

Greenwood City Council Meeting

7 PM, Tuesday, January 4, 2011
20225 Cottagewood Road ~ Deephaven, MN 55331 ~ 952-474-6633

AGENDA

Welcome to tonight's meeting. We are glad you are here! Members of the public are invited to address the council regarding any item on the agenda. If your topic is not on the agenda, you may speak during Matters from the Floor. Also, as a friendly reminder, please turn off your cell phones.

- 7:00 PM 1. CALL TO ORDER ~ ROLL CALL ~ APPROVE AGENDA
- 7:00 PM 2. OATH OF OFFICE
Mayor Debra Kind (2-Year Term)
Councilman Thomas Fletcher (4-Year Term)
Councilman Robert Quam (4-Year Term)
- 7:05 PM 3. CONSENT AGENDA
Council members may request removal of consent agenda items for further discussion. Removed items will be placed under Other Business.
A. Recommendation: Approve 12-07-10 Council Minutes
B. Recommendation: Approve November Cash Summary Report
C. Recommendation: Approve December Payables
- 7:10 PM 4. MATTERS FROM THE FLOOR
This is an opportunity for the public to address matters not on the agenda. The council will not engage in discussion or take action on items presented at this time. However, the council may ask for clarification and may include items on a future agenda. Comments are limited to three minutes.
- 7:15 PM 5. ANNOUNCEMENTS, PRESENTATIONS & REPORTS
A. Announcement: Greenwood Night at the Old Log Theater, Friday, January 14, 2011
B. City Engineer Dave Martini: Watershed Draft Plan Amendment
C. St. Alban's Bay Captain Rob Roy: 2011 Bay-Wide Milfoil Treatment
- 7:35 PM 6. PUBLIC HEARINGS
A. None
- 7:35 PM 7. UNFINISHED BUSINESS
A. 2nd Reading: Ordinance 189 Amending Code to Regulate the Completion of the Exterior of Structures Under Construction
B. Discuss: Response to Watershed AIS Program Plan Amendment
- 7:50 PM 8. NEW BUSINESS
A. Discuss: Street Issues (Traffic Calming, Snow)
B. Discuss: Sign Projects for 2011
C. 1st Reading: Ordinance 190 Amending Code Chapter 11 to Limit the Number of Required Front Yard Setbacks
D. Consider: Resolution 01-11 Regarding 2011 Appointments & Assignments
E. Consider: Resolution 02-11 Setting 2011 Dates
- 8:45 PM 9. OTHER BUSINESS
A. None
- 8:45 PM 10. COUNCIL REPORTS
A. Fletcher: Planning Commission, Milfoil, Lake Minnetonka Communications Commission
B. Kind: Police, Administration, Speed Trailer
C. Page: Lake Minnetonka Conservation District
D. Quam: Roads & Sewer, Minnetonka Community Education
E. Rose: Excelsior Fire District
- 9:00 PM 11. ADJOURNMENT

Agenda times are approximate. Every effort will be made to keep the agenda on schedule.

GREENWOOD CITY COUNCIL MEETING
Tuesday, December 7, 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 Fletcher, Page, Quam and Rose

Others Present: City Attorney Kelly, City Zoning Administrator/City Clerk Karpas, and City Engineer Martini

Members Absent: None

Quam moved, Rose seconded, approving the agenda as presented. Motion passed 5/0.

2. CONSENT AGENDA

Fletcher moved, Quam seconded, approving the items contained on the Consent Agenda.

- A. November 4, 2010, City Council Meeting Minutes**
- B. October 2010 Cash Summary Report**
- C. November 2010 Payables**

Motion passed 5/0.

3. MATTERS FROM THE FLOOR

Bob Newman, 5230 Meadville Street, stated he has already spoken with Engineer Martini about the drainage issue next to his house. During any heavy rainfall water accumulates in large amounts. He asked City Staff and Council to remain in touch with him about the issue, noting he has some ideas about how to mitigate the issue. He then stated he has polled his neighbors in both directions from his home about speeding on Meadville Street. In particular from the stretch where Meadville Street makes a 90° turn on the west end up through Minnetonka Boulevard. He expressed speeding has become an intolerable safety risk issue. He noted he has significant, enthusiastic support from virtually all of his neighbors. He stated a lot of property owners have to cross Meadville Street to get their mail, noting there have been close calls on numerous occasions.

Mr. Newman asked Council to considering installing another 20 miles-per-hour (mph) sign as well as two permanent speed bumps. He noted that corresponding speed bump signs would also have to be installed. He suggested the bumps be painted and the word bump be painted on the street. He explained that at the Lafayette Club there is an approximate four-foot-wide speed bump. Mayor Kind stated she thought they were called speed tables and the longer tables stood up better to snowplows. Newman cautioned against have the speed bumps too long and with too low of an incline as they would potentially be used for launching ramps for young drivers. He stated he thought shorter bumps with higher inclines would be more of a deterrent.

Mayor Kind suggested placing this topic on a future Council meeting agenda after consulting with Engineer Martini about this.

Mr. Newman thanked Council for its time and stated he wanted to bring this matter to Council's attention in time so plans can be made to address this issue before summer 2011.

4. ANNOUNCEMENTS, PRESENTATIONS & REPORTS

A. Resolution No. 20-10 Authorizing Inflow/Infiltration Grant Application and Phosphorus Report

Mayor Kind stated she has asked Engineer Martini to comment on the Minnehaha Creek Watershed District's (MCWD) Technical Advisory Committee (TAC) meeting held on September 30, 2010, in addition to the Inflow/Infiltration Grant and the Phosphorous Report.

Councilmember Quam asked Engineer Martini to first explain what inflow/infiltration (I/I) is and why it's a problem.

Engineer Martini explained there are places where ground water (also referred to as clean water) seeps into the sanitary sewer system and that's called infiltration. The system should keep ground water out. When ground water enters the system it ends up being treated as waste water. The system has to be sized larger to handle the ground water. It's cheaper to operate the system when ground water is kept out of it. The sewage and ground water eventually flow into the Metropolitan (Met) Council's sanitary sewer system. Inflow is when water flows directly into the system; for example, from sump pumps hooked directly to drains. The goal of the I/I program is to make the system as water tight as possible.

Martini then explained that in 2006/2007 the Met Council sent the City a letter informing the City that it appeared to have a surplus of I/I entering into its sewer system based on the amount that flowed into the Met Council's sewer system. The Met Council placed a dollar value on the surplus flow and it let the City know that the City could either pay the surcharge for processing the surplus or it could put that amount toward maintenance and improvement of its sewer system.

Martini also explained the first thing the City did was have its sewer system televised to look for problems and spots where ground water was entering the system. For purposes of this the City was broken down into eight sewer districts. In 2007, improvements were made to that portion of the sewer system located in sewer districts 1 and 2. In 2008, improvements were made to that portion of the system located in districts 3 and 4. No improvements were made in 2009 in part because there was discussion about there potentially being I/I Grant monies available from the Met Council to cities who have excessive I/I entering into the sewer system.

Martini went on to explain the City analyzed the sewer system located in the remaining four sewer districts to identify what improvements are needed to be made to eliminate most of the I/I. The findings indicated the sewer pipes are in reasonable shape; there are some minor repairs that need to be made. The manholes and manhole covers need more improvements. The adjusting rings around the manholes near the surface of the road are starting to deteriorate; the rings are intended to make the casting flush with the roadway surface. To help mitigate I/I chimney seals have been installed over the castings to seal up the rings. Some of the manholes on Excelsior Boulevard are in such bad shape that they will have to be lined inside to seal them up.

Martini stated the Met Council is offering grants to cities up to \$50,000 or 50 percent of the total cost of eligible improvements, whichever is less. The estimated cost to make the improvements to the sewer system located in districts 5 – 8 is approximately \$96,000. He noted the City needed to make these improvements independent of receiving any grant funds. He stated many small I/I problems for cities accumulate to become larger problems for the Met Council.

Mayor Kind noted the I/I Grant application has to be submitted to the Met Council by December 15, 2010.

Quam moved, Page seconded, Adopting RESOLUTION NO. 24-10, “A Resolution Authorizing Application to the Metropolitan Council for a Grant from the Municipal Infiltration/Inflow Grant Program for the City of Greenwood’s 2011 Sewer Lining Project”.

Councilmember Fletcher asked if there is any sense that the improvements made to the sewer system located in sewer districts 1 – 4 have had any impact. Engineer Martini responded some problems have for sure been eliminated, but the size of the impact is unknown.

Councilmember Quam noted that the Met Council is aware that the City is trying to fix its I/I problems and therefore it will not fine the City.

Engineer Martini stated that after improvements have been made in the last four districts the City will televisé its sewer system on a regular basis and any improvements should be more manageable and less costly.

Motion passed 5/0.

Engineer Martini noted the grant application has to be submitted by December 15th and the City should receive notification about its application on January 5th. The City has until January 20th to withdraw its application if it has been awarded a grant.

Mayor Kind stated the meeting packet contained a copy of the results from the analysis for Total Phosphorus (TP) concentration in samples from the spring 2010 street sweepings.

Councilmember Quam asked Engineer Martini to explain the phosphorous problem.

Engineer Martini explained that a couple of years ago the City completed developing its Storm Water Pollution Prevention Program (SWPPP) as required by the Minnehaha Creek Watershed District (MCWD). The MCWD has set phosphorous reduction goals for each community within the MCWD. Achieving the goals will reduce the amount of phosphorous that flows into water bodies within the MCWD. The City’s goal is to reduce its phosphorous by five pounds per year and that goal must be reached by 2020.

Martini then explained the reduction can be achieved in a couple of ways. One way is to make physical improvements that will capture sediment containing phosphorous before it flows into the waters. For example, it could be captured in rain gardens or storm water management ponds. The City currently sweeps its roadways once each spring. There is a great deal of phosphorous in the sweepings. The City had samples of the 2010 sweepings analyzed by a lab [the University of Minnesota Research Analytical Lab] to determine an average concentration of Total Phosphorus in the samples. Based on the results the City could achieve its reduction goals by doing a second sweeping of the City’s roadways each year or at least some of the roadways. He noted that achieving the reduction goals through additional sweepings will

result in additional ongoing costs for the City. He stated that the plan is to have samples analyzed from the next spring sweeping or two to establish a base level and then to develop a plan for phosphorous removal that the MCWD will accept.

Mayor Kind asked if the City would have to do a fall sweeping as well and have the fall samples analyzed. Engineer Martini responded the City should wait for the MCWD to provide its thoughts on what should be done. Martini then stated there is more than enough phosphorous in the sweepings to meet the City's goal. Kind noted that based on the analysis the City removed over 26 pounds of phosphorous as part of the 2009 sweeping.

Councilmember Fletcher stated some cities use vacuum sweepers and pick up smaller particles. That alternative could also be considered for the spring with the hope that more phosphorous would be removed.

Councilmember Quam asked if the MCWD has accepted the results of the analysis as accurate. Engineer Martini responded the City has provided the MCWD the results on November 5, 2010, for information purposes only. The City has not asked for any feedback from the MCWD and the MCWD has not taken any position.

Mayor Kind stated the next step is to prepare a plan detailing what the City proposes to do. She asked Council if it wanted to direct Engineer Martini to prepare such a plan. Councilmember Fletcher suggested the City wait and analyze samples from the spring 2011 sweeping first. Engineer Martini stated once the analysis of the 2011 sweeping is complete the City can approach the MCWD to discuss the results and how to use that information to reach its reduction goals. There was Council consensus to wait for the results of the 2011 spring sweeping before preparing a plan.

Mayor Kind stated the meeting packet contained a copy of a letter from Bolton & Menk, Inc., dated October 7, 2010, about the MCWD TAC meeting held on September 30, 2010, regarding changes to the MCWD's Stormwater Management Rule.

Councilmember Fletcher asked Engineer Martini if there is some frustration about the proposed changes to the Rule. Engineer Martini stated he is just trying to be proactive by providing information to the communities Bolton & Menk represents. Martini then stated there is a balancing act between maintaining property owners' rights and being good stewards. He noted the last TAC meeting was at times contentious when discussing what the appropriate balance is. He explained the communities appeared to be caught off guard by the changes to the Rule being considered. The MCWD questioned why the communities were not better informed of the proposed changes to the Rule.

Councilmember Fletcher stated it's his understanding the TAC represents the communities and others. He then stated Doug Carter, with Bolton & Menk and a member of the TAC, has indicated in correspondence that the TAC wants to review all appendices and definitions but the MCWD has not provided that completed information. He also indicated the TAC does not believe it's productive to continue to meet while such large items are out there. The TAC and the MCWD can continue to debate all of the other items, but until the MCWD provides its definition of "development" it doesn't matter.

Engineer Martini stated if the MCWD is going to apply its proposed Rule changes to developments, then people need to know what the MCWD means by development.

Councilmember Fletcher stated it appears to him that the MCWD wants to schedule a public hearing on the proposed Rule changes and the TAC does not believe it has been provided with enough information to have the hearing.

Mayor Kind thanked Engineer Martini for staying abreast of this topic.

Engineer Martini stated there has to be a delicate balance between the TAC representing the communities and maintaining a positive working relationship with the MCWD.

Engineer Martini commented that Councilmember Quam and he will do their regular street assessment tour in the spring.

B. Planning Commission 2011 Term Expirations (Pat Lucking, Mark Spiers, and Brian Malo)

Mayor Kind noted three Planning Commissioners' terms expire in 2011. They are Pat Lucking Seat B-1, Mark Spiers Seat B-2, and Brian Malo Alternate Seat-2. All current commissioners can reapply for their positions; there are no term limits. She stated it's her understanding that Commissioner Lucking is interested in reapplying but Commissioner Spiers is not. Karpas was unsure whether Commissioner Malo was going to reapply. Kind explained applications can be submitted at City Hall, and appointments will be made in March 2011. The applications can be picked up at City Hall or they can be downloaded from the City's website at www.greenwoodmn.com.

Kind asked if there should be a requirement that in order to be a planning commissioner an individual must attend a training session related to planning. If so, the openings should be advertised with that requirement. Councilmember Quam expressed support for having that requirement. Councilmember Fletcher expressed his hesitancy to make a decision about imposing that requirement this evening. Quam stated Zoning Administrator/Clerk Karpas could spend an hour talking to a new commissioner about planning. Kind stated there is money in the City's budget to send someone to training. Fletcher suggested soliciting feedback from current Commissioners on this. Kind noted the Planning Commission is quasi judicial; therefore, it would be beneficial for commissioners to have some training. Councilmember Page stated it's one thing to make it available; it's another to make it mandatory, noting some people don't need it or want it.

Mayor Kind stated this item will be continued to the next Council meeting.

Councilmember Fletcher stated he will ask the Planning Commission for its feedback during its next meeting and will report back to Council on what he learns. He also stated that typically the alternate position would move up to the voting position.

5. PUBLIC HEARING

A. None

6. UNFINISHED BUSINESS

A. Second Reading: Ordinance 187 Updating Section 500, Fees

Mayor Kind stated Council had been provided with an updated ordinance which contains the revisions made during the first reading of the amendment to the Ordinance Code Section 500, Fees, during the November 4, 2010, Council meeting. The revisions include changing the sanitary sewer rate to \$70 from \$75 for both residential and commercial units and changing the fee for Miscellaneous Petitions to the City for Legal Consent or Releases to \$200 plus actual costs incurred by the City.

Fletcher moved, Rose seconded, Approving ORDINANCE NO. 187, “An Ordinance Amending Greenwood Ordinance Code Section 500 Regarding Fees.” Motion passed 4/1. Page opposed.

B. Second Reading: Ordinance 188 Updating Section 320, International Property Maintenance Code

Mayor Kind stated Council conducted the first reading of Ordinance 188 Updating Section 320, International Property Maintenance (IPM) Code, during its November 4, 2010, meeting. No changes were made during the first reading. The amendment removes any reference to a specific version of the IPM Code and replaces them with a general reference to the most current edition of the IPM Code.

Fletcher moved, Quam seconded, Approving ORDINANCE NO. 188, "An Ordinance Amending Greenwood Ordinance Code Section 320, International Property Maintenance Code." Motion passed 5/0.

7. NEW BUSINESS

A. Final 2011 Tax Levy

Mayor Kind stated the copy of the final 2011 General Fund Budget included in the meeting packet reflects a 2010 tax levy payable in 2011 of \$645,471. That amount is slightly less than the levy certified with Hennepin County in September 2010 because of a slight adjustment in the contingency line item. The levy reflects a 3.13 percent decrease when compared to the levy collectible in 2010.

Kind reviewed the line item changes reflected in the final budget over the preliminary budget. They are as follows.

- Misc. Income/Transfer from Sewer Fund was reduced to \$10,650 from \$11,500 to account for the reduction in sewer fees to \$70 from \$75 in 2010.
- Contingency was reduced to \$29,056 (4.3 percent) from \$30,408 (4.5 percent).
- In the Sewer Fund the line item Sewer Line Charges was reduced to \$106,500 to account for the reduction in the sewer fee.
- Capital Outlay was added in the amount of \$50,000 for the cost of the I/I project.
- Park Improvements was added in the amount of \$5,000 for the Park Beautification Project.
- In the Marina Fund the line item Boat User Fees was increased to \$23,500 to account the \$100 increase in the boat user fee for 2011.

Mayor Kind stated the meeting packet also includes a tax rate comparison chart for the City and the other eight neighboring cities as well as for other cities in Hennepin County. She noted the City's 2011 proposed tax rate is 19.122 percent which is in the lower half when compared to neighboring cities. The City of Excelsior has the highest rate at 36.197 percent and the City of Woodland has the lowest at 8.754 percent. The chart also shows what the city portion of the property tax would be on a property valued at

\$750,000. She also noted the City's tax rate is one of the lowest in Hennepin County; its rate is 42 out of 46. The Cities of Deephaven (43), Tonka Bay (44), Orono (45) and Woodland (46) have lower rates.

Kind proposed putting the tax calculation formula on the City's website so property owners can calculate what the city portion of their property tax would be if they lived in the neighboring cities. Councilmember Fletcher questioned the value in doing that. Fletcher explained that part of the reason the City's property tax rate is lower is because property values in the City are higher. He expressed concern that putting that information on the website could offend other cities.

There was Council consensus to put the tax comparison information on the City's website.

Councilmember Quam recommended the Manhole Project be renamed to the Inflow/Infiltration Project to more appropriately reflect what will be done as part of the project.

Mayor Kind stated a copy of the approved 2011 City Budget will be placed on the City's website.

In response to a question from Councilmember Page, Mayor Kind stated the 2009 year-end cash balance in the Marina Fund was \$32,738, the 2010 year-end balance is projected to be \$37,422 and the 2011 year-end balance is projected to be \$42,472. Kind noted the projections include the \$15,000 annual transfers out of the Marina Fund to the General Fund. Councilmember Fletcher noted the transfer out used to be \$20,000. Page stated there was a time when there was no transfer out of the Marina Fund to the General Fund.

Councilmember Quam questioned if there will be enough money in the Marina Fund to replace the City dock when needed. Councilmember Page stated he thought the cost of replacing the dock with the current floating dock would be around \$96,000. Mayor Kind stated that \$96,000 is the insurance value for the current dock. She stated the estimated replacement cost for a floating dock is about \$200,000. Kind stated it would cost about \$50,000 to replace the current dock with a Tonka Dock, which is a common style dock used on Lake Minnetonka. Kind then stated the City's dock installers don't recommend the current floating style of dock for its location because all of the wave action, which results in the need for repairs. She noted the current dock is expected to last until 2015 at a minimum.

Fletcher moved, Quam seconded, Adopting RESOLUTION NO. 22-10, "A Resolution Approving the 2010 Tax Levy, Collectible in 2011 in the amount of \$645,417."

Mayor Kind noted that no one is present to comment on the tax levy or 2011 budget, and if they had been they would have been allowed the opportunity to speak at this time.

Motion passed 5/0.

B. Final 2011 Budget

This was discussed as part of Item 10.A above.

Quam moved, Rose seconded, Adopting RESOLUTION NO. 23-10, "A Resolution Approving the 2011 City Budget." Motion passed 5/0.

C. First Reading: Ordinance 189 Amending Code to Regulate the Completion of the Exterior Of Structures Under Construction

Mayor Kind stated this is the first reading of Ordinance 189 amending the Ordinance Code Chapters 3 and 5 adding provisions regulating the completion of the exterior of structures under construction. She noted there is a new state law that allows cities to set deadlines for the completion of exteriors. She stated during its November 7, 2010, meeting Council directed Staff to work with the City Attorney to draft an ordinance amendment for Council's consideration. A copy of the draft ordinance is included in the meeting packet.

Kind stated there are a few highlighted items that Council needs to discuss. There is a requirement to complete all exterior work within 180 days following the issuance of the building permit. Is the 180 day deadline sufficient? Should Council be able to grant more than one extension for an additional 30 to 120 days subject to certain conditions being met? Are the proposed fees appropriate? The fee for the first 30-day extension is \$200, the fee for each additional 30 days of extension is \$400, and the civil citation is \$300.

Language was also added for fees for each additional day of penal code violations, nuisance code violations and zone code violations.

Councilmember Quam stated he thought the code should stipulate a deadline for completing the exterior of a structure. He then stated he had spoken with a contractor who thought the 180-day deadline was doable as long as there is some flexibility for when unforeseen circumstances arise.

Mayor Kind asked if Council wanted to limit Council to granting just one extension for a period of 30 – 120 days.

Councilmember Quam asked if the Planning Commission researched what other cities are doing. Mayor Kind clarified this is not a change to the zoning code, so the Planning Commission has not reviewed the proposed ordinance. Kind then stated this state law was changed in August 2010 so many cities have not addressed this yet. Kind noted that the City of Excelsior's staff proposed an ordinance that stipulates its building official can grant one extension of not more than 30 days, and the initial deadline is 180 days.

Councilmember Fletcher stated the City's draft ordinance allows the zoning administrator to grant one 30-day extension to complete exterior work. He suggested that be increased to 60 days. Zoning Administrator/Clerk Karpas stated doing that and also allowing Council to grant an additional 30-day extension would allow a contractor 270 days to complete the exterior and he thought that would be sufficient time.

Councilmember Fletcher asked if Council should be able to grant more than one 30-day extension.

There was Council consensus to change the length of time the zoning administrator can grant an extension to 60 days.

Mayor Kind asked what Council thought about the fees, noting the fee for the first 60-day extension granted by the zoning administrator would be \$200.

Councilmember Page stated he thought charging \$400 for each additional 30 days of extension Council grants is excessive (the total cost for a 120 day extension would be \$1,600). He suggested a \$400 fee for an additional extension by Council.

There was consensus to change the fees to \$200 for the first 60-day extension granted by the zoning administrator and \$400 for the additional extension granted by Council.

Mayor Kind stated the civil citation amount of \$300 is consistent with other civil citations and the amounts for the additional days of code violations are also consistent. She asked if Council had issue with any of the amounts. No concerns were expressed.

Councilmember Fletcher stated that via email he had asked Attorney Kelly if the City can withhold the Certificate of Occupancy until the fee(s) for delayed exterior completion is paid. Kelly stated he thought that should be explored and something added to the amendment for the second reading of this ordinance. Fletcher stated if Council passes the first reading of the ordinance this meeting he suggested that Council ask Attorney Kelly to draft appropriate language to address that for the second reading.

Fletcher moved, Quam seconded, adopting the first reading of Ordinance 189 amending the Greenwood Ordinance Code Chapters 3 & 5 adding provisions regulating the completion of the exterior of structures under construction subject to changing the length of a one-time extension granted by the zoning administrator to 60 days from 30 days, changing the wording for the fee for the first 30-day extension to read \$200 for the first 60-day extension (administrative), and changing the wording for the fee for each additional 30-day extension to read \$400 for the additional extension (council). Motion passed 5/0.

D. 2011 Licenses: Liquor, Trash Haulers, Tobacco, and Marina

Mayor Kind noted staff is recommending approval of applications for a liquor license (Old Log Theater), trash hauler licenses (Village Waste, Allied Waste, Waste Management, Waste Technology, Blackowiack Disposal, Aspen Waste), a tobacco license (Christmas Lake Gas), and marina licenses (Bean's Greenwood Marina, Excelsior Bay Harbor, Kreslin's Marina). She noted per the City Code, Council has to approve the licenses by December 31, 2010.

Zoning Administrator/Clerk Karpas stated he has received the majority of the renewal applications.

Fletcher moved, Rose seconded, approving the license applications listed above contingent upon the City receiving applications and fees and verifications being completed by December 31, 2010. Motion passed 5/0.

E. Extension of Residential Recycling Grant Agreement with Hennepin County

Zoning Administrator/Clerk Karpas stated that Hennepin County distributes funding it receives from the State to cities to support their curbside recycling programs. He has also spoken with Ben Knudson, with the Hennepin County Department of Environmental Services, who informed him the City would get \$5,000 – \$7,000 from the County. The City needs to submit an amended contract to be eligible for the funds. The City must also provide some annual reports which are provided by the City's recycling services provider(s).

Page moved, Quam seconded, approving Amendment 1 to the Residential Recycling Grant Agreement between Hennepin County and the City of Greenwood and authorizing the City Clerk to execute the agreement. Motion passed 5/0.

F. Bridge Fund Transfer

Councilmember Fletcher stated the City has already transferred \$20,000 from the General Fund to the Bridge Fund this year. Because the balance in the General Fund is likely to increase more than

anticipated, he suggests transferring another \$20,000 to the Bridge Fund making the total transfer amount \$40,000 in 2010. He wanted to make sure the City has the necessary funds to make repairs when needed. If necessary, Council could decide to transfer funds from the Bridge Fund back into the General Fund.

Councilmember Page stated he thought the bridge has deteriorated substantially.

Councilmember Quam stated the bridge is scheduled to be inspected again in 2011 and it will get a new rating. He noted the rating of the bridge has not changed for quite some time. He stated the bridge is currently rated 54 and if the rating drops below 50 the City and the City of Excelsior will have to fund repairs. He commented he would not be surprised if the rating drops below 50.

Fletcher moved, Quam seconded, authorizing a second \$20,000 transfer from the Bridge Fund to the General Fund in 2010. Motion passed 5/0.

G. Minnehaha Creek Watershed District Aquatic Invasive Species Program Plan Amendment

Mayor Kind stated the meeting packet contains a copy of a proposed amendment to the Minnehaha Creek Watershed District's (MCWD) 2007 Comprehensive Watershed Resources Management Plan. The amendment establishes a District wide aquatic invasive species (AIS) control and management program. The program may include a regulatory permitting process as well as an inspection and decontamination program. The MCWD has asked for comments on the amendment and it has requested feedback be submitted by January 7, 2011. Therefore, she thought it appropriate to discuss the amendment this evening.

Councilmember Page stated he did not think this is the appropriate role for the MCWD. If there is going to be additional permitting requirements, he thought the Lake Minnetonka Conservation District (LMCD) would be the appropriate agency to be responsible for that. He then stated the MCWD could have played a role in trying to keep zebra mussels from infesting Lake Minnetonka (the Lake), and it could have put money toward the LMCD's effort to conduct inspections for AIS at boat launches. Now that the mussels are in the Lake the MCWD seems to think it should take over jurisdiction for regulating boats and he expressed that he thinks that is a bad idea. He also expressed concern about taking the permitting process out of the hands of the local people who would vote on such things.

Mayor Kind stated she thought the Minnesota Department of Natural Resources (DNR) should have jurisdiction over the AIS issue.

Councilmember Page stated he thought the MCWD is trying to expand its bureaucratic role by bringing a new group of regulators under its control. He then stated there has been discussion by some people about streamlining the role of the LMCD. He also stated he did not think the MCWD should be involved in determining what watercraft go into the Lake. He expressed the MCWD had the chance to stem the flow of AIS into the Lake. He indicated he believes the MCWD wants some power over the Lake.

Mayor Kind stated it seems to her the MCWD wants to get the State more energized about dealing with the zebra mussels and other AIS issues.

Councilmember Fletcher asked if any agency has developed a good program for mitigating the flow of AIS into the Lake.

Councilmember Page stated the LMCD has an inspections program. But, he did not think it would have been possible to keep all AIS out of the Lake. He does not think the DNR has done a good job of trying to keep zebra mussels out of the Lake and other water bodies. He explained that every year the LMCD contracts with the DNR for a certain number of inspection hours. Upfront, the DNR informs the LMCD that it can't provide the total number of hours the DNR contracted to provide. Last year the LMCD had to hire additional contract inspectors. The DNR's requirements for inspectors it hires is so high that it can't hire enough inspectors. Also, the college age people it does hire have to go back to school before the season ends. He stated he thought the LMCD made the greatest effort to help mitigate AIS infestation. Zebra mussels are in the Lake and there is no way to get rid of them. He then stated it's tough luck for the Lake, but now agencies want to make sure people don't spread the mussels to other water bodies. He also stated he did not think the various agencies are working together although that is the image they want to create.

Mayor Kind asked Councilmember Page if he thought it's a waste of money to keep zebra mussels from spreading to other bodies of water in the MCWD. Councilmember Page responded he believes it's the DNR's, and it's not the MCWD's, job to decide what boats should go in and out of the Lake.

Councilmember Rose stated the amendment states "The initial development and implementation of the District's invasive species control and management program will cost \$180,000 per year. Program startup costs will be collected from an *ad valorem* tax levy of property in the watershed." Mayor Kind stated the MCWD jurisdiction is much greater than just the Lake and therefore the tax base will be much greater. Rose asked why there can't be some type of fee imposed on boaters using boat launches on the Lake.

Councilmember Quam stated this would create more bureaucracy and redundancy among agencies. The amendment states "... a rule to require anyone wishing to place a watercraft, dock, boat ramp or other equipment in a watershed waterbody to obtain a District Permit." He then stated the separation of powers and responsibilities should be addressed at the State legislative level.

Councilmember Fletcher stated there have been plenty of opportunities over the years at the legislative level to address this. Because of budget constraints he doubts there will much of a push to deal with it this coming year. He then stated there are several lakes in the MCWD. He went on to state one strategy is to do nothing and another is for some agency, in this case the MCWD, to step up and take the initiative to deal with the issue.

Councilmember Fletcher asked how much money the LMCD spends on inspections each year. Councilmember Page stated he thought maybe \$60,000 – \$90,000. Page then stated the LMCD is supposed to get some grant funding from the DNR but each year the amount it receives is less. Fletcher then asked if the current LMCD inspection program accomplishes anything. Page responded he thought it does; having a uniformed person at launches asking questions has value. It's better than doing nothing. He did not think it's necessary to permit a boat and dock before it can be put in a waterbody. For the MCWD to do what it proposes will require it to expand it's work force.

Mayor Kind stated the cover memo from the MCWD states it's proposing a minor amendment. She expressed she thinks it's a very large amendment. She then stated she thought the \$180,000 per-year cost of the program proposed by the MCWD is way too low. She explained the program will require watercraft and equipment be affixed with a blue or red sticker every time it leaves a waterbody. She questioned how that can be done on every waterbody in the MCWD for a cost of \$180,000. That would have to be done around the clock. She passed on a suggestion about having lake-specific stickers to help control AIS and she thought that was a much better idea.

Councilmember Quam questioned what the sticker idea will accomplish.

Councilmember Page asked what fisherman will say. Mayor Kind stated she doesn't think they will respond positively.

Mayor Kind stated she thought no response from the City would imply its tacit approval.

Councilmember Rose stated he thought the City's response should be the City doesn't support the amendment and expansion of MCWD authority.

Mayor Kind suggested she craft a written response for Council to review during its January 4, 2011, meeting.

H. Insurance Premium

Mayor Kind stated the City received two invoices for insurance premiums from the League of Minnesota Cities (LMC) Insurance Trust. One is for \$5,709 and the other is for \$900. Staff contacted the LMC and found out the \$900 invoice is for excess umbrella coverage. She suggested Council discuss if this excess coverage is needed. She stated that after making calls to the LMC and the City's insurance agents it became apparent that insurance coverage needed to be researched further. Councilmember Fletcher offered to look into the coverage and he has identified some areas where the City could possibly save money on its insurance premiums. That information is included in the meeting packet.

Kind then stated one of the insurance agents responded to a series of questions from Councilmember Fletcher. He also sent an email listing some of the reasons the City would want to have the excess umbrella coverage. She reviewed things that would not be covered without the excess umbrella coverage which include, but are not limited to, claims under federal civil rights laws (including the disability laws and the 1983 act by public employees), claims for tort liabilities cities assume by contract, claims for actions in another state, claims based on liquor sales, and claims on "taking" theory.

Kind reviewed answers to questions asked of the insurance agent by Councilmember Fletcher. The City currently has a deductible of \$250. Fletcher had asked what the annual savings would be if the City increased its deductible. The annual savings are as follows: for a \$500 deductible the savings is almost \$200; for a \$1,000 deductible the savings is almost \$400; and, for a \$2,500 deductible the savings is \$727. She noted her preference is to change the deductible to \$2,500. She related that Fletcher did not think the City needed property insurance for the Park Tennis Court at 5015 Meadville Street. The premium cost with a current replacement value of \$50,982 is \$512. The agent recommended keeping some coverage because tennis court surfaces are a target for vandalism.

Councilmember Fletcher stated the City Engineer told him the cost to replace the tennis court would be about \$25,000; therefore, \$5,000 – \$10,000 in coverage would be sufficient to cover vandalism to the court's surface. Councilmember Page stated he did not think the court and fencing around the court could be replaced for \$25,000. Page thought replacing the fencing would be very expensive. There was ensuing discussion about the likely extent of damage to the fencing.

Kind stated Fletcher did not think the City needed property insurance for the one dock on Curve Street. The premium cost with a current replacement value of \$50,982 is \$512. She agreed that could be removed from the policy. The dock is not worth that amount and the City could pay cash to replace it. She stated the agent recommended keeping the coverage for office equipment with a replacement value of \$12,246 for a premium cost of \$32. The copier leasing company requires the City have insurance.

Kind asked what Council thinks about having the excess umbrella coverage [\$1 million annual aggregate] for a cost of \$900 per year. That's in addition to the \$1.5 million standard umbrella policy the City has. Councilmember Page stated he recommends the City keep it. She asked Attorney Kelly if he has an opinion on this. Kelly responded the only thing he has commented on in the past is whether or not the City wanted to waive the statutory waivers; the rest is a business decision. Kelly reviewed the items identified by the insurance agent that would not be covered without the umbrella coverage and explained why they are not likely to be a concern for the City. Councilmember Page stated he was most concerned about the federal civil rights laws and the "taking" theory. Page again stated he thought buying the excess umbrella coverage for \$900 would be a good thing to do.

In response to a question from Mayor Kind, Councilmember Fletcher explained the South Lake Minnetonka Police Department (the SLMPD is the joint powers organization providing policing services to the City) has its own liability coverage. Attorney Kelly stated if there were to be a police riot all SLMPD member cities would likely be sued. Fletcher stated the attorneys will look at our insurance coverage. Page stated they will sue for as much as they can get, and he again recommended the City buy the excess umbrella coverage.

Councilmember Page recommended insuring the tennis court for at least \$25,000. Mayor Kind stated she could support that.

Mayor Kind again stated she preferred the \$2,500 deductible. Councilmember Quam stated the City will not be saving money if it has the wrong insurance coverage. Councilmember Fletcher stated he thought you bought insurance for the big things, and that he did not think the City needed the excess umbrella coverage. He then stated if a policy holder submits small claims the insurance company tends to increase their rates. Councilmember Rose stated he preferred the high deductible.

Mayor Kind and Councilmembers Fletcher and Rose stated they did not think the City needed the excess umbrella coverage for \$900. Councilmembers Page and Quam thought the City should have it.

There was Council consensus to eliminate the insurance coverage for the Curve Street dock.

Fletcher moved, Rose seconded, directing the City Clerk to communicate to the City's insurance agent the following changes to the City's insurance coverage which will be made at the time of policy renewal: increase the deductible to \$2,500; reduce the replacement value of the tennis court to \$25,000; eliminate the separate property coverage for the Curve Street dock; and, drop the excess umbrella coverage with a premium of \$900 per year.

Motion passed 3/2 with Page and Quam dissenting.

8. OTHER BUSINESS

A. None

9. COUNCIL REPORTS

A. **Fletcher: Planning Commission, Lake Minnetonka Communication Commission, Eurasian Water Milfoil**

Councilmember Fletcher stated there has not been Planning Commission meeting to report on.

Fletcher then stated he thought there is a Lake Minnetonka Conservation District (LMCD) Aquatic Invasive Species Task Force meeting scheduled for December 10th. The Department of Natural Resources (DNR) has received the report on the results of the 2010 Three-Bay Eurasian Watermilfoil treatment program from the Army Corps of Engineers. That information will be presented during the Task Force meeting. The results will likely influence the DNR's consideration of a similar treatment program for St. Albans Bay and Gideon Bay in 2011. He noted the native plants have done well in Grays Bay after the 2010 treatment.

With regard to the Lake Minnetonka Communications Commission (LMCC), Fletcher stated Mediacom's franchise is coming up for renewal in three years. He noted it does not involve Mediacom's internet service; the LMCC has nothing to do with internet service. There is a meeting on December 9th to discuss the request for proposals for a marketing study to look into the feasibility of fiber to the home. The LMCC has budgeted \$30,000 for the 2011 study.

B. Kind: Police, Administration, Speed Trailer

Mayor Kind stated the South Lake Minnetonka Police Department Coordinating Committee has not met since the last Council meeting. She then stated there is nothing additional to report on for administration. She went on to state the City of Deephaven has expressed interest in possibly sharing in the purchase of an additional speed trailer. It was discussed during Deephaven's Public Safety Committee meeting on December 1st. Some members of that Committee question the need for a second trailer in the South Lake area because the City of Shorewood's speed trailer is not used 100 percent of the time. They also expressed concern about not wanting to interfere with the SLMPD's operations. She will get back to Council and Deephaven on that.

C. Page: Lake Minnetonka Conservation District

Councilmember Page stated the City of Excelsior has requested an amendment to its multiple dock license and special density license. It wants to expand its dock area on St. Albans Bay at the end of Hidden Lane. It currently has two dock slips and four slides. It wants to remove the slides and have a total of four boat slips. Excelsior is not asking to expand the area it already has. This topic is on the agenda for the December 8th Lake Minnetonka Conservation District (LMCD) Board meeting. He asked Councilmembers if they had any opinion on this. He stated Excelsior is also asking for other changes, with this being the smallest change.

Mayor Kind stated when the City asked if it could expand its dock area it was told no because it was touching its envelope. Councilmember Page clarified Excelsior is not asking for its docks to go out more than 100 feet. Excelsior's application relates to density and that can be achieved as long as certain amenities are provided. He explained Excelsior is closer than one boat for every 50 feet with all the boat slips it has on Lake Minnetonka. Excelsior is proposing one boat for every 24 feet.

Mayor Kind stated she was not looking for more boat density on St. Albans Bay.

Councilmember Fletcher stated City residents get a lot of benefits from using things in Excelsior, such as the Excelsior Commons. He then stated he does not think converting the slides to two additional boat slips will have much impact on St. Albans Bay or the City.

Councilmember Quam stated he doesn't want to go on record opposing this.

Councilmember Page stated he is not opposed to Excelsior's request. It won't have a big impact.

Councilmember Page stated the LMCD Board has revisited its decision to increase the speed to 50 miles-per-hour (mph) at night for snowmobiles on Lake Minnetonka (with some exceptions). The speed limit is still 30 mph for other vehicles traveling on the ice. He noted he voted against the increase based on Council's feedback. Nine Boardmembers voted in favor of the increase and four against it. The issue is resolved.

Councilmember Fletcher noted there were some other changes made to maximum speed limits as well.

Councilmember Page stated the LMCD will be electing new officers.

Mayor Kind recessed the meeting at 9:00 P.M.

Mayor Kind reconvened the meeting at 9:05 P.M.

D. Quam: Roads & Sewer, Minnetonka Community Education

Councilmember Quam stated Council discussed earlier the Inflow/Infiltration project and grant application to help fund the project. He then stated a road assessment will be conducted in the spring of 2011.

E. Rose: Excelsior Fire District

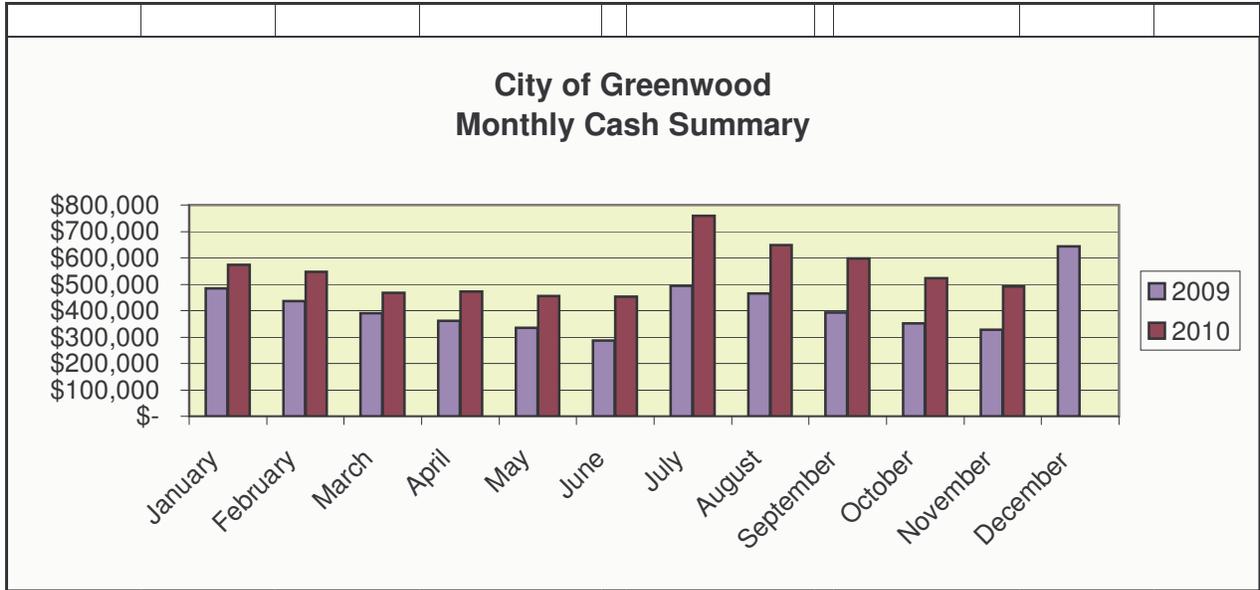
Councilmember Rose stated the Excelsior Fire District (EFD) Board met on November 17, 2010. The Board discussed the replacement schedule for self contained breathing apparatus (SCBA) and the financing for the replacement equipment. The Board agreed to change to a 10-year replacement schedule from a 15-year replacement schedule because the equipment is critical for firefighters. The total replacement cost is about \$220,000. He noted the current SCBA is old and a piece of the equipment is in need of repair for a cost of \$7,000.

Rose then stated effective November 1, 2010, the required contribution for 2011 to the Excelsior Firefighters Relief Association fund for pensions was calculated to be \$72,000. The contribution was calculated to be \$80,000 during 2011 budget discussions and by the time the budget was adopted the contribution was recalculated to be \$114,000.

10. ADJOURNMENT

Page moved, Rose seconded, Adjourning the City Council Regular Meeting of December 7, 2010, at 9:07 P.M. Motion passed 5/0.

RESPECTFULLY SUBMITTED,
Christine Freeman, Recorder



Month	2009	2010	Variance with	Variance with
			Prior Month	Prior Year
January	\$ 484,702	\$ 573,056	\$ (69,158)	\$ 88,354
February	\$ 437,334	\$ 545,897	\$ (27,159)	\$ 108,563
March	\$ 391,150	\$ 466,631	\$ (79,266)	\$ 75,481
April	\$ 360,843	\$ 472,069	\$ 5,438	\$ 111,226
May	\$ 334,929	\$ 454,955	\$ (17,114)	\$ 120,026
June	\$ 286,999	\$ 453,487	\$ (1,468)	\$ 166,488
July	\$ 495,051	\$ 759,701	\$ 306,214	\$ 264,650
August	\$ 465,300	\$ 648,560	\$ (111,141)	\$ 183,260
September	\$ 393,080	\$ 597,536	\$ (51,024)	\$ 204,456
October	\$ 351,022	\$ 523,980	\$ (73,556)	\$ 172,958
November	\$ 327,615	\$ 491,216	\$ (32,764)	\$ 163,601
December	\$ 642,214	\$ -	\$ (491,216)	\$ (642,214)
Bridgewater Bank Money Market:	\$	\$ 277,747		
Bridgewater Bank Checking:	\$	\$ 12,475		
Beacon Bank Checking	\$	\$ 100		
Beacon Bank Money Market	\$	\$ 200,894		
	\$	\$ 491,216		

Check Issue Date(s): 12/28/2010 - 12/28/2010

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
12/10	12/28/2010	10174	738	AVENET, LLC	101-20100	350.00
12/10	12/28/2010	10175	51	BOLTON & MENK, INC.	502-20100	1,641.50
12/10	12/28/2010	10176	762	CATALYST GRAPHICS INC	101-20100	39.20
12/10	12/28/2010	10177	761	DEBRA KIND	101-20100	67.91
12/10	12/28/2010	10178	68	Gopher State One Call	602-20100	30.45
12/10	12/28/2010	10179	601	HENNEPIN COUNTY ASSESSORS OFF.	101-20100	7,100.00
12/10	12/28/2010	10180	766	HENNEPIN COUNTY ELECTIONS	101-20100	301.00
12/10	12/28/2010	10181	75	HENNEPIN COUNTY TREASURER	101-20100	63.52
12/10	12/28/2010	10182	255	LMC INSURANCE TRUST	602-20100	5,709.00
12/10	12/28/2010	10183	105	METROPOLITAN COUNCIL ENV SERV	602-20100	2,336.37
12/10	12/28/2010	10184	701	Popp Telecom	101-20100	57.67
12/10	12/28/2010	10185	216	QUALITY FLOW SYSTEMS INC	602-20100	1,137.44
12/10	12/28/2010	10186	136	Sun Newspapers	101-20100	35.75
12/10	12/28/2010	10187	745	Vintage Waste Systems	101-20100	1,568.40
12/10	12/28/2010	10188	145	XCEL	101-20100	394.45
Totals:						<u>20,832.66</u>

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Pay Per Date	Jrnl	Check Date	Check Number	Payee	Emp No	Description	GL Account	Amount
01/01/11	PC	01/01/11	10189	Debra J. Kind	34		001-10101	277.05
01/01/11	PC	01/01/11	10190	Fletcher, Thomas M	33		001-10101	84.70
01/01/11	PC	01/01/11	10191	H. Kelsey Page	35		001-10101	184.70
01/01/11	PC	01/01/11	10192	Quam, Robert	32		001-10101	184.70
01/01/11	PC	01/01/11	10193	William Rose	36		001-10101	184.70
Grand Totals:								<u>915.85</u>



Date: December 28, 2010
To: Becky Houdek, Minnehaha Creek Watershed District
From: Debra J. Kind, Mayor of Greenwood
Re: Comments Regarding Draft Plan Amendment

I have reviewed your 11-18-10 memo (including the Draft Plan Amendment) and the 12-20-10 memo (attached) prepared by City Engineer Dave Martini from Bolton & Menk, which includes comments that were prepared by Bolton & Menk's Water Resources Specialist Doug Carter.

In order to meet your 01-03-11 comment period deadline, I am sending this response before the Greenwood City Council has an opportunity to discuss the memos. While I cannot speak for the council as a whole, and I cannot forecast what action the city council may take in the future, I can advise that I personally support Mr. Carter's comments. I also can advise that the city council typically supports the recommendations made by Bolton & Menk.

In addition I can advise that based on previous council discussions it is my expectation that the council will be concerned that the District is placing too much emphasis on "process" vs. "results." In other words, the District's role should focus on whether or not each city is making appropriate progress to meet their Water Management Plan goals (phosphorus reduction), and not prescribe "how" to make the progress. For example, section 7.2.2 in the proposed Draft Plan Amendment says the District will consider certain items when assessing Local Government Unit (LGU) plan implementation including whether "the LGU worked carefully to integrate low-impact development concepts into the development code and development review process." This is a requirement that most smaller cities like Greenwood probably are not compliant with. The fundamental point is that it should be our decision whether or not we want to focus on low-impact development in our fully developed city to help achieve our Water Management Plan goals. It is possible we might prefer to focus on street sweeping or other options to meet our goals.

This cover letter as well as the memo from you (including the Draft Plan Amendment) and the city engineer's memo will be discussed at the Greenwood City Council's January meeting. I will let you know if the council takes action that contradicts the positions expressed in this cover letter. I also would like to point out that your 45-day comment period included Thanksgiving, Christmas, and the New Year's holidays. In my opinion, 45 days -- especially at this time of year -- is not enough time if you truly are interested in stakeholder input. Our council meets once a month and we need time for our engineering firm to review and make recommendations to the council. In the future, it would be appreciated if you could allow at least 60 days to comment on something this significant. Legally this may be a "minor" plan amendment, but from Greenwood's perspective there is nothing "minor" about what the District is proposing.

If you have any questions, please contact me at 952.401.9181, dkind100@gmail.com.

Sincerely,

A handwritten signature in black ink that reads "Debra J. Kind". The signature is written in a cursive, flowing style.

Debra J. Kind
Mayor of Greenwood



BOLTON & MENK, INC[®]

Consulting Engineers & Surveyors

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Phone (952) 448-8838 • Fax (952) 448-8805
www.bolton-menk.com

MEMORANDUM

Date: December 20, 2010
To: City of Deephaven, City of Greenwood, City of Woodland
From: David P. Martini, P.E.
Subject: Minnehaha Creek Watershed District Draft Plan Amendment Comments

On November 18th the Minnehaha Creek Watershed District (MCWD) sent a notice out to affected cities, counties, and state review agencies regarding their proposed Comprehensive Water Resource Management Plan (WRMP) amendment. The proposed amendment would replace the existing WRMP, Section 7.2, LGU Local Plan Implementation and Reporting, in its entirety with the amended version. The November 18th notice began the 45-day public comment period required by state statute for WRMP amendments.

We have reviewed the proposed amendment and offer the following comments that were prepared by our Water Resources Specialist Doug Carter. The comments are grouped together according the general theme and do not follow the document page by page. For your convenience I have color coded MCWD's draft and the sections referenced in our comments.

1. Data requested from the LGU with no defined use.

The following citations are generally requests by the MCWD for data that will be a burden for the LGU to collect, summarize, review, and distribute. The MCWD does not detail how, or if, they plan to use this data. In some instances the MCWD is requesting data that is in the planning stages and may never make it through the land-use process. Projects that are under development or consideration by the LGU do not need to be disclosed to the MCWD. On an annual basis the MCWD needs only to know about active or permitted projects. Unless the MCWD can provide compelling reasons as to why they feel they need this information it should not be required to be provided by the LGUs. The citations are as follows:

- a. *Section 7.2.1 – Annual Reporting and Meeting, Paragraph 2*
- b. *Section 7.2.1 – Annual Reporting and Meeting, Paragraph 3, Item #1*
- c. *Section 7.2.1 – Annual Reporting and Meeting, Paragraph 3, Item #4*
- d. *Section 7.2.1 – Annual Reporting and Meeting, Paragraph 3, Item #5*
- e. *Section 7.2.1 – Annual Reporting and Meeting, Paragraph 3, Item #6*



2. The use of undefined, subjective, qualitative and, at times, argumentative language

The following citations are generally instances where the MCWD has chosen to use language that is not appropriate for use in natural resource management plans. In a number of the citations the language appears to assume an adversarial and hierarchical relationship between the LGU and the MCWD. The use of terms similar to, “lagged, diligently, importantly, good, timely, adequate, and failing” need to be well defined, if used at all. What person, board, or entity will determine the definitions for these words? These terms have a very real possibility of being misapplied or misused and we would like to see them either well defined or removed from the document. The citations are as follows:

- a. *Section 7.2 – LGU Local Plan Implementation and Reporting, Paragraph 5*
- b. *Section 7.2.1 – Annual Reporting and Meeting, Paragraph 4, First Item*
- c. *Section 7.2.2 – Review of LGU Plan Implementation, Paragraph 3, Item #1, (g)*
- d. *Section 7.2.2 – Review of LGU Plan Implementation, Paragraph 6, 2nd sentence*
- e. *Section 7.2.2 – Review of LGU Plan Implementation, 2. Land Use, Item (a)*
- f. *Section 7.2.2 – Review of LGU Plan Implementation, 2. Land Use, Item (e)*
- g. *Section 7.2.2 – Review of LGU Plan Implementation, 3.Capital Program , Item (c)*
- h. *Section 7.2.2 – Review of LGU Plan Implementation, 3.Capital Program , Item (e)*
- i. *Section 7.2.2 – Review of LGU Plan Implementation, 4. Land Conservation, Item (a)*
- j. *Section 7.2.2 – Review of LGU Plan Implementation, 4. Land Conservation, Item (c)*

3. Use of language that is vague and open to interpretation

The following citations are generally where criteria have been identified that will be nearly impossible to objectively evaluate. There is also the potential for the collection and evaluation of the data to be a significant time and money burden for both the LGU and the MCWD staff. If there is no indication existing practices in which the LGU is operating are substandard as it references natural resource protection, why does the MCWD take the position of essentially auditing the LGU’s performance? The citations are as follows:

- a. *Section 7.2.2 – Review of LGU Plan Implementation, Paragraph 3, Item #1, (c)*
- b. *Section 7.2.2 – Review of LGU Plan Implementation, Paragraph 3, Item #1, (d)*



4. Funding and the overarching sense of cooperation and protection of natural resources

The following citations generally foster an adversarial relationship between the LGU and the MCWD. In our experience if an LGU is unable to meet the water resource commitments identified in their local plans or their Capital Improvement Plans it is most often due to a lack of available budget and/or funding for the program. It seems as though the role of the MCWD should be to assist the LGU with funding shortfalls, if that is the issue. To have the MCWD remove its funding assistance and notify other agencies with the perceived hope of having them pull their funding assistance as well appears, on the surface, to be counterproductive to the overarching goal of protecting the water resources within the watershed. If the LGU believed that adding tax burden to residents with the goal of meeting the local plan objectives was feasible, it would undertake the program on its own. Adding an additional tax burden to residents is not a solution. Working with the LGU, in a cooperative manner, to jointly meet local plan objectives would be a much more sustainable approach. The citations are as follows:

- a. *Section 7.2.2 – Review of LGU Plan Implementation, Paragraph 7, 4th, 5th, and 6th bullet*
- b. *Section 7.2.2 – Review of LGU Plan Implementation, Paragraph 7, 7th bullet*

5. General Amendment Comments

- a. *Section 7.2.2 – Review of LGU Plan Implementation, Paragraph 3, Item #1, (b)*
The sentence reads, “Do they conform to MWCD-approved standards?” The process of reviewing and approving the LGU’s local plans and associated ordinance has previously been defined as an iterative process between the LGU and the MCWD staff and Board. The MCWD could provide a model ordinance that would save all parties time and staff expenditure.
- b. *General Amendment Comments*
The overall tone of this amendment is not one that echo’s cooperation, trust, and mutual determination to accomplish complex natural resource management goals. The tone is more of an authoritative agency looking down upon the LGU actively looking for the opportunity to take over control of the local plan implementation. We don’t believe that if even one LGU gave over control of all aspects of their plan implementation the MCWD would have the staff and availability to accomplish the requirements; it becomes even less likely if more than one LGU did that. Working forward from that standpoint, it seems that that MCWD should be more interested in, and place more importance on, cooperatively working together with the LGU to protect the natural resources within the watershed and plan for the implementation of the local plan.
- c. This amendment to the original Section 7.2 did not do anything to close the open-ended nature of the original draft. The inclusion of so many subjective and qualitative words and phrases only magnifies the vague nature of the requirements of the memorandum of understanding. The very real possibility of being committed to unforeseeable obligations remains. If the MCWD wishes to solve this problem they need to work cooperatively with the LGUs to clarify the issues. Writing a minor plan amendment in isolation from the LGUs only exasperates the problem.



The Minnehaha Creek Watershed District is committed to a leadership role in protecting, improving and managing the surface waters and affiliated groundwater resources within the District, including their relationships to the ecosystems of which they are an integral part. We achieve our mission through regulation, capital projects, education, cooperative endeavors, and other programs based on sound science, innovative thinking, an informed and engaged constituency, and the cost effective use of public funds.

Date: November 18, 2010
To: Cities, Counties, State Review Agencies
From: Becky Houdek, Minnehaha Creek Watershed District
Re: Draft Plan Amendment – 45-Day Comment Period

In 2007, following an extensive planning and review process that involved citizens, cities, state agencies, and other stakeholders, the Minnehaha Creek Watershed District adopted a Comprehensive Water Resource Management Plan (WRMP). The Plan details the District’s goals and implementation strategies for improving water quality and management in our communities. These strategies include District capital projects, city water resource projects, and District regulations. As required by MN Statute 103B.235, local government units (LGUs) must prepare and submit a Local Water Management Plan to the District for review and approval. As part of the approval of the Local Water Plan, the District has been using a Memorandum of Understanding (MOU) to outline specific obligations of both the LGU and the District. These requirements include that the LGU submit an annual report to the District that details progress toward implementing the Local Water Plan and an annual meeting with District staff to discuss the report.

During the review and approval process for Local Water Plans, many municipalities expressed concern that the requirements in the MOU were vague and therefore committed them to unforeseeable obligations. In response to those concerns, the District Board of Managers directed staff to develop a minor plan amendment that clearly outlines the expectations of the District regarding Local Water Plan annual reporting and meetings, and would eliminate the need for a MOU for those cities not implementing District regulations.

The attached draft plan amendment contains the following:

1. Purpose of annual reporting and meeting requirements
2. Minimum requirements for contents of LGU annual report
3. Items the District will consider when assessing Local Water Plan implementation
4. Steps the District Board may take if an LGU fails to implement its Local Water Plan
5. Steps the District will take to encourage a collaborative process toward achieving better water quality and management for our constituents

The annual reporting and meeting process outlined in the draft plan amendment will allow the District to carry out its responsibility to oversee Local Water Plan implementation by LGUs as required by statute. This approach will also improve how District and city staff coordinate efforts to meet water resource goals.

The Board of Managers has authorized staff to distribute the attached draft plan amendment for a 45-day public comment period to solicit input prior to a public hearing and adoption. Please submit your comments by Monday, January 3rd. We will notify you of the date and time of the public hearing once it is scheduled.

If you have any questions or concerns regarding the draft plan amendment, District staff would be happy to meet with you to answer questions and provide clarity on specific items within the amendment.

Please feel free to contact Becky Houdek at bhoudek@minnehahacreek.org or 952-641-4512.

DRAFT PLAN AMENDMENT: LOCAL PLAN IMPLEMENTATION

(10-7-10)

Present Section 7.2 is replaced by the following new section:

7.2 LGU Local Plan Implementation and Reporting

Minnesota Statutes §103B.235 establishes a process for watershed district review and approval of local water plans. Typically District staff will work with LGU staff through successive versions of the draft local plan until staff finds that the plan meets content requirements and standards of Section 7.1 and is recommended for approval. If an LGU is not able to satisfy District staff and believes nevertheless that its plan is entitled to District approval, it may request to have the plan brought before the District Board of Managers without a recommendation of approval.

The District's preference is that a local plan be revised as needed so that when it is presented to the Board of Managers it may be approved without the need for further revisions. However, if it requires only minor revisions when it comes before the Board or if the need for minor changes is identified during Board review, the Board's approval resolution may approve the plan conditioned on identified revisions. Otherwise, typically the resolution will contain only standard conditions that implement the terms of Section 7. The Board also may include conditions as needed to address the specific circumstances in a given case.

Minnesota Statutes §103B.235, subdivision 4, states that once the district approves a local plan, the LGU must adopt and implement it within 120 days, and must complete amendment of ordinances required by the local plan within 180 days.

After the local plan is adopted, the District and LGU will coordinate watershed and local plan implementation over the course of the 10-year planning cycle. Consistency between plans and coordinated implementation will help to ensure that capital spending, land conservation, public education, regulation and other activities will be carried out to best achieve shared water resource goals in a cost-effective and transparent way.

Under the watershed law, each metropolitan-area watershed district is responsible to maintain awareness of local water plan implementation by LGUs within its boundaries. The District intends to carry out this responsibility through a process of LGU annual reporting and District monitoring of local plan implementation. The District has sought to create a framework that allows it to remain reasonably knowledgeable as to local implementation without being burdensome for LGUs. The framework also is designed so that any implementation issues are addressed through communication and collaboration to the extent possible. It seeks to respect the ability of the District and individual LGUs to make their own program and

funding decisions. But it preserves the District's ability to step in if water resource commitments and goals are not being met.

7.2.1 Annual Report and Meeting

Each LGU must provide a written report to the District by June 30 annually, describing how the LGU has implemented the local plan over the past report year (May 1 through April 30). The annual report date coincides with the submittal date for municipal separate storm sewer system (MS4) annual reports as set by the Minnesota Pollution Control Agency (MPCA). If the MPCA should change that date, the District would adjust its annual reporting date administratively.

An LGU may submit its MS4 report to the District as its annual report, with supplementation as needed to provide all of the information listed below. For efficiency, the District may develop a standard format that LGUs would be required to use. Until that time, an LGU may prepare a separate report using a format of its choosing.

LGUs are encouraged to use a concise format for the annual report. At the same time, LGUs need to provide information that is sufficient for District staff to be fully apprised of activities by, and within the boundaries of, the LGU that affect water resources and further water resource programming. At a minimum, the annual report must cover the following for the reporting year:

- 1. The status of capital projects identified in the local water plan and any other water resource projects under LGU development or consideration, and identification of any project on which the LGU is interested in partnering with the District.**
2. Progress on each water resource issue identified in the implementation section of the local plan.
3. The status of each action identified in the local plan as a means to contribute to the LGU's allocated phosphorus/nutrient load reduction, the cause of any failures or delays, and any proposed changes to the LGU's strategy for meeting the load reduction.
- 4. A summary of LGU land use activity as it may affect water resources, including: (a) permit applications for land disturbance received; (b) actions taken, including any variances granted; (c) pending development or redevelopment activity not yet the subject of an application; (d) zoning changes made or requested.**
- 5. Additional water quality, hydrologic, wetland and floodplain data developed within the LGU.**
- 6. A description of stormwater conveyance/management facility construction, inspection, maintenance and repair activity, including identification of any**

structural changes within the conveyance system affecting hydrologic/hydraulic modeling on greater than a parcel basis.

7. A summary of LGU housekeeping activities including salt/sand storage and use, hard surface sweeping and other public facility management activities to protect water resources.
8. An inventory of riparian, buffer, corridor, open space and other conservation land rights acquired through dedication, gift, purchase or any other means.
9. A summary of the LGU's budget as it pertains to local plan implementation.

Following District staff review of an LGU's annual report, a meeting between staff may be arranged to complete the review, bring each party up to date on the other party's activities, and coordinate activity for the next year.

- District staff may have questions or need further information about matters contained in or omitted from the LGU report. If the District perceives that LGU implementation has lagged, this would be an opportunity to discuss this, identify causes of any failures or delays, and mutually consider adjustments. As well, LGU staff may require more information about District activities over the past year as they affect the LGU.
- This meeting is an opportunity for the two parties to anticipate the next year's activity. A mutual briefing can be provided concerning programmed or potential capital projects, land conservation interests, cost-sharing or grant opportunities, development activity and other matters that would benefit from coordination.
- Pending or necessary plan amendment can be reviewed. Minnesota Statutes §103B.235, subdivision 1, and Minnesota Rules 8410.0160 requires that each local plan be revised and approved by the District within two years of a District plan amendment that affects an LGU, or as otherwise specified in the District implementation program. The District has adopted the two-year standard of 8410.0160, except where the plan specifically states otherwise. Where an LGU lies partly within the District and partly within one or more other watershed management organizations, the District will require local plan revision and approval within two years for at least that part of the plan that concerns land within District boundaries.

The District will endeavor to maintain communication and flow of information between itself and its LGUs on an ongoing basis. The Board of Managers encourages opportunities for joint meetings with city councils on specific matters or for the purpose of general communication.

7.2.2 Review of LGU Plan Implementation

The District will maintain awareness of LGU plan implementation largely through the annual reporting and meeting framework. However, this will be supplemented through ongoing communication with LGUs and knowledge of developments within the watershed gained through other usual channels.

It is possible, then, that the District at any time may perceive that an LGU is not fully implementing its local water plan or meeting its commitments. In this case, the District will follow the course outlined here. This process is intended to ensure that the District has a full understanding of the LGU's water resource program, that the District respects the LGU's control of its own programs and its role in overseeing activity within its boundaries, and that the parties work collaboratively to ensure progress on mutual goals. At the same time, it is the District's responsibility under watershed law to maintain oversight of local water plan implementation and to take steps as necessary so that water resource goals are met.

The District will consider the following items when assessing LGU plan implementation:

1. Water Resource Permitting (this subject will be relevant primarily when the LGU, through the local planning process, has elected to assume sole authority for water resource permitting in one or more areas covered by District rules and/or has elected to serve as the Wetland Conservation Act (WCA) implementing authority):

(a) Have ordinances been adopted as described in the approved local plan and in response to any subsequent District rule revisions?

(b) Do they conform to MCWD-approved standards?

(c) Have the ordinances been applied as written?

(d) Where there is room for interpretation, has LGU discretion been exercised in a way that is sensitive to water resource protection?

(e) Has the MCWD been notified of variance requests per Minnesota Statutes §103B.211?

(f) Have technical expertise and program resources been maintained at levels described in the approved local plan?

(g) Has regulated activity been diligently monitored and have LGU ordinances and permits been diligently enforced?

(h) The same considerations, as applied to the LGU's actions as WCA-implementing agency.

2. Land Use:

(a) Has good progress been made to integrate Safe Drinking Water Act and other protections for wellheads and sensitive groundwater resources into the development code, as described in the approved local plan?

(b) Has the LGU worked carefully to integrate low-impact development concepts into the development code and development review process?

(c) Has the LGU met local plan commitments to reconcile development code setbacks and water resource protection goals?

(d) Has the LGU revised its development code as necessary to require stormwater facilities and wetlands in residential subdivisions to be located on outlots?

(e) Has the LGU ensured that the District timely receives proposed preliminary plats and revisions, in accordance with the approved local plan?

(f) Are local plan commitments otherwise being met?

3. Capital Program:

(a) Does the capital improvement program (CIP) continue to reflect the level of commitment toward water resource goals of the approved local plan?

(b) Is CIP implementation on schedule?

(c) Is the LGU making adequate progress toward achievement of phosphorus load reductions identified in the approved local plan?

(d) If issues have arisen that were unexpected or are beyond LGU control, has the LGU identified, and is the LGU pursuing, alternative strategies?

(e) Is the LGU diligently maintaining stormwater management facilities for which it is responsible?

4. Land Conservation:

(a) Have water resource protection priorities been integrated into parks, open space, recreation and land acquisition plans, and are those tools being diligently implemented?

(b) Are dedication and fee in lieu requirements under the development code being used to support water resource protection consistent with commitments in the approved local plan?

(c) Is the LGU diligently monitoring municipal open space lands, protected lands and vegetated buffer areas under its control?

5. Housekeeping Practices: Is the LGU meeting local plan commitments for street sweeping, snow plowing, salt and snow storage, right-of-way maintenance, stormwater management facility and vegetated buffer maintenance, public land management and other housekeeping matters with water resource impacts?

6. Other Commitments: Is the LGU otherwise meeting commitments assumed under the approved local plan?

If District staff, at the direction of the Board of Managers or on the basis of its own review, has concerns about local plan implementation, the District will generally follow a process that emphasizes communication and collaboration to assess these concerns and identify approaches to addressing any deficiencies. Presuming the LGU has a similar interest in this approach, initially the process will involve staff-to-staff communication and a process of staff collaboration. District staff will report back to the Board of Managers and the District will seek to memorialize any agreed outcomes in appropriate fashion.

If District or LGU staff believes that, for any reason, adequate progress in resolving concerns is not being made, the Board of Managers and city council may be asked to convene an informal joint meeting.

Ultimately, if the Board of Managers is not satisfied with a resolution of concerns, it may schedule the matter for formal consideration on its agenda. **LGU representatives will be invited to attend; District staff, LGU representatives and interested members of the public will have an opportunity to address the issues; and the Board will make a finding as to whether it believes the LGU is failing to implement its plan in an important way.**

If the Board makes such a finding, it may take further steps within its authority as it judges will foster improved local plan implementation or allow resources to be focused on areas where they are more likely to leverage effective efforts. Such steps may include the following:

- Requesting that the LGU engage in further discussions or provide written commitments.
- Reasserting District regulatory authority for proposed land-disturbing activity for which city approvals have not yet been issued.

- Reprogramming or reprioritizing District capital funds identified for expenditure within the city.
- Placing a hold on cost-share and other program funding within the LGU.
- Advising the Metropolitan Council, and other potential municipal grantors where watershed district approval is relevant, of the District's finding.
- Restricting eligibility for District-funded water/land use planning assistance or other forms of District cost- or technical-assistance.
- Establishment of one or more water management districts encompassing the LGU or parts thereof to fund District implementation of local plan commitments not being met.
- An action under Minnesota Statutes §103B.235, subdivision 4, requesting that the LGU be directed to implement its local plan.

At any time, an LGU may advise the District of further implementation steps taken and allow the Board of Managers to determine that the local plan is again being adequately implemented.

The Board also may take steps as outlined above where an LGU has not submitted or has not received approval of a local water plan in a timely way.

7.2.3 Applicability to Existing Approved Local Water Plans

Most LGUs wholly or partly within the District have completed and approved local plans responding to the District's 2007 plan. BWSR rules require these plans to be revised within two years of a District plan revision to maintain consistency. The reporting responsibility and procedures outlined in this revised Section 7.2 trigger this revision requirement and the specifics herein will apply to each LGU two years from the date of the District amendment or when the LGU plan revision is approved, if sooner. Until then, reporting and related procedures will apply to each LGU according to the terms of its prior local plan approval and any memorandum of understanding signed by the District and LGU in conjunction with that approval.

ORDINANCE NO. 189

AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING THE GREENWOOD ORDINANCE CODE CHAPTERS 3 & 5 ADDING PROVISIONS REGULATING THE
COMPLETION OF THE EXTERIOR OF STRUCTURES UNDER CONSTRUCTION

THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA DOES ORDAIN:

SECTION 1.

Greenwood ordinance code chapter 3 is amended to add the following regulations:

“Section 300.30. Completion of Exterior.

All exterior building work authorized by a permit issued in accordance with the SBC shall be completed within 180 days following the issuance of the building permit.

- (a) Administrative Extension. In the event the holder of a building permit is in need of additional time to complete all planned exterior building work, the permit holder may on payment of the applicable fee, (in an amount set by the city council and included in chapter 5 of this code) make written application to the zoning administrator for a one time 60-day extension to complete the exterior work of their project. The zoning administrator may grant the time extension upon a finding that:
 - (1) Substantial progress has been made toward completion. (Substantial progress means that the planned exterior work on the project is presently over 75% complete);
 - (2) A justifiable cause for the delay has been demonstrated; and,
 - (3) The permit holder has the capability to finish the planned exterior work within the time period of the extension.
- (b) Evidence. Prior to the grant of extension, the zoning administrator may require of the permit holder evidence of the ability to complete the exterior work, including but not limited to, a list of contractors and subcontractors under contract for the completion of the project.
- (c) Council Review. In the event the permit holder application for an administrative extension is denied or the permit holder believes they are in need of additional time to complete the planned exterior work, a permit holder may on payment of the applicable fee, (in an amount set by the city council and included in chapter 5 of this code), make written application to the city clerk for city council review and grant of additional time to complete the planned exterior work. The council may grant one extension for an additional 30 to 120 days if (1) substantial progress has been made toward completion, and (2) a justifiable cause for the delay has been demonstrated by the permit holder.
- (d) Noncompliance. Permit holders whose planned exterior work remains uncompleted shall be subject to an administrative citation and fine in an amount set by the city council and included in chapter 5 of this code following the procedures outlined in chapter 12 of this code. In the event a permit holder after receiving an extension to complete the planned exterior work, (administrative or council issued), then fails to complete the exterior work within the time granted, the permit holder shall be subject to an administrative citation and fine in an amount set by the city council and included in chapter 5 of this code. A continuing violation of this section, may be addressed by the city through administrative civil citations and/or, at the sole election of the city, a civil action for injunctive relief and all reasonable attorney fees, staff expenses, and costs incurred by the city can be assessed to the subject property.”

SECTION 2.

Greenwood ordinance code section 330.35 is amended read as follows:

“All buildings and structures, including garages, are required to have a certificate of occupancy issued by the city in accordance with the requirements of the International Building Code. A certificate of occupancy shall not be issued by the city until all fees and/or civil citation fines owed to the city have been paid in full, including but not limited to: load limit fees, building permit fees, permit to extend completion of exterior fees, non completion of exterior fines, nuisance code violation fines, and zoning code violation fines. Payment of fees/fines to the city in order to obtain a certificate of occupancy does not diminish a property owner’s right to appeal the fees/fines in an administrative hearing or in court.”

SECTION 3.

Greenwood ordinance code section 510 is amended to add the following:

“

Type of License, Permit, or Fee	Section	Fee	Conditions & Terms
Building: Permit to Extend Completion of Exterior Work	300.30	\$200 for first 30-day extension (administrative) \$400 for an additional extension (council)	

”

SECTION 4.

Greenwood ordinance code section 515 is amended to add the following:

“

Type of Violation	Section	Civil Fine	Notes
Building Code: Non Completion of Exterior	300.30	\$300	Each day a violation continues is subject to administrative civil citation.

”

SECTION 5.

Greenwood ordinance code section 515 is amended to revise the following:

“

Penal Code Violation	900 et seq	\$300	Each day a violation continues is subject to administrative civil citation.
Nuisance Code Violation	900 et seq	\$100	Each day a violation continues is subject to administrative civil citation.
Zoning Code Violation	1100 et seq	\$300	Each day a violation continues is subject to administrative civil citation.

”

SECTION 5.

Effective Date. This ordinance shall be effective upon publication according to law.

ENACTED BY THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA, THIS ____ DAY OF _____, 2011.

Ayes _____, Nays _____.

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Gus E. Karpas, City Clerk



DRAFT

Date: January 4, 2011
To: Udai Singh, Minnehaha Creek Watershed District
From: Greenwood City Council
Re: Comments Regarding District-Wide Aquatic Invasive Species (AIS) Control

The Greenwood City Council reviewed and discussed your 11-23-10 memo and proposed plan. The following outlines our comments:

1. Legally the District's proposal may be a "minor" amendment, but from Greenwood's perspective there is nothing "minor" about the District's AIS proposal. We see this as a major change in the jurisdiction of the District.
2. The majority of the council supports statewide AIS management by the Minnesota Department of Natural Resources. One council member supports local management by the Lake Minnetonka Conservation District. And one council member supports management by the Watershed District.
3. We understand the fact that no action may lead to the spread of AIS. We also understand that permits, inspections, and decontamination may slow the spread of AIS -- but ultimately will not stop AIS. Therefore, we believe public money should include funds to mitigate the effects of AIS and not be focused almost exclusively on a permit and inspection program.
4. Regarding the proposed District plan ... It is our opinion that the permit procedures for watercraft, docks, boat ramps, and other equipment as proposed in the Plan Amendment are neither practical nor realistic. We believe that \$180,000 severely underestimates the cost to implement such a plan. We would hope that the Watershed District would meet in work sessions with other stakeholders such as the Lake Minnetonka Conservation District, Hennepin County Sheriff, area cities, lake user groups, and the Three Rivers Park District to develop realistic permit and inspection procedures that address the spread of AIS in a practical, effective manner. We would support a realistic permit and inspection plan that has appropriate stakeholder input.
5. The District's proposed blue-tag / red-tag plan does not take into consideration that different lakes have different AIS issues. Instead it seems to lump all red-tag lakes together and in effect say "welcome" to AIS from all other red-tag lakes.
6. If an ad valorem tax levy is used to begin an AIS program, we agree (and prefer) that it should be spread out either watershed wide or statewide. We also strongly agree that the continuing costs should be shifted to permit fees charged to those whose activities present the greatest threat to spread AIS.

We appreciate the Watershed District's efforts to move the *talk* regarding AIS into *action*. We also support efforts to challenge the State of Minnesota to implement a comprehensive AIS plan that will negate the need for a District plan. If you have any questions regarding our comments, please contact Mayor Deb Kind, 952.401.9181, dkind100@gmail.com.



DRAFT

Date: January 4, 2011
To: Residents on Meadville, Covington, Fairview, and Sleepy Hollow
From: Greenwood City Council
Re: Speed

In recent years the city council has received numerous complaints regarding vehicles driving too fast on the above residential roads. The advisory limit of 15 mph was recently posted on Sleepy Hollow, and all of the other streets have posted limits of 20 mph. We are writing to ask you to please comply with these speed limits and to go even slower when pedestrians are present.

Observance of these limits by residents and guests will avoid the need to install expensive, inconvenient, and unattractive options such as speed bumps or large signs on our neighborhood streets. 100% observance of speed limits is in our mutual interest and control. Safety on our roads begins with YOU.

Please pass this information on to all members of your household and your guests. Thank you for helping make Greenwood a great place to live!

Greenwood City Council Agenda Item
January 4, 2011

Agenda Item: Discuss On-Street Parking During Snow Events and Depositing Snow on Streets.

Summary:

The city has received calls regarding snow being shoveled into the street and regarding the parking of private vehicles on public streets during snow events.

State statute (attached) prohibits depositing snow on any highway. The city may rely on the state statute or wish to amend the city code to clarify that all public streets are included (see attached ordinance from Minnetonka).

The city currently does not have an ordinance restricting winter parking on public streets, though it is not uncommon for cities to have such ordinances (see attached ordinances from Excelsior, Deephaven, Minnetonka, and Chanhassen)

The parking of vehicles on public streets causes a need for snowplows to revisit a number of sites in the city. Public Works Supervisor Jerry Hudlow says it takes a minimum of two hours at a minimum cost of \$85.65 an hour to clean the areas impacted by parked vehicles. He also said there are a minimum of twelve snowstorms a year, bringing the total amount of additional charges to the city to at least \$2,055 a year. He has identified eight vehicles that consistently park on the street. This breaks down to a \$257 cost to the city for each vehicle parked on the street.

160.2715 RIGHT-OF-WAY USE; MISDEMEANORS.

(a) Except for the actions of the road authorities, their agents, employees, contractors, and utilities in carrying out their duties imposed by law or contract, and except as herein provided, it shall be unlawful to:

(1) obstruct any highway or deposit snow or ice thereon;

(2) plow or perform any other detrimental operation within the road right-of-way except in the preparation of the land for planting permanent vegetative cover or as authorized under section 160.232;

(3) erect a fence on the right-of-way of a trunk highway, county state-aid highway, county highway, or town road, except to erect a lane fence to the ends of a livestock pass;

(4) erect or reconstruct driveway headwalls in or on the right-of-way of a highway or road, except as may be allowed by permit from the road authority imposing reasonable regulations as are necessary to prevent interference with the construction, maintenance, and safe use of the highway or road and its appurtenances;

(5) dig any holes in any highway, except to locate markers placed to identify sectional corner positions and private boundary corners;

(6) remove any earth, gravel, or rock from any highway;

(7) obstruct any ditch draining any highway or drain any noisome materials into any ditch;

(8) place or maintain any building or structure within the limits of any highway;

(9) place or maintain any advertisement within the limits of any highway, except as provided in section 160.27, subdivision 7;

(10) paint, print, place, or affix any advertisement or any object within the limits of any highway, except as provided in section 160.27, subdivision 7;

(11) deface, mar, damage, or tamper with any structure, work, material, equipment, tools, signs, markers, signals, paving, guardrails, drains, or any other highway appurtenance on or along any highway;

(12) remove, injure, displace, or destroy right-of-way markers, or reference or witness monuments, or markers placed to preserve section or quarter-section corners;

(13) improperly place or fail to place warning signs and detour signs as provided by law;

(14) drive over, through, or around any barricade, fence, or obstruction erected for the purpose of preventing traffic from passing over a portion of a highway closed to public travel or to remove, deface, or damage any such barricade, fence, or obstruction.

(b) Any violation of this section is a misdemeanor.

History: 1959 c 500 art 1 s 27; 1973 c 123 art 5 s 7; 1977 c 334 s 1; 1979 c 275 s 1; 1980 c 435 s 1; 1980 c 533 s 2; 1986 c 387 s 1; 1986 c 398 art 27 s 2; 1986 c 435 s 1; 1989 c 179 s 2; 1995 c 23 s 1; 1998 c 283 s 1,2; 1998 c 403 s 5,6; 2004 c 295 art 2 s 15

SNOW REMOVAL RESTRICTIONS

MINNETONKA

1130.010. Prohibitions.

1. A person must not deposit snow or ice, plowed or removed from private property, onto a public street or other public property.
2. A person must not deposit snow or ice, regardless of place of origin, onto a public street in a manner that unreasonably obstructs the use of the street.

WINTER PARKING RESTRICTIONS

EXCELSIOR

See attached.

DEEPHAVEN

Subd. 2. Prohibited Parking After Snowfall. No person may park or leave unattended any vehicle on any public street or City parking lot in the City after two inches or more of snow has fallen until the street has been completely plowed. In addition to any other penalties imposed for violation of this Section, the Chief of Police is authorized to cause any vehicle parked or left unattended in violation of this Section to be towed from the street at the expense of the owner of the vehicle.

MINNETONKA

Chapter 9 Public Safety, Parking Regulations

15. A person must not park a motor vehicle or trailer, or allow a motor vehicle or trailer under his/her control, to remain on a street, road or highway in a manner that interferes with the removal of snow, sleet, slush or ice from the street, road or highway. In addition to any other penalties imposed for the violation of this section, the police department may order that the motor vehicle or trailer be towed from the right-of-way at the owner's expense.

CHANHASSEN

Sec. 12-16. - Winter parking regulations.

On street parking is prohibited between November 1 and April 1 between the hours of 1:00 a.m. and 7:00 a.m. On-street parking also is prohibited when there is two inches or more of snow on a street until the street has been plowed curb to curb. Representatives of the Carver County Sheriff's Department, Minnesota State Patrol, and community service officers shall have the authority to impound vehicles in violation of this section.



EXCELSIOR CODE

DIVISION 3. WINTER PARKING

Sec. 32-131. Purpose of division.

The city, in recognition of the need to provide orderly and unobstructed snow removal from city streets, hereby establishes the conditions and restrictions of this division for winter parking on city streets.

(Code 1982, § 720:30, subd. 1)

Sec. 32-132. Definitions.

The following words, terms, and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Snow emergency means every occurrence of snowfall where snow has accumulated to a depth of two inches or more. Each snow emergency shall commence at 1:00 a.m. following the accumulation of snow to a depth of two inches and shall remain in effect on each city street until 7:00 a.m.

Vehicle means every device in, upon, or by which any person or property is or may be transported or drawn upon a city street.

(Code 1982, § 720:30, subd. 2; Ord. No. 435, § 1, 1-5-2009)

Cross references: Definitions generally, § 1-2.

Sec. 32-133. Parking prohibitions during snow emergency.

When a snow emergency is in effect, parking prohibitions shall apply to all city streets pursuant to this division.

(Code 1982, § 720:30, subd. 3)

Sec. 32-134. Division not to apply to central business district.

This division shall not apply to the central business district of the city which is defined as: Water Street between Lake Street and County Road 19; and Second Street between Center Street and Morse Avenue.

(Code 1982, § 720:30, subd. 4)

Sec. 32-135. Parking during snow emergency; restrictions.

During a snow emergency, no vehicle shall be parked on city streets, except in conformity with the following:

(1) On all even-numbered calendar days, parking is permitted on the side of the city street with even-numbered house numbers from 1:00 a.m. to 7:00 a.m.

(2) On all odd-numbered calendar days, parking is permitted on the side of the city street with odd-numbered house numbers from 1:00 a.m. to 7:00 a.m.

(3) On all city streets with posted parking restrictions on one side of the street only, parking is permitted on the side of the street with no posted parking restrictions every day, except pursuant to section 32-137.

(Code 1982, § 720:30, subd. 5; Ord. No. 435, § 1, 1-5-2009)

Sec. 32-136. Applicability of division provisions.

Notwithstanding any provisions of this division, all specific parking prohibitions or restrictions authorized by the city council, either through ordinance or resolution, shall apply in full force and effect.

(Code 1982, § 720:30, subd. 6)

Sec. 32-137. Posting of signs.

The public works superintendent is authorized to post no parking signs for snow removal along city streets where snow removal operations require the use of the entire width of the street by snow plowing and removing equipment. Such signs shall be posted at frequent distance intervals at least four hours prior to the time when snow removal commences, and such signs shall be removed promptly after completion of the snow removal operation. Snow removal shall be done on any street so posted as soon as possible following a lapse of four hours after posting the signs. It shall be unlawful for any person, other than an authorized representative of the public works department or police department of the city, to remove any no parking sign.

(Code 1982, § 720:30, subd. 7)

Sec. 32-138. Towing of vehicles.

Vehicles found parked or stopped on city streets in violation of the provisions of this division will be cited by the police department and may be moved or towed away without notice to the owner. Vehicles so towed may be claimed by the owner or his authorized representatives after payment to the impound facility of costs and expenses for towing, removing, and storage of such vehicle.

(Code 1982, § 720:30, subd. 8)

Sec. 32-139. Violation of division.

Any person violating this division shall be guilty of a petty misdemeanor.

(Code 1982, § 720:30, subd. 9)

Secs. 32-140--32-160. Reserved.

leave such vehicle off such part of the street or highway, but in every event a clear and unobstructed width of at least 20 feet of such part of the street or highway shall be left for the free passage of other vehicles, and a clear view of such stopped vehicle shall be available for a distance of 200 feet in each direction upon such street or highway. No vehicle shall be parked continuously at any place in any public street for a period of more than 72 consecutive hours.

Section 710.20. Snow Removal Parking Restrictions.

The city agent in charge of city streets is hereby authorized to post no parking signs for snow removal along public streets of the municipality where snow removal operations will require the use of the entire width of the street by snow plowing and removing equipment. Such signs shall be posted at frequent intervals at least 6 hours prior to the time when snow removal commences on the street so posted, and such signs shall be removed promptly after completion of the snow removal operation. Snow removal shall be done on any street so posted as soon as possible following a lapse of six 6 hours after posting the signs. No person shall park any vehicle, nor leave any vehicle which was parked at the time of posting for a period of more than 2 hours thereafter, in any block on any street so posted during the time the said signs are posted thereon, and it shall be unlawful for any person other than an authorized representative of the superintendent of the street department or police department of the city to remove said signs.

Section 710.25. Regulation of Fire Lane Use.

The city council may, from time to time, by resolution designate such portions of the highways and streets within the city which dead end at the waters edge of public waters as no parking zones, parking by permit only zones, limited parking zones, no trailer parking zones, no boat launching, no lake access zones, restricted lake access zones, and may prohibit or restrict the use and operation of motor vehicles (as defined by Minnesota statutes) including boats, trailers, snowmobiles, and all terrain vehicles thereon by vehicle type, purpose, season, permit, dates, times and such other restrictions as deemed necessary, including the installation of seasonal or permanent barriers within the public right of way. The city council shall cause such zones to be marked by appropriate signs. The location of such signs and the restrictions stated thereon shall be prima facie evidence that the city council has by proper resolution authorized the establishment of such no parking zones, parking by permit only zones, limited parking zones, no trailer parking zones, no boat launching, no lake access zones, restricted lake access zones or other restricted use zones. The city council shall make a determination of such use restriction zones on the basis of necessity in the interest of the public health safety and welfare. No person shall park or perform an act in contravention of the posted restriction.

SECTION 715. PARKING, SNOW OR OTHER EMERGENCIES.

Section 715.00. Definitions.

See chapter 12 for definitions.

Section 715.05. Authority to Declare Emergency.

Whenever in the opinion of the mayor, city clerk, city agent in charge of streets, or chief of police an emergency exists in this municipality, or in a section or sections thereof, because of snow, freezing rain, sleet, ice, snowdrifts or other phenomena which create, or are likely to create, hazardous road conditions impeding, or likely to impede, the free movement of fire, health, police, emergency or other vehicular traffic, or the safety and welfare of the community, the mayor, city clerk, city agent in charge of streets, or the chief of police may declare an emergency to exist for a period of 72 hours and notice thereof shall be given by whatever means are available, such as posting signs or by word of mouth.

Section 715.10. Emergency Declared, Parking Prohibited.

Upon the declaration of a state of emergency, the mayor, city clerk, city agent in charge of streets, or the chief of police may prohibit the parking, standing or leaving of any vehicles upon any or all streets. Parking may be resumed on individual streets as soon as plowing has been completed on that street, or said street becomes passable.

Section 715.15. Removal of Vehicles.

If any vehicle is parked, abandoned or left standing in violation of the terms of this ordinance, the same may be moved by the city at the cost and expense of the owner thereof.

Section 900.15. Public Nuisances Affecting Peace and Safety.

The following are declared to be nuisances affecting public peace and safety:

- (a) All snow and ice that is not removed from public sidewalks 24 hours after the snow or other precipitation causing the condition has ceased to fall.
- (b) All trees, hedges, billboards, or other obstructions that prevent people from having a clear view of all traffic approaching an intersection.
- (c) All wires and limbs of trees that are so close to the surface of a sidewalk or street as to constitute a danger to pedestrians or vehicles.
- (d) Dead trees or dead tree limbs that in the opinion of the city's forester or certified tree inspector, public works official, or fire marshal constitute a safety or fire hazard.
- (e) Any person participating in any party or other gathering that causes the unreasonable disturbing of the peace, quiet, or repose of another person.
- (f) All unnecessary and annoying vibrations.
- (g) Obstructions and excavations affecting the ordinary public use of streets, alleys, sidewalks, or public grounds, except under conditions as are permitted by this ordinance or other applicable law.
- (h) Radio aerials or television antennae erected or maintained in a dangerous manner.
- (i) Any use of property abutting on a public street or sidewalk or any use of a public street or sidewalk that causes large crowds or people to gather, obstructing traffic and the free use of the street or sidewalk.
- (j) All hanging signs, awnings, and other similar structures over streets and sidewalks, so situated as to endanger public safety, or not constructed and maintained as provided by ordinance.
- (k) The allowing of rainwater, ice, or snow to fall from any building or structure upon any street or sidewalk or to follow across any sidewalk.
- (l) Barbed wire or any sharp iron points on any railing of posts anywhere within the corporate limits of the city.
- (m) All dangerous, unguarded machinery in any public place, or so situated or operated on private property as to attract the public.
- (n) Wastewater cast upon or permitted to flow upon streets or other public properties.
- (o) Accumulations in the open of discarded or disused machinery, household appliances, automobile bodies or other materials in a manner conducive to the harboring of rats, mice, snakes, or vermin, or the rank growth of vegetation among the items so accumulated, or in a manner creating fire, health, or other safety hazards from such accumulation.
- (p) Any well, hole, or similar excavation that is left uncovered or in such other condition as to constitute a hazard to any child or other person coming on the premises where it is located.
- (q) Obstruction to the free flow of water in a natural waterway or a public street drain, gutter, or ditch with trash or other materials.
- (r) The placing or throwing on any street, sidewalk, or other public property of any glass, tacks, nails, bottles, or other substances that may injure any person or animal or damage any tire when passing over such substance.
- (s) The depositing of garbage or refuse on a public right-of-way or on adjacent private property.
- (t) No person shall lurk, lie in wait or conceal himself in or about any premises with intent to do mischief or to commit any penal offense whatever, such acts to be prima facie evidence of such intent.
- (u) Whoever does any of the following in a public or private place, knowing, or having reasonable grounds to know that it will, or will tend to, alarm, anger or disturb others or provoke an assault or breach of the peace, is guilty of disorderly conduct:
 - 1. Engages in brawling or fighting; or
 - 2. Disturbs an assembly or meeting, not lawful in its character; or
 - 3. Engages in offensive, obscene, or abusive language or in boisterous and noisy conduct tending reasonably to arouse alarm, anger, or resentment in others.
- (v) All other conditions or things likely to cause injury to the person or property of another.

Section 900.20. Firearms Regulations.

Subd. 1. Firearms. For the purposes of this section, a firearm shall be defined as any gun, rifle, pistol, carbon dioxide propellant gun or rifle, pellet gun or rifle, or any other weapon propelling a missile by gunpowder explosive, but firearms shall not include B-B guns or air guns.

Subd. 2. Permit to Discharge Firearms. Any person who shall fire or discharge any firearm as defined herein within the city without having in their immediate possession a permit issued by the city council, shall be guilty of a



Sign Source, Inc.
 7660 Quattro Drive
 Chanhassen, MN 55317
 Web: www.sign-source.com

Estimate #: 16499
Option: Cedar option
 Page 1 of 1

Created Date:	July 20, 2009	Prepared For:	City of Greenwood
Last Modified:	February 22, 2010	Proof Due Date:	
Salesperson:	Bob Ackerwold	Contact:	Roberta Whipple ,City Administrator
Email:	boba@sign-source.com	Office Phone:	(952) 474- 6633
Office Phone:	(952) 908- 9107	Office Fax:	(952) 401- 7587
Office Fax:	(952) 908- 9147	Email:	
Entered by:	Terry Heydt	Address:	20225 Cottagewood Rd Deephaven, MN 55331

Description: Cedar sign

Option: Cedar option

	Quantity	Unit Price	Subtotal
1	1	\$1,720.00	\$1,720.00
Description: Sandblasted Cedar sign with two color paint. Single sided. Sign to mount to existing posts. GREENWOOD City On The Lake • 1x) 95 in. W x 22.75 in. H Sign(s) • 1 Sided • Grain Oriented: Horizontal			
	Quantity	Unit Price	Subtotal
2	2	\$65.00	\$130.00
Description: Design & File Layout • Design Time: 2 hr • 1x)			
	Quantity	Unit Price	Subtotal
3	1	\$336.50	\$336.50
Description: Installation of new sign on existing posts. Includes removal and disposal of existing sign. • Work At Address: Greenwood • This Installation Is: On An Existing Structure • City Permits for sign installation will be additional or handled by others, if applicable.			

Subtotal: \$2,186.50
Total: \$2,186.50

Shipping & handling, if applicable, is additional. All estimated shipping & handling amounts are for reference only. Actual shipping & handling will be determined at time of shipment.

Terms: COD. Net 30 Account Setup Form Available From Salesperson **Deposit Required:** \$1,093.25
Remainder due COD. Please pay from invoice.: \$1,093.25

Charge my credit card at shipment I will mail a check prior to shipping. Please provide detailed invoice.

Client Reply Request for Option: Cedar option

QUOTES AND ESTIMATE ARE GOOD FOR 30 DAYS UNLESS NOTED OTHERWISE

Acceptance of Terms: All new customers will be required to pay by cash, check, money order or credit card, prior to the order being delivered. Customers who would like to establish credit with our company should request a credit application from their salesperson. Once credit has been established, the customer will be billed on a Net 30 Day basis. On larger projects, we may request a down payment or a progressive payment schedule.

Estimate Accepted "As Is". Please proceed with Order.

Other: _____

Changes required, please contact me.

SIGN: _____ **Date:** / /



Sign Source, Inc.
 7660 Quattro Drive
 Chanhassen, MN 55317
 Web: www.sign-source.com

Estimate #: 16499
Option: Signfoam option
 Page 1 of 1

Created Date: July 20, 2009	Prepared For: City of Greenwood
Last Modified: February 22, 2010	Proof Due Date:
Salesperson: Bob Ackerwold	Contact: Roberta Whipple ,City Administrator
Email: boba@sign-source.com	Office Phone: (952) 474- 6633
Office Phone: (952) 908- 9107	Office Fax: (952) 401- 7587
Office Fax: (952) 908- 9147	Email:
Entered by: Terry Heydt	Address: 20225 Cottagewood Rd Deephaven, MN 55331

Description: Cedar sign

Option: Signfoam option

	Quantity	Unit Price	Subtotal
1	1	\$1,073.50	\$1,073.50
Description: Sandblasted Signfoam sign with two color paint. Single sided. Sign to mount to existing posts. GREENWOOD City On The Lake • 1x) 95 in. W x 22.75 in. H Sign(s) • 1 Sided • Grain Oriented: Horizontal			
	Quantity	Unit Price	Subtotal
2	2	\$65.00	\$130.00
Description: Design & File Layout • Design Time: 2 hr • 1x)			
	Quantity	Unit Price	Subtotal
3	1	\$336.50	\$336.50
Description: Installation of new sign on existing posts. Includes removal and disposal of existing sign. • Work At Address: Greenwood • This Installation Is: On An Existing Structure • City Permits for sign installation will be additional or handled by others, if applicable.			

Subtotal: \$1,540.00
Total: \$1,540.00

Shipping & handling, if applicable, is additional. All estimated shipping & handling amounts are for reference only. Actual shipping & handling will be determined at time of shipment.

Terms: COD. Net 30 Account Setup Form Available From Salesperson **Deposit Required:** \$770.00
Remainder due COD. Please pay from invoice.: \$770.00

Charge my credit card at shipment I will mail a check prior to shipping. Please provide detailed invoice.

Client Reply Request for Option: Signfoam option

QUOTES AND ESTIMATE ARE GOOD FOR 30 DAYS UNLESS NOTED OTHERWISE

Acceptance of Terms: All new customers will be required to pay by cash, check, money order or credit card, prior to the order being delivered. Customers who would like to establish credit with our company should request a credit application from their salesperson. Once credit has been established, the customer will be billed on a Net 30 Day basis. On larger projects, we may request a down payment or a progressive payment schedule.

Estimate Accepted "As Is". Please proceed with Order. Other: _____

Changes required, please contact me. **SIGN:** _____ **Date:** / /

Sandblasted Options

● Interior ● Exterior

1 1.5" Deep Sandblasted Sign Foam
Painted to Match Existing Posts

2 1.5" Deep Sandblasted Cedar
Painted to Match Existing Posts



Above Sign Installed on Existing Posts

Above Sign Installed on Existing Posts



Drawing Date: 02.11.10

Customer:	City of Greenwood
Order #:	E16499
Project Mgr:	Bob Ackerwold
Designer:	Korey McDermott
File Loc:	<input type="radio"/> A-Z <input checked="" type="radio"/> Korey's Mac
File Name:	E16499 City of Greenwood.ai

Details: File Scale: 1:4

Sign Type 1: Sandblasted Sign Foam

Sign Type 2: Sandblasted Cedar Panel

Size 1: See Layout

Size 2: -

Font 1: TBD

Font 2: -

Color (A) Match Existing Green

Color (B) White

Color (C) PMS

Color (D) PMS

Color (E) PMS

Rev: 1.0 | Revision Notes

Rev. 2: -

Rev. 3: -

Rev. 4: -

Rev. 5: -

Rev. 6: -



7660 Quattro Drive | Phone: 952.908.9127
Chanhassen, MN 55317 | Fax: 952.908.9169
www.sign-source.com | KoreyM@Sign-Source.com

I have verified the accuracy of colors, layout, quantities, sizes, spelling, & wording. I hereby authorize release to Production according to this approved submittal.

APPROVED AS IS: _____

PRODUCTION WILL NOT BEGIN UNTIL SIGNED APPROVAL IS FAXED BACK

REVISE & RESUBMIT: _____



This drawing is the property of SignSource, Inc. and may not be used, reproduced or disclosed without written authorization.

**Greenwood City Council Agenda Item
January 4, 2011**

Agenda Item: Discuss Ordinance No. 190, Limiting the Number of Required Front Yard Setbacks.

Summary:

The current city ordinance requires a front yard setback for all yards abutting platted right of way. In some instances, there are lots that have three yards abutting platted right of way.

The attached ordinance will require front yard setbacks only on two yards, leaving it to the discretion of the Zoning Administrator as to how the setbacks are to be applied.

Planning Commission Action:

Motion by Commissioner Beal to recommend the City Council adopt Ordinance 190, amending sections of the zoning ordinance limiting the number of required front yard setbacks for lots with three road frontages, as written. Commissioner Paeper seconded the motion. Motion carried 5-0.

ORDINANCE NO. 190

AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING THE GREENWOOD ORDINANCE CODE CHAPTER 11 TO LIMIT THE NUMBER OF
REQUIRED FRONT YARD SETBACKS

THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA DOES ORDAIN:

SECTION 1.

Greenwood ordinance code section 1120.15 is amended to read as follows:

“Section 1120.15. R-1A Setbacks.

Subject to the provisions of section 1176 et seq., the following front, side and rear yard setbacks shall be considered as minimum standards for buildings:

Land Use	Front Yard *** (ft.)	Lot, Interior - Side Yard (ft.)	Rear Yard (ft.)	Lakeshore (ft.)
Single-Family Principal Structure	30	15	35	50
Municipal Park Equipment	50	50	50	—
Single-Family Accessory Structures	*	10	10	**
Theaters	50	50	50	**

* No accessory structures shall be located in any required front yard (section 1140.10, subdivision 2).

** No accessory structures shall be built on any lot between the lakeshore and the side of the principal structure facing the lakeshore.

*** Lots that meet the definition of “Lot, Corner” shall not be required to provide more than 2 front yard setbacks per lot. The location of the 2 front yard setbacks on lots abutting 3 or more platted right-of-ways shall be at the discretion of the zoning administrator and the remaining yard shall meet the “Lot, Interior - Side Yard” setback requirement in the chart above.”

SECTION 2.

Greenwood ordinance code section 1122.15 is amended to read as follows:

“Section 1122.15. R-1B Setbacks.

The following front, side and rear yard setbacks shall be considered as minimum standards for buildings:

Land Use	Front Yard *** (ft.)	Lot, Interior - Side Yard (ft.)	Rear Yard (ft.)	Lakeshore (ft.)
Single-Family Principal Structure	35	15	60	50
Municipal Park Equipment	50	50	50	NA
Accessory Structures	35 *	10	10	**

* No accessory structures shall be located in any required front yard (section 1140.10, subdivision 2).

** No accessory structures shall be built on any lot between the lakeshore and the side of the principal building nearest the lake on the lot.

*** Lots that meet the definition of “Lot, Corner” shall not be required to provide more than 2 front yard setbacks per lot. The location of the 2 front yard setbacks on lots abutting 3 or more platted right-of-ways shall be at the discretion of the zoning administrator and the remaining yard shall meet the “Lot, Interior - Side Yard” setback requirement in the chart above.”

SECTION 3.

Greenwood ordinance code section 1125.15 is amended to read as follows:

“Section 1125.15. R-2 Setbacks.

The following front, side and rear yard setbacks shall be considered as minimum standards for buildings:

Land Use	Front Yard *** (ft.)	Lot, Interior Side Yard (ft.)	Rear Yard (ft.)	Lakeshore (ft.)
Single-Family Principal Structure	30	10	35	50
Municipal Park Equipment	50	50	50	50
Civic & Government Buildings	50	50	50	100
Public & Private Utilities	50	100	100	100
Accessory Structures	*	5	10	**

* No accessory structure shall be located on any required front yard (section 1140.10, subdivision 2).

** No accessory structures shall be built on any lot between the lakeshore and the side of the principal structure facing the lakeshore on the lot.

*** Lots that meet the definition of "Lot, Corner" shall not be required to provide more than 2 front yard setbacks per lot. The location of the 2 front yard setbacks on lots abutting 3 or more platted right-of-ways shall be at the discretion of the zoning administrator and the remaining yard shall meet the "Lot, Interior - Side Yard" setback requirement in the chart above."

SECTION 4.

Effective Date. This ordinance shall be effective upon publication according to law.

ENACTED BY THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA, THIS ____ DAY OF _____, 2011.

Ayes _____, Nays _____.

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Gus E. Karpas, City Clerk

Resolution 01-11
City of Greenwood Appointments and Assignments for 2011

Be it resolved that the city council of the City of Greenwood, Minnesota
approves the following appointments for January 1, 2011 through December 31, 2011

OFFICE & DESIGNATIONS	2010 HOLDER	2011 HOLDER
Mayor Pro-Tem	Bob Quam	Bob Quam
Administrative Committee	Tom Fletcher, Deb Kind	Tom Fletcher, Deb Kind
Animal Enforcement Officer	South Lake Police Department	South Lake Police Department
Assessor	Hennepin County	Hennepin County
Attorney	Mark Kelly	Mark Kelly
Auditor	Larsen Allen	Larsen Allen
Bank Signatures	Kind, Quam, Courtney	Kind, Quam, Courtney
Building Official	Bob Manor	Bob Manor
Clerk	Gus Karpas	Gus Karpas
Depositories	Bridgewater Bank, Beacon Bank	Bridgewater Bank, Beacon Bank
Engineer	Bolton & Menk (Dave Martini)	Bolton & Menk (Dave Martini)
Fire Board Representative – 3rd Wed (Jan, Mar, May, Jul, Sep, Nov)	Biff Rose	Biff Rose
Forester / Tree Inspector	Jerry Hudlow	Jerry Hudlow
Lake Minnetonka Communications Commission (LMCC) Representatives – 1 must be elected official, meets 3rd Tues (Feb, May, Aug, Nov)	Lake Bechtell, Tom Fletcher	Lake Bechtell, Tom Fletcher
Lake Minnetonka Conservation District (LMCD) Representative – 3rd Wed	Kelsey Page (2/11)	Kelsey Page (2/14)
Milfoil Project Liaison	Tom Fletcher	Tom Fletcher
Minnetonka Community Education (MCE) Representative – 4th Mon	Bob Quam	Bob Quam
Newspapers	Sun-Sailor, Star Tribune (alt.)	Sun-Sailor, Star Tribune (alt.)
Planning Commissioners – 3rd Wed	A-1 Todd Palmberg (3/12)	A-1 Todd Palmberg (3/12)
	A-2 John Beal (3/12)	A-2 John Beal (3/12)
	A-3 Dave Paeper (3/12)	A-3 Dave Paeper (3/12)
	B-1 Pat Lucking (3/11)	B-1 Pat Lucking (3/11)
	B-2 Mark Spiers (3/11)	B-2 Mark Spiers (3/11)
	Alt-1 Bill Cook (3/12)	Alt-1 Bill Cook (3/12)
	Alt-2 Brian Malo (3/11)	Alt-2 Brian Malo (3/11)
Planning Commission Liaison – 3rd Wed	Tom Fletcher	Tom Fletcher
Responsible Authority (Govt. Data Practices Act)	Gus Karpas	Gus Karpas
Road and Sewer Liaison	Bob Quam	Bob Quam
South Lake Minnetonka Police Department (SLMPD) Coordinating Committee Representative – Must be mayor, meets quarterly	Deb Kind	Deb Kind
Treasurer	Mary Courtney	Mary Courtney
Weed Inspector – Must be mayor	Deb Kind	Deb Kind
Zoning Administrator	Gus Karpas	Gus Karpas

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENWOOD,
that any and all commissioners, appointees, representatives, delegates, or other non-elected officials of the city shall hold
their official status or membership on a basis subject to resolution, subject to reconsideration, and/or removal at the
insistence of the city council. This resolution is enacted pursuant to the codes of the city.

Adopted by the city council of the City of Greenwood this 4th day of January, 2011.

Ayes: ____ Nays: ____

CITY OF GREENWOOD

By: _____
Debra L. Kind, Mayor

Attest: _____
Gus F. Karpas, City Clerk



LMCC

LAKE MINNETONKA COMMUNICATIONS COMMISSION

4071 SUNSET DRIVE ■ BOX 385 ■ SPRING PARK, MN 55384-0385 ■ 952.471.7125 ■ FAX 952.471.9151 ■ lmcc@lmcc-tv.org

DEEPHAVEN

Date: December 23, 2010
 To: All LMCC City Members
 From: Sally Koenecke, LMCC Executive Director
 Re: Appointment of 2011 Commissioners

EXCELSIOR

GREENWOOD

INDEPENDENCE

LONG LAKE

LORETTO

MAPLE PLAIN

MEDINA

MINNETONKA
BEACH

MINNETRISTA

ORONO

ST. BONIFACIUS

SHOREWOOD

SPRING PARK

TONKA BAY

VICTORIA

WOODLAND

Each city member of the LMCC is entitled to appoint two directors (commissioners) to the LMCC. These positions should be appointed by resolution of the council of each member, for a term of one calendar year. This is to be done in January or your earliest meeting in February so that the appointees can attend the first Full Commission Meeting February 15.

According to the Joint Powers Agreement, the directors must include, "at least one (director) of whom shall be a member of that (city) council and the other a qualified voter residing within that city. The City council of each member shall be entitled to appoint at least one alternate director." The alternate director must also be a voter residing within the city. Unless commissioners are on the Executive Committee they are only expected to attend the Quarterly Full Commission meetings.

The Full Commission meets quarterly, the third Tuesday of the month at 5:30 PM with the first Full Commission meeting in February. The Executive Committee meets every month the Full Commission does not meet at 5:00. After receiving confirmation of your city appointees, I will mail all commissioners a schedule of meetings. The new commissioners will receive a copy of the Joint Powers Agreement so they are informed of their role as commissioner and the role of the commission as the regulatory authority for cable television. This year we have scheduled a Commission Orientation for February 23rd as an informational session on the commission and the responsibilities of commissioners.

Please send me a copy of the minutes in which your city appointed the LMCC commissioner representatives and their addresses so that I can contact and provide them the information. Thank you for your city's participation in the LMCC.
 We hope your holiday season is a wonderful one!

Sincerely

Sally Koenecke
 Executive Director

Resolution 02-11
 City of Greenwood Dates for 2011

Be it resolved that the city council of the City of Greenwood, Minnesota approves the following dates for planning commission meetings, city council meetings, and variance / conditional use permit / subdivision applications:

	Publish Date	Planning Commission	
Application Date	Sun Sailor	Public Hearing	Council Meeting
Tuesdays	Thursdays	7 PM, 2nd Wednesdays	7 PM, 1st Tuesdays
November 15, 2010	December 2, 2010	December 15, 2010	January 4, 2011
December 14, 2010	January 6, 2011	January 19, 2011	February 1, 2011
January 18, 2011	February 3, 2011	February 16, 2011	March 1, 2011
February 15, 2011	March 3, 2011	March 16, 2011	April 5, 2011
March 15, 2011	April 7, 2011	April 20, 2011	May 3, 2011
April 19, 2011	May 5, 2011	May 18, 2011	June 7, 2011
May 17, 2011	June 2, 2011	June 15, 2011	July 5, 2011
June 14, 2011	July 7, 2011	July 20, 2011	August 2, 2011
July 19, 2011	August 4, 2011	August 17, 2011	September 6, 2011
August 16, 2011	September 8, 2011	September 21, 2011	October 4, 2011
September 20, 2011	October 6, 2011	October 19, 2011	November 1, 2011
October 18, 2011	November 3, 2011	November 16, 2011	December 6, 2011
November 15, 2011	December 8, 2011	December 21, 2011	January 3, 2012

Planning commission and city council meetings are held in the Council Chambers, 20225 Cottagewood Road, Deephaven, MN 55331. Meetings may be changed due to lack of quorums.

Be it resolved that the city council of the City of Greenwood, Minnesota approves the following additional dates:

	Date	Time	Notes
Pre-Board Meeting with Assessors	April 4, 2011	6:00 PM	1st Tuesday in April, before council meeting
Local Board of Appeal & Equalization Meeting	April 14, 2011	6:00 PM	2nd Thursday in April
Subsequent Local Board of Appeal & Equalization Meeting	April 28, 2011	6:00 PM	Last Thursday in April
Spring Clean-Up Day	May 7, 2011	8:00 AM	1st Saturday in May
City Council & Planning Commission Joint Work Session	May 12, 2011	7:00 PM	2nd Thursday in May
Budget Public Comment Opportunity	December 6, 2011	7:00 PM	December Council Meeting

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENWOOD, that this resolution is adopted by the city council of the City of Greenwood this 4th day of January, 2011.

Ayes: ____ Nays: ____

CITY OF GREENWOOD

By: _____
 Debra J. Kind, Mayor

Attest: _____
 Gus E. Karpas, City Clerk

December 22, 2010

To: City Managers and Administrators
Cc: LMCC Commissioners

LMCC Member Cities,

The LMCC has selected CCG to conduct the fiber optic project market survey. CCG has completed similar surveys all over the country including ones for Monticello, Anoka County and Cook County in Minnesota.

The survey will have an accuracy of 95% plus/minus 5% , be conducted by telephone to residences and be completed by 3/31/11. Member Cities will receive a copy of the survey report with questions asked and if they desire, the raw responses to the survey questions.

The LMCC is paying for the survey. It's been decided that grouping Member Cities into four groups will provide the sample pool sizes necessary for accuracy and keep the survey cost manageable.

Since there have been a few cities asking if they could have separate surveys, the LMCC is offering this option, but there will be a cost that that the city will need to pay. The city costs of individual surveys are listed below.

NOTE: that CCG has recommended against doing individual surveys except for the largest cities as it will be difficult and in some cases, impossible, to obtain the desired survey accuracy due to the small number of households available to sample.

If your city wants an individual survey, the LMCC needs a commitment by January 14th. Again, unless an individual survey is requested, all Member Cities will be surveyed as part of one of the four groups and there is no cost to the individual cities.

Individual City Survey Prices

Group

1	Woodland	\$ 1,125
	Deephaven	\$ 2,718
	Greenwood	\$ 1,602
	Shorewood	\$ 3,024

Group

2	Excelsior	\$ 2,619
	Tonka Bay	\$ 2,160
	Mtka Beach	\$ 1,260
	Spring Pk	\$ 2,538

Group

3	Victoria	\$ 2,979
	St Boni	\$ 2,421
	Minnetrista	\$ 2,943

Group

4	Long Lake	\$ 2,268
	Orono	\$ 3,069
	Medina	\$ 2,835
	Loretto	\$ 1,341
	Independence	\$ 2,655
	Maple Plain	\$ 2,286

Sincerely,

Sally Koenecke
Lake Minnetonka Communications Commission
952-471-7125
Sally@lmcc-tv.org

Subject: Speed Cart**Date:** Thursday, December 16, 2010 12:21 PM**From:** Brian Heck City of Shorewood <bheck@ci.shorewood.mn.us>**To:** Bryan Litsey (SLMTKA Police Chief) blitsey@southlakepd.com**Cc:** Chris Lizee chrislizee@gmail.com, Debra Kind dkind100@gmail.com, bill@labellebarin.com bill@labellebarin.com, nruehl@mchsi.com nruehl@mchsi.com, Kristi Luger City of Excelsior kluger@ci.excelsior.mn.us, Dana Young City of Deephaven danayoung@mchsi.com, Joe Kohlmann jkohlmann@cityoftonkabay.net

Bryan,

I spoke to Mayor Kind and Mayor Lizee regarding the disposition of the speed cart Shorewood acquired in 2008 and that your department manages and deploys on our behalf.

Over the past couple of years, I have taken calls from Greenwood, Deephaven, and Tonka Bay about deploying the cart in their communities – Deephaven would result in a small administrative set-up fee.

In all the cases, I indicated using the cart in these communities would be fine and encouraged.

After speaking with Mayor Lizee, I am planning to prepare an agenda item for consideration by the council that will effectively turn over full operation and decision making on placement of the speed cart over to the SLMPD. It is my feeling that since your department already manages deployment, that the mayor or administrator from one of the SLMPD cities should be able to contact you, Lieutenant Pierson, or Mr. Hohertz and request the speed cart be worked into the deployment schedule without having to check with me first. I also feel that if Deephaven or another non-SLMPD community would like to “rent” the cart, that your department can do so at a reasonable rate established.

I would suggest the Coordinating board consider a policy on managing requests and that any placement of the speed cart result in the statistical report being provided to the city administrator/manager of the city where the unit is placed.

I will forward you the agenda item when I have it prepared and I would like your thoughts on this as well.

Brian W. Heck - ICMA - CM
City Administrator
City of Shorewood
5575 Country Club Road
Shorewood, MN 55331
Office - 952-960-7905
Mobile - 952-463-5836



2011 Planning Commission Application

Please complete the below form and return to 20225 Cottagewood Road, Deephaven, MN 55331. You also may submit the application by email to administrator@greenwoodmn.com, or by fax to 952.474.1274. The submission of this application does not obligate you to volunteer for any city service. The city council will appoint planning commissioners at the **March 1, 2011** council meeting. New applicants are encouraged to attend the meeting. We enjoy meeting you.

Name	
Address	
Phone	
Email	
Job Title	
How many years have you lived in the Lake Minnetonka area?	
How many years have you lived in Greenwood?	
Are you able to attend meetings on the 3rd Wednesday of each month?	
Would you be willing to attend a city-paid training class?	
Why do you want to serve on the planning commission?	
Do you have any special qualifications or capabilities that would serve Greenwood well on the planning commission?	
What would be your main goal as a member of the planning commission?	
Office Use Only	Date Received:



BOLTON & MENK, INC.

Consulting Engineers & Surveyors

2638 Shadow Lane, Suite 200 • Chaska, MN 55318-1172

Phone (952) 448-8838 • Fax (952) 448-8805

www.bolton-menk.com

December 6, 2010

City of Greenwood
Attn: Ms. Deb Kind
20225 Cottagewood Road
Greenwood, MN 55331-6700

RE: 2011 Professional Engineering Services

Dear Ms. Kind:

We are pleased to once again offer professional engineering services to the City of Greenwood for 2011 in accordance with the attached Fee Schedule. We look back at 2010 with great satisfaction on the important projects we were able to complete with you and your staff at the direction of the City Council. I have every confidence that our long-term knowledge of the Community and understanding of the City's needs coupled with cooperation and hard work will result in the successful completion of the projects identified by the City for 2011.

For 2011 we are anticipating the need for a construction season maximum of 38 employees to fully serve your needs and those of our Chaska office client base. Overall, we are pleased to inform you that for the *second consecutive year*, despite many rapidly increasing business expenses, we are proposing a zero increase in our hourly rates. This highlights not only our ongoing intentional goal of providing the wide array of services the City needs as cost effectively as possible but also our recognition of the challenging economic times facing cities. In fact, the aggregate average hourly rate increase for the Chaska office staff over the past 5-years averages only **1.6%** per year. Moreover, it is my pleasure to inform you that we will continue offering the "municipal discount" for key staff members serving your city. This discount applies to day-to-day general engineering items and tasks not related to specific City projects or private development projects. These fees are generally paid out of the City's "General Fund". As such, it is our intent that this municipal discount will help to minimize the engineering impact on the General Fund budget. Further, we have not changed our fee for City Council and Planning Commission meeting attendance. Finally, please note our project design fees for 2011 City projects will also remain unchanged from 2010.

The fee structure items identified above reflect our continued commitment to provide you high quality and full service municipal engineering services with increasing value and efficiency.

Please review the attached information and contact me with any questions you may have. We are committed to providing you with the superior service you expect and require.

Respectfully Submitted,
BOLTON & MENK, INC.

Kreg J. Schmidt

KJS/kjs

Proposed 2011 City of Greenwood Fee Schedule

December 6, 2010

Staff Position	Experience (Years)	2010 Hourly Rates (\$ / hr unless otherwise noted)*	2011 Hourly Rates (\$ / hr unless otherwise noted)*
Principal Engineer / Surveyor		\$130 - \$175	\$130 - \$175
Senior Associate Eng. / Surveyor		\$110-\$150	\$110-\$150
Associate Engineer / Surveyor		\$85-\$140	\$85-\$140
<i>David Martini:</i>	17	**First 10 hrs/month @ \$60/hr	**First 10 hrs/month @ \$60/hr
Senior Project Engineer	10+	\$100-\$145	\$100-\$145
Project / Design Engineer		\$70-\$105	\$70-\$105
Licensed Surveyor		\$90-\$120	\$90-\$120
Project Surveyor		\$55-\$95	\$55-\$95
Senior Technician	10+	\$65-\$115	\$65-\$115
Technician		\$50-\$85	\$50-\$85
Resident Field Technician		\$50-\$85	\$50-\$85
Clerical		\$40-\$65	\$40-\$65
City Council Meeting / Planning Commission Attendance		\$60 / Meeting	\$60 / Meeting
Municipal Project Design Fee - Final Plans and Specifications (Well Defined Scope)		6%	6%
Municipal Project Design Fee - Final Plans and Specifications (State Aid Project)		8%	8%
Additional Items:			
GPS Robotic Equipment		No Charge	No Charge
Computer Time		No Charge	No Charge
Office Supplies		No Charge	No Charge
Photo Copying		No Charge	No Charge
Field Supplies		No Charge	No Charge
Mileage		No Charge	No Charge

Notes:

*City Hourly Rates Apply to Hourly Services Completed on Behalf of The City for Municipal Projects.

**Applies to Non-Project Specific, General Day-To-Day City Engineer Related Work Items & Tasks.



20225 Cottagewood Road
Deephaven, Minnesota 55331
(952) 474-6633
Fax (952) 401-7587

December 27, 2010

John Klinkner
3100 Raleigh Avenue North #103
St. Louis Park, MN 55416

Dear Mr. Klinkner,

The city has recently updated its rental ordinance, adopting the current version of the International Property Maintenance Code (IPMC). Section 304 of that code outlines the general requirements and includes regulations on the maintenance of the exterior of structures. The city feels this section is applicable to the detached garages on your property which have fallen into a state of disrepair over the last number of years.

I have attached a copy of Section 304 of the IPMC for your review.

In addition, Section 320.35 of the city code outlines Code Verification and Compliance. Subdivision 1 of the Section requires property owners to submit, in writing, verification from a licensed property evaluator that the property is in compliance with the IPMC within thirty days when requested by the city. In the event that the property is not in compliance with the IPMC, the property owner will be required to bring the property into compliance and submit written verification from a licensed property evaluator once repairs are completed stating the property is in compliance with the IPMC within 120 days.

This is written notification that the city would like you to secure an inspection of your property and submit a written report no later than January 31st.

Sincerely,

A handwritten signature in black ink, appearing to read "Gus Karpas", with a long, sweeping underline.

Gus Karpas
Zoning Coordinator

Cc: File
Mayor Kind and City Councilmembers
City Attorney Mark Kelly

INVITATION
XCEL ENERGY OPEN HOUSE FOR THE
PROPOSED SOUTHWEST TWIN CITIES TRANSMISSION LINE REBUILD PROJECT
IN CHANHASSEN, DEEPHAVEN, EDEN PRAIRIE, EXCELSIOR, GREENWOOD,
MINNETONKA, and SHOREWOOD

Monday, January 10th, 2011

4:00 to 7 p.m.

Eden Prairie Community Center
16700 Valley View Road
Eden Prairie, Minnesota

Thursday, January 13th

4:00 to 7 p.m.

Bayview Event Center
687 Excelsior Boulevard
Excelsior, Minnesota

You are invited to a public informational Open House meeting for an electric transmission line upgrade in the Southwest Twin Cities. Northern States Power Company, doing business as Xcel Energy, is planning to rebuild a segment of existing transmission line (the "Project"). Xcel Energy plans to rebuild the current 69 kilovolt ("kV") line with the proposed 115 kV line. We are seeking feedback from the public on this Project prior to filing a route permit application with the Minnesota Public Utilities Commission later this winter.

The Project extends from the Bluff Creek Substation in Chanhassen north/northeast to the Excelsior Substation, then northeast to the Deephaven Substation, then east/southeast to the end point at West Gate Substation in Eden Prairie. This project is needed to ensure reliable and stable electric service in the southwest Twin Cities area, including Chanhassen, Deephaven, Eden Prairie, Excelsior, Greenwood, Minnetonka, and Shorewood.

At the open house we will have maps and information on the proposed construction location, structure types, right-of-way, the permitting process and other issues of interest. Please join our key Project staff so that we can talk about our proposed schedule, explain our proposed Project and answer any questions you may have. We can also let you know how to participate in the state route permitting process.

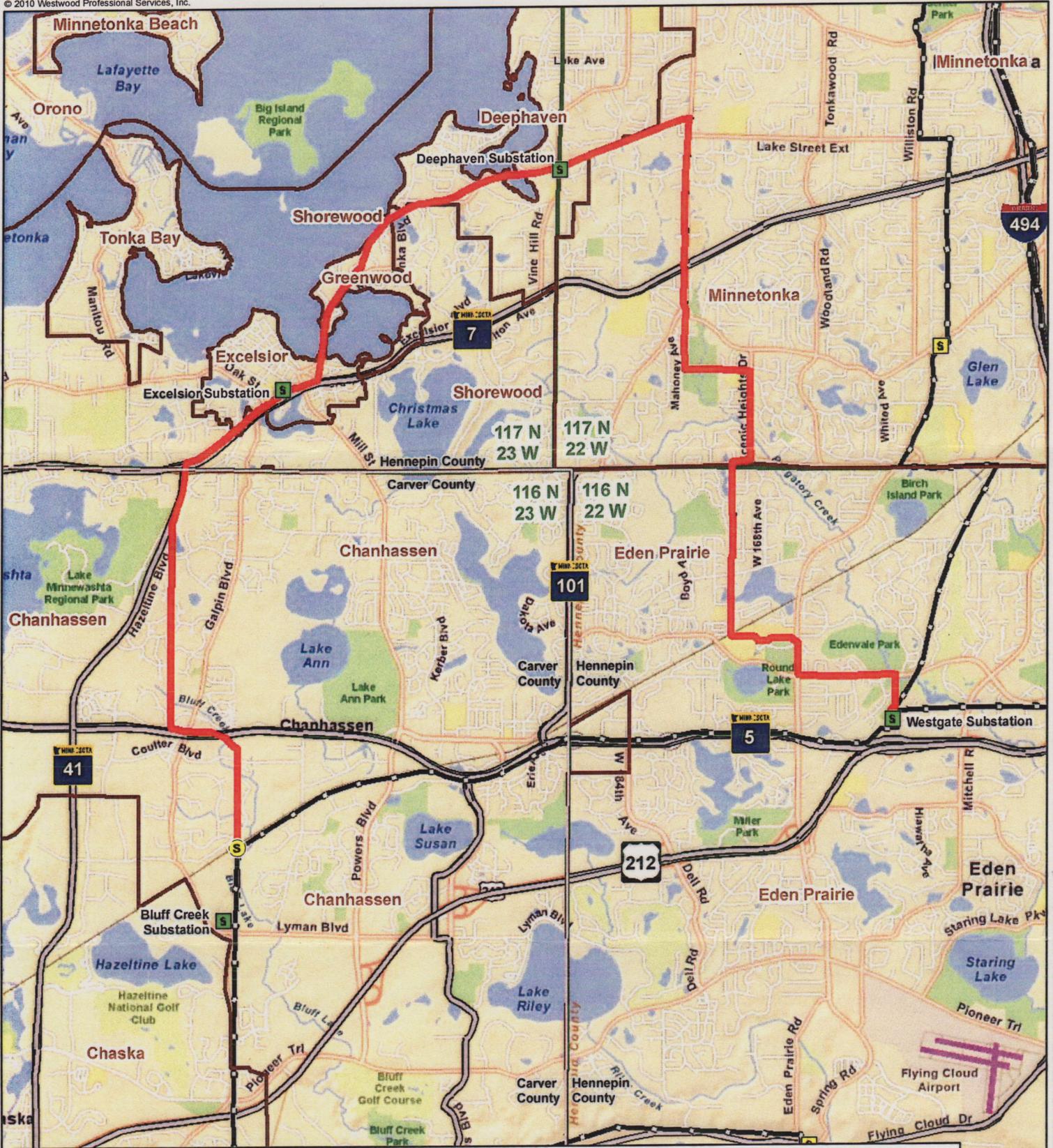
You are welcome at anytime during the hours of the open house. If you cannot attend, please contact Tim Rogers or Chris Rogers, from Xcel Energy at the numbers shown below and they will send you information or have representatives from Xcel Energy arrange to speak with you at another time.

LAND ACQUISITION CONTACT:

Chris Rogers,
Xcel Energy
Senior Siting and Land Rights Agent
612-330-6078 or
christopher.c.rogers@xcelenergy.com

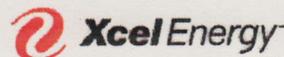
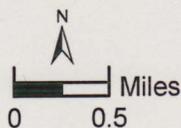
LAND ACQUISITION CONTACT:

Tim Rogers,
Xcel Energy
Supervisor, Siting and Permitting
612-330-1955 or
timothy.g.rogers@xcelenergy.com

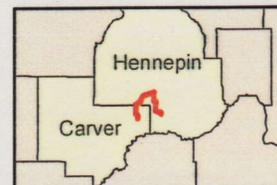


Proposed Xcel SWTC Bluff Creek to Westgate 115 kV Transmission Line Rebuild Project

- Proposed rebuild
- Existing transmission lines
- Xcel substations
- Existing substations/taps
- Switch
- County boundary
- Municipal boundary
- Township boundary
- Highway
- Runway



Data Source(s): Land Management Information Center (2006); Ventyx Velocity Suite (2010); Mn/DOT Basemap (2008); ESRI (2008); Xcel Energy (2010); Westwood (2010); and ESRI Street Map (2010).



Project Area

December 17, 2010