

AGENDA

Greenwood City Council Meeting

Tuesday, October 4, 2011
20225 Cottagewood Road, Deephaven, MN 55331



*The public is invited to address the council regarding any agenda item.
If your topic is not on the agenda, you may speak 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 09-06-11 City Council Worksession Minutes
 - B. Recommendation: Approve 09-06-11 City Council Minutes
 - C. Recommendation: Approve August Cash Summary Report
 - D. Recommendation: Approve September Verifieds and Check Register
 - E. Recommendation: Approve October 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. City Prosecutor Greg Keller: Annual Prosecution Service Update
 - B. City Engineer Dave Martini: Update Regarding Meadville Drainage Issue
 - C. Announcement: Terrence Haines' Eagle Scout Project at the Southshore Center is Complete
- 7:40 PM 5. PUBLIC HEARINGS
- A. Delinquent Sewer, Stormwater, and Recycling Charges
- 7:45 PM 6. UNFINISHED BUSINESS
- A. 2nd Reading: Ordinance 196, Amending Code Section 1155, Variances
 - B. Consider: Resolution 17-11, Findings of Fact, Ostrander Variances
- 8:00 PM 7. NEW BUSINESS
- A. Consider: Resolution 18-11, Assessment Roll for Delinquent Sewer, Stormwater, and Recycling Charges
 - B. 1st Reading: Ordinance 200, Amending Code Section 510, Fees (annual fee updates)
 - C. 1st Reading: Ordinance 197, Amending Code Section 900.65, Unlawful Parking and Storage (removes provision requiring vehicles to be on paved surfaces when parked in front yards)
 - D. Consider: Resolution 19-11, Policy for "Slow, Children at Play" and Similar Signs
 - E. Consider: Resolution 20-11, Policy for "No Parking" Signs
 - F. Consider: Resolution 21-11, Supporting Tonka Bay Youth Sports Program Grant Application
- 8:45 PM 8. OTHER BUSINESS
- A. None
- 8:45 PM 9. COUNCIL REPORTS
- A. Fletcher: Lake Mtka. Communications Commission, Excelsior Blvd. Street & Water Project
 - B. Kind: Police, Administration
 - C. Page: Lake Minnetonka Conservation District
 - D. Quam: Roads & Sewer, Minnetonka Community Education
 - E. Rose: Excelsior Fire District
- 9:00 PM 10. ADJOURNMENT

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



Agenda Number: **2A-E**

Agenda Date: 10-04-11

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
Work Session Minutes**

6:00 pm, Tuesday, September 6, 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, Page (6:55 pm), Quam and Rose
Others present: City Clerk Karpas

Quam moved to approve the agenda. Second by Rose. Motion carried 4-0.

2. Discuss 2012 Budget and Code Chapter 5 Fees

Mayor Kind said there were four items she would like to discuss in terms of the budget and fees. They include police expenses, Southshore Center contribution, marina fund transfer/fee and miscellaneous fees.

The Council decided to start with a discussion of fees and agreed to the following fee amendments; raising the Landscape Security Deposit fee from \$750 to \$1,500, raising the Blasting Permit fee from \$200 to \$500, and raising the fee for a city watercraft space from \$950 to \$1,100. The proposed increase in the watercraft space fee is similar to the pattern the city has followed for the last few years. The Council decided that Councilman Page would have an opportunity to give his input when the fee ordinance is on the regular council agenda for a 1st reading.

The Council agreed to increase the rental license fee for multi-unit structures from \$50 for the first unit and \$25 for each additional unit, to \$50 for the first unit and \$30 for each additional unit.

There was a suggested increase in the amount of a permit for the private use of a right of way. The council decided that there was confusion on what exactly the fee was for and how long the permit was valid for. Fletcher believed the fee amount should be based on the intensity of the use within the right of way. The council agreed to change the language on the fee table to indicate that council approval was needed and the fee would be determined by the council on a case-by-case basis.

Mayor Kind presented her research into police costs. She explained that the city needs to give 20 months notice by May 1, so a change could not be made in time to affect the 2012 budget. The soonest a change for operations could go into effect would be January 1, 2014 and that the city would be responsible for the payments for the police building through 2023. She said the City of Minnetonka had no interest in providing police services to Greenwood and the City of Deephaven hasn't given firm numbers on their costs, though they would be similar to what they charge to the City of Woodland. That being the case, the city would save only about \$10,000 annually by switching to Deephaven, if the price was the same as what Woodland pays per person. She said Hennepin County Sheriff's Department numbers could significantly drop the city's expenses and presented a few different options from basic service to more intensive service, which included three hours daily of direct police presence. The savings to the city could exceed \$100,000 annually. Councilmember Rose noted that the options allowed the city some flexibility if it felt there was too much service or not enough. Councilmember Quam said it is the Council's fiduciary responsibility to look into reducing costs for police services. Councilmember Fletcher agreed.

The Council decided to invite the Sheriff to an October worksession to answer any questions the Council may have. Councilmember Fletcher felt it was important to also hear from Chief Litsey as a means of doing due diligence. The Council will discuss inviting Chief Litsey to a worksession or Council meeting at a later time.

The Council discussed the amount of funds that should be transferred from the Marina Fund to the General Fund in 2012. Mayor Kind said the 2012 budget currently shows a transfer of \$12,000. The Council agreed to keep that amount. Councilmember Quam asked if the city had a plan for replacing the docks. Mayor Kind said the city had some options for replacement which are highlighted in the budget. She said the auditors have the docks fully depreciated in 2015, but they wouldn't have to be replaced if they were still usable. Quam said his concern is that the replacement fund is not building up quickly enough to cover the cost of replacement. It was noted that funds could be transferred from the Sewer Fund to replace the docks if the Marina Fund didn't have enough at the time they needed to be replaced.

The Council discussed the city's contribution to the Southshore Center. Mayor Kind said the amount given by the city last year was \$1,200. The recent Southshore Center annual report indicated the city's contribution would be around \$60 based on actual usage by the city's residents. Mayor Kind stated that lowering the contribution to \$60 might be too drastic, so she suggested \$500. Councilmember Fletcher felt a drop from \$1200 down to \$500 would be too drastic. The Council agreed on a 2012 budget amount of \$900.

3. Adjournment

Quam moved to adjourn. Second by Fletcher. Meeting adjourned at 6:58 pm.

Respectfully submitted
Gus Karpas
City Clerk

GREENWOOD CITY COUNCIL MEETING
Tuesday, September 6, 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 7:01 P.M.

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

Others Present: City Attorney Kelly; City Zoning Administrator/City Clerk Karpas; and, City Engineer Martini (departed the meeting at 7:40 P.M.)

Members Absent: None

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

2. CONSENT AGENDA

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

- A. August 4, 2011 City Council Meeting Minutes**
- B. July 2011 Cash Summary Report**
- C. August 2011 Verifieds and Check Register**
- D. September 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. Meet Kristi Conrad, Planning Commission Applicant for Alternate Seat 2**

Mayor Kind stated the City has received an application from Kristi Conrad for the open Alternate Seat 2 on the Planning Commission. She introduced Ms. Conrad. She noted she coordinated the City's Fourth of July parade this year.

Kristi Conrad, 21780 Fairview Street, introduced herself and explained that she became familiar with the City's Ordinance Code Book when she and her husband had their home in Greenwood constructed in 2009.

Fletcher moved, Quam seconded, making the appointment of Kristi Conrad to the City of Greenwood Planning Commission Alternate Seat 2 effective September 6, 2011.” Motion passed 5/0.

Attorney Kelly administered the Oath of Office to newly appointed Planning Commission Alternate Kristi Conrad.

B. Meadville Street Survey Results and Next Steps

Engineer Martini explained that during its June 7, 2011 meeting Council authorized Staff to move forward with doing a survey of the drainage problem area near Meadville Street in the low spot across from the Old Log Theater and to evaluate the options for mitigating the drainage problem. That area is wet after rainstorms and each spring when the snow is melting and the ground is still frozen. The roadway was patched not all that long ago and it is starting to break down. The main issue with the roadway is the poor drainage in that area. The grades in that area are minimal at best.

Martini then explained the low elevation of the roadway is 930.77 feet. The ordinary high water (OHW) elevation of Lake Minnetonka (the Lake) is 929.40 feet. The low point receives runoff from an estimated 3.1 acres, which includes the west area of the Old Log Theater parking lot. The runoff from the east side of the street flows across the roadway. A significant area east of the roadway is below an elevation of 932.00 feet with flat surface slopes. That results in poor drainage and there being standing water in depressions. There is no way to change the grade of the road to provide a positive stormwater flow to Lake Minnetonka (the Lake). Typically with blacktop surfaces the objective is to maintain a slope of two percent. Blacktop is a flexible surface; it moves around.

Martini also explained the only way to help mitigate the drainage issue at the low point in Meadville Street is to install a small seasonal pump and install drain tile. It would be similar to a basement sump pump. Surface water and ground water would be pumped out of the low spot, which is below the elevation of the existing ditch next to the roadway, into the ditch where it will flow down to the Lake as it does now. The pump would have to be removed over the winter months and reinstalled when conditions permit in the spring.

Martini went on to explain drain tiles will be placed along the roadway surface. The roadway will be built on two feet of granular soil subbase. There will be class 5 rock on top of that. Bituminous surface will be placed on top of that. Concrete curb and gutter is proposed along the west side of the roadway for a short stretch to provide a positive gutter slope to the ditch. Concrete can be effective with a one-half percent slope. There is a gap of 60 feet between the portion of the roadway recommended for reconstruction and the area of Meadville Street that was repaved in 2011. Repaving of that 60-foot gap is included in the drainage improvement project. Staff proposes working with the property owner on the east side of the road where the Old Log Theater parking lot is to see if they would want to install drain tile on their property and if so if they would share in the cost of installing drain tiles in some of the low areas to improve drainage. He noted there are no improvements proposed for the ditch on the west side of the roadway, which is on private property. The ditch seems to be in good condition.

Councilmember Page asked if the City has an easement over the drainage ditch on the west side of the roadway. Engineer Martini responded he does not think so, and the ditch is on private property. Mayor Kind added that Zoning Administrator/Clerk Karpas was not able to find the recording of any easement. Engineer Martini stated the City does have an easement over the right-of-way area next to the roadway.

Engineer Martini stated the estimated cost of the proposed drainage improvements and street paving is \$120,663, including contingency and soft costs.

Councilmember Quam stated that area of Meadville Street was milled and overlaid 4 – 5 years ago. He asked if anything could have been done differently back then to help mitigate the drainage problem. Engineer Martini responded no and he explained some of the roadway was dug up, some base work was done and a new surface put down. Martini stated the base under the roadway is unstable and it gets very wet in the spring. Quam then stated it appears to him that the problem has been greater the last few years.

Councilmember Fletcher stated the pump will be fed water from a fairly large area. He asked if the pump will be able to handle that much water. Engineer Martini explained the goal is to keep the water out of the two-foot sand base. The proposed pump is supposed to handle 300 – 400 gallons per minute. Martini then explained that during a heavy rain event the pump won't be able to keep up. Outside of rain events it will pump out water as fast as it can drain through the subsurface.

Fletcher asked if the pump could be installed in early spring when there will be a desire to pump the snow melt out of the area. Engineer Martini explained that either the pump can't be installed until such time that it won't freeze up or Council can decide it wants to install and remove the pump on a daily basis. Fletcher then asked if there is any other type of roadway surface that could be installed that would eliminate the need for a pump. For example, concrete. Martini responded that concrete would hold a flatter grade in that area and that would help some with the surface drainage. But, there will still be low spots that hold water in that area. Martini explained that after having reconstructed the area with a sand base, then rock and then asphalt the roadway will have more stability and strength. The proposed pump will help extend the life of that section of Meadville Street and it will help mitigate some of the nuisance drainage issues

Mayor Kind stated Engineer Martini's cover memorandum in the meeting packet states "... it's not possible to improve drainage by modifying surface elevations and grades." She noted that approach was used near another residential property in the past. She asked why that couldn't be done in the situation and she asked if a culvert could be installed under the roadway to carry water under the road to the ditch. Martini stated he thought the roadway would have to be raised so much that it would be difficult to do. Martini clarified there are probably some things that could improve the drainage problem but not eliminate it. Kind stated from her perspective the drainage issue is more of a nuisance situation and she thought \$120,000 was too much money to spend trying to correct a nuisance situation.

Bob Newman, 5230 Meadville Street, stated there has been more water in the problem area in 2011 than there has ever been since he purchased his home in 1998. Both snow melt and a significant rainfall cause problems. He commented that he was taken aback by the \$120,000 plus estimate. He stated to him establishing a different contour is a more preferable way to resolve the problem. He asked Engineer Martini how to represent a 2 percent grade in feet or inches. Martini explained a 2 percent grade means an elevation change of 2 feet over a 100-foot span. Newman asked what the benefit would be if there is only a 1 percent grade. Martini explained that a 1 percent grade won't drain as effectively.

Mr. Newman explained that the distance from the roadway to the Lake is about 190 feet. The Lake at OHW elevation is 929.40 feet. If the roadway surface is reconstructed so that it is two feet above the OHW elevation (a 1 percent grade) and if some curbing or minimal barriers are installed to prevent water damage to his and his neighbor's property that could be an effective solution. It may require raising the elevation of his and his neighbor's driveways. A straight line of PVC pipe could be installed in the ditch to cleanly carry water down to the Lake. There are times when he and his neighbor have to clean the snow

and debris out of the ditch to help water flow down to the Lake. The first 50 feet of the 190 feet is the problem area in the ditch.

Engineer Martini again noted the proposed improvements do not include doing anything to the ditch. He explained the goal of the improvements is to get the water to the ditch only. The underlying problem is the base under the road is saturated and there is an inadequate structure under the roadway.

Mr. Newman stated if the water could flow out of the area there wouldn't be the problem of standing water causing the roadway to deteriorate. Burying a straight line PVC pipe, with cleanout valves along the way, in the ditch and covering it with rock would be a cheaper solution than having a pump which will require the installation of electrical power. That solution would be more natural and less cumbersome. He reiterated after the water flows through the first 50 feet of the ditch it flows just fine.

Councilmember Quam asked if raising the elevation of the road will increase the drainage problem for the Old Log Theater parking lot. Mr. Newman stated he didn't think so. Engineer Martini stated if the elevation of the roadway is raised the water problem areas on the east side of the roadway will be exacerbated. Martini suggested working with the impacted property owners.

Mr. Newman stated from his perspective engineering a solution that does not include making improvements to the drainage ditch is incomplete. A straight-line PVC pipe from the roadway to the Lake would be beneficial.

Engineer Martini stated ultimately the decision will have to be made as to whether all or just some of the issues should be addressed. All issues can't be addressed with a \$120,000 budget.

Mr. Newman acknowledged there is a drainage issue at the Old Log Theater parking lot. He proposed the City reengineer the contour of the roadway, install curb and gutter, and reengineer the drainage ditch. He stated that would be a more complete solution.

Engineer Martini stated any standing water on the east side of Meadville Street ultimately drains into the ground and flows under the roadway and on into the Lake, and if the water table is high it doesn't drain.

Jim Hurd, 5220 Meadville Street, stated the drainage ditch is located on his property. He commented that \$120,000 is too much money to spend on making drainage improvements. He explained that last year he and his wife put many truck loads of gravel into the ditch. After that, they created a path for the water to drain. He noted the ditch floods during winter and summer months. He acknowledged water does pool up on the parking lot at the Old Log Theater and it overflows onto the roadway. He stated he thought the best way to solve the problem is to dig out the 190 foot long ditch and then install a tapered, flat concrete culvert a couple of feet wide in that location that would effectively drain water to the Lake. From his vantage point, that would solve most of the problems but not the problem at the Old Log Theater. He noted the City does not have an easement over the ditch, but that he would welcome the City coming onto his property to improve the drainage ditch. He also noted that this past spring water level came even with his garage.

Mayor Kind thanked Mr. Hurd for his willingness to have the City come on to his property to help solve the problem.

Engineer Martini expressed his willingness to go out to the site and discuss other ideas. He stated some of the ideas discussed this evening could mitigate some of the surface drainage issues. They don't address the problem with the structure of the road.

In response to a question from Councilmember Fletcher, Engineer Martini stated if the asphalt surface were to be replaced with concrete an acceptable subbase would still have to be installed. In response to another question from Fletcher, Martini explained concrete would hold up better than asphalt. Martini clarified the pump would effectively address the surface water problem on the roadway.

Mayor Kind clarified that Councilmember Fletcher was suggesting changing to a concrete roadway surface that still would have standing water on it.

Councilmember Quam suggested Council direct Staff to research additional solutions to the drainage problem.

Mayor Kind asked if the Council wants to spend money to research additional solutions. Councilmember Page responded yes.

Councilmember Rose stated Mr. Newman has done a great job redoing the side of his property that abuts Meadville Street. He thought installing a concrete trough in the ditch would be "nasty." He did like the idea of installing PVC pipe or drain tiles in the ditch and putting a concrete surface on the roadway.

Councilmember Fletcher stated if Council has no intention of spending money on making the improvements in the near future he did not want to spend a great deal of money researching alternatives.

Mayor Kind asked what has been spent to date on the survey and identification of solutions. Councilmember Fletcher suggested Engineer Martini come back with that information and what he estimates the costs for further research of alternatives to be.

Engineer Martini recommended that he at least meet with the property owners before the next meeting.

There was Council consensus to ask Staff to meet with the Mr. Hurd, Mr. Newman and the Old Log Theater property owners before the next meeting.

C. Dick Osgood, Milfoil Update and the Future of Milfoil Management

Mayor Kind stated Dick Osgood, Lake Minnetonka Association (LMA) Executive Director, is present to give a report on the 2011 herbicide treatment of Eurasian Watermilfoil (milfoil) and Curly Leaf Pondweed (pondweed) in St. Alban's Bay in Lake Minnetonka. Mr. Osgood also will provide a report on the future of milfoil management.

Mr. Osgood stated in 2011 the milfoil control project was expanded to five bays from three bays. St. Alban's Bay and Gideon Bay were added to the project. He classified the treatment for milfoil as a wonderful success. He noted he has not been able to find any milfoil in St. Alban's Bay in the recent weeks nor have the representatives from the Army Corps of Engineers. He explained that one of the objectives of the project was to minimize lakeshore cleanup and based on feedback from property owners that objective has been met. He hoped the project will continue for the original three bays in 2012 which is the last year of the three-bay project. The program for St. Alban's Bay is a five-year program that started in 2011.

Mr. Osgood then stated there is no game plan for managing milfoil lake wide after 2012. The LMA recommends a comprehensive invasive plant management plan be prepared by 2013 for all of Lake Minnetonka (the Lake). He noted that lakefront property owners on the five bays that have been treated

have overwhelming indicated they prefer the herbicide treatment to milfoil harvesting. Ninety three percent of those who responded to a survey supported that position. That information can be found on the website www.lakeminnetonkaforum.com. He noted the lakefront property owners on St. Alban's Bay contributed to the 2011 treatment with some of the contributions being as much as \$2000.

Mr. Osgood went on to state the LMA suggests transitioning away from harvesting milfoil to a more comprehensive program. He explained that to date neither the Lake Minnetonka Conservation District (LMCD) nor the Minnehaha Creek Watershed District (MCWD) has shown the initiative to develop a comprehensive plan. The MCWD has the technical expertise and the funding capacity for creating and implementing the plan. He stated the lakefront property owners on the five bays that have been treated with herbicides have had long-standing frustration with the harvesting program. He noted milfoil has been in the Lake since 1987.

Mr. Osgood asked the Council to take some initiative on behalf of the City to express support for moving forward with developing a comprehensive invasive plant management plan. Councilmember Quam asked what the LMA wants Council to do. Mr. Osgood reiterated the LMA wants the Council to express its support for the development of an all inclusive management plan for all invasive plants in the Lake. In addition to milfoil, pondweed and flowering rush are also in the Lake. There is no plan at all for managing those two invasive plant species. The LMA is concerned that the agencies with that authority aren't doing the job.

Councilmember Quam asked what the plan is for 2012 for managing milfoil in St. Alban's Bay. Mr. Osgood responded a plant inventory was conducted of St. Alban's Bay about two weeks ago and initial findings indicate it may not be necessary to treat the Bay in 2012. If some treatment is necessary it should be minimal.

Councilmember Fletcher asked if it's assumed the Bay will have to be aggressively treated in 2013. Mr. Osgood responded it's very likely there will have to be some level of treatment. Fletcher stated the LMA has been talking about the need to develop a comprehensive management plan for at least five years. He asked what agency is in the best position to develop that plan. Mr. Osgood responded both the LMCD and the MCWD have the authority to develop and implement such a plan. The LMA recommends the MCWD assume responsibility for doing that because it has the scientific expertise and the funding capacity to do that. The LMCD has a funding cap. The LMCD could do that, but he would recommend it retrain its staff so they have the expertise to do that and look for additional funding sources. He noted the Minnesota Department of Natural Resources (DNR) doesn't initiate the development of such a plan.

Councilmember Page stated Mr. Osgood has heard the Army Corps of Engineers report on their findings during which they stated herbicide treatment is effective on outlying bays but not in large bodies of water especially if they are deep. Mr. Osgood clarified he is not recommending a comprehensive plan for the lake-wide herbicide treatment of milfoil. Page stated milfoil is being managed on a lake-wide basis on a rotating schedule through the LMCD's harvesting program. Mr. Osgood stated the LMCD harvests a maximum of 300 acres of the Lake on a rotating schedule.

Councilmember Page asked Mr. Osgood what the cost to date has been for the herbicide treatment of the five bays. Mr. Osgood explained it cost about \$450 per acre and over 900 acres have been treated. The herbicide treatment is of the entire bay where harvesting is only done in parts of the bays to make it possible to navigate the waters. The effectiveness of the herbicide treatment spans a couple of years in most instances. The cost of herbicide treatment versus harvesting needs to be averaged over two years to have a more realistic cost comparison. Sometimes areas have to be harvested a second time during the course of a season. It cost about \$350 per acre to harvest one acre and that doesn't include equipment

depreciation costs. Harvesting cuts all plants in the machine's path. Herbicide treatment selectively treats milfoil; it leaves the native plants alone. Harvesting is designed to promote navigation. The herbicide treatment promotes navigation, and it protects and enhances the native plants.

Rob Roy, 21270 Excelsior Boulevard, (the St. Alban's Bay Captain) stated he recently attended a meeting of the MCWD Board of Managers. He explained the MCWD is considering a pilot aquatic invasive species (AIS) prevention project for Christmas Lake, Lotus Lake and Lake Minnewashta. The MCWD is starting a pilot project to advance attack on flowering rush. He noted flowering rush is an extremely invasive species. He stated harvesting is not a long-term solution for managing milfoil or any other invasive plant. He then stated the DNR supports the MCWD developing a comprehensive plan for the entire MCWD jurisdiction. He noted that the Shorewood Council adopted a resolution endorsing and supporting the MCWD taking on a leadership role in coordinating and implementing a comprehensive AIS program through the MCWD. He asked this Council and the other Lake cities to do the same. He stated no one is looking at the big picture at this time. He noted that he cannot continue to go and raise money for the management of milfoil and other AIS every year. He stated the Lake is a very valuable resource for the cities around the Lake and they shouldn't be sitting on their hands. He recommended the cities ask the LMCD and the MCWD to move forward with a plan.

Kristi Ostrander, 21520 Fairview Street, expressed concern about the use of herbicides to treat milfoil on a long-term basis. She asked if there have been any long-term studies done on their effect. Mr. Osgood explained the U.S. Environment Protection Agency (EPA) requires that each chemical herbicide that is applied to a lake environment go through a registration process through the EPA. The herbicide used to treat St. Alban's Bay was studied for approximately 20 years and about 250 papers were written on it. The EPA through its registration process requires comments be submitted on the long-term effects on fish, plants, the toxic effects and a whole suite of biological impacts. On that basis the EPA deemed that herbicide safe and allowed it for use within certain parameters. The studies have shown it doesn't accumulate, but it does not mean it's 100 percent safe. The safety factor has to be less than one in a million that there would be a measurable effect on any living thing.

Fletcher moved, Quam seconded, expressing Greenwood City Council support for joint efforts by the Lake Minnetonka Conservation District and the Minnehaha Creek Watershed District in the control of aquatic invasive species and development of a lake and watershed wide aquatic species management plan.

Councilmember Page asked Council how much more it thinks the residents of Greenwood are willing to pay to support an increase in the level of AIS management.

Councilmember Fletcher stated originally he was only going to put the MCWD in the motion. The DNR has encouraged the MCWD to get involved. The MCWD has a broad taxing authority and therefore has a larger funding source. He then stated the MCWD Board of Managers has indicated it only wants the MCWD to get involved in the developing and implementing a comprehensive invasive plant management plan for the Lake if the cities surrounding the Lake express their support for that. The LMCD would still be involved with the management of AIS because it has a Lake focus.

Mr. Roy stated \$76,000 was raised through private sources for the 2011 herbicide treatment of St. Alban's Bay.

Councilmember Rose asked why the people who have property that fronts the Lake are the ones having to pay for the herbicide treatments. Councilmember Fletcher stated that is a main reason for having the

MCWD involved. Fletcher stated if someone wants to remove the LMCD from the motion that would be okay with him.

Councilmember Rose stated people outside of the MCWD also use the Lake and they won't have to pay. He then stated sometimes there needs to be a limit on what will be done. He also stated that from his perspective the MCWD has too much power already.

Mayor Kind stated from her vantage point the MCWD has become a regulatory agency. The MCWD has taxing authority but the members of the Board of Managers are not elected and therefore not accountable to anyone. She then stated if she votes for the motion it would be with the caveat that the MCWD take on invasive species related activities under its current budget. She suggested the MCWD redirect some of its current funding to this effort and not tax the residents in its jurisdiction more. She stated she doesn't want to give the MCWD a reason to tax its residents more.

Councilmember Quam stated the Council needs to consider that the Lake is a valuable resource and it needs to be protected.

Councilmember Page stated there is nothing that prohibited the MCWD from developing a comprehensive plan. It hasn't done that to date. Once zebra mussels were discovered in the Lake the MCWD indicated it wants to take the lead. The MCWD has the authority to develop a comprehensive plan for the District. He then stated the LMCD Board is comprised of one representative from each of the LMCD member cities. That was done to ensure there would be representation from each city and each would have equal participation. The members of the MCWD Board of Managers aren't elected. He went on to state the MCWD wants to do a pilot project that involves gated access to a lake. The DNR does not stand for restricting public access to public waters except for this small pilot project.

Councilmember Fletcher asked Councilmember Page what the LMCD's plan is for managing milfoil. Page responded the LMCD is participating in the herbicide treatment program of the five bays in the Lake. At the end of that program in 2012 the LMCD will assess if the program met its goals and then it will decide if the herbicide treatment should be continued in some capacity.

Page stated the original model proposed for the herbicide treatment was to have a massive initial treatment followed by lesser treatments with the level of the treatments decreasing each subsequent year.

Mr. Osgood explained that the original lake vegetation treatment planned called for one or two years of treatments with treatments in years 3 – 5 tapering off. The 2008 treatment concentration wasn't strong enough. Beginning in 2009 the concentration was increased and the treatment was very effective. There has been a push and pull between various agencies about the timing of and concentration of the treatments. Through this pilot program there has been a great deal of learning going on. There is a much better understanding of what concentration the treatments should be and when they should occur.

Councilmember Page related that a representative of the Army Corps of Engineers from Florida has stated long-term there will be a need for chemical treatment in closed areas (e.g., St. Alban's Bay and Gray's Bay) as well as a need for harvesting. He stated different methods will be used to manage the various invasive species. He then stated that they all say there is no way to keep the invasive species out. He noted inspections are only being done at the public access areas and there are many private launches around the Lake.

Councilmember Fletcher asked if the LMCD has the resources to help slow down the spread of invasive species. Councilmember Page stated it could use more resources. Page then stated the LMCD member cities have not wanted to increase their contributions to the LMCD in the past.

Motion passed 4/0/1 with Rose abstaining.

Councilmember Rose explained he abstained because he believes the MCWD has too much control.

The Council thanked Mr. Osgood and Mr. Roy for all of their efforts.

D. League of Women Voters Mayors' Forum

Mayor Kind stated on September 8, 2011, the League of Women Voters South Tonka is sponsoring a mayors' forum, which will be held at 7:00 P.M. at the Southshore Community Center.

5. PUBLIC HEARING

None.

6. UNFINISHED BUSINESS

None.

7. NEW BUSINESS

A. Variance Request, Gregg and Kristin Ostrander, 21520 Fairview Street

Zoning Administrator/Clerk Karpas explained Gregg and Kristin Ostrander, 21520 Fairview Street, have proposed reconstructing and reconfiguring a lakeside deck. The proposed deck would encroach into the minimum required lake yard setback and because of its size the maximum permitted impervious surface area allowed would be exceeded. Therefore, they are requesting two variances. The City Ordinance states "In evaluating all variances ... the zoning authority shall require the property owner to address, when appropriate ... reducing impervious surfaces, increasing setbacks ...".

Karpas then explained that for the Shoreland Management District the Ordinance states "Impervious surface coverage in all residential districts as expressed as a percentage of the lot area, shall not exceed 30%." The applicants propose an impervious surface area of 35.3%; their current impervious surface area is 34.98%. If the common driveway which serves more than just their lot is not included in the impervious surface calculation, the proposed coverage would be 28%. He noted that in the past common driveways have been considered during a review of a variance of this nature.

Karpas went on to explain the Ordinance stipulates that the lake yard setback requirement in the Single Family Residential District is 50 feet as measured from the ordinary high water level. The applicants propose a lake yard setback of 43 feet; an encroachment of 7 feet. The current encroachment is 8.5 feet. The proposed project improves the setback by 1.5 feet.

Karpas noted that in considering the variance the revised State Statute regarding granting of variances should be used. Even though that State Statute has not been incorporated into the City Ordinance as of yet the City is still bound by it. State Statute has moved away from the hardship criterion to more of a practical difficulty criterion for reasonable use of the property.

Karpas stated the meeting packet includes a copy of the Staff report, a copy of written comments from the applicants, and copies of signed documents from the applicants' neighbors stating they understand the variance request and are in support of granting the variance. He noted the Planning Commission recommended Council approval of the variances requests on a 5/0 vote.

In response to a comment from Councilmember Page, Zoning Administrator/Clerk Karpas stated the deck was not built when the house was originally built. It was added when an addition was approved for the house but he has been unable to find a copy of the minutes from when the addition was approved. A permit was applied for and approved for the addition. Therefore, he has deduced that the then city council would have discussed the placement of the deck or a building permit would not have been issued.

Councilmember Rose asked if the applicants have to apply for a permit from the Minnehaha Creek Watershed District (MCWD). Zoning Administrator/Clerk Karpas responded that as part of the building permit process the applicant must provide proof that either such as permit has been issued or proof that it is not required.

Councilmember Page asked if the Planning Commission went through any of the criteria necessary to grant a variance. Zoning Administrator/Clerk Karpas stated the Commission approached it from the perspective that similar variances had been approved when the original deck and addition were approved and the fact that the setback encroachment for the new deck would be less than the encroachment of the original deck. Councilmember Page stated the Commission surmised a variance had been granted back then. Karpas stated that it was Planning Chair Lucking's recollection that a variance had been granted when the deck was first built.

In response to a comment by Councilmember Fletcher, Zoning Administrator/Clerk Karpas stated he will have the applicants sign the variance application.

Councilmember Rose questioned if the applicants should be held to the 50 foot lake yard setback because they have already removed the original deck. Zoning Administrator/Clerk Karpas responded the new State Statute allows for a property owner to remove a nonconforming structure and then replace it as long as the property owner applies for a new variance within one year. The new structure would have to be substantially the same footprint and height as the structure removed.

Mayor Kind explained Ordinance Code Chapter 11 Section 1176.07 subd. 4 requires notification be sent to the Department of Natural Resources (DNR) ten days prior to a public hearing being held on variance request for property within the Shoreland Management District. She asked if that was done. Zoning Administrator/Clerk Karpas stated no it wasn't, and explained that Section 1155.05 (7) (c) states "Where appropriate notice also shall be given to the commissioner of the Minnesota Department of Natural Resources ...". He stated it is Staff's opinion that because there would not be a new encroachment and the original encroachment was being reduced that it was not necessary. He views this as a modified variance. Kind asked Attorney Kelly if he agrees with Karpas. Kelly stated just before this meeting he became aware of this question and he has not had the opportunity to review State Statute. Kelly then stated it's his recollection that State Statute requires the DNR be sent notice of a public hearing for variance considerations ten days before the hearing. He went on to state the caveat the Karpas referred to "when appropriate" is in reference to the Shoreland Management District element of the State Statute.

Mayor Kind stated the City's Comprehensive Plan includes a policy to specifically protect the shoreland impact zone (the area within 25 feet of the shore). It's her understanding that the project will not affect that area. Kind explained the Comp Plan includes a housing goal to encourage safe, quality housing. She

asked if replacing a rotting deck would be encouraging safe, quality housing. Karpas responded from his perspective it would improve safety.

Kind then stated the two adjacent property owners have submitted written support of the variance requests. She noted she wants future owners of those two properties to be protected. She asked if the variance request complies with the Zoning Code regarding sightlines even though it doesn't apply to properties already developed. Zoning Administrator/Clerk Karpas stated the new deck would line up with the houses on the adjacent properties.

Kind commented the old hot tub, which has been removed, was a nonconforming use. Removing it removed a nonconforming condition.

Kind asked if common driveways have been excluded from impervious surface area calculations for other variance requests in the City. Zoning Administrator/Clerk Karpas responded it's been a consideration, but it's not a written policy. Karpas explained that some cities specifically exclude hardcover area within an easement from the calculations. A driveway that serves multiple properties has at times been excluded because the property owner can't do anything about the driveway. He stated there are few shared driveways in the City and therefore he doesn't think the City needs a specific policy about that.

Steve Kleineman, with SKD Architects, 11140 Highway 55, Plymouth, Minnesota, explained the survey shows a concrete walk, which is where the seawall is located. When the seawall was built in 1929 the natural contour of the shoreline was moved back to the seawall and that created the setback issue. Had the line between the two adjacent properties carried through the 50 foot setback would more than be satisfied. He then explained when the proposed deck was configured on the property there was a great care deal of sensitivity not to encroach into the lake yard setback any more than the original deck did. He noted the proposed deck will be less than 30 inches off the ground; therefore, there is no need for a rail. There will be very little visual impact from the lake or adjacent property owners. A concerted effort was made to keep the overall area of the encroachment within six square feet of the original deck.

Mayor Kind noted the variance application states the hot tub will not be replaced. That was confirmed. Kind stated it appears that nothing will be done with the seawall. That was also confirmed. She then stated she thought the applicants did a nice job of improving the look of the seawall.

Fletcher moved, Quam seconded, approving the variance requests by Gregg and Kristin Ostrander, 21520 Fairview Street, to reconstruct a lakeside deck that encroaches seven feet into the required lake yard setback and exceeds the maximum permitted impervious surface area by 5.3 percent as presented based on the following findings. 1) The 7-foot proposed encroachment into the required lake yard setback is less than the 8 foot 6 inch encroachment of the prior deck and accordingly reduces the lakeshore impact. It is therefore in harmony with the purpose and intent of the lake yard setback ordinance and is consistent with the comprehensive plan. 2) Having a lakeside deck attached to a house is a reasonable use on a lakeshore property. 3) The 7-foot proposed encroachment does not alter the essential character of the locality since the front of the low-lying deck will be in line with the neighboring houses on either side of the property along the lake and not impact their sightlines to the lake. 4) The section of Fairview Street that serves the applicants property and other houses past the property is essentially a private road, which relieves the City of the cost of maintaining and plowing it. The drive is of minimal width when it crosses the applicant's property and there are no gates, which limit public access. This is a unique circumstance for the property and not created by the landowner. The council feels that it is therefore appropriate to remove the 2,740 feet of hardcover for this road from the hardcover calculations for the property. Doing so results in an impervious surface area of 28.2%, which is less than the 30% maximum

allowed in Code Section 1176.04(3). Thus, the hardcover request is consistent with the intent of the ordinance and comprehensive plan and will not alter the essential character of the locality.

Councilmember Quam stated the Planning Commission has carefully considered the variance requests and unanimously recommended Council approve them. He then stated from his perspective the applicants are making the property better.

Councilmember Rose stated he did not think the deck should move any closer to the shoreline. Mayor Kind clarified the encroachment of the proposed deck into the lake yard setback will be 1.5 less than the encroachment of the old deck. Kind stated from her vantage point the slight increase in impervious surface area is off set by the removal of the nonconforming hot tub.

Mr. Kleineman explained for the original deck there was 368 square feet of deck within the setback and with the proposed deck there will be 374 square feet. But, overall the impact into the overall setback has been reduced.

Councilmember Fletcher stated if the common driveway is excluded from the impervious surface area calculation the impervious surface calculation will be less than the maximum allowed.

Councilmember Page stated he thought the variance requests meet the criteria for practical difficulty under the State Statute. He supported granting the variances now. He recommended the motion be amended to state the variance granted is required to be placed against the title to the property.

Without objection from the maker or the seconder, the motion was amended to include the variance granted is required to be placed against the title to the property.

Councilmember Page reviewed how the criteria for granting the variance were met. The applicants propose to put the property to use in a reasonable manner not permitted by the Zoning Ordinance. The plight is unique to the property and not created by the landowner. It does not alter the essential character of the locality. Based on what has been read, it's consistent with the Comprehensive Plan.

Motion passed 4/1 with Rose dissenting.

Councilmember Page stated he thought there needs to be written findings and they need to be part of the variance. The findings need to be recordable.

Councilmember Rose asked when the City will receive copies of the permits from the MCWD and the DNR. Zoning Administrator/Clerk Karpas explained the MCWD waits until the City Council acts before it acts. Zoning Administrator/Clerk Karpas stated the findings can be put into a recordable format and that can be approved during the October 4, 2011 Council meeting.

B. Excelsior Fire District 2012 Capital Improvement Program and Operating Budget

Mayor Kind stated the meeting packet contains a copy of the Excelsior Fire District (EFD) 2012 Capital Improvement Program (CIP) and the 2012 Operating Budget. They were recommended for approval by the EFD Governing Board. She noted minimal changes have been made to the Budget presented by EFD Chief Scott Gerber to the Council during its August 4 meeting. The overall budget amount is the same as the budget amount presented during that meeting. She explained the total 2012 member city contribution reflects a 0.30 percent increase over the 2011 contribution. The City's share of that contribution will

decrease by 1.05 percent. She then explained that three of the five member cities must approve the Operating Budget and four of the five cities must approve the CIP.

Councilmember Page asked if the proposed 2012 municipal contribution is reduced through by the use of part of the anticipated \$40,000 surplus in the Fire Facilities Fund at the end of 2011. [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.] Mayor Kind stated the Operating Budget reflects that.

Rose moved, Fletcher seconded, approving the 2012 Excelsior Fire District Operating Budget as recommended by the EFD Governing Board on August 10, 2011. Motion passed 4/1 with Page dissenting.

Councilmember Page explained he wanted the City's portion of the surplus to be returned to the City.

Rose moved, Quam seconded, approving Excelsior Fire District 2012 – 2032 Capital Improvement Program as recommended by the EFD Board on August 10, 2011. Motion passed 5/0.

Mayor Kind recessed the meeting at 8:58 P.M.

Mayor Kind reconvened the meeting at 9:06 P.M.

C. 2012 Preliminary Tax Levy

Mayor Kind stated during its work session preceding this meeting Council had its final wrap-up discussion about the preliminary 2012 General Fund Operating Budget. The budget requires a property tax levy of \$644,719 which is 0.11 percent less than the 2011 levy. Changes were made to the version of the budget discussed during that work session but they did not impact the total tax levy amount.

Fletcher moved, Quam seconded, Adopting RESOLUTION NO. 17-11, "A Resolution Approving the Proposed Tax Levy Collectible in 2012 of \$644,719."

Mayor Kind noted the amount of the 2012 levy cannot be increased when the final levy is adopted at the December 6, 2011 Council meeting. However, the levy can be lowered before the final budget adoption. Councilmember Fletcher commented he would be surprised if it would be lowered.

Motion passed 4/1 with Page dissenting.

Councilmember Page stated he thought the amount budgeted for attorney fees and engineering fees is too low and he doesn't like what's happening with the dock scenario.

D. First Reading: Ordinance 196 an Ordinance Amending Code Section 1155, Regarding Variances

Mayor Kind stated this is the first reading of Ordinance 196 amending the Ordinance Code Section 1155 regarding variances.

Mayor Kind explained on May 6, 2011, a new state law regarding variance authority went into effect. The State Statute went from hardship criteria to less restrictive criteria. The League of Minnesota Cities (LMC) recommends cities revisit their ordinance provisions and consider adopting the language that

mirrors the new State Statute. The copy of the draft Ordinance included in the meeting packet incorporates language from the State Statute and the LMC recommendation for the questions to be addressed in the findings for evaluating variances. The draft amendment includes the Practical Difficulties Standard, the Variance Standard, and the Conditions. The Planning Commission held a public hearing during the August 17, 2011, Planning Commission meeting. The Commission on a 5/0 vote recommended Council adopt the Ordinance.

Mayor Kind explained that two readings are required for all ordinances. If the first reading is approved the second reading will be during the October 4, 2011, Council meeting. Before the Ordinance will go into effect it has to be published.

Councilmember Fletcher stated current Section 1155.10 subd. 4 titled Additional Requirements for Variance and Undue Hardship Grants of Variance Requests states "...if granted, will not: 1. Impair an adequate supply of light and air to adjacent property. 2. Unreasonably increase the congestion in the public street. 3. Increase the danger of fire or endanger the public safety. 4. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance. 5. Violate the intent and purpose of the comprehensive plan." He then stated based on a conversation he had with Attorney Kelly the City can include other considerations in its ordinance.

Attorney Kelly clarified that for a long time cities have had the ability to add additional requirements to the variance standard provided the requirements didn't preempt the State Statute standard. The items listed by Councilmember Fletcher are not considerations they are standards and they have to be met. Council has to either include them or not going forward.

Councilmember Page stated he thought they should all be included because there was a reason the current Ordinance includes them.

There was consensus to keep current Section 1155.10 subd. 4 titled Additional Requirements for Variance and Undue Hardship Grants of Variance Requests subject to deleting "Violate the intent and purpose of the comprehensive plan" and to renumber the proposed Section 1155.10 accordingly.

Page moved, Fletcher seconded, motion adopting the first reading of Ordinance 196 amending the Greenwood Ordinance Code Section 1155 Regarding Variances, subject to the changes just discussed. Motion passed 5/0.

E. Consideration of Amending Code Section 900.65, Subd. (3)(b) to Allow Parking of Vehicles (cars, boats, trailers, etc.) on Unpaved Areas of Front Yards

Mayor Kind explained the city has received complaints regarding violations of Ordinance Code Section 900.65 Unlawful Parking and Storage (3)(b). That Section states "*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 definitions of "front yard." During its August 4, 2011, meeting Council directed the Planning Commission to review and make a recommendation on the definition. During that meeting Council expressed a desire to consider amending the Code to allow parking of vehicles on unpaved areas of front yards. There was consensus to put this topic on this meeting agenda.

Councilmember Quam stated he did not think it would be a problem to allow parking of vehicles on an unpaved area of a front yard. He thought the focus should be on the number of vehicles parked in a front yard.

Mayor Kind noted Section 900.65 Unlawful Parking and Storage (3)(a) states “*No more than 4 vehicles may be parked or stored anywhere outside on residential property, except as otherwise permitted or required by the city because of nonresidential characteristics of the property. The maximum number does not include vehicles of occasional guests who do not reside on the property.*” She also noted that vehicles stored in a yard have to be operable and licensed.

Councilmember Quam recommended eliminating the paragraph that prohibits parking on an unpaved area of a front yard (section 900.65 Unlawful Parking and Storage (3)(b)).

Councilmember Fletcher stated he doesn’t think there is a need to change the Code.

Councilmember Page stated he supports eliminating Section 900.65 (3)(b).

Quam moved, Page seconded, directing Staff to draft an ordinance amending Ordinance Code to delete Section 900.65 Unlawful Parking and Storage (3)(b) and to place the ordinance on the October 4, 2011, Council agenda for a first reading. Motion passed 3/2 with Fletcher and Rose dissenting.

Councilmember Rose expressed his preference to leave the Code as is.

F. Lake Minnetonka Communications Commission 2012 Budget

Fletcher moved, Rose seconded, approving the Lake Minnetonka Communications Commission 2012 Budget as presented.

Councilmember Fletcher noted he is the City’s representative to the LMCC. He explained during the last LMCC full commission meeting the Commission approved the 2012 LMCC budget. The Commission chose to suspend the fiber-to-the-premise (*tonkaconnect*) initiative and therefore the 2012 budget doesn’t allocate any funding for that initiative. The budget does include funding for agenda parsing on the internet, on demand video recordings of meetings, new studio lighting, and paying off the building.

Councilmember Quam asked Councilmember Fletcher to explain how people can find recordings of meetings online. Fletcher explained there is a link on the City’s website www.greenwoodmn.com or people can go directly to the LMCC website www.lmccvt.org.

Motion passed 5/0.

G. Three Rivers Park District Permit for Winter Trail Activities

Mayor Kind explained that annually the Three Rivers Park District requests that cities that use its regional trail system during the winter submit a winter use permit application asking for the authorization to do so. By renewing the permit the City is agreeing to maintain the portion of the trail that is located in the City from November 15, 2011 to March 31, 2012. In the past the responsibility for plowing the trail has been assigned to the Public Works department. The permit application states the City will hold harmless the Park District from any liability related to winter use of the trail. The application also requires the City to submit a certificate of insurance valid through March 31, 2012. She noted the past winter season the City plowed the entire trail and did not leave a section unplowed for cross-country skiers. She stated that even if the city does not groom the trail for cross-country skiers, that it makes sense to submit the application so people can use the trail for cross-country skiing before the trail is plowed.

Councilmember Quam asked if what the City did last season was successful. Councilmember Page stated he thought it was.

Councilmember Fletcher stated he assumed that the Public Works will comply with the Three Rivers Park District's new requirements.

Fletcher moved, Rose seconded, directing Staff to complete the Three Rivers Park District Regional Trail System 2011 – 2012 Winter Use Permit application expressing the City's desire to use the trail for cross-country skiing and walking; mailing the completed application and a proof of insurance through March 31, 2012; and, informing the Public Works Department of its responsibilities to maintain that portion of the Regional Trail System located within the City. Motion passed 5/0.

H. League of Minnesota Cities Insurance Trust Liability Waiver

Mayor Kind explained the cities obtaining liability coverage from the League of Minnesota Cities Insurance Trust (LMCIT) must decide whether or not to waive the statutory tort liability limits. Historically the City has chosen not to waive the monetary limits on municipal tort liability established by Minnesota Statutes 466.04.

Page moved, Quam seconded, directing Staff to complete the League of Minnesota Cities Insurance Trust (LMCIT) Waiver Form and indicate that the City does not waive the monetary limits on municipal tort liability established by Minnesota Statutes 466.04, and to mail the completed form to the LMCIT. Motion passed 5/0.

I. Prosecution Process

Councilmember Fletcher stated public safety is one of the key services the City provides.

Councilmember Quam stated from his perspective it is the key function.

Councilmember Fletcher stated he has no idea if the prosecutor is strongly enforcing the City's laws when a complaint is taken to court. He doesn't know what the outcome is of cases that are prosecuted. He asked what criteria Council can use to assess the services the prosecutor provides.

Attorney Kelly noted during his years 25 years as a prosecuting attorney he did not inform city councils of prosecutions. He stated most prosecutions received by the City's prosecuting attorney are in the nature of traffic offenses and those are not typically reported back to the Council because they are not political in nature. If there is a case that Council is interested in its entitled to know what is going on with regard to the case. He commented that he would welcome Councilmember's inquiries and he encouraged them to contract the City's prosecutor directly. With regard to the alleged underage drinking violation this past New Year's Eve, he stated he doesn't know the outcome of that violation was. He then stated matters of that nature are of great interest to residents in that neighborhood. As a practical matter prosecuting such a case can be difficult because the witnesses disappear. He explained that he does not think it appropriate for the City's prosecuting attorney to make a monthly report because from his perspective it would politicize matters that are routine matters. He recommended keeping this type of thing as apolitical as possible.

Councilmember Page stated he is not aware of what cases are being prosecuted or what the results are. If he wants to know about a particular case he will inquire about it. He explained juvenile consumption cases are prosecuted by Hennepin County Attorney's Office and those records are sealed.

Councilmembers can call the City's prosecuting attorney. He stated he doesn't know what the outcome is of the recent truck rollover in the City.

Attorney Kelly clarified that traffic violations by people under 16 years of age would be handled by the City's prosecuting attorney. He explained the City's prosecuting attorney has been a prosecutor for many years. With regard to the truck rollover, he stated he was unaware of that incident until a somewhat related matter was discussed by Council during one of its meetings. He then stated if the South Lake Minnetonka Police Department (SLMPD) can possibly get a felony charge or similar charge the SLMPD will likely send the charge to the Hennepin County Attorney's Office. If the County Attorney's Office states it's not interested in the charge it comes back to the City's prosecuting attorney, but that takes time to make that cycle.

Councilmember Fletcher stated he just wants to have some assurance that cases are being handled well. He noted he doesn't want to get into individual cases.

Attorney Kelly stated last year the City's prosecuting attorney provided Council with a prosecution update and it's appropriate for him to do that again.

Councilmember Page commented that the Lake Minnetonka Conservation District's (LMCD) prosecuting attorney makes a presentation to the LMCD Board annually. The attorney's presentation includes information on the number of cases by category. It also covers what the attorney's general philosophy is with regard to solving cases. That attorney's bill is reviewed before it is paid and that bill reflects to some degree what activities were being worked on. He noted that the bill from the City's prosecuting attorney contains information on what the attorney has been working on.

Council directed Attorney Kelly to invite the City's prosecuting attorney to the October 4, 2011, Council meeting to make a short presentation and it asked that it be done each October.

8. OTHER BUSINESS

A. None

9. COUNCIL REPORTS

A. Fletcher: Eurasian Watermilfoil, Excelsior Boulevard Street and Water project, Xcel LRT Project

With regard to Eurasian Watermilfoil, Councilmember Fletcher stated that was discussed as part of Item 4.B on the agenda.

With regard to the Excelsior Boulevard Street and Water project, Fletcher stated he met with members of Excelsior's staff on August 25 to talk about extending Excelsior municipal water system along Excelsior Boulevard to about twelve properties in Greenwood at no cost to the City of Greenwood. The property owners would pay the cost. The engineer for Excelsior is going to prepare an estimate for what it will cost to do the engineering work. He noted residents would have to pay for the engineering work. He stated when Excelsior Boulevard is torn up it would be an appropriate time to make changes to the configuration of the street and adjacent sidewalk. He indicated he thought the Metropolitan (Met) Council would be willing to work with the City on that. He stated it's appropriate to start that discussion with the appropriate parties now.

Councilmember Quam stated he will speak with Bill Cook on the Planning Commission about this because Mr. Cook runs that department at the Met Council.

With regard to the Xcel Energy LRT Project, Fletcher stated representatives from the Cities of Deephaven, Excelsior, Greenwood, and Minnetonka, the Three Rivers Park District and the Hennepin County Regional Rail Authority (HCRRA) met this afternoon to discuss power line alternatives and options. He noted approval must be obtained from the HCRRA before Xcel Energy can make changes in the easement it has from HCRRA. The group will invite Xcel Energy to their next meeting.

B. Kind: Police, Administration

Mayor Kind stated there has not been a South Lake Minnetonka Coordinating Committee meeting since the last Council meeting.

With regard to administration, Kind stated the City has a new assessor, Melissa Potter. She noted she has met with her and the other Councilmembers will meet her at the fall sales ratio study work session tentatively scheduled for October 27. She explained the City has received an overdue notice from the Unemployment Insurance Office. She noted that to date that Office has not responded to her letter requesting documentation supporting the determination of renewed eligibility for unemployment for the former city administrator. There was Council consensus to withhold payment for another month with the hope that the City will receive the information requested.

C. Page: Lake Minnetonka Conservation District

Councilmember Page reported on Lake Minnetonka Conservation District (LMCD) activities. He stated the LMCD AIS Task Force which includes representatives from the Lake Minnetonka Association, the Department of Natural Resources, the Minnehaha Creek Watershed District, the bay captains as well as the LMCD provided the LMCD Board with an update on the Eurasian Watermilfoil herbicide treatment project. He reiterated points made by various people during the discussion of Item 4.B.

D. Quam: Roads & Sewer, Minnetonka Community Education

Councilmember Quam stated the 2011 roadway improvement project is complete with the exception of some cleanup. He then stated sewer repair work is in progress.

With regard to Minnetonka Community Education, Quam stated there is nothing new to report.

With regard to the St. Alban's Bay Bridge, Quam stated the bridge has been inspected and it's likely it will be rated less than 50. That means there will have to be work done on the bridge. He noted that doesn't mean the Bridge is dangerous. He stated the engineering work has to be completed before the City and the City of Excelsior can apply for state financing.

E. Rose: Excelsior Fire District

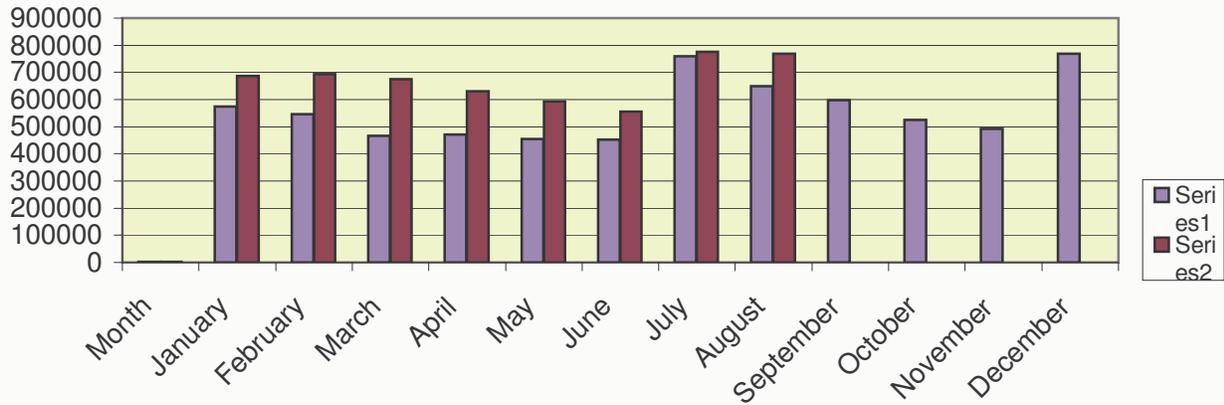
Councilmember Rose stated this was discussed as part of Item 7.B on the agenda.

10. ADJOURNMENT

Page moved, Fletcher seconded, Adjourning the City Council Regular Meeting of September 6, 2011, at 10:01 P.M. Motion passed 5/0.

RESPECTFULLY SUBMITTED,
Christine Freeman, 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	\$768,223	-\$8,427	\$119,663
September	\$597,536	\$0	-\$768,223	-\$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	\$559,862
Bridgewater Bank Checking	\$5,728
Beacon Bank Money Market	\$202,533
Beacon Bank Checking	\$100
<hr/>	
	\$768,223

ALLOCATION BY FUND

General Fund	\$222,298
General Fund Designated for Parks	\$27,055
Bridge Capital Project Fund	\$39,970
Stormwater Special Revenue Fund	\$7,103
Sewer Enterprise Fund	\$431,529
Marina Enterprise Fund	\$40,268
<hr/>	
	\$768,223

Check Issue Date(s): 09/01/2011 - 09/30/2011

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
09/11	09/12/2011	10392	9	CITY OF DEEPHAVEN	101-20100	7,772.43
09/11	09/12/2011	10393	761	DEBRA KIND	101-20100	17.60
09/11	09/12/2011	10394	581	EMERY'S TREE SERVICE, INC.	101-20100	160.91
09/11	09/12/2011	10395	68	GOPHER STATE ONE CALL	602-20100	59.45
09/11	09/12/2011	10396	700	Infrastructure Technologies, I	602-20100	39,528.31
09/11	09/12/2011	10397	26	LEAGUE OF MN CITIES	101-20100	742.00
09/11	09/12/2011	10398	105	METROPOLITAN COUNCIL ENV SERV	602-20100	2,336.37
09/11	09/12/2011	10399	701	Popp Telecom	101-20100	41.83
09/11	09/12/2011	10400	38	SOUTH LAKE MINNETONKA POLICE	101-20100	13,223.00
09/11	09/12/2011	10401	112	Southshore Community Center	101-20100	900.00
09/11	09/12/2011	10402	745	Vintage Waste Systems	101-20100	1,568.40
09/11	09/12/2011	10403	145	XCEL	602-20100	212.84
09/11	09/22/2011	10404	51	BOLTON & MENK, INC.	101-20100	11,629.75
09/11	09/22/2011	10405	790	GMH ASPHALT CORPORATION	101-20100	93,527.73
09/11	09/22/2011	10406	700	Infrastructure Technologies, I	602-20100	11,700.00
09/11	09/22/2011	10407	742	Marco, Inc.	101-20100	212.15
09/11	09/22/2011	10408	145	XCEL	101-20100	391.73
Totals:						<u>184,024.50</u>

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
BOLTON & MENK, INC.					
51	BOLTON & MENK, INC.	0141846	2011 STREET IMPROVEMENT	08/31/2011	7,320.00
		0141852	2011 MISC ENGINEERING FEES	08/31/2011	251.00
		0141853	MS4 INSPECTIONS & MAPPING	08/31/2011	1,379.25
		0141854	2011 SANITARY SWR REHAB	08/31/2011	2,679.50
	Total BOLTON & MENK, INC.				11,629.75
CITY OF DEEPHAVEN					
9	CITY OF DEEPHAVEN	SEPT 2011	RENT & EQUIPMENT	09/01/2011	542.95
			COPIES		3.60
			Postage		35.20
			SEWER		93.96
			STREETS		2,232.84
			WEED/TREE/MOWING		1,961.00
			PARK MAINTENANCE		156.88
			STORM SEWERS		33.60
			Clerk Services		2,441.60
			ZONING		270.80
	Total CITY OF DEEPHAVEN				7,772.43
DEBRA KIND					
761	DEBRA KIND	083011	REIMBURSE-PINK FLAGS & TAPE	08/30/2011	17.60
	Total DEBRA KIND				17.60
EMERY'S TREE SERVICE, INC.					
581	EMERY'S TREE SERVICE, INC.	16790	TREE MAINTENANCE	08/31/2011	160.91
	Total EMERY'S TREE SERVICE, INC.				160.91
GMH ASPHALT CORPORATION					
790	GMH ASPHALT CORPORATION	090211	2011 STREET IMPROVEMENTS	09/02/2011	93,527.73
	Total GMH ASPHALT CORPORATION				93,527.73
GOPHER STATE ONE CALL					
68	GOPHER STATE ONE CALL	18818	Gopher State calls	09/01/2011	59.45
	Total GOPHER STATE ONE CALL				59.45
Infrastructure Technologies, I					
700	Infrastructure Technologies, I	082611	2011 SWR REHAB PROJECT	08/26/2011	23,272.87
		PR11575	JET/VAC CLEAN & TELEWISE SEWER	07/29/2011	8,325.44
		PR11626	CIPP REPAIR	08/25/2011	7,930.00
		PR11672	2011 SWR REHAB PROJECT	08/24/2011	11,700.00
	Total Infrastructure Technologies, I				51,228.31
LEAGUE OF MN CITIES					
26	LEAGUE OF MN CITIES	090111	MMA MEMBERSHIP DUES	09/01/2011	20.00
		153490	Membership Dues 2011-2012	09/01/2011	722.00
	Total LEAGUE OF MN CITIES				742.00
Marco, Inc.					
742	Marco, Inc.	186121554	Copier lease	09/13/2011	212.15

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
	Total Marco, Inc.				212.15
METROPOLITAN COUNCIL ENV SERV					
105	METROPOLITAN COUNCIL ENV SE	0000969540	Monthly wastewater Charge	09/02/2011	2,336.37
	Total METROPOLITAN COUNCIL ENV SERV				2,336.37
Popp Telecom					
701	Popp Telecom	1981589	Local, Long dist. & DSL	08/31/2011	41.83
	Total Popp Telecom				41.83
SOUTH LAKE MINNETONKA POLICE					
38	SOUTH LAKE MINNETONKA POLIC	SEPT 2011	OPERATING BUDGET	09/01/2011	13,223.00
	Total SOUTH LAKE MINNETONKA POLICE				13,223.00
Southshore Community Center					
112	Southshore Community Center	090111	2011 Support	09/01/2011	900.00
	Total Southshore Community Center				900.00
Vintage Waste Systems					
745	Vintage Waste Systems	082611	City Recycling Contract	08/26/2011	1,568.40
	Total Vintage Waste Systems				1,568.40
XCEL					
145	XCEL	082511	4925 MEADVILLE STREET *	08/25/2011	8.77
			SIREN		3.71
			Sleepy Hollow Road *		8.79
			LIFT STATION #1		31.30
			LIFT STATION #2		32.98
			LIFT STATION #3		24.72
			LIFT STATION #4		32.76
			LIFT STATION #6		69.81
		090611	Street Lights *	09/06/2011	391.73
	Total XCEL				604.57

Total Paid: 184,024.50

Total Unpaid: -

Grand Total: 184,024.50

Pay Per Date	Jrnl	Check Date	Check Number	Payee	Emp No	Description	GL Account	Amount
10/01/11	PC	10/01/11	10011101	Debra J. Kind	34		001-10101	277.05
10/01/11	PC	10/01/11	10011102	Fletcher, Thomas M	33		001-10101	84.70
10/01/11	PC	10/01/11	10011103	H. Kelsey Page	35		001-10101	184.70
10/01/11	PC	10/01/11	10011104	Quam, Robert	32		001-10101	184.70
10/01/11	PC	10/01/11	10011105	William Rose	36		001-10101	184.70
Grand Totals:								<u>915.85</u>



Agenda Number: **4A**

Agenda Date: 10-04-11

Agenda Item: City Prosecutor Greg Keller, Annual Prosecution Service Update

Summary: Last year city prosecutor Greg Keller attended a council meeting to introduce himself and give the council an update. At the September meeting the council decided that it would be a good idea schedule an annual update from the city prosecutor each October to give the council an overview of prosecution services from the preceding 12 months. Specific cases will not be discussed.

Council Action: None required.



Agenda Number: **4B**

Agenda Date: 10-04-11

Agenda Item: City Engineer Dave Martini: Update Regarding Meadville Drainage Issue

Summary: City Engineer Dave Martini and Councilman Quam met at the site to discuss possible solutions to the Meadville Street drainage problem near the Newman and Hurd properties. Dave will give the council a verbal update at the 10-04-11 council meeting.

Council Action: None required.



Agenda Number: **4C**

Agenda Date: 10-04-11

Agenda Item: Terrence Haines' Eagle Scout Project at the Southshore Center is Complete

Summary: In June the council approved a contribution to Terrence Haines' Eagle Scout project at the Southshore Center (Greenwood jointly owns the center with Deephaven, Excelsior, Shorewood, and Tonka Bay). His plan involved fixing the bridge and walking path in the woods, building two benches, and creating steps with a railing. Terrence and his team completed the project last month and would like the council and Greenwood residents to come see the results in person. A DVD of the project also is available for viewing at City Hall.

Council Action: None required.



Agenda Number: **5A**

Agenda Date: 10-04-11

Agenda Item: Public Hearing, Delinquent Sewer, Stormwater, and Recycling Charges

Summary: Public notices regarding this public hearing were published in the Sun-Sailor on 09-15-11 and 09-22-11. A list of delinquent accounts and charges is in the council packet under item 7A. Members of the public may address the council regarding delinquent accounts during the public hearing at the 10-04-11 council meeting.

Council Action: Council action is needed to open and close the public hearing. The council will take action on the resolution for the assessment roll under item 7A. Suggested motions for the public hearing:

1. I move the council opens the public hearing regarding delinquent sewer, stormwater, and recycling charges.
2. I move the council closes the public hearing regarding delinquent sewer, stormwater, and recycling charges.



Agenda Number: **6A**

Agenda Date: 10-04-11

Agenda Item: 2nd 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.

At the 1st reading on 09-06-11, the council directed staff to add back the additional requirements for variances that were part of the old ordinance. The revised ordinance is included in the packet. Current, amended, and after versions of the ordinance also are attached for the council's reference.

Council Action: Optional. Suggested Motion ...

1. I move the council approves the 2nd 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. I move the council approves the 2nd 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 with the following revisions ...
3. Do nothing.

Note: If the council approves the 2nd reading, the ordinance needs to be published before it goes into effect.

CURRENT ORDINANCE PROVISIONS

SECTION 1155 (1)(2)

2. To hear request for variances from the literal provisions of the ordinance in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration as governed by Minnesota statutes chapter 462 as amended.

SECTION 1155.10

Subd. 1. Variances to Zoning Code. Any persons may request variances from the literal provisions of the zoning ordinance, shoreland management district ordinance, wetland ordinance and other applicable zoning regulations in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration.

Subd. 2. Undue Hardship Standard Defined. “Undue hardship” as used in this ordinance in conjunction with the granting of a variance request means:

1. That the property in question cannot be put to a reasonable use if used under conditions allowed by the official control in question;
2. That the plight of the landowner is due to circumstances unique to the property and not created by the landowner; and
3. The variance, if granted, will not alter the essential character of the locality.

Economic considerations alone shall not constitute an “undue hardship” if some reasonable use for the property exists under the terms of the ordinance. However, practical difficulties and functional considerations may be taken into account.

Subd. 3. Variance Standard. A variance to the literal provisions of the zoning code, shoreland management district ordinance, wetland ordinance and other related zoning controls shall not be granted unless the applicants demonstrate, to the satisfaction of the board of appeals and adjustments:

1. That a variance, if granted, will be in keeping with the spirit and intent of the zoning ordinance, shoreland management district ordinance, wetland ordinance or other applicable zoning regulation at issue (including standards set forth in subdivision 4 below); and
2. That the strict enforcement of the ordinance would cause “undue hardship” because of circumstances unique to the individual property under consideration.

Subd. 4. Additional Requirements for Variance and Undue Hardship Grants of Variance Requests. The board, in considering all requests for a variance, shall determine that the proposed variance, if granted, will not:

1. Impair an adequate supply of light and air to adjacent property.
2. Unreasonably increase the congestion in the public street.
3. Increase the danger of fire or endanger the public safety.

4. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance.
5. Violate the intent and purpose of the comprehensive plan.

Subd. 5. Ordinance Provisions to Which Variances May Be Granted. The board of appeals and adjustments may consider variances to the following types of regulations under the zoning code, shoreland management district ordinance, wetland ordinance, and other applicable zoning regulations and no others:

1. To vary the applicable lot area, lot width, lot depth and minimum lot area per dwelling unit requirement provided that minimum lot area per dwelling unit requirements for multiple dwellings shall not be varied so as to permit more than one dwelling unit in addition to the number that would be permitted by the strict application of the minimum lot area requirements.
2. To vary the applicable bulk regulations, including maximum height, lot coverage, lot/floor area ratio, and minimum yard requirements.
3. To vary the off-street parking and off-street loading requirements.
4. To vary the regulations relating to restoration of damaged or destroyed nonconforming structures.
5. To interpret zoning district boundaries on official zoning maps and otherwise make interpretations of the zoning ordinance, shoreland management district ordinance, wetland ordinance and other related zoning regulations.
6. To permit the extension of a zoning district where the boundary line thereof divides a lot of record and as of the time of the passage of the zoning ordinance, however, in no event shall extension of district boundaries exceed 100 feet.

Subd. 6. Imposition of Conditions and Safeguards. Specific conditions and safeguards may be imposed by the board of appeals and adjustments upon any premises to be benefitted by a variance as considered necessary to prevent injurious affects upon other property in the neighborhood or upon public facilities and services. Violation of such conditions and/or safeguards shall be a violation of the zoning code and subject to the enforcement provisions thereof.

Subd. 7. Required Vote. No variance shall be granted by the board except upon an affirmative 3/5 vote of the entire board of appeals and adjustments (city council).

Subd. 8. Lifespan of Variances Granted. Variances permitting the erection or alteration of a building shall be valid for a period of 1 year from the date of final approval unless a building permit for such erection or alteration is issued and construction is actually begun within said period. Failure to obtain an approved, final inspection (in the case of remodeling) or an occupancy permit (in the case of new construction) within 1 year from the date a building permit for such construction and/or alteration has been issued, shall cause the variance relied upon to become null and void. The structure shall then become a nonconforming structure.

AMENDED ORDINANCE PROVISIONS

SECTION 1155 (1)(2)

2. To hear request for variances from the requirements of any official control including restrictions placed on nonconformities ~~literal provisions of the ordinance in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration~~ as governed by Minnesota statutes chapter 462 as amended.

SECTION 1155.10

Subd. 1. Variances to Zoning Code. Any persons may request variances from the literal provisions of the zoning ordinance, shoreland management district ordinance, wetland ordinance and other applicable zoning regulations in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration.

~~Subd. 2. Undue Hardship Standard Defined.~~ “Undue hardship” as used in this ordinance in conjunction with the granting of a variance request means:

- ~~1. That the property in question cannot be put to a reasonable use if used under conditions allowed by the official control in question;~~
- ~~2. That the plight of the landowner is due to circumstances unique to the property and not created by the landowner; and~~
- ~~3. The variance, if granted, will not alter the essential character of the locality.~~

~~Economic considerations alone shall not constitute an “undue hardship” if some reasonable use for the property exists under the terms of the ordinance. However, practical difficulties and functional considerations may be taken into account.~~

Subd. 5 2. Ordinance Provisions to Which Variances May Be Granted. The board of appeals and adjustments may consider variances to the following types of regulations under the zoning code, shoreland management district ordinance, wetland ordinance, and other applicable zoning regulations and no others:

1. To vary the applicable lot area, lot width, lot depth and minimum lot area per dwelling unit requirement provided that minimum lot area per dwelling unit requirements for multiple dwellings shall not be varied so as to permit more than one dwelling unit in addition to the number that would be permitted by the strict application of the minimum lot area requirements.
2. To vary the applicable bulk regulations, including maximum height, lot coverage, lot/floor area ratio, and minimum yard requirements.
3. To vary the off-street parking and off-street loading requirements.
4. To vary the regulations relating to restoration of damaged or destroyed nonconforming structures.
5. To interpret zoning district boundaries on official zoning maps and otherwise make interpretations of the zoning ordinance, shoreland management district ordinance, wetland ordinance and other related zoning regulations.

6. To permit the extension of a zoning district where the boundary line thereof divides a lot of record and as of the time of the passage of the zoning ordinance, however, in no event shall extension of district boundaries exceed 100 feet.

Subd. 3. Variance Standard. A variance to the ~~requirements~~ ~~literal provisions~~ 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 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 ~~not be granted unless the applicants demonstrate, to the satisfaction of the board of appeals and adjustments: .~~

- ~~1. That a variance, if granted, will be in keeping with the spirit and intent of the zoning ordinance, shoreland management district ordinance, wetland ordinance or other applicable zoning regulation at issue (including standards set forth in subdivision 4 below); and~~
- ~~2. That the strict enforcement of the ordinance would cause "undue hardship" because of circumstances unique to the individual property under consideration.~~

Subd. 4. 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 and not created by the landowner;
- (c) and the variance, if granted, will not alter the essential character of the locality

Economic considerations alone shall not constitute practical difficulties.

Subd. 5. 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?

Subd. 4 6. Additional Requirements for Variance and Undue Hardship Grants of Variance Requests. The board, in considering all requests for a variance, shall determine that the proposed variance, if granted, will not:

1. Impair an adequate supply of light and air to adjacent property.
2. Unreasonably increase the congestion in the public street.
3. Increase the danger of fire or endanger the public safety.
4. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance.
- ~~5. Violate the intent and purpose of the comprehensive plan.~~

~~Subd. 6 7. Imposition of Conditions and Safeguards. Specific conditions and safeguards may be imposed by the board of appeals and adjustments upon any premises to be benefitted by a variance as considered necessary to prevent injurious affects upon other property in the neighborhood or upon public facilities and services. 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 a must bear a rough proportionality to the impact created by the variance. Violation of such conditions and/or safeguards shall be a violation of the zoning code and subject to the enforcement provisions thereof.~~

Subd. 7 8. Required Vote. No variance shall be granted by the board except upon an affirmative 3/5 vote of the entire board of appeals and adjustments (city council).

Subd. 8 9. Lifespan of Variances Granted. Variances permitting the erection or alteration of a building shall be valid for a period of 1 year from the date of final approval unless a building permit for such erection or alteration is issued and construction is actually begun within said period. Failure to obtain an approved, final inspection (in the case of remodeling) or an occupancy permit (in the case of new construction) within 1 year from the date a building permit for such construction and/or alteration has been issued, shall cause the variance relied upon to become null and void. The structure shall then become a nonconforming structure.

ORDINANCE PROVISIONS AFTER AMENDED

SECTION 1155 (1)(2)

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

SECTION 1155.10

Subd. 1. Variances to Zoning Code. Any persons may request variances from the literal provisions of the zoning ordinance, shoreland management district ordinance, wetland ordinance and other applicable zoning regulations in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration.

Subd. 2. Ordinance Provisions to Which Variances May Be Granted. The board of appeals and adjustments may consider variances to the following types of regulations under the zoning code, shoreland management district ordinance, wetland ordinance, and other applicable zoning regulations and no others:

1. To vary the applicable lot area, lot width, lot depth and minimum lot area per dwelling unit requirement provided that minimum lot area per dwelling unit requirements for multiple dwellings shall not be varied so as to permit more than one dwelling unit in addition to the number that would be permitted by the strict application of the minimum lot area requirements.
2. To vary the applicable bulk regulations, including maximum height, lot coverage, lot/floor area ratio, and minimum yard requirements.
3. To vary the off-street parking and off-street loading requirements.
4. To vary the regulations relating to restoration of damaged or destroyed nonconforming structures.
5. To interpret zoning district boundaries on official zoning maps and otherwise make interpretations of the zoning ordinance, shoreland management district ordinance, wetland ordinance and other related zoning regulations.
6. To permit the extension of a zoning district where the boundary line thereof divides a lot of record and as of the time of the passage of the zoning ordinance, however, in no event shall extension of district boundaries exceed 100 feet.

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 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. 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 and not created by the landowner;
- (c) and the variance, if granted, will not alter the essential character of the locality

Economic considerations alone shall not constitute practical difficulties.

Subd. 5. 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?

Subd. 6. Additional Requirements for Grants of Variance Requests. The board, in considering all requests for a variance, shall determine that the proposed variance, if granted, will not:

1. Impair an adequate supply of light and air to adjacent property.
2. Unreasonably increase the congestion in the public street.
3. Increase the danger of fire or endanger the public safety.
4. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance.

Subd. 7. 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 a must bear a rough proportionality to the impact created by the variance. Violation of such conditions and/or safeguards shall be a violation of the zoning code and subject to the enforcement provisions thereof.

Subd. 8. Required Vote. No variance shall be granted by the board except upon an affirmative 3/5 vote of the entire board of appeals and adjustments (city council).

Subd. 9. Lifespan of Variances Granted. Variances permitting the erection or alteration of a building shall be valid for a period of 1 year from the date of final approval unless a building permit for such erection or alteration is issued and construction is actually begun within said period. Failure to obtain an approved, final inspection (in the case of remodeling) or an occupancy permit (in the case of new construction) within 1 year from the date a building permit for such construction and/or alteration has been issued, shall cause the variance relied upon to become null and void. The structure shall then become a nonconforming structure.

ORDINANCE NO. 196

**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 is amended to read as follows:

Subd. 1. Variances to Zoning Code. Any persons may request variances from the literal provisions of the zoning ordinance, shoreland management district ordinance, wetland ordinance and other applicable zoning regulations in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration.

Subd. 2. Ordinance Provisions to Which Variances May Be Granted. The board of appeals and adjustments may consider variances to the following types of regulations under the zoning code, shoreland management district ordinance, wetland ordinance, and other applicable zoning regulations and no others:

1. To vary the applicable lot area, lot width, lot depth and minimum lot area per dwelling unit requirement provided that minimum lot area per dwelling unit requirements for multiple dwellings shall not be varied so as to permit more than one dwelling unit in addition to the number that would be permitted by the strict application of the minimum lot area requirements.
2. To vary the applicable bulk regulations, including maximum height, lot coverage, lot/floor area ratio, and minimum yard requirements.
3. To vary the off-street parking and off-street loading requirements.
4. To vary the regulations relating to restoration of damaged or destroyed nonconforming structures.
5. To interpret zoning district boundaries on official zoning maps and otherwise make interpretations of the zoning ordinance, shoreland management district ordinance, wetland ordinance and other related zoning regulations.
6. To permit the extension of a zoning district where the boundary line thereof divides a lot of record and as of the time of the passage of the zoning ordinance, however, in no event shall extension of district boundaries exceed 100 feet.

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 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. 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 and not created by the landowner;
- (c) and the variance, if granted, will not alter the essential character of the locality

Economic considerations alone shall not constitute practical difficulties.

Subd. 5. 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?

Subd. 6. Additional Requirements for Grants of Variance Requests. The board, in considering all requests for a variance, shall determine that the proposed variance, if granted, will not:

- 1. Impair an adequate supply of light and air to adjacent property.
- 2. Unreasonably increase the congestion in the public street.
- 3. Increase the danger of fire or endanger the public safety.
- 4. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance.

Subd. 7. 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 a must bear a rough proportionality to the impact created by the variance. Violation of such conditions and/or safeguards shall be a violation of the zoning code and subject to the enforcement provisions thereof.

Subd. 8. Required Vote. No variance shall be granted by the board except upon an affirmative 3/5 vote of the entire board of appeals and adjustments (city council).

Subd. 9. Lifespan of Variances Granted. Variances permitting the erection or alteration of a building shall be valid for a period of 1 year from the date of final approval unless a building permit for such erection or alteration is issued and construction is actually begun within said period. Failure to obtain an approved, final inspection (in the case of remodeling) or an occupancy permit (in the case of new construction) within 1 year from the date a building permit for such construction and/or alteration has been issued, shall cause the variance relied upon to become null and void. The structure shall then become a nonconforming structure.”

SECTION 3.

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: **6B**

Agenda Date: 10-04-11

Agenda Item: Resolution 17-11, Findings of Fact, Ostrander Variances

Summary: At the 09-06-11 meeting the council approved 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% based on verbal findings. The council directed that written findings be drafted for confirmation by the council and filing with the county. The attached findings were drafted by the city attorney.

Council Action: Required. Suggested motion ...

1. I move the council approves resolution 17-11 setting out the findings of fact and conclusions of law regarding the Gregg and Kristin Ostrander variance requests.
2. I move the council approves resolution 17-11 setting out the findings of fact and conclusions of law regarding the Gregg and Kristin Ostrander variance requests with the following revisions ...

RESOLUTION NO. 17-11

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA ACTING AS THE BOARD OF APPEALS AND ADJUSTMENTS Lot 2, Block 1 Pier Pleasure Addition

IN RE: The Application of Gregg Ostrander and Kristin Ostrander for a Hardcover Variance and a Lake Side Yard Setback Variance for Real Property Located at 21520 Fairview Street, Greenwood, Minnesota, PID No. 26-117-23-13-0077

Legal Description: Lot 2, Block 1 Pier Pleasure Addition

The applicants have made application for variances to permit construction of a lakeside deck, which would encroach upon the lakeside yard setback and requires a variance allowing hardcover in excess of 30%. The request is necessitated by desire to replace a decayed nonconforming lakeside deck; and

WHEREAS, Notice of Public Hearing was published, notice given to neighboring property owners, and a Public Hearing held before the Planning Commission where public comment was taken August 17, 2011, and

WHEREAS, notice of the requested variances and a copy of the site plan were provided to the Department of Natural Resources for review; and

WHEREAS, the City Council has received the staff report and recommendation of the Planning Commission and considered the application and comments of the general public.

NOW, THEREFORE, the City Council of the City of Greenwood, Minnesota, acting as the Board of Appeals and Adjustments, does hereby make the following:

FINDINGS OF FACT

1. The applicant's property is located at 21520 Fairview Street, Greenwood, Minnesota and is a single lot of record within the R-1A District used for single-family residential purposes.
2. The applicants seek a variance to permit construction of a lakeside deck, which would encroach upon the required 50-foot lakeside setback by 7 feet. If approved, the proposed deck would be an improvement over the decayed existing deck which encroached 8-1/2 feet.
3. The maximum permitted impervious surface in the R-1A Zone is 30%. If a variance is granted for the proposed deck, the impervious surface of the lot area would be 35.3%, necessitating a variance of 5.3%.

4. The applicant's lot is subject to a common driveway servicing properties to the north. This shared impervious surface contributes 7.1% of the total hardcover of the lot.
5. The property, as built, and if variances are granted, would continue to meet the required front yard and side yard setbacks of the code.
6. The proposed deck is to be built at grade and is code compliant relative to height of permitted structures.
7. The proposed deck is not subject to maximum building volume regulations of the City.
8. The application shows no trees will be impacted by this project.
9. In support of the requested variance, the applicant represents that if a setback variance were not granted, they would suffer an undue hardship due to practical difficulties associated with the lot. In particular, (a) the proposed deck replaces an existing deck and would reduce the overall encroachment by 1-1/2 feet; (b) a lakeside deck is a reasonable use for a residential property and the proposed deck has less impact than the deck to be replaced; and (c) the variance, if granted, would not alter the essential character of the locality, as many lakeside homes are host to a deck.
10. The applicant represents that if the hardcover variance were not granted, they would suffer an undue hardship due to practical difficulties associated with the lot. In particular, (a) variance denial would deny them a lakeside deck which is a reasonable use for a residential lake property they have heretofore enjoyed; (b) the plight of the owner is due to a shared common driveway which contributes over 7% to the existing hardcover and cannot be reduced due to pre-existing legal obligations, none of which are of the owner's making; and (c) this variance would not alter the essential character of the locality but rather continue a pre-existing condition otherwise permitted under Section 1145 and common to lake properties in the City.
11. The proposed variance, if granted, would be consistent with the Comprehensive Plan goal of protecting the shore impact zone, as the proposed deck reduces the existing nonconformity and does not increase the impact of construction. The applicant also represents that a nonconforming hot tub will not be replaced on the new deck. Nonconforming structures should be brought into code compliance to the extent possible, and as a matter of law may otherwise be maintained indefinitely.
12. The Planning Commission considered this matter and voted to recommend the approval of the two variance requests.

CONCLUSIONS OF LAW

1. The proposed variance, if granted, would be consistent with the Comprehensive Plan goal of protecting the shore impact zone, as the proposed deck reduces the existing nonconformity and does not increase the impact of the construction. In addition, a nonconforming hot tub will not be replaced on the new deck. Nonconforming structures should be brought into code compliance to the extent possible and as a matter of law may otherwise be maintained indefinitely.
2. The proposed variances are necessary to put the property to a reasonable use for the reason a lakeside deck is a typical use of lakeside properties and the proposed deck configuration reduces the prior encroachment without added impact.
3. The need for the variances is due to circumstances related to the property and not created by the landowner. The property is host to a shared driveway easement and the hardcover associated therewith cannot be reduced because of existing legal obligations.
4. The proposed variance, if granted, will not alter the essential of the character of the locality for the reason that this home has had a similar deck and lakeside decks are a common feature of lakeside homes throughout the City.

Based upon the foregoing Findings of Fact and Conclusions of Law, the City Council of the City of Greenwood, acting as the Board of Appeals and Adjustments hereby grants the following variances for the benefit of the applicant's property at 21520 Fairview Street, Greenwood, Minnesota 55331, PID No. 26-117-23-13-0077:

1. A variance of 7 feet to the required 50-foot lakeside setback specified under Greenwood Ordinance Code Section 1120:15; and
2. A variance of 5.3% to the required 30% maximum impervious surface specified under Greenwood Ordinance Code Section 1176:04, Sub. 3.

On the following conditions:

- (a) the proposed deck be built as proposed and presented;
- (b) the nonconforming hot tub will not be replaced on the new deck; and
- (c) that a certified copy of this variance resolution be filed of record against the title of the subject property in the Office of the County Recorder in and for Hennepin County, prior to issuance of a building permit hereon.

ADOPTED THIS _____ DAY OF _____, 2011, BY THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA ACTING AS THE BOARD OF APPEALS AND ADJUSTMENTS FOR THE CITY OF GREENWOOD, MINNESOTA.

Ayes _____, Nays _____.

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Gus E. Karpas, City Clerk

1RESOLUTION ostrander

THIS DOCUMENT PREPARED BY: Kelly Law Offices, 351 Second Street, Excelsior, MN 55331, 952-474-5977.



Agenda Number: **7A**

Agenda Date: 10-04-11

Agenda Item: Resolution 18-11, Assessment Roll for Delinquent Sewer, Stormwater, and Recycling Charges

Summary: As a follow up to the public hearing held earlier in the council meeting, the council needs to take action to certify assessments for delinquent sewer, stormwater, and recycling accounts with the county to be collected with property taxes. A copy of a proposed resolution is attached.

Council Action: Required. Suggested motions ...

1. I move the council approves resolution 18-11 and the assessment roll for delinquent sewer, stormwater, and recycling charges.
2. I move the council approves resolution 18-11 and the assessment roll for delinquent sewer, stormwater, and recycling charges with the following revisions ...

2011 GREENWOOD TAX CERTIFICATION - DELINQUENT UTILITIES

<i>PID #</i>	<i>Owner's name</i>	<i>tenant's name</i>	<i>House Number</i>	<i>Street Name</i>	<i>Unit #</i>	<i>Zip Code</i>	<i>Owner's Forwarding Address</i>	<i>AMOUNT DUE</i>	<i>Penalty Fee</i>	<i>Total Due after October 4th</i>
26-117-23-44-0070	<i>Bank of America</i>		20840	<i>Channel Drive</i>		55331	<i>7255 BayMeadows Way, Jacksonville, FL 32256</i>	\$470.48	\$20.00	\$490.48
26-117-23-31-0018	<i>Brost, Michael L. & S. R.</i>		5110	<i>Curve St.</i>		55331		\$415.36	\$20.00	\$435.36
26-117-23 44 0009	<i>Dinndorf, Michael</i>		5475	<i>Maple Heights Rd</i>		55331		\$359.42	\$20.00	\$379.42
26-117-23 42 0011	<i>Kollodge, Kent J. & S. M.</i>		5100	<i>Greenwood Circle</i>		55331	<i>6730 Country Oaks Road, Excelsior, MN. 55331</i>	\$108.15	\$20.00	\$128.15
26-117-23 42 0020	<i>Weston, Mark A.</i>	<i>Odden, James C.</i>	21493	<i>Minnetonka Blvd</i>		55331		\$103.00	\$20.00	\$123.00
26-117-23 34 0049	<i>Peterson, Steven & Patricia</i>		21957	<i>Minnetonka Blvd</i>	15	55331		\$87.00	\$20.00	\$107.00
35-117-23 11 0038	<i>Quackenboss, Mike & Christie</i>		21030	<i>Excelsior Blvd</i>		55331		\$108.32	\$20.00	\$128.32
26-117-23 42 0076	<i>Regnier, Dennis & Patricia</i>		5115	<i>Greenwood Circle</i>		55331		\$103.00	\$20.00	\$123.00
26-117-23 42 0072	<i>Americana Community Bank</i>	<i>Wherley, Mitchell</i>	5070	<i>Highview Place</i>		55331		\$470.48	\$20.00	\$490.48
								\$2,225.21	\$180.00	\$2,405.21

**CITY OF GREENWOOD
RESOLUTION NO. 18-11**

WHEREAS, the City Council of the City of Greenwood has caused a notice to be published fixing the time and place of the Council meeting to pass upon the proposed assessment roll for delinquent sewer and recycling charges, more specifically described in the Note of Hearing publish September 15, 2011 and September 22, 2011 in the MN Sun Publication; and

WHEREAS, notice of said meeting has been given to all property owners whose property is to be assessed therefore, by publication thereof in the manner required by law; and

WHEREAS, all persons have had an opportunity to be heard in connection with said manner.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA:

1. That the assessment roll, as prepared by the City Clerk, is hereby approved, and the assessments therein contained are hereby determined to be the special assessments for the services herein included.
2. That said assessments are found to be properly assessed upon the properties so served.
3. That each of such unpaid assessments shall bear interest at the rate of 8% per annum accruing on the full amount from December 1, 2011, together with a service charge on each assessment.
4. That each of such unpaid assessment shall bear the penalty of \$20.00, per Ordinance Section 520.15, 520.20, 525.15, and 525.20.
5. Prior to certification of the assessment to the County Auditor, the owner of any lot, piece or parcel of land assessed hereby may at any time pay the whole of such assessment inclusive of the penalties, to the City Treasurer, prior to November 18, 2011.
6. That the City Clerk is hereby directed to certify such assessment to the County Auditor for collection and remittance to the City Treasurer in the same manner as assessments for local improvements.

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

Ayes _____, Nays _____.

CITY OF GREENWOOD

Debra J. Kind, Mayor

Attest:

Gus E. Karpas, City Clerk



Agenda Number: **7B**

Agenda Date: 10-04-11

Agenda Item: 1st Reading, Ordinance 200, Amending Code Section 510, Fees

Summary: Each fall the city council reviews and updates the fee schedule listed in chapter 5 of the code book. The council discussed fees to be changed at the 09-06-11 worksession. The attached ordinance includes the fees that are to be changed based on the worksession discussion.

Council Action: Optional. Suggested motions ...

1. I move the council approves the 1st reading of ordinance 200 updating section 510 fees.
2. I move the council approves the 1st reading of ordinance 200 updating section 510 fees with the following revisions ...
3. Do nothing.

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

ORDINANCE NO. 200

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE SECTION 500 REGARDING FEES**

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

SECTION 1.

Greenwood ordinance code section 500 fees is amended to revise the following fees:

“

Type of License, Permit, or Fee	Section	Fee	Conditions & Terms
Blasting Permit	910.20	\$500	Council approval required
Docks: Municipal Watercraft Space Permit	425.10	\$1,100	Per slip, per season
Rental Property License	320.30	\$50 first unit, \$30 per additional unit	Annual
Landscaping Security Deposit	1140.60	\$1,500 (refundable once landscaping is complete)	Cashier's or certified check. If landscaping is not completed in 12 months, deposit is forfeited.
Right-Of-Way Encroachment Fee	630.05	Minimum \$50	Council approval required. Actual fee will be determined by Council based on the proposed intensity of use.
Street Excavation Permit	640.30	\$200	Per site

”

SECTION 2.

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: **7C**

Agenda Date: 10-04-11

Agenda Item: 1st Reading, Ordinance 197, Amending Code Section 900.65, Unlawful Parking and Storage

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. At the 09-06-11 meeting the council approved a motion directing staff to draft an ordinance amending code section 900.65 to delete paragraph (3)(b), which removes the requirement that vehicles be parked on paved surfaces in front yards. A copy of the ordinance is attached.

Council Action: Optional. Suggested motions ...

1. I move the council approves the 1st reading of ordinance 197 amending code section 900.65 to remove the requirement that vehicles be parked on paved surfaces in front yards.
2. I move the council approves the 1st reading of ordinance 197 amending code section 900.65 to remove the requirement that vehicles be parked on paved surfaces in front yards with the following revisions ...
3. Do nothing.

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

ORDINANCE NO. 197

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE SECTION 900.65
REGARDING PARKING AND STORAGE OF VEHICLES**

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

SECTION 1.

Greenwood ordinance code section 900.65 Unlawful Parking and Storage is amended to delete (3)(b) and re-lettered to reads as follows:

“(3) A person must not cause, undertake, permit, or allow the outside parking and storage of vehicles on residential property unless it complies with the following requirements:

- (a) No more than 4 vehicles may be parked or stored anywhere outside on residential property, except as otherwise permitted or required by the city because of nonresidential characteristics of the property. The maximum number does not include vehicles of occasional guests who do not reside on the property.
- (b) Vehicles, watercraft, and other articles stored outside on residential property must be owned by a person who resides on that property. Students who are away from school for periods of time but still claim the property as their legal residence will be considered residents of the property.”

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: **7D&E**

Agenda Date: 10-04-11

Agenda Item: Resolution 19-11, Policy for “Slow, Children at Play” and Similar Signs, and Resolution 20-11, Policy for “No Parking” Signs

Summary: Mayor Kind and Councilman Quam completed their review and marking of obsolete signs for removal in the city. 15 old weight limit signs have been removed. 16 other misc. signs and posts also were removed. During their review, Kind and Quam noticed there seemed to be no rhyme or reason regarding the locations for Children at Play and No Parking signs in the city. Most appeared that they could be removed, but they are seeking council direction regarding a policy for these types of signs.

Attached are two resolutions for the council’s consideration. These resolutions are based on model language found in the Minnesota’s Best Practices for Traffic Sign Maintenance / Management Handbook. Excerpts from the handbook are attached for the council’s reference.

Note: Six new weight limit signs have been installed at the city limits using the Oz-Post system with cedar wood posts. The city engineer approved using this new system, which costs less and is more attractive than traditional U-Channel steel posts.

Council Action: Optional. Suggested motions ...

1. I move the council approves resolution 19-11 establishing a policy for Children at Play and similar signs (or with the following revisions ...)
2. I move the council approves resolution 20-11 establishing a policy for No Parking signs (or with the following revisions ...)
3. Do nothing.

MINNESOTA'S BEST PRACTICES FOR
**Traffic Sign Maintenance/
Management Handbook**

Including Insight on How to Remove Unnecessary and Ineffective Signage

REPORT NO. 2010RIC10

VERSION 1.1

October 2010

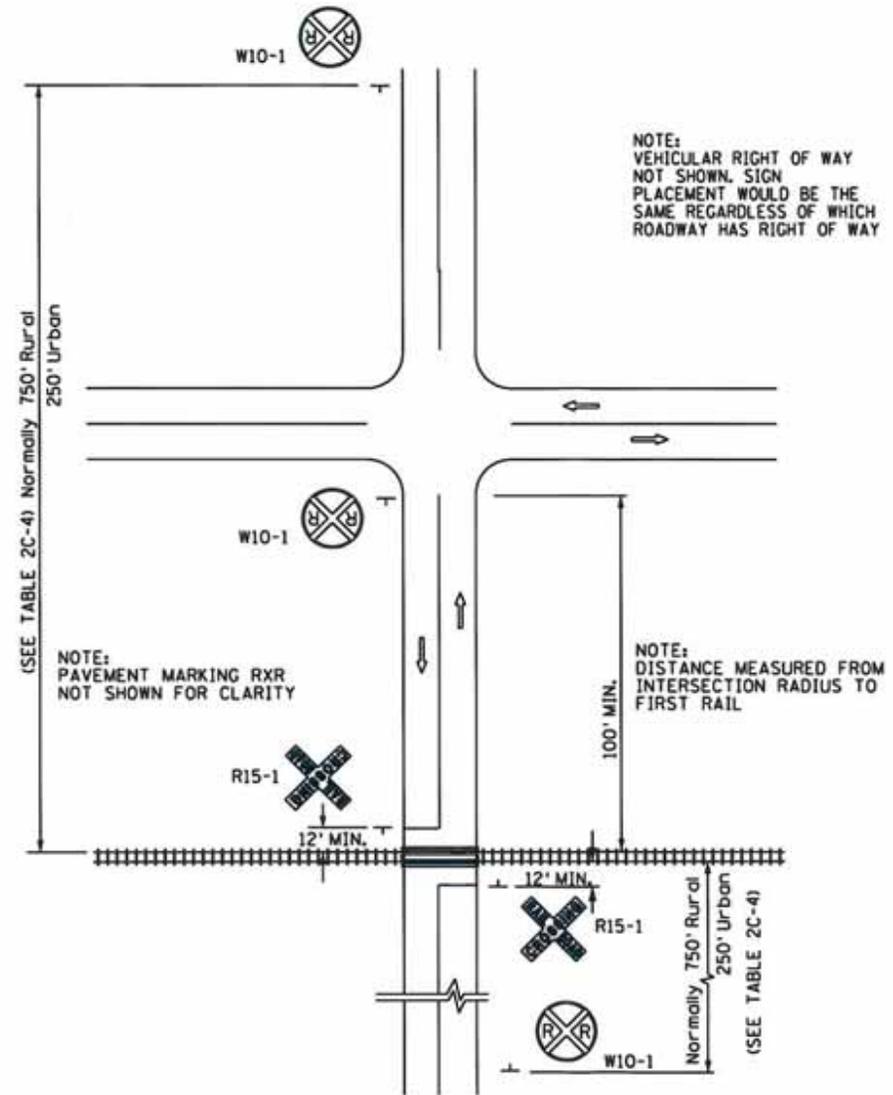


Mn/DOT Research Services Section
MS 330, 395 John Ireland Blvd.
St. Paul, Minnesota 55155
Phone: 651-366-3780
Fax: 651-366-3789
E-mail: research.dot@state.mn.us



Warning Sign Usage (4/4)

- Railroad Crossing Warning signs are required by the MNMUTCD.
- Various signs and guidelines have been established for various types of railroad crossings. A few scenarios include:
 - Parallel road is over 100 feet from crossing,
 - Parallel road is within 100 feet of crossing and intersecting road traffic must stop
 - Low ground clearance, and
 - Restricted storage distance when intersecting road must stop.
- For more information on Warning sign usage, refer to the Mn/DOT Office of Freight and Commercial Vehicle Operations website:
 - <http://www.dot.state.mn.us/ofrw/railroads.html>



TYPICAL SIGN PLACEMENT WHERE PARALLEL ROAD IS OVER 100 FEET FROM CROSSING

Guide Sign Usage (3/3)

■ In the category – Guide Signs – the only signs that are required are:

- Route Numbers (on all numbered highways)
- Junction Assembly (i.e., Jct US 63)
- Advance Route Turn Assembly

STANDARD (Shall)	GUIDANCE (Should)	OPTION (May)	SUPPORT
Route Numbers (On All Numbered Highways)	Street Names	Reference Location (Mile Markers)	Destination and Distance
Junction Assembly (Jct US 63)		City Name Marker	Confirming Assemblies
Advance Route Turn Assembly			County Name Marker

Low Volume Road Sign Usage (1/3)

- For the first time in the 2000 MUTCD, FHWA acknowledged that the typical driver on most low volume roads is different – most likely local residents that need less information about traffic regulations, unexpected conditions or guidance to destinations, thus allowing for the use of fewer signs.
- If your agency has jurisdiction over “Low Volume Roads”, there are even fewer usage requirements.
 - No Regulatory or Guide signs are required – a variety may be used based on engineering judgement
 - Four types of Warning signs are required – Advanced Traffic Control (i.e., STOP AHEAD if sight distance is limited), Vertical Clearance, Railroad Crossing signs and MINIMUM MAINTENANCE ROADS.

- Low Volume Roads are defined in Minnesota Statute § 160.095 as:
 - Having fewer than 400 vehicles per day
 - Not being on a designated State system
 - Outside of built up areas of cities or towns
 - Roads may be paved or unpaved

	STANDARD (Shall)	GUIDANCE (Should)	OPTION (May)
Regulatory Signs		STOP YIELD Traffic Movement Traffic Prohibition	Speed Limit No Parking
Warning Signs	STOP Ahead (Limited Sight Distance) YIELD Ahead (Limited Sight Distance) Vertical Clearance Rail Grade Crossing Rail Advance Warning No Train Horn MINIMUM MAINTENANCE ROAD	ONE LANE BRIDGE Crossings (vehicles)	Horizontal Alignment Intersections Narrow Bridge Hill PAVEMENT ENDS Crossings (Pedestrians) Advisory Speed Plaque DEAD END/NO OUTLET
Guide Signs		Destinations	

Which Signs are Required by the 2005 MNMUTCD?

<p>Regulatory</p>		<ul style="list-style-type: none"> ■ Speed Limits IF a speed zone (other than a statutory limit) has been established. ■ ONE-WAY & DO NOT ENTER where applicable. ■ The ALL-WAY STOP plaque at All-Way Stops. ■ Prohibition signs where applicable
<p>Warning</p>		<ul style="list-style-type: none"> ■ Rail Road Advance Warning and No Train Horn (if quiet zone established) ■ Clearance IF clearance is less than 14'-6" (12" above the statutory minimum clearance height) ■ Advance Traffic Control IF there is limited sight distance. ■ Minimum Maintenance
<p>Guide</p>		<ul style="list-style-type: none"> ■ Route Numbers on ALL numbered highways ■ Junction Assembly ■ Advance Route Turn Assembly

Note: The determination as to which signs in the MUTCD are required is based on the 2005 version. Subsequent editions may result in additions to or deletions from the list.

- If you have Low Volume roads, only the Warning signs listed above are required.
- Bottom Line – out of the hundreds of signs contained in the MNMUTCD – 13 types of signs are actually required.
- This suggests that if you decide to put up a sign – most of the time that action will be based on exercising your judgement and NOT on the requirements in the MNMUTCD.

Effectiveness of Warning Signs – Children at Play

- A research synthesis prepared for the Wisconsin Department of Transportation¹ found that there is no evidence that special warning signs of this sort either change driver behavior (reduce travel speeds) or improve safety (reduce crash frequency).
- The synthesis supplements the research with common sense observations that such signs:
 - Do not give clear and enforceable guidance to drivers.
 - Provide a false sense of security to parents and children that may increase risk
 - Give the false impression that areas without signs do not have children
 - Represent an unnecessary cost that then propagates as additional signs are requested.
 - Violates the principle that signage should be based on engineering, not political, judgement.
- The Minnesota Department of Transportation and the Local Road Research Board are currently conducting a research project to determine the effects on driver behavior associated with placing a playground warning sign along a 30 mph city street in Bloomington. Preliminary results of Before vs. After speed study found this sign had no effect on the maximum, mean or 85th percentile speed.²
- Traffic control devices are intended to change driver behavior and improve safety – these special warning signs have been found to do neither.



¹ Wisconsin Department of Transportation, "Effectiveness of Children at Play" Warning Signs, Transportation Synthesis Report, 2007

² Unpublished Mn/DOT document dated July 1, 2010, Office of Research Services, Investigation 890

Effectiveness of Warning Signs

- A search of the safety research literature found **NO** documentation of crash reductions associated with **any** other Warning signs.
- It appears the use of warning signs is more out of fear of litigation as opposed to the strategic application of a traffic control device to solve a specific problem at a specific location.
- The most comprehensive study¹ of a Deer Crossing warning signs found these signs did NOT either change driver behavior (reduce vehicle speeds) or reduce deer-vehicle crashes and concluded that in order to increase effectiveness, research should focus on developing a dynamic system that would provide accurate real time information
- There appears to be a consensus among traffic engineers that static signs that warn of infrequent conditions or general possibilities – deer crossings, pavements that are slippery only when wet, rocks that may have fallen, low volume intersections and driveways with limited sight distances – are routinely ignored by drivers. This suggests that these signs would fail the effectiveness test because drivers do not choose to change their behavior based on information they determine to be either regularly wrong or of no value.

¹ Knapp, K., *Deer-Vehicle Crash Counter Measure Toolbox: A Decision and Choice Resource*, University of Wisconsin. Report No. DVCIC-02, June 2004

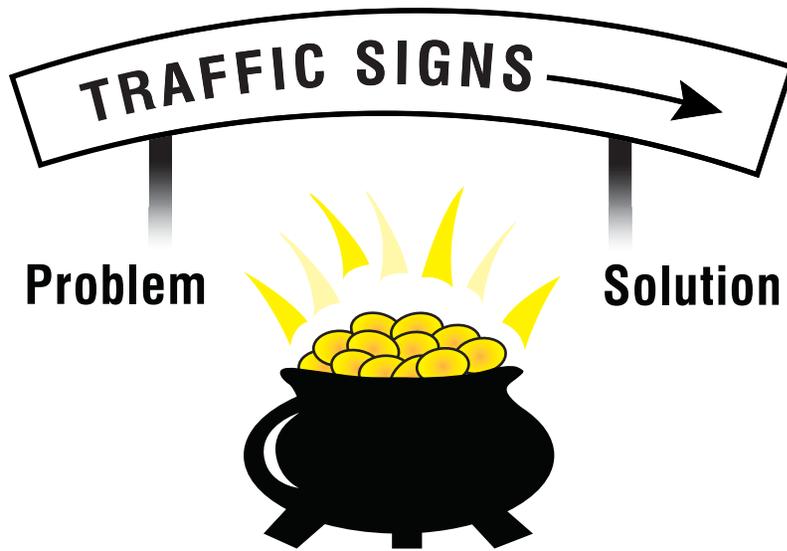
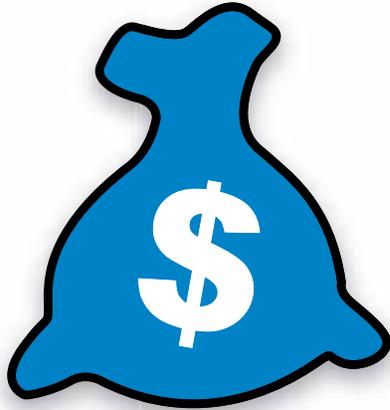


Sign Effectiveness Summary

	Signs that ARE proven to be effective	Signs that have not been tested for effectiveness	Signs that appear to be ineffective	Signs that are proven ineffective
Regulatory		 	 	
Warning	 	  	 	 
Guide			 	

- OK, which signs have been proven effective at either reducing crashes or changing driver behavior?
 - A search of the traffic safety literature found that the only types of signs that have been proven effective are the Horizontal Alignment Series (but only in a fairly narrow range of curve radii).
 - Research published by NCHRP found that pedestrian warning signs in combination with marked crosswalks at uncontrolled intersections in fact resulted in greater numbers of pedestrian crashes.
 - Guide Signs have been found to only have a minimal effect on intersection crashes but are assumed to improve way finding and navigation.
 - Bottom line – if your decision to install a sign is based on an expectation of effectiveness – either reducing crashes or changing driver behavior – the literature in support is virtually non-existent.
 - It appears that most signs fall into a category of hope - hope they do some good and an expectation that at least they don't do any harm.

Making the Case For Considering Sign Removal



- When evaluating your inventory of signs and deciding which signs should be retained versus which would be candidates for removal, consider the following issues:
 - What is the problem you are attempting to resolve and has the particular sign ever been effective at either changing driver behavior or reducing crashes?
 - What is the cost of maintaining your inventory? Can you afford this?
 - Is the use of a particular sign consistent with the guidance in the MNMUTCD? For example, the MNMUTCD discourages the use of stop signs for speed control because they aren't effective.
 - Think systematically – is the usage of a type of sign consistent along all of your roads?
- If the answer to these questions are negative – not effective, can't afford to maintain the system and inconsistent – then you should give very careful consideration to removing some signs in your inventory.

Sign Removal – Which Signs Are Candidates? (1/2)



- Speed Limit signs are only effective if the limit is near the 85th percentile speed. Speed Limit signs that merely state the statutory limit are not necessary.



- STOP and YIELD signs at low volume intersections are not safety devices, uncontrolled intersections have a lower expected crash frequency.



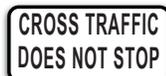
- Turn prohibitions relying solely on signage have only proven to be effective in the presence of law enforcement – you need to ask, how often will officers be present?



- The use of turn lane signs are linked to helping law enforcement get convictions and snow plow drivers clearing turn lanes. Ask law enforcement how much time they devote to going after passing on the shoulder? Would a delineator be sufficient to assist the plow drivers?



- Statements of the obvious are a waste of money if there is little or no enforcement of the law.



- Research suggests that typical drivers do NOT understand the concept of "CROSS TRAFFIC". To traffic engineers "Cross Traffic" means traffic approaching from the right and left but some drivers thought that this referred to vehicles coming towards them (Crossing the highway) from the opposing minor leg approach to the intersection.

Sign Removal – Which Signs Are Candidates? (2/2)



- Static signs that warn drivers of hazardous conditions they rarely encounter quickly lose credibility and become part of the background noise that drivers tune out.



- Mn/DOT is removing DEER CROSSING Warning signs because they have not proven to be effective at reducing deer/vehicle collisions. (They also determined that the signs had proven ineffective at training the deer where to cross the highways.)



- Advance curve warning signs were found to be effective in only a fairly narrow range of curve radii – curves with radii between 1,000 feet and 1,800 feet. There was no safety effect in larger radius curves and in shorter radius curves it was found that a combination of Advance Curve Warning **PLUS** Chevrons was required to produce a crash reduction. Try to achieve consistency across your system. If you have curve warning signs in advance of long radius curves, those could be candidates for removal based on system wide considerations.



- A number of studies have found that marked pedestrian crosswalks and their advance warning signs are **NOT** safety devices when used at uncontrolled locations. Pedestrian crash rates are actually higher at marked locations.



- There is no evidence that special warning signs of this type either change driver behavior (reduce travel speed) or improve safety.

**CITY OF GREENWOOD
RESOLUTION NO. 19-11**

**A RESOLUTION ESTABLISHING A POLICY FOR
“SLOW, CHILDREN AT PLAY,” “WATCH FOR CHILDREN,” AND OTHER SIMILAR SIGNS**

WHEREAS, the city of Greenwood values public safety as a core service of government; and

WHEREAS, “Slow, Children at Play,” “Watch for Children,” and other similar signs are not accepted by the Minnesota Manual on Uniform Traffic Control Devices (MUTCD), the legal sign manual in the state; and

WHEREAS, the reasons why these signs are not accepted by the MUTCD are;

1. These signs are unenforceable by law enforcement.
2. Motorists should be aware that children might be playing near all roads.
3. To sign specific roads would imply that those without signs have no children nearby.
4. If one road is signed, then all should be signed, which would be impractical.
5. These signs give parents and children a false sense of security.
6. There is no data to support that these signs effectively modify driving behavior.

NOW, THEREFORE, BE IT RESOLVED, that the city of Greenwood will not utilize “Slow, Children at Play,” “Watch for Children,” or other similar signs in the city; and

BE IT FURTHER RESOLVED, that the Greenwood city clerk is directed to arrange for the removal of all such signs in the city.

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

**CITY OF GREENWOOD
RESOLUTION NO. 20-11**

A RESOLUTION ESTABLISHING A POLICY FOR “NO PARKING” SIGNS

WHEREAS, the city of Greenwood values public safety as a core service of government; and

WHEREAS, sightlines can be affected by parked cars in some areas and affect safety in the city; and

WHEREAS, fire trucks need a minimum clearance width of 10.5 feet to respond to emergencies, so there is room for parking typical cars and lightweight trucks on most Greenwood streets; and

WHEREAS, most roads in the city are narrow, so if one road is signed, then all should be signed, which would be impractical; and

WHEREAS, city streets are for public use, including short-term parking; and

WHEREAS, long-term parking is addressed through a city ordinance that prohibits parking of vehicles for more than 72 consecutive hours; and

WHEREAS, chronic intermittent parking affects the general aesthetics and welfare of the city; and

WHEREAS, “No Parking” signs also are unsightly and can affect the general aesthetics and welfare of the city; and

WHEREAS, it is expensive to install and maintain “No Parking” signs.

NOW, THEREFORE, BE IT RESOLVED, that the city of Greenwood will not utilize “No Parking” signs in the city with the following exceptions:

1. The area currently signed on Meadville Street between the entrance to the Old Log Theater and Minnetonka Blvd., due to sightline safety concerns.
2. The area currently signed on Crestview Avenue, due to narrow clearance for the passage of fire trucks.
3. Areas with chronic parking problems that are approved at the council’s discretion. Chronic parking is defined as cars parked in the same area for ___(2?) days or more per week for a period of ___(2?) months. The council will consider documentation of chronic parking based on a log sheet that is witnessed by two residents from different households.

BE IT FURTHER RESOLVED, that the Greenwood city clerk is directed to arrange for the removal of all “No Parking” signs in the city except for those listed in 1 & 2 above.

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: **7F**

Agenda Date: 10-04-11

Agenda Item: Resolution 21-11, Supporting Tonka Bay Youth Sports Program Grant Application

Summary: The city of Tonka Bay is looking for support for their application for a Hennepin Youth Sports Grant to make improvements to the city's basketball court. The improvements include a 'sport court' surface overlay and replacement of the existing basketball hoops. Copies of the proposed resolution and request from Tonka Bay city administrator Joe Kohlman are attached.

Council Action: Optional. Suggested motions ...

1. I move the council approves resolution 21-11 supporting Tonka Bay's youth sports program grant application and directs the city clerk to send a copy of the signed resolution to the Tonka Bay city administrator.
2. Do nothing.

From: "Joe Kohlmann" <jkohlmann@cityoftonkabay.net>

Subject: **City of Tonka Bay Support**

Date: September 15, 2011 1:53:01 PM EDT

To: "Brian Heck" <BHeck@ci.shorewood.mn.us>, "Kristi Luger" <kluger@ci.excelsior.mn.us>, "Dana Young" <danayoung@mchsi.com>, "Jessica Loftus" <jloftus@ci.orono.mn.us>, "Kandis Hanson" <kandishanson@cityofmound.com>, "Debra Kind" <dkind100@gmail.com>, "Al Orsen" <al@wayzata.org>, "Michael Funk" <mfunk@ci.minnetrista.mn.us>

Cc: <cheri@ci.excelsior.mn.us>, <jpanchyshyn@ci.shorewood.mn.us>, <becky@wayzata.org>, <wlewin@ci.spring-park.mn.us>, <lvee@ci.orono.mn.us>, <shelley@cityofwoodlandmn.org>, <greenwood@visi.com>, <thaarstad@ci.minnetrista.mn.us>, <bonnieritter@cityofmound.com>, <dmaeda@eminnetonka.com>, <sgriffin@ci.minnetonka-beach.mn.us>, <maryc@cityofdeephaven.org>, <jkretsch@ci.victoria.mn.us>, <lhokkanen@ci.chanhassen.mn.us>, <jmoeller@ci.long-lake.mn.us>

▶ 1 Attachment, 35.5 KB

Dear Lake Managers, Administrators, and Assistants:

The City of Tonka Bay is looking for your support. The City would like to apply for a Hennepin Youth Sports Grant to make improvements to the City's Basketball Court. The improvements include a 'sport court' surface overlay and replacement of the existing basketball hoops.

The City has no park reservation policy and keeps the parks available to all residents and non-residents during operating hours. Residents of your community are always invited to enjoy our Park Amenities.

Could you please present the *Attached Resolution* to your City Council at your next Regular Meeting?

I understand some of you may be applying for these grants funds as well and that is understandable. If you could please let me know of your intentions, it would be greatly appreciated.

The application is due on October 14th so this may require quick action.

Thank you for your time and support!

Joe Kohlmann
City Administrator
City of Tonka Bay
4901 Manitou Road
Tonka Bay, MN 55331
(952) 474-7994
jkohlmann@cityoftonkabay.net



[TONKA BAY ...doc \(35.5 KB\)](#)

**CITY OF GREENWOOD
RESOLUTION NO. 21-11**

**A RESOLUTION SUPPORTING THE CITY OF TONKA BAY'S
HENNEPIN YOUTH SPORTS PROGRAM GRANT APPLICATION**

WHEREAS, The city of Tonka Bay owns and operates Manitou Park; and

WHEREAS, the basketball court located in Manitou Park is in a state of disrepair and needs improvements; and

WHEREAS, the city of Tonka Bay is centrally located within municipalities surrounding Lake Minnetonka; and

WHEREAS, the city of Tonka Bay has no park reservation policy and allows all residents and non-residents to freely enjoy park amenities during hours of operation; and

WHEREAS, residents in the city of Greenwood are free and encouraged to enjoy and use all park amenities located within Tonka Bay; and

NOW, THEREFORE, BE IT RESOLVED, that the city of Greenwood supports the city of Tonka Bay's application to the Hennepin Youth Sports Program to assist with funds for repairs and upgrades for the Manitou Park basketball court.

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: **FYI**

Agenda Date: 10-04-11

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.

2012 Greenwood PRELIMINARY Budget

		2010 Actual	2010 Budget	2011 YTD (June)	2011 Budget	2012 Budget	% Change	% Op. Budget	% Total Budget
GENERAL FUND REVENUE									
1	TAXES			(7/7/11)					
2	101-31010 General Property Tax	651,021	666,252	309,955	645,417	644,719	-0.11%		
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		684,077	669,527	316,725	645,417	644,719	-0.11%		88.62%
8	LICENSES & PERMITS								
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		21,310	19,905	18,566	20,050	23,600	17.71%		3.24%
15	INTERGOVERNMENT REVENUE								
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		2,671	0	0	0	0	#DIV/0!		0.00%
21	PUBLIC CHARGES FOR SERVICES								
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		20,795	22,360	10,098	22,519	21,319	-5.33%		2.93%
27	FINES, FORFEITURES & PENALTIES								
28	101-35101 Court Fines	5,644	5,000	3,055	4,500	4,500	0.00%		0.62%
29									
30	MISC. INCOME								
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	2,920	#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		27,576	20,025	2,941	32,300	33,411	3.44%		4.59%
38									
Total Revenue		762,073	736,817	351,385	724,786	727,549	0.38%		

2012 Greenwood PRELIMINARY Budget

		2010 Actual	2010 Budget	2011 YTD (June)	2011 Budget	2012 Budget	% Change	% Op. Budget	% Total Budget
GENERAL FUND EXPENSES									
41	COUNCIL								
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		14,425	15,010	7,143	15,060	15,060	0.00%	2.21%	
49	ELECTIONS								
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		2,883	2,950	0	250	3,150	1160.00%	0.46%	
57	ADMINISTRATION								
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		73,199	100,539	23,380	52,021	50,507	-2.91%	7.40%	

2012 Greenwood PRELIMINARY Budget

		2010 Actual	2010 Budget	2011 YTD (June)	2011 Budget	2012 Budget	% Change	% Op. Budget	% Total Budget
77	ASSESSOR								
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		13,864	14,125	57	14,100	14,120	0.14%	2.07%	
81	LEGAL SERVICES								
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		14,904	26,000	7,526	19,000	16,000	-15.79%	2.35%	
85	AUDITING								
86	101-41700-301 Auditing (\$9100 in 2011, \$9300 in 2012)	8,900	8,900	9,100	9,100	9,300	2.20%		
87		8,900	8,900	9,100	9,100	9,300	2.20%	1.36%	
88	GENERAL GOVERNMENT TOTAL	128,173	167,524	47,206	109,531	108,137	-1.27%	15.85%	14.86%
90	LAW ENFORCEMENT								
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		199,931	200,253	103,407	206,935	218,988	5.82%	32.10%	
95	FIRE								
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		122,510	122,510	63,892	127,731	126,444	-1.01%	18.54%	
99	PUBLIC SAFETY TOTAL	322,441	322,763	167,300	334,666	345,432	3.22%	50.64%	47.48%
100	ZONING								
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	ZONING TOTAL	10,105	10,700	5,317	12,000	11,900	-0.83%	1.74%	1.64%
106	ENGINEERING								
107	101-42600-303 Engineering Fees - Misc.	2,323	5,000	570	3,500	1,200	-65.71%		
108		2,323	5,000	570	3,500	1,200	-65.71%	0.18%	
109	UTILITIES & ROADS								
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		9,214	3,600	4,075	9,000	9,300	3.33%	1.36%	

2012 Greenwood PRELIMINARY Budget

		2010 Actual	2010 Budget	2011 YTD (June)	2011 Budget	2012 Budget	% Change	% Op. Budget	% Total Budget
	MAJOR ROAD IMPROVEMENTS								
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		136,656	100,500	6,320	130,000	130,000	0.00%	#DIV/0!	
116	PUBLIC WORKS								
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		41,517	36,200	23,436	38,000	41,750	9.87%	6.12%	
125	ROADS & PUBLIC WORKS TOTAL	189,710	145,300	34,401	180,500	182,250	0.97%	26.72%	25.05%
126	MISC. EXPENSES								
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	900	-25.00%		
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	MISC. TOTAL	33,822	39,943	19,851	39,033	34,384	-11.91%	5.04%	4.73%
137	Total Operating Budget	684,252	686,230	274,075	675,730	682,103	0.94%		
138	CONTINGENCY & FUND TRANSFERS								
139	101-49000-439 Contingency (2011: 4.3% of Operating Budget, 2012: 3.7% of Operating Budget)	590	20,587	5,266	29,056	25,446	-12.43%		
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	CONTINGENCY & FUND TRANSFERS TOTAL	77,821	50,587	5,266	49,056	45,446	-7.36%		6.25%
143	Total Expenses	762,073	736,817	279,341	724,786	727,549	0.38%		
144	GENERAL FUND CASH BALANCE (State Guidelines: 35%-50% of Operating Budget)	298,537	252,058	298,537	252,058	298,537		43.77%	

2012 Greenwood PRELIMINARY Budget

		2010 Actual	2010 Budget	2011 YTD (June)	2011 Budget	2012 Budget	% Change	% Op. Budget	% Total Budget
SEWER ENTERPRISE FUND <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	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		Net Total	36,141		32,670	-21,050	-27,926	32.67%	
161		SEWER ENTERPRISE FUND CASH BALANCE	392,038		424,708	401,273	373,347		
STORMWATER SPECIAL REVENUE FUND <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		Net Total	10,274		1,985	2,850	6,025	111.40%	
172		STORMWATER SPECIAL REVENUE FUND CASH BALANCE	9,272		11,257	17,907	23,932		
PARK SPECIAL REVENUE FUND <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		Net Total			0	-5,000	-5,000	0.00%	
176		PARK FUND CASH BALANCE	27,055		27,055	22,055	22,055		

2012 Greenwood PRELIMINARY Budget

		2010 Actual	2010 Budget	2011 YTD (June)	2011 Budget	2012 Budget	% Change	% Op. Budget	% Total Budget
MARINA ENTERPRISE FUND <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	29,200	15.42%	
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	2,920	#DIV/0!	
181	605-49300-720	OPERATING TRANSFER: To General Fund	15,000	15,000	0	15,000	12,000	-20.00%	
182		Net Total	3,891		23,300	5,050	7,550	49.50%	
183		MARINA ENTERPRISE FUND CASH BALANCE	16,703		40,003	21,753	29,303		
BRIDGE CAPITAL PROJECT FUND <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		Net Total	40,000	20,000	-30	20,000	20,000	0.00%	
188		BRIDGE CAPITAL PROJECT FUND CASH BALANCE	40,000		39,970	40,000	79,970		
189		Total Fund Cash Balances	783,605		775,765	827,144	6.62%		



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SINCE 1913

BINDER

The Property/Casualty Renewal Application and Optional Coverage Renewal Applications Have Been Received. Coverage(s) Are Bound As Stated Below

Date: 9/13/2011

Covered Party: GREENWOOD, CITY OF

Inception Date(s): 10/12/2011

Agent:
NCI-BIB

Address: NORTHERN CAPITAL INS GROUP
PO BOX 9396

MINNEAPOLIS, MN 55440-9396

Fax: 952-829-0482

Email:

LMCIT has received the property/casualty renewal application(s) for the above. The property/casualty and expiring optional coverages are bound based on the renewal application(s) submitted subject to the terms and conditions of the LMCIT coverage(s) that are in effect on the renewal date.

New optional coverage quote(s) are not bound unless the covered party has requested that coverage(s) be bound and LMCIT has sent written confirmation.

Please contact your LMCIT underwriter or me if you have any questions.

Michael Wozniak, CPCU
LMCIT Underwriting Manager



Metropolitan Council

September 13, 2011

Environmental Services

Gus Karpas
City Clerk
City of Greenwood
20225 Cottagewood Road
Deephaven, MN 55331-6700

RE: Excessive Wastewater Peak Discharges
For period between July 1, 2010 through August 31, 2011

Dear Mr. Karpas:

The Metropolitan Council adopted an I/I Surcharge Program in February 2006, which placed a surcharge on a community's municipal wastewater charge when a community exceeded their I/I Goal (maximum hourly discharge limit). The I/I program monitoring end-date under this initial program was June 30, 2010.

In 2009 the Council formed a Demand Charge Task Force to address the long term impacts of excessive I/I on the regional disposal system. Consistent with the recommendations of the Demand Charge Task Force, the Council will implement an On-going I/I mitigation program in 2013. The start date for peak flow exceedance measurement for the on-going will be January 1, 2012. Therefore, any exceedances measured between July 1, 2010 and December 30, 2011 will not result in any mandatory mitigation plan under the on-going I/I program.

This notification of excessive peak flow discharge(s) is for informational purposes only. No response from your community is required.

Attached is a copy of a flow chart(s) for the subject event(s). Your community, either in part or in entirety, exceeded the I/I limit, as defined under the initial I/I program, during these events. You may have received this information previously though other informal communications.

It is also important to note that the hourly discharge limits under the "on-going" program will be re-calculated according to the recommendations of the Demand Charge Task force. The limits illustrated in the attached charts do not reflect the limits that will be used to assigned excessive peak flows for events occurring after January 1, 2012. Maximum limits as defined under the on-going I/I program will be forwarded to your community later this year.

For additional information regarding the Council's On-going I/I program, go to our web site at:
<http://www.metrocouncil.org/environment/ProjectTeams/documents.htm>

If you have any questions regarding the attached chart, the Council On-going I/I program, or data that the MCES may have regarding your community's flow discharges to the MDS, please do not hesitate to call me at (651) 602-1151.

Sincerely,

Kyle L. Colvin, PE
Assistant Manager, MCES Engineering Services Group

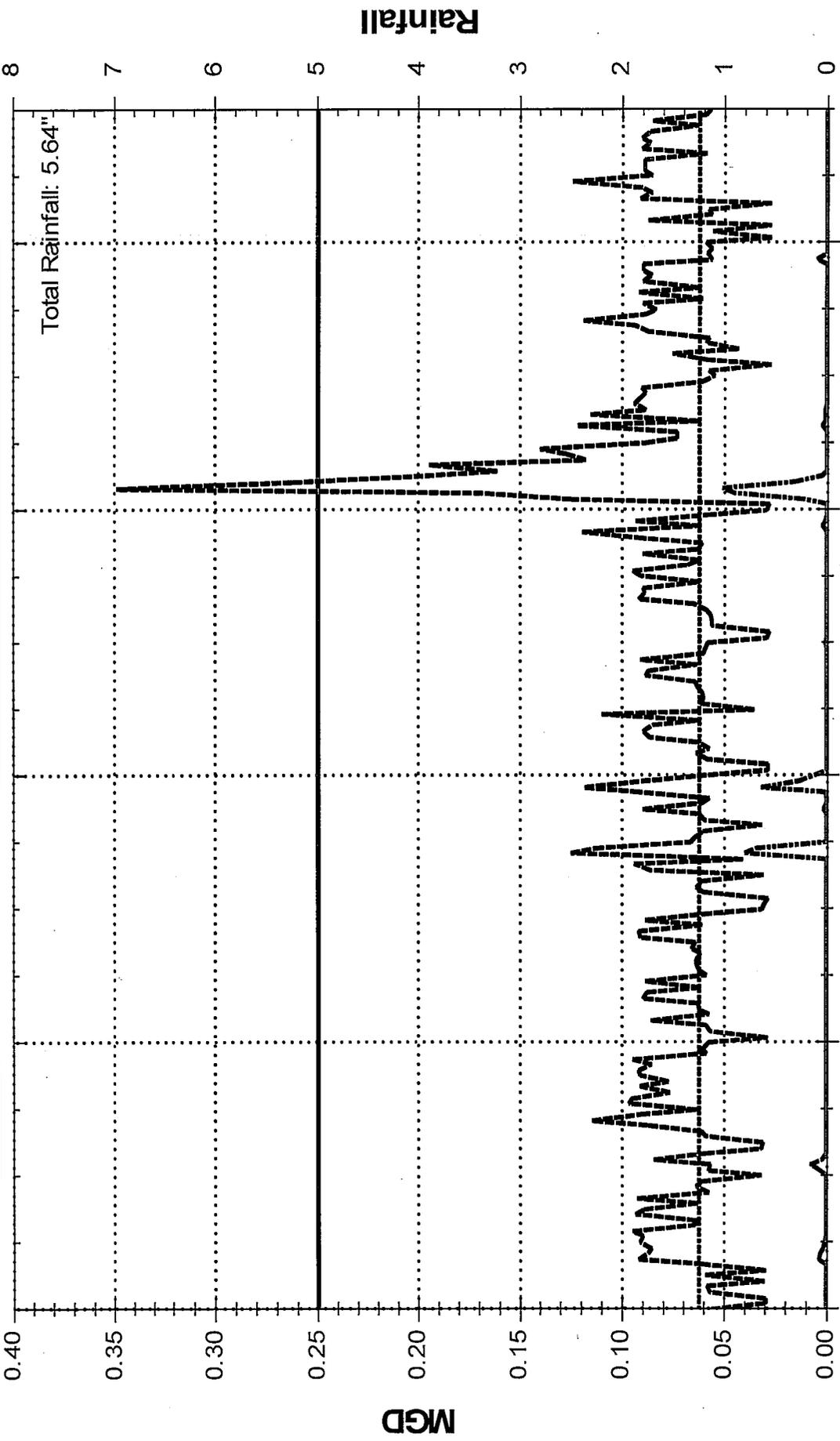
Enclosure(s)

cc: Bill Cook, Manager, MCES Engineering Services Group

www.metrocouncil.org

II Report for GREENWOOD416

Flow w/TT Average Peak Allowed
 Rainfall



Sat 08/07 00:00 Mon 08/09 00:00 Wed 08/11 00:00 Fri 08/13 00:00 Sun 08/15 00:00

Total Rainfall: 5.64"

Rainfall

MGD



September 6, 2011

Fred Parduhn
21355 Minnetonka Boulevard
Greenwood, MN 55331

Dear Fred,

I have recently been contacted by your neighbors Bill and Bev Wright at 5040 Greenwood Circle. They were notified about the presence of a number of diseased trees that must be removed from their property. The issue they are encountering is that they cannot find a tree contractor able to safely remove trees of that magnitude from their property without approaching them from your property. All have indicated a number of safety concerns as their reason.

I am aware that the Wright's were in contact with you regarding the use of your property as a means of removing the trees and that you were not receptive to the idea. I was wondering if you would have some time to meet with me to discuss this issue. The city does NOT have the authority to permit the use of your property by a neighbor for any reason, but I would like discuss any type of compromise so we can remove trees that have a negative impact on the entire community not just the property in which they are located on.

Thank you for your time and attention to this matter.

Sincerely,

Gus Karpas
Zoning Coordinator

Cc: File