

**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
April 11, 2017**

MINUTES

MEMBERS PRESENT: Mayor Mary Wingfield; Councilmembers: Kevin Woolstencroft, Randy LaFoy and Megan Malvey. Councilmember Trilby White was absent.

STAFF PRESENT: Alan Kantrud, City Attorney; Tobin Lay, City Administrator

OTHERS PRESENT: Mary Houser, Gene Ruehle, Steve Huntley, Ana Vang, Terry Granec, Lisa McKeown, James Nelson, Ken Johnson, Alan Mitchell, John McCormick, Bryan McGinnis, Kathy Leeves, Brian Stepan, Joseph Wormwood, John Lund, Kathy Blegen-Huntley, Steve Huntley, and others

Mayor Wingfield called the regular meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

AGENDA APPROVAL:

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER MALVEY TO APPROVE THE AGENDA. ALL AYES. MOTION PASSED.

OPEN PUBLIC FORUM:

- A. **Terry Granec (363 Lakewood Ln):** Expressed excitement about being a potential member of the roads committee and introduced himself as a candidate
- B. **John McCormick (110 Birchwood Ave):** Spoke on behalf of Birchwood United, requested that the council has a few more work sessions and be more inclusive (allowing members of the community to participate).
- C. **Bryan McGinnis (194 Wildwood Ave):** He stated that consent item J on the agenda (hearing on the MS4 storm water prevention program) brought him to the meeting tonight. He stated his concern with the rain water garden on Birch beach.
- D. **Kathy Leeves (Oakview Court):** She expressed her concern that the city will be using city funds for legal counsel as requested by Birchwood United. Her annoyance was that the funds will be taken away from regular city business.
- E. **James Nelson (256 Wildwood Ave):** He expressed his concern with the salt entering the lake, and possibly eliminating salting roads altogether and using sand only.
- F. **Ana Vang (549 Jay St):** Requested that the city measure where the greenhouse gas emissions are coming from in the city and seek improvements on those emissions. She also offered her help in providing these measurements, and if help is needed she can re-approach the council.

ANNOUNCEMENTS:

- A. Spring leaf pick up starting April 18. Prices will be the same as they were last fall.
- B. Fire hydrant flushing will occur sometime between now (April 11) and the end of April.
- C. Plant exchange will occur June 3, 2017 at 10am.
- D. Garage sale/ giveaway occurring on June 10, 2017.

PLANNING COMMISSION

- A. **Variance Case No. 17-01-VB for 191 Wildwood Ave:** Residents seeking approval for a 6' 9.5" variance from the 10' sided yard setback as well as a variance from the impervious coverage requirements. The purpose is to demolish and construct a new deck. Seeking to make an impervious surface improvement of 1% by using pervious materials.

Councilmember Woolstencroft: Expressed concern about space for fire trucks to pass to the sided of the house. It was determined that currently with the 3-car garage trucks would not be able to pass regardless.

Brian Stepan (Rust Architects): Provided information about the variance including measurements of the existing structure. He explained that both neighbors have expressed support for the project. He explained the permeability of the pavers that are intended for the project will be a minimum of a .7% improvement. He said the project was in compliance with the city code in all other respects.

Council Members: Discussed the hardship that this undersized lot causes. City code 302.015 provides a 60% allowance from the zoning code for undersized lots and the proposed changes fall within that allowance. They made additional requirements under Resolution No. 2017-15a and discussed various vocabulary changes to the variance, including a change in range of pervious material options as approved by the city engineer.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER MALVEY TO APPROVE RESOLUTION NO. 2017-15A. ALL AYES. MOTION CARRIES.

- B. **Variance Case No. 17-02-VB for 441 Lake Ave:** Resident seeking variance in set back from the municipal road as well as variance from the impervious coverage requirements. The purpose is to demolish and construct a new garage. Seeking to reduce the impervious surface coverage of the lot to below 25% by creating rain gardens.

Council Members: Discussed the hardships that the shape of this property causes. Improvements made by this variance request are desirable both to the owner and the City as it pushes the garage back from the road. Proposed new garage setback aligns with the minimum setback based on the prevailing municipal street setback of structures in the immediate vicinity. They made additional requirement under Resolution No. 2017-16a.

MOTION MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE RESOLUTION NO. 2017-16A. ALL AYES. MOTION CARRIES.

CITY BUSINESS – CONSENT AGENDA

- A. Approval of Regular Meeting Minutes from January 10, 2017
- B. Approval of Regular Meeting Minutes from March 14, 2017 - To Come
- C. Approval of Treasurer's Report
- D. Approval of Revised Airfresh Contract
- E. Approve Council Assignments
- F. Approval of Resolution 2017-11: Allowing Beer and Wine Consumption at Music in the Park Summer Evening Concerts

- G. Approval of Resolution 2017-12: Hiring and Appointing Bailey Beckman to Serve as City Treasurer- Deputy Clerk
- H. Approval of Resolution 2017-13: Hiring and Appointing Dennis Sonnek to Serve as Office Support Worker
- I. Approval of Resolution 2017-14: Approving Coverage for City Workers' Compensation Insurance Policy
- J. Approve MS4 Public Hearing for May Council Meeting - Storm Water Pollution Prevention Program
- K. Sheriff Report
- L. Dog Park Committee Update/ Minutes
- M. I.P.A.D. Response

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER MALVEY TO APPROVE THE CONSENT AGENDA. ALL AYES. MOTION PASSED.

CITY BUSINESS - REGULAR AGENDA

A. Roads Committee Update and Recommendations

Gene Ruehle (262 Wildwood Ave, Chair of Roads and Streets Committee): He explained the resignation of Mark Anderson from his position on the Roads Committee and explained the new members on the committee will make a great team. He is seeking final approval of the new members of the roads committee. Agreed that there can be up to 10 new signs in each direction for the Lake Links Route. Also discussed various street repairs.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPOINT TERRY GRANEC AND TOM PATSY TO THE ROADS AND STREETS COMMITTEE. ALL AYES. MOTION CARRIES.

MOTION WAS MADE BY COUNCILMEMBER MALVEY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO APPROVE STREET REPAIRS UP TO \$12,500. ALL AYES. MOTION PASSED.

B. Lawn Care Bids

Administrator Lay: Introduced the bids by contractors for the city's lawn care needs.

Kenny Johnson (KEJ Company): Introduced himself and spoke about what he has to offer within his bid, open to any options.

Joseph Wormwood (MowJoe Company): Introduced his bid and his work with residents in both Mahtomedi and Birchwood.

Council Members: They discussed the bids provided by KEJ and Joe, comparing pricing options and weighing the amount of work that needs to be accomplished in the parks

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER LAFOY TO ACCEPT THE CONTRACTUAL BID PROVIDED BY KENNY JOHNSON. ALL AYES. MOTION PASSED.

C. Music in the Park- 2017 Funding

Administrator Lay: Summarized the request for additional funding for Music in the Park that was denied last year and has been requested again for the year of 2017.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER MALVEY TO INCREASE THE MUSIC IN THE PARK FUNDING TO \$1,800. COUNCILMEMBERS LAFOY AND MALVEY VOTED AYE. MAYOR WINGFIELD AND COUNCILMEMBER WOOLSTENCROFT VOTED NAY. COUNCILMEMBER WHITE ABSENT. MOTION FAILED.

D. Parks Committee- Call for Member Applications and Details

Administrator Lay: Spoke about the call for member applications for the parks committee and stated that he had received excitement from various members of the community. Requested that the council state the qualifications that they are looking for in applications for the parks committee.

Council Members: Decided that Administrator Lay can open the call for member applications, posting applications on the city webpage, social media sites, and the city email list. Application deadline is May 1, 2017.

E. Rescheduling of May Council Meeting

Council Members: Discussed moving the May council meeting to allow Councilmember Malvey to be present during the selection of the members of the Parks committee. They decided to not reschedule the May meeting.

F. Dog Park Committee Bylaws

Council Members: Tabled this discussion to allow Mayor Wingfield and Councilmember Malvey more time to work on synthesizing Council's edits to the bylaws.

G. 302.045 Structure Height Amendment

Administrator Lay: Introduced an apparent oversight in City Code 302.045 by the last amendment made to that code. Changes made in the previous amendment weren't applied to garages, which are also covered under that section.

Council Members: They discussed the current laws surrounding the DNR height limitations for homes, garages, and sheds. They decided to keep the current laws, unless there is an excessive amount of variance requests at which they will revisit the discussion.

H. Feasibility Study- Review Draft and Set Public Hearing

Administrator Lay: Summarized the Feasibility study draft provided by City Engineer Steve Thatcher and City Attorney Alan Kantrud.

Attorney Kantrud: He suggested an appraisal of the work that needs to be done and then set the public hearing in May.

MOTION WAS MADE BY COUNCILMEMBER WOOLSTENCROFT AND SECONDED BY COUNCILMEMBER LAFOY TO SET THE PUBLIC HEARING FOR MAY. ALL AYES. MOTION CARRIES.

I. Public Forum Procedures- Continue March 30 Discussion

Council Members: They discussed the placement of the public forum during council meetings. The council decided to leave the public forum where it is currently placed.

J. Planning Commission Meeting Date Change

Mayor Wingfield: Discussed the Planning Commission's desire to change meeting dates. She requested that the Planning Commission select a meeting date that allows more time between those meetings and the City Council meetings.

Alan Mitchell (23 Oakridge Court): The Planning Commission's meeting times are set under City Code 303.010. He recommended the language of the entire code be looked at as it includes more than just the meeting time.

Attorney Kantrud: Given this information, changing the Planning Commission's meeting times will require an amendment to the ordinance and will require a public hearing.

MOTION MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO HOLD A PUBLIC HEARING AT THE MAY COUNCIL MEETING TO STRIKE ORDINANCE 303-010 REGARDING WHEN THE PLANNING COMMISSION MEETS. ALL AYES. MOTION PASSED.

K. Council Member Reports

Councilmember LaFoy: Discussion concerning the Kayak permits and kayak rack enforcement.

Councilmember Malvey: She spoke about the data she collected concerning surveys and gaining help in writing the survey questions.

L. City Administrator's Report

1. Cable Commission Resignation

Council Members: Discussed posting for the cable commission position.

2. Tighe-Schmitz Park - Water Main Clean Up

Administrator Lay: Introduced the water main clean up bid provided by Kenny Johnson

Kenny Johnson: He spoke about the various options and equipment that would be needed to do the water main break clean up

Council Members: Requested Kenny Johnson look at the water pooling in the Ice Rink

parking lot and submit a quote for cutting a pass in the berm there.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO APPROVE KEJ'S QUOTE FOR CLEANING UP THE WATER MAIN BREAK SOIL AT TIGHE-SCHMITZ PARK. ALL AYES. MOTION PASSED.

3. Consumer Confidence Report

Council Members: Discussed the findings in the consumer confidence report.

M. City Attorney Report

1. **Kay Beach Update:** The litigation was started by the neighbor beyond Kay Beach concerning property lines, but none of the effects pertained to the City of Birchwood
2. **Flushable Wipes Class-action Lawsuit Update:** Explained the lawsuit that is beginning to take place, passed the materials on to Administrator Lay.
3. **Sewer Lining Valuation Update:** No update needed.

ADJOURN

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WOOLSTENCROFT TO ADJOURN THE MEETING. ALLAYES. MOTION PASSED. MEETING ADJOURNED AT 10:00 P.M.



Mary Wingfield
Mayor

ATTEST:



Tobin Lay
City Administrator-Clerk

RESOLUTION 2017-11

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

**A Resolution Authorizing Persons of Legal Age to Possess and Consume Beer and Wine
during 2017 Music in the Park Summer Evening Concerts**

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, April 11, 2017, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Megan Malvey, Randy LaFoy, and Kevin Woolstencroft, and the following absent: Trilby White, the Birchwood City Council resolved:

WHEREAS, each summer, the City of Birchwood Village sponsors Sunday evening concerts located within City parks; and

WHEREAS, City Code Section 607.641 allows the Birchwood City Council to authorize the use and consumption of beer and wine in public park spaces during designated times; and

WHEREAS, the Birchwood City Council has approved similar resolutions for possession and consumption of beer and wine during previous year's concert series.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby authorizes persons of legal age to possess and consume beer and wine during 2017 summer evening concerts.

Voting in Favor:

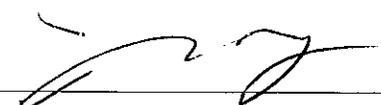
Voting Against:

Resolution duly seconded and passed this 11th day of April, 2017.



Mary Wingfield
Mayor

Attest:



Tobin Lay
City Administrator-Clerk

RESOLUTION 2017-12

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

**APPROVING THE HIRING AND APPOINTMENT OF BAILEY BECKMAN AS
CITY TREASURER-DEPUTY CLERK, EFFECTIVE APRIL 12, 2017.**

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, April 11, 2017, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Megan Malvey, Randy LaFoy, and Kevin Woolstencroft, and the following absent: Trilby White, the Birchwood City Council resolved:

WHEREAS, The City of Birchwood Village will employ Bailey Beckman as City Treasurer-Deputy Clerk for 36 hours/month; and

WHEREAS, The City of Birchwood Village will compensate Bailey Beckman at a rate of pay of \$16.50/hour.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby approves the hiring and appointment of Bailey Beckman as City Treasurer-Deputy Clerk, at-will and with terms and conditions as the Administrator sees fit, effective April 12, 2017.

Voting in Favor:

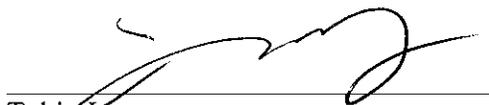
Voting Against:

Resolution duly seconded and passed this 11th day of April, 2017.



Mary Wingfield, Mayor

Attest:



Tobin Lay
City Administrator-Clerk

RESOLUTION 2017-13

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

**APPROVING THE HIRING AND APPOINTMENT OF DENNIS SONNEK AS
OFFICE SUPPORT WORKER, EFFECTIVE APRIL 12, 2017.**

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, April 11, 2017, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Megan Malvey, Randy LaFoy, and Kevin Woolstencroft, and the following absent: Trilby White, the Birchwood City Council resolved:

WHEREAS, The City of Birchwood Village will employ Dennis Sonnek as Office Support Worker for up to 20 hours/month; and

WHEREAS, The City of Birchwood Village will compensate Dennis Sonnek at a rate of pay of \$20.00/hour; and

WHEREAS, This position will expire and the City Council re-evaluate need 90 days after approval.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village hereby approves the hiring and appointment of Dennis Sonnek as Office Support Worker, effective April 12, 2017.

Voting in Favor:

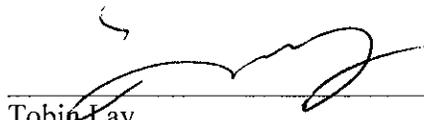
Voting Against:

Resolution duly seconded and passed this 11th day of April, 2017.



Mary Wingfield, Mayor

Attest:



Tobin Lay
City Administrator-Clerk

RESOLUTION 2017-14

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

**APPROVING COVERAGE FOR CITY WORKERS' COMPENSATION
INSURANCE POLICY**

At a regular meeting of the City Council of the City of Birchwood Village held on Tuesday, April 11, 2017, at Birchwood City Hall, 207 Birchwood Avenue, Birchwood, Minnesota, with the following members present: Mayor Mary Wingfield, Councilmembers Megan Malvey, Randy LaFoy, and Kevin Woolstencroft, and the following absent: Trilby White, the Birchwood City Council resolved:

WHEREAS, the City of Birchwood Village has workers' compensation insurance coverage through the League of Minnesota Cities; and

WHEREAS, the City's workers' compensation insurance policy must be renewed by June 12, 2017.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Birchwood Village, pursuant to Minnesota Statute 176.011, subd. 9(6), the Minnesota Workers' Compensation Act, members of the following groups are included in the City's worker's compensation coverage:

1. Members of the Birchwood City Council;
2. Members of all Birchwood advisory commissions; and,
3. Volunteers working for the City of Birchwood Village.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 11th day of April, 2017.



Mary Wingfield, Mayor

Attest:



Tobin Lay
City Administrator-Clerk

RESOLUTION NO. 2017-15a

**RESOLUTION APPROVING A VARIANCE FROM
THE CITY OF BIRCHWOOD VILLAGE ZONING CODE
FOR 191 WILDWOOD AVENUE**

WHEREAS, a proposal (17-01-VB) has been submitted by Bill Rust at Rust Architects on behalf of Steve and Nancy Ferry to the City Council requesting a variance from the City of Birchwood Village at the following site:

ADDRESS: 191 Wildwood Avenue

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A variance from City Code 302.020 to allow for a 6 foot 9½ inch side yard setback verses the 10 foot side yard setback requirement to demolish and construct a new deck. And a variance from City Code 302.050 to allow for a 6.8% variance from the 25% maximum impervious surface coverage allowed for the lot because the project will decrease the impervious surface coverage by 0.7% from existing coverage; and

WHEREAS, the Planning Commission has held a public hearing as required by the City Zoning Code on March 9, 2017; and

WHEREAS, the request was determined to be reasonable and not out of character with the immediate neighborhood and City's Comprehensive Plan; and

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed variance upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Birchwood Village after reviewing the proposal, that the City Council accepts and adopts the following findings of the Planning Commission:

1. That granting the variance will be in harmony with the general purpose and intent of this Code.
2. That granting the variance will not impair an adequate supply of light or air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the City.
3. That the non-conforming use of neighboring lands, structures, or buildings is not the sole grounds for issuance of the variance.

FURTHER, BE IT RESOLVED, that the City Council of the City of Birchwood Village hereby approves the requested variance subject to the following conditions:

1. All application materials, maps, drawings and descriptive information submitted with this application shall become part of this permit. All materials submitted with this approved variance shall constitute minimal compliance standards.
2. Per Section 304.090, the variance shall become null and void if the project has not been completed or utilized within one (1) year after the date it was granted, subject to petition for extension by the City Council.
3. The applicant shall obtain a building permit prior to beginning construction.
4. The applicant shall verify their property lines and have the property pins exposed at the time of inspection.
5. Land alteration may not cause adverse impact upon or result in additional drainage onto abutting property or White Bear Lake. The applicant shall install gutters or employ other solutions should drainage issues arise.
6. Water service line must be sized appropriately for proposed additions.
7. The applicant shall confirm with the power company the necessary distance from the overhead powerlines prior to construction.
8. The pervious surface included in this project must be approved by the City Engineer.
9. The eyebrow side roof overhang must be equal to or less than the main roof overhang.
10. The area of added impervious surface caused by the additional overhang from the new eyebrow back roof must be offset by the new pervious paver area.
11. The project shall be built in conformance with the plans submitted and plans submitted shall be in conformance with all other City Codes.
12. Any changes with the dimensions of this project shall render this resolution voidable.

The foregoing resolution, offered by Councilmember LaFoy and supported by Councilmember Malvey, was declared carried on the following vote:

Ayes: 4

Nays: 0

Absent: Councilmember White



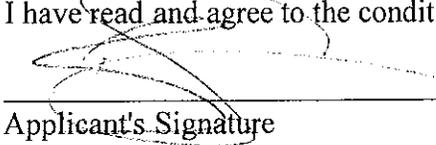
Mary Wingfield, Mayor

ATTEST:



Tobin Lay, City Administrator

Approval is contingent upon execution and return of this document to the City Administrator.
I have read and agree to the conditions of this resolution as outlined above.

 5/15/17
Applicant's Signature Date

RESOLUTION NO. 2017-16a

**RESOLUTION APPROVING A VARIANCE FROM
THE CITY OF BIRCHWOOD VILLAGE ZONING CODE
FOR 441 LAKE AVENUE**

WHEREAS, a proposal (17-02-VB) has been submitted by Thomas D. McKeown to the City Council requesting a variance from the City of Birchwood Village at the following site:

ADDRESS: 441 Lake Avenue

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A variance from City Code 302.020 to allow for a 16 foot variance from the 40 foot municipal street setback requirement to demolish and construct a new garage. And a variance from City Code 302.050 to allow for a 5.87% variance from the maximum 25% impervious surface coverage allowed for the lot because the project will mitigate the impervious surface coverage to below 25%; and

WHEREAS, the Planning Commission has held a public hearing as required by the City Zoning Code on April 5, 2017; and

WHEREAS, the request was determined to be reasonable and not out of character with the immediate neighborhood and City's Comprehensive Plan; and

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed variance upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Birchwood Village after reviewing the proposal, that the City Council accepts and adopts the following findings of the Planning Commission:

1. That granting the variance will be in harmony with the general purpose and intent of this Code.
2. That granting the variance will not impair an adequate supply of light or air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the City.
3. That the non-conforming use of neighboring lands, structures, or buildings is not the sole grounds for issuance of the variance.

FURTHER, BE IT RESOLVED, that the City Council of the City of Birchwood Village hereby approves the requested variance subject to the following conditions:

1. All application materials, maps, drawings and descriptive information submitted with this application shall become part of this permit.
2. Per Section 304.090, the variance shall become null and void if the project has not been completed or utilized within one (1) year after the date it was granted, subject to petition for extension by the City Council.
3. The applicant shall obtain a building permit prior to beginning construction.
4. The applicant shall verify their property lines and have the property pins exposed at the time of inspection.
5. Land alteration may not cause adverse impact upon or result in additional drainage onto abutting property or White Bear Lake. The applicant shall install gutters or employ other solutions should drainage issues arise.
6. Water service line must be sized appropriately for proposed additions.
7. The applicant shall confirm with the power company the necessary distance from the overhead powerlines prior to construction.
8. A final rain garden plan be designed and submitted that shows the mitigating effect on the lot's impervious surface coverage to at least 25%.
9. The final rain garden is approved by the City Engineer.
10. The project shall be built in conformance with the plans submitted and plans submitted shall be in conformance with all other City Codes.

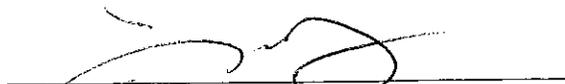
The foregoing resolution, offered by Councilmember LaFoy and supported by Councilmember Woolstencroft, was declared carried on the following vote:

Ayes: 4
Nays: 0
Absent: Councilmember White

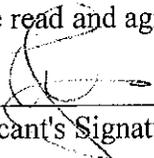


Mary Wingfield, Mayor

ATTEST:


Tobin Lay, City Administrator

Approval is contingent upon execution and return of this document to the City Administrator.
I have read and agree to the conditions of this resolution as outlined above.



Applicant's Signature

5-12-2017

Date