

# AGENDA

## Greenwood City Council

Tuesday, September 6, 2011  
20225 Cottagewood Road, Deephaven, MN 55331



### Worksession

*In accordance with open meeting laws, the worksession is open for public viewing, but there will be no opportunity for public participation.*

- 6:00 PM 1. CALL TO ORDER ~ ROLL CALL ~ APPROVE AGENDA
- 6:00 PM 2. DISCUSS 2012 BUDGET & CODE CHAPTER 5 FEES
- 6:50 PM 3. ADJOURNMENT

### Regular Meeting

*The public is invited to speak to items on the regular agenda. The public may speak regarding other items during Matters from the Floor.*

- 7:00 PM 1. CALL TO ORDER ~ ROLL CALL ~ APPROVE AGENDA
- 7:00 PM 2. CONSENT AGENDA
  - Council members may remove consent agenda items for discussion. Removed items will be put under Other Business.*
  - A. Recommendation: Approve 08-04-11 City Council Minutes
  - B. Recommendation: Approve July Cash Summary Report
  - C. Recommendation: Approve August Verifieds and Check Register
  - D. Recommendation: Approve September Payroll Register
- 7:05 PM 3. MATTERS FROM THE FLOOR
  - This is an opportunity for the public to address the council regarding 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.*
- 7:10 PM 4. ANNOUNCEMENTS, PRESENTATIONS & REPORTS
  - A. Meet: Kristi Conrad, Planning Commission Applicant for Alternate Seat 2
  - B. City Engineer Dave Martini: Meadville Street Survey Results and Next Steps
  - C. Dick Osgood: Milfoil Update and the Future of Milfoil Management
  - D. Announcement: League of Women Voters Mayors' Forum, 7 PM, Sept. 8, Southshore Center
- 8:00 PM 5. PUBLIC HEARINGS
  - A. None
- 8:00 PM 6. UNFINISHED BUSINESS
  - A. None
- 8:00 PM 7. NEW BUSINESS
  - A. Consider: Variance Request, Gregg and Kristin Ostrander, 21520 Fairview Street
  - B. Consider: 2012 Fire District Budget
  - C. Approve: Resolution 17-11, 2012 Preliminary Tax Levy
  - D. 1st Reading: Ordinance 196, Amending Code Section 1155, Variances
  - E. Consider: Amending Code Section 900.65, Subd. 3(b) to Allow Parking of Vehicles (cars, boats, trailers, etc.) on Unpaved Areas of Front Yards
  - F. Consider: Lake Minnetonka Communications Commission 2012 Budget
  - G. Consider: Three Rivers Park District Permit for Winter Trail Activities
  - H. Consider: League of Minnesota Cities Insurance Trust Liability Waiver
  - I. Discuss: Prosecution Process
- 9:15 PM 8. OTHER BUSINESS
  - A. None
- 9:15 PM 9. COUNCIL REPORTS
  - A. Fletcher: Milfoil Project, Excelsior Blvd. Street & Water Project, Xcel LRT Project
  - B. Kind: Police, Administration
  - C. Page: Lake Minnetonka Conservation District
  - D. Quam: Roads & Sewer, Minnetonka Community Education
  - E. Rose: Excelsior Fire District
- 9:30 PM 10. ADJOURNMENT

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



## Worksession

Agenda Date: 09-06-11

**Agenda Item:** Discuss 2012 Budget and Code Chapter 5 Fees

**Summary:** The 2012 city budget (regular agenda item 7C) has been updated based on the council discussion at the August worksession. Yellow highlights items that were updated. The council will discuss the budget at the 09-06-11 worksession and make tweaks if needed prior to the regular council meeting where the preliminary budget must be approved. If there is time at the worksession, the council also will discuss annual fall updates to chapter 5 fees. The current fee schedule is attached.

**Council Action:** No council action can be taken at worksessions.

## CHAPTER 5: FEES, FINES & PUBLIC UTILITIES

### SECTION 500. FEES: GENERAL.

### SECTION 510. FEES: LICENSES, PERMITS AND SERVICES.

### SECTION 515. CIVIL FINES AND FEES.

### SECTION 520. SANITARY SEWER UTILITY FUND.

### SECTION 525. STORMWATER MANAGEMENT UTILITY FUND.

### SECTION 530. FRANCHISE GRANTS.

## SECTION 500. FEES: GENERAL.

### Section 500.00. Fees, Charges and Rates Authorized and Defined.

The fees, charges, and rates for the purposes set forth in this chapter 5 of this code for licenses, permits, and municipal services shall be in the amounts set forth in this chapter. Reference to the amounts set forth herein in other portions of this code or in other ordinances may be made in such terms as “required fee,” “established fee,” “required license fee,” “license fee,” and “license fee in the required amount,” without specific reference to this chapter, in which event the amounts herein set forth shall be applicable.

### Section 500.05. Priority of Application.

If fees, charges, and rates are set forth specifically in parts of this code other than this chapter 5 or in other ordinances which are now in effect, but have not been set forth in this chapter 5, in that event, the fees, charges, and rates thereby specifically set forth shall be effective for all purposes. In the event that such amounts shall appear in other places in this code or in other ordinances or codes, but shall appear in this chapter 5, the amounts appearing in chapter 5 shall supersede the others.

### Section 500.10. Collection, Late Payment Charge, Special Assessment.

Payment in accordance with billings shall be made not later than the billing date established for the account. In addition to the charges provided, there shall be a late charge as set by the council and as may be set from time to time for payments made after the 15th day after the billing date. When a charge is more than 15 days past due, it shall be considered delinquent. It shall be the duty of the clerk to endeavor to promptly collect delinquent accounts. All delinquent accounts shall be certified to the clerk who shall prepare an assessment roll each year providing for assessment of the delinquent amounts, plus interest at the rate of 8% per annum from the date they become delinquent, against the respective properties served. This assessment roll shall be delivered to the council for adoption on or before October 10 of each year. Such action may be optional or subsequent to taking legal action to collect delinquent accounts.

## SECTION 510. FEES: LICENSES, PERMITS AND SERVICES.

### Section 510.00. Fees: Licenses, Permits and Services Established.

Subd.1. The following fees for licenses, permits and municipal services have been established by the city council. No person, partnership, corporation, or other association shall engage in the following types of activity without paying the fee listed.

Type of License, Permit, or Fee	Section	Fee	Conditions & Terms
Advertisement Tube License	490.00	\$25	Annual per tube
Animal: Dog License	445.10	\$25 (\$15 if purchased in year 2)	Good for up to 2 years
Animal: Potentially Dangerous Animal License	445.25	\$500	Plus proof of \$100,000 insurance
Animal: Private Kennel License	445.05	\$50	Annual

Animal: Wild Animal Permit	445.15	\$50	72-hour limit
Blasting Permit	920.20	\$200	Council approval required
Boat Launch Permit (for Meadville fire lane) - Resident	425.40	FREE	Annual. Maximum of 2 free permits per address. Must show proof of residency and provide vehicle information / license plate number.
Boat Launch Permit (for Meadville fire lane) - Non-Resident	425.40	\$50	Annual per vehicle. Must provide vehicle information / license plate number.
Building: IPM Code Book	320.30	\$31	Per copy
Building: Excavation / Filling Permit	440.00	Per building code	Per instance
Building: Excavation / Building Permit, Floodplain	1174.07	Per building code	Per instance
Building: Moving Permit	300.20	Per building code	Required per structure
Building: Permit	300.10	Per building code	Required per structure
Building: Permit to Extend Completion of Exterior Work	300.30	\$200 for first 60-day extension (administrative) \$400 for an additional extension (council)	Required per structure
Building: Street Parking Permit	305.00	\$50	Per project
Burning Permit: Recreational	475.10	No permit required	
Burning Permit: Non-Recreational	475.10	\$50	Per instance
Code Book (binder with tabs and photocopies)		\$55	
Docks: Commercial Marina License, Base	430.10	\$110	Base per year
Docks: Commercial Marina License, Per Slip	430.10	\$5	Per slip, per year
Docks: Municipal Watercraft Space Permit	425.10	\$950	Per slip, per season
Docks: Municipal Sailboat Space Permit	425.10	\$300	Per slip, per season
Docks: Municipal Canoe / Kayak Permit		\$60	Per space, per season
Duplicate Permit / License	400.15	\$5	Per instance
Excavation Permit: Temporary	1140.50	The fee is the cost incurred by the city for the review of the excavation plan.	Council approval required plus proof of bonding to cover expense of development plan.
Excavation Permit: Street / Sewer	640.30 & 640.95	The fee is the cost incurred by the city for the review of the excavation plan.	Plus surety bond as determined by city engineer.
False Alarm Permit: Fire (after 2nd offense in 12 mo. period)	460.03	\$75	
False Alarm Permit: Police (after 3rd offense in 12 mo. period)	455.10	\$75	
Fire / Police Alarm Non-Compliance Fine	455.35 & 460.07	\$1,000	According to state statute
Firearms Permit	900.20	\$100	Council approval required
Fireworks Permit	900.55	\$50	Council approval required
Gambling License	915.15	\$100	Council approval required
Garage Sale Permit (more than 1 in 12-month period)	450.25	\$50 per event, plus cost of mailing and publishing notification, plus proof of insurance: \$300,000 per person, \$500,000 per incident, \$50,000 property damage	
Garbage / Refuse Collector License	475.20	\$150 per year, plus proof of insurance: \$100,000 per person, \$500,000 per incident, \$100,000 property damage	
Gasoline Station / Auto Repair License	420.15	\$0 per site plus \$0 per pump	Annual
Landscaping Security Deposit	1140.60	\$750	Cashier's or certified check. If landscaping is not completed in 12 months, deposit is forfeited.

Liquor: Off-Sale Non-Intoxicating License	800.15 & 800.35	\$100 per year plus commercial general liability by an insurance company licensed to do business in the state of Minnesota with a limit of liability of not less than \$1,000,000 per occurrence for bodily and property damage and loss of means of support with the City of Greenwood being named as an additional insured on the policy. The liability policy must provide that it may not be canceled for any cause either by the insured or the insurance company without first giving ten days notice to the city in writing of that intention. The policy must also provide that any amount paid by the insurance company as a result of a claim will not reduce the coverage available to pay subsequent claims. Businesses with projected liquor sales of less than \$50,000 per year are only required to comply with the minimum insurance requirements in Minnesota state statutes.	
Liquor: Off-Sale Non-Intoxicating, Investigation Fee	800.30	\$500 plus all costs and expenses associated with investigation outside of MN as allowable by state statute	
Liquor: On-Sale Non-Intoxicating Temporary License	800.15	\$100 plus the minimum insurance requirements in Minnesota state statutes. License good for no more than 3 consecutive days	
Liquor: On-Sale Intoxicating License	820.40 & 820.45	\$10,000 per year plus commercial general liability and dram shop insurance by an insurance company licensed to do business in the state of Minnesota with a limit of liability of not less than \$1,000,000 per occurrence for bodily and property damage and loss of means of support with the City of Greenwood being named as an additional insured on the policy. The liability policy must provide that it may not be canceled for any cause either by the insured or the insurance company without first giving ten days notice to the city in writing of that intention. The policy must also provide that any amount paid by the insurance company as a result of a claim will not reduce the coverage available to pay subsequent claims.	
Liquor: On-Sale Intoxicating, Wine License	820.40	\$2,000	Annual
Liquor: On-Sale Intoxicating, Sunday License	820.40	\$200	Annual
Liquor: On-Sale Intoxicating, Delimited License	820.40	\$2,500	Annual
Liquor: On-Sale Intoxicating, Investigation Fee	820.35	\$500 plus all costs and expenses associated with investigation outside of MN as allowable by state statute	
Liquor: On-Sale Intoxicating, Investigation Fee for Renewal Applications or Change of Status	820.35	\$250 per person to be investigated (not to exceed \$500)	Annual
Liquor: On-Sale Surety Bond	820.45	\$1,000	In conjunction w/application
Load Limit Fee: Per Trip Special Operating Permit	730.00	\$50 (\$500 from March 1- May 1)	Per round trip. Not available for building projects exceeding \$20,000 in value.
Load Limit Fee: Blanket Special Operating Permit	730.00	20% of the Building Permit or Moving Fee	Required for building projects exceeding \$20,000 in value. Not available March 1- May 1
Misc. Petitions to the City for Legal Consent or Releases		\$200 plus consultant fees incurred by the city	
Mobile Home Park Permit Fee	405.40	\$100	Annual
Mobile Home 15-Day License	405.40	\$50	Per instance
Mobile Home Temporary Residence License	405.40	\$100	Per instance
Peddler Permit	465.10	\$70	For 6 months
Photocopies	125.00	\$0.25	Per copy
Plumbing Permit	410.:25	Per building code	Required per structure
Recycling: Collection Fee	475.30	\$16	Quarterly
Rental Property License	320.30	\$50 first unit, \$25 per additional unit	Annual
Right-Of-Way Encroachment Fee	630.05	\$50	Per instance
Sewer: Lateral Connection Fee		\$5,120	Per instance
Sewer: Metro Waste Fee		As set by Metro Waste Control	
Sewer: Cap Fee		\$75	Per instance
Sewer: Re-Connection Fee		\$75	Per instance
Sewer Rates: Residential	520.10	\$70 per residential sanitary service unit	Quarterly
Sewer Rates: Commercial	520.10	\$70 per commercial sanitary service unit	Quarterly

Sewer / Recycling / Stormwater: Delinquent Accounts	520.15 & 525.15	The greater of \$5 or 5% of the delinquent amount per quarter.	Certified to county annually.
Showcase Event Permit	450.25	\$50 per event, plus cost of mailing and publishing notification, plus proof of insurance: \$300,000 per person, \$500,000 per incident, \$50,000 property damage	
Sign Permit: Temporary	1140.40	\$25	Valid for 30 days. Limit 6 per year.
Stormwater Management Utility Fee	525.00	\$12	Quarterly
Stormwater Surcharge Fee for Discharge into Sewer: Residential	310.30 5(f)	\$300	Quarterly
Stormwater Surcharge Fee for Discharge into Sewer: Commercial	310.30 5(f)	\$750	Quarterly
Street Excavation Permit	640.30	\$75	Per site
Tobacco License	415.04	\$50	Annual
Tree Removal Conditional Use Permit: Shore / Bluff Impact Zone	1140.80	\$100	Per application
Tree Removal Permit: Exceed Permitted Tree Harvest	1140.80	\$100	Maximum of 5 significant trees
Tree Removal Permit: Construction Related	1140.80	\$250	Home Addition: Remove up to 10% of trees. New Construction: Remove up to 20% of trees. Tree preservation plan required for both.
Zoning: Code Amendment Application Fee	1160.05	\$400	Per application
Zoning: Conditional Use Permit	1150.15	\$400 first item, \$300 per additional item	Per application
Zoning: Misc. Administrative Review Fee	Chapter 11	\$200 plus consultant fees incurred by the city	
Zoning: Preliminary Administrative Plan Review Fee	1105.00	\$200	Per instance
Zoning: Preliminary Plat Downpayment	600.10	\$500	Per instance
Zoning: Shoreland Compliance Review Fee	1176.03	\$200	Per application
Zoning: Simple Subdivision Fee	600.07	\$150 plus publication cost and Park Fund contribution	
Zoning: Subdivision Park Fund Fee	600.35	10% of the fair market value of the buildable land to be subdivided	
Zoning: Variance Application Fee	1155.20	\$400 first item, \$300 per additional item	Per application

(SECTION 510 TABLE REVISED JAN. 2011 ORD. 189, APRIL 2011 ORD. 193)

## SECTION 515. CIVIL FINES AND FEES.

### Section 515.00. Civil Fines and Fees Established.

To aid in the enforcement of the ordinance code, the following civil fines and fees authorized by chapter 12 of this code have been established by the city council:

Type of Violation	Section	Civil Fine	Notes
Animal Code Violation: Dog-At-Large 1st offense in 12-month period	445.15 445.30	\$50	In addition to impound fees
Animal Code Violation: Dog-At-Large 2nd offense in 12-month period	445.15 445.30	\$100	In addition to impound fees
Animal Code Violation: Dog-At-Large 3-plus offenses in 12-month period	445.15 445.30	\$150	In addition to impound fees
Animal Code Violation: Nuisance	445.15	\$300	
Building Code: Non Completion of Exterior	300.30	\$300	Each day a violation continues is subject to administrative civil citation
Liquor Code Violation: 60/40 Food/Liquor Sales 1st offense	820.70	\$2,000	1-year probation
Liquor Code Violation: 60/40 Food/Liquor Sales 2nd offense	820.70	\$4,000	7-day suspension of license and possible additional year probation
Liquor Code Violation: 60/40 Food/Liquor Sales 3rd offense in 10-year period	820.70	\$6,000	7-day suspension of license and possible revocation of license
Liquor Code Violation: Sale to Minor or Intoxicated Person, 1st offense in 24-month period	820.70	\$500	3-day suspension of license
Liquor Code Violation: Sale to Minor or Intoxicated Person, 2nd offense in 24-month period	820.70	\$1,000	3-day suspension of license. Proof of training completion.

Liquor Code Violation: Sale to Minor or Intoxicated Person, 3rd offense in 24-month period	820.70	\$1,500	3-day suspension of license. Proof of training completion. Possible revocation of license.
Liquor Code Violation: Sale to Minor or Intoxicated Person, 4th offense in 24-month period	820.70	\$2,000	3-day suspension of license. Proof of training completion. Possible revocation of license.
Tobacco Code Violation: 1st Offense in 24-Months	412.15	\$75	
Tobacco Code Violation: 2nd Offense in 24-Months	412.15	\$200	
Tobacco Code Violation: 3rd Offense in 24-Months	412.15	\$250	7-day suspension of license.
Tobacco Code Violation: Other	412.15	\$50	
Tree Harvest Without Permit	1140.80	\$1,000	Per tree
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
City Code Violation Not Otherwise Designated		\$300	
<b>Code Violation Fees</b>	<b>Section</b>	<b>Fee</b>	<b>Notes</b>
Administrative Hearing Officer Fee	1210.25	\$100	Per instance
Late Fee	1210.50	10% of the fine amount. Applies for each 30-day period, or part thereof, that the fine is not paid.	

(SECTION 515 TABLE REVISED JANUARY 2011, ORD. 189)

## SECTION 520. SANITARY SEWER UTILITY FUND.

### 520.00. Authority and Purpose.

Minnesota statutes section 444.075 permits a municipality to build, construct, reconstruct, repair, enlarge, improve, or in any other manner obtain sanitary sewer facilities, and maintain and operate the necessary sanitary sewer facilities inside or outside its corporate limits, and acquire by gift, purchase, lease, condemnation, or otherwise any and all land and easements required for that purpose. For purposes of this ordinance “sanitary sewer” means sanitary sewer systems, including sewage treatment works, disposal systems, and other facilities for disposing of sewage, industrial waste, or other wastes as may be established by the city from time to time.

### 520.01. Sanitary Sewer Utility Established.

A sanitary sewer utility is hereby established. The sanitary sewer utility shall be operated as a public utility pursuant to Minnesota statutes section 444.075. Pursuant to said authority the city shall charge residential, commercial, and industrial customers a quarterly charge to offset sanitary sewer expenses of the city including Metropolitan Council, state, and federally mandated procedures, testing, and servicing costs relating to sanitary sewer and related facilities and utilities.

### 520.05. General Provisions.

Subd. 1. Sanitary Sewer Utility Fund. The city shall retain all sanitary sewer utility fees within a sanitary sewer utility fund approved by the Greenwood city council for sanitary sewer expenses including: planning, engineering, monitoring, capital expenditures, personnel expenses, equipment, and operation of the utility in accordance with the established city policy.

Subd. 2. Exceptions.

The following land uses are exempt from sanitary sewer utility fees:

- A. Public rights of way.
- B. Unimproved real estate tax parcels employed for agricultural purposes only.
- C. Lakes.
- D. Wetlands.
- E. Municipal owned property, municipal parks.

### 520.10. Sanitary Sewer Utility Fees, Rates, and Charges.

Sanitary sewer utility fees shall be a charge against the owner of the real property benefited/charged, computed for quarterly payments, invoiced with the stormwater/sewer/recycling bills.

# SOUTHSHORE COMMUNITY CENTER

01/01/2011

2010 Annual report on operations



# Southshore Community Center

## 2010 ANNUAL REPORT ON OPERATIONS

### PROGRAMS AND EVENTS

The City of Shorewood contracts with Community Recreation Resources to provide marketing, operational oversight, and program development at the Center. 2010 represented the first full year of operation and CRR worked hard to secure agreements with corporate clients, business groups, and expanded class offerings. CRR also worked with the Arctic Fever group to host the first Princess Tea Party sponsored by the Shorewood American Legion.



The corporate business meetings bring in over 400 people to the Center during the year. The Princess Tea Party hosted over 200 children and their adult companion. Oktoberfest continues to expand with close to 300 visitors in 2010.

CRR continues to build relationships and forge new partnerships in and around the South Lake are. Some partnerships include annual agreements with Business Networking Group (BNI), Just for Kix dance, Cargill, General Mills, UPS, Charthouse Catering, and commercial kitchen lease partners including Gracie's Pantry, Zo's Gone Bananas, and Beyond the Grain bakers. CRR has also

renewed or brought back lessees Gene German – Permit to Carry, Emmaus Church, and Lucille Crow counseling. Through ongoing referrals, word of mouth, programming, events, and community outreach, new faces from the public discover the Community Center on a daily basis.

While the key objective continues to be to build upon a growing rental base, CRR has gone to great lengths to bring more attention to the Center, bringing the community to the Center by developing classes and events that encourage recreation and gathering opportunities for residents. In addition to the popular cooking classes with Chef Connie Blanchard, the Center has played host to piano recitals, youth cooking classes, Abakadoodle art camps, yoga, painting classes, a Graduation Party Planning Open House, Community-Wide Garage Sale, Spring Fashion Show with local merchant partners, chess camp, Pampered Princess Boutique, Oktoberfest and holiday parties.



The Center also provides a service to the greater community offering space for 'One Book One Community' library events, watershed public forums, mayor and council meetings, historical society presentations, school district luncheons, VFW meetings, flu shots, election training and elections.



Usage information for the extracurricular events was not collected in 2010, nor were guest names and numbers from outside rentals recorded. If these numbers were reflected in the overall usage information, the number of different individuals visiting the Southshore Community Center during the course of 2010 would easily have doubled. CRR observed that each and every day, a new individual discovered the SSCC for the first time!

In all, non-senior related activities brought several hundred new visitors to the Center. These visits have the potential to generate additional business for the Center over time.

## SENIOR USAGE

The South Lake area seniors make up the bulk of general daily usage. Under the oversight of the SouthShore Senior Partners (SSSP), seniors are offered several recreational and social activities such as cards, mahjong, special programs, exercise classes, and twice-weekly lunch. All of these activities have proven popular, as have the AAA Driving program and the various Veteran's programs offered.

Based on the guest register of daily Center events, 751 individuals visited the Center on a regular basis during the year. Please note that this does not include corporate events, special events hosted by the Center such as Oktoberfest, or private parties.

This number is consistent with 2009. In 2009, approximately 57% of the visitors resided in one of the five member communities and this remained the case in 2010.

The table below shows visitor numbers recorded from the five member cities.

City	Visitors 2009	Visitors 2010
Deephaven	61 = 7.63%	39 = 5.2%
Excelsior	174 = 21.78%	144 = 19.2%
Greenwood	18 = 2.25%	5 = .7%
Shorewood	176 = 22.03%	196 = 26%
Tonka Bay	27 = 3.38%	37 = 4.9%

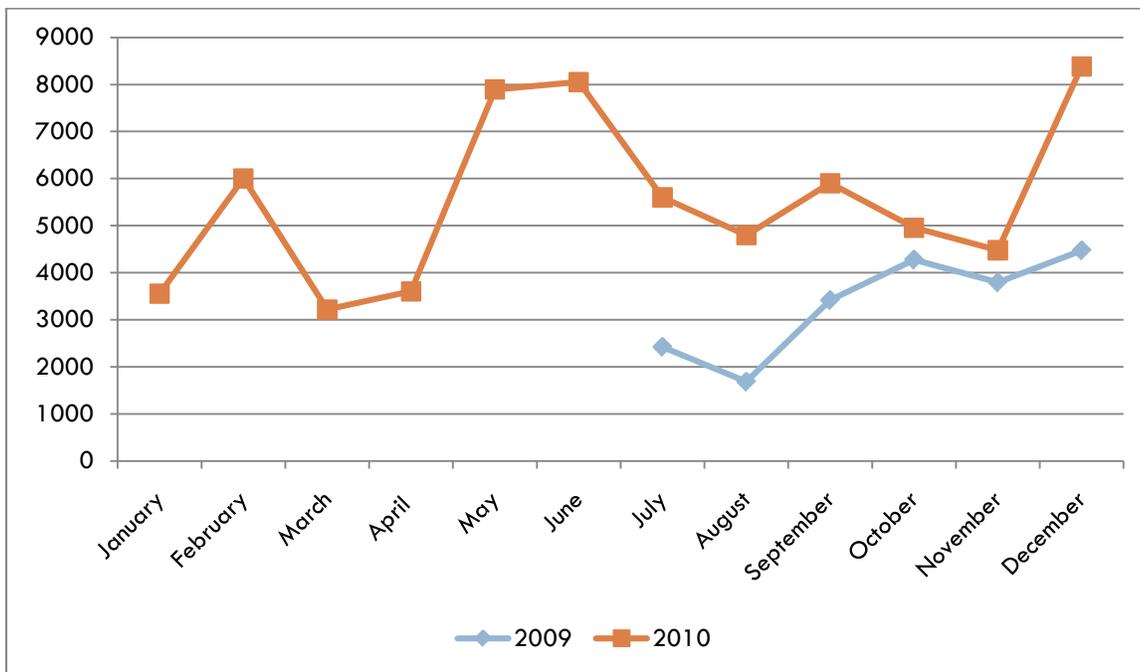
The balance of the visits, a total of 330, came from other cities. The bulk of these other visits are residents from the cities of Chanhassen, Minnetonka, and Mound.. The main activity associated with visitors from the other communities appears to be card playing.

## FINANCIALS

### Revenue

A key objective for the Shorewood City Council is moving the Community Center toward a break-even status. Based on historical information, achieving a break-even situation will be an ongoing challenge for the City.

The revenue generated in 2010 exceeded the projections established by the City of Shorewood for 2010. The Center generated \$62,370 in total revenue. This does not include over \$8,000 in donations for a monument sign to replace the existing sign along County Road 19. The graph below shows the revenue for the Center in 2009 compared to 2010. *Note that we do not have accurate data for January 1 through June 30, 2009.*



### Expenditures

The City did not undertake any major improvements to the Center in 2010. Thanks to the SouthShore Senior Partners (SSSP), the Center has a new sound system. The SSSP received a donation from the Excelsior Rotary to purchase and install the new system.

The cost to operate and maintain the Center in 2010 was \$94,355. The City of Shorewood provided \$16,874 in staff support to the Center. This is “in-kind” support and focused on the Center’s website and marketing. Removing the in-kind contribution, the actual outlay for Center operations was \$77,481. The three largest expenditure categories were contractual services, building maintenance and utilities. These account for over 78% of the total operating costs.

The final subsidy needed by the City of Shorewood in 2010 for general operational costs was just over \$15,000. This was a bit higher than our projected subsidy for 2010. The City’s expenditure estimate was based on limited information for past years activities and only six (6) months of actual expenditures in 2009.

## LOOKING AHEAD

The City of Shorewood and our contracted partner are poised and ready to continue working to improve the Community Center. New directional signs will be installed in the spring of 2011. New and expanded programming, events, and classes will be offered based on our experiences in 2010. The City of Shorewood maintains its goal to operate the Center so it achieves a break-even status, while at the same time, maintaining the Center as a community resource for seniors and member communities.

Below are the projections for 2010, 2011, and 2012.

	<b>2010 Estimated</b>	<b>2010 Actual</b>	<b>2011 Estimate</b>	<b>2012 Estimate</b>
Revenue	\$44,930	\$62,370	\$67,000	\$70,000
Expenditures	\$58,356	\$77,481	\$75,000	\$75,000
Subsidy needed	\$13,426	\$15,111	\$8,000	\$5,000

The City of Shorewood maintains optimism about the future prospects of the Southshore Community Center. We feel the revenue forecast will remain favorable. We are also confident we can achieve cost savings at the Center and lower the operational costs so the Center can continue to be a valuable asset to all the member communities and their residents.



Agenda Number: **2A-D**

Agenda Date: 09-06-11

**Agenda Item:** Consent Agenda

**Summary:** The consent agenda includes the most recent council minutes, cash summary report, verifieds report, electronic fund transfers, and check registers. Council members may remove consent agenda items for further discussion. Removed items will be placed under Other Business on the agenda.

**Council Action:** Required. Suggested Motion ...

1. I move the council approves the consent agenda items as presented.

**Greenwood City Council  
Budget Work Session Minutes**

6:00 pm, Thursday, August 4, 2011  
Deephaven City Hall ~ 20225 Cottagewood Avenue ~ Deephaven, MN 55331

1. Call to Order/Roll Call/Approval Agenda

Mayor Kind called the meeting to order at 6:00 pm.

Council members present: Fletcher, Kind, Page, Quam and Rose

Council members absent: None

Others present: City Clerk Karpas

Quam moved to approve the agenda. Second by Fletcher. Motion carried 5-0.

2. Discuss 2012 Budget

Mayor Kind presented the preliminary 2012 budget. She said that the Council was set to discuss the fourth draft of the Excelsior Fire District budget at the regular meeting later in the evening and even though it was an update draft, the bottom line doesn't change so there's no impact on the preliminary budget. In addition, Mayor Kind noted that license fees aren't collected until the end of the year so the 2011 budgeted numbers should be in line by the end of the year.

The Council agreed to look at the preliminary budget on a page-by-page basis.

On page one Councilmember Fletcher felt the revenue collected by load limit fees should be increased from \$600 to \$2,000, due to the possibility of increased construction in the upcoming year. The Council agreed.

Councilmember Page asked about the ten percent Administrative Expense Reimbursement from the Marina Fund. Mayor Kind said the money would be transferred from the Marina Fund to cover the administrative expenses related to the city docks.

On page two Councilmember Fletcher felt the expense for Communications – Telephones should be increased from \$400 to \$500 or \$600 to reflect the actual monthly cost. The Council agreed.

Councilmember Page asked about the 50% reduction in anticipated publication expenses. Mayor Kind said the 2010 number reflected part of the cost to publish 5 years worth of public notices which had not been published and the 2011 year-to-date number indicated that the city is saving money by publishing summary ordinances, so the 2012 number could be reduced.

On page three Mayor Kind noted that the highlighted sections would be discussed by the Fire and Police Chiefs at the regular council meeting later in the evening. The council discussed the idea of contracting outside the South Lake Minnetonka Police Department for police services to save money. Mayor Kind noted that if the Council wanted to change in the future the city would have to give 20 months notice by May 1<sup>st</sup> per the Joint Powers Agreement.

Councilmember Rose said he would support a change only if the costs reductions were in the tens of thousands, otherwise it would not be worth it. Mayor Kind noted that even if the city were to obtain services from another department, it would still have to pay its share of the building until 2023.

Councilmember Quam said the Council has the fiduciary responsibility to look into it and needs to make sure that any agreement contains the same level of service. Councilmember Rose believes competitive bidding keeps the service at its true value. Councilmember Fletcher agreed stating the city may find that contracting would be the best for the city service-wise.

Mayor Kind will look into the city's options and report back to the Council.

Councilmember Page asked about the big drop in Miscellaneous Engineering Fees. Mayor Kind said the coding has been changed so Engineering Fees are reflected by department, therefore lowering the miscellaneous fees.

Councilmember Page asked about the reduction in the Other Road Repair and Maintenance. Mayor Kind said the proposed number was based on the 2011 year-to-date number. Councilmember Fletcher suggested the number should remain the same as 2011. The Council agreed.

Councilmember Fletcher suggested the Jail expense should remain the same as 2011 since the city doesn't control the number of arrests and incarcerations. The Council agreed.

Councilmember Fletcher suggested the expense for Building Inspections be increased from \$7,000 to \$8,000 to anticipate increased costs due to an uptick in construction. The Council agreed.

On page four Councilmember Fletcher said he was concerned about using the Stormwater Fee to pay for Street Sweeping. Mayor Kind said that street sweeping is part of the city's stormwater program, so it is appropriate to be paid from that fund.

Councilmember Page said he would like see more clearing activities taking place on the bituminous trail which is highly used. Mayor Kind said the trail is a low priority after a snow storm. The Council discussed the possibility of contracting the service to an outside company.

Councilmember Quam asked whether the city's contribution to the Southshore Center was enough. Councilmember Rose said he's heard that some cities aren't even making contributions. Mayor Kind said she would investigate that claim.

On page five Councilmember Fletcher suggested increasing the Capital Outlay for I/I projects from \$28,000 to \$50,000 to take full advantage of potential matching funds. The Council agreed. Fletcher also suggested increasing the expense related the Public Work Sewer from \$1,500 to \$2,000.

Mayor Kind discussed the revenue received from Special Assessments.

On page six Councilmember Quam commented he felt adding \$20,000 to the Bridge Capital Project Fund was sufficient.

Councilmember Page commented that the Marina Fund balance was optimistic since it was based on raising fees. Mayor Kind said the intent was to raise the fees in 2012. Page also said the goal amount in the Marina Fund should be raised from \$50,000 to \$200,000 to cover the expense of replacing the docks in the future. He also expressed concerns about taking funds out of the Marina Fund for other purposes other than maintaining the city docks.

The Council will hold a worksession prior to their September 6<sup>th</sup> meeting to continue the discussion on the 2012 budget.

### 3. Adjournment

Fletcher moved to adjourn. Second by Rose. Meeting adjourned at 7:02 pm.

Respectfully submitted  
Gus Karpas  
City Clerk

**GREENWOOD CITY COUNCIL MEETING**  
**Tuesday, August 4, 2011, 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 7:03 P.M.

Members Present: Mayor Kind; Councilmembers Fletcher, Page, Quam and Rose

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

Members Absent: None

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

**2. CONSENT AGENDA**

**Rose moved, Page seconded, approving the items contained on the Consent Agenda.**

- A. July 5, 2011, City Council Meeting Minutes** (This was moved to Item 8.A under Other Business.)
- B. June 2011 Cash Summary Report**
- C. July 2011 Verifieds and Check Register**
- D. August 2011 Payroll Register**

**Motion passed 5/0.**

**3. MATTERS FROM THE FLOOR**

There were no matters from the floor presented this evening.

**4. ANNOUNCEMENTS, PRESENTATIONS & REPORTS**

- A. Chief Scott Gerber, Excelsior Fire District 2012 Budget**

Mayor Kind noted that Excelsior Fire District (EFD) Chief Scott Gerber is present this evening to answer any questions Council may have about the proposed 2012 EFD budget.

Chief Gerber stated he had provided the City with the fourth draft of the 2012 EFD Operating Budget and Capital Improvement program developed by the EFD Board. The overall proposed budget is approximately \$1.5 million and it reflects a \$17,456 (or 1.16 percent) increase over the overall 2011 adopted budget. The 2012 budget reflects a municipal contribution increase of \$4,541 (or 0.30 percent) over the 2011 contribution. The total overall budget of \$1,523,072 was reduced through the use of the anticipated surplus in the Fire Facilities Fund at the end of 2011 and this in turn reduced the municipal

contribution. The surplus is the result of using unspent proceeds remaining in the construction fund for the public safety facilities to offset part of the first 2011 bonded debt payment for the EFD.

Chief Gerber then stated he is willing to review the budget in detail if Council would like. He expressed his willingness to just entertain questions as well.

Councilmember Fletcher stated he read meeting minutes from an EFD Board meeting when there was a discussion about emergency medical services (EMS), including how firefighters were dispatched to emergency medical calls. During that discussion there was a reference to the cost of providing those services being approximately \$60,000 (Greenwood's share of that is about \$5,000). Someone suggested the possibility of reducing the level of EMS. He noted he does not support that. He stated it's important to continue to provide that service to the community. A reduction in the level of service would have a negative impact on the EFD community. He expressed support for dispatching firefighters more efficiently if that is possible.

Fletcher then stated when he was at the EFD Station 1 recently he took the time to inspect the lounge furniture. His assessment is it should be replaced. The replacement of that furniture is not included in the fourth draft of the budget. The original budget proposal did include it. He recommended that be put back in the budget for a cost of \$2,500. Councilmember Quam expressed he agreed with Fletcher on that.

Mayor Kind explained that EFD Board has not finalized a budget for the member cities review. Council will take action on it during its September 6, 2011, meeting.

Chief Gerber explained the 2012 budget process timeline was adjusted to allow for the budget to more accurately reflect what the 2012 mandatory contribution to the Excelsior Firefighters Relief Association's fund for pensions will be. He stated there is an EFD work session for the member City Councils scheduled for August 10, 2011, at 6:00 P.M. Councilmembers will have the opportunity to ask questions about the fourth draft of the budget during that meeting. Immediately following that work session the EFD Board will meet in regular session to finalize a budget and recommend it for approval.

## **B. Chief Bryan Litsey, South Lake Minnetonka Police Department 2012 Budget**

Mayor Kind noted SLMPD Chief Litsey is present this evening to give a brief presentation about the South Lake Minnetonka Police Department (SLMPD) 2012 Operating Budget.

SLMPD Chief Litsey thanked those Councilmembers and staff members who were able to attend the recent Emergency Preparedness Seminar held on August 3<sup>rd</sup> for doing so. There were 25 city representatives in attendance. He also thanked those Councilmembers who were able to attend Night to Unite neighborhood gatherings on August 2<sup>nd</sup> for doing so. There were two neighborhood parties in Greenwood. The SLMPD's new all terrain vehicle was there. The ATV was purchased with donations.

Councilmember Quam stated the SLMPD and Excelsior Fire District personnel that attended the neighborhood gatherings were very helpful and knowledgeable.

Chief Litsey gave a short presentation about the proposed 2012 SLMPD budget. He noted this has been his thirteenth year of preparing and presenting a budget as the chief executive officer for the SLMPD. The highlights of his presentation are as follows.

The primary objective has always been to develop a realistic, yet lean and efficient budget proposal that adequately provides for the mission of the SLMPD with an eye toward the future. The sluggish economy

has made this task particularly challenging in recent years. Preparing an annual operating budget for a joint powers organization requires the process start sooner and it involves layers of review prior to it being considered for approval by the SLMPD member City Councils. The budget process has been very transparent. For this budget process a new web-based feature has been implemented on the SLMPD's website [www.southlakepd.com](http://www.southlakepd.com) that allows individuals to track the budget process and download information.

Given the autonomy of the SLMPD as a joint powers organization its Chief of Police has a greatly expanded role. Many of the Chief's duties are akin to that of a city manager with additional responsibilities. The Chief is charged with shepherding through a budget process that has the support of the Coordinating Committee and is ultimately approved by the member City Councils.

A considerable amount of reference material has been generated to date including two comprehensive PowerPoint presentations and a budget memorandum specifically addressing questions about overtime expenses. Those documents are included in the packet for this meeting and they can be downloaded from the SLMPD website.

Preliminary 2012 budget considerations were discussed during the Coordinating Committee's May 11<sup>th</sup> meeting. The considerations were incorporated into an initial budget proposal developed by staff. The initial proposal was presented to the Committee during its June 27<sup>th</sup> budget work session. Based on the direction received during that work session and based on input from the negotiation team representing the Committee during contract talks with the union the budget presented during that work session has been refined. (SLMPD Chief Litsey and Excelsior City Manager Luger have sat at the bargaining table the last few negotiations and Coordinating Committee Member Kind has served as the liaison between the management negotiation team and the Coordinating Committee.) The revised budget proposal is a workable budget for 2012 absent any anomalies and/or unforeseen conditions. The revised budget sustains current operations while addressing some future needs.

Personnel costs for 2012 reflect the negotiation team's expectations. But, the labor agreement for union employees expires at the end of 2011 and negotiations for a new contract for 2012 have not been started. For 2012 health insurance rates are expected to decrease; that hasn't happened for years.

Other expense considerations include additional costs associated with a move to a new record management system (RMS), additional capital needed to support an adequate vehicle fleet rotation schedule and higher fuel costs. The current RMS is antiquated and there is no vendor support for it. The SLMPD is considering partnering with the Hennepin County Sheriff's Department on its licensing on a new RMS and that would reduce the cost for the SLMPD. The 2012 budget for fuel was increased when compared to the 2011 budget. The budgeted transfer into the designated Vehicle Fund was increased. There needs to be an incremental increase in future budgets in order to support a realistic fleet replacement schedule. In 2010 funds in the DWI Forfeiture Fund were used to help purchase a vehicle, but this Fund is not a reliable source to support ongoing operations.

Declining revenues continue to be an issue, most notably state aid payments associated with police pensions and disability benefits. State aid payments have gone down drastically. Lower revenue projections from that aid have been incorporated into the budget.

A 2006 arbitration ruling reset each member city's percentage contribution toward the operating budget for 2007 through 2011. In accordance with the arbitration ruling the percentages are to be adjusted every five years starting in 2012 based on the change in population, tax capacity and initial complaint report statistical data. The Coordinating Committee assigned the member City Administrators/Manager the task

of working on the reallocation formula for 2012 – 2016. The Committee was presented preliminary figures during its June 27<sup>th</sup> work session. The Committee accepted the 2012 – 2016 reallocation formula during its July 20, 2011, meeting. The budget worksheets reflect the reallocation formula.

Looking forward, it's important to keep in the forefront the Strategic Planning Group's (SPG) 2008 findings which are published in its 2008 Strategic Action Plan. A copy of the Plan is posted on the SLMPD website. The Plan serves as a reminder of the unfinished business needing to be addressed once the economic conditions improve. Central to the SPG's recommendation is for the SLMPD to increase its current compliment of police officers. Continuing to do more with less can only go on so long before core operations and safety become comprised. This critical staffing concern needs to be funded sooner rather than later.

The SLMPD has made attempts to secure a COPS grant for adding police officers but competition has been immense for the limited amount of money available through the federally funded program. The SLMPD is one of a vast majority of applicants that did not receive funding. Demand far exceeded available funding.

Chief Litsey noted that during the July 20, 2011, Coordinating Committee meeting the Committee accepted, on a 4/0 vote, the SLMPD 2012 Operating Budget Proposal as presented and it directed that it be forwarded to the member City Councils with a recommendation for approval prior to September 1, 2011.

Chief Litsey also noted that he attended an Excelsior City Council meeting on August 1<sup>st</sup> during which the Excelsior City Council approved the budget based on the reallocation formula on a 4/0 vote.

In response to a question from Councilmember Quam, Chief Litsey explained the SLMPD personnel have been switching to high deductible health savings accounts and that has helped control health insurance costs. The SLMPD is part of the LOGIS Health Care Group, a consortium of government agencies, which collectively negotiates with health insurance providers. The existing contract with HealthPartners expires at the end of 2011. LOGIS has decided to go with Blue Cross Blue Shield (BCBS) for 2012 because BCBS rates are lower than those proposed by HealthPartners.

On a topic not related to the budget, Councilmember Fletcher asked what it takes to have the speed buggy located in the City more. Mayor Kind responded she thought the procedure should be to go through her to consolidate requests and she will schedule the speed buggy with SLMPD Community Service Supervisor Hohertz.

**Fletcher moved, Quam seconded, approving the South Lake Minnetonka Police Department's 2012 Operating Budget as presented. Motion passed 5/0.**

Chief Litsey thanked Council for its support and asked whether the motion included approval of the reallocation formula.

Mayor Kind stated that she would like the council to address the reallocation formula in a separate motion. She explained the 2006 binding arbitration agreement stipulates the funding allocation formula be adjusted for 2012 – 2016 and then every five years after that. The SLMPD Coordinating Committee directed the member City Administrators/Manager to determine what the reallocation formula is. The SLMPD Coordinating Committee unanimously agreed their interpretation of the arbitration agreement is accurate. Based on the reallocation formula Greenwood's share of the operating costs for the 2012 SLMPD Operating Budget will increase 8.73 percent. The administrators group is reviewing the SLMPD

joint powers agreement to determine if the Coordinating Committee's acceptance of the reallocation formula is the appropriate protocol to follow or if each member City Council must also accept the formula. In case it's determined that each Council must accept the formula she recommended Council take action on the formula this evening to avoid having to call a special council meeting.

**Quam moved, Page seconded, accepting the 2012 – 2016 funding formula for South Lake Minnetonka Police Department operations as recommended by the City Administrators/Manager of the Cities of Excelsior, Greenwood, Shorewood and Tonka Bay as an accurate interpretation of the arbitration agreement order.**

Councilmember Rose asked why Council is even being asked to vote on this. Kind stated that it may not be necessary, but approving the reallocation would avoid the need for a special meeting if it is determined that the 4 cities need to take action.

**Motion passed 4/1 with Rose dissenting.**

Councilmember Rose explained he does not agree with the arbitration agreement order. Mayor Kind stated that she does not like the original arbitration order either, but that the reallocation formula is accurate and the city must abide by it.

**Page moved, Quam seconded, approving that Item 7.B on the agenda be discussed next. Motion passed 5/0.**

Discussion moved to Item 7.B on the agenda.

**C. City Attorney Mark Kelly, Unemployment Claim**

This was discussed after Item 7.B on the agenda.

Councilmember Quam stepped out of the room.

Mayor Kind stated the meeting packet contains a memo from Attorney Kelly regarding his research into the former City Clerk Roberta Whipple's unemployment claim.

After some discussion about this item there was consensus to recess the meeting until Councilmember Quam came back.

**Mayor Kind recessed the meeting at 7:50 P.M.**

**Mayor Kind reconvened the meeting at 7:58 P.M.**

Councilmember Quam returned during the recess.

**Fletcher moved, Quam seconded, accepting the City Attorney's recommendation that the City cannot successfully contest the interpretation of State Statute 268.095 subd. 10 and therefore approving the payment of the unemployment insurance bill dated July 8, 2011, in the amount of \$5,256.**

Councilmember Quam asked if there is any way for the City to get out of paying the bill. Attorney Kelly explained he is not aware of any way the City can get out of doing that unless the City receives a

determination. To date the Department of Minnesota Unemployment Insurance has not responded to the original objection dated February 7, 2011, filed under Mayor Kind's signature or his letter dated April 19, 2011. He noted the City is entitled to know what the determination was. The initial notice from the State dated February 2, 2011, did not inform the City that Ms. Whipple had a job. He stated the City did not receive full information in February and it's entitled to know what the determination is. He commented Council and he can surmise what the determination is. He stated he does not think the City will prevail on the State's policy.

Mayor Kind stated she did have a conversation with a representative of the Department of Minnesota Unemployment Insurance and learned that Ms. Whipple did work another job for awhile after she terminated her employment with the City but she but was laid off from the job.

Mayor Kind expressed her support for the motion. She stated the City may not have received the final bill. The maximum the City has to pay is about \$10,500.

Councilmember Page stated he would like to hear about the job Ms. Whipple had after she left the City. He then stated maybe the Department of Minnesota Unemployment Insurance made a mistake.

**Motion failed 2/3 with Page, Quam and Rose dissenting.**

**Page moved, Rose seconded, authorizing Mayor Kind to write a letter to the Minnesota Unemployment Office stating that no further payments will be made until the City receives copies of all determinations and a written reply to the Mayor Kind's letter dated February 7, 2011, and Attorney Kelly's letter dated April 19, 2011. Motion passed 4/1 with Kind dissenting.**

Mayor Kind stated that she thinks it is a waste of her time to write the letter.

## **5. PUBLIC HEARING**

None.

## **6. UNFINISHED BUSINESS**

### **A. Yard Definitions**

Mayor Kind stated Council discussed the "Definitions of Yards" in the City Code during its July 5, 2011, meeting. Four of the five Councilmembers were in attendance. Those present were split on whether or not to refer this topic to the Planning Commission for review and a recommendation. Because of the split vote Council decided to continue the discussion to this meeting so Councilmember Fletcher could be the deciding vote. The meeting packet contains a copy of the language in the Code and a drawing depicting what that language means as well as potential revised language and a drawing depicting what the revised language means.

Councilmember Fletcher stated he read something recently published by the League of Minnesota Cities (LMC) that states it's beneficial to include diagrams in a code book. He suggested the Planning Commission prepare diagrams for the various lot configurations (e.g., corner lots, lots with nonconforming structures on them and so forth) in the City. The intent is to have more clarity in the Code. Councilmember Quam stated he would like to have more diagrams.

Councilmember Rose asked Councilmember Fletcher if he liked the two diagrams included in the meeting packet. Fletcher responded he thought the diagrams were beneficial as they made the interpretation of the Code clearer. Rose asked if Fletcher thought the diagram depicting the current language in the Code reflects how the language is being interpreted. [The front yard runs between the inside of the two side yard setbacks.]

Mayor Kind noted Attorney Kelly has stated the way he interprets the current Code is illustrated by the drawing for the proposed Code (the drawing where the front yard goes the length from one side property line to the other). Councilmember Quam stated he agrees with that interpretation. Zoning Administrator/Clerk Karpas stated he enforces the Code based on the proposed diagram. Karpas then stated the Planning Commission can refine the current language in the Code or Council could chose to leave the language as is.

**Rose moved, Page seconded, recommended leaving the “Definitions of Yards” in the City Code as is.**

Councilmember Quam asked why they did not want to clarify the Code. Councilmember Rose responded people aren’t parking their boats in the yards near the closest line of the principle structure. They have been storing them that way for a long time. Quam stated what’s being discussed is the definition of a front yard and that’s different from prohibiting people from parking vehicles in their front yards.

Mayor Kind stated the Code contains an ordinance which stipulates a person can’t store vehicles in their front yard.

Councilmember Page stated one of the things that bothers him about making this type of change is the rest of the Code has to be reviewed to make sure there shouldn’t be other changes made. He then stated people have been storing vehicles in their front yards for a very long time based on their interpretations.

Zoning Administrator/Clerk Karpas clarified the ordinance does not prohibit people from parking a vehicle in their front yard. It does stipulate it must be parked on a paved surface.

Mayor Kind stated if Council wants to change Code Section 900.65 Unlawful Parking and Storage (3) (b) so vehicles don’t have to be parked on a paved surface that is a different discussion and that can occur during Council’s September meeting. She asked Council if it wants to put a moratorium on enforcing that section of the Code until Council has had time to review and discuss it. Councilmember Rose commented the moratorium could go until 2035.

**Mayor Kind called for a vote on the motion. Motion failed 2/3 with Fletcher, Kind and Quam dissenting.**

**Fletcher moved, Quam seconded, directing the Planning Commission to review and make a recommendation regarding the “Definition of Yards” in the City Code and to consider including drawings in the Code to aid with the interpretation of the Code. Motion passed 3/2, with Page and Rose dissenting.**

Mayor Kind asked if there was anyone on the council who was interested in including a discussion of Code Section 900.65 Unlawful Parking and Storage (3) (b) at the next council meeting. Rose said yes. Kind stated she will make sure the topic is on the September council agenda.

**Rose moved, Kind seconded, placing a moratorium on the enforcement of the City Code Section 900.65 Unlawful Parking and Storage (3)(b).**

Mayor Kind stated if Council is entertaining amending the Code on yard definitions then she does not think it's appropriate to enforce the Code Section 900.65 Unlawful Parking and Storage (3) (b) until Council has had time to discuss it.

Councilmember Page clarified Council has not made a decision on amending yard definitions. It has only directing the Planning Commission to review them and make a recommendation as it deems appropriate. He does not support a moratorium.

Mayor Kind stated a letter is being sent out to a resident tomorrow saying the City is going to enforce the Code Section 900.65 Unlawful Parking and Storage (3) (b).

**Motion failed 2/3 with Fletcher, Page and Rose dissenting.**

**7. NEW BUSINESS**

**A. Code Section 1135.05 Revision to Change "Office" to a Principal Use and Change "Restaurant" to a Conditional Use**

Mayor Kind explained that Councilmember Rose asked for this item to be placed on the agenda. Rose wants Council to consider revising the City Code Section 1135.05 to change the principal and conditional uses in the C-2, Lake Recreation District. The current language in the Code lists marinas and restaurants as principal uses, and includes general offices on the list of conditional principal uses in the C-2 District. With the discontinuance of a restaurant use at one of the two sites in the C-2 District and Council's recent approval of an office building as the principal use for the site, now is a good time to consider changing the Code. She noted all amendments to Chapter 11 Zoning in the Code must be reviewed by the Planning Commission.

Zoning Administrator/Clerk Karpas stated restaurants are a more intensive use and therefore there should be more Council oversight of them. He suggested general offices should be the permitted use and restaurants should be the conditional use. He stated he supports the proposed change.

**Rose moved, Page seconded, directing the Planning Commission to review and make a recommendation regarding amending City Code Section 1135.05 to change "office" to a principal use and change "restaurant" to a conditional use. Motion passed 5/0.**

Discussion moved to Item 7.C on the agenda.

**B. Replacement Policy for Minnetonka Boulevard Barrier Posts**

This was discussed after Item 4.B on the agenda.

Mayor Kind explained during Council's July 5, 2011, meeting she reported that a vehicle crashed into barrier posts located near Minnetonka Boulevard on June 27<sup>th</sup>. At that time she was under the impression that the vehicle went through the barrier posts and landed upside down on the walking path side of the posts. She thought the posts created a false sense of security to people using the pathway and she suggested the City not replace the damaged posts. The cost to replace the posts is approximately \$280. During that Council discussion someone else stated the posts had stopped the vehicle from crossing the

walking path and they caused the vehicle to flip over onto the street. Based on that information Council decided to continue with the City's past practice of replacing damaged posts.

Kind went on to explain this was further investigated with the South lake Minnetonka Police Department (SLMPD). The SLMPD report indicated the vehicle went through the barrier posts and landed upside down on the walking path side of the posts. The meeting packet includes a copy of the SLMPD's report and photos. The packet also includes opinions from the SLMPD Chief of Police and the City Engineer.

Kind noted that it costs approximately \$650 annually to weed whip around the posts and it would cost approximately \$600 – \$800 to remove all of the posts.

Councilmember Quam stated the barrier posts may have kept the vehicle from reaching the LRT trail.

Chief Litsey stated the barrier posts are more symbolic than helpful, noting it would be difficult to determine how far the vehicle would have gone if the posts were not there. He explained a wooden post that has been in place for a while is generally not up to design standards for safety reasons. The barrier may be more of a cautionary measure that keeps vehicles more to the left on the driving lane. The current trend is to have metal or cement posts for barriers.

Mayor Kind stated the curve in the roadway does not meet state standards for requiring a guard rail. Chief Litsey noted the curve is not sharp.

Councilmember Quam asked if having cable strung between the posts would be helpful. Chief Litsey responded cable may help provided the aging posts were replaced with treated wood posts if wood is the desired material. Litsey noted that cable barriers are not as effective as cement barriers. Litsey stated the wood posts are visually more appealing. Quam asked if the posts will stop a vehicle sliding on the ice. Litsey stated a wood post in the ground is not able to absorb any shock; it takes something with a lot of structural integrity to do that.

Councilmember Quam stated he thought there should be some type of barrier there. Residents in the area have expressed their concern about the possibility of removing the barrier posts.

Councilmember Page expressed he did not support removing the posts. He stated the posts mark the edge of the path. The posts do slow a crash down. The posts keep drivers from veering onto the path.

Mayor Kind stated other cities have sidewalks that are located next to roadways.

Councilmember Fletcher asked Chief Litsey if there is any potential benefit of having the barrier posts. Chief Litsey stated they give the pedestrian a sense of protection they really don't have, but they create a definite distinction between the roadway and the path.

Councilmember Page stated he did not think people assume the posts will stop an out of control car going at 30 miles per hour. Mayor Kind stated she thinks they will.

Councilmember Quam stated if there is a desire to have a barrier there he asked if a better barrier should be put up.

Councilmember Page stated to put a wire cable between the posts isn't going to do much.

Mayor Kind stated she's opposed to spending money on a new barrier.

Councilmember Quam stated he's opposed to taking the existing barrier posts down.

Councilmember Fletcher stated continuing the policy of replacing posts as they are damaged seems to be a middle of the road solution.

Mayor Kind reiterated that it costs approximately \$650 to weed whip around the posts annually. That money could be spent on taking all of the posts down and the City would soon be money ahead. Councilmember Quam stated the decision about what to do about the posts is not about money. Kind stated she thought they provided a false sense of security. Councilmember Rose stated the City could quit weed whipping around the posts. Mayor Kind stated she did not hear council support for removing the barrier posts, and thanked Chief Litsey for staying for the discussion.

Chief Litsey stated he appreciates that the SLMPD was provided the opportunity to offer its perspective on this.

On a different topic, Councilmember Quam stated the City would like the SLMPD to weigh trucks more often when they come through the City. Chief Litsey stated the SLMPD's scales are not up to standards now and they would have to be replaced. The cost of doing that should be weighed against the benefit. Litsey noted he will prepare information on this for the SLMPD Coordinating Committee to review.

Discussion returned to Item 4.C on the agenda.

**C. Resolution 16-11 for Renewal of Recycling Services from Vintage Waste**

Mayor Kind stated the City approved a one-year agreement for recycling services with Vintage Waste Systems, Inc., in September 2009. The agreement was effective from September 1, 2009, through August 31, 2010. The agreement included the option for two one-year extensions if agreed upon by both parties. Vintage Waste is agreeable to extending the agreement for the period September 1, 2011, to August 31, 2012.

**Page moved, Quam seconded, Adopting RESOLUTION NO. 16-11, "A Resolution Approving Recycling Services for the City of Greenwood Provided by Vintage Waste Systems., Inc. for September 2011 through August 2012." Motion passed 5/0.**

**D. Appointing Second Lake Minnetonka Communications Commission Representative**

Mayor Kind stated as of July 27, 2011, the City has not received any applications for the City's second seat on the Lake Minnetonka Communications Commission (LMCC). With important decisions being made at the August 16, 2011, LMCC full commission meeting she asked if any Councilmember would like to serve as the City's second representative until another person steps forward.

Councilmember Quam stated he will be out of town on August 16<sup>th</sup>. Councilmember Page stated he is not willing to serve as the second representative at that meeting. Page asked what the benefit is of having a second representative. Councilmember Fletcher explained the City would then have two votes.

Councilmember Fletcher, the City's representative on the LMCC, gave an update on LMCC activities. The full Commission will vote on the proposed 2012 budget. The fiber to the premise (*tonkaconnect*) project is the big discussion topic. The Shorewood City Council on a 4/1 vote voted against any further

funding for the project. The Victoria City Council voted the same way. The budget recommended by the LMCC Executive Committee does not include funding for the project.

Councilmember Page asked Councilmember Fletcher if he is concerned that someone during the full Commission meeting will want to amend the budget to include funding for *tonkaconnect*. Fletcher responded he is less concerned about that now than he was before the Executive Committee voted to recommend the budget be approved. Fletcher stated his preference would be to have a second voting representative present.

Councilmember Quam noted that the last time Council discussed *tonkaconnect* there was Council consensus not to support the project and suggested that the council take an official vote.

**Quam moved, Page seconded, conveying Greenwood City Council does not support the *tonkaconnect* project at this time. Motion passed 5/0.**

There was consensus not to appoint a Councilmember to serve as the City's second voting representative to the LMCC.

#### **E. Budget Comment Opportunity**

Kind suggested the budget hearing and final budget/levy approval be held on December 6, 2011, at 7 P.M.

**Page moved, Rose seconded, setting December 6, 2011, at 7:00 P.M. at the Deephaven Council Chambers located at 20225 Cottagewood Road, Deephaven, Minnesota 55331 as the time and date and place to hear public comment regarding the Greenwood 2012 Budget and directing the City Clerk to notify Hennepin County with this information as well as the phone number (952.474.6633) to be published in the County property tax mailing. Motion passed 5/0.**

### **8. OTHER BUSINESS**

#### **A. July 5, 2011, City Council Meeting Minutes**

This was removed from the consent agenda at Councilmember Fletcher's request.

**Quam moved, Page seconded, Approving the City Council Meeting Minutes for July 5, 2011, as presented. Motion passed 4/0/1 with Fletcher abstaining due to his absence at the meeting.**

### **9. COUNCIL REPORTS**

#### **A. Fletcher: Planning Commission, Eurasian Watermilfoil, Lake Minnetonka Communication Commission,**

Councilmember Fletcher stated the most recent Planning Commission meeting was very brief. The Commission will discuss amending the City's ordinance regarding variances so that it mirrors the language in the new state statute. Included in the meeting packet is a draft proposed amendment to the City Code Section 1155 regarding variances. He noted he will not be able to attend the August meeting.

With regard to the Lake Minnetonka Communications Commission, Fletcher stated he gave that report during Item 7.D on the agenda.

With regard to Eurasian Watermilfoil, Fletcher stated that based on his observations the treatment of St. Alban's Bay has been a great success. He thanked Bay Captain Rob Roy and his group for all of their efforts in helping to get the Bay treated. Mayor Kind stated she has received a great deal of comments from delighted residents.

Fletcher stated the City of Excelsior conducted a water study and determined it has access to enough water capacity to supply their anticipated future needs as well as the Greenwood homes along Excelsior Boulevard. He then stated the Metropolitan (Met) Council appears to be getting more prepared to tear up Excelsior Boulevard to install a high pressure sewer line in 2013/2014.

Fletcher then stated that he has meeting scheduled with members of Excelsior's staff on August 25<sup>th</sup> to talk about extending Excelsior municipal water system under Excelsior Boulevard to about twelve properties in Greenwood at no cost to the City of Greenwood. The property owners would pay the cost.

Councilmember Quam asked if the extension would go from Christmas Lake Road to Maple Heights Road. Councilmember Fletcher stated interest waned after Maple Heights Road.

Mayor Kind asked if property owners can opt out of connecting to municipal water. Councilmember Fletcher stated there will be a cost to property owners to connect to water.

Councilmember Fletcher stated there is a lot of exploratory work that has to be done about a potential extension. It's his perspective that if the exploratory work isn't started, water will never be extended. It is a one-time opportunity. Engineering work will be required as part of the planning process and he's not sure how that will be funded. Property owners will likely have to fund that effort. At that time the real level of interest in an extension will become clear.

Mayor Kind noted that a small number of Greenwood properties already get their municipal water from Excelsior.

Councilmember Fletcher stated the Met Council has expressed interest in helping to make the extension happen being its going to tear up Excelsior Boulevard up. Excelsior is considering doing other projects in the area at the same time as the Met Council project. He asked the Council to think about whether there were any road or trail projects in that area that should be considered.

## **B. Kind: Police, Administration**

Mayor Kind stated Council already heard a presentation on the South Lake Minnetonka Police Department (SLMPD) 2012 proposed budget. She noted the SLMPD Coordinating Committee's last meeting was on July 20, 2010. She explained a new record management system for the SLMPD will cost less than anticipated because the SLMPD is considering partnering with the Hennepin County Sheriff's Department on its licensing for the same system. Excelsior Mayor Ruehl and Shorewood Mayor Lizée are going to approach some of the neighboring cities to determine if there is any interest in becoming a part of the SLMPD joint powers organization.

Kind then stated Council will have a budget work session before its September 6<sup>th</sup> regular meeting. She noted she and Councilmember Fletcher attended an Emergency Preparedness Seminar on August 3<sup>rd</sup>. It was informative and interesting. There will be emergency preparedness training conducted later in the year. She related that Excelsior Fire District Chief Gerber explained that every elected official and municipal employee is supposed to go through that training.

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

Councilmember Page reported on Lake Minnetonka Conservation District (LMCD) activities. The biggest piece of news is one of the LMCD's harvesters capsized in North Arm Bay. One of the pontoons filled with water. The cost for one of the two needed cranes to right it was \$5,000. The harvester was the oldest of the ones the LMCD has. The harvester is totaled. He had suggested to the LMCD Executive Director that the Director research what will be covered by the LMCD's insurance. The LMCD AIS (aquatic invasive species) Task Force is going to conduct a visual review of two of the three bays that were originally treated for Eurasian Watermilfoil in the three-bay pilot program.

**D. Quam: Roads & Sewer, Minnetonka Community Education**

Councilmember Quam stated the City's 2011 roadway improvement project had been scheduled to start the following day. Due to a scheduling problem with the milling machine the start date has been pushed off. He is not sure when the improvements will be started. There is some indication it may start on August 8<sup>th</sup>. Sewer system repairs will start around September 1<sup>st</sup>.

Quam then stated the Minnetonka Community Education (MCE) Tour de Tonka bicycle event is scheduled for August 6<sup>th</sup> and the MCE is looking for volunteers to help with that event. He highlighted some of the event activities.

**E. Rose: Excelsior Fire District**

Councilmember Rose stated the Excelsior Fire District (EFD) Board had a regular meeting on July 27, 2011. EFD Chief Gerber provided highlights of the budget earlier in the meeting. The EFD 2012 budget increase is 1.16 percent when compared to the adopted 2011 budget.

**10. ADJOURNMENT**

**Quam moved, Fletcher seconded, Adjourning the City Council Regular Meeting of August 4, 2011, at 8:55 P.M. Motion passed 5/0.**

**RESPECTFULLY SUBMITTED,**  
**Christine Freeman, Recorder**

Vendor No	Invoice No	Description	Inv Date	Invoice Amt	Disc Amt	Check Amt	Check No	Chk Date
3	KELLY LAW OFFICES							
	5899	GENERAL LEGAL	07/26/2011	667.00	.00	667.00	10379	08/09/2011
	5900	LAW ENFORCE PROSECUTION	07/26/2011	356.50	.00	356.50	10379	08/09/2011
	5908	GENERAL LEGAL	08/18/2011	908.50	.00	908.50	10389	08/24/2011
	5909	LAW ENFORCE PROSECUTION	08/18/2011	379.50	.00	379.50	10389	08/24/2011
Total 3				2,311.50	.00	2,311.50		
9	CITY OF DEEPHAVEN							
	080111	COPIES	08/01/2011	6,962.60	.00	6,962.60	10377	08/09/2011
Total 9				6,962.60	.00	6,962.60		
38	SOUTH LAKE MINNETONKA POLICE							
	082211	Hennepin Co. Processing Fees	08/22/2011	150.00	.00	150.00	10391	08/24/2011
Total 38				150.00	.00	150.00		
51	BOLTON & MENK, INC.							
	0141141	2011 STREET IMPROVEMENT	07/31/2011	1,955.00	.00	1,955.00	10375	08/09/2011
	0141146	2011 MISC ENGINEERING FEES	07/31/2011	1,618.50	.00	1,618.50	10375	08/09/2011
	0141149	MS4 INSPECTIONS & MAPPING	07/31/2011	454.75	.00	454.75	10375	08/09/2011
	0141150	2011 SANITARY SWR REHAB	07/31/2011	1,383.00	.00	1,383.00	10375	08/09/2011
Total 51				5,411.25	.00	5,411.25		
68	GOPHER STATE ONE CALL							
	16347	Gopher State calls	08/01/2011	29.10	.00	29.10	10378	08/09/2011
Total 68				29.10	.00	29.10		
105	METROPOLITAN COUNCIL ENV SERV							
	0000967001	Monthly wastewater Charge	08/02/2001	2,336.37	.00	2,336.37	10381	08/09/2011
Total 105				2,336.37	.00	2,336.37		
136	Sun Newspapers							
	1063978	OSTRANDER VARIANCE	08/04/2011	45.76	.00	45.76	10383	08/09/2011
	1063979	Ord #196	08/04/2011	37.18	.00	37.18	10383	08/09/2011
Total 136				82.94	.00	82.94		
145	XCEL							
	072511	LIFT STATION #3	07/25/2011	1,261.62	.00	1,261.62	10386	08/09/2011
Total 145				1,261.62	.00	1,261.62		
581	EMERY'S TREE SERVICE, INC.							
	16715	TREE MAINTENANCE	07/31/2011	1,501.85	.00	1,501.85	10387	08/24/2011

Vendor No	Invoice No	Description	Inv Date	Invoice Amt	Disc Amt	Check Amt	Check No	Chk Date
Total 581				<u>1,501.85</u>	<u>.00</u>	<u>1,501.85</u>		
701	Popp Telecom 1974660	Local, Long dist. & DSL	07/31/2011	<u>41.88</u>	<u>.00</u>	<u>41.88</u>	10382	08/09/2011
Total 701				<u>41.88</u>	<u>.00</u>	<u>41.88</u>		
742	Marco, Inc. 181811910	Copier lease	07/14/2011	<u>212.15</u>	<u>.00</u>	<u>212.15</u>	10380	08/09/2011
	184040772	Copier lease	08/14/2011	<u>212.15</u>	<u>.00</u>	<u>212.15</u>	10390	08/24/2011
Total 742				<u>424.30</u>	<u>.00</u>	<u>424.30</u>		
745	Vintage Waste Systems 072811	City Recycling Contract	07/28/2011	<u>1,568.40</u>	<u>.00</u>	<u>1,568.40</u>	10384	08/09/2011
Total 745				<u>1,568.40</u>	<u>.00</u>	<u>1,568.40</u>		
751	Hennepin County Treasurer 20117	Room & Board/Work Release	08/15/2011	<u>315.00</u>	<u>.00</u>	<u>315.00</u>	10388	08/24/2011
Total 751				<u>315.00</u>	<u>.00</u>	<u>315.00</u>		
781	CHRISTINE A. FREEMAN CC 20110630	COUNCIL MEETING RECORDER	06/30/2011	<u>1,290.00</u>	<u>.00</u>	<u>1,290.00</u>	10376	08/09/2011
Total 781				<u>1,290.00</u>	<u>.00</u>	<u>1,290.00</u>		
Grand Totals:				<u>23,686.81</u>	<u>.00</u>	<u>23,686.81</u>		

Check Issue Date(s): 08/01/2011 - 08/31/2011

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
08/11	08/09/2011	10375	51	BOLTON & MENK, INC.	502-20100	5,411.25
08/11	08/09/2011	10376	781	CHRISTINE A. FREEMAN	101-20100	1,290.00
08/11	08/09/2011	10377	9	CITY OF DEEPHAVEN	101-20100	6,962.60
08/11	08/09/2011	10378	68	GOPHER STATE ONE CALL	602-20100	29.10
08/11	08/09/2011	10379	3	KELLY LAW OFFICES	101-20100	1,023.50
08/11	08/09/2011	10380	742	Marco, Inc.	101-20100	212.15
08/11	08/09/2011	10381	105	METROPOLITAN COUNCIL ENV SERV	602-20100	2,336.37
08/11	08/09/2011	10382	701	Popp Telecom	101-20100	41.88
08/11	08/09/2011	10383	136	Sun Newspapers	101-20100	82.94
08/11	08/09/2011	10384	745	Vintage Waste Systems	101-20100	1,568.40
08/11	08/09/2011	10385		Information Only Check	101-20100	.00 V
08/11	08/09/2011	10386	145	XCEL	101-20100	1,261.62
08/11	08/24/2011	10387	581	EMERY'S TREE SERVICE, INC.	101-20100	1,501.85
08/11	08/24/2011	10388	751	Hennepin County Treasurer	101-20100	315.00
08/11	08/24/2011	10389	3	KELLY LAW OFFICES	101-20100	1,288.00
08/11	08/24/2011	10390	742	Marco, Inc.	101-20100	212.15
08/11	08/24/2011	10391	38	SOUTH LAKE MINNETONKA POLICE	101-20100	150.00
Totals:						<u>23,686.81</u>

Dated: \_\_\_\_\_

Mayor: \_\_\_\_\_

City Council: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

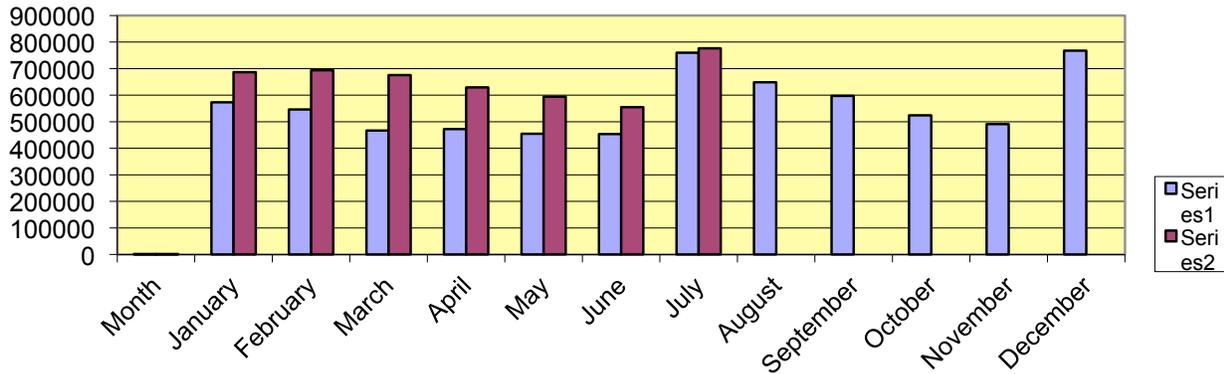
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City Recorder: \_\_\_\_\_

**City of Greenwood**  
Monthly Cash Summary



Month	2010	2011	Variance with Prior Month	Variance with Prior Year
January	\$573,056	\$686,781	-\$80,855	\$113,725
February	\$545,897	\$693,859	\$7,078	\$147,962
March	\$466,631	\$675,719	-\$18,140	\$209,088
April	\$472,069	\$629,569	-\$46,150	\$157,500
May	\$454,955	\$593,928	-\$35,641	\$138,973
June	\$453,487	\$555,064	-\$38,864	\$101,577
July	\$759,701	\$776,650	\$221,586	\$16,949
August	\$648,560	\$0	-\$776,650	-\$648,560
September	\$597,536	\$0	\$0	-\$597,536
October	\$523,980	\$0	\$0	-\$523,980
November	\$491,216	\$0	\$0	-\$491,216
December	\$767,636	\$0	\$0	-\$767,636

Bridgewater Bank Money Market	\$563,814
Bridgewater Bank Checking	\$10,341
Beacon Bank Money Market	\$202,395
Beacon Bank Checking	\$100
<b>Total</b>	<b>\$776,650</b>

**ALLOCATION BY FUND**

General Fund	\$230,316
General Fund Designated for Parks	\$27,055
Bridge Capital Project Fund	\$39,970
Stormwater Special Revenue Fund	\$8,270
Sewer Enterprise Fund	\$430,771
Marina Enterprise Fund	\$40,268
<b>Total</b>	<b>\$776,650</b>

Pay Per Date	Jrnl	Check Date	Check Number	Payee	Emp No	Amount
09/01/11	PC	09/01/11	9011101	Debra J. Kind	34	277.05
09/01/11	PC	09/01/11	9011102	Fletcher, Thomas M	33	84.70
09/01/11	PC	09/01/11	9011103	H. Kelsey Page	35	184.70
09/01/11	PC	09/01/11	9011104	Quam, Robert	32	184.70
09/01/11	PC	09/01/11	9011105	William Rose	36	184.70
Grand Totals:						<u>915.85</u>



Agenda Number: **4A**

Agenda Date: 09-06-11

**Agenda Item:** Kristi Conrad, Planning Commission Applicant for Alternate Seat 2

**Summary:** The city received an application from Kristi Conrad for the open alternate seat 2 on the planning commission. Kristi's application is attached. Kristi will attend the 09-06-11 council meeting so the council can meet her. If the council desires to appoint Kristi to the planning commission, action can be taken immediately and the oath of office may be administered at the council meeting.

**Council Action:** Optional. Suggested Motions ...

1. I move the council approves the appointment of Kristi Conrad to planning commission alternate seat 2 effective immediately.
2. Do nothing.

# 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](mailto: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. New applicants will be invited to a city council meeting for an informal interview. We enjoy meeting you.

Name	Kristi Conrad	
Address	21780 Fairview St.	
Phone	952-285-5345	
Email	kaconrad@gmail.com	
Job Title	Self-employed	
How many years have you lived in the Lake Minnetonka area?	1.5 years	
How many years have you lived in Greenwood?	1.5 years	
Are you able to attend meetings on the 3rd Wednesday of each month?	Yes	
Would you be willing to attend a city-paid training class?	Yes	
Why do you want to serve on the planning commission?	To channel my enthusiasm for our community into constructive service.	
Do you have any special qualifications or capabilities that would serve Greenwood well on the planning commission?	Studied the Greenwood Code Book during the process of building our home in Greenwood in 2009.	
What would be your main goal as a member of the planning commission?	To have further connection to my community through it's management.	



Agenda Number: **4B**

Agenda Date: 09-06-11

**Agenda Item:** Dave Martini, Meadville Street Survey Results and Next Steps

**Summary:** The city council authorized a survey and analysis of the Meadville drainage issue at the 06-07-11 council meeting. City engineer Dave Martini will present the results of the survey and make recommendations regarding next steps at the 09-06-11 council meeting.

**Council Action:** No council action is required.



# BOLTON & MENK, INC.<sup>®</sup>

## Consulting Engineers & Surveyors

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

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

www.bolton-menk.com

August 30, 2011

City of Greenwood  
Attn: Gus Karpas  
20225 Cottagewood Road  
Deephaven, MN 55331

RE: Meaderville Street Drainage Study

Honorable Mayor and City Council:

As requested, we have analyzed the existing drainage from the low point on Meaderville Street near the entrance to the Old Log Theater and offer the following recommendations for your consideration:

### EXISTING CONDITIONS

The runoff from the low point in Meaderville Street drains west in a ditch to Lake Minnetonka. The ditch is lined with 1 ½" crushed rock, is well maintained and in good condition. The low elevation in the street is 930.77. The low point receives runoff from an estimated 3.1 acres which includes the west portion of the Old Log Theater parking lot. The runoff from the east side of the street flows across the street. However, a significant area east of the street is below elevation 932.0 with flat surface slopes which results in poor drainage and standing water in depressions. The existing conditions and surface drainage patterns are shown on Figure No. 1.

The ground elevations along the west side of the street, in general, slope up from the road which requires the runoff to flow along the edge of the street to the ditch. The slopes along the gutter are very flat and do not provide good positive drainage.

The ordinary high water (OHW) elevation of Lake Minnetonka is 929.40 and the 100 year flood elevation is 931.50. Therefore the low point in the street is only 1.37 feet above the OHW and is below the 100 year flood elevation. The ditch from the street to the lake is 190 feet long and has a very flat slope. The elevation of the lake was at a high of 930.26 on May 23<sup>rd</sup> and was above 930.0 for most of the past spring which resulted in the lake level backing up into the ditch which further exacerbated the drainage problem. Given the elevations of the street and adjacent areas relative to the lake, it is not possible to improve drainage by modifying surface elevations and grades.

### PROPOSED IMPROVEMENT

The only method available to improve the drainage from the Meaderville Street low point is to install a small pumping station with drain tile as shown on Figure 2. This would be similar to a basement sump pump and would allow pumping surface water and ground water from below the elevation of the existing ditch. The existing ditch will continue to drain the surface runoff. The pump station and piping will be shallow and not protected from freezing. Therefore, the pump will need to be removed over the winter. When conditions allow in the spring, the pump can be installed and the pump station will draw down the water in the soil and standing water.

F:\GRWD\C13103892\Correspondence\Meaderville Street Drainage Study.doc

*DESIGNING FOR A BETTER TOMORROW*  
Bolton & Menk is an equal opportunity employer



The pump station would have a capacity of 300 to 400 gallons per minute. To facilitate the operation of the drain tile, the street will be reconstructed with 2 feet of granular soil subbase as shown on the typical street section on Figure 3. This will allow water to percolate from the surface to the drain tile. This granular subbase also provides a stable base for the street. Concrete curb and gutter is proposed along the west side of the street to provide a positive gutter slope to the ditch.

For extremely high lake levels when Meadville Street is flooded by the lake, the existing ditch could be sand bagged to stop water flow from the lake and the pump station could be used to pump down the water level.

The street reconstruction recommended for the drain tile and granular subbase construction leaves a gap of about 60 feet to the south limits of the 2011 street repaving program. The repaving of this 60 foot section is also proposed to be included with the drainage improvement project.

The total estimated cost of the proposed drainage improvements and street paving is \$120,663 as detailed on the attached tabulation. This includes contingency and soft costs. The pump station will have annual costs including electrical costs, equipment maintenance and staff time for operation.

I will be at the City Council Meeting on September 6<sup>th</sup> to discuss our findings and recommendations with you. Please let me know if you have any questions before then.

Sincerely,  
BOLTON & MENK, INC.

A handwritten signature in black ink that reads "David P. Martini".

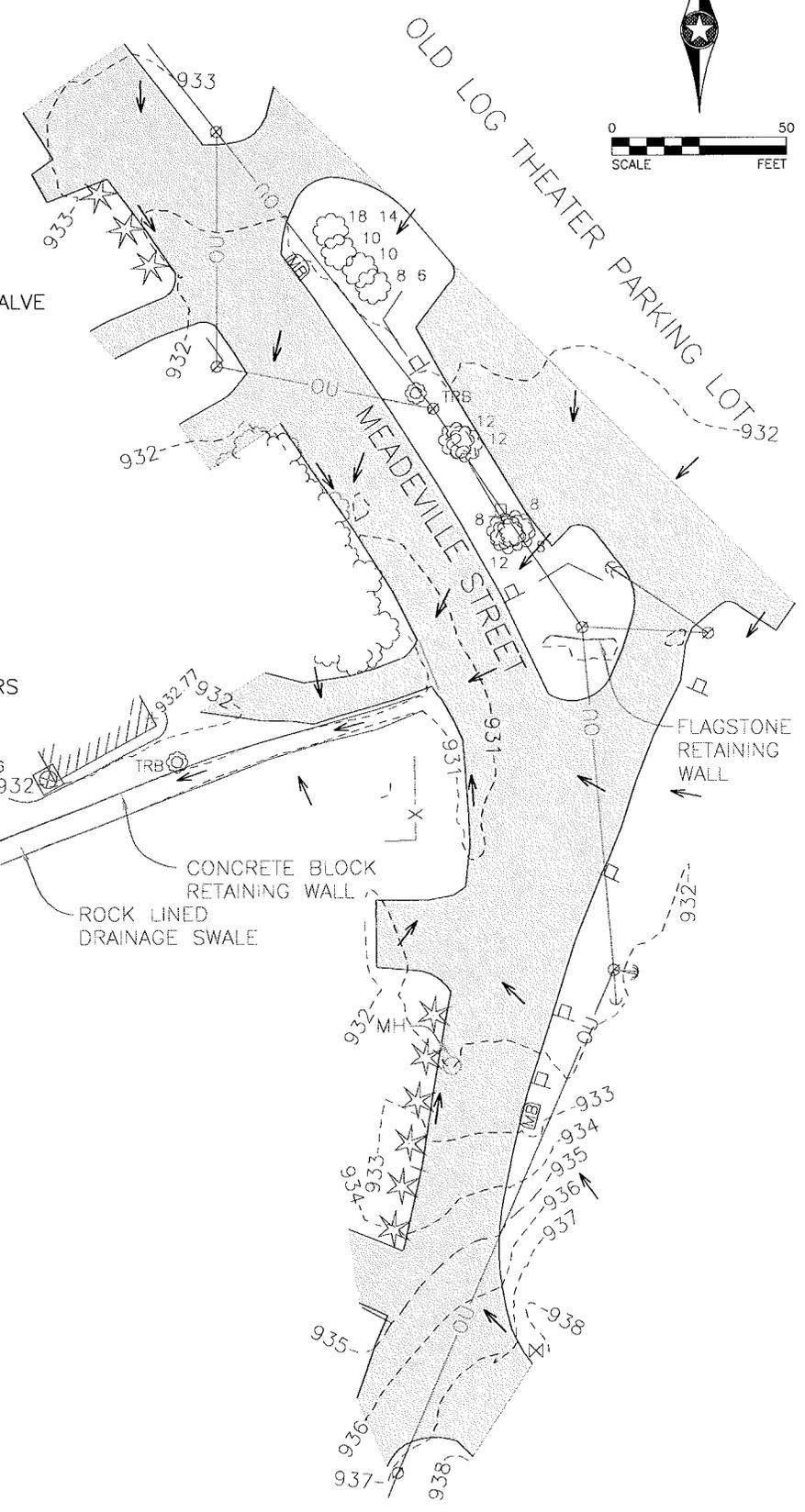
David P. Martini, P.E.  
Principal Engineer



### LEGEND

- ◆ BENCH MARK
- ⊗ AIR CONDITIONER
- ANCHOR
- ⊗ IRRIGATION CONTROL VALVE
- Ⓜ MAILBOX
- UTILITY MANHOLE
- ⊐ TRAFFIC SIGN
- UTILITY POLE
- ☁ DECIDUOUS TREE
- ★ CONIFEROUS TREE
- ⊗ BUSH
- ⊗ WATER VALVE
- ← DRAINAGE ARROW
- OU— UTILITY OVERHEAD
- - - INTERMEDIATE CONTOURS
- - - INDEX CONTOURS
- ▨ BITUMINOUS

WATER EDGE  
ELEV.=929.66  
6/29/11  
RIPRAP  
LAKE  
MINNETONKA



**BOLTON & MENK, INC.**  
Consulting Engineers & Surveyors

MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN  
BURNSVILLE, MN WILLMAR, MN CHASKA, MN  
RAMSEY, MN MAPLEWOOD, MN BRAINERD, MN AMES, IA

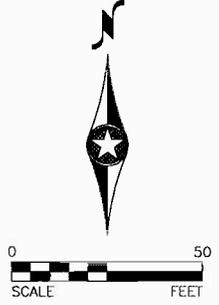
**CITY OF GREENWOOD, MINNESOTA**  
MEADVILLE STREET DRAINAGE STUDY  
EXISTING CONDITIONS

AUGUST, 2011

FIGURE NO. 1

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SOUTH LIMITS OF  
2011 STREET REPAVING



- LEGEND**
- PROPOSED STREET RECONSTRUCTION
  - PROPOSED CONCRETE CURB
  - PROPOSED DRAINTILE
  - PROPOSED FORCEMAIN
  - POSSIBLE PRIVATE DRAINTILE

WATER EDGE  
ELEV.=929.66  
6/29/11  
RIPRAP  
LAKE  
MINNETONKA

CONCRETE  
SPILLWAY

FORCEMAIN

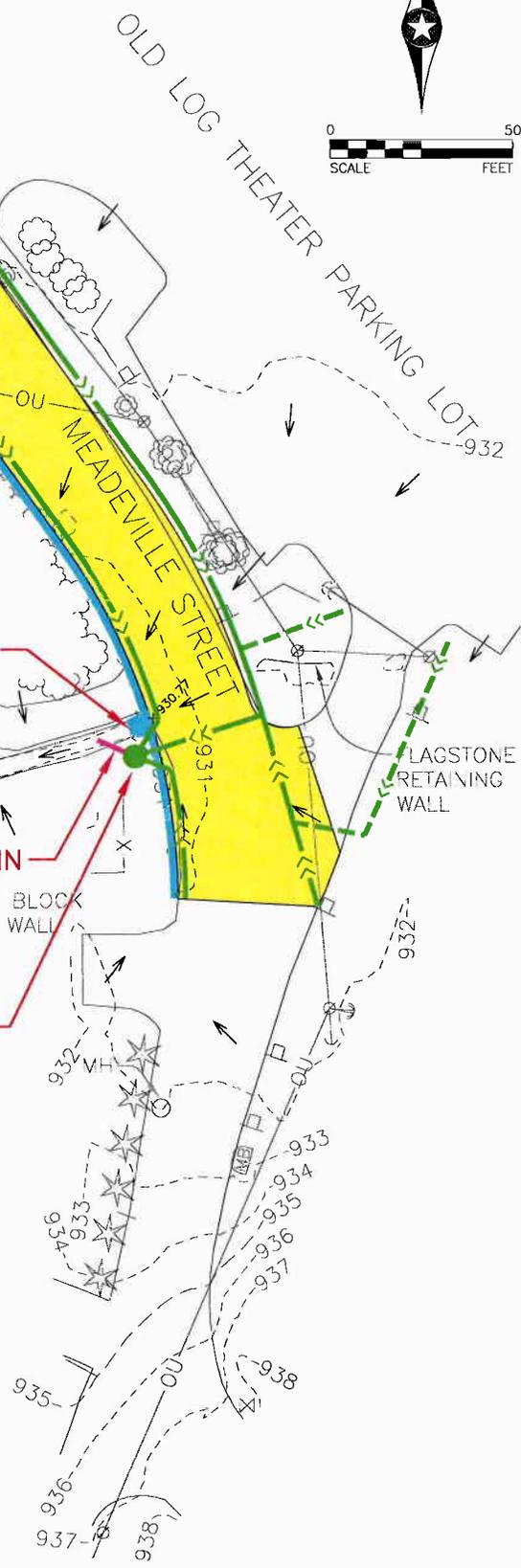
CONCRETE BLOCK  
RETAINING WALL

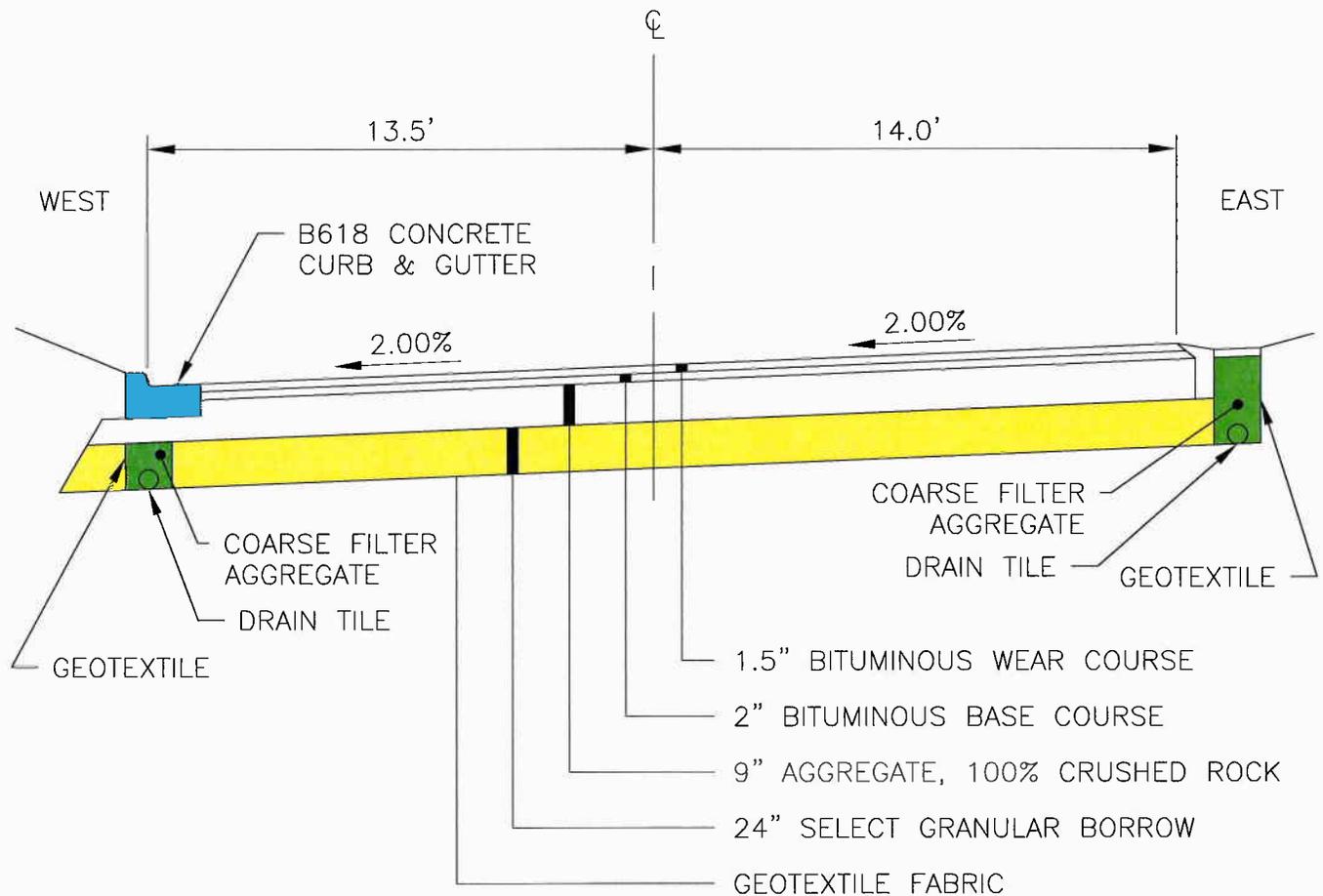
ROCK LINED  
DRAINAGE SWALE

PROPOSED PUMP  
STATION

OLD LOG THEATER PARKING LOT

LAGSTONE  
RETAINING  
WALL





**BOLTON & MENK, INC.**

Consulting Engineers & Surveyors

MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN  
 BURNSVILLE, MN WILLMAR, MN CHASKA, MN  
 RAMSEY, MN MAPLEWOOD, MN BRAINERD, MN AMES, IA

CITY OF GREENWOOD, MINNESOTA  
 MEADEVILLE STREET DRAINAGE STUDY  
 TYPICAL SECTION

AUGUST, 2011

FIGURE NO. 3

**CITY OF GREENWOOD  
MEADVILLE STREET DRAINAGE STUDY  
PROJECT COST ESTIMATE  
August 30, 2011**

Item No.	Item	Qty.	Unit	Amount	Total
1	BITUMINOUS PAVEMENT REMOVAL	850	SY	\$ 4.00	\$ 3,400.00
2	BITUMINOUS DRIVEWAY REMOVAL	22	SY	\$ 10.00	\$ 220.00
3	COMMON EXCAVATION (EV)	710	CY	\$ 10.00	\$ 7,100.00
4	SUBGRADE EXCAVATION (EV)	14	CY	\$ 12.00	\$ 168.00
5	6" PERFORATED DRAIN TILE WITH GEOTEXTILE AND COURSE FILTER AGGREGATE	430	LF	\$ 15.00	\$ 6,450.00
6	PUMP STATION CONSTRUCTION	1	LS	\$ 10,000.00	\$ 10,000.00
7	PUMP AND ELECTRICAL CONTROLS	1	LS	\$ 15,000.00	\$ 15,000.00
8	ELECTRICAL CONSTRUCTION	1	LS	\$ 2,000.00	\$ 2,000.00
9	ELECTRIC SERVICE	1	LS	\$ 500.00	\$ 500.00
10	SELECT GRANULAR BORROW (LV)	750	CY	\$ 22.00	\$ 16,500.00
11	AGGREGATE BASE, 100% CRUSHED	400	TON	\$ 18.00	\$ 7,200.00
12	GEOTEXTILE FABRIC	790	SY	\$ 2.00	\$ 1,580.00
13	B618 CONCRETE CURB AND GUTTER	70	LF	\$ 27.00	\$ 1,890.00
14	CONCRETE SPILLWAY	10	SF	\$ 11.00	\$ 110.00
15	2" BITUMINOUS BASE COURSE	110	TON	\$ 70.00	\$ 7,700.00
16	1.5" BITUMINOUS WEAR COURSE	830	SY	\$ 7.00	\$ 5,810.00
17	3" BITUMINOUS DRIVEWAY RESTORATION	22	SY	\$ 30.00	\$ 660.00
18	TOPSOIL BORROW (LV)	26	CY	\$ 35.00	\$ 910.00
19	EROSION CONTROL BLANKET AND SEEDING	120	SY	\$ 3.00	\$ 360.00
20	WOOD MULCH	120	SY	\$ 7.00	\$ 840.00
				SUB TOTAL	\$ 88,398.00
				MOBILIZATION - 5%	\$ 4,419.90
				<b>TOTAL ESTIMATED CONSTRUCTION COST</b>	<b>\$ 92,817.90</b>
				<b>ESTIMATED SOFT COSTS AND CONTINGENCIES- 30%</b>	<b>\$ 27,845.37</b>
				<b>TOTAL ESTIMATED PROJECT COST</b>	<b>\$ 120,663.27</b>



Agenda Number: **4C**

Agenda Date: 09-06-11

**Agenda Item:** Dick Osgood, Milfoil Update and the Future of Milfoil Management

**Summary:** Lake Minnetonka Association executive director Dick Osgood will attend the 09-06-11 council meeting to present a brief update regarding the 2011 baywide milfoil treatments on Lake Minnetonka. He also will present his thoughts on the future of milfoil management.

**Council Action:** Optional. Suggested motions ...

1. I move the council supports the Lake Minnetonka Association's recommendation regarding future milfoil management for Lake Minnetonka.
2. Do nothing.



**Agenda Item:** Consider: Variance request of Gregg and Kristin Ostrander, 21520 Fairview Street

**Summary:** Gregg and Kristin Ostrander, 21520 Fairview Street, are requesting a variance to reconstruct and reconfigure a lakeside deck which would encroach into the minimum required lake yard setback and exceed the maximum permitted impervious surface area.

Zoning code section 1145.00(i) regarding nonconformities states: In evaluating all variances ... the zoning authority shall require the property owner to address, when appropriate, ... reducing impervious surfaces, increasing setbacks ... etc.

Shoreland code section 1174.04(3)(a) permits a maximum impervious surface area of 30%. The applicants propose an impervious surface area of 35.3% (5.3% more than what is allowed). The current impervious surface is 34.98% (0.32% less than proposed). However, if the common driveway area is removed, the proposed coverage is 28%.

Zoning code section 1120.15 requires a lake yard setback of 50 feet as measured from the ordinary high water level. The applicants propose a lake yard setback of 43 feet. The proposal requires a variance of 7 feet of the required lake yard setback. The current encroachment is 8 ft, 6 in. The proposed project improves the setback by 1 ft, 6 in.

Since the city has not incorporated the new state variance standards into the city's code book yet, the city should rely on the state statute for reviewing the Ostrander's variance request. Agenda item 7D (ordinance 196) has the proposed new variance code language, which outlines the state standards including the following:

Findings. The board [city council], in considering all requests for a variance, shall adopt findings addressing the following questions:

- (a) Is the variance in harmony with the purposes and intent of the ordinance?
- (b) Is the variance consistent with the comprehensive plan?
- (c) Does the proposal put property to use in a reasonable manner?
- (d) Are there unique circumstances to the property not created by the landowner?
- (e) Will the variance, if granted, alter the essential character of the locality?

Attached is the application and staff report.

**Planning Commission Action:** *Motion by Commissioner Cook to recommend the city council approve the variance requests by Gregg and Kristin Ostrander to reconstruct and reconfigure a lakeside deck which would encroach 7 feet into the 50 foot minimum required lake yard setback and exceed the maximum permitted impervious surface area by 5.3%, as presented for 21520 Fairview Street. Beal seconded the motion. Motion carried 5-0.*

**Council Action:** Required by September 18, 2011. Suggested motions ...

1. I move the council approves (or denies) the variance requests by Gregg and Kristin Ostrander to reconstruct a lakeside deck that encroaches 7 feet into the required lake yard setback and exceeds the maximum permitted impervious surface area by 5.3% as presented and based on the following findings (must be in writing if denial) ...
2. I move the council directs staff to immediately draft written notice to Gregg and Kristen Ostrander stating the council needs to extend the 60-day time limit to (date) for the following reason(s) ...

*Note: MN statute 15.99 requires a council decision within 60 days. The council may approve or modify a request based on verbal findings of fact and the applicant may proceed with their project. However, if the council denies the request, the council must state in writing the reasons for denial at the time that it denies the request. The council may extend the 60-day time limit by providing written notice to the applicant including the reason for the extension and its anticipated length (may not exceed 60 additional days unless approved by the applicant in writing).*

**Email Received 8/27/11**  
**Ostrander Request**

Members of the city council...You have hopefully all received the writeup from Gus on the requested variance to rebuild our old rotted deck on the lakeside of our home. The planning commission voted unanimously at their August 17th meeting to support and recommend to the City Counsel the approval of our rebuild project. I have also attached all the information that was submitted to Gus in support of our building permit and variance request. I wanted to provide some additional information on the question of hard cover calculation and lake setback....

I would note that in our file at the city, the minutes from the planning commission and city council of the city of greenwood held tuesday June 7th 1994, that the issue of the common road was addressed and that it should not be included in the hard cover calculation. At the time Ernest Pivec moved approval of a motion that "we would have a conditional use of the boathouse and that the concrete driveway for the neighbors access would not be considered in hardcover calculation". This motion was approved unanimously, so the issue of hardcover variance should not be part of the consideration, as we do not have a hardcover issue.

As to the setback...This same consideration was taken under advise by the city council in 1998 when they approved the addition to our house and the building of the old deck (that has recently been removed due to the extensive rotted boards as noted in the pictures provided in your packets) that sat within the 50' setback based on the natural contour line of the lake from the McCarthy's, our neighbors to the south and the Schmitt's our neighbors to the north lakeshore; such that a direct line drawn between the two neighboring properties would result in no violation of the lake setback. Due to a seawall built on the property in 1929, the natural contour was moved in to the seawall and therefore creates this setback issue and right of use issue. Our belief and that of prior planners and council members in 1998 that approved the deck and home addition was that this was an acceptable deck and allowed us the reasonable use of our lakeside property consistent with our neighbors setbacks, sight lines and hardship created by the Seawall adjusted contour line done back in 1929.

My wife Kristin and I would like to invite all members and interested parties out to our home at your convenience to view the proposed replacement deck, the sight lines, the seawall, boathouse and to let us walk you through why we feel this is a valid variance request. We are available anytime from today through next Weds the 31st of August. We are traveling to visit family over the Labor Day weekend. If you are interested in meeting, please call me on my cell phone to set up a time to come out to meet with us. My cell is 612-840-2049. Kristin and I look forward to meeting you and discussing our deck replacement project. Thank you for you time and consideration. If you would like we could also set up times over emails to come visit the property. We will make ourselves available any time of the day or evening.

[My wife Kristin and our architect will be available at the meeting on the 6th of Sept to answer any questions as well.](#)

Thank you.

Gregg and Kristin Ostrander

## STAFF REPORT

Gus Karpas, Zoning Coordinator

Greenwood City Council, Tuesday September 6, 2011 @ 7:00 p.m.

### APPLICANT INFORMATION

**Property Owner(s):** Gregg and Kristin Ostrander  
**Property Address:** 21520 Fairview Street  
**P.I.D. #:** 26-117-23 13 0077  
**Zoning District:** R-1A, Single Family Residential  
**Shoreland District:** Yes  
**Wetlands:** No

### REQUEST

The applicant is proposing to replace an existing non-conforming deck which would encroach into the required lake yard setback and exceed the maximum permitted impervious surface area.

### CITY CODE REQUIREMENTS

	Required	Existing Deck	Proposed Deck
<b>Front Yard Setback</b>	30'	N/A	N/A
<b>Side Yard Setback</b>			
<b>Northeast:</b>	15'	29'	22'
<b>Southwest:</b>	15'	28'	28'
<b>Lake Yard Setback</b>	50'	41'-6"	43'
<b>Permitted Structure Volume</b>	77,536 c.f.	Unknown-N/A	Unknown-N/A
<b>Lot Area</b>	15,000 s.f.	27,712 s.f.	27,712 s.f.
<b>Building Height</b>	28'	N/A	N/A
<b>Structure Height</b>	42'	N/A	N/A
<b>Impervious Surface</b>	30%	34.98%	35.30%

1. The applicant is requesting a variance from Section 1120.15; minimum required lake yard setback.
  - The minimum required lake yard setback is fifty (50) feet from the Ordinary High Water Level.

- The applicant proposes a lake yard setback of forty-three (43) feet.
  - The applicant is requesting a variance of seven (7) feet of the required lake yard setback.
2. The applicant is requesting a variance from Section 1176:04(3); maximum permitted impervious surface area.
    - The maximum permitted impervious surface area is 30%.
    - The applicant proposes an impervious surface area of 35.3%.
    - The applicant is requesting a variance to exceed the maximum permitted impervious surface area by 5.3%.
  3. The applicant's survey indicates that they would be in compliance with the required front and side yard setbacks.
  4. The applicant has submitted documentation that the proposed structure complies with the required building/structure height and maximum permitted structure volume.

### **REQUEST SUMMARY**

The applicants are seeking to construct a new lakeside deck to replace a previous deck which was recently removed. The applicants indicate the deck needed to be replaced due to rotting and the proposed deck configuration works better with the layout of the home.

The applicant has indicated that a practical difficulty exists in the placement of a seawall which prohibits the ability to comply with the required lake yard setback and the existence of a common driveway which cannot be reduced prohibiting compliance with the maximum permitted impervious surface area.

#### **STRUCTURE SETBACKS**

**Section 1120:15** of the Zoning Ordinance requires a minimum front yard setback of thirty (30) feet. The survey submitted by the applicants indicates the proposed deck would be set back ninety-six (96) feet from the front property line. As presented, the proposed front yard setback complies with the city's ordinance.

**Section 1120:15** of the Zoning Ordinance requires a minimum northeast side yard setback of fifteen (15) feet. The survey submitted by the applicants indicates the proposed deck would be set back twenty-two (22) from the northeast property line. As presented, the proposed northeast side yard setback complies with the city's ordinance.

**Section 1120:15** of the Zoning Ordinance requires a minimum southwest side yard setback of fifteen (15) feet. The survey submitted by the applicants indicates the proposed deck would be set back twenty-eight (28) feet from the southwest property line. As presented, the proposed southwest side yard setback complies with the city's ordinance.

**Section 1120:15** of the Zoning Ordinance requires a minimum lake yard setback of fifty (50) feet from the Ordinary High Water Level (OHWL). The survey submitted by the

applicants indicates the proposed deck would be set back forty-three (43) feet from the OHWL. ***As presented, the applicants require a variance of seven feet of the required lake yard setback.***

The previous deck encroached eight feet, six inches (8'-6") into required setback; the proposed deck location lessens the encroachment to seven (7) feet. The applicants have submitted a survey indicating that location of the proposed deck falls in line with the setback of the homes on either side of their property. In addition, there is a seawall which the applicants have said alters the natural shoreline of the lake, requiring the need for a variance.

#### **IMPERVIOUS SURFACE AREA**

**1176:04(3)** permits a maximum impervious surface area of thirty percent in the Shoreland District. The survey submitted by the applicants indicates the proposed impervious surface area on the property is 35.3%. ***As presented, the applicants require a variance to exceed the maximum permitted impervious surface area by 5.3%.***

The impervious surface area includes a driveway area of 2,740 square feet which serves additional properties to the north, which cannot be reduced. If the impervious surface area of the driveway and the accompanying lot area are removed, the proposed impervious surface would be 28.2%, within the city's requirements.

#### **LOT AREA**

**Section 1120:10** requires a minimum lot area of 15,000 square feet in the R1-A Residential District. The survey submitted by the applicants indicates a lot area of 17,712 square feet. The applicant has a lot area that exceeds the minimum required by the city's ordinance.

#### **BUILDING/STRUCTURE HEIGHT**

**Section 1120:20** of the Zoning Ordinance permits a maximum building height of twenty-eight (28) feet for a principal structure. Building height is defined as the vertical distance measured between the building perimeter grade and the roof line of a building or structure. **Section 1140:15(3)** of the Zoning Ordinance permits a maximum principal structure height of forty-two (42) feet. Structure height includes the sum total of building height and the vertical height above the roof line of all structure.

The proposed deck will be at grade.

#### **TREE REMOVAL**

The survey submitted by the applicant indicates that no trees would be removed as part of the project.

#### **ACCESSORY STRUCTURES**

**Section 1120:20(2)** limits accessory structures to one private garage and on tool house shed or similar storage building per principal structure. **Section 1120:20(3)** permits a maximum combined accessory structure area of 1,000 square feet or 60% percent of the

total at grade, main floor square footage of the principal structure, whichever is less. In this case the applicant is permitted maximum accessory structure area of 1,000 square feet. There is an existing 330 square foot boathouse located near the lake, the applicants intend on keeping this structure as is.

**MASSING**

**Section 1140:18(3)** establishes the maximum permitted above grade building volume in residential zones based on lot size. The proposed deck will not add to the above grade building volume.

**PLANNING COMMISSION RECOMMENDATION**

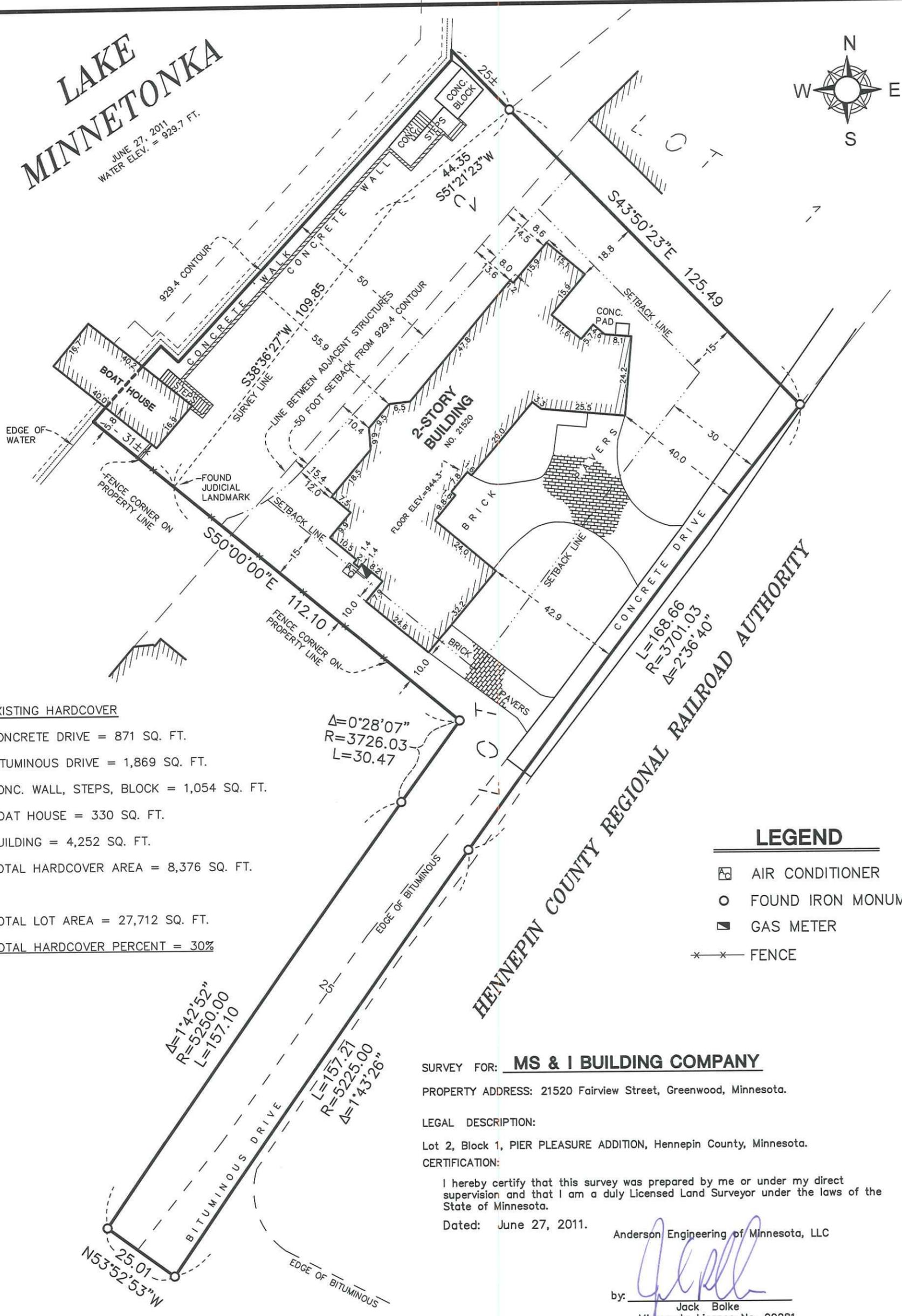
***Motion by Commissioner Cook to recommend the City Council approve the variance requests by Gregg and Kristin Ostrander to re-construct and reconfigure a lakeside deck which would encroach seven feet into the fifty foot minimum required lake yard setback and exceed the maximum permitted impervious surface area by 5.3%, as presented for 21520 Fairview Street. Beal seconded the motion. Motion carried 5-0.***

**CITY COUNCIL ACTION REQUIRED**

**City Council Action Required:** State Statute 15.99 requires a decision by the governing body within 60 days, unless the applicant is notified in writing the initial 60 days that the time period for a decision is extended. The City Council must approve, modify or deny the request by **September 18, 2011**.

# LAKE MINNETONKA

JUNE 27, 2011  
WATER ELEV. = 929.7 FT.



**EXISTING HARDCOVER**

- CONCRETE DRIVE = 871 SQ. FT.
- BITUMINOUS DRIVE = 1,869 SQ. FT.
- CONC. WALL, STEPS, BLOCK = 1,054 SQ. FT.
- BOAT HOUSE = 330 SQ. FT.
- BUILDING = 4,252 SQ. FT.
- TOTAL HARDCOVER AREA = 8,376 SQ. FT.
- TOTAL LOT AREA = 27,712 SQ. FT.
- TOTAL HARDCOVER PERCENT = 30%

**LEGEND**

- AIR CONDITIONER
- FOUND IRON MONUMENT
- GAS METER
- FENCE

SURVEY FOR: **MS & I BUILDING COMPANY**

PROPERTY ADDRESS: 21520 Fairview Street, Greenwood, Minnesota.

LEGAL DESCRIPTION:

Lot 2, Block 1, PIER PLEASURE ADDITION, Hennepin County, Minnesota.

CERTIFICATION:

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

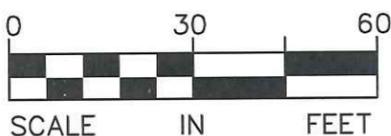
Dated: June 27, 2011.

Anderson Engineering of Minnesota, LLC

by:   
Jack Bolke  
Minnesota License No. 20281

**NOTES:**

1. The bearing system is based on the northeast line of Lot 2, Block 1, PIER PLEASURE ADDITION, which is assumed to have a bearing of South 43 degrees 50 minutes 23 seconds East.
2. The area of the property described hereon is 27,712 square feet or 0.6362 acres, more or less.

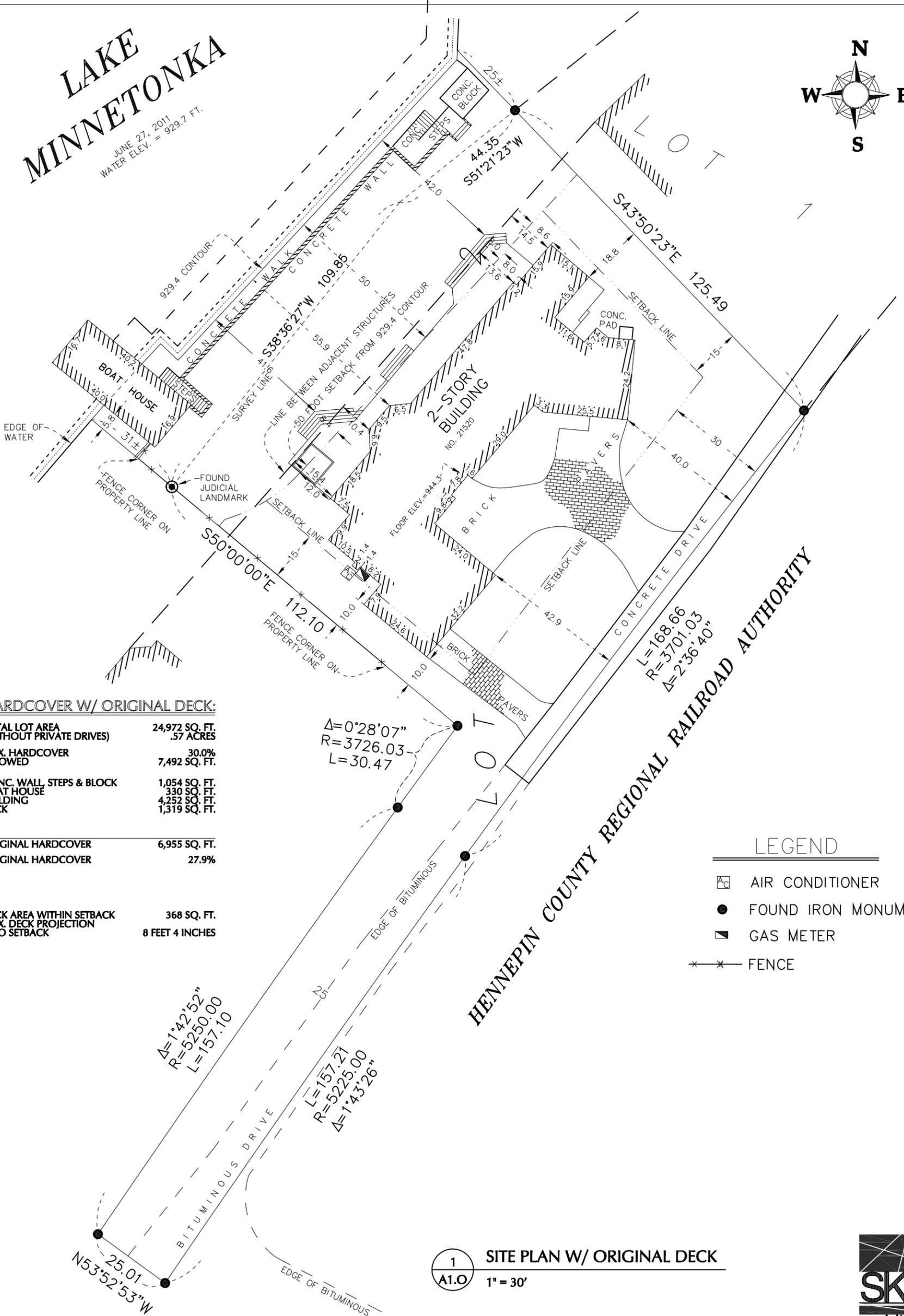


## Anderson Engineering of Minnesota, LLC

CIVIL ENGINEERING AND LAND SURVEYING

# LAKE MINNETONKA

JUNE 27, 2011  
WATER ELEV. = 929.7 FT.



**HARDCOVER W/ ORIGINAL DECK:**

TOTAL LOT AREA (WITHOUT PRIVATE DRIVES)	24,972 SQ. FT. .57 ACRES
MAX. HARDCOVER ALLOWED	30.0% 7,492 SQ. FT.
CONC. WALL, STEPS & BLOCK	1,054 SQ. FT.
BOAT HOUSE	330 SQ. FT.
BUILDING	4,252 SQ. FT.
DECK	1,319 SQ. FT.

ORIGINAL HARDCOVER	6,955 SQ. FT.
ORIGINAL HARDCOVER	27.9%

DECK AREA WITHIN SETBACK	368 SQ. FT.
MAX. DECK PROJECTION INTO SETBACK	8 FEET 4 INCHES

- LEGEND**
- AIR CONDITIONER
  - FOUND IRON MONUMENT
  - GAS METER
  - FENCE

1 SITE PLAN W/ ORIGINAL DECK  
A1.0 1" = 30'

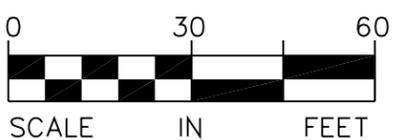


© 2011 SKD Architects

Deck Addition for:  
**Gregg & Kristin Ostrander**

21520 Fairview Street  
Greenwood, Minnesota

Revision	Comm 888.05
_____	Date 07/19/11
_____	Drawn R.H., B.D.
_____	Original Site Plan
_____	Sheet No. <b>A1.0</b>

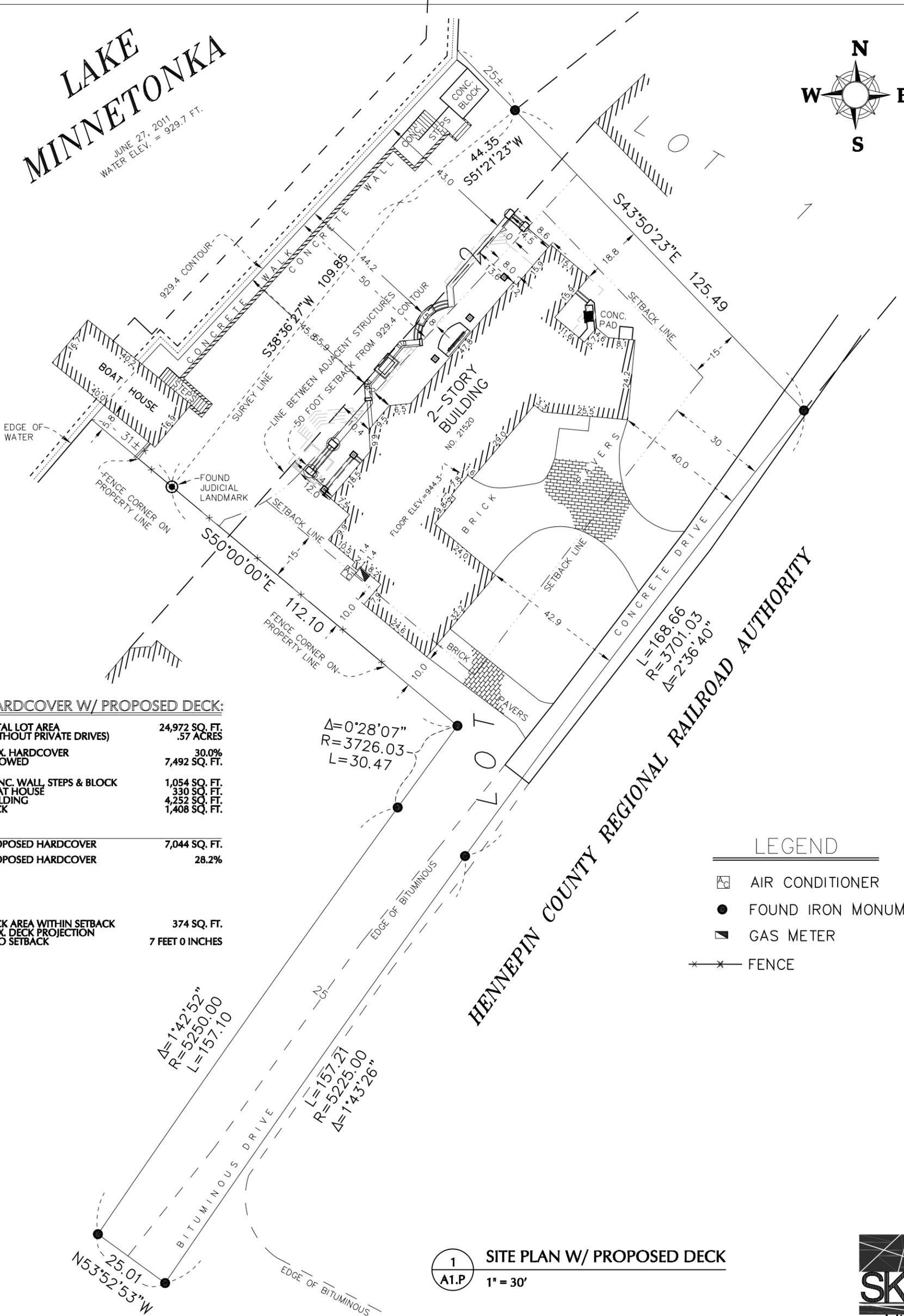


## Anderson Engineering of Minnesota, LLC

CIVIL ENGINEERING AND LAND SURVEYING

# LAKE MINNETONKA

JUNE 27, 2011  
WATER ELEV. = 929.7 FT.



**HARDCOVER W/ PROPOSED DECK:**

TOTAL LOT AREA (WITHOUT PRIVATE DRIVES)	24,972 SQ. FT. .57 ACRES
MAX. HARDCOVER ALLOWED	30.0% 7,492 SQ. FT.
CONC. WALL, STEPS & BLOCK	1,054 SQ. FT.
BOAT HOUSE	330 SQ. FT.
BUILDING	4,252 SQ. FT.
DECK	1,408 SQ. FT.

PROPOSED HARDCOVER	7,044 SQ. FT.
PROPOSED HARDCOVER	28.2%

DECK AREA WITHIN SETBACK	374 SQ. FT.
MAX. DECK PROJECTION INTO SETBACK	7 FEET 0 INCHES

- LEGEND**
- AIR CONDITIONER
  - FOUND IRON MONUMENT
  - GAS METER
  - FENCE

1 SITE PLAN W/ PROPOSED DECK  
A1.P 1" = 30'

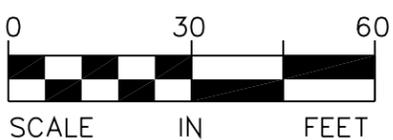


© 2011 SKD Architects

Deck Addition for:  
**Gregg & Kristin Ostrander**

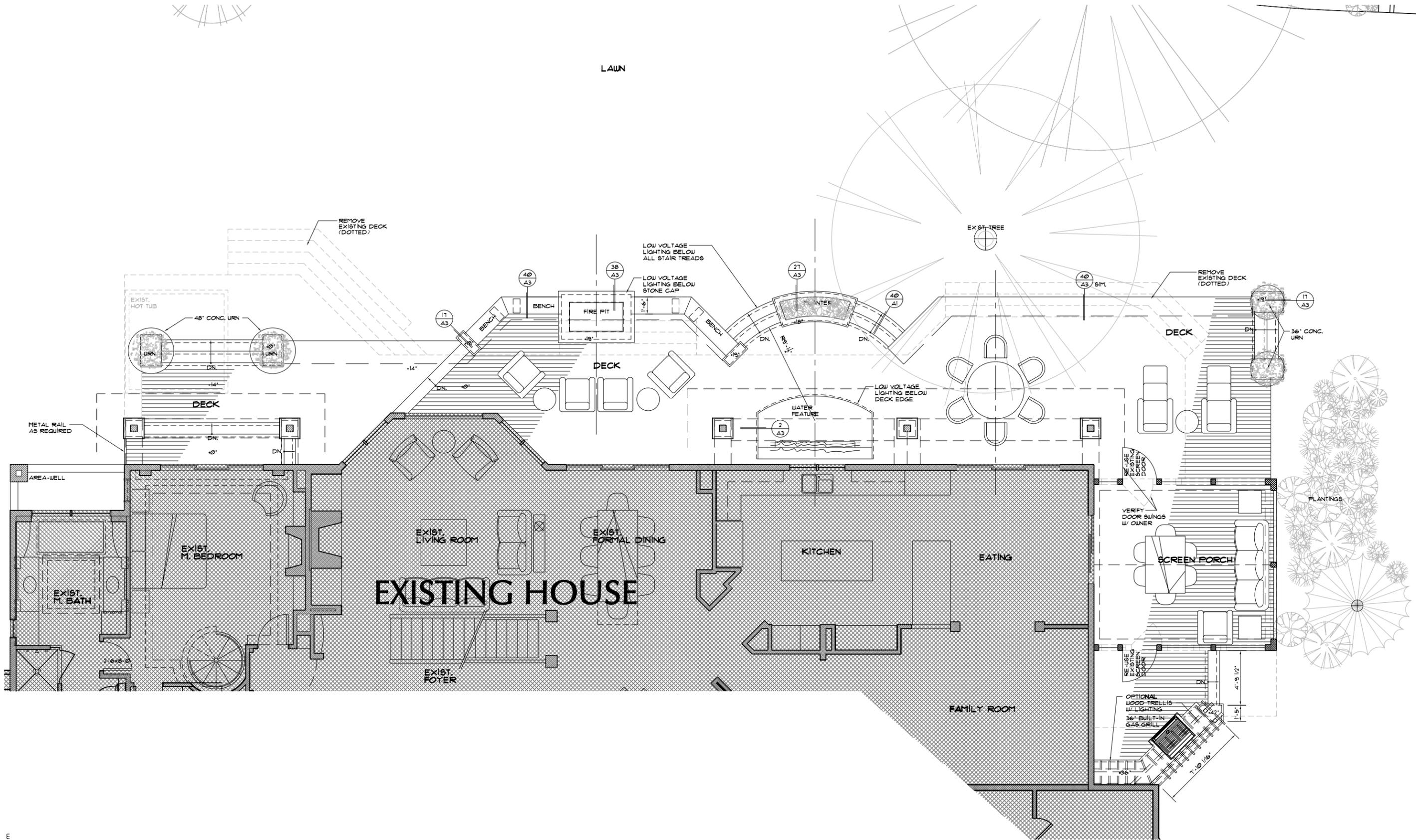
21520 Fairview Street  
Greenwood, Minnesota

Revision	Comm 888.05
_____	Date 07/19/11
_____	Drawn R.H., B.D.
_____	Proposed Site Plan
_____	Sheet No. <b>A1.P</b>



## Anderson Engineering of Minnesota, LLC

CIVIL ENGINEERING AND LAND SURVEYING



**1**  
A1.1 **PROPOSED DECK PLAN**  
1/8" = 1'-0"

© 2011 SKD Architects  
Deck Addition for:  
**Gregg & Kristin Ostrander**  
21520 Fairview Street  
Greenwood, Minnesota

Revision	Comm	Date	Drawn
	888.05	07/19/11	R.H., B.D.

Proposed Deck Plan

## CITY OF GREENWOOD FILING REQUIREMENTS – VARIANCE

Unless waived by the Zoning Coordinator you must provide all of the following items with this application that apply to your request. Incomplete applications will delay your request.

Complete	Incomplete	
<u>X</u>	_____	Meeting with Zoning Coordinator
<u>X</u>	_____	Nonrefundable Filing Fee of \$300.00 to \$1,500.00 (payable to "City of Greenwood")
<u>X</u>	_____	Application for Variance

**Paper copies & an electronic copy (pdf) of the following drawings or plans:**

<u>X</u>	_____	1 full size scalable certified survey and 1 (11 x 17) copy
		<ul style="list-style-type: none"> <li>• A certified survey with legal description and street address</li> <li>• Parcel size in Acres and Square Feet</li> <li> <span style="margin-right: 20px;">NA</span> <ul style="list-style-type: none"> <li>• <del>Topography of the site - for major construction delineate grading and drainage plan with contours at two-foot intervals;</del></li> <li>• Location and dimensions of all the existing improvements, including; buildings, structures, retaining walls, steps, parking areas, driveways, storage areas, utilities and wells;</li> </ul> </li> <li> <span style="margin-right: 20px;">NA</span> <ul style="list-style-type: none"> <li>• Location and dimension of all proposed buildings and structures;</li> <li>• Impervious surface calculations - existing and proposed - % and square footage;</li> <li>• Outline the setbacks "building pad" on the survey according to the ordinance provisions and show the closest distance between the buildings and front, side, lake and rear lot lines;</li> </ul> </li> <li> <span style="margin-right: 20px;">NA</span> <ul style="list-style-type: none"> <li>• Distance between principal buildings and accessory buildings and structures;</li> </ul> </li> <li> <span style="margin-right: 20px;">NA</span> <ul style="list-style-type: none"> <li>• Massing, building height, and structure height calculations;</li> </ul> </li> <li> <span style="margin-right: 20px;">OK N/A</span> <ul style="list-style-type: none"> <li>• Delineate all wetland, OHWL of Lakes, bluffs, easements and driveways.</li> </ul> </li> <li> <span style="margin-right: 20px;">N/A</span> <ul style="list-style-type: none"> <li>• Significant tree conditions and all significant trees proposed to be removed.</li> </ul> </li> </ul>

<u>X</u>	_____	1 large scale copy and 1 (11x 17) set of scalable <sup>plan</sup> elevation of the proposed structure(s) on all sides & indicate structure height at the roof peak per City Ordinance. Scale must be appropriate for the size of the project (1 inch = 10 feet or 1 inch = 20 feet is preferred in most cases).
<u>X</u>	_____	1 (11 x 17) set of the <sup>book</sup> floor plan (existing and proposed);
<u>X</u>	_____	Stake the location in the field of proposed buildings, structures and lot lines;
<u>X</u>	_____	Applicant is responsible for producing any colored copies; <sup>photos</sup>
_____	<u>NA</u>	Tree preservation plan (if applicable);
_____	<u>NA</u>	Lighting plan for sports courts, pools, new home construction and accessory buildings, driveways and parking areas (if applicable); and

### City of Greenwood – Variance Application Filing Requirements

- 1) Consult with the Zoning Coordinator to determine the ordinances and procedures applicable to your application. Applications are submitted to the Zoning Coordinator.
- 2) Discuss your proposal with the adjacent property owners before submitting this application. Any conflicts that you can resolve ahead of time may expedite your application.
- 3) Tree removal, land alteration and wetland alteration all require separate permits and approval from the City.
- 4) All plans, applications and written information become public information once filed, which may be used in the staff report and distributed to the Council and public.
- 5) Application and related materials are due to the Clerk's office by published Planning Commission application deadline. (Speak with Zoning Coordinator with questions)
- 6) The Planning Commission typically meets on the third Wednesday of each month to review requests and the City Council typically meets on the First Tuesday of the following month to consider variance requests. The Planning Commission makes it's recommendation to the City Council, which makes the actual decision on variance requests. Applicant(s)'s and Owner(s)'s presence at both meetings is strongly encouraged as questions may be asked of you that would better assist the Planning Commission and City Council in making an informed decision.
- 7) Notice will be published in the designated paper prior to the Planning Commission meeting and notice will be sent to residents within 350 feet of the subject property.
- 8) If approval is granted you may apply for a building permit.
- 9) **Expiration:** If a variance is granted for the property and the construction of the structure for which it was granted is not commenced within one year after the date of the Council Resolution approving the variance, the variance will expire and will be of no further force and effect. *If a final inspection (in the case of remodeling) or an occupancy permit (in*

*the case of new construction) is not obtained within one year from the date that the building permit is issued the variance will also expire.*

- 10) The City reserves the right to require additional plans or information as necessary.
- 11) Submittal of an application grants the City permission to inspect and photograph the property.

Zoning Coordinator Gus Karpas  
City of Greenwood  
20225 Cottagewood Road  
Deephaven, MN 55331

Phone: 952-474-4755  
Fax: 952-474-1274  
Email: [Guskarpas@mchsi.com](mailto:Guskarpas@mchsi.com)

#### City of Greenwood – Variance Application Filing Requirements

- \_\_\_\_\_ Date materials received (complete - incomplete), with electronic copy forwarded to Planning Commission members
- \_\_\_\_\_ Date sent either notice of incomplete information or notice that information is complete (within 15 workdays from date materials received (above)), with email copy of notice to Mayor and Councilmembers
- \_\_\_\_\_ 60 day deadline \_\_\_\_\_
- \_\_\_\_\_ Notice of 60 day extension
- \_\_\_\_\_ Planning Commission Meeting (Public Hearing)
- \_\_\_\_\_ Applicant given Meeting Schedule

City of Greenwood  
 20225 Cottagewood Road  
 Deephaven, MN 55331  
 952-474-4755  
 www.greenwoodmn.com

Variance Application

Applicant is (circle one) Owner Developer Contractor **Architect** Other \_\_\_\_\_

Property address for which variance is requested 21520 Fairview Street, Greenwood

Applicant (individual or company name): SKD Architects for Gregg & Kristin Ostrander

Contact for Business: Steve Kleineman Title: President

Address: 11140 Highway 55, Suite A City: Plymouth State: MN Zip: 55441

Wk Phone: 763 591 6115 Hm Phone: \_\_\_\_\_

Email address: kleineman@skdarchitects.com Fax: 763 591 6119

Present use of property: Gregg & Kristin Ostrander Residence

Property acreage: .6362 acres

Existing Variances: Yes ? No ? Not sure

If yes, please explain files from 1998 remodel have not been found. Owner thought possible.

Describe Request: Build New \_\_\_\_\_ Add On \_\_\_\_\_ Remodel \_\_\_\_\_ Replace X deck with some modifications

What is the Variance being requested for: possible encroachment into lake setback. Replacement of existing rotted deck. Proposal is similar but different configuration. Encroachment is about the same as existing deck.

Variance for:

	Required	Proposed
Side Yard	_____ feet	_____ feet
Front Yard	_____ feet	_____ feet
Rear Yard	_____ feet	_____ feet
<u>X</u> Lake setback	<u>50'</u> feet	<u>43'</u> feet <u>small portion.</u>
Building height	_____ feet	_____ feet
Structure height	_____ Feet	_____ feet
Wetland	_____ feet	_____ feet
Impervious Cover	_____ sq ft	_____ Sq ft
Shoreland	_____ feet	_____ feet
Massing	_____ volume	_____ volume
Other	_____ feet	_____ feet
<b>If other, please explain</b>		

## MAKING YOUR CASE FOR THE GRANT OF A VARIANCE

STATE LAW: Minnesota Statutes 462.357 controls the grant of variances to established zoning codes. Before a variance can be granted the Applicant must establish to the satisfaction of the City that: A) Strict enforcement of the applicable code would cause an undue hardship because of circumstances unique to the individual property under consideration, *and*, B) the grant of the requested variance will be in keeping with the spirit and intent of the ordinance.

"Undue hardship" as used in connection with the granting of a variance means: 1) the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls; 2) the plight of the landowner is due to circumstances unique to the property not created by the landowner, *and* 3) the variance, if granted, will not alter the essential character of the locality.

NOTICE: Simple inconvenience of a landowner or occupant, including self-created situations, are not considered undue hardships under Minnesota case law.

Economic considerations alone shall not constitute an undue hardship if reasonable use of the property exists under the ordinance. (MN Statutes 462.357)

If you have difficulty in establishing an undue hardship please consider alternatives to your construction plans that may remove the need for a variance.

*The Applicant must respond fully and in detail to each of the following questions and data requests or the Application may be rejected as incomplete.*

Establishing that the requested variance will be in keeping with the spirit and intent of the Zoning Code:

The requested variance, if granted, will be in keeping with the spirit and intent of the City Zoning because:

SEE SUPPLEMENT

Establishing Undue Hardship:

1. The landowner's (Applicant's) property cannot be put to a reasonable use if used under conditions allowed by the official controls because:

2. The plight of the landowner (Applicant) is due to circumstances unique to the property not created by the landowner property because:

3. The variance, if granted, will not alter the essential character of the locality because:

## Supplement to Making a Case for the Grant of a Variance

### Establishing that the requested variance will be in keeping with the spirit and intent of the Zoning Code:

The requested variance, if granted, will be in keeping with the spirit and intent of the City Zoning because:

The intent of this variance is to deal with what is interpreted to be an encroachment into the lake setback, with the construction of a replacement deck.

The home is existing, having been built in 1996. The intent is to replace an existing rotted out deck with a new deck that is about the same size and in about the same location, but with minor adjustments. Based on current Lake setbacks established by an old concrete sea wall, there was an existing encroachment on the original deck and now the proposed deck, too.

### Establishing Undue Hardship

1. The landowner's (Applicant's) property cannot be put to a reasonable use if used under conditions allowed by the official controls because:

The existing home has an elevated view of the main lake. It is desirable to be able to utilize a deck to enjoy the lake outside. In fact, this project simply replaces an old deck that had rotted out and was a safety issue to the current homeowners in its deteriorated condition

The proposed deck would be limited by the 50' Lake setback as determined by an old concrete sea wall built many years prior to the original construction of the current home. Based on that setback, the majority of the deck would be limited to about 8' maximum depth. Some areas would be limited to 4'. That limited depth would greatly impact the utilization of a deck.

2. The plight of the landowner (Applicant) is due to circumstances unique to the property not created by the landowner property because:

The existing deck was constructed as part of a home remodel in 1998. The home is unusual in that a private road, partially on their property, services a number of homes north of it.

Also, a tall sea wall with a boathouse integrated into the sea wall had been constructed many years earlier (1929), which altered the natural shore line of the property and reduced the natural lake side setback. It is evident by the neighbors' properties on each side. Both neighboring homes are set closer to the lake and actually are in line with the front of the original and proposed deck. If the high water mark contour line is drawn from the neighbors house to the south to the neighbors house to the north, there would be no infringement of the what should be the natural high water mark setback. This was considered and agreed to by the city when the original deck was built on the house in 1998. The current owners use of their property is being penalized by a sea wall built inside the natural contour line.

In the spring of 1998, the owners remember attending a hearing where the 929.4 contour which determines the 50' lake setback, was interpreted to be set by the southern neighbor's shoreline. Based on that determination, the original deck was considered to be built within that lake setback line and was approved. Today, the owner has planned on replacing rotted deck with one that is configured slightly different, but meeting the same constraints as the current deck. Only now, the deck is considered to be within the 50' setback determined by the old sea wall.

The variance may not have been an issue today, but Greenwood or their representatives have not been able to find the 1998 file, permit or any documentation from the original remodel project back in 1998.

3. The variance, if granted, will not alter the essential character of the locality because:

The proposed deck meets the hardcover requirements.

The original deck that was rotted out was approximately 1,319 square feet. Because it was less than 30" off the ground, no rail was necessary. 368 square feet of the deck projected into the 50' setback set by the sea wall. The maximum projection was 8'-4" into the setback. The setback was reduced to 41'-8" at that point.

The proposed deck is 1,408 square feet. Also, no rail is necessary on this deck either, which minimizes its impact on the environment. 374 square feet of the deck projects into the lake setback. 6 square feet more than the original deck. The maximum projection of this deck is approximately 7'-0" into the setback. The setback will be reduced to 43'-0", an improvement of about 1'-4".

The new deck prioritizes more space to the active part of the house. The extent of deck that encroaches into the setback is about the same, and the encroachment is actually less.

We feel the proposed deck improves on what has been there for over 13 years and will have little effect on site or neighbors. Neighbors on both sides of the Ostrander residence have no issue with the rework of the old rotted out deck; as the site line from the edge of their properties does not intrude beyond the edges of their home setbacks from the lake. As noted this is also a low profile deck not visible from the lake or from the neighbors view lines of the lake and adjoining properties.

**Establishing the variance, if granted, will not adversely impact the rights of others:**

1. Describe the effect of the variance, if granted, on neighboring properties and on the neighborhood in general:

There will be no effective change to the neighboring properties. As designated in the survey, both neighbors project in front of the existing house line and the most of the deck line, too. At the southern side, the proposed deck is much smaller. There is no encroachment into the setback. There is much vegetation and the neighbor cannot see the deck at all. Therefore, there is no impact at the south side.

On the northern side there is a little more deck, but the deck does not extend any deeper than the original deck. The northern neighbor's home projects in front of the majority of the deck anyway. The only site line to even see the deck is side facing windows directly

onto the applicant's property. Again, there are no rails required. The impact is so minimal. The new deck is an improvement.

Neither neighbor has an objection to the proposed deck.

No impact on any other neighbors. No other neighbors have any site lines to this property.

2. Describe the effect of the variance, if granted, on supply of light and air to adjacent properties.

The deck is low to the ground. There is no effect on adjacent properties.

3. Describe the effect of the variance, if granted, on traffic congestion in the public street.

The private street has limited traffic only to service a couple of homes. Replacing deck for deck will have no impact on traffic.

4. Describe the effect of the variance, if granted, on the danger of fire.

There will be a small elevated stone natural gas fire pit on the proposed deck. The advantage is that you have control of the flame like a grill.

5. Describe the effect of the variance, if granted, on the danger to public safety.

This is a very private deck with no real access to the public, but generally, the deck is much safer than the original deck.

The original deck had rotted, and there were several areas where the deck boards had broken. The hot tub has been eliminated. The proposed deck also controls the step locations and where they exit to grade. They are also better detailed and more visible.

6. Describe the effect of the variance, if granted, on established property values in the surrounding area.

The improvement of this deck improves this property, which positively affects property values.

7. Describe the effect of the variance, if granted, on the impairment of the public health, safety or welfare.

The new deck replaces the old deck. No real change.

SEE SUPPLEMENT

Establishing the variance, if granted, will not adversely impact the rights of others:

Describe the effect of the variance, if granted, on neighboring properties and on the neighborhood in general:

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Describe the effect of the variance, if granted, on supply of light and air to adjacent properties.

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Describe the effect of the variance, if granted, on traffic congestion in the public street.

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Describe the effect of the variance, if granted, on the danger of fire.

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Describe the effect of the variance, if granted, on the danger to public safety.

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Describe the effect of the variance, if granted, on established property values in the surrounding area.

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Describe the effect of the variance, if granted, on the impairment of the public health, safety or welfare.

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Applicant(s) have determined that the following approvals may be necessary from other regulatory bodies:

NA LMCD # 952-745-0789

NA Watershed District # 952-471-0590

**Applicant's Acknowledgement & Signature(s)**

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name, and I am the party whom the City should contact about this application. The applicant certifies that the information supplied is true and correct to the best of his/her knowledge.

The undersigned also acknowledges that she/he understands that before this request can be considered and/or approved, all required information and fees, including any deposits, must be paid to the City, and if additional fees are required to cover costs incurred by the City, the City has the right to require additional payment from one or more of the undersigned, who shall be jointly liable for such fees.

An incomplete application will delay processing and may necessitate a re-scheduling of the review time frame. The application time line commences once an application is considered complete when all required information and fees are submitted to the City. The applicant recognizes that he/she is solely responsible for submitting a complete application being aware that upon failure to do so, the staff has no alternative but to reject it until it is complete or to recommend the request for denial regardless of its potential merit.

A determination of completeness of the application shall be made within 15 business days of the application submittal. A written notice of application deficiencies shall be mailed to the applicant within 15 business days of application.

I am the authorized person to make this application and the fee owner has also signed this application.

Applicant's Signature:  Date: 7/19/2011

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

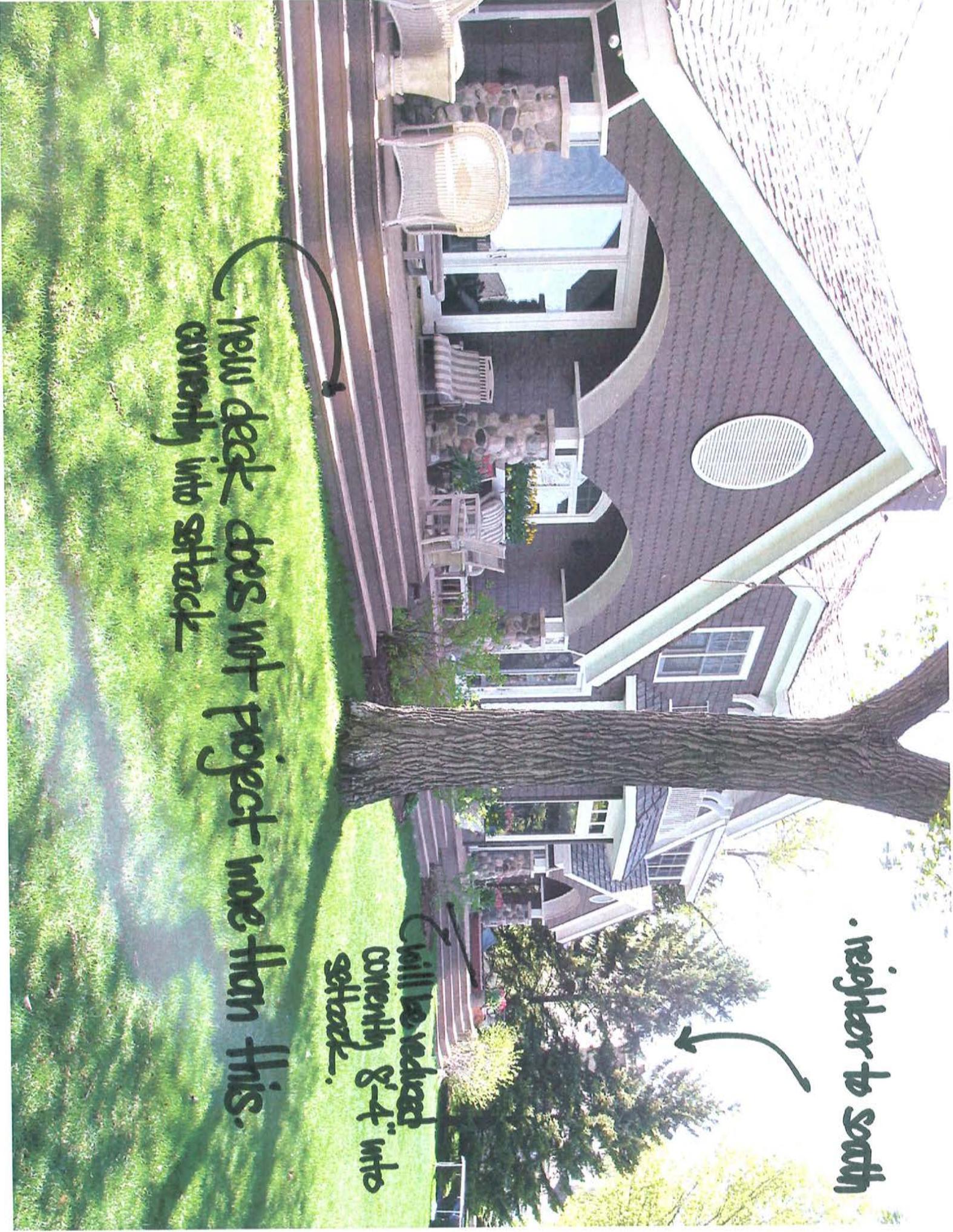
**Owner's Acknowledgement & Signature(s)**

I am / we are the fee title owner of the above described property. I / we further acknowledge and agree to this application and further authorize reasonable entry onto the property by City Staff, Consultants, agents, Planning Commission Members, and City Council Members for purposes of investigation and verification of this request.

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Note – Both signatures are required, if the owner is different than the applicant, before we can process the application, otherwise it is considered incomplete.



neighbor to south

will be reduced  
currently 8'-4" into  
setback.

New deck does not project more than this.  
currently into setback.

*Northern Side*

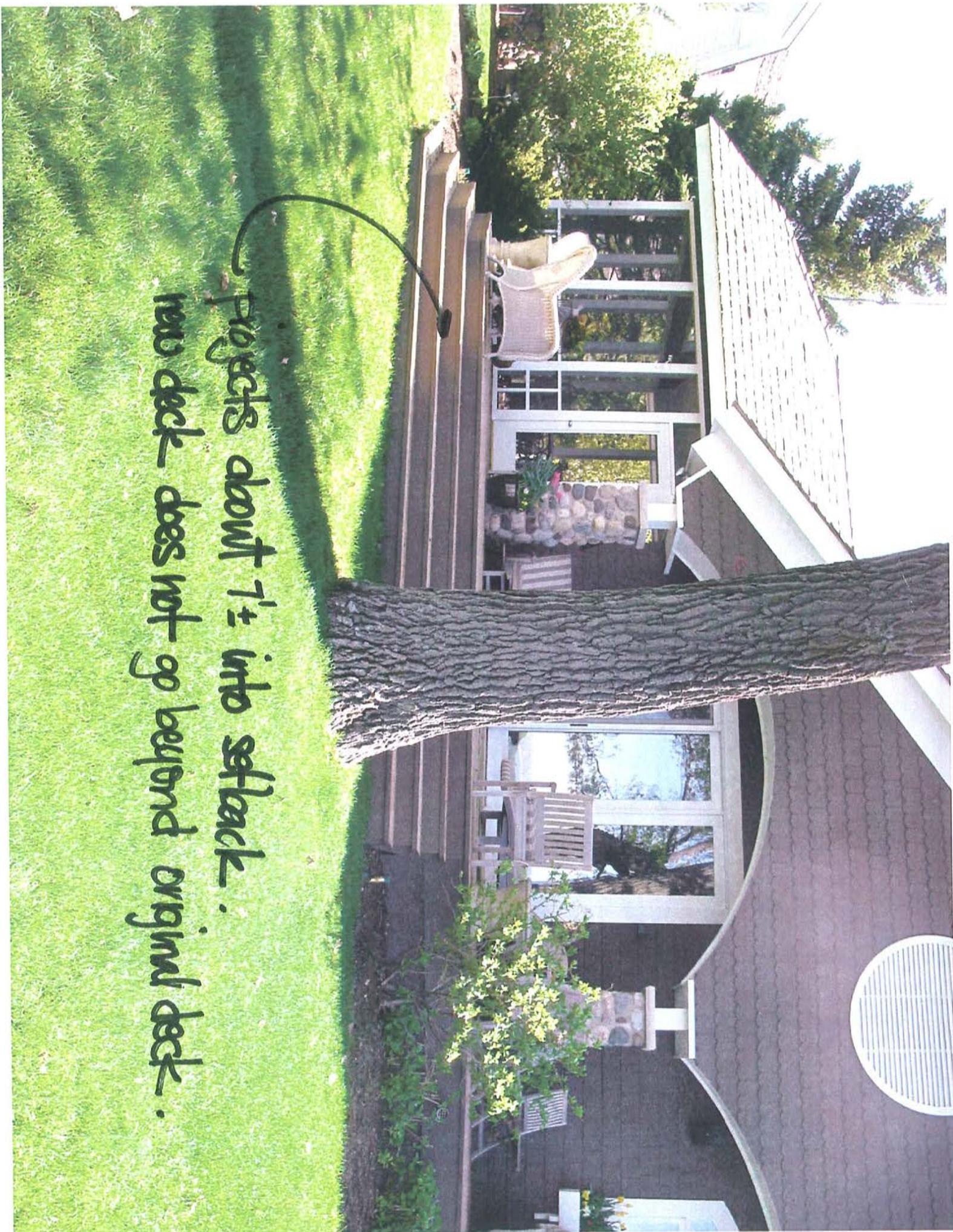




at setback deck was less than 4'

this portion of original deck projects 8'4" into setback

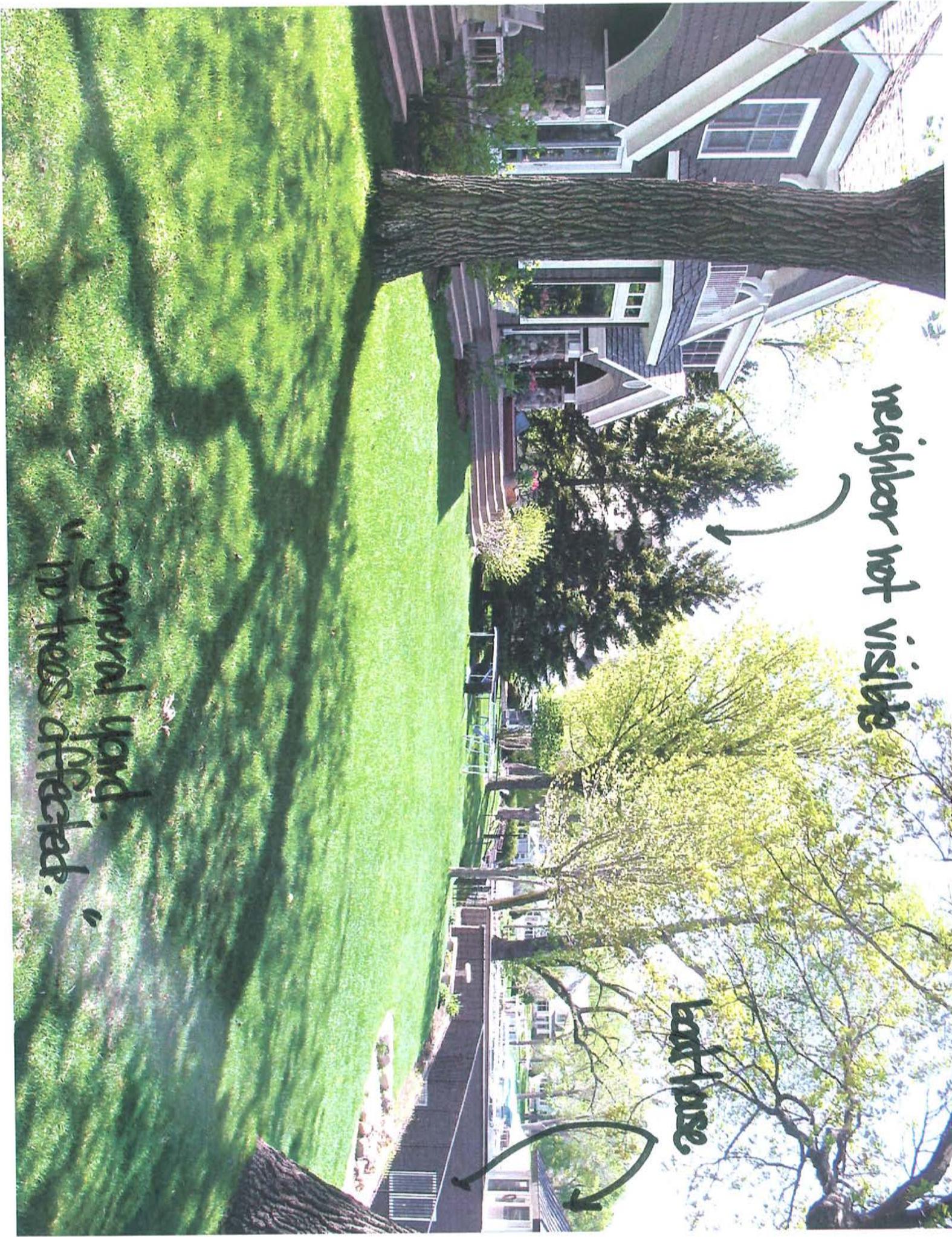
Projects about 7'± into setback.  
new deck does not go beyond original deck.

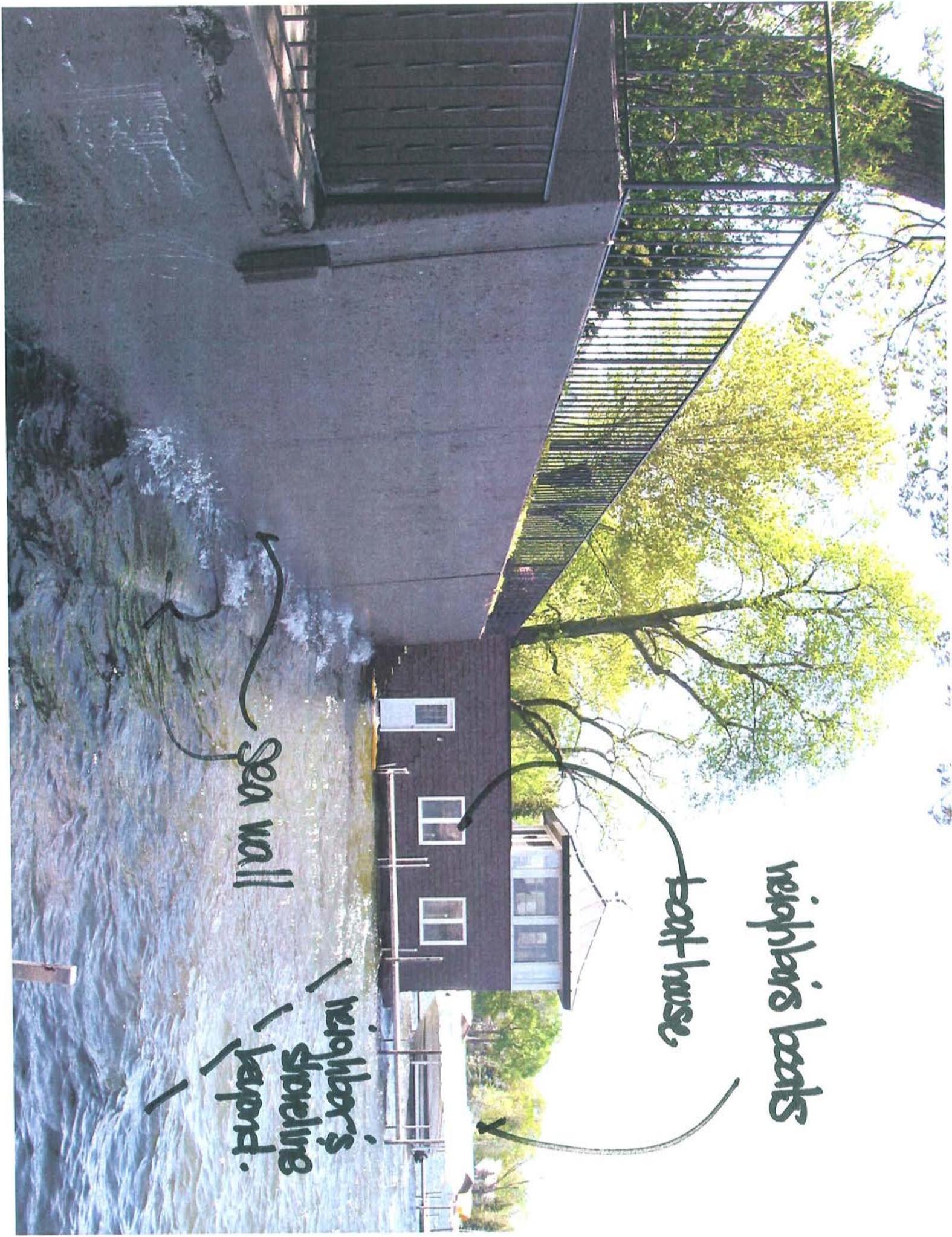


neighbor not visible

back house

general yard.  
no trees affected.





neighbor's boat

boat house

sea wall

neighbor's  
shoreline /  
yard



← weather

original projects  
of 4, and set back

deck is cut back

rotted boards



replace in front almost at deck line.

add

replace rotted boards

July 19, 2011

To: Greenwood City Planners and City Council

From: Mary McCarthy/21560 Fairview St

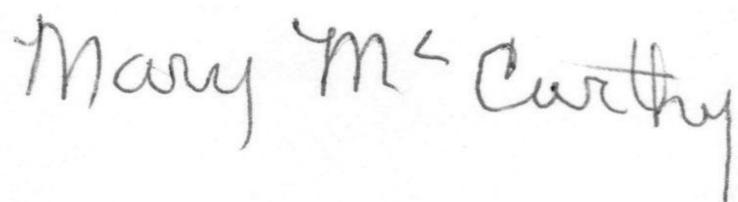
Subject: Ostrander Deck Replacement

My home is located just to the south of the Ostrander's. I am writing this letter to the planning commission and the city council in full support of the Ostrander request to rebuild their existing rotted out deck with a new slightly reconfigured deck on the lake side of their home.

The proposed deck does not infringe upon my site lines of the lake or of my ability to fully utilize my property. There is a dense evergreen tree line that separates our properties and the proposed deck is barely visible from my home. As with the prior deck, this deck is low profile and does not intrude any closer to the lake than the back edge of my home. In fact, the new configuration is smaller and closer to their home than the old one on my side of the property.

If you have any questions, please feel free to contact me to discuss. I can be reached at 952-474-6733.

Thank you for your consideration of this request.

A handwritten signature in cursive script that reads "Mary M<sup>c</sup>Carthy".

Mary McCarthy  
21560 Fairview St.  
Greenwood, MN 55331

July 19, 2011

To: Greenwood City Planners and City Council

From: Sheila Cole-Schmitt/21510 Fairview St

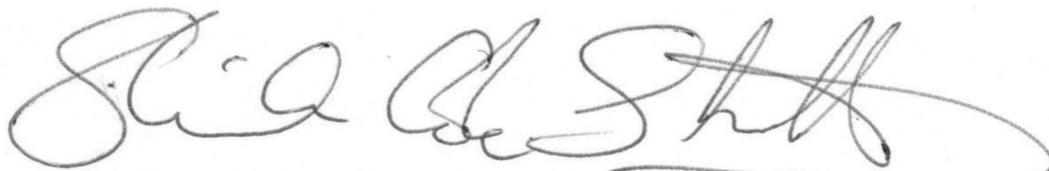
Subject: Ostrander Deck Replacement

We live next door to the Ostrander's to the north and are writing to the planning commission and the city council in full support of the Ostrander request to rebuild their existing rotted out deck with a new slightly reconfigured deck on the lake side of their home.

The proposed deck does not infringe upon our site lines of the lake or the ability of our family to fully utilize our property. As with the prior deck, this deck is low profile and does not intrude any closer to the lake than the back edge of our home and is therefore largely invisible

If you have any questions, please feel free to contact me to discuss. I can be reached at 952-474-0080.

Thank you for your consideration of this request.



Sheila Cole-Schmitt  
21510 Fairview St.  
Greenwood, MN 55331



Agenda Number: **7B**

Agenda Date: 09-06-11

**Agenda Item:** 2012 Excelsior Fire District Budget

**Summary:** Minimal changes have been made since the last draft of the 2012 Excelsior Fire District Budget was presented by Chief Gerber at the 08-04-11 council meeting. The changes did not affect the preliminary numbers in Greenwood's 2012 budget. The proposed fire budget includes a -3% decrease in operations and a 1.29% increase for facilities / capital costs for Greenwood. This translates to an overall -1.05% decrease for Greenwood. Each city council in the district needs to take action on the budget. 3 of 5 cities must approve the operating budget. 4 of 5 cities must approve the facilities / capital budget.

**Council Action:** Required. Suggested motions ...

1. I move the council approves the 2012 Excelsior Fire District operating budget as recommended by the Fire Board on August 12, 2011.
2. I move the council approves the 2012 Excelsior Fire District facilities / capital budget as recommended by the Fire Board on August 12, 2011.

## Excelsior Fire District 2012 - 2032 Capital Improvement Program

DRAFT 4 CIP Budget July, 2011

Equipment Item	Date Acquired	Original Cost	Life Bench mark	Proj Repl Date	Proj Equip Costs	Proj Finance Costs	Proj Apparatus Costs	Total Cost of Apparatus	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032			
Beginning Apparatus/Equip Balance									65,685	89,854	59,814	46,247	95,441	37,008	74,406	106,052	168,562	161,822	205,165	117,874	108,838	56,120	33,349	83,962	91,087	87,355	139,048	197,155	233,978	185,339	145,728	21,825			
<b>APPARATUS</b>																																			
#23 - Duty Officer Vehicle	2008	28,033	8 yrs	2016	6500	0	27000	33500							33,500						35,500											38,500			
#25 - Chief Vehicle	2010	31,805	9 yrs	2019	5500	0	25000	30500		31,805									34,500						36,500										
#20 - Inspector Vehicle	2003	32,500	10 yrs	2013	6500	0	26000	32500					32,500																						
#21 - Rescue/Utility 21	2005	40,000	15 yrs	2020	4000	0	42000	46000												46,000															
#16 - Rescue 12 - Excursion	2002	37,500	15 yrs	2017	3500	0	40000	43500									43,500																		
#17 - Utility 11 -PU Truck	2002	37,500	15 yrs	2019	0	0	40000	40000											40,000																
#24 - Heavy Rescue	2009	284,688	20 yrs	2029	25000	63492	430000	518492	66,000	66,000	66,000	66,000	66,000																				103,698		
#12 - Engine 22	1986	120,000	20 yrs	2013	30000	55555	390000	475555					95,111	95,111	95,111	95,111	95,111																		
#15 - Aerial 11	1998	421,000	20 yrs	2018	35000	134471	680000	849471	20,000	20,000																									
#18 - Engine 11	2002	327,000	20 yrs	2023	30000	90274	450000	570274																											
#22 - Engine 21	2007	309,000	21 yrs	2028	35000	111540	480000	626540	74,032	74,032	74,032																							120,000	
#19 - Tanker 11	2002	181,000	25 yrs	2027	25000	53100	220000	298100																										59,620	
Tank for Rescue 21	2008	5,000		2020	5000	0	0	5000												5,000															
Hazmat Trailer	2004	40,000	15 yrs	2019	20000	0	10000	30000																											
Snowmobile (replace with ATV)	1999	4,000		2014	0	0	10000	10000						10,000																					
Boat 11		27,000		2017	4000	0	40000	44000																											
Boat 12		8,000		2024	0	0	0	15000																											
Boat 21	2007	31,380	15 yrs	2023																															
Boat Trailer - #11		5,000		2017	0	0	2000	2000																											
Boat Trailer - #12		2,000		2024	0	0	0	1500																											
Boat Trailer - #21	2008	2,860	15 yrs	2023																															
ATV - Mule	2006	12,000	15 yrs	2021	0	0	17000	17000																											
ATV - Mule Trailer	2006	1,700	15 yrs	2021	0	0	2000	2000																											
Capital Truck Maint			Ongoing					0																											
Equipment Lease Costs								0																											
<b>Total Apparatus Expenses</b>									160,032	191,837	140,032	66,000	193,611	105,111	95,111	128,611	184,611	169,894	274,394	220,894	188,894	205,394	115,054	131,554	151,554	115,054	174,674	217,120	295,318	283,318	321,818	223,698			
<b>EQUIPMENT</b>																																			
Air Pack (SCBA) Replacement	2011	166,000	10 yrs		166000	16600	0	182600				34,731	34,731	34,731	34,731	34,731																			40,000
Extrication Tool (Station 2)	2007	28,000	15 yrs																																
Extrication Tool (Station #1)	2009	29,239	15 yrs					75000	32,000																										
Upgrade Radio System	2003							90000					5,000		5,000		5,000		5,000		5,000		5,000		5,000		5,000		5,000		5,000		5,000		
Air monitors								5000																											
Defibrillators (5)		8,000						50000																											
Miscellaneous Equip. (TIC)								50000				16,000	8,000		15,000		15,000		5,000		5,000		5,000			20,000	10,000		10,000		5,000		5,000		
Training Equipment								10000																											
<b>Total Equipment Expenses</b>									32,000	-	34,731	50,731	47,731	34,731	54,731	-	20,000	-	25,000	-	78,000	38,000	80,000	48,000	43,000	20,000	15,000	-	25,000	-	50,000	45,000			
<b>BUILDINGS</b>																																			
Building Fund	2004							1,650,000																											
<b>Total Building Expenses</b>									-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	550,000	550,000	550,000	-	-	-	-	-	-	-		
<b>Total Expenses</b>									192,032	191,837	174,763	116,731	241,342	139,842	149,842	128,611	204,611	169,894	299,394	220,894	266,894	243,394	195,054	729,554	744,554	685,054	189,674	217,120	320,318	283,318	371,818	268,698			
<b>REVENUES</b>																																			
Interest Income									1,314	1,797	1,196	925	1,809	740	1,488	2,121	3,371	3,236	4,103	2,357	2,177	1,122	667	1,679	1,822	1,747	2,781	3,943	4,680	3,707	2,915	436			
Sale of Used Equipment								40,000	5,000				11,000	1,500		4,000	4,500	15,000	8,000	4,500	2,000	4,500	25,000		4,000		20,000	20,000	32,000						
Donations								19,887																											
Equipment Lease Proceeds																																			
Cities Contribution									155,000	155,000	180,000	165,000	170,000	175,000	180,000	185,000	190,000	195,000	200,000	205,000	210,000	215,000	220,000	735,000	735,000	735,000	225,000	230,000	235,000	240,000	245,000	250,000			
<b>Total Revenues</b>									216,201	161,797	161,196	165,925	182,909	177,240	181,488	191,121	197,871	213,236	212,103	211,857	214,177	220,622	245,607	730,679	740,622	730,747	247,781	253,943	271,680	273,707	277,915	280,436			
Year End Apparatus/Equip Balance									89,854	59,814	46,247	95,441	37,008	74,406	106,052	168,562	161,822	205,165	117,874	108,838	56,120	33,349	83,962	91,087	87,355	139,048	197,155	233,978	185,339	145,728	21,825	3,563			

**Notes:**

- Interest Income estimated at 2.0% to FY 2032.
- Equipment Inflation is estimated to be approximately 7% per year.

**Equipment Item Identifiers**

- Purchased with District funds, Donated funds, Grant funds from other agency and/or EFFRA relief funds



**2012**

**Recommended**  
**CIP and Operating**  
**Budget**

August 12, 2011



**Excelsior Fire District**  
*Proudly serving the Communities of:*  
**Deephaven-Excelsior-Greenwood-Shorewood-Tonka Bay**  
 24100 Smithtown Road  
 Shorewood, MN. 55331

**Recommended 2012 Budget Summary**  
**August 12, 2011**

**Funding Summary**

- **Overall Proposed 2012 Budget**
  - Operating Budget - \$ 803,505 (\$11,218 increase or 1.42%)
  - Capital Equipment Fund - \$ 165,000 (\$5,000 increase or 3.13%)
  - Fire Facilities Fund - \$ 554,567 (\$1,238 increase or 0.22%)
  - Total 2012 Budget - \$1,523,072 (\$17,456 increase or 1.16%)
- **1.39% overall increase in 2012 Budget from approved 2011 Budget**
  - \$20,956 increase over 2011 Budget
  - Total 2012 Budget of \$1,526,572 reduced by contributions from “Surplus/Unspent Construction Funds” to reduce 2012 Municipal Contribution to \$1,516,292
- **0.30% overall increase in 2012 Municipal Contribution**
  - 2012 Proposed Municipal Contribution – \$1,516,292
  - 2011 Proposed Municipal Contribution – \$1,511,751
  - \$4,541 or 0.30% increase in 2012 Municipal Contribution
- **\$40,000 in “Surplus/Unspent Construction Funds” received in January 2011 and currently deposited in the Fire Facilities Fund is proposed to be allocated as follows:**
  - \$12,679 for “Required Mandatory Contribution” for the Excelsior Firefighters Relief Association
  - \$17,040 placed in “reserve” account to be used for specific District needs such as building repair needs or future required contributions for the Firefighters Relief Association.
  - \$2,500 for replacement furniture at station #1
  - \$1,000 for cabinets for boat and water supplies at station #1 and Station #2
  - \$5,000 for replacement of MDC (laptop computers) as Fire Chief deems necessary
  - \$1,777 for additional 2% compensation and benefits for the Fire Chief

<b><u>Municipal Contribution Comparisons</u></b>	<b><u>2011</u></b>	<b><u>2012</u></b>	<b><u>Difference</u></b>
Deephaven	\$ 408,310	\$ 412,516	\$4,206
Excelsior	\$ 159,515	\$ 155,931	(\$3,584)
Greenwood	\$ 127,785	\$ 126,444	(\$1,341)
Shorewood	\$ 583,390	\$ 585,611	\$2,221
Tonka Bay	<u>\$ 232,751</u>	<u>\$ 235,790</u>	<u>\$3,039</u>
Total	\$1,511,751	\$1,516,292	\$4,541

- **Fund Balance Summary**

**Projected Operating Fund Balances**

	<b>2010 Budget Actual</b>	<b>2011 Projected Budget</b>	<b>2012 Budget Proposed</b>
<b>January 1 Fund Reserve</b>	<b>317,207</b>	<b>280,239</b>	<b>273,430</b>
<b><u>EFD Annual Expenditures</u></b>			
Operating Fund Expenditures	719,666	778,677	796,724
Mandatory Fire Relief Contribution	58,554	88,554	40,000
CEP Fund Transfer	155,000	160,000	165,000
Facilities Fund Transfer	552,859	553,329	554,567
Building Fund Transfer	25,000	0	0
Fire Relief Fund Transfer	62,000	0	0
<b>Total Operating Fund Expenditures</b>	<b>1,573,079</b>	<b>1,580,560</b>	<b>1,556,291</b>
<b><u>EFD Annual Revenues</u></b>			
EFD Municipal Contributions	1,481,886	1,511,751	1,516,291
Interest Income	3,394	0	0
Other Revenues	10,831	0	0
Fire Relief Fund Transfer	0	62,000	0
Facilities Fund Transfer	40,000	0	40,000
<b>Total Operating Fund Revenues</b>	<b>1,536,111</b>	<b>1,573,751</b>	<b>1,556,291</b>
<b>December 1 Fund Reserve</b>	<b>280,239</b>	<b>273,430</b>	<b>273,430</b>
<b>Fund Reserve Percentage</b>	<b>32.13%</b>	<b>31.53%</b>	<b>32.68%</b>

**Fire District Auditor recommends a Operating Fund Reserve of 20-30% of budgeted expenditures.**



**EXCELSIOR FIRE DISTRICT**  
**2012 Recommended Operating Budget**  
 August 12, 2011

**CATEGORY**

**PERSONAL SERVICES**

	Detail Item Amount			Line Item Total	Category Total
101 Employees Regular (Full-time)				132,723	
Fire Chief	92,423	4% increase			
Fire Inspector	40,300	8% (17.94/hr to 19.38/hr)			
		Larger Percentage increase again in 2013 to get to market wage			
103 Part Time employees					
Administrative Specialist \$16.58/hr x 20 hours per week	17,243	2.00%		17,243	
106 Firefighters Salaries				161,160	
East Call Pay \$10.20 x 216 x 8 x 1 1/4 hrs	22,032	2.00%			
East Drill Pay \$20.40 x 50 x 15	15,300	2.00%			
West Call Pay \$10.20 x 500 x 14 x 1 1/4 hrs	89,250	2.00%			
West Drill Pay \$20.40 x 50 x 22	22,440	2.00%			
Duty Officer Pay \$28 per day x 365 \$20.40 per call x 94	10,220 1,918	3.80% 2.00%			
107 Fire Officer's Salaries				32,518	
Assistant Chief	5,539	2.00%	5,430	109	
Battalion Chiefs (2)	7,840	2.00%	7,686	154	
Captains (5)	11,313	2.00%	11,091	222	
Apparatus Coordinator	1,938	2.00%	1,900	38	
Asst. Apparatus Coord.	1,077	2.00%	1,056	21	
Coordinators (6)	3,877	2.00%	3,801	76	
Maintenance	934	2.00%	916	18	
121 PERA				20,362	
Chief	13,309				
Fire Inspector	5,803				
Administrative Specialist	1,250				
122 FICA				13,077	
Firefighters	9,992				
Fire Inspector	-				
Administrative Specialist	1,069				
Fire Officers (10)	2,016				
123 Medicare				4,983	
Chief	1,340				
Fire Inspector	584				
Firefighters	2,337				
Fire Officers (10)	472				
Administrative Specialist	250				
131 Health Insurance				27,610	
Chief	15,270				
Fire Inspector	12,340				
133 Life Insurance				100	
Chief	50				
Fire Inspector	50				
151 Workers Compensation				21,000	
<b>TOTAL PERSONAL SERVICES</b>					<b>430,776</b>



CATEGORY								
OTHER SERVICES AND CHARGES								
			Detail Item Amount			Line Item Total		Category Total
321	Communications					23,400		
	Telephone		13,500					
	Cell Phones		3,000					
	Pagers (4 @ 475)		1,900					
	Pager Repair		1,200					
	Internet		1,400					
	MDC Air Cards		2,400					
322	Postage					500		
323	Radio Units					29,500		
	Hennepin County Radio Lease		27,000					
	Hennepin County Radio Repair		500					
	MDC Maintenance		2,000					
331	Conferences					5,400		
	Mn Fire Dept. Conference		750					
	Mn Fire Chief's Conference		500					
	I Chiefs Conference							
	Fire Department Instr. Conf.		3,500					
	Emergency Mgnt Conf.		400					
	Fire Inspectors Conference		250					
332	Mileage and Travel					500		
333	Meeting Expenses					2,800		
334	Training Expenses					25,700		
	Training Tower / Simulator		3,000					
	EMT (4 @ 800)		3,200					
	EMT Refresher		5,500					
	FFI		2,700					
	FFII		1,200					
	Haz-Mat Ops		2,000					
	Vo-Tech Schools		2,000					
	State Sectional Schools		2,800					
	Boat Training		300					
	Bloodborne/Right To Know		100					
	Guest Speakers							
	Training Aids		600					
	Support Staff training		300					
	Fire Chief Training		300					
	Fire Inspector Training		700					
	Training Equipment		1,000					
350	Printing And Publishing					1,270		
	Call Sheets		325					
	Film & Developing		370					
	Stationary		350					
	Printer cartridges		225					
	Other Printing							
360	Insurance					30,000		
381	Electric Utilities					32,500		
383	Gas Utilities					15,000		
386	Water and Sewer Utilities					1,000		
401	Building Repair					36,536		
	Annual Maintenance		20,936					
	Sprinkler Alarm Inspection / Testing (Contractor Eval)		1,800					
	Station Maintenance - (painting, other)		1,500					
	UPS Replacement at station 1							
	Elevator Inspection		1,800					
	Sealcoating for parking lot at Station 1							
	Generator Repair at Station #1		2,000					
	Firefighter Furniture Replacement at Station #1		2,500					
	Cabinets for Boat and Water Area		1,000					
	Station 1 Ice Jam Repair		5,000					

404 Repair And Maintenance Of Apparatus						22,500		
	Truck Repair		12,850					
	Pump Testing		1,200					
	Service		4,900					
	Major Repairs		2,700					
	Supplies		850					

<b>CATEGORY</b>								
<b>OTHER SERVICES AND CHARGES (Cont.)</b>								
		<b>Detail Item Amount</b>				<b>Line Item Total</b>	<b>Category Total</b>	
405	Fire Equipment Maintenance					10,885		
	Compressor Service	1,450						
	Air	575						
	Gas Powered Equipment	500						
	SCBA Service	3,410						
	31 packs @\$110/per pack							
	Fit Testing							
	SCBA Flow Testing							
	SCBA Hydro Testing							
	SCBA Maintenance	1,200						
	Ladder Testing	2,000						
	Hose Testing	200						
	Air Monitor	750						
	Air Monitor Calibration	300						
	Maint. Agreement Fitness Room	500						
430	Misc Expenses					500		
	Bank Expenses	500						
433	Dues And Subscriptions					2,634		
	Nat. Volunteer Fire Council	30						
	IAFC/INT Assoc Of Fire Chiefs	195						
	Int Assn Of Arson Investigators	50						
	NAFI	40						
	Mn Chapter IAAI	25						
	Mn State Fire Chiefs Assoc	130						
	ACFEI	130						
	MSFDA	300						
	Fire Marshals Assoc Of Mn (2)	70						
	NFPA							
	ACS Firehouse Solutions	125						
	Hennepin County Fire Chiefs	20						
	Hennepin County Fire Chiefs (FIT)	500						
	United Firefighters Assoc	30						
	Firehouse Magazine	30						
	Smoke Eater (22)	160						
	Chamber	-						
	Lake Region Mutual Aid	75						
	Southwest Mutual Aid	100						
	Metro Fire Chief's	100						
	Fire Chiefs	74						
	Vol FF Benefit Association	350						
	Excelsior Rotary	100						
439	Contingency							
440	Fund Balance / Reserve					-		
<b>TOTAL OTHER SERVICES AND CHARGES</b>								<b>240,625</b>
<b><u>TOTAL OPERATING BUDGET</u></b>								<b><u>807,005</u></b>
<b>CAPITAL OUTLAY</b>								
560	Furniture And Equipment							
570	Office Equipment							
<b>TOTAL CAPITAL OUTLAY</b>								
<b>CAPITAL TRANSFERS</b>								
	Equipment Transfers					165,000		
720	Facilities Transfers					554,567		
	* The Bond payment was increased from the 2011 amount of \$553,329 to \$554,567 in 2012							
<b>TOTAL CAPITAL TRANSFERS</b>								<b>719,567</b>
<b><u>TOTAL CAPITAL</u></b>								<b><u>719,567</u></b>

<b>PENSION CONTRIBUTION</b>								
	*Costs covered thru unspent returned construction funds						12,679	-
	*Relief contribution reserve						17,040	
	<b>Use of "Unspent Construction" / Reserve Funds</b>							(10,281)
<b>TOTAL BUDGET AMOUNT</b>								<b>1,516,291</b>

## Excelsior Fire District Recommended Budget 2012

Allocation by City using Joint Powers Agreement funding formula for 2012

\$796,724 Operating  
\$719,567 Building

	<u>Tax Capacity Payable 2011</u>		<u>Sum of all Factors Per JPA</u>		<u>Cities' Calculated Share of Cost</u>		
	<u>Dollars</u>	<u>Percent</u>			<u>Operations</u>	<u>Facilities</u>	<u>Total</u>
Deephaven	\$11,178,216	27.21%	27.21%		\$216,753	\$195,762	\$412,516
Excelsior	\$4,225,376	10.28%	10.28%		\$81,933	\$73,998	\$155,931
Greenwood	\$3,426,333	8.34%	8.34%		\$66,439	\$60,005	\$126,444
Shorewood**	\$15,868,696	38.62%	38.62%		\$307,705	\$277,906	\$585,611
Tonka Bay	\$6,389,349	15.55%	15.55%		\$123,894	\$111,896	\$235,790
	<u>\$41,087,970</u>	<u>100%</u>	<u>100.00%</u>		<u>\$796,724</u>	<u>\$719,567</u>	<u>\$1,516,291</u>

(Using 2011 Hennepin County Assessors' valuations as of April 8, 2011)  
xx -- Total 2011 Tax Capacity less reduction for The Islands served by the Mound FD.

### Quarterly Billings

	<u>Operations</u>	<u>Buildings</u>	<u>Total</u>
Deephaven	\$ 54,188.32	\$ 48,940.57	\$ 103,128.90
Excelsior	\$ 20,483.24	\$ 18,499.58	\$ 38,982.82
Greenwood	\$ 16,609.74	\$ 15,001.20	\$ 31,610.94
Shorewood**	\$ 76,926.23	\$ 69,476.48	\$ 146,402.71
Tonka Bay	\$ 30,973.47	\$ 27,973.91	\$ 58,947.38
			\$ 379,072.75

**2012 Recommended Budget  
Contribution with 2012 JPA Formula  
Summary of Percentage Increase by City**

<b>2012 Formula</b>									
<b>2012 Operating Budget and \$165,000 Capital Transfer</b>									
City	2010 Contribution	2011 Contribution	Increase	% Increase from 2010	2012 Proposed	Increase	% Increase from 2011		
Deephaven	\$ 408,409.00	\$ 408,310.00	\$ (99.00)	-0.02%	\$ 412,516.00	\$ 4,206.00	1.03%		
Excelsior	\$ 157,984.00	\$ 159,515.00	\$ 1,531.00	0.97%	\$ 155,931.00	\$ (3,584.00)	-2.25%		
Greenwood	\$ 122,510.00	\$ 127,785.00	\$ 5,275.00	4.31%	\$ 126,444.00	\$ (1,341.00)	-1.05%		
Shorewood	\$ 570,742.00	\$ 583,390.00	\$ 12,648.00	2.22%	\$ 585,611.00	\$ 2,221.00	0.38%		
Tonka Bay	\$ 222,241.00	\$ 232,751.00	\$ 10,510.00	4.73%	\$ 235,790.00	\$ 3,039.00	1.31%		
Total Contribution	\$ 1,481,886.00	\$ 1,511,751.00	\$ 29,865.00	2.02%	\$ 1,516,292.00	\$ 4,541.00	0.30%		
<b>Tax Capacity Information</b>									
City	2010 Values	2011 Values	\$ Change	% Change from 2010					
Deephaven	\$12,067,101	\$11,178,216	(\$888,885)	-7%					
Excelsior	\$4,714,251	\$4,225,376	(\$488,875)	-10%					
Greenwood	\$3,776,525	\$3,426,333	(\$350,192)	-9%					
Shorewood	\$17,241,365	\$15,868,696	(\$1,372,669)	-8%					
Tonka Bay	\$6,878,662	\$6,389,349	(\$489,313)	-7%					
Totals	\$44,677,904	\$41,087,970	(\$3,589,934)	-8%					
City	2008 Values	2009 Values	\$ Change	% Change from 2008					
Deephaven	\$12,878,297	\$12,508,003	(\$370,294)	-3%					
Excelsior	\$4,651,191	\$4,838,446	\$187,255	4%					
Greenwood	\$3,438,594	\$3,752,017	\$313,423	9%					
Shorewood	\$16,935,039	\$17,479,666	\$544,627	3%					
Tonka Bay	\$6,225,329	\$6,806,407	\$581,078	9%					
Totals	\$44,128,450	\$45,384,539	\$1,256,089	3%					



Agenda Number: **7C**

Agenda Date: 09-06-11

**Agenda Item:** 2012 Preliminary Tax Levy

**Summary:** Attached is the updated budget based on the council's 08-04-11 worksession discussion. Changes are highlighted in yellow. The preliminary budget includes a tax levy of \$644,719. This is a slight -.08% reduction from 2011. Further changes may be made to the budget and levy amount based on the discussion held at the worksession and regular meeting on 09-06-11. Once the preliminary levy amount is set the council can go lower, but the council cannot go higher when the final levy is approved at the 12-06-11 council meeting.

**Council Action:** Required. Suggested motion ...

1. I move the council approves resolution 17-11 approving \$644,719 as the preliminary tax levy for 2012.

# 2012 Greenwood PRELIMINARY Budget

		2010 Actual	2010 Budget	2011 YTD (June)	2011 Budget	2012 Budget	% Change	% Op. Budget	% Total Budget
<b>GENERAL FUND REVENUE</b>									
1	<b>TAXES</b>			(7/7/11)					
2	101-31010 General Property Tax	651,021	666,252	309,955	645,417	644,908	-0.08%		
3	101-31020 General Property Tax - Delinquent	27,778	1,000	4,239	0	0	#DIV/0!		
4	101-31040 Fiscal Disparities	5,044	2,200	2,506	0	0	#DIV/0!		
5	101-31800 Surcharge Revenue	225	25	25	0	0	#DIV/0!		
6	101-31910 Penalties	9	50	0	0	0	#DIV/0!		
7		<b>684,077</b>	<b>669,527</b>	<b>316,725</b>	<b>645,417</b>	<b>644,908</b>	<b>-0.08%</b>		<b>88.63%</b>
8	<b>LICENSES &amp; PERMITS</b>								
9	101-32110 3.2 Beer, Liquor, Cigarette License	2,950	3,250	50	3,250	3,000	-7.69%		
10	101-32180 Other Business Licenses / Permits (Rental, Peddler, Commercial Marina, Trash)	6,266	3,355	1,000	3,400	3,400	0.00%		
11	101-32210 Building Permits	11,319	12,000	15,822	12,000	16,000	33.33%		
12	101-32211 Electric Permit	0	1,200	970	1,200	1,000	-16.67%		
13	101-32240 Animal License	775	100	725	200	200	0.00%		
14		<b>21,310</b>	<b>19,905</b>	<b>18,566</b>	<b>20,050</b>	<b>23,600</b>	<b>17.71%</b>		<b>3.24%</b>
15	<b>INTERGOVERNMENT REVENUE</b>								
16	101-33402 Homestead Credit (Market Value Credit)	0	0	0	0	0	#DIV/0!		
17	101-33423 Other State Grants / Aids (Recycle Grant)	0	0	0	0	0	#DIV/0!		
18	101-33610 Hennepin County Road Aid (CAM)	0	0	0	0	0	#DIV/0!		
19	101-33630 Local Government Aid (LGA)	2,671	0	0	0	0	#DIV/0!		
20		<b>2,671</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>#DIV/0!</b>		<b>0.00%</b>
21	<b>PUBLIC CHARGES FOR SERVICES</b>								
22	101-34103 Zoning & Subdivisions (Variances)	400	2,500	0	1,500	500	-66.67%		
23	101-34207 False Alarm Fee	375	50	0	200	0	-100.00%		
24	101-34304 Load Limit Fees	550	1,000	379	2,000	2,000	0.00%		
25	101-34409 Recycling Fees	19,470	18,810	9,720	18,819	18,819	0.00%		
26		<b>20,795</b>	<b>22,360</b>	<b>10,098</b>	<b>22,519</b>	<b>21,319</b>	<b>-5.33%</b>		<b>2.93%</b>
27	<b>FINES, FORFEITURES &amp; PENALTIES</b>								
28	101-35101 Court Fines	5,644	5,000	3,055	4,500	4,500	0.00%		0.62%
29									
30	<b>MISC. INCOME</b>								
31	101-36102 Investment Income	5,507	5,000	2,933	5,000	6,000	20.00%		
32	101-36230 Misc. Income (Copies, Donations, Refunds, Etc.)	7,069	25	8	0	0	#DIV/0!		
33	101-39201 Interfund Operating Transfer: From Marina Fund	15,000	15,000	0	15,000	12,000	-20.00%		
34	101-3920??? Administration Expense Reimbursement: 10% of Marina Revenue	0	0	0	0	2,790	#DIV/0!		
35	101-39202 Administrative Expense Reimbursement: 10% of Sewer Revenue	0	0	0	10,650	10,866	2.03%		
36	101-39203 Administrative Expense Reimbursement: 10% of Stormwater Revenue	0	0	0	1,650	1,625	-1.52%		
37		<b>27,576</b>	<b>20,025</b>	<b>2,941</b>	<b>32,300</b>	<b>33,281</b>	<b>3.04%</b>		<b>4.57%</b>
38									
<b>Total Revenue</b>		<b>762,073</b>	<b>736,817</b>	<b>351,385</b>	<b>724,786</b>	<b>727,608</b>	<b>0.39%</b>		

# 2012 Greenwood PRELIMINARY Budget

		2010 Actual	2010 Budget	2011 YTD (June)	2011 Budget	2012 Budget	% Change	% Op. Budget	% Total Budget
<b>GENERAL FUND EXPENSES</b>									
41	<b>COUNCIL</b>								
42	101-41100-103 Council Salaries (Gross)	13,200	13,200	6,600	13,200	13,200	0.00%		
43	101-41100-122 FICA Contributions (6.2%)	831	818	409	818	818	0.00%		
44	101-41100-123 Medicare Contributions (1.45%)	194	191	96	191	191	0.00%		
45	101-41100-371 Training / Conference Registration (League of Minnesota Cities Training)	135	600	0	600	600	0.00%		
46	101-41100-372 Meals / Lodging	0	50	0	100	100	0.00%		
47	101-41100-433 Misc. (Dues, Subscriptions, Supplies, Etc.)	65	150	38	150	150	0.00%		
48		<b>14,425</b>	<b>15,010</b>	<b>7,143</b>	<b>15,060</b>	<b>15,060</b>	<b>0.00%</b>	<b>2.21%</b>	
49	<b>ELECTIONS</b>								
50	101-41200-103 Election Salaries (Part-Time Election Judge Salaries)	1,795	1,500	0	0	1,800	#DIV/0!		
51	101-41200-214 Operational Support - Forms (Ballots, Voter Reg. Rosters)	0	300	0	0	300	#DIV/0!		
52	101-41200-219 Election Operations / Support (Deephaven)	74	350	0	0	0	#DIV/0!		
53	101-41200-319 Equipment Maintenance (ES&S Maintenance Agreement / Programming)	629	400	0	200	650	225.00%		
54	101-41200-372 Meals / Lodging (Election Judge Snacks)	149	75	0	0	150	#DIV/0!		
55	101-41200-439 Misc. (Supplies, Postage, Etc.)	235	325	0	50	250	400.00%		
56		<b>2,883</b>	<b>2,950</b>	<b>0</b>	<b>250</b>	<b>3,150</b>	<b>1160.00%</b>	<b>0.46%</b>	
57	<b>ADMINISTRATION</b>								
58	101-41400-101 City Administrator Salary	27,078	57,681	0	0	0	#DIV/0!		
59	101-41400-121 PERA Contributions (7%)	1,718	4,038	63	0	0	#DIV/0!		
60	101-41400-122 FICA Contributions (6.2%)	1,679	3,576	0	0	0	#DIV/0!		
61	101-41400-123 Medicare Contributions (1.45%)	393	836	0	0	0	#DIV/0!		
62	101-41400-139 City Administrator Insurance (Unemployment Insurance Reimbursement in 2011)	579	1,423	2,884	0	0	#DIV/0!		
63	101-41400-201 Office Supplies	699	600	0	600	0	-100.00%		
64	101-41400-202 Duplicating	229	400	487	200	500	150.00%		
65	101-41400-204 Stationary, Forms, Printing	614	525	136	525	500	-4.76%		
66	101-41400-309 Professional Services - Other (ISP, Website, Email)	4,192	3,500	65	1,000	500	-50.00%		
67	101-41400-310 Clerk's Contractual (\$2,400 Minutes, \$32,867 Deephaven Admin Services)	14,647	3,250	12,818	34,141	35,267	3.30%		
68	101-41400-311 Office (Rent and Equipment)	10,352	11,580	2,777	6,800	6,600	-2.94%		
69	101-41400-313 Professional Services (Civic Accounting)	2,877	4,100	1,940	1,920	1,940	1.04%		
70	101-41400-321 Communications - Telephone	1,348	1,500	199	700	500	-28.57%		
71	101-41400-322 Postage	2,144	1,400	503	1,400	1,300	-7.14%		
72	101-41400-351 Newspaper Legal Notices	1,738	2,500	350	2,000	1,000	-50.00%		
73	101-41400-372 Meals / Lodging	0	50	0	0	0	#DIV/0!		
74	101-41400-411 Rentals / Office Equipment (Copier Lease Through May 2013)	2,626	2,280	1,023	2,335	2,100	-10.06%		
75	101-41400-439 Misc. (Equipment, Dog Tags, Etc.)	289	1,300	136	400	300	-25.00%		
76		<b>73,199</b>	<b>100,539</b>	<b>23,380</b>	<b>52,021</b>	<b>50,507</b>	<b>-2.91%</b>	<b>7.41%</b>	

# 2012 Greenwood PRELIMINARY Budget

		2010 Actual	2010 Budget	2011 YTD (June)	2011 Budget	2012 Budget	% Change	% Op. Budget	% Total Budget
77	<b>ASSESSOR</b>								
78	101-41500-309 Assessor - Contract (Hennepin Co.)	13,861	14,000	0	14,000	14,000	0.00%		
79	101-41500-439 Assessor - Other (Hennepin Co. Notices, Processing, Tax Rolls)	3	125	57	100	120	20.00%		
80		<b>13,864</b>	<b>14,125</b>	<b>57</b>	<b>14,100</b>	<b>14,120</b>	<b>0.14%</b>	<b>2.07%</b>	
81	<b>LEGAL SERVICES</b>								
82	101-41600-304 Legal Services - General	11,672	20,000	5,112	15,000	12,000	-20.00%		
83	101-41600-308 Legal Services - Prosecution	3,232	6,000	2,415	4,000	4,000	0.00%		
84		<b>14,904</b>	<b>26,000</b>	<b>7,526</b>	<b>19,000</b>	<b>16,000</b>	<b>-15.79%</b>	<b>2.35%</b>	
85	<b>AUDITING</b>								
86	101-41700-301 Auditing (\$9100 in 2011, \$9300 in 2012)	8,900	8,900	9,100	9,100	9,300	2.20%		
87		<b>8,900</b>	<b>8,900</b>	<b>9,100</b>	<b>9,100</b>	<b>9,300</b>	<b>2.20%</b>	<b>1.36%</b>	
88	<b>GENERAL GOVERNMENT TOTAL</b>	<b>128,173</b>	<b>167,524</b>	<b>47,206</b>	<b>109,531</b>	<b>108,137</b>	<b>-1.27%</b>	<b>15.86%</b>	<b>14.86%</b>
90	<b>LAW ENFORCEMENT</b>								
91	101-42100-310 Law Enforcement - Contract (Monthly)	151,356	151,352	79,338	158,672	172,519	8.73%		
92	101-42100-311 Police Side Lease - Facilities (Quarterly)	47,900	47,901	23,632	47,263	45,469	-3.80%		
93	101-42100-439 Police Safety - Other (Jail, Etc.)	675	1,000	437	1,000	1,000	0.00%		
94		<b>199,931</b>	<b>200,253</b>	<b>103,407</b>	<b>206,935</b>	<b>218,988</b>	<b>5.82%</b>	<b>32.12%</b>	
95	<b>FIRE</b>								
96	101-42200-309 Fire Protection - Operations (Quarterly)	63,990	63,990	34,246	68,492	66,439	-3.00%		
97	101-42200-311 Fire Side Lease - Facilities (Quarterly)	58,520	58,520	29,647	59,239	60,005	1.29%		
98		<b>122,510</b>	<b>122,510</b>	<b>63,892</b>	<b>127,731</b>	<b>126,444</b>	<b>-1.01%</b>	<b>18.55%</b>	
99	<b>PUBLIC SAFETY TOTAL</b>	<b>322,441</b>	<b>322,763</b>	<b>167,300</b>	<b>334,666</b>	<b>345,432</b>	<b>3.22%</b>	<b>50.67%</b>	<b>47.48%</b>
100	<b>ZONING</b>								
101	101-42400-308 Zoning Administration	1,637	4,000	1,549	4,000	3,000	-25.00%		
102	101-42400-309 Public Notices	86	0	257	1,500	700	-53.33%		
103	101-42400-310 Building Inspections	8,383	6,500	3,340	6,500	8,000	23.08%		
104	101-42400-438 Misc. (Duplicating, Etc.)	0	200	171	0	200	#DIV/0!		
105	<b>ZONING TOTAL</b>	<b>10,105</b>	<b>10,700</b>	<b>5,317</b>	<b>12,000</b>	<b>11,900</b>	<b>-0.83%</b>	<b>1.75%</b>	<b>1.64%</b>
106	<b>ENGINEERING</b>								
107	101-42600-303 Engineering Fees - Misc.	2,323	5,000	570	3,500	1,200	-65.71%		
108		<b>2,323</b>	<b>5,000</b>	<b>570</b>	<b>3,500</b>	<b>1,200</b>	<b>-65.71%</b>	<b>0.18%</b>	
109	<b>UTILITIES &amp; ROADS</b>								
110	101-43100-381 S&R - Utility Services - Elec (Includes Siren Electric)	4,218	3,600	2,098	4,000	4,300	7.50%		
111	101-43100-409 Other - Road Repair & Maintenance 2010 Road Imp, 2011 Public Works Repairs)	4,995	0	1,977	5,000	5,000	0.00%		
112		<b>9,214</b>	<b>3,600</b>	<b>4,075</b>	<b>9,000</b>	<b>9,300</b>	<b>3.33%</b>	<b>1.36%</b>	

# 2012 Greenwood PRELIMINARY Budget

		2010 Actual	2010 Budget	2011 YTD (June)	2011 Budget	2012 Budget	% Change	% Op. Budget	% Total Budget
	<b>MAJOR ROAD IMPROVEMENTS</b>								
113	101-43200-229 Major Road Improvements - Construction	121,943	100,500	0	115,000	115,000	0.00%		
114	101-43200-303 Major Road Improvements - Engineering	14,713	0	6,320	15,000	15,000	0.00%		
115		<b>136,656</b>	<b>100,500</b>	<b>6,320</b>	<b>130,000</b>	<b>130,000</b>	<b>0.00%</b>	<b>#DIV/0!</b>	
116	<b>PUBLIC WORKS</b>								
117	101-43900-226 Signs (2012-2018: Retroreflectivity Project, \$165 per installed sign x 400 / 6 years = \$11,000)	3,631	2,000	366	5,000	11,000	120.00%		
118	101-43900-310 Streets - Sweeping (Stormwater Fund in 2012)	5,472	5,000	0	4,000	0	-100.00%		
119	101-43900-312 Snow Plowing	16,307	13,000	12,470	15,000	16,000	6.67%		
120	101-43900-313 Trees, Weeds, Mowing	12,001	13,000	7,806	13,000	13,000	0.00%		
121	101-43900-314 Park & Tennis Court Maintenance	0	200	947	200	500	150.00%		
122	101-43900-315 LRT Trail and Mtka. Blvd. Path Snow Plowing	625	1,000	1,846	800	1,250	56.25%		
123	101-43900-439 Misc.	3,481	2,000	0	0	0	#DIV/0!		
124		<b>41,517</b>	<b>36,200</b>	<b>23,436</b>	<b>38,000</b>	<b>41,750</b>	<b>9.87%</b>	<b>6.12%</b>	
125	<b>ROADS &amp; PUBLIC WORKS TOTAL</b>	<b>189,710</b>	<b>145,300</b>	<b>34,401</b>	<b>180,500</b>	<b>182,250</b>	<b>0.97%</b>	<b>26.73%</b>	<b>25.05%</b>
126	<b>MISC. EXPENSES</b>								
127	101-49000-310 Recycling Contract	20,389	18,819	9,410	18,819	18,820	0.01%		
128	101-49000-311 Spring Clean-Up Day	2,108	4,000	2,860	2,500	2,900	16.00%		
129	101-49000-369 League of Minnesota Cities Insurance Trust / Liability (2010 Includes Work Comp)	1,755	7,500	2,887	7,600	3,000	-60.53%		
130	101-49000-370 League of Minnesota Cities Insurance Trust / Workers Comp	0	0	95	110	100	-9.09%		
131	101-49000-433 Misc.	0	100	0	0	0	#DIV/0!		
132	101-49000-434 Southshore Center	1,200	0	0	1,200	500	-58.33%		
133	101-49000-435 League of Minnesota Cities	826	0	0	997	1,000	0.30%		
134	101-49000-436 Lake Minnetonka Conservation District	6,344	6,344	3,254	6,507	6,264	-3.73%		
135	101-49000-437 July 4th Fireworks (2010 Budget Includes Southshore Center and LMC)	1,200	3,180	1,345	1,300	1,400	7.69%		
136	<b>MISC. TOTAL</b>	<b>33,822</b>	<b>39,943</b>	<b>19,851</b>	<b>39,033</b>	<b>33,984</b>	<b>-12.94%</b>	<b>4.99%</b>	<b>4.67%</b>
137	<b>Total Operating Budget</b>	<b>684,252</b>	<b>686,230</b>	<b>274,075</b>	<b>675,730</b>	<b>681,703</b>	<b>0.88%</b>		
138	<b>CONTINGENCY &amp; FUND TRANSFERS</b>								
139	101-49000-439 Contingency (2011: 4.3% of Operating Budget, 2012: 3.8% of Operating Budget)	590	20,587	5,266	29,056	25,905	-10.85%		
140	101-49000-440 Reserve Replenishment	37,231	10,000	0	0	0	#DIV/0!		
141	101-49000-500 Transfer to Bridge Fund	40,000	20,000	0	20,000	20,000	0.00%		
142	<b>CONTINGENCY &amp; FUND TRANSFERS TOTAL</b>	<b>77,821</b>	<b>50,587</b>	<b>5,266</b>	<b>49,056</b>	<b>45,905</b>	<b>-6.42%</b>		<b>6.31%</b>
143	<b>Total Expenses</b>	<b>762,073</b>	<b>736,817</b>	<b>279,341</b>	<b>724,786</b>	<b>727,608</b>	<b>0.39%</b>		
144	<b>GENERAL FUND CASH BALANCE (State Guidelines: 35%-50% of Operating Budget)</b>	<b>298,537</b>	<b>252,058</b>	<b>298,537</b>	<b>252,058</b>	<b>298,537</b>		<b>43.79%</b>	

# 2012 Greenwood PRELIMINARY Budget

		2010 Actual	2010 Budget	2011 YTD (June)	2011 Budget	2012 Budget	% Change	% Op. Budget	% Total Budget
<b>SEWER ENTERPRISE FUND</b> <i>This fund can be used for any city purpose. Goal: \$250,000</i>									
145	602-34401	REVENUE: Sewer Use Charges	114,197	114,000	54,331	106,500	108,660	2.03%	
146	602-34402	REVENUE: Late Charges & Penalties	3,004		348	2,000	0	-100.00%	
147	602-34403	REVENUE: Delinquent Sewer Payments Received	577		0	0	0	#DIV/0!	
148	602-34404	REVENUE: Delinquent Sewer Late Fees Received	40		0	0	0	#DIV/0!	
149	602-34408	REVENUE: Permit Fees	50		100	0	0	#DIV/0!	
150	602-36100	REVENUE: Special Assessments	2,278		1,904	0	0	#DIV/0!	
151	602-43200-303	EXPENSE: Engineering Sewer	2,449		3,437	2,700	4,000	48.15%	
152	602-43200-309	EXPENSE: Met Council and Excelsior	49,511		14,000	52,000	57,720	11.00%	
153	602-43200-310	EXPENSE: Public Works Sewer	8,066		1,137	5,000	2,500	-50.00%	
154	602-43200-319	EXPENSE: Equipment Maintenance (2011 these items go to 602-43200-404)	299		0	0	0	#DIV/0!	
155	602-43200-381	EXPENSE: Utility Services - Electric	2,477		973	1,700	2,500	47.06%	
156	602-43200-404	EXPENSE: Repair & Maintenance - Machinery & Equipment	14,553		3,442	7,000	7,000	0.00%	
157	602-43200-439	EXPENSE: Misc. (Gopher State One Call, Insurance, Forms, Printing, Etc.)	6,649		1,024	500	2,000	300.00%	
158	602-43200-530	EXPENSE: Capital Outlay (2011 I/I Project, 2012 I/I Project)	0		0	50,000	50,000	0.00%	
159	602-43200-720	ADMINISTRATIVE EXPENSE: To General Fund (10% of Sewer Revenue to Offset Adm. Costs)	0		0	10,650	10,866	2.03%	
160		<b>Net Total</b>	<b>36,141</b>		<b>32,670</b>	<b>-21,050</b>	<b>-27,926</b>	<b>32.67%</b>	
161		<b>SEWER ENTERPRISE FUND CASH BALANCE</b>	<b>392,038</b>		<b>424,708</b>	<b>401,273</b>	<b>373,347</b>		
<b>STORMWATER SPECIAL REVENUE FUND</b> <i>This fund can be used for any city purpose.</i>									
162	502-34401	REVENUE: Stormwater Use Charges	16,407		8,117	16,500	16,250	-1.52%	
163	502-34403	REVENUE: Delinquent Stormwater Payments Received	0		0	0	0	#DIV/0!	
164	502-34404	REVENUE: Delinquent Stormwater Late Fees Received	0		0	0	0	#DIV/0!	
165	502-43200-303	EXPENSE: Engineering Stormwater	3,886		3,275	4,000	4,000	0.00%	
166	502-43200-310	EXPENSE: Public Works Stormwater	630		470	500	500	0.00%	
167	502-43200-319	EXPENSE: Equipment and Maintenance	1,060		0	1,500	500	-66.67%	
168	502-43200-409	EXPENSE: Street Sweeping	0		2,350	4,000	3,000	-25.00%	
169	502-43200-439	EXPENSE: Misc. (EPA Fee, Etc.)	557		37	2,000	600	-70.00%	
170	502-43200-720	ADMINISTRATIVE EXPENSE: To General Fund (10% of Stormwater Rev. to Offset Adm. Costs)	0		0	1,650	1,625	-1.52%	
171		<b>Net Total</b>	<b>10,274</b>		<b>1,985</b>	<b>2,850</b>	<b>6,025</b>	<b>111.40%</b>	
172		<b>STORMWATER SPECIAL REVENUE FUND CASH BALANCE</b>	<b>9,272</b>		<b>11,257</b>	<b>17,907</b>	<b>23,932</b>		
<b>PARK SPECIAL REVENUE FUND</b> <i>This is a dedicated fund for park "improvements" only. Cannot be used for maintenance.</i>									
173	401-36230	REVENUE: Park Dedication Fees			0	0	0	#DIV/0!	
174	401-45000-000	EXPENSE: Park Improvements			0	5,000	5,000	0.00%	
175		<b>Net Total</b>			<b>0</b>	<b>-5,000</b>	<b>-5,000</b>	<b>0.00%</b>	
176		<b>PARK FUND CASH BALANCE</b>	<b>27,055</b>		<b>27,055</b>	<b>22,055</b>	<b>22,055</b>		

# 2012 Greenwood PRELIMINARY Budget

		2010 Actual	2010 Budget	2011 YTD (June)	2011 Budget	2012 Budget	% Change	% Op. Budget	% Total Budget
<b>MARINA ENTERPRISE FUND</b> <i>This fund can be used for any city purpose. Goal: \$55,000 for Tonka Dock, \$120,000 for Floating Dock</i>									
175	605-36201	REVENUE: Boat User Fees	22,700	22,700	25,300	25,300	27,900	10.28%	
176	605-45100-309	EXPENSE: Professional Services (Dock In and Out)	3,809		1,500	4,600	4,000	-13.04%	
177	605-45100-310	EXPENSE: Public Works	527		157	300	300	0.00%	
178	605-45100-439	EXPENSE: Misc. (LMCD Multi-Dock License \$350, Milfoil Contribution \$5000)	865		343	350	5,350	1428.57%	
179	605-45100-590	EXPENSE: Capital Outlay	0		0	0	0	#DIV/0!	
180	605-49300-721	ADMINISTRATIVE EXPENSE: To General Fund (10% of Marina Fund to Offset Adm. Costs)	0		0	0	2,790	#DIV/0!	
181	605-49300-720	OPERATING TRANSFER: To General Fund	15,000	15,000	0	15,000	12,000	-20.00%	
182		<b>Net Total</b>	<b>3,891</b>		<b>23,300</b>	<b>5,050</b>	<b>6,250</b>	<b>23.76%</b>	
183		<b>MARINA ENTERPRISE FUND CASH BALANCE</b>	<b>16,703</b>		<b>40,003</b>	<b>21,753</b>	<b>28,003</b>		
<b>BRIDGE CAPITAL PROJECT FUND</b> <i>This fund was created in 2010. The funds can be used for any city purpose. Goal: \$200,000</i>									
184	403-39200	REVENUE: Transfer from General Fund	40,000	20,000	0	20,000	20,000	0.00%	
185	403-45100-303	EXPENSE: Engineering	0	0	30	0	0	#DIV/0!	
186	403-45100-530	EXPENSE: Capital Outlay	0	0	0	0	0	#DIV/0!	
187		<b>Net Total</b>	<b>40,000</b>	<b>20,000</b>	<b>-30</b>	<b>20,000</b>	<b>20,000</b>	<b>0.00%</b>	
188		<b>BRIDGE CAPITAL PROJECT FUND CASH BALANCE</b>	<b>40,000</b>		<b>39,970</b>	<b>40,000</b>	<b>79,970</b>		
189		<b>Total Fund Cash Balances</b>	<b>783,605</b>		<b>775,765</b>	<b>825,844</b>	<b>6.46%</b>		

**SOUTH LAKE MINNETONKA POLICE DEPARTMENT  
PUBLIC SAFETY FACILITY - POLICE PORTION**

**DEBT SERVICE AMOUNTS IN 2012**

Amount Due to the Shorewood Economic Development Authority (EDA) - \$414,100

<b>Member City</b>	<b>Tax Capacity</b>	<b>Percentage</b>	<b>Share of Cost</b>
<b>Excelsior</b>	\$4,108,989	14.03%	\$58,111
<b>Greenwood</b>	\$3,215,122	10.98%	\$45,469
<b>Shorewood</b>	\$15,918,957	54.37%	\$225,132
<b>Tonka Bay</b>	\$6,037,731	20.62%	\$85,388
<b>TOTAL</b>	<b>\$29,280,799</b>	<b>100.00%</b>	<b>\$414,100</b>

<b>NOTATIONS</b>
2011 Tax Capacity Figures - Hennepin County Assessor's Office - <i>(Run Date: August 1, 2011)</i>
Figures Rounded Based Upon Tax Capacity <i>(ad valorem)</i> Formula
Total Debt Service Costs Validated with the Shorewood EDA - <i>(Includes Anticipated Fiscal Agent Fees)</i>
Facility Debt Obligation Independent of the SLMPD Operating Budget

**Prepared by Bryan Litsey, Chief of Police - (August 2011)**

**SOUTH LAKE MINNETONKA POLICE DEPARTMENT  
PUBLIC SAFETY FACILITY - POLICE PORTION**

**DEBT SERVICE PAYMENTS IN 2012**

Amount Due to the Shorewood Economic Development Authority (EDA) - \$414,100

		2012 Debt Service Payments ***			
Member City	Share of Debt Service *	First Quarter	Second Quarter	Third Quarter	Fourth Quarter
Excelsior	\$58,111	\$14,528	\$14,528	\$14,528	\$14,528
Greenwood	\$45,469	\$11,367	\$11,367	\$11,367	\$11,367
Shorewood	\$225,132	\$56,283	\$56,283	\$56,283	\$56,283
Tonka Bay	\$85,388	\$21,347	\$21,347	\$21,347	\$21,347
<b>TOTAL **</b>	<b>\$414,100</b>				

**NOTATIONS**

\* Allocation of debt service based on tax capacity figures provided by the Hennepin County Assessor's Office

\*\* Total debt service costs validated with the Shorewood EDA

\*\*\* Quarterly payment figures rounded for consistency of payment amounts

**Prepared by Bryan Litsey, Chief of Police - (August 2011)**

**CITY OF GREENWOOD  
RESOLUTION NO. 17-11**

**A RESOLUTION APPROVING PROPOSED TAX LEVY COLLECTIBLE IN 2012.**

**BE IT RESOLVED** by the council of the City of Greenwood, County of Hennepin, Minnesota, that the below sum of money is the amount proposed to be levied for the current year, collectible in 2012, upon taxable property in the City of Greenwood for the following purpose: General Fund

**TOTAL:** \$644,719

The city clerk is hereby instructed to transmit a certified copy of this resolution to the county auditor of Hennepin County, Minnesota.

**ADOPTED** 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



Agenda Number: **7D**

Agenda Date: 09-06-11

**Agenda Item:** 1st Reading, Ordinance 196 Amending Code Section 1155 Regarding Variances

**Summary:** On 05-06-11 the new state law regarding variance authority went into effect. The League of Minnesota Cities (LMC) suggests that the statutory language pre-empts inconsistent local ordinance provisions, so cities can apply the new law immediately without necessarily amending the ordinance first. However, the LMC recommends that it would be best for cities to revisit their ordinance provisions and considering adopting language that mirrors the new state statute.

The attached ordinance incorporates language from the state statute and the LMC recommendation for the questions to be addressed in the findings for evaluating variances.

At the 06-06-11 council meeting, the council directed the planning commission to discuss the potential change to the city code, add any additional provisions they deemed necessary, and then schedule a public hearing. The planning commission made no changes to the proposed ordinance and held a public hearing at their 08-17-11 meeting.

**Planning Commission Action:** *Motion by Commissioner Beal to recommend the city council adopt ordinance 196, amending section 1155 of the zoning code to incorporate language from the state statutes for the granting of variances using the practical difficulty standard. Cook seconded the motion. Motion carried 5-0.*

**Council Action:** Optional. Suggested Motion ...

1. I move the council approves the 1st reading of ordinance 196 amending code section 1155 to incorporate language from the state statutes for the granting of variances using the practical difficulty standard.
2. Do nothing.

*Note: Two readings are required for all ordinances. If the council approves the 1st reading at the September council meeting, the 2nd reading will appear on the October council agenda. Once the 2nd reading is approved, the ordinance needs to be published before it goes into effect.*

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA  
AMENDING GREENWOOD ORDINANCE CODE SECTION 1155 REGARDING VARIANCES**

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

**SECTION 1.**

Greenwood ordinance code section 1155.00, subd. 1 (2) is amended to read as follows:

"2. To hear requests for variances from the requirements of any official control including restrictions placed on nonconformities as governed by Minnesota statutes chapter 462 as amended."

**SECTION 2.**

Greenwood ordinance code section 1155.10, subd. 2 through subd. 4 are amended to read as follows:

"Subd. 2. Practical Difficulties Standard. "Practical difficulties," as used in connection with the granting of a variance, means:

- (a) that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
- (b) the plight of the landowner is due to circumstances unique to the property not created by the landowner;
- (c) and the variance, if granted, will not alter the essential character of the locality.

Economic considerations alone do not constitute practical difficulties.

Subd. 3. Variance Standard. A variance to the requirements of the zoning code, shoreland management district ordinance, wetland ordinance, and other related zoning controls shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance.

Subd. 4. Findings. The board, in considering all requests for a variance, shall adopt findings addressing the following questions:

- (a) Is the variance in harmony with the purposes and intent of the ordinance?
- (b) Is the variance consistent with the comprehensive plan?
- (c) Does the proposal put property to use in a reasonable manner?
- (d) Are there unique circumstances to the property not created by the landowner?
- (e) Will the variance, if granted, alter the essential character of the locality?"

**SECTION 3.**

Greenwood ordinance code section 1155.10, subd. 6 is amended to read as follows:

"Subd. 6. Conditions. No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located. The board may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance. Violation of such conditions shall be a violation of the zoning code and subject to the enforcement provisions thereof."

**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



Agenda Number: **7E**

Agenda Date: 09-06-11

**Agenda Item:** Consider Amending Code Section 900.65, Subd. 3(b) to Allow Parking of Vehicles (cars, boats, trailers, etc.) on Unpaved Areas of Front Yards

**Summary:** Recently the city has receive complaints regarding violations of code section 900.65 Unlawful Parking and Storage (3)(b): Vehicles that are parked or stored outside in the front yard areas must be on a paved parking surface or driveway area. Enforcement of this code has brought up the issue of the definition of “front yard,” which has been referred to the planning commission for their review and recommendation. During the council discussion, there was some interest in having the council consider amending the code to allow parking of vehicles on unpaved areas of front yards. It was agreed that the council would discuss the issue at the 09-06-11 council meeting.

**Council Action:** Optional. Suggested motions ...

1. I move the council directs staff to draft an ordinance amending code section 900.65 to delete paragraph (3)(b) and place it on the 10-04-11 council agenda for a 1st reading.
2. I move the council directs staff to draft an ordinance amending code section 900.65 to read as follows ... and place it on the 10-04-11 council agenda for a 1st reading.
3. Do nothing.

*Note: Changes to chapter 9 of the code do not require review by the planning commission.*



Agenda Number: **7F**

Agenda Date: 09-06-11

**Agenda Item:** 2012 LMCC Budget

**Summary:** Attached is the cover letter and budget from the Lake Minnetonka Communications Commission. The LMCC budget is funded with franchise fees paid by cable users (not by tax dollars). The LMCC needs approval of the majority of the member cities to proceed with the proposed budget. A copy of the minutes showing the council action regarding the budget needs to be forwarded to the LMCC for their records.

**Council Action:** Required. Suggested Motion ...

1. I move the council approves the 2012 Lake Minnetonka Communications Commission budget as presented and directs staff to forward a copy of the 09-06-11 council minutes to the LMCC.



# 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](mailto:lmcc@lmcc-tv.org)

August 23, 2011

RE: Approval of LMCC 2012 Budget

DEEPHAVEN

Dear Mayor and Council Members:

EXCELSIOR

The Lake Minnetonka Communications Commission (LMCC) passed the enclosed budget for 2012, at the last full LMCC meeting on August 16, 2011.

GREENWOOD

This budget is not funded with tax dollars, but rather a cable company franchise fee paid annually to the LMCC. We are also receiving a PEG (public, educational, governmental) access fee for community use of the production studio.

INDEPENDENCE

LONG LAKE

I am submitting the budget to all city members of the LMCC for review and approval according to our Joint Powers Agreement. A particular item to note is the expenditure for agenda parsing. This was due to surveying the cities and having ten cities respond that they would support funding for this service. Please send me the minutes or resolution of your actions regarding the LMCC Budget as we keep a record of approval on file at the LMCC Offices.

LORETTO

MAPLE PLAIN

MEDINA

If you would like me to attend your council meeting to answer any questions please let me know the date and time of the meeting or the time I would be placed on the agenda. The LMCC needs approval of the majority of the cities to proceed with the proposed budget. We would appreciate your approval at your September Council meeting.

MINNETONKA  
BEACH

MINNETRISTA

ORONO

Thank you for your continued support and use of the television facilities and your participation in our programming on Tonka Report, with your city events and with any election coverage of candidates.

ST. BONIFACIUS

Sincerely,

SHOREWOOD

LAKE MINNETONKA COMMUNICATIONS COMMISSION

SPRING PARK

TONKA BAY

Sally Koenecke  
Executive Director

VICTORIA

WOODLAND

Enclosure

**Lake Minnetonka Communications Commissions  
2012 Proposed Budget.**

	Franchise Administration.	Studio Capital.	Total All Funds.
<b><u>Revenues</u></b>			
Franchise Fees	175,500	312,877	488,377
PEG Fees		106,032	106,032
Mound Usage Fees		45,378	45,378
Studio Rental Dub Fees		2,000	2,000
Interest		2,200	2,200
Insurance Refund		250	250
<b>Projected Total Revenue</b>	<u>175,500</u>	<u>468,737</u>	<u>644,237</u>

<b><u>Expeuses</u></b>			
Projected Total Fr. Exp. And Studio Salaries	175,346	309,406	484,752
Projected Total Studio Capital Expenses		112,740	112,740
Communications Education and Assessment			18,000
Carpet and Furniture Capital Replacement			23,400
Franchise Fee Audit			14,000
Franchise Renewal Expense			20,000
<b><u>Capital Equipment Budget</u></b>			
Proposed 2012 Capital Budget			<u>15,550</u>
<b>Projected Total Expenses (Fr.Exp. Stu.Salaries, Stu.Cap., Cap.Equip.)</b>			<b>688,442</b>

**Fund Balance**

Projected 2012 Beginning Fund Balance	509,138	
Projected 2012 Revenues	<u>644,237</u>	
Total Fund Balance and 2012 Revenues	1,153,375	
Projected Total Expenses	<u>688,442</u>	
Projected Fund Balance Before Contingency	464,933	
Contingency	<u>34,422</u>	
Projected 2012 Balance After Contingency	430,511	
Mortgage Payoff (one time expenditure)	<u>119,880</u>	To be reviewed in 2012
Projected 2012 Remaining Fund Balance	310,631	

Revenues do not include potential recovery of unpaid revenue due from prior years.

Assumptions:

Approval of \$46,574 (partial 2011 contingency) for lighting in 2011  
Option to pay off the mortgage starting in June 2012

**Lake Minnetonka Communications Commission  
2012 Proposed Budget**

**Franchise Administration**

**Expenses**

	2010 Adopted	2010 Actual	2011 Proposed 6 Mo. Proj	2011 Projected	2011 Projected	2012 Proposed
<b><u>Personal Services</u></b>						
101 Salaried Full-time	45,946	47,517	47,824	23,215	47,824	49,019
103 Salaried Part-time	22,309	23,282	33,000	14,000	28,000	33,825
121 Pera Cont.	4,790	5,866	5,819	2,909	5,819	6,012
122 FICA Cont.	5,660	6,803	6,415	3,207	6,415	6,970
131 Health Insurance	11,000	15,303	11,500	6,746	11,500	15,500
151 Workers Comp. Insurance	700	703	715	383	766	775
<b>Total Personal Services</b>	<b>90,405</b>	<b>99,474</b>	<b>105,273</b>	<b>50,460</b>	<b>100,324</b>	<b>112,101</b>
<b><u>Supplies</u></b>						
200 Office Supplies	1,300	1,495	1,300	600	1,200	1,500
210 Special Events/Meetings	500	356	525	263	525	525
220 Repair & Maint. Supplies	200	0	200	100	200	200
<b>Total Supplies</b>	<b>2,000</b>	<b>1,851</b>	<b>2,025</b>	<b>963</b>	<b>1,925</b>	<b>2,225</b>
<b><u>Professional Services</u></b>						
301 Accounting/Audit Fees	6,220	7,455	6,450	3,500	6,450	7,000
304 Legal Fees	3,000	8,412	10,000	3,500	9,000	10,000
314 Payroll Services	700	661	800	400	800	800
318 Janitorial Services	1,200	877	1,200	500	1,200	1,200
319 Security Services	470	415	470	235	470	470
325 Computer/Consulting	1,250	305	1,250	625	1,250	1,250
326 Training	400	200	400	150	400	400
<b>Total Professional Services</b>	<b>13,240</b>	<b>18,325</b>	<b>20,570</b>	<b>8,910</b>	<b>19,570</b>	<b>21,120</b>
<b><u>Other Services and Charges</u></b>						
309 Copier Expense	3,000	3,155	3,250	1,655	3,250	3,300
321 Telephone/Communications	1,100	1,024	1,100	550	1,100	1,100
322 Postage	1,300	990	1,300	480	1,300	1,300
331 Travel School & Conference	9,000	6,629	9,000	4,000	9,000	8,500
332 Mileage	670	2,428	680	340	680	680
350 Printing and Publishing	1,800	1,105	1,500	650	1,500	1,500
360 Insurance	2,000	1,823	2,200	1,737	2,000	2,000
380 Utilities	4,700	3,305	4,700	2,350	4,700	4,700
384 Refuse & Recycling Collection	400	398	500	380	500	500
401 Contracted Building Repair	1,500	1,593	2,000	600	2,000	2,000
404 Maint. Repair Equip.	250	755	250	300	400	400
411 Mortgage Interest Exp. (Formerly Rent)	3,186	2,786	3,050	1,200	3,000	0
413 Equipment Rental	300	0	200	50	200	200
433 Dues & Subscriptions	1,800	1,853	2,000	1,000	2,000	2,000
438 Property Taxes	0	0	0	0	0	0
439 Contingency	1,200	3,025	3,000	800	3,000	3,000
440 Advertising	300	13	300	150	300	400
395 Bank Finance fee	20	40	20	16	20	20
443 Licenses	200	174	100	250	250	250
<b>Total Other Charges</b>	<b>32,726</b>	<b>31,096</b>	<b>35,150</b>	<b>16,508</b>	<b>35,200</b>	<b>31,850</b>
<b><u>Capital Outlay</u></b>						
411 mortgage interest						3,050
599 Building Improvements	2,000	454	5,000	1,500	5,000	5,000
<b>Total Expenditures</b>	<b>140,371</b>	<b>151,200</b>	<b>168,018</b>	<b>78,341</b>	<b>162,019</b>	<b>175,346</b>

**Lake Minnetonka Communications Commission  
2012 Proposed Budget**

**Access Studio Operating**

	2010 Adopted	2010 Actual	2011 Proposed	2011 6 Mo. Proj.	2011 Projected	2012 Proposed
<b><u>Personal Services</u></b>						
101 Salaried Full-time	173,555	177,568	201,700	100,850	201,700	206,742
103 Hourly Part-time	24,720	32,494	13,612	13,612	27,224	42,904
121 Pera Cont.	13,130	13,687	14,500	5,500	14,500	14,860
122 FICA Cont.	14,420	14,574	16,500	7,000	15,500	16,900
131 Health Insurance	25,417	26,056	25,417	12,000	25,417	27,000
151 Workers Comp. Insurance	815	914	920	498	996	1000
<b>Total Personal Services</b>	<b>252,057</b>	<b>265,293</b>	<b>272,649</b>	<b>139,460</b>	<b>285,337</b>	<b>309,408</b>
<b><u>Access Studio Capital Supplies</u></b>						
200 Office Supplies	1,160	1,495	1,200	550	1,200	1,500
210 Special Events/Meetings	1,160	832	1,200	400	900	1,200
220 Repair & Maint. Supplies	400	-	400	40	200	400
225 Studio Expendables	3,100	1,948	3,000	900	2,500	2,750
<b>Total Supplies</b>	<b>5,820</b>	<b>4,275</b>	<b>5,800</b>	<b>1,890</b>	<b>4,620</b>	<b>5,850</b>
<b><u>Professional Services</u></b>						
301 Acct. Fees	6,220	7,455	6,450	3,225	6,450	7,000
302 Access Contractors	25,825	22,765	26,000	13,000	26,000	26,000
304 Legal Fees	2,000	3,785	3,000	1500	3,000	3,000
314 Payroll Services	1,850	1,542	1,900	650	1,300	1,500
318 Janitorial Services	2,575	2,045	2,575	1,100	2,250	2,575
319 Security Services	450	415	470	250	470	470
325 Consulting-computer	3,000	712	3,000	465	3,000	4,000
310 Training	600	200	600	150	500	600
<b>Total Professional Services</b>	<b>42,520</b>	<b>38,919</b>	<b>43,995</b>	<b>20,340</b>	<b>42,970</b>	<b>45,145</b>
<b><u>Other Services and Charges</u></b>						
309 Copier Expense	3,000	3,155	3,250	1,621	3,250	3,250
321 Telephone/Communicat	2,550	2,389	2,550	1,259	2,550	2,550
322 Postage	1,350	990	1,350	425	1,000	1,250
331 Travel School & Conference	4,770	3,215	4,770	1,500	4,500	4,770
332 Mileage	1,000	634	1,000	500	1,000	1,100
350 Printing and Publishing	1,800	1,105	1,800	400	1,400	1,600
360 Insurance	4,478	4,254	4,500	2,028	4,055	4,500
380 Utilities	10,000	7,711	10,500	4,500	9,500	1,000
384 Refuse & Recycling Collection	500	398	550	365	550	575
401 Contracted Building Repair	1,500	1,593	1,500	600	1,500	1,750
404 Maint. Repair Equip.	2,000	841	2,000	300	2,000	2,000
411 Mortgage Interest Expe	9,560	8,357	9,020	0	0	0
413 Equipment Rental	500	-	300	0	300	100
433 Dues & Subscriptions	1,800	1,853	2,250	900	1,900	2,100
438 Property Taxes	-	-	-	0	0	0
439 Contingency	1,300	3,025	1,300	640	1,300	2,000
440 Advertising	1,000	189	1,000	630	1,000	3,000
441 Van Operation	1,500	318	2,000	400	1,750	2,000
442 Webstreaming/Broadband	10,585	4,353	11,000	2,750	7,000	8,000
443 Licenses	350	521	350	360	660	700
<b>Total Other Charges</b>	<b>59,543</b>	<b>44,901</b>	<b>52,070</b>	<b>19,178</b>	<b>45,215</b>	<b>42,245</b>
<b>Total Expenditures</b>	<b>107,883</b>	<b>88,095</b>	<b>101,865</b>	<b>41,408</b>	<b>92,805</b>	<b>93,240</b>
Building Improvements	1,100	457	5,000	1,000	5,000	10,000
411 Mortgage Interest Expense				3,500	9,020	9500
<b>Total</b>	<b>361,040</b>	<b>353,845</b>	<b>388,534</b>	<b>185,368</b>	<b>392,167</b>	<b>422,146</b>

2012 Capital Budget

Qty:	Description:	Mfg.:	Part #:	Cost Each:	Tax Each:	x Qty	Total:
	<b>Misc. Equipment Needs:</b>						
2	Samsung DVD/VCR Recorders	Samsung	DVDVR375	\$179.99	\$13.50	2	\$386.98
4	Canon XL2 Batteries	Canon	BP-970G	\$155.00	\$11.63	4	\$666.52
4	Panasonic DVC Batteries	Panasonic	CGP-D28	\$53.00	\$3.98	4	\$227.92
10	25' XLR Cables	Whirlwind	MK4-25	\$21.00	\$1.58	10	\$225.80
2	15" LCD Monitors	Colby	TFTV1525	\$125.00	\$9.38	2	\$268.76
4	25' Grounded Extension Cords	Master Elec.	25lbe	\$12.99	\$9.74	4	\$90.92
2	After Effects Software	Adobe	After Effects CS5	\$999.99	\$75.00	2	\$2,149.98
4	Lav Microphones	Sony	ECM-44B	\$229.95	\$17.25	4	\$988.80
2	Routers for Final Cut Systems	Knox	RS4 x 4HB	\$940.00	\$70.50	2	\$2,021.00
1	4 Monitor LCD Panel Display - Van	Marshall	V-R44P	\$1,199.00	\$89.93	1	\$1,288.93
2	2 Monitor LCD Panel Display - Van	Marshall	V-R82DP	\$1,689.00	\$126.68	1	\$1,851.68
1	Replacement Laptop for Jim	Sony	370mi3	\$549.99	\$41.25	1	\$591.24
1	New Workstation for Control Room	HP	Phenom II 840T	\$599.00	\$45.00	1	\$644.99
1	Dry Erase Easel	MasterVision	BVCQR5507	\$719.99	\$54.00	1	\$773.99
				<b>Subtotal Misc:</b>			<b>\$12,177.51</b>
	<b>Agenda Parsing</b>						
1	Open Platform	Granicus		\$0.00	\$0.00	1	\$0.00
1	Government Transparency Suite	Granicus		\$2,012.50	\$150.94	1	\$2,163.44
1	Deployment	Granicus		\$500.00	\$37.50	1	\$537.50
1	Training	Granicus		\$500.00	\$37.50	1	\$537.50
1	Shipping	Granicus		\$125.00	\$9.38	1	\$134.38
	<b>Note: Annual Fee of \$6000.00</b>						
	<b>Note: Add't Staff Cost \$15000.00</b>						
				<b>Subtotal Agenda Parsing:</b>			<b>\$3,372.82</b>
				<b>Total Capitol Budget:</b>			<b>\$15,550.33</b>

DT: July 14, 2011  
TO: All LMCC Commissioners  
FM: Sally Koenecke  
RE: Budget Process Summary

At the February Full Commission Meeting I identified a need to clarify the LMCC yearly budget process, especially for new LMCC commissioners. The commission involvement part of the budget process begins in April of each year. This was established prior to my employment with the LMCC and had been implemented by the previous Executive Director. I have continued that part. The staff strategic planning is initiated by me in January every year to allow for staff planning prior to the Budget Committee meeting in May.

**Outline of LMCC Budget Process:**

**January:** Staff holds a strategic planning meeting and reviews the five-year equipment Proposal as well as creates a yearly strategic plan with goals to be achieved. Staff makes a list of considerations for future discussion and reviews the current year's budget considerations as well as makes other projections. Staff may identify areas that the commission had not taken action on for further consideration. These items are listed for consideration and submitted to the Budget Committee. Staff identifies conferences or seminars that may add information to the research that has been undertaken on all budgeted considerations. Staff begins to make the purchases that were approved for the current year's budget and implements the training and installation.

**Feb., March, April:** Staff continues to work on the implementation of the current year's budget and identifies and researches future needs to be considered by the committee.

**May:** The Budget Committee is established in April with the selection of a Chair. A preliminary meeting is set in May to have the committee meet, review the current budget, to look at the current franchise fees, to review expenditures of the current budget and to discuss any budgetary items that need further consideration. They also identify new areas of budget consideration. These generally originate from committees.

**June:** Completion of the yearly audit. These figures also help for budget accuracy. Executive Director does an analysis of the May financial statement for franchise fees and actual expenditures to formulate estimates on the potential costs for the next year. This serves to determine if we are on target and where we need to be for the current year or whether costs have escalated or declined. I then prepare a preliminary budget based on 1.) The staff's strategic plan, 2.) the budget committee recommendations, 3.) the five month actual figures. A meeting of the Budget Committee in June serves to refine the preliminary budget.

**July:** The Budget Committee meets in July to review the preliminary budget and make any further changes to the preliminary budget. The Executive Committee then reviews it at the Executive Committee meeting and makes any changes to the budget.

**August:** The budget goes to the Full Commission for approval.

**September:** The budget goes to the cities for approval. A summary letter with the explanation of the budget is sent with the budget. The Executive Director offers to attend city council meetings to present the budget if the cities want her attendance.



Agenda Number: **7G**

Agenda Date: 09-06-11

**Agenda Item:** Three Rivers Park District Permit for Winter Trail Activities

**Summary:** This is a routine annual request from the Three Rivers Park District regarding winter use of the trail. In past years the city has requested authorization for use of the trail for cross-country skiing and walking. By renewing the permit the city is agreeing to maintain the trail between 11-15-11 and 03-31-12. In the past we have assigned this duty to the public works department who plows the trail. The agreement states the city will hold harmless the park district from any liability related to winter use of the trail. The agreement also requires the submittal of a certificate of insurance valid through 03-31-12.

**Council Action:** Required. Suggested Motion ...

I move the council directs staff to do the following:

1. Complete the Three Rivers Park District Regional Trail System 2011-2012 Winter Use Permit form indicating the city's desire to use the trail for cross-country skiing and walking.
2. Mail the completed form along with a certificate of insurance to the park district.
3. Inform the public works department of their responsibilities for trail maintenance.



# Three Rivers

## PARK DISTRICT

**Memo**

**DATE:** August 1, 2011

**TO:** Gus Karpas, City Clerk

**FROM:** Margie Dahlof, Associate Superintendent  
Division of Parks and Natural Resources

**SUBJ:** Regional Trails – 2011-2012 Winter Trail Activities Permit

**PLEASE RESPOND TO THIS REQUEST BY SEPTEMBER 16, 2011**

Enclosed is a copy of the 2011-2012 Winter Use Permit request form for regional trail segments located within your community. Please determine the level of winter use you are requesting, fill out the application form and follow the procedures outlined below. If your community does not plan to authorize any winter use activities, please indicate (none) in the box at the top of the permit and return it.

The Winter Use Permit ultimately authorizes your City to utilize the section of trail for the use you request. Permitted activities are determined by individual communities, contingent upon approval from the Park District's Board of Commissioners. **An updated Certificate of Insurance, naming Three Rivers Park District as an additional named insured, should be submitted with the permit application. Coverage will need to show inclusive dates from November 15, 2011 through March 31, 2012. Please include proposed rules and regulations for winter use, as well.**

Permit requests should be submitted to Janet Haben, Administrative Assistant, and **include verification of formal City Council action approving the proposed activities (a copy of appropriate meeting minutes)**. Some cities have elected to pass board motions authorizing multi-year Winter Trail Activities Permit applications. This is completely acceptable to the Park District and may save you administrative time. If your city has already pre-authorized multi-years, please submit an updated Winter Use Permit and Certificate of Insurance.

The permit conditions have been modified slightly from previous years to address the following:

1. Trash Pick-Up - The Park District has observed that some communities are not picking up trash on a timely basis or at all. This reflects poorly on the city and Park District. **PLEASE DIRECT YOUR MAINTENANCE STAFF OF THE NEED TO SCHEDULE TRASH PICK UP APPROPRIATELY FOR THE SECTIONS OF REGIONAL TRAIL THAT YOU ARE RESPONSIBLE FOR.** (See Permit Application Item #2)
2. Approved De-Icing Compound (See Permit Application Item #3)
3. Trail Repair Procedure – (See Permit Application Item #7)

As part of the attached permit, the city agrees to maintain the trail, including, but not limited to, any plowing, sweeping, sanding, packing, trash pick-up, and sign replacement, between November 15, 2011 - March 31, 2012.

If you have questions regarding this, please contact me at 763/559-6746. Thank you.

c: Boe Carlson, Associate Superintendent of Administration  
Brian Brown, Senior Manager of Parks and Trails Maintenance  
Scott Schmidt, Regional Trails Maintenance Supervisor  
Kelly Grissman, Senior Manager of Planning

**THREE RIVERS PARK DISTRICT  
REGIONAL TRAIL SYSTEM  
2011-2012 WINTER USE PERMIT**

Name of City _____	City Hall Phone _____
Contact Person _____	Phone _____
Contact Person Email Address _____	
Maintenance Contact Person _____	Phone _____
Maintenance Contact Person Email Address _____	
Regional Trail From _____	to _____
Authorized 2011-2012 Winter Activities _____	
Regional Trail From _____	to _____
Authorized 2011-2012 Winter Activities _____	
Regional Trail From _____	to _____
Authorized 2011-2012 Winter Activities _____	
Regional Trail From _____	to _____
Authorized 2011-2012 Winter Activities _____	
Regional Trail From _____	to _____
Authorized 2011-2012 Winter Activities _____	

Authorization is hereby requested from the Park District Board of Commissioners to use portions of the Regional Trail Corridor for winter use activities between November 15, 2011 and March 31, 2012, as determined by each municipality within guidelines set forth herein on District Regional Trails located within individual City boundaries.

It is understood and agreed that approval from the Park District Board of Commissioners is contingent upon the following conditions:

1. The City agrees to defend, indemnify, and hold harmless the Park District, its officials, officers, agents, volunteers, and employees from any liability, claims, causes of action, judgments, damages, losses, costs or expenses, including reasonable attorney's fees, resulting directly or indirectly from any act or omission of the City, its respective contractors, anyone directly or indirectly employed by the City, and/or anyone for whose acts and/or omissions they may be liable for related to the winter use of the Regional Trail Corridor. Nothing in this Agreement constitutes a waiver by the City of any statutory or common law defenses, immunities, or limits on liability. The City cannot be required to pay on behalf of itself and Three Rivers Park District, any amounts in excess of the limits on liability established in Minnesota Statutes Chapter 466. If City maintains general liability insurance at the time this permit is issued, City shall provide the Park District with a Certificate of Insurance, naming Three Rivers Park District as an additional named insured.

2. The City agrees to schedule regular trash pick-up that is appropriate to the level of use expected on the permitted section(s) of trail so as not to create conditions where trash containers are overflowing or offensively odorous.
3. The City also agrees to maintain the trail, including, but not limited to, any plowing, sweeping, sanding, packing, and sign replacement, between November 15, 2011 - March 31, 2012. For ice control on aggregate trails, Cities agree to use **buff colored**, 3/8" clear limestone chips from Edward Kramer and Sons, Burnsville, MN. Edward Kramer and Sons is the only aggregate pit that supplies the buff colored limestone that has been specified for use on these trails. Paved trails can be treated with a Corrosion Inhibited/Treated Rock Salt:  
 (Specifications: A mixture of Regular Road Salt, Type I, Grade I, ASTM-D-632 - Modified per Mn/DOT Specification, blended with a Mn/DOT approved magnesium chloride-based product for anti-icing or deicing use or an approved blend of Regular Road Salt and a magnesium chloride-based product. The magnesium chloride-based product will also contain an agricultural processing residue or an alternative Mn/DOT approved agent that will depress the effective working temperature and decrease corrosiveness of the overall compound as well as prevent leaching of the treating solution)  
 or other chemical treatments approved by the Park District. The City further agrees to immediately address all safety issues on or adjacent to trails.
4. The City will provide signage at locations approved by the Park District, notifying the public of authorized winter activities within its city limits; activities may include, but are not limited to, hiking, biking, cross-country skiing, snowshoeing, or walking. Winter use signs must be installed by the City at designated locations prior to November 15, 2011 and removed by the City no later than April 15, 2012. These signs are totally the responsibility of each municipality.
5. Snowmobiling is not allowed on Park District regional trails. Permitted use for snowmobiles will be limited to direct crossings only. The Hennepin County Regional Railroad Authority (HCRRA) does not allow snowmobiling or other motorized use within its corridors. The Lake Minnetonka LRT Regional Trail, Minnesota River Bluffs LRT Regional Trail, Cedar Lake LRT Regional Trail, and the Dakota Rail Regional Trail are located on HCRRA corridor property and permission for a snowmobile crossing of an HCRRA corridor must be obtained from the HCRRA prior to requesting permission from the Park District for a snowmobile crossing of the regional trail within the corridor. If a snowmobile crossing is permitted, cities must take steps to keep snowmobiles from damaging paved trails, bridges and other property.
6. The City agrees to enforce rules and regulations established by the municipality as part of its request for a Winter Use Permit.
7. The City agrees to repair all trail surface damage that occurs as a result of winter trail activities and/or maintenance, including, but not limited to, bituminous/concrete repair, bridge deck repair, grading or adding aggregate pursuant to guidelines established by the Park District. The City shall contact the Park District prior to the start of any surface repairs, for review of proposed repair plans and authorization to proceed.
8. The City agrees that winter trail use will be available to all persons, regardless of residence.

Each City is required to submit its annual permit requests, including proposed rules and regulations, by September 16, 2011, after which the Park District may take up to 45 business days to process. Each permit request must be submitted as a result of formal City Council action, with accompanying verification, agreeing to the terms and conditions outlined by the Park District's Winter Use Permit.

The Park District reserves the right to terminate a permit at any time, if the conditions set forth herein are not followed.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

101  
102  
103



Agenda Number: **7H**

Agenda Date: 09-06-11

**Agenda Item:** LMCIT Liability Waiver

**Summary:** Cities obtaining liability coverage from the League of Minnesota Cities Insurance Trust must decide whether or not to waive the statutory tort liability limits. The options available to the city are included on the attached document. Historically the city has chosen NOT TO WAIVE the monetary limits on monetary limits.

**Council Action:** Required. Suggested motion ...

I move the council directs staff to do the following:

1. Complete the League of Minnesota Cities Liability Coverage Waiver Form and check the box indicating that the city does not waive the monetary limits on municipal tort liability established by Minnesota Statute 466.04.
2. Mail the completed form to the League of Minnesota Cities Insurance Trust.

**SECTION I: LIABILITY COVERAGE WAIVER FORM**

Cities obtaining liability coverage from the League of Minnesota Cities Insurance Trust must decide whether or not to waive the statutory tort liability limits to the extent of the coverage purchased. The decision to waive or not to waive the statutory limits has the following effects:

- *If the city does not waive the statutory tort limits*, an individual claimant would be able to recover no more than \$500,000. on any claim to which the statutory tort limits apply. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether or not the city purchases the optional excess liability coverage.
- *If the city waives the statutory tort limits and does not purchase excess liability coverage*, a single claimant could potentially recover up to \$1,500,000. on a single occurrence. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to \$1,500,000., regardless of the number of claimants.
- *If the city waives the statutory tort limits and purchases excess liability coverage*, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

This decision must be made by the city council. **Cities purchasing coverage must complete and return this form to LMCIT before the effective date of the coverage.** For further information, contact LMCIT. You may also wish to discuss these issues with your city attorney.

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\_\_\_\_\_ accepts liability coverage limits of \$\_\_\_\_\_ from the League of Minnesota Cities Insurance Trust (LMCIT).

*Check one:*

- The city **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minnesota Statutes 466.04.
- The city **WAIVES** the monetary limits on tort liability established by Minnesota Statutes 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of city council meeting \_\_\_\_\_

Signature \_\_\_\_\_ Position \_\_\_\_\_

*Return this completed form to LMCIT, 145 University Ave. W., St. Paul, MN. 55103-2044*



Agenda Number: **71**  
Agenda Date: 09-06-11

**Agenda Item:** Prosecution Process

**Summary:** Councilman Fletcher requested this topic be put on the agenda for discussion.

**Council Action:** None required.



Agenda Number: **9A-E**

Agenda Date: 09-06-11

**Agenda Item:** Council Reports

**Summary:** This is an opportunity for each council member to present updates and get input regarding various council assignments and projects. Related documents may be attached to this cover sheet.

**Council Action:** None required.



Agenda Number: **FYI**

Agenda Date: 09-06-11

**Agenda Item:** FYI Items in Council Packet

**Summary:** The attached items are included in the council packet For Information Only.

**Council Action:** No council action is needed for FYI items.

**GREENWOOD PLANNING COMMISSION  
WEDNESDAY, JULY 20, 2011  
7:00 P.M.**

**1. CALL TO ORDER/ROLL CALL**

Chairman Lucking called the meeting to order at 7:00 p.m.

Members Present: Chairman Pat Lucking and Commission members John Beal, Bill Cook, Brian Malo and Douglas Reeder

Absent: Commissioner David Paeper and City Attorney Mark Kelly

Others Present: Council Liaison Tom Fletcher and Zoning Administrator Gus Karpas.

**2. OATH OF OFFICE – Administer Oath of Office to Commissioner Brian Malo.**

Due to City Attorney Kelly's absence the Oath of Office was not administered.

**3. APPROVE AGENDA**

Commissioner Beal moved to accept the agenda for tonight's meeting. Commissioner Cook seconded the motion. Motion carried 5-0.

**4. MINUTES OF June 15, 2011.**

Commissioner Cook moved to approve the minutes of June 15, 2011 as amended. Commissioner Beal seconded the motion. Motion carried 5-0.

**5. LIAISON REPORT**

Council Liaison Fletcher informed the Commission that the city has approved several road projects and has received bids for the work. He said the Council also has had preliminary discussions about amending the zoning ordinance, clarifying the definition of what a front yard is.

**6. PUBLIC HEARINGS**

**Ordinance Amendment** – Discuss amendment of Zoning Ordinance to reflect changes in State Statutes.

Due to the absence of the City Attorney, this item was continued to the August meeting.

**7. NEW BUSINESS**

None

**8. ADJOURN**

Motion by Commissioner Cook to adjourn the meeting. Commissioner Beal seconded the motion. The meeting adjourned at 7:08 p.m.



August 10, 2011

Department of Employment and  
Economic Development  
Minnesota Unemployment Insurance  
332 Minnesota Street  
St. Paul, MN 55101-1351

**BY POST AND FAX: 651-297-5283**

Re: Employer Account No: 07991797  
Employer: City of Greenwood  
Applicant-Employee: Roberta A. Whipple  
Employee SSN: 502-76-4433  
Employment Start Date: 01/01/2010  
Employment End Date: 05/20/2010  
Job Title: City Clerk/Administrator  
Minnesota Unemployment Insurance Determination of Ineligibility 06/24/2010

**Demand for Documentation Supporting Determination of (Renewed) Eligibility for Unemployment**

Dear Minnesota Unemployment Insurance:

On behalf of the Greenwood City Council, I am writing you regarding the above matter.

On February 2, 2011, the Department issued Determination of Benefit Account (Document No. 115072434) and Amended Determination of Benefit Account (Document No. 115072436). The first document advised that Roberta L. Whipple had applied for unemployment benefits and stated this determination informs you that the account has been filed and gives you an opportunity to: Raise an Issue of Ineligibility. The document also indicated the city was 100% responsible for a potential charge of \$10,556.

The second document cryptically advised "the Benefit Account for Roberta L. Whipple has been withdrawn" and further advised the city should appeal the determination if the city believed the work Roberta L. Whipple performed is not covered employment under Minnesota Statute Section 268.035, Subd. 12. No explanation or factual information was provided to inform the city or allow the city to make any knowledgeable comment or objection.

The February 2, 2011 Amended Determination of Benefit Account went on to state that unless an appeal was filed by Tuesday, February 22, 2011, the determination would become final.

By letter of February 7, 2011 I objected to the granting of unemployment benefits to Roberta L. Whipple having been determined ineligible June 24, 2010. I have received no response to my letter.



On April 8, 2011, a Notice of Unemployment Benefits Paid and Reimbursable: Quarter 1, 2011 (Document No. 7052034) was issued by the Department demanding payment of \$2,842.

On April 19, 2011, Greenwood City Attorney Mark Kelly sent a letter requesting a written statement from the Department clarifying the unemployment insurance qualification status of Roberta Whipple as determined by the Department. No reply has been received.

**RESPONSE REQUESTED:**

The City of Greenwood hereby renews its objection to payment of unemployment benefits to Roberta L. Whipple and requests copies of all documents supporting the payment of benefits (despite the June 24, 2010 determination of ineligibility and despite the protest / appeal by the city on February 7, 2011) to Roberta L. Whipple.

Until a satisfactory response is received, no payments on account will be made.

Your prompt attention to this matter is requested.

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, City of Greenwood



August 18, 2011

Brian Burdick  
4950 Sleepy Hollow Road  
Greenwood, MN 55331

Dear Brian,

I received your August 10<sup>th</sup> letter stating that your driveway is over 50 years old, and therefore you are exempt from the ordinance. You are correct in that you are not required to "pave" your driveway. However, whether your trailer is parked on your "driveway" or not, code section 900.65 states that vehicles in the front yard must be on a "paved" surface. Your trailer is parked in your front yard and is not on a paved surface; therefore it is in violation of the code. Please take the steps necessary to bring your property into compliance with the code immediately or a civil citation will be issued.

As stated in my August 3<sup>rd</sup> letter, if you would like to file a complaint regarding other specific properties with vehicles parked on unpaved areas of their front yards, which is your choice. But the existence of potential violations similar to yours within the city does not relieve you of your responsibility to bring your property into compliance with the ordinance.

Sincerely,

Gus Karpas  
Zoning Coordinator

Cc: File  
City Attorney  
City Councilmembers



Greg Narr  
Narr Construction, Inc.  
P.O. Box 5007  
Hopkins, MN 55343

RE: Greenwood Building Permit 211003 – 5060 Meadville Street (Addition)

Dear Greg,

When the permit was initially obtained for the above-mentioned project, it was indicated to staff that it could be completed with all vehicles maintaining a weight of less than four tons per axle. Because of this assertion, the blanket load limit fee was waived. Since that time, it has been noted that there has been a dumpster on the property which could not have been brought in or removed within the four ton limit.

The blanket fee outlined in Chapter 5 of the city ordinances does not exempt any project and given that the original agreement between you and the staff has been breached, it is the decision of the city to apply the required fee. The required fee is equal to 20% of the building permit fee. Your building permit fee was \$2,113.75, therefore your load limit fee is \$422.75.

Please remit cash or check for the amount of \$422.75 to bring permit #211003 in compliance with Greenwood's ordinances. Failure to do so can delay final inspection of your project.

Sincerely,

Gus Karpas  
City Clerk

CC: City Councilmembers  
Don Dudycha, Building Inspector  
Mark Kelly, City Attorney  
File