

3/5/2025

Estimate For Repairs at City Hall

Repair Needs:

A. West Windows Leaking Water In-between Storm and Interior of Window

B. Exterior Siding Damaged--Holes Due To Woodpeckers-all walls

C. Temporary Fix of Siding, Windows, and Holes Along Concrete Foundation--To Prevent Animal Infestation In Holes Of Siding and Foundation

A. West Window Replacement

Contractor Mark Johnson @ 612-670-8840

Restore to its historic style--like south windows-labor included

\$2500 each

Replace with modern vinyl windows-labor included

\$500 to \$800 each

B. Exterior Siding Replacement--all walls

NOTE: Both contractors stated that interim repair does not solve the problem once woodpeckers begin penetrating building siding. Their experience has been that woodpeckers continue to return. The consensus is to replace the siding.

Bid #1

Contractor Bear Roofing & Exteriors Bob Schintz 651-407-1987

Notes From Contractor

It is our experience that wood pecker damage is only solved with a siding material that they will not try to go through. My estimate is for James Hardie siding, which is a concrete siding material. The estimate also includes the back side of the building fascia and soffit using aluminum wrap and two windows located on the left side of the building.

\$44,756

Bid #2

Contractor Top Line Construction Kristen Lippert 990-8778

Notes From Contractor

There are 3 different categories of Hardy Siding. We strongly recommend steel siding for both economy and quality; if you decide however Hardy is the better fit for your facility, we will provide an estimate, but we need to know which kind of Hardy to make sure we're apples to apples with any competition.

Also to notate, we are happy to repair the window or to do the full replacement of siding. Full disclosure, if patterns in material costs/ labor reflect the last 10 years or even the last two years, replacement in the future will increase significantly.

\$66,980

C. Temporary Fix of Siding, Windows, and Holes Along Concrete Foundation--To Prevent Animal Infestation

Contractor Andy Sorenson Construction Andy Sorenson 651-925-7864

All repairs will be done on a T&M basis

\$75/hr



**Bear Roofing & Exteriors
Inc.**
3521 Commerce Blvd.
White Bear Lake, MN
55110
Phone: 651-407-1987

Fax: 651-407-1552

Company Representative
Robert Schintz
Phone: (651) 407-1987
bob@bearexterior.com

EXTERIOR ESTIMATE

12/18/2024
Claim Information

Therese Bellinger
207 Birchwood Ave
Birchwood Village, MN 55110
(651) 426-3403

Job: Customer-2026093: Therese Bellinger

A-SIDING (HARD BOARD) Section

- ☐ Install James Hardie Siding per manufacture specifications
- ☐ Remove all Existing Siding
- ☐ Install house wrap and tape all seams
- ☐ Flash all field joints with aluminum
- ☐ Install 4" or 6" LP SmartSide Corners
- ☐ Install all flashings and drip caps above windows and doors as needed.
- ☐ Install LP SmartSide Trim around windows is an additional \$150 per window, not included in the quoted price
- ☐ Install sized light blocks.
- ☐ All corners and window trim to get final coat of paint after installed if needed
- ☐ Price includes all material, labor, and disposal charges. Permit fees will be added to final invoice once incurred
- ☐ Any work needed, outside of the original scope of work, will be billed out at a rate of \$85.00 per hour plus materials
- ☐

A-FASCIA AND SOFFIT Section

- ☐ Installation of new custom bent fascia and soffit metal on the back of the building
Color: White
- ☐ Price includes all material, labor, and disposal charges. Permit fees will be added to final invoice once incurred

A-WINDOWS / DOOR(VINYL) Section

- ☐ Install 2 Thermotech Custom Sized Windows on the left side of the building
 - MANUFACTURED BY: Thermotech. (Vinyl Exterior, Vinyl Interior)
- ☐ Interior Trim (Paint / Stain Jams and Trims)
- ☐ Install new window pan flashing
- ☐ Insulate between the window and rough opening.
- ☐ Flash Exterior of window with weather seal tape.
- ☐ Homeowner is responsible for any paint lines on interior walls that may need to be repainted surrounding new installation of windows or doors.
- ☐ Any work needed, outside of the original scope of work, will be billed out at a rate of \$85.00 per hour plus materials
- ☐ Price includes all material, labor, and disposal charges. Permit fees will be added to final invoice once incurred

TOTAL

\$44,757.50

.....

-**Quoted Price** - includes a 2% discount for cash or check payments made within 15 days of invoice date. Discount will be removed if payment is not received within 15 days of invoice.

-**Financing** - is available for qualifying customers. A 6% service fee will be added to the quoted price.

-**Credit Card Payment** is accepted for payment. A 3.5% service charge will be added to the quote price.

-**We Propose Herby** to furnish materials and labor- complete in accordance with specifications provided in this contract, for the sum stated or per insurance quote plus supplements

-All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Specified work and quoted price subject to change upon discovery of hidden defects. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workers' Compensation insurance. Products and materials may be substituted for equivalent products due to availability

-This proposal may be withdrawn within 15 days

-The following supplied documents are part of this agreement and hereby accepted: Additional Terms of Contract, Performance Guidelines, Notice of Cancellation Insurance Denial, Notice of Cancellation Solicitation, Covering Deductibles, Formaldehyde Notice, Mold Notice, Minnesota Statutory Warranty, Renovate Right Brochure (Homes built before 1978) ,

In the event this Agreement was procured through a home solicitation sale as defined by Minnesota Statutes Section 325G.06, you may rescind your agreement as set forth in the accompanying Notice of Cancellation. You, the buyer, may cancel this purchase at any time prior to midnight of the 3rd. business day after the date of this purchase. See attached Notice of Cancellation form for an explanation of this right. In all other circumstances, this agreement is binding when signed by you and us.

.....

Company Authorized Signature

Date

Customer Signature

Date

Customer Signature

Date

Therese, good morning. I don't really have any way to just fill the holes temporarily.

Thanks

Bob

Bear Roofing & Exteriors Inc.

3521 Commerce Blvd

White Bear Lake MN 55110

Bob@bearexterior.com

651-407-1987

Reply directly to this email to respond.

[You can view the whole email thread here](#)



Date: 01/06/2025
City Contact: Therese Bellinger
Address: 207 Birchwood Ave;
Birchwood Village, MN 55110
Email: therese.bellinger@cityofbirchwood.com
Phone: (612) 430-5468

3426 Owasso Street | Shoreview, MN 55126 | Ph. (612) 990-8778 | Fax (651) 224-0692 | www.toplineconstructionfirm.com

Estimate for City Building: 207 Birchwood Avenue

Option 1: Repair

- Remove/ Reset storm window on left elevation by sink. Storm window was originally installed over the siding.
- Cut around the siding to install 2x4 trim board.
- Install drip cap for window trim and storm window.
- Caulk.

Total: \$10,800.00

Option 2: Replacement

- Remove existing wood siding.
- Install House Wrap.
- Remove/ Reset correctly storm window on left elevation by sink.
- Install 2x4 board around the window, and case in trim in custom bent aluminum.
- Install steel lap siding on right, left and rear elevation.
- Install steel vertical siding on front elevation "Board & Batten" (35 – 40 year paint warranty).

(Includes Permit/ Disposal/ Labor/ Material).

Total: \$66,980.00

Topline Propose hereby furnish material labor – complete with above specifications, for the sum to be paid according to the payment schedule set forth be half up front & half upon completion.

Contract: \$

Down Payment: \$

Acceptance of Proposal – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are the authorized

Signature: _____ Date of Signature: _____

Management Approval: _____ Project Manager: Rene Sotelo: 612-229-0773

Notes: Woodpecker/s have created damage on all elevations, creating holes in existing siding. Steel siding is the only product that we recommend to offer a maintenance free and durable product. Existing log style siding is no longer available. Lap siding is available. We have not included a repair option to the siding because of this. The Board & Batten on the front it to maintain a similar difference in style between the sides.

411 Birchwood Avenue
White Bear Lake, MN 55110
651-925-7864
asconstruction@me.com
LIC # 20630533

Date 1/27/25 Invoice #

Bill To
City of Birchwood
Village

Ship To	Village Hall
	Wood pecker
	Damage repair
	window repair
	cement repair

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
Quantity	Item Code	Description	Price Each	Amount		
		I have sent pictures of repairs needed to the Hall in my last roof cleaning and inspection.				
		I'm willing to do minimal Time + material repairs to the building.		\$75/hr		
		I'm Licensed Contractor Insured				
		Thanks Andy				
Thank You For Choosing Andrew Sorenson Construction						Total

From: Therese Bellinger, Deputy Clerk

Information Regarding the Results of the Radon Mitigation Companies Site Visit at City Hall

Two mitigation companies visited City Hall. After viewing our site, both recommended that venting might be needed in two areas to fully mitigate our radon gases. They could not say with certainty.

Therefore, a consideration is to install one system in the office area with a heavy-duty fan and then test its success. If the mitigation meets the appropriate requirements, they will complete the installation. If it does not meet the requirements necessary, then they would add additional venting from the office and string through into the maintenance room.

An ideal location would be in the northeast corner of the office and/or the storage area of the lower level. More investigation of the contractors needs to take place.

The cost range is from \$1950 to \$3,000

Note: Electrical needs must be arranged by the City.



9120 Hillside Trail South
Cottage Grove, MN 55016
Phone 651.503.3131
Sel1999@yahoo.com

INVOICE

INVOICE # 3733
DATE March 4, 2025

TO:
Therese
Birchwood City Hall
207 Birchwood Ave
Birchwood, MN 55110
MDH license #00063

Description	Amount
Install radon mitigation system.	\$1950.00
Seal in floor ducting (3) \$150.00	
If needed 2nd system. W/2nd suction point. (Other 2 foundations)1550+550	
Includes post mitigation test, manometer, audio alarm, MDH registered system.	
Homeowner responsible for electrical connection.	
5-year warranty on radon fan.	
Lifetime warranty on installation.	
Radon test recommended every 2 years.	
Visual system inspection required yearly.	
Total Labor and Materials	\$2100.00

Make all checks payable to 1st Defense Radon
Payment is due within 30 days.
Venmo, Zelle I take credit cards! (small fee).
If you have any questions concerning this invoice, contact Steve Larsen | 651.503.3131 | sel1999@yahoo.com
Thank you for your business!



**BOLTON
& MENK**

Real People. Real Solutions.

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

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

3-6-2025

City of Birchwood Village

Council,

Wildwood Lift Station Reconstruction

Grant Agreement has been issued on 1-24-2025. Jennifer is working on getting her name in place of Margaret in ASAP.gov which will be the website to make draw requests from. Since awarding the project to Hentges, the contracts have been signed, and shop drawings have been exchanged between Bolton & Menk and Hentges. As of 2/21/2025 Hentges isn't expecting to start until June due to pump lead times. An updated timeline will come at the preconstruction meeting held at city hall on Wednesday 3/26/2025.

Please feel free to contact me at marcus.johnson@bolton-menk.com or 507-440-0537 with any questions.

Sincerely,

Bolton & Menk, Inc.

Marcus A. Johnson

Marcus Johnson PE
Associate Project Engineer

Approval to host a Tree Steward

The Parks and Natural Resources Committee is requesting approval to host a Tree Steward in Birchwood. Details of the program are below:

The Washington Conservation District and the University of Minnesota have partnered to offer training to community volunteers to learn about trees and how to help care for them.

Birchwood has been invited to host a trained Tree Steward to help us with small tree monitoring and their care. The steward would also participate in a variety of educational and planting events.

Our Parks & Natural Resources Committee has recommended that Birchwood take advantage of this opportunity. It has sent the outreach director (Jessica) at WCB of list of possible tasks we would like the steward to do such as watering, mulching, pruning and planting. The Tighe/Schmitz Park improvement projects , our walking paths and our beaches could surely use their services.

What is needed now: The city should send a letter accepting the offer to host a Tree Steward for Birchwood Village to -

Jessica Sahu Teli : jsahu@mnwcb.org and Cameron Blake:
cblake@mnwcb.org

Once accepted, we would need to appoint a steward supervisor and agree to the mutual responsibilities between the Board and the City.

Background Information

Host Site Responsibilities:

1. Tree Steward Liability waivers (according to cities legal team).
2. Provide a supervisor for the Tree Stewards to receive assignments from and report to.
3. Self-identify high needs areas for Tree Steward maintenance.

4. Provide at least 25 hours of work/ community events per year for tree stewards to complete. The hope is that tree stewards will continuously serve city.

Possible Projects:

Planting trees, when available, in various locations such as Kay Beach and Polly's Park.

Removing sucker trees along our walking paths: Jay and Ash

Pruning small limbs around traffic signs, 5 beaches and the warming house in Tighe-Schmitz Park

Spreading mulch around younger trees in public spaces. (We have the mulch!)

Watering young trees adjacent to the tennis courts and in Polly's Park and on the Jay Path

Possibly pulling buckthorn, especially in Bloomquist Park, (We have 2 buckthorn pullers.)

Parts of Birchwood, especially Polly's Park, have lost multiple ash trees due to the ash borer. We are removing the dead trees and beginning replacement projects.

Additionally:

Mary Sue Simmons from the Parks Committee will be on hand to provide a brief summary and answer any questions

Websites:

<http://www.mnwcd.org/volunteering>

mntca.umn.edu

Birchwood Communications Strategy - Draft

This is a draft communication plan for the the city. Council is asked to review it , add or edit and we will have a more detailed discussion of it at the working session on March 31.

Our goal is to build a friendly, connected community where every resident stays informed. We want everyone—residents, service providers, and nearby cities—to feel valued and appreciated. By using multiple channels to share news and stories, we can keep everyone updated and celebrate our community.

Categories of Actions and Tactics

- **Electronic Communications and Social Media:**
 - Use text messages, emails, Facebook, the city website, and bulletin boards to share updates and emergency alerts.
 - Use clear, recognizable visuals as needed (see example at the end of the document of a water main break).
 - Share photos and videos of local events and community activities, ensuring all required disclosures are in place
- **Website:**
 - Organize the site with a user-friendly structure for easy navigation.
 - Add a search function to help residents quickly find information
 - Include a calendar of events and update it regularly.
 - Ensure all information is accurate and remove outdated content following data guidelines.
 - Create online submission capabilities for various actions.
 - Add a feedback section for residents to suggest improvements
- **Meetings and Templates:**
 - Standard format for agendas - to include names of members
 - Standard templates for resolutions as provided by the LMC
 - Meeting agendas posted 3 days in advance with previous meeting's minutes
 - Agendas to be posted on the bulletin board, the city website and Face
- **Message from the Mayor:**
 - Publish a monthly update from the Mayor outlining city developments.
 - Record short video messages to share important news.
 - Provide a Q&A section where residents can send in questions.
- **Written Newsletter:**
 - Feature in-depth stories about local projects and events.

- Highlight upcoming community events and important dates.
- Include a calendar section with local activities and meetings
- **City Bulletin Board (outside City Hall):**
 - Display printed flyers and posters about meetings and upcoming events.
 - Regularly update the board with new announcements.
- **In Person Communication:**
 - Arrange for council members to visit different parts of the city to connect with residents.
 - Host neighborhood walks, gatherings or casual meet-ups with city staff
 - Open Houses to convey information to and get feedback from residents
- **Recognition and Networking:**
 - Send thank-you notes to residents and key service providers
 - Create simple awards or certificates for volunteers and community leaders.
 - Organize small events or gatherings to celebrate local achievements
 - Touch base with our service providers and nearby cities to express appreciation and give and get feedback
- **Office Hours:**
 - Make it easier for residents to work with Birchwood staff
 - The town hall will be staffed Monday through Friday
 - Office hours will be Noon to 5:00 Monday through Friday

Image for a water main break



From: Jennifer Arsenault

RE: water drainage in the City

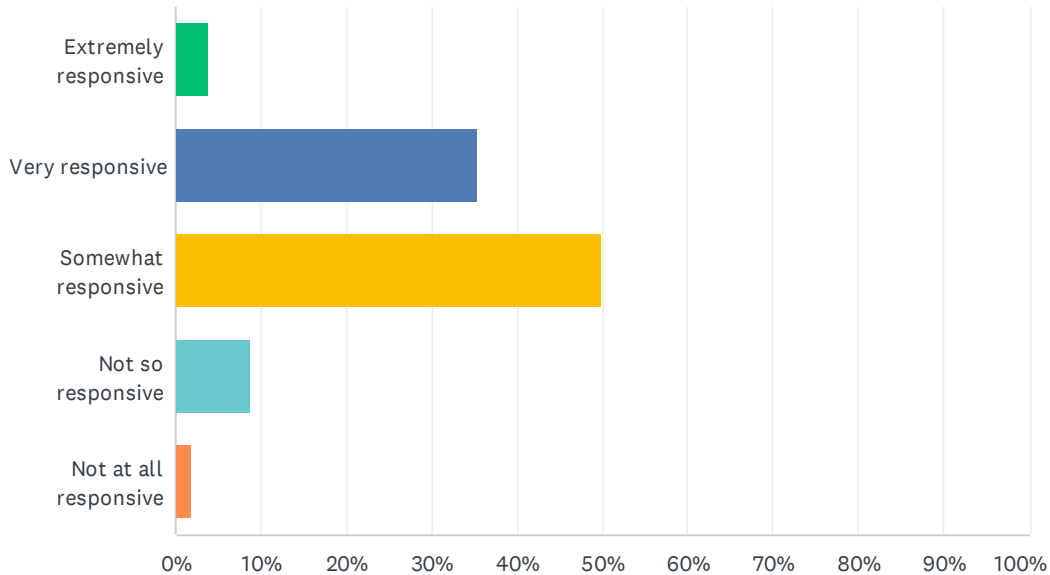
Residents on Oakridge Dr and White Pine Ct have contacted me about drainage issues they are having where their driveways meet the street. Marcus Johnson will be addressing possible solutions to these problems. I have communicated with the residents who have filed complaints and have invited them to attend the Open House on April 7th.

We, as a Council, need to make sure this Open House is well-advertised. It is crucial that any resident who has similar issues or has comments on the road project attend.

The more feedback we get, the better we are able to make decisions based on what our residents desire.

Q1 1. How responsive do you feel the city has been to resident questions and concerns?

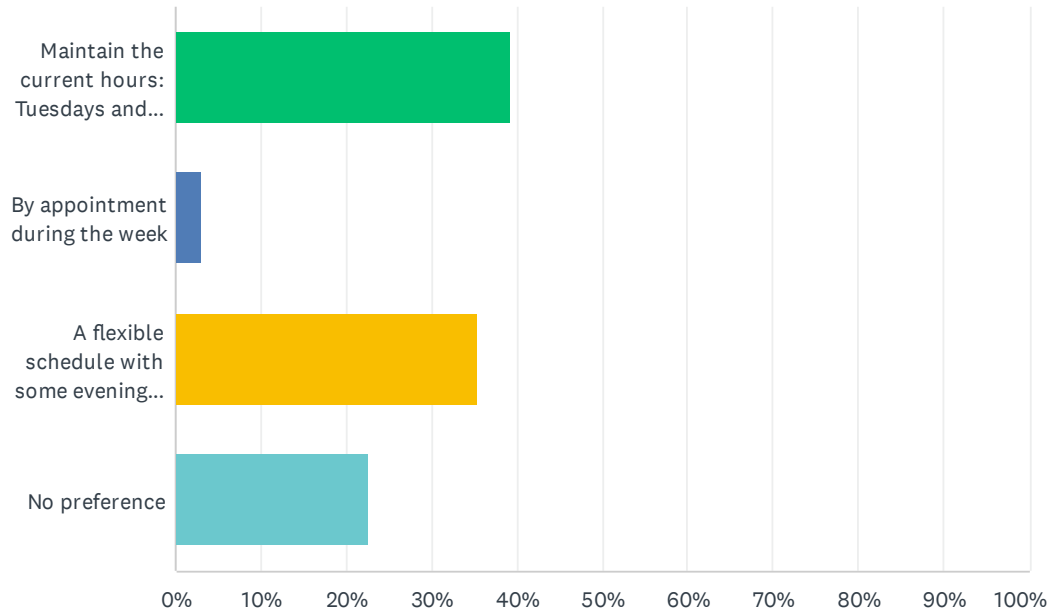
Answered: 102 Skipped: 2



ANSWER CHOICES	RESPONSES	
Extremely responsive	3.92%	4
Very responsive	35.29%	36
Somewhat responsive	50.00%	51
Not so responsive	8.82%	9
Not at all responsive	1.96%	2
TOTAL		102

Q2 What would be your preference for the city administrator's working hours?

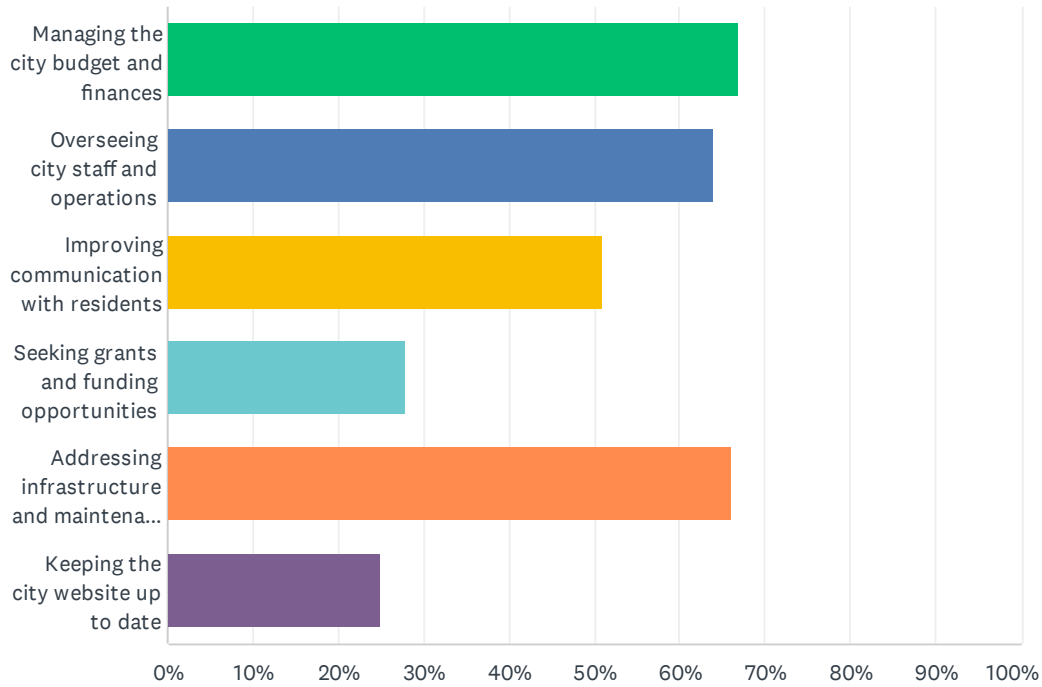
Answered: 102 Skipped: 2



ANSWER CHOICES	RESPONSES	
Maintain the current hours: Tuesdays and Thursdays, 10:30 a.m. – 1:30 p.m.	39.22%	40
By appointment during the week	2.94%	3
A flexible schedule with some evening availability	35.29%	36
No preference	22.55%	23
TOTAL		102

Q3 What do you believe are the most important responsibilities of a city administrator? (Select up to 3)

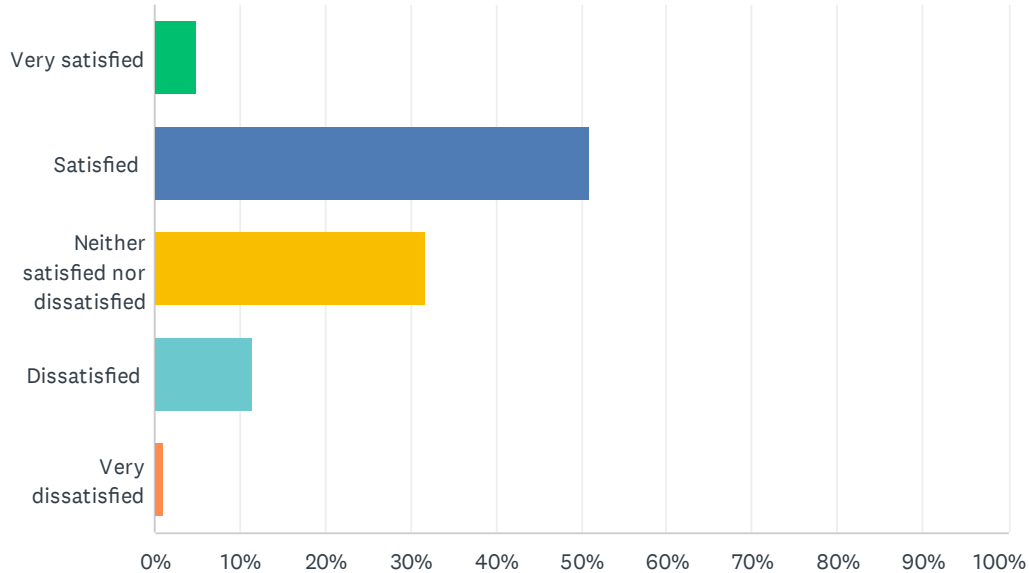
Answered: 100 Skipped: 4



ANSWER CHOICES	RESPONSES	
Managing the city budget and finances	67.00%	67
Overseeing city staff and operations	64.00%	64
Improving communication with residents	51.00%	51
Seeking grants and funding opportunities	28.00%	28
Addressing infrastructure and maintenance issues	66.00%	66
Keeping the city website up to date	25.00%	25
Total Respondents: 100		

Q4 How satisfied are you with the way the city currently communicates with residents?

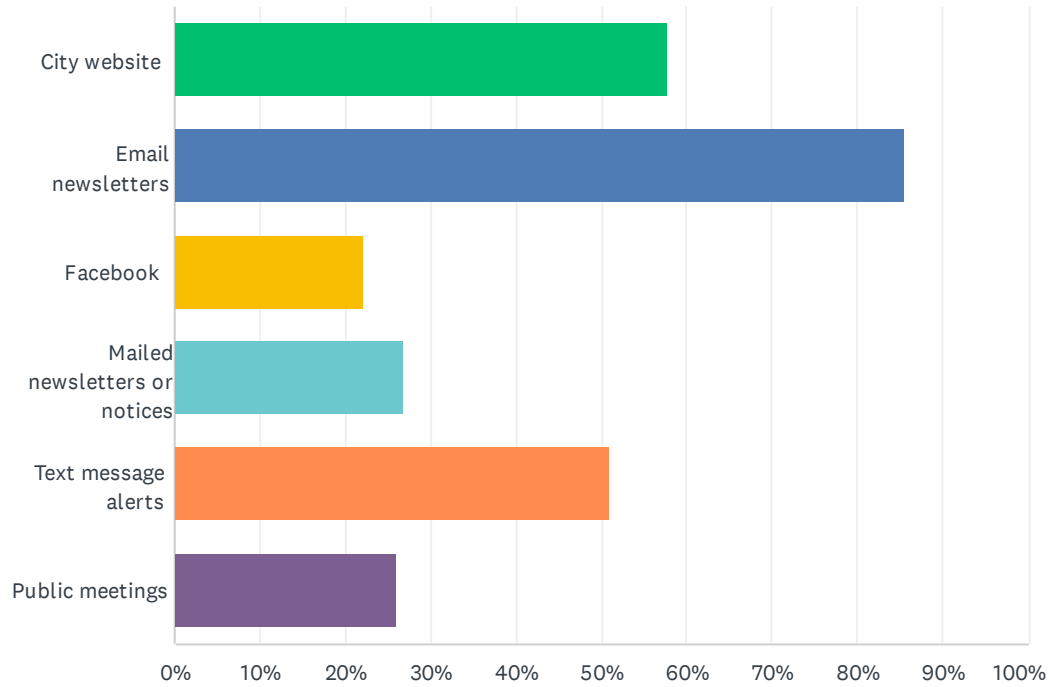
Answered: 104 Skipped: 0



ANSWER CHOICES	RESPONSES	
Very satisfied	4.81%	5
Satisfied	50.96%	53
Neither satisfied nor dissatisfied	31.73%	33
Dissatisfied	11.54%	12
Very dissatisfied	0.96%	1
TOTAL		104

Q5 5. How would you prefer to receive city updates and news? (Select all that apply)

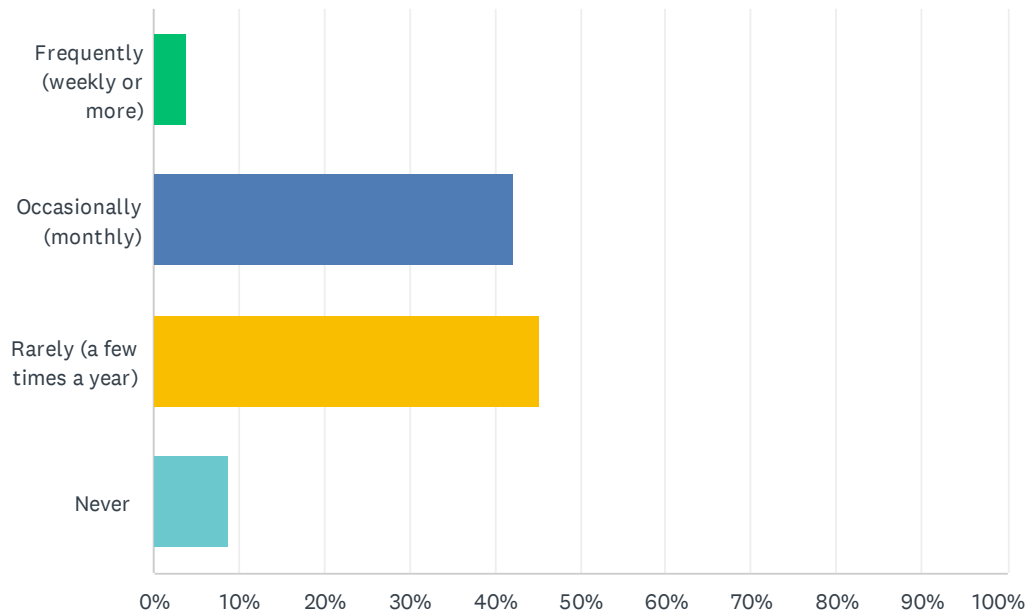
Answered: 104 Skipped: 0



ANSWER CHOICES	RESPONSES	
City website	57.69%	60
Email newsletters	85.58%	89
Facebook	22.12%	23
Mailed newsletters or notices	26.92%	28
Text message alerts	50.96%	53
Public meetings	25.96%	27
Total Respondents: 104		

Q6 How often do you visit the city website for information?

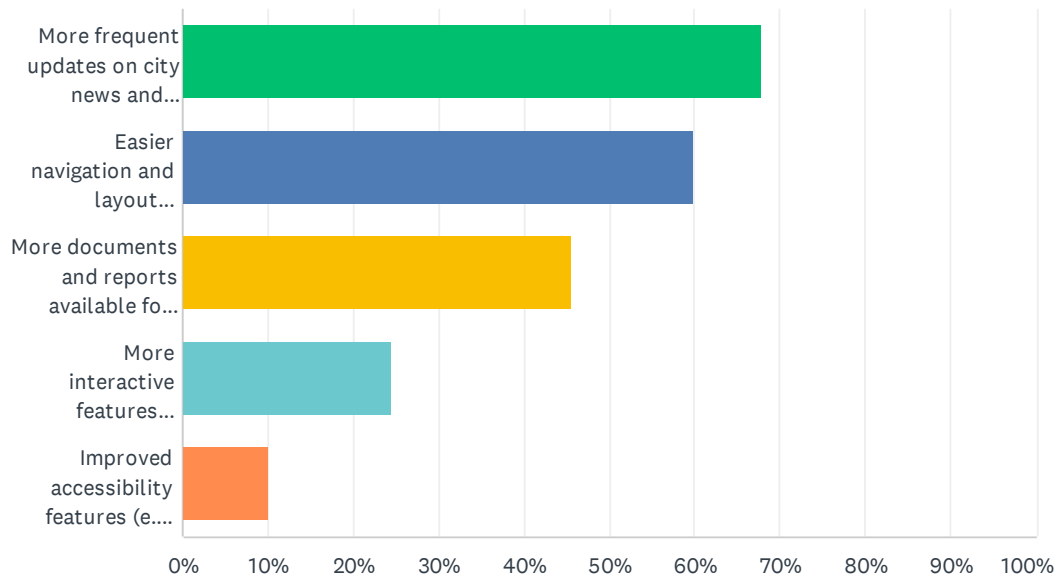
Answered: 104 Skipped: 0



ANSWER CHOICES	RESPONSES	
Frequently (weekly or more)	3.85%	4
Occasionally (monthly)	42.31%	44
Rarely (a few times a year)	45.19%	47
Never	8.65%	9
TOTAL		104

Q7 What improvements, if any, would you like to see on the city website?

Answered: 90 Skipped: 14



ANSWER CHOICES	RESPONSES	
More frequent updates on city news and announcements	67.78%	61
Easier navigation and layout improvements	60.00%	54
More documents and reports available for public viewing	45.56%	41
More interactive features (comment sections, on line capabilities)	24.44%	22
Improved accessibility features (e.g., text-to-speech, larger fonts)	10.00%	9
Total Respondents: 90		

Q8 Any additional comments

Answered: 38 Skipped: 66

Q8 Any additional comments

Answered: 38 Skipped: 66

#	RESPONSES	DATE
1	Response to Public Comments at Council meetings to be in form of immediate assignment to a specific Council or Staff person for personal contact with the person who commented, complained, or questioned at the meeting.	2/26/2025 10:05 AM
2	I believe the administrator needs to be aware of finances, city planning, knowledgeable and a resource for questions. The person should be a highly motivated and responsible person who is able to work independently without direct supervision.	2/24/2025 1:07 PM
3	Offer more ways for residents to get involved. Offer more surveys to gain an understanding of resident preferences - most people do not want to speak up at public meetings.	2/24/2025 8:26 AM
4	We don't know, what we don't know. Which indicates a lack of information. Communication of objectives and priorities.	2/23/2025 11:14 AM
5	I find it amazing that a full-time administrator 's job can be done with such a short time in the office. There should be daily office hours for at least half the day.	2/22/2025 9:04 PM
6	I think the candidate must be able to work independently, be responsive to public and council inquires as they are the first point of contact with the village.	2/22/2025 2:16 PM
7	It is my impression that current City Hall hours of availability are not meeting the citizens needs fir access. I would also like to gear more about a systematic review and up date of city infrastructure maintenance and upgrades even if it resulted in an increase in taxes. taves	2/22/2025 12:15 PM
8	City administration hours should be set and more frequent	2/22/2025 9:57 AM
9	I rarely visit the website because I had not found the information I was looking for so many times that I just gave up. Looking forward to updated information in the future.	2/21/2025 8:58 PM
10	Routine updates sent out to community web site and showing detail on code changes.	2/21/2025 6:24 PM
11	With such a small community, it seems very important for each member to be "heard," and acknowledged. Not sure how the Council prioritizes actions, but I sometimes feel our concerns are permanently at the bottom of the list.	2/21/2025 4:51 PM
12	Thank you	2/21/2025 4:10 PM
13	I struggled with Questions 1 and 4 because I wasn't sure what the time frame is. The city has not done well communicating with residents for ten years but it was better under Mayor Ford and I expect it to be good going forward. Taking this survey is a good indication that communication and transparency will be good. Thank you.	2/21/2025 3:17 PM
14	Better snow removal. Sometimes it is great and cleared. Other times w 3 inches of snow they are dumping sand over 3 inxhes of snow making a sloppy slushy mess. This sloppy mess gets up into my truck, garage and driveway. Snow needs to be removed first before the sand treatment. Snow needs to be removed first, then add treatment.	2/21/2025 2:49 PM
15	If all of those responsibilities listed above are the sole responsibility of the City Administrator than there may not be time to devote to the City website. It sounds like we may need another staff person because all of those responsibilities are necessary.	2/21/2025 2:41 PM
16	Any method of communication is preferable to Facebook	2/21/2025 2:32 PM
17	Respond to email questions, web page updated regularly	2/21/2025 2:04 PM
18	Being able to pay the water bill online would be nice.	2/21/2025 1:41 PM
19	It would be nice if someone would get back to me regarding lead pipes	2/21/2025 1:15 PM
20	I would appreciate a recap of the police reports for each month on line.	2/21/2025 1:09 PM

We are seeking residents' feedback via this survey to guide the hiring process for the next city administrator/clerk.		SurveyMonkey
21	I think the city has a treasurer, but budget is probably under treasurer too so I did leave as a priority, but also included communication as direct responsibility of the administrator	2/21/2025 1:01 PM
22	Contracted workers e.g plumber to actually respond to residents	2/21/2025 1:00 PM
23	I like the mailed newsletter that comes with our bill; I also appreciate text and email alerts for more urgent matters. Keep up the good work!	2/21/2025 12:58 PM
24	Regarding office hours. Having fixed office hours are good with an option for appointments at the discretion of the office manager as they are available would be nice, especially if there is something that is time sensitive. Having just appointments only would be potentially chaotic, but the option of making an appointment could help people who aren't available during the mid day office hours. Or having a block of the office hours later in the day to be available to people who aren't available during the daytime. I guess it depends how much people, who have internet access, can accomplish city business on line and would even need to come in to the office.	2/21/2025 12:50 PM
25	Please address all the dangerous trees hanging over Hall Ave!!!	2/21/2025 12:47 PM
26	I was not aware that all of the items in #3 were the city administrator's responsibility, and I do not feel that I am qualified to rank their importance. I look forward to meeting (through emails and/or in-person) the new city administrator. Please keep the emails flowing! Thanks! - Brock Harmon	2/21/2025 12:42 PM
27	1. Eliminate the un-necessary de-icing chemicals on the side streets and flat streets; (2) Sweep the streets and remove the debris in accordance with the RCWD - which have been violated for the past three years; (3) Create a City Infrastructure and maintenance task-force to focus on the total infrastructure. (4) Fix the problems from the "fiber-install" in 2024 - cracks in the roads, cracks in driveways, etc. Why do residents have to pay for the installer's mistake?	2/21/2025 12:41 PM
28	From someone who manages a website for a large company with many internal and external stakeholders: Website changes can eat up a ton of budget. It is important that the site is ADA compliant. Please narrow down the purpose of the website, it's business use, the specific audiences using it and what they need from it, and what you want them to do on the site. Focus on those specific things. Try not to get side tracked in bells and whistles. I was surprised to see grants and budgets on the list of responsibilities of the same person overseeing communication and web updates. I think this should be two positions. I don't know how anyone would be effective while trying to do all that at once. Especially in such low pay.	2/20/2025 12:43 PM
29	Hours also available by appointment if Tuesday/Thursday doesn't work	2/20/2025 9:41 AM
30	Pay the next person very well!	2/19/2025 9:50 PM
31	I do not think evening hours for service would be ok as the staff person would be alone and downstairs so no security. Office hours could be 3-5 pm or 5:30 for later availability.	2/19/2025 10:03 AM
32	If the city manager is getting paid a full salary, please make it mandatory that they need to come into work and be open for business. It's very frustrating when the office is seldom open. The contractors on our various jobs also were very frustrated when trying to get a permit or additional info. Thanks!	2/19/2025 8:47 AM
33	I would love to see alternatives to Facebook. It seems like the most and most timely communications are on this platform. So, to be informed, I have to be on a platform I don't want to support. If we what a resident login to our the website we could go there. Or maybe someone wants to develop a Birchwood App? Also, it's nearly impossible for residents to access the city administrator with the current hours in the middle of the work day.	2/18/2025 8:17 PM
34	I would certainly like the city administrator to respond to a question within 24 hours during the week	2/18/2025 5:26 PM
35	I really feel the past few city clerks have been disconnected to what the city of Birchwood is. They seem more concerned with pay and benefits than doing a good job. I really wonder if Birchwood could combine clerks with larger cities ie. Mahtomedi so the clerks have more updated information on current city and state issues related to Birchwood. Wondering if there has ever been thought to hiring City Administrator part time with city clerk doing only day to day tasks.	2/18/2025 5:09 PM
36	The city Administrator as a full-time employee should be in the office Monday through Friday. Working from home should not be an option. The last Administrator was never there. And very	2/18/2025 2:05 PM

We are seeking residents' feedback via this survey to guide the hiring process for the next city administrator/clerk.

SurveyMonkey

difficult to get ahold of. Thanks you for doing this survey.

37	Please post the city budget	2/18/2025 1:41 PM
38	We pay way way too much in taxes!!!! Do not increase our taxes to pay for all the mismanagement. Roads are horrible and my taxes should cover that.	2/18/2025 12:57 PM

ESTIMATE

RADON ASSOCIATES LLC

Corporate Office: 915 131st Ave
New Richmond, WI 54017

Mike@RadonAssociates.com
+1 (866) 697-2366
<http://www.RadonAssociates.com>



Bill to

Therese Bellinger
207 Birchwood Avenue
Birchwood
MN
55110

Estimate details

Estimate no.: 4317
Estimate date: 03/04/2025

Sales Rep: MR

Description

PLEASE READ THROUGH THE ENTIRE QUOTE AND ASK ANY QUESTIONS THAT YOU MAY HAVE.

ADVISORY: Please be advised that depending upon the outdoor conditions, we may not be able to fully finish your radon mitigation system in just one day. We will do our best to get the system installed and running for testing purposes, but we may have to come back another day to finish any roof penetrations during more favorable weather conditions.

SUCTION PIT RADON MITIGATION SYSTEM TO THE OUTSIDE-\$1900

- Cut 4" hole in concrete along floor/wall joint (in basement) and dig a suction pit below the concrete floor along the inside of the footing.
- Route approx. (35') of 3" schedule 40 PVC pipe from the suction pit, up the basement wall and through rim joist to exterior of the house, up exterior wall, around soffit and terminate 14" above the roof line.
- Install heat tape inside the pipe above the fan to help prevent freeze ups during extremely cold temperatures.
- Install RP series radon mitigation fan to exterior of the house.
- Install U-tube manometer system pressure monitor. (in basement)
- Install radon mitigation system alarm. (in basement)
- Seal any larger floor penetrations/cracks where possible.
- MN Licensed follow-up electronic 48 hr radon test included- to be conducted right after work completion with programmed 24 hr delay or the machine will be dropped off the next day with no delay. Results available at time of pickup. Full report emailed day of pickup if invoice is paid in full.
- INCLUDES the required MN Dept. of Health radon mitigation system tag.
- 5 YEAR WARRANTY on all parts and labor. Service Fee applies. (Transferable)

OPTIONAL SYSTEM UPGRADES/ADDITIONS:

___ Add \$950 to the quote to upgrade fan unit to the high suction

GX series fan and add an additional suction point at time of original installation date and connect into the existing system. \$1250 if installed after original installation and includes retesting. (RECOMMENDED FOR HOMES OVER 2000 SF).

___ Add \$650 to the quote to have us setup to have the electrical portion of the installation to be completed by a MN licensed electrician. A permanent GFCI WEATHER PROOF IN USE OUTLET/SWITCH combo will need to be hardwired in conduit to the fan unit AFTER our work is completed.

X Add \$375 to the quote to upgrade the fan unit to the high suction GX series fan at time of installation which is double the suction power. \$650 if installed after original installation date and includes retesting. (RECOMMENDED FOR HOMES OVER 1600 SF).

____ Add \$250 to the quote to run the piping on the outside of the house straight up through the soffit and the roof. INCLUDES WATERPROOF PIPE ROOF FLASHING.

CUSTOMER RESPONSIBLE TO HAVE A 120V ELECTRICAL OUTLET/SWITCH INSTALLED FOR THE FAN UNIT AFTER OUR INSTALLATION IF NOT HAVING US ARRANGE THIS. (Any extension, alteration, or addition of premise wiring must be done by either a licensed electrician or a homeowner). WE WILL TEMPORARILY POWER THE FAN UNIT WITH AN EXTENSION CORD FOR TESTING PURPOSES. SEE OPTIONS ABOVE.

HOMES THAT DO NOT HAVE A DRAIN TILE/SUMP BASKET SYSTEM AND/OR HAVE CLAY OR VERY WET SOIL CONDITIONS UNDER THE SLAB MAY NEED ONE OR MORE OF THE ADDITIONAL STEPS OUTLINED ABOVE AND IN RARE CASES, THE RADON LEVEL MAY NOT BE ABLE TO BE REDUCED TO ACCEPTABLE LEVELS WITHOUT THE ADDITION OF A DRAIN TILE SYSTEM WITH THE FLOOR/WALL JOINT SEALED.

Radon Associates LLC accepts cash, checks and credit cards. Please make checks payable to "Radon Associates LLC". If you are planning to pay via credit card there will be a 4% convenience fee added to the quoted price for credit card payments. Please let us know ahead of time and we will adjust the price reflected on the final invoice before sending it out via email for payment. Payment can be made online right from the invoice. Any unpaid balances after 30 days may be subject to a monthly finance charge of 1.5%. Balance due upon completion of Installation.

Radon Associates LLC is an AARST-NRPP Certified Residential Radon Measurement & Mitigation Provider with Standard and Analytical Services. We are listed on the MN, WI and FL Dept of Health websites as an approved Residential Radon Measurement and Radon Mitigation Provider.

THANK YOU FOR YOUR BUSINESS! HELP KEEP YOUR FAMILY AND FRIENDS SAFE FROM RADON ALSO - REFERRALS ARE GREATLY APPRECIATED!

		Total	\$2,275.00
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Accepted date	Accepted by
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**CITY OF BIRCHWOOD VILLAGE
207 BIRCHWOOD AVENUE
BIRCHWOOD, MINNESOTA**

**MINUTES OF THE CITY COUNCIL MEETING
FEBRUARY 11, 2025, 6:45 P.M.**

MEMBERS:

Jennifer Arsenault	Mayor
Ryan Eisele	Councilmember
Ryan Hankins	Councilmember
Bridget Sperl	Councilmember
Katherine Weier	Councilmember

STAFF:

Alan Kantrud	City Attorney
Marcus Johnson	City Engineer

Minutes prepared by Anh Nguyen of Minutes Solutions from a video recording.

1. CALL TO ORDER

Mayor Arsenault called the meeting to order at 6:45 p.m.

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA (0:04:00)

On a motion made by Councilmember Hankins, seconded by Councilmember Sperl, it was resolved to approve the agenda as presented. All in favor. Motion carried.

4. OPEN PUBLIC FORUM (0:05:00)

Mayor Arsenault opened the public forum.

Jasper Hankins-White, 3 Wildwood Avenue, requested that Council strongly consider the Mahtomedi Youth Soccer Association's request to rent the Tighe-Schmitz Park Field, noting that the field would be more accessible for families than driving to the current field in Hugo. He reported that 20% of the Mahtomedi Youth Soccer Association members live in Birchwood Village.

Mayor Arsenault closed the public forum.

5. ANNOUNCEMENTS (0:07:45)

The City of Birchwood wished to announce the resignation of City Administrator Rebecca Kellen effective January 28, 2025.

6. CITY BUSINESS (0:08:00)

6.1 Presentation by Metropolitan Council's Dr. Gail Cederberg (0:08:30)

Dr. Gail Cederberg, the Metropolitan Council Representative for District 11, introduced herself.

She reported that she would be acting as the Chair of the Environment Committee effective March 3, 2025. She also represented the Metropolitan Council on the Clean Water Council, which is a statewide organization committed to achieving clean water in Minnesota.

Dr. Gail Cederberg discussed the roles of the Metropolitan Council District 11 staff and highlighted some partner work groups.

Dr. Gail Cederberg reviewed the history of the Metropolitan Council, which was created in 1967 as a solution to regional problems such as water quality concerns and wastewater treatment.

Minnesota statute requires a regional development guide to be established every 10 years, which includes system plans for land use, parks, water resources, and transportation. Dr. Gail Cederberg reviewed the vision statement for the current regional plan, Imagine 2025, as follows: a prosperous, equitable, and resilient region with abundant opportunities for all to live, work, play, and thrive. The 2050 regional development plan was slated for adoption on February 12, 2025.

Dr. Gail Cederberg discussed long-range planning and services, including land use planning, community development, environment services, water supply planning, and transportation planning and services. She also reviewed 2050 land use designations, the City's 2040 land use plan, and regional water resource management. She emphasized that the Metropolitan Council worked closely with Washington County to obtain funding for regional parks.

Dr. Gail Cederberg reported on the Metropolitan Council's recent accomplishments and upcoming activities. Residents were encouraged to go to council.org, where committee meetings could be livestreamed.

6.2 Presentation by Commissioner Stan Karwoski (0:26:50)

Commissioner Karwoski reviewed the services provided by Washington County.

Commissioner Karwoski reviewed the Century Avenue Turnback and Reconstruction project. He noted that Washington and Ramsey Counties are anticipated to take over jurisdiction of state Highway 120, north of Interstate 694. The project received positive community feedback and was in the final design phase. Construction was targeted for 2027.

Commissioner Karwoski reviewed the key features of the new North Environmental Center. He anticipated that 40,000 customers will use the facility to dispose of hazardous waste.

Commissioner Karwoski discussed the Food Scraps Pickup program, which is a free, voluntary recycling initiative for Washington and Ramsey County residents. The program was available to all Birchwood residents as of October 2024. He noted that 75% of trash must be recycled or converted into energy by 2030, and currently only 10% of Birchwood residents were enrolled in the program.

The Central Service and License Center in Woodbury was under construction with a projected opening of Fall 2025.

Commissioner Karwoski discussed the Land and Water Legacy program, which was funding a big marine park reserve expansion. The expansion was 25% funded by the Land and Water Legacy program and 75% funded by the Metropolitan Council.

Commissioner Karwoski reviewed the improvements to the swim pond play area at Lake Elmo Park Reserve.

Councilmember Hankins asked if county services could be provided to Birchwood residents through Village Hall or Wildwood Library. Commissioner Kaworski noted that more county services were available online after the COVID-19 pandemic, and there was also a grant for a community service vehicle to bring more services to cities. He suggested that Council follow up with Community Services to gauge resident needs and agreed to continue to explore opportunities to support the City.

Councilmember Sperl asked if there were examples of cities doing a great job of communicating the services offered by the county to their residents or best practices to share. Commissioner Kaworski noted that county staff make a concerted effort to reach out to cities and to residents, especially regarding mental health services. A quarterly newsletter that lists all county services is also distributed to residents. Dr. Gail Cederberg reported working with city staff, planning staff, and the city administrator for smaller cities, who then relay information to their respective councils and elected officials. She encouraged cities to provide a link to the county website on their city website.

6.3 Update by White Bear Conservation District (0:57:50)

Shari Salzman-Hankins provided the following updates from the White Bear Conservation District:

- The White Bear Conservation District will be reimbursing different cities around the lake for each leak treatment.
- Residents were encouraged to attend the annual cleanup day on the second Saturday of March.
- The White Bear Conservation District started research and development of an action plan for prevention and early detection of starry stonewort, an invasive species found in three lakes in upper Minnesota that was starting to travel to the White Bear district.
- The White Bear Conservation District contracted with Blue Water Science for an assessment of the Eurasian milfoil.
- The results of the 2024 lake use study should be available to the Council in one month.
- The White Bear Conservation District contracted with the Ramsey County sheriff for extra enforcement on the boats and buoys.
- Articles from the White Bear Conservation District are included in *The Laker*, which is distributed quarterly.

6.4 Tighe-Schmitz Park Field Rental Agreement for Soccer (1:02:55)

On a motion made by Councilmember Sperl, seconded by Councilmember Weier, it was resolved to approve the Tighe-Schmitz Park Field Rental Agreement between Mahtomedi Youth Soccer Association and the City of Birchwood Village, effective May 1, 2025, to July 15, 2025.

In favor: Mayor Arsenault, Councilmembers Eisele, Sperl and Weier.

Abstained: Councilmember Hankins.

Motion carried.

Councilmember Hankins abstained from making comments due to a conflict of interest.

Mayor Arsenault noted that the rental agreement was revised to reflect a \$2,000 rental fee for use of the Tighe-Schmitz Park field; however, it was not confirmed \$2,000 would be sufficient to cover the City's mowing costs, as discussed at the last Council meeting.

Council agreed to approve the rental agreement for the spring/summer season. The rental agreement will be revisited for the fall season pending confirmation of the Mahtomedi Youth Soccer Association's Fall schedule.

7. CONSENT AGENDA (1:07:00)

On a motion made by Councilmember Hankins, seconded by Councilmember Sperl, it was resolved to approve the consent agenda, except for Items L, M and N, as presented. All in favor. Motion carried.

7.1 Resolution 2025-15: Approve the Estimate from Bolton-Menk for Lift Station Repairs (1:08:30)

On a motion made by Councilmember Sperl, seconded by Councilmember Weier, it was resolved to approve Resolution 2025-15. All in favor. Motion carried.

Engineer Johnson clarified that the cost of construction inspection comprised the majority of the estimate, and an inspection was required to ensure that contractors are on-site, following the plans, and meeting the scope of work and expectations of the project. Construction administration was required to ensure that the City is meeting all grant requirements.

Councilmember Hankins asked whether additional funds would need to be paid to Bolton-Menk to complete and submit the US Environmental Protection Agency grant. Engineer Johnson confirmed that the estimate includes the cost for the grant.

Councilmember Hankins asked if there were any additional recommendations for managing the lift station project. Engineer Johnson confirmed his opinion that all items for managing the lift station project were covered as needed.

Councilmember Hankins asked if Engineer Johnson recommended street reconstruction. Engineer Johnson confirmed that street reconstruction should be revisited in the next few months, and it would be reviewed as part of the capital projects plan.

Councilmember Weier asked if the crosswalk previously approved as part of the lift station project was included in the estimate. Engineer Johnson confirmed it was included in the original bid.

7.2 Resolution 2025-16: Approve to Post City Administrator Opening (1:16:20)

On a motion made by Councilmember Hankins, seconded by Councilmember Weier, it was resolved to approve Resolution 2025-16. All in favor. Motion carried.

ACTION – Mayor Arsenault will obtain feedback from City staff regarding gaps in City staff responsibilities.

ACTION – Councilmembers will send their suggestions regarding the City Administrator role to Therese Bellinger.

ACTION – Councilmember Sperl will draft a SurveyMonkey for the purpose of obtaining resident feedback on the current operation of the City's administration and suggestions for operation moving forward.

Mayor Arsenault acknowledged the work and assistance of City Clerk Therese Bellinger during the transitionary staffing period following the resignation of the City Administrator.

Mayor Arsenault suggested that feedback be obtained on the division of responsibilities between City staff and what residents would like to see from the City's administration prior to posting an opening for the City Administrator role. She expressed a preference for not rushing

into filling the vacancy, noting the importance of due diligence to ensure that quality service is provided to meet the needs of residents.

Councilmember Hankins noted that it could take two to three months to fill the position, and additional time would be required for training. He expressed concern regarding potential delays to the City's projects and a lack of qualified candidates based on the City's current pay rate for a City Administrator.

It was noted that the City Administrator job opening would likely not be posted until March 2025 to allow for efforts to obtain feedback from City staff, Council, and residents. In the interim, Councilmember Hankins agreed to draft the meeting agendas and Mayor Arsenault agreed to undertake clerical duties.

7.3 Resolution 2025-17: Approve City Administrator Final Pay (1:31:30)

On a motion made by Councilmember Weier, seconded by Councilmember Hankins, it was resolved to approve final payment to City Administrator Rebecca Kellen through to her tendered date of resignation of February 7, 2025, in the amount of \$10,415.56, including 2024 carry-over benefits for vacation, sick time, and ESST, plus 2025 earned benefits for same. All in favor. Motion carried.

Rebecca Kellen submitted, in writing on January 28, 2025, that she was invoking her 60-day notice of resignation as the City Administrator. A letter from the City was sent to Rebecca Kellen, advising that the City would honor the 60-day notice; however, Rebecca Kellen was removed from her duties effective immediately and did not have to return to work. This decision was driven by security concerns regarding access to the City's records. Rebecca Kellen sent a follow-up letter to the City on February 7, 2025, stating that she resigned effective immediately.

Attorney Kantrud confirmed that the City's contract included a 60-day termination clause, which Rebecca Kellen invoked. He also confirmed that it was not uncommon to relieve an executive employee of any duties effective immediately and to honor the 60-day period plus cumulative vacation and sick time.

Councilmember Hankins expressed concern that Rebecca Kellen's resignation letter was not binding since he believed it should have been an action taken by Council to relieve the City Administrator of her duties. He referred to the doctrine of public purpose, noting that any expenditures made by the City should serve a public purpose, and he opined that paying the City Administrator 60 days beyond her immediate resignation on February 7, 2025, did not align with the public purpose doctrine. He referenced two Attorney General opinions from the League of Minnesota Cities that state "a bonus for past services is considered a gratuity and is not valid unless there is an agreement or other understanding." He suggested that the pay under discussion was a bonus, particularly because there was no consideration provided by Rebecca Kellen for the bonus. He also expressed that Rebecca Kellen was in breach of her contract with the City by tendering her resignation effective immediately despite the 60-day termination clause in the contract. He questioned why the City would pay Rebecca Kellen beyond the date of her tendered resignation, especially since there had been discussion that Rebecca Kellen was approaching for-cause termination that would have been an immediate dismissal of her duties to the City. He noted that the City Administrator contract states that Rebecca Kellen's employment was at will and could be terminated at any time by the City. He suggested that insurance be used for the pay instead of additional contractual payouts. He further referenced Minnesota Statute 465.721, which states that "no city, township or other government shall implement a plan for payment of severance pay pursuant to Section 465.72 until a plan provided for full funding has been developed by the governing body," and Minnesota Statute 465.72, which states that "severance pay must be paid in a matter mutually

agreeable to the employee and the employer.” He thus expressed that any payments made to Rebecca Kellen would need to be made with approval from both Rebecca Kellen and Council, of which neither was obtained. He suggested moving forward with payment through to February 7, 2025, including vacation and sick time, but not earned sick and safe time (ESST). He explained that Rebecca Kellen’s contract preceded the state law for ESST, which took effect on January 1, 2024. In December 2023, Council reviewed the City Administrator’s contract and determined that the City will not pay additional ESST and the City Administrator’s pay will not be affected by ESST.

Council reviewed the payout considerations for Rebecca Kellen and agreed to move forward with payout through to February 7, 2025, including vacation, sick time and ESST.

8. MEETING CLOSE (1:56:25)

On a motion made by Councilmember Weier, seconded by Councilmember Eisele, 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.

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 Jennifer Arsenault

City Administrator

Date

Date

The following is a resolution to empower the Parks Committee to create an annual plan each year - to be approved by council - that will be funded by Dock fees and administered by the Parks committee.

RESOLUTION NO. 2025-18

A RESOLUTION to Empower the Parks and Natural Resources Committee with Dock Fee Allocation Authority

WHEREAS

1. The Parks and Natural Resources Committee supports this initiative.
2. The Docks Committee has expressed concerns about the lack of transparency in how dock fees are spent—this resolution directly addresses that concern.
3. The Parks Committee will be advised of the dock fees to be collected and propose a budget and action plan for implementation in 2026, subject to council approval before the year begins.
4. Any modifications to the plan during the year will require council approval.
5. Two council members serve as liaisons to the Parks Committee, ensuring direct communication with the council.
6. The Parks Committee will provide a **quarterly report** to the City Council and Docks Committee detailing how dock fees are allocated and spent.
7. This resolution empowers the Parks Committee and fosters greater community trust and openness in financial decisions related to parks and natural resources.

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

Passed by the City Council of _____, Minnesota this _____ day of Month, Year.

Mayor

Attested:

City Clerk

To: Birchwood Village City Council
From: Jennifer Arsenault

The City of Birchwood Village does not have a credit card. This means that purchasing items such as stamps, hardware and other miscellaneous items must be done on a staff member's personal credit card. The purchaser must then file a reimbursement form and receipts with the City in order to be reimbursed. This can be cumbersome for staff. Below is information Therese Bellinger has gathered relating to a City credit card.

Advantages

It's free

There are protections in place that we can internally manage.
Such as;

- We can turn the card on and off.
- We can put limits on the card anytime.
- We can observe spending online.
- A Visa card-if selected-offers insurance for fraud-for free.
- We can earn rebates.

Disadvantages

Must pay off the balance once per month.
5 credit cards must be issued, but we only need to activate one card.

Disclaimers: should an employee commit fraud-we would have insurance, but this employee would have to be terminated immediately .

RESOLUTION NO. 2025-19

A RESOLUTION to authorize Therese Bellinger to pursue obtaining a credit card for the City through US Bank.

WHEREAS, it is cumbersome for the staff to make purchases for the City using their personal credit cards,

WHEREAS, efficiency in government is the Council's goal,

WHEREAS, City employees need to be able to streamline City procedures,

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

Therese Bellinger is granted authority to obtain a credit card for the City of Birchwood Village through US Bank.

Passed by the City Council of the City of Birchwood Village, Minnesota this 11th day of March, 2025.

Mayor

Attested:

City Clerk

To: Birchwood Village City Council
From: Jennifer Arsenault

Our City Clerk, Therese Bellinger has requested funds to purchase items for the office to make it more functional. Some of the items are: a desktop computer, two larger monitors for Therese's computer, an adjustable desk, and a two drawer filing cabinet.

RESOLUTION NO. 2025-20

A RESOLUTION to authorize Therese Bellinger to purchase a desktop computer, two large monitors, an adjustable desk and a two -drawer filing cabinet.

WHEREAS, it is important for employee efficiency to have a functional workspace,

WHEREAS, the requested items are reasonable in nature,

WHEREAS, the office should be an attractive welcoming space for residents,

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

Therese Bellinger is granted authority to obtain the aforementioned office items for the City of Birchwood Village.

Passed by the City Council of the City of Birchwood Village, Minnesota this 11th day of March, 2025.

Mayor

Attested:

City Clerk

To: City Council
From: Ryan Hankins
Re: Performance Review of City Planner

This resolution initiates a process to evaluate the performance of Mr. Ben Wikstrom, a planning consultant engaged through a contractual agreement. Mr. Wikstrom is requesting an increase in compensation.

The City Council seeks to determine the legal parameters governing the conduct of this performance evaluation, specifically addressing the applicability of Minnesota's Open Meeting Law. The Council requires a legal opinion to ascertain whether a closed session is permissible under Minnesota Statutes, section 13D.05, subdivision 3(a), which allows for closed meetings when evaluating the performance of an "individual."

To ensure compliance with state regulations and established legal precedent, the City Attorney is directed to provide a legal analysis. This analysis must incorporate the guidance provided by Advisory Opinion 05-013, which clarifies the definition of "individual" in the context of independent contractor agreements. The opinion will also address how the independent contractor status of Mr. Wikstrom, as defined within his contract, influences the application of the relevant statutes and advisory opinions.

Subsequently, the City Administrator is tasked with scheduling a performance evaluation meeting, ensuring that proper notification is provided to Mr. Wikstrom, outlining his rights under the relevant statutes.

This resolution underscores the City's commitment to fiscal responsibility and transparency, while adhering to the legal requirements governing public meetings.

Resolution No. 2025-21

A RESOLUTION DIRECTING THE CITY ATTORNEY TO PROVIDE A LEGAL OPINION REGARDING THE APPLICATION OF LAW TO THE CITY PLANNER'S PERFORMANCE REVIEW AND DIRECTING THE CITY ADMINISTRATOR TO SCHEDULE A MEETING AND PROVIDE NOTICE.

WHEREAS, the City of Birchwood Village has entered into a Consulting Services Agreement with Ben Wikstrom for the provision of planning consulting service; and

WHEREAS, the Consultant has requested to be paid \$130 per hour for consulting on permit applications submitted by City residents and for permit evaluation in addition to his current rate of \$1,600 per month; and

WHEREAS, the City Council deems it essential to conduct a performance review of the Consultant, specifically addressing the Consultant's adherence to the duties outlined in Exhibit A of the Agreement, and the overall effectiveness and value of the Consultant's services, especially in light of the requested rate increases; and

WHEREAS, Minnesota Statutes, Chapter 13D, the Open Meeting Law, mandates that all meetings of public bodies, including the City Council, be open to the public unless a specific statutory exception applies; and

WHEREAS, Minnesota Statutes, section 13D.05, subdivision 3(a), provides an exception, permitting a public body to close a meeting to evaluate the performance of an "individual" who is subject to its authority; and

WHEREAS, the City Council recognizes the importance of balancing transparency with the need for confidential discussions regarding individual performance, while also fulfilling its fiscal responsibility to the taxpaying residents of the City by ensuring that public funds are expended prudently and effectively; and

WHEREAS, the City Council seeks a legal determination as to whether the Consultant, Ben Wikstrom, qualifies as an "individual" within the meaning of Minnesota Statutes, section 13D.05, subdivision 3(a), thereby permitting the City Council to conduct a closed meeting for the specific purpose of evaluating the Consultant's performance under the Agreement; and

WHEREAS, Minnesota Statutes, section 13D.05 subdivision 2, states, "A public body shall close one or more meetings for preliminary consideration of allegations or charges against an individual subject to its authority. If the members conclude that discipline of any nature may be warranted as a result of those specific charges or allegations, further meetings or hearings

relating to those specific charges or allegations held after that conclusion is reached must be open. A meeting must also be open at the request of the individual who is the subject of the meeting;" and

WHEREAS, the City Council is committed to ensuring full compliance with all applicable laws and regulations, including the interpretations provided by the Commissioner of Administration, in conducting its business; and

WHEREAS, Advisory Opinion 05-013 [<https://mn.gov/admin/data-practices/opinions/library/?id=36-267867>], issued by the Commissioner of Administration on March 28, 2005, provides crucial guidance on the application of Minnesota Statutes, section 13D.05, subdivision 3(a), specifically addressing the definition of "individual" in the context of independent contractor agreements and the distinction between contracts with natural persons and business entities; and

WHEREAS, Advisory Opinion 05-013 states, "Pursuant to Chapter 13D, the Wild Rice Watershed District Board may close an open meeting to discuss its contract with an independent contractor when that contractor is an individual human being. If the contractor is a business organization like a corporation, then the meeting may not be closed;" and

WHEREAS, an analysis of the Consultant's independent contractor status, as defined in Section XVII of the Agreement, is necessary to determine the applicability of Advisory Opinion 05-013 and Minnesota Statutes, section 13D.05, subdivision 3(a); and

WHEREAS, A public body subject to the Open Meeting Law (Minnesota Statutes, Chapter 13D) can request an opinion from the Commissioner of Administration relating to the body's duties under Chapter 13D. (Minnesota Statutes, section 13.072, subdivision 1(b)).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BIRCHWOOD VILLAGE:

1. **Legal Opinion:** The City Attorney is hereby directed to provide a legal opinion to the City Council providing the following:
 - a. Whether, under the terms of the Consulting Services Agreement with Ben Wikstrom, and pursuant to Minnesota Statutes, section 13D.05, subdivision 3(a), the City Council may conduct a closed meeting to evaluate the performance of Mr. Wikstrom.
 - b. A determination of all procedural requirements the City Council must follow to proceed with a closed meeting.

2. **Request to Department of Administration:** If the City Attorney is unable to provide a conclusive opinion on (1), he is authorized to seek an informal and/or advisory opinion from the Minnesota Department of Administration.
3. **Immediate Notice to Mr. Wikstrom:** The City Administrator shall email Mr. Wikstrom with the letter in Addendum A and a copy of this resolution as soon as possible upon the resolution's adoption.
4. **Meeting Scheduling and Notice:** Based upon the City Attorney's opinion, the City Administrator is hereby directed to schedule an appropriate meeting for the evaluation of the consultant during the months of March or April 2025. The City Administrator shall provide written notice to Mr. Wikstrom, in compliance with all relevant statutes, including Minnesota Statutes, section 13D.05, subdivision 3(a), and the terms of the consultant agreement, informing him of the scheduled meeting, his right to have the meeting open and that the meeting is being held to discuss his performance.
5. **Effective Date:** This Resolution shall be effective immediately upon its adoption.

Adopted by the City Council of the City of Birchwood Village this 11th day of March, 2025.

Jennifer Arsenault, Mayor

City Administrator

Addendum A

Subject: Notice of Resolution Regarding Performance Evaluation

Dear Mr. Wikstrom,

The City Council appreciates your work providing planning services for Birchwood.

The City Council of the City of Birchwood Village adopted Resolution No. [Insert Resolution Number Here] on March 11, 2025. This resolution pertains to your Consulting Services Agreement with the City, dated March 30, 2023, and your performance as the City Planner.

The resolution directs the City Attorney to provide a legal opinion regarding the applicability of Minnesota Statutes, Chapter 13D and Minnesota Department of Administration Advisory Opinion 05-013, to your Consulting Services Agreement. Specifically, the City Council seeks clarification on whether a closed meeting may be conducted to evaluate your performance under the terms of the agreement, pursuant to Minnesota Statutes, section 13D.05, subdivision 3(a).

Furthermore, the City Administrator has been directed to schedule a performance evaluation meeting for March or April 2025. You will receive formal written notice of the specific date and time of this meeting. The City Council is committed to ensuring responsible stewardship of public funds and transparency in its operations.

A copy of Resolution No. [Insert Resolution Number Here] is enclosed for your reference.

Should you have any immediate questions, please do not hesitate to contact the City Administrator.

Sincerely,

City Clerk City of Birchwood Village

Enclosure: Resolution No. [Insert Resolution Number Here]

To: Birchwood Village City Council
From: Jennifer Arsenault

Therese Bellinger, City Clerk, has been instrumental in keeping Birchwood Village functioning well during the absence of a City Administrator. She has taken on tasks above and beyond what's included in her job description. Although she is authorized to work 20-30 hours a week, this is not enough to complete all the work coming across her desk.

RESOLUTION NO. 2025-22

A RESOLUTION to authorize Therese Bellinger to work up to 40 hours a week.

WHEREAS, it is crucial for a City to serve its residents,

WHEREAS, there are many additional tasks Therese has taken on in order to keep the City functioning,

WHEREAS, Therese is a valued employee and has been gracious with her time to the City of Birchwood,

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

Therese Bellinger is granted authority to work up to forty hours a week until the City Administrator position is filled.

Passed by the City Council of the City of Birchwood Village, Minnesota this 11th day of March, 2025.

Mayor

Attested:

City Clerk

RESOLUTION NO. 2025-23

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIRCHWOOD VILLAGE,
MINNESOTA, ESTABLISHING A FEE SCHEDULE FOR DATA REQUESTS**

WHEREAS, the City of Birchwood Village is bound by Minnesota Statutes, Chapter 13, to provide government data to the public;

WHEREAS, the City incurs both labor and real costs to produce the data;

WHEREAS, under Chapter 13 of the Minnesota Statutes, Cities are allowed to charge a fee for data gathering and processing;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BIRCHWOOD VILLAGE, MINNESOTA, AS FOLLOWS: 1. The City will charge members of the public for copies of government data. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c). 100 or fewer pages of black and white, letter or legal-size paper copies cost 25 cents for a one-sided copy or 50 cents for a two-sided copy. 2. The charge for most other types of copies, when a charge is not set by statute or rule, is the actual costs of searching for and retrieving data, including the cost of 125% of employee's hourly rate for making, certifying, compiling, copying and/or electronically transmitting the data. If data is requested that is not existing or compiled, Staff will not work to compile or create data or information requested.

PASSED AND ADOPTED by the City Council of Birchwood Village, Minnesota, this 11th day of March, 2025.

Mayor _____

ATTEST: _____

City Clerk _____

City of Birchwood Village, Minnesota

Data Practices Policy

Introduction

Minnesota Cities are required to establish written procedures to ensure that requests for government data are received and responded to promptly and appropriately. This Policy and the attached Data Practices Request Form satisfy that requirement and are subject to Minnesota Statutes, Chapter 13.

Right to Access Public Data

The Government Data Practices Act (Minnesota Statutes, Chapter 13) presumes that all government data are public unless a state or federal law says the data are not public. Government data is a term that means all recorded information a government entity has, including paper, email, DVDs, photographs, etc.

The Government Data Practices Act also provides that this government entity must keep all government data in a way that makes it easy for you, as a member of the public, to access public data. You have the right to look at (inspect), free of charge, all public data that we keep. You also have the right to get copies of public data. The Government Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

How to Make a Data Request

To look at data or request copies of data that this government entity keeps you must file a written request. You may make your request for data by mail, fax, in person or by email.

If you choose not to use the data request form, your request should include:

- that you, as a member of the public, are making a request for data under the Government Data Practices Act, Minnesota Statutes, Chapter 13;
 - whether you would like to look at the data, get copies of the data, or both; and
 - a clear description of the data you would like to inspect or have copied.
- Ambiguous requests simply cannot be processed.

This government entity cannot require you, as a member of the public, to identify yourself or explain the reason for your data request. However, depending on how you want us to process your request (if, for example, you want us to mail you copies of data), we may need some information about you or where to deliver the data. If you choose not to give us any identifying information, we will provide you with contact information so you may check on the status of your request. In addition, please keep in

mind that if we do not understand your request and have no way to contact you, we will not be able to begin processing your request.

How We Respond to a Data Request

Upon receiving your request, we will work to process it.

- If we do not have the data, we will notify you in writing as soon as reasonably possible.
- If we have the data, but the data are not public, we will notify you as soon as reasonably possible and state which specific law says the data are not public.
- If we have the data, and the data are public, we will respond to your request appropriately within a reasonable amount of time by doing one of the following:
 - arrange a date, time, and place to inspect data, for free, if your request is to look at the data, or Policy required by Minnesota Statutes, section 13.025, subdivision 2.
 - Provide you with copies of the data within a reasonable time frame. You may choose to pick up your copies, or we will mail, email or fax them to you. If you want us to send you the copies, you will need to provide us with an address, email address or fax number. We will provide electronic copies upon request if we keep the data in electronic format.

The Government Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. If we agree to create data in response to your request, we will work with you on the details of your request, including cost and response time.

In addition, the Government Data Practices Act does not require us to answer questions that are not requests for data.

Requests for Summary Data

Summary data are statistical records or reports that are prepared by removing some or all identifiers from private or confidential data on individuals. The preparation of summary data is not a means to gain access to private or confidential data. We will prepare summary data if you make your request in writing and pay for the cost of creating the data. Upon receiving your written request – you must use the data request form – we will respond within ten business days with the data or details of when the data will be ready and how much we will charge.

Copy Costs – Members of the Public

This government entity charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c).

100 or fewer pages of black and white, letter or legal-size paper copies cost 25¢ for a one-sided copy, or 50¢ for a two-sided copy.

Most Other Types of Copies – Actual cost

The charge for most other types of copies, when a charge is not set by statute or rule, is the actual costs of searching for and retrieving data, including the cost of 125% of employee's hourly rate for making, certifying, compiling, copying, and/or electronically transmitting the data. If data is requested that is not existing or compiled, Staff will not work to compile or create data or information requested.

For more information, please contact City Hall: 207 Birchwood Ave, Birchwood Village, MN 55110, info@cityofbirchwood.com, 651-426-3403

Rec 3/3/25

Tighe-Schmitz Park Field Rental Agreement

This Agreement ("Agreement") is entered into on this [date] by and between Mahtomedi Youth Soccer Association (the "Association") and the City of Birchwood Village (the "City").

1. Purpose

- The City agrees to rent field space at 410 Lake Ave, St Paul, MN 5511 to the Association for soccer practices, and related events during the specified rental period.

2. Term

- Start Date: May 1st, 2025
- End Date: July 15th, 2025
- Days and Times of Use: The fields will be available for use during the week and weekends during the Fall and Summer season, except in the event of previously scheduled events approved by the City. The dates of those soccer seasons follow:
 - Fall Season Dates: TBD
 - Summer Season Dates: 5/1/25 – 7/15/25

3. Rental Fees

- Fee Structure: The Association agrees to pay the City \$2,000 for the upcoming Spring/Summer soccer season due on [due date].
- Payment Terms: Payment shall be made via [check, online payment, etc.].

4. Usage and Maintenance

- Permitted Activities: Field space may only be used for activities directly related to the Association's soccer programming.
- Field Condition and Maintenance:
 - The City will be responsible for mowing; payment by the Association will include mowing expenses.
 - The Association will be responsible for line marking and goal setup.

- The Association agrees to ensure cleanliness after use, including removal of all trash.
- Damage Repairs: The Association agrees to report any damage caused by its activities and may be financially responsible for repairs.

5. Access and Equipment

- Access Rights: The City grants the Association and its members access to the field during scheduled hours, including use of the portable restroom located on-site.
- Equipment Usage: The City grants the Association and its members access to the field, goals, and restroom that are currently located on-site, during scheduled hours

6. Weather and Field Condition Cancellations

- Weather Cancellations: The City reserves the right to close the field due to adverse weather conditions. The Association will be notified as soon as possible and may receive credit for cancelled time.
- Field Condition Monitoring: The City will provide regular assessments of field conditions and may require closures for maintenance or repairs.

7. Insurance and Liability

- Insurance Requirement: The Association must provide proof of general liability insurance, ~~listing the City as an additional insured party.~~
- Injury and Liability Waiver: The Association agrees to indemnify and hold the City harmless against any claims or injuries arising from its use of the field space.

8. Compliance and Conduct

- Adherence to Local Regulations: The Association agrees to comply with all local rules, ordinances, and guidelines.
- Conduct and Supervision: The Association is responsible for ensuring respectful conduct of its players, coaches, and spectators, as well as adequate supervision for minors.

9. Termination

- Termination Clause: Neither party may terminate this Agreement during an active soccer season. Both parties commit to fulfilling their obligations as outlined in this agreement for the entirety of the season. In the event of a dispute, disagreement, or issue that either party believes warrants termination, both parties agree to participate in good-faith mediation prior to taking any termination action. Any resulting costs shall be shared equally by both parties.
- Either party wishing to terminate the Agreement outside of an active season must provide a written notice at least 30 days before the intended termination date. The parties agree to attempt to resolve any underlying issues within this notice period through discussion or mediation if necessary.

10. Miscellaneous

- Amendments: Any amendments to this Agreement must be made in writing and signed by both parties.
- Entire Agreement: This Agreement constitutes the entire understanding between the parties and supersedes all prior negotiations or discussions.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

Mahtomedi Youth Soccer Association Representative

Signature: Wade Jackson

Name: Wade Jackson

Title: BOARD MEMBER

Date: 2/22/25

Birchwood Village Representative

Signature: _____

Name: _____

Title: _____

Date: _____

To: Birchwood Village City Council
From: Jennifer Arsenault

The City of Birchwood Village hosts a Music in the Park series each year. The concert series is attended by residents and guests from neighboring communities. It is a great addition to our community.

RESOLUTION NO. 2025-25

A RESOLUTION to authorize the Music in the Park series for the 2025 summer season

WHEREAS, it is a wonderful opportunity for community building;

WHEREAS, many enjoy gathering and listening to a variety of music;

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

Music in the Park is authorized to continue through the summer of 2025.

Passed by the City Council of the City of Birchwood Village, Minnesota this 11th day of March, 2025.

Mayor

Attested:

City Clerk



LMCIT No-Fault Sewer Back-up and Water Main Break Coverage

Re: City of Birchwood Village
Renewal Period: 06/12/2025-26

According to the Underwriting Criteria for LMCIT's Optional No-Fault Sewer Back-Up Coverage, the member needs to qualify for this coverage each year. I have reviewed the member's expiring covenant along with sewer back-up claim information, if any, and I am pleased to advise that the City of Birchwood Village continues to meet the Underwriting Criteria necessary to qualify for No-Fault Sewer Back-Up Coverage. Please note, the No-Fault Sewer Back-Up questions are no longer part of our online renewal application. Coverage will continue as per expiring.

02/12/2025

Rebecca Kellen

*****5,624.26

Five Thousand Six Hundred Twenty-Four Dollars And Twenty-Six Cents

Rebecca Kellen
2205 Unity Ave N
Golden Valley, MN 55422

Rebecca Kellen		Payroll End Date:	02/12/2025	Check Date:	02/12/2025	Pay Type:	Salary	
	<u>Gross Pay</u>	<u>Social Security</u>	<u>Medicare</u>	<u>Federal Tax</u>	<u>State Tax</u>	<u>Total Deductions</u>	<u>Reimbursements</u>	<u>Net Pay</u>
Current	\$8,793.76	\$545.21	\$127.51	\$1,346.71	\$578.48	\$3,169.50	\$0.00	\$5,624.26
Year To Date	\$14,560.16	\$902.73	\$211.13	\$1,606.01	\$884.98	\$4,551.26	\$0.00	\$10,008.90

<u>Description</u>	<u>PayRate</u>	<u>Regular Hrs</u>	<u>Sick Hrs</u>	<u>Vacation Hrs</u>	<u>Comp Hrs</u>	<u>ESST Hrs</u>	<u>Holiday Hrs</u>	<u>OT</u>	<u>Amount</u>
Salary	\$36.04	80.00	30.00	102.00	0.00	32.00	0.00		\$8,793.76

Employee Before-Tax Deductions

Deferred Income \$0.00
Cafeteria Plan \$0.00
PERA \$571.59
Other Pretax \$0.00

Employee After-Tax Deductions

Health Insurance \$0.00
Dental Insurance \$0.00
Life Insurance \$0.00
Union Dues \$0.00
Other After Tax \$0.00

Employer Contributions

Health Insurance \$0.00
Dental Insurance \$0.00
Life Insurance \$0.00
PERA \$0.00

Employer City of Birchwood Village 207 Birchwood Avenue Saint Paul, MN 55110 (651) 426-3403

Rebecca Kellen Payroll End Date: 02/12/2025 Check Date: 02/12/2025 Pay Type: Salary

<u>Sick</u>		<u>Vacation</u>		<u>Comp</u>		<u>ESST</u>	
Beginning	42.00	Beginning	14.00	Beginning	0.00	Beginning	61.40
Accrued	30.00	Accrued	102.00	Accrued	0.00	Accrued	2.67
Used	30.00	Used	102.00	Used	0.00	Used	32.00
Ending	42.00	Ending	14.00	Ending	0.00	Ending	32.07

Employer City of Birchwood Village 207 Birchwood Avenue Saint Paul, MN 55110 (651) 426-3403

For the Period : 2/1/2025 To 2/28/2025

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>	<u>Less Deposits In Transit</u>	<u>Plus Outstanding Checks</u>	<u>Total Per Bank Statement</u>
General Fund	\$949,334.48	\$8,885.28	\$176,241.85	\$781,977.91	\$0.00	\$123,705.99	\$905,683.90
Special Rev Projects	\$21,023.05	\$0.00	\$0.00	\$21,023.05	\$0.00	\$300.00	\$21,323.05
Capital Project PW	(\$9,471.43)	\$0.00	\$4,178.00	(\$13,649.43)	\$0.00	\$4,178.00	(\$9,471.43)
Water	\$92,100.01	\$901.74	\$18,384.90	\$74,616.85	\$0.00	\$14,936.02	\$89,552.87
Sewer	\$59,445.65	\$611.51	\$19,152.61	\$40,904.55	\$0.00	\$13,333.68	\$54,238.23
Total	\$1,112,431.76	\$10,398.53	\$217,957.36	\$904,872.93	\$0.00	\$156,453.69	\$1,061,326.62

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

City of Birchwood Village Bank Reconciliation		US Bank General Fund #1-801-2001-5920 2/28/2025		Genl Fund 4M #35389-101	
US Bank 4M balance	General Fund			\$1,059,539.28	
Outstanding Checks/ Deposits	Outstanding Checks			(\$156,453.69)	
	Settlement Return			183.11	Will investigate.
Bank Open Items	US Bank Correction - Being Researched by			\$455.58	US Bank (Ref # JLS1505511)- Utility Deposit.
	MN Dept Revenue - went through bank twice.			\$511.55	Should be applied to Q1 2025
	Quantum Fiber - Need to enter into CTAS			\$50.00	
	Techie Dudes - Need to enter into CTAS			\$247.00	
	Techie Dudes - Need to enter into CTAS			\$330.10	
	PERA - Need to enter into CTAS			\$10.00	
				\$904,872.93	
	Balance Per Cash Control Statement			<u>\$904,872.93</u>	
		DIFFERENCE		\$0.00	

Date of Report : 3/6/2025

Outstanding Checks

<u>Date of Check</u>	<u>Check Number</u>	<u>To Whom Paid</u>	<u>Check Amount</u>
05/02/2023	32433	Flattum, David	\$243.81
09/03/2023	32589	Brunstad, Anthony	\$37.02
12/18/2023	32748	Kodiak Power Solutions	\$118.97
05/29/2024	32995	Folk Revival	\$300.00
07/25/2024	33082	Stoltzman, Cris	\$132.50
07/30/2024	33090	Press Publications	\$147.14
11/04/2024	33187	Menards - Oakdale	\$794.38
12/31/2024	33284	Gopher State One Call	\$8.10
12/31/2024	33301	Stoltzman, Cris	\$137.80
01/10/2025	EFT011025B	MN Department of Revenue	\$693.58
02/06/2025	33323	Arsenault, Jennifer	\$380.00
02/06/2025	33331	Heisdorffer, Kevin	\$3,000.00
02/06/2025	33343	Stoltzman, Cris	\$96.46
02/27/2025	33371	Payroll Period Ending 02/27/2025	\$1,400.13
02/27/2025	33372	Payroll Period Ending 02/27/2025	\$694.25
02/27/2025	33373	Payroll Period Ending 02/27/2025	\$927.32
02/28/2025	33350	Arsenault, Jennifer	\$119.30
02/28/2025	33359	LRS Portables, LLC	\$448.00
02/28/2025	33352	BrightView Landscapes, LLC.	\$1,096.75
02/28/2025	33353	BrightView Landscapes, LLC.	\$8,473.00
02/28/2025	33354	BrightView Landscapes, LLC.	\$4,736.60
02/28/2025	33355	BrightView Landscapes, LLC.	\$2,118.25
02/28/2025	33351	Bellinger, Therese	\$394.43
02/28/2025	33356	CAPRA'S UTILITIES, INC	\$6,540.30
02/28/2025	33357	St. Anthony Village	\$4,293.12
02/28/2025	33358	Croix Valley Inspections Inc	\$20,474.41
02/28/2025	33360	MN Department of Health	\$817.00
02/28/2025	33361	Olson, Marsha	\$151.21
02/28/2025	33362	Steve Dean	\$400.00
02/28/2025	33363	Techie Dudes	\$1,332.59
02/28/2025	33364	TSE, Inc. Work Account	\$60.08
02/28/2025	33368	Washington County Sheriff	\$68.38
02/28/2025	33369	H.A. Kantrud, P.A.	\$2,500.00
02/28/2025	33370	Wikstrom, John	\$1,500.00
02/28/2025	33365	Toshiba America Business Solutions	\$10.62
02/28/2025	33366	White Bear Township	\$129.09
02/28/2025	33367	Washington County Sheriff	\$48,674.78
02/28/2025	33374	Arsenault, Jennifer	\$31.32
02/28/2025	33375	Bolton & Menk, Inc.	\$1,327.00
02/28/2025	33376	Bolton & Menk, Inc.	\$3,526.50
02/28/2025	33391	BrightView Landscapes, LLC.	\$105.00
02/28/2025	33377	Bolton & Menk, Inc.	\$79.00
02/28/2025	33378	Bolton & Menk, Inc.	\$79.00
02/28/2025	33379	Bolton & Menk, Inc.	\$79.00
02/28/2025	33380	Bolton & Menk, Inc.	\$79.00
02/28/2025	33381	Bolton & Menk, Inc.	\$79.00
02/28/2025	33382	Bolton & Menk, Inc.	\$79.00
02/28/2025	33383	Bolton & Menk, Inc.	\$2,217.00
02/28/2025	33384	Bolton & Menk, Inc.	\$1,867.50
02/28/2025	33385	Bolton & Menk, Inc.	\$82.50
02/28/2025	33386	Bolton & Menk, Inc.	\$371.50

Outstanding Checks

<u>Date of Check</u>	<u>Check Number</u>	<u>To Whom Paid</u>	<u>Check Amount</u>
02/28/2025	33387	Bolton & Menk, Inc.	\$412.50
02/28/2025	33388	Bolton & Menk, Inc.	\$82.50
02/28/2025	33389	BrightView Landscapes, LLC.	\$4,197.30
02/28/2025	33390	BrightView Landscapes, LLC.	\$6,102.75
02/28/2025	33392	BrightView Landscapes, LLC.	\$1,646.25
02/28/2025	33393	Manship Plumbing & Heating Inc	\$2,070.00
02/28/2025	33394	Minutes Solutions	\$220.00
02/28/2025	33395	Water Conservation Service Inc.	\$414.80
02/28/2025	33396	Water Conservation Service Inc.	\$400.80
02/28/2025	33398	Arsenault, Jennifer	\$10.10
02/28/2025	33399	Bolton & Menk, Inc.	\$79.00
02/28/2025	33400	Bolton & Menk, Inc.	\$79.00
02/28/2025	33401	Bolton & Menk, Inc.	\$13,109.00
02/28/2025	33402	Bolton & Menk, Inc.	\$4,178.00
03/03/2025	33403	Companion Animal Control LLC	\$145.00
03/03/2025	33404	Alexander, Brian	\$45.00
03/03/2025	33407	Gopher State One Call	\$6.75
03/03/2025	33405	Sperl, Bridget	\$45.00
03/03/2025	33406	Tennis Sanitation, LLC	\$3,312.00
03/03/2025	EFT03032025	PERA	\$544.90
Total			\$160,552.34

Fund Name: All Funds

Date Range: 02/01/2025 To 03/03/2025

<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>
02/03/2025	Xcel 2335-4	eft01162025*	Electricity 11/15/24-12/17/24	N	Water Utility	601-49415-380-	\$ 10.41
	Total For Check	eft01162025					\$ 10.41
02/03/2025	Xcel 9369-0	eft01162025-*	407 Lake Lift Station 11/17/24-12/18/24	N	Sewer Utility	605-49465-380-	\$ 28.00
	Total For Check	eft01162025-					\$ 28.00
02/03/2025	Xcel 4094-1	eft01172025*	Gas Service 11/18/25-12/18/25 200 Wildwood Lift Station	N	Water Utility	605-49415-380-	\$ 29.83
	Total For Check	eft01172025					\$ 29.83
02/03/2025	A T & T Mobility	eft01222025*	Wireless for water tower- 1/2/25-2/1/25	N	Water Utility	601-49415-382-	\$ 54.15
	Total For Check	eft01222025					\$ 54.15
02/03/2025	Quantum Fiber	eft01262025*	Jan Internet Service Fee	N	Phone/IT	100-41955-314-	\$ 50.00
	Total For Check	eft01262025					\$ 50.00
02/06/2025	PERA	33322*	Retirement funds-PR 1/11-1/25/25, TB,BK, JR	N	Clerk - Treasurer	100-41401-121-	\$ 571.83
		33322*			Parks	100-45207-121-	\$ 104.69
	Total For Check	33322					\$ 676.52
02/06/2025	Arsenault, Jennifer	33323*	Reimburse for LMC Foundation and Mayor Assoc Fees	N	Mayor	100-41310-310-	\$ 380.00
	Total For Check	33323					\$ 380.00
02/06/2025	BrightView Landscapes, LLC.	33324*	Street Salt and Brine on 11/24--Missed billing from prior month-verified its due-TB	N	Ice and Snow Removal	100-43125-210-	\$ 657.50
	Total For Check	33324					\$ 657.50
02/06/2025	BrightView Landscapes, LLC.	33325*	Street Salt and Brine on 1/9	N	Ice and Snow Removal	100-43125-210-	\$ 7,361.25
	Total For Check	33325					\$ 7,361.25
02/06/2025	CAPRA'S UTILITIES, INC	33326*	Water Main Break Work on 1/7--Major Repair-Lots of labor, vac truck, rubble dump plus sand	N	Escrow Refunds	100-49250-810-	\$ 18,141.67

Fund Name: All Funds
Date Range: 02/01/2025 To 03/03/2025

<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>
Total For Check		33326					\$ 18,141.67
02/06/2025	Chase Peloquin	33327*	Assessing Serv - 2024 Last Q Permit Assessing	N	Assessing	100-41550-314-	\$ 6,067.00
Total For Check		33327					\$ 6,067.00
02/06/2025	Companion Animal Control LLC	33328*	Animal Control Services - Jan	N	Animal Control	100-41916-314-	\$ 145.00
Total For Check		33328					\$ 145.00
02/06/2025	Gopher State One Call	33329*	Jan 11 Tickets	N	Utility Locates	605-49455-314-	\$ 64.85
Total For Check		33329					\$ 64.85
02/06/2025	H.A. Kantrud, P.A.	33330*	Attorney Fees for Feb	N	Legal Services	100-41601-300-	\$ 2,500.00
Total For Check		33330					\$ 2,500.00
02/06/2025	Heisdorffer, Kevin	33331*	Escrow Refund for New Home--Complete and Inspected--423 Wildwood Ave	N	Escrow Refunds	100-49250-810-	\$ 3,000.00
Total For Check		33331					\$ 3,000.00
02/06/2025	John Wikstrom	33332*	Dec City Planner Fees	N	General Fund Engineering Expense	100-41925-300-	\$ 1,600.00
Total For Check		33332					\$ 1,600.00
02/06/2025	LRS Portables, LLC	33333*	Jan Portable Potty	N	Parks	100-45207-314-	\$ 224.00
Total For Check		33333					\$ 224.00
02/06/2025	Manship Plumbing & Heating Inc	33334*	Sewer/Water-Jan Retain, Locates, Water Main Break	N	Water Utility	601-49415-314-	\$ 800.00
		33334*				601-49415-314-	\$ 240.00
		33334*				601-49415-314-	\$ 1,780.00
Total For Check		33334					\$ 2,820.00
02/06/2025	Metropolitan Council - Env. Service	33335*	Jan Waste Water Services	N	Sewer Utility	605-49465-217-	\$ 5,131.86
Total For Check		33335					\$ 5,131.86
02/06/2025	Minutes Solutions	33336*	Meeting Minutes -Jan 14 Council Meeting	N	Cable Eqpmt and Service	100-41950-320-	\$ 330.00
Total For Check		33336					\$ 330.00
02/06/2025	Press Publications	33337*	Ref 824150 Legal Budget Statement 01/02, Ref 825213-Ord 2024-12-01, 01/23	N	Ordinances and Proceedings	100-41130-351-	\$ 252.24
		33337*				100-41130-351-	\$ 108.45

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Date Range: 02/01/2025 To 03/03/2025

<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>
	Total For Check	33337					\$ 360.69
02/06/2025	Roadkill Animal Control	33338*	Deer Pickup on 12/4/25	N	Animal Control	100-41916-400-	\$ 103.00
	Total For Check	33338					\$ 103.00
02/06/2025	Steve Dean	33339*	Water Main Break Material Dump on 1/7/25	N	Wtr/Swr Emergency	601-49425-314-	\$ 500.00
	Total For Check	33339					\$ 500.00
02/06/2025	Telcom Construction	33340*	Escrow Refund for 125 Wildwood Ave--Rightaway permit, Work inspected and complete	N	Escrow Refunds	100-49250-810-	\$ 3,000.00
	Total For Check	33340					\$ 3,000.00
02/06/2025	Toshiba America Business Solutions	33341*	Jan Monthly Usage Allowance	N	Office Operations Supplies	100-41911-314-	\$ 10.62
	Total For Check	33341					\$ 10.62
02/06/2025	TSE, Inc. Work Account	33342*	Janitorial Services - 1/2 & 1/16	N	General Government Buildings and Plant	100-41940-314-	\$ 30.04
		33342*				100-41940-314-	\$ 30.04
	Total For Check	33342					\$ 60.08
02/06/2025	Stoltzman, Cris	33343*	Videography - Council Mtg--1/14, 3.5 hrs Charged	N	Cable Eqpmt and Service	100-41950-314-	\$ 96.46
	Total For Check	33343					\$ 96.46
02/06/2025	White Bear Township	33344*	Dec Charges for Public Works Regular Maintenance	N	Sewer Utility	605-49465-314-	\$ 633.18
	Total For Check	33344					\$ 633.18
02/06/2025	IRS - US Treasury	EFT020625A	Federal Taxes - Q1 2025 -January Payment	N	Clerk - Treasurer	100-41401-100-	\$ 399.95
		EFT020625A				100-41401-100-	\$ 1,327.68
		EFT020625A				100-41401-100-	\$ 310.50
	Total For Check	EFT020625A					\$ 2,038.13
02/06/2025	MN Department of Revenue	EFT020625B	MN State Tax eFiling - 2025 Q1-January pymt	N	Clerk - Treasurer	100-41401-115-	\$ 407.64
		EFT020625B				100-41401-115-	\$ 78.02
	Total For Check	EFT020625B					\$ 485.66

Fund Name: All Funds

Date Range: 02/01/2025 To 03/03/2025

<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>
02/12/2025	Payroll Period Ending 02/12/2025	33345	Special Payroll for Period 1/26/25-2/8/25	N	Clerk - Treasurer	100-41401-100-	\$ 5,624.26
Total For Check		33345					\$ 5,624.26
02/13/2025	Payroll Period Ending 02/13/2025	33346	Office Payroll 1/26/25-2/8/25	N	Clerk - Treasurer	100-41401-100-	\$ 1,179.23
Total For Check		33346					\$ 1,179.23
02/13/2025	Payroll Period Ending 02/13/2025	33347	Office Payroll 1/26/25-2/8/25	N	Parks	100-45207-100-	\$ 864.73
Total For Check		33347					\$ 864.73
02/27/2025	Payroll Period Ending 02/27/2025	33371	Office Payroll 2/9/25-2/22/25	N	Clerk - Treasurer	100-41401-100-	\$ 1,400.13
Total For Check		33371					\$ 1,400.13
02/27/2025	Payroll Period Ending 02/27/2025	33372	Office Payroll 2/9/25-2/22/25	N	Clerk - Treasurer	100-41401-100-	\$ 694.25
Total For Check		33372					\$ 694.25
02/27/2025	Payroll Period Ending 02/27/2025	33373	Office Payroll 2/9/25-2/22/25	N	Parks	100-45207-100-	\$ 927.32
Total For Check		33373					\$ 927.32
02/28/2025	PERA	33348*	Retirement funds-PR 1/26/25-2/8/25, BK Final	N	Clerk - Treasurer	100-41401-121-	\$ 1,231.12
Total For Check		33348					\$ 1,231.12
02/28/2025	PERA	33349*	Retirement funds-PR 1/26/25-2/8/25, tb, jr	N	Clerk - Treasurer	100-41401-121-	\$ 217.30
		33349*			Parks	100-45207-121-	\$ 152.97
Total For Check		33349					\$ 370.27
02/28/2025	Arsenault, Jennifer	33350*	Reimbursement for bottled water during main break, Overnight Postage	N	Office Operations Supplies	100-41911-200-	\$ 10.10
		33350*				605-41911-210-	\$ 109.20
Total For Check		33350					\$ 119.30
02/28/2025	Bellinger, Therese	33351*	Reimbursement for 2 Fedex letters, Stamps, Paper, and and Owl for Woodpecker Defense	N	Office Operations Supplies	100-41911-200-	\$ 394.43
Total For Check		33351					\$ 394.43
02/28/2025	BrightView Landscapes, LLC.	33352*	Street Salt and Brine on 2/1	N	Ice and Snow Removal	100-43125-210-	\$ 1,096.75
Total For Check		33352					\$ 1,096.75
02/28/2025	BrightView Landscapes, LLC.	33353*	Truck with Plow All Site Areas	N	Ice and Snow Removal	100-43125-314-	\$ 8,473.00

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<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>
Total For Check		33353					\$ 8,473.00
02/28/2025	BrightView Landscapes, LLC.	33354*	TM-Loader w/14'-16' Containment All Site Areas	N	Ice and Snow Removal	100-43125-314-	\$ 4,736.60
Total For Check		33354					\$ 4,736.60
02/28/2025	BrightView Landscapes, LLC.	33355*	TM-High Cap. Salt Truck/Sprayer All Site Areas	N	Ice and Snow Removal	100-43125-314-	\$ 2,118.25
Total For Check		33355					\$ 2,118.25
02/28/2025	CAPRA'S UTILITIES, INC	33356*	Water Main Break Work on 2/12-Major Repair-Near 164 Wildwood Ave.	N	Wtr/Swr Emergency	601-49425-314-	\$ 6,540.30
Total For Check		33356					\$ 6,540.30
02/28/2025	St. Anthony Village	33357*	Q1 Utility Billing	N	Financial Administration	601-41501-314-	\$ 4,293.12
Total For Check		33357					\$ 4,293.12
02/28/2025	Croix Valley Inspections Inc	33358*	Inspection Fees - 2024 Calendar Year	N	Building Inspections Administration	100-42401-314-	\$ 20,474.41
Total For Check		33358					\$ 20,474.41
02/28/2025	LRS Portables, LLC	33359*	Feb Portable Potty	N	Parks	100-45207-314-	\$ 448.00
Total For Check		33359					\$ 448.00
02/28/2025	MN Department of Health	33360*	Community Water Supply Connection Fee - Q1-2024	N	Water Utility	601-49415-437-	\$ 817.00
Total For Check		33360					\$ 817.00
02/28/2025	Olson, Marsha	33361*	Laptop Sleeve, Tax Forms & Postage needed for 2024 Filing	N	Office Operations Supplies	100-41911-200-	\$ 151.21
Total For Check		33361					\$ 151.21
02/28/2025	Steve Dean	33362*	Water Main Break Material Dump on 2/25	N	Wtr/Swr Emergency	601-49425-314-	\$ 400.00
Total For Check		33362					\$ 400.00
02/28/2025	Techie Dudes	33363*	3 Yr Watchguard Security Subscription and WIFI Access Point	N	Office Operations Supplies	100-41911-230-	\$ 1,332.59
Total For Check		33363					\$ 1,332.59

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Date Range: 02/01/2025 To 03/03/2025

<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>
02/28/2025	TSE, Inc. Work Account	33364*	Janitorial Services - 2/6/25 & 2/19/25	N	General Government Buildings and Plant	100-41940-314-	\$ 30.04
		33364*				100-41940-314-	\$ 30.04
	Total For Check	33364					\$ 60.08
02/28/2025	Toshiba America Business Solutions	33365*	Feb Monthly Usage Allowance	N	Office Operations Supplies	100-41911-314-	\$ 10.62
	Total For Check	33365					\$ 10.62
02/28/2025	White Bear Township	33366*	Jan Charges for Public Works Regular Maintenance	N	Sewer Utility	605-49465-314-	\$ 129.09
	Total For Check	33366					\$ 129.09
02/28/2025	Washington County Sheriff	33367*	Police Services- 228396 January-June 2025	N	Police	100-42101-314-	\$ 48,674.78
	Total For Check	33367					\$ 48,674.78
02/28/2025	Washington County Sheriff	33368*	2024 Code Red Service	N	Other Protection	100-42801-314-	\$ 68.38
	Total For Check	33368					\$ 68.38
02/28/2025	H.A. Kantrud, P.A.	33369*	Attorney Fees for February	N	Legal Services	100-41601-300-	\$ 2,500.00
	Total For Check	33369					\$ 2,500.00
02/28/2025	Wikstrom, John	33370*	Planning Services February	N	Sewer Engineering Expense	100-49485-300-	\$ 1,500.00
	Total For Check	33370					\$ 1,500.00
02/28/2025	Arsenault, Jennifer	33374*	Reimbursement for postage for variance notices	N	Office Operations Supplies	605-41911-210-	\$ 31.32
	Total For Check	33374					\$ 31.32
02/28/2025	Bolton & Menk, Inc.	33375*	C Meeting, Gen Eng Services, PLOP Study of Halls Marsh	N	General Fund Engineering Expense	100-41925-300-	\$ 300.00
		33375*				100-41925-300-	\$ 553.00
		33375*				100-41925-300-	\$ 474.00
	Total For Check	33375					\$ 1,327.00
02/28/2025	Bolton & Menk, Inc.	33376*	Lift Station Reconstruction, Consult With Design Tree Eng	N	Sewer Engineering Expense	605-49485-300-	\$ 3,196.50
		33376*				605-49485-300-	\$ 330.00
	Total For Check	33376					\$ 3,526.50
02/28/2025	Bolton & Menk, Inc.	33377*	Row Permit Review for 410 Lake Ave, HO Billed	N	General Fund Engineering Expense	100-41925-300-	\$ 79.00

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<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>
Total For Check		33377					\$ 79.00
02/28/2025	Bolton & Menk, Inc.	33378*	Row Permit Review for 194 Wildwood Ave, HO Billed	N	General Fund Engineering Expense	100-41925-300-	\$ 79.00
Total For Check		33378					\$ 79.00
02/28/2025	Bolton & Menk, Inc.	33379*	Row Permit Review for 654 Birchwood, HO Billed	N	General Fund Engineering Expense	100-41925-300-	\$ 79.00
Total For Check		33379					\$ 79.00
02/28/2025	Bolton & Menk, Inc.	33380*	Row Permit Review for 195 Wildwood, HO Billed	N	General Fund Engineering Expense	100-41925-300-	\$ 79.00
Total For Check		33380					\$ 79.00
02/28/2025	Bolton & Menk, Inc.	33381*	Row Permit Review for 407 Lake Ave, HO Billed	N	General Fund Engineering Expense	100-41925-300-	\$ 79.00
Total For Check		33381					\$ 79.00
02/28/2025	Bolton & Menk, Inc.	33382*	Row Permit Review for 420 Wildwood, HO Billed	N	General Fund Engineering Expense	100-41925-300-	\$ 79.00
Total For Check		33382					\$ 79.00
02/28/2025	Bolton & Menk, Inc.	33383*	CC Meeting, General Eng, PLOP Study of Halls Marsh	N	General Fund Engineering Expense	100-41925-300-	\$ 300.00
		33383*				100-41925-300-	\$ 1,838.00
		33383*				100-41925-300-	\$ 79.00
Total For Check		33383					\$ 2,217.00
02/28/2025	Bolton & Menk, Inc.	33384*	CC Meeting, General Eng, PLOP Study of Halls Marsh	N	General Fund Engineering Expense	100-41925-300-	\$ 300.00
		33384*				100-41925-300-	\$ 1,237.50
		33384*				100-41925-300-	\$ 330.00
Total For Check		33384					\$ 1,867.50
02/28/2025	Bolton & Menk, Inc.	33385*	Lot Split Review for 160 Cedar Street	N	General Fund Engineering Expense	100-41925-300-	\$ 82.50
Total For Check		33385					\$ 82.50
02/28/2025	Bolton & Menk, Inc.	33386*	Lift Station Reconstruction Grant Coordination	N	Sewer Engineering Expense	605-49485-300-	\$ 371.50
Total For Check		33386					\$ 371.50

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<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>
02/28/2025	Bolton & Menk, Inc.	33387*	Variance Consult for 131 Wildwood Ave--Rain Garden Consult--Part of Escrow Billing	N	General Fund Engineering Expense	100-41925-300-	\$ 412.50
		Total For Check	33387				\$ 412.50
02/28/2025	Bolton & Menk, Inc.	33388*	Final Inspection for 423 Wildwood Ave, HO Billed	N	General Fund Engineering Expense	100-41925-300-	\$ 82.50
		Total For Check	33388				\$ 82.50
02/28/2025	BrightView Landscapes, LLC.	33389*	Plow and Delce--1/11/25	N	Ice and Snow Removal	100-43125-210-	\$ 3,133.55
		33389*				100-43125-314-	\$ 1,063.75
		Total For Check	33389				\$ 4,197.30
02/28/2025	BrightView Landscapes, LLC.	33390*	Plow and Delce--2/14/25	N	Ice and Snow Removal	100-43125-210-	\$ 5,815.25
		33390*				100-43125-314-	\$ 287.50
		Total For Check	33390				\$ 6,102.75
02/28/2025	BrightView Landscapes, LLC.	33391*	Plow--2/12/25,	N	Ice and Snow Removal	100-43125-314-	\$ 105.00
		Total For Check	33391				\$ 105.00
02/28/2025	BrightView Landscapes, LLC.	33392*	Plow and Delce 2/25/25	N	Ice and Snow Removal	100-43125-210-	\$ 230.00
		33392*				100-43125-314-	\$ 1,416.25
		Total For Check	33392				\$ 1,646.25
02/28/2025	Manship Plumbing & Heating Inc	33393*	Sewer/Water-Feb Retain, Locates, Water Main Break	N	Water Utility	601-49415-314-	\$ 800.00
		33393*				601-49415-314-	\$ 240.00
		33393*				601-49415-314-	\$ 1,030.00
		Total For Check	33393				\$ 2,070.00
02/28/2025	Minutes Solutions	33394*	Meeting Minutes -2/11/25 Council Meeting	N	Cable Eqpmt and Service	100-41950-320-	\$ 220.00
		Total For Check	33394				\$ 220.00
02/28/2025	Water Conservation Service Inc.	33395*	Water Main Leak Detection Serv for 10 Birchwood Lane	N	Wtr/Swr Emergency	601-49425-300-	\$ 414.80
		Total For Check	33395				\$ 414.80
02/28/2025	Water Conservation Service Inc.	33396*	Water Main Leak Detection Serv for 164 Wildwood	N	Wtr/Swr Emergency	601-49425-300-	\$ 400.80
		Total For Check	33396				\$ 400.80

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<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>
02/28/2025	Arsenault, Jennifer	33398*	Reimbursement for Postage for Unemployment Special Delivery	N	Office Operations Supplies	100-41911-210-	\$ 10.10
Total For Check		33398					\$ 10.10
02/28/2025	Bolton & Menk, Inc.	33399*	Row Permit Review for 157 Birchwood Ave, HO Billed	N	General Fund Engineering Expense	100-41925-300-	\$ 79.00
Total For Check		33399					\$ 79.00
02/28/2025	Bolton & Menk, Inc.	33400*	Row Permit Review for 364 Wildwood, HO Billed	N	General Fund Engineering Expense	100-41925-300-	\$ 79.00
Total For Check		33400					\$ 79.00
02/28/2025	Bolton & Menk, Inc.	33401*	Design Tree Consulting, Lift Station Grant Coordination	N	General Fund Engineering Expense	100-41925-300-	\$ 4,070.00
		33401*			Sewer Engineering Expense	605-49485-300-	\$ 9,039.00
Total For Check		33401					\$ 13,109.00
02/28/2025	Bolton & Menk, Inc.	33402*	Oakridge Drive Survey and Site Design	N	Capital Project Engineering Expense	406-41935-300-	\$ 2,914.00
		33402*				406-41935-300-	\$ 1,264.00
Total For Check		33402					\$ 4,178.00
02/28/2025	Techie Dudes	EFT020125A*	Managed Services, Ninja Backup, Microsoft Email	N	Phone/IT	100-41955-314-	\$ 308.28
Total For Check		EFT020125A					\$ 308.28
02/28/2025	Xcel 2307-8	EFT020125B*	Street Lighting Dec Charges	N	Street Lighting	100-43160-380-	\$ 1,283.08
Total For Check		EFT020125B					\$ 1,283.08
02/28/2025	Xcel 2335-4	EFT021825A*	Electricity 12/17/24-01/20/25	N	Water Utility	601-49415-380-	\$ 10.57
Total For Check		EFT021825A					\$ 10.57
02/28/2025	Xcel 9369-0	EFT021825B*	407 Lake Lift Station 12/18/24-01/21/25	N	Sewer Utility	605-49465-380-	\$ 30.13
Total For Check		EFT021825B					\$ 30.13
02/28/2025	Xcel 4094-1	EFT021825C*	Gas Service 12/18/24-01/21/25 200 Wildwood Lift Station	N	Water Utility	605-49415-380-	\$ 28.15
Total For Check		EFT021825C					\$ 28.15
02/28/2025	A T & T Mobility	EFT022225A*	Wireless for water tower- 2/1/25-3/1/2025	N	Water Utility	601-49415-382-	\$ 53.75

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	Total For Check	EFT022225A					\$ 53.75
02/28/2025	Quantum Fiber	EFT022625A*	Feb Internet Service Fee	N	Phone/IT	100-41955-314-	\$ 50.00
	Total For Check	EFT022625A					\$ 50.00
03/03/2025	Companion Animal Control LLC	33403*	Animal Control Services - Feb--Rate Increase Approved	N	Animal Control	100-41916-314-	\$ 145.00
	Total For Check	33403					\$ 145.00
03/03/2025	Alexander, Brian	33404*	Dog License Reimbursement--Overpayment	N	MISCELLANEOUS	100-49001-810-	\$ 45.00
	Total For Check	33404					\$ 45.00
03/03/2025	Sperl, Bridget	33405*	Dog License Reimbursement--Overpayment	N	MISCELLANEOUS	100-49001-810-	\$ 45.00
	Total For Check	33405					\$ 45.00
03/03/2025	Tennis Sanitation, LLC	33406*	Recycling for Serv: Jan - Feb 2025	N	Recycle	100-43300-314-	\$ 3,312.00
	Total For Check	33406					\$ 3,312.00
03/03/2025	Gopher State One Call	33407*	Feb 5 Tickets	N	Utility Locates	605-49455-314-	\$ 6.75
	Total For Check	33407					\$ 6.75
03/03/2025	PERA	EFT03032025*	Retirement funds-PR 2/9/25-2/22/25, tb, jr, mo	N	Clerk - Treasurer	100-41401-121-	\$ 379.69
		EFT03032025*			Parks	100-45207-121-	\$ 165.21
	Total For Check	EFT03032025					\$ 544.90
Total For Selected Checks							\$ 222,056.01

Fund Name: All Funds
Date Range: 02/01/2025 To 02/28/2025

Date	Remitter	Receipt #	Description	Deposit ID	Void	Account Name	F-A-P	Total
02/03/2025	Sorenson, Aura	171736299*	Dog License	(02/03/2025) - eft	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
02/05/2025	Groundworks	171736300*	BP 25-0011 415 Birchwood Ave	(02/05/2025) - eft	N	Building Permits	100-32211-	\$ 125.25
								\$ 125.25
02/06/2025	Twin City Fireplace	171736301*	Mech Permit, 25-0010, 525 Lake Ave	(02/06/2025) - eft	N	Building Permits	100-32211-	\$ 85.00
								\$ 85.00
02/12/2025	MN Management & Budget	171736305	Court Fines	(02/12/2025) -	N	Court Fines	100-35101-	\$ 196.64
								\$ 196.64
02/13/2025	Stolte, Kristin	171736260*	Dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
02/13/2025	Miller, Joseph	171736261*	Dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
02/13/2025	Goralski, Nicole	171736262*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
02/13/2025	Malvey, Megan	171736263*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
02/13/2025	Nietz, Arleen	171736264*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
02/13/2025	Fleck, Johnathan	171736265*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
02/13/2025	Anderson, Daniel	171736266*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00

Fund Name: All Funds

Date Range: 02/01/2025 To 02/28/2025

<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>
02/13/2025	Wyland, John	171736267*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00 \$ 30.00
02/13/2025	Arsenault, Jennifer	171736268*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 90.00 \$ 90.00
02/13/2025	Seibert, Maureen	171736269*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00 \$ 30.00
02/13/2025	Rietveld, Lisa	171736270*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 60.00 \$ 60.00
02/13/2025	Sperl, Bridget	171736271*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 75.00 \$ 75.00
02/13/2025	Lewis, Harmony	171736272*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00 \$ 30.00
02/13/2025	Byerly, Nicole	171736273*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00 \$ 30.00
02/13/2025	Clinch, J H	171736274*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00 \$ 30.00
02/13/2025	Berg, John	171736275*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00 \$ 30.00
02/13/2025	Glander, Mark	171736276*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 60.00 \$ 60.00
02/13/2025	Hankins, Ryan	171736277*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00 \$ 30.00
02/13/2025	Nickolaus, Anthony	171736278*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00 \$ 30.00
02/13/2025	Jordan, Christopher	171736279*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00

Fund Name: All Funds
Date Range: 02/01/2025 To 02/28/2025

<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>
								\$ 30.00
02/13/2025	Vandersteen, Leif	171736280*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
02/13/2025	O'Harah, Michael	171736281*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
02/13/2025	Miller, Samuel	171736282*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 60.00
								\$ 60.00
02/13/2025	Hartman, John	171736283*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
02/13/2025	Sorenson, Christopher	171736284*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
02/13/2025	Muench, T&T	171736285*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
02/13/2025	Alexander, Brian	171736286*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 75.00
								\$ 75.00
02/13/2025	Feist, Laura	171736287*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
02/13/2025	Mayek, Keiko	171736288*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
02/13/2025	DeYoung, Amy	171736289*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
02/13/2025	Donnell, Suzanne	171736290*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
02/13/2025	Nelson, Katherine	171736291*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00

Fund Name: All Funds

Date Range: 02/01/2025 To 02/28/2025

<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>
02/13/2025	Hullsiek, William	171736292*	dog license	(02/13/2025) - ck	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
02/25/2025	Palmer, Kylea	171736302*	Row Permits, 25-0006 thru 25-0009, 471&523 Lake Ave, 173 Birchwood, 23 Wildwood	(02/25/2025) - eft	N	Building Permits	100-32211-	\$ 349.00
								\$ 349.00
02/27/2025	Henry, Michael	171736293*	BP 24-0124 & z24-0015, 211 Birch	(02/27/2025) - ck	N	Building Permits	100-32211-	\$ 87.05
								\$ 87.05
02/27/2025	Hendrickson, Andrew	171736294*	Easement Access Permit, Elm	(02/27/2025) - ck	N	Building Permits	100-32211-	\$ 50.00
								\$ 50.00
02/27/2025	Nephew, Nick	171736295*	Hall Rental for Gathering	(02/27/2025) - ck	N	City/Town Hall Rent	100-34101-	\$ 25.00
								\$ 25.00
02/27/2025	Engh, Thomas	171736296*	Dog License	(02/27/2025) - ck	N	LICENSES AND PERMITS	100-32001-	\$ 30.00
								\$ 30.00
02/27/2025	Stolte, Kristin	171736297*	Kayak Rental	(02/27/2025) - ck	N	Kayak/Canoe Permits	100-32212-	\$ 35.00
								\$ 35.00
02/27/2025	Galatowitscch, Joseph	171736298*	Variance Escrow Deposit 131 Wildwood	(02/27/2025) - ck	N	Escrow Deposits	100-36245-	\$ 3,000.00
								\$ 3,000.00
02/28/2025	4 M Fund	171736303	January 25 interest	(02/28/2025) -	N	Interest Earning	100-36210-	\$ 3,440.01
							Interest Earning	100-36210-
								\$ 202.33
								\$ 3,642.34
02/28/2025	Residents - via St Anthony Village	171736304	Utility Billing Receipts for February 2025	(02/28/2025) -	N	Water Consumption	601-37111-	\$ 581.09
							Water Utility User Fee	601-37112-
							Water Main-break Surcharge	601-37113-
							State Surcharge	601-37116-
							Penalties and Forfeited Discounts	601-37160-
							Sewer Consumption	605-37211-
								\$ 294.72

Fund Name: All Funds
Date Range: 02/01/2025 To 02/28/2025

<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>
						Sewer Minimum Charge	605-37212-	\$ 268.07
						Penalties and Forfeited Discounts	605-37260-	\$ 48.72
								<u>\$ 1,513.25</u>
Total for Selected Receipts								<u><u>\$ 10,398.53</u></u>

12/31/2025

General Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
General Property Taxes (31001 through 31299)	618,134.00	8,916.80	(609,217.20)
Total Acct 310	618,134.00	8,916.80	(609,217.20)
LICENSES AND PERMITS	500.00	30.00	(470.00)
Total Acct 320	500.00	30.00	(470.00)
Building Permits	90,000.00	2,256.36	(87,743.64)
Kayak/Canoe Permits	1,700.00	35.00	(1,665.00)
Zoning Permits	300.00	0.00	(300.00)
Animal Licenses	100.00	1,260.00	1,160.00
Total Acct 322	92,100.00	3,551.36	(88,548.64)
Federal Grants and Aids	3,192.00	0.00	(3,192.00)
Total Acct 331	3,192.00	0.00	(3,192.00)
State Grants and Aid	603,000.00	0.00	(603,000.00)
Total Acct 334	603,000.00	0.00	(603,000.00)
City/Town Hall Rent	400.00	170.00	(230.00)
Total Acct 341	400.00	170.00	(230.00)
Court Fines	950.00	369.97	(580.03)
Total Acct 351	950.00	369.97	(580.03)
Interest Earning	48,000.00	7,990.19	(40,009.81)
Contributions and Donations from Private Sources	250.00	0.00	(250.00)
Refund-Reimbursemnt-Dividend	9,500.00	408.00	(9,092.00)
Escrow Deposits	35,000.00	3,000.00	(32,000.00)
Total Acct 362	92,750.00	11,398.19	(81,351.81)
Total Revenues	1,411,026.00	24,436.32	(1,386,589.68)
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00

12/31/2025

General Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Disbursements:			
Ordinances and Proceedings	2,000.00	360.69	1,639.31
Total Acct 411	2,000.00	360.69	1,639.31
Mayor	9,180.00	380.00	8,800.00
Total Acct 413	9,180.00	380.00	8,800.00
Clerk - Treasurer	165,300.00	30,737.37	134,562.63
Elections	1,500.00	0.00	1,500.00
Total Acct 414	166,800.00	30,737.37	136,062.63
Assessing	6,700.00	6,067.00	633.00
Total Acct 415	6,700.00	6,067.00	633.00
Legal Services	34,000.00	9,500.00	24,500.00
Total Acct 416	34,000.00	9,500.00	24,500.00
Grants	2,100.00	0.00	2,100.00
Planning and Zoning	22,500.00	0.00	22,500.00
Office Operations Supplies	0.00	2,142.54	(2,142.54)
City Training and Development	3,250.00	0.00	3,250.00
Animal Control	1,200.00	393.00	807.00
Software Expense	2,100.00	0.00	2,100.00
General Fund Engineering Expense	14,500.00	12,291.00	2,209.00
General Government Buildings and Plant	14,800.00	120.16	14,679.84
City Insurance	17,300.00	0.00	17,300.00
Cable Eqpmt and Service	1,750.00	646.46	1,103.54
Phone/IT	0.00	458.28	(458.28)
Total Acct 419	79,500.00	16,051.44	63,448.56
Police	97,645.00	48,674.78	48,970.22
Total Acct 421	97,645.00	48,674.78	48,970.22
Fire	65,087.00	14,995.75	50,091.25
Total Acct 422	65,087.00	14,995.75	50,091.25
Building Inspections Administration	62,200.00	20,490.09	41,709.91
Total Acct 424	62,200.00	20,490.09	41,709.91
Other Protection	0.00	68.38	(68.38)
Total Acct 428	0.00	68.38	(68.38)
Streets and Road Mntnc	100,000.00	0.00	100,000.00
Street Sweeping	4,000.00	0.00	4,000.00
Tree Care	5,000.00	0.00	5,000.00
Ice and Snow Removal	34,000.00	37,919.65	(3,919.65)
Tree Removal	15,000.00	0.00	15,000.00
Street Lighting	17,000.00	1,283.08	15,716.92
Total Acct 431	175,000.00	39,202.73	135,797.27
Recycle	20,400.00	3,312.00	17,088.00
Total Acct 433	20,400.00	3,312.00	17,088.00
Parks	40,250.00	5,330.26	34,919.74
Lawn Care - Maintenance	8,000.00	0.00	8,000.00
Total Acct 452	48,250.00	5,330.26	42,919.74
Water Resources	1,150.00	0.00	1,150.00
Total Acct 461	1,150.00	0.00	1,150.00
MISCELLANEOUS	0.00	90.00	(90.00)
Total Acct 490	0.00	90.00	(90.00)
Unallocated Expenditures	500.00	0.00	500.00
Escrow Refunds	30,000.00	24,141.67	5,858.33
Total Acct 492	30,500.00	24,141.67	6,358.33
Utility Reimbursement	600,000.00	0.00	600,000.00

12/31/2025

General Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Disbursements:			
Sewer Engineering Expense	0.00	3,100.00	(3,100.00)
Total Acct 494	600,000.00	3,100.00	596,900.00
Total Disbursements	1,398,412.00	222,502.16	1,175,909.84
Other Financing Uses:			
Transfer To Enterprise Fund	12,614.00	0.00	12,614.00
Total Acct 493	12,614.00	0.00	12,614.00
Total Other Financing Uses	12,614.00	0.00	12,614.00
Beginning Cash Balance		971,134.88	
Total Receipts and Other Financing Sources		24,436.32	
Total Disbursements and Other Financing Uses		222,502.16	
Cash Balance as of 12/31/2025		773,069.04	

12/31/2025

Special Rev Projects

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Other Financing Sources:			
Total Other Financing Sources	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Disbursements:			
Total Disbursements	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Other Financing Uses:			
Total Other Financing Uses	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Beginning Cash Balance		21,023.05	
Total Receipts and Other Financing Sources		0.00	
Total Disbursements and Other Financing Uses		<u>0.00</u>	
Cash Balance as of 12/31/2025		21,023.05	

12/31/2025

Capital Project PW

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Other Financing Sources:			
Total Other Financing Sources	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Disbursements:			
Capital Project Engineering Expense	0.00	4,178.00	(4,178.00)
Total Acct 419	<u>0.00</u>	<u>4,178.00</u>	<u>(4,178.00)</u>
Total Disbursements	<u>0.00</u>	<u>4,178.00</u>	<u>(4,178.00)</u>
Other Financing Uses:			
Total Other Financing Uses	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Beginning Cash Balance		(9,471.43)	
Total Receipts and Other Financing Sources		0.00	
Total Disbursements and Other Financing Uses		<u>4,178.00</u>	
Cash Balance as of 12/31/2025		(13,649.43)	

12/31/2025

Water

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Water Consumption	0.00	14,067.49	14,067.49
Water Utility User Fee	0.00	8,765.20	8,765.20
Water Main-break Surcharge	0.00	56.11	56.11
Special Water Charges	0.00	299.03	299.03
State Surcharge	0.00	531.39	531.39
Administrative Fee Move/Out	0.00	8.60	8.60
Penalties and Forfeited Discounts	0.00	148.67	148.67
Total Acct 371	0.00	23,876.49	23,876.49
Total Revenues	0.00	23,876.49	23,876.49
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Financial Administration	0.00	4,293.12	(4,293.12)
Total Acct 415	0.00	4,293.12	(4,293.12)
Water Utility	0.00	19,184.57	(19,184.57)
Wtr/Swr Emergency	0.00	8,255.90	(8,255.90)
Total Acct 494	0.00	27,440.47	(27,440.47)
Total Disbursements	0.00	31,733.59	(31,733.59)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		82,473.95	
Total Receipts and Other Financing Sources		23,876.49	
Total Disbursements and Other Financing Uses		31,733.59	
Cash Balance as of 12/31/2025		74,616.85	

12/31/2025

Sewer

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Sewer Consumption	0.00	9,523.10	9,523.10
Sewer Minimum Charge	0.00	8,591.42	8,591.42
Penalties and Forfeited Discounts	0.00	127.61	127.61
Total Acct 372	0.00	18,242.13	18,242.13
Total Revenues	0.00	18,242.13	18,242.13
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Office Operations Supplies	0.00	140.52	(140.52)
Total Acct 419	0.00	140.52	(140.52)
Water Utility	0.00	57.98	(57.98)
Utility Locates	0.00	71.60	(71.60)
Sewer Utility	0.00	5,952.26	(5,952.26)
Sewer Engineering Expense	0.00	12,937.00	(12,937.00)
Total Acct 494	0.00	19,018.84	(19,018.84)
Total Disbursements	0.00	19,159.36	(19,159.36)
Other Financing Uses:			
Total Other Financing Uses	0.00	0.00	0.00
Beginning Cash Balance		41,815.03	
Total Receipts and Other Financing Sources		18,242.13	
Total Disbursements and Other Financing Uses		19,159.36	
Cash Balance as of 12/31/2025		40,897.80	

Monthly Activity Summary

2/1/2025 - 2/28/2025

Class	Account	Beginning Balance	Contributions	Interest	Checks Paid	Other Withdrawals	Month End Balance
4M	35389 - 101 General Fund	\$1,081,585.62	\$8,125.69	\$3,440.01	(\$87,893.19)	(\$6,935.92)	\$998,322.21
4MP	35389 - 101 General Fund	\$61,014.74	\$0.00	\$202.33	\$0.00	\$0.00	\$61,217.07
LTD	35389 - 101 General Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$1,142,600.36	\$8,125.69	\$3,642.34	(\$87,893.19)	(\$6,935.92)	\$1,059,539.28

Activity Summary (35389-101) General Fund

2/1/2025 - 2/28/2025

Investment Pool Summary		4M	4MP
Beginning Balance		\$1,081,585.62	\$61,014.74
Dividends		\$3,440.01	\$202.33
Purchases		\$8,125.69	\$0.00
Checks Paid		(\$87,893.19)	\$0.00
Other Redemptions		(\$6,935.92)	\$0.00
Ending Balance		\$998,322.21	\$61,217.07
Average Monthly Rate		4.305%	4.322%
Share Price		\$1.000	\$1.000
Total		\$998,322.21	\$61,217.07
Total Fixed Income			\$0.00
Account Total			\$1,059,539.28

City of Birchwood Village
Marsha Olson
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Your PMA Representative
Laura Hamacher
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PMA Financial Network
2135 CityGate Lane, 7th Floor
Naperville, IL 60563

Transaction Activity (35389-101) General Fund

4M 2/1/2025 - 2/28/2025

Transaction	Trade Date	Settle Date	Description	Redemption	Purchase	Share Price	Shares this Transaction
2381568	01/31/2025	02/03/2025	US Bank Checks Paid Redemption	(\$4,387.00)	\$0.00	\$1.000	(4,387.000)
2381569	02/03/2025	02/03/2025	US Bank Deposit Package Purchase	\$0.00	\$1,369.50	\$1.000	1,369.500
2382162	02/03/2025	02/03/2025	US Bank ACH Redemption, XCEL ENERGY-MN	(\$1,283.08)	\$0.00	\$1.000	(1,283.080)
2382163	02/03/2025	02/03/2025	US Bank ACH Redemption, TECHIE DUDES	(\$308.28)	\$0.00	\$1.000	(308.280)
2382499	02/03/2025	02/04/2025	US Bank Checks Paid Redemption	(\$1,548.81)	\$0.00	\$1.000	(1,548.810)
2382885	02/04/2025	02/04/2025	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$30.00	\$1.000	30.000
2383116	02/04/2025	02/05/2025	US Bank Checks Paid Redemption	(\$10,648.70)	\$0.00	\$1.000	(10,648.700)
2384123	02/06/2025	02/06/2025	US Bank ACH Redemption, MN PERA	(\$676.52)	\$0.00	\$1.000	(676.520)
2384124	02/06/2025	02/06/2025	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$125.25	\$1.000	125.250
2384337	02/06/2025	02/07/2025	US Bank Checks Paid Redemption	(\$560.92)	\$0.00	\$1.000	(560.920)
2384714	02/07/2025	02/07/2025	US Bank ACH Redemption, IRS	(\$2,038.13)	\$0.00	\$1.000	(2,038.130)
2384715	02/07/2025	02/07/2025	US Bank ACH Redemption, MN DEPT OF REVEN	(\$485.66)	\$0.00	\$1.000	(485.660)
2384716	02/07/2025	02/07/2025	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$85.00	\$1.000	85.000
2384972	02/07/2025	02/10/2025	US Bank Checks Paid Redemption	(\$2,192.32)	\$0.00	\$1.000	(2,192.320)
2386342	02/11/2025	02/12/2025	US Bank Checks Paid Redemption	(\$4,500.00)	\$0.00	\$1.000	(4,500.000)
2386729	02/12/2025	02/12/2025	US Bank ACH Purchase, MN State-MMB	\$0.00	\$196.64	\$1.000	196.640
2387507	02/13/2025	02/14/2025	US Bank Checks Paid Redemption	(\$6,803.49)	\$0.00	\$1.000	(6,803.490)
2387508	02/14/2025	02/14/2025	US Bank Deposit Package Purchase	\$0.00	\$1,006.17	\$1.000	1,006.170
2387509	02/14/2025	02/14/2025	US Bank Deposit Package Purchase	\$0.00	\$1,230.00	\$1.000	1,230.000
2387865	02/14/2025	02/14/2025	US Bank ACH Redemption, MN PERA	(\$1,231.12)	\$0.00	\$1.000	(1,231.120)
2387866	02/14/2025	02/14/2025	US Bank ACH Redemption, TECHIE DUDES	(\$330.10)	\$0.00	\$1.000	(330.100)
2387867	02/14/2025	02/14/2025	US Bank ACH Redemption, MN PERA	(\$370.27)	\$0.00	\$1.000	(370.270)
2388175	02/14/2025	02/18/2025	US Bank Checks Paid Redemption	(\$864.73)	\$0.00	\$1.000	(864.730)
2389121	02/18/2025	02/19/2025	US Bank Checks Paid Redemption	(\$5,595.55)	\$0.00	\$1.000	(5,595.550)

Transaction	Trade Date	Settle Date	Description	Redemption	Purchase	Share Price	Shares this Transaction
2389122	02/18/2025	02/19/2025	US Bank Checks Paid Redemption	(\$2,820.00)	\$0.00	\$1.000	(2,820.000)
2389758	02/19/2025	02/20/2025	US Bank Checks Paid Redemption	(\$6,131.85)	\$0.00	\$1.000	(6,131.850)
2389759	02/19/2025	02/20/2025	US Bank Checks Paid Redemption	(\$676.52)	\$0.00	\$1.000	(676.520)
2390191	02/20/2025	02/20/2025	US Bank ACH Redemption, XCEL ENERGY-MN	(\$10.57)	\$0.00	\$1.000	(10.570)
2390192	02/20/2025	02/20/2025	US Bank ACH Redemption, XCEL ENERGY-MN	(\$28.15)	\$0.00	\$1.000	(28.150)
2390193	02/20/2025	02/20/2025	US Bank ACH Redemption, XCEL ENERGY-MN	(\$30.13)	\$0.00	\$1.000	(30.130)
2390513	02/20/2025	02/21/2025	US Bank Checks Paid Redemption	(\$5,724.00)	\$0.00	\$1.000	(5,724.000)
2390514	02/21/2025	02/21/2025	US Bank Deposit Package Purchase	\$0.00	\$507.08	\$1.000	507.080
2391175	02/21/2025	02/24/2025	US Bank Checks Paid Redemption	(\$10,094.43)	\$0.00	\$1.000	(10,094.430)
2391176	02/21/2025	02/24/2025	US Bank Checks Paid Redemption	(\$657.50)	\$0.00	\$1.000	(657.500)
2391684	02/24/2025	02/24/2025	US Bank ACH Redemption, ATT	(\$53.75)	\$0.00	\$1.000	(53.750)
2392026	02/24/2025	02/25/2025	US Bank Checks Paid Redemption	(\$6,070.70)	\$0.00	\$1.000	(6,070.700)
2392694	02/25/2025	02/26/2025	US Bank Checks Paid Redemption	(\$330.00)	\$0.00	\$1.000	(330.000)
2392695	02/25/2025	02/26/2025	US Bank Checks Paid Redemption	(\$145.00)	\$0.00	\$1.000	(145.000)
2393075	02/26/2025	02/26/2025	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$349.00	\$1.000	349.000
2393664	02/27/2025	02/27/2025	US Bank ACH Redemption, QUANTUM FIBER	(\$50.00)	\$0.00	\$1.000	(50.000)
2393871	02/27/2025	02/28/2025	US Bank Checks Paid Redemption	(\$18,141.67)	\$0.00	\$1.000	(18,141.670)
2393872	02/28/2025	02/28/2025	US Bank Deposit Package Purchase	\$0.00	\$3,227.05	\$1.000	3,227.050
2394240	02/28/2025	02/28/2025	US Bank ACH Redemption, MN PERA	(\$40.16)	\$0.00	\$1.000	(40.160)
11268163	02/28/2025	02/28/2025	Dividend Reinvest	\$0.00	\$3,440.01	\$1.000	3,440.010
				(\$94,829.11)	\$11,565.70		(83,263.410)

Beginning Balance: \$1,081,585.62 | Ending Balance: \$998,322.21

Transaction Activity (35389-101) General Fund

4MP 2/1/2025 - 2/28/2025

Transaction	Trade Date	Settle Date	Description	Redemption	Purchase	Share Price	Shares this Transaction
11268172	02/28/2025	02/28/2025	Dividend Reinvest	\$0.00	\$202.33	\$1.000	202.330
				\$0.00	\$202.33		202.330

Beginning Balance: \$61,014.74 | Ending Balance: \$61,217.07

Current Portfolio

2/28/2025

Type	Code	Holding Id	Trade Date	Settle Date	Maturity Date	Description	Cost	Rate	NAV	Face/Par	Market Value
4M				02/28/2025		4M Account Balance	\$998,322.21	4.305%	\$1.000	\$998,322.21	\$998,322.21
4MP				02/28/2025		4MP Account Balance	\$61,217.07	4.322%	\$1.000	\$61,217.07	\$61,217.07
							\$1,059,539.28			\$1,059,539.28	\$1,059,539.28

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	94.222%	\$998,322.21	4M Account
4MP	5.778%	\$61,217.07	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.

City of Birchwood Village

Claims History

3/6/2025

Date Range : 2/1/2025 To 3/3/2025

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Check #</u>	<u>Approved</u>	<u>Total</u>	<u>Account #</u>	<u>Detail</u>
02/06/2025	IRS - US Treasury	Federal Taxes - Q1 2025 -January Payment	7341	EFT020625A	Yes	\$2,038.13	100-41401-100	\$399.95
							100-41401-100	\$1,327.68
							100-41401-100	\$310.50
02/06/2025	MN Department of Revenue	MN State Tax eFiling - 2025 Q1- January pymt	7342	EFT020625B	Yes	\$485.66	100-41401-115	\$407.64
							100-41401-115	\$78.02
02/06/2025	PERA	Retirement funds-PR 1/11-1/25/25, TB,BK, JR	58423*	33322	Yes	\$676.52	100-41401-121	\$571.83
							100-45207-121	\$104.69
02/14/2025	PERA	Retirement funds-PR 1/26/25-2/8/25, BK Final	7343*	33348	Yes	\$1,231.12	100-41401-121	\$1,231.12
02/14/2025	PERA	Retirement funds-PR 1/26/25-2/8/25, tb, jr	7344*	33349	Yes	\$370.27	100-41401-121	\$217.30
							100-45207-121	\$152.97
02/28/2025	A T & T Mobility	Wireless for water tower- 2/1/25-3/1/2025	7366*	EFT022225A	Yes	\$53.75	601-49415-382	\$53.75
02/28/2025	Alexander, Brian	Dog License Reimbursement--Overpayment	7402*	33404	Yes	\$45.00	100-49001-810	\$45.00
02/28/2025	Arsenault, Jennifer	Reimbursement for bottled water during main break, Overnight Postage	7345*	33350	Yes	\$119.30	605-41911-210	\$109.20
							100-41911-200	\$10.10
02/28/2025	Arsenault, Jennifer	Reimbursement for postage for variance notices	7373*	33374	Yes	\$31.32	100-41911-210	\$31.32
02/28/2025	Arsenault, Jennifer	Reimbursement for Postage for Unemployment Special Delivery	7396*	33398	Yes	\$10.10	100-41911-210	\$10.10
02/28/2025	Bellinger, Therese	Reimbursement for 2 Fedex letters, Stamps, Paper, and Owl for Woodpecker Defense	7346*	33351	Yes	\$394.43	100-41911-200	\$394.43
02/28/2025	Bolton & Menk, Inc.	C Meeting, Gen Eng Services, PLOP Study of Halls Marsh	7374*	33375	Yes	\$1,327.00	100-41925-300	\$300.00
							100-41925-300	\$553.00
							100-41935-300	\$474.00
02/28/2025	Bolton & Menk, Inc.	Lift Station Reconstruction, Consult With Design Tree Eng	7375*	33376	Yes	\$3,526.50	605-49485-300	\$3,196.50

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Check #</u>	<u>Approved</u>	<u>Total</u>	<u>Account #</u>	<u>Detail</u>
							100-43135-300	\$330.00
02/28/2025	Bolton & Menk, Inc.	Row Permit Review for 410 Lake Ave, HO Billed	7376*	33377	Yes	\$79.00	100-41925-300	\$79.00
02/28/2025	Bolton & Menk, Inc.	Row Permit Review for 194 Wildwood Ave, HO Billed	7377*	33378	Yes	\$79.00	100-41925-300	\$79.00
02/28/2025	Bolton & Menk, Inc.	Row Permit Review for 654 Birchwood, HO Billed	7378*	33379	Yes	\$79.00	100-41925-300	\$79.00
02/28/2025	Bolton & Menk, Inc.	Row Permit Review for 195 Wildwood, HO Billed	7379*	33380	Yes	\$79.00	100-41925-300	\$79.00
02/28/2025	Bolton & Menk, Inc.	Row Permit Review for 407 Lake Ave, HO Billed	7380*	33381	Yes	\$79.00	100-41925-300	\$79.00
02/28/2025	Bolton & Menk, Inc.	Row Permit Review for 420 Wildwood, HO Billed	7381*	33382	Yes	\$79.00	100-41925-300	\$79.00
02/28/2025	Bolton & Menk, Inc.	CC Meeting, General Eng, PLOP Study of Halls Marsh	7382*	33383	Yes	\$2,217.00	100-41925-300	\$300.00
							100-41925-300	\$1,838.00
							100-41935-300	\$79.00
02/28/2025	Bolton & Menk, Inc.	CC Meeting, General Eng, PLOP Study of Halls Marsh	7383*	33384	Yes	\$1,867.50	100-41925-300	\$300.00
							100-41925-300	\$1,237.50
							100-41935-300	\$330.00
02/28/2025	Bolton & Menk, Inc.	Lot Split Review for 160 Cedar Street	7384*	33385	Yes	\$82.50	100-41925-300	\$82.50
02/28/2025	Bolton & Menk, Inc.	Lift Station Reconstruction Grant Coordination	7385*	33386	Yes	\$371.50	605-49485-300	\$371.50
02/28/2025	Bolton & Menk, Inc.	Variance Consult for 131 Wildwood Ave--Rain Garden Consult--Part of Escrow Billing	7386*	33387	Yes	\$412.50	100-41925-300	\$412.50
02/28/2025	Bolton & Menk, Inc.	Final Inspection for 423 Wildwood Ave, HO Billed	7387*	33388	Yes	\$82.50	100-41925-300	\$82.50
02/28/2025	Bolton & Menk, Inc.	Row Permit Review for 157 Birchwood Ave, HO Billed	7397*	33399	Yes	\$79.00	100-41925-300	\$79.00
02/28/2025	Bolton & Menk, Inc.	Row Permit Review for 364 Wildwood, HO Billed	7398*	33400	Yes	\$79.00	100-41925-300	\$79.00
02/28/2025	Bolton & Menk, Inc.	Design Tree Consulting, Lift Station Grant Coordination	7399*	33401	Yes	\$13,109.00	100-41925-300	\$4,070.00
							605-49485-300	\$9,039.00
02/28/2025	Bolton & Menk, Inc.	Oakridge Drive Survey and Site Design	7400*	33402	Yes	\$4,178.00	406-41935-300	\$2,914.00

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Check #</u>	<u>Approved</u>	<u>Total</u>	<u>Account #</u>	<u>Detail</u>
							406-41935-300	\$1,264.00
02/28/2025	BrightView Landscapes, LLC.	Street Salt and Brine on 2/1	7347*	33352	Yes	\$1,096.75	100-43125-210	\$1,096.75
02/28/2025	BrightView Landscapes, LLC.	Truck with Plow All Site Areas	7348*	33353	Yes	\$8,473.00	100-43125-314	\$8,473.00
02/28/2025	BrightView Landscapes, LLC.	TM-Loader w/14'-16' Containment All Site Areas	7349*	33354	Yes	\$4,736.60	100-43125-314	\$4,736.60
02/28/2025	BrightView Landscapes, LLC.	TM-High Cap. Salt Truck/Sprayer All Site Areas	7350*	33355	Yes	\$2,118.25	100-43125-314	\$2,118.25
02/28/2025	BrightView Landscapes, LLC.	Plow and Delce--1/11/25	7388*	33389	Yes	\$4,197.30	100-43125-314	\$1,063.75
							100-43125-210	\$3,133.55
02/28/2025	BrightView Landscapes, LLC.	Plow and Delce--2/14/25	7389*	33390	Yes	\$6,102.75	100-43125-314	\$287.50
							100-43125-210	\$5,815.25
02/28/2025	BrightView Landscapes, LLC.	Plow--2/12/25,	7390*	33391	Yes	\$105.00	100-43125-314	\$105.00
02/28/2025	BrightView Landscapes, LLC.	Plow and Delce 2/25/25	7391*	33392	Yes	\$1,646.25	100-43125-314	\$1,416.25
							100-43125-210	\$230.00
02/28/2025	CAPRA'S UTILITIES, INC	Water Main Break Work on 2/12-Major Repair-Near 164 Wildwood Ave.	7351*	33356	Yes	\$6,540.30	601-49425-314	\$6,540.30
02/28/2025	Companion Animal Control LLC	Animal Control Services - Feb--Rate Increase Approved	7401*	33403	Yes	\$145.00	100-41916-314	\$145.00
02/28/2025	Croix Valley Inspections Inc	Inspection Fees - 2024 Calendar Year	7353*	33358	Yes	\$20,474.41	100-42401-314	\$20,474.41
02/28/2025	Gopher State One Call	Feb 5 Tickets	7405*	33407	Yes	\$6.75	605-49455-314	\$6.75
02/28/2025	H.A. Kantrud, P.A.	Attorney Fees for February	7364*	33369	Yes	\$2,500.00	100-41601-300	\$2,500.00
02/28/2025	LRS Portables, LLC	Feb Portable Potty	7354*	33359	Yes	\$448.00	100-45207-314	\$448.00
02/28/2025	Manship Plumbing & Heating Inc	Sewer/Water-Feb Retain, Locates, Water Main Break	7392*	33393	Yes	\$2,070.00	601-49415-314	\$800.00
							601-49415-314	\$240.00
							601-49415-314	\$1,030.00
02/28/2025	Minutes Solutions	Meeting Minutes -2/11/25 Council Meeting	7393*	33394	Yes	\$220.00	100-41950-320	\$220.00

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Check #</u>	<u>Approved</u>	<u>Total</u>	<u>Account #</u>	<u>Detail</u>
02/28/2025	MN Department of Health	Community Water Supply Connection Fee - Q1-2024	7355*	33360	Yes	\$817.00	601-49415-437	\$817.00
02/28/2025	Olson, Marsha	Laptop Sleeve, Tax Forms & Postage needed for 2024 Filing	7356*	33361	Yes	\$151.21	100-41911-200	\$151.21
02/28/2025	Quantum Fiber	Feb Internet Service Fee	7367*	EFT022625A	Yes	\$50.00	100-41955-314	\$50.00
02/28/2025	Sperl, Bridget	Dog License Reimbursement--Overpayment	7403*	33405	Yes	\$45.00	100-49001-810	\$45.00
02/28/2025	St. Anthony Village	Q1 Utility Billing	7352*	33357	Yes	\$4,293.12	601-41501-314	\$4,293.12
02/28/2025	Steve Dean	Water Main Break Material Dump on 2/25	7357*	33362	Yes	\$400.00	601-49425-314	\$400.00
02/28/2025	Techie Dudes	3 Yr Watchguard Security Subscription and WIFI Access Point	7358*	33363	Yes	\$1,332.59	100-41911-230	\$1,332.59
02/28/2025	Techie Dudes	Managed Services, Ninja Backup, Microsoft Email	7368*	EFT020125A	Yes	\$308.28	100-41955-314	\$308.28
02/28/2025	Tennis Sanitation, LLC	Recycling for Serv: Jan - Feb 2025	7404*	33406	Yes	\$3,312.00	100-43300-314	\$3,312.00
02/28/2025	Toshiba America Business Solutions	Feb Monthly Usage Allowance	7360*	33365	Yes	\$10.62	100-41911-314	\$10.62
02/28/2025	TSE, Inc. Work Account	Janitorial Services - 2/6/25 & 2/19/25	7359*	33364	Yes	\$60.08	100-41940-314	\$30.04
							100-41940-314	\$30.04
02/28/2025	Washington County Sheriff	Police Services- 228396 January-June 2025	7362*	33367	Yes	\$48,674.78	100-42101-314	\$48,674.78
02/28/2025	Washington County Sheriff	2024 Code Red Service	7363*	33368	Yes	\$68.38	100-42801-314	\$68.38
02/28/2025	Water Conservation Service Inc.	Water Main Leak Detection Serv for 10 Birchwood Lane	7394*	33395	Yes	\$414.80	601-49425-300	\$414.80
02/28/2025	Water Conservation Service Inc.	Water Main Leak Detection Serv for 164 Wildwood	7395*	33396	Yes	\$400.80	601-49425-300	\$400.80
02/28/2025	White Bear Township	Jan Charges for Public Works Regular Maintenance	7361*	33366	Yes	\$129.09	605-49465-314	\$129.09
02/28/2025	Wikstrom, John	Planning Services February	7365*	33370	Yes	\$1,500.00	100-49485-300	\$1,500.00
02/28/2025	Xcel 2307-8	Street Lighting Dec Charges	7370*	EFT020125B	Yes	\$1,283.08	100-43160-380	\$1,283.08
02/28/2025	Xcel 2335-4	Electricity 12/17/24-01/20/25	7369*	EFT021825A	Yes	\$10.57	601-49415-380	\$10.57
02/28/2025	Xcel 4094-1	Gas Service 12/18/24-01/21/25 200 Wildwood Lift Station	7372*	EFT021825C	Yes	\$28.15	605-49415-380	\$28.15

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Check #</u>	<u>Approved</u>	<u>Total</u>	<u>Account #</u>	<u>Detail</u>
02/28/2025	Xcel 9369-0	407 Lake Lift Station 12/18/24-01/21/25	7371*	EFT021825B	Yes	\$30.13	605-49465-380	\$30.13
03/03/2025	PERA	Retirement funds-PR 2/9/25-2/22/25, tb, jr, mo	7406*	EFT03032025	Yes	\$544.90	100-41401-121	\$379.69
							100-45207-121	\$165.21
Total For Selected Claims								\$158,006.54

City of Birchwood Village
May 13th, 2025 City Council Meeting

CLAIMS LIST APPROVAL SHEET

7/21/2026

Claims Total

\$ 63,327.76

Number of Checks 62

Check Voids _____

Signature Approvals

Jennifer Arsenault, Mayor **Date**

Ryan Eisele, City Council **Date**

Ryan Hankins, City Council **Date**

Bridget Sperl, City Council **Date**

Katherine Weier, City Council **Date**



AGENDA OF THE PLANNING COMMISSION
SPECIAL MEETING
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
March 6, 2025
6:45 P.M.

Remote location: 809 Costa Place, Lehigh Acres, FL

Remote link:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_YzE3ZWY5NzltMzdjNy00OWE0LTgzZjYtMjl3NWE1ZTdhY2Rj%40thread.v2/0?context=%7b%22id%22%3a%228848ebe8-132c-42bb-a1a7-d8e309415408%22%2c%22Oid%22%3a%22772ea352-4ce2-4d03-b5a3-a26bfdfe60cc%22%7d

1. Call to Order
2. Public Forum
3. Approve Agenda
4. Regular Agenda
 - a. 131 Wildwood Ave. (pages 4-36)
 - i. *Undersized lot (7590 sq. ft. vs 9000 sq. ft. minimum) (Planner's note: 15,000 s.f. min.)*
See Zoning Code Requirements section 302.015
 1. Assign Conditions
 2. Approve or Deny Variance
 - ii. *Garage east side yard setback of 5 ft. (code calls for 10 ft.)*
See Zoning Code Requirements section 302.020 (2)
 1. Assign Conditions
 2. Approve or Deny Variance
 - iii. *Garage Road right of way setback of 16 ft. (code calls for 30 ft.)*
See Zoning Code Requirements section 302.020 (2)
 1. Assign Conditions
 2. Approve or Deny Variance
 - iv. *House west side yard setback of 8.5 ft. (code calls for 10 ft.)*
See Zoning Code Requirements section 302.020 (2)
 1. Assign Conditions
 2. Approve or Deny Variance
 - v. *House height of < 30 ft. (method A) /< 35 ft. max (code calls for no higher than the previous home max height of ~ 25 ft.)*

See Zoning Code Requirements section 301.050 (C3) – highlighted above

Per Zoning Code Requirements section 302.045 (2 & 4) proposed house and garage

CONFORM with 302.045 (2 & 4) (Height and Max Height)

1. Assign Conditions
2. Approve or Deny Variance
- vi. *Retaining walls requested within the 50 ft. OHW setback requirement (see site plan)*
 1. Assign Conditions
 2. Approve or Deny Variance
- vii. *IMPERVIOUS SURFACE COVERAGE PERMIT. Section 302.050 (4) Projects that result in impervious surface coverage that exceeds twenty-five (25) percent but does not exceed thirty (30) percent shall be permitted if the property owner complies with, and demonstrates compliance with, the requirements of Section 302.050(6) to the satisfaction of the City Planner.*
- viii. One item that should be discussed at the meeting, beyond those things mentioned above, is the deck on the lake side.
- ix. Approve Findings of Fact
 1. Is the request reasonable with the general purposes and intent of the ordinance? Why or why not?
 2. Are there special conditions or circumstances that are peculiar to the land, structure, or building involved? Why or why not?
 3. Were the special conditions or circumstances created by the applicant's action or design solution? Why or why not?
 4. Will granting a variance result in any increase in the amount of water draining from the property? Why or why not?
 5. Will granting the variance impair an adequate supply of light and air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the City? Why or why not?
 6. A variance must not be granted simply because there are no objections or because those who do not object outnumber those who do.
 7. Is the applicant proposing a reasonable use for the property under terms of the Zoning Code? Why or why not?
- b. 425 Lake Ave. (Pages 37-55)
 - i. *302.050, Impervious Surfaces and Lot Coverage.*
 1. Assign Conditions
 2. Approve or Deny Variance
 - ii. *302.055.2.a.4, Land Disturbance Activity Standards – no grading or filling shall be permitted within 20 feet of the OHWL of the lake.*
 1. Assign Conditions

2. Approve or Deny Variance
- iii. *302.055.2d7b3, requires protective buffer strip of vegetation at least 16.5' back from the OWHM.*
 1. Assign Conditions
 2. Approve or Deny Variance
- iv. Approve Findings of Fact
 1. Is the request reasonable with the general purposes and intent of the ordinance? Why or why not?
 2. Are there special conditions or circumstances that are peculiar to the land, structure, or building involved? Why or why not?
 3. Were the special conditions or circumstances created by the applicant's action or design solution? Why or why not?
 4. Will granting a variance result in any increase in the amount of water draining from the property? Why or why not?
 5. Will granting the variance impair an adequate supply of light and air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the City? Why or why not?
 6. A variance must not be granted simply because there are no objections or because those who do not object outnumber those who do?
 7. Is the applicant proposing a reasonable use for the property under terms of the Zoning Code? Why or why not?

5. Adjourn



**CITY OF BIRCHWOOD VILLAGE
VARIANCE APPLICATION**

**207 Birchwood Ave., Birchwood, MN 55110
651-426-3403 • info@cityofbirchwood.com**

**FOR OFFICIAL USE ONLY
(per Minn. Stat. 15.99)**

Application Received Date: _____

Amount Paid: \$ _____

Date of Payment: _____

Payment Type:

- Cash
- Check (Number: _____)
- Credit Card

Application Complete:

Yes

No - Other

Deficiency: _____

Date of Determination: _____

Date Notice of Deficiency Sent: _____

☐ Application Withdrawn by Applicant
Date: _____

- ☐ Variance Deadline Extended, because:
- ☐ Applicant requested extension.
- ☐ City staff require additional time to evaluate the application.
- ☐ The state or another agency must review the application.
- ☐ The application was received too late for city staff to process and place on the agenda of the next Planning Commission meeting.

Date Variance Extension Letter Sent: _____

Length of Extension: _____ days

Completed applications for variances submitted on or before the first of each month will generally be considered by the Planning Commission at its next meeting on the fourth Thursday of that month. Applications submitted after the first of the month will generally be considered the following month.

Upon recommendation of the Planning Commission, the City Council will consider and decide the variance application.

A. Applicant's Name:

Joe and Therese Galatowitsch

Telephone:

Home:

Work/Cell: *651-983-4470*

B. Address (Street, City, State, ZIP): *27 Pine Road, North Oaks, MN 55127*

C. Property Owner's Name (If different from above):

Telephone

Home:

Work/Cell:

D. Location of Project: *131 Wildwood Ave, Birchwood, MN 55110*

E. Legal Description:

See attached

F. Description of Proposed Project:

See attached

G. Specify each section of the City Code for which a variance is sought. (Variances are not to be granted for the provisions of 301.050 but instead may be granted for other sections of chapters 200 or 300 that cause the existing or proposed structure or use to be non-conforming).

See attached

H. Explain how you wish to vary from the applicable provisions of the ordinance:

See attached

I. Please attach a site plan or accurate survey as may be required by ordinance, a Plot plan drawn to scale showing existing and proposed new and changed structures on the lot, and existing structures on adjacent lots.

See attached

J. Please answer the following questions as they relate to your specific variance request:

1. In your opinion, is the variance in harmony with the purposes and intent of the ordinance?

☒ Yes ☐ No

Why or why not?

See attached

2. In your opinion, is the variance consistent with the comprehensive plan?

☒ Yes ☐ No

Why or why not?

See attached

3. In your opinion, does the proposal put property to use in a reasonable manner?

☒ Yes ☐ No

Why or why not?

See attached

4. In your opinion, are there circumstances unique to the property?

☒ Yes ☐ No

Why or why not?

See attached

5. In your opinion, will the variance maintain the essential character of the locality?

☒ Yes ☐ No

Why or why not?

See attached

K. Are other governmental permits required for the project, including requirements of the Rice Creek Watershed District? Please attach copies of permits, or evidence they are unnecessary.

☐ Yes ☒ No

Which permits are required?

L. After the proposed project, will the impervious surface of the lot exceed 25 percent?

☒ Yes ☐ No

Please include the information in the following table. *See attached*

	EXISTING	PROPOSED	CHANGE
1. Total Square Footage of Lot			
2. Maximum Impervious Surface			
3. Roof Surface			
4. Sidewalks			
5. Driveways			
6. Other Impervious Surface			
7. Total of Items 3-6			
8. Impervious Surface Infiltrated			
9. Item 8 subtracted from Item 7			
10. Percent Impervious Surface			

The Planning Commission and City Council must make affirmative findings on each of the five criteria in question J in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria have been satisfied.

The City and its representatives accept no responsibility for errors and/or damages caused due to incomplete and/or inaccurate information herein. It is the responsibility of the applicant to ensure the accuracy and completeness of this information.

The applicant declares that they are familiar with application fees and other associated costs and with the procedural requirements of the City Code and other applicable ordinances, and that, with the exception of the City Code listed in question G, the proposed project conforms to the City Code, that the information provided in and enclosed herewith is complete and that all documents represented are true and correct representations of the actual project/building that will be built in conformance with such representation if approved.

Applicant's Signature: _____

Date: 1/27/25

Fee Owner's Signature: _____

Date: _____

304.020 Variance Application Requirements. Before consideration of a variance, an application for variance shall be made on forms provided by the City Clerk. The application shall be accompanied by the required information described below and by all required fees. Each application must include at a minimum:

- a) The legal description and address of parcel.
- b) Name, address, and phone number of applicant (and of the owner if owner is not the applicant).
- c) Plot plan drawn to scale. Elevation contour lines are required.
- d) Plan showing existing and proposed new and changed structures on the lot.
- e) Existing structures on adjacent lots.
- f) A certificate by a registered professional land surveyor verifying the location of all buildings, setbacks, and building coverage.
- g) A certificate by a registered professional land surveyor certifying other facts that in the opinion of the City are necessary for evaluation of the application.
- h) A separate enumeration of each section of the code to which a variance is requested along with a demonstration that the criteria set forth in section 304.040 are 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 include the State of Minnesota, Rice Creek Watershed District, Minnesota Department of Natural Resources, White Bear Lake Conservation District, and the Minnesota Pollution Control Agency.
- j) Other documentation as applicable and as required by the City Code for the type of variance sought (see for example the impervious surface requirements of 302.050)

City of Birchwood Village Variance Application – Supporting documentation

Section E:

All that part of Lot 1 of Birchwood and of Wildwood Avenue, vacated and of Lot "A" Block 3 of Lakewood Park, First Division bounded as follows:

On the North by White Bear Lake; on the west by a line parallel with the westerly line of Lot 1 of Birchwood and 105 feet easterly therefrom and extended to the north line of Wildwood Avenue as laid out on the plat of Lakewood Park First Division; on the south by said Wildwood Avenue; on the east by the easterly line of said Lot "A" extended to White Bear Lake. Being a parcel of land fifty feet front on White Bear Lake and running back fifty feet in width to the said Wildwood Avenue. Washington County, Minnesota.

Section F:

1. Replace previous house and garage with similarly located structures
2. Improve set-back non-conformance
3. Stabilize the steep slope and improve the riparian area including existing structures and riprap
4. Improve stormwater management and infiltration of impervious areas
5. Build an attractive and environmentally responsible home

Section G:

1. Lot size:
 - a. 302.010. LOT REQUIREMENTS. All lots created after the date of enactment of this ordinance must conform to the following dimensions, utilizing only that land above the ordinary high-water level of any lake, pond, or wetland. **1. Minimum lot size per dwelling unit: Lots abutting lake or wetland: 15,000 sq. ft. APPLIES** All other lots 12,000 sq. ft.
 - b. 302.015. UNDERSIZED LOTS Any lot of record as of January 1, 1975, which remains in its then-existing dimensions and which does not meet the requirements of this Code may nevertheless be utilized for single-family detached dwelling purposes provided the requirements of 302.010 are at least 60% of those as required. **APPLIES, Requires Variance**
2. New home and garage to be built under section 301.050
 - a. **2. Non-Conforming Pre-Existing Structure: A structure existing at the time of the adoption of a zoning control that was lawful prior to the time of the adoption of the zoning control but does not comply with that control. APPLIES**
 - b. 2. Non-Conforming Pre-Existing Use: A use or occupation of land existing at the time of the adoption of a zoning control that was lawful prior to the time of the adoption of the zoning control but does not comply with that control. **B. A non-conforming pre-existing structure or use existing at the time of the adoption of an additional zoning control may be continued, including through repair, replacement, restoration, maintenance, or improvement, APPLIES** unless: 1. the non-conforming pre-existing structure or non-conforming pre-existing use is discontinued for a period of more than one year;; or 2. the non-conforming structure is destroyed by fire or other peril to the extent of greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, and no building permit has been applied for within 180 days of when the property is damaged.

- c. **C. A non-conforming pre-existing structure or non-conforming pre-existing use may not be moved or expanded except: **EXCEPTION APPLIES** 1. If the expansion or move brings the non-conforming pre-existing structure or use into conformance with the zoning code; or 2. The conforming portion of a non-conforming structure may be expanded provided that such modification or expansion does not increase the portion of the structure that is non-conforming, and provided that the modification otherwise conforms to the provisions of the zoning code; **Requires Variance** or 3. The non-conforming portion of a non-conforming structure may be modified so long as the modification does not increase the horizontal or vertical size of the non-conforming portion; - **Requires Variance****
- 3. STRUCTURAL SETBACK REQUIREMENTS SECTION 302.020. GENERAL REQUIREMENTS. All structures must be located so that minimum setback requirements are met or exceeded. All measurements (in feet) as set forth below shall be determined by measuring from the foundation of the appropriate structure perpendicular to the appropriate lot line. **Variances required (see below)****
- 4. IMPERVIOUS SURFACE COVERAGE PERMIT. Section 302.050 (4) Projects that result in impervious surface coverage that exceeds twenty-five (25) percent but does not exceed thirty (30) percent shall be permitted if the property owner complies with, and demonstrates compliance with, the requirements of Section 302.050(6) to the satisfaction of the City Planner. **Permit Required****
- 5. Variances being sought:**
- a. Undersized lot (7590 sq. ft. vs 9000 sq. ft. minimum)
 - i. See Zoning Code Requirements section 302.015
 - b. Garage east side yard setback of 5 ft. (code calls for 10 ft.)
 - i. See Zoning Code Requirements section 302.020 (2)
 - c. Garage Road right of way setback of 16 ft. (code calls for 30 ft.)
 - i. See Zoning Code Requirements section 302.020 (2)
 - d. House west side yard setback of 8.5 ft. (code calls for 10 ft.)
 - i. See Zoning Code Requirements section 302.020 (2)
 - e. House height of < 30 ft. (method A) /< 35 ft. max (code calls for no higher than the previous home max height of ~ 25 ft.)
 - i. See Zoning Code Requirements section 301.050 (C3) – *highlighted above*
 - ii. Per Zoning Code Requirements section 302.045 (2 & 4) proposed house and garage **CONFORM** with 302.045 (2 & 4) (Height and Max Height)
 - f. Retaining walls requested within the 50 ft. OHW setback requirement (see site plan)
 - i. See Zoning Code Requirements section 302.020 (2 & 4)

Lot, Structures, Setbacks, Impervious	Previous	Proposed	Improvement	Code	Deviation	Details	Variance
Lot size (sq. ft.)	7590	7590	0	9000	-1410	Lakeside lot minimum = 60% x 15,000	Yes
House west side Setback (ft.)	8.5	8.5	0	10.0	-1.50	Proposed house is 0.6 ft. narrower	Yes
House East Side Setback (ft.)	7.4	11.5	4.1	10.0	1.50	All of east side is well back from ordinance	No
House height (ft.)	25	35	-10	Previous	10.00	Consistent with new construction height ordinance	Yes
Deck west side setback (ft.)	4.5	8.5	4	10.0	-1.50	Proposed deck aligns with side of house	No
Deck east side setback (ft.)	3.0	16	13	10.0	6.00	Eliminate side yard deck, add front porch	No
House OHW setback (ft.)	45.3	45.3	0	50.0	-4.70	Maintain setback, align house with side lot lines	No
Lakeside deck OHW setback (ft.)	33.3	36.3	3	50.0	-13.70	Proposed deck is 9' deep vs 12' for previous	No
Garage street ROW setback (ft.)	0	16	16	30.0	-14.00	Significant improvement from previous	Yes
Garage east side setback (ft.)	4.5	5	0.5	10.0	-5.00	Slight improvement from previous	Yes
Uncovered decks and wooded walkways (sq. ft.)	630	235	-395	-	-	Front, back, and sides	No
Off-street parking area (sq. ft.)	0	512	512	-	-	16 x 32 ft. (inc. walkway and side setback)	No
Off-street parking spaces	0	up to 4	up to 4	-	-	Average vehicle: 14.7 x 5.8 ft.	No
Impervious coverage (sq. ft.)	2141	2265	124	1898	368	Regulation = 25% (1898), Proposed = 30%	Permit
Riparian zone natural plantings (sq. ft.)	900	900	0	484	416	8% of riparian area for each 1% over 25%	Required
Retaining walls within riparian zone	Yes	Yes	Functional	50.0	-	Improve erosion control and safe lake access	Yes

Section H:

- Requesting undersized lot variance consistent with statutory use of lot to support a single-family home of similar size and character as existing homes on similarly sized and adjacent lots
- Requested garage side yard variance moves the garage 5 ft. closer to the side yard on the EAST side of the lot vs. ordinance and 0.5 ft less non-conforming vs. the non-conforming pre-existing garage
- Requested garage road setback variance moves the garage 14 ft. closer to the road right of way vs. ordinance and 16 ft less non-conforming vs. the non-conforming pre-existing garage
- Requested house side yard variance moves the house 1.5 ft. closer to the side yard on the WEST side of the lot vs. ordinance and more non-conforming vs. the non-conforming pre-existing house by virtue of aligning the proposed home parallel to the side yard lot line.
- All non-conforming setbacks from the east side of the non-conforming pre-existing house are fully conforming with the proposed home.
- Requested house height variance increases the height of the house by approximately 10 ft. over the non-conforming pre-existing single-story house, but NOT higher than required by zoning codes for new construction structures and is similar in height to adjacent properties.
- Install retaining walls ($\leq 4'$ high) within the 50 ft. setback from the OHW level.

Section J:

1. Each variance request is in harmony with the purposes and intent of the ordinance
 - a. The undersized lot variance is consistent with the ordinance by facilitating this historically residential (lot of record) lake lot's continued modern residential use.
 - b. The garage side yard variance request is **less non-conforming** compared to the non-conforming pre-existing garage side yard location (5 ft. vs. 4.5 ft.) and thereby facilitates 11% wider access between the garage and the side yard.
 - c. The garage road right of way variance request is **less non-conforming** compared to the non-conforming pre-existing garage road right of way location (by 16 ft.) and therefore is creating less non-conformance vs. the non-conforming pre-existing garage. The garage road right of way variance request is sufficiently removed from the road right of way to create off-street parking spaces on the lot thereby relieving ROW parking and future road improvement complexities.
 - d. The proposed house and attached deck are situated parallel to both the east and west side yard lot lines, thereby eliminating 'pinch points' that limit emergency or practical use access on both sides of the house. The front and side decks of the previous house pinched the space along both the east and west side yards to less than 5 ft. on BOTH sides. The proposed house has no deck structures that extend beyond the proposed house side yard setbacks of 8.5 and 11.5 ft. The east side yard will provide more than 10 ft. of width to facilitate access to the lake for emergency and general access requirements.
 - e. The house height variance request is **within the ordinance height requirements for new construction** but is above the non-conforming pre-existing home height. Part of the intent of the ordinance related to height for non-conforming structures is its impact on neighboring homes and lots. Homes on both the west and east lot boundary are as high or higher compared to the proposed home and are situation as close or closer to the OHW

line compared to the proposed home and decks on this lot, thereby eliminating any risk of encroachment or obstruction by approving the requested height variance.

- f. Adding retaining walls within the 50 ft. setback area will facilitate fulfilling the required 40% riparian buffer area (per the impervious surface ordinance related to impervious surface between 25 and 30% coverage). Additionally, retaining walls will facilitate greatly improved stormwater infiltration of the steep (> 50%) riparian slope and prevent further erosion of soil and large inflows of unfiltered contaminants into the lake.
 2. Yes, the variance requests are consistent with the comprehensive plans
 - a. The proposed development of this small lakeside lot is consistent with the comprehensive plans and with the intent to maintain a homestead community that works in aesthetic and environmental harmony with the surrounding lands and lake.
 3. Yes, the variance requests put the property to use in a reasonable manner
 - a. Furthering the historical residential use of this lot by allowing construction of a modern home is a reasonable use of the property and is consistent with how similarly sized lakefront properties are utilized in the community.
 - b. A lakefront home requires unique storage requirements. There are many demands for large storage space to protect, secure, and hide lake enjoyment related equipment and devices. A sufficiently large garage (proposed 21 x 28) is therefore essential to accommodating the unique requirements of lakeside living. Additionally, without the variance, situating a garage directly in front of the home's front entry creates a difficult burden related to observing activities on the street and obscuring access to the house for residents and guests.
 - c. The requested garage variance creates several off-street parking spaces on the lot that would not be available by replacing the non-conforming pre-existing garage with a new garage in the historical location.
 - d. The house west side yard variance request is reasonable. The west side yard elevation is much higher than the east side such that routine west side access from the street side to the lake side of the lot is very problematic. Therefore, access to the lake and between the house and the garage on the east side is the only practical pathway. With required egress window wells, walkway, and steps, access on the east side is relative restricted and the additional space will facilitate emergency and practical access on the east side yard. It also reduces the visual and physical overlap (as viewed from the street) between the home entry and the west side of the garage.
 - e. The house height variance request is necessary for practical use of the lot. Without the ability to extend the house to a usable second story the effective use of the lot to build a practical single-family dwelling is greatly diminished.
 - f. The retaining walls in the riparian area greatly facilitate safe access to the lake as they are part of the necessary structural system of retaining wall and steps that co-exist to support itself and establish long-term erosion control and robust stormwater infiltration.
 4. Yes, there are circumstances unique to the property.
 - a. The lot itself is very small and narrow (in fact about half the size of conforming lots today (7590 sq. ft. vs, 15,000 sq. ft.)). Considering all zoning requirements, without variances, the building envelope for the house, porches, decks, garage, and access between the house and garage is less than 2200 sq. ft.

- b. This small lot is also a lakeside lot with a steep riparian slope, old unsafe and non-functional steps and retaining walls that have practical considerations and limitations for reasonable use, lake access, erosion, runoff control, and safety
- c. The non-conforming pre-existing home, decks, and garage footprint, as well as the old riparian hardscape structures, perpetuates several zoning and set-back related difficulties that these variances are designed to remedy.
 - i. Granting the requested variances has the following impacts:
 1. **Increasing non-conforming** area by about 125 sq. ft. (side yard for west side of new house and east side of new garage)
 2. **Reducing non-conforming** areas associated with the non-conforming pre-existing house, garage, and decks by about 575 sq. ft.
 3. **Net decrease in total non-conforming** area of more than 450 sq. ft. (~ 6% of total lot area and 36% of non-conforming pre-existing structures)
 4. **Full compliance** with setback ordinance on the east side of the house
 5. **Creation** of several off-street parking spaces
 6. **Elimination** of narrow pinch points (< 5 ft.) on both east & west side yards
 7. **Meaningful separation** of the garage from the road ROW (16 ft.)
 8. **Impervious surface infiltration** ~ 100% vs. 0%
 9. **Reduction** of annual stormwater runoff into the lake by over 40%
- d. To achieve these goals, we have squeezed the house and garage sizes, locations, and setbacks to optimize reasonable use of the lot, while preserving the intent of the ordinances, reducing non-conformance, ensuring safe access, managing stormwater, and creating an aesthetically attractive and functional property.
 - i. The undersized lot variance request is implicitly related to the unique circumstances of the property and historical residential use of the property creates the statutory justification for this variance request
 - ii. The side yard variance request for the garage is, in part driven by the small size of the lot (7590 sq. ft.) and the relatively narrow lot width (49.8 ft.). If the garage would comply with the side yard setback, it would overlap and cover most of the front of the house situated behind it. This would perpetuate a 'garage dominated' or 'snout house' street view rather than a more balanced and integrated view of the house and garage together.
 - iii. The road right of way variance request is necessitated by the small lot size and the relatively short usable length of the lot. At ~ 150 ft, the lot provides very little room to accommodate road, lake and side yard setback requirements and a reasonably sized and situated house and garage.
 - iv. The house west side yard variance request is necessitated by the much higher elevation of the **west** side yard and the size of required egress windows wells and walkways on the **east** side of the house. This situation creates a challenge for reasonable use on the **east** side of the house without some additional east side yard space created by moving the house westward by 18 inches.
 - v. The house height variance request is necessitated by the small lot size, requiring a second story to enable building a home that is of a practical size, is similar to adjacent homes, and is consistent with the tax value of the lot itself.

- vi. The retaining walls in the 50 ft. OHW setback zone are necessitated by controlling the steep slope, reducing uncontrolled run-off and erosion, satisfying the required 40% riparian buffer zone, and facilitating safe access to the lake.
5. Yes, the variances will maintain the essential character of the locality.
- a. The variance requests being made here are much less non-conforming than the previous home and garage and much more in keeping with the essential character of the locality.
 - b. The finished home and garage will fit very well within the character and locations of the surrounding homes on their respective lots. They will also be an attractive addition to the locality from a 'street and lake presence' perspective.

Section L:

- Yes, the impervious surface of the lot will exceed 25%
 - Total impervious surface will be no more than 30% after the project, but 100% of impervious surface runoff will be infiltrated on the lot.
 - Proposed landscape plan to construct ~ 315 sq. ft. of rain gardens
 - The primary rain garden in the front yard will receive run off from the front yard, west side of the house roof, and garage roof via gutters and underground piping or French drain style conveyance
 - On site infiltration tests will be completed to ensure that the rain garden is sized to remove 100% of the retention volume within 48 hours (per ordinance).
 - Additionally, ~ 70% of riparian area will be designated for natural plantings (vs. 40% required by ordinance)
 - Retaining walls and natural plantings on riparian slope will eliminate 40% of annual stormwater runoff into the lake

Impervious Analysis	Existing	Proposed	Change	Comment
Total lot (sq. ft.)	7590	7590	0	Per survey
Max. Impervious (sq. ft.)	1898	1898	0	25% per ordinance
Structure impervious (sq. ft.)	1856	2080	+371	House, porch, and garage footprint
Sidewalks (sq. ft.)	285	185	-120	Steps only (pervious pavers for walks)
Driveways (sq. ft.)	0	0	0	Pervious pavers
Other Impervious (sq. ft.)	0	0	0	Retaining walls excluded
Total Impervious (TI) (sq. ft.)	2141 (28%)	2265 (30%)	+124	Requires permit but not variance
Retention Volume (cu. ft.)	196	208	+12	(TI x 1.1)/12
Rain Garden (RG) (sq. ft.)	0	315	+315	8" ponding depth
RG infiltration rate (cu. ft.)	0	210	+210	(RG x 8)/12 (24-hour infiltration rate)
Impervious runoff infiltrated	0%	100%	+100%	Infiltration rate > TI runoff
Percent Impervious Surface	28%	0%	-27%	Most impervious runoff infiltrated

Impervious Analysis	Previous	Proposed	Difference	% Diff.	Absolute	Details
House footprint (sq. ft.)	1280	1410	130	10%	18.6%	30.6 x 38 => 28.2 (average) x 50
Garage footprint (sq. ft.)	576	588	12	2%	7.7%	24 x 24 => 21 x 28
Steps only	285	185	-100	-35%	2.4%	Retaining walls not considered impervious
Covered porches	0	82	82	-	1.1%	12.5 x 6.5 ft. covered front entry
Total Impervious (sq. ft.)	2141	2265	124	6%	29.8%	Total impervious (Previous = 28%)

Stormwater Management Analysis	Previous	Proposed	Difference	% Diff.	Factors	Details
General lawn area (< 5% grade)	3449	4690	1241	36%	0.45	Estimated soil infiltration rate: 0.45 in./hour
Rain garden/bioswale areas (sq. ft.)	0	315	315	-	8	Ponding depth of 8 inches (~ 24 hour infiltration)
Total runoff management areas	3449	5005	1556	45%		Excludes impervious and > 50% slope areas
Lot infiltration capacity/event (LIC) (cu ft.)	259	562	303	117%	632	Lot receives 634 cu. ft. from a 1" rainfall event
Portion of 1" rainfall events infiltrated (%)	41%	89%	48%	117%		Ability to infiltrate a 1" rainfall event
Maximum rainfall event infiltration capacity (In.)	0.4	0.9	0.5	117%		Considering all infiltration areas
Percentage of rainfall EVENTS infiltrated	60%	84%	24%	40%		Per MN stormwater volume-frequency maps
Percentage of rainfall VOLUME infiltrated	25%	56%	31%	124%		Per MN stormwater volume-frequency maps
Average monthly lot runoff volume (cu. ft.)	1,304	765	-539	-41%	2.75	WBL average precipitation = 2.75 inches/month
Average monthly runoff flowing into WBL (cu. ft.)	978	574	-404	-41%		Based on lot topography ~ 75% flows to WBL

CERTIFICATE OF SURVEY

~for~ JOE GALATOWITSCH
~of~ 131 WILDWOOD AVENUE
BIRCHWOOD, MN

EXISTING LEGAL DESCRIPTION

All that part of Lot 1 of BIRCHWOOD and of Wildwood Avenue, vacated and of Lot "A", Block 3, of LAKEWOOD PARK FIRST DIVISION bounded as follows:

On the North by White Bear Lake; on the west by a line parallel with the westerly line of Lot 1 of BIRCHWOOD and 105 feet easterly therefrom and extended to the north line of Wildwood Avenue as layed out on the plat of LAKEWOOD PARK FIRST DIVISION; on the south by said Wildwood Avenue; on the east by the easterly line of said Lot "A" extended to White Bear Lake.

Being a parcel of land fifty feet front on White Bear Lake and running back in width to the said Wildwood Avenue.

IMPERVIOUS COVERAGE

TOTAL LOT AREA (TO OHW)	7,590 S.F.
PROPOSED HOUSE	1,481 S.F.
PROPOSED STAIRS	185 S.F.
PROPOSED GARAGE	588 S.F.
TOTAL IMPERVIOUS SURFACE	2,254 S.F.
PERCENT IMPERVIOUS	29.7%

SURVEY NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. in January of 2025.
- Bearings shown are on Washington County datum.
- Parcel ID Number: 19-030-21-33-0003 and 30-030-21-22-0025.
- This survey was prepared with the benefit of title work, and is based upon information found in the commitment for title insurance prepared by Edina Realty Title, Inc, File No. 2233094, dated effective November 24, 2024 at 12:00 A.M.
- Landscape design (retaining walls, rain garden, steps) provided by others.

LEGEND

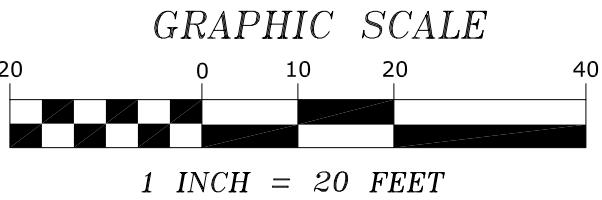
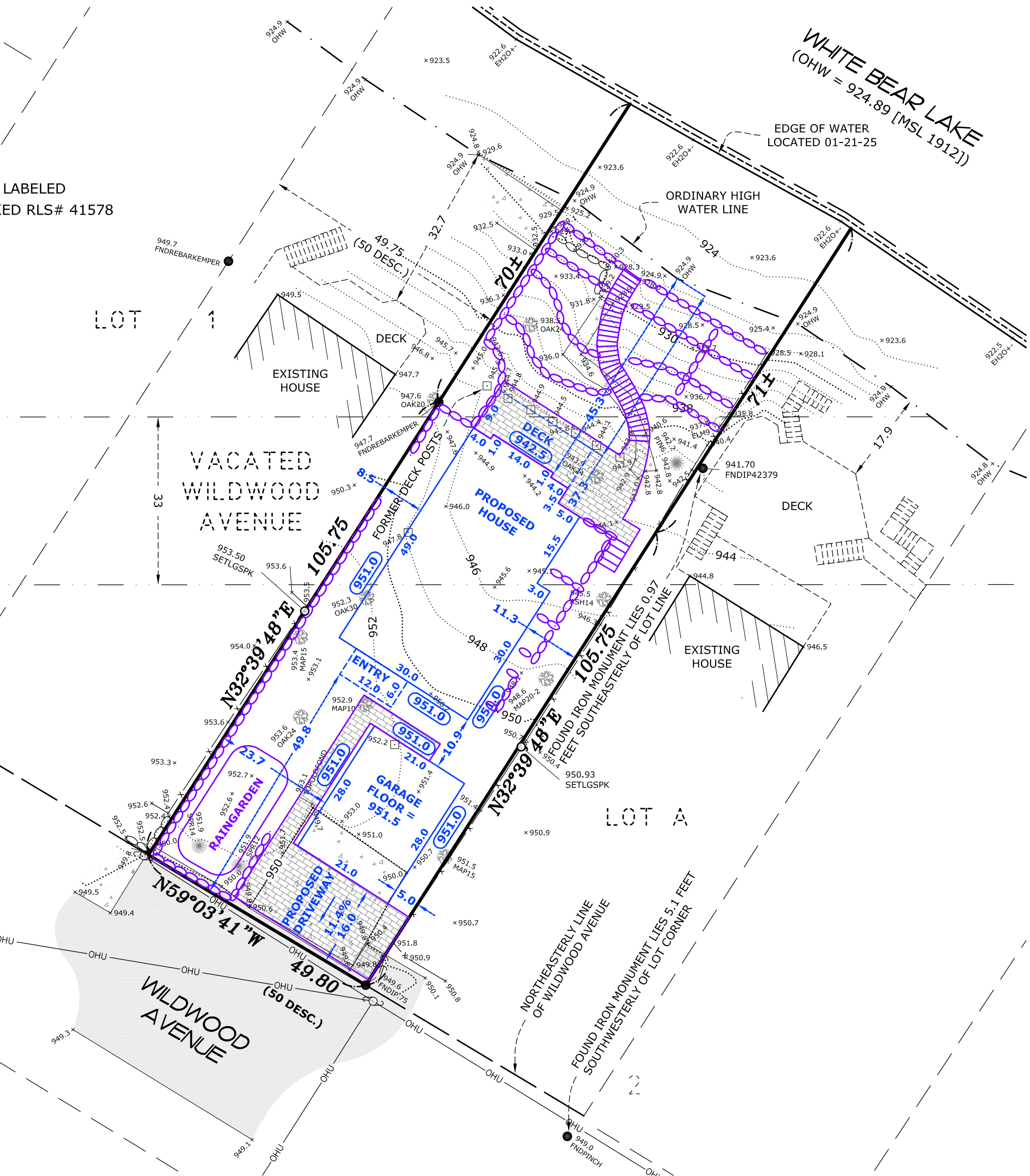
- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578
- x DENOTES EXISTING SPOT ELEVATION
- DENOTES GUY WIRE
- DENOTES POWER POLE
- DENOTES FENCE
- DENOTES RETAINING WALL
- DENOTES EXISTING CONTOURS
- DENOTES PROPOSED CONTOURS
- DENOTES OVERHEAD UTILITY
- DENOTES BITUMINOUS SURFACE
- DENOTES CONCRETE SURFACE
- DENOTES PERVIOUS PAVER SURFACE

TREE DETAIL

- DENOTES ELEVATION
- DENOTES TREE QUANTITY
- DENOTES TREE SIZE IN INCHES
- DENOTES TREE TYPE

BENCHMARK

DNR PAINT MARK ON SLAB OF PUMPHOUSE AT MATOSKA PARK
ELEVATION: 928.74 (MSL 1912)



CONSTRUCTION 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.

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.

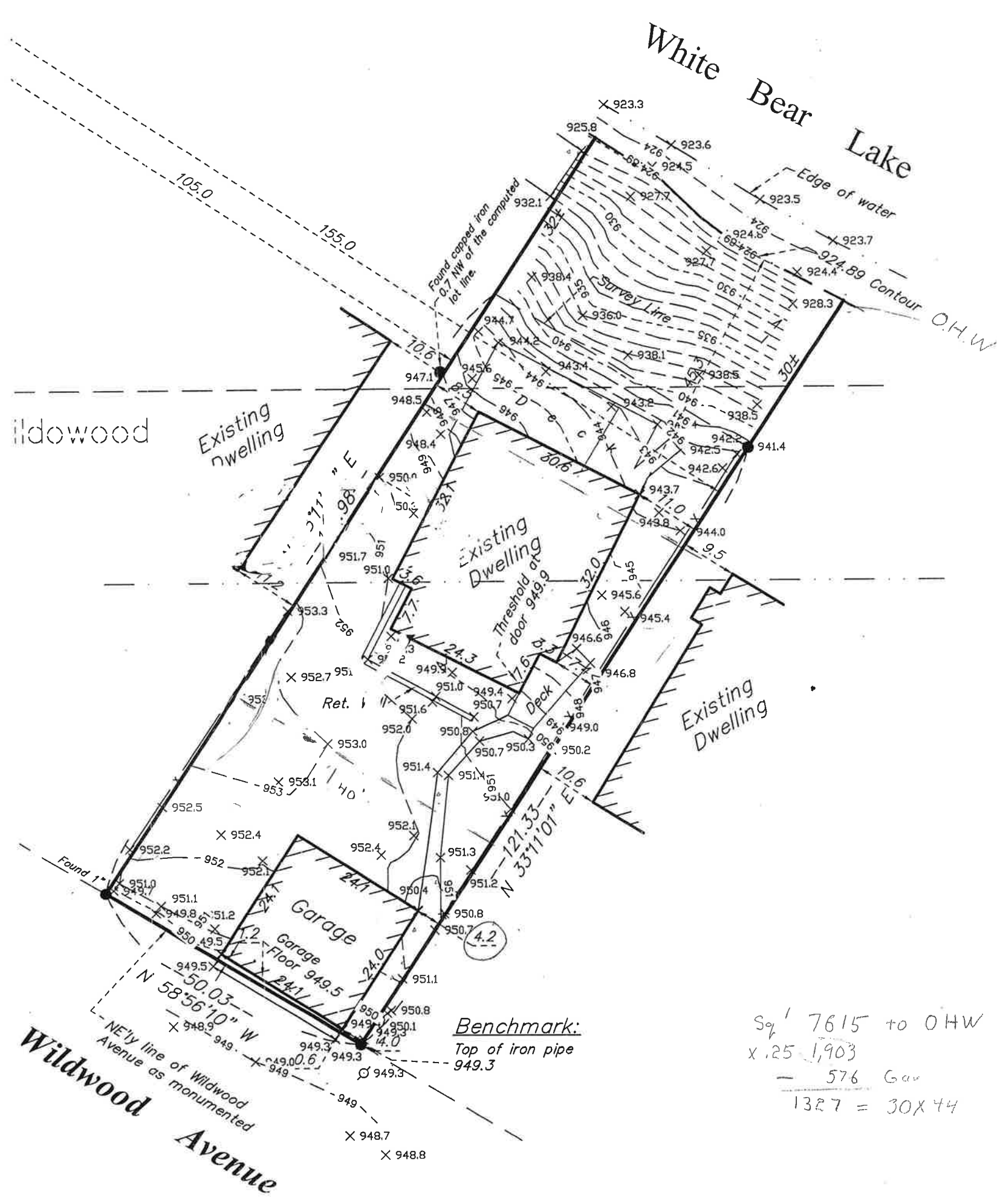
JASON E. RUD
Date: 1/27/2025 License No. 41578

(9 FOOT POURED WALL WALKOUT)
PROPOSED ELEVATIONS
TOP OF BLOCK = 951.5
LOWEST FLOOR = 942.8
TOP OF FOOTING = 942.5

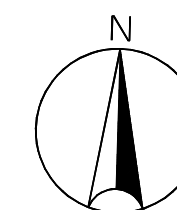
DRAWN BY:	RAF/CMB	JOB:	250047HS	DATE:	01/23/25
CHECK BY:	JER	FIELD CREW:	DT / CT		
1					
2					
3					
NO.	DATE	DESCRIPTION			BY

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

NORTH



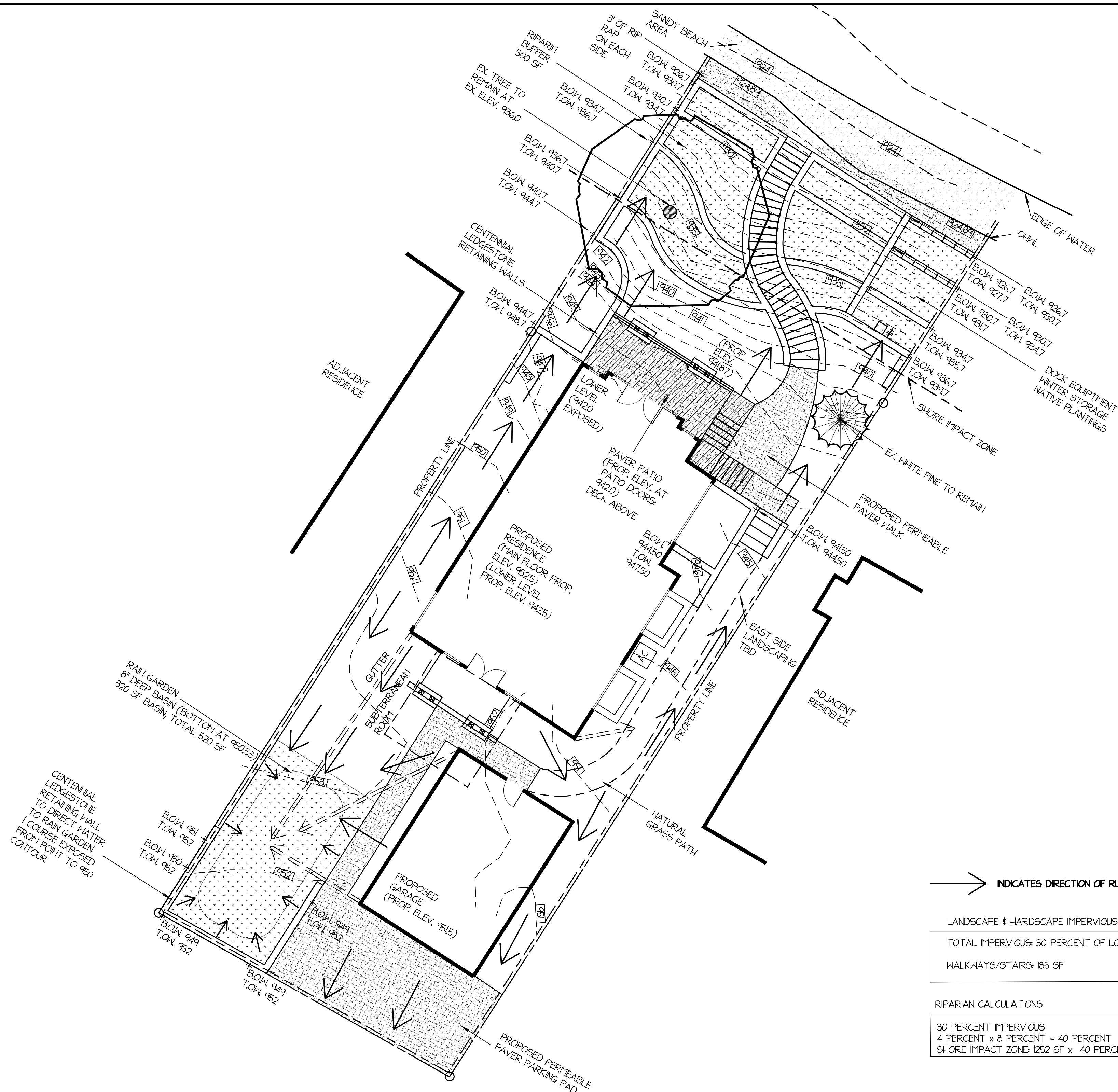
$Sq' 7615$ to O.H.W.
 $\times .25 = 1,903$
 $- 576$ Gar
 $1327 = 30 \times 44$



NORTH

GALATOWITSCH RESIDENCE – HARDSCAPE & FLOW **131 WILDWOOD AVE. WHITE BEAR LAKE, MN 55110**

SCALE 1/10' DATE JAN. 27TH, 2025 DRAWING # 1 OF 1



JOSEPH GALATOWITSCH
THERESE GALATOWITSCH
27 PINE ROAD
NORTH OAKS, MN 55127

Fidelity Account®

349

80-568/10

1/27/25

Date

Pay to the
Order of

City of Birchwood Village

\$ 3,000.-

Three thousand & no/100

Dollars



Fidelity
INVESTMENTS

UMB Bank, N.A.
Kansas City, MO

For

Therese Galatowitsch



Family by family, home by home, since 1973

Birchwood
Planning Commission
Workshop

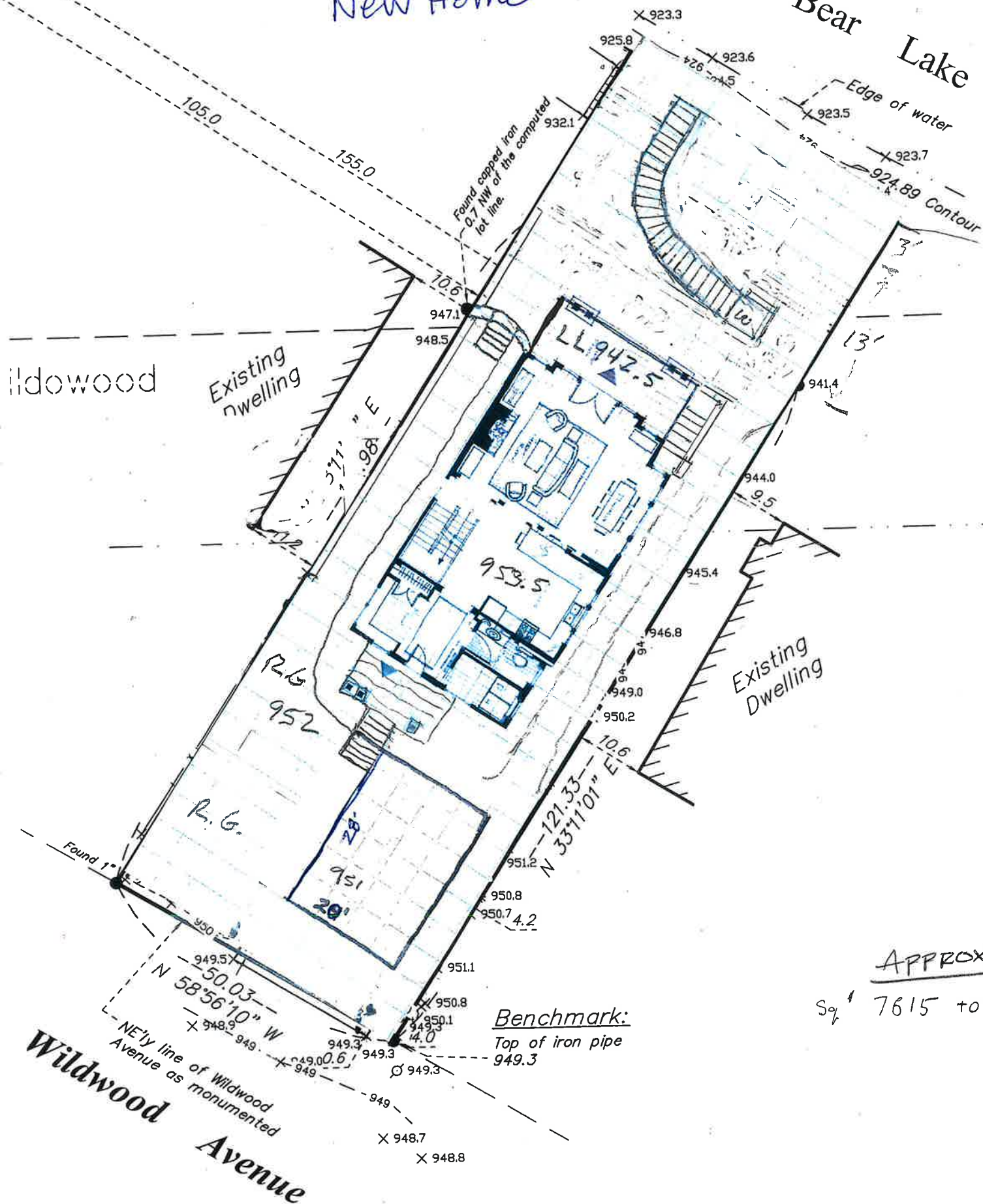
131 Wildwood Ave.

Applicant JOE and Therese Galatowitsch

Agenda of Issues for discussion

- 1) We propose A GARAGE Sideyard setback of Five feet.
It was 4.2 feet
- 2) We propose the GARAGE street side setback
from property corner of 10 feet. It was 0 zero
feet
- 3) We propose the New Home sideyard setbacks
of 10 feet on each side. It was 7.4' on
the House and 2.5' on the entry door deck
- 4) We propose the setback from the Normal
High water Line be what it was, See Attached
SURVEY

White
Bear
Lake



lowood

Existing
dwelling

Existing Dwelling

Existing Dwelling

Garage
576
Garage
on

Benchmark:
Top of iron pipe
949.3

APPROX
Seq¹ 7615 to 04W

Wildwood Avenue











STAFF REPORT

Meeting Date(s): February 27, 2025 Planning Commission
March 11, 2025 City Council

Scope: Variances -
Applicant: Joe and Therese Galatowitsch, owners

Representative: Len Pratt, Pratt Homes
Property Location: 131 Wildwood Avenue

Report prepared by Ben Wikstrom, Planning Consultant

ATTACHMENTS

1. Application with narrative
2. Survey/site plans
3. Photographs

BACKGROUND

Len Pratt of Pratt Homes, representing property owners Joe and Therese Galatowitsch, has submitted application for multiple variances in order to redevelop the property at 131 Wildwood Avenue.

The principal structure and garage were torn down in 2024; the applicants will be using the same or increased setbacks that the previous structures had. However, the replacement and expansion, along with landscaping and stabilization work within the ordinary high water line setback area and impervious surface installation, makes approvals beyond standard permitting necessary.

The property as it looked in 2023 can be seen in the aerial below, from Washington County. A more precise look at the (previously) existing conditions is shown in the survey attached to the application.



SURROUNDING USES

North: White Bear Lake
East: Single-family home
South: Wildwood Avenue and single-family homes
West: Single-family home

PROPOSED CONSTRUCTION

The applicants intend to construct a two-story home with a walkout basement, an attached deck, a new detached garage, and landscaping and retaining walls. The house plans have not been finalized by the time of application, but the site plan overlaid on a survey and a landscape and hardscape plan are attached to the application.

From the applicants' narrative, the following is a list of variances and approvals that are necessary:

Variances being sought:

- a. Undersized lot (7590 sq. ft. vs 9000 sq. ft. minimum) (**Planner's note: 15,000 s.f. min.**)
 - i. See Zoning Code Requirements section 302.015
- b. Garage east side yard setback of 5 ft. (code calls for 10 ft.)
 - i. See Zoning Code Requirements section 302.020 (2)
- c. Garage Road right of way setback of 16 ft. (code calls for 30 ft.)
 - i. See Zoning Code Requirements section 302.020 (2)
- d. House west side yard setback of 8.5 ft. (code calls for 10 ft.)
 - i. See Zoning Code Requirements section 302.020 (2)
- e. House height of < 30 ft. (method A) / < 35 ft. max (code calls for no higher than the previous home max height of ~ 25 ft.)
 - i. See Zoning Code Requirements section 301.050 (C3) – highlighted above
 - ii. Per Zoning Code Requirements section 302.045 (2 & 4) proposed house and garage **CONFORM** with 302.045 (2 & 4) (Height and Max Height)
- f. Retaining walls requested within the 50 ft. OHW setback requirement (see site plan)
 - i. See Zoning Code Requirements section 302.020 (2 & 4)

and

IMPERVIOUS SURFACE COVERAGE PERMIT. Section 302.050 (4) Projects that result in impervious surface coverage that exceeds twenty-five (25) percent but does not exceed thirty (30) percent shall be permitted if the property owner complies with, and demonstrates compliance with, the requirements of Section 302.050(6) to the satisfaction of the City Planner.

Each of these variances and approvals will be discussed separately in the section below.



There are many instances of non-conformities in the surrounding neighborhood, as evident in this Washington County aerial.

VARIANCES

As you will remember from prior applications, recommendations and decisions on variances are to be considered based on these criteria, as excerpted from the zoning ordinance:

SUBD. 1.

A. Variances shall only be permitted

- i. when they are in harmony with the general purposes and intent of the ordinance and*
- ii. when the variances are consistent with the comprehensive plan.*

B. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance.

SUBD. 2. "Practical difficulties," as used in connection with the granting of a variance, means that:

- i. Special conditions or circumstances exist which are peculiar to the land, structure, or building involved.*
- ii. The condition which result in the need for the variance were not created by the applicant's action or design solution. The applicant shall have the burden of proof for showing that no other reasonable design solution exists.*
- iii. The granting of a variance will result in no increase in the amount of water draining from the property.*
- iv. Granting the variance will not impair an adequate supply of light and air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the City.*
- v. No variance shall be granted simply because there are no objections or because those who do not object outnumber those who do.*
- vi. Financial gain or loss by the applicant shall not be considered if reasonable use for the property exists under terms of the Zoning Code.*

Perhaps a clearer understanding of how "practical difficulties" are determined is found by a League of Minnesota Cities summary of their relation to State Statute:

A. Practical difficulties

"Practical difficulties" is a legal standard set forth in law that cities must apply when considering applications for variances. It is a three-factor test and applies to all requests for variances. To constitute practical difficulties, all three factors of the test must be satisfied.

1. Reasonableness

The first factor is that the property owner proposes to use the property in a reasonable manner. This factor means that the landowner would like to use the property in a particular reasonable way but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance. For example, if the variance application is for a building too close to a lot line or that does not meet the required setback, the focus of the first factor is whether the request to place a building there is reasonable.

2. Uniqueness

The second factor is that the landowner's problem is due to circumstances unique to the property not caused by the landowner. The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner. When considering the variance for a building to encroach or intrude into a setback, the focus of this factor is whether there is anything physically unique about the particular piece of property, such as sloping topography or other natural features like wetlands or trees.

3. Essential character

The third factor is that the variance, if granted, will not alter the essential character of the locality. Under this factor, consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area. For example, when thinking about the variance for an encroachment into a setback, the focus is how the particular building will look closer to a lot line and if that fits in with the character of the area.

The application details six variances necessary for construction of the proposed home and garage, and installation of the retaining walls. Each variance will be listed separately below, followed by the pertinent ordinance language as shown in the application or as excerpted from the ordinance, the applicants' comments relating to each, and finally, staff comment, if necessary.

a. Undersized lot (7590 sq. ft. vs 9000 sq. ft. minimum) (Planner's note: 15,000 s.f. min.)

Ordinance

- a. 302.010. LOT REQUIREMENTS. All lots created after the date of enactment of this ordinance must conform to the following dimensions, utilizing only that land above the ordinary high-water level of any lake, pond, or wetland. **1. Minimum lot size per dwelling unit: Lots abutting lake or wetland: 15,000 sq. ft. APPLIES** All other lots 12,000 sq. ft.
- b. 302.015. UNDERSIZED LOTS Any lot of record as of January 1, 1975, which remains in its then-existing dimensions and which does not meet the requirements of this Code may nevertheless be utilized for single-family detached dwelling purposes provided the requirements of 302.010 are at least 60% of those as required. **APPLIES, Requires Variance**

Applicants' comments

Requesting undersized lot variance consistent with statutory use of lot to support a single-family home of similar size and character as existing homes on similarly sized and adjacent lots.

The undersized lot variance is consistent with the ordinance by facilitating this historically residential (lot of record) lake lot's continued modern residential use.

Staff comment

The applicants have been made aware that a condition of approval will be to combine the two lots making up this property. This combination will leave the property well short of the required 15,000 s.f. minimum size and 80-foot width for parcels abutting a lake. However, it is a lot of record, and is similar in size and width to many parcels along the shore of the lake. This variance is generally considered procedural, as the applicants are allowed to replace an existing non-conforming home (even if it met all setbacks, the fact that the lot is undersized makes this a non-conforming situation). The expansion of some parts of the home makes this and other variances necessary, as well.

(See the more detailed ordinance language as outlined in the next section as it relates to this requirement.)

For the next three variances, the following table applies:

<u>Lot line or Land Boundary</u>	<u>Fences and Landscaping Barriers</u>	<u>Driveways & Walkways</u>	<u>All Other Structures</u>
Municipal Street and County Road Front, Back, and Side Lot Line	10 ft.	0	30 ft.
Municipal street or County Road Front, Back, And Side Lot Line for Non address side of Corner lot	10 ft.	0	25 ft.
Ordinary High Water Level of Lost Lake	75 ft.	75 ft.	75 ft.
Ordinary High Water Level of White Bear Lake, Hall's Marsh, and other wetlands	50 ft.	50 ft.	50 ft.
All Other Lot Lines	0 ft.	1 ft.	10 ft.

b. Garage east side yard setback of 5 ft.

Ordinance

See table above. 10-foot setback applies.

Applicants' comments

Requested garage side yard variance moves the garage 5 ft. closer to the side yard on the EAST side of the lot vs. ordinance and 0.5 ft less non-conforming vs. the non-conforming pre-existing garage.

*The garage side yard variance request is **less non-conforming** compared to the nonconforming pre-existing garage side yard location (5 ft. vs. 4.5 ft.) and thereby facilitates 11% wider access between the garage and the side yard.*

Staff comment

The applicants' comments are correct, in that this is an improvement to a non-conforming situation versus a rebuild in the same location, as is allowed. While the garage footprint will take a slightly different shape, the overall size is slightly smaller, and the movement further from the property line, while not coming fully into conformance, is seen as an improvement that obviously does not increase the non-conformity. Many garages in the neighborhood meet neither the side yard nor the street side setback(s), so the character of the neighborhood is not an issue. This is a reasonable request, and the lot width and size are not a result of actions by the applicants. Should this variance

be denied, the applicants would likely construct a garage in the previously existing location, which would be allowed but be a worse situation, aesthetically and practically, than what it proposed.

c. Garage Road right of way setback of 16 ft.

Ordinance

See table above. 30-foot setback applies.

Applicants' comments

Requested garage road setback variance moves the garage 14 ft. closer to the road right of way vs. ordinance and 16 ft less non-conforming vs. the non-conforming pre-existing garage.

*The garage road right of way variance request is **less non-conforming** compared to the non-conforming pre-existing garage road right of way location (by 16 ft.) and therefore is creating less non-conformance vs. the non-conforming pre-existing garage. The garage road right of way variance request is sufficiently removed from the road right of way to create off-street parking spaces on the lot thereby relieving ROW parking and future road improvement complexities.*

Staff comment

See staff comment on the previous variance; the same points and logic apply to this request.

d. House west side yard setback of 8.5 ft.

Ordinance

See table above. 10-foot setback applies.

Applicants' comments

Requested house side yard variance moves the house 1.5 ft. closer to the side yard on the WEST side of the lot vs. ordinance and more non-conforming vs. the non-conforming preexisting house by virtue of aligning the proposed home parallel to the side yard lot line.

All non-conforming setbacks from the east side of the non-conforming pre-existing house are fully conforming with the proposed home.

The proposed house and attached deck are situated parallel to both the east and west side yard lot lines, thereby eliminating 'pinch points' that limit emergency or practical use access on both sides of the house. The front and side decks of the previous house pinched the space along both the east and west side yards to less than 5 ft. on BOTH sides. The proposed house has no deck structures that extend beyond the proposed house side yard setbacks of 8.5 and 11.5 ft. The east side yard will provide more than 10 ft. of width to facilitate access to the lake for emergency and general access requirements.

Staff comment

Similar to the previous two variance requests, this would be an improvement of the non-conformity that existed. The length of wall on the west side that is within 8.5' of the

property line would increase because of the proposed alignment, but the house would be more centered on the lot and not have the “pinch points” as referenced in the applicants’ comments. Again in this situation, a rebuild using the existing footprint would be a worse situation, aesthetically and practically, than what is proposed. The request is reasonable, especially when considering the previous layout weighed against the improvements to or elimination of non-conformities. The side-yard setbacks of 8.5’, while not conforming, and 11.5’, total a 20-foot side yard area, and considering the number of non-conforming side yard setbacks in the neighborhood, this is not an immaterial measurement, especially on a lot of 50’ in width. With the walkway and egress windows proposed on the east side of house, the 1.5-foot “tradeoff” makes sense and is a reasonable request; bringing one side into compliance while not increasing the non-conforming closest measurement on the other side is important when reviewing the reasonableness of the request. Obviously, the character of the neighborhood would not be greatly impacted by a house with 8.5-foot and 11.5-foot side yards.

e. House height of < 30 ft. (method A) /< 35 ft. max

Ordinance

(non-conforming ordinance/statute allow no higher than the previous home max height of ~ 25’)

C. A non-conforming pre-existing structure or non-conforming pre-existing use may not be moved or expanded except: EXCEPTION APPLIES 1. If the expansion or move brings the non-conforming pre-existing structure or use into conformance with the zoning code; or 2. The conforming portion of a non-conforming structure may be expanded provided that such modification or expansion does not increase the portion of the structure that is non-conforming, and provided that the modification otherwise conforms to the provisions of the zoning code; **Requires Variance** or 3. The non-conforming portion of a non-conforming structure may be modified so long as the modification does not increase the horizontal or vertical size of the non-conforming portion; - **Requires Variance**

Section 302.045 will not be reviewed, as the house plans are not finalized.

Applicants’ comments

Requested house height variance increases the height of the house by approximately 10 ft. over the non-conforming pre-existing single-story house, but NOT higher than required by zoning codes for new construction structures and is similar in height to adjacent properties.

*The house height variance request is **within the ordinance height requirements for new construction** but is above the non-conforming pre-existing home height. Part of the intent of the ordinance related to height for non-conforming structures is its impact on neighboring homes and lots. Homes on both the west and east lot boundary are as high or higher compared to the proposed home and are situation as close or closer to the OHW line compared to the proposed home and decks on this lot, thereby eliminating any risk of encroachment or obstruction by approving the requested height variance.*

Staff comment

The applicants’ narrative comments are that the proposed house will be lower than the ordinance-allowed height for new structures; this will be reviewed to ensure compliance

at the time of the building permit. However, this variance is necessary because of the non-conforming status; if the applicants intend to use the previous, non-conforming setbacks, then the height of the non-conforming portions of the structure should not exceed the previous structure's height. In this case, with the improvements to the non-conformities, and considering the negligible encroachments of the required setbacks, staff believes it is a reasonable request to allow a height that meets the current ordinance requirements. The applicants state that the neighboring homes are higher than what will be proposed for this property, which would alleviate any concerns about impact to the neighborhood character. The need for the variance is not a result of the applicants' actions, since the old house "established" the height maximum. Again, proposing a structure within current regulations would seem to be a fair resolution since the encroachments are not egregious and houses of this height were allowed nearby and would be possible without a variance with slightly modified design. The variance is only necessary because of the previous structure, which wasn't designed like the current residences all along the lake, and wasn't meant to be used in the same manner.

f. Retaining walls requested within the 50 ft. OHW setback requirement (see site plan)

Ordinance

Section 302.020

b. Retaining Wall Setbacks: Front, back, side street and other lot line setback requirements shall not apply to retaining walls except that the ordinary high water level setback requirements shall apply to retaining walls.

Applicants' comments

Adding retaining walls within the 50 ft. setback area will facilitate fulfilling the required 40% riparian buffer area (per the impervious surface ordinance related to impervious surface between 25 and 30% coverage). Additionally, retaining walls will facilitate greatly improved stormwater infiltration of the steep (> 50%) riparian slope and prevent further erosion of soil and large inflows of unfiltered contaminants into the lake.

Staff comment

It appears from the proposed landscape and hardsurface plan that all requirements for buffer areas and impervious mitigation will be met with this plan; it will be further reviewed by the Planner and Engineer to ensure compliance with the impervious allowance of 25-30%. This variance is necessary to allow construction of the walls within the OHWL setback area. More detail is available on the attached plan, while discussion of the design of this area should occur at the meeting(s). Staff does not see a problem with the proposed design, and it is similar to other tiered yards along the shoreline; whether other options are available is not known, but the proposal seems reasonable and in keeping with the spirit and intent of the ordinance.

One note to keep in mind is that the design should not necessarily be allowed if the intent (of the applicant) is only to meet the requirements necessary for increased impervious; the proposed design should be viewed as a standalone request. In other words, requesting a variance for retaining walls in order to have more impervious surface elsewhere on the property is not a reason to approve the variance, and would be a situation created by the intentions or actions of the owner.

In addition to the variances requested by the applicants, they will be requesting an increase in the impervious surface over what previously existed, and what is allowed by ordinance. The proposed impervious percentage is 29.8, which falls within the window allowed by staff review and approval. The City Engineer and Planner will review the plans to ensure compliance with the ordinance; anything greater than 30% or mitigation plans that don't meet requirements (within the 25-30% window) would necessitate a Conditional Use Permit application. The raingarden location and a grading and drainage plan will be reviewed as part of this process.

Ordinance

IMPERVIOUS SURFACE COVERAGE PERMIT. Section 302.050 (4) Projects that result in impervious surface coverage that exceeds twenty-five (25) percent but does not exceed thirty (30) percent shall be permitted if the property owner complies with, and demonstrates compliance with, the requirements of Section 302.050(6) to the satisfaction of the City Planner.

GENERAL INFORMATION

For more information on how the non-conforming ordinance and statutes apply, here is an excerpt from the ordinance:

New home and garage to be built under section 301.050

a. 2. Non-Conforming Pre-Existing Structure: A structure existing at the time of the adoption of a zoning control that was lawful prior to the time of the adoption of the zoning control but does not comply with that control. APPLIES

b. 2. Non-Conforming Pre-Existing Use: A use or occupation of land existing at the time of the adoption of a zoning control that was lawful prior to the time of the adoption of the zoning control but does not comply with that control.

B. A non-conforming pre-existing structure or use existing at the time of the adoption of an additional zoning control may be continued, including through repair, replacement, restoration, maintenance, or improvement, APPLIES unless: 1. the non-conforming pre-existing structure or nonconforming pre-existing use is discontinued for a period of more than one year;; or 2. the non-conforming structure is destroyed by fire or other peril to the extent of greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, and no building permit has been applied for within 180 days of when the property is damaged.

c.

C. A non-conforming pre-existing structure or non-conforming pre-existing use may not be moved or expanded except: EXCEPTION APPLIES 1. If the expansion or move brings the non-conforming pre-existing structure or use into conformance with the zoning code; or 2. The conforming portion of a non-conforming structure may be expanded provided that such modification or expansion does not increase the portion of the structure that is non-conforming, and provided that the modification otherwise conforms to the provisions of the zoning code; **Requires Variance** or 3. The non-conforming portion of a non-conforming structure may be modified so long as the modification does not increase the horizontal or vertical size of the non-conforming portion; - **Requires Variance**

STAFF COMMENT

The section directly above was added only to illustrate the complexity of the application. In general, the applicants are requesting approvals – through the variance process – of a very reasonable set of plans that will enhance this stretch of the shoreline and will not, in any way, have a deleterious effect on the character of the neighborhood.

As stated in some of the individual variance reviews above, the applicants could rebuild something with the exact setbacks of the previous structures, and not go through this process (though the allowed height, if the variance was denied, would be very limiting in other ways). Staff views all of the proposals as improvements to the layout of the site, and as reasonable; the Planning Commission agreed with this view at the meeting reviewing the conceptual plans for this project.

One item that should be discussed at the meeting, beyond those things mentioned above, is the deck on the lake side. The previous posts are evident on the survey, and this has been discussed with the applicant, but staff would like a better understanding of the plans (to ensure that another variance isn't needed, as much as anything) and how they relate to the previous structure; the OHWL setback for decks has been a contentious issue for the City.

Staff would encourage the commissioners and council members to read the applicants' narrative in the attached application; it is a thorough outline of their plans, and explains the reasoning for certain decisions in the design process. Additionally, there are more comments (than were excerpted above) answering the questions asked of any applicant regarding the variance process and how their proposal meets the criteria necessary for approval. It is a very well-written and logical narrative that will be helpful in fully understanding the proposed variances.

RECOMMENDATION

Staff recommends approval of the variances for 131 Wildwood Avenue, assuming further discussion and satisfactory resolution regarding the retaining walls and landscape design, along with clarification on the proposed deck.

Should the Planning Commission recommend approval or denial at this meeting, staff will prepare a memo for the March City Council meeting outlining the findings for the recommendation; often, the commission will agree with the staff report and recommendation and the findings will be taken from within, but the commission is encouraged to provide comment to supplement the findings.



**CITY OF BIRCHWOOD VILLAGE
VARIANCE APPLICATION**

**207 Birchwood Ave., Birchwood, MN 55110
651-426-3403 • info@cityofbirchwood.com**

FOR OFFICIAL USE ONLY
(per Minn. Stat. 15.99)

Application Received Date: _____

Amount Paid: \$ _____

Date of Payment: _____

Payment Type:

- Cash
- Check (Number: _____)
- Credit Card

Application Complete:

Yes

No - Other

Deficiency: _____

Date of Determination: _____

Date Notice of Deficiency Sent: _____

☐ Application Withdrawn by Applicant
Date: _____

- ☐ Variance Deadline Extended, because:
- ☐ Applicant requested extension.
- ☐ City staff require additional time to evaluate the application.
- ☐ The state or another agency must review the application.
- ☐ The application was received too late for city staff to process and place on the agenda of the next Planning Commission meeting.

Date Variance Extension Letter Sent: _____

Length of Extension: _____ days

Completed applications for variances submitted on or before the ***first of each month*** will generally be considered by the Planning Commission at its next meeting on the fourth Thursday of that month. Applications submitted after the first of the month will generally be considered the following month.

Upon recommendation of the Planning Commission, the City Council will consider and decide the variance application.

A. Applicant's Name:

Carson Schifsky

Telephone:

651.260.3248

Home:

Work/Cell:

B. Address (Street, City, State, ZIP):

PO Box424 Lake Elmo MN 55042

C. Property Owner's Name (If different from above):

Robert davidson

Telephone

Home: _

Work/Cell: (651) 900-9289

D. Location of Project:

425 Lake Avenue

E. Legal Description:

SubdivisionName LAKEWOOD PARK 3RD DIVISION Lot 5 Block 1 SubdivisionCd 25442 Subdivision
Name LAKEWOOD PARK 3RD DIVISION Lot 4 Block 1 SubdivisionCd 25442
THE EAST HALF OF LOT 4, BLOCK 1, LAKEWOOD PARK THIRD DIVISION,
WASHINGTON COUNTY, MINNESOTA. ALSO: LOT 5, BLOCK 1, LAKEWOOD PARK THIRD
DIVISION, E

F. Description of Proposed Project:

Retaining Wall construction and steps access to lake.

G. Specify each section of the City Code for which a variance is sought. (Variances are not to be granted for the provisions of 301.050 but instead may be granted for other sections of chapters 200 or 300 that cause the existing or proposed structure or use to be non-conforming).

H. Explain how you wish to vary from the applicable provisions of the ordinance:

1. 302.050, Impervious Surfaces and Lot Coverage. 2. 302.055.2.a.4, Land Disturbance Activity Standards – no grading or filling shall be permitted within 20 feet of the OHWL of the lake.
3. 302.055.2d7b3, requires protective buffer strip of vegetation at least 16.5' back from the OWHM.

I. Please attach a site plan or accurate survey as may be required by ordinance, a Plot plan drawn to scale showing existing and proposed new and changed structures on the lot, and existing structures on adjacent lots.

J. Please answer the following questions as they relate to your specific variance request:

1. In your opinion, is the variance in harmony with the purposes and intent of the ordinance?

☒ Yes

☐ No

Why or why not?

Helping prevent erosion of the hillside into the lake.

2. In your opinion, is the variance consistent with the comprehensive plan?

☒ Yes

☐ No

Why or why not?

No major changes affect the comp plan.

3. In your opinion, does the proposal put property to use in a reasonable manner?

☒ Yes ☐ No

Why or why not?

Yes, we are adhering to as many ordinances as we can to build a wall that will help prevent erosion.

4. In your opinion, are there circumstances unique to the property?

☒ Yes ☐ No

Why or why not?

Hillside is very steep and washing out. This creates a maintenance issue.

5. In your opinion, will the variance maintain the essential character of the locality?

☒ Yes ☐ No

Why or why not?

The wall features will be aesthetically pleasing and help maintain the character of the neighborhood.

K. Are other governmental permits required for the project, including requirements of the Rice Creek Watershed District? Please attach copies of permits, or evidence they are unnecessary.

☐ Yes ☒ No

Which permits are required?

L. After the proposed project, will the impervious surface of the lot exceed 25 percent?

☒ Yes ☐ No

Please include the information in the following table.

	EXISTING	PROPOSED	CHANGE
1. Total Square Footage of Lot	12,713		
2. Maximum Impervious Surface			
3. Roof Surface	3,832		
4. Sidewalks			
5. Driveways			
6. Other Impervious Surface	182	284	
7. Total of Items 3-6	4,014		
8. Impervious Surface Infiltrated			
9. Item 8 subtracted from Item 7			
10. Percent Impervious Surface			2.2%

The Planning Commission and City Council must make affirmative findings on each of the five criteria in question J in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria have been satisfied.

The City and its representatives accept no responsibility for errors and/or damages caused due to incomplete and/or inaccurate information herein. It is the responsibility of the applicant to ensure the accuracy and completeness of this information.

304.020 Variance Application Requirements. Before consideration of a variance, an application for variance shall be made on forms provided by the City Clerk. The application shall be accompanied by the required information described below and by all required fees. Each application must include at a minimum:

- a) The legal description and address of parcel.
- b) Name, address, and phone number of applicant (and of the owner if owner is not the applicant).
- c) Plot plan drawn to scale. Elevation contour lines are required.
- d) Plan showing existing and proposed new and changed structures on the lot.
- e) Existing structures on adjacent lots.
- f) A certificate by a registered professional land surveyor verifying the location of all buildings, setbacks, and building coverage.
- g) A certificate by a registered professional land surveyor certifying other facts that in the opinion of the City are necessary for evaluation of the application.
- h) A separate enumeration of each section of the code to which a variance is requested along with a demonstration that the criteria set forth in section 304.040 are 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 include the State of Minnesota, Rice Creek Watershed District, Minnesota Department of Natural Resources, White Bear Lake Conservation District, and the Minnesota Pollution Control Agency.
- j) Other documentation as applicable and as required by the City Code for the type of variance sought (see for example the impervious surface requirements of 302.050)

The applicant declares that they are familiar with application fees and other associated costs and with the procedural requirements of the City Code and other applicable ordinances, and that, with the exception of the City Code listed in question G, the proposed project conforms to the City Code, that the information provided in and enclosed herewith is complete and that all documents represented are true and correct representations of the actual project/building that will be built in conformance with such representation if approved.

Applicant's Signature: _____

Date: _____

Fee Owner's Signature: _____

Date: _____

STAFF REPORT

Meeting Date(s): February 27, 2025 Planning Commission
March 11, 2025 City Council

Scope: Variances – See Report
Applicant: Schifsky Companies, LLC

Representative: Carson Schifsky
Property Location: 425 Lake Avenue

Report prepared by Ben Wikstrom, Planning Consultant

ATTACHMENTS

1. Application
2. Letter of Approval for previous variances (2024)
3. Plans
4. Pictures

BACKGROUND

Schifsky Companies, LLC (Carson Schifsky) has applied for multiple variances to allow construction of a retaining wall on the property located at 425 Lake Avenue.

The property can be seen in the aerial below, taken from the Washington County GIS website:



SURROUNDING USES

North: White Bear Lake
East: Single-family home
South: Lake Avenue and City park
West: Single-family home

In 2024, the applicant received approval of two variances, to allow construction of a retaining wall within the 50-foot setback from the Ordinary High-Water Line, and to allow the wall to exceed 4' in height. At that meeting, it was determined that the project would need additional variances. After review of the plans and the discussion at the meeting, and conference with the City Attorney, it was determined that variances to the following sections of the zoning ordinance were necessary:

1. 302.050, *Impervious Surfaces and Lot Coverage*.
2. 302.055.2.a.4, *Land Disturbance Activity Standards – no grading or filling shall be permitted within 20 feet of the OHWL of the lake*.
3. 302.055.2d7b3, *requires protective buffer strip of vegetation at least 16.5' back from the OWHM*.

It should be noted that at the time of approval of the 2024 variances, the intent of the property owner had changed from a more typical retaining wall to a boulder wall; since that time, the owner has decided to revert to a retaining wall using stone and mortar. Renderings show the proposed wall later in this report.

As always, variances are to be considered in relation to the criteria listed in the ordinance.

SUBD. 1.

A. Variances shall only be permitted

- i. when they are in harmony with the general purposes and intent of the ordinance and*
- ii. when the variances are consistent with the comprehensive plan.*

B. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance.

SUBD. 2. *"Practical difficulties," as used in connection with the granting of a variance, means that:*

- i. Special conditions or circumstances exist which are peculiar to the land, structure, or building involved.*
- ii. The condition which result in the need for the variance were not created by the applicant's action or design solution. The applicant shall have the burden of proof for showing that no other reasonable design solution exists.*
- iii. The granting of a variance will result in no increase in the amount of water draining from the property.*
- iv. Granting the variance will not impair an adequate supply of light and air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the City.*
- v. No variance shall be granted simply because there are no objections or because those who do not object outnumber those who do.*
- vi. Financial gain or loss by the applicant shall not be considered if reasonable use for the property exists under terms of the Zoning Code.*

Perhaps a clearer understanding of how "practical difficulties" are determined is found by a League of Minnesota Cities summary of their relation to State Statute:

A. Practical difficulties

"Practical difficulties" is a legal standard set forth in law that cities must apply when considering applications for variances. It is a three-factor test and applies to all requests for variances. To constitute practical difficulties, all three factors of the test must be satisfied.

1. Reasonableness

The first factor is that the property owner proposes to use the property in a reasonable manner. This factor means that the landowner would like to use the property in a particular reasonable way but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance. For example, if the variance application is for a building too close to a lot line or that does not meet the required setback, the focus of the first factor is whether the request to place a building there is reasonable.

2. Uniqueness

The second factor is that the landowner's problem is due to circumstances unique to the property not caused by the landowner. The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner. When considering the variance for a building to encroach or intrude into a setback, the focus of this factor is whether there is anything physically unique about the particular piece of property, such as sloping topography or other natural features like wetlands or trees.

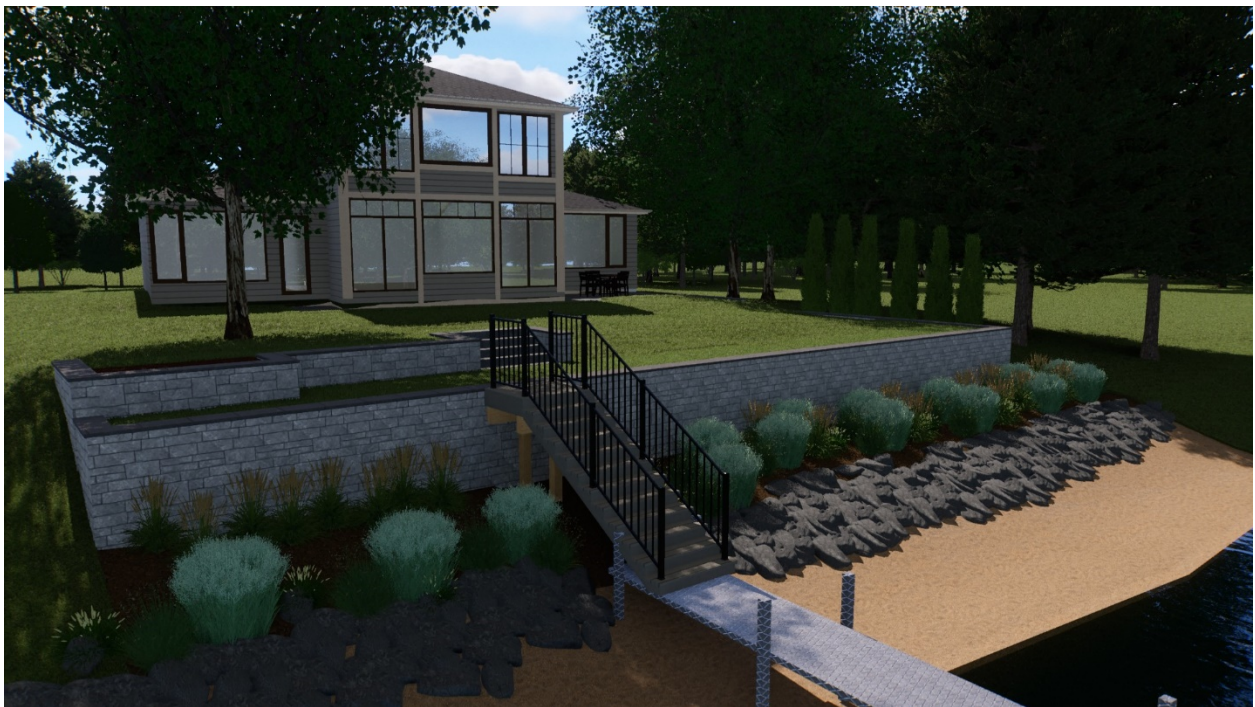
3. Essential character

The third factor is that the variance, if granted, will not alter the essential character of the locality. Under this factor, consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area. For example, when thinking about the variance for an encroachment into a setback, the focus is how the particular building will look closer to a lot line and if that fits in with the character of the area.

PROPOSED CONSTRUCTION

The applicant is proposing to construct the retaining wall to mitigate erosion problems that are occurring on site. The area of impact is shown on the pictures below, followed by a rendering of the site and wall.





Some clarification will be needed from the applicant regarding the changes in proposed materials, as well as the tiering of the wall and locations. The plan submitted is shown here (as always, see the attachments for a clearer depiction):

VARIANCES

Each of the requested variances is listed below, followed by staff comment.

1. 302.050, Impervious Surfaces and Lot Coverage

The impervious surface increase is due only to the top of wall; the applicant has stated that no additional hardsurface will be constructed. Many cities will not consider the minimal width of the top of a retaining wall as increased impervious surface, as the impact on stormwater management – which was the impetus for impervious surface ordinance development – is negligible and the construction of these walls will help to mitigate the erosion problems.

However, Birchwood Village does not specify any such exceptions within the ordinance, and the City Council directed staff to require a variance for that increase in impervious surface following the 2024 approvals.

It is the opinion of staff that the 284 square foot increase in impervious surface is reasonable considering the positive impact of the wall on erosion; that it is not a result of actions by the property owner; and that it will not negatively impact the character of the neighborhood. The addition of the buffer strip and native plantings at the base of the wall will enhance the filtration of any water resulting from the addition of the wall width, as well as providing aesthetic relief to the wall massing.

2. 302.055.2.a.4, Land Disturbance Activity Standards – no grading or filling shall be permitted within 20 feet of the OHWL of the lake

This variance is necessary as a matter of procedure, as any construction of the wall will occur within the 20-foot setback. During the previous meetings, it was determined that a separate variance from this requirement was necessary, rather than as part of the variance to allow the construction of the wall within the 50-foot OHWL setback.

Staff views this request as reasonable considering the location of the existing slope and necessary placement of the wall to mitigate the erosion problem; agrees that the proposed location is not a result of any action by the applicant, as can be seen in the pictures of the existing shoreline; and doesn't view the proposed land disturbance or placement of the wall as having a negative impact on the character of the neighborhood.

3. 302.055.2d7b3, requires protective buffer strip of vegetation at least 16.5' back from the OWHM

The top of wall, as proposed, is measured to be 15.5' from the OHWL, while the bottom of the wall will be slightly closer. There will be a protective buffer strip, as can be seen in the renderings and the planting plan, which will accomplish the intended goal and be behind the rip rap of the shoreline.

If the location of the wall is allowed, this variance request is seen as reasonable, not resulting from any action by the landowner, and not in conflict with the character of the neighborhood.

APPLICANT COMMENT

See the application (attached) for comments from the applicant related to the variance requests.

STAFF ANALYSIS

The applicant worked with the City to ensure application for the remaining necessary variances. In an email to the applicant, staff made the following observation of the process that will be followed prior to construction of the wall.

“Also, note at the end of City Code Section 301.070, the language that states the following:

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

STAFF COMMENT

As stated earlier in the report, the design of the wall has changed from a boulder wall (at the time of earlier variance approvals) back to a stone/block and mortar design. The renderings show a good depiction of the proposed materials. One adjacent neighbor was concerned with the height of the wall and hard corner near their property, but the City Council approved a variance to the wall height and was appeased by the change to a boulder wall. In a letter outlining the findings for approval, no mention of the boulder-type construction was made, so the applicant can change the design. However, if the commission or council believes this will have a negative impact on the character of the neighborhood as it relates to the current applications, a discussion of the design should ensue.

Concerning the current applications, the proposed retaining wall meets the criteria for the variances, and will address a problem with erosion that is evident on the site. The applicant must receive approval from the Rice Creek Watershed District (was in process last year, and may be complete), and any approval of the variance should be contingent on receiving that approval. Any other applicable approvals (WBCD, DNR) are also required prior to construction.

STAFF RECOMMENDATION

Staff recommends approval of the variances at 425 Lake Avenue, based on the following findings:

1. A retaining wall is necessary to mitigate an erosion problem on the slope to the lake within the OHWL setback.
2. A retaining wall is a reasonable request to mitigate the problem.
3. The character of the neighborhood would not be altered with approval of the variances.
4. Neighborhood property values will not be diminished with approval of the variances and construction of the wall.
5. The slope of the property, creating the need for the wall and variances, was not established by the applicant.
6. If the applicant receives approval of all necessary jurisdictional permits, the City concurs that the proposed construction is necessary and reasonable.
7. The deck area to be replaced must be of the same size as or smaller than the existing structure.



207 Birchwood Avenue
Birchwood Village, MN 55110
651-426-3403 (tel) / 651-426-7747 (fax)
Info@CityofBirchwood.com
www.CityofBirchwood.com

July 18, 2024

Schifsky Companies, LLC
Attn: Carson
5640 Memorial Drive
Stillwater, MN 55082

Re: Variance (2024-01-VB)

Dear Carson,

A decision has been made by the Birchwood Village City Council regarding your variance request – Variance Case No. 24-01-VB for the property 425 Lake, Birchwood Village.

On Tuesday July 9th, 2024, the Birchwood Village City Council considered your variance requests from City Code Sec. 302.020.02 (*which requires a 50' minimum setback from the White Bear Lake OHWL for all construction*) and from City Code Sec. 302.070.5 (*which limits the height of retaining walls to 4'*) to allow the installation of a retaining wall that is proposed to be built within the 50' setback from White Bear Lake and at a height exceeding 4', at the property located at and commonly known as 425 Lake Avenue.

The City Council approved the variances based on the following:

1. There is a practical difficulty due to the extreme slope in front of the property towards White Bear Lake.
2. The condition which results in the need for a variance was not created by the applicant's actions or design solutions.
3. Granting of the variance will result in no increase in the amount of water draining from the property.
4. Granting of the variance will not impair the supply of light and air to adjacent property or unreasonably diminish property values within the surrounding area.
5. Granting of the variance will not impact the health, welfare, or safety of the residents of the city.
6. Granting of the variance is a reasonable use of the property.

The City Council approved the variances based on the following conditions:

1. Applicant receives approval of all necessary jurisdictional permits.

2. Applicant secures all applicable construction permits for the wall and stairway.
3. Applicant receives approval of the design parameter, calculations, and plans by the City engineer, City planner, and City building official as applicable.
4. Stairway and landing reconstruction shall meet all Code requirements.
5. No increase in runoff onto adjacent properties.
6. Applicant (property owner) shall register the parcels/PIDs into a single lot/PID with Washington County per DNR regulation.

During the meeting, while the variances were considered, it was determined that additional variances may be necessary to proceed with the retaining wall, as proposed. These include the following suggested variances (and there may be additional variances needed) but it is up to you to determine which variances are necessary; they may include, at least:

1. 302.050, Impervious Surfaces and Lot Coverage.
2. 302.055.2.a.4, Land Disturbance Activity Standards – no grading of filling shall be permitted within 20 feet of the OHWL of the lake.
3. 302.055.2d7b3, requires protective buffer strip of vegetation at least 16.5' back from the OWHM.
4. 302.080, stairs or lifts to lake or water body – landings may be permitted at a minimum interval of 20'

Once you have determined the additional variances that are required, you will have to apply for them. You may request all variances on one application, but please be sure to list each variance separately. Once the City receives the application and supporting documentation and the City deems the application complete, it will be able to determine the timing of the review by the Planning Commission and consideration by the City Council. You are not able to proceed with any construction until all variances are granted, and a permit is issued.

Please let me know if you have any questions and I look forward to receiving your Variance Application(s). Assistance with the Code is available through direct contact and independent consultation with the City Planner, Ben Wikstrom, and is highly encouraged. Mr. Wikstrom reviews Applications at the expense of the City but is available, at your cost, to provide pre-application advice.

Regards,

Rebecca Kellen
City Administrator

CERTIFICATE OF SURVEY

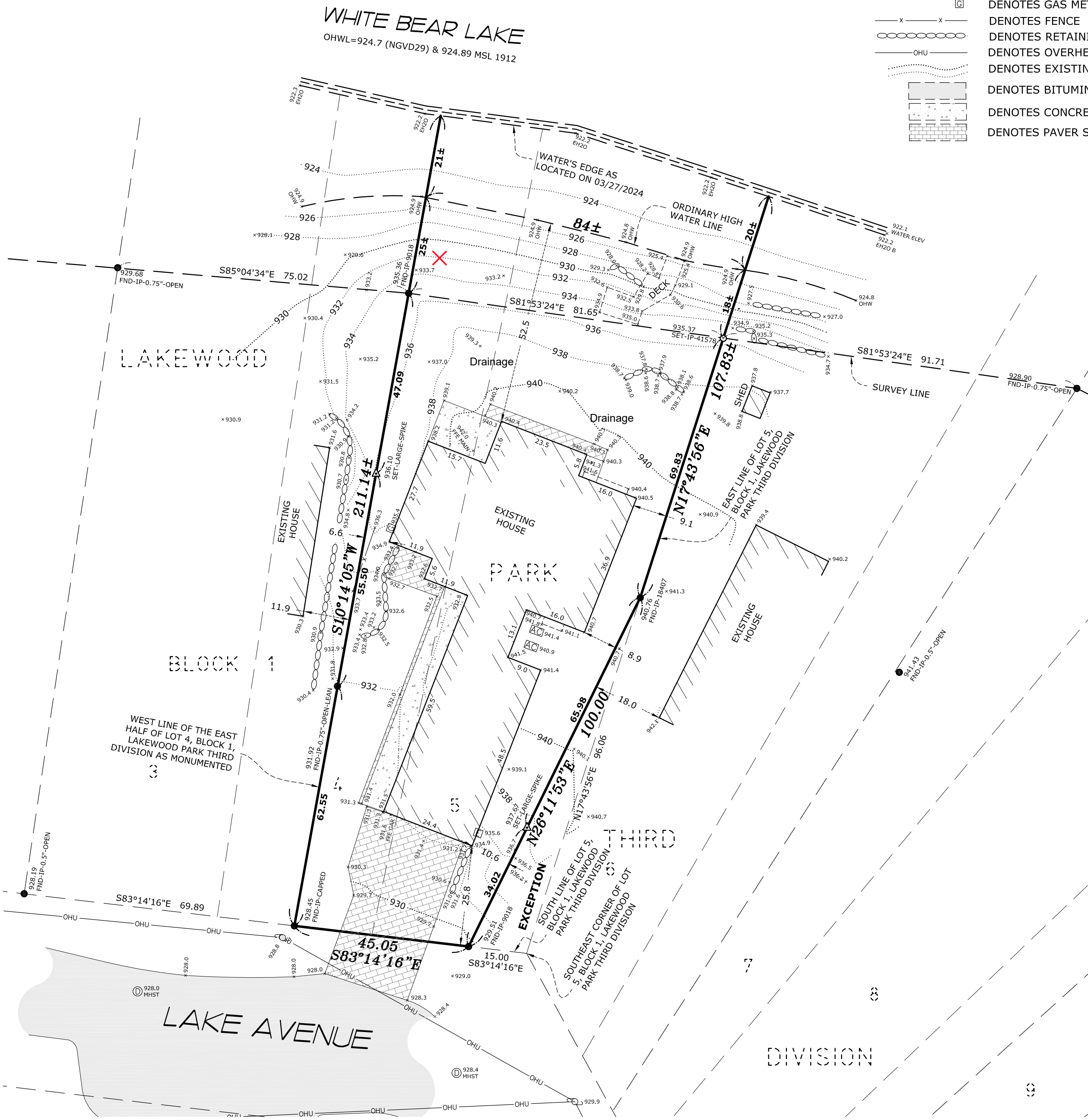
~for~ BLAISER POOLS
~of~ 425 LAKE AVENUE
BIRCHWOOD, MN

BENCHMARK

DNR PAINT MARK ON SLAB OF
PUMPHOUSE AT MATOSKA PARK
ELEVATION: 928.74
DATUM: MSL 1912

LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578
- △ DENOTES SET PKNAIL
- ⊞ DENOTES AIR CONDITIONING UNIT
- ⊞ DENOTES ELECTRICAL BOX
- x 952.36 DENOTES EXISTING SPOT ELEVATION
- ⊞ DENOTES POWER POLE
- ⊞ DENOTES STORM SEWER MANHOLE
- ⊞ DENOTES GAS METER
- x — x — DENOTES FENCE
- ○ — ○ — DENOTES RETAINING WALL
- — — — — DENOTES OVERHEAD UTILITY
- ... DENOTES EXISTING CONTOURS
- DENOTES BITUMINOUS SURFACE
- DENOTES CONCRETE SURFACE
- DENOTES PAVER SURFACE



PROPERTY DESCRIPTION: Per Warranty Deed Doc. No. 845086

The East Half of Lot 4, Block 1, LAKEWOOD PARK THIRD DIVISION, Washington County, Minnesota.

ALSO: Lot 5, Block 1, LAKEWOOD PARK THIRD DIVISION, EXCEPT a triangular piece, commencing at the Southeast corner of Lot 5, thence Westerly along the South line of said Lot 5, a distance of 15 feet; thence Northeasterly to a point where a diagonal line 100 feet in length would intersect the East line of said Lot 5, thence Southerly along said East line of said Lot 5 to the point of beginning, Washington County, Minnesota.

IMPERVIOUS SURFACE CALCULATIONS

TOTAL LOT AREA ABOVE OHWL 12,713 SQ. FT.
EXISTING HOUSE AND GARAGE AND OVERHANGS 3,832 SQ. FT.
EXISTING PAVERS AND DRIVEWAY 1,027 SQ. FT.
EXISTING CONCRETE 182 SQ. FT.
EXISTING RETAINING WALL 70 SQ. FT.
TOTAL IMPERVIOUS SURFACE 5,111 SQ. FT.
PERCENT IMPERVIOUS 40.2%

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 03/27/2024.
- Bearings shown are on the Washington County Coordinate System.
- Parcel ID Number: 30-030-21-13-0011 & 30-030-21-13-0012.
- 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.
- Due to field work being completed during the winter season there may be improvements in addition to those shown that were not visible due to snow and ice conditions characteristic of Minnesota winters.

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: 04/04/2024 License No. 41578

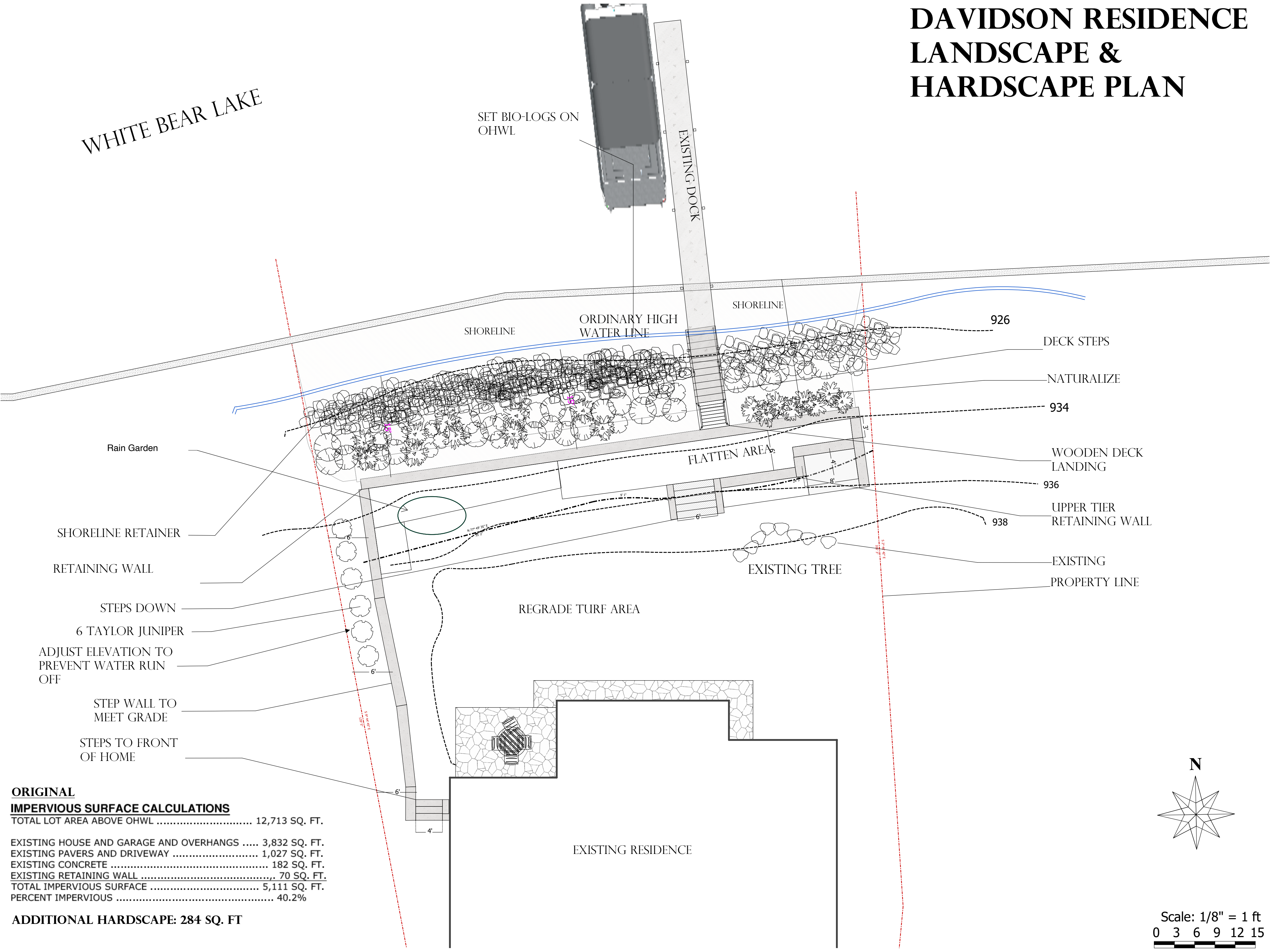
DRAWN BY:	BCD	JOB NO:	24.0225BT	DATE:	03/28/2024
CHECK BY:	DSH	FIELD CREW:	DT/RW		
1					
2					
3					
NO.	DATE	DESCRIPTION		BY	



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

DAVIDSON RESIDENCE LANDSCAPE & HARDSCAPE PLAN



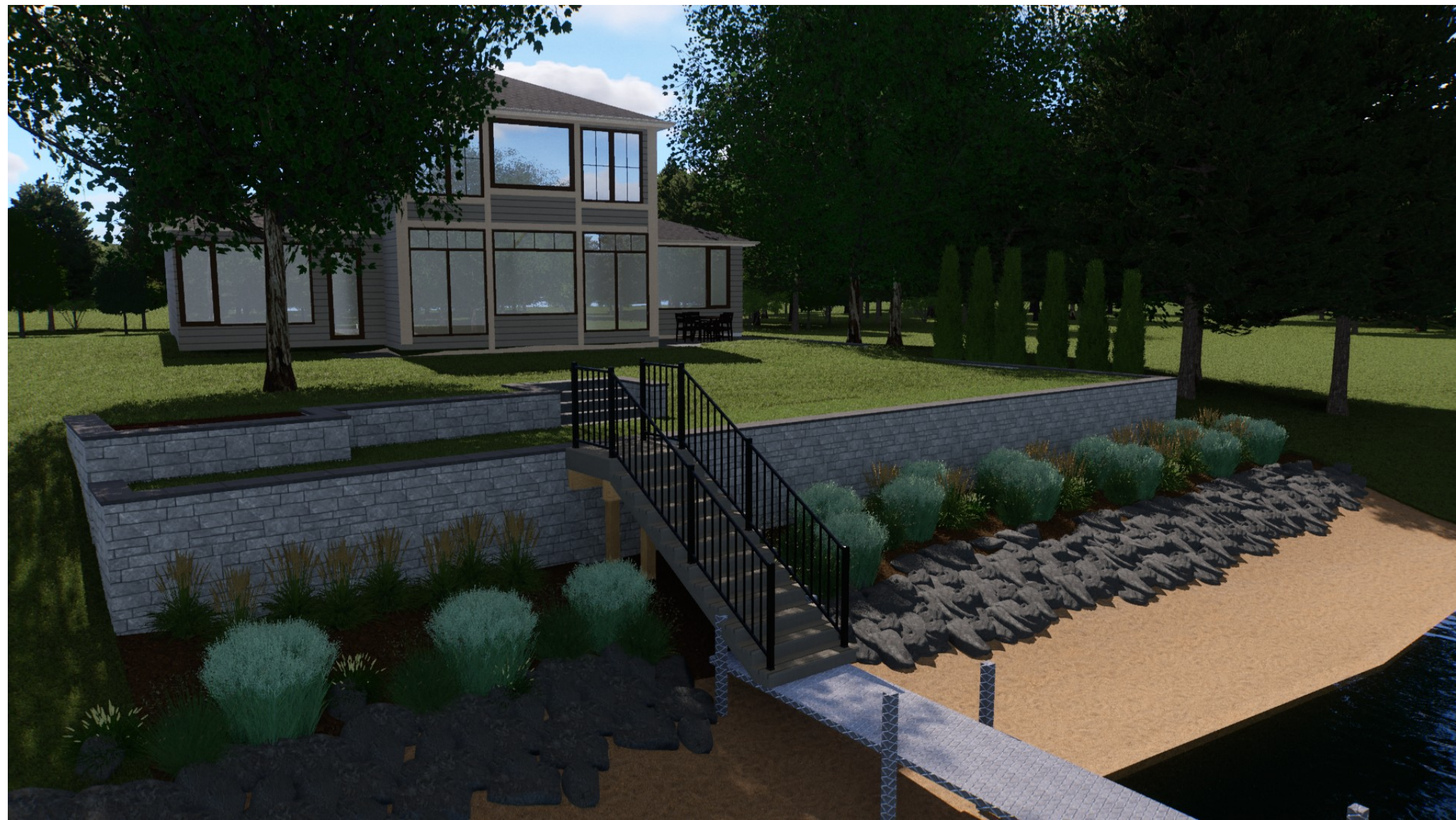
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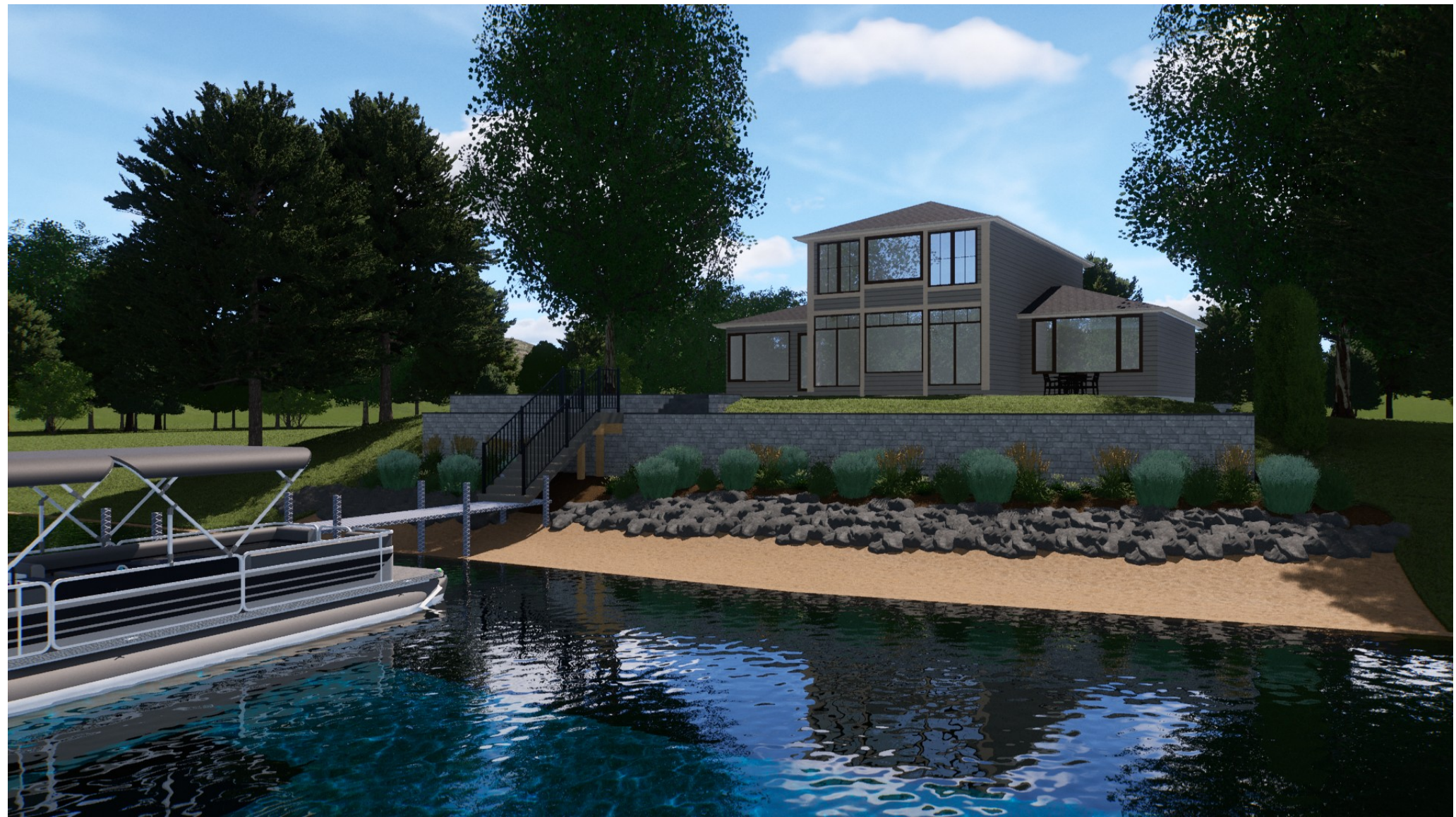
IMPERVIOUS SURFACE CALCULATIONS

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EXISTING PAVERS AND DRIVEWAY	1,027 SQ. FT.
EXISTING CONCRETE	182 SQ. FT.
EXISTING RETAINING WALL	70 SQ. FT.
TOTAL IMPERVIOUS SURFACE	5,111 SQ. FT.
PERCENT IMPERVIOUS	40.2%

ADDITIONAL HARDSCAPE: 284 SQ. FT







BIRCHWOOD VILLAGE

Variance Findings Form

#1: Is the request reasonable with the general purposes and intent of the ordinance?

The specific Ordinance
states _____
(state ordinance requirement), **the purpose of which is to**

_____ (explain what the ordinance requirement is intended to prevent or protect).

The proposed variance **is**
for: _____

_____ (explain proposal and potential effects).

This variance **is/is not** reasonable with the general purpose and intent of the specific
Ordinance **because:** _____

_____ (explain how the proposal is reasonable with or undermines the purpose of the
ordinance).

#2: Are there special conditions or circumstances that are peculiar to the land, structure, or building involved?

There **are/are no** circumstances unique to the property that would prevent compliance with the specific
Ordinance
because:

(describe any physical characteristics of the property that are unique to this property that prevent

compliance with the ordinance requirement, and whether the applicant has demonstrated that no other reasonable alternative exists that would comply with the ordinance; explain what makes this property different from other properties to justify why this applicant should be able to deviate from the ordinance when others must comply).

#3: Were the special conditions or circumstances created by the applicant's action or design solution? The conditions that resulted in the need for the variance were/were not created by the applicant **because:**

_____ (if there are special conditions or circumstances, describe whether they were created by some action of the applicant/property owner).

#4: Will granting a variance result in *any increase in the amount of water draining from the property?*

Granting the variance **will/will not** increase the amount of water that drains from the property **because:**

_____ (if granting the variance will increase the amount of water that drains from the property, explain how and how much it will increase).

#5: Will granting the variance *impair an adequate supply of light and air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the City?*

Granting the variance will/will not impair light and air to adjacent property, or diminish or impair property values in the area, or impair the public health, safety, or welfare of Birchwood residents **because:**

_____ (if granting the variance could be detrimental to neighbors or other Birchwood residents, explain how).

48

What is your recommendation? (Approve or Deny)

Remember - ALL criteria MUST be satisfied to approve.

If approved, what conditions will you impose? (Findings must support the conditions; explain the impacts of the proposed development and the conditions that address those impacts. Remember that findings must be directly related and proportional to the impacts created by the variance. Set specific timeframes and deadlines, and consider requiring the following to help ensure compliance with the conditions:

- financial sureties to ensure that the required activities are completed within specified deadlines,
- as-built drawings and/or photos as proof of completion within the terms of the conditions, and/or
- long-term maintenance and operation agreements for stormwater best management practices and vegetation that must be protected or restored as a condition of approval, along with notices of restrictions recorded against properties to ensure that future property owners are aware of their responsibilities and don't unknowingly "undo" any conditions.)

conditions continued
