

**GREENWOOD CITY COUNCIL MEETING**  
**Tuesday, January 5, 2010 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 7:00 p.m.

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

Member absent: Quam

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

Councilmember Page moved to approve the agenda. Fletcher seconded the motion. Motion carried 4-0

**2. APPROVE CONSENT AGENDA**

Councilmember Page moved to approve the following Consent items.

- A. Recommendation: Approve 12-01-09 Worksession Minutes
- B. Recommendation: Approve 12-01-09 Council minutes
- C. November Treasurer's Report Unavailable
- D. Recommendation: Approve December Payables \$11,764.61.

Councilmember Fletcher seconded the motion. Motion approved 3-0-1. Page abstained from voting.

**3. MATTERS FROM THE FLOOR**

None

**4. ANNOUNCEMENTS, PRESENTATIONS & STAFF REPORTS**

**A. City Attorney Mark Kelly: Update on Administrative Hearing Agreement with Minnetonka**

Kelly stated the Administrative Hearing Agreement has been executed with the City of Minnetonka, and we are "in business" moving forward. Citations can now be issued.

**5. PUBLIC HEARINGS**

None

6. **UNFINISHED BUSINESS**

A. **Consider: Resolution #04-10 Regarding Expansion of Food Service in the Commercial Zone**

Kind stated Mr. Kwara has requested the expansion of food service in his convenience store. Kind stated that the Council directed the City Attorney to prepare a resolution for denial and the resolution to deny the request has been prepared and is included in the Council packet.

Councilmember Page moved to adopt Resolution 04-10 regarding the denial of expansion of food service in the commercial zone. Fletcher seconded the motion. Motion carried 4-0

B. **First Reading: Ordinance #173 Regarding Lighting, Code Section 1140.60, Subd. 3**

Kind stated this item was continued to tonight's meeting in order to review a clean copy of the ordinance incorporating all the changes made at the last meeting.

Fletcher discussed the changes to the ordinance, specifically lakeshore lighting. Rose asked if the change is for side yards. Fletcher clarified the location. Page did not support the change. He felt it was unnecessary.

Fletcher moved to approve the first reading of Ordinance #173, Section 1140.60, Subd. 3. Kind seconded the motion.

Councilmembers discussed the proposed changes. Kind asked if those with the non-frosted bulbs would have to change them should this ordinance be approved. Kelly stated that existing fixtures would be grandfathered and that any new fixtures would need to comply. Page stated he would prefer the ordinance be less restrictive and proposed changing the time limits for flood lights to 2 hours and 15 minutes for before and after 11 p.m., respectively. Fletcher and Kind were both in favor of the friendly amendment to the motion to increase the time limits.

Kind stated the Zoning Administrator recommended that the lights-out time for holiday lighting be moved back to 10 p.m. The Council agreed it should remain at 11 p.m. as proposed.

Motion carried 4-0

C. **First Reading: Ordinance #180 Regarding Fences, Code Section 1140.25 Subd. 2**

Kind stated this item was also continued to this meeting to incorporate changes made.

Fletcher moved to approve the first reading. Rose seconded the motion.

Page asked about the fence post difference between each. Fletcher stated another option would be to check with the Zoning Administrator for the rationale. Kind stated it could be left in for now and removed at the next reading.

Motion carried 4-0

D. **Consider: Load Limit Fees on Building Permit Application**

Fletcher discussed the inclusion of load limit fees on building permit applications. Kind stated the next step would be to draft an ordinance to amend the city code.

Rose suggested there also be load limit fees for those who don't pull permits such as landscaping projects. Fletcher noted the load limit fees on the building permit are a percentage of the total permit cost. Fletcher stated he would work on ordinance language for this item for the next meeting.

E. **Second Reading: Ordinance #178 Regarding Impervious Surface Coverage for Commercial Zone, Code Sections 1130, 1135, 1176**

Kind stated this ordinance increases the impervious surface coverage to 75% with a shoreland management plan.

Page moved to approve Ordinance #178 as written. Rose seconded the motion. Motion carried 4-0

F. **Second Reading: Ordinance #179 Regarding Parking for Office Uses, Code Section 1140.45, Subd. 11**

Kind stated this ordinance increases the parking requirement for office uses from 1:500 to 1:300 gross square feet. Or, from 1 parking spot per 500 gross building square feet to 1 parking spot per 300 gross building square feet.

Fletcher moved to approve the ordinance with the change in section 1 to 330 from 300. Page seconded the motion. Motion carried 3-1. Rose voted against the motion. He stated the ordinance has been this way forever, and it only impacts one property.

7. **NEW BUSINESS**

A. **Consider: Resolution #01-10 Appointments & Assignments for 2010**

Kind stated Fletcher will be our second representative on the LMCC, and LarsonAllen is our new auditor.

Page moved to adopt Resolution 03-10 appointments and assignments for 2010. Rose seconded the motion. Motion carried 4-0

B. **Consider: Resolution #02-10 Planning Commission Meeting Dates for 2010**

Kind reviewed changes made to the planning commission meeting dates for 2010.

Fletcher moved to adopt Resolution 02-10 setting Planning Commission meeting dates for 2010. Page seconded the motion. Motion carried 4-0

C. **Consider: Resolution #03-10 No Parking Signs Along East Side of Meadville Between Mailboxes & LRT**

Kind stated the City Attorney created the draft resolution setting the east side of Meadville between mailboxes and LRT as a no parking area. The location was clarified. Kind noted it is a visibility issue.

Fletcher moved to adopt Resolution 03-10 to designate the area on the east side of Meadville between mailboxes and LRT as a no parking zone. Rose seconded the motion. Motion carried 4-0

D. **First Reading: Ordinance #181 Regarding Boat Launch Permit Fees, Code Section 510**

Kind stated a draft of the ordinance is available this evening which states non-residents will pay \$50 for a permit, and residents will be allowed two

stickers per year. Whipple suggested it also say that the non-resident fee be per vehicle.

Fletcher moved to approve the first reading of Ordinance #181 regarding boat launch permit fees with the change stating the non-resident fee is per vehicle. Rose seconded the motion. Motion carried 3-1. Page voted against the motion stating he is opposed to the idea.

**E. Consider: Authorization to Treat Milfoil**

Kind stated Rob Roy, as one of the property owners on St. Albans Bay, has asked the city to sign a letter of consent to treat milfoil in St. Albans Bay. Page moved to authorize the submittal of a letter of consent. Fletcher seconded the motion. Motion carried 3-1. Rose opposed the letter.

**F. Set Dates: Local Board of Appeal & Equalization Meetings (Pre-Board Meeting 6:00 p.m. 4-6-10, Board Meeting 6:00 p.m. 4-15-10, Subsequent Meeting 6:00 p.m. 4-29-10)**

Fletcher moved to set the Pre-Board meeting, Board meeting, and subsequent meeting as proposed. Page seconded the motion. Motion carried 4-0

**G. Set Date: Worksession with City Engineer Dave Martini Regarding Street Signs (6:00 p.m. 2-4-10)**

Kind stated she would like to reduce the number of street signs in the city. City Engineer Dave Martini had informed the Mayor there are new street sign standards that have to be met before the year 2012. The proposed worksession is right before the regular meeting on February 4<sup>th</sup>.

**H. Set Date for Spring Clean-up Day**

Kind stated a resident has suggested the spring clean-up be scheduled before the street sweeping has been scheduled. Whipple stated we don't know what the scheduled street sweeping date is at this point.

Page stated he didn't buy the rationale and was concerned that there still could be snow on the ground with a clean-up date in April. He stated he would rather have more time in the spring to see what needs to be removed.

It was agreed to set Saturday, May 1 as the date for the Spring Clean-up Day and an alternate date of May 8.

I. **Consider: City Hall Office Hours**

Whipple stated the City Council needs to determine what the city hall hours will be since her hours have been reduced by five hours a week. She said she would prefer to change the hours to M-Th, 7:30 a.m. - 3:30 p.m., and Friday from 7:30 a.m. - 12:30 p.m. Another alternative would be to work M - Th, 7:15 a.m. - 4:30 p.m. for four days with the office closed on Fridays.

Kind stated she would prefer the second option as this would not be a change to the current office hours that residents are used to. Page also preferred the second option. Rose stated he would prefer it be 8:00 a.m. as the starting time. The Council concurred with the second option with the published office hours being 8:00 AM to 4:30 PM, Monday through Thursday.

8. **OTHER BUSINESS**

None

9. **COUNCIL REPORTS**

A. **Kind: Lakeshore Valuation Project, Re-codification Project**

Kind stated she has prepared a lakeshore valuation spreadsheet which she has passed on to Hennepin County. She also stated the code book hasn't been re-codified since 1996, and now is a good time to re-codify. She would like to take one last look at the entire code to review for housekeeping corrections. The Mayor said she was willing to do the majority of the legwork to keep legal costs to a minimum

B. **Rose: Excelsior Fire District Board**

No report

C. **Quam: Excelsior Boulevard Met Council Project**

Kind stated Quam met with Excelsior, and the project has been put off until 2013 or beyond.

D. **Fletcher: Planning Commission, Milfoil, Georgetown Manor, Street**

**Sweeping, and LMCC**

Fletcher stated there was no Planning Commission meeting. Milfoil fundraising is continuing. He stated the fire marshal inspected Georgetown Manor, and the apartments are in good shape. Fletcher stated he was unsure if the MCWD knows how phosphorus in the street sweeping can be quantified. Fletcher discussed studies being made to make broadband communications available in the LMCC member cities.

Councilmembers discussed the status of various ordinances at the Planning Commission level.

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

Page discussed items considered at the last LMCD meeting.

**10. ADJOURNMENT**

There being no further business, it was moved by Page to adjourn the meeting at 8:35 p.m. Fletcher seconded the motion. Motion carried.

Respectfully submitted,

Clare T. Link  
Recording Secretary