

**GREENWOOD CITY COUNCIL MEETING  
Thursday, November 5, 2009 7:00 p.m.  
Council Chambers 20225 Cottagewood Road Deephaven MN 55331**

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

Mayor Kind called the meeting to order at 7:00 p.m.

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

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

Councilmember Page moved to approve the agenda. Quam seconded the motion. Motion carried 5-0.

Councilmember Page moved to amend the agenda and move Item 2C to Item 8A and the Schmidt resolution will be Item 6AA. Rose seconded the motion. Motion carried 5-0.

**2. APPROVE CONSENT AGENDA**

Councilmember Quam moved to approve the following Consent items.

- A. Recommendation: Approve 10-6-09 Council minutes
- B. Recommendation: Approve September Treasurer's Report

Councilmember Page seconded the motion. Motion carried 5-0.

**3. MATTERS FROM THE FLOOR**

**A. Tom Fritz, St. Alban's Boathouse** stated the restaurant was closed a year ago. He is still receiving bills for sewage charges since that time. He believed he shouldn't have to pay them. Kind stated we would look into his request and possibly include on a future agenda.

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

**A. Greenwood Night at the Old Log Theater, January 14, 2010**

Kind reported Greenwood Night at the Old Log Theater is scheduled for January 14, 2010. Greenwood residents will receive an \$11 discount on tickets for that evening's performance.

**B. Survey Results**

Kind reported results have been tabulated, and a summary is posted on the city's website. There was a 41% response. She thanked everyone for their input.

**C. LMCD Meeting**

Kind reported a meeting on the chemical treatment program for Lake Minnetonka is scheduled on November 18 at the next LMCD meeting.

**5. PUBLIC HEARINGS**

**A. 2010 Budget/Levy**

Kind reviewed changes to the budget. Rose moved to open the public hearing. Fletcher seconded the motion. Motion carried 5-0. Kind opened the hearing for public comments. There were no comments.

Motion by Quam, seconded by Fletcher to close the public hearing. Motion carried 5-0.

**6. UNFINISHED BUSINESS**

**D. Resolution: Schmitt**

Kind reviewed the options to deny the requested variance extension, approve the extension, or approve the extension with modifications. Robert Schmitt, 21550 State Hwy 7 stated that he is requesting an extension because of the economy. He would like a one-year extension on his variance request.

Motion by Page, seconded by Quam, to approve the requested 12-month extension. Motion carried 5-0.

**A. Second reading: Ordinance #176 updating Section 510, Licenses, Permits and Fees**

Motion by Quam, seconded by Fletcher, to approve the second reading of Ordinance #176 updating Section 510, Licenses, Permits and Fees. Motion carried 5-0.

**B. Second reading: Ordinance #177 Section 515 Civil Fines & Fees**

Kind reviewed changes made since the first reading.

Motion by Quam, seconded by Fletcher, to approve the second reading of Ordinance #177, Section 515 Civil Fines & Fees. Motion carried unanimously.

**C. Consider: Establishing an Agreement with Minnetonka for Administrative Hearings**

Kind stated she and the City Attorney suggested additional changes to the agreement to add the type of violations at the end of the first paragraph. Kelly stated a modified document will be provided by the Minnetonka City Attorney in the near future. Kind reviewed additional changes.

Page suggested additional changes to the document. Kelly suggested the revised document be sent to Minnetonka for their review.

Motion by Fletcher, seconded by Rose, to approve the revised joint powers agreement. Motion carried unanimously.

**7. NEW BUSINESS**

**A. Consider Resolution #22-09 Establishing Meeting Dates for 2010**

Councilmembers reviewed the dates for meetings in August. The August meeting was moved to Thursday so as not to conflict with Night to Unite.

Motion by Page, seconded by Rose to adopt Resolution #22-09 establishing meeting dates for 2010 as amended. Motion carried 5-0.

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

Kind reviewed proposed changes to the lighting code. Councilmembers discussed light measurement. Fletcher stated the majority of decorative lighting does not throw off a lot of light. Page stated he would like to know more about light measurements before he can act on this item. Kind suggested a worksession be held in December where the Council can go and look at lights.

Quam suggested this item be tabled for further research.

Motion by Page, seconded by Quam to table this item to the next meeting. Motion carried 5-0.

**C. Consider: Resolution #23-09 Adopting the 2010 Comprehensive Plan Update**

Kind stated the Plan has received approval from Met Council. Approving the resolution in the packet is the final step in the process.

Motion by Quam, seconded by Page, to adopt Resolution #23-09 adopting the 2010 Comprehensive Plan update. Motion carried 5-0.

**D. Consider: Motion to Approve 2010 Marina Licenses**

Kind stated there are three marinas in Greenwood requesting approval of their 2010 licenses.

Motion by Fletcher, seconded by Page, to approve the 2010 marina licenses as submitted. Motion carried unanimously.

**8. OTHER BUSINESS**

**A. October Payables**

Page asked for clarification of some payables. It was noted the expenses were for the Meadville fire lane.

Motion by Quam, seconded by Fletcher, to approve the October payables. Motion carried 4-1 (Page opposed).

**9. COUNCIL REPORTS**

**A. Kind: Police**

Kind stated the last quarterly meeting was October 21st, her last as the chair of the Coordinating Committee. Labor negotiations with the officers are ongoing. The capital improvements plan for the police/fire facility will be developed and presented to the five cities for their approval. H1N1 updates are available on the SLMPD website which she has linked to Greenwood's website.

**B. Rose: Fire**

Rose discussed the latest EFD Board meeting relating to the relief fund. The amount budgeted exceeded what is actually required. It was also suggested payments to the EFD be changed from quarterly to semi-annually. He stated the Council also needs to determine what to do with the surplus \$23,000 from the relief fund. The Council reviewed possible options. Fletcher preferred the monies go to Option 3 (training). All agreed the payments should be by semi-annually. Quam preferred the surplus go to Options 1 (relief fund) and 3. Rose, Kind and Page preferred Option 1.

**C. Quam: Excelsior City Water Along Excelsior Blvd.**

Quam stated there needs to be work done on the lift station. He has had discussions with Excelsior to extend their water line along Excelsior Blvd. He stated it could be up to three years before this is done. No decisions have been made as of yet.

**D. Fletcher: Planning Commission/Meadville Fire Lane/Milfoil**

Fletcher stated the October public hearings will be held in November. Fletcher stated the Meadville fire lane work has been completed. Councilmembers discussed access to the fire lane and the possible use of a sticker system in the future. Fletcher stated solicitations will begin for donations for milfoil treatment. Fletcher stated he will meet with MCWD about street sweeping. Fletcher stated he is researching load limits and enforcement. Fletcher stated he will be touring the Metro Waste Treatment Plant on November 16.

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

Page stated milfoil harvesting is under budget this year, but they harvested more than ever due to lower lake levels. Lower lake levels foster more milfoil growth.

**10. ADJOURNMENT**

There being no further business, it was moved by Rose to adjourn the meeting at 8:31 p.m. Page seconded the motion. Motion carried 5-0.

Respectfully submitted,

Clare T. Link  
Recording Secretary