



**AGENDA OF THE REGULAR MEETING OF
THE CITY COUNCIL**

**CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
April 8th, 2025
6:45 P.M.**

*NOTE: Due to Open Meeting Law restrictions, the City Council
may be discussing agenda items for the first time. Your patience
and understanding is appreciated during this process.*

**Jennifer Arsenault, Mayor
Bridget Sperl, City Council
Kathy Weier, City Council
Ryan Eisele, City Council
Ryan Hankins. City Council**

PLEDGE OF ALLEGIANCE

APPROVE CITY COUNCIL AGENDA

OPEN PUBLIC FORUM

ANNOUNCEMENTS

- A. DATE CHANGE-Board of Appeal and Equalization Meeting will now be held on April 21st, from 6 pm to 6:30 pm.
- B. New 20 mph speed limit effective May 1, 2025

CITY COUNCIL UPDATES

CITY BUSINESS-Old

- A. Approve RESOLUTION 2025-27, Correcting 131 Wildwood Ave Variance Grant. * (Ryan Hankins)
- B. Amend Animal Fees and Animal Code Section 605. * (Ryan Hankins)
- C. Amendment of Ordinance 310 Administrative Appeals. * (Ryan Hankins)
 - a. Amend Ordinances 2024-014-02 and 2025-01-01
 - b. Approve RESOLUTION 2025-28, Accept Code Changes for Administrative Appeals

CITY BUSINESS-New

- A. Interview New Applicants for Parks and Natural Resource Committee*
 - a. Margaret Ford
 - b. Barton Winters

* Denotes items that have supporting documentation provided

- B. Review Quote for Additional Rail Fencing on Ash Path. * (Kathy Weier)
- C. Review Street Sweeping Estimates. * (Jennifer Arsenault)
 - a. Nugent
 - b. McPhillips
- D. Review Estimate for 2025 Top Green Lawn Service. * (Jennifer Arsenault)
- E. Consider a New Water Line Locator for Water Superintendent. * (Jennifer Arsenault)
- F. Present Candidate Scott Hillebrand as New City Administrator. * (Jennifer Arsenault)
Note: Pending Birchwood's standard background checks and approval requirements
- G. Approve Funding and 2025 Music in the Park Schedule. * (Alan Mitchell)
- H. Approve Hockey Net Donation and \$1,000 Net Budget. * (Kathy Weier)
 - a. Approve RESOLUTION 2025-29, Allow Donation by Barton Winters
 - b. Approve RESOLUTION 2025-30, \$1,000 Budget Cap

CITY BUSINESS – Consent Agenda

- A. Approve March 11th Treasurer's Report *
- B. Approve March 11th CC Meeting Minutes*
- C. Approve March 31st City Council Work Session and Meeting Minutes*
- D. RESOLUTION 2025-31, Approve Credit Card EE Use and Credit Card Policy*
- E. RESOLUTION 2025-32, Adopt a Mission Statement*
- F. RESOLUTION 2025-33, Approve Purchase and Install of a Keyless Entry System*
- G. RESOLUTION 2025-34, Adopt Earned and Sick Time Policy for Full Time EE*
- H. RESOLUTION 2025-35, Approve a Request for Bid (RFB) for a Planning Firm and Permit Processing Service*
- I. RESOLUTION 2025-36, Approve Arts Grant and Sue Kapsner as Representative*
- J. RESOLUTION 2025-37, Approve Survey Monkey*

ADJOURN

* Denotes items that have supporting documentation provided

Dear Parks Committee members, Mayor Jennifer and City Council,

Thank you for your invitation to address the Council on April 8 about my interest in joining the Parks Committee. I have a prior engagement on that date. Please consider my written application below.

I believe the Committee's goals, past accomplishments and work in progress are in great alignment with Birchwood's vision to continue to improve the City's beautiful green spaces and recreational areas. I commend the City's efforts to highlight safety as a priority. I applaud the Committee's success in obtaining grant money for Tighe-Schmitz improvements. Work continues on managing our tree population.

I am happy to join in all of the work noted above. I am eager to help investigate and seek funding for projects that will benefit Birchwood's Parks and natural resources.

I am happy to answer questions.

Best regards,

Margaret Ford

Sent from my iPhone

To whom it may concern:

I am interested in becoming a member of the Parks and Natural Resources Committee. I am a long term resident of Birchwood Village and have strong interests in the parks, athletic facilities and environmental concerns surrounding White Bear Lake. I have done a lot of commentary on the rinks and also investigated the situation of the Tennis Courts and the new plastic linked surface.

I would like to promote a better solution to the Priebe Lake drainage into Halls Marsh and make sure that all of the possible outcomes are understood by this community.

Sincerely,

Barton C. Winter

1 Five Oaks Lane

Sent: Monday, March 24, 2025 1:32 PM
To: Therese Bellinger
Cc: Bridget Sperl
Subject: quote needed - ash path fencing other side

The parks committee is wanting to get a quote from Ron and Jim for corner posts and rails and a few fence sections for the other side of Ash path we have not marked off yet.

We want it similar to the Jay path fencing (and **not** full fencing along the total property line like we have on the other side), but just enough to keep citizens from cutting corners and ending up on the private property of the residents along that path and to mark areas from that survey we had done. So a total of two corners and 4 additional 8-ft sections like we did on Jay. If they determine there should be two along that shorter section due to stumps or how close the path comes to the property line, that will be fine. But no more than two there.

Locations - I would think we would do one on each corner where the path turns and one additional along the short section of the path and two or three sections only along the side opposite of Margaret Ford's fence. We do not need any along the steep hill on the east side when you enter the path from wildwood as I don't see anyone mistakenly going off path there.

I had been told we may be able to remove the barbed wire fencing that has fallen down along the side of the trail between those two corners we would put in, so once we have confirmation that this is approved, I can meet with the property owner and hopefully help remove that barbed wire during our city clean-up day on April 26th.

I'd love to present that at the April 8th meeting so if we could get a quote back this week, we can add it to the council meeting and I can add it as a resolution for that meeting.

Thanks!

[Kathy Weier](#)

Birchwood Village City Council Member

Estimate for Additional Ash Path Rail

By Therese Bellinger

3/31/2025

Materials	\$354
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Labor—2 people, 12 hours ea	\$648
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Totals Costs	\$1,002
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Ash-Fence

New Fence
2-Rail Cedar

8 ft. Sections

equal spacing between sections

Brickwood

Margaret Foras
fence - no need
for more
fencing

large
hill
no need
for more
fencing

Wildwood

~~JOES HOUSTON~~



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

Proposal

Date	Quote #
4/4/2025	6337

Bill To	
Birchwood Village 207 Birchwood Ave, Vadnais Heights, MN 55110	
Salesman	Joe Olson 651-429-2100

Service Location	
Birchwood Village 207 Birchwood Ave, Vadnais Heights, MN 55110	
Proposal Valid Thru	4/14/2025

Description of work to be performed-	Quantity	Unit	Amount
*** SPRING 2025 ROAD SWEEPING *** ROAD SWEEPING- Surface area sweeping. Collected materials hauled off site for proper disposal.			5,700.00
*** FALL 2025 ROAD SWEEPING *** ROAD SWEEPING- Surface area sweeping. Collected materials hauled off site for proper disposal.			4,700.00
PRE LIEN NOTICE This notice is to advise you of your rights under Minnesota law in connection with the improvement to your property. Any person or company supplying labor or materials for this improvement to your property may file a lien against your property if that person or company is not paid for the contributions. Under Minnesota law, you have the right to pay persons or companies who supplied labor or materials for this improvement directly and deduct this amount from our contract price, or withhold the amounts due to them from us until 120 days after completion of the improvement unless we give you a lien waiver signed by persons or companies who supplied any labor or material for the improvement, and who gave you timely notice.			

Proposed Total- \$10,400.00

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

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

Accepted by:

(PRINT)

Title:

Authorized Signature:

Date:

**MCPHILLIPS QUOTE FOR STREET SWEEPING
4/1/2025**

**Quote Provided for Street Sweeping
By Therese Bellinger, Birchwood Deputy Clerk**

History

Mike McPhillips was a prior contractor of Birchwood. He is familiar with our streets and would like to work for our City again. McPhillips has provided these services for many years and only provides street sweeping services. They have employed a long term crew and own several trucks. He can usually be available within a 2 week notice.

Hi Therese,

I propose to sweep the streets for the Village of Birchwood, with Elgin Pelican sweepers. My bid includes hauling sweeping debris off-site. Bid is based on ability to get water from the Village of Birchwood, fire hydrants.

**Amount = \$3,500.00 For Spring Sweeping
(Same price for Fall)**

Sincerely,

Mike Edge
President

Mike McPhillips, Inc.

P 651-451-4030 F 651-451-4015 C 651-336-9142

Top Green Co. 3507 Commerce Blvd White Bear Lake, MN 55110 651-998-9286 info@TopGreenCo.com	Site Name: Birchwood Village Site Address: 207 Birchwood Ave Birchwood Village, MN 55110 Property Type: Commercial/Municipal Service Start Date: 4/01/2025 Service End Date: 11/15/2025
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Services Included

Task	Details	Total Price Per Year
Tighe Schmitz		
Summer Maintenance	Weekly Mowing, trimming and blow off walks and lots through Mid Oct.	\$400/cut
Fall Clean Up	Clear landscapes and turf areas of leaves and fall debris	\$1,400
Spring Clean Up	Clear landscapes and turf areas of leaves and debris	\$1,100
(Optional)Fertilizer/Weed Control	Per Application Turf Areas	\$695/app
City Hall, Parks and Easements		
Summer Maintenance	Weekly Mowing, trimming and blow off walks and lots	\$400/cut
Fall Clean Up	Clear landscapes and turf areas of leaves and fall debris through Mid Oct.	\$1,400
Spring Clean Up	Clear landscapes and turf areas of leaves and debris	\$1,100
(Optional)Fertilizer/Weed Control	Per Application Turf Areas	\$775/app
OPTIONAL AVAILABLE SERVICES		
Irrigation Maintenance	Start Up, Check Up, Winterization, Repairs	Request Bid
Backflow Testing	RPZ/PVB Testing and Filing w/ City	\$175/unit
Outdoor low voltage lighting	Set-up/adjust timer and lights, check for coverage	Request Bid

March 28, 2025

From John Manship, Birchwood Water Superintendent

John Manship, our Water Superintendent, is proposing a locator for Birchwood Village. Due to the increased number of requests for locates of city water mains and residential water services, a locator will be beneficial. It will save time and expense for the city, not to mention increase accuracy.

Over the past 60 years, changes of landscaping, blacktopped surfaces, and concrete driveways are making it difficult to determine where water lines are located. It will also aid me with resident or contractor requests when locating the depths and locations of water lines for new construction, footings, and additions, etc.

The quote provided includes a lifetime warranty, training, and maintenance for the lifetime of the product.





VIVAX
METROTECH

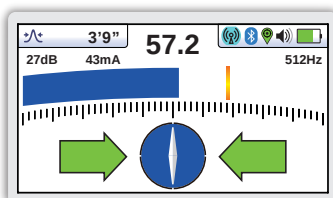
vLoc3-Pro

UTILITY LOCATOR

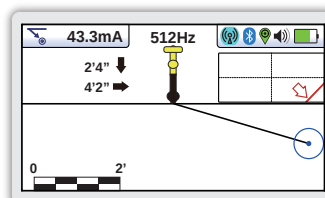
- Color-coded EM distortion warnings
- Offset locate modes - Vector and Plan View
- Optional receiver/transmitter link
- Cloud-based data warehousing
- Internal data logging
- Optional Bluetooth connectivity

The vLoc3-Pro utility locator introduces new innovative tools for locating buried utilities assuring damage prevention while gathering information for analysis. With two sets of screened 3D antennas signal distortion is easily detected and displayed on the bright full color display. Along with classic locate screens the vLoc3 series locators offer new locate perspective screens of Vector Locate for fully automatic non-walk over locating, Transverse Graph showing both peak and null simultaneously providing immediate measurement of signal distortion, Plan View showing the relative orientation of the cable at any angle, and a new graphical Sonde screen with guidance arrows leading to the sonde location even when it is vertical.

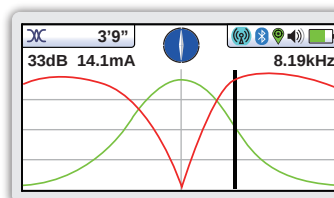
The highly user configurable vLoc3 series contains eight passive locate modes, fault-find mode, SD (showing direction of outgoing current), and a range of configurable frequencies from 16Hz to 200 kHz. Visual and mechanical vibration alerts can also be configured by the user providing warnings for shallow depth, overload, overhead cables, and excessive swinging. Plug-in-play options for the receiver include optional Bluetooth module usable with external GPS devices and MLA (marker locator adapter) to locate buried markers.



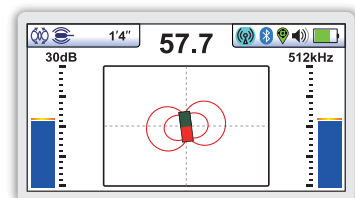
Classic Screen - as in previous vLoc locators, with the addition of three color-coded distortion levels



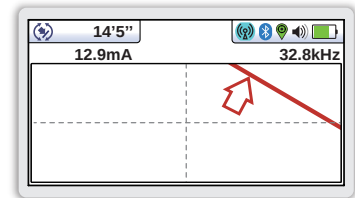
Vector Locate - shows orientation, line position, and distance relative to the locator in 3D



Transverse Plot Screen - is used to display the peak and null to compare distortion shape



Sonde Screen - arrow guidance showing direction to the sonde and depth of cover



Plan View Screen - displays the theoretical line in 2D from above ground in omnidirectional mode

Alkaline and Li-ion Batteries

- Alkaline = typically 12-hours intermittent use
- Li-ion = typically 27-hours intermittent use

USB Data Port

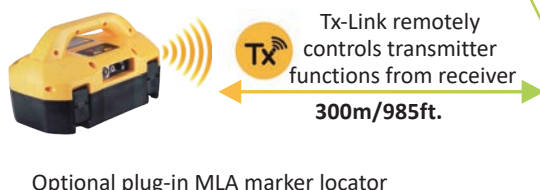
- Update the receiver's firmware
- Download datalogs

Accessory Port

- Remote Stethoscope Antenna
- A-Frame Fault locator
- Vehicle charging lead
- Charge Li-ion battery

Antenna Configuration

- Two sets of 3D Antennas
- Omnidirectional antenna array



Optional plug-in MLA marker locator



Ultra Bright LCD

- High visibility 4.3"/10cm LCD
- Auto backlight

Module Compartment

- Optional plug-and-play Bluetooth module

Data Logging

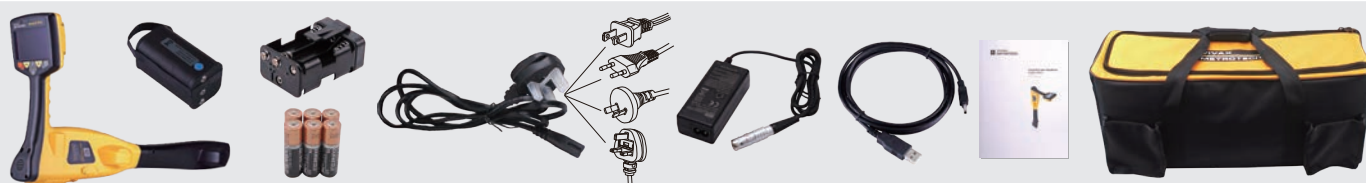
- 50 Million record internal storage
- GPS coordinates (if Bluetooth active)
- Download data with MyLocator app
- Access data VMMMap Cloud app

Construction

- High impact ABS plastic construction
- IP65 and NEMA 4 rating
- Lightweight at only 4.6lbs / 2.1kg

	vLoc3-Pro Receiver Specifications
Construction	High impact ABS injection molded housing
Weight & Dimensions	4.6lbs (2.1kg) / 12.6in(L) x 4.9in(W) x 26.6in(H) (321mm x 124mm x 676mm)
Display	Transmissive 480 x 272 Pixel, 16-bit Color, High Visibility 4.3"/10cm LCD
Battery options	Rechargeable custom Lithium-ion batteries with 100-240V AC mains charger Six x AA Alkaline batteries
Battery life	Lithium-ion – typically 27-hours intermittent use at 70°F (21°C) Alkaline – typically 12 hours intermittent use at 70°F (21°C)
Operating frequencies	Configurable frequencies from 16Hz to 200 kHz Power - 50Hz and 60Hz Radio - 10kHz - 22.7kHz bandwidth
Operating modes	Classic Locate (Bar graph), Transverse Graph Mode, Plan View (Omni Directional) Vector Locate (Lateral Position & Depth), Sonde Locate
Data logging and transfer	50 Million records - Records include depth, current, frequency, mode, gain setting, signal strength, GPS coordinate, date and time (if Bluetooth active) Download data from the receiver using the free MyLocator3 desktop app, save as xlsx, txt, shp and kml files
Environmental	IP65 and NEMA 4

What's in the box



Popular Accessories



Compatible Transmitters

1- Watt Transmitters



VM-550FF

5-Watt Transmitter



Loc3-5Tx

10-Watt Transmitter



Loc3-10Tx

Local Vivax-Metrotech Distributor:

UtilityLogic®

Joe Rubbelke

612-817-6521 (c)

j.rubbelke@utility-logic.com

utility-logic.com

Paul Teicher

763-276-3577 (c)

p.teicher@utility-logic.com

utility-logic.com

Vivax-Metrotech Corporation

3251 Olcott Street, Santa Clara, CA 95054, USA

T/Free: 800-446-3392

Tel: +1-408-734-1400

www.vivax-metrotech.com

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www.vivax-metrotech.com | www.vxmt.com



PO Box 783, Rogers, MN 55374
Ph 877-544-2700 Fax 612-930-0930

Quote

Date	Quote #
3/28/25	14792

Name / Address
Birchwood Village, MN John Manship

Ship To

		Terms		FOB	
		TBD		Warehouse	
Item	Description	Qty	Price Each	Total	
V3A01-J01-CN-US	Vivax-Metrotech vLoc3Pro 5-Watt Kit - Includes: vLoc3Pro receiver with, 5 watt transmitter, LI-ION battery and charger, connection leads, ground stake, 5-inch signal clamp, manual and soft kit bag.	1	5,670.00	5,670.00	
SHIPPING02	Shipping, Insurance & Configuration - Vloc3		110.00	110.00	
	Training and technical support provided for the life of the product with this purchase.				
	Quote does NOT include applicable sales tax		0.00%	0.00	

SCOTT W. HILDEBRAND

22655 Janero Avenue N, Forest Lake, MN 55025
612-979-7641 s_hildebrand@ymail.com

EDUCATION

UNIVERSITY OF KANSAS, Lawrence, KS
Certified Public Manager (CPM) Certificate

WASHBURN UNIVERSITY SCHOOL OF LAW, Topeka, KS
Juris Doctorate, Certificate in Agricultural Law

OKLAHOMA STATE UNIVERSITY, Stillwater, OK
Bachelor of Science, Business Administration / Finance

EXPERIENCE

CITY OF MAPLE LAKE, Maple Lake, MN
City Administrator, July, 2024 to Present

- The City of Maple Lake is a visionary community which unfortunately experienced almost 100% turnover in 2024.
- Training Staff on City clerical duties and updating financial processes to increase efficiency and boost Staff morale.
- Rebranded the 2027 Strategic Plan to ensure the goals and objectives still align with the Council's vision.
- Re-established partnerships between the City, School, Chamber of Commerce and Industrial Development Groups.
- Working with Economic Development consultant to re-introduce the City's EDA and start marketing RLF opportunities to local businesses.
- Updating the City's 2014 Comprehensive Plan.
- Gathering community partners to complete the Safe Streets for All Planning Grant.

CITY OF LANDFALL VILLAGE, Landfall, MN
City Administrator / HRA Director, January, 2024 to Present

- The City of Landfall Village is a unique City, which works closely with the Washington County CDA. It is a City which must remain LMI and has the highest population density of any City in Minnesota. The City Council serves as the HRA Board and largely operates on Grants, State funding and close partnerships with other community-oriented organizations.
- Updating the City Community Center with \$1.3m grant from Minnesota Housing Association.
- Worked with the Green Crew Grant to orchestrate the planting of 120 trees within the City as emerald ash borer remediation.
- Worked with Minnesota Transit on the Gold-Line Expansion to coordinate and share information during road closures.
- Coordinating with Washington County CDA and community partners regarding strategic planning and the long-term management of the Park.

CITY OF PINE CITY, Pine City, MN
City Administrator, September, 2021 to January, 2024

- Updated the 2040 Comprehensive Plan and City Zoning Ordinances following a collaborative Community Action Plan.
- Completed a financial software system conversion to include improved real-time reporting, payroll and asset management functions.

- Awarded 2022 City of Excellence Award for Hilltop Warming House project, a \$250,000 matching grant from the DNR.
- Negotiated multi-year labor contracts with Teamsters and AFSCME.
- Negotiated fire service contracts with area townships and worked collaboratively to research the possibility of forming a Fire District.
- Worked with a financial consultant to establish TIF District to attract economic development along I-35 corridor which included a new grocery store and gas station.
- Acquired a new City Hall office building and worked on a feasibility study to remodel the Old City Hall building.
- Updated Master Parks Plan for revitalization of downtown Robinson Park and completed construction of Jane Robbins' Memorial Dog Park.

TURTLE LAKE NON-PROFIT HOUSING, Turtle Lake, WI
Management Agent, September, 2019 to December, 2022

- Managed the daily operations of a 40-unit senior living facility, including marketing, leasing, inspections and repairs.
- Completed HUD and USDA Rural Development filings, including budgets and tenant renewal paperwork.
- Updated Board of the project's financial status and policy needs.
- Implemented a capital improvement plan for the aging facility.

SYNERGY WEALTH SOLUTIONS, Lindstrom, MN
Wealth Advisor / Insurance Agent, February, 2021 to August, 2021

- Helped people protect their assets and dreams through investment protection including life insurance, IRA rollovers, investments and property and casualty insurance.

VILLAGE OF TURTLE LAKE, Turtle Lake, WI
Village Administrator, March, 2019 to February, 2021

- An Industrial Village With a Vision: Managed the daily operations of a village with a healthy presence in the dairy and manufacturing industry.
- Assisted with planning and contract negotiations for an \$18 million upgrade to the Village's Wastewater Treatment Plant.
- Updated the Village's 2020 – 2040 Comprehensive Plan and Zoning Ordinances and served as Zoning Administrator.
- Worked with the Governing Body to formalize a Capital Improvement Project (CIP) review process and started a multi-year Strategic Plan.
- Used TIF funding for several economic development projects and incentives including securing the sale of a business in bankruptcy receivership.
- Platted a new Village-owned housing development and started a financial incentive program to help address the housing shortage in the Village.
- Worked with the Turtle Lake Area Food Pantry to fundraise and secure a permanent home.

CITY OF VALLEY CENTER, Valley Center, KS
City Administrator, July, 2016 to January, 2019

- Implemented a multi-year strategic plan and fiscal policy of Budgeting for Outcomes, with a formal Capital Improvement Project (CIP) review process.
- Completed plans and construction of a \$2.5 million Community Building and Library with nearby Dog Park and connecting sidewalks to neighborhoods.

- Completed a Public Safety Study / Strategic Plan, overseeing the transition to a Public Safety Department, including a feasibility study for a new building.
- Completed plans for a \$3.5 million Wastewater Treatment Plant expansion.
- Completed a Water Rate Study and was in the design phase of upgrade to WWII era water lines, water well and manhole rehabilitation project.
- Implemented new housing and rehabilitation incentives and started a Community Land Bank to increase housing development.
- Investigated and addressed Human Resources complaints, as well as arranged training for several timely Risk Management related topics.
- Worked with local churches to develop a volunteer program to positively address code violations and blighted properties.
- Served as Interim Public Works Superintendent during two vacancies.

CITY OF ROCHESTER, Rochester, MN

Professional Standards Manager, September, 2009 to June, 2016

- Investigated inquiries and complaints of police misconduct and reported findings to Command Staff.
- Assisted promoted staff, City Human Resources, and the Civil Service Commission with personnel issues, investigations, mediations and decisions.
- Audited Department records to ensure compliance with Federal and State mandatory reporting requirements and licensing.
- Revised Standard Operating Procedures and policies to stay current with policing trends and legislative changes.
- Served as Project Manager for the feasibility study, purchase and design of a new police precinct building.

CITY OF LENEXA, Lenexa, KS

Risk Manager / Assistant City Attorney, October, 2008 to August, 2009

- Procured the City's Property and Casualty Insurance, and administered the City's self-insured retention program.
- Defended civil claims involving the City.
- Met with Department Heads and employees to identify loss trends and implemented policies and procedures to reduce the City's loss exposure.
- Developed and taught risk management and safety related workshops.
- Reviewed and revised City contracts and City ordinances.
- Served as Legal Advisor for the City Clerk, Finance and Communications Departments.

LEAGUE OF KANSAS MUNICIPALITIES, Topeka, KS

Staff Attorney, January, 2005 to September, 2008

- Addressed the day-to-day general operations and legal inquiries from city officials, governing body members and city attorneys.
- Prepared and taught various seminars on topics of municipal importance, such as Personnel Management, Economic Development, Effective Meetings, Open Records and Open Meetings.
- Provided crisis intervention and logistical support for cities affected by unfamiliar projects or natural disasters, such as the 2007 Greensburg EF5 tornado.
- Researched legislative issues for lobbyists and advised city officials on how legislative changes affect existing policies.
- Drafted and revised municipal codes, model ordinances, resolutions and franchise agreements for member cities.

GUILFOYLE & HILDEBRAND, ATTORNEYS P.A., Abilene, KS
Partner, January, 2001 to January, 2005

- A General Practice Firm. Duties focused primarily on municipal representation, agricultural issues, domestic cases, adoptions, bankruptcy, civil litigation, business contracts, collections, real estate, probate and estate planning.

RECENT ACTIVITIES

- American Association of Municipal Executives – 2024 - Present
- City of Lindstrom, City Council and EDA Member - 2020 - 2023
- Cross Lake Area Water and Sanitary Sewer Committee – 2021 – 2024
- Minnesota City / County Management Association – 2022 - Present
- Barron County Economic Development Committee – 2019 - 2021
- International City Manager Association, 2016 – Present
- Northlakes Community Clinic Advisory Committee, 2019 – 2022
- Kansas Association of City Managers, 2016 - 2019
- 50th Anniversary Vietnam Veteran's Memorial Board 2017 - 2019
- Wild Bill Hickok Rodeo Committee, 2001 – 2023; Secretary, 2006 – 2009

TO: Birchwood City Council

FROM: Alan Mitchell, Secretary, Parks Committee

SUBJECT: Music in the Park Funding

DATE: March 26, 2025

The schedule for the 2025 Music in the Park summer concert series is set. The first concert is Sunday June 8. I've included a copy of the full summer schedule with this memo.

On February 14, 2023, the City Council passed Resolution 2023-17 authorizing the summer concert series on an annual basis and providing an annual budget of \$3700 for Music in the Park. \$3000 of this authorization is to pay the musicians who perform, and, as stated in paragraph 6 of the Resolution, "The remaining \$700 of the budget shall be allocated for administrative and staff time related to scheduling, promoting, and facilitating the concerts."

The Parks Committee is coming to the Council now to request that the Council approve the expenditure of up to \$300 of the \$700 for the purpose of purchasing some indoor/outdoor carpeting and a canopy for use by the musicians during the Sunday concerts. The Parks Committee has decided that these two amenities will improve the aesthetics of the hockey rink venue and provide some protection for the musicians in the event of rain during the course of the concert. City staff has informed the Committee that it should not be a problem putting up and taking down the carpeting and canopy and storing both in the warming house during the week.

I plan to attend the April 8 Council meeting to answer any questions about this request. Thank you.

MUSIC IN THE PARK
BIRCHWOOD SUMMER CONCERT SERIES
TIGHE-SCHMITZ PARK
SUNDAY EVENINGS 6:00 – 7:30 p.m.
JUNE – AUGUST 2025

DATE	MUSICIANS	MUSIC
June 8	Sweet Rhubarb http://www.sweetrhubarb.net/	Rich three part harmonies, melding elements of folk, bluegrass, country, pop, and more.
June 15	The Riff Rangers www.theriffangers.com	This talented Twin Cities quintet performs a wide variety of toe tappin' genres on guitar, bass, drums and rich 3-part vocals. Western swing, vintage folk & rock classics, Big Band swing, Hot Club, Chicago blues and a wee bit of Irish make up the diverse palette of sounds that is The Riff Rangers.
June 22	Folk Revival	An acoustic trio covering classic folk, country and pop artists from the fifties through the seventies including Bob Dylan, John Denver, Johnny Cash, Everly Brothers, Buddy Holly and many more.
June 29	Any Day Now http://www.reverbnation.com/anydaynowband/	Six-member band playing classic rock n' roll/country – your favorite songs from the sixties to today.
July 6	No Concert Fourth of July Weekend	
July 13	Harmonic Relief https://www.harmonicrelief.org/	Adult Show Choir with a mix of music, choreography and staging. Featuring a repertoire of folk, rock, show tunes, jazz and contemporary music.
July 20	Artrio	Artrio, comprised of three local bassoonists, promises to delight with a lively and eclectic program featuring ancient, classical, contemporary, jazz, and new music from around the world.
July 27	No Concert	

August 3	Scottie Miller http://scottiemiller.com/	Combination of piano/vocal – blues, jazz Americana. Grammy and Blues Music Award nominated songwriter. Bluebird Review’s 2023 “Artist of the Year.” A Minnesota Blues Hall of Fame Inductee. A 2024 Blues Music Award recipient for "Blues Song Of The Year" with Grammy Winner Ruthie Foster.
August 10	Jennifer Eckes https://jennifereckes.weebly.com/	Cabaret artist and talented vocalist, combining great technique with a warm stage presence. Exploring the Great American Songbook and modern classics.
August 17	Legacy http://www.legacycelticmusic.com/	Four- piece group offering an engaging selection of traditional and contemporary Irish vocal music and instrumental tunes.
August 24	Fabulous Fairlanes http://www.fabulousfairlanes.com/	a cappella Doo-Wop Music from the 50s and 60s and newer

The concerts are free and open to the public. Tipping the artists is appropriate. Seating is not provided; bring a folding chair or blanket. Beer and wine are permitted.

From: Kathy Weier

Date: 3/29/2025

Please include the attached resolution to accept a gift of the hockey net resolution (attached receipt) from Barton Winters. As the nets were on sale for the end of the year clearance and Barton stated he thought he had received approval from the mayor to purchase them, I move we accept the gift of one of the nets as the parks committee was planning on getting new nets for the hockey rink and tennis courts for this upcoming season.

Please also include the (attached resolution) allowing the parks committee to spend up to \$1000 for nets (hockey and two tennis) for the parks. If the parks committee determines they would like to purchase the additional net that Barton Winters purchased from him as it was on sale and a good deal, I'm ok with that, but want them to be in charge of their budget for nets.

[Ice Warehouse](#)

Order #2888780

Your order has been received and is being prepared for shipment. Once your order has been packaged, you will be sent another email with tracking information.

[Check Order Status](#)

Customer Information

ORDER PLACED	
3/11/25	
PAYMENT METHOD	
Stripe Card Payment	\$492.81
SHIPPING METHOD	
FedEx Ground	
BILLING ADDRESS	
Barton Winter	
1 FIVE OAKS LN	
SAINT PAUL, MN 55110-1847	
SHIPPING ADDRESS	
Same as primary/billing address	
PHONE CONTACT	
6512805925	

Order Summary

	Winnwell HD Proform Hockey Goal 72" x 48"	
	Qty: 2	\$219.99
Sub Total		\$439.98
Sales Tax		\$36.85

Shipping	\$15.98
Total	\$492.81

RESOLUTION NO. 2025-29

RESOLUTION APPROVING ACCEPTANCE OF GIFT

WHEREAS, the City of Birchwood is a Municipality as defined in Minnesota, and,

WHEREAS, the City of Birchwood is authorized to accept "gifts" pursuant to Minnesota Statutes 465.04 as defined in Minnesota, and,

WHEREAS, the City of Birchwood has been asked to accept a donation of a replacement hockey net in the value of \$247 for the hockey Rink from Barton Winters, and,

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

1. That the City of Birchwood hereby accepts a hockey net donation pursuant to MN Stat. 465.04.

3. That Jennifer Arsenault -, the Mayor for the City of Birchwood Village, and Therese Bellinger, the Acting City Clerk, are authorized to sign this Resolution.

Passed and Adopted by the Council on this 8th day of April, 2025.

CITY OF Birchwood Village

By: Jennifer Arsenault

Mayor

ATTEST: _____

By: Therese Bellinger

Acting City Clerk

RESOLUTION NO. 2025-30
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA

**A RESOLUTION ALLOWING THE PARKS COMMITTEE TO PURCHASE REPLACEMENT
NETS FOR THE HOCKEY RINK AND TENNIS COURT**

WHEREAS, the City of Birchwood is a Municipality as defined in Minnesota, and

WHEREAS, the City of Birchwood has two tennis courts and 1 hockey rink that have older or damaged nets that require replacement, and

WHEREAS, the City Council of Birchwood Village, has appointed the parks committee to assess equipment and recommend improvements to the parks facilities, and

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

1. The City of Birchwood hereby authorizes the parks committee to request the purchase of two tennis nets for Bloomquist park and one additional hockey net for Tighe Schmidt Park through the city administrator for up to the value of \$1000 total.

2. That said nets should be charged to the parks special revenue fund for the total purchase and installed and stored as needed by the City maintenance staff with all paperwork and warranties housed by the city for future needs.

Passed and Adopted by the Council on this 8th day of April, 2025.

CITY OF Birchwood Village

By: Jennifer Arsenault

Mayor

ATTEST: _____

By: Therese Bellinger

Acting City Clerk

To: Birchwood City Council
From: Ryan Hankins
Re: Correcting 131 Wildwood Ave. variance grant

The variance application for 131 Wildwood Ave. sought approval to increase the structure's height. The requested variance pertained to height restrictions; however, variances are not required when a structure already conforms to the height code. The applicants have clearly stated that their proposed structure conforms to the height code.

However, the proposed structure may exceed the height of the previously existing non-conforming structure within the OHWL (ordinary high water line) setback. Because Birchwood's code does not allow such an expansion, a variance to the setback code is required. The applicable variance is determined by the ordinance that the expansion does not conform to (the setback requirement), rather than the direction of the expansion (a vertical increase in height). The variance recommended by the city planner and subsequently granted by the council was for the height restriction (302.045), likely because the expansion was vertical. However, the appropriate variance should be for the setback requirement (302.020), as the expansion occurs within the setback.

My understanding is that the intent of the applicant was to apply for this variance, and the intent of the council, if not its action, was to grant the variance to allow vertical expansion within the setback. My experience with planning and zoning in Birchwood has been to err on the side of dotting t's and crossing i's. To ensure legal compliance, I propose that we acknowledge this as an administrative error and formally grant the correct variance.

Although staff should not issue a building permit without all necessary variances, if one were issued in error, the city, the applicant, and the contractor could face legal and financial risks. While this may seem like a minor procedural detail, a similar issue in Minnetonka led to a major legal dispute: <https://www.twincities.com/2010/10/10/garage-dispute-heads-to-court-again/> . As of that article's publication fifteen years ago, Minnetonka had already spent \$31,000 defending itself.

In another case, in Minneapolis, a permit was improperly granted for a replacement structure, and the existing structure was demolished, but the permit was revoked for the replacement because the replacement did not meet code. Minneapolis was found negligent: <https://law.justia.com/cases/minnesota/supreme-court/1989/c7-87-1394-2.html>

The attached resolution grants the necessary variance, and the following document provides an example with plans demonstrating how the code applies.

RESOLUTION NO. 2025-27

A RESOLUTION GRANTING A VARIANCE TO ALLOW AN INCREASE IN THE HEIGHT OF A STRUCTURE AT 131 WILDOOD AVE. WITHIN THE ORDINARY HIGH WATER LINE (OHWL) SETBACK

WHEREAS, the City Council of the City of Birchwood Village, Minnesota (the "City") has received a request from the property owners at 131 Wildwood Ave. for a variance to allow an increase in the height of a structure that encroaches into the required setback from the Ordinary High Water Line (OHWL); and

WHEREAS, the subject property is located within the City's zoning jurisdiction and is subject to applicable zoning code regulations; and

WHEREAS, the recently existing structure on the subject property was legally constructed prior to the enactment of current zoning setback requirements in and is considered a legally non-conforming structure; and

WHEREAS, the property owner seeks to construct an addition to the existing structure that will increase its height only above areas where the pre-existing structure extended into the setback; and

WHEREAS, while the proposed structure conforms to the City's height code, the expansion expands vertically over the previous dwelling within the setback area from the OHWL, requiring a variance to the setback code, section 302.020 of the City code; and

WHEREAS, the City Council has considered the criteria for granting a variance as set forth in Minnesota Statutes §462.357, Subd. 6, including the practical difficulties unique to the property that prevent compliance with the zoning code; and

WHEREAS, the City Council finds that:

1. The variance is consistent with the comprehensive plan.
 - a. The proposal is in line with the scale and character of single-family homes.
 - b. The project requires the removal of some trees but preserves the tree canopy and natural resources.
 - c. The project enhances the quality of the housing stock. The addition will modernize the home and improve its functionality for the homeowners.
 - d. The project has no negative impacts on traffic, public services, or neighboring properties.
 - e. The project will reduce erosion and improve water quality in the area by infiltrating runoff.
2. The variance request is due to circumstances unique to the property and not created by the property owner.

- a. The property has a steep slope towards the lake, which poses challenges for development and erosion control.
 - b. The lot size is 7,590 sq ft., while the minimum lot size required by the zoning code is 15,000 sq ft.
 - c. The slope and topographic limitations have existed since before the applicant acquired the property.
3. The variance, if granted, will not alter the essential character of the locality.
 - a. The encroachment into the OHWL setback will be less than adjacent dwellings.
4. The proposal puts the property to use in a reasonable manner.
 - a. Most of the proposed dwelling will conform with setbacks.
 - b. The lot is small but is most reasonably used for a single-family dwelling and a garage.
 - c. The property is being used for the same purpose as its previous use.
5. The variance is in harmony with the purposes and intent of the ordinance.
 - a. The intent of the ordinance is for new construction to become more conforming, and the reconstruction of the house and garage bring them more into compliance with the zoning code.
 - b. The OHWL setback exists in part to eliminate impervious surface near the OWHL, and this continues existing impervious surface.

WHEREAS, the proposed expansion does not increase the footprint or encroach further horizontally into the setback area but rather adds height to a previously existing non-conforming structure, which the City Council determines to be a reasonable use of the property.

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

1. The variance request by the property owner at 131 Wildwood Ave. to allow a vertical increase in the height of the structure within the required OHWL setback is hereby GRANTED.
2. This variance is specifically limited to an increase in height only above areas where the pre-existing structure extended into the OHWL setback.
3. As a condition of this variance, all structures shall conform to section 302.045 of the City Code, Structural Height Restrictions.
4. This variance shall run with the property and be binding upon the property owners and their successors or assigns.
5. City staff shall provide a copy of this resolution and its accompanying material to the variance applicant.

Adopted this 8th day of April 2025, by the City Council of the City of Birchwood, Minnesota.

Jennifer Arsenault
Mayor

City Clerk

An example demonstrating the application of code and a tale of Woodbirch

First, a few terms.

A *conformity* or *conforming structure* is one that meets the requirements in city code.

A *non-conforming structure* is one that does not meet the code in some way. The *non-conforming portion* of a structure or *non-conformity* is the portion that exceeds the particular requirement.

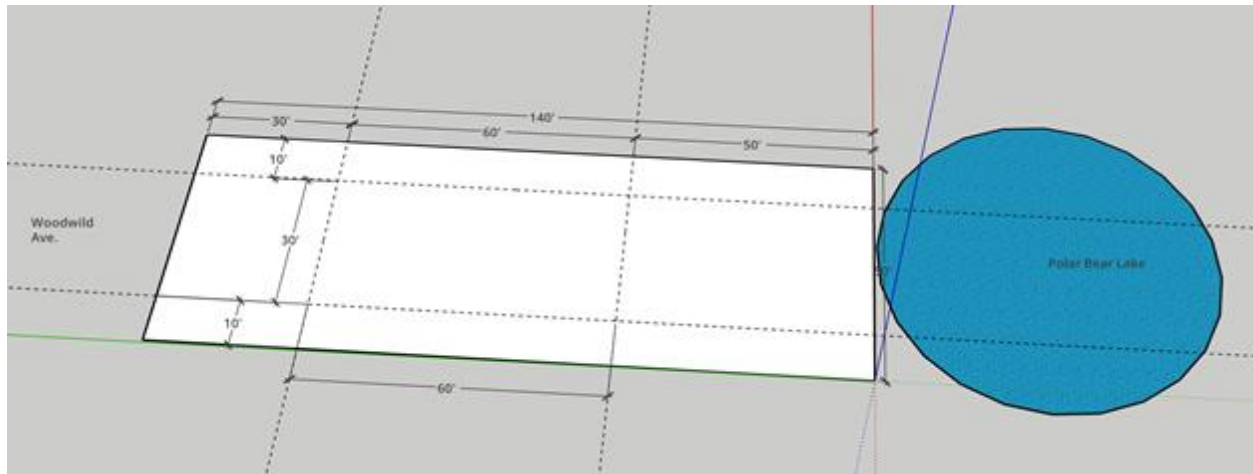
A *variance* makes a new non-conformity legal. It does not make a non-conformity conforming.

A non-conforming structure can be legal in one of two ways. First, it could have been created before the requirement was created. Second, it could have been allowed by variance. In both these cases, these structures are *legally non-conforming*. It's not relevant to our purposes, but a structure built (even with permits) that violates the zoning code is an *illegal non-conforming structure*.

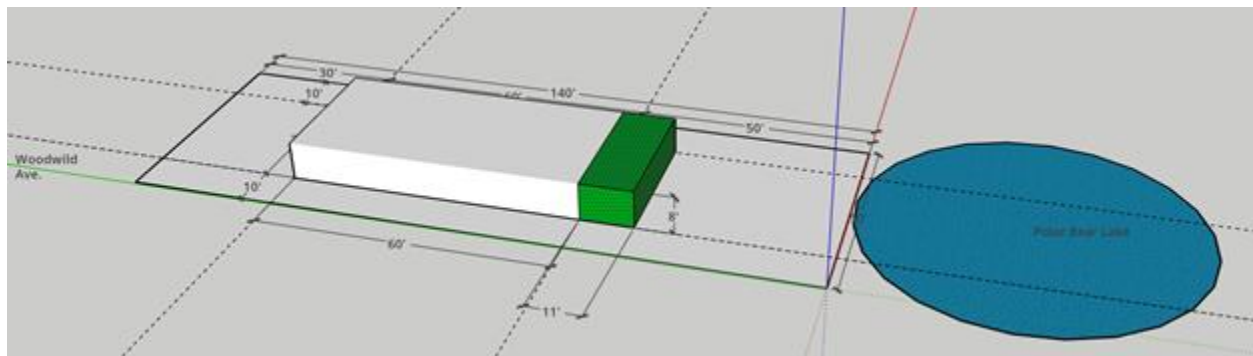
Now, consider the following drawing of a small lakefront lot in the City of Woodbirch Village, which has an identical city code to our own. At the left is Woodwild Ave. and to the right is Polar Bear Lake. Above and below the property are neighboring lots.

The lot itself is very small: 140 feet deep and 50 feet wide. The setbacks are shown on the plan. They are 10 feet from the neighboring properties, 30 feet from Woodwild Ave. and 50 feet from Polar Bear Lake (from its ordinary high-water line).

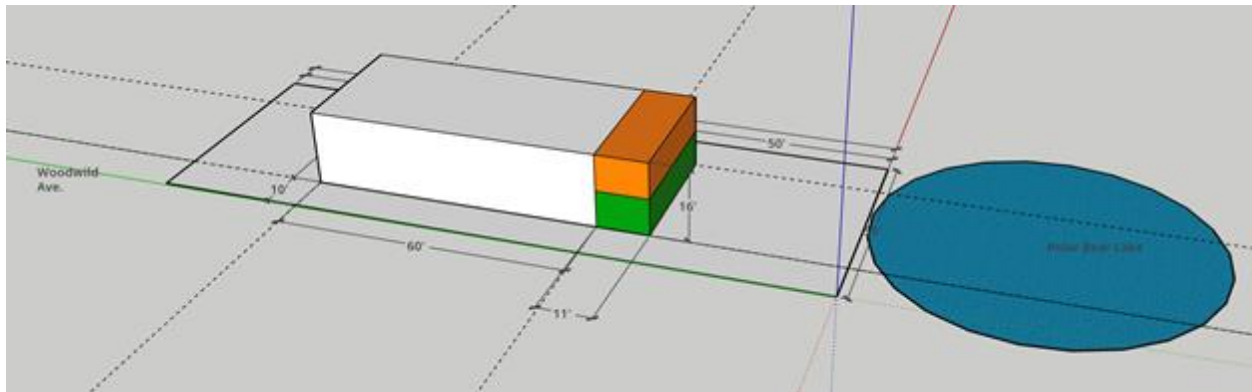
The dotted-line rectangle in the middle of the lot composes the conforming area that could be used for construction in Woodbirch.



Now consider a structure on the lot. We can say it's a house. The structure was constructed long before zoning codes existed. It is simplifying to draw it as a box. The lot and structure now look like this (see below). The structure was constructed legally, because no zoning code was in place at the time of its construction. Because of that, it is legally non-conforming, and the non-conforming portion of the structure (in green) is 30 feet across the lot, 8 feet high (one story) and extends (encroaches) 11 feet into the setback from Polar Bear Lake.



Now consider that, under current zoning code, its owner, Woody Birch, proposes to add a second story to the structure. The height of the entire structure is increased by 8 feet to 16 feet, including an expansion in the non-conforming area. This increase within the setback is shown in orange (see below).



The question is: how is this regulated under the zoning code? For simplicity, the height of the structure, with the addition, is well below the height code. To characterize the proposed change to the structure: the structure is being expanded by 8 feet in the vertical direction. Similarly, the non-conforming portion of the structure is being expanded by 8 feet in the vertical direction.

Minnesota Statute applies (italics mine). It reads, in parts:

Minnesota Statute 462.357 Subd. 1e. **Nonconformities.**

(a) Except as otherwise provided by law, any nonconformity, including the lawful use or occupation of land or premises existing at the time of the adoption of an additional control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but *not including expansion* [...]

(b) Any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy. *A municipality may, by ordinance, permit an expansion* or impose upon nonconformities reasonable regulations to prevent and abate nuisances and to protect the public health, welfare, or safety. [...]

Thus, no expansion of a non-conformity is allowed, unless the city creates an exception to allow an expansion. Woodbirch's zoning code was written considering this. Woodbirch's non-conforming code (301.050(C)) says (italics mine):

A non-conforming pre-existing structure or non-conforming pre-existing use may not be moved or expanded except:

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; 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*;

That means that it is conforming under Woodbirch's zoning code to increase the height of the conforming portion of the structure (under exception 2 above). However, the structure may not be expanded (including vertically) within the setback without a variance. It could also be reduced in size (under exception 3 above). In this case, the variance that is needed is not to the height code. Both the existing and proposed structures conform to the height code. The variance that is needed to make the expansion of the non-conformity legal is to the setback code because the restriction in city code that prevents that expansion is the setback code, and no exception exists for the expansion to the non-conforming portion of a structure within a setback (including a vertical one) under the non-conforming use code.

The League of Minnesota Cities states that this is the purpose of a variance:

A variance is a way that cities may allow an exception to part of a zoning ordinance. It is a permitted departure from strict enforcement of the ordinance as applied to a particular piece of property. A variance is generally for a dimensional standard (such as setbacks or height limits). A variance allows the landowner to break a dimensional zoning rule that would otherwise apply. [<https://www.lmc.org/resources/land-use-variances/>]

It is certainly understandable to reason that a variance to the height code is needed, because both the proposed expansion and height are vertical, but a variance to the height code is only needed where an expansion of the structure would cause a portion of the structure to exceed both the height required to conform to code, and the height of any pre-existing structure. While the proposal in Woodbirch illustrated here exceeds the height of the pre-existing structure, the proposed structure conforms to the height code and variances to the height code are not required to create a conformity with the height code.

However, a vertical expansion within a setback requires a variance to the setback code. Thus, to legally accommodate the proposed vertical expansion, Woody must secure a variance that specifically addresses the setback violation.

To: Birchwood City Council
From: Ryan Hankins
Re: Animal Code Updates
Date: 3/31/2025

This is a change to two ordinances: Animals and the Fee Schedule. Please see the “Findings and Purpose” sections for remarks on the changes.

Thank you to Justin McCarthy and Bryan McGinnis for his kind assistance reviewing, proofreading and suggesting improvements, and to veterinarian Houston Clinch for providing advice on rabies and vaccinations.

Three documents follow:

1. [ACTION] Ordinance revising *Animals* Section of Fee Schedule.
2. [ACTION] Ordinance revising *605. Animals* City Code.
3. [REFERENCE] Markup of *605. Animals* City Code, for reference only.

ORDINANCE NO. _____

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

AN ORDINANCE AMENDING THE ANIMALS SECTION OF THE FEE SCHEDULE

Findings and Purpose:

The City Council may regulate animals under the powers granted by Minnesota Statute § 412 Subd. 21.

The regulation of chickens is necessary, but licensing of chickens, collecting the associated fees and enforcing the licensing requirements is more burdensome for a small city than the benefit the public derives. The removal of provisions for pig permits obviates pig permit fees.

It is not necessary to regulate dangerous and potentially dangerous dogs within the City Code; instead, fees can be assigned to fund the duties of the city prescribed in state statute.

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

The Animals Section of the Fee Schedule of the Municipal Code of the City of Birchwood Village is hereby amended to read as specified in EXHIBIT A.

EFFECTIVE DATE: This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by M.S. § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of M.S. § 331A.01, subd. 10, as it may be amended from time to time.

Adopted by the City of Birchwood Village City Council this XXth day of May, 2025

Jennifer Arsenault, Mayor

Attest:

City Administrator

EXHIBIT A

ANIMAL FEES	Chicken License – three years	605.028(2)	\$30.00	12/2022
	Pig License – three years	605.029(3)	\$30.00	12/2022
	Dog Permit - first year of term	605.021.1(1), 605.021.2	\$30.00	12/2022
	Dog Permit - second year or term	605.021.1(1), 605.021.2	\$25.00	12/2022
	Dog Permit - third year or term	605.021.1(1), 605.021.2	\$20.00	12/2022
	Dog Permit Late Fee	605.021.2	\$7.00	12/2022
	Dog Permit Administrative Fee	605.021.2	\$30.00	12/2022
	Potentially dangerous dog or dangerous dog appeal fee	<u>Minnesota</u> <u>Statute</u> <u>347.51(2)</u>	\$100.00	12/2022
	Dangerous dog annual fee	605.024(9) 3 <u>Minnesota</u> <u>Statute</u> <u>47.51(2)</u>	\$500.00	12/2022
	Potentially dangerous dog annual fee	605.024(11) <u>Minnesota</u> <u>Statute</u> <u>347.51(2)</u>	\$100.00	12/2022
	Potentially dangerous dog or dangerous dog administrative review fee	605.024(12) <u>Minnesota</u> <u>Statute</u> <u>347.51(3a)</u>	\$100.00	12/2022

ORDINANCE NO. _____

CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA

AN ORDINANCE AMENDING ORDINANCE NO. 605 ADOPTED ON MARCH 12, 2019,
AND TITLED “ANIMALS.”

Findings and Purpose:

The City Council may regulate animals under the powers granted by Minnesota Statute § 412 Subd. 21.

The League of Minnesota Cities suggests a dangerous dog code is not needed. Because that code is used infrequently, statute is a better guide than ordinance.

Cities have a legitimate interest in regulating and controlling dangerous dogs because the issue relates to the safety of city residents. The process for dealing with dangerous dogs is largely spelled out in state law. Cities do not need to have an ordinance in place in order to follow the process in state law. However, there is some room for cities to add stricter regulation through city ordinance, such as applying the same provisions to animals other than just dogs.

The code more clearly spells out when the City Administrator does not issue a permit: when an applicant has a criminal conviction for an offense related to animals.

Because there are only a handful of owners of these pets, licensing is administratively burdensome, it's unlikely chicken owners consistently obtain licenses, and the reduction of harm to human or animal health through licensing is low. Instead, we can promote animal and public health by eliminating provisions that require chickens to be kept in a rear yard, and instead insist that coops be at least 10 feet from property lines. We can also reduce administrative burden by removing provisions requiring that three quarters of neighbors give permission for the keeping of chickens. Determining property owners within a certain distance and managing and evaluating petitions is time-consuming for staff and prospective chicken owners. It risks selective enforcement; a property owner with three neighbors must avoid a veto by any neighbor.

The section allowing pigs is removed; Neither White Bear Lake, Maplewood, Mahtomedi, nor White Bear Township allows pigs; while one Birchwood resident previously fostered a pot-bellied pig, it's unlikely that any resident currently owns or wants a pig; if residents demand pigs, the council can revisit this.

Provisions requiring dog owners to clean up dog feces are reasonable, but provisions requiring owners to carry clean up equipment are unnecessary and unenforceable.

The League of Minnesota Cities indicates that searches of private property violate Constitutional rights.

Generally, in order to lawfully enter private property for investigative, enforcement, or other purposes, the city must either obtain voluntary consent from the Owner or an administrative search warrant.

The sections allowing access to premises have been removed; the City will have to seek consent or an administrative warrant.

Fencing of chickens is consolidated, and provisions requiring chickens to be kept only in certain yards of a property are eliminated; yards are often not clearly defined in Birchwood. Instead, a requirement is added that chicken shelters and runs not be located within 10 feet of a property line. Shelters must also be heated in winter.

It seems unnecessary to require veterinarians to report rabies cases to the City. The Department of Health and state Animal Health Board handle this.

The wild animal code is clarified and sections about disruptions of peace and quiet apply to any animal.

Rabies is difficult to regulate well. It is very uncommon in suburban areas. Generally, the animal must be isolated, and the city has a public purpose in ensuring that it is. An animal that has been vaccinated, or if the vaccination is expired, should be kept away from other animals, for , and an unvaccinated cat or dog should be quarantined for at least four months. Because this is a case where the city might have to take action strongly opposed by the animal's owner, some detail can ensure good process.

Duplicate language and sections and unused definitions are removed; outdated terms and pronouns are substituted. Penalties for most violations are reduced to petty misdemeanors.

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

Section 1. Ordinance No. 605 adopted on March 12, 2019 and titled "ANIMALS" is amended to read:

605. ANIMALS

605.010. DEFINITIONS. For the purposes of this Chapter, terms defined herein shall have the following meaning ascribed to them:

1. Animal Control Officer. Any officer contracted by the City for enforcement of this chapter or contracted or employed by the City as a law enforcement officer.
2. Animal Shelter. Any premises contracted by the City for the purpose of impounding, quarantining, and caring for animals found in violation of this Code.

3. At Large. Any situation where an animal is found in any place other than the property of the Owner, is not under the control of any person of sufficient age and capacity to control it and is not under Restraint.
4. Dog. Any living domesticated canine.
5. Owner. A person having the right of property or custody of an animal or who keeps, harbors or feeds an animal or knowingly permits an animal to remain on or about any premises occupied by that person.
6. Quarantine. The strict confinement of an animal that precludes direct contact with other animals not concurrently in Quarantine or persons other than the caretaker.
7. Restraint. On a leash of not more than six feet in length or on a leash which can be retracted to a length of six feet or less, and in the custody of a person of sufficient age to adequately control the animal, in a vehicle or confined to the Owner's property by enclosure or fencing (active and functioning electronic or physical barrier which prevents the animal from leaving the property).
8. Unreasonable Disruption. A disturbance of peace and quiet, which includes, but is not limited to, the creation of noises by an animal, audible to an Animal Control Officer outside the building or premises where the animals are being kept and which noise occurs repeatedly over a five-minute period with a time lapse of one minute or less between repetitions over a five-minute period.

605.020. **DOGS.** No person shall permit more than three Dogs over six months of age to be housed or be kept on any premises within the City.

605.021. **PERMIT.**

1. Dog permit Required; exceptions. No person shall, without first obtaining a permit in writing from the City Clerk or Administrator, own, keep, harbor, or have custody of any dog over six months of age. Upon completion of the City form and payment of the fee set in the fee schedule, the City Administrator shall issue a Dog permit to any applicant, except that no permit shall be granted:
 - a. for a Dog without a rabies vaccination or with an expired rabies vaccination; or
 - b. to an applicant who has been convicted within the past three years of a violation of any state or local law or regulation governing cruelty to animals or the keeping of animals.
2. Application.
 - a. The City permit application form shall require:
 - i. the name, address and phone number of the applicant; and
 - ii. identifying information of Dog, including sex and color, and, if known, age, breed and weight; and

- iii. proof of rabies vaccination.
 - b. The City may request and collect additional information, including microchip data, photos of the Dog and contact information such as an email address to aid in enforcement or if the Dog becomes missing. However, no permit shall be denied for failure to provide such information.
- 3. Term; renewal; late penalty charge. Dog permits shall be issued for three-year terms starting in 2025 and every third year thereafter, and the owner shall pay the fee set in the fee schedule for the year of the term in which the permit is first required. A permit for each licensed dog shall be renewed every third year after 2025 and a permit fee paid. A permit, if not revoked, shall be valid until the end of the permit deadline three calendar years after the deadline in the first year of the term. Renewal permits must be obtained prior to the expiration date, and there shall be a late penalty charge fee on permit applications received after the expiration date for any Dog that has been kept in the City for more than fourteen consecutive days.
- 4. Revocation. The City Administrator may revoke any Dog permits if the person holding the permit refuses or fails to comply with this code, any regulations promulgated by the council pursuant to this article, or any state or local law governing cruelty to animals or the keeping of animals. Any person whose permit is revoked shall, within ten days thereafter, transfer ownership or humanely euthanize all dogs being owned, kept or harbored by such person; and no part of the permit fee shall be refunded.
- 5. Tags. Upon issuing a Dog permit, the City Administrator shall issue to the owner a durable tag stamped with an identifying number and with the month and year of expiration designed so that it may be conveniently fastened to a dog collar or harness. Such tag shall be fastened to the Dog's collar or harness by the Owner. The City Administrator shall maintain a record of the identifying numbers and shall make this record available to the public.
- 6. Exemptions from division. Police canines of any political subdivision, certified seeing-eye and other service dogs may be kept without a permit. Nonresidents of the city may keep a Dog in the City for not longer than 30 days annually without a permit, if the nonresident has a valid Dog permit in another jurisdiction.

605.022. DOG RESTRAINT SANITATION AND CONFINEMENT.

- 1. At Large Dogs Prohibited. No Owner of any Dog, whether permitted or unpermitted, shall allow the Dog to run without Restraint or At Large.
- 2. Sanitation. Except on the Owner's property, the Owner of a Dog shall remove and dispose of all Dog feces.
- 3. Female dogs in heat. Every female Dog in heat in the city shall be confined in a building or secure enclosure that prevents contact with another dog, except for planned breeding.

605.023. **IMPOUNDMENT.**

1. Authority; notice to known owners; reclamation by owners; humane disposal of unclaimed dogs. Unrestrained dogs running At Large in the City may be taken by an Animal Control Officer or the Humane Society and impounded in an Animal Shelter. Impounded dogs shall be kept for not less than five days, unless reclaimed by their owners. If by a permit tag or by other means the owner can be identified, the animal control officer shall immediately, upon impoundment, notify the Owner by telephone, mail or electronic means of impoundment
2. Unclaimed Dog. If a Dog is not claimed by its Owner within five days, the Animal Control Officer shall, if possible, deliver it to a Humane Society or similar animal adoption organization, give the animal away, or, as a last resort, order the disposal of the animal in a humane manner.
3. Vaccination before release. The Owner shall show proof of rabies vaccination, or, if the dog is not currently vaccinated against rabies, shall, at the Owner's cost, arrange for the dog to be so vaccinated before it is released.
4. Fees; additional penalties. The Owner shall pay all expenses associated with Impoundment, regardless of whether the Owner claims the animal.
5. Return to owner of dog found at large. Notwithstanding (1) and (2), if a dog is found At Large in the City but is properly tagged and current on rabies vaccination and its Owner can be identified and located, it shall not be impounded and shall instead be delivered to the Owner.

605.024. **DANGEROUS DOGS.** Minnesota Statute §§ 347.50 through 347.565 shall regulate dangerous Dogs.

605.028. **CHICKENS.**

Restrictions. An Owner may keep chickens in the City subject to the following conditions:

1. Only hen chickens or pullets may be kept.
2. The number of chickens kept must be limited in number to the fewest of:
 - a. six per person; and
 - b. six per dwelling unit; and
 - c. six per lot, except that on any lot of less than 15,000 square feet of area, one per full 2,500 square feet of lot area.
3. Roosters are prohibited.
4. The butchering of chickens is prohibited.

5. Proper shelter in the form of barns, coops or hutches shall be provided in any area where chickens are permitted to roam. Chickens shall not be kept in a dwelling.

~~5.6.~~ Shelters must comply with applicable building and City zoning requirements.

~~6.7.~~ Shelters and chicken runs shall not be located within ten feet of any property boundary, except that this requirement shall be enforced only upon complaint of an owner or occupant of the abutting property.

~~7.8.~~ Chicken shelters shall have a minimum size of three square feet per chicken, a maximum size of forty square feet, and must not exceed six feet in total height.

~~8.9.~~ Chicken ~~coops-shelters~~ shall be elevated a minimum of twelve inches and a maximum of twenty-four inches to allow for circulation beneath the coop.

~~9.10.~~ Chicken shelters shall be heated or during winter, and shelters shall conform to building, zoning and electrical codes.

~~10.11.~~ Food materials that are stored outside shall be in closed containers with lids.

~~11.12.~~ All containment areas and shelters shall be maintained in a clean, sanitary, and odor-free environment and shall be free from the presence of rodents or vermin at all times. Organic matter shall not be allowed to accumulate for more than one week at a time, and shall be removed more often if necessary to eliminate odors that constitute a nuisance.

~~12.13.~~ Chickens shall not be raised or kept for fighting. Cockfighting is prohibited.

605.067. **ANIMALS WHICH CANNOT BE IMPOUNDED.**

1. If an animal is known to be vicious or dangerous and cannot be safely apprehended after reasonable effort, an Animal Control Officer may immediately kill the animal.
2. When an animal cannot be impounded and is in violation of any part of this part of this chapter, the owner, as defined herein, shall be guilty of a misdemeanor.

605.100. **DISEASE CONTROL.**

605.101. **RABIES CONTROL.** The Minnesota State Health Laws and Regulations pertaining thereto shall apply in cases of rabid animals, animals which have bitten any person or animals suspected of being rabid.

605.102. **BITING ANIMALS TO BE QUARANTINED.**

1. Quarantine Period. Any animal that has bitten a person, or any animal reasonably suspected of being rabid, shall be confined for at least ten (10) days from the date

of the bite or from the date it is picked up by the City's animal confinement contractor.

2. Testing. If there is reasonable cause to believe the animal may be rabid, a Doctor of Veterinary Medicine shall perform any necessary tests to determine whether the animal is infected.
3. Owner's Responsibility. The owner of the animal shall bear all costs associated with confinement, testing, and any necessary treatment, as well as any additional expenses resulting from the bite.

605.103. **REPORTS OF BITE CASES.** Every physician or other medical practitioner who treats an individual for an animal bite shall promptly report the incident to the Animal Control Officer and the City Council. Such report shall include the name and address of the person bitten and any other relevant information needed for rabies control.

605.104. **RESPONSIBILITIES OF VETERINARIANS.** Every licensed veterinarian shall notify the City Administrator and City Council of any animal in their care or observation that is diagnosed or reasonably suspected to be rabid, providing all pertinent information to aid in controlling the spread of rabies.

605.110. **PROHIBITED ANIMALS.** To protect the health, safety and welfare of the citizens of the City, no person shall keep any wild, dangerous or undomesticated animal.

Examples of wild animals considered capable of inflicting severe bodily harm to humans include but are not limited to:

1. Any animal defined as a "Regulated Animal" in M.S. § 346.155.
2. Any member of the family Canidae, such as wolves, coyotes, dingoes, and jackals, except Dogs.
3. Any crossbreed such as crossbreeds between Dogs and coyotes, or Dogs and wolves, but not including crossbred domesticated animals.
4. Any poisonous or venomous animal such as a venomous snake.
5. Any animal which by its size, vicious nature or other characteristic is dangerous to human beings.
6. Any other animal which is commonly considered wild and not domesticated.

Exception: Service or therapy animals are allowed if protected under the Americans with Disabilities Act.

605.111. **FARM ANIMALS.** Except as otherwise provided, no person shall keep or permit any horse, hog, mule, sheep, swine, goat, emu or other farm animal upon any lot or property, nor shall any person keep any pigeon or any other fowl upon any lot or property within the City of Birchwood Village.

- 605.112. **CRUEL TREATMENT.** Any person who treats an animal in a cruel or inhumane manner, or willfully or negligently causes or permits any animal to suffer torture or pain unnecessarily is guilty of a misdemeanor.
- 605.114. **MANNER OF KEEPING.** No person shall keep any animal in the City in an unsanitary place or condition or in a manner resulting in objectionable odors or in such a way as to constitute a nuisance or disturbance by reason of barking, howling, fighting, or other noise or in such a way as to permit the animal to annoy, injure, or endanger any person or property , nor shall any person allow an animal to cause a Public Nuisance as defined in Chapter 606 of the City Code. Violation shall be a misdemeanor.
- 605.115. **UNREASONABLE DISRUPTIONS.** Any Owner who permits an Unreasonable Disruption shall be guilty of a misdemeanor.
- 605.140. **INTERFERENCE.** Any person who interferes with, hinders, or molests any agent of the City Council in the performance of the agent’s duties, or who seeks to release any animal in the custody of the City Council or its agents, except as herein provided, is guilty of a misdemeanor.
- 605.160. **ENFORCEMENT.** Animal Control Officers are granted police powers and shall enforce the provisions of this code.
- 605.165. **REGULATION BY CITY.** The City Council may, by resolution, restrict and adopt regulations of animals on public property.
- 605.170. **PENALTIES FOR VIOLATION.** Unless otherwise specified, any person violating any of the provisions of this Code is guilty of a petty misdemeanor. In addition, the City may revoke all animal permits issued to such person and may refuse to issue animal permits for three years following the violation.

EFFECTIVE DATE: This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by M.S. § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of M.S. § 331A.01, subd. 10, as it may be amended from time to time.

Adopted by the City of Birchwood Village City Council this XXth day of May, 2025

Jennifer Arsenault, Mayor

Attest:

City Administrator

To: Birchwood City Council
From: Ryan Hankins

Date 3/31/2025

Based on feedback at the January council meeting on improving communication regarding the code revision, I added a list of frequently asked questions (FAQ), including a question that explains differences between the complaint and appeals process. I am also providing a blurb on the new process that the city may use in its newsletter.

I also added a section relating to obtaining a variance if an appeal is denied. This could be a useful process if a neighbor appeals an applicant's permit; the appeal is sustained, but was due to an error on the part of the city. In this case, an applicant could apply for a variance to continue with the project.

January Updates

In light of recent zoning appeals and the resulting burdens and costs to the city, please consider this revision of our administrative appeals ordinance, with a corresponding update to our fee schedule.

The intent of these ordinances is to reduce frivolous appeals and to recoup some portion of city costs deriving from appeals and to ensure appellants and staff provide sufficient information for the planning commission and council to decide matters.

For reference, other cities charge the following for administrative appeals.

Mahtomedi \$250

White Bear Township \$35 fee + \$150 escrow

Dellwood \$200 + 1000 escrow

White Bear Lake \$150

Stillwater \$250

Thank you to the planning commission and Justin McCarthy for their work on the ordinance proposal. The planning commission reviewed the ordinance at its December meeting and may review the updated version in January.

For the benefit of a new council, the following requirements exist for amending our zoning code:

1. The planning commission must have the opportunity to review the ordinance.
2. The city council holds a "first reading" introducing the ordinance.
3. The city publishes notice of a public hearing on the ordinance in the White Bear Press.
4. The city council holds a public hearing and passes the ordinance.
5. The ordinance is published in the White Bear Press and takes effect.

ORDINANCE NO. 2025-01-01
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
AN ORDINANCE AMENDING ORDINANCE NO. 310 TITLED “ADMINISTRATIVE APPEALS.”

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

Section 1. Ordinance No. 310 and titled “ADMINISTRATIVE APPEALS” is amended to read:

310. ADMINISTRATIVE APPEALS

310.010 BOARD OF APPEALS AND ADJUSTMENTS. As stated in Section 304.005, the City Council shall serve as the Board of Appeals and Adjustments. These powers include hearing and deciding appeals in which it is alleged that there is an error in any administrative order, requirement, decision, or determination made by an administrative officer in the interpretation or enforcement of Chapters 200 and 300 of this code.

310.015 ADMINISTRATIVE APPEALS. A person who deems themselves injured by an alleged error in any order, requirement, decision or determination (hereinafter, “administrative decision”) made in the interpretation or enforcement of any provision of chapters 200 and 300 of this code, may appeal the order, requirement, decision, or determination to the Board of Appeals and Adjustments.

Commented [1]: Injured is the term used for standing.

310.020 PROCEDURE FOR APPEALING AN ADMINISTRATIVE DECISION. A person who wishes to appeal any order, requirement, decision, or determination made in the interpretation or enforcement of any provision of chapters 200 and 300 of this code may do so by filing a written appeal with the City Administrator or his or her designee within 30 days after the date of such order, requirement, decision or determination.

Commented [2]: We should be more consistent throughout code as to the title of this position. I've been using administrator as I think that's Becky's title.

310.020.1 APPEAL REQUIREMENTS. For each order, requirement, decision, or determination appealed, a complete appeal shall include the following.

1. A completed appeal form provided by the City.
2. For each matter, a description of the decision made by the City.
3. For each matter, a detailed explanation of why the appellant believes the order, requirement, decision, or determination made by the City is in error. The explanation must be stated with particularity. An example explanation stated with particularity would be: “The building official approved a building permit for a house that was only nine feet from our shared property line in violation of the setback requirement of section 302.020.” An example statement that is not particular would be: “The building official approved a building permit for a structure that does not conform the building code.” The example statement that is not particular fails to point out specifically why the structure does not conform to the building code. A determination of whether the particular matter is pleaded with particularity is wholly within discretion of City staff.
4. For each matter, a detailed explanation of how the appellant was injured by the City’s alleged error. The alleged injury must be a concrete and particularized injury that is actual or imminent and not hypothetical.

The injury must be directly traceable to the decision of the City, and a favorable decision by the board of appeals and adjustments must be likely to remedy the injury.

5. All evidence supporting the appeal.
6. The fee and escrow required for the appeal.

Commented [3]: Borrowing heavily from federal court standing requirements.

For each matter, the appellant may include a reference to the section of the City code, statute or other requirement that the appellant is appealing. If the appellant does not include such a reference, City staff shall determine whether references apply and include them in the City's response or shall state that no known reference applies. When possible, specific numeric references shall be included. For example, if the appeal relates to whether a riparian buffer is sufficient, the reference to 302.050(6)(c)(b) shall be provided.

Commented [4]: I would change this to "may" Otherwise we may get someone claiming we didn't follow our own ordinances.

310.020.2 APPEAL COMPLETENESS. Upon submission of an appeal, City staff shall determine, within fourteen days, whether the appeal is complete. If the appeal is incomplete, City staff shall provide a written explanation to the appellant. The appellant shall then have ten days to complete and resubmit the appeal. If the appeal is not resubmitted or not complete, it shall be deemed abandoned and final.

Commented [5]: The previous wording was unclear as to whether the city had 14 days to determine completeness or 14 days to mail a letter once it was deemed incomplete.

310.020.3 APPEAL FEE. The appellant shall pay a fee in the amount specified in the City fee schedule. If specified in the fee schedule, the applicant shall provide an additional escrow for the City's expenses in evaluating the appeal. If the appeal is substantially sustained by the Board of Appeals and Adjustments, the fee and escrow shall be refunded to the appellant. In all cases, any unused portion of the escrow shall be refunded to the applicant. Whether an appeal is substantially sustained will be determined in the sole discretion of the Board of Appeals and Adjustments and such determination is not administratively appealable.

310.020.4 CITY RESPONSE TO APPEAL. City Staff shall evaluate and respond to the merits of each requirement appealed and shall provide that response to the Planning Commission and Board of Appeals and Adjustments.

310.020.5 THIRD PARTY COMMENTS. A third party affected by the outcome of the appeal may, but is not required to, provide written comments relating to both the contents of the appeal and the City's response. An example of a third party so affected includes, but is not limited to, a property owner whose building project is the subject of an appeal initiated by a neighbor.

310.025 BOARD OF APPEALS AND ADJUSTMENTS HEARING. Once the Planning Commission has had a reasonable opportunity to review and report to the Board of Appeals and Adjustments on the merits of the appeal, the Board of Appeals and Adjustments shall decide the appeal. Notice of the decision shall be mailed to the appellant and permittee explaining why the appeal was approved or denied. The Board shall maintain a record of its proceedings relative to the appeal, which shall include the minutes of its meetings and final order concerning the appeal. The Board of Appeals and Adjustments will provide notice to all known affected parties and an opportunity to be heard during the hearing.

Commented [6]: We should be using Board of Appeals and Adjustments throughout this section rather than council for consistency with this section and state law. I'll leave it to you to change.

310.025.1 **APPEAL STANDARD.** The Board of Appeals and Adjustments shall determine whether the appellant was injured by any matter appealed and, if so, shall determine whether the decision of the City was reasonable. The appellant shall bear the burden of proof to demonstrate that he or she was injured by the decision, and the decision was unreasonable.

Commented [7]: This makes it sound like the planning commission is also deciding. The Planning Commission just provides a report.

310.025.2 **EVIDENCE AND ARGUMENT DEADLINE.** Appellants and Third Parties injured by the decision may not submit new arguments or evidence after the Planning Commission has held public hearings unless given express permission by the City.

310.030 **NOTICE OF HEARINGS.** A notice of hearings for appeals of administrative decisions shall be given to the appellant and shall be published in the official newspaper once at least ten days before the day of the Board of Appeals and Adjustments hearing. If City permits or permit applications are subject to the appeal, the City shall provide a copy of the appeal to the permittee or applicant within five days of the date the City determines the appeal is complete.

310.040 **VARIANCE APPLICATION AFTER DENIED APPEAL.** If an appeal decision is averse to a permittee, the permittee may submit a written application for a variance pursuant to Section 304 within 14 calendar days of the date the denial notice is issued. The application must include a copy of the denied appeal decision, a detailed explanation of the requested variance, and supporting evidence demonstrating how the variance meets the criteria set forth in Section 304. Upon submission of a variance application, the effect of the denied appeal shall be stayed until the variance is decided. No construction, excavation, site preparation, or other related activities shall proceed regarding the subject matter of the appeal until the variance decision is finalized.

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

Passed by the City Council of The City of Birchwood, Minnesota this 8th day of April 2025.

Mayor

Attested:

City Clerk

ORDINANCE NO. 2024-01-02
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
AN ORDINANCE AMENDING THE CITY FEE SCHEDULE

The City Council of the City of Birchwood Village hereby ordains that the fee schedule is amended by adding the following fee:

PLANNING AND ZONING FEES, ESCROWS AND DEPOSITS	Administrative Appeal Fee	310.020.3	\$300.00
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This ordinance becomes effective from and after its passage and publication.
Passed by the City Council of The City of Birchwood, Minnesota this 11th day of March 2025.

Mayor

Attested:

City Clerk



CITY OF BIRCHWOOD VILLAGE
APPEAL OF ADMINISTRATIVE DECISION

207 Birchwood Ave., Birchwood, MN 55110

651-426-3403 • info@cityofbirchwood.com

A. Appellant's Name:

Telephone:

Home:

Work/Cell:

Email:

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

C. Appeal 1

1. Reference to the section of the City code, statute or other requirement.. The specific numeric sections shall be included where applicable (optional, but recommended).

2. Description of the decision made by the City.

3. Explanation of why the appellant believes the order, requirement, decision, or determination made by the City is in error.

4. Explanation of how the appellant was affected by the City's alleged error

D. Appeal 2

1. Reference to the section of the City code, statute or other requirement . The specific numeric sections shall be included where applicable (optional, but recommended).
2. Description of the decision made by the City.
3. Explanation of why the appellant believes the order, requirement, decision, or determination made by the City is in error.
4. Explanation of how the appellant was affected by the City's alleged error.

[Include additional sections for each matter appealed]

Signature _____. Date _____

310.020.1 **APPEAL REQUIREMENTS.** For each order, requirement, decision, or determination appealed, a complete appeal shall include the following.

1. A completed appeal form provided by the City.
2. For each matter, a description of the decision made by the City.
3. For each matter, a detailed explanation of why the appellant believes the order, requirement, decision, or determination made by the City is in error. The explanation must be stated with particularity. An example explanation stated with particularity would be: "The building official approved a building permit for a house that was only nine feet from our shared property line in violation of the setback requirement of section 302.020." An example statement that is not particular would be: "The building official approved a building permit for a structure that does not conform the building code." The example statement that is not particular fails to point out specifically why the structure does not conform to the building code. A determination of whether the particular matter is pleaded with particularity is wholly within discretion of City staff.
4. For each matter, a detailed explanation of how the appellant was injured by the City's alleged error. The alleged injury must be a concrete and particularized injury that is actual or imminent and not hypothetical. The injury must be directly traceable to the decision of the City, and a favorable decision by the board of appeals and adjustments must be likely to remedy the injury.
5. All evidence supporting the appeal.
6. The fee and escrow required for the appeal.

Commented [UA8]: Borrowing heavily from federal court standing requirements.



CITY OF BIRCHWOOD VILLAGE
APPEAL OF ADMINISTRATIVE DECISION

207 Birchwood Ave., Birchwood, MN 55110

651-426-3403 • info@cityofbirchwood.com

EXAMPLE APPEAL

A. Appellant's Name: *Woody Birch* Telephone:
Home: *651-555-1234*
Work/Cell: *612-555-1234*
Email: *woody.birch@gmail.com*

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

123 Woodwild Ave., Birchwood, Minnesota, 55110

C. Appeal 1

1. Reference to the section of the City code, statute or other requirement. The specific numeric sections shall be included where applicable (optional, but recommended).

I applied for a permit to increase my impervious surface to 29%, and I am creating a riparian buffer. Under section 302.050(6)(c)(i)(a), "The buffer shall consist of trees, shrubs, or low ground cover of native plants and understory consistent with natural cover shorelines."

2. Description of the decision made by the City.

I used the native plant encyclopedia in the DNR Restore Your Shore guidance provided in the city code to choose to plant the black raspberry, but the city rejected that plant within my plans.

3. Explanation of why the appellant believes the order, requirement, decision, or determination made by the City is in error.

When I talked to the city planner, he said he is allergic to raspberries and wouldn't approve them because he can't get near them. However, because the black raspberry is listed in the Native Plant Encyclopedia that the city code encourages for planning shoreline riparian buffers, I should be allowed to plant black raspberries.

Proof that the black raspberry is included is available at: https://apps.dnr.state.mn.us/restore_your_shore

Here is a screenshot of that website, showing the black raspberry.

(+)	Black Chokeberry	Aronia melanocarpa	Trees and Shrubs	transitional, upland moist, upland dry	full sun, partial sun	3.0 - 6.0	3-6	White	May-June
✓	Black Raspberry	Rubus occidentalis	Trees and Shrubs	upland moist, upland dry	full sun, partial sun	3.0 - 6.0	4-8	White	May-June
(+)	Black Spruce	Picea mariana	Trees and Shrubs	transitional	full sun, partial sun	30.0 - 70.0	10-30	---	---

I believe the City planner's decision is not reasonable because he is arbitrarily applying his own standard, not the standard that the City set in its code.

4. Explanation of how the appellant was affected by the City's alleged error.

I harvest raspberries in the summer and I enjoy them. This decision reduces my right to enjoy my property.

Signature Woody Birch, Date 12/2/2024

310.020.1	APPEAL REQUIREMENTS. For each order, requirement, decision, or determination appealed, a complete appeal shall include the following. 1. A completed appeal form provided by the City. 2. For each matter, a description of the decision made by the City.
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3. For each matter, a detailed explanation of why the appellant believes the order, requirement, decision, or determination made by the City is in error. The explanation must be stated with particularity. An example explanation stated with particularity would be: "The building official approved a building permit for a house that was only nine feet from our shared property line in violation of the setback requirement of section 302.020." An example statement that is not particular would be: "The building official approved a building permit for a structure that does not conform the building code." The example statement that is not particular fails to point out specifically why the structure does not conform to the building code. A determination of whether the particular matter is pleaded with particularity is wholly within discretion of City staff.
4. For each matter, a detailed explanation of how the appellant was injured by the City's alleged error. The alleged injury must be a concrete and particularized injury that is actual or imminent and not hypothetical. The injury must be directly traceable to the decision of the City, and a favorable decision by the board of appeals and adjustments must be likely to remedy the injury.
5. All evidence supporting the appeal.
6. The fee and escrow required for the appeal.

Commented [UA9]: Borrowing heavily from federal court standing requirements.

Administrative Appeals FAQ

1. What is an administrative appeal?

An administrative appeal is a formal process through which you can challenge an order, requirement, decision, or determination made by the City of Birchwood Village in interpreting or enforcing provisions of Chapters 200 and 300 of the city code.

2. What is the difference between a complaint and an appeal?

A complaint is a formal statement alleging a City Code violation, requesting investigation and enforcement. An appeal is a process to challenge an administrative decision, arguing it was unreasonable or caused harm.

Aspect	Complaint	Appeal
Initiator	Any person alleging a code violation	A person injured by an administrative decision
Focus	Resolving a possible code violation	Challenging a specific City decision
Resolution Authority	City staff and City Council	Board of Appeals and Adjustments
Purpose	To investigate and enforce compliance	To determine if the City's decision was in error
Outcome	Enforcement action or compliance	Modification or reversal of a decision

Complaints address violations; appeals challenge administrative decisions.

3. Who decides the outcome of administrative appeals?

The City Council of Birchwood Village serves as the Board of Appeals and Adjustments. They review the appeal and decide if the City’s decision was reasonable and whether the appellant was injured by it.

4. How do I file an appeal?

To file an appeal:

- Obtain and complete the appeal form provided by the City.
- Provide a description of the City’s decision you are appealing.

- Include a detailed explanation of why you believe the City’s decision is in error, stated with particularity.
- Explain how you were injured by the City’s decision, with evidence.
- Submit all supporting evidence, along with the required fee and escrow deposit, to the City Administrator or their designee within 30 days of the decision being appealed.

5. What does it mean to "state with particularity"?

You must explain your appeal in detail, specifying exactly why you believe the City’s decision is incorrect. For example, “The building official approved a permit for a house nine feet from our shared property line, violating the setback requirement of Section 302.020” is considered a statement with particularity.

6. What happens if my appeal is incomplete?

City staff will review your appeal within 14 days. If it’s incomplete, they will notify you in writing. You will have 10 days to correct and resubmit the appeal. If you do not resubmit or the appeal remains incomplete, it will be deemed abandoned.

7. What fees are involved?

You must pay a fee as specified in the City’s fee schedule and may need to provide additional escrow to cover the City’s costs. If your appeal is substantially sustained by the Board of Appeals and Adjustments, the fee and any unused portion of the escrow will be refunded.

8. Can third parties participate in the appeal?

Yes. Third parties affected by the outcome, such as a neighbor or permit holder, may submit written comments about the appeal and the City’s response.

9. How is the hearing process conducted?

- After the Planning Commission reviews the appeal, the Board of Appeals and Adjustments will hold a hearing to decide the case.
- All affected parties will receive notice of the hearing and have the opportunity to be heard.
- The Board will mail its final decision to the appellant and permittee, along with an explanation of the outcome.

10. What is the standard for deciding appeals?

The Board will determine:

1. Whether the appellant was injured by the City's decision.
2. Whether the City's decision was reasonable.

The appellant bears the burden of proof in demonstrating these points.

11. Can I submit new evidence after the public hearing?

No new evidence or arguments can be submitted after the Planning Commission holds public hearings unless explicitly allowed by the City.

12. What kind of notice will I receive?

The City will:

- Publish a notice of the appeal hearing in the official newspaper at least 10 days before the hearing.
- Notify the appellant and affected parties once the appeal is deemed complete.

Newsletter blurb on appeals revision

Understanding the Administrative Appeals Process

The City of Birchwood Village recently updated its ordinance on **Administrative Appeals** (Ordinance No. 310). This process allows residents to formally challenge administrative decisions they believe were made in error, such as zoning interpretations or permitting issues. Appeals must be filed within 30 days of the decision and include detailed explanations, supporting evidence, and a fee. The City Council will review each case and determine if the decision was reasonable.

For more information, visit the City's website or contact City Hall.

Redlines since January 27 council meeting:

310. ADMINISTRATIVE APPEALS

310.010 **BOARD OF APPEALS AND ADJUSTMENTS.** As stated in Section 304.005, the City Council shall serve as the Board of Appeals and Adjustments. These powers include hearing and deciding appeals in which it is alleged that there is an error in any administrative order, requirement, decision, or determination made by an administrative officer in the interpretation or enforcement of Chapters 200 and 300 of this code.

310.015 **ADMINISTRATIVE APPEALS.** A person who deems themselves injured by an alleged error in any order, requirement, decision or determination (hereinafter, “administrative decision”) made in the interpretation or enforcement of any provision of chapters 200 and 300 of this code, may appeal the order, requirement, decision, or determination to the Board of Appeals and Adjustments.

310.020 **PROCEDURE FOR APPEALING AN ADMINISTRATIVE DECISION.** A person who wishes to appeal any order, requirement, decision, or determination made in the interpretation or enforcement of any provision of chapters 200 and 300 of this code may do so by filing a written appeal with the City Administrator or his or her designee within 30 days after the date of such order, requirement, decision or determination.

310.020.1 **APPEAL REQUIREMENTS.** For each order, requirement, decision, or determination appealed, a complete appeal shall include the following.

1. A completed appeal form provided by the City.
2. For each matter, a description of the decision made by the City.
3. For each matter, a detailed explanation of why the appellant believes the order, requirement, decision, or determination made by the City is in error. The explanation must be stated with particularity. An example explanation stated with particularity would be: “The building official approved a building permit for a house that was only nine feet from our shared property line in violation of the setback requirement of section 302.020.” An example statement that is not particular would be: “The building official approved a building permit for a structure that does not conform the building code.” The example statement that is not particular fails to point out specifically why the structure does not conform to the building code. A determination of whether the particular matter is pleaded with particularity is wholly within discretion of City staff.
4. For each matter, a detailed explanation of how the appellant was injured by the City’s alleged error. The alleged injury must be a concrete and particularized injury that is actual or imminent and not hypothetical. The injury must be directly traceable to the decision of the City, and a favorable decision by the board of appeals and adjustments must be likely to remedy the injury.
5. All evidence supporting the appeal.
6. The fee and escrow required for the appeal.

For each matter, the appellant may include a reference to the section of the City code, statute or other requirement that the appellant is appealing. If the appellant does not include such a reference, City staff ~~may~~shall determine whether references apply and include them in the City’s response or shall state that no known reference applies. When possible, specific numeric references shall be included. For example, if the appeal relates to whether a riparian buffer is sufficient, the reference to 302.050(6)(c)(b) shall be provided.

310.020.2 **APPEAL COMPLETENESS.** Upon submission of an appeal, City staff shall determine, within fourteen days, whether the appeal is complete. If the appeal is incomplete, City staff shall provide a written explanation to the appellant. The appellant shall then have ten days to complete and resubmit the appeal. If the appeal is not resubmitted or not complete, it shall be deemed abandoned and final.

310.020.3 **APPEAL FEE.** The appellant shall pay a fee in the amount specified in the City fee schedule. If specified in the fee schedule, the applicant shall provide an additional escrow for the City's expenses in evaluating the appeal. If the appeal is substantially sustained by the Board of Appeals and Adjustments, the fee and escrow shall be refunded to the appellant. In all cases, any unused portion of the escrow shall be refunded to the applicant. Whether an appeal is substantially sustained will be determined in the sole discretion of the Board of Appeals and Adjustments and such determination is not administratively appealable.

310.020.4 **CITY RESPONSE TO APPEAL.** City Staff shall evaluate and respond to the merits of each requirement appealed and shall provide that response to the Planning Commission and Board of Appeals and Adjustments.

310.020.5 **THIRD PARTY COMMENTS.** A third party affected by the outcome of the appeal may, but is not required to, provide written comments relating to both the contents of the appeal and the City's response. An example of a third party so affected includes, but is not limited to, a property owner whose building project is the subject of an appeal initiated by a neighbor.

310.025 **BOARD OF APPEALS AND ADJUSTMENTS HEARING.** Once the Planning Commission has had a reasonable opportunity to review and report to the Board of Appeals and Adjustments on the merits of the appeal, the Board of Appeals and Adjustments shall decide the appeal. Notice of the decision shall be mailed to the appellant and permittee explaining why the appeal was approved or denied. The Board shall maintain a record of its proceedings relative to the appeal, which shall include the minutes of its meetings and final order concerning the appeal. ~~Where applicable, notice of the final order shall be sent to other government agencies such as the Minnesota Department of Natural Resources (DNR), as required by law.~~ The Board of Appeals and Adjustments will provide notice to all known affected parties and an opportunity to be heard during the hearing.

310.025.1 **APPEAL STANDARD.** The Board of Appeals and Adjustments shall determine whether the appellant was injured by any matter appealed and, if so, shall determine whether the decision of the City was reasonable. The appellant shall bear the burden of proof to demonstrate that he or she was injured by the decision, and the decision was unreasonable.

310.025.2 **EVIDENCE AND ARGUMENT DEADLINE.** Appellants and Third Parties injured by the decision may not submit new arguments or evidence after the Planning Commission has held public hearings unless given express permission by the City.

310.030 **NOTICE OF HEARINGS.** A notice of hearings for appeals of administrative decisions shall be given to the appellant and shall be published in the official newspaper once at least ten days before the day of the Board of Appeals and Adjustments hearing. If City permits or permit applications are subject to the appeal, the City shall provide a copy of the appeal to the permittee or applicant within five days of the date the City determines the appeal is complete.

310.040 **VARIANCE APPLICATION AFTER DENIED APPEAL.** If an appeal decision is averse to a permittee, the permittee may submit a written application for a variance pursuant to Section 304 within 14 calendar days of the date the denial notice is issued. The application must include a copy of the denied appeal decision, a detailed explanation of the requested variance, and supporting evidence demonstrating how the variance meets the criteria set forth in Section 304. Upon submission of a variance application, the effect of the denied appeal shall be stayed until the variance is decided. No construction, excavation, site preparation, or other related activities shall proceed regarding the subject matter of the appeal until the variance decision is finalized.

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In the January 27 work session, council members raised questions about whether examples were appropriate in city codes. Here are examples of examples in the codes of other cities, as well as Birchwood. Examples are common.

Uses of examples in city codes:

Minneapolis city code; chapter 545: Land Use Regulations:

545.20. Use table description, section (d):

The number preceding a “P” or “C” in the use table indicates the maximum gross floor area for that use in that district in multiples of one thousand (1,000) square feet. For example, a use identified with a “10P” means the use is permitted in that district and is allowed a maximum gross floor area of ten thousand (10,000) square feet. These limits apply to individual uses, including individual uses within shopping centers. In the residential mixed-use districts, floor area limits shall apply to the entire shopping center.

Chisago city: Commercial Planned Unit development definition:

Uses that provide transient short term lodging spaces, rooms or parcels and whose operations are essentially service-oriented. For example hotel/motel accommodations, resorts, recreational vehicle and camping parks, and other primarily service-oriented activities are commercial planned unit developments.

Maplewood: Sec. 44-1293. - Rehabilitation standards.

All banks and slopes shall be left in accordance with the rehabilitation plan submitted with the permit application. No rehabilitation slopes shall be steeper than five feet horizontal to one foot vertical, except that steeper slopes may be permitted in accordance with the rehabilitation plan when slopes are planned **for** approved recreational uses; **for example**, ski hills and sliding hills.

Maplewood Sec. 44-98. - Definitions and conservation principles.

Table 44-98-1 identifies the conservation principles that may qualify **for** density incentives. The table is categorized into two groups: group A - natural characteristics and group B - design characteristics. The developer shall be required to present a diverse set of conservation principles **for** a site. Additionally, the developer is encouraged to use a mix of conservation principles and may not duplicate principles and receive a density incentive in exchange. **For example**, if the developer proposes to preserve a large wooded area and consequently preserves an important stand of oak trees, the developer will receive the density incentive **for** one conservation principle not two.

The Birchwood city code uses examples many times, including:

300.020. DEFINITIONS. For the purpose of Chapters 300 through 399 certain terms and words are hereby defined as follows:

Examples of BMPs can be found in the current versions of:

- a. The Minnesota Pollution Control Agency publications, “Protecting Water Quality in Urban Areas”, and “Storm-Water and Wetlands: Planning and Evaluation Guidelines for Addressing Potential Impacts of Urban StormWater and Snow-Melt Runoff on Wetlands”
- b. The Metropolitan Council “Urban Small Sites BMP Manual” (available on disk or at: www.metrocouncil.org/environment/watershed/BMP/manual.htm (address current January 2005)).
- c. The United States Environmental Protection Agency “Storm Water Management for Construction Activities: Developing Pollution Prevention Plans and Best Management Practices” (as a reference for BMPs)
- d. The Minnesota Department of Transportation “Erosion Control Design Manual”.

Examples of impervious surfaces include, but are not limited to, roads, driveways, parking areas, swimming pools, sidewalks, patios, rooftops, and covered decks. Examples of impervious surfaces resulting from compacting are unpaved or ungraveled driveways and parking areas.

13. Wild Animal. Shall mean and include any animal, amphibian, or reptile which is of a species which is wild by nature or of a species which, due to size, vicious nature or other characteristic is inherently dangerous to human beings. Examples of wild animals considered capable of inflicting severe bodily harm to humans include but are not limited to:

- a. Large wild cats like lions, tigers, jaguars, leopards, cougars, and ocelots are included, but domesticated house cats are not.
- b. Members of the dog family like wolves, coyotes, dingos, and jackals are included, but domesticated dogs are excluded.
- c. Crossbreeds between wild animals and dogs (like dog/coyote or dog/wolf hybrids) are included, but crossbred domesticated animals are not.
- d. Poisonous snakes such as rattlesnakes, coral snakes, water moccasins, puff adders, and cobras are listed.
- e. Any snake or reptile that is dangerous to humans because of its size, aggressive nature, or other traits is included.
- f. Skunks, raccoons, foxes, or ferrets are included unless a veterinarian certifies them free of rabies within 7 days of acquiring the animal, and they are kept with a valid DNR permit.
- g. Bears, apes, gorillas, monkeys, and badgers are included.
- h. Any other animal or reptile generally considered wild and not domesticated is also included.

RESOLUTION 2025-28

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

**A RESOLUTION APPROVING SUMMARY PUBLICATION OF ORDINANCE NO. 2025-01-01, AN
ORDINANCE AMENDING ORDINANCE NO. 310 TITLED “ADMINISTRATIVE APPEALS.”**

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

WHEREAS, the City has adopted Ordinance No. 2025-01-01, which amends the language of City Code Section 310; and

WHEREAS, the new ordinance is lengthy and would be costly for the City to publish in its entirety as required by law for the adoption of an ordinance.

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

1. Because the terms of Ordinance 2025-01-01 are lengthy, the City may publish the attached summary of the Ordinance as allowed by statute and need not publish the entire ordinance. The attached summary clearly informs the public of the intent and effect of the Ordinance. Summary publication has been approved by at least a 4/5 vote of the City Council.
2. The effective date of the Ordinance amendments shall be upon their publication by summary as required by law.

Resolution duly seconded and passed this 8th day of April 2025.

Jennifer Arsenault, Mayor

Attest:

City Administrator-Clerk

Please be advised that the City of Birchwood has duly-passed the following ORDINANCE:

AN ORDINANCE AMENDING ORDINANCE NO. 310 REGARDING ADMINISTRATIVE APPEALS.

The following is a SUMMARY of the Ordinance:

On April 8, 2025, the City adopted an Ordinance (2025-01-01) which amends the City's administrative appeals process (Ordinance 310) for Chapters 200 and 300 of the City Code. Changes include clarifying the City Council's role as the Board of Appeals and Adjustments, detailing appeal requirements and procedures, and outlining hearing processes and standards.

Appeals must be filed within 30 days of a disputed decision with a completed appeal form, a specific explanation of the alleged error, evidence of direct injury, supporting documentation, and applicable fees. Appeals must be stated with particularity, citing relevant City Code provisions. City staff will determine appeal completeness within 14 days; incomplete appeals must be corrected within 10 days or will be deemed abandoned.

Appellants must pay a fee and, if required, an escrow deposit for the City's review costs, refundable if the Board substantially sustains the appeal. City staff will review and respond to appeals, and affected third parties may submit comments. The Planning Commission will evaluate appeals before the Board of Appeals and Adjustments issues a final decision. The appellant bears the burden of proving both injury and the unreasonableness of the administrative decision. New evidence or arguments are prohibited after the Planning Commission hearing unless expressly permitted.

Hearing notices must be published at least 10 days in advance, and permit applicants subject to appeal will receive notice within five days of appeal completion. If an appeal is denied, the permittee may apply for a variance within 14 days, staying all related construction or site work until the variance is resolved.

PLEASE BE ADVISED, this is not the full text of the Ordinance passed and the published material is only a summary. The full text is available for public inspection at City of Birchwood, 207 Birchwood Avenue, Birchwood, Minnesota 55110 or delivered upon request electronically or by U.S. Mail.

Summary complies with Minn. Stat. §§ 331A.05 subd. 8. & 412.191 subd 4.

For the Period : 3/1/2025 To 3/31/2025

<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	\$781,977.91	\$6,369.84	\$46,895.07	\$741,452.68	\$0.00	\$33,634.11	\$775,086.79
Special Rev Projects	\$21,023.05	\$0.00	\$0.00	\$21,023.05	\$0.00	\$300.00	\$21,323.05
Capital Project PW	(\$13,649.43)	\$0.00	\$0.00	(\$13,649.43)	\$0.00	\$0.00	(\$13,649.43)
Water	\$74,616.85	\$12,468.96	\$2,092.19	\$84,993.62	\$0.00	\$2,027.25	\$87,020.87
Sewer	\$40,904.55	\$8,070.08	\$5,576.23	\$43,398.40	\$0.00	\$842.64	\$44,241.04
Total	\$904,872.93	\$26,908.88	\$54,563.49	\$877,218.32	\$0.00	\$36,804.00	\$914,022.32

Jennifer L Arsenault	City Council/Town Board, Mayor	Date
Katherine A Weier	City Council/Town Board	Date
Ryan P Eisele	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 3/31/2024	Genl Fund 4M #35389-101
US Bank 4M balance	General Fund		\$907,493.31
Outstanding Checks/ Deposits	Outstanding Checks		(\$36,804.00)
	Utility Deposit US 3/31, 4M 4/1		\$5,699.18
Bank Open Items	MN Dept Revenue - went through bank twice.		\$511.55 Should be applied to Q1 2025
	Techie Dudes - Need to enter into CTAS		\$308.28
	PERA - Need to enter into CTAS		\$10.00
			\$877,218.32
	Balance Per Cash Control Statement		<u><u>\$877,218.32</u></u>
		DIFFERENCE	\$0.00

Date of Report : 4/1/2025

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	33301	Stoltzman, Cris	\$137.80
02/28/2025	33350	Arsenault, Jennifer	\$119.30
02/28/2025	33361	Olson, Marsha	\$151.21
02/28/2025	33369	H.A. Kantrud, P.A.	\$2,500.00
02/28/2025	33374	Arsenault, Jennifer	\$31.32
02/28/2025	33398	Arsenault, Jennifer	\$10.10
03/27/2025	33415	Payroll Period Ending 03/27/2025	\$316.37
03/29/2025	33417	H.A. Kantrud, P.A.	\$2,500.00
03/29/2025	33421	LRS Portables, LLC	\$224.00
03/29/2025	33425	Sorenson, Andy	\$443.00
03/29/2025	33418	John Wikstrom	\$1,700.00
03/29/2025	33419	City of White Bear Lake Fire	\$14,995.75
03/29/2025	33420	Core & Main	\$244.65
03/29/2025	33422	Manship Plumbing & Heating Inc	\$1,400.00
03/29/2025	33423	Menard's - MAPLEWOOD	\$29.40
03/29/2025	33424	Minutes Solutions	\$290.00
03/29/2025	33426	TSE, Inc. Work Account	\$60.08
03/29/2025	33427	Toshiba America Business Solutions	\$10.62
03/29/2025	33428	Tracy Printing, Inc.	\$411.72
03/29/2025	33429	USS Minnesota One MT LLC	\$182.49
03/29/2025	33430	USS Minnesota One MT LLC	\$408.15
03/29/2025	33431	Stoltzman, Cris	\$220.84
03/29/2025	33432	Water Leak Detection	\$382.60
03/29/2025	33433	White Bear Lk Conservation District	\$1,148.28
03/29/2025	33434	BrightView Landscapes, LLC.	\$6,585.50
03/29/2025	33435	Bolton & Menk, Inc.	\$300.00
03/29/2025	33436	Bolton & Menk, Inc.	\$62.00
03/29/2025	33437	Bolton & Menk, Inc.	\$165.00
Total			\$36,804.00

Fund Name: All Funds
Date Range: 03/01/2025 To 03/31/2025

Date	Vendor	Check #	Description	Void	Account Name	F-A-O-P	Total
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
03/07/2025	Metropolitan Council - Env. Service	33411*	Feb Waste Water Services	N	Sewer Utility	605-49465-217-	\$ 4,928.08
	Total For Check	33411					\$ 4,928.08
03/11/2025	MN Department of Revenue	EFT03112025A	MN State Tax eFiling - 2025 Q1- February 2025 pymt	N	Clerk - Treasurer	100-41401-115-	\$ 738.31
		EFT03112025A				100-41401-115-	\$ 94.96
	Total For Check	EFT03112025A					\$ 833.27
03/11/2025	IRS - US Treasury	EFT03112025B	Federal Taxes - Q1 2025 -February Payment	N	Clerk - Treasurer	100-41401-100-	\$ 3,571.95
		EFT03112025B				100-41401-100-	\$ 411.75
	Total For Check	EFT03112025B					\$ 3,983.70
03/14/2025	Payroll Period Ending 03/14/2025	33412	Office Payroll 2/23/25 - 3/8/25	N	Clerk - Treasurer	100-41401-100-	\$ 2,010.13
	Total For Check	33412					\$ 2,010.13

Fund Name: All Funds

Date Range: 03/01/2025 To 03/31/2025

<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>
03/14/2025	Payroll Period Ending 03/14/2025	33413	Office Payroll 2/23/25 - 3/8/25	N	Parks	100-45207-100-	\$ 226.63
	Total For Check	33413					\$ 226.63
03/14/2025	PERA	eft03142025*	Retirement funds-PR 2/23-3/8, tb, jr	N	Clerk - Treasurer	100-41401-121-	\$ 390.61
		eft03142025*			Parks	100-45207-121-	\$ 37.62
	Total For Check	eft03142025					\$ 428.23
03/27/2025	Payroll Period Ending 03/27/2025	33414	Office Payroll 3/9/25-3/22/25	N	Clerk - Treasurer	100-41401-100-	\$ 1,731.92
	Total For Check	33414					\$ 1,731.92
03/27/2025	Payroll Period Ending 03/27/2025	33415	Office Payroll 3/9/25-3/22/25	N	Parks	100-45207-100-	\$ 316.37
	Total For Check	33415					\$ 316.37
03/29/2025	H.A. Kantrud, P.A.	33417*	Attorney Fees for March	N	Legal Services	100-41601-300-	\$ 2,500.00
	Total For Check	33417					\$ 2,500.00
03/29/2025	John Wikstrom	33418*	Mar City Planner Fees-Plus catchup pay from last month	N	General Fund Engineering Expense	100-41925-300-	\$ 1,700.00
	Total For Check	33418					\$ 1,700.00
03/29/2025	City of White Bear Lake Fire	33419*	Fire Inspection and Fire Services -2025 2nd Q	N	Fire	100-42201-314-	\$ 14,995.75
	Total For Check	33419					\$ 14,995.75
03/29/2025	Core & Main	33420*	Water Main Supplies Purchased By Manship	N	Water Utility	601-49415-220-	\$ 244.65
	Total For Check	33420					\$ 244.65
03/29/2025	LRS Portables, LLC	33421*	Mar Portable Potty	N	Parks	100-45207-314-	\$ 224.00
	Total For Check	33421					\$ 224.00
03/29/2025	Manship Plumbing & Heating Inc	33422*	Sewer/Water-mar Retain, Locates, Hydrant Maintenance	N	Water Utility	601-49415-314-	\$ 700.00
		33422*				601-49415-314-	\$ 460.00
		33422*				601-49415-314-	\$ 240.00
	Total For Check	33422					\$ 1,400.00
03/29/2025	Menard's - MAPLEWOOD	33423*	Misc cleaning and office supplies	N	General Government Buildings and Plant	100-41940-400-	\$ 29.40
	Total For Check	33423					\$ 29.40

Fund Name: All Funds

Date Range: 03/01/2025 To 03/31/2025

<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>
03/29/2025	Minutes Solutions	33424*	Meeting Minutes -3/11/25 Council Meeting	N	Cable Eqpmt and Service	100-41950-320-	\$ 290.00
		Total For Check	33424				\$ 290.00
03/29/2025	Sorenson, Andy	33425*	Window for Warming House	N	Parks	100-45207-220-	\$ 443.00
		Total For Check	33425				\$ 443.00
03/29/2025	TSE, Inc. Work Account	33426*	Janitorial Services - 3/6 and 3/21	N	General Government Buildings and Plant	100-41940-314-	\$ 30.04
						100-41940-314-	\$ 30.04
		Total For Check	33426				\$ 60.08
03/29/2025	Toshiba America Business Solutions	33427*	Mar Monthly Usage Allowance	N	Office Operations Supplies	100-41911-314-	\$ 10.62
		Total For Check	33427				\$ 10.62
03/29/2025	Tracy Printing, Inc.	33428*	Window Envelopes for Utility Mailings	N	Office Operations Supplies	100-41911-210-	\$ 411.72
		Total For Check	33428				\$ 411.72
03/29/2025	USS Minnesota One MT LLC	33429*	Solar Energy - Dec Charges--	N	General Government Buildings and Plant	100-41940-380-	\$ 21.47
					Sewer Utility	605-49465-380-	\$ 57.25
						605-49465-380-	\$ 103.77
		Total For Check	33429				\$ 182.49
03/29/2025	USS Minnesota One MT LLC	33430*	Solar Energy - Jan Charges--	N	General Government Buildings and Plant	100-41940-380-	\$ 48.02
					Sewer Utility	605-49465-380-	\$ 128.05
						605-49465-380-	\$ 232.08
		Total For Check	33430				\$ 408.15
03/29/2025	Stoltzman, Cris	33431*	Videography - Council Mtg--2/11 & 3/11	N	Cable Eqpmt and Service	100-41950-314-	\$ 220.84
		Total For Check	33431				\$ 220.84
03/29/2025	Water Leak Detection	33432*	Water Leak Locate at 3980 E Cty Line	N	Water Utility	601-49415-314-	\$ 382.60
		Total For Check	33432				\$ 382.60
03/29/2025	White Bear Lk Conservation District	33433*	Annual Community Assessment	N	Water Resources	100-46101-437-	\$ 1,148.28
		Total For Check	33433				\$ 1,148.28
03/29/2025	BrightView Landscapes, LLC.	33434*	Plow and Delce 3/4/25	N	Ice and Snow Removal	100-43125-210-	\$ 4,766.00

Fund Name: All Funds

Date Range: 03/01/2025 To 03/31/2025

<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>
		33434*				100-43125-314-	\$ 1,819.50
	Total For Check	33434					\$ 6,585.50
03/29/2025	Bolton & Menk, Inc.	33435*	City Council Meeting	N	General Fund Engineering Expense	100-41925-300-	\$ 300.00
	Total For Check	33435					\$ 300.00
03/29/2025	Bolton & Menk, Inc.	33436*	Lift Station	N	Sewer Engineering Expense	605-49485-300-	\$ 62.00
	Total For Check	33436					\$ 62.00
03/29/2025	Bolton & Menk, Inc.	33437*	Permit Review for Row Permit	N	General Fund Engineering Expense	100-41925-300-	\$ 165.00
	Total For Check	33437					\$ 165.00
03/29/2025	Xcel 2307-8	eft03032025*	Street Lighting Charges	N	Street Lighting	100-43160-380-	\$ 1,446.62
	Total For Check	eft03032025					\$ 1,446.62
03/29/2025	Xcel 2335-4	eft03192025*	Electricity 1/20-2/19	N	Water Utility	601-49415-380-	\$ 10.99
	Total For Check	eft03192025					\$ 10.99
03/29/2025	Xcel 9369-0	eft03202025*	407 Lake Lift Station 1/21-2/21	N	Sewer Utility	605-49465-380-	\$ 30.11
	Total For Check	eft03202025					\$ 30.11
03/29/2025	Xcel 4094-1	eft03202025-a*	Gas Service 01/21-2/21 200 Wildwood Lift Station	N	Water Utility	605-49415-380-	\$ 28.14
	Total For Check	eft03202025-a					\$ 28.14
03/29/2025	Amazon	eft03202025-b*	Radon Mitigation Tester Device	N	Office Operations Supplies	100-41911-200-	\$ 123.20
	Total For Check	eft03202025-b					\$ 123.20
03/29/2025	Amazon	eft03202025-c*	Dog Waste Bags	N	Parks	100-45207-218-	\$ 45.99
	Total For Check	eft03202025-c					\$ 45.99
03/29/2025	Quantum Fiber	eft03262025*	Mar Internet Service Fee	N	Phone/IT	100-41955-314-	\$ 50.00
	Total For Check	eft03262025					\$ 50.00
03/29/2025	Xcel 2307-8	eft03282025*	Street Lighting Charges	N	Street Lighting	100-43160-380-	\$ 1,443.05
	Total For Check	eft03282025					\$ 1,443.05
03/29/2025	PERA	eft03282025-a*	Retirement funds-PR 3/9/25-3/22/25, tb, jr	N	Clerk - Treasurer	100-41401-121-	\$ 330.12
	Total For Check	eft03282025-a*			Parks	100-45207-121-	\$ 53.16
		eft03282025-a					\$ 383.28

Fund Name: All Funds

Date Range: 03/01/2025 To 03/31/2025

<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>
03/29/2025	A T & T Mobility	efy03222025*	Wireless for water tower-3/1-4/1	N	Water Utility	601-49415-382-	\$ 53.95
Total For Check		efy03222025					\$ 53.95
03/31/2025	Quantum Fiber	EFT033125A	Internet Service Fee	N	Phone/IT	100-41955-314-	\$ 50.00
Total For Check		EFT033125A					\$ 50.00
03/31/2025	Techie Dudes	EFT033125B	Managed Services, Ninja Backup, Microsoft Email	N	Phone/IT	100-41955-314-	\$ 247.00
Total For Check		EFT033125B					\$ 247.00
03/31/2025	Techie Dudes	EFT033125C	Managed Services, Ninja Backup, Microsoft Email	N	Phone/IT	100-41955-314-	\$ 330.10
Total For Check		EFT033125C					\$ 330.10
Total For Selected Checks							\$ 54,563.49

Fund Name: All Funds
Date Range: 03/01/2025 To 03/31/2025

Date	Remitter	Receipt #	Description	Deposit ID	Void	Account Name	F-A-P	Total
03/04/2025	Pella Windows	171736314*	BP #25-0012, 4 Hall Ct,	(03/04/2025) - ach	N	Building Permits	100-32211-	\$ 229.69
								\$ 229.69
03/13/2025	Tobeck, Pat	171736319*	Kayak Rental-2 boats	(03/13/2025) - ck	N	Kayak/Canoe Permits	100-32212-	\$ 80.00
								\$ 80.00
03/13/2025	Loosebrock, Jeremy	171736320*	Kayak Rental--Extras \$5 for last yr shortage	(03/13/2025) - ck	N	Kayak/Canoe Permits	100-32212-	\$ 40.00
								\$ 40.00
03/13/2025	Johnson, Tyler	171736321*	Kayak Rental	(03/13/2025) - ck	N	Kayak/Canoe Permits	100-32212-	\$ 35.00
								\$ 35.00
03/13/2025	Bergeron, Deborah	171736322*	Kayak Rental, 2 ea	(03/13/2025) - ck	N	Kayak/Canoe Permits	100-32212-	\$ 70.00
								\$ 70.00
03/13/2025	Hullsiek, William	171736323*	Kayak Rental	(03/13/2025) - ck	N	Kayak/Canoe Permits	100-32212-	\$ 35.00
								\$ 35.00
03/13/2025	Cavanor, Katherine	171736324*	Kayak Rental	(03/13/2025) - ck	N	Kayak/Canoe Permits	100-32212-	\$ 35.00
								\$ 35.00
03/13/2025	Malles, R	171736325*	Kayak Rental	(03/13/2025) - ck	N	Kayak/Canoe Permits	100-32212-	\$ 35.00
								\$ 35.00
03/13/2025	Arsenault, Jennifer	171736326*	Kahay Rental 2 ea	(03/13/2025) - ck	N	Kayak/Canoe Permits	100-32212-	\$ 70.00
								\$ 70.00
03/13/2025	LaFoy, Randall	171736327*	Kayak Rental	(03/13/2025) - ck	N	Kayak/Canoe Permits	100-32212-	\$ 35.00
								\$ 35.00
03/13/2025	Klimp, Dana	171736328*	Kayak Rental	(03/13/2025) - ck	N	Kayak/Canoe Permits	100-32212-	\$ 35.00
								\$ 35.00

Fund Name: All Funds

Date Range: 03/01/2025 To 03/31/2025

<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>
03/13/2025	Corliss, Karleen	171736329*	Kayak Rental 2 each	(03/13/2025) - ck	N	Kayak/Canoe Permits	100-32212-	\$ 70.00
								\$ 70.00
03/13/2025	Felt, R	171736330*	Kayak Rental 2 each	(03/13/2025) - ck	N	Kayak/Canoe Permits	100-32212-	\$ 70.00
								\$ 70.00
03/13/2025	Unemployment Compensation Fund Clea	171736331*	Yr 2021 Unemployment Refund	(03/13/2025) - ck	N	Refund-Reimbursemnt-Dividend	100-36240-	\$ 176.41
								\$ 176.41
03/13/2025	Schaffhausen, Mark	171736332*	Kayak Rental 3 each	(03/13/2025) - ck	N	Kayak/Canoe Permits	100-32212-	\$ 105.00
								\$ 105.00
03/13/2025	Heisdorffer, Kevin	171736333*	Certicate of Occupancy, 423 Wildwood	(03/13/2025) - ck	N	Building Permits	100-32211-	\$ 30.00
								\$ 30.00
03/13/2025	WS&D Permit Service	171736334*	BP 25-0013, 286 Jay St	(03/13/2025) - ck	N	Building Permits	100-32211-	\$ 113.63
								\$ 113.63
03/14/2025	Wandmacher, Cathryn	171736315*	Kayak Rack Rental	(03/14/2025) - ach	N	Kayak/Canoe Permits	100-32212-	\$ 35.00
								\$ 35.00
03/19/2025	Rollinger, Mary	171736316*	Dog License	(03/19/2025) - ach	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
03/23/2025	Broomell, Laura	171736335*	Dog License	(03/23/2025) - ach	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
03/24/2025	Place, Andy	171736317*	Dog License	(03/24/2025) - ach	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
03/24/2025	Sorenson, Andy	171736318*	Dog License	(03/24/2025) - ach	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00

Fund Name: All Funds
Date Range: 03/01/2025 To 03/31/2025

<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>
03/27/2025	Hullsiek, William	171736306*	Engineering Fee for Planner Consultation, 700 Birchwood Lot Split	(03/27/2025) -	N	CHARGES FOR SERVICES	100-34001-	\$ 850.00
								\$ 850.00
03/27/2025	Bachman, Alan	171736307	kayak permit	(03/27/2025) -	N	Kayak/Canoe Permits	100-32212-	\$ 35.00
								\$ 35.00
03/27/2025	Kirschbaum, Max	171736308	Kayak rental	(03/27/2025) -	N	Kayak/Canoe Permits	100-32212-	\$ 35.00
								\$ 35.00
03/27/2025	Aalderks, Jennifer	171736309	Kayak rental	(03/27/2025) -	N	Kayak/Canoe Permits	100-32212-	\$ 70.00
								\$ 70.00
03/27/2025	Geiser, Michael	171736310	dog license	(03/27/2025) -	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
03/27/2025	McCormick, Tyler	171736311	kayak rental	(03/27/2025) -	N	Kayak/Canoe Permits	100-32212-	\$ 35.00
								\$ 35.00
03/27/2025	Simanski, Julie	171736312	dog license	(03/27/2025) -	N	Animal Licenses	100-32240-	\$ 30.00
								\$ 30.00
03/27/2025	Sandstrom, Charles	171736313	hall rental	(03/27/2025) -	N	City/Town Hall Rent	100-34101-	\$ 25.00
								\$ 25.00
03/27/2025	Residents	171736339	Kayak Rental, Data Request, Art Group Donantion	(03/27/2025) -	N	Kayak/Canoe Permits	100-32212-	\$ 120.00
							Miscellaneous	\$ 31.00
							Contributions and Donations from Private Sources	\$ 40.00
								\$ 191.00
03/31/2025	Residents - via St Anthony Village	171736336	Utility Billing Receipts for March 2025	(03/31/2025) -	N	Water Consumption	601-37111-	\$(51.89)
							Water Consumption	\$(80.92)
							Water Consumption	\$ 5,939.20
							Water Utility User Fee	\$ 5,087.48

Fund Name: All Funds
Date Range: 03/01/2025 To 03/31/2025

<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>
						Water Utility User Fee	601-37112-	\$(57.14)
						Water Utility User Fee	601-37112-	\$(39.35)
						Water Main-break Surcharge	601-37113-	\$(50.17)
						Special Water Charges	601-37115-	\$(2.05)
						Special Water Charges	601-37115-	\$ 49.98
						State Surcharge	601-37116-	\$(2.39)
						State Surcharge	601-37116-	\$(4.10)
						State Surcharge	601-37116-	\$ 248.10
						Administrative Fee Move/Out	601-37118-	\$(9.81)
						Lift Station Replacement	601-37119-	\$ 1,419.67
						Penalties and Forfeited Discounts	601-37160-	\$(1.08)
						Penalties and Forfeited Discounts	601-37160-	\$ 23.43
						Sewer Consumption	605-37211-	\$ 4,412.64
						Sewer Consumption	605-37211-	\$(124.90)
						Sewer Consumption	605-37211-	\$(54.07)
						Sewer Minimum Charge	605-37212-	\$(35.41)
						Sewer Minimum Charge	605-37212-	\$(114.69)
						Sewer Minimum Charge	605-37212-	\$ 3,983.85
						Penalties and Forfeited Discounts	605-37260-	\$ 13.38
						Penalties and Forfeited Discounts	605-37260-	\$(10.72)
								<u>\$ 20,539.04</u>
03/31/2025	4 M Fund	171736337	March 25 interest	(03/31/2025) -	N	Interest Earning	100-36210-	\$ 3,391.32
						Interest Earning	100-36210-	\$ 224.46
								<u>\$ 3,615.78</u>
03/31/2025	MN Management & Budget	171736338	Court Fines	(03/31/2025) -	N	Court Fines	100-35101-	\$ 33.33
								<u>\$ 33.33</u>
Total for Selected Receipts								<u><u>\$ 26,908.88</u></u>

As on 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	2,629.68	(87,370.32)
Kayak/Canoe Permits	1,700.00	1,080.00	(620.00)
Zoning Permits	300.00	0.00	(300.00)
Animal Licenses	100.00	1,440.00	1,340.00
Total Acct 322	92,100.00	5,149.68	(86,950.32)
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)
CHARGES FOR SERVICES	0.00	850.00	850.00
Total Acct 340	0.00	850.00	850.00
City/Town Hall Rent	400.00	195.00	(205.00)
Total Acct 341	400.00	195.00	(205.00)
Court Fines	950.00	403.30	(546.70)
Total Acct 351	950.00	403.30	(546.70)
Miscellaneous	0.00	31.00	31.00
Total Acct 361	0.00	31.00	31.00
Interest Earning	48,000.00	11,605.97	(36,394.03)
Contributions and Donations from Private Sources	250.00	40.00	(210.00)
Refund-Reimbursemnt-Dividend	9,500.00	584.41	(8,915.59)
Escrow Deposits	35,000.00	3,000.00	(32,000.00)
Total Acct 362	92,750.00	15,230.38	(77,519.62)
Total Revenues	1,411,026.00	30,806.16	(1,380,219.84)
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00

As on 12/31/2025

General Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Disbursements:			
Ordinances and Proceedings			
Printing and Binding: Legal Notices Publishing	2,000.00	360.69	1,639.31
Total Acct 411	2,000.00	360.69	1,639.31
Mayor			
Training	0.00	380.00	(380.00)
WAGES AND SALARIES (101 through 109)	8,500.00	0.00	8,500.00
Employer Contributions for Retirement: PERA	680.00	0.00	680.00
Contributions			
Total Acct 413	9,180.00	380.00	8,800.00
Clerk - Treasurer			
WAGES AND SALARIES (101 through 109)	143,000.00	28,960.45	114,039.55
State Tax - Employee	11,200.00	2,012.51	9,187.49
Employer Contributions for Retirement: PERA	11,100.00	4,227.19	6,872.81
Contributions			
Elections			
Repair and Maintenance Supplies (221 through 229)	1,500.00	0.00	1,500.00
Total Acct 414	166,800.00	35,200.15	131,599.85
Assessing			
Contracted Services	6,700.00	6,067.00	633.00
Total Acct 415	6,700.00	6,067.00	633.00
Legal Services			
PROFESSIONAL SERVICES (301 through 319)	30,000.00	12,000.00	18,000.00
Professional Services: Legal Fees	3,500.00	0.00	3,500.00
Printing and Binding: General Notices and Public	500.00	0.00	500.00
Information			
Total Acct 416	34,000.00	12,000.00	22,000.00
Grants			
Grants	2,100.00	0.00	2,100.00
Planning and Zoning			
PROFESSIONAL SERVICES (301 through 319)	22,500.00	0.00	22,500.00
Office Operations Supplies			
OFFICE SUPPLIES (201 through 209)	0.00	901.81	(901.81)
Operating Supplies (211 through 219)	0.00	421.82	(421.82)
Office Equipment	0.00	1,332.59	(1,332.59)
Contracted Services	0.00	31.86	(31.86)
City Training and Development			
Training	2,000.00	0.00	2,000.00
Miscellaneous: Dues and Subscriptions	1,250.00	0.00	1,250.00
Animal Control			
Contracted Services	1,200.00	290.00	910.00
REPAIRS AND MAINTENANCE - CONTRACTUAL (401	0.00	103.00	(103.00)
through 409)			
Software Expense			
Miscellaneous: Dues and Subscriptions	2,100.00	0.00	2,100.00
General Fund Engineering Expense			
PROFESSIONAL SERVICES (301 through 319)	14,500.00	14,456.00	44.00
General Government Buildings and Plant			
Contracted Services	750.00	180.24	569.76
Utility Services (381 through 389)	5,000.00	69.49	4,930.51
REPAIRS AND MAINTENANCE - CONTRACTUAL (401	450.00	29.40	420.60
through 409)			
OFFICE SUPPLIES (201 through 209)	2,000.00	0.00	2,000.00
Operating Supplies: Cleaning Supplies	100.00	0.00	100.00
Repair and Maintenance Supplies (221 through 229)	1,500.00	0.00	1,500.00
Communication (321 through 329)	5,000.00	0.00	5,000.00

As on 12/31/2025

General Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Disbursements:			
City Insurance			
Insurance: General Liability	16,100.00	0.00	16,100.00
Utility Services (381 through 389)	1,200.00	0.00	1,200.00
Cable Eqpm and Service			
Contracted Services	1,750.00	317.30	1,432.70
Communication (321 through 329)	0.00	840.00	(840.00)
Phone/IT			
Contracted Services	0.00	1,135.38	(1,135.38)
Total Acct 419	79,500.00	20,108.89	59,391.11
Police			
Contracted Services	97,575.00	48,674.78	48,900.22
Communications: Telephone	70.00	0.00	70.00
Total Acct 421	97,645.00	48,674.78	48,970.22
Fire			
Contracted Services	65,087.00	29,991.50	35,095.50
Total Acct 422	65,087.00	29,991.50	35,095.50
Building Inspections Administration			
Contracted Services	60,000.00	20,474.41	39,525.59
Fees	2,200.00	15.68	2,184.32
Total Acct 424	62,200.00	20,490.09	41,709.91
Other Protection			
Contracted Services	0.00	68.38	(68.38)
Total Acct 428	0.00	68.38	(68.38)
Streets and Road Mntnc			
Repair and Maintenance Supplies (221 through 229)	100,000.00	0.00	100,000.00
Street Sweeping			
Contracted Services	4,000.00	0.00	4,000.00
Tree Care			
Contracted Services	5,000.00	0.00	5,000.00
Ice and Snow Removal			
Operating Supplies (211 through 219)	17,000.00	24,485.30	(7,485.30)
Contracted Services	17,000.00	20,019.85	(3,019.85)
Tree Removal			
Contracted Services	15,000.00	0.00	15,000.00
Street Lighting			
Utility Services (381 through 389)	17,000.00	4,172.75	12,827.25
Total Acct 431	175,000.00	48,677.90	126,322.10
Recycle			
Contracted Services	20,400.00	3,312.00	17,088.00
Total Acct 433	20,400.00	3,312.00	17,088.00
Parks			
WAGES AND SALARIES (101 through 109)	25,200.00	3,880.59	21,319.41
Employer Contributions for Retirement: PERA	3,525.00	851.45	2,673.55
Contributions			
Operating Supplies: Pet Waste Bags	50.00	45.99	4.01
Repair and Maintenance Supplies (221 through 229)	500.00	443.00	57.00
Contracted Services	3,025.00	896.00	2,129.00
REPAIRS AND MAINTENANCE - CONTRACTUAL (401 through 409)	3,000.00	560.00	2,440.00
Utility Services (381 through 389)	400.00	0.00	400.00
Contracted Services-Lake Links Trail	2,000.00	0.00	2,000.00
Medicare - Employee	750.00	0.00	750.00
Social Security Employer	1,800.00	0.00	1,800.00
Lawn Care - Maintenance			

As on 12/31/2025

General Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Disbursements:			
Contracted Services	8,000.00	0.00	8,000.00
Total Acct 452	48,250.00	6,677.03	41,572.97
Water Resources			
Fees	1,150.00	1,148.28	1.72
Total Acct 461	1,150.00	1,148.28	1.72
MISCELLANEOUS			
Refunds and Reimbursements	0.00	90.00	(90.00)
Total Acct 490	0.00	90.00	(90.00)
Unallocated Expenditures			
Miscellaneous (431 through 499)	500.00	0.00	500.00
Escrow Refunds			
Refunds and Reimbursements	30,000.00	24,141.67	5,858.33
Total Acct 492	30,500.00	24,141.67	6,358.33
Utility Reimbursement			
OFFICE SUPPLIES (201 through 209)	600,000.00	0.00	600,000.00
Sewer Engineering Expense			
PROFESSIONAL SERVICES (301 through 319)	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	260,488.36	1,137,923.64
Other Financing Uses:			
Transfer To Enterprise Fund			
Interfund Transfers	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		30,806.16	
Total Disbursements and Other Financing Uses		260,488.36	
Cash Balance as of 12/31/2025		741,452.68	

As on 12/31/2025

Special Rev Projects

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

As on 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			
PROFESSIONAL SERVICES (301 through 319)	<u>0.00</u>	<u>4,178.00</u>	<u>(4,178.00)</u>
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)	

As on 12/31/2025

Water

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Water Consumption	0.00	19,873.88	19,873.88
Water Utility User Fee	0.00	13,756.19	13,756.19
Water Main-break Surcharge	0.00	5.94	5.94
Special Water Charges	0.00	346.96	346.96
State Surcharge	0.00	773.00	773.00
Administrative Fee Move/Out	0.00	(1.21)	(1.21)
Lift Station Replacement	0.00	1,419.67	1,419.67
Penalties and Forfeited Discounts	0.00	171.02	171.02
Total Acct 371	0.00	36,345.45	36,345.45
Total Revenues	0.00	36,345.45	36,345.45
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Financial Administration			
Contracted Services	0.00	4,293.12	(4,293.12)
Total Acct 415	0.00	4,293.12	(4,293.12)
Water Utility			
Repair and Maintenance Supplies (221 through 229)	0.00	244.65	(244.65)
Contracted Services	0.00	20,021.29	(20,021.29)
Utility Services (381 through 389)	0.00	31.97	(31.97)
Utility Services: Water	0.00	161.85	(161.85)
Fees	0.00	817.00	(817.00)
Wtr/Swr Emergency			
PROFESSIONAL SERVICES (301 through 319)	0.00	815.60	(815.60)
Contracted Services	0.00	7,440.30	(7,440.30)
Total Acct 494	0.00	29,532.66	(29,532.66)
Total Disbursements	0.00	33,825.78	(33,825.78)
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		36,345.45	
Total Disbursements and Other Financing Uses		33,825.78	
Cash Balance as of 12/31/2025		84,993.62	

As on 12/31/2025

Sewer

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Sewer Consumption	0.00	13,756.77	13,756.77
Sewer Minimum Charge	0.00	12,425.17	12,425.17
Penalties and Forfeited Discounts	0.00	130.27	130.27
Total Acct 372	0.00	26,312.21	26,312.21
Total Revenues	0.00	26,312.21	26,312.21
Other Financing Sources:			
Total Other Financing Sources	0.00	0.00	0.00
Disbursements:			
Office Operations Supplies			
Operating Supplies (211 through 219)	0.00	140.52	(140.52)
Total Acct 419	0.00	140.52	(140.52)
Water Utility			
Utility Services (381 through 389)	0.00	86.12	(86.12)
Utility Locates			
Contracted Services	0.00	71.60	(71.60)
Sewer Utility			
Sewer - Wastewater Charge	0.00	10,059.94	(10,059.94)
Contracted Services	0.00	762.27	(762.27)
Utility Services (381 through 389)	0.00	609.39	(609.39)
Sewer Engineering Expense			
PROFESSIONAL SERVICES (301 through 319)	0.00	12,999.00	(12,999.00)
Total Acct 494	0.00	24,588.32	(24,588.32)
Total Disbursements	0.00	24,728.84	(24,728.84)
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		26,312.21	
Total Disbursements and Other Financing Uses		24,728.84	
Cash Balance as of 12/31/2025		43,398.40	

Monthly Activity Summary

3/1/2025 - 3/31/2025

Class	Account	Beginning Balance	Contributions	Interest	Checks Paid	Other Withdrawals	Month End Balance
4M	35389 - 101 General Fund	\$998,322.21	\$18,232.61	\$3,391.32	(\$163,487.07)	(\$10,407.29)	\$846,051.78
4MP	35389 - 101 General Fund	\$61,217.07	\$0.00	\$224.46	\$0.00	\$0.00	\$61,441.53
LTD	35389 - 101 General Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$1,059,539.28	\$18,232.61	\$3,615.78	(\$163,487.07)	(\$10,407.29)	\$907,493.31

Activity Summary (35389-101) General Fund

3/1/2025 - 3/31/2025

Investment Pool Summary	4M	4MP
Beginning Balance	\$998,322.21	\$61,217.07
Dividends	\$3,391.32	\$224.46
Purchases	\$18,232.61	\$0.00
Checks Paid	(\$163,487.07)	\$0.00
Other Redemptions	(\$10,407.29)	\$0.00
Ending Balance	\$846,051.78	\$61,441.53
Average Monthly Rate	4.289%	4.317%
Share Price	\$1.000	\$1.000
Total	\$846,051.78	\$61,441.53
Total Fixed Income		\$0.00
Account Total		\$907,493.31

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



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

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

Transaction Activity (35389-101) General Fund

4M 3/1/2025 - 3/31/2025

Transaction	Trade Date	Settle Date	Description	Redemption	Purchase	Share Price	Shares this Transaction
2395124	03/03/2025	03/03/2025	US Bank ACH Redemption, TECHIE DUDES	(\$308.28)	\$0.00	\$1.000	(308.280)
2395513	03/03/2025	03/04/2025	US Bank Checks Paid Redemption	(\$2,707.45)	\$0.00	\$1.000	(2,707.450)
2395894	03/04/2025	03/04/2025	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$229.69	\$1.000	229.690
2396512	03/05/2025	03/05/2025	US Bank ACH Redemption, XCEL ENERGY-MN	(\$1,446.62)	\$0.00	\$1.000	(1,446.620)
2396513	03/05/2025	03/05/2025	US Bank ACH Redemption, MN PERA	(\$544.90)	\$0.00	\$1.000	(544.900)
2397278	03/07/2025	03/07/2025	US Bank Deposit Package Purchase	\$0.00	\$2,283.44	\$1.000	2,283.440
2397672	03/07/2025	03/07/2025	US Bank ACH Redemption, MN DEPT OF REVEN	(\$693.58)	\$0.00	\$1.000	(693.580)
2398798	03/10/2025	03/11/2025	US Bank Checks Paid Redemption	(\$96.46)	\$0.00	\$1.000	(96.460)
2399205	03/11/2025	03/11/2025	US Bank ACH Redemption, IRS	(\$3,983.70)	\$0.00	\$1.000	(3,983.700)
2399872	03/12/2025	03/12/2025	US Bank ACH Redemption, MN DEPT OF REVEN	(\$833.27)	\$0.00	\$1.000	(833.270)
2399873	03/12/2025	03/12/2025	US Bank ACH Purchase, MN State-MMB	\$0.00	\$33.33	\$1.000	33.330
2400128	03/12/2025	03/13/2025	US Bank Checks Paid Redemption	(\$2,078.10)	\$0.00	\$1.000	(2,078.100)
2400697	03/14/2025	03/14/2025	US Bank Deposit Package Purchase	\$0.00	\$1,035.04	\$1.000	1,035.040
2400698	03/14/2025	03/14/2025	US Bank Deposit Package Purchase	\$0.00	\$8,153.65	\$1.000	8,153.650
2401349	03/14/2025	03/17/2025	US Bank Checks Paid Redemption	(\$694.25)	\$0.00	\$1.000	(694.250)
2401845	03/17/2025	03/17/2025	US Bank ACH Redemption, MN PERA	(\$428.23)	\$0.00	\$1.000	(428.230)
2401846	03/17/2025	03/17/2025	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$35.00	\$1.000	35.000
2402149	03/17/2025	03/18/2025	US Bank Checks Paid Redemption	(\$31,790.68)	\$0.00	\$1.000	(31,790.680)
2402705	03/18/2025	03/19/2025	US Bank Checks Paid Redemption	(\$28,650.90)	\$0.00	\$1.000	(28,650.900)
2402706	03/18/2025	03/19/2025	US Bank Checks Paid Redemption	(\$1,096.75)	\$0.00	\$1.000	(1,096.750)
2403067	03/19/2025	03/19/2025	US Bank ACH Redemption, AMAZON BUSINESS	(\$123.20)	\$0.00	\$1.000	(123.200)
2403316	03/19/2025	03/20/2025	US Bank Checks Paid Redemption	(\$49,008.16)	\$0.00	\$1.000	(49,008.160)
2403703	03/20/2025	03/20/2025	US Bank ACH Redemption, AMAZON BUSINESS	(\$45.99)	\$0.00	\$1.000	(45.990)
2403704	03/20/2025	03/20/2025	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$30.00	\$1.000	30.000

Transaction	Trade Date	Settle Date	Description	Redemption	Purchase	Share Price	Shares this Transaction
2404001	03/20/2025	03/21/2025	US Bank Checks Paid Redemption	(\$32,109.74)	\$0.00	\$1.000	(32,109.740)
2404002	03/21/2025	03/21/2025	US Bank Deposit Package Purchase	\$0.00	\$5,041.46	\$1.000	5,041.460
2404401	03/21/2025	03/21/2025	US Bank ACH Redemption, XCEL ENERGY-MN	(\$10.99)	\$0.00	\$1.000	(10.990)
2404679	03/21/2025	03/24/2025	US Bank Checks Paid Redemption	(\$8,877.66)	\$0.00	\$1.000	(8,877.660)
2405159	03/24/2025	03/24/2025	US Bank ACH Redemption, XCEL ENERGY-MN	(\$28.14)	\$0.00	\$1.000	(28.140)
2405160	03/24/2025	03/24/2025	US Bank ACH Redemption, XCEL ENERGY-MN	(\$30.11)	\$0.00	\$1.000	(30.110)
2405161	03/24/2025	03/24/2025	US Bank ACH Redemption, ATT	(\$53.95)	\$0.00	\$1.000	(53.950)
2405498	03/24/2025	03/25/2025	US Bank Checks Paid Redemption	(\$4,500.00)	\$0.00	\$1.000	(4,500.000)
2405857	03/25/2025	03/25/2025	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$30.00	\$1.000	30.000
2405858	03/25/2025	03/25/2025	US Bank ACH Purchase, TSYS/TRANSFIRST	\$0.00	\$60.00	\$1.000	60.000
2406754	03/26/2025	03/27/2025	US Bank Checks Paid Redemption	(\$145.00)	\$0.00	\$1.000	(145.000)
2407048	03/27/2025	03/27/2025	US Bank ACH Redemption, QUANTUM FIBER	(\$50.00)	\$0.00	\$1.000	(50.000)
2407287	03/28/2025	03/28/2025	US Bank Deposit Package Purchase	\$0.00	\$1,301.00	\$1.000	1,301.000
2407887	03/28/2025	03/31/2025	US Bank Checks Paid Redemption	(\$1,731.92)	\$0.00	\$1.000	(1,731.920)
2408363	03/31/2025	03/31/2025	US Bank ACH Redemption, XCEL ENERGY-MN	(\$1,443.05)	\$0.00	\$1.000	(1,443.050)
2408364	03/31/2025	03/31/2025	US Bank ACH Redemption, MN PERA	(\$383.28)	\$0.00	\$1.000	(383.280)
11305734	03/31/2025	03/31/2025	Dividend Reinvest	\$0.00	\$3,391.32	\$1.000	3,391.320
				(\$173,894.36)	\$21,623.93		(152,270.430)

Beginning Balance: \$998,322.21 | Ending Balance: \$846,051.78

Transaction Activity (35389-101) General Fund

4MP 3/1/2025 - 3/31/2025

Transaction	Trade Date	Settle Date	Description	Redemption	Purchase	Share Price	Shares this Transaction
11305743	03/31/2025	03/31/2025	Dividend Reinvest	\$0.00	\$224.46	\$1.000	224.460
				\$0.00	\$224.46		224.460

Beginning Balance: \$61,217.07 | Ending Balance: \$61,441.53

Current Portfolio

3/31/2025

Type	Code	Holding Id	Trade Date	Settle Date	Maturity Date	Description	Cost	Rate	NAV	Face/Par	Market Value
4M				03/31/2025		4M Account Balance	\$846,051.78	4.289%	\$1.000	\$846,051.78	\$846,051.78
4MP				03/31/2025		4MP Account Balance	\$61,441.53	4.317%	\$1.000	\$61,441.53	\$61,441.53
							\$907,493.31			\$907,493.31	\$907,493.31

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	93.230%	\$846,051.78	4M Account
4MP	6.770%	\$61,441.53	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

4/1/2025

Date Range : 3/1/2025 To 3/31/2025

<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>
03/01/2025	Metropolitan Council - Env. Service	Feb Waste Water Services	7409*	33411	Yes	\$4,928.08	605-49465-217	\$4,928.08
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
03/03/2025	Xcel 2307-8	Street Lighting Charges	7433*	eft03032025	Yes	\$1,446.62	100-43160-380	\$1,446.62
03/11/2025	IRS - US Treasury	Federal Taxes - Q1 2025 -February Payment	7408	EFT03112025B	Yes	\$3,983.70	100-41401-100	\$3,571.95
							100-41401-100	\$411.75
03/11/2025	MN Department of Revenue	MN State Tax eFiling - 2025 Q1- February 2025 pymt	7407	EFT03112025A	Yes	\$833.27	100-41401-115	\$738.31
							100-41401-115	\$94.96
03/14/2025	PERA	Retirement funds-PR 2/23-3/8, tb, jr	7410*	eft03142025	Yes	\$428.23	100-41401-121	\$390.61
							100-45207-121	\$37.62
03/19/2025	Xcel 2335-4	Electricity 1/20-2/19	7435*	eft03192025	Yes	\$10.99	601-49415-380	\$10.99
03/20/2025	Amazon	Radon Mitigation Tester Device	7439*	eft03202025-b	Yes	\$123.20	100-41911-200	\$123.20
03/20/2025	Amazon	Dog Waste Bags	7440*	eft03202025-c	Yes	\$45.99	100-45207-218	\$45.99
03/20/2025	Xcel 4094-1	Gas Service 01/21-2/21 200 Wildwood Lift Station	7438*	eft03202025-a	Yes	\$28.14	605-49415-380	\$28.14
03/20/2025	Xcel 9369-0	407 Lake Lift Station 1/21-2/21	7437*	eft03202025	Yes	\$30.11	605-49465-380	\$30.11
03/22/2025	A T & T Mobility	Wireless for water tower- 3/1-4/1	7434*	efy03222025	Yes	\$53.95	601-49415-382	\$53.95
03/26/2025	Quantum Fiber	Mar Internet Service Fee	7441*	eft03262025	Yes	\$50.00	100-41955-314	\$50.00
03/28/2025	PERA	Retirement funds-PR 3/9/25-3/22/25, tb, jr	7411*	eft03282025-a	Yes	\$383.28	100-41401-121	\$330.12
							100-45207-121	\$53.16
03/28/2025	Xcel 2307-8	Street Lighting Charges	7436*	eft03282025	Yes	\$1,443.05	100-43160-380	\$1,443.05
03/29/2025	Bolton & Menk, Inc.	City Council Meeting	7430*	33435	Yes	\$300.00	100-41925-300	\$300.00
03/29/2025	Bolton & Menk, Inc.	Lift Station	7431*	33436	Yes	\$62.00	605-49485-300	\$62.00
03/29/2025	Bolton & Menk, Inc.	Permit Review for Row Permit	7432*	33437	Yes	\$165.00	100-41925-300	\$165.00
03/29/2025	BrightView Landscapes, LLC.	Plow and Delce 3/4/25	7429*	33434	Yes	\$6,585.50	100-43125-314	\$1,819.50

<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>
							100-43125-210	\$4,766.00
03/29/2025	City of White Bear Lake Fire	Fire Inspection and Fire Services -2025 2nd Q	7414*	33419	Yes	\$14,995.75	100-42201-314	\$14,995.75
03/29/2025	Core & Main	Water Main Supplies Purchased By Manship	7415*	33420	Yes	\$244.65	601-49415-220	\$244.65
03/29/2025	H.A. Kantrud, P.A.	Attorney Fees for March	7412*	33417	Yes	\$2,500.00	100-41601-300	\$2,500.00
03/29/2025	John Wikstrom	Mar City Planner Fees-Plus catchup pay from last month	7413*	33418	Yes	\$1,700.00	100-41925-300	\$1,700.00
03/29/2025	LRS Portables, LLC	Mar Portable Potty	7416*	33421	Yes	\$224.00	100-45207-314	\$224.00
03/29/2025	Manship Plumbing & Heating Inc	Sewer/Water-mar Retain, Locates, Hydrant Maintenance	7417*	33422	Yes	\$1,400.00	601-49415-314	\$700.00
							601-49415-314	\$460.00
							601-49415-314	\$240.00
03/29/2025	Menard's - MAPLEWOOD	Misc cleaning and office supplies	7418*	33423	Yes	\$29.40	100-41940-400	\$29.40
03/29/2025	Minutes Solutions	Meeting Minutes -3/11/25 Council Meeting	7419*	33424	Yes	\$290.00	100-41950-320	\$290.00
03/29/2025	Sorenson, Andy	Window for Warming House	7420*	33425	Yes	\$443.00	100-45207-220	\$443.00
03/29/2025	Stoltzman, Cris	Videography - Council Mtg--2/11 & 3/11	7426*	33431	Yes	\$220.84	100-41950-314	\$220.84
03/29/2025	Toshiba America Business Solutions	Mar Monthly Usage Allowance	7422*	33427	Yes	\$10.62	100-41911-314	\$10.62
03/29/2025	Tracy Printing, Inc.	Window Envelopes for Utility Mailings	7423*	33428	Yes	\$411.72	100-41911-210	\$411.72
03/29/2025	TSE, Inc. Work Account	Janitorial Services - 3/6 and 3/21	7421*	33426	Yes	\$60.08	100-41940-314	\$30.04
							100-41940-314	\$30.04
03/29/2025	USS Minnesota One MT LLC	Solar Energy - Dec Charges--	7424*	33429	Yes	\$182.49	605-49465-380	\$103.77
							100-41940-380	\$21.47
							605-49465-380	\$57.25
03/29/2025	USS Minnesota One MT LLC	Solar Energy - Jan Charges--	7425*	33430	Yes	\$408.15	605-49465-380	\$232.08
							100-41940-380	\$48.02
							605-49465-380	\$128.05

<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>
03/29/2025	Water Leak Detection	Water Leak Locate at 3980 E Cty Line	7427*	33432	Yes	\$382.60	601-49415-314	\$382.60
03/29/2025	White Bear Lk Conservation District	Annual Community Assessment	7428*	33433	Yes	\$1,148.28	100-46101-437	\$1,148.28
03/31/2025	Quantum Fiber	Internet Service Fee	7442	EFT033125A	Yes	\$50.00	100-41955-314	\$50.00
03/31/2025	Techie Dudes	Managed Services, Ninja Backup, Microsoft Email	7443	EFT033125B	Yes	\$247.00	100-41955-314	\$247.00
03/31/2025	Techie Dudes	Managed Services, Ninja Backup, Microsoft Email	7444	EFT033125C	Yes	\$330.10	100-41955-314	\$330.10
Total For Selected Claims								\$46,724.69

City of Birchwood Village
April 8th, 2025 City Council Meeting

CLAIMS LIST APPROVAL SHEET

4/1/2025

Claims Total

\$ 46,724.69

Number of Checks 39

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

As on 3/31/2025

General Fund

<u>Account Name</u>	<u>Acct No</u>	<u>Budget</u>	<u>Year to Date</u>	<u>Balance</u>	<u>% of Budget</u>	<u>January/ July</u>	<u>February/ August</u>	<u>March/ September</u>	<u>April/ October</u>	<u>May/ November</u>	<u>June/ December</u>
Receipts:											
General Property Taxes (31001 through 31299)	31001	154,533.50	8,916.80	145,616.70	5.8	8,916.80 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
Total Acct 310		154,533.50	8,916.80	145,616.70	5.8	8,916.80 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
LICENSES AND PERMITS	32001	125.00	30.00	95.00	24.0	0.00 0.00	30.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
Total Acct 320		125.00	30.00	95.00	24.0	0.00 0.00	30.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
Building Permits	32211	22,500.00	2,629.68	19,870.32	11.7	1,560.06 0.00	696.30 0.00	373.32 0.00	0.00 0.00	0.00 0.00	0.00 0.00
Kayak/Canoe Permits	32212	425.00	1,080.00	(655.00)	254.1	0.00 0.00	35.00 0.00	1,045.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
Zoning Permits	32214	75.00	0.00	75.00	0.0	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
Animal Licenses	32240	25.00	1,440.00	(1,415.00)	5,760.0	0.00 0.00	1,260.00 0.00	180.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
Total Acct 322		23,025.00	5,149.68	17,875.32	22.4	1,560.06 0.00	1,991.30 0.00	1,598.32 0.00	0.00 0.00	0.00 0.00	0.00 0.00
Federal Grants and Aids	33101	798.00	0.00	798.00	0.0	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
Total Acct 331		798.00	0.00	798.00	0.0	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
State Grants and Aid	33422	150,750.00	0.00	150,750.00	0.0	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
Total Acct 334		150,750.00	0.00	150,750.00	0.0	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
CHARGES FOR SERVICES	34001	0.00	850.00	(850.00)	0.0	0.00 0.00	0.00 0.00	850.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
Total Acct 340		0.00	850.00	(850.00)	0.0	0.00 0.00	0.00 0.00	850.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
City/Town Hall Rent	34101	100.00	195.00	(95.00)	195.0	145.00 0.00	25.00 0.00	25.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
Total Acct 341		100.00	195.00	(95.00)	195.0	145.00 0.00	25.00 0.00	25.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
Court Fines	35101	237.50	403.30	(165.80)	169.8	173.33 0.00	196.64 0.00	33.33 0.00	0.00 0.00	0.00 0.00	0.00 0.00
Total Acct 351		237.50	403.30	(165.80)	169.8	173.33 0.00	196.64 0.00	33.33 0.00	0.00 0.00	0.00 0.00	0.00 0.00
Miscellaneous	36140	0.00	31.00	(31.00)	0.0	0.00 0.00	0.00 0.00	31.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00

As on 3/31/2025

General Fund

<u>Account Name</u>	<u>Acct No</u>	<u>Budget</u>	<u>Year to Date</u>	<u>Balance</u>	<u>% of Budget</u>	<u>January/ July</u>	<u>February/ August</u>	<u>March/ September</u>	<u>April/ October</u>	<u>May/ November</u>	<u>June/ December</u>
Receipts:											
Total Acct 361		0.00	31.00	(31.00)	0.0	0.00	0.00	31.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Interest Earning	36210	12,000.00	11,605.97	394.03	96.7	4,347.85	3,642.34	3,615.78	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Contributions and Donations from Private Sources	36230	62.50	40.00	22.50	64.0	0.00	0.00	40.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Refund-Reimbursemnt-Dividend	36240	2,375.00	584.41	1,790.59	24.6	408.00	0.00	176.41	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Escrow Deposits	36245	8,750.00	3,000.00	5,750.00	34.3	0.00	3,000.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 362		23,187.50	15,230.38	7,957.12	65.7	4,755.85	6,642.34	3,832.19	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Receipts		352,756.50	30,806.16	321,950.34	8.7	15,551.04	8,885.28	6,369.84	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00

As on 3/31/2025

General Fund

<u>Account Name</u>	<u>Acct No</u>	<u>Budget</u>	<u>Year to Date</u>	<u>Balance</u>	<u>% of Budget</u>	<u>January/ July</u>	<u>February/ August</u>	<u>March/ September</u>	<u>April/ October</u>	<u>May/ November</u>	<u>June/ December</u>
Disbursements:											
Ordinances and Proceedings	41130	500.00	360.69	139.31	72.1	0.00	360.69	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 411		500.00	360.69	139.31	72.1	0.00	360.69	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Mayor	41310	2,295.00	380.00	1,915.00	16.6	0.00	380.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 413		2,295.00	380.00	1,915.00	16.6	0.00	380.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Clerk - Treasurer	41401	41,325.00	35,200.15	6,124.85	85.2	12,098.80	13,441.91	9,659.44	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Elections	41410	375.00	0.00	375.00	0.0	0.00	0.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 414		41,700.00	35,200.15	6,499.85	84.4	12,098.80	13,441.91	9,659.44	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Assessing	41550	1,675.00	6,067.00	(4,392.00)	362.2	0.00	6,067.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 415		1,675.00	6,067.00	(4,392.00)	362.2	0.00	6,067.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Legal Services	41601	8,500.00	12,000.00	(3,500.00)	141.2	4,500.00	5,000.00	2,500.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 416		8,500.00	12,000.00	(3,500.00)	141.2	4,500.00	5,000.00	2,500.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00

As on 3/31/2025

General Fund

<u>Account Name</u>	<u>Acct No</u>	<u>Budget</u>	<u>Year to Date</u>	<u>Balance</u>	<u>% of Budget</u>	<u>January/ July</u>	<u>February/ August</u>	<u>March/ September</u>	<u>April/ October</u>	<u>May/ November</u>	<u>June/ December</u>
Disbursements:											
Grants	41905	525.00	0.00	525.00	0.0	0.00	0.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Planning and Zoning	41910	5,625.00	0.00	5,625.00	0.0	0.00	0.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Office Operations Supplies	41911	0.00	2,688.08	(2,688.08)	0.0	222.87	1,919.67	545.54	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
City Training and Development	41914	812.50	0.00	812.50	0.0	0.00	0.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Animal Control	41916	300.00	393.00	(93.00)	131.0	0.00	248.00	145.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Software Expense	41921	525.00	0.00	525.00	0.0	0.00	0.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
General Fund Engineering Expense	41925	3,625.00	12,603.00	(8,978.00)	347.7	1,600.00	8,838.00	2,165.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
General Government Buildings and Plant	41940	3,700.00	279.13	3,420.87	7.5	0.00	120.16	158.97	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
City Insurance	41945	4,325.00	0.00	4,325.00	0.0	0.00	0.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Cable Eqpmt and Service	41950	437.50	1,157.30	(719.80)	264.5	0.00	646.46	510.84	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Phone/IT	41955	0.00	1,135.38	(1,135.38)	0.0	50.00	408.28	677.10	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 419		19,875.00	18,255.89	1,619.11	91.9	1,872.87	12,180.57	4,202.45	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Police	42101	24,411.25	48,674.78	(24,263.53)	199.4	0.00	48,674.78	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 421		24,411.25	48,674.78	(24,263.53)	199.4	0.00	48,674.78	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Fire	42201	16,271.75	29,991.50	(13,719.75)	184.3	14,995.75	0.00	14,995.75	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 422		16,271.75	29,991.50	(13,719.75)	184.3	14,995.75	0.00	14,995.75	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Building Inspections	42401	15,550.00	20,490.09	(4,940.09)	131.8	15.68	20,474.41	0.00	0.00	0.00	0.00
Administration						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 424		15,550.00	20,490.09	(4,940.09)	131.8	15.68	20,474.41	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Other Protection	42801	0.00	68.38	(68.38)	0.0	0.00	68.38	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 428		0.00	68.38	(68.38)	0.0	0.00	68.38	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00

As on 3/31/2025

General Fund

<u>Account Name</u>	<u>Acct No</u>	<u>Budget</u>	<u>Year to Date</u>	<u>Balance</u>	<u>% of Budget</u>	<u>January/ July</u>	<u>February/ August</u>	<u>March/ September</u>	<u>April/ October</u>	<u>May/ November</u>	<u>June/ December</u>
Disbursements:											
Streets and Road Mntnc	43101	25,000.00	0.00	25,000.00	0.0	0.00	0.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Street Sweeping	43103	1,000.00	0.00	1,000.00	0.0	0.00	0.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Tree Care	43104	1,250.00	0.00	1,250.00	0.0	0.00	0.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Ice and Snow Removal	43125	8,500.00	44,505.15	(36,005.15)	523.6	1,425.00	36,494.65	6,585.50	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Tree Removal	43135	3,750.00	0.00	3,750.00	0.0	0.00	0.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Street Lighting	43160	4,250.00	4,172.75	77.25	98.2	0.00	1,283.08	2,889.67	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 431		43,750.00	48,677.90	(4,927.90)	111.3	1,425.00	37,777.73	9,475.17	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Recycle	43300	5,100.00	3,312.00	1,788.00	64.9	0.00	0.00	3,312.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 433		5,100.00	3,312.00	1,788.00	64.9	0.00	0.00	3,312.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Parks	45207	10,062.50	6,677.03	3,385.47	66.4	2,443.34	2,721.71	1,511.98	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Lawn Care - Maintenance	45208	2,000.00	0.00	2,000.00	0.0	0.00	0.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 452		12,062.50	6,677.03	5,385.47	55.4	2,443.34	2,721.71	1,511.98	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Water Resources	46101	287.50	1,148.28	(860.78)	399.4	0.00	0.00	1,148.28	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 461		287.50	1,148.28	(860.78)	399.4	0.00	0.00	1,148.28	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	49001	0.00	90.00	(90.00)	0.0	0.00	0.00	90.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 490		0.00	90.00	(90.00)	0.0	0.00	0.00	90.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Unallocated Expenditures	49201	125.00	0.00	125.00	0.0	0.00	0.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Escrow Refunds	49250	7,500.00	24,141.67	(16,641.67)	321.9	0.00	24,141.67	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 492		7,625.00	24,141.67	(16,516.67)	316.6	0.00	24,141.67	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00

As on 3/31/2025

General Fund

<u>Account Name</u>	<u>Acct No</u>	<u>Budget</u>	<u>Year to Date</u>	<u>Balance</u>	<u>% of Budget</u>	<u>January/ July</u>	<u>February/ August</u>	<u>March/ September</u>	<u>April/ October</u>	<u>May/ November</u>	<u>June/ December</u>
Disbursements:											
Transfer To Enterprise Fund	49365	3,153.50	0.00	3,153.50	0.0	0.00	0.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 493		3,153.50	0.00	3,153.50	0.0	0.00	0.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Utility Reimbursement	49405	150,000.00	0.00	150,000.00	0.0	0.00	0.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Newsletter	49435	0.00	883.00	(883.00)	0.0	0.00	883.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 494		150,000.00	883.00	149,117.00	0.6	0.00	883.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Disbursements		352,756.50	256,418.36	96,338.14	72.7	37,351.44	172,171.85	46,895.07	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00

As on 3/31/2025

Capital Project PW

<u>Account Name</u>	<u>Acct No</u>	<u>Budget</u>	<u>Year to Date</u>	<u>Balance</u>	<u>% of Budget</u>	<u>January/ July</u>	<u>February/ August</u>	<u>March/ September</u>	<u>April/ October</u>	<u>May/ November</u>	<u>June/ December</u>
Receipts:											
Total Receipts		0.00	0.00	0.00	0.0	0.00	0.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Disbursements:											
Capital Project Engineering Expense	41935	0.00	4,178.00	(4,178.00)	0.0	0.00	4,178.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 419		0.00	4,178.00	(4,178.00)	0.0	0.00	4,178.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Disbursements		0.00	4,178.00	(4,178.00)	0.0	0.00	4,178.00	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00

As on 3/31/2025

Water

<u>Account Name</u>	<u>Acct No</u>	<u>Budget</u>	<u>Year to Date</u>	<u>Balance</u>	<u>% of Budget</u>	<u>January/ July</u>	<u>February/ August</u>	<u>March/ September</u>	<u>April/ October</u>	<u>May/ November</u>	<u>June/ December</u>
Receipts:											
Water Consumption	37111	0.00	19,873.88	(19,873.88)	0.0	13,486.40	581.09	5,806.39	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Water Utility User Fee	37112	0.00	13,756.19	(13,756.19)	0.0	8,527.07	238.13	4,990.99	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Water Main-break Surcharge	37113	0.00	5.94	(5.94)	0.0	43.98	12.13	(50.17)	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Special Water Charges	37115	0.00	346.96	(346.96)	0.0	299.03	0.00	47.93	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
State Surcharge	37116	0.00	773.00	(773.00)	0.0	517.34	14.05	241.61	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Administrative Fee Move/Out	37118	0.00	(1.21)	1.21	0.0	8.60	0.00	(9.81)	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Lift Station Replacement	37119	0.00	1,419.67	(1,419.67)	0.0	0.00	0.00	1,419.67	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Penalties and Forfeited Discounts	37160	0.00	171.02	(171.02)	0.0	92.33	56.34	22.35	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 371		0.00	36,345.45	(36,345.45)	0.0	22,974.75	901.74	12,468.96	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Receipts		0.00	36,345.45	(36,345.45)	0.0	22,974.75	901.74	12,468.96	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Disbursements:											
Financial Administration	41501	0.00	4,293.12	(4,293.12)	0.0	0.00	4,293.12	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 415		0.00	4,293.12	(4,293.12)	0.0	0.00	4,293.12	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Water Utility	49415	0.00	18,466.76	(18,466.76)	0.0	13,348.69	3,025.88	2,092.19	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Wtr/Swr Emergency	49425	0.00	11,065.90	(11,065.90)	0.0	0.00	11,065.90	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 494		0.00	29,532.66	(29,532.66)	0.0	13,348.69	14,091.78	2,092.19	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Disbursements		0.00	33,825.78	(33,825.78)	0.0	13,348.69	18,384.90	2,092.19	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00

As on 3/31/2025

Sewer

<u>Account Name</u>	<u>Acct No</u>	<u>Budget</u>	<u>Year to Date</u>	<u>Balance</u>	<u>% of Budget</u>	<u>January/ July</u>	<u>February/ August</u>	<u>March/ September</u>	<u>April/ October</u>	<u>May/ November</u>	<u>June/ December</u>
Receipts:											
Sewer Consumption	37211	0.00	13,756.77	(13,756.77)	0.0	9,228.38	294.72	4,233.67	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Sewer Minimum Charge	37212	0.00	12,425.17	(12,425.17)	0.0	8,323.35	268.07	3,833.75	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Penalties and Forfeited Discounts	37260	0.00	130.27	(130.27)	0.0	78.89	48.72	2.66	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 372		0.00	26,312.21	(26,312.21)	0.0	17,630.62	611.51	8,070.08	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Receipts		0.00	26,312.21	(26,312.21)	0.0	17,630.62	611.51	8,070.08	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Disbursements:											
Office Operations Supplies	41911	0.00	140.52	(140.52)	0.0	0.00	140.52	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 419		0.00	140.52	(140.52)	0.0	0.00	140.52	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Water Utility	49415	0.00	57.98	(57.98)	0.0	0.00	57.98	0.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Utility Locates	49455	0.00	71.60	(71.60)	0.0	0.00	64.85	6.75	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Sewer Utility	49465	0.00	11,459.74	(11,459.74)	0.0	0.00	5,952.26	5,507.48	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Sewer Engineering Expense	49485	0.00	17,069.00	(17,069.00)	0.0	0.00	17,007.00	62.00	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Acct 494		0.00	28,658.32	(28,658.32)	0.0	0.00	23,082.09	5,576.23	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00
Total Disbursements		0.00	28,798.84	(28,798.84)	0.0	0.00	23,222.61	5,576.23	0.00	0.00	0.00
						0.00	0.00	0.00	0.00	0.00	0.00

CITY OF BIRCHWOOD VILLAGE
2025 BUDGET VS Actual (THRU 3/31/2025)

	2025 Actual Thru 3/31	2025 Budget
PROPERTY TAXES	\$ 8,917	\$ 618,134
SPECIAL ASSESSMENTS	\$ -	\$ -
STATE GENERAL PURPOSE AID	\$ -	\$ -
STATE CATEGORICAL AID	\$ -	\$ -
ALL OTHER REVENUES	\$ 21,889	\$ 792,892
	<u>\$ 30,806</u>	<u>\$ 1,411,026</u>
GENERAL GOVERNMENT	\$ 73,724	\$ 288,980
PUBLIC SAFETY	\$ 99,618	\$ 226,132
STREETS & HIGHWAYS	\$ 48,678	\$ 163,000
SANITATION	\$ 3,312	\$ 40,400
HUMAN SERVICES	\$ -	\$ -
HEALTH	\$ -	\$ -
CULTURE & RECREATION	\$ 6,767	\$ 48,250
CONSERVATION OF NATURAL RESOURCES	\$ 1,148	\$ 1,150
ECONOMIC DEVELOPMENT & HOUSING	\$ -	\$ -
ALL OTHER CURRENT EXPENSES	\$ 27,242	\$ 643,114
	<u>\$ 260,488</u>	<u>\$ 1,411,026</u>

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

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

MEMBERS:

Ryan Eisele	Councilmember
Ryan Hankins	Councilmember
Bridget Sperl	Councilmember
Katherine Weier	Councilmember

STAFF:

Alan Kantrud	City Attorney
Marcus Johnson	City Engineer

REGRETS:

Jennifer Arsenault	Mayor
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Minutes prepared by Jolene de Jager of Minutes Solutions from a video recording.

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. APPROVAL OF AGENDA (0:02:00)

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

The following changes were made to the agenda:

- Remove Item C under City Business;
- Move items A, D, E, F, and J from the consent agenda to City Business.

4. OPEN PUBLIC FORUM (0:02:35)

Deputy Mayor Weier opened the public forum.

Barton Winter, 1 Five Oaks Lane, discussed the need to purchase new nets for the hockey rink due to degradation, proposing a budget of approximately \$500, with a request for the council to consider funding half of that amount. He also expressed concerns regarding communication issues with council members about the rink. He felt that he was not allowed to present his views on maintenance rules during a meeting of the Parks Committee.

Deputy Mayor Weier closed the public forum.

5. ANNOUNCEMENTS (0:06:03)

6. CITY BUSINESS (0:07:00)

1.12 Variance Review (0:07:12)

1.1.1 Undersized Lot – 131 Wildwood Avenue

On a motion made by Councilmember Hankins, seconded by Councilmember Eisele, it was resolved to approve the variance for the 131 Wildwood Avenue construction project on the undersized lot, subject to a specific condition. The condition requires that the two lots comprising the property be merged before permits are issued. All in favor. Motion carried.

Len Pratt discussed variances for constructing a new home at 131 Wildwood Avenue. The variances included an undersized lot of 7,590 square feet, setbacks of 5 feet instead of the required 10 feet, and a road setback of 16 feet instead of the required 30 feet. The Planning Commission had mixed opinions on the 8.5-foot west side setback, which was ultimately approved by a 2-1 vote. The applicant, Joe Galatowitsch, received support from neighbors. The Council approved the variances, subject to the condition that the two lots be merged before issuing permits.

1.2.1 Garage East Side Yard Setback of 5 Feet – 131 Wildwood Avenue

On a motion made by Councilmember Hankins, seconded by Councilmember Sperl, it was resolved to approve the variance for 425 Lake Avenue, which involves reducing the setback for the garage to five feet. The condition specified that the variance or the reduction in setback applies only to the garage structure along the east property line. All in favor. Motion carried.

The variance request pertains to the garage's east side setback, which is proposed to be reduced from 10 feet to five feet. The Council suggested limiting the setback reduction to the distance the garage spans along the east property line, emphasizing that the variance should apply solely to the garage structure. The discussion included considerations about wording and documentation, leading to a motion to approve the variance with the specified conditions.

1.3.1 Garage Road Right of Way Setback at 16 Feet – 131 Wildwood Avenue

On a motion made by Councilmember Hankins, seconded by Councilmember Sperl, it was resolved to approve the variance request for a garage right-of-way setback of 16 feet, provided that the setback reduction applies only to the garage from the property line along the street. All in favor. Motion carried.

The variance request concerning the setback of a garage from the property line proposed moving the garage back 16 feet instead of the required 30 feet. The motion to approve this variance was made, specifying that the setback reduction applies solely to the garage.

1.4.1 House West Side Yard Setback at 8.5 Feet – 131 Wildwood Avenue

On a motion made by Councilmember Hankins, seconded by Councilmember Sperl, it was resolved to approve the variance request for the house's west side yard setback at 8.5 feet, with the condition that no structure other than the proposed garage be constructed or expanded within 11.2 feet of the east property line. All in favor. Motion carried.

The layout of the proposed house was discussed, highlighting that it would maintain access to the lake while improving the property's aesthetic appeal. The applicant confirmed that neighbors were supportive of the plans after reviewing the site plan and details. The Council proposed a condition to maintain a minimum setback of 11.5 feet on the east side of the house, which was agreed upon by the applicant. The topography of the lot was discussed, noting that the elevation change on the west side makes it impractical to walk along that edge, necessitating the variance for better access.

1.5.1 House Height Exceeding 30 Feet – 131 Wildwood Avenue

On a motion made by Councilmember Hankins, seconded by Councilmember Eisele, it was resolved to grant a variance for the house height such that the new house fully conforms to the zoning code's height limit. All in favor. Motion carried.

A variance request was proposed concerning the height of a house that exceeds 30 feet, suggesting a maximum height of 35 feet, which is higher than the previous structure's

height of approximately 25 feet. The applicant noted that the building permit will include calculations based on the ordinance methods. Although the request is for a height variance, it is not an attempt to exceed the ordinance; rather, it is intended to accommodate an expansion of a non-conforming structure. It was noted that a variance is required if the new structure exceeds the previous height of the nonconforming building.

The Council emphasized the importance of understanding the limits of the variance to prevent future non-compliance with zoning regulations and expressed the need for clarity on the legal aspects of the variance and the specific conditions under which it can be granted.

1.6.1 Retaining Walls Requested Within the 50-Foot OHW Setback Requirements – 131 Wildwood Avenue

On a motion made by Deputy Mayor Weier, seconded by Councilmember Eisele, it was resolved to approve the variance for the retaining walls within the 50-foot OHW setback requirement contingent upon the issuance of a permit from the Rice Creek Watershed District. All in favor. Motion carried.

The proposal included replacing existing structures and adding new retaining walls to manage erosion and improve stormwater runoff infiltration. The retaining walls will be made from natural stone, ensuring durability and aesthetic appeal. A rain garden was mentioned, designed to effectively manage stormwater runoff, with specific dimensions for the retaining walls associated with it. It was noted that a permit from the Rice Creek Watershed District is required for the project, which has already been submitted.

On a motion made by Councilmember Hankins, seconded by Councilmember Eisele, it was resolved to include Mr. Galatowitsch's findings of fact from his application at 131 Wildwood Avenue into the record of findings of fact, with respect to the proper practical difficulties, as the property is an undersized lot of record for current zoning requirements. It is among the smallest properties in Birchwood. The lot size is 7,590 square feet, whereas the minimum lot size required by the zoning code is 15,000 square feet. This makes the property non-conforming. The property features a steep slope towards the lake, presenting challenges for development and erosion control. The applicant did not create these practical difficulties but rather are inherent to the property. With respect to reasonableness, the proposal permits the redevelopment of a nonconforming property in a manner consistent with the surrounding neighborhood. The reduced setback would allow for 11% wider access between the garage and the side yard. At the garage, the reduced setback would result in fewer nonconformities compared to the existing garage. It would create off-street parking spaces on the west side of the house to reduce setbacks and eliminate pinch points that limit emergency or practical access on both sides of the house. The retaining walls will facilitate the required 40% repair and buffer area and improve stormwater infiltration. The lots will be merged, improving the

nonconformity. The proposal brings the property into compliance with the impervious surface code and is expected to reduce runoff. With respect to the essential character of the locality, the proposed development will not alter its character. Many shoreline properties in this area, including those in Birchwood, have a six-foot setback on one side of the property, as required by the ordinance. This proposal strikes a balance between the nonconforming code and the setback code, and the shoreline is stabilized with retaining walls. The repairing and rain gardens offset the retaining walls' effects. With respect to consistency with the comprehensive plan, the addition preserves the city's low-density, single-family character, as discussed in the comprehensive plan. The project will require the removal of some trees, but the impact will be minimized to preserve the tree canopy, and there will be no negative impacts on traffic, public services, or property values. It also maintains water quality and improves erosion control. Motion carried.

1.7.1 Variance Review – 425 Lake Avenue

The application for 425 Lake Avenue has not been withdrawn; the applicant needs more time to provide the requested information. The Council agreed to send a 60-day extension letter to the applicant to cover the city's needs and avoid automatic approval of variances.

2.12 Lift Station Updates (1:21:32)

Marcus Johnson reported that the Environmental Protection Agency (EPA) has designated personnel to assist with the project, and the necessary pump components are expected to be discussed at a pre-construction meeting scheduled for the end of March 2025. Challenges have been noted regarding sourcing materials from the United States. Once the pump components are available, all other preparations are complete, ensuring minimal disruption during installation. The contract stipulates that excavation will only commence once all components have been confirmed as ready.

3.12 Review Bids for Siding, Window, and Foundation Repair at City Hall (1:35:54)

On a motion made by Deputy Mayor Weier, seconded by Councilmember Eisele, it was resolved to authorize Andy Sorensen to make repairs up to \$1,000. This includes repairing woodpecker damage, window leaks, and cement repairs at a rate of \$75 per hour. All in favor. Motion carried.

Bids are being sought for repairs at City Hall, specifically addressing issues related to woodpecker damage, window leaks, and foundation repairs. Various contractor estimates were presented for consideration, and the need for prompt action was emphasized to prevent further damage.

4.12 Review Bids for Radon Mitigation of Lower Level of City Hall (1:39:36)

4.1.1 Adopt Resolution 2025-27: A Resolution Authorizing Staff to Commit to Radon Mitigation Birchwood Village Hall

On a motion made by Councilmember Hankins, seconded by Councilmember Eisele, it was resolved to adopt Resolution 2025-27, which authorizes staff to commit up to \$3,000 for radon mitigation at Birchwood Village Hall. All in favor. Motion carried.

Resolution 2025-27 was introduced to authorize up to \$3,000 for radon mitigation at Birchwood Village Hall, with the possibility of needing a second round of mitigation depending on the initial results. The importance of ensuring staff safety in the building was emphasized. The preference for a less expensive contractor was noted, with a decision to choose based on cost while ensuring qualifications were met. The urgency of moving forward with the available contractor soon was also highlighted.

5.12 Discuss Birchwood Communications and Strategies for Communication (1:53:27)

Councilmember Sperl discussed a draft communication strategy for Birchwood, intended to encourage community feedback and edits before a meeting on March 31, 2025.

6.12 Discuss the Water Drainage Issues of Birchwood City Streets (1:24:57)

Marcus Johnson discussed drainage issues, particularly for residents of Oak Ridge Drive and White Pine Court. An open house is scheduled for April 7, 2025, at 6:30 p.m. at City Hall to discuss these concerns. The public will be notified through email, Facebook, and the city website. The objective is to consider drainage issues city-wide to prevent shifting problems from one area to another.

7.12 Review Survey Results from “What is the City Looking for in a City Administrator” (1:54:23)

The survey received 104 responses, representing approximately one-third of the households, indicating a decent level of engagement. Most respondents felt that the city was somewhat responsive to their concerns, with 39% preferring to maintain the current administrator hours and 51% being satisfied with city communications. The Council noted areas for improvement while highlighting some positive feedback.

8.12 Approve February Treasury Report (1:59:49)

On a motion made by Councilmember Hankins, seconded by Councilmember Sperl, it was resolved to approve the February 2025 Treasury Report. All in favor. Motion carried.

A reimbursement of \$45 for dog licenses raised questions, as it appeared that some individuals overpaid due to misunderstandings regarding the fee structure. The correct fee for a three-year dog license is \$30, but some paid \$75, prompting the need for clarification on the application verbiage. It was noted that the fee structure was misunderstood, leading to multiple individuals overpaying for their licenses.

A mention of an \$18,000 charge for Capris utilities was incorrectly categorized under escrow refunds, indicating a mistake that needs correction. There was a discrepancy in the city planner's rate, with one entry showing \$1,500 instead of the correct \$1,600, suggesting a need for review and adjustment. Several budget coding issues were identified, including incorrect entries for utilities and engineering expenses, indicating a need for a thorough review of budget classifications. The Council agreed to approve the Treasury Report with noted corrections and a commitment to further review the coding issues.

9.12 Approve Resolution 2025-18 Empower Parks with Docks Fee Authority (2:06:04)

The Council decided to table this resolution for further refinement before bringing it back for a vote, indicating that the proposal is still in development.

10.12 Approve Resolution 2025-19 City Credit Card Implementation (2:12:35)

The Council discussed the implementation of a city credit card, expressing concerns about policies and responsibilities regarding city purchases. The state auditor's guidelines were mentioned, and there was a consensus against using personal cards for reimbursements. A policy draft is to be prepared for further consideration in the next meeting.

11.12 Approve Resolution 2025-20 Additional Office Equipment Needed (2:14:15)

On a motion made by Councilmember Sperl, seconded by Councilmember Eisele, it was resolved to authorize the City Clerk to purchase two large monitors, an adjustable desk, and a two-drawer filing cabinet, with a budget cap of \$800. All in favor. Motion carried.

The Council discussed the need for additional office equipment, with a specific focus on the resolution for purchasing new items. They expressed concerns about the practicality of using a laptop as a desktop replacement, suggesting that a docking station might be a more efficient solution for their needs.

12.12 Approve Resolution 2025-24 Tighe-Schmitz Rental agreement (2:23:35)

On a motion made by Councilmember Sperl, seconded by Councilmember Eisele, it was resolved to strike the reference to any fall dates in the Tighe-Schmitz rental agreement, make the rental agreement applicable only for the 2025 season, and then approve the agreement. In favor: Deputy Mayor Weier, and Councilmembers Eisele and Sperl. Abstained: Councilmember Hankins. Motion carried.

The Council discussed the rental agreement for Tighe-Schmitz, focusing on the need for specific dates and terms before approval. Participants expressed concerns about overlapping schedules and the clarity of the contract. It was mentioned that the fall dates could conflict with planned park work for drainage.

7. CONSENT AGENDA (1:28:01)

On a motion made by Councilmember Sperl, seconded by Councilmember Hankins, it was resolved to approve the consent agenda items B, C, G, H, I, K, and L, as presented. All in favor. Motion carried.

8. MEETING CLOSE (2:33:04)

On a motion made by Councilmember Sperl, 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 at 9:18 p.m. Motion carried.

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



Proposed Agenda for Birchwood Village City Council Workshop
March 31, 2025, 6:45 p.m.
City of Birchwood Village, Washington County, Minnesota

Call to Order

Approve Agenda

Open Public Forum

Workshop Business

Old Business

1. Key Metrics-Bridget
2. Administrative Appeals-Ryan
3. Website-ADA compliance
4. Fine Arts Grant
5. City Planner Contract
6. Follow-up on CIP projects-April 7 open house

New Business

1. Council goals with timeline
2. Feedback from the resident survey
3. Bonfire to clear brush? Chipper/Shredder and stacked wood -Steve Dean
4. Resolution template
5. Update on hiring a City Administrator
6. Curb repair
7. Communication strategy
8. Updating City Hall-paint, desks, etc
9. City workday and treasure hunt-April 26
10. Re-keying City Hall
11. Annual meeting of council, staff, committees
12. Staff performance reviews
13. Heading on council agenda-mission statement/purpose
14. Review budget
15. Animal code updates

Adjourn

Proposed Agenda for March 31, 2025, Birchwood Village City Council Workshop
City of Birchwood Village, Washington County, Minnesota
6:45 p.m.

Call to Order

Meeting Called to order at 6:46

Approve Agenda

Sperle moved, Hankins seconded. Motion passed.

Open Public Forum

Arsenault opened public forum.

Barton Winter spoke about replacing posts and boards at hockey rink.

Hankins motioned, Sperle seconded to close public forum. Motion passed.

Workshop Business

Old Business

1. Key Metrics-Bridget-Council decided to slowly introduce monthly metrics on which to report. Eisele will supply info about monthly website usage to Sperle. Therese will be asked to supply the number of permits applied for and approved. Therese will also be asked to forward the monthly police report to Hankins and Sperle. Sperle will compile metrics and post to the City Facebook page. Hankins will post completed metrics data on the City website.
2. Administrative Appeals-Ryan-The public hearing for the administrative appeals ordinance has been approved by Council and posted in the White Bear Press. The Council will vote on it in the April Council meeting.
3. Website-ADA compliance-Hankins and Eisele will work on this when they re-do the website. This project is scheduled to be done by the end of May.
4. Fine Arts Grant-Hankins will present a motion in the April Council meeting to appoint Sue Kapsner as the lead on writing this grant.
5. City Planner Contract-The Council has decided to conduct performance reviews of all contracted and direct hire employees. The City planner position will go out for an RFP. Hankins will present a motion at the April Council meeting.
6. Follow-up on CIP projects-April 7 open house-Notices for the open house are scheduled to go out on 3/30, 4/4 and 4/7. Marcus is preparing all the materials. Council is requested to be there to answer questions. After the open house,

residents will be surveyed to see how they feel about which CIP they prefer and how they would like Council to proceed.

New Business

1. Council goals with timeline-Because it is important for Council to be accountable and for the residents to be informed, each Council member will be asked to report on what they have been working on during the prior month. This will be a 1 minute update at the beginning of each Council meeting.
2. Feedback from the resident survey- The survey indicated that residents prefer to get City information via email, newsletter and website. This will be where Council puts its focus. To that end, Arsenault will meet with Therese each Monday to get an overview of the week. Arsenault will write a summary of what is happening in the City and have it posted to the website, Facebook page and sent by email each Monday so residents know what events are upcoming.
3. Bonfire to clear brush? Chipper/Shredder and stacked wood -Steve Dean- Steve Dean asked if he would be able to burn the branches from the dead Ash he will be removing. The Council was fine with that as long as residents were notified and a burn permit was pulled.
4. Resolution Template-A resolution template was sent to Council to assist members in writing their own resolutions.
5. Update on hiring a City Administrator-Two interviews are scheduled for 4/3 and one for 4/4.
6. Curb repair-Bright View is not responsible for curb repair. Jim Rydeen removed curb pieces from residents' grass on 4/1.
7. Communication strategy- See numbers 2 under new business and 3 under old business. In addition Sperle will update the outdoor bulletin board and review the order of Council meeting agenda.
8. Updating City Hall-paint, desks, etc-City Hall is in the process of being painted and the office layout moved around to make it function better.
9. City work day and treasure hunt-April 26-Arsenault is working on Treasure Hunt. Arsenault will work with parks committee to create a list of tasks.
10. Re-keying City Hall-A motion was passed in 2023 to move forward with a keyless entry for City hall, but the work was never done. Arsenault will write a motion to authorize Therese to spend up to \$1000 to have a system installed.
11. Annual meeting of Council, staff, committees-Meeting will occur each January to set goals and be sure we are all on the same page moving the City forward.
12. Staff performance reviews-All staff will have an annual performance review beginning this June.

13. Heading on Council agenda-mission statement/purpose-Council will work on a mission statement to be added to the monthly agenda.
14. Review budget-The City treasurer was asked to prepare a report which clearly shows where the City spending is every month. This additional information will be used to prepare to 2026 budget.

Adjourn-Meeting adjourned at 8:45.

Minutes submitted by Jennifer Arsenault

To: Birchwood City Council

From: Jennifer Arsenault and Ryan Hankins

Re: City credit cards for staff

This new policy establishes guidelines for the use of city-issued credit cards and purchasing procedures while maintaining fiscal accountability and transparency. The resolution increases the monthly spending limit for the City Administrator to \$1,000 for necessary supplies and requires both pre-purchase and post-purchase approval procedures to ensure oversight. The previous resolution, which allowed both the City Administrator and the Mayor to each spend up to \$500, has been repealed to align with the revised policy.

The policy outlines rules for the use of city-issued credit cards, requiring detailed documentation and City Council approval for all transactions. Employees making purchases with personal funds must also follow the same approval and reimbursement process. Credit cardholders are personally responsible for unauthorized purchases and must immediately report any lost or stolen cards. Additionally, City Council oversight is reinforced through a monthly review of all purchases. The policy also prohibits employees from personally benefiting from any rewards earned through city-related transactions.

This policy is being implemented to enhance financial oversight, streamline purchasing processes, and ensure responsible spending of city funds. By setting clear authorization limits, requiring detailed records, and enforcing accountability measures, the City aims to prevent misuse and ensure that taxpayer dollars are spent responsibly. The revised policy also aligns with legal requirements and best practices for municipal financial management.

RESOLUTION NO. 2025-31

A RESOLUTION OF THE CITY OF BIRCHWOOD VILLAGE ADOPTING A REVISED CREDIT CARD USE AND OPERATIONS SPENDING POLICY AND REPEALING RESOLUTION 2023-19

WHEREAS, the City of Birchwood Village seeks to establish clear, consistent, and transparent guidelines for the use of city-issued credit cards and the procurement of necessary supplies; and

WHEREAS, the City recognizes the need for efficient purchasing procedures while ensuring fiscal accountability and oversight; and

WHEREAS, the attached **Credit Card Use and Operations Spending Policy** includes a defined monthly spending authorization, pre-purchase and post-purchase approval procedures, and documentation requirements; and

WHEREAS, Resolution 2023-19, *A Resolution Authorizing the City Administrator and the Mayor to Expend Funds of up to \$500 Each on Necessary City Business*, is inconsistent with the revised policy and should be repealed to maintain policy alignment.

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

1. Adoption of Revised Policy

The **Credit Card Use and Operations Spending Policy**, as attached hereto and incorporated herein by reference, is hereby adopted.

2. Repeal of Prior Resolution

Resolution 2023-19, *A Resolution Authorizing the City Administrator and the Mayor to Expend Funds of up to \$500 Each on Necessary City Business*, is hereby repealed in its entirety.

3. Posting to City Website

The **Credit Card Use and Operations Spending Policy** shall be posted to the City Website.

4. Effective Date

This resolution shall become effective immediately upon its passage and adoption.

ADOPTED by the City Council of the City of Birchwood Village this 8th day of April 2025.

CITY OF BIRCHWOOD VILLAGE

Mayor Jennifer Arsenault

ATTEST:

City Clerk

Credit Card Use and Operations Spending Policy

Purpose

To establish a policy for the use of credit cards, spending, and the procurement of authorized supplies by City employees. This policy provides guidance, procedures, and regulations for officers or employees with the authority and responsibility for purchasing and safeguarding a City-issued credit card and for procuring necessary supplies.

1. Guidelines

A. Credit Card Use

The City is authorized to enter into a credit card account relationship with a bank offering a nationally recognized credit card. Credit cards are issued to employees to facilitate purchases online, secure travel arrangements, and acquire goods when a charge account is unavailable. All credit card transactions must follow the same documentation and approval processes to ensure accountability and transparency.

B. Non-Credit Card Payments

Employees may also make purchases using personal funds and request reimbursement. Such payments must comply with the same approval and documentation requirements as credit card transactions. Reimbursements will only be processed after City Council review and approval.

2. Procedures

A. Authorization

The City Administrator and Deputy City Administrator may each obtain a credit card as provided under Minnesota Statutes 471.382. An officer or employee who makes or directs a purchase by credit card that is not approved by the City Council or does not adhere to the spending policy outlined in Section 3 is personally liable for the amount of the purchase. A purchase by credit card must otherwise comply with all statutes, rules, or City policy applicable to City purchases.

B. Responsibility and Accountability

All cardholders must safeguard the credit card and credit card number at all times. Cardholders must keep the credit card in a secure location. Cardholders may not allow unauthorized individuals to use the credit card or its account number. Personal purchases are strictly prohibited. The cardholder may be personally liable for any unapproved purchases. Lost or stolen credit cards must be reported immediately to the credit card agency and the City Administrator.

C. Process for Card Use

State law requires that claims presented to the City for payment must be in writing and itemized. Cardholders must obtain and retain original itemized receipts or invoices for all credit card purchases. The original documentation, along with the monthly statement, must be submitted promptly to the City Treasurer for payment processing. All credit card purchases must be approved by the City Administrator. Cardholders must review and process the monthly statement immediately upon receipt for approval and account coding. The entire account balance must be paid promptly each month, unless there are disputed charges, to avoid interest charges and late fees. The cardholder is responsible for disputing any incorrect charges and must notify the credit card agency, City Administrator, and City Council as soon as a dispute is discovered. Unless the City Council grants an exception, employees are responsible for all interest and fees charged to the account.

D. Process for Non-Credit Card Reimbursements

Employees requesting reimbursement for an approved purchase must submit an itemized receipt, proof of payment, and a detailed explanation of the expense. Reimbursement requests will be reviewed at the next regularly scheduled City Council meeting. If a purchase is deemed inappropriate, the responsible employee is personally liable for repayment. Reimbursements will not be processed until approval is granted.

E. Credit Card Use Acknowledgment

When a credit card is issued to a City employee, they must complete the acknowledgment form (Attachment A) to verify that they have read and understand the policy and accept the associated responsibilities. The City Administrator is authorized to receive a credit card with an individual credit limit of \$3,000. The Deputy City Administrator is authorized to receive a credit card with an individual credit limit of \$1,000.

F. Card Surrender

Any cardholder who violates the policy may have their credit card access revoked. The City Administrator shall monitor credit card use and act promptly to stop any misuse or abuse. The cardholder must surrender the credit card and all related documentation upon separation from the City of Birchwood.

3. Spending Policy for Authorized Supplies

A. Monthly Authorization

The City Administrator may authorize up to \$1,000 per month for necessary office, operational, or trails and parks maintenance supplies. This authorization applies to both credit card purchases and other forms of payment.

B. Pre-Purchase Authorization

- **Definition:** Approval granted **before** a purchase is made.
- **Requirement:** The City Council must approve specific purchases in advance when they exceed the **\$1,000 Monthly Authorization**.
- **Process:**
 - The City Administrator (or authorized employee) submits a request to the City Council outlining the purpose, estimated cost, and necessity of the purchase.
 - The City Council reviews and either approves or denies the request.
 - If approved, the purchase can proceed within the authorized spending limit.

C. Post-Purchase Approval

- **Definition:** Review of purchases **after** they have been made.
- **Requirement:** All purchases, regardless of pre-authorization, must be reviewed by the City Council at the next regularly scheduled meeting.
- **Process:**
 - The City Administrator submits an itemized report detailing all purchases, including receipts, vendor names, and descriptions of goods/services.
 - The City Council reviews the expenditures for compliance with policy.
 - If a purchase is deemed inappropriate, the responsible employee is personally liable for repayment.

D. Purpose of Supplies

Supplies purchased under this authorization must be for legitimate City business and directly related to the efficient operation of City services, including parks maintenance. Personal purchases are strictly prohibited.

E. Documentation

Detailed records of all supply purchases must be maintained, including dates, amounts, descriptions of items, and vendor information.

F. Rewards

Employees are not entitled to personal use of rewards earned from City-related purchases; all rewards must benefit the City. Employees may either reduce the amount of reimbursement they request by the value of the rewards, return the rewards to the City, or allow the City to retain the rewards.

G. Reimbursements

No spending shall be reimbursed to an employee until it has been claimed and approved by the City Council. Employees are encouraged to time their credit card use and adjust the credit card's payment due date to coincide with the claims approval process.

Attachment A: Credit Card Holder Acknowledgment

Acknowledgment of Credit Card Use and Operations Spending Policy

I hereby acknowledge that I have received and read the Credit Card Use and Operations Spending Policy and that any purchase made or directed by me using a City-issued credit card must comply with all applicable statutes, rules, and City policies governing City purchases. I understand that if I make or direct a purchase that is not approved by the City Council or does not adhere to the spending policy, I will be personally liable for the amount of the purchase.

By signing this acknowledgment, I affirm my commitment to the Credit Card Use and Operations Spending Policy and accept the responsibilities outlined therein.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

To: Birchwood Village City Council
From: Jennifer Arsenault
April 2, 2025

The Birchwood Village City Council is committed to improving the life of residents through good governance.

RESOLUTION NO. 2025-32

A RESOLUTION to adopt a mission statement for the 22025-2026 City Council.

WHEREAS, the Council is committed to making improvements in City infrastructure

WHEREAS, the Council is committed to making the quality of life in Birchwood Village

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

The Birchwood Village City Council is dedicated to enhancing the quality of life for all residents by fostering a safe, inclusive, and thriving community. We are committed to responsible governance and transparent decision-making. Through collaboration with residents, businesses, and local organizations, we strive to improve public services and infrastructure while preserving the unique character of our city. Our goal is to make Birchwood Village a better place to live and grow for generations to come.

Passed by the City Council of the City of Birchwood Village, Minnesota this 8th day of April 2025.

Mayor

Attested:

City Clerk

To: Birchwood Village City Council
From: Jennifer Arsenault
April 2, 2025

Birchwood Village City Hall has a standard key lock system. Council passed a resolution to install an electronic keying system at the Hall in 2023. The work was never completed. There is still interest in pursuing this project.

RESOLUTION NO. 2025-33

A RESOLUTION to authorize Therese Bellinger to spend up to \$1000 to have a keyless entry system installed.

WHEREAS, the previous Council has already passed a resolution approving a keyless entry system

WHEREAS, the Council is committed to protecting City assets

WHEREAS, a keyless entry system would allow for a more precise reporting on who is entering City Hall

WHEREAS, a keyless entry system would be more efficient and cost effective than keeping track of who has keys and rekeying whenever there is a change in staff or Council

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

The Birchwood Village City Council authorizes Therese Bellinger to spend up to \$1000 to have a keyless entry system installed at City Hall.

Passed by the City Council of the City of Birchwood Village, Minnesota this 8th day of April 2025.

Mayor

Attested:

City Clerk

To: Birchwood City Council
From: Ryan Hankins
Re: Earned Leave Time Policy

During the recent departure of an employee, it became apparent that the city had no clear policy on Sick and Vacation time and likely paid out more than a similar employer would have. This is a proposal to adopt a clear policy that is more consistent with other employers. If the personnel committee wishes, it can consider the policy separately.

Resolution Adopting Earned Leave Time Policy

Resolution No. 2025-34

A Resolution of the City Council of the City of Birchwood Village Adopting an Earned Leave Time Policy.

WHEREAS, the City of Birchwood Village desires to establish a comprehensive Earned Leave Time policy for its employees; and

WHEREAS, the City recognizes the importance of providing employees with paid time off for various reasons, including illness, personal needs, and vacation; and

WHEREAS, the State of Minnesota has enacted the Earned Sick and Safe Time (ESST) law, requiring employers to provide eligible employees with paid leave for specific purposes; and

WHEREAS, the City of Birchwood Village is committed to complying with all applicable federal, state, and local laws, including the Minnesota ESST law; and

WHEREAS, the City Council has reviewed and considered the proposed Earned Leave Time policy;

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

1. The City Council hereby adopts the Earned Leave Time policy attached hereto as Appendix A. This policy establishes provisions for Earned Sick and Safe Time (ESST) as mandated by state law, and Vacation Leave, which provides time off for vacation and personal time.
2. The effective date of the Earned Leave Time policy shall be March 11, 2025.
3. The City Administrator is hereby authorized and directed to implement and administer the Earned Leave Time policy in accordance with its terms and provisions.
4. This resolution shall supersede any and all prior policies or resolutions of the City of Birchwood Village that are inconsistent with the provisions of the adopted Earned Leave Time policy.
5. The City Administrator is directed to ensure that all employees are informed of the adopted Earned Leave Time policy and its provisions.
6. This resolution shall be in full force and effect from and after its passage and approval.
7. The policy shall be posted to the City website.

PASSED AND ADOPTED this 8th day of April, 2025

Mayor

City Clerk/Recorder

ATTEST:

City of Birchwood Village Policy: Earned Leave Time

Effective Date: March 11, 2025

1. Purpose:

This policy outlines the provisions for Earned Leave Time for eligible employees of the City of Birchwood Village, incorporating the requirements of the Minnesota Earned Sick and Safe Time (ESST) law (Minnesota Statutes 181.9447 and 181.9448). This policy establishes separate provisions for Earned Sick and Safe Time (ESST) as mandated by state law, and Vacation Leave, which provides time off for vacation and personal time. This policy is designed to comply with all applicable federal, state, and local laws, including Minnesota's ESST law. In the event of conflict between this policy and law, law shall govern. Where this policy conflicts with any previous city policy, this policy shall prevail.

2. Definitions:

- **Eligible Employee:** All employees of the City of Birchwood Village who work at least 80 hours in a year in Minnesota, as defined by Minnesota's Earned Sick and Safe Time law, unless otherwise excluded by specific employment agreement. This definition is intended to align with the eligibility requirements of Minnesota's ESST law.
- **Earned Sick and Safe Time (ESST):** Leave time accrued and used according to the requirements of Minnesota Statutes 181.9447 and 181.9448. ESST is accrued for hours worked in Minnesota and can be used for reasons specified under Minnesota law (see Section 4.A).
- **Vacation Leave:** A separate leave bank providing time off for vacation, personal appointments, and other authorized absences *not* covered under Minnesota ESST. Vacation Leave is accrued based on hours worked and years of service as defined in this policy.
- **Accrual:** The process by which Eligible Employees earn ESST and Vacation Leave based on hours worked.
- **Resignation:** Voluntary termination of employment by the employee.
- **Termination:** Involuntary termination of employment by the City of Birchwood Village.
- **Base Hourly Rate:** The employee's regular hourly rate of pay, excluding overtime or other forms of supplemental compensation.

3. Eligibility and Accrual:

A. Earned Sick and Safe Time (ESST) Accrual:

- **Eligibility Commencement:** Eligible employees begin accruing ESST upon their date of hire or as required by Minnesota law, whichever is earlier.
- **Accrual Rate:** Employees will accrue ESST at a rate of **one (1) hour of ESST for every thirty (30) hours worked** in Minnesota, consistent with Minnesota Statutes 181.9447.

- **Maximum Accrual and Carryover:**
 - Employees may accrue a maximum of **forty-eight (48) hours of ESST earned per year.**
 - Employees may carry over **up to forty-eight (48) hours of unused ESST from year to year.**
 - The total ESST available for use at any point in time will not exceed **eighty (80) hours.**
 - The "year" for accrual and carryover purposes will be the calendar year (January 1 - December 31).
- **Accrual Limitations:** ESST is not accrued for:
 - Overtime hours worked.
 - Paid holidays.
 - Unpaid leave of absence.

B. Vacation Leave Accrual:

- **Eligibility Commencement:** Full-time, salaried employees begin accruing Vacation Leave upon their date of hire. Part-time and hourly employees do not accrue Vacation Leave.
 - **Accrual Rate:** Full-time, salaried employees accrue vacation leave at a rate of 4.62 hours per two weeks. (4.62 hours per two weeks corresponds to 120 hours over 52 weeks).
 - **Maximum Accrual:** Full-time, salaried employees may accrue a maximum of 120 hours of Vacation Leave. Any accrual beyond this cap will be forfeited at the end of each calendar year (December 31).
 - **Accrual Limitations:** Vacation Leave is not accrued for unpaid leaves of absence.

4. Use of Leave Time:

A. Use of Earned Sick and Safe Time (ESST):

- **Purpose of ESST:** Employees may use ESST for the following reasons as defined by Minnesota Statutes 181.9447:
 - **Employee's or family member's:**
 - Mental or physical illness, injury, or health condition.
 - Need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition.
 - Need for preventive medical care.
 - **Care of a family member:** who is ill or injured or who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition, or who needs preventive medical care.
 - **Absence due to domestic abuse, sexual assault, or stalking:** of the employee or employee's family member, provided the absence is for the purposes described in Minnesota Statutes 181.9447, subd. 2(a)(3).
 - **Closure of the employee's place of business or a family member's school or place of care by order of a public official due to public health emergency; or when it has been determined by a health official or health care provider that the employee or**

employee's family member is a risk to others because of exposure to communicable disease.

- **When an employee is unable to work or telework because the employee is seeking assistance for themselves or a family member regarding:** domestic abuse, sexual assault, or stalking.

- **Requesting ESST:**

- Employees must notify their supervisor of the need to use ESST as soon as practicable. Advance notice is not always required, especially for unforeseen illnesses. Employees who report to the City Council shall notify the personnel committee.
- Supervisors or the personnel committee will approve ESST requests when the absence is for a qualifying reason under Minnesota law. Denial for a qualifying reason is a violation of state law.

B. Use of Vacation Leave:

- **Purpose of Vacation Leave:** Vacation Leave is intended to provide employees with paid time off for:

- Vacation and rest.
- Personal appointments and errands *not* related to ESST qualifying reasons.
- Bereavement leave.
- Other personal reasons as approved by the employee's supervisor.

- **Requesting Vacation Leave:**

- Employees must request Vacation Leave in advance of the anticipated absence whenever possible.
- For foreseeable absences (e.g., vacation, appointments), requests should be submitted to the supervisor at least two weeks prior to the requested leave.
- Supervisors will review and approve or deny Vacation Leave requests based on operational needs and coverage requirements. Approval is not guaranteed. Employees who report to the City Council shall notify the personnel committee.

5. Payout Upon Resignation or Termination:

A. Earned Sick and Safe Time (ESST) Payout:

- **There will be NO payout for any accrued and unused ESST upon resignation or termination.** This is consistent with Minnesota law. Accrued ESST is intended to provide income protection during periods of illness and safe time needs and has no cash value upon separation from employment. Any unused ESST balance is forfeited upon resignation or termination.

B. Vacation Leave Payout:

- **Vacation Payout:** Upon resignation or termination, employees will be paid out for **ONLY accrued and unused Vacation Leave. This payout will be capped at a maximum of forty (40) hours (five**

(5) days) of accrued and unused Vacation Leave. Any accrued and unused Vacation Leave exceeding this 40-hour cap will be forfeited.

- **Calculation of Payout:** Any eligible payout will be calculated based on the employee's base hourly rate in effect at the time of resignation or termination. All applicable deductions and withholdings will be applied to the payout.
- **Forfeiture:** Any accrued and unused Vacation Leave exceeding the payout cap will be forfeited upon resignation or termination and will not be paid out. Employees are responsible for managing their Vacation Leave balances accordingly. **All accrued and unused ESST is forfeited upon resignation or termination.**

6. Policy Administration:

- The City Administrator is responsible for the administration of this policy, including:
 - Maintaining employee ESST and Vacation Leave records.
 - Interpreting and clarifying policy provisions.
 - Processing leave requests and payouts.
 - Regularly reviewing and proposing updates of this policy to the City Council.
 - Ensuring employees are aware of this policy, particularly the provisions of Minnesota ESST law.
 - Approving or denying Vacation Leave requests in accordance with operational needs and policy guidelines and approving ESST requests when legally required.
 - Monitoring employee leave balances.

7. Policy Review and Amendment:

This policy may be amended or updated by the City Council as deemed necessary to ensure it remains consistent with best practices, legal requirements, and the needs of the City of Birchwood Village and its employees, and to ensure ongoing compliance with Minnesota's Earned Sick and Safe Time law.

8. Disclaimer:

The City of Birchwood Village reserves the right to modify, amend, or terminate this policy at any time, with or without notice, subject to applicable law and any collective bargaining agreements.

CITY OF BIRCHWOOD VILLAGE

RESOLUTION NO. 2025-35

A RESOLUTION DIRECTING STAFF TO POST THE REQUEST FOR PROPOSAL (RFP) FOR PLANNING FIRM AND PERMIT PROCESSING SERVICES

WHEREAS, the City of Birchwood Village is seeking to engage a qualified planning firm to provide comprehensive planning, land use permit processing, and related services, including the management of applications submitted via the citizen portal, review coordination, resident consultation services, and fee collection; and

WHEREAS, a Request for Proposal (RFP) has been developed outlining the scope of services, submission requirements, and selection process for potential planning firms; and

WHEREAS, it is in the best interest of the City and its residents to ensure transparency and open competition by publicly advertising the RFP to qualified firms and individuals;

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

1. The City Manager and/or designated staff are hereby directed to post the attached RFP on the City's official website and any other appropriate notice platforms including the League of Minnesota Cities to ensure broad dissemination.
2. The RFP shall be posted no later than as early as possible and maintained on the City's website until the proposal submission deadline of 4:00 PM, May 19, 2025.
3. The staff shall ensure that all relevant details, including the RFP posting and submission instructions, are readily accessible to the public and that interested parties are notified in a timely manner.
4. The City Administrator is authorized to take any additional actions necessary to implement this resolution.

PASSED AND ADOPTED by the City Council of the City of Birchwood Village this 8th day of April, 2025.

Mayor Jennifer Arsenault

Attest:

Deputy Clerk

City of Birchwood Village
Planning Firm and Permit Processing Request for Proposal

SUMMARY

The City of Birchwood Village requests proposals from qualified firms or individuals to provide professional planning and land use permit processing services. The selected planning firm will be responsible for comprehensive development review, zoning administration, long-range planning, and the management of application processing through our citizen portal. Services will include oversight of application intake, processing by designated planning firm or City staff, review of submission requirements, and coordination of the distribution of applications to appropriate reviewers (e.g., Planning Firm staff, City Engineer, DNR/Watershed/other outside agencies, and Building Inspector). The proposal should also include an hourly and meeting rate for services and provisions for consultation services.

Proposal Submission Deadline: 4:00 PM, May 19, 2025

Late submissions may not be considered. Finalists may be asked to participate in interviews and at a City Council Meeting. A schedule for interviews will be established as needed.

Proposal Submission Address:

City of Birchwood Village
Attn: Therese Bellinger, Deputy City Administrator
207 Birchwood Avenue
Birchwood, MN 55110
Email: info@cityofbirchwood.com

The City reserves the right to reject any or all proposals, waive any irregularities, and select proposals deemed in the best interest of the City and its taxpayers. The City may also choose to engage multiple service providers.

SCOPE OF SERVICES

The selected planning firm will be responsible for:

1. Development and Permit Processing:

- a. **Application Processing via Citizen Portal:** Oversee and manage permitting applications submitted through the City's citizen portal, ensuring accurate intake and timely processing.
- b. **Application Review & Processing:** Process development applications, zoning amendments, and variance requests either by designated planning firm staff or City staff as appropriate.

- c. **Report Generation:** Create staff reports on variance, appeal, conditional use and similar applications for the planning commission and city council detailing which city codes and other requirements are involved.
- d. **Submission Requirements Review:** Review application submissions to verify compliance with all required documents and municipal codes before further distribution. Anticipate city needs in reviews.
- e. **Distribution to Reviewers:** Coordinate the dissemination of application packages to relevant reviewers including, but not limited to:
 - i. Planning Firm staff
 - ii. City Engineer
 - iii. DNR/Watershed/other outside agencies
 - iv. Building Inspector
- f. **Zoning and Planning Administration:** Provide planning-related guidance, assist with comprehensive planning, zoning code updates, and ordinance revisions. Evaluate permit applications for compliance with city codes and other requirements and explain deficiencies.
- g. **Administrative Coordination:** Coordinate among City zoning staff.
- h. **Legal Coordination:** Work with the City attorney to ensure that planning actions are legal.
- i. **Resident Consultation Services:** Provide consultation services for residents regarding planning, zoning, and permit-related issues. These consultations should be available on an hourly basis as part of the overall service offering.
- j. **Hourly and Meeting Rate Services:** Clearly specify an hourly and meeting rate for consultation services and any additional advisory work provided to residents or City staff.

SUBMISSION REQUIREMENTS

The total submission, including the cover letter and company brochure, should not exceed 20 pages. Submissions must include an hourly rate for consultation services and any additional advisory work provided to residents or City staff and may include a rate for attending City meetings.

EXPECTED SELECTION PROCESS & TIMELINE

- **RFP Issuance:** April 8, 2025
- **Proposal Submission Deadline:** 4:00 PM, May 19, 2025
- **Proposal Review & Evaluations:** May 20, 2025
- **Interviews (if necessary):** May 26-June 6, 2025
- **City Council Selection and Service Agreement Execution:** June 10, 2025

The selected planning firm will enter into a service agreement with the City and is required to provide appropriate insurance coverage while maintaining independent contractor status.

CONTACT INFORMATION

For any inquiries or further information, please contact:

Therese Bellinger

Deputy City Administrator

Email: info@cityofbirchwood.com

Phone: 651-426-3403

The City of Birchwood Village looks forward to reviewing your proposal and selecting a qualified planning firm to support our planning, development, and permit processing needs, including resident consultation services.

CITY OF BIRCHWOOD VILLAGE RESOLUTION NO. 2025-36

A RESOLUTION AUTHORIZING SUE KAPSNER TO REPRESENT THE CITY OF BIRCHWOOD VILLAGE IN APPLYING FOR A MINNESOTA ARTS BOARD GRANT AND TO INVESTIGATE OPTIONS FOR ART ENRICHMENT OPPORTUNITIES THAT BRING COMMUNITY TOGETHER AND OFFER CULTURAL EXPERIENCES TO BIRCHWOOD RESIDENTS.

WHEREAS, the City of Birchwood Village seeks to enhance its arts programming opportunities within the community; and

WHEREAS, Sue Kapsner has volunteered to research and develop proposals for expanding artistic opportunities, including visual and musical arts within the Village Hall and other public spaces; and

WHEREAS, the City of Birchwood Village desires to apply for an arts grant to develop a rotating art gallery for work by Birchwood and area residents, create opportunities for local residents to share their musical gifts and talents, and add music concerts, storytellers, poetry sharing and more throughout the year.

WHEREAS, Sue Kapsner will work with relevant stakeholders to assess the feasibility of proposed initiatives and determine budgetary requirements; and

WHEREAS, the City of Birchwood Village finds it in the public interest to authorize Sue Kapsner to act on its behalf in this matter;

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

1. That Sue Kapsner is hereby authorized to investigate available grant opportunities and potential funding sources for the expansion of arts programming in Birchwood Village.
2. That Sue Kapsner is authorized to represent the City of Birchwood Village in preparing and submitting a grant application for funding.

Adopted this 8th day of April, 2025.

Jennifer Arsenault, Mayor, City of Birchwood Village

ATTEST:

City Clerk

RESOLUTION NUMBER: 2025-37

A RESOLUTION DECLARING THAT THE CITY OF BIRCHWOOD VILLAGE WILL SUBSCRIBE TO SURVEYMONKEY FOR RESIDENT SURVEYS

WHEREAS, the City of Birchwood Village seeks to gather timely input from residents to inform decision-making; and

WHEREAS, SurveyMonkey provides an easy-to-use online platform for conducting surveys; and

WHEREAS, the City previously used SurveyMonkey to conduct a survey regarding City Clerk requirements, which resulted in strong participation and valuable insights that informed council decisions;

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

That the City shall subscribe to SurveyMonkey at a cost of \$360 annually to conduct regular surveys of residents in order to obtain real-time feedback to support informed decision-making.

Passed by the City council of the City of Birchwood Village, Minnesota, this 8th of April, 2025.

Mayor

Attested:

City Clerk