, seconded by Councilmember Weier, it was resolved to approve the consent agenda items B and F. All in favor. Motion carried.**

- A. Item D – Resolution 2024-20, Against Certain Zoning Bills Before the MN Legislature

- a. Councilmember Mark Foster pulled out item D for further discussion. He expressed concerns with the League on Minnesota Cities stance and said that he will abstain from the vote due to a conflict of interest.
- b. Councilmember McCarthy reviewed the bill (Appendix A) with the council and discussed how it may affect building in Birchwood Village.
- c. Administrator Kellen read the public comment submitted by Trilby White and Lisa Rietveld into the public record (Appendix B).
- d. Councilmember Hankins discussed how this bill would affect subdivision of lots in Birchwood Village and that he supports resolution 2024-20.
- e. Councilmember McCarthy suggested ways that Birchwood Village look into affordable housing for Birchwood Village independently and the strain that this Bill would create on Birchwood Village infrastructure.

**On a motion made by Councilmember McCarthy, seconded by Councilmember Hankins, it was resolved to approve Item D, Resolution 2024-20, Resolution Against Certain Zoning Bills Before the MN Legislature. Councilmembers McCarthy, Hankins, Weier and Mayor Ford in favor. Councilmember Foster abstains. Motion carried.**

**On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to approve Item C, meeting minutes from March 12, 2024. All in favor. Motion carried.**

**B. Items E, Resolution 2024-21, Resolution to Discontinue Most Services with Metro INET**

- a. Councilmember Hankins discussed how Metro INET Services are no longer necessary because they are expensive, the support is lacking and we have moved to a cloud based service, Microsoft 360, which is not supported. He said the contract needs to be ended by the end of May. He discussed that a competing bid from Techie Dudes comes in at significantly less. He indicated that the cable internet service would be continued per the resolution.
- b. Councilmember McCarthy suggested that Techie Dude be engaged prior to the termination of Metro INET for a seamless transition.
- c. Councilmember Hankins said that Techie Dudes has the capacity to support our phone system.
- d. Councilmembers discussed the possibility of supporting our internet through another provider.

- e. Councilmember Hankins said that he will get a quote from Techie Dudes for phones and internet and will present in May.
- f. AV Technician asked if the AV room systems are reliant on Metro INET and the impact, to which Councilmember Hankins responded that they are and the transition period will help close these gaps.

**On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to approve Item E, Resolution 2024-21, Resolution to Discontinue Most Services with Metro INET. All in favor. Motion carried.**

- C. Item G, Approve Annual Cost of Living Staff Raises. Councilmember McCarthy pulled and discussed aligning the raises with the budget.
  - a. Councilmember Weier said that we do not have 6% budgeted and that we hired someone outside of the allocated budget.
  - b. Councilmember Hankins asked about performance reviews to which Mayor Ford responded that cost of living raises are not aligned with performance but that we do conduct performance reviews.
  - c. Councilmember McCarthy said that he thinks that performance reviews should be aligned with additional staff raises beyond cost of living increase. Mayor Ford and Councilmember Hankins agreed with that methodology.
  - d. Councilmember Hankins expressed that he is not in support of cost of living staff raises above 3%.

**On a motion made by Councilmember Foster, seconded by Councilmember McCarthy, it was resolved to approve staff increases for Jim Rydeen, Therese Bellinger, and Rebecca Kellen of 4%. Councilmember Foster, McCarthy, Weier, and Mayor Ford in favor. Councilmember Hankins opposed. Motion carried.**

## **8. CITY BUSINESS (0:43:11)**

### A. 310/312 Wildwood

- a. **Elizabeth Simning, owner of 310/312 Wildwood**, said that the renter was out on Saturday and the inspector was there today. Clean up crew is coming on Thursday to reevaluate the cleanup needed in the yard and they thought they could get it cleaned up over the weekend. She said she had some questions on the paperwork to which the council responded that she can talk with the City Administrator.

- b. The council expressed gratitude for the work that has taken place and indicated that they are glad progress has been made.
- c. Councilmember Hankins expressed gratitude for the communication that has taken place with the realtor.
- d. Administrator Kellen explained that per her conversation with inspector Jack Kramer, Xcel would be out this week to shut off the gas and electric and that nails were being put in the window and padlocks on the doors.

B. Tree Inspector (0:53:59)

- a. **Mary Sue Simmons, 418 Birchwood Ct**, said that she has been in contact with Jay Riggs from the Washington Conservation Board who said they are interested in supporting smaller communities and could possibly assist Birchwood with tree support. She said that Jay and city administrator Kellen would be having follow up conversations.
- b. The city council expressed gratitude to Mary Sue for her assistance.
- c. Councilmember Weier said that there was \$5000 in the budget in 2024 for a tree inspector.

**On a motion made by Councilmember McCarthy, seconded by Councilmember Hankins, it was resolved to approve further engagement with Jay Riggs from Washington Conservation District to determine what future support around tree inspections can be secured. All in favor. Motion carried.**

C. Introduction of new Treasurer, Marsha Olson (1:03:01)

- a. **Marsha Olson, City Treasurer**, introduced herself, said she was looking forward to supporting Birchwood Village and that she is currently serving as Treasurer in Stillwater Township, West Lakeland Township, Baytown Township, and May Township.

D. Road Maintenance Discussion – Marcus Johnson (1:04:04)

- a. **Marcus Johnson, City Engineer**, reviewed option 1 and 2 that were discussed the previous month and presented option 3 and 4 in the packet. He explained that option 3 is a reclaim of Five Oaks Lane and Oakridge Drive and an overlay of Oakridge Court and it also includes potholes and patching. He said that patching was doubled from what was provided in the Nugent proposal.
- b. Councilmember Foster said that Option 3 would hit the high traffic thoroughfares that were in most need of road work.

- c. Engineer Johnson said that he was in favor of reclaiming because it will last longer than mill and overlay, however there is a risk of water main breaks lessening the longevity of reclaiming.
- d. Councilmember McCarthy said that he is in favor of reclaiming due to its longer longevity.
- e. Engineer Johnson said that he recommends bundling everything with one contractor which will reduce prices since each estimate most likely includes mobilization and that crack filing might be important in future years. (See Appendix C for estimate 5732)
- f. Mayor Ford said that the Lake Links Bike Trail could access \$70,000 that may be able to help with stripping.
- g. Councilmember Weier said that there was \$50,000 allocated in the budget in 2024 for potholes.
- h. Councilmember McCarthy said that maybe some of the excess snowplow budget can be used for road work and include more of the red and orange areas on Oakridge Dr. He discussed with Engineer Johnson including Five Oaks Dr with Oakridge Dr. in the reclaiming and Oakland Court would be mill and overlay.
- i. Engineer Johnson said that he would provide another quote for the above proposal that includes pothole repairs. The council said that a special meeting may be in order to review this proposal prior to the next regular meeting.
- j. The council discussed street sweeping and councilmember Weier said that \$4000 is in the budget for street sweeping.

**On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to approve Administrator Kellen to tell Nugent that we can move forward with street sweeping for \$4000 as budgeted. All in favor. Motion carried.**

- k. Engineer Johnson said that he spoke with White Bear Township and that he does not recommend moving forward with the purchase of the spare rotator assembly.

**On a motion made by Mayor Ford, seconded by Councilmember Hankins, it was resolved to not purchase the spare rotator assembly. All in favor. Motion carried.**

- l.** Engineer Johnson said that the project warranty from the contractor that includes the parts is recommended for the lift station work. He said that there is no update from the EPA.
- m.** Mayor Ford thanked Engineer Johnson for completing the survey at Highwood Path in a timely manner and that she has had conversations with the neighbors to address their concerns about the driveway being on the path. Both Mayor Ford and Engineer Johnson agreed that they can fit the path in there without issues.
- n.** Attorney Kantrud said that they are able to have their driveways there as they were laid prior to the city using the areas.
- o.** Councilmember McCarthy asked attorney Kantrud to investigate further to ensure there are no issues with pursuing Highwood Path.
- p.** Engineer Johnson said that the cost to survey Highwood Path was \$1K - \$1200 and that he would send a copy of the survey.
- q.** Councilmember Hankins said that we did not get the local improvement project grant for Wildwood and that 20% were approved to which engineer Johnson said that most of the money granted was for larger projects.

**E. Ash Path Survey Discussion – (1:43:47)**

- a.** Mayor Ford said that in December of 2022 a survey for Ash Path was ordered and that the path meanders through the rectilinear areas of the survey and that there are some items from residents on the path.
- b.** Councilmember McCarthy said that a pink ribbon was laid to show the areas of the path. A picture of the ribbon was displayed. Councilmember Hankins said that some of the Wormwood's property was located on the path.
- c.** The council discussed correcting the areas of the path to ensure it is on city property.
- d.** Councilmemembr McCarthy said that the Parks and Recreation committee will be looking at the path to place wood chips where the path is.

- e. The council discussed where the path was impeding residents' property.
- f. Attorney Kantrud said that Cornerstone surveyor Connie also walked the path with the council and that this was old right of way dedicated and the old streetcar line. He said he supported getting the Parks Committee out to ensure the path is not encroaching on residential property. He said that once the survey is finalized this area should be registered with the county. He said that he gave a copy of the survey to the Wormwoods. He said that there is a deck and patio that is about 5 feet from the path.
- g. Councilmember Foster expressed concerns about requesting residents move their patio.
- h. The council discussed bringing the Wormwoods into future discussions.

**On a motion made by Councilmember Hankins, seconded by Councilmember McCarthy, it was resolved to authorize Mayor Ford to work with Attorney Kantrud to engage with the Wormwoods to consider how to best represent the cities interest in resolving the property line issue at Ash Path. All in favor. Motion carried.**

F. Joint Powers Agreement for South Shore Boulevard Trail Management–  
(1:57:45)

- a. Mayor Ford explained that there is a section of the South Shore Boulevard Trail that runs through Birchwood Village and the joint powers agreement caused concerns for some of the members of council about when repairs were needed and how much they cost.
- b. City attorney Kantrud explained that White Bear Township was leading the charge on how it was managed but it runs through Birchwood Village and it was originally a county road, a “turnback”.
- c. Mayor Ford explained that this section of the trail was not plowed this year.
- d. The council discussed limits on what can be charged to Birchwood Village for this and that they would like a budget and a year to approve.
- e. Councilmember Foster said that he believed the maintenance would be minimal since it is a new trail and that Birchwood residents are using the trail.
- f. Councilmember Weier said that she understands how White Bear Township would want an agreement in place to avoid future confusion.



**On a motion made by Councilmember Foster, seconded by Councilmember Weier, it was resolved to approve the joint powers agreement with Attorney Kantrud making amendments 1) good faith costs for any repairs and reconstruction and 2) giving Birchwood Village a year to pay for reconstruction. Councilmember Foster, Hankins, and Weier and Mayor Ford in favor. Councilmember McCarthy not in favor. Motion carried.**

G. 232 Cedar Ave (2:11:25)

- a. Attorney Kantrud explained that there are some things that have been fixed and some things that have not and that we have not yet received the vacant registration. He said he emailed them today and that if they are not fixed this week he will move to criminal proceedings. He said that the property will be for sale this month.
- b. Councilmember Hankins said that it is on the auction site for \$378,000.

H. Appointment of Liaisons and Deputy Mayor (2:13:33)

**On a motion made by Councilmember McCarthy, seconded by Councilmember Foster, it was resolved to approve Mayor Ford the Personnel Liaison. All in favor. Motion carried.**

**On a motion made by Councilmember Hankins, seconded by Councilmember Foster, it was resolved to approve Councilmember Weier as the Deputy Mayor. All in favor. Motion carried.**

**On a motion made by Councilmember Weier, seconded by Mayor Ford, it was resolved to approve Councilmember Weier and McCarthy as the Park Committee Liaisons. All in favor. Motion carried.**

**On a motion made by Councilmember McCarthy, seconded by Councilmember Weier, it was resolved to approve Councilmember Hankins as the Planning Commission Liaison and councilmember Foster as the Dock Association liason. All in favor. Motion carried.**

## **9. MEETING CLOSE (2:18:41)**

**On a motion duly made by Councilmember McCarthy, seconded by Mayor Ford, it was agreed that there was no further business of the Council to transact in an open session; the meeting was closed to the public at 9:04 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.

*Margaret Ford*

Mayor Margaret Ford

5-14-24

Date

*Rebecca Kellen*

City Administrator Becky Kellen

5-14-24

Date



**RESOLUTION #2024-20**  
A RESOLUTION SUPPORTING RETENTION OF CITY ZONING AUTHORITY

**WHEREAS**, decisions about local zoning and land use that best fit community needs are best left to city residents and officials;

**WHEREAS**, cities use zoning and land use regulations to balance property usage, plan for community growth, dedicate space and capacity for public infrastructure to support development (roads, parks and trails, transportation, sewer, stormwater, water, etc.), mitigate flooding and erosion, and preserve natural resources among others;

**WHEREAS**, the Minnesota State Legislature, in an attempt to address housing availability and affordability challenges, is considering measures that would preempt city authority to regulate land use and zoning and assign that authority to state government;

**WHEREAS**, passage of those measures would inadequately address housing availability and affordability challenges;

**WHEREAS**, a rigid framework for land use and zoning mandated by the state makes little sense and cities require flexibility to address their own unique circumstances;

**WHEREAS**, provisions of the proposed state measures would place the fiscal burden for infrastructure cost of new residential development on the shoulders of existing homeowners and renters in our local communities;

**WHEREAS**, building of multiple housing units on a single residential lot with inadequate spacing, as allowed in the proposed zoning preemption measures, could result in service delivery problems like limiting emergency medical services and fire departments' access to city neighborhoods;

**WHEREAS**, the City of Birchwood Village is proximate to White Bear Lake, a lake that is threatened by over pumping of ground water from the over-development of the immediately surrounding area. By forcing communities around this area to accept additional high density housing and by reducing the minimum lot sizes, these proposals represent a grave threat to an already overburdened water supply and lake. In addition, by lowering the minimum lot size, and exempting certain developments from impervious surface standards, this will reduce the filtration of runoff water into the lake and represent a threat to the cleanliness of the lake.

**WHEREAS**, the City of Birchwood Village is a small community made up of mostly single family housing with no commercial or industrial businesses to support our tax base. By forcing additional development on our community without any state support for upgrades to our infrastructure, this bill will significantly strain our ability to provide this infrastructure and may necessitate significant tax increases that may push existing homeowners out of their homes.

**AND, WHEREAS**, cities across the state have already put in years of work to address zoning issues, and continue to do so, with the help of community engagement.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BIRCHWOOD VILLAGE, MINNESOTA AS FOLLOWS:**

The City of Birchwood Village opposes state proposals that seek to preempt local zoning and land use decision-making when it comes to residential development; Supports constructive policy alternatives to incentivize and bolster city efforts for addressing housing challenges; And, advocates for a city-state partnership to consider reforms that are proven to address housing availability and affordability and that ensure efforts can be locally led and shaped.

**ADOPTED** by the \_\_\_\_\_ City Council this \_\_\_\_ day of \_\_\_\_\_, 2024.

[https://www.revisor.mn.gov/bills/text.php?  
number=SF1370&version=latest&session=ls93&session\\_year=2023&session\\_number=  
0](https://www.revisor.mn.gov/bills/text.php?number=SF1370&version=latest&session=ls93&session_year=2023&session_number=0)

(the above link is all one word)

OR SCAN THIS QR  
CODE:



FROM SF1370:

Sec. 8.

## [462.3575] MINIMUM RESIDENTIAL DENSITIES AND ASSOCIATED REQUIREMENTS.

Subd. 4.

### Other cities and towns; required residential densities.

(a) Subject to section 462.358, subdivision 2a, a city of the second, third, or fourth class or town must permit the development of at least two residential dwelling units on any residential lot that is more than one-half mile from a major transit stop, unless one of the following criteria are met:

- (1) if all of the units are all-electric and efficient homes, the city or town must permit the development of at least **three** residential dwelling units on the lot;
- (2) if at least two of the units are affordable housing, the city or town must permit the development of at least **three** residential dwelling units on the lot; or
- (3) if all of the units are all-electric and efficient homes and at least two of the units are also affordable housing, the city or town must permit the development of at least **four** residential dwelling units on the lot.

(b) Subject to section 462.358, subdivision 2a, a city of the second, third, or fourth class or town must permit the development of at least **four** residential dwelling units on any residential lot that is one-half mile or less from a major transit stop, unless one of the following criteria are met:

- (1) if all of the units are all-electric and efficient homes, the city or town must permit the development of at least **six** residential dwelling units on the lot;
- (2) if at least two of the units are affordable housing, the city or town must permit the development of at least **six** residential dwelling units on the lot; or
- (3) if all of the units are all-electric and efficient homes and at least two of the units are also affordable housing, the city or town must permit the development of at least **eight** residential dwelling units on the lot.

(c) The requirements of this subdivision apply regardless of the types of middle housing authorized by the city or town under subdivision 2.

(d) A municipality that does not approve a project under section 462.358, subdivision 2a, must provide the applicant with written justification and reasons for the disapproval within seven days of the disapproval. Where insufficient infrastructure is the reason for disapproval, a municipality must include from a public works director or a similarly qualified person evidence in the written justification.

## **Subd. 7.**

### **Minimum lot size permitted.**

(a) A municipality may, by ordinance, require a minimum lot size in accordance with this subdivision to which the density requirements of subdivisions 3 and 4 apply.

...

(c) A minimum lot size for a city of the second, third, or fourth class or a town must not be greater than:

- (1) 4,000 square feet for a single-family detached home, duplex, triplex, fourplex, fiveplex, sixplex, stacked flat, and courtyard apartment; or
- (2) 1,200 square feet for a townhome and cottage housing.

**\*NOTE\* Current Birchwood Village Minimum Lot Sizes are as follows:  
12,000 Sq Feet for Non-Lake Lots  
15,000 Sq Feet for Lake Lots.**

## **Subd. 5.**

### **Affordable housing development; height requirements.**

(a) Subject to section 462.358, subdivision 2a, an affordable housing development must be permitted to exceed both a maximum height requirement and a maximum floor area ratio limitation imposed by municipality official controls as provided in paragraphs (b) and (c). The authority in paragraphs (b) and (c) that produces the tallest development with the most number of affordable housing units on the parcel shall be applied to the affordable housing development.

**(b) An affordable housing development may either:**

- (1) exceed the height requirement for the zoning district where the affordable housing development will be located by 35 feet in height; or**
- (2) match the maximum allowed height in any zoning district within one mile of the affordable housing development.

**(c) In addition to all previous allowances, an affordable housing development must be permitted to do one of the following, whichever results in the largest development:**

- (1) exceed the maximum floor area ratio or dwelling unit count permitted by municipality standards or the municipality's comprehensive plan by 30 percent, whichever allows for greater density;
- (2) exceed the lot coverage ratio by 30 percent;
- (3) exceed the floor area ratio by 30 percent; or
- (4) exceed the maximum impervious lot coverage area by 30 percent.**

(d) A municipality that does not approve a project under section 462.358, subdivision 2a, must provide the applicant with written justification and reasons for the disapproval within seven days of the disapproval. Where insufficient infrastructure is the reason for disapproval, a municipality must include credentialed evidence in the written justification.

## **Subd. 8.**

### **Parking requirements limited.**

(a) A municipality may not require an off-street parking space for a residential dwelling unit that is one-half mile or less from a major transit stop. A municipality may require that disability parking spaces be provided in compliance with the Americans with Disabilities Act.

(b) A municipality may not require more than one off-street parking space per residential dwelling unit that is over one-half mile from a major transit stop, except that additional disability parking spaces may be required to meet the requirements of the Americans with Disabilities Act.

## **Sec. 9.**

### **[462.3576] LIMITATION ON AESTHETIC MANDATES FOR CITIES.**

A municipality must not condition approval of a residential building permit, residential subdivision development, or residential planned unit development on the use of one or more of the following, unless to conform with state and local historic district requirements, the State Building Code in chapter 326B, and the State Fire Code in chapter 299F:

- (1) specific materials for aesthetic reasons;
- (2) residential building or accessory structure to a residential building minimum square footage or floor area ratios;
- (3) design elements for aesthetic reasons including, but not limited to, decks, balconies, porches, gables, roof pitch, and elevation design standards;
- (4) garage square footage; or
- (5) common space, pools, or any common property necessitating a homeowner's association.

REPRESENTATIVES:

Senator Heather Gustafson, 651-296-1253  
[sen.heather.gustafson@senate.mn](mailto:sen.heather.gustafson@senate.mn)

Representative Brion Curran, 651-296-4342  
[rep.brion.curran@house.mn.gov](mailto:rep.brion.curran@house.mn.gov)



# Appendix B

## Re: Support resolution 2024-20

Ryan Hankins <Ryan.Hankins@cityofbirchwood.com>

Mon 4/8/2024 2:36 PM

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

Becky,

I believe this is intended to go to you, for inclusion in the agenda or distribution to the council.

-Ryan

==

Ryan Hankins  
Birchwood City Council  
Ryan.Hankins@cityofbirchwood.com

---

**From:** Trilby White <trilby.white.rn@gmail.com>

**Sent:** Monday, April 8, 2024 2:23 PM

**To:** Birchwood Clerk Becky <bwclerk@comcast.net>; Ryan Hankins <Ryan.Hankins@cityofbirchwood.com>

**Cc:** Lisa Rietveld <lisa@2grrrls.com>

**Subject:** Support resolution 2024-20

Hi Becky and Ryan,

I would very much appreciate it if you enter our public comment for the record during open comments at tomorrow's council meeting.

### PUBLIC COMMENT

Trilby White and Lisa Rietveld  
3 - Oakridge Dr.

WE SUPPORT Council Resolution 2024-20 that Opposes State imposition of zoning standards Birchwood.

In a very small Village like Birchwood, our standards and needs with regard to housing, environmental preservation, affordability, transportation, et al., is unique.

Birchwood Village should make every effort to maintain autonomy and/or seek exemption from any mandated legislation affecting our town.

We would to ask you all, Ms Mayor and Council members for you support of Resolution 2024-20.

Trilby White and Lisa Rietveld



Nugent Sealcoating and Paving  
 P.O. Box 473  
 Hugo, MN 55038  
 651-429-2100

APPENDIX C

# Proposal

Date	Quote #
4/4/2024	5732

Bill To	
Birchwood Village 207 Birchwood Ave, Vadnais Heights, MN 55110	
Salesman	Rob Stangler

Service Location	
Birchwood Village 207 Birchwood Ave, Vadnais Heights, MN 55110	
Proposal Valid Thru	4/14/2024

Description of work to be performed-	Quantity	Unit	Amount
5 Oaks Lane (orange area) Profile mill off 1" - 1.5" of surface, sweep millings up and haul off site. Apply hot tack oil for maximum adhesion. Install a 1.5" compacted mat of MV4 MNDOT wear course. - Overlay paving will have existing cracks in current asphalt reflect through the new asphalt overlay. - No guarantee on no ponding of water on new asphalt where base and/or existing conditions are less than 1% slope	8,400	Square Feet	18,480.00
Birchwood Ave ( Purple area) Profile mill off 1" - 1.5" of surface, sweep millings up and haul off site. Apply hot tack oil for maximum adhesion. Install a 1.5" compacted mat of MV4 MNDOT wear course. - Overlay paving will have existing cracks in current asphalt reflect through the new asphalt overlay. - No guarantee on no ponding of water on new asphalt where base and/or existing conditions are less than 1% slope	11,500	Square Feet	25,300.00
Oakridge Drive N (green area) Profile mill off 1" - 1.5" of surface, sweep millings up and haul off site. Apply hot tack oil for maximum adhesion. Install a 1.5" compacted mat of MV4 MNDOT wear course. - Overlay paving will have existing cracks in current asphalt reflect through the new asphalt overlay. - No guarantee on no ponding of water on new asphalt where base and/or existing conditions are less than 1% slope	11,000	Square Feet	24,200.00
Oakridge Drive S (blue area) Profile mill off 1" - 1.5" of surface, sweep millings up and haul off site. Apply hot tack oil for maximum adhesion. Install a 1.5" compacted mat of MV4 MNDOT wear course. - Overlay paving will have existing cracks in current asphalt reflect through the new asphalt overlay. - No guarantee on no ponding of water on new asphalt where base and/or existing conditions are less than 1% slope	8,400	Square Feet	18,480.00
<b>***FUEL SURCHARGE*** \$250 will be added to invoice amount if diesel is at/above \$5 per gal at time of project.</b>			
<b>Proposed Total-</b>			<b>\$86,460.00</b>

ACCEPTANCE OF PROPOSAL- Nugent Sealcoating is hereby authorized to complete this contract as specified. All material is guaranteed to be as specified and all work will be performed in a workman like manner according to standard practices. Payments will be made to Nugent Sealcoating within 10 days of invoice date. A 1.5% finance charge will be added to the remaining balance of any past due invoice. Additional fees may be charged if Nugent Sealcoating is prevented from completing this work in a timely manner. These fees generally only apply to waiting for vehicles to be moved or time spent drying asphalt due to sprinklers being left on and would not apply for reasons related to naturally occurring causes. Any alteration or deviation from the above specifications will only be executed upon written orders. Customer is responsible to have the asphalt surface cleared off by the time agreed upon including vehicles, dumpsters, pallets, equipment, etc.










PLEASE SIGN AND RETURN AND SOMEONE FROM OUR SCHEDULING DEPARTMENT WILL CONTACT YOU.

Accepted by: \_\_\_\_\_ Title: \_\_\_\_\_  
 (PRINT)

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# City mill and overlay

**Legend**

-  and overlay
-  Birchwood Village
-  Park
-  Untitled Path
-  Untitled Polygon
-  Untitled Polygon
-  Untitled Polygon
-  Untitled Polygon
-  Untitled Polygon

11000 SF 1.5 Mill and overlay

11500 SF 1.5" mill and overlay

8400 SF 1.5" mill and overlay

5 Oaks Ln

8400 SF 1.5" mill and overlay

