



AGENDA OF THE REGULAR MEETING OF
THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
February 9, 2015
7:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

OPEN PUBLIC FORUM

ANNOUNCEMENTS

CITY BUSINESS – CONSENT AGENDA

- A. Approval of Regular Meeting January 12, 2016 Minutes*

CITY BUSINESS – REGULAR AGENDA

- A. Approval of Treasurer's Report*
- B. Safe/Exclusion Zone Language*
 - a. Public Hearing
 - b. Council Deliberation and Consideration of Approval
- C. Planning Commission*
 - a. Doug Danks: Structure Height Language
 - b. Bryan McGinnis: Tree Preservation Language
- D. WBLCD: Jane Harper
- E. Purchase of dock extension sections
- F. Railing at City Hall: Council Member Anderson
- G. Lift Station #2/Generator Costs*
- H. City Administrator's Report

* Denotes items that have supporting documentation provided

I. City Attorney's Report

ADJOURN

* Denotes items that have supporting documentation provided

**CITY OF BIRCHWOOD VILLAGE
REGULAR CITY COUNCIL MEETING
January 12, 2016**

MINUTES

MEMBERS PRESENT: Mayor Mary Wingfield; Council members: Kevin Woolstencroft, Mark Anderson and Randy LaFoy. Not present: Council members Hullsiek & LaFoy

STAFF PRESENT: Mike Anderson, City Administrator and Alan Kantrud, City Attorney

OTHERS PRESENT: Megan Malvey

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 COUNCIL MEMBER ANDERSON AND SECONDED BY COUNCIL MEMBER WOOLSTENCROFT TO APPROVE THE AGENDA AS PRESENTED. ALL AYES. MOTION PASSED.

OPEN PUBLIC FORUM:

Resident Malvey asked the council about Resident Restrictions for the sex offender language.

ANNOUNCEMENTS: N/A

CITY BUSINESS – CONSENT AGENDA

MOTION WAS MADE TO APPROVE CONSENT AGENDA BY COUNCIL MEMBER WOOLSTENCROFT AND SECONDED BY COUNCIL MEMBER ANDERSON. ALL AYES. MOTION PASSED.

CITY BUSINESS - REGULAR AGENDA

A. Safe/Exclusion Zone Language Discussion

Mayor Wingfield: informed the council that a volunteer committee was formed and a draft ordinance that will be up for a public hearing at the February Council Meeting

City Attorney Kantrud: Explained that this draft is similar to an Iowa ordinance and has not been implemented in Minnesota to his knowledge. He also made his comments known on his changes for the language that will be presented at the February meeting.

MOTION WAS MADE BY COUNCIL MEMBER WOOLSTENCROFT AND SECONDED BY COUNCIL MEMBER ANDERSON TO PUT SAFE/EXCLUSION ZONE LANGUAGE UP FOR A PUBLIC HEARING. ALL AYES. MOTION PASSED

B. Approval of Treasurer's Report

MOTION WAS MADE BY COUNCIL MEMBER WOOLSTENCROFT AND SECONDED BY COUNCIL MEMBER ANDERSON TO APPROVE THE TREASURERS REPORT. ALL AYES. MOTION PASSED.

C. 2016 Goals/Timeline

A. Railing at City Hall

Mayor Wingfield: The railing for city hall needs a prototype with drawings.

Council Member Anderson: is working on the railing installation. Informed the council that rough estimate would be about \$2000 for labor and installation.

Mayor Wingfield: Asked the council to approve a max of \$2300 for railing install.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCIL MEMBER ANDERSON TO AUTHORIZE THE CITY CLERK TO NOT EXCEED \$2300 FOR THE RAILING AT CITY HALL. ALL AYES. MOTION PASSED.

B. LED Street Lights

Mayor Wingfield: is working with Council Member LaFoy and will be seeking grant opportunities to help with funding.

C. Generator at Lift Station #2

Administrator Anderson: Met with Engineer Thatcher to get an overview on the project. He said he is seeking bids for the generator and will be receiving quotes from five companies. He stated a memo will be sent out to the council with the bids from separate companies and his suggestions.

D. Electronic Speed Limit Sign

Council Member Anderson: has received some pricing and will present it at the February meeting. He stated we could get solar power, hard wire, or movable signs to place throughout town.

D. Administrators Report

Administrator Anderson: Mentioned the Wetterling Seminar will be in late March or early April at the Great Hall in Mahtomedi. He gave an update from the Planning Commission Meeting, Commission Member Danks and resident Bryan McGinnis will be at the February meeting to present the new information. Finally discussed the structure being built at 369 Wildwood Ave and Planning Commission Member Lund went to the residence and measured the structure and found that it was in compliance with current city code.

Mayor Wingfield: Asked for an update on the third party Plan Reviewer.

Administrator Anderson: Mentioned that John Lund was interested in taking on the role for the city and arrangements/pay is in progress.

E. City Attorney Report

Attorney Kantrud: Received information from the court that the decision on Kay Beach will be up for motion of a new trial. He will present that in February.

ADJOURN

MOTION WAS MADE BY COUNCIL MEMBER WOOLSTENCROFT AND SECONDED BY COUNCIL MEMBER ANDERSON TO ADJOURN THE MEETING. ALL AYES. MOTION PASSED. MEETING ADJOURNED AT 7:35 P.M.

Mary Wingfield
Mayor

ATTEST:

Mike Anderson
City Administrator-Clerk

As of 02/04/2016
Fiscal Year:2016

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursements</u>	<u>Ending Balance</u>
General Fund	\$451,575.19	\$1,260.95	\$81,599.33	\$371,236.81
Special Rev Projects	\$2,800.02	\$0.00	\$0.00	\$2,800.02
Spec Rev - Warm House	\$0.00	\$0.00	\$0.00	\$0.00
Sewer 2004 Bonds	\$0.00	\$0.00	\$0.00	\$0.00
Birchwood In Re-hab Bond	\$0.00	\$0.00	\$0.00	\$0.00
Sewer Re-hab 2008 Debt	\$8,424.62	\$0.00	\$0.00	\$8,424.62
Cap Project - PW	\$48,758.91	\$0.00	\$0.00	\$48,758.91
Water Enterprise Fund	\$7,951.88	\$0.00	\$5,342.40	\$2,609.48
Sewer Enterprise Fund	\$61,670.40	\$0.00	\$40,044.48	\$21,625.92
Sewer Infrastructure	\$3,845.00	\$0.00	\$0.00	\$3,845.00
Total	\$585,026.02	\$1,260.95	\$126,986.21	\$459,300.76

Date range: 01/12/2016 to 02/04/2016

<u>Remitter</u>	<u>Date</u>	<u>Receipt #</u>	<u>Total</u>	<u>Description</u>	<u>Deposit ID</u>	<u>Void</u>	<u>Account #</u>	<u>Detail</u>
Resident Dowdal	01/13/2016	1619	\$10.00	Dog License - 2 Years	(01/13/2016) -	No	100-32240	\$10.00
Resident Maas	01/19/2016	1621	\$10.00	Dog License - 2 Years	(01/19/2016) -	No	100-32240	\$10.00
Resident Hulisiek	01/19/2016	1622	\$10.00	Dog License - 2 Years	(01/19/2016) -	No	100-32240	\$10.00
Rachel Dopson	01/19/2016	1623	\$50.00	Permit	(01/19/2016) -	No	100-32210	\$50.00
Vierling Heating & AC	01/19/2016	1624	\$61.00	Permit	(01/19/2016) -	No	100-32210	\$61.00
Andrea McCoy	01/19/2016	1625	\$25.00	Hall Rental	(01/19/2016) -	No	100-34101	\$25.00
Prof. Grounds Maintenance	01/19/2016	1626	\$125.00	Permit	(01/19/2016) -	No	100-32210	\$125.00
Fireside Homes	02/01/2016	1629	\$57.14	Permit	(02/01/2016) -	No	100-32210	\$57.14
Cash	02/01/2016	1630	\$10.00	Dog License	(02/01/2016) -	No	100-32240	\$10.00
W. Woolstencroft	02/01/2016	1631	\$10.00	Dog License	(02/01/2016) -	No	100-32240	\$10.00
Fireside Homes	02/01/2016	1632	\$49.58	Permit	(02/01/2016) -	No	100-32210	\$49.58
Geiser	02/01/2016	1633	\$10.00	Dog License	(02/01/2016) -	No	100-32240	\$10.00
Washington Cnty Cable	02/01/2016	1634	\$590.63	Reimbursement for Ken	(02/01/2016) -	No	100-34100	\$590.63
Resident Palmer/Plamer	02/03/2016	1635	\$20.00	Dog License - 2 Dogs	(02/03/2016) -	No	100-32240	\$20.00
Resident Fleck	02/03/2016	1636	\$10.00	Dog License - 2 Years	(02/03/2016) -	No	100-32240	\$10.00
Legacy Restoration LLC	02/03/2016	1637	\$142.60	Permit	(02/03/2016) -	No	100-32210	\$142.60

Total For Selected Receipts

\$1,190.95

\$1,190.95

Date range: 01/12/2016 to 02/04/2016

Vendor	Date	Check #	Total	Description	Void	Account #	Detail
MN Department of Revenue	01/13/2016	EFT011316	\$683.17	Quarter 4 filing	No	100-41400-115	\$683.17
Payroll Period Ending 01/19/2016	01/19/2016	29041	\$1,410.79		No	100-41400-100	\$1,410.79
Michael Anderson	01/19/2016	29042	\$32.13	Reimbursement for Office Supplies (W2s)	No	100-41420-810	\$32.13
Payroll Period Ending 01/17/2016	01/19/2016	29043	\$277.75		No	100-45200-100	\$277.75
Payroll Period Ending 01/17/2016	01/19/2016	29044	\$185.00		No	100-45200-100	\$185.00
Payroll Period Ending 01/17/2016	01/19/2016	29045	\$195.25		No	100-45200-100	\$195.25
Payroll Period Ending 01/17/2016	01/19/2016	29046	\$198.00		No	100-45200-100	\$198.00
Payroll Period Ending 01/17/2016	01/19/2016	29047	\$352.00		No	100-45200-100	\$352.00
Payroll Period Ending 01/17/2016	01/19/2016	29048	\$228.25		No	100-45200-100	\$228.25
PERA	01/19/2016	EFT11916	\$274.40	Employee Retirement	No	100-41400-121	\$274.40
IRS - US Treasury	01/19/2016	EFTIRSQ415	\$4,263.33	Q4 Payment	No	100-41310-100	\$796.70
Payroll Period Ending 02/02/2016	02/02/2016	29049	\$1,410.79		No	100-41400-100	\$1,410.79
Payroll Period Ending 02/02/2016	02/02/2016	29050	\$407.89		No	100-41400-100	\$407.89
PERA	02/02/2016	EFT2216	\$274.40	Employee Retirement	No	100-41400-121	\$274.40
Payroll Period Ending 01/29/2016	02/03/2016	29051	\$244.17		No	100-41400-100	\$244.17
Payroll Period Ending 01/31/2016	02/03/2016	29052	\$165.00		No	100-45200-100	\$165.00
Payroll Period Ending 01/31/2016	02/03/2016	29053	\$125.00		No	100-45200-100	\$125.00
Payroll Period Ending 01/31/2016	02/03/2016	29054	\$217.25		No	100-45200-100	\$217.25
Payroll Period Ending 01/31/2016	02/03/2016	29055	\$145.75		No	100-45200-100	\$145.75
Payroll Period Ending 01/31/2016	02/03/2016	29056	\$165.00		No	100-45200-100	\$165.00
Payroll Period Ending 01/31/2016	02/03/2016	29057	\$112.75		No	100-45200-100	\$112.75
Manship Plumbing & Heating Inc	02/03/2016	29058	\$790.00	Monthly Standby/focates	No	100-45200-100	\$112.75
Birch	02/03/2016	29059	\$1,152.00	Snow Plow Services	No	601-43180-305	\$790.00

City of Birchwood Village

Disbursements List

02/04/2016

<u>Vendor</u>	<u>Date</u>	<u>Check #</u>	<u>Total</u>	<u>Description</u>	<u>Void</u>	<u>Account #</u>	<u>Detail</u>
TSE, INC	02/03/2016	29060	\$46.00	City Hall Janitorial Services Jan x2	No	100-43125-305	\$1,152.00
Gopher State One Call	02/03/2016	29061	\$100.00	2016 Annual Facility Operator Fee	No	100-41940-305	\$46.00
Washington County	02/03/2016	29062	\$24,545.35	Police Services Jul-Dec 2015 & Code Red Fees	No	100-42805-305	\$100.00
Washington County	02/03/2016	29063	\$96.07	2016 Truth in Taxation Notice	No	100-42100-305	\$24,415.47
Companion Animal Control LLC	02/03/2016	29064	\$279.50	Animal Control - Qtr4, 2015	No	100-42800-305	\$129.88
St. Paul Stamp Works, Inc	02/03/2016	29065	\$12.66	Stamp Pad & Ink	No	100-41130-351	\$96.07
Ronnan, Kenny	02/03/2016	29066	\$45.00	Services	No	100-41420-210	\$279.50
White Bear Township	02/03/2016	29067	\$2,790.21	Weekly Lift Station Check / Repairs (12/28 - 1/10)	No	100-41950-305	\$12.66
White Bear Township	02/03/2016	29068	\$1,364.61	Weekly Lift Station Check / Repairs (1/12 - 1/24)	No	605-43190-305	\$45.00
City of White Bear Lake	02/03/2016	29069	\$1,568.75	Fire Services - Jan 2016	No	605-43190-305	\$2,790.21
Xcel Energy	02/03/2016	EFTa020316	\$821.57	electric for street lights	No	100-42200-305	\$1,364.61
Xcel Energy	02/03/2016	EFTb020316	\$1,105.36	electric for lift stations / warminghouse	No	100-43160-380	\$1,568.75
						100-41940-380	\$821.57
						100-45200-380	\$284.90
						605-43190-380	\$245.65
							\$574.81
Total For Selected Checks			\$46,085.15				\$46,085.15

As of 02/04/2016

General Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
General Property Taxes	\$54,383.17	\$0.00	(\$54,383.17)
Total Acct 310	\$54,383.17	\$0.00	(\$54,383.17)
Building Permits	\$0.00	\$485.32	\$485.32
Dog Licenses	\$0.00	\$160.00	\$160.00
Total Acct 322	\$0.00	\$645.32	\$645.32
General Government	\$0.00	\$590.63	\$590.63
City Hall and Garage Rent	\$0.00	\$25.00	\$25.00
Total Acct 341	\$0.00	\$615.63	\$615.63
Total Revenues	\$54,383.17	\$1,260.95	(\$53,122.22)
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Publishing	\$346.67	\$447.97	(\$101.30)
Total Acct 411	\$346.67	\$447.97	(\$101.30)
City Council	\$650.00	\$796.70	(\$146.70)
Total Acct 413	\$650.00	\$796.70	(\$146.70)
Clerk - Treasurer	\$10,937.50	\$10,616.56	\$320.94
Elections	\$429.17	\$0.00	\$429.17
Office Operations/Supplies	\$466.67	\$135.72	\$330.95
Postage/Postal Permits	\$108.33	\$0.00	\$108.33
Total Acct 414	\$11,941.67	\$10,752.28	\$1,189.39
Financial Administration	\$66.67	\$0.00	\$66.67
Accounting	\$833.33	\$0.00	\$833.33
Assessing	\$908.33	\$0.00	\$908.33
Total Acct 415	\$1,808.33	\$0.00	\$1,808.33
Legal Services	\$1,166.67	\$0.00	\$1,166.67
Engineer Service	\$1,166.67	\$0.00	\$1,166.67
Total Acct 416	\$2,333.33	\$0.00	\$2,333.33
Grants	\$333.33	\$1,534.00	(\$1,200.67)
Planning and Zoning	\$83.33	\$0.00	\$83.33
City Training and Development	\$173.33	\$0.00	\$173.33
City Hall-Gov't Buildings	\$916.67	\$357.90	\$558.77
City Insurance	\$1,250.00	\$437.00	\$813.00
Cable Eqpmt and Service	\$0.00	\$90.00	(\$90.00)
Phone/IT	\$866.67	\$0.00	\$866.67
Total Acct 419	\$3,623.33	\$2,418.90	\$1,204.43
Police	\$8,500.00	\$24,415.47	(\$15,915.47)
Total Acct 421	\$8,500.00	\$24,415.47	(\$15,915.47)
Fire	\$3,333.33	\$3,072.17	\$261.16

City of Birchwood Village Financial Report by Account Number (YTD)

02/04/2016

Total Acct 422	\$3,333.33	\$3,072.17	\$261.16
Building Inspection	\$16.67	\$13,138.89	(\$13,122.22)
Total Acct 424	\$16.67	\$13,138.89	(\$13,122.22)
Other Protection	\$16.67	\$129.88	(\$113.21)
Utility Locates	\$0.00	\$123.20	(\$123.20)
Animal Control	\$150.00	\$279.50	(\$129.50)
Total Acct 428	\$166.67	\$532.58	(\$365.91)
Streets and Road Mntnc	\$1,000.00	\$11,440.00	(\$10,440.00)
Street Sweeping	\$666.67	\$0.00	\$666.67
Ice and Snow Removal	\$2,666.67	\$2,614.50	\$52.17
Tree Removal	\$833.33	\$3,040.00	(\$2,206.67)
Utility - Drain Structure Care	\$333.33	\$0.00	\$333.33
Street Lights	\$3,000.00	\$2,000.08	\$999.92
Total Acct 431	\$8,500.00	\$19,094.58	(\$10,594.58)
Recycle	\$1,666.67	\$1,656.00	\$10.67
Total Acct 433	\$1,666.67	\$1,656.00	\$10.67
Lawn Care/Mntnc	\$1,666.67	\$0.00	\$1,666.67
Total Acct 450	\$1,666.67	\$0.00	\$1,666.67
Recreation	\$66.67	\$0.00	\$66.67
Total Acct 451	\$66.67	\$0.00	\$66.67
Parks	\$2,083.33	\$5,273.79	(\$3,190.46)
Total Acct 452	\$2,083.33	\$5,273.79	(\$3,190.46)
CONSERVATION - NATURAL RESOURC	\$314.17	\$0.00	\$314.17
Total Acct 461	\$314.17	\$0.00	\$314.17
Unallocated Expenditures	\$2,215.67	\$0.00	\$2,215.67
Total Acct 492	\$2,215.67	\$0.00	\$2,215.67
Other Financing Uses	\$5,000.00	\$0.00	\$5,000.00
Total Acct 493	\$5,000.00	\$0.00	\$5,000.00
Total Disbursements	\$54,233.17	\$81,599.33	(\$27,366.16)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$451,575.19	
Cash Balance as of 02/04/2016		\$371,236.81	

As of 02/04/2016

Special Rev Projects	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	\$0.00	\$0.00	\$0.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Total Disbursements	\$0.00	\$0.00	\$0.00
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$2,800.02	
Cash Balance as of 02/04/2016		\$2,800.02	

As of 02/04/2016

Sewer Re-hab 2008 Debt	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	\$0.00	\$0.00	\$0.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Total Disbursements	\$0.00	\$0.00	\$0.00
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$8,424.62	
Cash Balance as of 02/04/2016		\$8,424.62	

As of 02/04/2016

Cap Project - PW

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	\$0.00	\$0.00	\$0.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Sewer Utility			
Contracted Services	\$0.00	\$23,167.79	(\$23,167.79)
Total Acct 431	\$0.00	\$23,167.79	(\$23,167.79)
Total Disbursements	\$0.00	\$23,167.79	(\$23,167.79)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$48,758.91	
Cash Balance as of 02/04/2016		\$25,591.12	

As of 02/04/2016

Water Enterprise Fund	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	\$0.00	\$0.00	\$0.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Water Utility	\$0.00	\$5,342.40	(\$5,342.40)
Total Acct 431	\$0.00	\$5,342.40	(\$5,342.40)
Total Disbursements	\$0.00	\$5,342.40	(\$5,342.40)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$7,951.88	
Cash Balance as of 02/04/2016		\$2,609.48	

As of 02/04/2016

Sewer Enterprise Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	\$0.00	\$0.00	\$0.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Sewer Utility			
Sewer - Wastewater Charge	\$0.00	\$4,080.09	(\$4,080.09)
Contracted Services	\$0.00	\$11,221.79	(\$11,221.79)
Utility Services	\$0.00	\$574.81	(\$574.81)
Misc	\$0.00	\$1,000.00	(\$1,000.00)
Total Acct 431	\$0.00	\$16,876.69	(\$16,876.69)
Total Disbursements	\$0.00	\$16,876.69	(\$16,876.69)
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$61,670.40	
Cash Balance as of 02/04/2016		\$44,793.71	

As of 02/04/2016

Sewer Infrastructure	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Total Revenues	\$0.00	\$0.00	\$0.00
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Total Disbursements	\$0.00	\$0.00	\$0.00
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
Beginning Cash Balance		\$3,845.00	
Cash Balance as of 02/04/2016		\$3,845.00	

408: EXCLUSION ZONES AND PROHIBITION
OF CERTAIN EMPLOYMENT-RELATED ACTIVITIES

408.010: **PURPOSE:** The City of Birchwood considers the safety of its residents, its children in particular, to be of critical importance and the potential threat of designated predatory offenders in close proximity to them to be an unacceptable risk. This chapter is intended to exclude sex offenders and predators from locations throughout the City of Birchwood to help protect the welfare and safety of the residents and reduce the risk presented by the presence of predatory offenders in close proximity to the public, children in particular, in areas that the City has control over.

408.020: **DEFINITIONS:**

- a. **Predatory offender:** A person who is required to register as a predatory offender under Minn. Stat. §243.166.
- b. **Loitering:** The act of lurking, lingering, or concealing oneself for a period of more than five minutes in a public space, whether on foot, bike, or in a transport vehicle.

408.030: A predatory offender shall not do any of the following:

- a. Be present upon or loiter on or within two hundred feet of any school bus stop, public park or city easement or public wooded or open space or any public walkways, including but not limited to Bloomquist Park and Tennis Courts, Tighe-Schmitz Park and Skating Rinks, Wildwood Park, Nordling Park, Ash Easement and Beach, Birch Easement and Beach, Elm Easement and Beach, Dellwood Easement and Beach, Kay Easement and Beach, Curt Feistner Preserve, Grotto walkway, Ash Walkway, Birch Walkway, or Hall's Marsh, as well as any docks located at city beaches.
- b. Be present on or in any vehicle or other conveyance owned, leased, or contracted by a public or nonpublic elementary or secondary school without the written permission of the school administrator or school administrator's designee when the vehicle is in use to transport students to or from a school or school-related activities, unless enrolled as a student at the school or unless the vehicle is simultaneously made available to the public as a form of public transportation.
- c. Be present upon the real property of a child care facility without the written permission of the child care facility administrator.
- d. Loiter within two hundred feet of the real property boundary of a child care facility.
- e. Operate, manage, be employed by, or act as a contractor or volunteer, or attend or participate in any public or private fair or carnival including but not limited to the Fourth of July Parade, the Village Christmas Party, and the Music in the Park series.

- f. Operate, manage, be employed by, or act as a contractor or volunteer at any place enumerated in section 408.030 a. above.

408.040: EXCEPTIONS:

A predatory offender:

- a. Who resides in a dwelling located within two hundred feet of the real property boundary of, child care facility, or place intended primarily for the use by the public as specified in section 408.030.a shall not be in violation of section 408.030 for having an established residence within the exclusion zone. Nothing in this provision shall permit conduct which is otherwise prohibited as enumerated in section 408.030.a.
- b. Who is the parent or legal guardian of a minor shall not be in violation of section 408.030 solely during the period of time reasonably necessary to transport the offender's own minor child or ward to or from a place specified in section 408.030.
- c. Who is legally entitled to vote shall not be in violation of section 408.030 solely for the period of time reasonably necessary to exercise the right to vote in a public election if the polling location of the offender is located in a place specified in section 408.030.

408.050: CRIMINAL PENALTIES: Any person violating any provision of this ordinance shall, upon conviction, be guilty of a misdemeanor.

302. ZONING CODE: REQUIREMENTS AND PERFORMANCE STANDARDS

302.010. LOT REQUIREMENTS. All lots created after the date of enactment of this ordinance must conform to the following dimensions, utilizing only that land above the ordinary high water level of any lake, pond, or wetland.

1. Minimum lot size per dwelling unit:

Lots abutting lake or wetland:	15,000 sq. ft.
All other lots	12,000 sq. ft.

2. Minimum lot width at front building line and at the ordinary high water level of any lake or wetland:

Lots containing two dwelling units:	135 ft.
All other lots:	80 ft.

302.015. UNDERSIZED LOTS. Any lot which was held in a single ownership of record as of January 1, 1975, and which does not meet the requirements of this Code as to area, width, or other open space may nevertheless be utilized for single-family detached dwelling purposes provided the measurements of such area, width, or open space are at least 60% of that required.

302.020 STRUCTURE LOCATION REQUIREMENTS

1. GENERAL REQUIREMENTS. All structures must be located so that minimum setback requirements are met or exceeded. All measurements (in feet) as set forth below shall be determined by measuring from the foundation of the appropriate structure perpendicular to the appropriate lot line.

Exceptions: Front, back, side street and other lot line setback requirements shall not apply to chimneys, flues, belt courses, sills, pilasters, lintels, ornamental features, cornices, eaves, gutters, and the like, provided they do not project more than two (2) feet into a required yard setback.

2. MINIMUM SETBACK REQUIREMENTS:

TYPE OF STRUCTURE

<u>Lot line or Land Boundary</u>	<u>Fences</u>	<u>Driveways & Walkways</u>	<u>All Other Structures</u>
Municipal Street Front, Back, and Side	20 ft.	0	40 ft.
County Road Front, Back, and Side	20 ft.	0	50 ft.
Ordinary High Water Level of Lost Lake	75 ft.	75 ft.	75 ft.
Ordinary High Water Level of White Bear Lake, Hall's Marsh, and other wetlands	50 ft.	50 ft.	50 ft.
All Other Lot Lines	0 ft.	1 ft.	10 ft.

The ordinary high water levels of three water bodies have been established to be the following:

ORDINARY HIGH WATER LEVELS (Feet Above Mean Sea Level)

DNR ID #82-167	White Bear Lake	924.7 (NGVD, 1929)
DNR ID #82-134	Lost Lake	925.6 (NGVD, 1929)
DNR ID #82-480W	Hall's Marsh	924.7 (NGVD, 1929)

3. ACCESSORY STRUCTURES. No accessory building or structure, unless an integral part of the principal structure shall be erected, altered, or moved to, within five (5) feet of the principal structure except fences, driveways, walkways, and decks which may be as close as actually abutting the principal structure.

4. SETBACK REQUIREMENTS EXCEPTIONS.

a. Street and Highway Setbacks: If structures on adjacent lots, existing as on January 1, 1975, have lesser street or highway setbacks from those required, the minimum setback of a new structure may conform to the prevailing setback in the immediate vicinity. The City Council shall, upon recommendation of the Planning Commission, determine the necessary minimum front yard setback in such areas.

b. Dock and Pier Setbacks: Setback requirements from the ordinary high water levels shall not apply to piers and docks. Locations of piers and docks shall be controlled by applicable state and local regulations.

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

5. STRUCTURES IN WETLANDS. No structures are allowed within any wetlands.

“AMENDED BY ORDINANCE 1997-2; August 12, 1997.”

“AMENDED BY ORDINANCE 2003-1; February 12, 2003.”

302.030. HIGH WATER ELEVATIONS. All buildings shall be located such that the lowest floor surface is at a level at least three (3) feet in elevation above the highest known water level of any lake, pond, or wetland adjoining the lot. For three water bodies the high known water levels are:

HIGHEST KNOWN WATER LEVELS (Feet Above Mean Sea Level)

DNR ID #82-167	White Bear Lake	926.7 (NGVD, 1929)
DNR ID #82-134	Lost Lake	927.0 (NGVD, 1929)
DNR ID #82-480W	Hall's Marsh	926.7 (NGVD, 1929)

302.040. STRUCTURE REQUIREMENTS.

1. Each dwelling unit must have a floor area of at least 900 square feet.
2. The maximum square footage of a storage shed is 144 square feet. No person shall place automobiles, vans, or trucks in a storage shed.

302.045 HEIGHT RESTRICTIONS

1. Structure Height Limitation.

No structure height (as defined in subsection 3 below) shall exceed the structure height limitation specified below for each type of structure.

<u>Structure type</u>	<u>Structure Height Limitation</u>
All except unattached accessory <u>Principal structure/attached garage</u>	25 feet
Unattached <u>Detached</u> -accessory storage shed	12 feet
Unattached <u>Detached</u> accessory garages	18 feet

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2. Tallest Point Limitation

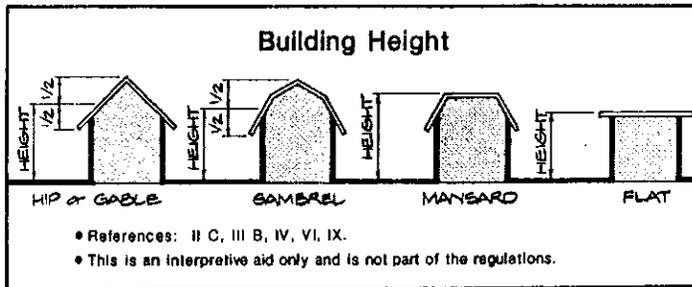
Regardless of the structure height limitations specified in subsection 1 above, which measure to an average roof level, the tallest point of a structure shall not exceed 35 feet above the grade plane (as defined in subsection 3 below). Also, the tallest point of an attached garage shall not exceed the height of the tallest point of the principal structure.

3. Method of Measurement

a. Structure Height

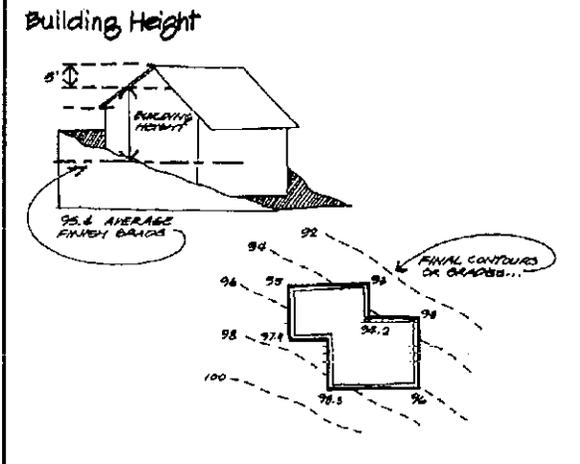
The structure height is the vertical distance between the grade plane and a point on the highest roof of the principal structure as defined by (1) the highest point of the coping of a flat roof or (2) the deck line of a mansard roof or (3) a level halfway between the highest and lowest point of a sloped roof. See Exhibits A and B.

Exhibit A.



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Exhibit B.



b. Grade Plane

The grade plane is the average level of finished grade at the structure as determined by the following:

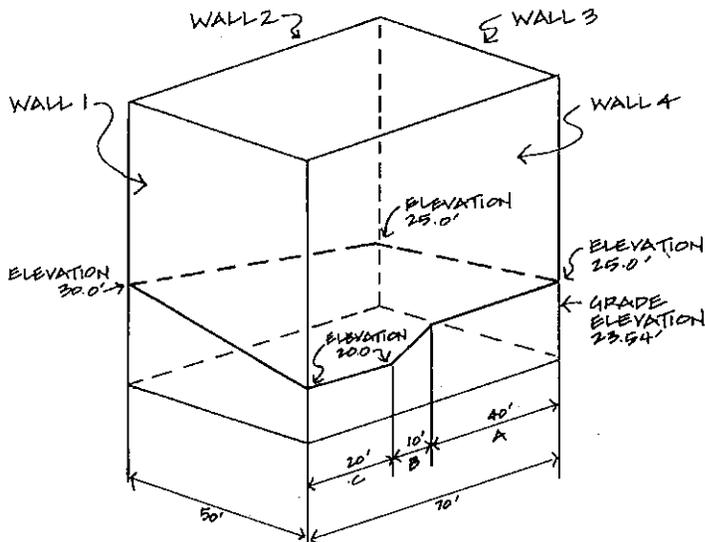
- 1) Points of grade elevation are taken at the structure foundation where grade is level to the building façade or where grade slopes down to a building façade.
- 2) Where grade slopes away from a structure and the property line is less than six feet from the structure, grade plane is the average level of the lowest points between the building and property line.
- 3) Where grade slopes away from a structure and the property line is greater than six feet from the structure, grade plane is the average level of the lowest points less than 6 feet from the structure.

Note: When more than 4 corner points are used to determine the grade plane, points should be evenly distributed along any façade. Grade plane shall be calculated based on the method of averaging grade elevation at the structure in Exhibit C.

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Exhibit C.

ILLUSTRATION 10: GRADE, GRADE ELEVATION



GRADE = AVERAGE GROUND ELEVATION

$$\text{WALL 1} \quad \frac{20.0 + 30.0}{2} \times 50 = 1250$$

$$\text{WALL 2} \quad \frac{30.0 + 25.0}{2} \times 70 = 1925$$

$$\text{WALL 3} \quad \frac{25.0 + 25.0}{2} \times 50 = 1250$$

$$\text{WALL 4} \quad \text{A} - 25.0 \times 40 = 1000$$

$$\text{B} - \frac{25.0 + 20.0}{2} \times 10 = 225$$

$$\text{C} - 20.0 \times \frac{20}{240} = \frac{400}{5660}$$

$$\text{GRADE} = \frac{5660}{240} = 23.54$$

4. Exceptions.

The structure height and tallest point limitations established herein shall not apply to chimneys and flues provided the footprint or horizontal area of the chimney or flue does not exceed 16 square feet and the top of the chimney or flues does not extend more than three feet above the tallest point of the structure.

“AMENDED BY ORDINANCE 2000-1; February 8, 2000”

“AMENDED BY ORDINANCE 2003-1; February 12, 2003”

302.050 IMPERVIOUS SURFACES.

Impervious surface coverage of lots must not exceed twenty-five (25) percent of the lot area.

302.055 LAND DISTURBANCE ACTIVITY STANDARDS

See Sections 301.070 and 306.030 for Conditional Use Permit for Land Disturbance Activity.

1. The following are General Standards:

- a. A combination of successive Best Management Practices may be used to achieve the standards and requirements of Section 302.055. Justification for the method(s) selected shall be provided by the applicant as part of the permit application.
- b. When possible, existing natural drainage ways and vegetated soil surfaces must be used to convey, store, filter, and retain storm water runoff before discharge to public waters and wetlands.
- c. Development must be planned and conducted in a manner that will minimize the extent of disturbed areas, runoff, velocities, erosion potential, and reduce and delay runoff volumes. Disturbed areas must be stabilized and protected as soon as possible and facilities or methods used to retain sediment on the site.
- d. When development density, topographic features, and soil and vegetation conditions are not sufficient to adequately handle storm water runoff using natural features and vegetation, various types of constructed facilities such as diversions, settling basins, skimming devices, dikes, waterways, and ponds may be used. Preference must be given to designs using surface drainage, vegetation, and infiltration rather than buried pipes and man-made materials and facilities.
- e. Grading and filing shall be such that the highest practical amount of runoff water is retained on the parcel of land that is altered both during and after such alteration.
- f. Fill or excavated material must not be placed in a manner that creates an unstable slope.

2. The following are Specific Standards:

- a. Land Use Standards

1. No construction or alteration of new or existing structures or land topography shall be done so as to increase the rate of storm water runoff from the parcel as compared to the runoff rate before such construction or alteration unless:

(i) The City has a storm water drainage system which will accommodate this additional water flow without increasing the overall rate at which water leaves the City or enters public waters; and/or

(ii) Adequate storm water runoff measures and facilities are constructed to retain storm water on the lot and reduce the runoff rate such that the total rate from the lot is not increased; and/or

(iii) The construction or alteration results in a substantial reduction in storm water caused soil erosion on the lot, and the quantity of silt and/or other water borne pollutants leaving the lot is reduced.

2. Fill shall be stabilized to accepted engineering standards for erosion control in accordance with recommendations of the Washington County Soil and Water Conservation District.

3. Fill shall not be placed on areas lower in elevation than the ordinary high water level of any adjacent lake, pond or wetland; nor shall the final elevation of any excavation or grading be lower than the ordinary high water level.

4. No grading or filling shall be permitted within twenty (20) feet (measured horizontally) of the ordinary high water level of any lake, pond, or wetland.

5. No filled or excavated slopes shall be greater than thirty (30) percent.

6. Placement of natural rock riprap, including associated grading of the shoreline and placement of a filter blanket, is permitted if the finished slope does not exceed three (3) feet horizontal to one (1) foot vertical, the landward extent of the riprap is within ten (10) feet of the ordinary high water level, and the height of the riprap above the ordinary high water level does not exceed three (3) feet.

b. Storm Water Control Structure Standards

1. When constructed facilities are used for storm water management, they must be designed and installed consistent with the field office technical guide of the Washington County Soil and Water Conservation Districts, Rice Creek Watershed District, and the National Urban Runoff Program (NURP).

2. New constructed storm water outfalls to public waters or wetlands must provide for filtering or settling of suspended solids and skimming of surface debris before discharge.

3. Drain Leaders. All newly constructed and reconstructed buildings with gutters and downspouts must have drain leaders routed to pervious areas wherein the runoff water can be allowed to infiltrate. The flow rate of water exiting the leaders shall be controlled so that no soil erosion occurs.

c. Requirements and Standards During Construction

1. Best Management Practices to minimize and control stormwater runoff, prevent erosion, and trap sediment shall be employed during construction in accordance with the recommendations of Washington Conservation District and/or as specified by the Minnesota Pollution Control Agency (MPCA) in its publication "Protecting Water Quality in Urban Areas."

(i) Site Dewatering. Water pumped from the site shall be treated by temporary sedimentation basins, grit chambers, sand filters, upflow chambers, hydro-cyclones, swirl concentrators or other appropriate controls. Water may not be discharged in a manner that causes erosion or flooding of the site or receiving channels or a wetland.

(ii) Waste and material disposal. All waste and unused building materials (including garbage, debris, cleaning wastes, wastewater, toxic materials and hazardous materials) shall be properly disposed of off-site and not allowed to be carried by runoff into a receiving channel, wetland, public water, or storm sewer system.

(iii) Tracking. Each site shall have graveled roads, access drives and parking areas of sufficient width and length to prevent sediment from being tracked onto public or private roadways. Any sediment reaching a public road shall be removed by street cleaning (not by flushing) at the end of each work day.

(iv) Drain inlet protection. During construction until site erosion control measures are in place, all storm drain inlets shall be protected with straw bales, silt fences, or equivalent barriers.

(v) Channeled runoff water passing through the site from adjacent areas shall be diverted around disturbed areas if practical. Otherwise, the channel shall be protected as described below. Sheetflow runoff from adjacent areas greater than ten thousand (10,000) square feet in area shall also be diverted around disturbed areas. Diverted runoff shall be conveyed in a manner that will not erode the conveyance and receiving channels.

2. No more than one-third (1/3) of the surface area of a lot shall be devoid of vegetative ground cover at any time. All Activities on the site shall be conducted in a logical sequence to minimize the area of bare soil exposed at any one time.

3. Temporary ground cover, (mulch) shall be used within 2 weeks of finish and permanent vegetative cover, sod and plantings shall be provided as soon as possible but not exceeding 1 year after the completion of finish grading.

4. During and after grading, filling, and excavating, stormwater runoff and erosion from the entire disturbed area must be controlled. Silt fences, straw bales or equivalent control systems must be placed along all sideslope and downslope sides of the site. If a channel or area of concentrated runoff passes through the site, silt fences shall be placed along the channel edges to reduce the quantity of sediment reaching the channel.

5. Any soil or dirt storage piles of material shall not be located with a downslope drainage length of less than twenty-five (25) feet from the toe of the pile to any roadway or drainage channel, public water, wetland, or lake.

All soil or dirt storage piles remaining must be stabilized by mulching, vegetative cover, tarps, or other means within seven days. Erosion from piles which will be in existence for less than seven days shall be minimized by placing straw bales or silt fence barriers around the piles.

Any soil or dirt storage piles (including those for in-street utility repair) located within or closer than twenty-five (25) feet to a roadway or drainage channel must be covered with tarps or suitable alternative control to minimize erosion at all times when not in actual use.

All soil and dirt piles not to be used in the final landscape shall be removed from the lot within thirty (30) days of being excavated. Preferably such soil and dirt should be hauled off when excavated and not piled on the lot.

6. Maintenance and inspection. The use of stormwater runoff and erosion control measures shall include Best Management Practices maintenance. The City Building Official shall inspect for compliance with this ordinance in conjunction with each construction inspection and periodically as part of the scheduled Erosion Control Maintenance Program. The City Building Official shall keep a log of inspections, deficiencies and corrective actions and shall inform the applicant of deficiencies and corrective actions required.

302.060. VEGETATIVE ALTERATIONS.

1. Ground cover vegetation shall be preserved insofar as is practical and reasonable in order to retard surface runoff and soil erosion, and to utilize excess nutrients. The removal of natural vegetation shall be carried out in accordance with the following criteria:

- a. Clearcutting of trees shall be prohibited, except as necessary for placing public roads and structure.
- b. Ground cover vegetation shall be restored insofar as feasible after any construction project.
- c. The removal of trees, limbs or branches, and other plants that are dead, diseased or pose safety hazards is permitted on any property.
- d. All cutting, pruning and trimming of trees must be based on sound forest management practices for individual tree species.
- e. Alterations on Shore Lots. Selective cutting of trees and underbrush shall be allowed on lots abutting lakes, ponds, or wetlands as long as sufficient cover is left to reasonably screen motor vehicles and structures when viewed from the water and existing shading of water surfaces is preserved. Natural shrubs which are removed must be replaced with other vegetation which is equally effective in retarding runoff, preventing erosion, and screening structures, vehicles, or other facilities. A protective buffer strip of natural vegetation at least 16.5 feet in width shall be maintained around all wetlands.

"AMENDED BY ORDINANCE 1995-2; MAY 9, 1995."

2. Nonconformity. Any use which lacks reasonable screening of development on lots abutting lakes, ponds, or wetlands, or which does not provide for adequate erosion control on any property within the City, is a nonconformity. When a development permit is sought for property with non conforming vegetative or erosion conditions, a recovery plan must be submitted by the permit applicant and approved prior to permit issuance. The recovery plan must provide for reasonable screening of shoreland development, protection of soil from erosion, surface water shading and a schedule for implementation.

302.070 CITY FENCE ORDINANCE.

1. Zoning Permit. A Zoning Permit (see Sections 301.080.1.b and 307) shall be obtained from the City before installing or constructing any fence for any purpose. A site drawing showing the location of the fence shall be submitted with the permit application.
2. Notice to Neighbors. Any applicant for a Zoning Permit to construct a fence shall notify all abutting property owners at least five (5) days prior to submitting the application for a Zoning Permit.
3. Location. All fences shall be located entirely upon the property of the fence owner.
4. Height. No fence may exceed six (6) feet in height.

5. Retaining Walls. Solid walls in excess of four (4) feet high shall be prohibited unless they are part of a building.

6. Materials. Fences in excess of four (4) feet in height shall be at least thirty percent (30%) open through the entire surface area of the fence. All fences shall be constructed and maintained in a substantial manner and of material reasonably suited for the purpose for which the fence is proposed to be used. That side of the fence considered to be the face (or most attractive side of the fence) shall face toward abutting properties.

“AMENDED BY ORDINANCE 1997-2; August 12, 1997.”

302.080. STAIRS AND LIFTS TO LAKE OR WATER BODY - STANDARDS. A stairway or lift to enable access from land properties to White Bear Lake or pond or recreational body of water shall be constructed and maintained in compliance with the standards and requirements of Section 302.080 parts 2 and 3.

1. The applicant shall obtain a Zoning Permit before any construction takes place.
2. Standards and requirements for stairways are as follows:
 - a. Stairways may not exceed 44 inches in width.
 - b. Landings may be permitted at a minimum vertical interval of 20 feet.
 - c. Landings may not exceed 32 square feet in area.
 - d. Handrails are recommended, however they shall not unduly obstruct the view by neighboring properties.
 - e. Canopies or roofs are not permitted on stairways or landings.
 - f. Stairways shall be anchored and supported with pilings or footings.
 - g. The applicant must submit a plan for the stairway to the City of Birchwood Village showing all necessary construction data including location, design, dimensions and construction materials before construction may begin.
 - h. Steps must comply with all setback requirements except the setback from the high water mark.
3. Standards and requirements for lifts are as follows:
 - a. The primary function of a lift shall be for the transportation of persons up and down the slope.

b. No lift may be designed and used for the transport of boats or machinery on the hill face.

c. The applicant must provide the City of Birchwood Village with a plan showing all necessary construction data including location of the lift, design, size and dimensions before construction may begin.

d. The lift components shall be constructed and anchored in a manner that prevents it from shifting and from causing accelerated erosion.

e. The car of any lift may not exceed four feet by six feet.

f. The location of the transporting device and/or power source shall be screened.

"AMENDED BY ORDINANCE 2005-1; APRIL 12, 2005."

Proposed Tree Preservation Language

(Move and re-label 302.060. VEGETATIVE ALTERATIONS. To

302.055 LAND DISTURBANCE ACTIVITY STANDARDS)

(Purpose: To put tree preservation more in the main stream of the 302 ordinance.)

2. The following are Specific Standards:

.....

.....

d. Vegetative Alterations *(A new section with changes to original wording of 302.060 follows after sections a. through c.)*

The purpose of this section is to preserve and protect the Natural Environment Areas of the City and to minimize the loss of trees and other vegetation. Trees provide benefits of scenic beauty, visual and sound barriers, winter and summer energy conservation, wildlife habitat, erosion control, and air quality. Ground cover vegetation shall be preserved insofar as is practical and reasonable in order to retard surface water runoff and /soil erosion, and to utilize excess nutrients. The removal of natural vegetation shall be carried out in accordance with the following criteria:

a. (i) Clearcutting of trees shall be prohibited within all Natural Environment Areas, except as necessary for placing public facilities and roads, and private and public structures. Clearcutting of trees shall also be allowed on land within 20 feet of buildings and driveways. On any property, removal of all box elder, green ash, silver maple, American elm, and buckthorn trees is allowed.

(ii) When Part (i) allows clearcutting on any part of an NEA that is within 10 feet of a side or rear property boundary, the property owner shall provide as part of the permitting process, a plan for restoration of that area to provide screening reasonably equivalent to that provided by the original NEA. As an alternative to achieving an NEA, the property owner may elect to plant evergreens, lilacs, or other relatively dense plants to provide permanent screening.

b. (iii) Clearcutting of shrubs and/or ground cover vegetation shall be prohibited on shore lots and slopes greater than thirty (30) percent. Ground cover vegetation shall be restored insofar as feasible after any ~~construction project~~ Land Disturbance Activity.

e. (iv) The removal of trees, limbs or branches, and other plants that are dead, diseased or pose safety hazards is permitted on any property.

d. **(v)** All cutting, pruning and trimming of trees must be based on sound forest management practices for individual tree species.

e. **(vi)** Alterations on Shore Lots. Selective cutting of trees and underbrush shall be allowed on lots abutting lakes, ponds, or wetlands as long as sufficient cover is left to reasonably screen motor vehicles and structures when viewed from the water and existing shading of water surfaces is preserved. Natural shrubs which are removed must be replaced with other vegetation which is equally effective in retarding runoff, preventing erosion, and screening structures, vehicles, or other facilities. A protective buffer strip of natural vegetation at least 16.5 feet in width shall be maintained around all wetlands.

(The following two parts are to remain in their original locations, 302.055.c parts 2 and 3, respectively, and also added to this section with a few changes.)

(vii) During Land Disturbance Activities no more than one-third (1/3) of the surface area of a lot shall be devoid of vegetative ground cover at any time. All Activities on the site shall be conducted in a logical sequence to minimize the area of bare soil exposed at any one time.

(viii) Temporary ground cover, (mulch) shall be applied within 2 weeks of the finish of Land Disturbance Activities. Permanent vegetative cover, sod, or plantings shall be provided as soon as possible but not exceeding 1 year after the completion of Land Disturbance Activities.

(Add a new part to 304.040 2. Criteria for Granting a Variance.)

h. The City Council shall determine if the granting of the variance would result in preservation of more trees and other vegetative cover than if the project would be completed without a variance.

(An "incentive" for landowner and City to preserve trees and other vegetation.)

(Changes in Definitions)

Birchwood 300.020 DEFINITIONS

9. Clearcutting. Complete removal of trees or shrubs **or ground cover** in a contiguous patch, strip, row or block.

24. Land Disturbance Activity (LDA). Any land change that may result in soil erosion from water or wind and the movement of sediments including, but not limited to, grading, excavating, and filling of land, **and removal of vegetation**.

EXCEPTION: Gardening or the planting of trees or shrubs shall not be considered to be a land disturbance activity.

(Add a definition to 300.020 DEFINITIONS)

32.a. Natural Environment Area (NEA): A contiguous area greater than 400 square feet, comprising part or all of a lot, where there has been no periodic mowing, cultivation, raking, gardening, or similar activity. This area would usually contain trees greater than 3 inches in diameter and numerous mature shrubs and small trees. A lot may contain more than one such area.

INTERSTATE
POWER SYSTEMS
2501 AMERICAN BLVD. EAST
MINNEAPOLIS, MN 55425 •

Kenneth Merdan
Generator Sales
Mobile: 612-791-7868
Fax: 952-854-4213
kenneth.merdan@istate.com

To: Mike Anderson, City of Birchwood 1/29/16

MTU ONSITE ENERGY MODEL GS60

GENERATOR: 60 kW, 75 kVA, 208 amps, 1800 RPM
VOLTAGE: 208v 3 phase
ENGINE: GM V8 5.7L, Natural Gas, EPA Tier 1 Certified

Selected Model Features Included:

Isochronous Governor + / - .25%, Battery Cables, Flex Fuel Connector, Oil Drain Extension, Lube Oil and Anti-freeze, 130° Temperature Rise, UL2200, PMG
2 Year / 3000 Hour Basic Standby Limited Warranty

CONTROL PANEL: MGC-1520 Control Panel Mounted Left Side

(4) Relay Option The 4-relay board includes (4) 10 amp form C relays customizable for user defined functionality requirements. Standard outputs as follows:

- Engine Run
- Engine Fail
- Minor Alarm
- Spare

COOLING SYSTEM: Unit Mounted Radiator, 50° C

CIRCUIT BREAKER: 200 Amp 3 Pole 80% CB SQ-D

ENCLOSURE: Weather proof enclosure constructed of heavy gauge steel with fixed storm proof panels. Includes UL 94 HF-1 compliant, 1.5" thick sound attenuated foam insulation installed where applicable. 190mph Wind Rated

68 DbA

BATTERY: Rack and Acid

BLOCK HEATER: (120V 1PH - 1800W) Model: TPS181GT10-000

VIBRATION ISOLATION: Integral Vibration Isolation, Pad Isolators

BATTERY CHARGER: 12 Volt, 6 Amps

MUFFLER: Internal Critical Grade Exhaust

MISC: Paint - ANSI Grey - Standard Commercial Test, 1 CD & 2 Hard Copy O&M

Generator Price \$22,500.00

Exhaust Scoop – Steel **59 DbA \$500.00**

5 Year / 3000 Hrs Comp Ext Warranty \$750.00

**ASCO Automatic Transfer Switch: NEMA 3R
Enclosure, 208v, 200 AMP, 3 Pole, Service Entrance
Rated, Engine Exerciser, Strip Heater \$3,900.00**

Electrical Installation: Remove existing manual transfer switch and install new 200 AMP automatic transfer switch in its place (on the pole).
Trench generator feed from ATS to generator location (up to 20 feet from pole). Pour concrete slab. Offload and set generator **\$7,000.00**

- Start up and training by Interstate PowerSystems included.
- Freight to jobsite included.
- Off-loading of generator optional line item.
- Mechanical installation optional line item.
- Natural gas plumbing by others.
- Annual maintenance contract to be quoted separately.
- Any applicable sales tax not included.
- Quote valid for 30 days.

Signature below signifies approval and authorization to proceed with the purchase of equipment outlined in this proposal.

Print Name: _____

Signature: _____ Date: _____

TERMS AND CONDITIONS GOVERNING YOUR ACCEPTANCE OF THIS QUOTATION AND OUR ACCEPTANCE OF YOUR ORDER

GENERAL: Stenographical and clerical errors are subject to correction. Orders resulting from quotations become contracts only upon issuance of our formal acknowledgment. These terms and conditions and our invoice terms and conditions attached hereto are a