



AGENDA OF THE REGULAR MEETING OF
THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
September 10, 2024
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

- A. Birchwood Dock Association Fall Meeting is September 14th at 10AM* (p. 4)
- B. Fall Clean Up Day is October 12th from 10AM – 12PM.
- C. Deer Hunt Dates for this year are September 27-28, October 17-18, November 1-2, and December 13-14 (if needed).
- D. November and December Planning Commission meetings have been rescheduled due to the holidays. The rescheduled meeting will be on November 20th and December 19th.

CITY BUSINESS – CONSENT AGENDA

- A. Approve September Treasurer's Report* (pp. 5-43)
- B. Approve August Treasurer's Report* (p. 44)
- C. Approve July 31st, 2024, Special Meeting Minutes* (pp. 45-47)
- D. Approve August 6, 2024, Meeting Minutes* (pp. 48-58)
- E. Approve Resolution 2024-35 Approving Laptop Purchase for Treasurer* (p. 59)
- F. Approve Deer Hunt Resolutions* (pp. 60-66)
 - 1. Resolution 2024-36 Suspending City Ordinance Section 609.020 for Special Bow Hunt* (pp. 61-62)
 - 2. Resolution 2024-37 Authorizing the Dates of the 2024 Deer Hunt* (pp. 63-64)
- G. Approve Resolution 2024-38 Increasing Videographer Pay* (p. 67)
- H. Approve Resolution 2024-39 Directing City Staff to Reevaluate Water and Sewer Availability Fees Charged for 160 Cedar St. * (pp. 68-69)

* Denotes items that have supporting documentation provided

CITY BUSINESS

- A. Appeal Regarding Approval of the Building Permit at 160 Cedar
 - a. Review of Appeal
 - i. Appeal* (pp. 70-72)
 - ii. Building Permit* (pp. 73-108)
 - iii. City Engineer Response to Appeal* (pp. 109-120)
 - iv. Planning Commission Recommendation* (pp. 120-122)
 - v. Additional Information* (pp. 123-129)
 - b. Approval or Denial of Appeal
- B. Roads Committee Proposals and Public Forum* (pp. 130-155)
 - a. Public Forum* (pp. 130-140)
 - i. Changing Speed Limit to 20 mph
 - ii. Two new crosswalks on Wildwood Ave at Birch Beach/Owl and Grotto
 - iii. Addition of a stop sign on Wildwood Ave at 368 Wildwood Ave.
 - iv. Solar powered radar speed signs
 - b. City Council and Roads Committee Discussion
- C. 2025 Final Preliminary Budget Discussion and Approval* (pp. 156-163)
 - a. Council Discusses Budget
 - b. Council Approves Preliminary Budget
 - c. Council Approves 2025 Proposed Property Tax Levy Certification Amount
- D. Second Reading Ordinance 2024-08-01, Variance Application Criteria* (pp. 164-166)
 - a. Public Hearing
 - b. Council Deliberation and Approval
- E. Second Reading Ordinance 2024-08-02, Animal Fencing* (pp. 167-168)
 - a. Public Hearing
 - b. Council Deliberation and Approval
- F. Review and Discuss FOTH Revisions of 401 and 402* (pp. 169-178)
- G. Birchwood Reclassification – Margaret Ford* (pp. 179-180)
- H. Maintenance Help – Mark Foster

* Denotes items that have supporting documentation provided

I. Administrator Updates

- a. EAB Grant Update* (p. 181)
- b. Lift Station Update – monthly* (pp. 182-186)
- c. Tree Inspection Update* (p. 187-190)

ADJOURN

* Denotes items that have supporting documentation provided



Birchwood Dock Association
2024 Fall Meeting
Saturday, September 14th: 10:00 am - 11:00 am
Location: Village Hall

Hello Birchwood Neighbors,

It's time again for the Dock Association Fall meeting.

All Boating, Non-Boating Members, neighbors, and folks on the waiting list are invited to join us as we set the schedules for the rest of 2024 and make plans for the 2025 boating season.

Please attend.

Hope to see & be with all of you on Sept 14th!

Nick Nephew, BDA President
20 Birchwood Ave.

The agenda for this meeting follows:

- Call to Order
- Agenda Review
- Old Business
 - Approve Spring 2024 Meeting Minutes
 - Summary of '24 activities
- Treasurer's Report
- New Business
 - 2025 dock application review (Ash, Birch, Elm, Dellwood)
 - Boat Slip Assignments & Wait List
 - Dock out Date
 - Please raise your lift all the way up!
- Adjourn

2024 Dock Association Board of Directors:

Nick Nephew - President

Houstoun Clinch - Vice President

Alicia Jackola - Secretary

Trevor Moorhead– Treasurer

Chris Sorenson – Member at Large

Non-boaters: Please consider becoming a voting member of the Association!
Please send this form with your **\$35 Annual Membership**.

First and Last Name:

Address:

Phone Number:

Email:

Please Mail: Birchwood Dock Association, 20 Birchwood Ave., Birchwood, MN 55110

Fund Name: All Funds

Date Range: 08/01/2024 To 08/31/2024

<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>
08/06/2024	IRS - US Treasury	EFT080624A	Federal Taxes - Q3 2024 -July Payment	N	Clerk - Treasurer	100-41401-100-	\$ 2,174.82
		EFT080624A				100-41401-100-	\$ 508.62
		EFT080624A				100-41401-100-	\$ 723.93
	Total For Check	EFT080624A					\$ 3,407.37
08/06/2024	MN Department of Revenue	EFT080624B	MN State Tax eFiling - 2024 Q3- July pymt	N	Clerk - Treasurer	100-41401-115-	\$ 791.01
	Total For Check	EFT080624B					\$ 791.01
08/12/2024	PERA	EFT08122024*	Retirement funds-PR 7/14-7/27/24, TB, RK, JR	N	Clerk - Treasurer	100-41401-121-	\$ 659.52
		EFT08122024*			Parks	100-45207-121-	\$ 10.22
	Total For Check	EFT08122024					\$ 669.74
08/15/2024	Payroll Period Ending 08/15/2024	33096	Office Payroll 7/28/24 - 8/10/24	N	Clerk - Treasurer	100-41401-100-	\$ 427.95
	Total For Check	33096					\$ 427.95
08/15/2024	Payroll Period Ending 08/15/2024	33097	Office Payroll 7/28/24 - 8/10/24	N	Clerk - Treasurer	100-41401-100-	\$ 2,188.51
	Total For Check	33097					\$ 2,188.51
08/15/2024	Payroll Period Ending 08/15/2024	33098	Office Payroll 7/28/24 - 8/10/24	N	Clerk - Treasurer	100-41401-100-	\$ 882.77
	Total For Check	33098					\$ 882.77
08/21/2024	Payroll Period Ending 08/21/2024	33099	Office Payroll 7/28 - 8/10/24	N	Parks	100-45207-100-	\$ 339.83
	Total For Check	33099					\$ 339.83
08/21/2024	PERA	EFT08222024-A*	Retirement funds-PR 7/28/24-8/10/24, TB, RK, JR, MO	N	Clerk - Treasurer	100-41401-121-	\$ 625.32
		EFT08222024-A*			Parks	100-45207-121-	\$ 57.25
	Total For Check	EFT08222024-A					\$ 682.57
08/26/2024	Bolton & Menk, Inc.	33100*	Final Inspection of 127 Wildwood Ave--Reviewed Erosion and Misc Build Out	N	General Fund Engineering Expense	100-41925-300-	\$ 237.00
	Total For Check	33100					\$ 237.00
08/26/2024	Bolton & Menk, Inc.	33101*	Capital Improvement	N	General Fund Engineering Expense	406-41925-300-	\$ 395.00

Fund Name: All Funds

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	Total For Check	33101					\$ 395.00
08/26/2024	Bolton & Menk, Inc.	33102*	CC Meeting and General Engineering	N	General Fund Engineering Expense	100-41925-300-	\$ 300.00
		33102*				100-41925-300-	\$ 653.00
	Total For Check	33102					\$ 953.00
08/26/2024	Bolton & Menk, Inc.	33103*	Design Review and Grant Coordination	N	Sewer Engineering Expense	605-49485-300-	\$ 99.00
		33103*				605-49485-300-	\$ 1,342.00
	Total For Check	33103					\$ 1,441.00
08/26/2024	City of St. Anthony Village	33104*	3rd Q 2024 Utility Billing	N	Financial Administration	601-41501-314-	\$ 4,128.00
	Total For Check	33104					\$ 4,128.00
08/26/2024	City of White Bear Lake Fire	33105*	Fire Srvc -Sept 2024	N	Fire	100-42201-314-	\$ 3,888.84
	Total For Check	33105					\$ 3,888.84
08/26/2024	City of White Bear Lake Public Work	33106*	Sept 2024 Monthly Public Safety Facility Fire Services	N	Fire	100-42201-314-	\$ 1,196.42
	Total For Check	33106					\$ 1,196.42
08/26/2024	Companion Animal Control LLC	33107*	Animal Control Services -Sept 24 Retainer Only	N	Animal Control	100-41916-314-	\$ 80.00
	Total For Check	33107					\$ 80.00
08/26/2024	General Repair Service	33108*	Lift Station 3 Service Repair	N	Sewer Utility	605-49465-314-	\$ 250.00
	Total For Check	33108					\$ 250.00
08/26/2024	Gopher State One Call	33109*	July--56 Tickets	N	Utility Locates	605-49455-314-	\$ 74.25
	Total For Check	33109					\$ 74.25
08/26/2024	H.A. Kantrud, P.A.	33110*	Attorney Services -Sept 2024	N	Legal Services	100-41601-300-	\$ 1,500.00
	Total For Check	33110					\$ 1,500.00
08/26/2024	John Wikstrom	33111*	Aug City Planner Fees	N	General Fund Engineering Expense	100-41925-300-	\$ 1,600.00
	Total For Check	33111					\$ 1,600.00
08/26/2024	LRS Portables, LLC	33112*	July Portable Potty	N	Parks	100-45207-314-	\$ 187.00
	Total For Check	33112					\$ 187.00
08/26/2024	MENARD'S - OAKDALE	33113*	Pothole Patch and Floor Flange	N	General Government Buildings and Plant	100-41940-220-	\$ 28.95

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	Total For Check	33113					\$ 28.95
08/26/2024	Menard's - MAPLEWOOD	33114*	Pothole patch, compound and push points, 100' lock cord, tap adapter	N	General Government Buildings and Plant	100-41940-400-	\$ 22.98
		33114*				100-41940-400-	\$ 6.38
		33114*				100-41940-400-	\$ 76.68
	Total For Check	33114					\$ 106.04
08/26/2024	Metropolitan Council - Env. Service	33115*	Waste Water Services	N	Sewer Utility	605-49465-217-	\$ 5,335.64
	Total For Check	33115					\$ 5,335.64
08/26/2024	Minnesota Department of Health	33116*	Community Water Supply Service Connection Fee 7/1/24-9/30/24	N	Water Utility	601-49415-437-	\$ 860.00
	Total For Check	33116					\$ 860.00
08/26/2024	Therese Bellinger	33117*	Reimburse for Dehumidifier, Stamps, Map Copies, Misc Office Supply, Solar for Hall Steps	N	Office Operations Supplies	100-41911-200-	\$ 249.55
		33117*			General Government Buildings and Plant	100-41940-587-	\$ 195.61
		33117*			Postage/Postal Permits	100-49495-200-	\$ 96.00
	Total For Check	33117					\$ 541.16
08/26/2024	Top Green Co	33118*	Lawn Services for July--3 mows	N	Parks	100-45207-400-	\$ 2,601.00
	Total For Check	33118					\$ 2,601.00
08/26/2024	TSE, Inc. Work Account	33119*	Janitorial Services - 8/1 & 8/15	N	General Government Buildings and Plant	100-41940-314-	\$ 29.95
		33119*				100-41940-314-	\$ 29.95
	Total For Check	33119					\$ 59.90
08/26/2024	Toshiba America Business Solutions	33120*	Aug Monthly Usage Allowance	N	Office Operations Supplies	100-41911-314-	\$ 10.62
	Total For Check	33120					\$ 10.62
08/26/2024	USS Minnesota One MT LLC	33121*	Solar Energy Charges - July Charges	N	General Government Buildings and Plant	100-41940-380-	\$ 156.47
		33121*			Sewer Utility	605-49465-380-	\$ 417.23
		33121*				605-49465-380-	\$ 756.22
	Total For Check	33121					\$ 1,329.92

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08/26/2024	Stoltzman, Cris	33122*	Videography - Council Mtg--7/31 and 8/6, 7 hrs Charged (3 hr minimum 7/31)	N	Cable Eqpmt and Service	100-41950-314-	\$ 185.50
		Total For Check	33122				\$ 185.50
08/29/2024	Payroll Period Ending 08/29/2024	33123	Office Payroll 8/11/24 thru 8/24/24	N	Clerk - Treasurer	100-41401-100-	\$ 838.24
		Total For Check	33123				\$ 838.24
08/29/2024	Payroll Period Ending 08/29/2024	33124	Office Payroll 8/11/24 thru 8/24/24	N	Clerk - Treasurer	100-41401-100-	\$ 2,188.51
		Total For Check	33124				\$ 2,188.51
08/29/2024	Payroll Period Ending 08/29/2024	33125	Office Payroll 8/11/24 thru 8/24/24	N	Parks	100-45207-100-	\$ 646.83
		Total For Check	33125				\$ 646.83
08/30/2024	Xcel 9369-0	EFT08162024*	407 Lake Lift Station 06/19/24-07/21/24	N	Sewer Utility	605-49465-380-	\$ 29.96
		Total For Check	EFT08162024				\$ 29.96
08/30/2024	Xcel 4094-1	EFT08162024-B*	Gas Service 06/19/24-07/21/24 200 Wildwood Lift Station	N	Water Utility	605-49415-380-	\$ 31.21
		Total For Check	EFT08162024-B				\$ 31.21
08/30/2024	A T & T Mobility	EFT08222024-A*	Wireless for water tower- 08/02/24-09/01/24	N	Water Utility	601-49415-382-	\$ 53.75
		Total For Check	EFT08222024-A				\$ 53.75
08/30/2024	Xcel 2307-8	EFT08302024A*	Street Lighting 8/30/24	N	Street Lighting	100-43160-380-	\$ 1,344.72
		Total For Check	EFT08302024A				\$ 1,344.72
08/30/2024	PERA	eft08302024-A*	Retirement funds-PR 08/11/24-08/30/2024, TB, BK, JR	N	Clerk - Treasurer	100-41401-121-	\$ 553.26
					Parks	100-45207-121-	\$ 110.41
		Total For Check	eft08302024-A				\$ 663.67
Total For Selected Checks							\$ 42,175.88

Fund Name: All Funds

Date Range: 08/01/2024 To 08/31/2024

<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>
08/01/2024	MN Management & Budget	171736197	Emerald Ash Bore Removal Grant	(08/01/2024) - EFT	N	State Grants and Aid	100-33422-	\$ 9,375.00
								\$ 9,375.00
08/12/2024	MN Management & Budget	171736198	Fines	(08/12/2024) - EFT	N	Court Fines	100-35101-	\$ 166.65
								\$ 166.65
08/14/2024	Shellenberger, Lindsay	171736187*	Zoning Permit 24-0009, 402 Birchwood Ave	(08/14/2024) - eft	N	Building Permits	100-32211-	\$ 60.00
								\$ 60.00
08/15/2024	Knights Plumbing	171736188*	Plumbing Permit, 24-0019, 517 Wildwood Ave	(08/15/2024) - eft	N	Building Permits	100-32211-	\$ 151.00
								\$ 151.00
08/19/2024	McCarthy, Justin	171736182*	BP 24-0091, 515 Lake Ave	(08/19/2024) - ck	N	Building Permits	100-32211-	\$ 33.08
								\$ 33.08
08/19/2024	Stolte, Kristin	171736183*	Kayak Rack Rental	(08/19/2024) - ck	N	Kayak/Canoe Permits	100-32212-	\$ 35.00
								\$ 35.00
08/19/2024	Arsenault, Arthur	171736184*	Candidate Filing Fee	(08/19/2024) - ck	N	General Governemnt	100-34111-	\$ 2.00
								\$ 2.00
08/19/2024	Holstad, Peter	171736185*	Candidate Filing Fee	(08/19/2024) - ck	N	General Governemnt	100-34111-	\$ 2.00
								\$ 2.00
08/19/2024	League of Minnesota Cities	171736186*	Claim Reimbursement for Lift #3 Repair, Less \$250 Deductible	(08/19/2024) - ck	N	Refund-Reimbursemnt-Dividend	605-36240-	\$ 7,759.43
								\$ 7,759.43
08/20/2024	Boreen, Nicholas	171736193*	Zoning Permit z24-0010, 4 Hall Ct	(08/20/2024) - eft	N	Building Permits	100-32211-	\$ 60.00

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<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>	
								\$ 60.00	
08/21/2024	DeMorrett, Kelci	171736194*	Plumbing Permit 24-0076, 423 Wildwood Ave	(08/21/2024) - eft	N	Building Permits	100-32211-	\$ 200.00	
								\$ 200.00	
08/21/2024	Preferred Kitchens	171736195*	BP 24-0094, 121 Wildwood Ave	(08/21/2024) - eft	N	Building Permits	100-32211-	\$ 551.80	
								\$ 551.80	
08/29/2024	Simmons, Mary Sue	171736189*	Hall Rental Fee	(08/29/2024) - ck	N	City/Town Hall Rent	100-34101-	\$ 25.00	
								\$ 25.00	
08/29/2024	Pratt Homes Construction	171736190*	BP 24-0092, 176 Wildwood Ave	(08/29/2024) - ck	N	Building Permits	100-32211-	\$ 743.89	
								\$ 743.89	
08/29/2024	WS&D Permit Service	171736191*	BP 24-0093, 479 Lake Ave	(08/29/2024) - ck	N	Building Permits	100-32211-	\$ 156.97	
								\$ 156.97	
08/31/2024	Residents - via St Anthony Village	171736192	Utility Billing Receipts for August 2024	(08/31/2024) -	N	Water Consumption	601-37111-	\$ 264.20	
							Water Utility User Fee	601-37112-	\$ 368.35
							Water Main-break Surcharge	601-37113-	\$ 124.44
							State Surcharge	601-37116-	\$ 15.91
							Administrative Fee Move/Out	601-37118-	\$ 125.00
							Penalties and Forfeited Discounts	601-37160-	\$ 20.07
							Sewer Consumption	605-37211-	\$ 312.34
							Sewer Minimum Charge	605-37212-	\$ 276.30
							Penalties and Forfeited Discounts	605-37260-	\$ 16.60
								\$ 1,523.21	
08/31/2024	4 M Fund	171736196	August 24 interest	(08/31/2024) -	N	Interest Earning	100-36210-	\$ 5,082.03	
							Interest Earning	100-36210-	\$ 263.97
								\$ 5,346.00	
Total for Selected Receipts								\$ 26,191.03	

As on 8/31/2024

Special Rev Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Dock/Lift Permit Fee	0.00	14,000.00	14,000.00
Total Acct 322	0.00	14,000.00	14,000.00
Total Revenues	0.00	14,000.00	14,000.00
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	3,600.00	(3,600.00)
Total Acct 451	0.00	3,800.00	(3,800.00)
Total Disbursements	0.00	3,800.00	(3,800.00)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		10,823.05	
Total Receipts and Other Financing Sources		14,000.00	
Total Disbursements and Other Financing Uses		3,800.00	
Cash Balance as of 08/31/2024		21,023.05	

As on 8/31/2024

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:			
Transfer From General Fund	0.00	30,000.00	30,000.00
Total Acct 392	<u>0.00</u>	<u>30,000.00</u>	<u>30,000.00</u>
Total Other Financing Sources	<u>0.00</u>	<u>30,000.00</u>	<u>30,000.00</u>
Disbursements:			
General Fund Engineering Expense			
PROFESSIONAL SERVICES (301 through 319)	0.00	395.00	(395.00)
Capital Project Engineering Expense			
PROFESSIONAL SERVICES (301 through 319)	0.00	2,340.00	(2,340.00)
Total Acct 419	<u>0.00</u>	<u>2,735.00</u>	<u>(2,735.00)</u>
Sewer Engineering Expense			
PROFESSIONAL SERVICES (301 through 319)	0.00	632.00	(632.00)
Total Acct 494	<u>0.00</u>	<u>632.00</u>	<u>(632.00)</u>
Total Disbursements	<u>0.00</u>	<u>3,367.00</u>	<u>(3,367.00)</u>
Other Financing Uses:			
Total Other Financing Uses	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Beginning Cash Balance		75,741.49	
Total Receipts and Other Financing Sources		30,000.00	
Total Disbursements and Other Financing Uses		<u>3,367.00</u>	
Cash Balance as of 08/31/2024		102,374.49	

As on 8/31/2024

Water

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Water Consumption	0.00	44,939.40	44,939.40
Water Utility User Fee	0.00	32,059.74	32,059.74
Water Main-break Surcharge	0.00	22,097.88	22,097.88
Special Water Charges	0.00	1,146.51	1,146.51
State Surcharge	0.00	2,106.80	2,106.80
Administrative Fee Move/Out	0.00	1,033.30	1,033.30
Penalties and Forfeited Discounts	0.00	788.77	788.77
Total Acct 371	0.00	104,172.40	104,172.40
Total Revenues	0.00	104,172.40	104,172.40
Other Financing Sources:			
Transfer From General Fund	0.00	6,287.74	6,287.74
Total Acct 392	0.00	6,287.74	6,287.74
Total Other Financing Sources	0.00	6,287.74	6,287.74
Disbursements:			
Financial Administration			
Contracted Services	0.00	11,998.00	(11,998.00)
Total Acct 415	0.00	11,998.00	(11,998.00)
Water Utility			
Repair and Maintenance Supplies (221 through 229)	0.00	1,267.65	(1,267.65)
Contracted Services	0.00	72,308.56	(72,308.56)
Utility Services (381 through 389)	0.00	70.60	(70.60)
Utility Services: Water	0.00	559.76	(559.76)
Fees	0.00	2,580.00	(2,580.00)
Wtr/Swr Emergency			
PROFESSIONAL SERVICES (301 through 319)	0.00	3,297.88	(3,297.88)
Contracted Services	0.00	29,165.90	(29,165.90)
Newsletter			
Printing and Binding (351 through 359)	0.00	373.87	(373.87)
Total Acct 494	0.00	109,624.22	(109,624.22)
Total Disbursements	0.00	121,622.22	(121,622.22)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		70,785.62	
Total Receipts and Other Financing Sources		110,460.14	
Total Disbursements and Other Financing Uses		121,622.22	
Cash Balance as of 08/31/2024		59,623.54	

As on 8/31/2024

Sewer

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Refund-Reimbursemt-Dividend	0.00	18,932.70	18,932.70
Total Acct 362	0.00	18,932.70	18,932.70
Sewer Consumption	0.00	38,837.11	38,837.11
Sewer Minimum Charge	0.00	34,636.99	34,636.99
Penalties and Forfeited Discounts	0.00	679.73	679.73
Total Acct 372	0.00	74,153.83	74,153.83
Total Revenues	0.00	93,086.53	93,086.53
Other Financing Sources:			
Transfer From General Fund	0.00	4,580.10	4,580.10
Total Acct 392	0.00	4,580.10	4,580.10
Total Other Financing Sources	0.00	4,580.10	4,580.10
Disbursements:			
Water Utility			
Contracted Services	0.00	570.00	(570.00)
Utility Services (381 through 389)	0.00	118.78	(118.78)
Utility Locates			
Contracted Services	0.00	479.30	(479.30)
Sewer Utility			
Sewer - Wastewater Charge	0.00	50,113.97	(50,113.97)
Contracted Services	0.00	34,190.36	(34,190.36)
Utility Services (381 through 389)	0.00	8,115.92	(8,115.92)
Sewer Engineering Expense			
PROFESSIONAL SERVICES (301 through 319)	0.00	40,015.00	(40,015.00)
Postage/Postal Permits			
Communications: Postage	0.00	296.14	(296.14)
Total Acct 494	0.00	133,899.47	(133,899.47)
Total Disbursements	0.00	133,899.47	(133,899.47)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		87,230.53	
Total Receipts and Other Financing Sources		97,666.63	
Total Disbursements and Other Financing Uses		133,899.47	
Cash Balance as of 08/31/2024		50,997.69	

City of Birchwood Village
Bank Reconciliation

US Bank
General Fund #1-801-2001-5920
7/31/2024

Genl Fund 4M #35172-101

US Bank 4M balance	General Fund	\$1,250,763.30
Outstanding Checks	Outstanding Checks	(\$96,948.70)
	Deposit on bank not on 4/M	(\$118.99)
Bank Open Items		
	PERA Difference CTAS \$767.53, Bank \$767.86	\$0.33
	US Bank Correction - Being Researched.	\$455.58
	Techie Dudes Cleared Bank 7/24, Not in CTAS	\$247.00
Genl Ledger Open Items		
		<u>\$1,154,398.52</u>
	Balance Per Cash Control Statement	<u><u>\$1,154,398.52</u></u>
	DIFFERENCE	\$0.00

City of Birchwood Village
Bank Reconciliation

US Bank
General Fund #1-801-2001-5920
8/31/2024

Genl Fund 4M #35172-101

US Bank 4M balance	General Fund	\$1,169,573.59
Outstanding Checks	Outstanding Checks	(\$30,422.90)
	Deposit on bank not on 4/M	(\$1,824.90)
Bank Open Items		
	PERA Difference CTAS \$767.53, Bank \$767.86	\$0.33
	US Bank Correction - Being Researched.	\$455.58
	Techie Dudes - Bank Aug/CTAS Sept	\$247.00
	Techie Dudes - Bank Aug/CTAS Sept	\$247.00
	Amazon - Bank Aug/CTAS Sept	\$137.97
Genl Ledger Open Items		
		<u>\$1,138,413.67</u>
	Balance Per Cash Control Statement	<u><u>\$1,138,413.67</u></u>
	DIFFERENCE	\$0.00

Monthly Activity Summary

7/1/2024 - 7/31/2024

Class	Account	Beginning Balance	Contributions	Interest	Checks Paid	Other Withdrawals	Month End Balance
4M	35389 - 101 General Fund	\$856,328.52	\$386,209.90	\$5,188.92	(\$48,879.39)	(\$7,647.92)	\$1,191,200.03
4MP	35389 - 101 General Fund	\$59,299.93	\$0.00	\$263.34	\$0.00	\$0.00	\$59,563.27
LTD	35389 - 101 General Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$915,628.45	\$386,209.90	\$5,452.26	(\$48,879.39)	(\$7,647.92)	\$1,250,763.30

Activity Summary (35389-101) General Fund

7/1/2024 - 7/31/2024

Investment Pool Summary	4M	4MP
Beginning Balance	\$856,328.52	\$59,299.93
Dividends	\$5,188.92	\$263.34
Purchases	\$386,209.90	\$0.00
Checks Paid	(\$48,879.39)	\$0.00
Other Redemptions	(\$7,647.92)	\$0.00
Ending Balance	\$1,191,200.03	\$59,563.27
Average Monthly Rate	5.201%	5.228%
Share Price	\$1.000	\$1.000
Total	\$1,191,200.03	\$59,563.27
Total Fixed Income		\$0.00
Account Total		\$1,250,763.30

City of Birchwood Village
Marsha Olson
207 Birchwood Ave
Birchwood, MN 55110



Your PMA Representative
Laura Hamacher
(612) 509-2563
lhamacher@pmanetwork.com

PMA Financial Network
2135 CityGate Lane, 7th Floor
Naperville, IL 60563

Transaction Activity (35389-101) General Fund

4M 7/1/2024 - 7/31/2024

Transaction	Trade Date	Settle Date	Description	Redemption	Purchase	Share Price	Shares this Transaction
2286791	06/28/2024	07/01/2024	US Bank Checks Paid Redemption	(\$1,700.00)	\$0.00	\$1.000	(1,700.000)
2286792	07/01/2024	07/01/2024	US Bank Deposit Package Purchase	\$0.00	\$3,657.37	\$1.000	3,657.370
2287392	07/01/2024	07/01/2024	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$258.75	\$1.000	258.750
2287760	07/01/2024	07/02/2024	US Bank Checks Paid Redemption	(\$4,286.65)	\$0.00	\$1.000	(4,286.650)
2288138	07/02/2024	07/02/2024	US Bank ACH Purchase, WASHINGTON COUNT	\$0.00	\$318,693.06	\$1.000	318,693.060
2288424	07/02/2024	07/03/2024	US Bank Checks Paid Redemption	(\$4,013.20)	\$0.00	\$1.000	(4,013.200)
2288842	07/03/2024	07/03/2024	US Bank ACH Redemption, XCEL ENERGY-MN	(\$1,346.14)	\$0.00	\$1.000	(1,346.140)
2288843	07/03/2024	07/03/2024	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$90.00	\$1.000	90.000
2289148	07/03/2024	07/05/2024	US Bank Checks Paid Redemption	(\$3,656.08)	\$0.00	\$1.000	(3,656.080)
2289149	07/05/2024	07/05/2024	US Bank Deposit Package Purchase	\$0.00	\$513.75	\$1.000	513.750
2289619	07/05/2024	07/05/2024	US Bank ACH Redemption, MN PERA	(\$787.48)	\$0.00	\$1.000	(787.480)
2289620	07/05/2024	07/05/2024	US Bank ACH Purchase, BIRCHWOOD	\$0.00	\$23,682.31	\$1.000	23,682.310
2289621	07/05/2024	07/05/2024	US Bank ACH Purchase, INTELLIPAY	\$0.00	\$60.00	\$1.000	60.000
2289622	07/05/2024	07/05/2024	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$78.64	\$1.000	78.640
2289909	07/05/2024	07/08/2024	US Bank Checks Paid Redemption	(\$1,112.33)	\$0.00	\$1.000	(1,112.330)
2289910	07/08/2024	07/08/2024	US Bank Deposit Package Purchase	\$0.00	\$4,758.75	\$1.000	4,758.750
2290392	07/08/2024	07/08/2024	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$65.22	\$1.000	65.220
2290699	07/08/2024	07/09/2024	US Bank ACH Redemption, BIRCHWOOD	(\$219.82)	\$0.00	\$1.000	(219.820)
2290700	07/08/2024	07/09/2024	US Bank Checks Paid Redemption	(\$300.00)	\$0.00	\$1.000	(300.000)
2290701	07/08/2024	07/09/2024	US Bank Misc. Debit Redemption	(\$455.58)	\$0.00	\$1.000	(455.580)
2291254	07/09/2024	07/10/2024	US Bank ACH Redemption, IRS	(\$2,422.58)	\$0.00	\$1.000	(2,422.580)
2291590	07/10/2024	07/10/2024	US Bank ACH Redemption, MN DEPT OF REVEN	(\$579.21)	\$0.00	\$1.000	(579.210)
2292416	07/12/2024	07/12/2024	US Bank Deposit Package Purchase	\$0.00	\$2,899.59	\$1.000	2,899.590
2292805	07/12/2024	07/12/2024	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$1,062.25	\$1.000	1,062.250

2293569	07/15/2024	07/15/2024	US Bank ACH Redemption, MN Dept of Labor	(\$546.48)	\$0.00	\$1.000	(546.480)
2293570	07/15/2024	07/15/2024	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$3,113.75	\$1.000	3,113.750
2293892	07/15/2024	07/16/2024	US Bank Checks Paid Redemption	(\$6,325.15)	\$0.00	\$1.000	(6,325.150)
2294481	07/16/2024	07/17/2024	US Bank Checks Paid Redemption	(\$1,783.84)	\$0.00	\$1.000	(1,783.840)
2294482	07/16/2024	07/17/2024	US Bank Checks Paid Redemption	(\$187.95)	\$0.00	\$1.000	(187.950)
2295050	07/17/2024	07/18/2024	US Bank Checks Paid Redemption	(\$1,500.00)	\$0.00	\$1.000	(1,500.000)
2295051	07/17/2024	07/18/2024	US Bank Checks Paid Redemption	(\$110.50)	\$0.00	\$1.000	(110.500)
2295338	07/18/2024	07/18/2024	US Bank ACH Purchase, INTELLIPAY	\$0.00	\$200.00	\$1.000	200.000
2295339	07/18/2024	07/18/2024	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$3,274.50	\$1.000	3,274.500
2295579	07/18/2024	07/19/2024	US Bank Checks Paid Redemption	(\$5,035.51)	\$0.00	\$1.000	(5,035.510)
2295580	07/19/2024	07/19/2024	US Bank Deposit Package Purchase	\$0.00	\$1,100.01	\$1.000	1,100.010
2295943	07/19/2024	07/19/2024	US Bank ACH Redemption, MN PERA	(\$922.23)	\$0.00	\$1.000	(922.230)
2295944	07/19/2024	07/19/2024	US Bank ACH Purchase, MN State-MMB	\$0.00	\$15,993.00	\$1.000	15,993.000
2296194	07/19/2024	07/22/2024	US Bank Checks Paid Redemption	(\$10.62)	\$0.00	\$1.000	(10.620)
2296702	07/22/2024	07/22/2024	US Bank ACH Redemption, XCEL ENERGY-MN	(\$10.57)	\$0.00	\$1.000	(10.570)
2296703	07/22/2024	07/22/2024	US Bank ACH Redemption, XCEL ENERGY-MN	(\$28.54)	\$0.00	\$1.000	(28.540)
2296704	07/22/2024	07/22/2024	US Bank ACH Purchase, INTELLIPAY	\$0.00	\$151.00	\$1.000	151.000
2297085	07/22/2024	07/23/2024	US Bank Checks Paid Redemption	(\$14,064.52)	\$0.00	\$1.000	(14,064.520)
2297435	07/23/2024	07/23/2024	US Bank ACH Redemption, ATT	(\$53.75)	\$0.00	\$1.000	(53.750)
2297436	07/23/2024	07/23/2024	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$151.00	\$1.000	151.000
11020682	07/22/2024	07/23/2024	Bank ACH Redemption, XCEL ENERGY-MN	(\$28.54)	\$0.00	\$1.000	(28.540)
2297702	07/23/2024	07/24/2024	US Bank Checks Paid Redemption	(\$102.38)	\$0.00	\$1.000	(102.380)
2297985	07/24/2024	07/24/2024	US Bank ACH Redemption, TECHIE DUDES	(\$247.00)	\$0.00	\$1.000	(247.000)
2297986	07/24/2024	07/24/2024	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$162.06	\$1.000	162.060
2298236	07/24/2024	07/25/2024	US Bank Checks Paid Redemption	(\$1,576.22)	\$0.00	\$1.000	(1,576.220)
2298545	07/25/2024	07/25/2024	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$60.00	\$1.000	60.000
2298785	07/26/2024	07/26/2024	US Bank Deposit Package Purchase	\$0.00	\$947.89	\$1.000	947.890
2299478	07/29/2024	07/29/2024	US Bank Deposit Package Purchase	\$0.00	\$5,237.00	\$1.000	5,237.000
2300261	07/29/2024	07/30/2024	US Bank Checks Paid Redemption	(\$925.93)	\$0.00	\$1.000	(925.930)
2300851	07/30/2024	07/31/2024	US Bank Checks Paid Redemption	(\$2,188.51)	\$0.00	\$1.000	(2,188.510)
11031942	07/31/2024	07/31/2024	Dividend Reinvest	\$0.00	\$5,188.92	\$1.000	5,188.920

(\$56,527.31)

\$391,398.82

334,871.510

Beginning Balance: \$856,328.52 | Ending Balance: \$1,191,200.03

Transaction Activity (35389-101) General Fund

4MP 7/1/2024 - 7/31/2024

Transaction	Trade Date	Settle Date	Description	Redemption	Purchase	Share Price	Shares this Transaction
11031943	07/31/2024	07/31/2024	Dividend Reinvest	\$0.00	\$263.34	\$1.000	263.340
				\$0.00	\$263.34		263.340

Beginning Balance: \$59,299.93 | Ending Balance: \$59,563.27

Current Portfolio

7/31/2024

Type	Code	Holding Id	Trade Date	Settle Date	Maturity Date	Description	Cost	Rate	NAV	Face/Par	Market Value
4M				07/31/2024		4M Account Balance	\$1,191,200.03	5.201%	\$1.000	\$1,191,200.03	\$1,191,200.03
4MP				07/31/2024		4MP Account Balance	\$59,563.27	5.228%	\$1.000	\$59,563.27	\$59,563.27
							\$1,250,763.30			\$1,250,763.30	\$1,250,763.30

Time and Dollar Weighted Average Portfolio Yield: n/a

Weighted Average Portfolio Maturity: n/a

Note: Weighted Yield & Weighted Average Portfolio Maturity are calculated using "Market Value" and are only based on the fixed rate investments.

Portfolio Summary

Type	Allocation (%)	Allocation (\$)	Description
4M	95.238%	\$1,191,200.03	4M Account
4MP	4.762%	\$59,563.27	4MP Account

Index

Cost is comprised of the total amount you paid for the investment including any fees and commissions.

Rate is the average monthly rate for liquid investments or the rate on the last business day of the month for SDA investments or the yield to maturity or yield to worst for fixed term investments.

Face/Par is the amount received at maturity for fixed rate investments.

Market Value reflects the market value as reported by an independent third-party pricing service. Certificates of Deposit and other assets for which market pricing is not readily available from a third-party pricing service are listed at "Cost".

4M MONTHLY STATEMENT DISCLAIMER

4M and 4M Plus Activity Summary

This section shows all of the activity in the 4M and 4M Plus shares. The Average Rate represents the average net interest rate over the previous month which is then annualized. Income Summary represents the interest earned for the Month and Fiscal Year to Date.

Information regarding the 4M Fund investment objectives, risks, charges and expenses can be found in the 4M Fund Information Statement, which can be obtained at www.4MFund.com or by calling PMA at the phone number listed.

An investment in 4M and 4M Plus is not insured or guaranteed by the FDIC or any other governmental agency. Although the 4M and 4M Plus seek to maintain a stable value of \$1.00 per share, it is possible to lose money by investing in the 4M and 4M Plus.

Securities and municipal advisory brokerage services (investments purchased with proceeds from a municipal securities issuance), and investments cleared through our clearing firm, Pershing LLC, are offered through PMA Securities, LLC, a broker-dealer and municipal advisor registered with the SEC and MSRB, and a member of FINRA and SIPC. All other products and brokerage services are generally provided by PMA Financial Network, LLC. Thus, certificates of deposit ("CD"), savings deposit accounts ("SDA") and commercial paper ("CP") may be executed through either PMA entity, as applicable, depending on whether the investment was purchased with proceeds derived from municipal securities. PMA Securities, LLC and PMA Financial Network, LLC are operated under common ownership and are affiliated with PMA Asset Management, LLC.

Fixed Rate Investment Activity

This section shows all of the fixed term investments purchased and sold, maturities, interest received, and activity. This will include all CD, SDA, CP, securities and money market funds purchased through PMA Financial Network, LLC or PMA Securities, LLC as applicable. It also shows the approximate market value of each security whose price is obtained from an independent source believed to be reliable. However, PMA cannot guarantee their accuracy. This data is provided for informational purposes only. Listed values should not be interpreted as an offer to buy or sell at a specific price. CD's and CP are listed at their original cost. Redemption of a CD prior to maturity may result in early withdrawal penalties. Market values are based on the last day of the month for which this report date range is ending. If the run date of this report is prior to the end of the current month, the market values are listed as equivalent to the cost values.

Money Market Fund

The Rate shown for the money market fund represents the average net interest rate over the previous month which is then annualized. Information regarding the money market fund's investment objectives, risks, charges and expenses can be found in the money market fund's prospectus, which can be obtained by calling PMA at the phone numbers listed. The performance data featured represents past performance, which is no guarantee of future results. Investment returns will fluctuate. Current performance may be higher or lower than the performance data quoted. Please call PMA for the most recent performance figures.

The performance data featured represents past performance, which is no guarantee of future results. Investment returns will fluctuate. Current performance may be higher or lower than the performance data quoted. Please call PMA for the most recent performance figures.

Additional Disclosures

All funds, and/or securities are located and safe kept in an account under the client's name at their custodial bank. Any certificates of deposit listed are located in the client's name at the respective bank. Any money market fund shares are held directly with the money market fund. It is recommended that any oral communications be re-confirmed in writing to further protect your rights, including rights under the Securities Investor Protection Act.

Debt Securities

Some debt securities are subject to redemption prior to maturity. In the event of a partial or whole call of a security, the securities call will be automatically selected on a random basis as is customary in the securities industry. The probability that your securities will be selected is proportional to the amount of your holdings relative to the total holdings. Redemption prior to maturity could affect the yield represented. Additional information is available upon request.

A financial statement of PMA Securities, LLC is available for inspection at its office or a copy will be mailed to you upon written request.

PLEASE ADVISE PMA AND OUR CLEARING FIRM, PERSHING LLC, IMMEDIATELY OF ANY INACCURACY OR DISCREPANCY ON YOUR STATEMENT. FOR A CHANGE OF ADDRESS OR QUESTIONS REGARDING YOUR ACCOUNT, PLEASE NOTIFY YOUR PMA REPRESENTATIVE. ANY ORAL COMMUNICATIONS SHOULD BE RE-CONFIRMED IN WRITING.

How to Contact PMA

Please call (630) 657-6400 or write to us at PMA, 2135 CityGate Lane, 7th Floor, Naperville, Illinois 60563.

How to Contact Pershing, LLC

Please call (201) 413-3330 or write to Pershing, LLC, One Pershing Plaza, Jersey City, New Jersey, 07399

In accordance with FINRA Rule 2267, PMA Securities, LLC is providing the following information in the event you wish to contact FINRA. You may call (301) 590-6500 or write to FINRA at 1735 K Street NW, Washington, D.C. 20006-1500. In addition to the public disclosure number (800) 289-9999, FINRA provides an investor brochure which describes their Public Disclosure Program. Additional information is also available at www.finra.org.

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35389 - City of Birchwood Village

Settle	Status	Class	Description	Code Name	Trans #	Entry	Redemption	Purchase	Balance
08/31/2024	Completed	4M	Dividend Reinvest	Dividend Reinvest	11064944	08/30/2024		\$5,082.03	\$1,109,746.35
08/30/2024	Completed	4M	US Bank ACH Redemption MN PERA	Bank ACH Redemption	2315175	08/30/2024	\$663.67		\$1,104,664.32
08/30/2024	Completed	4M	US Bank Checks Paid Redemption	Checks Paid Redemption	2314840	08/29/2024	\$2,188.51		\$1,105,327.99
08/30/2024	Completed	4M	US Bank Deposit Package Purchase	Deposit Package Purchase	2314841	08/30/2024		\$925.86	\$1,107,516.50
08/29/2024	Completed	4M	US Bank Checks Paid Redemption	Checks Paid Redemption	2314309	08/28/2024	\$11,805.89		\$1,106,590.64
08/29/2024	Completed	4M	US Bank Checks Paid Redemption	Checks Paid Redemption	2314308	08/28/2024	\$83.70		\$1,118,396.53
08/28/2024	Completed	4M	US Bank Checks Paid Redemption	Checks Paid Redemption	2313743	08/27/2024	\$80.00		\$1,118,480.23
08/26/2024	Completed	4M	US Bank ACH Redemption AMAZON MARKETPLA	Bank ACH Redemption	2312895	08/26/2024	\$137.97		\$1,118,560.23
08/26/2024	Completed	4M	US Bank Checks Paid Redemption	Checks Paid Redemption	2312414	08/23/2024	\$936.77		\$1,118,698.20
08/26/2024	Completed	4M	US Bank Deposit Package Purchase	Deposit Package Purchase	2312415	08/26/2024		\$270.00	\$1,119,634.97
08/23/2024	Completed	4M	US Bank ACH Purchase INTELLIPAY	Bank ACH Purchase	2312124	08/23/2024		\$551.80	\$1,119,364.97
08/23/2024	Completed	4M	US Bank ACH Redemption ATT	Bank ACH Redemption	2312123	08/23/2024	\$53.75		\$1,118,813.17
08/23/2024	Completed	4M	US Bank Checks Paid Redemption	Checks Paid Redemption	2311760	08/22/2024	\$1,280.00		\$1,118,866.92
08/22/2024	Completed	4M	US Bank ACH Purchase TSYS/TRANSFIRST	Bank ACH Purchase	2311503	08/22/2024		\$200.00	\$1,120,146.92
08/22/2024	Completed	4M	US Bank ACH Redemption MN PERA	Bank ACH Redemption	2311502	08/22/2024	\$682.57		\$1,119,946.92
08/22/2024	Completed	4M	US Bank Checks Paid Redemption	Checks Paid Redemption	2311198	08/21/2024	\$1,784.20		\$1,120,629.49
08/21/2024	Completed	4M	US Bank ACH Purchase TSYS/TRANSFIRST	Bank ACH Purchase	2310881	08/21/2024		\$60.00	\$1,122,413.69
08/20/2024	Completed	4M	US Bank Checks Paid Redemption	Checks Paid Redemption	2310026	08/19/2024	\$50,129.74		\$1,122,353.69
08/20/2024	Completed	4M	US Bank Deposit Package Purchase	Deposit Package Purchase	2310027	08/20/2024		\$7,831.51	\$1,172,483.43
08/19/2024	Completed	4M	US Bank ACH Redemption XCEL ENERGY-MN	Bank ACH Redemption	2309708	08/19/2024	\$31.21		\$1,164,651.92
08/19/2024	Completed	4M	US Bank ACH Redemption XCEL ENERGY-MN	Bank ACH Redemption	2309707	08/19/2024	\$29.96		\$1,164,683.13
08/19/2024	Completed	4M	US Bank ACH Redemption XCEL ENERGY-MN	Bank ACH Redemption	2309706	08/19/2024	\$10.46		\$1,164,713.09
08/19/2024	Completed	4M	US Bank Checks Paid Redemption	Checks Paid Redemption	2309199	08/16/2024	\$1,600.00		\$1,164,723.55
08/16/2024	Completed	4M	US Bank ACH Purchase TSYS/TRANSFIRST	Bank ACH Purchase	2308953	08/16/2024		\$151.00	\$1,166,323.55
08/16/2024	Completed	4M	US Bank Deposit Package Purchase	Deposit Package Purchase	2308635	08/16/2024		\$1,253.21	\$1,166,172.55
08/16/2024	Completed	4M	US Bank Checks Paid Redemption	Checks Paid Redemption	2308634	08/15/2024	\$2,188.51		\$1,164,919.34
08/15/2024	Completed	4M	US Bank ACH Purchase TSYS/TRANSFIRST	Bank ACH Purchase	2308342	08/15/2024		\$60.00	\$1,167,107.85
08/15/2024	Completed	4M	US Bank Checks Paid Redemption	Checks Paid Redemption	2308054	08/14/2024	\$73.68		\$1,167,047.85
08/15/2024	Completed	4M	US Bank Checks Paid Redemption	Checks Paid Redemption	2308055	08/14/2024	\$63.06		\$1,167,121.53
08/14/2024	Completed	4M	US Bank Checks Paid Redemption	Checks Paid Redemption	2307456	08/13/2024	\$15,022.62		\$1,167,184.59
08/13/2024	Completed	4M	US Bank ACH Redemption MN PERA	Bank ACH Redemption	2307246	08/13/2024	\$669.74		\$1,182,207.21
08/13/2024	Completed	4M	US Bank Checks Paid Redemption	Checks Paid Redemption	2306912	08/12/2024	\$10,743.68		\$1,182,876.95
08/12/2024	Completed	4M	US Bank ACH Purchase MN State-MMB	Bank ACH Purchase	2306562	08/12/2024		\$166.65	\$1,193,620.63
08/09/2024	Completed	4M	US Bank ACH Redemption IRS	Bank ACH Redemption	2305718	08/09/2024	\$3,407.37		\$1,193,453.98
08/09/2024	Completed	4M	US Bank ACH Redemption MN DEPT OF REVEN	Bank ACH Redemption	2305719	08/09/2024	\$791.01		\$1,196,861.35
08/09/2024	Completed	4M	US Bank Checks Paid Redemption	Checks Paid Redemption	2305326	08/08/2024	\$1,153.40		\$1,197,652.36
08/09/2024	Completed	4M	US Bank Checks Paid Redemption	Checks Paid Redemption	2305327	08/08/2024	\$107.13		\$1,198,805.76
08/02/2024	Completed	4M	US Bank ACH Redemption XCEL ENERGY-MN	Bank ACH Redemption	2302541	08/02/2024	\$1,296.15		\$1,198,912.89
08/02/2024	Completed	4M	US Bank ACH Redemption TECHIE DUDES	Bank ACH Redemption	2302542	08/02/2024	\$247.00		\$1,200,209.04
08/01/2024	Completed	4M	US Bank ACH Purchase MN State-MMB	Bank ACH Purchase	2301872	08/01/2024		\$9,375.00	\$1,200,456.04
08/01/2024	Completed	4M	US Bank Deposit Package Purchase	Deposit Package Purchase	2301476	08/01/2024		\$787.48	\$1,191,081.04
08/01/2024	Completed	4M	US Bank Checks Paid Redemption	Checks Paid Redemption	2301475	07/31/2024	\$906.47		\$1,190,293.56
08/31/2024	Completed	4MP	Dividend Reinvest	Dividend Reinvest	11064945	08/30/2024		\$263.97	\$59,827.24

Date Range : 7/26/2024 To 8/26/2024

<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>
08/26/2024	Bolton & Menk, Inc.	Final Inspection of 127 Wildwood Ave--Reviewed Erosion and Misc Build Out	7110*	\$237.00	100-41925-300-	General Fund Engineering Expense	\$237.00
08/26/2024	Bolton & Menk, Inc.	Capital Improvement	7111*	\$395.00	406-41925-300-	General Fund Engineering Expense	\$395.00
08/26/2024	Bolton & Menk, Inc.	CC Meeting and General Engineering	7112*	\$953.00	100-41925-300-	General Fund Engineering Expense	\$300.00
					100-41925-300-	General Fund Engineering Expense	\$653.00
08/26/2024	Bolton & Menk, Inc.	Design Review and Grant Coordination	7113*	\$1,441.00	605-49485-300-	Sewer Engineering Expense	\$99.00
					605-49485-300-	Sewer Engineering Expense	\$1,342.00
08/26/2024	City of St. Anthony Village	3rd Q 2024 Utility Billing	7114*	\$4,128.00	601-41501-314-	Financial Administration	\$4,128.00
08/26/2024	City of White Bear Lake Fire	Fire Srvc -Sept 2024	7115*	\$3,888.84	100-42201-314-	Fire	\$3,888.84
08/26/2024	City of White Bear Lake Public Work	Sept 2024 Monthly Public Safety Facility Fire Services	7116*	\$1,196.42	100-42201-314-	Fire	\$1,196.42
08/26/2024	Companion Animal Control LLC	Animal Control Services -Sept 24 Retainer Only	7117*	\$80.00	100-41916-314-	Animal Control	\$80.00
08/26/2024	General Repair Service	Lift Station 3 Service Repair	7118*	\$250.00	605-49465-314-	Sewer Utility	\$250.00

Date Range : 7/26/2024 To 8/26/2024

<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>
08/26/2024	Gopher State One Call	July--56 Tickets	7119*	\$74.25	605-49455-314-	Utility Locates	\$74.25
08/26/2024	H.A. Kantrud, P.A.	Attorney Services -Sept 2024	7120*	\$1,500.00	100-41601-300-	Legal Services	\$1,500.00
08/26/2024	John Wikstrom	Aug City Planner Fees	7121*	\$1,600.00	100-41925-300-	General Fund Engineering Expense	\$1,600.00
08/26/2024	LRS Portables, LLC	July Portable Potty	7122*	\$187.00	100-45207-314-	Parks	\$187.00
08/26/2024	MENARD'S - OAKDALE	Pothole Patch and Floor Flange	7123*	\$28.95	100-41940-220-	General Government Buildings and Plant	\$28.95
08/26/2024	Menard's - MAPLEWOOD	Pothole patch, compound and push points, 100' lock cord, tap adapter	7124*	\$106.04	100-41940-400-	General Government Buildings and Plant	\$22.98
					100-41940-400-	General Government Buildings and Plant	\$6.38
					100-41940-400-	General Government Buildings and Plant	\$76.68
08/26/2024	Metropolitan Council - Env. Service	Waste Water Services	7125*	\$5,335.64	605-49465-217-	Sewer Utility	\$5,335.64
08/26/2024	Minnesota Department of Health	Community Water Supply Service Connection Fee 7/1/24-9/30/24	7126*	\$860.00	601-49415-437-	Water Utility	\$860.00

Date Range : 7/26/2024 To 8/26/2024

<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>
08/26/2024	Therese Bellinger	Reimburse for Dehumidifier, Stamps, Map Copies, Misc Office Supply, Solar for Hall Steps	7127*	\$541.16			
					100-41940-587-	General Government Buildings and Plant	\$195.61
					100-49495-200-	Postage/Postal Permits	\$96.00
					100-41911-200-	Office Operations Supplies	\$249.55
08/26/2024	Top Green Co	Lawn Services for July--3 mows	7128*	\$2,601.00			
					100-45207-400-	Parks	\$2,601.00
08/26/2024	TSE, Inc. Work Account	Janitorial Services - 8/1 & 8/15	7129*	\$59.90			
					100-41940-314-	General Government Buildings and Plant	\$29.95
					100-41940-314-	General Government Buildings and Plant	\$29.95
08/26/2024	Toshiba America Business Solutions	Aug Monthly Usage Allowance	7130*	\$10.62			
					100-41911-314-	Office Operations Supplies	\$10.62
08/26/2024	USS Minnesota One MT LLC	Solar Energy Charges - July Charges	7131*	\$1,329.92			
					605-49465-380-	Sewer Utility	\$756.22
					100-41940-380-	General Government Buildings and Plant	\$156.47
					605-49465-380-	Sewer Utility	\$417.23
08/26/2024	Stoltzman, Cris	Videography - Council Mtg--7/31 and 8/6, 7 hrs Charged (3 hr minimum 7/31)	7132*	\$185.50			
					100-41950-314-	Cable Eqpmt and Service	\$185.50

Date Range : 7/26/2024 To 8/26/2024

<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>
Total For Selected Claims				\$26,989.24			\$26,989.24

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 : 8/1/2024 To 9/3/2024

<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>
08/31/2024	Core & Main	Water Main Supplies Purchased By Manship	7137*	\$32.66	601-49415-220-	Water Utility	\$32.66
08/31/2024	Flush Once Plumbing	Refund for Duplicate Meter Charge Paid Already on Permit #2023-114, 423 Wildwood Ave	7138*	\$200.00	100-41991-810-	Refund of Overpayment of Permit Fees	\$200.00
08/31/2024	LRS Portables, LLC	Aug Portable Potty	7139*	\$174.00	100-45207-314-	Parks	\$174.00
08/31/2024	Metro - INET	IT Charges--Aug Tech Support and Personnel Recovery.	7140*	\$501.00	100-41940-320-	General Government Buildings and Plant	\$501.00
08/31/2024	Press Publications	Ref #813932-PN-ORD 2024-07-01 legal 8/22 wpb	7141*	\$137.94	100-41130-351-	Ordinances and Proceedings	\$137.94
08/31/2024	Press Publications	Ref #813915-ORD 2024-07-02 legal 8/22 wbp	7142*	\$126.12	100-41130-351-	Ordinances and Proceedings	\$126.12
08/31/2024	Press Publications	Ref #813917-PH Proposed-ORD 8-22 legal 8/22 wbp	7143*	\$73.57	100-41130-351-	Ordinances and Proceedings	\$73.57
08/31/2024	Press Publications	Ref #814445-Appeal Admin Decision legal 8-29 WPD 8/29	7144*	\$84.08	100-41130-351-	Ordinances and Proceedings	\$84.08
08/31/2024	Top Green Co	Lawn Services for Aug--2 mows	7145*	\$1,734.00			

Date Range : 8/1/2024 To 9/3/2024

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
					100-45207-400-	Parks	\$1,734.00
Total For Selected Claims				\$3,063.37			\$3,063.37

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 : 8/3/2024 To 9/3/2024

<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>
09/03/2024	Manship Plumbing & Heating Inc	Sewer/Water-Aug Retainer, Fire Mainenance, Locates, Resident Hullsiek Consult	7146*	\$1,820.00			
					601-49415-314-	Water Utility	\$800.00
					601-49415-314-	Water Utility	\$600.00
					601-49415-314-	Water Utility	\$240.00
					601-49415-314-	Water Utility	\$180.00
Total For Selected Claims				\$1,820.00			\$1,820.00

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

Date Range : 7/12/2024 To 8/12/2024

<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>
08/12/2024	PERA	Retirement funds-PR 7/14-7/27/24, TB, RK, JR	7104*	\$669.74			
					100-45207-121-	Parks	\$10.22
					100-41401-121-	Clerk - Treasurer	\$659.52
Total For Selected Claims				\$669.74			\$669.74

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

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Date Range : 8/6/2024 To 8/6/2024

<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>
08/06/2024	IRS - US Treasury	Federal Taxes - Q3 2024 -July Payment	7102	\$3,407.37			
					100-41401-100-	Clerk - Treasurer	\$2,174.82
					100-41401-100-	Clerk - Treasurer	\$508.62
					100-41401-100-	Clerk - Treasurer	\$723.93
08/06/2024	MN Department of Revenue	MN State Tax eFiling - 2024 Q3- July pymt	7103	\$791.01			
					100-41401-115-	Clerk - Treasurer	\$791.01
Total For Selected Claims				\$4,198.38			\$4,198.38

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 : 7/19/2024 To 8/31/2024

<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>
08/16/2024	Xcel 9369-0	407 Lake Lift Station 06/19/24-07/21/24	7105*	\$29.96	605-49465-380-	Sewer Utility	\$29.96
08/16/2024	Xcel 4094-1	Gas Service 06/19/24-07/21/24 200 Wildwood Lift Station	7106*	\$31.21	605-49415-380-	Water Utility	\$31.21
08/30/2024	Xcel 2307-8	Street Lighting 8/30/24	7107*	\$1,344.72	100-43160-380-	Street Lighting	\$1,344.72
08/22/2024	A T & T Mobility	Wireless for water tower- 08/02/24-09/01/24	7108*	\$53.75	601-49415-382-	Water Utility	\$53.75
Total For Selected Claims				\$1,459.64			\$1,459.64

Date Range : 7/19/2024 To 8/31/2024

<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 : 7/21/2024 To 8/21/2024

<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>
08/21/2024	PERA	Retirement funds-PR 7/28/24-8/10/24, TB, RK, JR, MO	7109*	\$682.57			
					100-45207-121-	Parks	\$57.25
					100-41401-121-	Clerk - Treasurer	\$625.32
Total For Selected Claims				\$682.57			\$682.57

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 : 7/29/2024 To 9/6/2024

<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>
08/30/2024	PERA	Retirement funds-PR 08/11/24-08/30/2024, TB, BK, JR	7133*	\$663.67			
					100-45207-121-	Parks	\$110.41
					100-41401-121-	Clerk - Treasurer	\$553.26
Total For Selected Claims				\$663.67			\$663.67

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 : 8/3/2024 To 9/3/2024

<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>
08/31/2024	Amazon	Poop Bags for Parks	7136*	\$137.97	100-45207-218-	Parks	\$137.97
Total For Selected Claims				\$137.97			\$137.97

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 : 8/1/2024 To 9/3/2024

<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>
08/01/2024	Techie Dudes	Computer Support July Monthly Fee	7134*	\$247.00	100-41955-314-	Phone/IT	\$247.00
08/01/2024	Techie Dudies	Computer Support Aug Monthly Charge	7135*	\$247.00	100-41955-314-	Phone/IT	\$247.00
Total For Selected Claims				\$494.00			\$494.00

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

August Treasurer's Report Question

Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>

Tue 8/13/2024 3:28 PM

To: Justin McCarthy <justin.mccarthy@cityofbirchwood.com>

Cc: Marsha Olson <Marsha.Olson@cityofbirchwood.com>

Bcc: R. Mark Foster <robertmarkfoster@gmail.com>; Margaret Ford <margaret.ford@cityofbirchwood.com>; Ryan Hankins <ryan.hankins@cityofbirchwood.com>; Kathy Weier <kathy.weier@cityofbirchwood.com>; Mark Foster <mark.foster@cityofbirchwood.com>; Justin McCarthy <justin.mccarthy@cityofbirchwood.com>

Hi Justin,

To answer the question you had on the August TR - there were 2 payroll periods on Page 25 of the agenda packet. The 1st 3 payroll checks are dated 7/3 and are from pay period 6/16 - 6/29. The next 4 are dated 7/18/24 and are for pay period 6/30-7/19. This should answer your question. I will include this on the September agenda for council approval. Thanks.

Fund Name: All Funds		Date Range: 07/01/2024 To 07/31/2024							
Date	Vendor	Check #	Description	Void	Account Name	F-A-O-P	Total		
		Total For Check	33047				\$ 2,460.15		
07/03/2024	Payroll Period Ending 07/03/2024	33048	Office Payroll 6/16 - 6/29/24	N	Clerk - Treasurer	100-41401-100-	\$ 1,006.77		
		Total For Check	33048				\$ 1,006.77		
07/03/2024	Payroll Period Ending 07/03/2024	33049	Office Payroll 6/16 - 6/29/24	N	Clerk - Treasurer	100-41401-100-	\$ 2,188.51		
		Total For Check	33049				\$ 2,188.51		
07/03/2024	Payroll Period Ending 07/03/2024	33050	Office Payroll 6/16 - 6/29/24	N	Parks	100-45207-100-	\$ 1,112.33		
		Total For Check	33050				\$ 1,112.33		
07/03/2024	PERA	EFT07032024-A*	Retirement funds-PR 6/16 - 6/29/24, TB, RK, JR	N	Clerk - Treasurer	100-41401-121-	\$ 587.10		
			EFT07032024-A*		Parks	100-45207-121-	\$ 200.38		
		Total For Check	EFT07032024-A				\$ 787.48		
07/09/2024	IRS - US Treasury	EFT070924A	Federal Taxes - Q2 2024 - June Payment	N	Clerk - Treasurer	100-41401-100-	\$ 1,510.62		
			EFT070924A			100-41401-100-	\$ 353.28		
			EFT070924A			100-41401-100-	\$ 558.68		
		Total For Check	EFT070924A				\$ 2,422.58		
07/09/2024	MN Department of Revenue	EFT070924B	MN State Tax eFiling - 2024 Q2- June pymt	N	Clerk - Treasurer	100-41401-115-	\$ 579.21		
		Total For Check	EFT070924B				\$ 579.21		
07/12/2024	MN Department of Labor and Industry	EFT071224A*	Building Permit Surcharge - Q2-2024	N	Building Inspections Administration	100-42401-437-	\$ 546.48		
		Total For Check	EFT071224A				\$ 546.48		
07/18/2024	Payroll Period Ending 07/18/2024	33051	Office Payroll 6/30/24 - 7/13/24	N	Clerk - Treasurer	100-41401-100-	\$ 1,055.64		
		Total For Check	33051				\$ 1,055.64		
07/18/2024	Payroll Period Ending 07/18/2024	33052	Office Payroll 6/30/24 - 7/13/24	N	Clerk - Treasurer	100-41401-100-	\$ 51.08		
		Total For Check	33052				\$ 51.08		
07/18/2024	Payroll Period Ending 07/18/2024	33053	Office Payroll 6/30/24 - 7/13/24	N	Clerk - Treasurer	100-41401-100-	\$ 2,188.51		
		Total For Check	33053				\$ 2,188.51		
07/18/2024	Payroll Period Ending 07/18/2024	33054	Office Payroll 6/30/24 - 7/13/24	N	Parks	100-45207-100-	\$ 444.07		
		Total For Check	33054				\$ 444.07		
07/18/2024	Payroll Period Ending 07/18/2024	33055	Office Payroll 6/30/24 - 7/13/24	N	Clerk - Treasurer	100-41401-100-	\$ 946.44		

Report Version: 03/31/2015

Page 4 of 9

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Rebecca Kellen, MBA
 City Administrator
 City of Birchwood Village, MN
 office: (651) 426-3403

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

**MINUTES OF THE SPECIAL CITY COUNCIL MEETING
July 31, 2024, 500 P.M.**

MEMBERS:

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

STAFF:

Rebecca Kellen	City Administrator
Marcus Johnson	City Engineer

Minutes prepared by Rebecca Kellen from a video recording.

1. CALL TO ORDER (0:00:23)

A. Mayor Ford called the meeting to order at 5:00PM.

2. APPROVE AGENDA

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

3. CITY BUSINESS (0:1:07)

A. Tighe-Schmitz Project Background

- a. Councilmember McCarthy said that this project came out of collaboration with Washington Conservation District and the Parks Committee, looking at projects that will help with drainage issues and run off, and that we can apply for a grant to have most of the project paid for. He said we need to do a 10% match and 80K is what is estimated for project costs, so Birchwood would need to come up with 8K. He said that in this meeting he is hoping the council will authorizing Lori Tella, Washington Conservation District, to go in front of the board and ask for the grant.
- b. **Lori Tella, Washington Conservation District (WCD)**, discussed a 2017 study that prioritized projects, which is in the comp plan. She

said they have a list of 30 projects. She showed a schematic of the park and discussed areas of the park that need better filtration.

B. Potential Projects Identified

- a. Lori Tella, Washington Conservation District, said that there are projects in the comp plan from a study done 2017. Pages 14 and 15 of the packet list the projects that have been laid out. Basic designs have been done and Birchwood just needs to pick which ones to move forward with.
- b. Ms. Tella discussed the most feasible projects, in her opinion, using the schematic in the packet:
 1. Area A – wet pond,
 2. Area B - filled with water so put in filtration,
 3. Area C - highest priority – down to Dellwood beach. C seems like a good place to start.
 4. D – clogged drain, can remedy this.

C. WBIF Funding Opportunity

- a. Lori talked about the grant – Watershed Based Implementation Funding Grant Program. She said that community interest warranted the momentum. She said the grant requires a 10% match. She also discussed the required 10-year maintenance plan and that Birchwood can contract with their maintenance department if needed. After 10 years, the maintenance agreement is no longer needed. She said that not a lot of communities have projects identified so it is likely we will get the grant. She said she would be developing the project in the winter and then in July 2025 the contract would be signed. She said that Birchwood would have 2 full years, until 2027, to complete the project.

D. Project Costs

- a. Requires 10% match, or \$8,000.

E. Roles and Responsibilities

- a. Ms. Tella said that WCD will apply for the grant on our behalf and can accept funds on our behalf, but they do not DO the work and all contracts would be through the city. WCD would help manage and distribute the funds.
- b. **Marcus Johnson, City Engineer**, said that the plans look good to him, and this is a good opportunity for the city especially by the hockey rink where it always seems wet.

- c. **Mary Sue Simmons, Parks Committee Member**, said that tomorrow Lori is presenting to the board and asked about timeline to which Ms. Tella responded that she would let us know as soon as she hears.

F. Next Steps

On a motion made by Councilmember McCarthy, seconded by Councilmember Weier, it was resolved to approve Lori Tella, WCD, to make the presentation to the Board for a Birchwood Watershed Based Implementation Funding Grant at the meeting on August 1st. All in favor. Motion carried.

4. MEETING CLOSE (0:24:00)

On a motion duly made by Councilmember McCarthy, seconded by Councilmember Hankins, 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 5:24 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

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

**MINUTES OF THE CITY COUNCIL MEETING
August 6, 2024, 6:45 P.M.**

MEMBERS:

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

Minutes prepared by Rebecca Kellen from a video recording.

1. CALL TO ORDER

A. Mayor Ford called the meeting to order at 6:45PM.

2. APPROVE AGENDA

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.

A. The following changes were made to the agenda:

a. Councilmember McCarthy added 425 Lake Variance Discussion.

3. PUBLIC FORUM (0:01:44)

Mayor Ford opened the public forum.

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

4. ANNOUNCEMENTS (0:2:06)

A. Candidacy filing period is in effect and the end date is 8/13/24.

B. Kathy Weier said she has started working with volunteers for the deer hunt this year and she is open to adding volunteers. She said she will include an agenda item on this for the September meeting.

5. CONSENT AGENDA (0:3:09)

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

A. Item A – Treasurers Report

- a. Councilmember McCarthy asked about 6 payroll checks on page 25 of the packet to which Councilmember Weier explained that the checks were written for 2 pay periods.
- b. Councilmember McCarthy confirmed with Marsha Olson, Treasurer, that claim 33060* for \$237 will be billed back to the resident for the “Engineering Plan Review”.
- c. Councilmember Hankins asked about the cost of the hose to which Mayor Ford explained that the hose required needed to be attached to a fire hydrant to water the newly planted trees in Polly’s Park.
- d. The council decided to wait to approve the treasurer’s report until next month when they receive clarification on the 6 payroll checks.

6. CITY BUSINESS (0:8:32)

A. Road Safety Task Force Presentation

- a. **Cora Hankins, 165 Wildwood Ave, Ron Malles, 420 Wildwood, and Art Arsenault, 432 Birchwood Court, presented on behalf of the Road Safety Task Force.**
- b. Cora Hankins, 165 Wildwood Ave, said that she discussed the resolutions with the Engineer and made some changes after that conversation. She also said they had a public forum and people were in support of the resolutions. She said she put the recommendations from the police officers that attended the forum in the resolutions as well.
- c. Cora Hankins went through the resolutions
 1. Resolution #1 – The task force proposed that the speed limit for Birchwood should be reduced to 20 mph throughout for safety and uniformity. Ron and Art would volunteer to replace the signs.
 - a. Councilmember McCarthy asked about a state requirement, State Statue 169.14 sub.5h requiring traffic policies to which Ms. Hankins responded that she has guidance from Blaine for consideration. Councilmember McCarthy said that these policies should be in place prior to changing the speed limit.

- b. Mayor Ford proposed that the council wait to vote on this until these policies are in place and that the task force look into what policies are required.
- c. Councilmember Hankins recommended inviting residents to the next council meeting to become informed about the changing speed limit to which the council agreed.

On a motion made by Mayor Ford, seconded by Councilmember Weier, it was resolved to approve, as an advisory vote, the 20 MPH speed limit in Birchwood Village and increasing patrol for the 20 MPH speed limit. All in favor. Motion carried.

- 2. Resolution #2 – The task force is proposing the addition of 2 new crosswalks with signage on Wildwood Ave, at Birch Beach/Owl and Grotto.
 - a. Mrs. Hankins discussed safety concerns in these areas. She said they are also requesting center signs be added at the crosswalks. Art Arsenault referred to neighboring cities protocols and the sheriff's suggestions regarding the center signage. The council discussed the location of the signs.
 - b. Councilmember McCarthy said the estimate for signs seems high and recommended we purchase from where the city has previously, unless these are considered a special type of sign.
 - c. Mrs. Hankins said that Engineer Johnson was in support of this proposal and has reviewed it, and that some of this work may be included with some of the roadwork.
 - d. Art Arsenault explained that the concrete slab in discussion would be offset to one side of Owl.

On a motion made by Councilmember Foster, seconded by Councilmember Weier, it was resolved to approve 2 new crosswalks and signage, pending staff finding reasonably priced signs, at Birch Beach/Owl and at Grotto. All in favor. Motion carried.

- 3. Resolution #3 – Propose the addition of a stop sign on Wildwood Ave at 368 Wildwood.
 - a. Mr. Malles discussed the near miss that occurred at that location and how the stop sign would assist in reducing these occurrences in the future. Mrs. Hankins said that this is an area that has hidden driveways.

On a motion made by Councilmember Hankins, seconded by Councilmember Weier, it was resolved to approve discussing adding a stop sign on Wildwood at 368 Wildwood, during the town hall in the September meeting. All in favor. Motion carried.

4. Resolution #4 – Put up some solar powered radar speed signs.
 - a. Mrs. Hankins said that in a MN study this was one of the things that really slowed traffic, to have radar speed signs. This is more costly and more of a long term goal.
 - b. Councilmember McCarthy wondered if there is grant money that can be used. He also suggested looking into blinking signs to which Mrs. Hankins said that they can price that out. Mrs. Hankins said that she asked Engineer, Marcus Johnson to keep an eye out for grants.
 - c. Councilmember Weier asked about solar reliability due to the wooded area to which Mr. Malles said that it is trickier to use solar power which is why their location is still in consideration.
 - d. Councilmember Weier discussed the residents in the area and how the flashing lights may affect them.
 - e. Councilmember Hankins suggested budgeting for one for next year.
 - f. Mr. Malles said that Mahtomedi has used the flashing lights and for 2 it costs \$7800, which is why they avoided them to which Councilmember McCarthy suggested they do some shopping around.
 - g. The council decided to budget for one solar powered radar speed sign for Birchwood in 2025.
 - h. Councilmember McCarthy asked about the intersection of White Pine and Hall and if they have looked at it because he has experienced issues at that location. He said he previously took a video of people not stopping, to which Mr. Arsenault said that they expressed concerns about this area, and the stop sign at Jay with the police officers that attended the public forum and they said they would increase their patrols in those areas. He discussed a speed table in this area which would force people to slow down.
 - i. Councilmember Foster discussed issues with law enforcement of traffic laws in Birchwood.

B. 425 Lake Variance Discussion (1:00:13)

- a. Councilmember McCarthy explained that the variances presented at the previous council meeting were not all inclusive and not called out by city staff which made the process problematic and asked Planner Ben Wickstrom to address these concerns.
- b. **Ben Wickstrom, Planner**, said that the process became convoluted because there were changes to the plan. He said he watched the meeting and reviewed the minutes and addressed the variances that were missing and recommended. He said the variance regarding the stairs and landing does not apply. He discussed the variance for the impervious surface and Councilmember Hankins said that previously retaining walls have been included in the impervious surface calculations. Planner Wickstrom asked for guidance on how to handle impervious surface requirements with boulder retaining walls. He said that this could be added as a variance application. Planner Wickstrom discussed the 16 ½ foot setback buffet strip and no grading within 20 feet of the OHWL. He said that when one is getting an OHWL variance all of these things are considered as part of the project. Councilmember Hankins said that he thought each variance needs to be laid out and included. He said if the variance is there, conditions can be added. Council member McCarthy liked the idea of adding conditions and asked that planner Wickstrom add them as needed during his reviews.
- c. Planner Wickstrom discussed approval resolutions and their possible use. Councilmember Hankins supported their use.
- d. Planner Wickstrom discussed the lot split and if this is a requirement because the stature reads that it should be enforced for properties in development or for sale. He said it is probably good to do in practice and the applicants agree with doing it, however he does not believe it applies.
- e. Planner Wickstrom discussed required documents, such as structural calculations for the wall and rain garden plant designs, which he said does not seem too closely related to approving a variance for a retaining wall. Councilmember McCarthy said that he was requesting this information to see about run off management. Councilmember Hankins talked about the change in the wall height which required additional variance.
- f. Councilmember Hankins said that a concept review with the planning commission can be used to identify required variances prior to application.

- g. The council discussed waiving the fees on the new variance application that is submitted.

On a motion made by Councilmember McCarthy, seconded by Mayor Ford, it was resolved to approve waving the application fee for the additional variances application for 425 Lake. All in favor. Motion carried.

C. First Reading of Ordinance 2024-08-01, Variance Application Criteria

- a. Councilmember Hankins said the planning commission went through this in July and he refined it a little bit so that it aligns with the planning commission needs. He said if something is waived, then a note can be made and said that he can reword this section so it is clearer.
- b. Planner Wickstrom asked about the approval of other entities requirements and the councilmembers discussed this. Councilmember McCarthy said that the applicant is responsible for knowing who they need to get approval from. Councilmember Hankins said that he should use his best judgement when determining if approval of other entities is required prior to the city's approval.
- c. The council discussed suggested changes to the ordinance to be in effect for the second reading.

On a motion made by Councilmember Hankins, seconded by Mayor Ford, it was resolved to pass ordinance 2024-08-01 as a first reading. All in favor. Motion carried.

On a motion made by Councilmember McCarthy, seconded by Councilmember Hankins, it was resolved to order a second reading and public hearing of Ordinance 2024-08-01. All in favor. Motion carried.

D. 2024 Budget – Marsha Olson, Treasurer (1:41:46)

- a. **Marsha Olson, Treasurer**, presented the working draft of the 2025 budget. She said that in the past only the levy items were included in the budget but this new method allows the council to see both sides of the balance sheet and also will allow us to put it in CTAS and the council can have a month by month progress report on how we are doing compared to budget.
- b. Mrs. Olson explained that in the income area, there is \$90,000 income projected from building permits while it is offset by the payments to the building official, etc. Intergovernmental revenues,

item D, includes the gas tax. EPA grant, and RCWD grant which is offset by the lift station upgrades on the bottom. The net will be \$20,000 that the city will have to pay for. She said that \$23,000 is the estimated gas tax. She said she does not believe there is a requirement on what it can be used for. Mrs. Olson said that interest earnings was decreased slightly because interest rates are on the decline. She talked about escrow deposits at \$30,000 which is offset below by escrow refunds. Her projected total General Fund receipts came to \$1,371,839.

- c. Mrs. Olson reviewed the disbursements projections. She explained that the city council salaries were estimated assuming that everyone takes their pay. She said she calculated a 4% increase for staff that will have been year over 1 year. Next year the only fee for elections is for maintenance. Assessor fee for 2025 is the same as 2024. Legal was higher previously because of lawsuits. Grants were \$2100 for NYFS to which Mayor Ford asked that a note be made about what that is for. The council decided to put in \$5000 income for revenues from planner escrow deposits. (1.53.39) She said she put \$1200 for animal control based on the monthly rate. \$14,500 was put for engineer based on what we paid so far this year. She said that police is a solid number and that Administrator Kellen is looking into other options for police contracts. The council discussed the budget for fire and police and experience with these organizations. Mrs. Olson and the council discussed highways, streets, and roads budget for 2025. Mrs. Olson said that the 2025 roads budget are based on the road project projections put together by the city engineer. The council considered adding to the roads budget and decided to up it to \$100,000. Mrs. Olson said that tree inspector is budgeted at \$5000 and tree removal was budgeted at \$10,000. Street lighting budgeted at \$17000. The council discussed ice and snow removal budgeting and what this number should look like for 2024 and agreed that \$40,000 should do it. The council discussed tree removal and the appropriate budget for 2025 and decided to up it to \$15,000. Mrs. Olson reviewed the 2025 projections for recycling, parks, and city maintenance. Councilmember Weier mentioned that the parks committee will need \$8000 budgeted in 2025 for the Tighe-Schmidt project grant match to which the council decided to up repairs and maintenance up to \$3000 from \$1000. The council decided to up "repairs and maintenance". The council determined that an line item for lawn care contracted services should be added for that projected amount. Mrs. Olson talked about the escrow refunds projected at \$30,000 and that \$30,000 is projected to move to the capital fund, which is currently at a balance of \$75,000. The council discussed what the appropriate amount to have in the capital fund is. Mrs. Olson said that usually 9 months of expenses are recommended to keep in reserve. The council asked Mrs. Olson to determine what is 9 months of reserves for us so that we can use that as a target amount. The council discussed communication fees and engineering fees, keeping in mind the engineering fees with respect to lift station should be

separated out. Mrs. Olson reviewed the notes page and said that the 2025 proposed levy is currently at \$583,947 (without revisions), which is a %1.82 change from 2024. The council asked that she remove the disbursements amount on the notes page since the data is skewed due to the change in the way we are laying out the budget for next year.

- d. The council expressed gratitude to Mrs. Olson for this new format.
- e. Mrs. Olson said that part of our internal controls require 2 council members to review the bank reconciliations, to which Mayor Ford and Councilmember Hankins agreed to complete, and Mrs. Olson said she would set up a meeting for them to do this.

E. Second Reading of Ordinance 2024-07-01, Water and Sewer Permit on Fee Schedule (2:24:07)

- a. The council discussed removing the parts of the ordinance referring to previous Ordinance 2024-01-02 (fee schedule)
- b. Mayor Ford opened the public hearing. No one was present.

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

On a motion made by Councilmember McCarthy, seconded by Councilmember Weier, it was resolved to pass ordinance 2024-07-01 with the change referenced in a. above. All in favor. Motion carried.

F. Second Reading of Ordinance 2024-07-02, Solicitors on Fee Schedule. (2:26:42)

- a. Mayor Ford opened the public hearing. No one was present.

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

On a motion made by Councilmember Hankins, seconded by Councilmember McCarthy, it was resolved to pass ordinance 2024-07-02. All in favor. Motion carried.

G. First Reading Ordinance 2024-08-02, Animal Barriers (2:27:42).

- a. Mayor Ford explained that this is regarding deer fencing and that she and councilmember Hankins worked together on this.

- b. Councilmember Hankins said that there were areas on the ordinance that needed to get changed from 6XX to 623.
- c. Council member McCarthy suggested adding, to 623.020, just prior to “shall mean”, a clause indicating that “Height Above Grade” refers to chapter 623 only.

On a motion made by Councilmember McCarthy, seconded by Councilmember Weier, it was resolved to pass ordinance 2024-08-02 as a first reading and send it to a second reading next meeting. All in favor. Motion carried.

H. South Shore Trail Joint Powers Agreement (2:29:53)

- a. Mayor Ford explained that she and administrator Kelen met with White Bear Township and that said it is difficult for them to forecast what the expenses will be in our tiny portion. They would like to continue a good relationship with us and they will be careful that we are only being charged for our small portion. They would like to use the version of the contract that does not include the need to forecast. She recommended that the council approve the agreement. She said that she does not think White Bear Township has bad intentions with the contract.
- b. Councilmember Hankins asked about this being a “gentleman’s agreement” and Councilmember McCarthy talked about liabilities.
- c. Mayor Ford explained that the alternative is that we will need to take care of that portion ourselves which does not make sense and they White Bear maintains this area very proactively and we may have more liabilities if we take this on, rather than having White Bear Township own the maintenance there.

On a motion made by Councilmember Foster, seconded by Councilmember Weier, it was resolved to approve the South Shore Trail Joint Powers Agreement. Councilmember Foster, Hankins, and Weier, and Mayor Ford in favor. Councilmember McCarthy opposed. Motion carried.

I. Ash Path Split Rail Fence Quotes (2:33:48)

On a motion made by Councilmember McCarthy, seconded by Councilmember Foster, it was resolved to approve the quote for the Ash Path Fence. All in favor. Motion carried.

J. Vacant Properties – (2:34:55)

- a. Councilmember Hankins said that there have been a few vacant properties over the past few months including 310/312 Wildwood and that it had been requested that citations were issued to the properties in June and July and currently no citation has been issued. He said that he wanted to discuss this with Attorney Kantrud.
- b. Mayor Ford suggested that she and Councilmember Hankins meet with Attorney Kantrud to discuss the status of the citations.
- c. Councilmember Hankins also asked that the Sheriff be invited to the September meeting to discuss the citations.
- d. Councilmember Hankins requested an update for the special assessment for the vacant building fee.

K. Hunt Electric Claim from July Treasurer's Report– (2:38:21)

- a. Mayor Ford said that she looked into this and she recommends that the council approve the claim and that she has talked with Therese about the process.

On a motion made by Mayor Ford, seconded by Councilmember Hankins, it was resolved to approve the Hunt Electric Claim from the July Treasurer's Report. All in favor. Motion carried.

L. Administrator Updates - Lift Station Update (2:39:21).

- a. Mayor Ford explained that there was a recent meeting with the new EPA Region 5 Representative and that the cultural review is still in process. However, at the next meeting with the EPA she hopes to invoke a sense of urgency with moving forward.

M. Administrator Updates - Update on Recycling Grant (2:39:21).

- a. Mayor Ford said that the council needs to decide on whether they want stickers or metal posts for the recycling labels at the beaches. The council agreed to do stickers instead of metal signs.

On a motion made by Mayor Ford, seconded by Councilmember Hankins, it was resolved to approve the use of stickers on the recycling bins instead of metal signs. All in favor. Motion carried.

N. Administrator Updates – Tree Inspection Update– (2:43:01)

- a. Mayor Ford said the tree inspection took place the week of July 22 and we do not have the results yet.
- b. Councilmember Weier said that the Parks Committee will be applying for a tree grant shortly.

7. MEETING CLOSE (2:44:02)

On a motion duly made by Councilmember Hankins, seconded by Councilmember McCarthy, 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 9:29 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

RESOLUTION 2024-35

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

**APPROVING THE USE OF CITY FUNDS TO PURCHASE ADDITIONAL
LAPTOP COMPUTER FOR TREASURER**

At the regular meeting of the City Council of the City of Birchwood Village held on Tuesday, September 10, 2024, with the following members present: Mayor Ford and Council members Foster, McCarthy, Hankins and Weier, and the following absent: none; the Birchwood Village City Council resolved that:

WHEREAS, The City has contracted with a person who has been designated to be the Treasurer; and

WHEREAS, The City of Birchwood Village would like to provide a laptop computer for the Treasurer to utilize remotely in order to make the use of the Treasurer's time more efficient; and

WHEREAS, The City of Birchwood Village has the resources to acquire another computer for this goal and trusts staff to determine the make and model

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby approves the expenditure of an amount not to exceed \$2500.00 for the purpose of purchasing an additional laptop to be used by the City's Treasurer.

Voting in Favor:
Voting Against:
Abstaining Vote:

Resolution duly seconded and passed this 10th day of September, 2024.

Margaret Ford, Mayor

Attest:

Rebecca Kellen, City Administrator-Clerk

To: Council

From: Kathy Weier

RE: Deer Hunt –

Council,

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

The dates of the hunt will be:

September 27-28

October 17-18

November 1-2

November 21-22

December 13-14 (to be decided if needed – weather delay date)

RESOLUTION NO. 2024-36
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
RESOLUTION SUSPENDING CITY ORDINANCE SECTION
609.020 FOR SPECIAL BOW HUNT

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

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

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

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

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

1. Section 609.020 of the Birchwood Village City Code be suspended for the duration for the 2024 special archery deer hunt as authorized by the City Council for bow hunters from MBHRB authorized by the City.
2. Hunting to be confined to designated hunt zone only.

Vote in Favor:

Vote Against:

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

on this ____ day of September, 2024.

ATTEST:

Mayor

City Administrator

RESOLUTION NO. 2024-37
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
RESOLUTION AUTHORIZING THE DATES OF THE 2024 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:

**September 27 - 28, October 17 -18, November 1 - 2, November 21 - 22,
and December 13 – 14 (if needed)**

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:

**September 27 - 28, October 17 -18, November 1 - 2, November 21 - 22,
and December 13 – 14 (if needed)**

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

on this ____ day of September, 2024.

ATTEST:

Mayor

City Administrator

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

Dated: September 10, 2024

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

MBRB Activities: _____

- Provide a group of MBRB qualified archers
- Provide certificate of liability insurance with the City named as an “additional insured” covering a period from September 25, 2024 through December 31, 2024, renewed annually
- Assist City staff at Hunt Orientation Check-in and Meeting on date to be determined.
- Conduct deer hunting on the following (tentative) dates in calendar year 2024: September 27 - 28, October 17 - 18, November 1 - 2, November 21 - 22, and December 13 - 14. New dates for each calendar year between years 2022 – 2025 will be decided and mutually agreed upon by both parties by July 31st of each calendar year.
- Gather hunt data from each participant each day consisting of the number of deer taken by sex and location and the number of unrecovered deer.
- Provide City a verbal report on hunt progress and issues as needed no later than 24 hours following the conclusion of each hunt period to City Administrator, Rebecca Kellen at 651-426-3403.
- Administer hunt in accordance with hunt rules and other procedures necessary for a safe and orderly hunt.
- Assist in tracking and recovery of deer that are reported hit by archers.
- Remove all entrails.
- Provide liaison with the City and the Washington County Sheriff’s Department so that there is one point of contact for all hunting activities.
- Report rule infractions and other pertinent incidents (such as unauthorized hunt area visitors) to City and Washington County Sheriff’s Department.
- Comply with the Hunt Rules as attached to this document.
- Send final summary report of hunt data to City staff by December 31 of the calendar year in which the hunts take place.

EXHIBIT B

**2024 BIRCHWOOD VILLAGE SPECIAL ARCHERY DEER HUNT
RULES**

- 1) Deer hunt locations are limited to the areas as identified. Hours are limited to between ½ hour before dawn and ½ hour after dusk.
- 2) Hunts are conducted using sharpshooter status MBRB archers and are held during the following dates in calendar year 2024: September 27 - 28, October 17 - 18, November 1 - 2, November 21 - 22, and December 13 - 14. Tree stands can be erected one day preceding the hunt.
- 3) All hunters are selected through the Metro Bowhunters Resource Base (MBRB).

- 4) Hunters must follow all Minnesota DNR laws and all MBRB special rules.
- 5) All hunt periods are for all deer except fawns. Fawns **may not** be taken.
- 6) Hunters must carry a hunt authorization letter from the City at all times during hunt.
- 7) Hunt areas are not closed to the public during the hunt. All incidents of trespass on private property should be reported to the MBRB hunt coordinator who will contact the Washington County Sheriff.
- 8) All archers must hunt from elevated stands. Only TMA approved stands/ steps are acceptable. Use of any homemade stands/steps is prohibited for safety reasons.
- 9) Hunters must have a flashlight and a warning whistle within easy reach during entry, egress, and while on stand. A cell phone is also recommended.
- 10) A five-point fall restraint harness is required to be used by hunters at all times while on stand.
- 11) Only buckthorn can be cut for shooting lanes.
- 12) Stands can only be up during the designated hunt periods and must be removed from the area at the completion of each hunt by one (1) hour after legal shooting time on the final evenings of each hunt period.
- 13) Archers are to obey hunt boundaries shown on the map.
- 14) Archers must park in designated areas only.
- 15) Cars must have a City supplied parking permit properly displayed.
- 16) Only deer may be taken during special hunts (fawns **may not** be taken).
- 17) All entrails must be removed.
- 18) Hunters must log in and out of the hunt areas each time they leave. The MBRB Hunt Coordinator will provide a log in sheet at an appropriate location.
- 19) Archers cannot track deer outside of hunt boundaries. Hunters must contact the MBRB hunt coordinator if deer retrieval is required outside of hunt boundaries.
- 20) The maximum amount of deer that may be taken during the 2024 hunt season is **THIRTY (30)**.

RESOLUTION NO. 2024-38

A RESOLUTION: INCREASING PAY TO CRIS STOLTZMAN, CITY VIDEOGRAPHER

WHEREAS Cris Stoltzman has been serving as the City Videographer, responsible for recording council meetings, since his appointment in August 2022; and

WHEREAS Cris Stoltzman has demonstrated technical expertise in ensuring accurate and high-quality recordings of council meetings, enabling transparent and accessible access to important civic information.

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

1. The City Council hereby expresses its appreciation of Cris Stoltzman for his contributions as the City Videographer, responsible for recording council meetings.
2. Cris Stoltzman’s hourly rate shall be increased by 4%, from the rate of \$26.50 per hour as of the increase on September 1, 2023, to the rate of \$27.56 per hour.
3. The terms of Cris Stoltzman’s independent videographer contract shall otherwise remain unchanged.
4. This rate increase shall apply to all services provided on and after September 1, 2024.

Passed by the City Council of the City of Birchwood Village this 10th day of September, 2024.

Mayor

Attested:

City Clerk

RESOLUTION 2024-39

A RESOLUTION DIRECTING CITY STAFF TO RE-EVALUATE WATER AND SEWER AVAILABILITY FEES CHARGED FOR 160 CEDAR ST.

WHEREAS, the City of Birchwood has charged Avery Morse, owner of a property located at 160 Cedar Street, the following fees: Water Availability Charge (\$1960), Sewer Availability Charge (\$2485), and Sewer Connection Fee (\$2016); and

WHEREAS, these fees appear to be incorrectly assessed, as the property was previously occupied by a house and garage; and

WHEREAS, City Code Sections 202.070 and 201.070 provide for the waiver of certain fees under specific circumstances, including when a dwelling unit replaces a previous dwelling unit; and

WHEREAS, it is necessary to determine whether the fees were correctly assessed and, if not, to take appropriate corrective action;

Now, therefore, be it resolved by the City Council of Birchwood:

1. **Investigation:** That City staff shall investigate whether the Water Availability Charge, Sewer Availability Charge, and Sewer Connection Fee assessed to Avery Morse at 160 Cedar Street were correctly assessed, given the previous occupancy of the property.
2. **Code Review:** That City staff shall review the applicable provisions of City Code Sections 202.070 and 201.070, which state:
 - **Section 202.070:** "Sewer service lines shall be installed at the expense, including materials and labor, of the property owner within the right-of-way by a licensed plumber bonded to operate in the City. Before connecting to the City sanitary sewer, the property owner shall pay the fee set in the fee schedule. The fee shall relate to the cost of establishing and providing the City sanitary sewer system. In addition, the property owner shall pay to the City the Metropolitan Council Environmental Services Sewer Access Charge (MCES SAC). However, the City shall waive one City fee and one MCES SAC if the dwelling unit, or a dwelling unit that the dwelling unit replaces, including after a lot split, subdivision or consolidation:
 - was connected to City sanitary sewer service before January 1, 2009;
 - or

- previously paid the City fee and MCES SAC."
 - **Section 201.070:** "For a water service connection, water service lines and shut-off boxes shall be installed, water mains shall be tapped and pipes laid within the right-of-way, at the expense, including materials and labor, of the property owner, by a licensed plumber bonded to operate in the City. The property owner shall also pay the fee set in the fee schedule for connection of each dwelling unit to the City water system. The fee shall relate to the cost of establishing and providing the water system. However, the City shall waive one fee if the dwelling unit, or a dwelling unit that the dwelling unit replaces, including after a lot split, subdivision or consolidation:
 - was connected to City water service, with or without a water meter, before January 1, 2009; or
 - previously paid the fee; or
 - had an approved water meter installed and sealed by the City."
3. **Report:** That City Administrator shall report in writing to the City Council at its October meeting on the findings of its investigation and make recommendations regarding any necessary adjustments to the fees assessed to Avery Morse.

Signed:

Mayor, City of Birchwood Village

City Administrator, City of Birchwood Village

160 Cedar Street
Birchwood, MN 55110

July 15, 2024

City Clerk
207 Birchwood Avenue
White Bear Lake, MN 55110

Re: Appeal of City permit issued for 160 Cedar Street

Dear City Clerk:

Pursuant to the letter we received from your city attorney dated June 18, 2024, we are appealing the permit issued by the City of Birchwood Village for 160 Cedar Street in Birchwood. There are a number of code provisions the City has failed to apply. These are the issues and the code that should have been applied:

1. "Birchwood Code 301.055 (7) Stormwater and erosion control plans. For a building permit, the applicant must submit stormwater and erosion control plans prepared and signed by a licensed professional engineer." This has not been done.
And "The stormwater management plan must detail how stormwater will be controlled to prevent damage to adjacent property". There are no drainage control structures or any provisions for impoundment/containment of water at and within 160 Cedar Street.
2. "Birchwood Code 301 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 Section 302.050 ...and 302.055".
 - a. Birchwood Code 302.050 states "to reduce the unwanted harmful effects of stormwater, it is policy of the City of Birchwood Village that each property within the City manage its own stormwater to limit runoff into streets, waterways, and neighboring properties."
 - b. "Birchwood Code 302.055 (2)(a)(1) No construction or alteration of new or existing structures or land topography shall be done to increase the rate of storm water runoff from the parcel as compared to the runoff rate before such construction or alteration unless:" (Note: none of the exceptions listed apply.)

Per the builder's survey dated 4/25/2024, the increase in impervious surface is 3500 square feet. Much of that impervious surface will drain directly onto our property. There are no

containment provisions included in the plan, nor are there any calculations for runoff or analysis of any soils to determine the infiltration rate of storm water.

The city engineer, at a site meeting with us on June 11, 2024, stated he calculated there would be no increased runoff based on a “quick calculation that I just did in my head” and he included in his impervious “analysis” a garage that was torn down three years prior. The city code does not provide for the long- demolished garage to be included since the runoff must be “compared to the runoff rate before such construction or alteration”. And the engineer’s “analysis” was not presented as a “signed” evaluation.

- c. Birchwood Code 306.030 (a)(6) requires “a description of soils of the site, including a map indicating soil types of the areas to be disturbed.” This has not been done.

A Site Construction Plan is required including

“(2) Locations and dimensions of all temporary soil and construction materials.” This has not been done.

“(3) Locations and dimensions of all construction site erosion control and permanent stabilization measures to meet City and State Code both during and after the construction process.” This has not been done.

“(4) Schedule of anticipated starting and ending dates of each land disturbance activity and construction site erosion control, storm water runoff control, and inspection, and maintenance activity.” This has not been done.

Plat of Final Site Conditions is required including

“(3) A drainage plan of the developed site including final storm water drainage systems and natural drainage patterns on and immediately adjacent to the site with delineation of the direction in which storm water is conveyed from the site.” This has not been done.

- d. Birchwood Code 306.030(b) “Demonstration that the work will not adversely affect ...the adjacent parcels of land.” This has not been done.

Our property will incur additional runoff due to the city’s failure to apply the city code as required. We have consulted a licensed, professional engineer. They have been advised that low area delineated by elevation 1002 feet on the site survey, and endorsed as the drainage area by the city engineer, will cause water to intrude onto our property at that elevation. Due to the lack of runoff calculations and analysis of soil types, it is impossible to know how much water will pond and how long it will take to infiltrate. Regardless, the ground floor elevation of our house is at least five feet below this ponding area. This additional runoff puts our house at risk for water infiltration and/or flooding—neither of which have we previously experienced. The ground floor elevation is finished, and any water damage to it will be substantial. This damage will be a direct result of the City’s failure to require any drainage controls as mandated by city code.

Furthermore, the building area of the lot immediately to the west of 160 Cedar Street drains almost exclusively to our property. In our May 17, 2024 email to the city engineer, we attempted to have City Engineer Marcus Johnson address this issue. He responded, "That is where I recommended coming up with a drainage agreement between the three neighbors essentially in an agreement saying if there are any issues back there that the three property owners will come up with a solution together". This statement is in contravention to the planning and building requirements of the city's code.

The city has a responsibility to protect our property. This failure will result in substantial, ongoing damage to our property and is an unlawful taking of our property without just compensation. We ask that you remedy the problem immediately by requiring the above-referenced code be applied and enforced as part of the permit issued for 160 Cedar Street.

We appreciate your prompt response.

Very truly yours,

A handwritten signature in black ink that reads "Rachael ; David Drew". The signature is written in a cursive style with a semicolon between the two names.

Rachael and David Drew



Permit#: 24-0038

Permit

Application Date: March 27, 2024
Permit#: 24-0038
Location: 176 Cedar Street Lot C
Applicant Name: MORSE, AVERY
Email:

Property Owner Name: HUSNIK PAUL
Property Owner Email: amorse330@gmail.com
Contractor:
Contractor Email: amorse330@gmail.com
Contractor License:

License Expires on: *Home Owner*

Expiration Date: April 8, 2025
Parcel #: 3003021230069
Permit Type/use: Building Permit
Address: 176 CEDAR STREET (LOT C)
Phone:
Address: 2370 COUNTY ROAD J #105, WHITE BEAR LAKE MN 55110
Phone:
Address:
Phone: 763-291-3021
Project Valuation: \$432,414

DESCRIPTION OF WORK: Building New 2 Story Home with Lookout basement. East Lot of Subdivision of (176) Cedar St.

Fees

Date	Description	Paid Date	Amount	Paid	Balance
April 18, 2024	Plan Check Fee		\$1,858.05		
April 18, 2024	State Surcharge		\$216.20		
April 18, 2024	Building Permit Fee		\$2,858.55		
May 3, 2024	WAC Fee		\$1,960.00		
May 3, 2024	SAC Fee		\$2,485.00		
May 3, 2024	Engineering Fee		\$447.00		
May 3, 2024	Sewer Connection Fee		\$2,016.00		
TOTAL: Permit Fees			\$11,840.80		\$11,840.80

Inspectors

Please allow 24 hours minimum notice for inspection requests.

Inspection Type	Inspector Name	Contact Information
Building /HVAC/ Plumbing	Jack Kramer	Phone: 651-351-5051 Email: inspjack@msn.com
Sewer Water	John Manship	Phone: 651-426-9386
Electrical	Don Edel	Phone: 507-210-8233

Birchwood Village Contacts

Main Phone# 651-426-3404
Email Address:
therese.bellinger@cityofbirchwoodvillage.com

Permit Approved On: *4 / 16 / 24*
By the City of Birchwood Village
See Attached
Jack Kramer - Building Official



Permit#: 24-0038

Permit

Application Date: March 27, 2024
Permit#: 24-0038
Location: 176 Cedar Street Lot C
Applicant Name: MORSE, AVERY
Email:
Property Owner Name: HUSNIK PAUL
Property Owner Email: amorse330@gmail.com
Contractor:
Contractor Email: amorse330@gmail.com
Contractor License: Homeowner
License Expires on: - / - / -

Expiration Date: April 8, 2025
Parcel #: 3003021230069
Permit Type/use: Building Permit
Address: 176 CEDAR STREET (LOT C)
Phone:
Address: 2370 COUNTY ROAD J #105, WHITE BEAR LAKE MN 55110
Phone:
Address:
Phone: 763-291-3021
Project Valuation: \$PENDING PLAN REVIEW
\$ 432,414.00

DESCRIPTION OF WORK: Building New 2 Story Home with Lookout basement on Lot C (176) Cedar St.

Fees

City Fee = \$2,858.55
PLAN CHG FEE = \$1,852.05
STATE SURCHARGE = \$316.20
TOTAL FEE: \$4,992.80

Date	Description	Paid Date	Amount	Paid	Balance
April 16, 2024	Building Permit Fee		\$0.00		
	TOTAL: Permit Fees		\$0.00		\$0.00

Inspectors

Please allow 24 hours minimum notice for inspection requests.

Inspection Type	Inspector Name	Contact Information
Building /HVAC/ Plumbing	Jack Kramer	Phone: 651-351-5051 Email: inspjack@msn.com
Sewer Water	John Manship	Phone: 651-426-9386
Electrical	Don Edel	Phone: 507-210-8233

Birchwood Village Contacts

Main Phone# 651-426-3404
 Email Address:
 therese.bellinger@cityofbirchwoodvillage.com

Permit Approved On: 4 / 16 / 2024
 By the City of Birchwood Village
JACK KRAMER
 Jack Kramer - Building Official

City of Birchwood Village

Intellipay <noreply@intellipay.com>

Fri 5/3/2024 1:46 PM

To:City of Birchwood Village <info@cityofbirchwood.com>

City of Birchwood Village

Payment Receipt

Avery Morse
4902 S Tri Oak Circle NE
Wyoming MN 55092
763-291-3021
amorse330@gmail.com

Your bank account will be debited the amount of the payment.
Please ensure there are sufficient funds available in your bank account to cover this amount.

Customer Account: Building
Invoice: C42868068
Payment Amount: \$11,840.80
Service Fee: \$2.00
Payment Total: \$11,842.80
Payment Date: 05/03/2024
Bank Name:
Bank Account: Checking account ending in 510
Reference Number: C42868068P73122885
Comments:
Payment Origin: Online Payment Terminal
Agent: Online Payment Page
Merchant#: M8145

160 Cedar St.

Building/Planning/Zoning Permit

Permit Type: Building
Permit Number: 24-0038

Thank you,
City of Birchwood Village
Support: 651-426-3403 Email: info@cityofbirchwood.com

* The service fee is non-refundable.

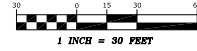
CERTIFICATE OF SURVEY

~for~ AVERY MORSE
~of~ 176 CEDAR STREET
BIRCHWOOD, MN

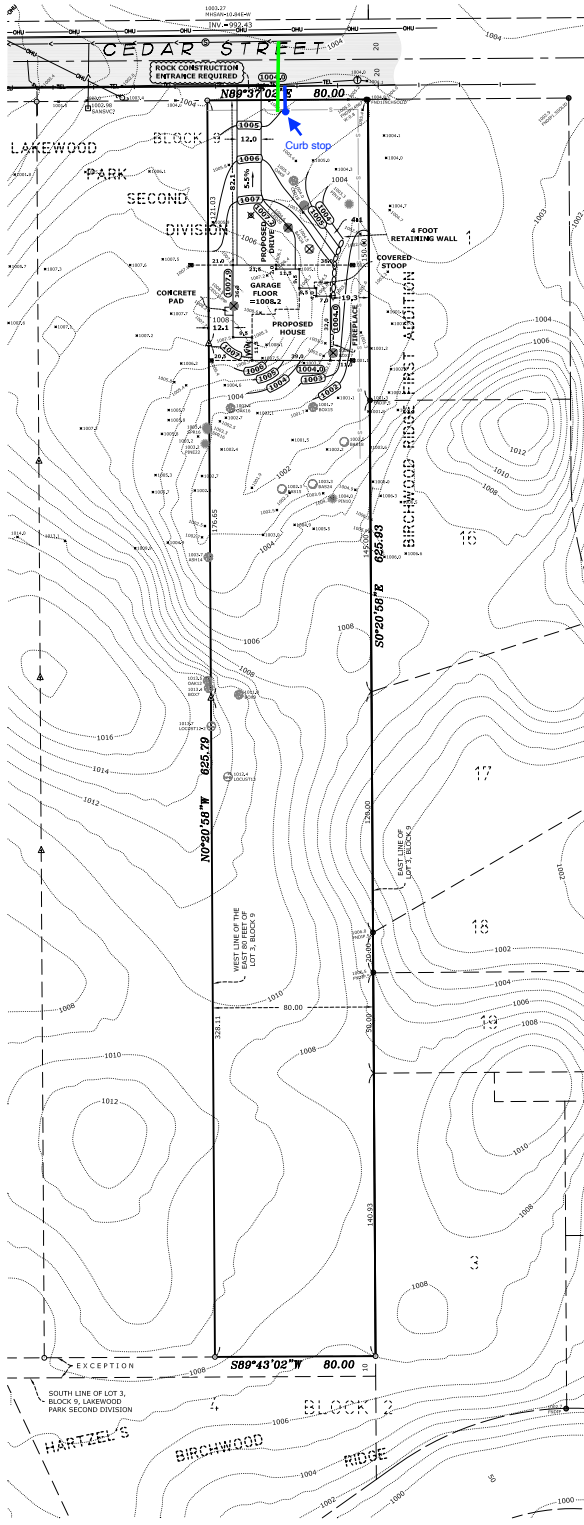
LEGAL DESCRIPTION

The East 80.00 feet of Lot 3, Block 9, LAKEWOOD PARK SECOND DIVISION, Washington County, Minnesota, Except the south 10.00 feet thereof.

GRAPHIC SCALE



NORTH



LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET
- DENOTES PROPOSED ELEVATION
- DENOTES EXISTING ELEVATION
- DENOTES DIRECTION OF DRAINAGE
- DENOTES WOOD HUB/METAL SPIKE AT 11 FOOT OFFSET (UNLESS OTHERWISE NOTED)
- DENOTES SANITARY SEWER MANHOLE
- DENOTES TELEPHONE MANHOLE
- DENOTES EXISTING CONTOURS
- DENOTES UNDERGROUND GAS LINE
- DENOTES UNDERGROUND TELEPHONE LINE
- DENOTES BITUMINOUS SURFACE
- DENOTES PROPOSED RETAINING WALL
- DENOTES PROPOSED CONTOURS
- DENOTES SILT FENCE

HOUSE NOTES

- * BUILDER TO VERIFY HOUSE DIMENSIONS, SEWER DEPTH AND FOUNDATION DEPTH.
- * DRIVEWAYS ARE SHOWN FOR GRAPHIC PURPOSES ONLY. FINAL DRIVEWAY DESIGN AND LOCATION TO BE DETERMINED BY CONTRACTOR.
- * FINISHED GRADE ADJACENT TO HOME SHALL BE 0.5 FEET BELOW TOP OF BLOCK EXCEPT AT DRIVEWAY AND PATIO.

SURVEY NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 03/07/24.
- Bearings shown are on Washington County datum.
- Parcel ID Number: 30-030-21-23-0069.
- Address: 176 Cedar Street, White Bear Lake, MN 55110.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Contours shown are a combination of field work and MNGSO Lidar Topography.
- Location of utilities existing on or serving the surveyed property determined by:
 - Observed evidence collected pursuant to Section 54.00.
 - Markings requested by E.G. Rud & Sons, Inc. per Gopher State One Call Ticket No. 212601645.
- Record drawings provided by the City of Birchwood's engineering department.
- Excavations were not made during the process of this survey to locate underground utilities and/or structures. The location of underground utilities and/or structures may vary from locations shown hereon and additional underground utilities and/or structures may be encountered. Contact Gopher State One Call Notification Center at (651) 454-0002 for verification of utility type and field location, prior to excavation.
- Finished grade adjacent to home shall be 0.5 feet below top of block except at driveway and patio.

TREE DETAIL

- DENOTES ELEVATION
- DENOTES TREE QUANTITY
- DENOTES TREE SIZE IN INCHES
- DENOTES TREE TYPE
- DENOTES TREE TO BE REMOVED

DIAG: 47.50 X 70.50 = 85.01
(6'4" POURED WALL LOOKOUT BASEMENT)

PROPOSED ELEVATIONS

- TOP OF BLOCK = 1009.3
- GARAGE FLOOR = 1009.2 (DROP 8 INCHES)
- LOWEST OPENING = 1004.5
- LOWEST FLOOR = 1001.3
- TOP OF FOOTING = 1001.0

SETBACKS

- FRONT ROAD = 40 FEET
- SIDE STREET = 40 FEET
- SIDE YARD = 10 FEET
- REAR YARD = 10 FEET

EXISTING ZONING

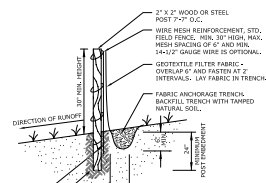
RESIDENTIAL

IMPERVIOUS SURFACE CALCULATIONS

TOTAL PARCEL AREA	50,069 S.F. (1.15 Acres)
PROPOSED HOUSE, GARAGE, STOOP	2,027 S.F.
PROPOSED DRIVEWAY	1,457 S.F.
PROPOSED CONCRETE	6 S.F.
TOTAL IMPERVIOUS SURFACE	3,500 S.F.
PERCENT IMPERVIOUS	7.0%

SEWER AND WATER INSTRUCTIONS

1. SEWER LINE: CONTACT JOHN MANSHIP 651-426-9386 AND STEVE THATCHER 612-867-7234 ON THE DAY THE HOLE IS OPENED UP.
2. WATER LINE: CONTACT JOHN MANSHIP 651-426-9386 AND STEVE THATCHER 612-867-7234 ON THE DAY THE HOLE IS OPENED UP.



SILT FENCE

N.T.S.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

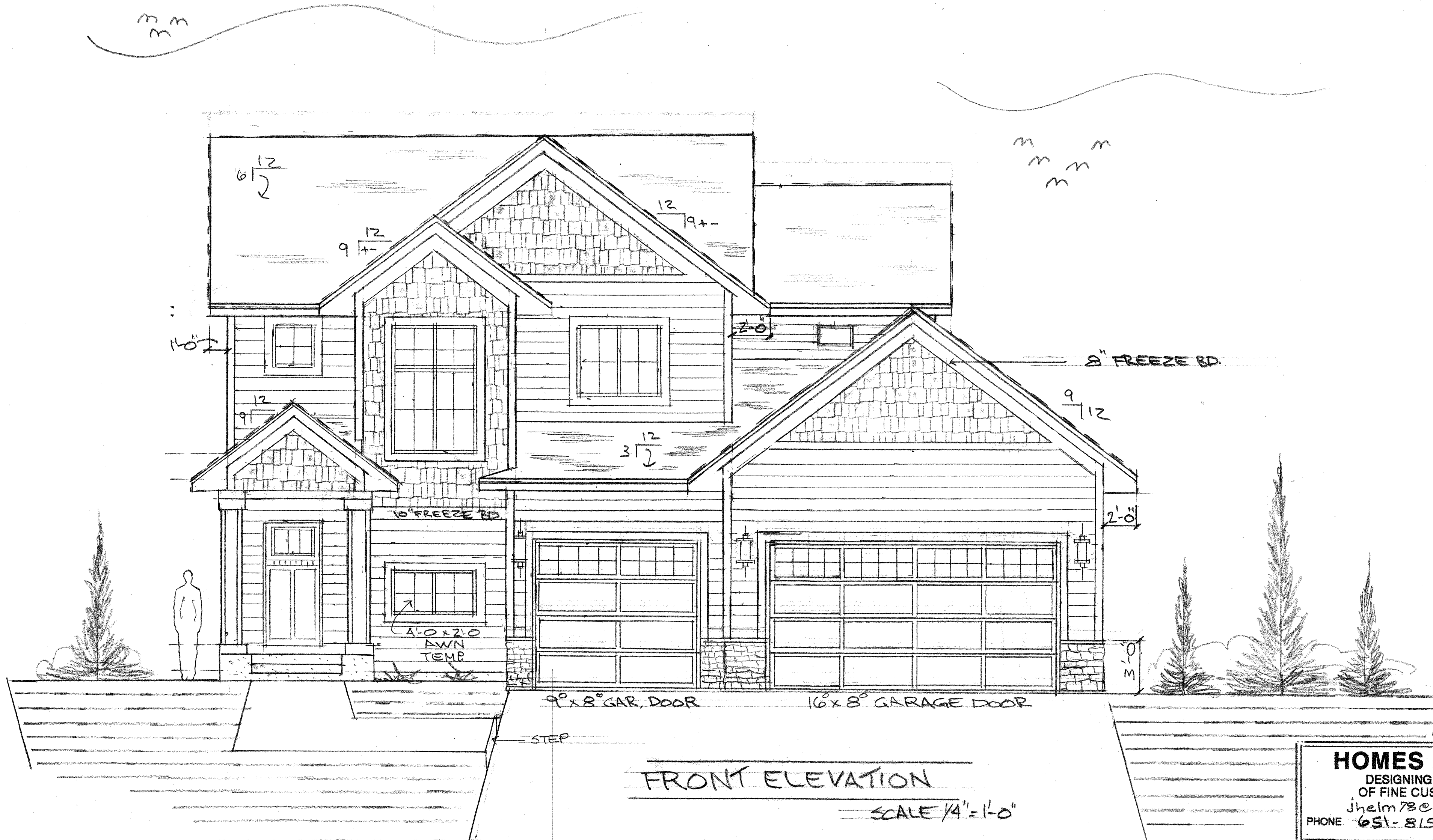
JASON A. RUD

Date: 3/14/2024 License No. 41378

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CHECK BY: JER	FIELD CREW: DT/CT	
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E.G. RUD & SONS, INC.
EST. 1977
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701
www.egrud.com

ALUM SOFFIT & FASCIA
 SIDES & REAR: VINYL SIDING
 FRONT: LP SMARTSIDE



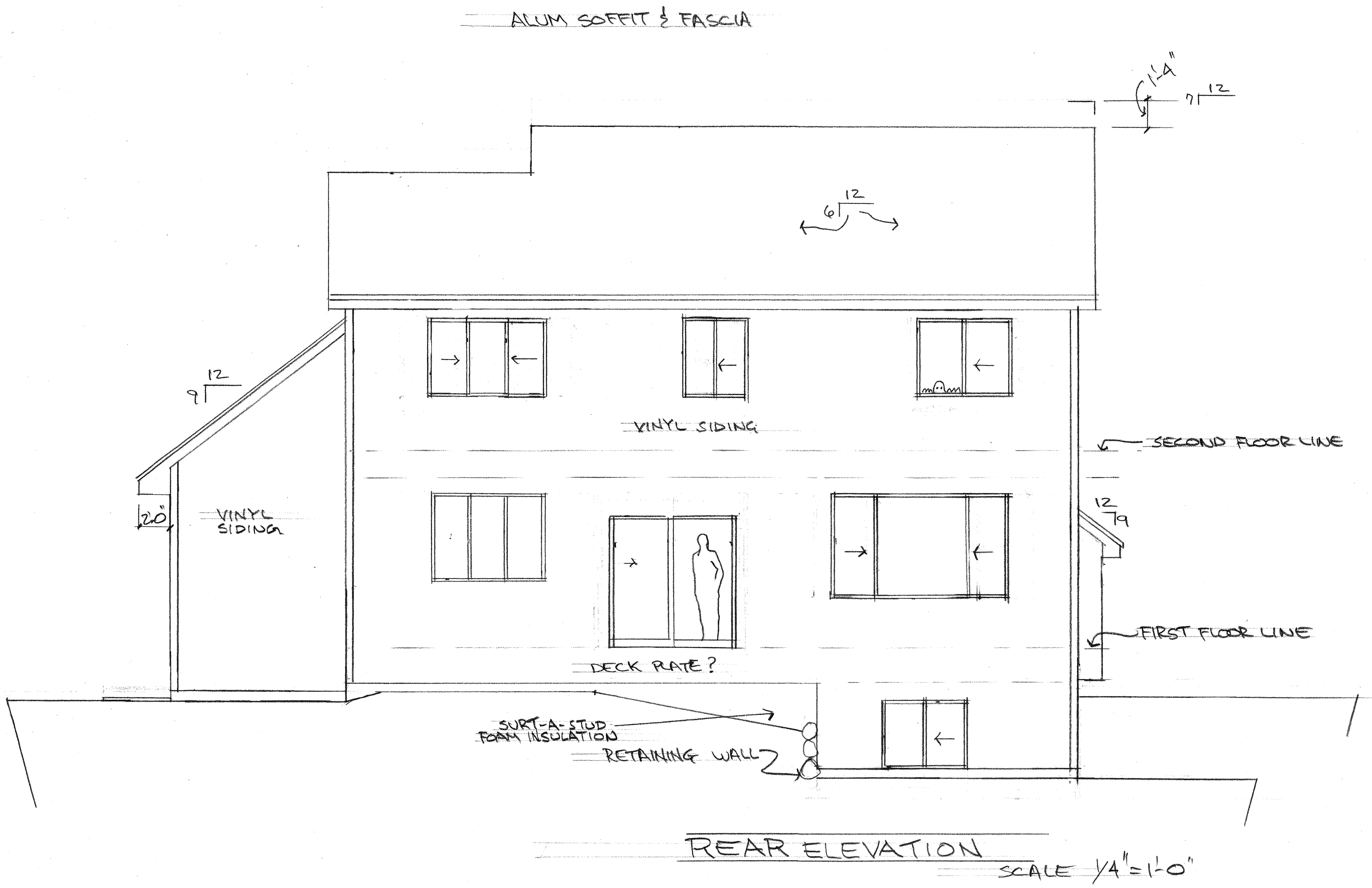
FRONT ELEVATION

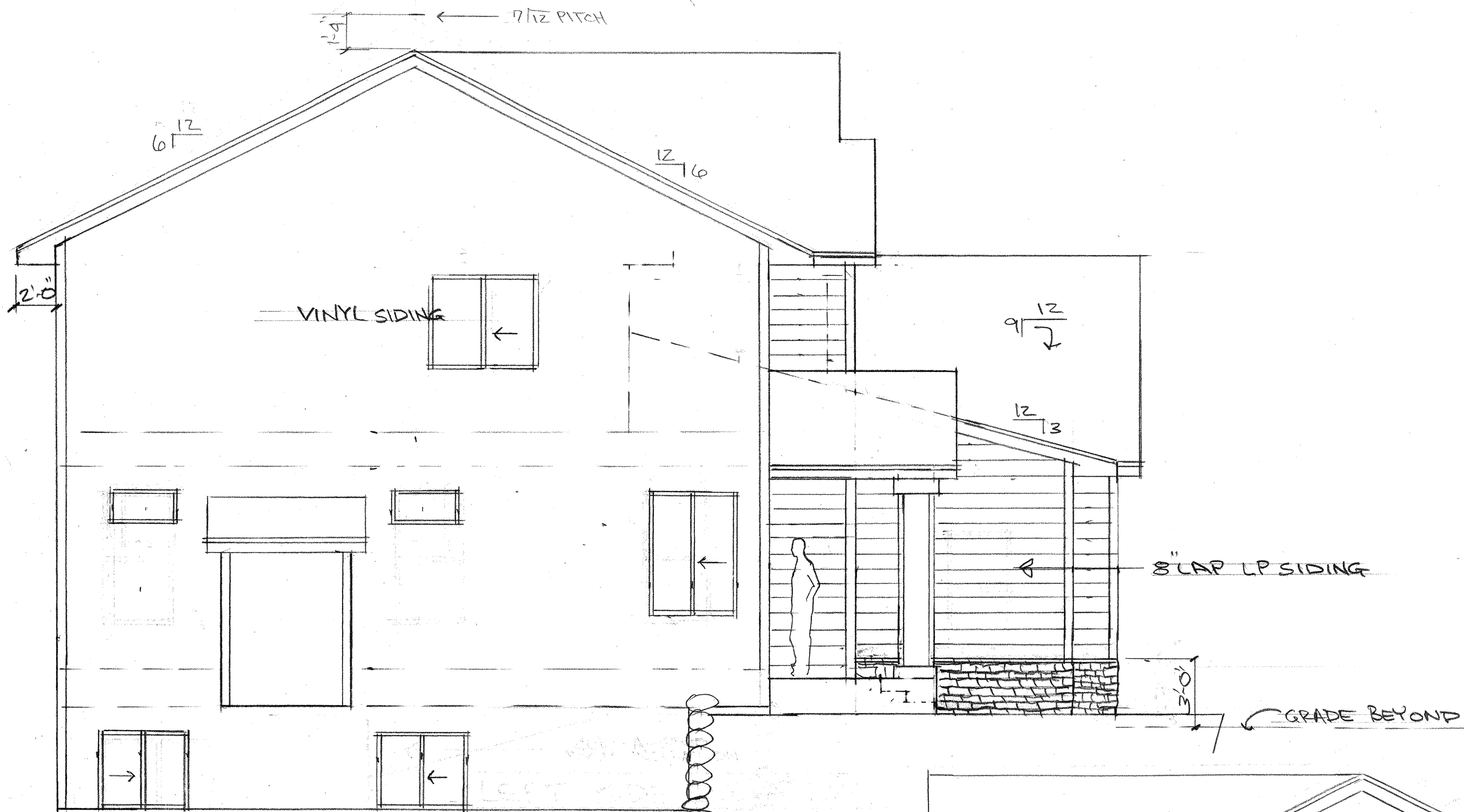
SCALE 1/4" = 1'-0"

HOMES BY HELM
 DESIGNING & DRAFTING
 OF FINE CUSTOM HOMES
 jhelm78@YAHOO.COM
 PHONE 651-815-3727

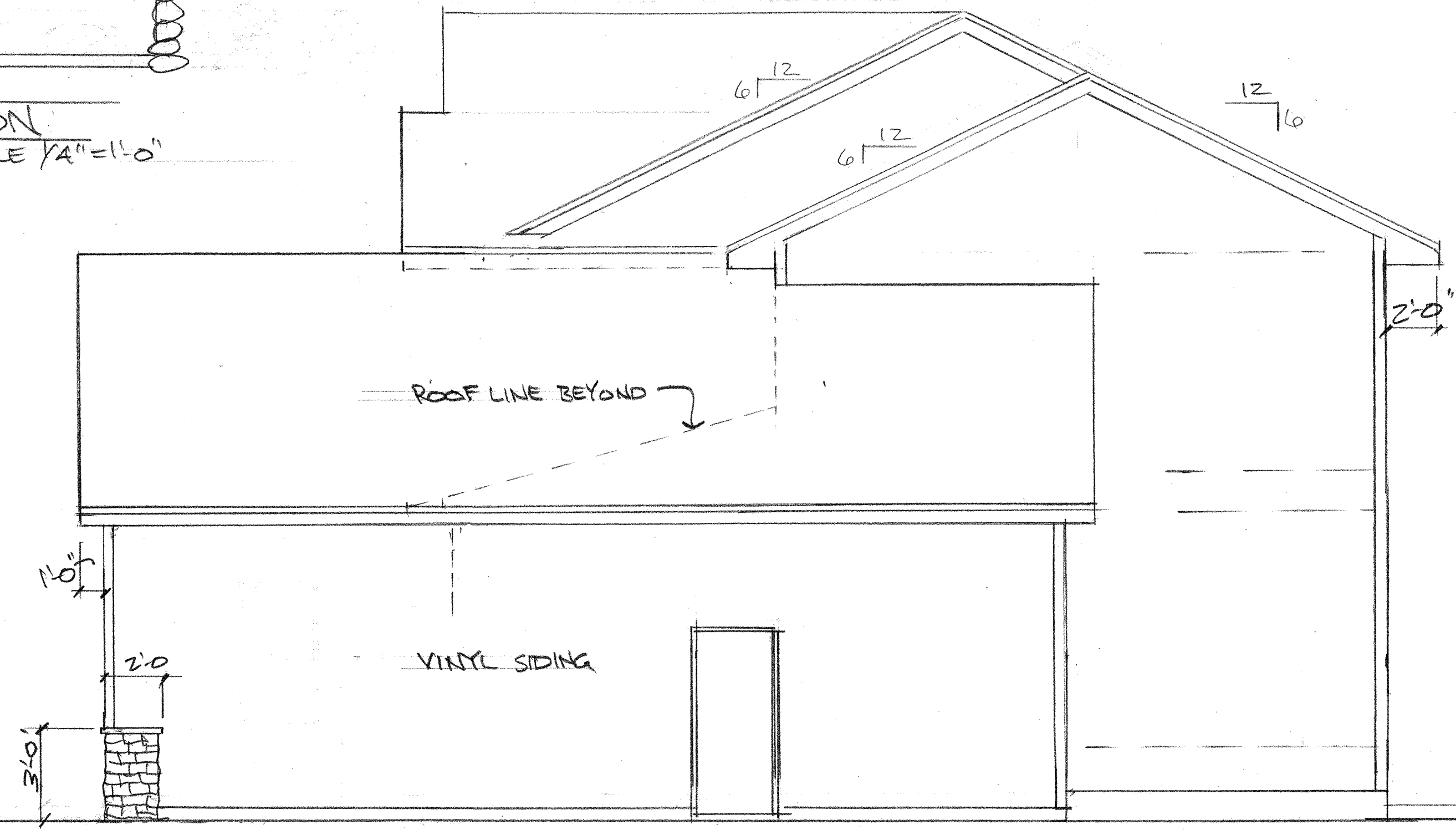
PLANS DRAWN BY
 JOAN HELM

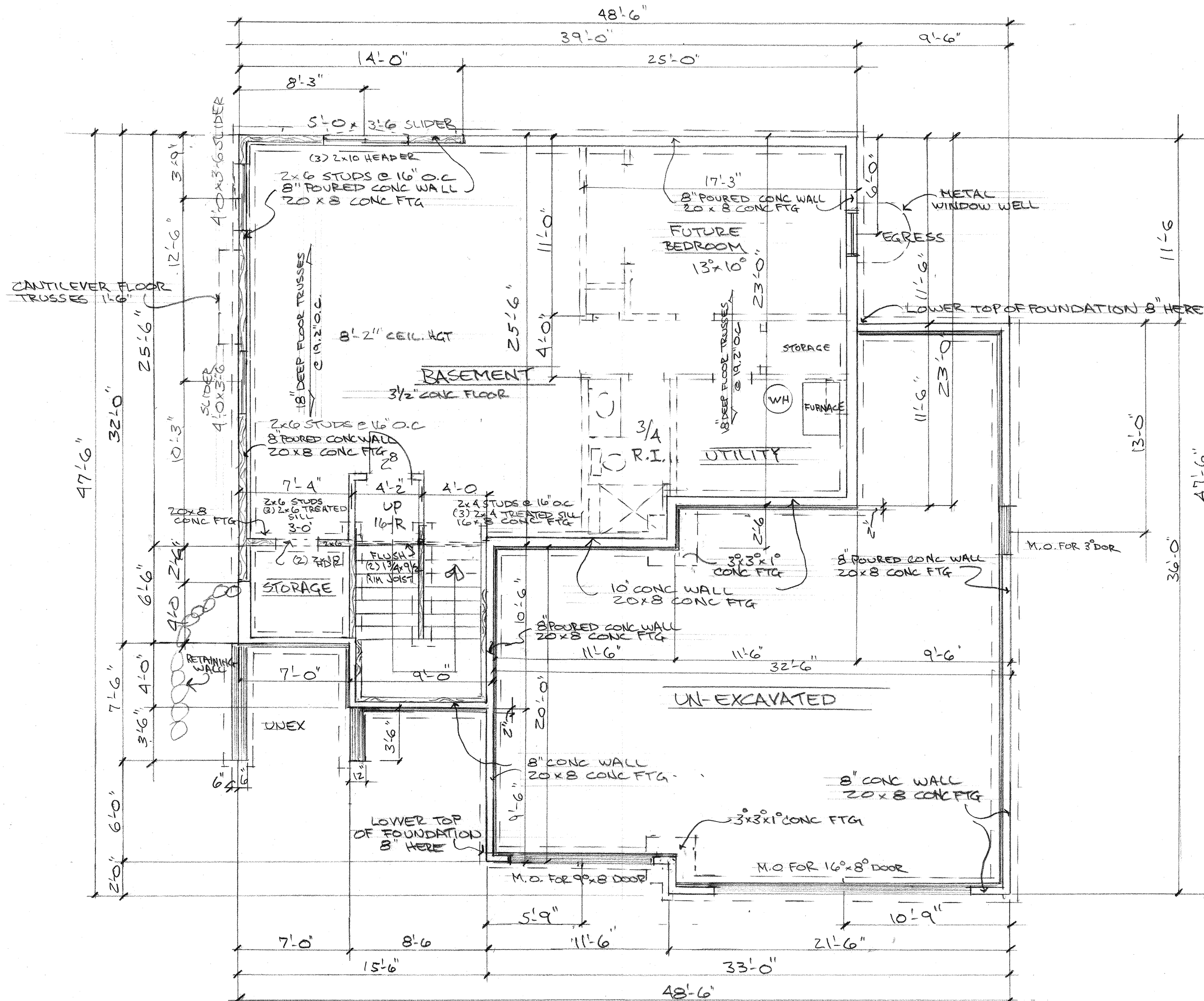
BUILDER:	DATE: 3-1-2024
NEW HOME FOR:	SHEET 1 OF 10





LEFT SIDE ELEVATION
SCALE 1/4" = 1'-0"



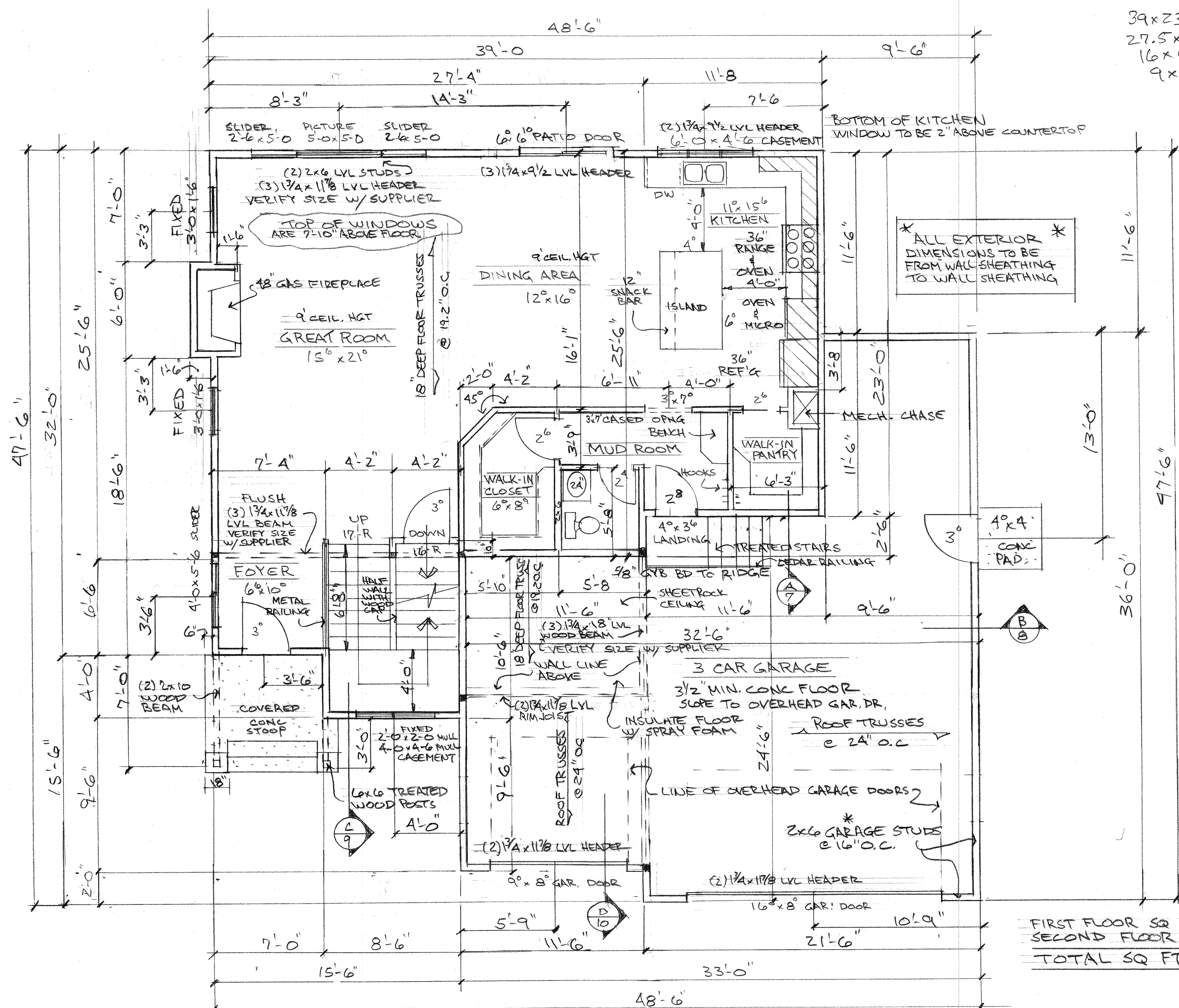


FOUNDATION PLAN

SCALE 1/4" = 1'-0"

$39 \times 23 = 897$
 $27.5 \times 2.5 = 69$
 $16 \times 6 = 96$
 $9 \times 4 = 36$

 1098



* ALL EXTERIOR *
 DIMENSIONS TO BE
 FROM WALL SHEATHING
 TO WALL SHEATHING

FIRST FLOOR SQ FT 1098
 SECOND FLOOR SQ FT 1200
 TOTAL SQ FT 2298

FIRST FLOOR PLAN
 SCALE 1/4" = 1'-0"

CONT. ROOF VENT
 TIMBERLINE SHINGLES
 15 LB. ROOFING FELT
 17/32 OSB ROOF SHEATHING w/ H-CLIPS
 ROOF TRUSSES @ 24" O.C.
 R-49 CEILING INSULATION
 6 MILL POLY
 5/8" GYP. BD.

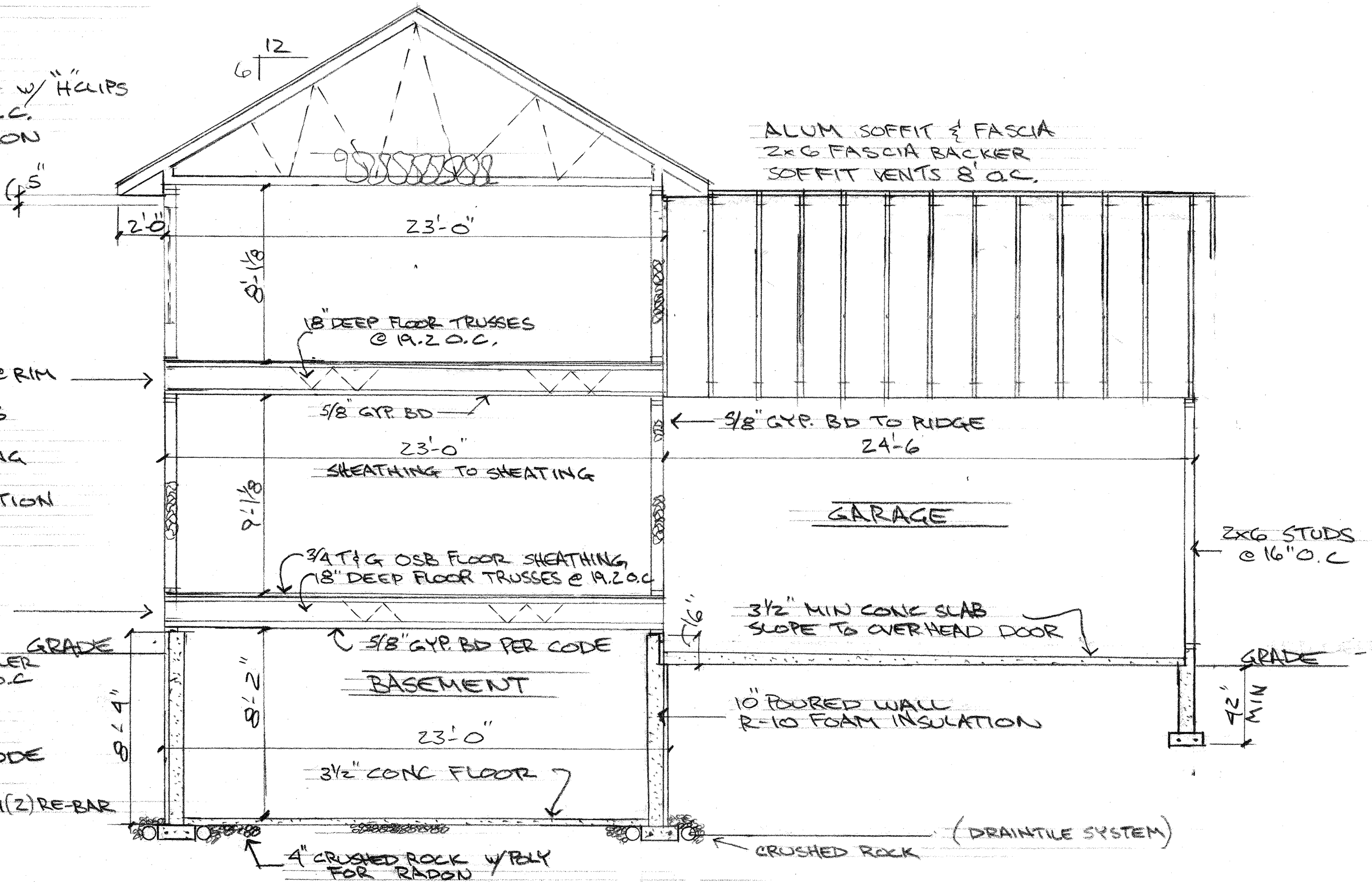
ALUM SOFFIT 1/2" FASCIA
 2x6 FASCIA BACKER
 SOFFIT VENTS 8' O.C.

SPRAY FOAM INSULATION @ RIM

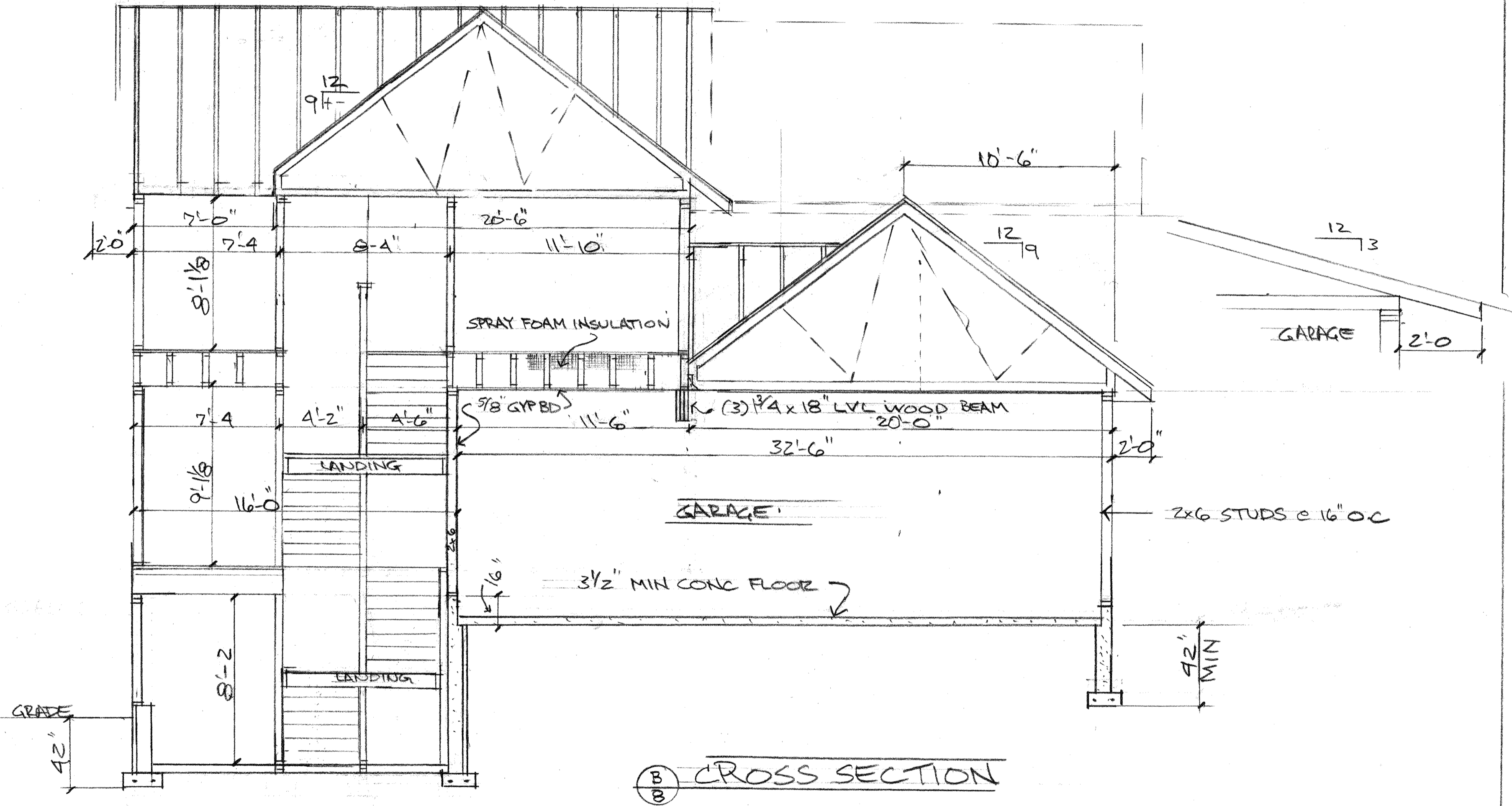
SIDING: SEE ELEVATIONS
 TYVEX HOUSE WRAP
 7/16 OSB WALL SHEATHING
 2x6 STUDS @ 16" O.C.
 R-21 FIBERGLASS INSULATION
 4 MILL POLY
 1/2" GYP. BD

SPRAY FOAM INSULATION @ RIM JOIST

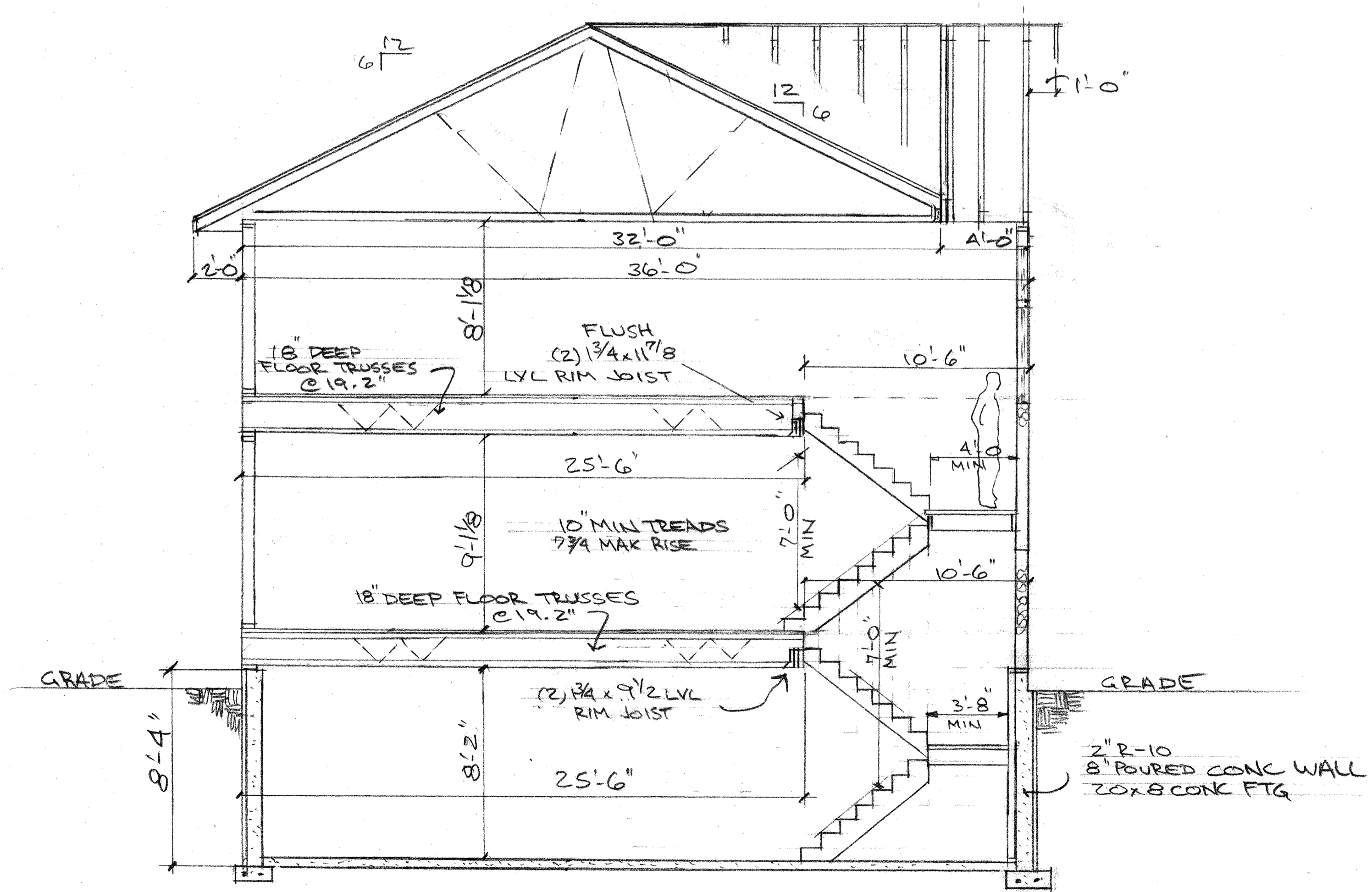
2x6 TREATED SILL w/ SEALER
 1/2" ANCHOR BOLTS @ 6' O.C.
 6 MILL SLIP SHEET
 R-10 FOAM INSULATION
 WATER PROOFING PER CODE
 8" POURED CONC WALL
 20x8 CONC FOOTING WITH (2) RE-BAR



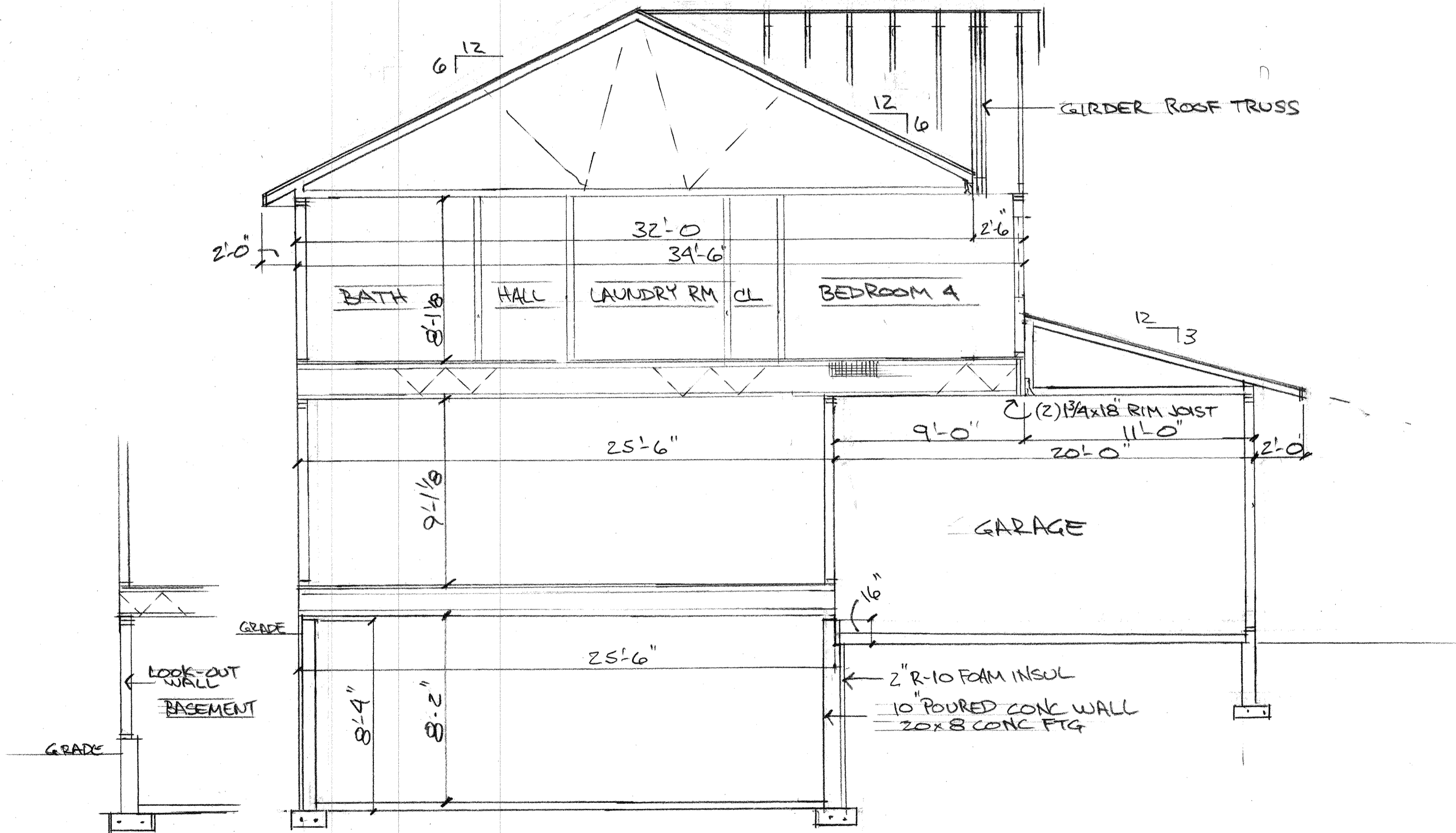
(A) CROSS SECTION
 7



8
8 CROSS SECTION



⑨ CROSS SECTION
SCALE 1/4" = 1'-0"



10 CROSS SECTION

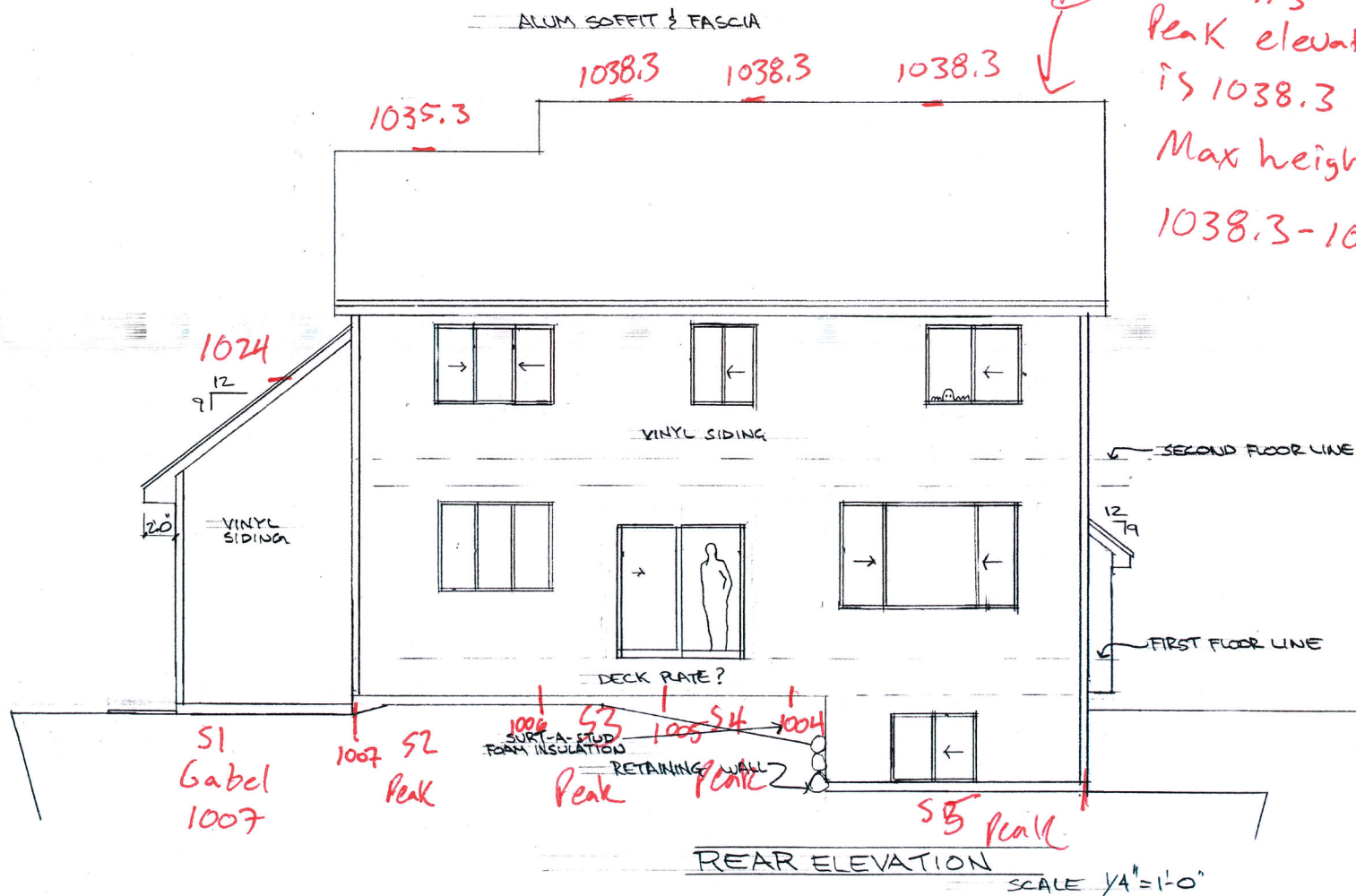
2025

PLANS DRAWN BY		DATE:	
HOMES BY HELM DESIGNING & DRAFTING OF FINE CUSTOM HOMES jhelm78@yahoo.com PHONE 651-815-3727		BUILDER:	
		NEW HOME FOR:	
		SHEET OF	

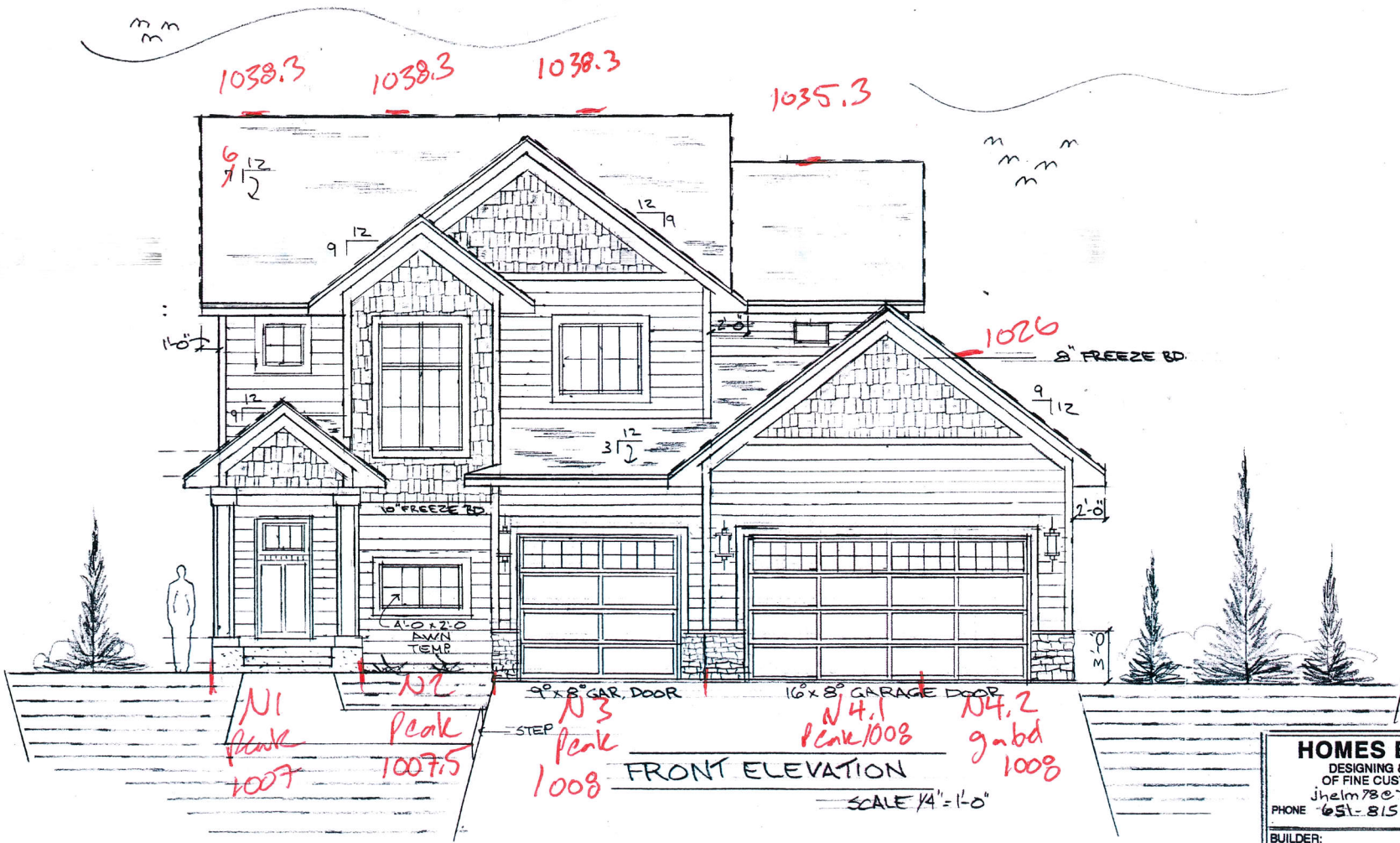
Highest peak
37 feet from
Basement elevation
of 1001.3
Peak elevation
is 1038.3

Max height at SS

$$1038.3 - 1004 = \frac{34.3}{35 \text{ feet}}$$

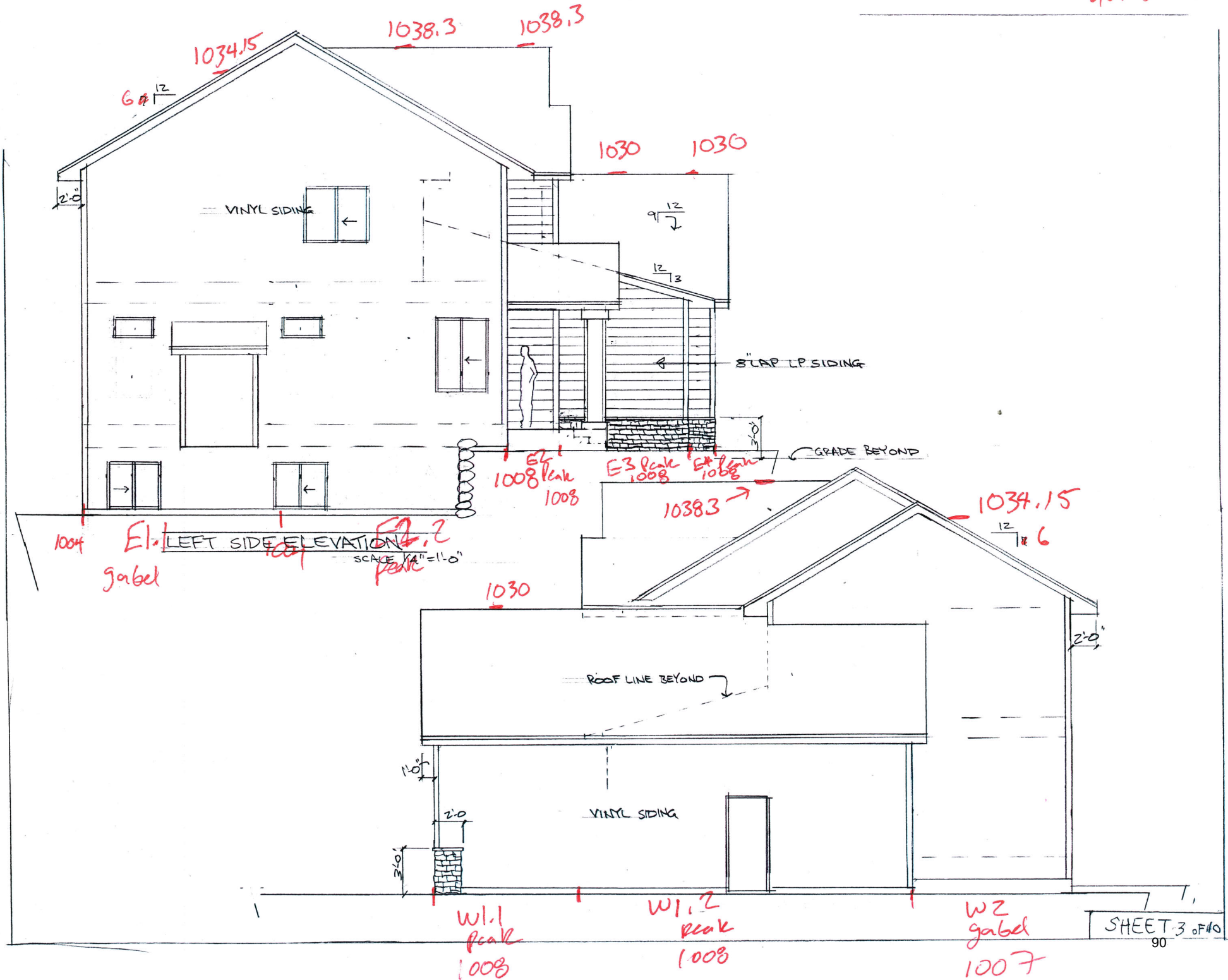


ALUM SOFFIT & FASCIA
 SIDES & REAR: VINYL SIDING
 FRONT: LP SMARTSIDE



FRONT ELEVATION
 SCALE 1/4" = 1'-0"

HOMES BY HELM DESIGNING & DRAFTING OF FINE CUSTOM HOMES jhelm78@YAHOO.COM PHONE 651-815-3727		PLANS DRAWN BY JOHN HELM
BUILDER:		DATE: 3-1-2022
NEW HOME FOR:	89	SHEET 10 of 10



House average grade calc's example * See excel for all calcs

South

S_1

S_1 Peak height^{elevation} =

Length 9.5 ft

- ~~13~~ 13.75 feet off Max peak

grade EL Elevation of 1007

- 2.7 feet off gabel max height

Peak height 1024

= $1039 - 13.75 - 2.7$

= 1024 (rounded)

Elevation component _{S_1} = $9.5 \times (1024 - 1007)$
 $S_1 = 161.5$

S_2

Elevation component _{S_2} =

Length 8.25

$8.25 \times (1036 - (\frac{1007 - 1006}{2}))$

grade EL₁ 1007

= 243.375

grad EL₂ 1006

Straight Peak → Peak Height 1036

etc.

Add up all lengths for S_1, S_2, S_3, S_4, S_5
 = 48.5 ft

Add up all elevation components for S_1, S_2, S_3, S_4, S_5
 = 1439.875

South Wall Average elevation = $\frac{1439.875}{48.5} = \cancel{29.68} 29.7$ ft
 for south

Add up all perimeters for walls S, E, N, W
 and add up all elevation components S, E, N, W

Total average height = $\frac{5493.75^{\text{Elevation}}}{192^{\text{Perimeter}}} = 28.6$ ft



Load Short Form
Entire House
Nystrom's Htg

Job: Nystrom's - Birchwood ...
 Date: Apr 03, 2024
 By: Ryan Boelke

16842 47th Place N, Plymouth, MN

Project Information

For: Birchwood Village, Nystrom's Htg
 White Bear Lake

Design Information

	Htg	Clg		Infiltration
Outside db (°F)	-18	91	Method	Simplified
Inside db (°F)	70	72	Construction quality	Semi-tight
Design TD (°F)	88	19	Fireplaces	1 (Semi-tight)
Daily range	-	M		
Inside humidity (%)	30	50		
Moisture difference (gr/lb)	32	39		

HEATING EQUIPMENT

Make	
Trade	
Model	
AHRI ref	
Efficiency	92 AFUE
Heating input	0 Btuh
Heating output	0 Btuh
Temperature rise	0 °F
Actual air flow	1345 cfm
Air flow factor	0.026 cfm/Btuh
Static pressure	0 in H2O
Space thermostat	

COOLING EQUIPMENT

Make	
Trade	
Cond	
Coil	
AHRI ref	
Efficiency	13.4 SEER
Sensible cooling	0 Btuh
Latent cooling	0 Btuh
Total cooling	0 Btuh
Actual air flow	1345 cfm
Air flow factor	0.055 cfm/Btuh
Static pressure	0 in H2O
Load sensible heat ratio	0.79

ROOM NAME	Area (ft²)	Htg load (Btuh)	Clg load (Btuh)	Htg AVF (cfm)	Clg AVF (cfm)
Basement Lookout	196	2434	1305	63	72
Basement	1113	8631	1065	225	59
Main Floor	1125	20697	13562	539	749
2nd Floor	1221	19912	8440	518	466
Entire House	3655	51674	24372	1345	1345
Other equip loads		7503	1611		
Equip. @ 0.96 RSM			24918		
Latent cooling			6701		
TOTALS	3655	59177	31619	1345	1345

Bold/italic values have been manually overridden

Calculations approved by ACCA to meet all requirements of Manual J 8th Ed.



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...ightsoft HVAC\Nystrom's - Birchwood Village.rup Calc = MJ8 Front Door faces: N



Loads for Multiple Orientations
Entire House
Nystrom's Htg

Job: Nystrom's - Birchwood ...
 Date: Apr 03, 2024
 By: Ryan Boelke

16842 47th Place N, Plymouth, MN

Project Information

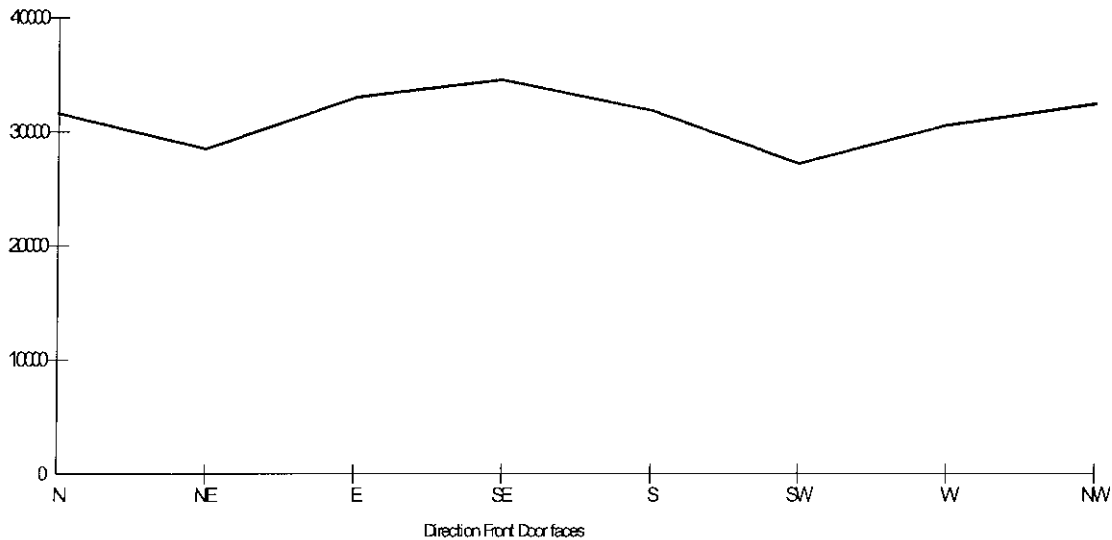
For: Birchwood Village, Nystrom's Htg
 White Bear Lake

Design Conditions

Location:			Indoor:	Heating	Cooling
Minneapolis-St Paul, MN, US			Indoor temperature (°F)	70	72
Elevation: 872 ft			Design TD (°F)	88	19
Latitude: 45°N			Relative humidity (%)	30	50
Outdoor:	Heating	Cooling	Moisture difference (gr/lb)	32.1	39.2
Drybulb (°F)	-18	91	Infiltration:		
Daily range (°F)	-	17 (M)			
Wet bulb (°F)	-	73			
Wind speed (mph)	15.0	7.5			

Front Door	North	Northeast	East	Southeast	South	Southwest	West	Northwest
Sensible Load (Btuh)	24918	21810	26278	27820	25152	20437	23845	25707
Latent Load (Btuh)	6701	6701	6701	6701	6701	6701	6701	6701
Total Load (Btuh)	31619	28511	32980	34521	31853	27138	30546	32408
Heating AVF (cfm)	1845	1166	1423	1512	1359	1087	1283	1391
Cooling AVF (cfm)	1845	1166	1423	1512	1359	1087	1283	1391

Building Orientation Cooling Load



Current Orientation: Front Door faces North
 Highest Cooling Load: Front Door faces Southeast

Calculations approved by ACCA to meet all requirements of Manual J 8th Ed.



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16842 47th Place N, Plymouth, MN

Project Information

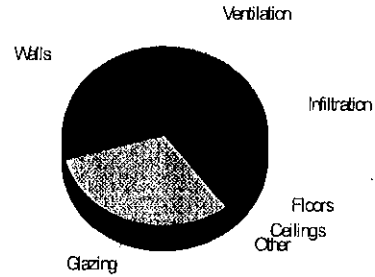
For: Birchwood Village, Nystrom's Htg
 White Bear Lake

Design Conditions

Location: Minneapolis-St Paul, MN, US Elevation: 872 ft Latitude: 45°N	Indoor: Indoor temperature (°F) Design TD (°F) Relative humidity (%) Moisture difference (gr/lb)	Heating 70 88 30 32.1	Cooling 72 19 50 39.2
Outdoor: Drybulb (°F) Dailyrange (°F) Wet bulb (°F) Wind speed (mph)	Heating -18 - - 15.0	Cooling 91 17 (M) 73 7.5	Infiltration: Method Construction quality Fireplaces
		Simplified Semi-tight 1 (Semi-tight)	

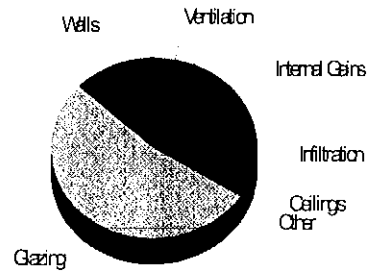
Heating

Component	Btuh/ft²	Btuh	% of load
Walls	5.2	17414	29.4
Glazing	41.5	18261	30.9
Doors	25.5	536	0.9
Ceilings	1.8	2170	3.7
Floors	2.0	2524	4.3
Infiltration	3.4	10768	18.2
Ducts		0	0
Piping		0	0
Humidification		0	0
Ventilation		7503	12.7
Adjustments		0	0
Total		59177	100.0



Cooling

Component	Btuh/ft²	Btuh	% of load
Walls	1.0	3388	13.0
Glazing	31.3	13766	53.0
Doors	9.2	193	0.7
Ceilings	0.9	1115	4.3
Floors	0.1	64	0.2
Infiltration	0.3	1066	4.1
Ducts		0	0
Ventilation		1611	6.2
Internal gains		4780	18.4
Blower		0	0
Adjustments		0	0
Total		25983	100.0



Latent Cooling Load = 6701 Btuh
 Overall U-value = 0.074 Btuh/ft²-°F, Window / Floor Area = 12.1 %

Data entries checked.

Bold/italic values have been manually overridden



J1 Form - Worksheet A
Entire House
Nystrom's Htg

Job: Nystrom's - Birchwood ...
 Date: Apr 03, 2024
 By: Ryan Boelke

16842 47th Place N, Plymouth, MN

Supporting Detail	
Project Name: Nystrom's - Birchwood Village	Date: Apr 03, 2024
Address: White Bear Lake	
Phone:	Job ID: Nystrom's - Birchwood Village

Worksheet A	
Location and Design Conditions	
Weather Location: Minneapolis-St Paul, MN, US	Elevation = 872 Latitude = 45
Indoor Conditions, Heating: DB = 70 °F RH = 30 %	Indoor Conditions, Cooling: DB = 72 °F RH = 50 %
Table 1 Conditions 99% DB = -18°F 1% DB = 91 °F	Grains Difference = 39 gr/lb Daily Range = M
Design Temperature Differences	HTD = 88 °F CTD = 19 °F

Calculations approved by ACCA to meet all requirements of Manual J 8th Ed.



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...ightsoft HVAC\Nystrom's - Birchwood Village.rup Calc = MJ8 Front Door faces: N



Component Constructions
Entire House
Nystrom's Htg

Job: Nystrom's - Birchwood ...
 Date: Apr 03, 2024
 By: Ryan Boelke

16842 47th Place N, Plymouth, MN

Project Information

For: Birchwood Village, Nystrom's Htg
 White Bear Lake

Design Conditions

Location:			Indoor:	Heating	Cooling
Minneapolis-St Paul, MN, US			Indoor temperature (°F)	70	72
Elevation: 872 ft			Design TD (°F)	88	19
Latitude: 45°N			Relative humidity (%)	30	50
Outdoor:	Heating	Cooling	Moisture difference (gr/lb)	32.1	39.2
Drybulb (°F)	-18	91	Infiltration:		
Dailyrange (°F)	-	17 (M)	Method	Simplified	
Wet bulb (°F)	-	73	Construction quality	Semi-tight	
Wind speed (mph)	15.0	7.5	Fireplaces	1 (Semi-tight)	

Construction descriptions

	Or	Area ft²	U-value Btu/h/ft²-°F	Insul R ft²-°F/Btu/h	Htg HTM Btu/h/ft²	Loss Btu/h	Clg HTM Btu/h/ft²	Gain Btu/h
Walls								
12F-0sw: Frm wall, vnl ext, 1/2" wood shth, r-21 cav ins, 1/2" gypsum board int fnsh, 2"x6" wood frm, 16" o.c. stud	ne	604	0.065	21.0	5.72	3455	1.33	805
	se	485	0.065	21.0	5.72	2774	1.33	646
	sw	612	0.065	21.0	5.72	3501	1.33	815
	nw	562	0.065	21.0	5.72	3212	1.33	748
	all	2263	0.065	21.0	5.72	12942	1.33	3015
15B11-8wc-4: Bg wall, heavy dry or light damp soil, 2"x4" wood int frm, concrete wall, r-10 ins, 8" thk, 1/2" gypsum board int fnsh	ne	99	0.043	19.0	4.44	440	0.54	54
	se	126	0.043	19.0	3.98	502	0.16	21
	se	113	0.043	19.0	4.44	500	0.54	61
	se	137	0.043	19.0	3.98	544	0.16	22
	sw	150	0.043	19.0	4.41	662	0.52	78
	sw	126	0.043	19.0	3.98	502	0.16	21
	nw	176	0.043	19.0	4.44	780	0.54	95
	nw	137	0.043	19.0	3.98	544	0.16	22
	all	1062	0.043	19.0	4.21	4472	0.35	373
Partitions								
(none)								
Windows								
4A5-2ov: 2 glazing, clr low-e outr, air gas, insulated vinyl frm mat, clr innr, clr strm, 1/2" gap, 1/8" thk; 6.67 ft head ht	ne	71	0.470	0	41.4	2937	27.5	1956
	se	195	0.470	0	41.4	8065	34.2	6677
	se	64	0.470	0	41.4	2647	34.2	2191
	sw	12	0.470	0	41.4	496	34.2	411
	nw	75	0.470	0	41.4	3081	27.5	2052
	all	417	0.470	0	41.4	17226	31.9	13287
10D-v: 2 glazing, clr low-e outr, air gas, insulated vinyl frm mat, clr innr, 1/2" gap, 1/8" thk; 6.67 ft head ht	nw	24	0.490	0	43.1	1035	20.0	479
Doors								
11P0: Door, mtl pur core type	nw	21	0.290	10.5	25.5	536	9.19	193
Ceilings								
16CR-50ad: Attic ceiling, asphalt shingles roof mat, r-50 ceil ins, 5/8" gypsum board int fnsh		1233	0.020	50.0	1.76	2170	0.90	1115

Floors

20P-30c: Flr floor, frm flr, 12" thkns, carpet fir fnsh, r-30 cav ins, amb ovr	108	0.035	30.0	3.08	333	0.53	57
20P-30t: Flr floor, frm flr, 12" thkns, r-30 cav ins, amb ovr	12	0.035	30.0	3.08	37	0.53	6
21A-28t: Bg floor, heavy dry or light damp soil, 6.5' depth, carp 80% flr fnsh	1113	0.022	0	1.94	2155	0	0



Component Constructions
Basement Lookout
Nystrom's Htg

Job: Nystrom's - Birchwood ...
 Date: Apr 03, 2024
 By: Ryan Boelke

18842 47th Place N, Plymouth, MN

Project Information

For: Birchwood Village, Nystrom's Htg
 White Bear Lake

Design Conditions

Location:		Indoor:	Heating	Cooling
Minneapolis-St Paul, MN, US		Indoor temperature (°F)	70	72
Elevation: 872 ft		Design TD (°F)	88	19
Latitude: 45°N		Relative humidity (%)	30	50
Outdoor:	Heating	Cooling		
Drybulb (°F)	-18	91		
Dailyrange (°F)	-	17 (M)		
Wet bulb (°F)	-	73		
Wind speed (mph)	15.0	7.5		
		Infiltration:		
		Method	Simplified	
		Construction quality	Semi-tight	
		Fireplaces	1 (Semi-tight)	

Construction descriptions

	Or	Area ft²	U-value Btu/h/ft²-F	Insul R ft²-F/Btu/h	Htg HTM Btu/h/ft²	Loss Btu/h	Clg HTM Btu/h/ft²	Gain Btu/h
Walls								
12F-0sw: Frm wall, vnl ext, 1/2" wood shth, r-21 cav ins, 1/2" gypsum board int fnsh, 2"x6" wood frm, 16" o.c. stud	ne	50	0.065	21.0	5.72	283	1.33	66
	se	41	0.065	21.0	5.72	232	1.33	54
	all	90	0.065	21.0	5.72	515	1.33	120
Partitions (none)								
Windows								
4A5-2ov: 2 glazing, clr low-e outr, air gas, insulated vinyl frm mat, clr innr, clr strm, 1/2" gap, 1/8" thk, 6.67 ft head ht	ne	14	0.470	0	41.4	558	27.5	372
	se	23	0.470	0	41.4	931	34.2	770
	all	36	0.470	0	41.4	1489	31.7	1142
Doors (none)								
Ceilings (none)								
Floors (none)								





Component Constructions
Basement
Nystrom's Htg

Job: Nystrom's - Birchwood ...
 Date: Apr 03, 2024
 By: Ryan Boelke

16842 47th Place N, Plymouth, MN

Project Information

For: Birchwood Village, Nystrom's Htg
 White Bear Lake

Design Conditions

Location:			Indoor:	Heating	Cooling
Minneapolis-St Paul, MN, US			Indoor temperature (°F)	70	72
Elevation: 872 ft			Design TD (°F)	88	19
Latitude: 45°N			Relative humidity (%)	30	50
Outdoor:	Heating	Cooling	Moisture difference (gr/lb)	32.1	39.2
Drybulb (°F)	-18	91	Infiltration:		
Daily range (°F)	-	17 (M)	Method	Simplified	
Wet bulb (°F)	-	73	Construction quality	Semi-tight	
Wind speed (mph)	15.0	7.5	Fireplaces	1 (Semi-tight)	

Construction descriptions

	Or	Area ft²	U-value Btuh/ft²·°F	Insul R ft²·°F/Btuh	Htg HTM Btuh/ft²	Loss Btuh	Clg HTM Btuh/ft²	Gain Btuh
Walls								
15B11-8wc-4: Bg wall, heavy dry or light damp soil, 2"x4" wood int frm, concrete wall, r-10 ins, 8" thk, 1/2" gypsum board int fnsh	ne	99	0.043	19.0	4.44	440	0.54	54
	ne	126	0.043	19.0	3.98	502	0.16	21
	se	113	0.043	19.0	4.44	500	0.54	61
	se	137	0.043	19.0	3.98	544	0.16	22
	sw	150	0.043	19.0	4.41	662	0.52	78
	sw	126	0.043	19.0	3.98	502	0.16	21
	nw	176	0.043	19.0	4.44	780	0.54	95
	nw	137	0.043	19.0	3.98	544	0.16	22
	all	1062	0.043	19.0	4.21	4472	0.35	373
Partitions (none)								
Windows								
4A5-2ov: 2 glazing, clr low-e outr, air gas, insulated vinyl frm mat, clr innr, clr strm, 1/2" gap, 1/8" thk; 6.67 ft head ht	sw	12	0.470	0	41.4	496	34.2	411
Doors (none)								
Ceilings (none)								
Floors								
21A-28t: Bg floor, heavy dry or light damp soil, 6.5' depth, carp 80% flr fnsh		1113	0.022	0	1.94	2155	0	0



16842 47th Place N, Plymouth, MN

Project Information

For: Birchwood Village, Nystrom's Htg
White Bear Lake

Design Conditions

Location:			Indoor:	Heating	Cooling
Minneapolis-St Paul, MN, US			Indoor temperature (°F)	70	72
Elevation: 872 ft			Design TD (°F)	88	19
Latitude: 45°N			Relative humidity (%)	30	50
Outdoor:	Heating	Cooling	Moisture difference (gr/lb)	32.1	39.2
Dry bulb (°F)	-18	91	Infiltration:		
Daily range (°F)	-	17 (M)	Method	Simplified	
Wet bulb (°F)	-	73	Construction quality	Semi-tight	
Wind speed (mph)	15.0	7.5	Fireplaces	1 (Semi-tight)	

Construction descriptions

	Or	Area ft²	U-value Btuh/ft²·°F	Insul R ft²·°F/Btuh	Htg HTM Btuh/ft²	Loss Btuh	Clg HTM Btuh/ft²	Gain Btuh
Walls								
12F-0sw: Frm wall, vnl ext, 1/2" wood shth, r-21 cav ins, 1/2" gypsum board int fnsh, 2"x6" wood frm, 16" o.c. stud	ne	297	0.065	21.0	5.72	1696	1.33	395
	se	218	0.065	21.0	5.72	1244	1.33	290
	sw	324	0.065	21.0	5.72	1853	1.33	432
	nw	316	0.065	21.0	5.72	1808	1.33	421
	all	1154	0.065	21.0	5.72	6601	1.33	1538
Partitions (none)								
Windows								
4A5-2ov: 2 glazing, clr low-e outr, air gas, insulated vinyl frm mat, clr innr, clr strm, 1/2" gap, 1/8" thk; 6.67 ft head ht	ne	28	0.470	0	41.4	1137	27.5	757
	se	88	0.470	0	41.4	3619	34.2	2996
	se	64	0.470	0	41.4	2647	34.2	2191
	nw	8	0.470	0	41.4	331	27.5	220
	all	187	0.470	0	41.4	7734	33.0	6165
10D-v: 2 glazing, clr low-e outr, air gas, insulated vinyl frm mat, clr innr, 1/2" gap, 1/8" thk; 6.67 ft head ht	nw	24	0.490	0	43.1	1035	20.0	479
Doors								
11P0: Door, mtl pur core type	nw	21	0.290	10.5	25.5	536	9.19	193
Ceilings								
16CR-50ad: Attic ceiling, asphalt shingles roof mat, r-50 ceil ins, 5/8" gypsum board int fnsh		12	0.020	50.0	1.76	21	0.90	11
Floors								
20P-30t: Flr floor, frm flr, 12" thkns, r-30 cav ins, amb ovr		12	0.035	30.0	3.08	37	0.53	6

16842 47th Place N, Plymouth, MN

Project Information

For: Birchwood Village, Nystrom's Htg
White Bear Lake

Design Conditions

Location:			Indoor:	Heating	Cooling
Minneapolis-St Paul, MN, US			Indoor temperature (°F)	70	72
Elevation: 872 ft			Design TD (°F)	88	19
Latitude: 45°N			Relative humidity (%)	30	50
			Moisture difference (gr/lb)	32.1	39.2
Outdoor:	Heating	Cooling	Infiltration:		
Drybulb (°F)	-18	91	Method	Simplified	
Dailyrange (°F)	-	17 (M)	Construction quality	Semi-tight	
Wet bulb (°F)	-	73	Fireplaces	1 (Semi-tight)	
Wind speed (mph)	15.0	7.5			

Construction descriptions

	Or	Area ft²	U-value Btu/h/ft²-°F	Insul R ft²-°F/Btu/h	Htg HTM Btu/h/ft²	Loss Btu/h	Clg HTM Btu/h/ft²	Gain Btu/h
Walls								
12F-0sw: Frm wall, vnl ext, 1/2" wood shth, r-21 cav ins, 1/2" gypsum board int fnsh, 2"x6" wood frm, 16" o.c. stud	ne	258	0.065	21.0	5.72	1476	1.33	344
	se	227	0.065	21.0	5.72	1298	1.33	302
	sw	288	0.065	21.0	5.72	1647	1.33	384
	nw	246	0.065	21.0	5.72	1404	1.33	327
	all	1019	0.065	21.0	5.72	5826	1.33	1357
Partitions (none)								
Windows								
4A5-2ov: 2 glazing, clr low-e outr, air gas, insulated vinyl frm mat, clr innr, clr strm, 1/2" gap, 1/8" thk; 6.67 ft head ht	ne	30	0.470	0	41.4	1241	27.5	826
	se	85	0.470	0	41.4	3516	34.2	2910
	nw	67	0.470	0	41.4	2750	27.5	1832
	all	182	0.470	0	41.4	7507	30.7	5568
Doors (none)								
Ceilings								
16CR-50ad: Attic ceiling, asphalt shingles roof mat, r-50 ceil ins, 5/8" gypsum board int fnsh		1221	0.020	50.0	1.76	2149	0.90	1104
Floors								
20P-30c: Flr floor, frm flr, 12" thkns, carpet flr fnsh, r-30 cav ins, amb ovr		108	0.035	30.0	3.08	333	0.53	57

Project Information

For: Birchwood Village, Nystrom's Htg
 White Bear Lake

Notes: 2 story w/ lookout basement, 5 bed

Design Information

Weather: Minneapolis-St Paul, MN, US

Winter Design Conditions

Outside db -18 °F
 Inside db 70 °F
 Design TD 88 °F

Summer Design Conditions

Outside db 91 °F
 Inside db 72 °F
 Design TD 19 °F
 Daily range M
 Relative humidity 50 %
 Moisture difference 39 gr/lb

Heating Summary

Structure 51674 Btuh
 Ducts 0 Btuh
 Central vent (SER=50% 160 cfm) 7503 Btuh
 Heat recovery
 Humidification 0 Btuh
 Piping 0 Btuh
 Equipment load 59177 Btuh

Sensible Cooling Equipment Load Sizing

Structure 24372 Btuh
 Ducts 0 Btuh
 Central vent (SER=50% 160 cfm) 1611 Btuh
 Heat recovery
 Blower 0 Btuh
 Use manufacturer's data n
 Rate/swing multiplier 0.96
 Equipment sensible load 24918 Btuh

Infiltration

Method Simplified
 Construction quality Semi-tight
 Fireplaces 1 (Semi-tight)

	Heating	Cooling
Area (ft ²)	3655	3655
Volume (ft ³)	24436	24436
Air changes/hour	0.28	0.13
Equiv. AVF (cfm)	115	53

Latent Cooling Equipment Load Sizing

Structure 2568 Btuh
 Ducts 0 Btuh
 Central vent (160 cfm) 4133 Btuh
 Heat recovery
 Equipment latent load 6701 Btuh

Equipment Total Load (Sen+Lat) 31619 Btuh
 Req. total capacity at 0.70 SHR 3.0 ton

Heating Equipment Summary

Make
 Trade
 Model
 AHRI ref

Efficiency 92 AFUE
 Heating input 0 Btuh
 Heating output 0 Btuh
 Temperature rise 0 °F
 Actual air flow 1345 cfm
 Air flow factor 0.026 cfm/Btuh
 Static pressure 0 in H2O
 Space thermostat

Cooling Equipment Summary

Make
 Trade
 Cond
 Coil
 AHRI ref
 Efficiency 13.4 SEER
 Sensible cooling 0 Btuh
 Latent cooling 0 Btuh
 Total cooling 0 Btuh
 Actual air flow 1345 cfm
 Air flow factor 0.055 cfm/Btuh
 Static pressure 0 in H2O
 Load sensible heat ratio 0.79

Bold/italic values have been manually overridden

Calculations approved by ACCA to meet all requirements of Manual J 8th Ed.

16842 47th Place N, Plymouth, MN

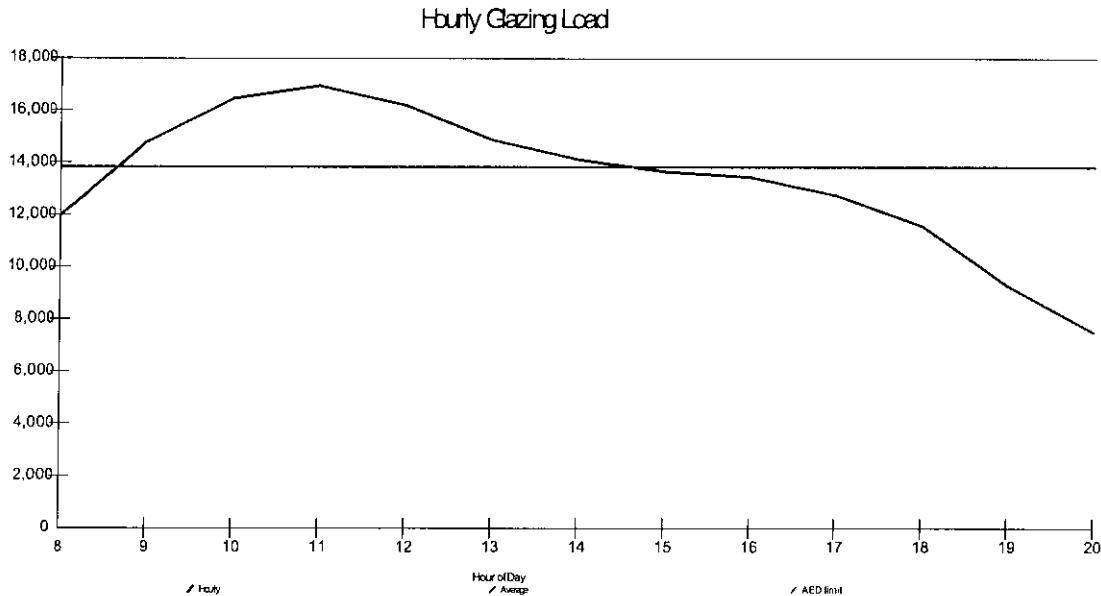
Project Information

For: Birchwood Village, Nystrom's Htg
 White Bear Lake

Design Conditions

Location:		Indoor:	Heating	Cooling
Minneapolis-St Paul, MN, US		Indoor temperature (°F)	70	72
Elevation: 872 ft		Design TD (°F)	88	19
Latitude: 45°N		Relative humidity (%)	30	50
		Moisture difference (gr/lb)	32.1	39.2
Outdoor:	Heating	Cooling	Infiltration:	
Drybulb (°F)	-18	91		
Dailyrange (°F)	-	17 (M)		
Wet bulb (°F)	-	73		
Wind speed (mph)	15.0	7.5		

Test for Adequate Exposure Diversity



Maximum hourly glazing load exceeds average by 22.5%.

House has adequate exposure diversity (AED), based on AED limit of 30%.

AED excursion: 0 Btuh

Bold/italic values have been manually overridden

16842 47th Place N, Plymouth, MN

1		Room name		Entire House				Basement Lookout							
2		Exposed wall		8.1 ft				28.0 ft							
3		Room height		454.0 ft				4.5 ft							
4		Room dimensions		3655.0 ft²				196.0 ft²							
5		Room area		3655.0 ft²				196.0 ft²							
6	Ty	Construction number	U-value (Btuh/ft²·°F)	Or	HTM (Btuh/ft²)		Area (ft²) or perimeter (ft)		Load (Btuh)		Area (ft²) or perimeter (ft)		Load (Btuh)		
					Heat	Cool	Gross	N/P/S	Heat	Cool	Gross	N/P/S	Heat	Cool	
6	W	12F-0sw	0.065	ne	5.72	1.33	675	804	3455	805	63	50	283	66	
		4A5-2ov	0.470	ne	41.36	27.54	71	0	2937	1958	14	0	558	372	
	W	15B11-8wc-4	0.055	ne	4.44	0.54	99	99	440	54	0	0	0	0	
		15B11-8wc-8	0.055	ne	3.98	0.18	128	128	502	21	0	0	0	0	
	11	W	12F-0sw	0.065	se	5.72	1.33	744	485	2774	646	63	41	232	54
			4A5-2ov	0.470	se	41.36	34.24	195	0	8065	6677	23	0	931	770
	W	G	4A5-2ovd	0.470	se	41.36	34.24	64	0	2647	2191	0	0	0	0
			15B11-8wc-4	0.055	se	4.44	0.54	113	113	500	61	0	0	0	0
	W	G	15B11-8wc-6	0.055	se	3.98	0.18	137	137	544	22	0	0	0	0
			12F-0sw	0.065	sw	5.72	1.33	612	812	3501	815	0	0	0	0
	W	G	15B11-8wc-4	0.055	sw	4.41	0.52	162	150	662	78	0	0	0	0
4A5-2ov			0.470	sw	41.36	34.24	12	0	496	411	0	0	0	0	
W	G	15B11-8wc-8	0.055	sw	3.98	0.18	126	126	502	21	0	0	0	0	
		12F-0sw	0.065	nw	5.72	1.33	681	562	3212	748	0	0	0	0	
W	G	10D-v	0.490	nw	43.12	19.97	24	0	1035	479	0	0	0	0	
		4A5-2ov	0.470	nw	41.36	27.54	75	0	3081	2052	0	0	0	0	
W	D	11P0	0.290	nw	25.52	9.19	21	21	536	193	0	0	0	0	
		15B11-8wc-4	0.055	nw	4.44	0.54	176	176	780	96	0	0	0	0	
W	G	15B11-8wc-6	0.055	nw	3.98	0.18	137	137	544	22	0	0	0	0	
		16CR-50ad	0.020	-	1.76	0.80	1233	1233	2170	1115	0	0	0	0	
F	F	20P-30c	0.035	-	3.08	0.53	108	108	333	57	0	0	0	0	
		20P-30l	0.035	-	3.08	0.53	12	12	37	6	0	0	0	0	
F	F	21A-28l	0.022	-	1.94	0.00	1113	1113	2155	0	0	0	0	0	
6	c) AED excursion								0				0		
	Envelope loss/gain							40905	18526			2004	1262		
12	a) Infiltration							10768	1066			430	43		
	b) Room ventilation							0	0			0	0		
13	Internal gains:		Occupants @	230		6			1380		0		0		
			Appliances/other						3400				0		
	Subtotal (lines 6 to 13)							51674	24372			2434	1305		
14	Less external load							0	0			0	0		
	Less transfer							0	0			0	0		
15	Redistribution							0	0			0	0		
	Subtotal							51674	24372			2434	1305		
	Duct loads						0%	0%	0	0	-0%	0%	0		
	Total room load							51674	24372			2434	1305		
	Air required (cfm)							1345	1345			63	72		

Calculations approved by ACCA to meet all requirements of Manual J 8th Ed.



16842 47th Place N, Plymouth, MN

		Basement						Main Floor							
		8.0 ft 122.0 ft heat/cool						9.0 ft 154.0 ft heat/cool							
		1113.0 ft²						1125.0 ft²							
1	Room name	Ty	Construction number	U-value (Btuh/ft²·F)	Or	HTM (Btuh/ft²)		Area (ft²) or perimeter (ft)		Load (Btuh)		Area (ft²) or perimeter (ft)		Load (Btuh)	
						Heat	Cool	Gross	N/P/S	Heat	Cool	Gross	N/P/S	Heat	Cool
6	W	12F-0sw	0.065	ne	5.72	1.33	0	0	0	0	324	297	1696	395	
	G	4A5-2ov	0.470	ne	41.36	27.54	0	0	0	0	28	0	1137	757	
	W	15B11-8wc-4	0.055	ne	4.44	0.54	99	99	440	54	0	0	0	0	
	W	15B11-8wc-6	0.055	ne	3.98	0.16	126	126	502	21	0	0	0	0	
	W	12F-0sw	0.065	se	5.72	1.33	0	0	0	0	369	218	1244	290	
	G	4A5-2ov	0.470	se	41.36	34.24	0	0	0	0	88	0	3619	2996	
	G	4A5-2ovd	0.470	se	41.36	34.24	0	0	0	0	64	0	2647	2191	
	W	15B11-8wc-4	0.055	se	4.44	0.54	113	113	500	61	0	0	0	0	
	W	15B11-8wc-6	0.055	se	3.98	0.16	137	137	544	22	0	0	0	0	
	W	12F-0sw	0.065	sw	5.72	1.33	0	0	0	0	324	324	1653	432	
	W	15B11-8wc-4	0.055	sw	4.41	0.52	162	150	662	78	0	0	0	0	
	G	4A5-2ov	0.470	sw	41.36	34.24	12	0	496	411	0	0	0	0	
	W	15B11-8wc-6	0.055	sw	3.98	0.16	126	126	502	21	0	0	0	0	
	W	12F-0sw	0.065	nw	5.72	1.33	0	0	0	0	369	316	1808	421	
	G	10D-v	0.490	nw	43.12	19.97	0	0	0	0	24	0	1035	479	
	G	4A5-2ov	0.470	nw	41.36	27.54	0	0	0	0	8	0	331	220	
	D	11P0	0.290	nw	25.52	9.19	0	0	0	0	21	21	536	193	
	W	15B11-8wc-4	0.055	nw	4.44	0.54	176	176	780	95	0	0	0	0	
	W	15B11-8wc-6	0.055	nw	3.98	0.16	137	137	544	22	0	0	0	0	
	C	16CR-50ad	0.020	-	1.76	0.90	0	0	0	0	12	12	21	11	
	F	20P-30c	0.035	-	3.08	0.53	0	0	0	0	0	0	0	0	
	F	20P-30t	0.035	-	3.08	0.53	0	0	0	0	12	12	37	6	
	F	21A-28t	0.022	-	1.94	0.00	1113	1113	2155	0	0	0	0	0	
6	c) AED excursion									131				-79	
	Envelope loss/gain								7123	915			15964	8314	
12	a) Infiltration								1508	149			4733	469	
	b) Room ventilation								0	0			0	0	
13	Internal gains:		Occupants @	230			0			0	6			1380	
			Appliances/other							0				3400	
	Subtotal (lines 6 to 13)								8631	1065			20697	13562	
	Less external load								0	0			0	0	
	Less transfer								0	0			0	0	
	Redistribution								0	0			0	0	
	Subtotal								8631	1065			20697	13562	
14	Duct loads								-0%	0%			0	0	
15	Total room load								8631	1065			20697	13562	
	Air required (cfm)								225	59			539	749	

Calculations approved by ACCA to meet all requirements of Manual J 8th Ed.



16842 47th Place N, Plymouth, MN

1	Room name		2nd Floor											
	Exposed wall		8.0 ft		150.0 ft		heat/cool							
	Room height		1.0		x		1221.0 ft		1221.0 ft²					
4	Room dimensions													
5	Room area													
	Ty	Construction number	U-value (Btuh/ft²·°F)	Or	HTM (Btuh/ft²)		Area (ft²) or perimeter (ft)		Load (Btuh)		Area or perimeter		Load	
					Heat	Cool	Gross	N/P/S	Heat	Cool	Gross	N/P/S	Heat	Cool
6	W	12F-0sw	0.065	ne	5.72	1.33	288	258	1476	344				
	W	4A5-2ov	0.470	ne	41.36	27.54	30	0	1241	828				
	W	15B11-8wc-4	0.055	ne	4.44	0.54	0	0	0	0				
11	W	15B11-8wc-6	0.055	ne	3.98	0.16	0	0	0	0				
	W	12F-0sw	0.065	se	5.72	1.33	312	227	1298	302				
	W	4A5-2ov	0.470	se	41.36	34.24	85	0	3516	2910				
	W	4A5-2ovd	0.470	se	41.36	34.24	0	0	0	0				
	W	15B11-8wc-4	0.055	se	4.44	0.54	0	0	0	0				
	W	15B11-8wc-6	0.055	se	3.98	0.16	0	0	0	0				
	W	12F-0sw	0.065	sw	5.72	1.33	288	288	1647	384				
	W	15B11-8wc-4	0.055	sw	4.41	0.52	0	0	0	0				
	W	4A5-2ov	0.470	sw	41.36	34.24	0	0	0	0				
	W	15B11-8wc-6	0.055	sw	3.98	0.16	0	0	0	0				
	W	12F-0sw	0.065	nw	5.72	1.33	312	246	1404	327				
	W	10D-v	0.490	nw	43.12	19.97	0	0	0	0				
	W	4A5-2ov	0.470	nw	41.36	27.54	67	0	2750	1832				
	W	11PD	0.290	nw	25.52	9.19	0	0	0	0				
	W	15B11-8wc-4	0.055	nw	4.44	0.54	0	0	0	0				
	W	15B11-8wc-6	0.055	nw	3.98	0.16	0	0	0	0				
	C	16CR-50ad	0.020	-	1.76	0.90	1221	1221	2149	1104				
	F	20P-30c	0.035	-	3.08	0.53	108	108	333	57				
	F	20P-30t	0.035	-	3.08	0.53	0	0	0	0				
	F	21A-28t	0.022	-	1.94	0.00	0	0	0	0				
6	c) AED excursion									-52				
	Envelope loss/gain								15814	8035				
12	a) Infiltration								4098	406				
	b) Room ventilation								0	0				
13	Internal gains:		Occupants @	230			0			0				
			Appliances/other							0				
	Subtotal (lines 6 to 13)								19912	8440				
14	Less external load								0	0				
	Less transfer								0	0				
	Redistribution								0	0				
	Subtotal								19912	8440				
15	Duct loads						-0%	0%	0	0				
	Total room load								19912	8440				
	Air required (cfm)								518	468				

Calculations approved by ACCA to meet all requirements of Manual J 8th Ed.

New Construction Energy Code Compliance Certificate

Per R401.3 Certificate. A building certificate shall be posted on or in the electrical distribution panel.

Date Certificate Post

Place your logo here

Mailing Address of the Dwelling or Dwelling Unit		City
Name of Residential Contractor		MN License Number

THERMAL ENVELOPE				RADON CONTROL SYSTEM			
Insulation Location	Total R-Value of all Types of Insulation	Type: Check All That Apply				Passive (No Fan) Active (with fan and monitor or other system monitoring device) Location (or future location) of Fan: Other Please Describe Here:	
		None or Not Applicable	Fiberglass, Blown	Fiberglass, Batts	Foam, Closed Cell		Foam, Open Cell
Below Entire Slab							
Foundation Wall							
Perimeter of Slab on Grade							
Rim Joist (1st Floor)							
Rim Joist (2nd Floor+)							
Wall							
Ceiling, flat							
Ceiling, vaulted							
Bay Windows or cantilevered areas							
Floors over unconditioned area							
Describe other insulated areas							
Building envelope air tightness:		Duct system air tightness:					
Windows & Doors			Heating or Cooling Ducts Outside Conditioned Spaces				
Average U-Factor (excludes skylights and one door) U:			X Not applicable, all ducts located in conditioned space				
Solar Heat Gain Coefficient (SHGC):			R-value				
MECHANICAL SYSTEMS				Make-up Air Select a Type			
Appliances	Heating System	Domestic Water Heater	Cooling System	X Not required per mech. code			
Fuel Type:	Nat Gas		Electric	Passive			
Manufacturer:	Lennox		Lennox	Powered			
Model:	ML91A110712		MU4K15036	Interlocked with exhaust device			
Rating or Size	Heat in BTUS: 70000	Capacity in Gals/hr:	Output in Tons: 3	Other, describe:			
Efficiency:	AFUE or HSPF %: 96		SEER/IEER: 14	Location of duct or system:			
Residential Load Calculation	Heating Load: 57,177	Heating Gain: 31,619	Cooling Load: 2,123				
MECHANICAL VENTILATION SYSTEM				Combustion Air Select a Type			
Describe any additional or combined heating or cooling systems if installed: (e.g. two furnaces or air source heat pump with gas back-up furnace):				X Not required per mech. code			
Select Type:				Passive			
Heat Recover Ventilator (HRV) Capacity in cfm:				Other describe:			
X Energy Recover Ventilator (ERV) Capacity in cfm:				Location of duct or system:			
Balanced Ventilation capacity in cfm:				Mech Room			
Location of fan(s), describe:				CFM's			
Capacity continuous ventilation rate in cfm:				* round duct OR			
Total ventilation (intermittent + continuous) rate in cfm:				* metal duct			

South			East			North			West		
	S1	Wall Total Elv		E1.1	Wall Total Elv		N1	Wall Total Elv		W1.1	Wall Total Elv
Length	9.5	161.5	Length	22	663.3	Length	7	219.1	Length	11.5	253
E1	1007		E	1004		E	1007		E	1008	
E2	1007		Max	1034.15		Max	1038.3		Max	1030	
Max	1024			E1.1			N2			W1.2	
	s2		Length	10	343	Length	8.5	261.8	Length	24.5	742.35
Length	8.25	237.6	E	1004		E	1007.5		E	1008	
E1	1007		Max	1038.3		Max	1038.3		Max	1038.3	
E2	1006			E2			N3			W2	
Max	1035.3		Length	4	121.2	Length	11.5	348.45	Length	11.5	312.225
	s3		E	1008		E	1008		E	1007	
Length	8.25	270.60	Max	1038.3		Max	1038.3		Max	1034.15	
E1	1005			E3			N4.1				
E2	1006		Length	9.5	209	Length	12	327.6			
Max	1038.3		E	1008		E	1008				
	s4		Max	1030		Max	1035.3				
Length	8.25	278.85		E4			N4.2				
E3	1005		Length	2	44	Length	9.5	171			
E4	1004		E	1008		E	1008				
Max	1038.3		Max	1030		Max	1026				
	s5										
Length	14.25	488.775									
E5	1004										
E6	1004										
Max	1038.3										
	Total Side Perir Total Elv			Total Side Perir Total Elv			Total Side Perir Total Elv			Total Side Perir Total Elv	
	48.5	1437.325		47.5	1380.5		48.5	1327.95		47.5	1307.575

	Perimeter	Total Elv
South	48.5	1437.325
East	47.5	1380.5
North	48.5	1327.95
West	47.5	1307.575
Total	192	5453.35
Average Height	28.4	ft



Real People. Real Solutions.

3507 High Point Drive North
Bldg. 1 Suite E130
Oakdale, MN 55128

Ph: (651) 704-9970
Bolton-Menk.com

MEMORANDUM

Date: 8-13-2024
To: Rebecca Kellen, City of Birchwood Village
From: Marcus Johnson, Bolton & Menk
Subject: 160 Cedar Appeal
City of Birchwood Village
Project No.: 0N1.131471

Rebecca,

Behind this memo is Bolton and Menk's response to the appeal **in red**. Behind the appeal are the attachments that go along with the response to the appeal.

Should the planning commission or city council like more information please reach out to me.

Sincerely,

Bolton & Menk, Inc.

Marcus A. Johnson

Marcus Johnson PE
Associate Project Engineer

160 Cedar Street
Birchwood, MN 55110

July 15, 2024

City Clerk
207 Birchwood Avenue
White Bear Lake, MN 55110

Re: Appeal of City permit issued for 160 Cedar Street

Dear City Clerk:

Pursuant to the letter we received from your city attorney dated June 18, 2024, we are appealing the permit issued by the City of Birchwood Village for 160 Cedar Street in Birchwood. There are a number of code provisions the City has failed to apply. These are the issues and the code that should have been applied:

1. Birchwood Code 301.055 (7) Stormwater and erosion control plans. For a building permit, the applicant must submit stormwater and erosion control plans prepared and signed by a licensed professional engineer." This has not been done.
And "The stormwater management plan must detail how stormwater will be controlled to prevent damage to adjacent property". There are no drainage control structures or any provision for impoundment/containment of water at and within 160 Cedar Street.
 - a. As far as I am aware, the city has granted the option of a licensed engineer or a surveyor. It is signed by a licensed surveyor.
 - b. Due to the nature of the project it was not required to be signed off by a licensed engineer on the plans.
 - We have asked for a structural engineer signature for more complex structures. For example, a retaining wall larger than 4' tall would require a engineer's sign off.
 - c. Erosion control is on the survey drawing and is following the MPCA requirements as far as BMP's (Best management practices) are concerned. See attached survey document.
2. Birchwood Code 301 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 Section 302.050...and 302.055".
 - a. Birchwood Code 302.050 states "to reduce the unwanted harmful effects of stormwater, it is policy of the City of Birchwood Village that each property within the City manage its own stormwater to limit runoff into streets, waterways, and neighboring properties."
 - See survey attachment where drainage arrows have been applied. If you follow my drainage arrows (if constructed per plans), drainage would follow near the property line but not cross.

b. "Birchwood Code 302.055 (2)(a)(1) No construction or alteration of new or existing structures or land topography shall be done to increase the rate of storm water runoff from the parcel as compared to the runoff rate before such construction or alteration unless:" (Note: none of the exceptions listed apply.)

- The existing house that was on the property prior (approximately 5300 square feet of impervious) was compared to the impervious proposed in the current building permit (3500 square feet of impervious). I have attached an impervious area map for the proposed building and the google maps image showing the approximate previous house on the property. The existing building appears to primarily be on 160 Cedar's property, which is why the impervious area of the existing building was included in the analysis of this building permit. Since there was no survey of the previous house, Google maps was used to verify the amount of impervious was onsite prior to the demolition. In looking at this, the city would see a decrease in the rate of storm water runoff as there is proposed to date. In future building permits of the two remaining lots there would be the potential for an increase in rate runoff should they be developed.
- On the attached survey from the 160 Cedar building permit, the square footage of impervious area that is running to the low point at the back of the property is noted at approximately 1250 square feet. When comparing the existing contours shown on the provided survey, the drainage pattern does not appear to be significantly changing onsite. So it appears to me the back yard low spot would not see an increase in the rate of storm water runoff.

Per the builder's survey dated 4/25/2024, the increase in impervious surface is 3500 square feet. Much of that impervious surface will drain directly onto our property. There are no

containment provisions included in the plan, nor are there any calculations for runoff or analysis of any soils to determine the infiltration rate of storm water.

The city engineer, at a site meeting with us on June 11, 2024, stated he calculated there would be no increased runoff based on a "quick calculation that I just did in my head" and he included in his impervious "analysis" a garage that was torn down three years prior. The city code does not provide for the long-demolished garage to be included since the runoff must be "compared to the runoff rate before such construction or alteration". And the engineer's "analysis" was not presented as a "signed" evaluation.

See the attached survey where drainage arrows have been applied. 1250 square feet of the impervious surface would run to the low point. As shown in my interpretation the drainage would run along the property.

- c. Birchwood Code 306.030 (a)(6) requires "a description of soils of the site, including a map indicating soil types of the areas to be disturbed." This has not been done.

A Site Construction Plan is required including

"(2) Locations and dimensions of all temporary soil and construction materials." This has not been done.

"(3) Locations and dimensions of all construction site erosion control and permanent stabilization measures to meet City and State Code both during and after the construction process." This has not been done.

"(4) Schedule of anticipated starting and ending dates of each land disturbance activity and construction site erosion control, storm water runoff control, and inspection, and maintenance activity." This has not been done.

Plat of Final Site Conditions is required including

"(3) A drainage plan of the developed site including final storm water drainage systems and natural drainage patterns on and immediately adjacent to the site with delineation of the direction in which storm water is conveyed from the site." This has not been done.

Section 306 is a Conditional Use section. A conditional use permit was not needed in the application.

- d. Birchwood Code 306.030(b) "Demonstration that the work will not adversely affect ...the adjacent parcels of land." This has not been done.

Our property will incur additional runoff due to the city's failure to apply the city code as required. We have consulted a licensed, professional engineer. They have been advised that low area delineated by elevation 1002 feet on the site survey, and endorsed as the drainage area by the city engineer, will cause water to intrude onto our *property* at that elevation. Due to the Lack of runoff calculations and analysis of soil types, it is impossible to know how much water will pond and how long it will take to infiltrate. Regardless, the ground floor elevation of our house is at least five feet below this ponding area. This additional runoff puts our house at risk for water infiltration and/or flooding—neither of which have we previously experienced. The ground floor elevation is finished, and any water damage to

it will be substantial. This damage will be a direct result of the City's failure to require any drainage controls as mandated by city code.

To fully respond to the feedback from the consulted engineer, I would need to see the conclusions of the professional engineer employed to understand what their model parameters are. I would be happy to consult with their engineer.

It would take a large enough storm for ponding to occur in this low point. When ponding occurs, it would start just below 1002' in elevation. The low elevation of 160 Cedar is approximately 1003.7. The low elevation of the closest neighbor (180 Cedar) is the windowsill at 1004' or 1003.8' along the south side of the house. Should ponding occur, it would require approximately 9600 cubic feet of ponding to occur prior to flooding of homes should occur. 160 Cedar would see flooding prior to surrounding neighbors, at this point, the area of 160 Cedar low floor would be included in the ponding area prior to 180 Cedar seeing water. To date, it has been assumed that the neighbor's basement walls are in good condition. Based on the attached email dated 4/25/2024 from the neighbor of 160 Cedar, it has been acknowledged that this low point does occasionally hold water and with no history of flooding when the existing house and garage of 176 Cedar was in place. It is my understanding 180 Cedar does not have a sump pump, which additionally suggests the low point ponding has not risen to a point of concern to date. The photos sent to the city on 8/9/2024, is not concerning as it has been my understanding that ponding has occurred at the low point historically during large rain events. See the attached survey for the location of the silt fence. As shown on the survey, the silt fence runs right through the low point. Ponding should still be expected to occur during large rain events. The silt fence's purpose is to retain sediment from leaving the site, which in return may restrict water to flow through leaving or coming onto the site.

With the concern expressed on the future properties being built, should those plans show drainage leaving the property onto 160 Cedar as the existing contours show to date. That set of plans would violate city code 302.050 which would trigger further investigation.

Furthermore, the building area of the lot immediately to the west of 160 Cedar Street drains almost exclusively to our property. In our May 17, 2024 email to the city engineer, we attempted to have City Engineer Marcus Johnson address this issue. He responded, "That is where I recommended coming up with a drainage agreement between the three neighbors essentially in an agreement saying if there are any issues back there that the three property owners will come up with a solution together". This statement is in contravention to the planning and building requirements of the city's code.

The city has a responsibility to protect our property. This failure will result in substantial, ongoing damage to our property and is an unlawful taking of our property without just compensation. We ask that you remedy the problem immediately by requiring the above-referenced code be applied and enforced as part of the permit issued for 160 Cedar Street.

We appreciate your prompt response.

Very truly yours,


Rachael and David Drew



In summary, Bolton and Menk received the attached survey and the building layout, traffic control plan, and the permit itself. Most of the site's drainage is reviewed from the survey drawing. To determine which portion of the house drains off to the back of the property, it was required to review the building layout. The city code requires storm water management for all new impervious surfaces. However, it is not as clear as to what level of management is needed when the impervious percentage is less than 25% across the site. As shown in the survey, this property is proposed to only have 7% of surfaces be impervious on the property. The code also does not cover what level of treatment is needed for the stormwater runoff that comes on site from surrounding properties and whose responsibility it is to manage. The permit was approved since the low point was onsite with no variance or conditional use permit. If the permit showed 25% or more impervious onsite or if the drainage left the site, a more in-depth management plan would be asked of the 160 Cedar permit. At that point, a SWPPP signed by a licensed engineer would also be required assuming calculations that would need to be signed off would be involved.

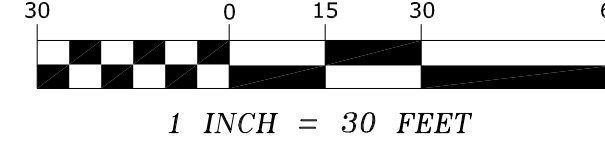
CERTIFICATE OF SURVEY

~for~ **AVERY MORSE**
 ~of~ **160 CEDAR STREET**
BIRCHWOOD, MN

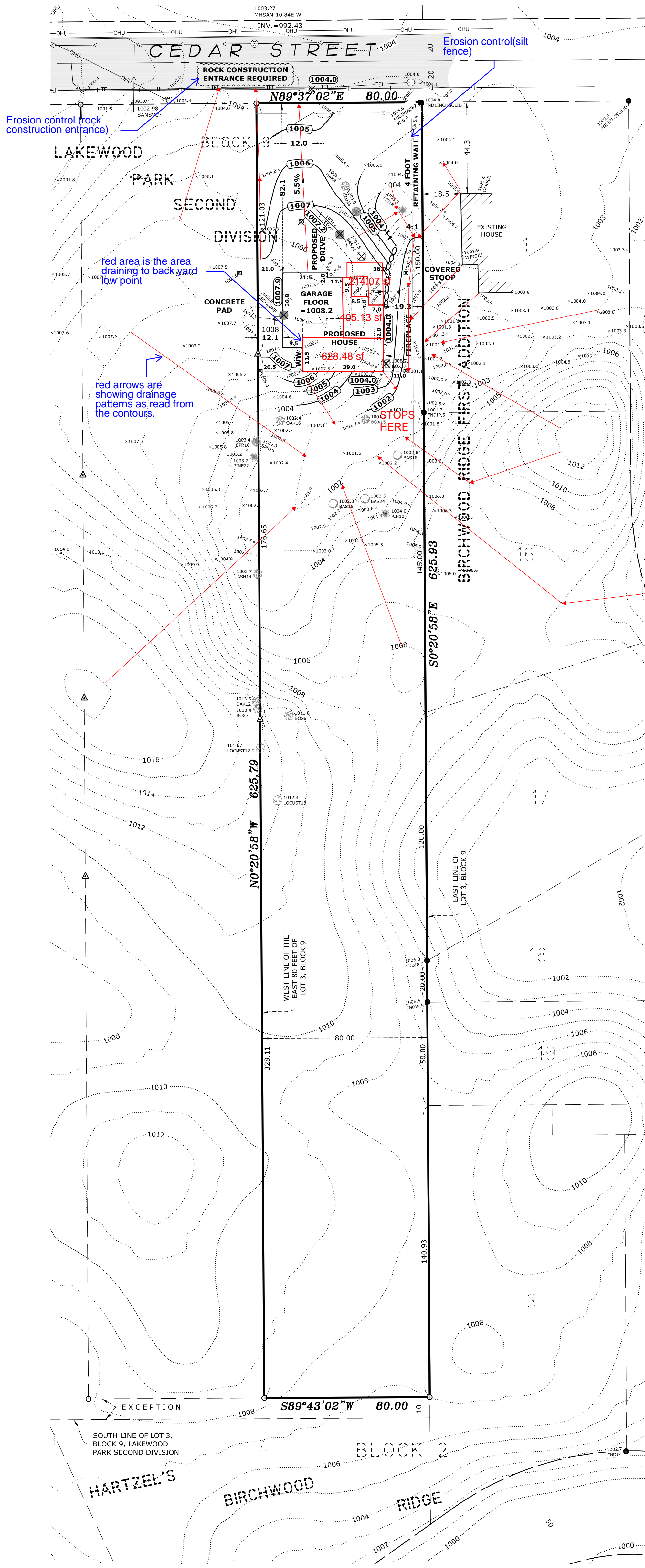
LEGAL DESCRIPTION

The East 80.00 feet of Lot 3, Block 9, LAKEWOOD PARK SECOND DIVISION, Washington County, Minnesota. Except the south 10.00 feet thereof.

GRAPHIC SCALE



NORTH



LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET
- ⊗(800.0) DENOTES PROPOSED ELEVATION
- DENOTES EXISTING ELEVATION
- DENOTES DIRECTION OF DRAINAGE
- ⊗ DENOTES WOOD HUB/METAL SPIKE AT 11 FOOT OFFSET (UNLESS OTHERWISE NOTED)
- ⊗ DENOTES SANITARY SEWER MANHOLE
- ⊗ DENOTES TELEPHONE MANHOLE
- DENOTES EXISTING CONTOURS
- GAS — DENOTES UNDERGROUND GAS LINE
- TEL — DENOTES UNDERGROUND TELEPHONE LINE
- BITUMINOUS SURFACE — DENOTES BITUMINOUS SURFACE
- PROPOSED RETAINING WALL — DENOTES PROPOSED RETAINING WALL
- PROPOSED CONTOURS — DENOTES PROPOSED CONTOURS
- S — DENOTES SILT FENCE

HOUSE NOTES

- * BUILDER TO VERIFY HOUSE DIMENSIONS, SEWER DEPTH AND FOUNDATION DEPTH.
- * DRIVEWAYS ARE SHOWN FOR GRAPHIC PURPOSES ONLY. FINAL DRIVEWAY DESIGN AND LOCATION TO BE DETERMINED BY CONTRACTOR.
- * FINISHED GRADE ADJACENT TO HOME SHALL BE 0.5 FEET BELOW TOP OF BLOCK EXCEPT AT DRIVEWAY AND PATIO.

SURVEY NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 03/07/24, and 04/24/24.
- Bearings shown are on Washington County datum.
- Parcel ID Number: 30-030-21-23-0069.
- Address: 176 Cedar Street, White Bear Lake, MN 55110.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Contours shown are a combination of field work and MNGeo Lidar Topography.
- Location of utilities existing on or serving the surveyed property determined by:
 - Observed evidence collected pursuant to Section 5.E.iv.
 - Markings requested by E.G. Rud & Sons, Inc. per Gopher State One Call Ticket No. 212601645.
- Record drawings provided by the City of Birchwood's engineering department.
- Excavations were not made during the process of this survey to locate underground utilities and/or structures. The location of underground utilities and/or structures may vary from locations shown hereon and additional underground utilities and/or structures may be encountered. Contact Gopher State One Call Notification Center at (651) 454-0002 for verification of utility type and field location, prior to excavation.
- Finished grade adjacent to home shall be 0.5 feet below top of block except at driveway and patio.

TREE DETAIL

- DENOTES ELEVATION
- DENOTES TREE QUANTITY
- DENOTES TREE SIZE IN INCHES
- DENOTES TREE TYPE
- ⊗ DENOTES TREE TO BE REMOVED

DIAG: 47.50 X 70.50 = 85.01
 (8'4" POURED WALL LOOKOUT BASEMENT)

PROPOSED ELEVATIONS

- TOP OF BLOCK = 1009.3
- GARAGE FLOOR = 1008.2 (DROP 8 INCHES)
- LOWEST OPENING = 1004.5
- LOWEST FLOOR = 1001.3
- TOP OF FOOTING = 1001.0

roughly the same elevation as the window well

SETBACKS

- FRONT ROAD = 40 FEET
- SIDE STREET = 40 FEET
- SIDE YARD = 10 FEET
- REAR YARD = 10 FEET

EXISTING ZONING

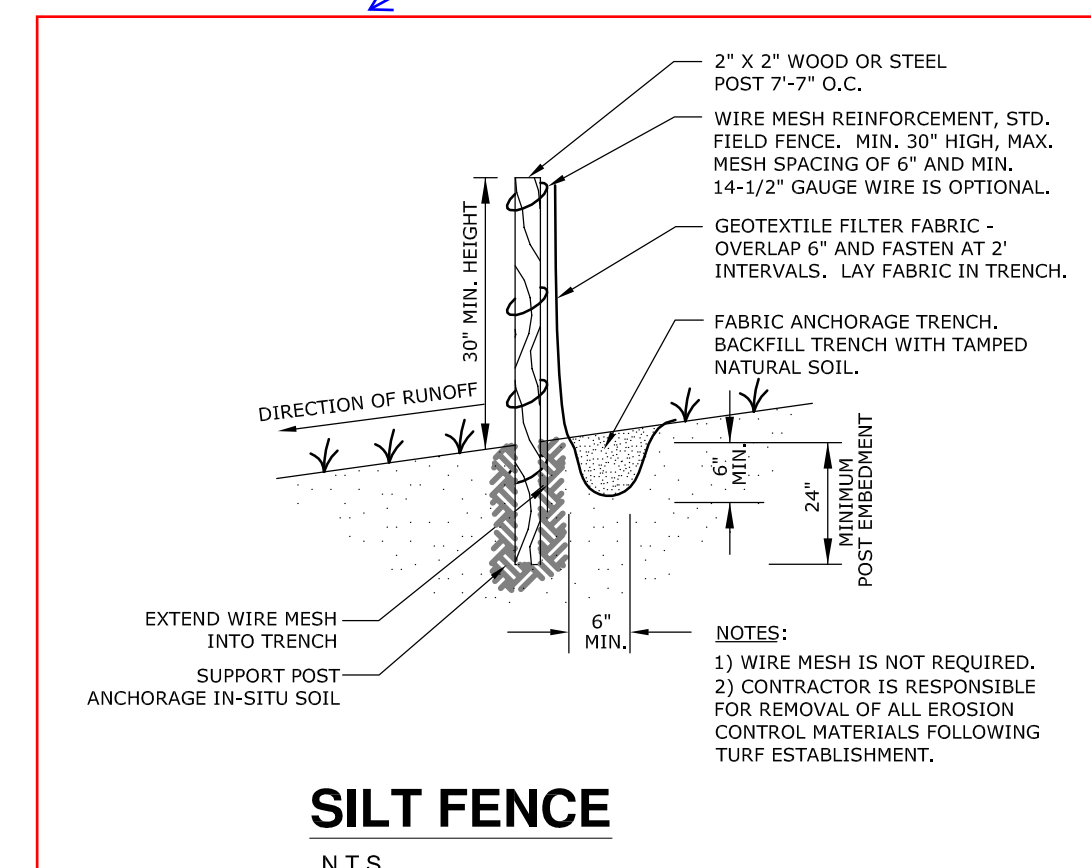
RESIDENTIAL

IMPERVIOUS SURFACE CALCULATIONS

TOTAL PARCEL AREA	50,069 S.F. (1.15 Acres)
PROPOSED HOUSE, GARAGE, STOOP	2,027 S.F.
PROPOSED DRIVEWAY	1,457 S.F.
PROPOSED CONCRETE	16 S.F.
TOTAL IMPERVIOUS SURFACE	3,500 S.F.
PERCENT IMPERVIOUS	7.0%

part of the erosion control suggested was missing

impervious calculations



SILT FENCE

N.T.S.

SEWER AND WATER INSTRUCTIONS

1. SEWER LINE: CONTACT JOHN MANSHIP 651-426-9386 AND STEVE THATCHER 612-867-7234 ON THE DAY THE HOLE IS OPENED UP.
2. WATER LINE: CONTACT JOHN MANSHIP 651-426-9386 AND STEVE THATCHER 612-867-7234 ON THE DAY THE HOLE IS OPENED UP.

E. G. RUD & SONS, INC.
 EST. 1977
 Professional Land Surveyors
 6776 Lake Drive NE, Suite 110
 Lino Lakes, MN 55014
 Tel. (651) 361-8200 Fax (651) 361-8701

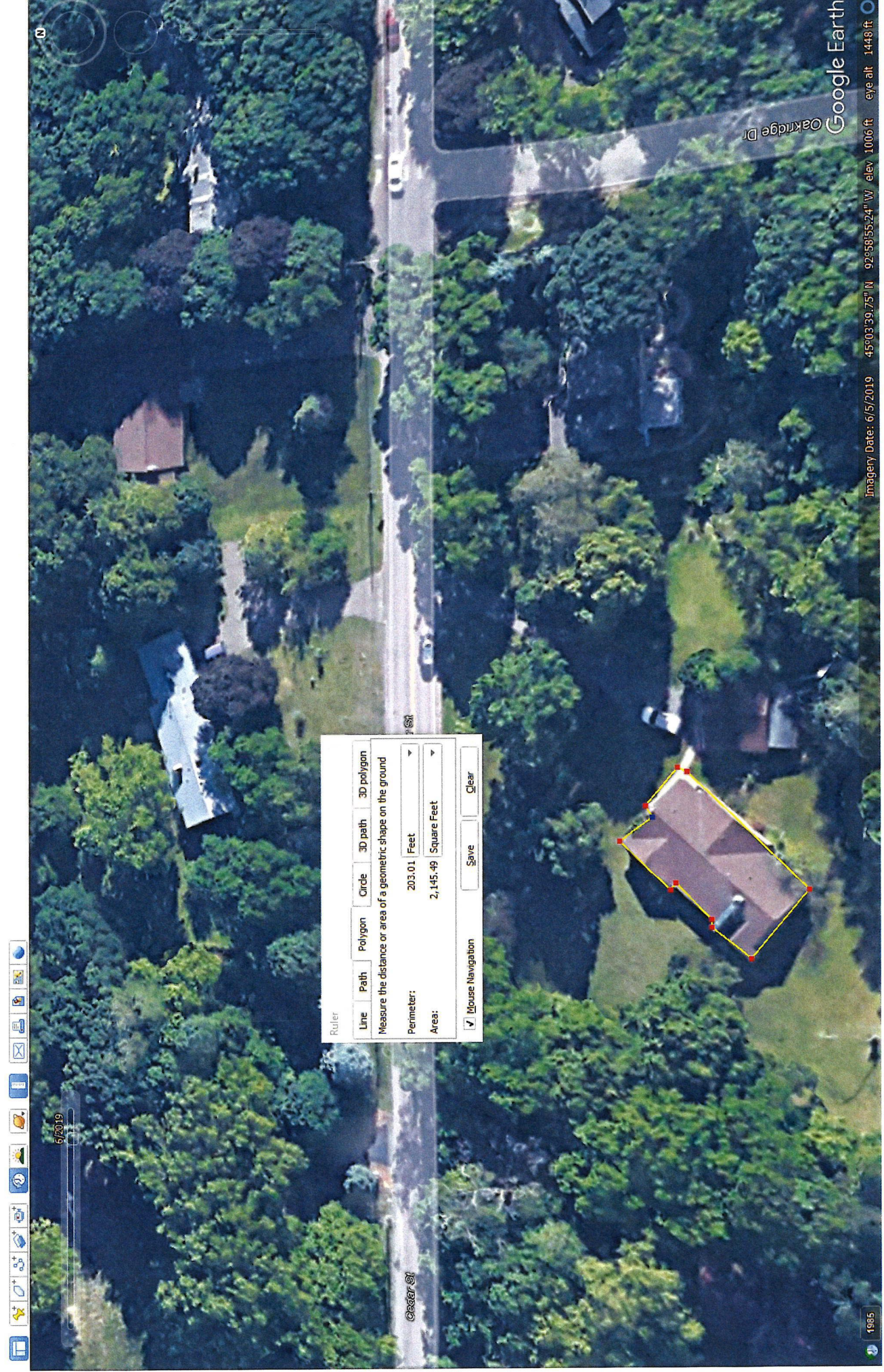
licensed survey

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

JASON E. RUD

Date: 4/25/2024 License No. 41578

DRAWN BY: RAF	JOB NO: 24018SHS	DATE: 03-14-24
CHECK BY: JER	FIELD CREW: DT/CT	
1 04-23-24	UPDATED ADDRESS	RAF
2 04-25-24	ADDED FIELD INFO.	RAF
3		
NO.	DATE	DESCRIPTION
BY		



- Home
- Layers
- Search
- Measure
- Link
- Print
- Share
- Tools
- Help

6/20/19

Ruler

Line Path Polygon Circle 3D path 3D polygon

Measure the distance or area of a geometric shape on the ground

Perimeter: 203.01 Feet

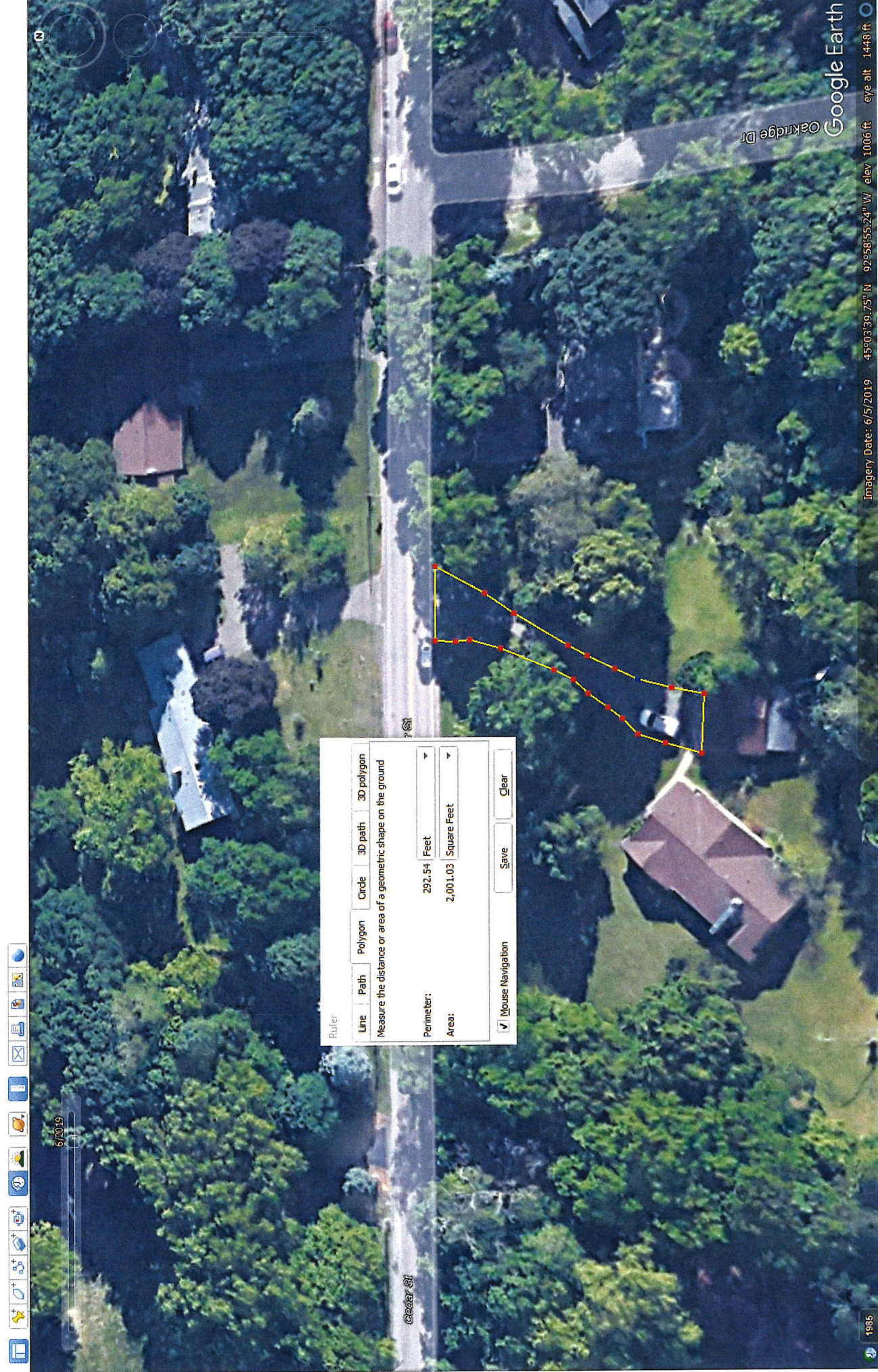
Area: 2,145.49 Square Feet

Mouse Navigation Save Clear

Google Earth

Imagery Date: 6/5/2019 45°03'39.75" N 92°58'55.24" W elev 1006 ft eye alt 1448 ft

1995



Ruler

Line Path Polygon Circle 3D path 3D polygon

Measure the distance or area of a geometric shape on the ground

Perimeter: 292.54 Feet

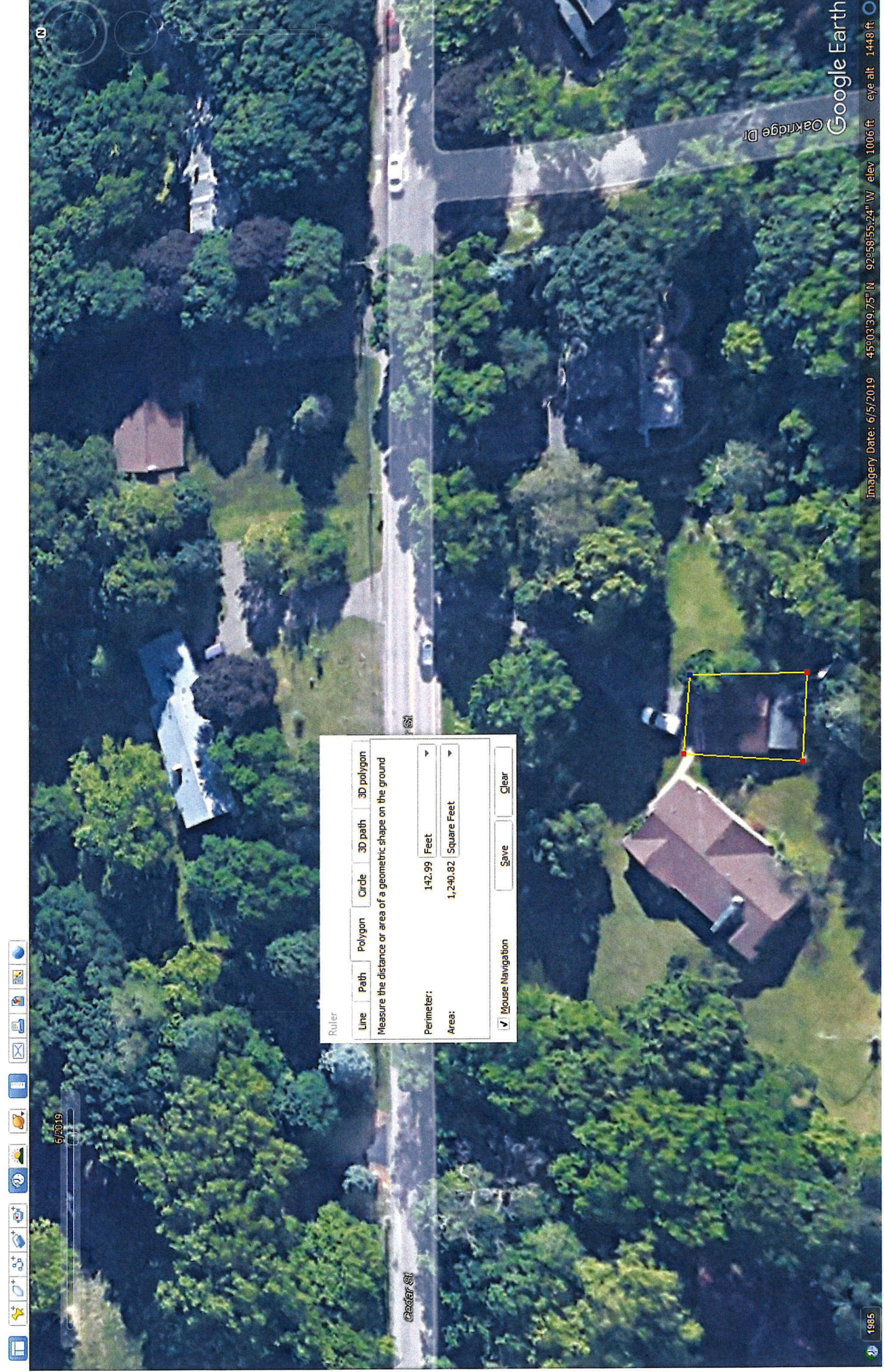
Area: 2,001.03 Square Feet

Mouse Navigation Save Clear

Google Earth

Imagery Date: 6/5/2019 45°03'59.75" N 92°58'55.24" W elev. 1006 ft eye alt. 1448 ft

1985



2

Oakridge Dr

Google Earth

Imagery Date: 6/5/2019 45°03'39.75" N 92°58'55.24" W elev 1006 ft eye alt 1448 ft

Ruler

Line Path Polygon Circle 3D path 3D polygon

Measure the distance or area of a geometric shape on the ground

Perimeter: 142.99 Feet

Area: 1,240.82 Square Feet

Mouse Navigation Save Clear

6/20/19

1985

Marcus Johnson

From: Rachael Drew <rdrew5954@gmail.com>
Sent: Thursday, April 25, 2024 9:24 AM
To: Marcus Johnson; benwikstrom@gmail.com
Subject: Building permit

To:
Marcus Johnson, City Engineer for Birchwood Village

Ben Wickstrom, City Planner for Birchwood Village

From:
Rachael and Dave Drew, homeowners of 180 Cedar St. Birchwood Village

We are writing this email to make clear our concerns with the current building permit submitted for 160 Cedar St- the adjacent property to our west.

The nature of this lot- very narrow, long and hilly makes it very important to determine the best placement for the new owners as well as the surrounding neighbors.

Most homes in Birchwood are built in line with the street but because this property is so long it affords the new owners the luxury of building their home setback from the street. The current plans have the house sitting on a fairly large hill and close to the shared property line since it is a narrow lot.

We have many concerns about this location.

We have concerns with the height of the property. Even though it complies with the rules it is being built on a hill and very close to the property line. The 35 foot height limit when built on a hill does not afford us the protection intended by that 35 ft rule. We will lose all privacy in our backyard and any kind of feel for space. We know that you are viewing the permit to see if it follows the guidelines set by Birchwood but as a City Planner we hoped that there might be more than just guidelines and rules. The value of a homeowners property might be considered.

Our biggest concern is how a home built on a hill so close to our property will affect the water flow. We feel that a home so close at that elevation will mean that our yard will be the area that holds the water. Historically, during rainy periods and winter thaws we have had standing water in the back of our lot. We are not the only homeowners in Birchwood that have experienced this. With this change to the terrain we are very concerned that this will be an ongoing issue for our property.

It was brought up by the owner that their surveyor suggested they might need to do "something" on our property to ensure the water stays on their lot. We gave some thought to this and decided that we don't feel we should have to make changes to our property to accommodate this plan. If the current plan does not guarantee our land will be unharmed then a more level land location should be considered by the new owners.

We also have concerns about future building on the middle lot. A view from our backyard will show that if those property owners also choose to build high on the hill, this will mean more water moving down toward our property. Water displaced by this home will hit already saturated land moving more water our way.

Lastly, we are concerned with the plan the new owners have with the fill removed for their foundation. Any placement of this dirt and fill on their property will impact water flow to adjacent properties. It will be important to know the plan in order to protect us or other property owners.

You are welcome any time to go on our property to have a look. We are available anytime for questions. It might also be interesting to view the lots from a higher point of view from our home. You are welcome to take a look from inside our second story.

We would appreciate being informed as to the status of the permit once a decision is made. We like our new neighbors and welcome them but this is very important to us and we feel we need to stand up for our property and its value.

Rachael and Dave Drew

Best to reach by phone - (651)808-5700

Or email- david.drew@sawmillmgt.com

Sent from my iPhone

MEETING MINUTES (Draft)

Birchwood Planning Commission Regular Meeting

City Hall - 7:00 PM Regular Meeting 8/22/2024

Submitted by Michael Kraemer – secretary

COMMISSIONERS PRESENT: – Andy Sorenson - Chairperson, Michael Kraemer, Casey Muhm, Michael McKenzie

COMMISSIONERS ABSENT: Michelle Maiers-Atakpu

OTHERS PRESENT: Council Member Ryan Hankins, Bill Hullsiek, Avery Morse, Sara Patoua, Jennifer Arsenault, Arthur Arsenault, Kevin Heisdorffer, Ryan Eisele, Shari Salzman, Jack Kramer, Marcus Johnson, Ben Wikstrom – City Planner

1. TO ORDER: Sorenson called meeting to order at 7:01 PM.
2. PUBLIC FORUM
 - a. none
3. APPROVE AGENDA
 - a. Suggestion by Sorenson to switch order of Items B and C. Motion by McKenzie, 2nd by Muhm, 2nd to approve agenda as altered. Vote: Yes -4, No – 0. Motion passed.
4. REGULAR AGENDA
 - a. Item A – Review/Approve July 25, 2024 Planning Commission Meeting Minutes.
 - i. Motion by Muhm, 2nd by McKenzie to approve the minutes. Vote: Yes – 4, No – 0, Motion passed.
 - b. Item C – Appeal Regarding Approval of the Building Permit at 160 Cedar.
 - i. Planning Commission took statements on the review of the July 15, 2024 Appeal letter for 160 Cedar from Jack Kramer – Building Official, Ben Wikstrom – City Planner. Marcus Johnson - consulting City engineer and Avery Morse, Sara Patoua owners of 160 Cedar.
 - ii. **Issue #1** – *“Birchwood Code 301.055 (7) Stormwater and erosion control plans. For a building permit the applicant must submit stormwater and erosion control plans prepared and signed by a licensed professional engineer. This was not done.”*
 1. **Findings/Recommended Action:** The Planning Commission recommended that the site plan which indicated existing and proposed grading and contours as well as details on silt fence and erosion control locations and details as prepared by registered land surveyor E. G. Rude and Sons met the intent of the code. The resultant opinion of the Planning Commission on motion by Casey, 2nd by Sorenson was that the City did not make a mistake

in the approval of the building permit. Advisory Vote: Did not make a mistake – 4, Did make a mistake – 0.

iii. **Issue #2** – “a. Birchwood Code 302.050 states “to reduce the unwanted harmful effects of stormwater, it is policy of the City of Birchwood Village that each property within the City manage its own stormwater to limit runoff into streets, waterways, and neighboring properties.””b. Birchwood Code 302.055 (2))a) (1) No construction or alteration of new or existing structures or land topography shall be done to increase the rate of storm water runoff from the parcels as compared to the runoff rate before such construction or alteration unless...”

1. **Findings/Recommended Action:** The property owners reiterated that the spoil pile from basement excavation will be not remain in the low area and the contours and dimensions of the pre-existing low area will not be altered and will remain to accept storm water runoff as indicated on the approved site plans. The City Engineer determined that the runoff from the impervious surface created by the new home, and the impact on the capacity and operation of the storm water collection low area is comparable to pre-development conditions. A resultant motion by McKenzie and 2nd by Sorenson - it is the Planning Commission opinion the City did not error on approving the construction permit. Advisory Vote: Did not error – 4. Did error – 0.

Item B – Set dates for November and December, 2024 Planning Commission meetings since the 4th Thursday of each of these month’s conflicts with Thanksgiving and Christmas holidays.

- iv. **Action Taken:** Suggest the City Administrator review the calendar and determine which dates the City Hall is available for the Planning Commission meeting while avoiding the holiday dates as much as possible.

ADJOURN 8:29 PM

- c. Motion by Motion by McKenzie, 2nd by Muhm to adjourn meeting. Vote: Yes - 4, No – 0. Motion passed.


Re: August 22, 2024 Planning Commission Agenda Packet

Rachael Drew <rdrew5954@gmail.com>

Fri 8/16/2024 1:21 PM

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

Cc: Andy Sorenson <asconstruction@me.com>; Michelle Maiers-Atakpu <pmatakpu@comcast.net>; Mike Kraemer <mrkraemer50@gmail.com>; MICHAEL McKenzie <mgmcke31@comcast.net>; Casey Muhm <casey.muhm@gmail.com>; Alan Kantrud <hakantrud@protonmail.com>; Marcus Johnson <Marcus.Johnson@bolton-menk.com>; Ben Wikstrom <benwikstrom@gmail.com>; Jack Kramer <inspjack@msn.com>

 1 attachments (20 MB)

August 22 2024 PC Meeting Packet.pdf;

To the Birchwood Planning Commission:

After reviewing Marcus's responses to the appeal letter we would like to clarify a few things and ask a few questions.

We are thankful you are reviewing the drainage/ water issues along our property. We are not really clear what your role is in the appeal process. If that could be explained we would appreciate it. But we are really thankful to have your interest.

In the appeal letter #1, we are wondering what constitutes a "complex structure"? The example sites a > 4' retaining wall but a 3500 sq ft impervious surface 15 ' from a property line does not? Since this is the reason cited for waiving some of the codes, we were wondering if this is defined by Birchwood. Also in #1, regarding erosion control the survey was used to satisfy the permit without a specific plan but a site visit would show that this is not happening. The silt skirt has been breached multiple times requiring it to be propped up and dirt is level with the skirt in several places allowing water to flow over the skirt. Is there follow up once a permit is in place?

In the appeal letter #2 regarding drainage arrows. This document is not accurate. Water is pouring off the front of the house. See picture below. The engineer hasn't accounted for this in the diagram. But following the survey and seeing firsthand you can see that water is moving down the east side and settling in the lowest point on our property- survey level 1001.2. I sent pics of the 8/9 rain storm but I have others. See one below dated 7/13 that shows the water pouring off the front. I have more. This is not an isolated storm situation.

Marcus states that the previous property was approximately 5300 sq ft of impervious surface with most of it sitting on 160 Cedar, according to a calculation off of a Google maps pic. Elmer's home per Washington Co was 1,872 sq ft of living space with a single car garage and single lane driveway. We question the impervious surface calculation of 5300. In addition, only a fraction of the single car garage was on the 160 lot. Below are pictures from the Washington Co Property Maps site showing the placement of the structures in relation to the new lots. We don't think that using those impervious surface calculations is relevant to any calculations for the current house.

Lastly regarding the "ponding" on our property. Prior to the permit approval we sent a letter to all the professionals involved in the permit process. We expressed our concerns with water drainage and that during rainy, winter thawing periods we had had water on the back southwest corner of our lot. This occurred two winter / spring periods while the ground was frozen and couldn't contain the flow of water. With the development of these three lots we were concerned this would become a regular occurrence. This is an occurrence and concern shared by others in the neighborhood. That is why when Husnik's bought the land concerns were addressed and the decision to limit the property to 3 lots was made. The concern has not gone away it is just limited to a few. This is a major development because of the terrain and narrowness of

the lots. It deserves close scrutiny, reliable calculations, adherence to the codes and a good drainage plan for all.

Rachael and Dave Drew

 image1.jpeg


 image2.jpeg

 image3.jpeg

 image4.jpeg

Sent from my iPhone

On Aug 15, 2024, at 12:06 PM, Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com> wrote:

Attached is the agenda packet for the August 22, 2024 Planning Commission meeting. It can also be found on the website here: cityofbirchwood.com/wp-content/uploads/2024/08/August-22-2024-PC-Meeting-Packet.pdf

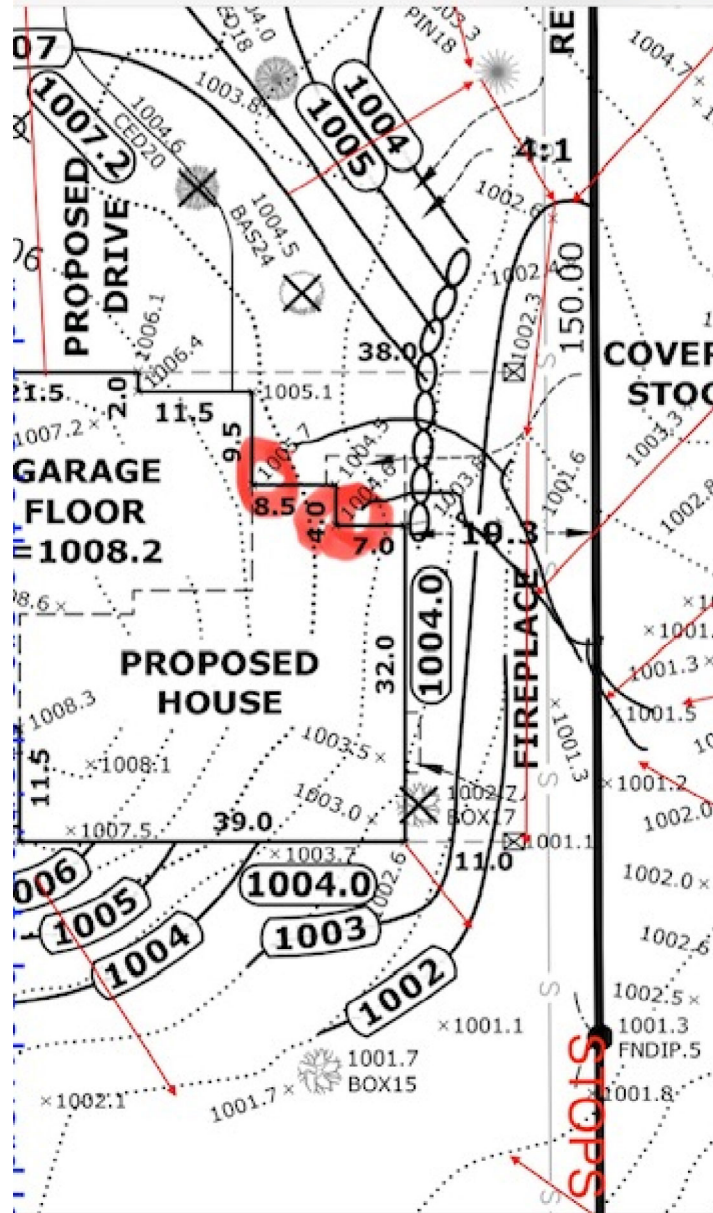
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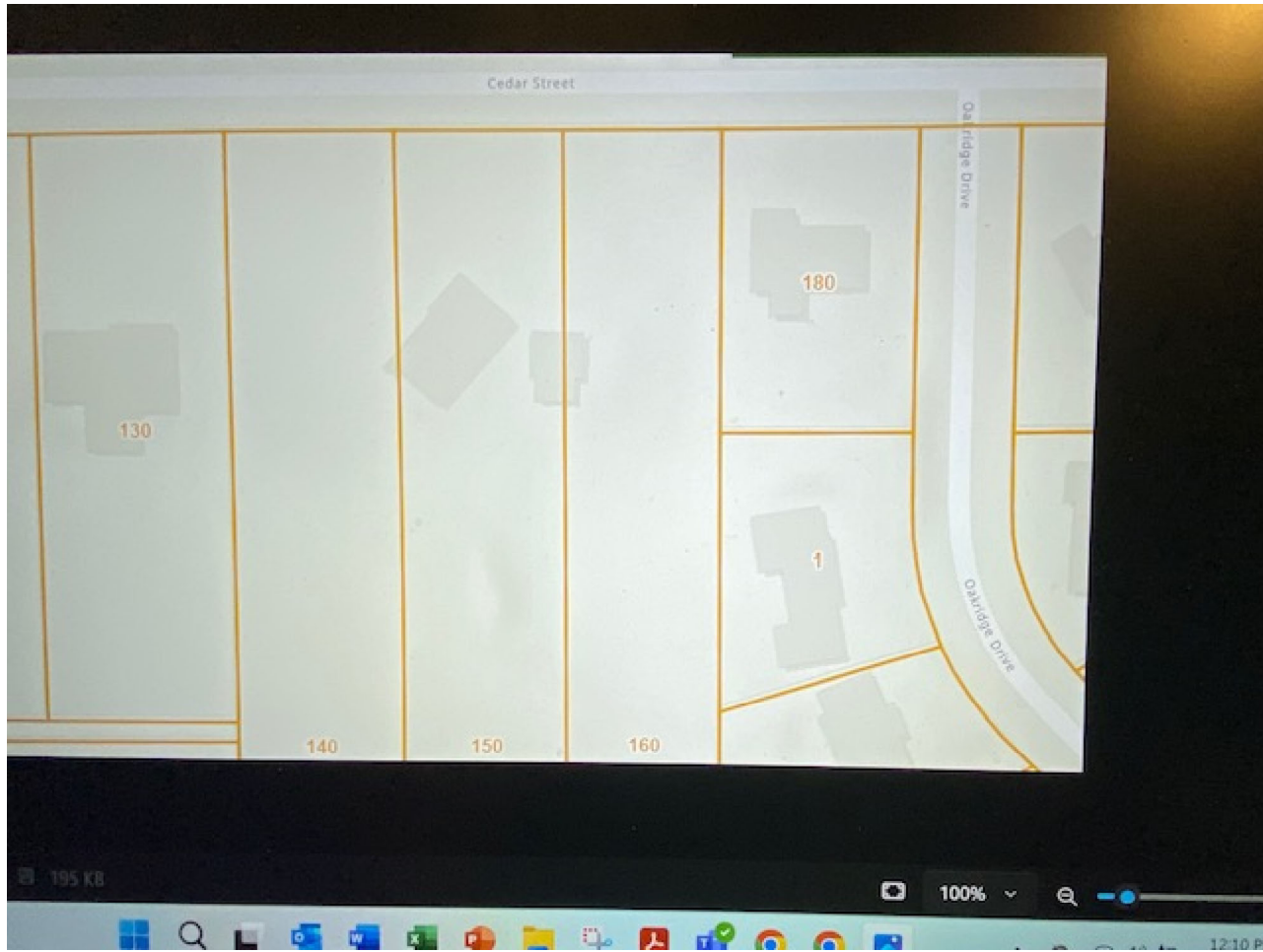
Rebecca Kellen, MBA
City Administrator
City of Birchwood Village, MN
office: (651) 426-3403
fax: (651) 426-7747
email: rebecca.kellen@cityofbirchwood.com
website: <http://www.cityofbirchwood.com/>

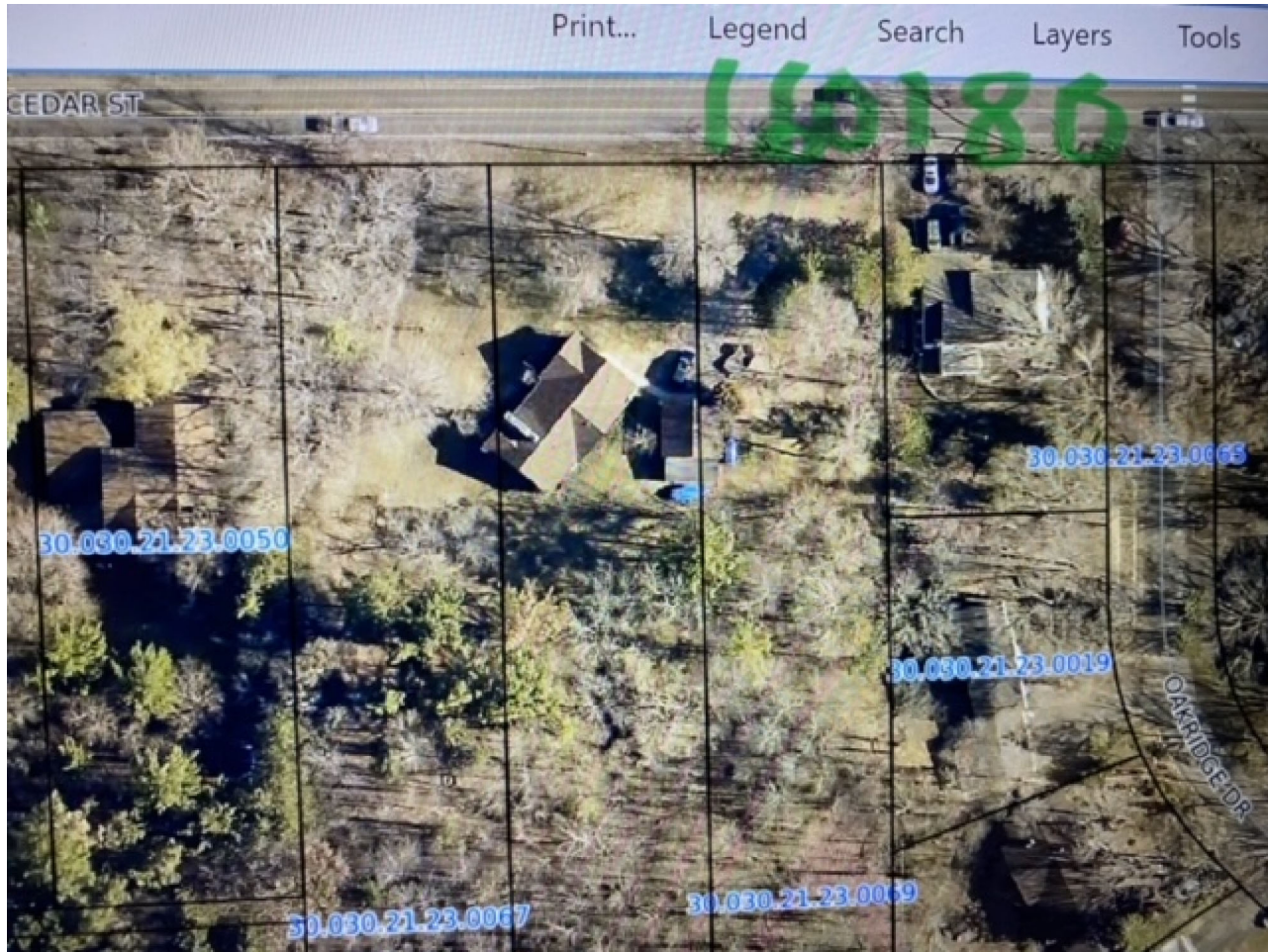


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<August 22 2024 PC Meeting Packet.pdf>










Water

Rachael Drew <rdrew5954@gmail.com>

Mon 9/2/2024 1:21 PM

To: Margaret Ford <Margaret.Ford@cityofbirchwood.com>

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

 2 attachments (8 MB)

Video.mov; Video_1.mov;

Mayor Margaret,

We continue to have water pour off the front of 160 Cedar and run down the side settling on our property. We are sending pictures with each event to inform and also to establish a record. We just can't understand why we aren't afforded the protections set up in the ordinances. It can be seen clearly by pictures, landscape erosion and now videos (below) that water off the house is flowing directly onto our property.

This last rainfall brought the sitting water 15 ft in from the property line. We are very concerned that the ground is saturated and with each rainfall will increase the risk of reaching our basement. This is not a shared ponding issue. It is a water runoff situation.

What would you or the other council members do if water was running into your property. Wouldn't you expect the ordinances and codes to protect your property?

We are frustrated and preparing for legal action if needed. We will continue to provide documentation to Birchwood and will secure an attorney specializing in this area if the problem continues.

Rachael and Dave Drew

These are photos taken on Thursday 8/29.

 image0.jpeg

I tried tilting pavers up and blocking with a rock but water runs underneath and the velocity is too much for that kind of deterrent.

 image8.jpeg

 image9.jpeg

 image10.jpeg

15 feet in from property line

<Video.mov>

<Video_1.mov>

Water runs down and under the silt skirt.

Road task force

Devon Quick <deboquick@me.com>

Tue 9/3/2024 4:33 PM

To:City of Birchwood Village <info@cityofbirchwood.com>

I think all of these will be great improvements to the safety of our streets. I would also like to see a stop sign at the crosswalks. Especially the owl-wildwood crossing could benefit from a full stop. Maybe times cars are speeding around the corner and with a crosswalk a stop sign could be another safety feature.

Thank you

Devon Macnabb Quick

Input for the Road Safety Task Force

Hoffman, Amy <amy.hoffman@medtronic.com>

Thu 8/29/2024 3:13 PM

To: City of Birchwood Village <info@cityofbirchwood.com>

I cannot attend the task force meeting. A speed limit of 20 mph throughout Birchwood is too slow. Residents and folks driving through need to be able to proceed at a reasonable speed. The current 25 mph speed limit on Hall Ave / Birchwood Rd is already a challenge (with addition of stop signs). A speed limit of 20 seems to be unreasonably precautionary. The move to 20 mph seems to be motivated more by opinion than proven need. Periodically use enforcement to ensure routine compliance. It is reasonable to move through the village at 25 mph.

Sincerely,
Amy Hoffman
39 Birchwood Lane

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Road proposals

Tom Patsy <tom1263@comcast.net>

Thu 8/29/2024 12:00 PM

To: City of Birchwood Village <info@cityofbirchwood.com>; Margaret Ford <Margaret.Ford@cityofbirchwood.com>; Mark Foster <mark.foster@cityofbirchwood.com>; Justin McCarthy <justin.mccarthy@cityofbirchwood.com>; Ryan Hankins <Ryan.Hankins@cityofbirchwood.com>; Kathy Weier <Kathy.Weier@cityofbirchwood.com>

Here is my feedback on the proposals:

1) uniform speed limit of 20 mph

I oppose this change. The current limit is adequate. The people who flagrantly violate the current speed limit of 25 will not obey this limit either. This change will only allow the police to give more tickets to residents on their way to work or school for minor speeding violations. Speed traps are never set up on nights or weekends when the most egregious violations occur. It isn't worth the expense of changing all the current signs and likely adding other new signs.

2) New crosswalks. I have no opposition to this crosswalk.

3) 368 wildwood stop sign. I have no opposition.

4) Solar powered radar signs.

I oppose spending funds on these unnecessary items. This is a poor use of city funds. The initial purchase cost and any maintenance costs outweigh any benefits by a wide margin.

I'm certain there are people who will say that all of these items represent a critical safety issue but I believe this characterization is hyperbole.

We quite obviously have bigger problems. There has been a gaping hole in the main road of Cedar/Hall for 6 or 7 months. That is a true safety issue.

Birchwood should be focused on fixing the roads. Even with the recent work, our roads remain in abysmal shape.

The city needs to restrain from spending ANY money until the roads and lift stations are addressed. During these difficult economic times, we need to spend our money on the most critical needs. The roads are safer when they are in good shape.

As a further comment, if we are truly worried about safety, the deer population must continue to be reduced. There are far too many deer in Birchwood and the likelihood of injury or death in a car accident involving deer is unacceptable.

Tom Patsy
1 Hall Court

RE: Roads Safety Task Force Open Forum

Jim Hogenson <avalon50@comcast.net>

Thu 8/29/2024 8:29 AM

To: City of Birchwood Village <info@cityofbirchwood.com>

Hello Task Force,

I would welcome radar speed signs. But the solar part is questionable. Birchwood Village has a lot of shade. I drove by a solar powered radar sign many times in White Bear Lake that was never working because it was always in the shade. Before spending money on solar signs, be sure to do a site survey to evaluate whether there will be enough sun to keep the sign charged up.

Regards,

Jim Hogenson

4000 E County Line N

From: Birchwood City Hall <info@cityofbirchwood.com>

Sent: Wednesday, August 28, 2024 1:37 PM

To: avalon50@comcast.net

Subject: Roads Safety Task Force Open Forum



Official Birchwood Village Email

ANNOUNCEMENTS

Re: Road safety proposals

John Anderson <andefam@hotmail.com>

Wed 8/28/2024 7:06 PM

To: City of Birchwood Village <info@cityofbirchwood.com>

Hello.

John & Alice Anderson here, 2 White Pine Lane.

Being unable to make this meeting, here is our input regarding proposed changes in Birchwood Ordinances in the name of 'Safety'. See responses to each individually.

1) move to a uniform 20MPH speed limit throughout Birchwood Village,

You can change speed limits to 5 mph and people will still breeze on through Birchwood at 40+. We beat this to death in the old Roads Committee and without enforcing laws, leadfooted drivers will still speed. There are some things that will slow traffic but the same as with our roads committee recommended advice on regular and proper repairs, our council never passed those recommendations.

2) add two new crosswalks on Wildwood Ave at Birch Beach/Owl and Grotto,

Yes, Crosswalks WILL lower vehicle speeds BUT ONLY IF PROPERLY MARKED, meaning that foglines, centerlines and especially CROSSWALKS need to be painted CLEARLY AND YEARLY, and this should be done IN THE SPRING, AFTER proper road repairs have been done. We have huge potholes, open repair holes (Cedar St) that people swerve to avoid and too much bike traffic that fails to stop at these stop signs/Crosswalks for cars now....and are probably not going to stop for people either.

Repair the roads, properly paint safety lines and crosswalks and get the excess bike traffic OFF OF CEDAR/HALL - these things will make that street and others safer for all.

3) add a stop sign on Wildwood at 368 Wildwood,

Stop-signs work when enforced, just like all laws. If you fail to enforce laws, you risk your city being burned down with nobody held accountable except taxpayers.

Speedbumps work really well for reducing speed but not well for snowplows, and they always hinder re-election chances for those who pass them.....they are THAT HATED.

4) the addition and use of solar powered radar signs.

Nope. Nope, Nope.

VERY Bad idea and waste of money for several reasons.

We flogged the meat off this dead horse several times over on the old roads committee. Here's what we found:

If laws aren't enforced, people won't obey them.....any of them.

Why spend \$3000 per sign when a \$40 speed limit sign won't work either, but saves the taxpayers a ton of money.

These signs have been proven to not lower speeds at all, yet cost a lot. Also, SOLAR POWERED SIGNS NEED sunlight to charge the batteries, we have lots of trees in Birchwood and so, little sunlight.

They won't light up for long! And repair is expensive, as are new batteries each year or so. We're in tough economic times and don't need to waste a dime.

Again, in this economy SIMPLE AND CHEAP solutions are all we should be considering. How about large signs ON EACH STOPSIGN POLE, just below the STOPSIGN that state:

ALL TRAFFIC MUST STOP, INCLUDING ALL BICYCLES!

(Check that out.....on wheels in a road means laws must be obeyed.)

Seriously, this is just common sense.

Lines on Cedar/Hall need to be painted and maintained. Streets need to be maintained too.....maintenance seems expensive, until you realize that it's about 60% cheaper than the cost of resurfacing every few years. MILLING AND FILLING of cracks and chip sealing will extend the life of a road for years and years if done REGILARLY.

It just makes \$en\$e!!

Anyway, as our recommendations from the Roads Committee were largely ignored for years under the guise of "Saving money", we don't expect many deep thoughts over common sense suggestions, but we can always hope.....

John & Alice Anderson

If you have input on these proposals, please attend the meeting or you may send comments to info@cityofbirchwood.com until 3PM the day before the meeting. Thank you.

Roads Safety Task Force

Christy Aleckson <jcaleckson@msn.com>

Wed 8/28/2024 6:47 PM

To:City of Birchwood Village <info@cityofbirchwood.com>

Reducing the speed limit, in my opinion, won't help the problem with speeders. According to MN DOT, a study was done regarding this, see post below and refer to MN DOTs website.

Speed and safety

Lower speed limits don't reduce speeds

Studies show that there is little change in speed patterns after posting a lower speed limit.

Drivers are much more influenced by changes to the roadway, its environment and conditions.

Lower speed limits don't reduce crash frequency

Lower speed limits are often viewed as a quick fix to traffic safety, but this is not the case.

Crashes are most often the result of other factors. In many cases, posting a lower speed limit creates a greater speed variance between the slowest and fastest-moving vehicles. This speed variance, also called "speed differential," can contribute to crashes and make the roadway less safe.

How we set speed limits



By statute

Minn. Statute 169.14 establishes statutory speed limits on most typical roadways under ideal conditions. Unless otherwise posted:

Road Safety Open forum

BRIDGET SPERL <bridgetsperl@mac.com>

Wed 8/28/2024 2:15 PM

To:City of Birchwood Village <info@cityofbirchwood.com>

All great ideas, I fully support. Thanks to the task force for bringing them forward.

Owl Street Walkway

Randy LaFoy <rlafoy@gmail.com>

Fri 8/30/2024 7:29 PM

To:City of Birchwood Village <info@cityofbirchwood.com>

I hope to make the meeting but am unsure.

As a person who has lived at this intersection for 35.7 years, and who had walked across probably more than anyone, I do not think you need a crosswalk

Just about every time I cross and a car is on Wildwood, they are uniformly polite and will wait and waive you across the street. It is hard for me to think of a time when drivers weren't considerate; and this goes to when I had children crossing.

What might help is to paint the curb yellow where there is no parking. When cars park in the no parking zone, it obstructs a driver's view of pedestrians, as well as making it hard to ease through a tight space.

Likewise, some judicious trimming would help the view, especially coming east.

If you do put a crosswalk in, I'm not sure where you'd put it. People walk in a lot of odd paths.

>>

Speaking of judicious trimming, if we could trim so a driver could look north onto S Shore, a driver would not have to sneak out (dangerously) to check for traffic.

>>>

Finally, I would love a little yellow paint on the curb opposite my driveway on Owl Street. When cars park there during the summer, it's hard to get our cars out or in. When I ask people to move, they look and say "sure," because once I bring it to their attention, it becomes obvious.

Thanks for working on this!!

Randy LaFoy
200 Wildwood (292 Owl)
651.485.1952

Road Safety Resolutions

Proposals from the Road Safety Committee

RESOLUTION #1

- The road safety committee proposes a uniform 20 MPH speed limit throughout Birchwood. Increase patrol for 20 MPH speed limit.
 - Residents were in agreement at the open public forum on 6/6/24 to promote resident safety.
 - Two Washington County Sheriffs in attendance at the forum were in agreement.
 - Narrow roadways without sidewalks, hidden driveways, a residential community with small children, and limited sight lines are dangerous for pedestrians, bikers, and walkers.
 - Along with markings and road signs being proposed by the bike committee, the 20MPH will encourage slower traffic.
 - Ron has been in contact with Mahtomedi regarding recommendations and pricing for signs
 - Cedar/Hall Avenue at 25 MPH runs east to Mahtomedi where the speed limit is 20 MPH. Other Birchwood streets are 20 MPH.
 - A speed study that was done 10/23/23 at 164 Wildwood Ave. showed 691 vehicles traveling between 19 and 36 MPH.
 - A speed study that was done on 5/16/24 at 509 Wildwood Ave showed 600 vehicles traveling between 23 and 49 MPH.
 - A speed study that was done on 5/24/24 at 600 Hall Avenue showed 498 vehicles traveling between 23 and 49 MPH
 - This number of vehicles traveling at excess speeds is unacceptable

COST

- Ron and Art have agreed to replace signs \$650
- Contracted cost for new signs \$1200
- See the break down of pricing on the spread sheet

Resolution #2

The road safety committee proposes the addition of 2 new crosswalks with signage on Wildwood Ave. Locations at Birch Beach/Owl street and Grotto. Add a concrete pad on each side of the pavement crosswalk marking for a safe area for pedestrians.(add to road project)

- School buses from Mahtomedi and White Bear Lake stop on Wildwood Ave at Birch Beach and Owl street at least 8-12 times per day. A near miss for 2 children walking across the street occurred.
- People park on Owl street and cross Wildwood Ave to access the beach.
- Residents agreed to the additional crosswalks at the forum.
- Washington County Sheriffs agreed with the crosswalks and centerline signage stating that it would slow traffic and improve safety.
- A walkway at Grotto is unmarked and unsafe for pedestrians.

COST

- Paint the crosswalk \$600
- Install 4 signs, “Stop Pedestrian Crossing” and 4 posts
 - Ron and Art to do the signs \$800
 - Contract the work \$1200
- Install centerline signage
 - Ron and Art to do the signs \$732
 - Contract the work \$832
- See pricing spread sheet

Resolution #3

Propose the addition of one stop sign on Wildwood Ave at 368 Wildwood Ave.

- A near miss occurred. A stop exists for West bound traffic, but not east bound. Poor sight line on Wildwood Ave. going east.
- Narrow and hidden driveways and roadway.
- To calm traffic and slow speed

Cost

- Ron and Art \$200
- Contracted \$250

Resolution #4

The road safety committee proposes the addition of 2-4 solar powered radar speed signs

- Flashing speed signs alert the vehicle driver to the speed limit and their current speed.
- Solar powered radar speed signs are effective in reducing speed.

• **Cost**

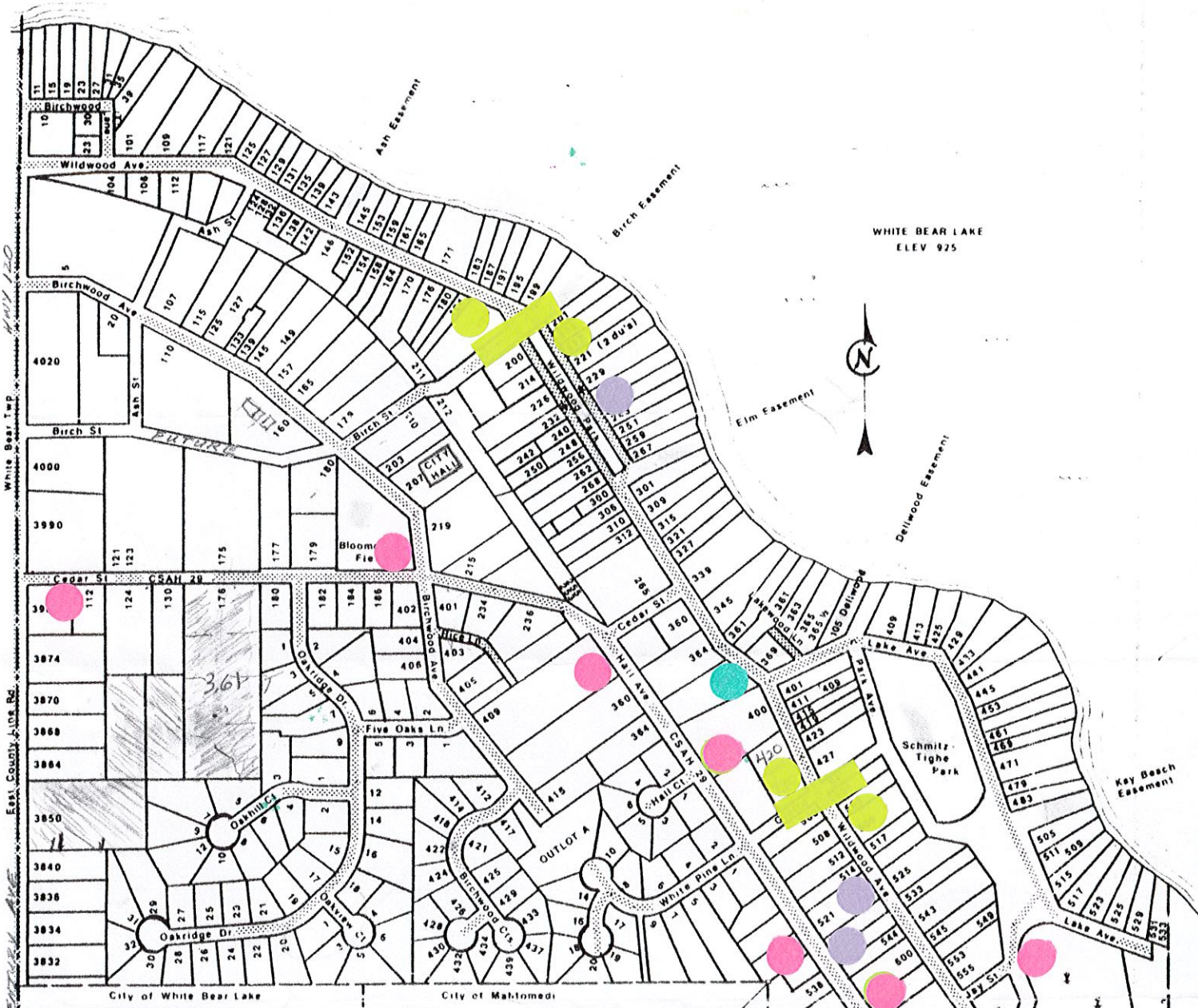
- One sign \$4053.99
- Four signs \$16215.96 (budget for next year)

City of Birchwood Village – 2024 Road Safety Tack Force

Item	Description	Cost		Sub Totals	
		Material	Labor	Ron & Art	Contracted
1	Adopt a 20 MPH city wide speed limit within Birchwood. This excludes Century Ave (HWY 120) on the city's west border				
1a	Replace 9 - 25 MPH Speed Limit signs to 20 MPH. 24" x 30" 3M Reflective from Highway Traffic Supply (Amazon)	9 @ \$55.00 = \$495	Ron & Art - \$0	\$495.00	
			Sub Contracted 9hrs @ \$50 = \$450		\$945.00
1b	Install 1 new 20 MPH sign with post on Iris Street between Wildwood Ave & Lake Ave	\$55.00 Sign \$100.00 Post & Hardware	Ron & Art - \$0	\$155.00	
			Sub Contracted 2 hrs @ \$50 = \$100		\$255.00
2	Addition of 2 new pedestrian crosswalks with signage on Wildwood Ave Locations at Birch Beach/Owl Street and Grotto				
2a	Paint Crosswalk on the pavement	Labor & Material Sub-contacted estimate on Blain, MN 2014 booklet 2 @ \$300			\$600.00
2b	Install 4 Sign Posts 8'-0" U Channel post and Hardware (Amazon)	4 signs @ \$100 = \$400 4 Post & Hardware @ \$100 = \$400	Ron & Art - \$0	\$800.00	
	Install 4 Signs (Stop Pedestrian Crossing) 24"x30" Reflective from Highway Traffic Supply (Amazon)		Sub Contracted 8 hrs @ \$50 = \$400		\$1,200.00
2c	Install centerline signage at each location. 12"X24" Reflective Lime, STOP Symbol "FOR PEDESTRIANS", Vertical Panel Barricade W/28 Lb. Base	Two (2) @ \$366= \$732	Ron & Art - \$0	\$732.00	
			Sub Contracted 2 hrs @ \$50 = \$100		\$832.00
3	Addition of one (1) Stop Sign on Wildwood Ave at 368 Wildwood (southeast bound traffic before Lake Ave)	1 sign @ \$100 1 post @ \$100	Ron & Art - \$0	\$200.00	
			Sub Contracted 1 hrs @ \$50 = \$50		\$250.00
4	Addition of 4 new Solar Powered Radar Speed signs. Two (2) signs on Wildwood Ave and two (2) on Hall Ave. LED Lighting Solutions	4 signs @ \$4053.99 = \$16215.96 Shipping = \$410 4 posts @ \$150 = \$600	Ron & Art - \$0	\$17,225.96	
			Sub Contracted 8 hrs @ \$50 = \$400		\$17,625.96

Using Ron Malles and Art Arsenault's labor at no cost	\$19,607.96
Paint Crosswalk on the pavement	\$600.00
	TAX (6.75%) : \$1,323.54
	Unknown factors (15%) : \$2,941.19
	Total not to exceed : \$24,472.69

Using city hired labor for all four proposals	\$21,107.96
	TAX (6.75%) : \$1,424.79
	Unknown factors (15%) : \$3,166.19
	Total not to exceed : \$25,698.94



Legend

Resolution #1

● Ten (10) 20 MPH Signs

Resolution #2

● Proposed Four (4) Ped Crossing signs

Proposed Two (2) Painted Crosswalks on the pavement with CL signage

Resolution #3

● Proposed One (1) Stop Sign

Resolution #4

● Proposed One to Four (1 to 4) Solar powered Speed Signs

MEMORANDUM

DATE: 9/4/24

TO: City Council
FROM: Rebecca Kellen, City Administrator
COPIED:
SUBJECT: Road Sign Estimates



Birchwood Village

The city obtained the following estimates for road signs:

Crosswalk signs	\$61
Solar Speed Sign	\$3700-\$4400
Stop Sign	1 for \$50 / 2+ for \$40

Regards,
Rebecca Kellen
City Clerk
City of Birchwood Village, MN
office: (651) 426-3403
email: rebecca.kellen@cityofbirchwood.com
website: <http://www.cityofbirchwood.com/>

Pedestrian Sign Info

Therese Bellinger <Therese.Bellinger@cityofbirchwood.com>

Thu 8/8/2024 4:11 PM

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

Last but not least. 😊

UPS never came today.

T.

From: Jake Krejce <jkrejce@efa-mn.com>

Sent: Thursday, August 8, 2024 3:59 PM

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

Subject: RE: Stop Sign and Solar Powered Speed sign

Pedestrian signs are required to be fluorescent yellow green minimum size 30" \$61.00 each

W11-2



Black on
Fluorescent
Yellow-Green

SALES QUOTE



Earl F. Andersen
 Division of Safety Signs
 19784 Kenrick Avenue
 Lakeville, MN 55044
 (952) 884-7300
 www.efa-mn.com

Quote Number: 0153058
 Quote Date: 8/8/2024
 Salesperson: HOUSE ACCOUNT
 Customer Number: 0032434
 Quote Expiration Date: 12/31/5999

Quoted To:
 CITY OF BIRCHWOOD
 207 BIRCHWOOD AVE
 WHITE BEAR LAKE, MN 55110

Ship To:
 CITY OF BIRCHWOOD
 207 BIRCHWOOD AVE
 WHITE BEAR LAKE, MN 55110

Confirm To:
 THERESE 651-426-3403

Customer P.O. SOLAR SPEED	Ship VIA DIRECT	F.O.B.	Terms NET 30
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Item Code	Item Description	Unit	Ordered	Price	Amount
SIGN	M75-012SE-0004 12" Value Radar Speed Sign w/ 20W Solar Panel YELLOW or White Panel sign	EACH	1.00	3,405.000	3,405.00

SHIPPING IS ONLY AN ESTIMATE

Net Quote: 3,405.00
 Freight: 325.00
 Sales Tax: 0.00
Quote Total: 3,730.00
 Less Deposit: 0.00
Quote Balance: 3,730.00

To accept this quote please sign here: _____

THIS QUOTE EXPIRES 15 DAYS FROM DATE OF ISSUE.

Special order items are not returnable. Returns and/or cancelled orders may be subject to a restocking/cancellation charge. A return authorization number is required prior to returning any product. No returns accepted after 60 days from date of original invoice date.



Suggested Speed Application

TraffiCalm™ Radar Signs offer solutions for increasing driver speed awareness and road safety. They are designed especially for deployment in low-speed areas.

The TraffiCalm Value Series of Speed Indicator Signs offers an economical and simple solution to help increase driver speed awareness and road safety on community streets. This pole mounted sign features bright 12" characters which can be seen from up to 600' away, and help increase driver speed awareness on the neighborhood streets where so many small accidents occur every year. TraffiCalm Value signs are designed for situations where drivers need to simply be alerted of their current speed but the additional data collecting and screen programming capabilities of the iQ Series of Driver Feedback Sign is not necessary. Value signs also come with a complete 20w solar package allowing them to be installed in locations where access to power is an issue.



Model M75-012SE-000x

Also configurable as VSL Sign

Features:

- IR remote for configuration and basic programming
- 100% MUTCD compliant
- Complete 20W Solar packages included. Optional 60W Solar Packages available
- Integrated batteries provide for several days of normal operation on a single charge without the assistance of the solar panel
- K-band (24.15GHz) radar, range 600+ feet.
- Unlimited tech support and customer service from our USA facility for the life of the sign
- Fast delivery- typically ships within 5 days of order
- 3 year limited warranty

Package Includes: Speed Indicator Sign, mounting bracket, 20W solar package with MPPT charging, installation and user manual.




TRAFFIC SAFETY WAREHOUSE

The Best in Safety for Less

[ALL PRODUCTS ▼](#)[REQUEST QUOTE](#)[RESOURCES](#)[Radar Speed Signs](#)[Safety Vests & Apparel](#)[Signs, Bases, Stands](#)[Sign Post Systems](#)[Sign Stands](#)[Traffic Cones](#)[Work Zone Safety](#)[Sale](#)

most effective technology signs at wholesale prices to help you save.

Item #	Image	Description	Price
SR12		<p>Sa-So 12" Solar Radar Feedback Sign</p> <p>Sa-So 12" Solar Radar Feedback Sign SA-SO's Radar Feedback Sign helps calm traffic by displaying the driver's current speed and notifying them of the legal speed limit in a given area.</p> <ul style="list-style-type: none"> Includes "Your Speed" aluminum sign. Does not include Speed Limit Sign. MUTCD compliant. 	<p>\$4,322.95</p> <p>1</p> <p>BUY</p>

CITY OF BIRCHWOOD VILLAGE
PROPOSED BUDGET 2025

* Rev: 08/30/2024

Actual 2021	Actual 2022	Actual 2023	Actual Thru 7/9	Budget 2024	Prop Budget 2025
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100 - GENERAL FUND

100: GENERAL FUND RECEIPTS

Taxes

General Property Taxes	\$ 525,758	\$ 526,595	\$ 507,476	\$ 454	\$ 573,535	\$ 635,520	A
Total Property Taxes	\$ 525,758	\$ 526,595	\$ 507,476	\$ 454	\$ 573,535	\$ 635,520	

Licenses and Permits

Business Licenses and Permits

Licenses & Permits	\$ 180	\$ -	\$ 2,153	\$ 15	\$ -	\$ 500	
Total Business Licenses and Permits	\$ 180	\$ -	\$ 2,153	\$ 15	\$ -	\$ 500	

Non-Business Licenses and Permits

Building Permits	\$ 49,463	\$ 90,328	\$ 85,905	\$ 50,343	\$ -	\$ 90,000	
Kayak/Canoe Permits	\$ 2,065	\$ 1,740	\$ 1,710	\$ 1,965	\$ -	\$ 1,700	
Zoning Permits	\$ 1,045	\$ 370	\$ 300	\$ -	\$ -	\$ 300	
Animal Licenses	\$ 680	\$ 1,160	\$ 110	\$ 110	\$ -	\$ 100	
Dock/Lift Permit Fee	\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ -	B
Zoning App Fee	\$ -	\$ 1,588	\$ -	\$ 50	\$ -	\$ -	
Total Non-Business Licenses and Permits	\$ 53,253	\$ 96,186	\$ 88,025	\$ 52,468	\$ -	\$ 92,100	

Intergovernmental Revenues (Igr)

Federal IGR

Federal Grants & Aid	\$ -	\$ 960	\$ -	\$ 3,192	\$ -	\$ 3,192	C
Total State Igr	\$ -	\$ 960	\$ -	\$ 3,192	\$ -	\$ 3,192	

State IGR

State Grants & Aid	\$ 22,477	\$ -	\$ 37,809	\$ -	\$ -	\$ 603,000	D
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Rent Total Igr from Other Local Governmental Units

	\$ 22,477	\$ -	\$ 37,809	\$ -	\$ -	\$ 603,000	
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Charges for Services

General Government

Charges for Services	\$ -	\$ -	\$ -	\$ 750	\$ -	\$ -	E
City/Town Hall Rent	\$ 91	\$ 380	\$ 520	\$ 475	\$ -	\$ 400	
General Government	\$ -	\$ -	\$ -	\$ 960	\$ -	\$ -	F
Total General Government	\$ 91	\$ 380	\$ 520	\$ 2,185	\$ -	\$ 400	

Fines and Forfeits

Fines

Court Fines	\$ 2,060	\$ 2,832	\$ 934	\$ 66	\$ -	\$ 950	G
Total Fines	\$ 2,060	\$ 2,832	\$ 934	\$ 66	\$ -	\$ 950	

Other Revenues

Miscellaneous	\$ 4,840	\$ 3,108	\$ -	\$ 21	\$ -	\$ -	
Interest Earning	\$ -	\$ 27,670	\$ 48,393	\$ 27,584	\$ -	\$ 48,000	
Contributions of Donations from Private Sources	\$ 510	\$ 6,407	\$ 20	\$ 180	\$ -	\$ 250	
Refund-Reimbursement-Dividend	\$ 9,489	\$ 9,283	\$ 17,757	\$ 7,026	\$ -	\$ 9,500	
Escrows Deposits	\$ 15,200	\$ 162,000	\$ 30,000	\$ 9,000	\$ -	\$ 35,000	
Total Other Revenues	\$ 30,039	\$ 208,467	\$ 96,170	\$ 43,811	\$ -	\$ 92,750	

CITY OF BIRCHWOOD VILLAGE
 PROPOSED BUDGET 2025

* Rev: 08/30/2024

Other Financing Sources

Inter Fund Transfers In

Transfers from Other Funds

Total Inter Fund Transfers In

TOTAL GENERAL FUND RECEIPTS

Actual 2021	Actual 2022	Actual 2023	Actual Thru 7/9	Budget 2024	Prop Budget 2025
\$ 25,040	\$ 15,000	\$ 2,500	\$ -	\$ -	\$ -
\$ 25,040	\$ 15,000	\$ 2,500	\$ -	\$ -	\$ -
\$ 670,868	\$ 856,106	\$ 738,903	\$ 102,191	\$ 573,535	\$ 1,428,412

CITY OF BIRCHWOOD VILLAGE
PROPOSED BUDGET 2025

* Rev: 08/30/2024
100: GENERAL FUND DISBURSEMENTS

General Government

General Government

Refunds & Reimbursements
Total Other General Government

Actual 2021	Actual 2022	Actual 2023	Actual Thru 7/9	Budget 2024	Prop Budget 2025
\$ -	\$ -	\$ 140	\$ -	\$ -	\$ -
\$ -	\$ -	\$ 140	\$ -	\$ -	\$ -

Legislative

Ordinance & Proceedings

Printing & Binding: Legal Notices Publishing
Total Legislative

\$ 1,787	\$ 1,330	\$ 4,344	\$ 336	\$ 3,000	\$ 3,000
\$ 1,787	\$ 1,330	\$ 4,344	\$ 336	\$ 3,000	\$ 3,000

Executive

Mayor and City Council

Wages & Salaries
Employer Contributions for Retirement: PERA Contributions
Total Executive

\$ 7,779	\$ 5,840	\$ 1,612	\$ -	\$ 4,500	\$ 8,500
\$ 443	\$ 250	\$ -	\$ -	\$ 360	\$ 680
\$ 8,222	\$ 6,090	\$ 1,612	\$ -	\$ 4,860	\$ 9,180

City/Town Clerk

Clerk - Deputy Clerk - Treasurer

Wages & Salaries
State Tax - Employee
Employer Contributions for Retirement: PERA Contributions
Fees

\$ 63,971	\$ 81,527	\$ 103,524	\$ 63,042	\$ 134,501	\$ 143,000
\$ 3,555	\$ 4,811	\$ 7,153	\$ 3,534	\$ 10,760	\$ 11,200
\$ 6,314	\$ 9,107	\$ 12,974	\$ 8,581	\$ 10,583	\$ 11,100
\$ 10	\$ -	\$ -	\$ -	\$ -	\$ -

Elections

Repair & Maintenance Supplies
Contracted Services - Election Judges
Recording & Reporting: Utility Services - Water
Printing & Binding: Legal Notices Publishing
Total City/Town Clerk

\$ 1,150	\$ 1,185	\$ 1,185	\$ -	\$ 1,332	\$ 1,500
\$ -	\$ 8,969	\$ -	\$ 1,332	\$ 9,137	\$ -
\$ -	\$ -	\$ -	\$ 1,247	\$ -	\$ -
\$ -	\$ 305	\$ -	\$ -	\$ -	\$ -
\$ 75,001	\$ 105,904	\$ 124,836	\$ 77,736	\$ 166,313	\$ 166,800

Financial Administration

Financial Administration

Contracted Services - Financial Administration
Communications: Postage
Fees

\$ -	\$ -	\$ 527	\$ -	\$ 6,000	\$ -
\$ -	\$ -	\$ 28	\$ -	\$ -	\$ -
\$ -	\$ -	\$ 81	\$ -	\$ -	\$ -

Assessing

Contracted Services
Total Financial Administration

\$ 5,671	\$ 11,919	\$ 5,646	\$ 6,432	\$ 6,500	\$ 6,700
\$ 5,671	\$ 11,919	\$ 6,282	\$ 6,432	\$ 12,500	\$ 6,700

Law

Legal Services

Professional Services
Professional Services: Legal Fees

\$ 19,500	\$ 16,500	\$ 19,500	\$ 10,500	\$ 18,000	\$ 20,000
\$ -	\$ -	\$ 3,238	\$ 7,011	\$ -	\$ 3,500

Personnel Administration

Printing & Binding: General Notices & Public Information
Total Law

\$ -	\$ -	\$ 1,126	\$ -	\$ -	\$ 500
\$ 19,500	\$ 16,500	\$ 23,864	\$ 17,511	\$ 18,000	\$ 24,000

CITY OF BIRCHWOOD VILLAGE
PROPOSED BUDGET 2025

* Rev: 08/30/2024

Other General Government

Grants

	Actual 2021	Actual 2022	Actual 2023	Actual Thru 7/9	Budget 2024	Prop Budget 2025	
Grants	\$ 1,752	\$ 1,805	\$ 1,958	\$ 2,054	\$ 2,054	\$ 2,100	M

Planning & Zoning

Professional Services - Planning - Ben	\$ 1,750	\$ -	\$ 12,000	\$ 11,200	\$ 5,000	\$ 22,500	
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Contracted Services - Planning	\$ 6,120	\$ -	\$ -	\$ -	\$ -	\$ -	
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City Training & Development

Training	\$ 175	\$ 304	\$ 1,462	\$ 1,228	\$ 2,000	\$ 2,000	
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Miscellaneous: Dues & Subscriptions - LMC	\$ 1,103	\$ 1,412	\$ 1,195	\$ -	\$ 1,237	\$ 1,250	
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Animal Control

Contracted Services	\$ 800	\$ 1,557	\$ 1,148	\$ 400	\$ 1,200	\$ 1,200	N
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Software Expense

Miscellaneous: Dues & Subscriptions	\$ 30	\$ -	\$ 4,000	\$ 2,100	\$ -	\$ 2,100	O
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General Fund Engineering Expense

Professional Services - Engineering	\$ -	\$ -	\$ 19,886	\$ 8,443	\$ 12,000	\$ 14,500	P
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General Government Buildings & Plant

Office Supplies	\$ 405	\$ 946	\$ 1,932	\$ 1,079	\$ 1,900	\$ 2,000	
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Operating Supplies: Cleaning Supplies	\$ -	\$ -	\$ 16	\$ 330	\$ -	\$ 100	
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Repair & Maintenance Supplies	\$ 54	\$ 2,022	\$ 327	\$ 379	\$ 2,500	\$ 2,500	
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Office Equipment	\$ -	\$ 25	\$ 412	\$ -	\$ -	\$ -	
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Professional Services	\$ -	\$ 2,676	\$ 304	\$ 396	\$ -	\$ -	
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Contracted Services - Cleaning	\$ 344	\$ 516	\$ 576	\$ 416	\$ 4,100	\$ 750	Q
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Communication	\$ 10,151	\$ 6,184	\$ 8,388	\$ 3,191	\$ 9,351	\$ 5,000	R
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Utility Services	\$ 1,889	\$ 2,381	\$ 2,879	\$ 437	\$ 5,000	\$ 5,000	S
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Repairs & Maintenance	\$ 238	\$ 259	\$ 332	\$ 462	\$ 200	\$ 450	
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City Insurance

Workers Compensasion	\$ 3,237	\$ 2,768	\$ 1,902	\$ 2,095	\$ 2,768	\$ 3,000	
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Insurance: General Liability	\$ 7,297	\$ 8,385	\$ 10,933	\$ 12,430	\$ 11,781	\$ 13,100	
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Insurance: Property	\$ -	\$ 277	\$ -	\$ -	\$ -	\$ -	
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Excess Liability	\$ -	\$ 855	\$ 1,200	\$ -	\$ 855	\$ 1,200	
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Cable Equipment & Service

Office Equipment	\$ -	\$ -	\$ 3,445	\$ 480	\$ -	\$ -	
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Contracted Services	\$ 1,937	\$ 1,723	\$ 1,710	\$ 663	\$ 1,500	\$ 1,750	
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Communication	\$ -	\$ -	\$ 6,435	\$ 870	\$ -	\$ -	
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Miscellaneous: Dues & Subscriptions	\$ -	\$ -	\$ 160	\$ -	\$ -	\$ -	
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Refund of Overpayment of Permit Fees

Refunds and Reimbursements	\$ -	\$ -	\$ 417	\$ 395	\$ -	\$ -	
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Kayak/Canoe Permit Labels

Office Supplies	\$ -	\$ -	\$ 168	\$ -	\$ -	\$ -	
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Total Other General Government	\$ 37,283	\$ 34,094	\$ 83,185	\$ 49,047	\$ 63,446	\$ 80,500	
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CITY OF BIRCHWOOD VILLAGE
PROPOSED BUDGET 2025

	Actual 2021	Actual 2022	Actual 2023	Actual Thru 7/9	Budget 2024	Prop Budget 2025
* Rev: 08/30/2024						
Public Safety						
Police						
Contracted Services	\$ 42,019	\$ 96,073	\$ 36,217	\$ 36,217	\$ 87,027	\$ 97,575
Total Police	\$ 42,019	\$ 96,073	\$ 36,217	\$ 36,217	\$ 87,027	\$ 97,575
Fire						
Contracted Services	\$ 31,823	\$ 30,108	\$ 39,327	\$ 35,597	\$ -	\$ 65,087
Total Fire	\$ 31,823	\$ 30,108	\$ 39,327	\$ 35,597	\$ -	\$ 65,087
Building Administration						
Contracted Services - Inspector	\$ 22,196	\$ 21,932	\$ 50,709	\$ 41,905	\$ -	\$ 60,000
Total Fees Department of Labor & Industry	\$ 1,108	\$ 2,169	\$ 2,184	\$ 716	\$ -	\$ 2,200
Total Builing Inspections	\$ 23,304	\$ 24,100	\$ 52,893	\$ 42,621	\$ -	\$ 62,200
Other Protection						
Contracted Services - Code Red	\$ 68	\$ 68	\$ 68	\$ -	\$ 70	\$ 70
Total Other Protection	\$ 68	\$ 68	\$ 68	\$ -	\$ 70	\$ 70
Highways Streets & Roadways						
Highways Streets & Roadways						
Contracted Services - Pothole Repair / Crack Seal/ Seal Coat	\$ 42,293	\$ 10,000	\$ 11,250	\$ -	\$ 50,000	\$ 100,000
Street Sweeping						
Contracted Services	\$ 2,124	\$ -	\$ 3,500	\$ 2,000	\$ 4,000	\$ 4,000
Tree Care						
Contracted Services - Tree Inspector	\$ 1,300	\$ 1,300	\$ -	\$ -	\$ 5,000	\$ 5,000
Ice & Snow Removal						
Operating Supplies: Salt & Sand	\$ 3,273	\$ 12,971	\$ 44,868	\$ 15,935	\$ 20,000	\$ 20,000
Contracted Services	\$ 9,512	\$ 16,941	\$ 31,302	\$ 806	\$ 20,000	\$ 20,000
Tree Removal						
Contracted Services - Steve Dean	\$ 6,607	\$ 500	\$ 23,000	\$ 4,387	\$ 15,000	\$ 15,000
Street Lighting						
Utility Services	\$ 14,896	\$ 16,072	\$ 16,472	\$ 6,400	\$ 16,800	\$ 17,000
Survey-Public Property						
Professional Services	\$ -	\$ -	\$ 1,000	\$ 3,740	\$ -	\$ 2,000
Total Highways Streets & Roadways	\$ 86,065	\$ 63,575	\$ 131,393	\$ 33,631	\$ 130,800	\$ 183,000
Recycling						
Recycling						
Contracted Services - Recycling	\$ 14,352	\$ 16,192	\$ 17,480	\$ 9,200	\$ 15,980	\$ 20,400
Total Other Recycling	\$ 14,352	\$ 16,192	\$ 17,480	\$ 9,200	\$ 15,980	\$ 20,400

CITY OF BIRCHWOOD VILLAGE

PROPOSED BUDGET 2025

* Rev: 08/30/2024

Culture & Recreation

Parks and City Maintenance

	Actual 2021	Actual 2022	Actual 2023	Actual Thru 7/9	Budget 2024	Prop Budget 2025
Wages & Salaries	\$ 15,866	\$ 15,051	\$ 23,020	\$ 9,639	\$ 24,170	\$ 25,200
Employer Contributions for Retirement: PERA Contributions	\$ 2,223	\$ 1,490	\$ 3,391	\$ 1,378	\$ 3,383	\$ 3,525
Medicare - Employer	\$ -	\$ -	\$ -	\$ -	\$ 363	\$ 750
Social Security - Employer	\$ -	\$ -	\$ -	\$ -	\$ 1,692	\$ 1,800
Operating Supplies: Pet Waste Bags	\$ -	\$ -	\$ 50	\$ -	\$ -	\$ 50
Repair & Maintenance Supplies	\$ -	\$ 132	\$ 918	\$ 236	\$ -	\$ 500
Repair & Maintenance Supplies: Sign Repair Materials	\$ -	\$ -	\$ 9	\$ 591	\$ -	\$ -
Professional Services	\$ -	\$ -	\$ 185	\$ -	\$ -	\$ 8,000
Contracted Services - Porta Potties	\$ 1,923	\$ 6,508	\$ 2,717	\$ 1,318	\$ 2,930	\$ 3,025
Utility Services	\$ 75	\$ 270	\$ 400	\$ 29	\$ 685	\$ 400
Repairs & Maintenance	\$ 4,578	\$ 1,624	\$ 730	\$ 50	\$ 1,000	\$ 3,000
Lake Links Trail Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,000
Miscellaneous	\$ 2,348	\$ 8,704	\$ -	\$ -	\$ -	\$ -
Total Parks	\$ 27,013	\$ 33,779	\$ 31,418	\$ 13,240	\$ 34,222	\$ 48,250

Conservation of Natural Resources

Fees	\$ 2,220	\$ 1,791	\$ 1,100	\$ 740	\$ 740	\$ 1,150
Total Other Conservation of Natural Resources	\$ 2,220	\$ 1,791	\$ 1,100	\$ 740	\$ 740	\$ 1,150

Miscellaneous Expenditures

Professional Services	\$ 920	\$ 2,925	\$ -	\$ -	\$ -	\$ -
Miscellaneous	\$ 30	\$ 605	\$ -	\$ -	\$ -	\$ -
Refunds & Reimbursements	\$ 15	\$ 113	\$ 60	\$ -	\$ -	\$ -
Total Other Miscellaneous Expenditures	\$ 965	\$ 3,643	\$ 60	\$ -	\$ -	\$ -

Miscellaneous - Unallocated Expenditures

Office Supplies	\$ -	\$ 69	\$ -	\$ -	\$ -	\$ -
Office Equipment	\$ -	\$ 1,423	\$ -	\$ -	\$ -	\$ -
Contracted Services	\$ -	\$ 1,052	\$ -	\$ -	\$ -	\$ -
Commuications	\$ 85,339	\$ 685	\$ -	\$ -	\$ -	\$ -
Miscellaneous	\$ 441	\$ 25,215	\$ -	\$ 12,281	\$ 2,000	\$ 500
Fees	\$ -	\$ 199	\$ -	\$ -	\$ -	\$ -
Refunds & Reimbursements	\$ -	\$ 2,878	\$ -	\$ -	\$ -	\$ -
Total Miscellaneous - Unallocated Expenditures	\$ 85,780	\$ 31,521	\$ -	\$ 12,281	\$ 2,000	\$ 500

Escrow Refunds

Miscellaneous	\$ -	\$ 24,100	\$ -	\$ -	\$ -	\$ -
Refunds & Reimbursements	\$ -	\$ 144,100	\$ 18,000	\$ 6,000	\$ -	\$ 30,000
Total Escrow Refunds	\$ -	\$ 168,200	\$ 18,000	\$ 6,000	\$ -	\$ 30,000

Other Financing Uses: Transfer to Enterprise Funds

Interfund Transfers - Capital Improvement Fund	\$ -	\$ 32,317	\$ -	\$ 40,868	\$ 30,000	\$ 30,000
Total Other Financing Uses	\$ -	\$ 32,317	\$ -	\$ 40,868	\$ 30,000	\$ 30,000

Proprietary Fund Expenses

Sewer Engineering Expenses

Professional Services - Engineering	\$ 33,635	\$ 51,912	\$ -	\$ -	\$ -	\$ 600,000
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TOTAL GENERAL FUND DISBURSEMENTS

\$ 494,707	\$ 729,116	\$ 573,189	\$ 381,956	\$ 568,959	\$ 1,428,412
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**CITY OF BIRCHWOOD VILLAGE
PROPOSED BUDGET 2025 NOTES**

A The budget is made using a cash basis of accounting. This spreadsheet Includes both levy and non levy items for tranparency. This is the reason the disbursements are increased from the 2024 budget.

2024 Levy	2025 Proposed Levy	Change
\$ 573,534.59	\$ 635,520.00	10.81%

B The Dock/Lift Permit Fees have been moved to the Special Revenue Fund.

C Recycling Grant.

D This number includes:

Gas Tax	\$ 23,000.00
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The following are for the Liftstation:

EPA Federal Grant	\$ 480,000.00	
RCWD	\$ 100,000.00	** This can be used towards
Total	\$ 603,000.00	the city match of \$120,000.00.

E The actual in 2024 was from Jason Tell for reimbursement of planning services.

F The actual in 2024 was from Elizabeth Simning for a vacant building registration fee.

G The actuals in 2022 were elevated due to city road closures and detours resulting in elevated fines. Sarah Halvorson from Washington County is investigating the low 2024 numbers.

H WBL Press Publications.

I This amount is made up of the following:

Mayor	\$ 2,500.00	
City Council	\$ 6,000.00	(\$1,500.00 * 4 Members)
	\$ 8,500.00	

J Three positions:

2024 Budget	\$ 134,501.00
Less Past Treasurer	\$ 1,050.00
	\$ 133,451.00
Clerk/Deputy 4%	\$ 138,789.04
Add New Treasurer	\$ 4,200.00
Total	\$ 142,989.04

K League of MN Cities Legal.

L Advertising for Open Positions.

M Northeast Youth and Family Services.

N Companion Animal Control.

O The City's permitting software purchased from Civic Plus. The initial investment of \$4,000 with yearly charges of \$2,100 every year after.

P Bolton & Menk.

Q Cleaning Services - TSE, Inc.

R Metro INET and forecasted Techie Dudes, internet and phone lines.

**CITY OF BIRCHWOOD VILLAGE
PROPOSED BUDGET 2025 NOTES**

S USS Minnesota One MT LLC

T	Road Maintenance	\$ 15,000.00
	Potholes	\$ 67,614.00
	Council Addition	\$ 17,386.00
	Seal Coat & Crack S Total	\$ 100,000.00

U Budget number includes \$8,000 for contracted lawn services.

V White Bear Lake Conservation Fees.

W The actual in 2024 was paid to General Service Repair for lift station repair.

To: Birchwood City Council

From: Ryan Hankins

Re: Revisions to Variance Application Criteria

We have been struggling to deliver completed variance applications to the city council and planning commission. The following provides clear descriptions of what is required, that staff must mark variances as complete within 14 days, and variances should include each required piece documentation, or should explain why omissions are not needed.

Thank you to Mike Kramer for excellent suggestions, and to the planning commission for its review in July.

ORDINANCE NO. 2024-08-01

AN ORDINANCE REPLACING SUBSECTION 304.020 OF THE CITY CODE TITLED “VARIANCE APPLICATION REQUIREMENTS” IN SECTION 304 OF THE CITY CODE TITLED “ZONING CODE: VARIANCES”

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

Section 1. Enactment. The following section replaces section 304.020 of the City Code.

304.020 Variance Application Requirements. Before consideration of a variance, an application for variance shall be made on forms provided by the City Administrator. The application must be accompanied by the required information described below and by all required fees. City zoning staff shall mark an application complete only if it includes the following items or if the applicant includes a reasonable explanation of why each omitted item is unnecessary. Incomplete applications shall be returned to the applicant within fourteen days of application.

- a). The legal description and address of parcel.
- b). Name, address, and phone number of applicant (and of owner if owner is not the applicant).
- c). Plot plan drawn to scale (including a bar scale on the plan). Lot elevations and contour lines (existing and proposed). Cross sections of disturbed areas and proposed structures.
- d). Plan showing existing and proposed new work and changed structures, landscaping and areas on the lot. (i.e. critical spot elevations at structures and changes in existing site contours. Proposed structures material specifications. Proposed foundations, volumes of material disturbance, landscaping layout, slope stabilization and erosion control plans and materials.) The plan shall include sufficient detail and dimensions to determine which variances are necessary, and in what dimensions, and to evaluate the project against requirements.
- e). Existing structures and site elevations/contours on adjacent lots.
- f). A certificate by a registered professional land surveyor verifying the location of all buildings, setbacks, and building and impervious surface area coverage.
- g). A certificate by a registered professional land surveyor or engineer certifying other facts that, in the opinion of the city, are necessary for evaluation of the application. (i.e. stormwater maintenance plan, drainage plan, etc.)

h). A separate enumeration of each section, including a clear reference to the section of the code to which a variance is requested along with a demonstration that each criterion set forth in section 304.040 is met for each enumerated section.

i). Evidence demonstrating compliance with regulations of other governmental units when required by provisions of this code, State Law, or regulations of other governmental units. Non-limiting examples of government units which may have applicable regulations including the State of Minnesota, Rice Creek Watershed District, Minnesota Department of Natural Resources, White Bear Lake Conservation District, and Minnesota Pollution Control Agency.

Section 2. Effective Date.

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

Passed by the City Council of The City of Birchwood, Minnesota this 10th day of September, 2024.

Mayor

Attested:

City Clerk

To: Birchwood City Council
From: Margaret Ford and Ryan Hankins
Re: Animal Barriers

A couple months back, we discussed an ordinance allowing deer fencing. The following proposal addresses that need, without creating a non-conforming structure that could be used to build something else. It includes other pests as well.

ORDINANCE NO. 2024-08-02

AN ORDINANCE ADOPTING SECTION 623 OF THE CITY CODE TITLED “ANIMAL BARRIERS”

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

Section 1. **Enactment.** Chapter 623 entitled “ANIMAL BARRIERS” is hereby enacted to read as follows:

Chapter 623: ANIMAL BARRIERS

623.010. Purpose. The City finds that residents benefit from growing and maintaining foliage, vegetation and gardens, and that deer, rabbits, rodents and other animals cause damage that impacts the public welfare. Allowing temporary animal barriers protects foliage, vegetation and gardens.

623.020. Definitions. For this section:

1. Height Above Grade shall mean the vertical distance before construction at a point on the surface of the earth to the top of the barrier or posts above that point.
2. Structure. shall have the definition in § 300.020.
3. Temporary. shall mean constructed with methods and materials that can be dismantled and relocated without lasting changes to the site.

623.030. Temporary Animal Barriers. Notwithstanding City Code Section 302, a temporary barrier to protect foliage, vegetation and gardens from damage by deer, rabbits, rodents or other animals may be erected and maintained. Such barrier shall:

1. be constructed of plastic, fabric or wire mesh, but not wood, chain link or other materials, and
2. surround only foliage, vegetation or gardens; and
3. be at least 90% open; and

4. be of the minimum width necessary and not exceed a height above grade of eight feet at any point; and
5. be set back at least ten feet from any street or road and at least 25 feet from any ordinary high water line; and
6. not constitute a structure; and
7. be supported only by attachment to a structure or posts driven into the earth, without concrete or other underground support.

623.040 Repeal or Modification. Upon adoption, repeal or modification of this ordinance, temporary animal barriers that no longer comply with City Code shall be removed or made compliant within six months.

623.050. No Permit Required. No permit shall be required to construct any temporary animal barrier in accordance with § 623.030.

623.060 Penalty. Any person violating any provision of this ordinance shall, upon conviction, be punished by a fine not exceeding \$1,000 or by imprisonment for a period not exceeding 90 days, or both, plus, in either case, the costs of prosecution.

Section 2. **Effective date.** This ordinance becomes effective from and after its passage and publication.

Passed by the City Council of The City of Birchwood, Minnesota this 10th day of September, 2024.

Mayor

Attested:

City Clerk

MEMORANDUM

DATE: 8/28/24

TO: City Council
FROM: Rebecca Kellen, City Administrator
COPIED:
SUBJECT: Recycling Grant Update - FOTH



Birchwood Village

SEPTEMBER UPDATE:

- Met with FOTH on 8/22/24 and 8/28/24 to discuss revisions to 401 and 402 in preparation for the September city council review of the draft. They recommended making these into 1 ordinance and provided a draft. **Staff would like for city council to review and revisions from FOTH and determine if they would like any edits and also to move it to first reading.**
- The council decided to use stickers rather than metal signs for bin labels. Sample stickers have been ordered.

AUGUST UPDATE: This is an update on where we are at with our 4 grant deliverables for our Washington County Grant in the amount of \$3192.

- Ordinance Review – Staff has met with FOTH and they are in the process of reviewing our city code sections 401 and 402.
- Promotional and Educational Materials – Spring and Summer Newsletter included information about recycling and several Washington County Recycling Events have been shared over Facebook.
- Mattress Recycling – Took Place in June, 2024. There was a total of 22 Birchwood Village residents that participated.
- Bins in Parks and City Hall – Staff has been working with the MN Chamber of Commerce Representatives who recommended we add recycling bins to Dellwood, Tighe-Schmitz, and Elm. These 3 bins, free of charge, have been placed. The other recommendation was to add clearer signage to the area, possible including metals signs but at a minimum suggested stickers/labels. **Staff would like city councils' opinion on adding metal signage to the beaches with for recycling.** See the attached pages.

Regards,
Rebecca Kellen
City Clerk
City of Birchwood Village, MN
office: (651) 426-3403
email: rebecca.kellen@cityofbirchwood.com
website: <http://www.cityofbirchwood.com/>

**THE CITY OF BIRCHWOOD VILLAGE
SOLID WASTE AND RECYCLING MANAGEMENT ORDINANCE**

- 401.010. **PURPOSE, SCOPE, AND AUTHORITY.** This adopted Ordinance is the City's goal to improve solid waste management, achieve a reduction in waste generated, and to serve to these additional purposes:
- a. To protect the public health, safety, comfort, convenience, and general welfare of the residents of the city.
 - b. Encourage the separation and recovery of materials and energy from waste.
 - c. To establish powers, duties, rules, regulations, and standards for the removal of solid waste from the city.
 - d. Promote best management practices in solid waste management to protect air quality, water quality, and natural resources.
 - e. Provide high-quality solid waste and recycling services in the most cost-effective manner possible.
 - f. To promote programs and recommend policies to reduce waste and promote yard waste reduction through the separation of recyclables and yard and garden wastes and encourage the purchasing of products that are most durable or contain recycled or recyclable materials.
 - g. To meet minimum standards and requirements established by the rules of the Minnesota Pollution Control Agency regarding solid waste.
 - h. To assure that the city complies with the city's current comprehensive plan, the current Washington County Solid Waste Management Plan, and any updates to those plans approved by the city or the county.
 - i. To provide for the administration of the ordinance. The city has authority to enact ordinances for these purposes under Minn. Stat. § 412.221, subd. 22, which requires the city council to provide for or regulate the disposal of garbage, recycling, and other solid waste.

This Ordinance is intended to protect, support, and promote the health, welfare, and safety of the public pursuant to Minnesota Statutes, Chapters 115A, 145A, 375, 400, and 473. This Ordinance is subject to change as necessary to reflect updated State of Minnesota Statutes.

- 401.020. **GENERAL.** No person shall cause or permit the generation, transportation, disposal, or processing of solid or hazardous waste, or the construction or operation of solid or hazardous waste facilities, except in full compliance with the provisions of this chapter.
- 401.030. **CERTAIN TERMS.** For the purpose of this Ordinance, the words “shall” and “must” are interpreted as mandatory and the words “should” and “may” are permissive.
- 401.040. **DEFINITIONS.** In addition to the terms set forth in this section, this Ordinance incorporates by reference terms defined in the Waste Management Act, Minnesota Statute 115A.01 et seq. For the purpose of this section, the terms used herein shall have the following meaning:
- 401.040.1. **Acceptable Waste:** Acceptable Waste means waste that is acceptable at the Designated Facility. Acceptable waste shall include garbage, MMSW, and other municipal Solid Waste from residential, commercial, industrial, and community activities that is generated and collected in aggregate and is not otherwise defined herein as Unacceptable Waste. No amount of Hazardous Waste or Infectious Waste that is regulated by law is acceptable at the Designated Facility. All household waste is Acceptable Waste unless it is otherwise regulated or prohibited by law.
- 401.040.2. **Bulky Waste:** Furniture, large toys, bicycles, lawnmowers, lawn chairs, carpet, and other Solid Waste with weights or volumes greater than those allowed for bags or Carts. Bulky Waste does not include construction debris, hazardous waste, or Consumer Electronics.
- 401.040.3. **Cart:** Cart means a container for Mixed Municipal Solid Waste (MMSW) or Recyclables, which is equipped with wheels and a lid, in the following standardized sizes (approximate capacities): thirty-five (35)-gallon (Small), sixty-four (64)-gallon (Medium), ninety-six (96)-gallon (Large), further referred to as “Small,” “Medium,” or “Large.”
- 401.040.4. **City:** City means City of Birchwood Village, Minnesota.

- 401.040.5. City Council: City Council means the elected government representatives for the City of Birchwood Village, consisting of the Mayor and Council Members
- 401.040.6. Collection: The aggregation and transportation of Solid Waste from the place at which it is generated and includes all activities up to the time when it is delivered to a processing facility.
- 401.040.7. Compost: Compost is the product resulting from the controlled biological decomposition of organic material that has been sanitized through the generation of heat and stabilized to the point that it is beneficial to plant growth and can be used as a soil amendment without further processing.
- 401.040.8. Consumer Electronics: Any discarded device generated in a Residential Dwelling Unit with a circuit board, including (but not limited to): televisions, computers, laptops, tablets, computer monitors, peripherals (e.g., keyboard, printer, mouse, etc.), cell phones, personal digital assistants (PDAs), digital video disc (DVD) recorders/players and video cassette recorders/players, and fax machines.
- 401.040.9. Contractor: The City's current solid waste and recycling collection contractor.
- 401.040.10. Curb or Curbside: That portion of the right-of-way that is adjacent to paved or traveled roadways, including alleys.
- 401.040.11. Demolition Waste: Concrete, blacktop, bricks, stone facing, concrete block, stucco, glass, structural metal and wood from demolished structures and other inert waste materials as may be approved by the County Engineer, unless such material is to be used for land reclamation at the site where demolition takes place.
- 401.040.12. Designated Facility: Designated Facility means the Ramsey/Washington County Recycling & Energy Center (R&E Center) located at 100 Red Rock Road in Newport, Minnesota 55055, to which Acceptable Waste is required to be delivered.
- 401.040.13. Disposal: The discharge, deposits, injection, dumping, spilling, leaking, or placing of any solid or hazardous waste or any constituent thereof which may enter the environment or be emitted into the air or discharged into any water, including ground waters.
- 401.040.14. Food Scraps: Food scraps are discarded organized waste from unused food or food residue.
- 401.040.15. Food Scraps Pickup Program: Ramsey and Washington counties' food scraps pickup program is a program that allows Ramsey and Washington county participants to collect and dispose of food scraps using program-specific bags that are co-collected with mixed municipal solid waste. After collection, the program-specific bags are separated from mixed municipal solid waste and recycled. Material to be collected shall follow the food scraps pickup program's list of accepted material.
- 401.040.16. Garden: Ground area for cultivation of flowers, vegetables, and shrubs.
- 401.040.17. Garbage: Discarded material resulting from the handling, processing, storage, preparation, serving and consumption of food.
- 401.040.18. Generate: Generate means the act or process of producing waste, including the production or aggregation of waste occurring at intermediate, transfer, Processing, or Disposal Facilities.
- 401.040.19. Generator: Generator means any person who generates compostable, recyclable, or Solid Waste material(s).
- 401.040.20. Hauler: Hauler means any person, firm, corporation, association, partnership, or other entity that collects or transports MMSW that is Generated in the City. Hauler includes any solid waste collection vendor that may be hired for general residential purposes, such as demolition,

renovation, landscaping, etc. Hauler includes a City-contracted hauler or Contractor. Hauler does not mean a Person hauling his or her own residential household waste.

- 401.040.21. Hazardous Waste: Hazardous Waste is defined in state statutes, state rules, and county ordinances. Any garbage or discarded material or combination of garbage or discarded material in solid, semi-solid, liquid, or gaseous form which cannot be handled by routine waste management techniques because they pose a substantial present or potential hazard to human health or other living organisms because of their chemical, biological, or physical properties. Waste is hazardous in Minnesota when it displays one or more of these characteristics: ignitability, corrosively, reactivity, toxicity, lethality, or are an oxidizer. These materials are not accepted at curbside Solid Waste collection.
- 401.040.22. Incineration: Incineration means the process by which materials are burned for the purpose of volume and/or weight reduction in Facilities designed for such use.
- 401.040.23. Major Appliances: Major Appliances means, but is not limited to, clothes washers and dryers, dishwashers, water heaters, heat pumps, furnaces, garbage disposals, garbage compactors, conventional and microwave ovens, ranges and stoves, air conditioners, dehumidifiers, refrigerators, and freezers. A device or instrument, especially an electrical device, designed to perform a specific function for household use.
- 401.040.24. Material Recovery Facility (MRF): A Facility where Recyclable Materials are received and prepared for reuse in their original form or for use in manufacturing processes that do not cause the destruction of the materials in a manner that precludes further use. The Recyclable Materials must:
- a. Fit the definition of MMSW prior to separation for Recycling;
 - b. Not include items which have been prohibited by state law from Disposal or placement in MMSW, unless approved by the Agency;
 - c. Have been separated from other MMSW by the Generator prior to collection; and
 - d. Not be hazardous as defined in Chapter 7045, except for household Hazardous Waste. Recyclable Materials that are defined as household Hazardous Waste in part 7045.0131, subpart 1, and Minnesota Statutes, section 115A.96, subdivision 1, paragraphs (a) and (b), may be accepted at the Facility for Recycling if they are managed in accordance with part 7045.0310.
- 401.040.25. Medical Waste: Medical Waste includes Infectious Waste and waste originating from the diagnosis, care or treatment of a Person or animal, or waste resulting from biological research, whether or not the waste has been decontaminated.
- 401.040.26. Mixed Municipal Solid Waste (MMSW): Mixed Municipal Solid Waste is defined in accordance with Minn. Stat. §§ 115A.01 – 115A.03, including garbage from residential and community activities that the generator of the waste aggregates for collection. MMSW does not include auto hulks, street sweepings, ash, construction debris, tree and agricultural wastes, tires, lead acid batteries, motor and vehicle fluids, filters, and Hazardous Waste and other materials collected, processed, and disposed of as separate waste streams.
- 401.040.27. Multi-Dwelling Unit (MDU): Any building consisting of more than four units, each with individual kitchen facilities.
- 401.040.28. Person: Person means any human being, any municipality or other governmental or political subdivision or other public agency, any public or private corporation, any partnership, firm, association, or other organization, any receiver, trustee, assignee, agent, or other legal representative of any of the foregoing, or any other legal entity and with respect to acts prohibited or required herein, shall include employees or Licensees.
- 401.040.29. Rear Yard: A yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of the principal building.

- 401.040.30. Recyclable Materials: Recyclable Material means materials that are separated from MMSW for the purpose of Recycling, which materials will be identified by the City Council, City's Solid Waste Contractor, and at least be inclusive of the Washington County standard list of residential curbside Recyclables . The list of Recyclable Material shall be provided to customers and updated on a regular basis as marketplace changes for recyclables.
- 401.040.31. Recycling: Recycling means the process of collecting and preparing Recyclable Materials for the purpose of reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of Recyclable Materials in a manner that precludes further use.
- 401.040.32. Residential Dwelling Unit (RDU): Residential Dwelling Unit shall include single dwellings and up to four multi-dwelling residences including residential manufactured homes and businesses operating out of a residence.
- 401.040.33. Resource Recovery: Resource Recovery means the reclamation for sale, use, or reuse of materials, substances, energy, or other products contained within or derived from waste.
- 401.040.34. Scavenging: The unauthorized collection of solid waste or recyclable materials that have been set out by residents of the City for collection by City or County authorized haulers.
- 401.040.35. Solid Waste: Garbage, and other discarded solid materials including solid waste materials and waste sludges resulting from industrial, commercial, and agricultural operations and from community activities, but does not include hazardous waste, animal waste used as fertilizer, earthen fill, boulders, rock, solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water to effluents, dissolved materials in irrigation return flows, or other common water pollutants.
- 401.040.36. Solid Waste Collection: Solid Waste Collection means the gathering of Solid Waste from public or private places.
- 401.040.37. Solid Waste Management: Solid Waste Management means activities that are intended to affect or control the generation of Solid Waste and activities that provide for or control the collection, Processing, and Disposal of waste.
- 401.040.38. Source Separation: Source Separation means the separation of Recyclable Materials from waste by the Generator prior to collection for Recycling.
- 401.040.39. Unacceptable Waste: Unacceptable Waste means Solid Waste that is not acceptable at the Designated Facility. Unacceptable Waste shall include waste that would likely pose a threat to health or safety, or which may cause damage to, or materially adversely affect the operation of the Designated Facility including but not limited to: explosives; Medical Waste; commercial, industrial, and community Hazardous Waste, as regulated by federal, state and local law; chemicals and radioactive materials; oil Sludges, asbestos in identifiable quantities; cesspool, domestic sewage or other sewage Sludge; human or animal remains; street sweepings; ash; mining waste; Sludges; demolition waste; Construction Debris; waste in liquid state; hazardous waste of any kind, such as cleaning fluids, used crank case oils, cutting oils, paints, acids, caustics, poisons, drugs; and any other materials that the Designated Facility identifies; or that MPCA or any other governmental unit having appropriate jurisdiction shall determine, is harmful or of a toxic or dangerous nature.
- 401.040.40. Yard Waste: Means green/lawn clippings, leaves, weeds, garden waste (tomato vines, carrot tops, cucumber vines, etc.) soft-bodied plants (flowers and vegetable plants) small non-woody shrub trimmings or twigs (1/4 inch diameter maximum), pine cones and needles.
- 401.050. COLLECTION BY THE CITY; CITY RIGHTS AND DUTIES. All Solid Waste, MMSW, or Recycling Materials (hereinafter collectively referred to as "Solid Waste") accumulated in or at Residential Dwellings Units in the city shall be collected, conveyed, and disposed of under supervision of the City Council. The City Council shall have the authority to make rules and regulations concerning haulers, days of collection, type and location of waste containers and such

other matters as it deems necessary provided that such are not contrary to the provisions of this Code. The City shall have the right and duty to administer this Ordinance.

- 401.060. LICENSING AND LICENSEE RESPONSIBILITIES; COUNTY LICENSE REQUIRED. It shall be unlawful for any person to collect Solid Waste from any person for a fee or other charge or under contract within the city without having first secured a license from the County. This Ordinance requires that appropriate licenses be obtained from Washington County for the establishment and operation of Solid Waste Management activities and Facilities. The City may have the right and duty to approve and consider all license applications submitted to the County for operation of all Solid Waste Management activities, Sites, or Facilities, and hauling services within the City.
- 401.070. SERVICE NOTIFICATION. It shall be the responsibility of every person to notify the City Clerk at least one (1) week in advance of starting or discontinuing service.
- 401.080. FEES FOR COLLECTION AND DISPOSAL. The fees for collection and disposal of MMSW for all persons shall be determined by Collections Contract with the City. All amounts due hereunder shall be payable by the terms defined in the Contract with the City.
- 401.090. CHARGES BECOME A LIEN. Each charge levied by and pursuant to this chapter is hereby made a lien upon the corresponding lot, land or premises served hereunder and all such charges which are on July 31 of each year more than thirty (30) days past due and having been properly billed to the occupant of the premises served, shall be certified by the City Clerk to the Auditor of Washington County each year. The City Clerk in so certifying such charges to the County Auditor shall specify the amount thereof, the descriptions of the premises served, the name of the owner thereof, and the amount so certified shall be extended by the County Auditor on the tax rolls against such premises in the same manner as other taxes, and collected by the County Treasurer, and paid to the City Clerk, along with other taxes.
- 401.100. COLLECTION AND TRANSPORTATION REQUIREMENT. Solid Waste shall be collected and transported in a nuisance-free manner consistent with the intent of this Ordinance. For Residential Dwelling Units and businesses operating out of a residence, City shall select and contract with a contractor for the collection of MMSW. Residential services will be outlined in the contract between the City and the selected contractor. The City contractor shall comply with requirements set forth in the Food Scraps Pickup Program at the time it is available to City residents.
- 401.110. CARTS. Carts or Curbside Carts will be provided to all residential dwellings. The Contractor shall furnish and deliver Carts for MMSW in small, medium, and large sizes to Residential Dwellings. Residents shall be allowed to choose the number and size of the Cart(s) for their residence and will be billed according to the Rate Schedule as established by resolution of the City Council. Carts will remain the property of the Contractor. Additional carts can be requested at the expense of the residential dwelling unit owner.
- a. Additional MMSW may be placed for pickup in sealed black bags.
 - b. It is the property owner's responsibility to clean any litter resulting from disturbed bagged MMSW.
- 401.120. CART PLACEMENT AND TIME OF DAY. It is the responsibility of all persons occupying or controlling any residence to:
- a. Place garbage and/or recycling carts at the curb or alley for collection, and at ground level no more than forty (40) feet from the right-of-way of the nearest street.
 - b. On non-collection days said containers shall be screened from view. If carts are stored outside, they shall be secured and maintained in a stationary manner.
 - c. Carts shall not be set out for garbage and/or recycling pickup earlier than 3:00 p.m. on the day preceding garbage and/or recycling pickup.
 - d. Carts shall be retrieved and returned to the premises 24 hours after collection.
 - e. In multi-dwelling unit residences of less than five units, it is the responsibility of the owner to place and retrieve containers within the same guidelines provided for Residential Dwelling units.

401.130. RECYCLING. The city's contracted hauler is required to pick up recyclable materials at every Residential Dwelling that secures a Recycling Cart. The city council, by resolution approving the Contractor, establishes recyclable materials as stated in the Washington County Standard List of Recyclables. In the event the city, county, or state changes the list of recyclable materials, the city's contracted hauler shall begin collection of any additional recyclable materials not listed within 30 days of the adoption of the resolution unless written approval is obtained from the city.

Hauler shall make available single-sort recycling services to all properties. Hauler shall provide each new customer with detailed instructions on how to prepare recyclables for collection. Hauler must notify customers at least thirty (30) days in advance before changing their recycling collection system and provide detailed instructions on how to prepare recyclables under the system. Hauler shall also notify customers at least once each year of proper recyclables preparation for collection, including the list of recyclable materials as defined in the Washington County Standard List of Recyclables.

401.140. PREPARATION. Hauler shall not landfill or incinerate any recyclable materials collected, nor sell, trade, or give materials to any person or business for the purpose of landfilling or incinerating said materials without the prior written consent of the City, the County, and the State of Minnesota.

401.170. HOURS OF OPERATION. Collection of residential and commercial waste streams must be respectful of the City's Noise Ordinance. Collection of residential waste, recyclables, and yard waste shall not start before 7:00 a.m. or continue after 7:00 p.m. on the evening of the same date (Monday through Friday).

Exceptions to collection hours shall be affected only upon the mutual agreement of the City and hauler. Exceptions may include holidays, landfill operations, or when the hauler and City reasonably determine that an exception is necessary in order to complete collection on an existing collection route due to unusual circumstances. The City has the final decision in all exceptions.

401.180. CONTRACTED HAULERS. Hauler agrees that during the life of the Contract, the Hauler will not, within the State of Minnesota, discriminate against any employee or applicant for employment because of race, color, creed, national origin, ancestry, or sex and will include a similar provision in all subcontracts entered into for the performance thereof.

401.190. COMPOSTING. Composting is permitted only in residential properties provided that all of the following conditions are met:

- a. Permitted composting materials. Only yard waste, straw, fruit and vegetable scraps, coffee grounds, egg shells of which is generated from the site on which the composting is located. In addition, commercially available ingredients can be placed in a composting container.
- b. Prohibited materials. The following materials and shall not be placed in the composting container(s): meat bones, fat oils, whole eggs, dairy products, unshredded branches or logs, weeds heavily loaded with seeds, plastics, synthetic fibers, human or pet wastes, diseased plants and any other garbage except for those permitted above in "a".
- c. Composting structure. All composting materials must be contained in a bin which may be constructed of wood, wire mesh, a combination of wood and wire or commercially fabricated compost bins designed to contain composting materials.
- d. Composting container size. Composting shall be conducted within an enclosed container(s) not to exceed a total of one hundred fifty (150) cubic feet (for example, 6'x 5'x 5') in volume for those lots of ten thousand, five hundred (10,500) square feet or less. For those lots greater than ten thousand five hundred (10,500) square feet, a total of two hundred fifty (250) cubic feet (for example 10' x 5' x 5') in volume, will be allowed. Maximum height of the composting container shall be five (5) feet. For composting containers larger than the above or for non-contained composting material, approval is required by the City Clerk. Requests shall be submitted on the appropriate request form (to be supplied by the City) and submitted to the City Clerk for his/her approval. If request is denied, applicant can appeal to the City Council for approval within ten (10) days of the denial.

- e. Location. The composting container shall be located in the rear yard of the property and be at least two (2) feet from the property line and no closer than fifty (50) feet to any adjacent habitable building other than the residents' own home. See 301.080.
- f. Maintenance. The compost must be periodically mixed and moistened: to incorporate air, to properly mix wet and dry material, and to promote a rapid biological degradation. The compost must provide for adequate air circulation to prevent objectionable odors to adjacent properties.
- g. Nuisance. The operation of composting in a manner that results in objectionable odors and/or the placing of prohibited materials in a composting container to create a health hazard is considered a public nuisance.

- 401.200. LIQUIDATED DAMAGES. The City Council may impose administrative, liquidated damages or revoke the license of any person found in violation of any applicable statute, regulation, and provision of this Section or the City's Solid Waste Standards. Any proposed revocation shall be preceded by a public hearing, conducted before the City Council, and preceded by at least 15 days' notice of the hearing given to the licensee. The notice, in addition to setting forth the time and place of the hearing, shall state the nature of the charges for which revocation shall be considered. No person granted a license hereunder shall acquire any vested rights through the license or under this ordinance.
- 401.200.10 INSPECTION. The City shall have the right and duty to inspect private property to determine if the property Owner is in compliance with the provisions of this Ordinance.
- 401.200.20. SCAVENGING. No person shall scavenge or otherwise collect MMSW, Recyclables, Bulky Waste, Food Scraps or Yard Wastes from containers or from public or private property unless licensed therefore by the County or unless permission of the owner of any such materials has been given.
- 401.200.30. BURYING AND BURNING PROHIBITED. No person shall bury any MMSW, recyclable materials, or other waste materials within the city and no person shall burn MMSW, or other waste materials except in an incinerator located within a residence or other building that conforms to the requirements of the State of Minnesota.
- 401.200.40. ILLEGAL DUMPING/UNAUTHORIZED DUMPING. It shall be a violation of this Ordinance for any Person to Dispose of Solid Waste within Birchwood Village at any place except at a Site or Facility authorized by this Ordinance.
- 401.200.50. UNLICENSED OPEN DUMPS. It shall be a violation of this Ordinance for any Person to operate an Open Dump. Waste placed in Open Dumps or illegally Disposed of shall be collected and transported to a licensed Waste Facility for proper Disposal by the Property Owner or other Person(s) determined by the City to be responsible for the illegal activity. The responsible party shall submit a closure plan for City review and shall close the dump in accordance with the following provisions.

The responsible party shall notify the City at least 10 days prior to commencement of excavation/removal activity at the subject Site. A receipt or other documentation approved by the City that indicates satisfactory and legal Disposal of the subject Solid Waste shall be submitted to the City no later than 14 days after Disposal.

- a. Implementation of a water monitoring program may be required by the City based on the Open Dump's potential to adversely affect the public's health and the environment. Any required water monitoring program shall be conducted pursuant to MPCA rules, guidelines, procedures, and policies. Plans to protect the ground and surface water shall be approved by the City prior to implementation.
- b. Surface water must be diverted around and away from the Open Dump.
- c. Remove all containerized liquids, Hazardous Waste, and other items specified by the City for proper Processing or Disposal. Potentially Recyclable Materials may be removed for Processing or Marketing.
- d. Establish and maintain final grade between 2% and 25% to promote surface water run-off without excessive erosion.

- e. Establish vegetative cover consisting of shallow rooted perennials or other suitable vegetation.
 - f. The Owner of the property on which the Open Dump is located shall place on record an instrument with the Washington County Recorder, in a form prescribed by the City, placing the public on notice of the existence and location of the Open Dump and of the obligations placed upon parties holding an interest in the property and the restrictions which may affect the use of the property.
- 401.200.60. SOLID WASTE DISPOSAL PROHIBITION. No person shall discharge or dispose of Recyclables, Bulky Waste, MMSW, Source-Separated Organic Material (SSOM), Yard Wastes, or Hazardous Wastes in any street, alley, drive, park, playground, or other public place, or upon privately owned property.
- 401.200.70. UNAUTHORIZED COLLECTION. It shall be unlawful for any person who is not authorized by the City or County to take or collect recyclable material set out for authorized collection programs within the City.
- 401.200.80. MAINTENANCE OF LOTS. The owner of a Residential Dwelling Unit shall be responsible for maintaining lots consisting of weeds, grass lawn, trees, shrubs, and other vegetation; free and clear of all garbage or excavations for which a special use permit has not been taken out.
- a. Rodent harborages prohibited in occupied areas. No occupant of any structure shall accumulate boxes, lumber, scrap metal, or any other similar materials in such a manner that may provide a rodent harorage in or about any dwelling or dwelling unit. Stored materials shall be stacked neatly in piles.
 - b. Notice to Owners of Unsanitary Conditions. When any unsanitary conditions are found on any property, an agent of the City, shall order the owner or occupant thereof to remove the same, at his/her expense, within a time not to exceed ten (10) days, the exact time to be specified in the notice. This notice shall be served by delivering a copy thereof to the owner, occupant, or agent of the property.
- 401.200.90. DEPOSITING WASTE INTO PUBLIC PROPERTY. No person shall sweep or deposit any litter in any public place or public way except in public containers. Persons owning or occupying property shall keep the sidewalk and any right-of-way bordering their property free of litter. Any person convicted of this section shall be punished per section 401.320. Enforcement.
- 401.201.00 ABANDONMENT AND STORAGE OF BULKY WASTE. No person shall have any abandoned, unattended, or discarded refrigerator or other similar appliance which has an airtight door or lid with a snaplock or other locking device which may not be released from the inside, on any lot, or in any structure.
- 401.201.10 THROWING LITTER FROM VEHICLES. No person shall throw or deposit any litter from a vehicle upon any public place or public place except in public containers. Any person convicted of this section shall be punished per section 401.320. Enforcement.
- 401.310. ADDITIONAL REQUIREMENTS AND PROVISIONS.
- 401.310.10. WAIVERS OR MODIFICATIONS. Due to the great variability in the types of Solid Wastes and their existing and potential management methods, the City may waive or modify the strict application of the provisions of this Ordinance by reducing or waiving certain requirements when such requirements are unnecessary or impractical, provided such a waiver or modification will not endanger the public health, safety, welfare, or the environment. The City may impose reasonable additional requirements through Solid Waste Management activity or Facility-specific license conditions when deemed necessary to protect the public health, safety, welfare, or the environment.
- 401.310.20. AGENCY APPROVAL. No modification or waiver may be granted if it would result in noncompliance with Minn. Rules Chapter 7035 unless such modification or waiver has been granted by the Minnesota Pollution Control Agency.

- 401.310.30. PROMOTION OF PUBLIC HEALTH, SAFETY, AND WELFARE. Where the conditions imposed by any provision of this Ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of this Ordinance, or any other applicable law, Ordinance, rule, and regulation, the provision which establishes the higher standards for the promotion and protection of the public health, safety, and welfare shall prevail.
- 401.310.40. CONSTRUCTION. This Ordinance shall not be construed to hold the City or the County or any officer or employee responsible thereof for any damage to Persons or property by reason of the inspection or reinspection authorized herein provided, or by reason of the approval or disapproval of equipment or licensing herein, nor for any; action in connection with the inspection or control of Solid Waste or in connection with any other official duties.
- 401.310.50. NO CONSENT. Nothing contained in this Ordinance shall be deemed to be a consent, license, or permit to locate, construct, operate, or maintain any Solid Waste Facility, or to carry on any activity.
- 401.310.60. SEVERABILITY. If any provision of this Ordinance or the application thereof to any Person or circumstance is held invalid, said invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and for this purpose the provisions of the Ordinance are severable.
- 401.310.70. EFFECTIVE DATE. This Ordinance shall be effective immediately after passage by the City Council Board and publication according to law, provided.
- 401.320. ENFORCEMENT.
- 401.320.10. PENALTIES. Any person violating any of the provisions of this ordinance by doing any act or failing to any act which constitutes a breach of any section of this ordinance is guilty of a misdemeanor.
- 401.320.20. MISDEMEANOR. Any Person within the City who violates this Ordinance, except for an activity or at a Site or Facility for which a license has been granted, or who shall permit such a violation to exist on the premises under his control, or who shall fail to take action to abate the existence of the violation within the specified time period when ordered or notified to do so by the City, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished therefore, as provided by law. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.
- 401.320.30. INJUNCTIVE RELIEF. In the event of a violation or a threat of violation of this Ordinance, the City may institute appropriate actions or proceedings, including requesting injunctive relief to prevent, restrain, correct, or abate such violations or threatened violations.
- 401.320.40. CIVIL ACTION OR COST AS SPECIAL TAX. If a Person fails to comply with the provisions of this Ordinance, the City may recover the cost incurred for corrective action in a civil action in any court of competent jurisdiction or, at the discretion of the County Board, the costs may be certified to the County Auditor as a special tax against the real property.
- 401.320.50. CITATION. The City may issue citations for violations of this Ordinance.
- 401.320.60. SEPARABILITY. Every section, provisions, or part of this ordinance is declared separable from every other section, provision, or part to the extent that if any section, provision, or part of the ordinance shall be held invalid, it shall not invalidate any other section, provision, or part thereof.

ADOPTED BY ORDINANCE 2024-09-XX; SEPTEMBER XX, 2024

Fw: draft Met Council Regional Development Guide, titled Imagine 2050, out for public comment

Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>

Fri 8/23/2024 1:08 PM

To: City of Birchwood Village <info@cityofbirchwood.com>

Cc: Alan Kantrud <hakantrud@protonmail.com>

Bcc: Mark Foster <mark.foster@cityofbirchwood.com>; Margaret Ford <margaret.ford@cityofbirchwood.com>; Ryan Hankins <ryan.hankins@cityofbirchwood.com>; Kathy Weier <kathy.weier@cityofbirchwood.com>; Mark Foster <mark.foster@cityofbirchwood.com>; Justin McCarthy <justin.mccarthy@cityofbirchwood.com>

Please read through the email below received from Gail Cederberg, District 11 MET council. I spoke with her yesterday and she said that the 2050 MET council community designations came out and Birchwood was reclassified from "suburban" to "urban edge", which she explained means that the density goes from 5 units/acre to 14 units/acre. She thinks this was an error and we need to make sure we publicly comment about it during the public comment period, until October 7th. More information can be found below. Thank you.



Rebecca Kellen, MBA

City Administrator

City of Birchwood Village, MN

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



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From: Cederberg, Gail <Gail.Cederberg@metc.state.mn.us>

Sent: Thursday, August 22, 2024 11:35 AM

To: Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>; Margaret Ford <Margaret.Ford@cityofbirchwood.com>

Cc: Montesa, Elias <Elias.Montesa@metc.state.mn.us>; City of Birchwood Village <info@cityofbirchwood.com>

Subject: draft Met Council Regional Development Guide, titled Imagine 2050, out for public comment

Mayor Ford and Administrator Kellen,

The Metropolitan Council is excited to announce the release of the draft Regional Development Guide, titled Imagine 2050, for public comment. This "90%" draft marks a critical point in the planning process, where we gather your valuable insights to shape and refine the final document, which will guide our region for decades to come.

- *I did want to point out one item that will impact Birchwood village. In the Draft 2050 Land Use Policy, the community designation for Birchwood Village is proposed to be "Urban Edge" – changed from the 2040 Plan which designated Birchwood Village as "Suburban." On page 19 of the Draft 2050 Land Use Policy Plan you will find Table 2: Overall Density expectations by*

community designation and service area. The implication for Birchwood Village is that the Minimum Average Net Density would increase from 5 units per acre to 14 units per acre. I do think this has been an oversight in the draft Plan; however, you may want to submit public comments on this item and other items in the draft Plans.

We want to ensure that your voices continue to be heard throughout the development of this crucial regional roadmap.

- The public comment draft of the Imagine 2050 Land Use Policy (alongside all of the Imagine 2050 goal, system, and policy chapters) is now [posted on the Metropolitan Council's August 14th agenda](#). I encourage you to review the draft plans and submit your comments. Your perspectives are invaluable in creating a plan that reflects our communities' diverse needs and aspirations.
- A [public comment portal](#) is also available for specific feedback on objectives, policies, and actions for the entire Imagine 2050 plan. Please "Join" the discussion by signing up (click on "Join" at the top right of the website).
- You can also direct any email or letter comments to public.info@metc.state.mn.us
- **This draft will remain open for public comment through October 7th.**

If you require any assistance in preparing or submitting your comments, please don't hesitate to reach out to me. I'm here to help ensure your voice is represented in this vital process.

Regards,
Gail



Gail Cederberg, PhD

Metropolitan Council Member | District 11
390 Robert Street North, Saint Paul, MN 55101
P. 612-487-1205



[See District 11 Map & Cities](#) | [facebook](#) | [twitter](#)

MEMORANDUM

DATE: 9/3/24

TO: City Council
FROM: Rebecca Kellen, City Administrator
COPIED:
SUBJECT: EAB Grant Update



Birchwood Village

38 infected Ash trees were removed from City property between Jan and July 2023. 21 of those were removed from Polly's Park. 29 replacement trees were purchased, delivered, and planted in Polly's park and on other city right of way areas in June of 2024. 21 trees, consisting of 10 White Pine and 11 Norway Spruce were planted in Polly's Park. 4 Birch and 1 White Pine planted near Ash Path. 3 Birch planted near Tighe-Schmitz Park.

\$9,375.00 was authorized by the DNR rep for payment on 7/11/24 and has been received.

Regards,
Rebecca Kellen
City Clerk
City of Birchwood Village, MN
office: (651) 426-3403
email: rebecca.kellen@cityofbirchwood.com
website: <http://www.cityofbirchwood.com/>

MEMORANDUM

DATE: 9/3/24

TO: City Council
FROM: Rebecca Kellen, City Administrator
COPIED:
SUBJECT: Lift Station Update



Birchwood Village

September Update:

- SAM.gov renewal application was completed and submitted 8/15/24.
- After a SHPO contact was received from the EPA we reached out for a follow up and received email back saying they had not received our original submission, so it was resent and on 8/13/23. SHPO rep said we should receive a response within a week. **Received a "Pass" letter on 8/20/24 from SHPO.** (See following page).
- Marcus Johnson sent the revised workplan and EID to our EPA representative on 8/22/24.
- Met with Nancy Thorkelson, Margaret Ford and Marcus Johnson on 8/23/24 to do final revisions to grants.gov forms and a draft was submitted to our EPA representative for review.
- Received letter from EPA issuing a categorical exclusion for the requirements of the National Environmental Policy Act (NEPA) for the Lift station Project. (See following page).

August Update: Our EPA Region 5 representative was replaced so we reached out to the new representatives and Mayor Margaret, Engineer Marcus Johnson and I met with her 7/25/24. We discussed funding and required contract language. She confirmed that our documents should not be submitted on grants.gov prior to the cultural review being completed. She told us that she will be the person completing the cultural review and to expect about a month for completion. The documents for the cultural review were resent to her. Also, our SAM.gov registration is due for renewal and is underway, about ½ way complete. It expires in October of 2024.

July Update: This memo is to notify the City Council that the cultural review packets for the Office of the State Archaeologist, State Historic Preservation Office, and Tribal Historic Preservation Offices were submitted to the required parties on 5/22/24, for the Lift Station. All offices have a minimum of 30 days to respond. At this point we have received responses from 2 tribes. The Office of the State Archaeologist and the State Historic Preservation Office have been running behind with their reviews typically taking between 45-60 days.

After we are notified by the EPA that we have passed the environmental review then we will need to submit the required documents on Grants.gov (they requested that we wait until we pass the environmental review to submit those.) In conversations with Engineer Marcus Johnson, he said that after the environmental review approval, the EPA will tell us if we need anything particular in our plans and then it goes back to the EPA for a final review, and upon completion we will post bids.

Regards,
Rebecca Kellen
City Clerk
City of Birchwood Village, MN
office: (651) 426-3403
email: rebecca.kellen@cityofbirchwood.com
website: <http://www.cityofbirchwood.com/>

August 20, 2024

Rebecca Kellen
City Administrator
City of Birchwood Village
rebecca.kellen@cityofbirchwood.com

RE: Proposed Birchwood Village Lift Station Replacement
T30 R21 S30, City of Birchwood Village, Washington County
SHPO Number: 2024-1868

Dear Rebecca Kellen:

Thank you for the opportunity to comment on the above referenced project. Information received on August 13, 2024, has been reviewed pursuant to the responsibilities given the State Historic Preservation Officer by Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) and its implementing federal regulations, "Protection of Historic Properties" (36 CFR Part 800).

We have reviewed the documentation included with your submittal and based on information that is available to us at this time, we have determined that **no historic properties will be affected** by the project as it is currently proposed.

If you have any questions regarding our review of this project, please contact Kelly Gragg-Johnson, Environmental Review Specialist, at (651) 201-3285 or kelly.graggjohnson@state.mn.us.

Sincerely,



Amy Spong
Deputy State Historic Preservation Officer



REGION 5

CHICAGO, IL 60604

August 28, 2024

REPLY TO THE ATTENTION OF:
W-15J

Ms. Rebecca Kellen
City Administrator
City of Birchwood Village
207 Birchwood Ave.
Saint Paul, MN 55110

In accordance with the U.S. Environmental Protection Agency (EPA) regulations for implementing the requirements of the National Environmental Policy Act (NEPA), EPA is issuing a categorical exclusion (CATEX), pursuant to 40 CFR § 6.204, for City of Birchwood Village for a Sewer Lift Station Replacement Project. The City is seeking federal funds through an EPA Community Grant under the FY 2023 appropriation for the replacement of an existing lift station at the intersection of Wildwood Avenue and Owl Street in the City of Birchwood Village.

The primary objective of this project is to address the main lift station's aging infrastructure, which is approaching the end of its design life. This need arises from the wear and obsolescence of equipment in a harsh environment, requiring improvements approximately every 20 years.

The project meets the CATEX eligibility criteria found in 40 CFR § 6.204(a)(1)(ii) since it involves minor rehabilitation of existing structures and functional replacement of existing equipment. This category includes "actions relating to existing infrastructure systems (such as sewer systems; drinking water supply systems; and stormwater systems, including combined sewer overflow systems) that involve minor upgrading, or minor expansion of system capacity or rehabilitation (including functional replacement) of the existing system and system components (such as the sewer collection network and treatment system; the system to collect, treat, store and distribute drinking water; and stormwater systems, including combined sewer overflow systems) or construction of new minor ancillary facilities adjacent to or on the same property as existing facilities." This project does not involve new or relocated discharges to surface or ground water, an increase in the volume or loading of pollutants to receiving water, or an increase in the capacity to serve a population 30 percent greater than the existing population. Further, it is not contrary to any state or regional growth plan or strategy; and it is not primarily for the purpose of future development.

Based on our review of the work plan provided by the City of Birchwood Village, EPA has concluded that the project will not cause significant adverse effects. EPA finds that the proposed action is eligible for exclusion from detailed environmental review under 40 CFR § 6.204(a)(1) and will not involve any of the extraordinary circumstances delineated under 40 CFR § 6.204(b)(1) through (b)(10). Consequently, EPA will not prepare an environmental impact statement or an environmental assessment for the proposed project. EPA may revoke this CATEX if new information or changes in the proposed action involve or relate to at least one of the extraordinary circumstances or otherwise indicate that the action may not meet the criteria for a CATEX.

As the Responsible Official, I have determined that this action is eligible for a CATEX per the substantive environmental review requirements under EPA regulations at 40 CFR § 6.204.

Sincerely,

8/30/2024

X Steve Marquardt

Steve Marquardt, Manager
State and Tribal Programs and Support Branch
Signed by: STEVE MARQUARDT

MEMORANDUM

DATE: 9/4/24

TO: City Council
FROM: Rebecca Kellen, City Administrator
COPIED:
SUBJECT: Tree Inspection Update



Birchwood Village

The city received the following email from our tree inspection that the inspection has been completed. The map that was included in the following email is not working properly but we have reached out regarding this and will provide information as it becomes available. The following pages also include the results of the specific areas that the city asked the inspector to review, based on past evidence of potential tree issues. The city will follow measures set forth in city code 403.080 to notice affected landowners.


Regards,
Rebecca Kellen
City Clerk
City of Birchwood Village, MN
office: (651) 426-3403
email: rebecca.kellen@cityofbirchwood.com
website: <http://www.cityofbirchwood.com/>

RE: Birchwood Tree Inspection Results

Cameron Blake <CBlake@mnwcd.org>

Thu 8/29/2024 1:03 PM

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

 1 attachments (14 KB)

2024 reported trees.docx;

Hi Rebecca,

In 2024 I was able to complete all parks, trails, and easement inspections, as well as the individual reports you sent me.

I was not able to complete the ROW without going over the 40 hours in the agreement so if you are interested that's what I would be able to do next year.

Here is a link that allows you to see the inspection map:

[Birchwood Village Tree Inspections \(arcgis.com\)](https://arcgis.com)

I've attached a document of the individual reports you emailed me.

And I have an 18MB pdf of the inspections that parse out each individual tree (with DBH info) that I will figure out sending to you (or perhaps I can have that added to the inspections map information).

I'll ask our IT person what they recommend but I can always drop off a flash drive if nothing else.

Let me know if you have any questions. It was a pleasure doing the inspections.

Cameron

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

Sent: Wednesday, August 28, 2024 2:56 PM

To: Cameron Blake <CBlake@mnwcd.org>

Subject: Re: Birchwood Tree Inspection Results

Maybe send them through google (send me the link and grant me access) or through Onedrive, as a link? I usually send through one drive, if needed. My terminology may not be correct so hopefully you understand. The only other thing I can think of would be to provide a flash drive, if the other methods are not working for you. Or, maybe a zip file?.... Hope this helps.



Rebecca Kellen, MBA

City Administrator

City of Birchwood Village, MN

office: (651) 426-3403

fax: (651) 426-7747

email: rebecca.kellen@cityofbirchwood.com

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



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From: Cameron Blake <CBlake@mnwcd.org>
Sent: Wednesday, August 28, 2024 2:35 PM
To: Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>
Subject: RE: Birchwood Tree Inspection Results

Hi Rebecca,

Is there a way to share large file sizes with you?
The inspection report is quite large.

Cameron

From: Cameron Blake
Sent: Wednesday, August 21, 2024 12:22 PM
To: 'Rebecca Kellen' <Rebecca.Kellen@cityofbirchwood.com>
Subject: RE: Birchwood Tree Inspection Results

Hi Rebecca,

Yes! I can get those over to you before September.
Thanks for your patience! Fieldwork got a little crazy the last couple weeks.

Cameron

From: Rebecca Kellen <Rebecca.Kellen@cityofbirchwood.com>
Sent: Wednesday, August 21, 2024 11:53 AM
To: Cameron Blake <CBlake@mnwcd.org>
Subject: Birchwood Tree Inspection Results

Hi Cameron,

I hope you are doing well. I just wanted to follow up to see when we may be able to obtain the results from the tree inspection. It would be great to be able to include something about the results in the September city council meeting, so if you have anything available by the end of August, or shortly thereafter, that would be great. Let me know if that is feasible. Thanks.



Rebecca Kellen, MBA
City Administrator
City of Birchwood Village, MN
office: (651) 426-3403
fax: (651) 426-7747
email: rebecca.kellen@cityofbirchwood.com
website: <http://www.cityofbirchwood.com/>



Below is a list of trees that I would ask that you check on during the inspection that have been reported as diseased/dead.

- Wildwood Park (by the fire hydrant near 226 Wildwood) - report of a dead Birch tree
Yes, in database, see below
- Right of Way at 180 Cedar St - report of 2 very large Ash trees
Yes, in database
- Ash Beach - (next to 143 Wildwood) - report of dead Oak.
Yes one white oak that may have oak wilt (in inspection map, see below)

There are 3 Green Ash Trees in Pollys Park (tagged 2 years ago?) that are near 14 White Pine Ln.
One definitely on private property, all EAB (in inspection map if public)

Report of a dead/diseased Elm and Birch trees in Wildwood Park across/near the bench/flag (near 262 Cedar).

Dead Birch by flag
EAB Ash by 262

Someone stopped by today and reported some Oak Wilt at 131 Wildwood (by the lake)
Yes two red oaks with oak wilt (not in inspection map because private property)

127 Wildwood

Yes one red oak with oak wilt (not in inspection map because private property)

Ash Easement near the street

Yes one white oak that may have oak wilt (in inspection map)

540 Hall Ave 1 Oak Wilt

Oaks in front were fine, couldn't tell if any in backyard

697 Hall Ave 2 Oak Wilt

Saw oak trees that did not appear to have oak wilt, did not see any dead standing oaks

180 Birchwood Ave 3 Oak Wilt

Saw one dead oak standing

702 Birchwood Ave 2 Oak Wilt

Oaks in front were fine, did not see any dead standing oaks

624 Birchwood Ave 7 Oak Wilt

Can't see from road at all, would have to go up driveways

297 Birchwood Ave 2 Oak Wilt

One oak is partly dead from storm damage