

GREENWOOD CITY COUNCIL MEETING
Tuesday, December 1, 2009 7:00 p.m.
Council Chambers 20225 Cottagewood Road Deephaven MN 55331

1. CALL TO ORDER- ROLL CALL - APPROVAL OF AGENDA

Mayor Kind called the meeting to order at 7:05 p.m.

Members present: Mayor Kind, Councilmembers Rose, Fletcher and Quam

Members absent: Councilmember Page

Others present: City Administrator Whipple, City Attorney Kelly, and
Recording Secretary Link

Councilmember Rose moved to approve the agenda. Quam seconded the motion.
Motion carried. 4-0

2. APPROVE CONSENT AGENDA

Councilmember Quam moved to approve the following Consent items.

- A. Recommendation: Approve 10-29-09 Worksession minutes
- B. Recommendation: Approve 11-5-09 Worksession Minutes
- C. Recommendation: Approve 11-5-09 Council Minutes
- D. Recommendation: Approve October Treasurer's Report
- E. Recommendation: Approve November payables \$25,830.66

Councilmember Fletcher seconded the motion. Motion approved. 4-0

3. MATTERS FROM THE FLOOR

- A. Keith Stuessi, 5000 Meadville encouraged the city to spend the money they have earmarked for the Southshore Community Center as soon as possible. He also encouraged them to raise additional monies throughout the year.

4. ANNOUNCEMENTS, PRESENTATIONS & STAFF REPORTS

- A. **Announcement: Notice of 2010 Term Expirations for Planning Commission (John Beal, Todd Palmberg, David Paeper, Bill Cook, alternate)**

Kind noted the four terms expire in March. All current commissioners can reapply for their positions. She asked if the Council would like to advertise for new members if the current members are willing to continue. Kind announced that applications can be submitted to City Hall, and appointments will be made in March. Fletcher stated he would support all current commissioners should they reapply.

- B. **Rob Roy: Milfoil Presentation**

Mr. Roy, 21270 Excelsior Blvd. Greenwood, updated the City Council on fundraising efforts. To date they have raised \$26,000. He discussed the timeline for the future which includes permit applications. He asked the City for their support in the amount of \$5,000 noting that someone has offered to match the City's contribution. He noted that 50% of the lakeshore owners must contribute sign a consent form before the permit can be issued.

Val Muceineks suggested the city use all the dock fee increases be used for milfoil

presentation treatment.

Fletcher moved that \$5,000 from the marina fund be pledged for milfoil treatment. Quam seconded the motion. Rose stated he could not support the motion. He believed it was not being fair to those who ~~lived on the other side of~~ do not live on St. Alban's Bay.

Mr. Roy stated ~~the other side of the bay~~ Excelsior Bay is at least two years away from treatment. He noted Excelsior has just begun discussing the treatment program. Councilmembers discussed the motion and the amount to pledge. Motion passed 3-1. Rose voted against the motion.

Fletcher moved to send letters to the City of Excelsior and the DNR relating to the application. Quam seconded the motion. Motion 3-1. Rose voted against the motion.

C. Mark Kelly: Update on Administrative Hearing Agreement with Minnetonka

Kelly updated the City Council on the Administrative Hearing Agreement with Minnetonka. The service will begin on January 1, 2010.

5. PUBLIC HEARINGS

A. Truth in Taxation Public Hearing - Proposed 2010 Property Tax Levy and Proposed 2010 Budget

1. Review tax levy and budget
2. Open public hearing for questions/comments
3. Recommendation: Adopt Resolution #24-09 approval of 2010 tax levy \$671,741
4. Recommendation: Adopt Resolution #25-09 approval of 2010 budget \$742,306

Kind noted the budget amount has been reduced to \$742,306. Rose moved to open the public hearing. Fletcher seconded the motion. Motion carried. No one was present to speak during the public hearing. Rose moved to close the public hearing. Fletcher seconded the motion. Motion carried.

Kind asked if the City Council would consider making a contingency amount exactly 3%. This would bring the budget amount to \$736,817 and the tax levy amount to \$666,252. The Council concurred with the recommendation.

Kind moved to adopt Resolution #24-09 approving the 2010 tax levy of \$666,252. Quam seconded the motion. Motion carried 4-0

Kind moved to adopt Resolution #25-09 approving the 2010 budget amount of \$736,817. Quam seconded the motion. Motion carried 4-0

6. **UNFINISHED BUSINESS**

A. **First Reading: Ordinance #173, lighting code section 1140.60 sub. 3**

Kind noted the Council reviewed lighting throughout the city at their worksession earlier in the evening. She suggested that revisions be made to the ordinance and it be brought back to a future Council meeting. Fletcher reviewed the proposed changes.

Quam moved to table this item to the January meeting. Fletcher seconded the motion. Motion carried 4-0

B. **Load Limit Fee on Building Permit Application**

Fletcher discussed load limits on Greenwood streets. He stated load limit signs must correspond to the correct load limits. He believed enforcement would be easier with the current load limits. Fletcher stated in discussions with Gus Karpas, it was suggested a formula be set to calculate a load limit fee based on the size of the construction project. Fletcher will continue to pursue the matter.

C. **Georgetown Manor**

Kind reported said we have received complaints about mold in the units at Georgetown Manor. The building owner is at tonight's meeting. It was suggested an official inspection be done, and one has been scheduled for 10 AM December 17, 2009. The building inspector and fire marshal will be present.

7. **NEW BUSINESS**

A. **2010 License Applications: Liquor, Trash Hauler's Licenses, Tobacco License, and Marina Licenses**

Kind noted staff is recommending approval of all the license applications. Whipple noted ~~she is missing~~ one trash hauler is not renewing their license and the tobacco license application has not been received yet.

Quam moved to approve all licenses for 2010 contingent upon the city receiving applications and fees by 12/31/09. Kind seconded the motion. Motion carried 4-0

B. **Expansion of Food Service in Commercial Zone**

Kind stated the Lakeshore Market has requested the city reconsider allowing food service ~~at his place of business~~ in the commercial zone. She noted the Planning Commission agreed with the City Council's discussion that it not be allowed.

Kelly suggested this item be continued to allow time to write a resolution with findings.

Quam moved to continue this item to the January meeting. Fletcher seconded the motion. Motion carried 4-0

C. First Reading: Ordinance #180 Fences

Kind reviewed the change to the Ordinance #180 in paragraph B. Councilmembers discussed the boundary fence language. Kind preferred the language where one fence is encouraged rather than two fences twelve inches apart.

Kind moved to approve Ordinance #180 with the shorter language for paragraph B. Rose seconded the motion.

Fletcher suggested language that would allow ~~four foot sections of fence to be one foot off the ground~~. a shorter fence panel to be further off the ground. Fletcher stated he will work with staff to revise the ordinance and bring back to the council.

~~Motion and second removed from the floor~~ Kind and Rose withdrew the original motion. Kind moved to continue this item to the January meeting. Rose seconded the motion. Motion carried 4-0

D. First Reading: Ordinance #178 Impervious Surface for Commercial Zone

Kind reported this ordinance was approved unanimously by the Planning Commission. Kelly noted changes would also be made to the C-1 and C-2 zoning districts.

Fletcher moved to approve the first reading of Ordinance #178. Quam seconded the motion. Motion carried 4-0.

E. First Reading: Ordinance #179 Commercial Parking

Kind stated this ordinance was approved unanimously by the Planning Commission and increases parking requirements in commercial zones. Fletcher stated it does not have an impact on retail uses.

Fletcher moved to approve the first reading of Ordinance #179. Kind seconded the motion. Motion carried 4-0

F. Boat Launch Sticker

Kind stated a layout for a proposed boat launch sticker is in the Council packet. She reviewed pricing for the stickers.

Rose moved to have stickers printed to start using on January 1, 2010. Kind seconded the motion. Motion carried 4-0

8. **OTHER BUSINESS**
None

9. **COUNCIL REPORTS**

A. **Quam: No Parking Signs**

Quam discussed car parking on Meadville Street and the possibility of posting "no parking" signs. The police have also recommended the signage be installed. No parking would be permitted on the east side from the mailboxes to the LRT trail. Kelly stated a formal resolution would need to be adopted specifying exactly where the signs should be placed. This item was continued to the January meeting.

B. **Rose: Fire**

Rose stated the EFD decided to leave the money in the Firemen's Relief Fund.

C. **Fletcher: Planning Commission, Street Sweeping**

Fletcher had no further Planning Commission update. He met with MCWD to discuss street sweeping and the reduction of phosphorus as a result.

D. **Page: Lake Minnetonka Conservation District**

Page was absent.

Kind stated a letter was received from Mr. Fritz regarding the sewer bill at his property.

Quam stated Minnetonka Community Education is going to have focus groups to determine if residents are offered the classes they are interested in attending.

10. **ADJOURNMENT**

There being no further business, it was moved by Rose to adjourn the meeting at 8:32 p.m. Fletcher seconded the motion. Motion carried 4-0

Respectfully submitted,

Clare T. Link
Recording Secretary