

AGENDA

Greenwood City Council Meeting

Tuesday, November 1, 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 10-04-11 City Council Minutes
 - B. Recommendation: Approve September Cash Summary Report
 - C. Recommendation: Approve October Verifieds, Check Register, Electronic Fund Transfers
 - D. Recommendation: Approve November 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 Clerk Gus Karpas: Meadville Drainage Easement Update
- 7:20 PM 5. PUBLIC HEARINGS
- A. None
- 7:20 PM 6. UNFINISHED BUSINESS
- A. 2nd Reading: Ordinance 200, Amending Code Section 510, Fees (annual fee updates)
 - B. 2nd 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)
- 7:25 PM 7. NEW BUSINESS
- A. Consider: Extension of Variance for Robert Schmitt Property (License Center)
 - B. Consider: Next Steps Regarding Police Exploration
 - C. 1st Reading: Ordinance 198, Amending Code Section 1135.05, C-2 Lake Recreation District (moving restaurant to list of conditional permitted uses, moving office to list of principal uses)
 - D. 1st Reading: Ordinance 199, Amending Code Section 1102, Definitions (adding illustrations and clarifying the definitions for yards)
 - E. Discuss: Options Related to the Selling of Drug Paraphernalia
 - F. Discuss: Clarifying the Definition of Shore Impact Zone
 - G. Discuss: Restricting the Location of Storage Piles of Lumber, Machinery, Garbage Cans, etc.
 - H. Discuss: Trail Plowing, Mowing, and Tree Trimming Options
 - I. Discuss: Bank CD Options
- 8:25 PM 8. OTHER BUSINESS
- A. Review and Discussion: Resolution 20-11, Policy for "No Parking" Signs. Review current sign locations and determine a policy.
- 8:45 PM 9. COUNCIL REPORTS
- A. Fletcher: Planning Commission, Lake Mtka. Communications Commission, Excelsior Blvd. Street & Water Project, Xcel LRT Project
 - B. Kind: Police, Speed Trailer, Administration
 - C. Page: Lake Minnetonka Conservation District
 - D. Quam: Roads & Sewer, Minnetonka Community Education
 - E. Rose: Excelsior Fire District
- 9:15 PM 10. ADJOURNMENT

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



Agenda Number: **2A-D**

Agenda Date: 11-01-11

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 MEETING
Tuesday, October 4, 2011, 7:00 P.M.
Council Chambers, 20225 Cottagewood Road, Deephaven, MN 55331

1. CALL TO ORDER – ROLL CALL – APPROVAL OF AGENDA

Mayor Kind called the meeting to order at 7:01 P.M.

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

Others Present: City Zoning Administrator/City Clerk Karpas; and,
City Engineer Martini (departed the meeting at 8:20 P.M.)

Members Absent: Councilmember Quam

Councilmember Fletcher asked that Item 7.D and Item 7.E be moved to Item 4.D and Item 4.E on the agenda so Engineer Martini could be present for the discussions.

Councilmember Page asked that Item 7.G Tree Trimming be added to the agenda under new business.

Fletcher moved, page seconded, approving the agenda as amended. Motion passed 4/0.

2. CONSENT AGENDA

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

- A. September 6, 2011, City Council Work Session Minutes**
- B. September 6, 2011, City Council Meeting Minutes**
- C. August 2011 Cash Summary Report**
- D. September 2011 Verifieds and Check Register**
- E. October 2011 Payroll Register**

Motion passed 4/0.

3. MATTERS FROM THE FLOOR

There were no matters from the floor presented this evening.

4. ANNOUNCEMENTS, PRESENTATIONS & REPORTS

- A. City Prosecutor Greg Keller: Annual Prosecution Service Update**

Mayor Kind stated City Prosecutor Greg Keller is present to give his annual update on prosecution services he provides to the City.

Prosecutor Keller noted he is operating well within budget. He stated it appears to him that there are more public defender cases at the courthouse than there had been in the past. Therefore, the City is likely seeing less revenue from mandatory minimum fines. There also is a tendency toward judges issuing lower fines as other costs to the defendants increase. Fines in Hennepin County tend to be lower than in some of the outlying counties. He explained there used to be a time when a defendant paid a certain amount to the prosecuting attorney and a city would get the entire amount. The County now takes a portion of the prosecution costs.

Prosecutor Keller explained when someone is fined there is a surcharge added on to the fine amount. He stated from his vantage point he believes judges lower the amount of a fine because the defendant has to also pay that surcharge. He explained that the surcharge is now added on to the prosecution costs and he believes that will have an impact on the amount of prosecution costs the judges will be willing to impose. If someone is sentenced about a city-related misdemeanor or gross misdemeanor jail costs of \$90 per day are billed to the city.

Prosecutor Keller then explained Hennepin County has moved to a block system. Cases are assigned to a particular judge and that judge hears a case from its beginning to end. Fewer cases are sent to the courthouse located in downtown Minneapolis for prosecution so there is less time spent commuting to that courthouse. All in all the block system is more efficient. Unfortunately, particular types of cases are heard at certain times of the day so a prosecutor may have to wait around before another type of case is heard.

Prosecutor Keller noted that he does not charge for all of his phone time relating to cases he handles for the City. He also tries to minimize billing for time spent waiting between cases. He stated he attempts to identify solutions that are cost effective for the City.

Councilmember Fletcher asked Prosecutor Keller what the top three types of cases prosecuted for the City are. Keller responded there are fewer domestic assault cases for the City than there are for other cities. Approximately 50 percent of the City's cases are driving while intoxicated (DWI) offenses. The next type is driving without a valid driver's license or without insurance.

Prosecutor Keller explained that from 2008 to 2009 and from 2009 to 2010 there had been less than a 10 percent increase year over year in the number of cases he handled for the City at the courthouse near Ridgedale Mall. For 2011 year-to-date there has been a 67 percent increase when compared to the same period in 2010, with most of the increase being DWI offenses.

Councilmember Fletcher asked the other Councilmembers if they would prefer to have a shorter jail sentence imposed because of the \$90 per day fee. Mayor Kind responded she would like to avoid long jail sentences imposed because of the cost. Fletcher noted there sometimes is a benefit to keep someone in jail to prohibit them from committing another crime in order to pay their fine.

Prosecutor Keller noted the trend is for cities to use the sentence-to-serve program.

Councilmember Page stated he doesn't want the City to tie Prosecutor Keller's hands when it comes to jail sentences. That discretion should be left to Keller and the judge hearing the case.

Prosecutor Keller clarified that he does not let the \$90 per day charge dictate how he views things. He explained when he makes charging decisions if he can charge someone with a gross misdemeanor rather than a misdemeanor he will because if the defendant is sentenced to jail Hennepin County pays the \$90-per-day charge. He asked the City to talk to him before paying any large bills from the County.

Mayor Kind thanked Prosecutor Keller for his good service on behalf of the City.

B. Update Regarding Meadville Street Drainage Issue

Mayor Kind stated Engineer Martini and Councilmember Quam met at the site to discuss options for addressing the drainage issue on Meadville Street between Jim Hurd's property (5220 Meadville Street) and Bob Newman's property (5230 Meadville Street). She noted that prior to the meeting the Council was provided with a copy of a document describing the improvements he proposed.

Engineer Martini noted that Mr. Newman also met with Councilmember Quam and him at the site. He also noted that during its September 6, 2011, meeting the Council directed him to look at options that cost less and were not as significant as the one presented during that meeting.

Martini explained what's being proposed now is somewhat of a piece-meal approach. The revised scope of work proposed would improve the drainage along the west edge of the roadway. It also includes improvements to the drainage swale that runs from the roadway to Lake Minnetonka. The swale would be excavated and replaced with a concrete-lined, four-foot-wide swale. The block retaining wall on the north side of the swale would be removed and replaced, and some of the stone retaining wall on the south side of the swale would be removed and replaced. Curb and gutter would be installed along a portion of the west side of the roadway. There would be some roadway restoration in that same area out to the middle of the roadway.

Martini then explained the estimated construction cost is approximately \$36,000. In addition to that there are the soft costs plus 30 a percent contingency added to the project cost for an amount of approximately \$10,800, making the total project cost approximately \$48,800. Approximately \$27,000 of the project cost is associated with the concrete swale between the roadway and Lake Minnetonka and the rest is for the improvements near or on the roadway. He expressed concern about the durability of the roadway. The proposed improvements will hopefully improve the surface of the roadway but they will not address the structural issues. The improvements will address some of the surface drainage issues.

Councilmember Page asked what it will cost to resurface the east side of the roadway. Engineer Martini responded \$6,000 – \$8,000.

Councilmember Fletcher asked if a concrete roadway surface would cost substantially more than a bituminous surface. Engineer Martini explained a concrete surface is not as flexible and therefore he does not think the bituminous surface should be replaced with concrete unless the structural issues are resolved. The swale improvements include installing some aggregate under the proposed concrete-lined swale and there also will be some steel reinforcement.

Engineer Martini noted the proposed improvements to the roadway can be built upon in future years.

Mr. Newman asked if the width of the concrete-wide swale could be reduced to two feet, at least for some portion of it. Engineer Martini explained that doing that would make it even more difficult for a backhoe or small bobcat to get into the area to do the excavation. Martini noted he consulted with a contractor about what it would take to construct the swale.

Councilmember Rose asked if the property owners are interested in the concrete-lined swale. Mr. Newman stated during Council's September 6, 2011, meeting Mr. Hurd proposed a concrete-lined swale, but he is not sure Mr. Hurd envisioned it being four feet wide.

Mayor Kind asked how wide the current swale is. Mr. Newman responded about four feet.

Councilmember Page asked if Mr. Hurd has been given a copy of the proposed improvements. Mr. Newman noted Mr. Hurd did not want to attend the meeting at the site to discuss options; he was invited but did not think he needed to be there.

Mr. Newman stated it's his understanding that working with gravel can be difficult. He asked if doing that work manually rather than with a backhoe would be easier. He explained that during Council's last meeting he proposed installing a straight line of PVC pipe in the existing ditch to cleanly carry water down to the Lake, noting it's the first 40 plus feet of the 190 feet that is the problem area in the ditch. There is no slope in the first 40 feet of the ditch.

Mayor Kind expressed concern about the approximate \$48,800 price tag and the scope. She stated she could justify doing the curb and spillway for about \$19,000 and funding the project out of the Stormwater Fund. She noted it's projected there will be about \$17,000 in that Fund at the end of 2011.

Councilmember Fletcher expressed concern that there is no guarantee that this will solve the problem. He suggested prioritizing this project along with other roadway improvement projects next spring. He also suggested approaching the property owners about funding the swale improvement portion of the project or having the property owners hire a contractor themselves to do that work.

Engineer Martini stated the property owners are free to approach a contractor about these options and other options.

Councilmember Page suggested Mr. Hurd be given the opportunity to review the plan. Page suggested the City get an easement before it performs any work on the Hurd property where the swale is located. He stated he agrees that the approximate \$46,800 project cost is high but it is in the realm of doability.

Jan Gray, 5170 Meadville Street, expressed her appreciation for Council and Staff having considered multiple options for resolving the drainage issue. She commented she has lived along Meadville Street for over 25 years. She explained a previous owner of the property located at 5220 Meadville Street created the little spillway to Lake Minnetonka. Prior to that there was just a small trickle starting at the roadway. For many years the spillway worked quite well. Something has changed in recent years that causes more pooling of water on the street and she doesn't know what that is. She commented that the approximate \$46,800 price tag is substantial. She stated that because of the hazard that can be created during the winter months she asked that the Public Works Department be contacted and asked to sand that area the same way it does the corner near her property.

Mayor Kind explained that Mr. Hurd told the Council that he had plastic and rock installed in the ditch couple years ago. Mr. Newman confirmed that the Hurds did have gravel put in that spillway and the drainage has gotten worse. Kind stated she was confident that the Hurds had good intentions, but they may have ended up making the problem worse. She asked what remedy options the City has. Councilmember Page stated the City can ask them to remove the gravel, but he is not convinced that is the problem. Page noted there was about three times as much snow and rain this past year.

Council directed Zoning Administrator/Clerk Karpas to speak with the Public Works Department about sanding and to send Mr. Hurd a copy of the plan and ask for a response.

C. Terence Haines, Eagle Scout Project at the Southshore Community Center Update

Mayor Kind noted that Terrence Haines, an Eagle Scout candidate, completed his improvements to the property near the Southshore Community Center last month. She stated that Mr. Haines has invited the Council to go and take a look at the improvements and noted that Terrance will drop off a DVD of the project for people to view at City Hall.

D. Resolution 19-11, Policy for “Slow, Children at Play” and Similar Signs

This was moved up from Item 7.D on the agenda.

Mayor Kind explained that she and Councilmember Quam completed their review and marking of obsolete signs for removal in the City. Fifteen old weight limit signs have been removed. Sixteen other miscellaneous signs and posts also were removed. She stated that during the review it became apparent that there seemed to be no rhyme or reason regarding the locations for “Children at Play” and “No Parking” signs in the City. It appeared that most of them could be removed. Council is being asked to provide direction regarding a policy for these types of signs. The meeting packet contains a copy of two resolutions based on model language found in the Minnesota Best Practices for Traffic Sign Maintenance / Management Handbook. Excerpts from the handbook also are included in the packet.

Councilmember Fletcher asked Engineer Martini if there is any reason not to adopt the resolutions. Martini stated he agrees with what’s laid out in the Handbook excerpts about the effectiveness of children at play warning signs.

Fletcher moved, Rose seconded, Adopting RESOLUTION NO. 19-11, “A Resolution Establishing a Policy for ‘Slow, Children at Play’, ‘Watch for Children’ and Similar Signs, and Directing the City Clerk to Arrange For the Removal of All Such Signs.”

Councilmember Page asked why the City shouldn’t leave those types of signs where they are. Mayor Kind stated the create clutter and they imply that there aren’t children in other areas in the City. Page disagreed with Kind and he stated they are not harming anything. Page asked if the signs will have to be replaced to comply with the new retroreflectivity standards. Engineer Martini stated if the signs are faded and worn they may not be conveying the message the City wants them to convey. Kind stated they are all faded. Page then asked if there are any such signs down by the City-owned park to which Kind responded there are not.

Mayor Kind recommended taking down the signs because they are in a state of disrepair, they are clutter, and they are not effective.

Motion failed 2/2 with Page and Rose dissenting.

Councilmember Rose stated he wanted to discuss this further. He suggested putting up a “Children at Play” sign near the park.

Mayor Kind asked if Councilmember Rose could support the resolution if it was amended to include putting a “Children at Play” sign near the City park. Councilmember Fletcher recommended saying “appropriate signs” at the City park.

Councilmember Page stated signs such as “Children at Play” were probably put up when there were children in a neighborhood. He suggested leaving some children related signage up and putting up new signage in areas where children live.

Mayor Kind stated signs are not a proven way of changing driving behavior. Councilmember Page responded just because the Handbook states that it doesn’t mean it is so. Kind stated she trusts a traffic engineer.

Mayor Kind then stated she would entertain a motion to adopt an amended resolution.

Fletcher moved, Rose seconded, Adopting RESOLUTION NO. 19-11, “A Resolution Establishing a Policy for ‘Slow, Children at Play,’ ‘Watch for Children’ and Similar Signs, and directing the city clerk to arrange for the removal of all such signs in the city except for where appropriate by the city park.”

Councilmember Page stated there are other locations beside by the City-owned park were it is appropriate to place children related signs. He noted he does not want to foreclose utilizing those types of signs.

Mayor Kind suggested amending the motion to include “and as deemed appropriate by the City Council”.

Without objection from the maker or seconded, the motion was amended to include “and as deemed appropriate by the City Council” after by the city park.

Councilmember Fletcher stated if Council determines it wants to put up children related signs in another location it just has to pass a resolution authorizing that.

Councilmember Page commented that some residents are putting out their own temporary children related signs. Mayor Kind stated those appear to be more effective because they come and go.

Councilmember Fletcher stated from his perspective the signs such as “Children at Play” are old and they are probably located in areas where children don’t live. The resolution on the table gets rid of the old signs but it doesn’t prohibit new signs being put up in new locations.

Engineer Martini stated it’s generally residents who are driving faster than the speed limit on City roadways. He suggested publishing something in the City newsletter reminding residents to slow their speed down and to pay attention to people walking on the roadways.

Councilmember Page stated he drives to Welch Village frequently in the winter and there is a sign relating to children there. Although he may not slow down, the sign does get his attention.

Motion passed 3/1 with Page dissenting.

E. Resolution 20-11, Policy for “No Parking” Signs

Mayor Kind explained this is similar to Item 4.D above. When she and Councilman Quam reviewed the signs in the city they observed there is no rhyme or reason regarding the locations for “No Parking” signs. It appeared that most of them could be removed. The meeting packet contains a copy of a draft resolution establishing a policy that removes most of the “No Parking” signs in the City. She explained most roadways in the City are narrow so if one is posted as “No Parking” they all should be, but that would be impractical. The City has an ordinance that addresses long-term parking. She stated that short-term

parking should be allowed because they are public roadways. She explained fire trucks need a minimum clearance of 10.5 feet so they could get through on most roadways within the City. She stated the council could review situations of chronic intermittent parking because these type of situations can affect the general aesthetics and welfare of the City. She also noted that signs are expensive to install and maintain.

Councilmember Page asked if the resolution included removing the “No Parking” sign on Meadville Street located near the public boat launch. Mayor Kind clarified that “No Trailer Parking” signs are not addressed by the proposed resolution and that those signs would be left up. Page stated he thought the reason some of the “No Parking” signs were put up was because of chronic problems in the past. That’s why the “No Trailer Parking” sign on Meadville Street was put up. Kind stated she does not assume there were chronic problems in all of the locations where there are “No Parking” signs. Kind then stated she would like to be provided with data to support the posting of “No Parking” signs. Councilmember Rose commented he thought the signs were put up for some reason. Page commented that if the resolution is approved, the Council is in essence waiting for residents to complain about signs being taken down.

Page stated he doesn’t think there are too many signs up or that they create too much clutter. If the reason for taking them down is because of the cost to maintain and replace them that is something different. Mayor Kind stated from her vantage point it’s primarily about the replacement cost.

Councilmember Fletcher asked Engineer Martini to comment on this. Martini listed three reasons where the City would like no parking signs. To keep sightlines open for safety reasons, to make sure there is adequate room for emergency vehicles to navigate roadways, and to limit trailer parking on roadways. Martini stated signs should be easily visible and maintained. The City may find out it has an issue after taking down some signs and it could address those as they come up.

Mayor Kind noted that eventually the “No Parking” signs will have to be replaced to comply with the retroreflectivity requirements. From her vantage point it doesn’t hurt to take the signs down and then replace them as needed.

Councilmember Fletcher asked if there are any guidelines for how wide a roadway surface should be before parking is allowed on both sides of the roadway. Engineer Martini stated that almost all of the City’s roadways are narrow; therefore, he doesn’t recommend allowing parking on both sides. Mayor Kind stated that would mean all roadways in the City would have to be posted for parking on one side only.

Engineer Martini stated the Council can chose one of two options for replacing all “No Parking” signs that are in disrepair. One is to replace them all at the same time. The other is to take them all down and replace only those where issues arise. Martini noted that “No Parking” signs are enforceable.

Engineer Martini stated it may be helpful for Council to be provided with a map showing where all the “No Parking” signs are located.

There was Council consensus that having such a map would be very helpful.

Mike Farraher, 21230 Excelsior Boulevard, stated that as a resident living along side of Excelsior Boulevard taking down the “No Parking” signs next to the sidewalk would be a bad idea, in particular on the Fourth of July. If people are allowed to park on both sides of the roadway that day there will be no place for all of the pedestrians to walk while hundreds of cars are trying to leave the area. He then stated the other 364 days of the year 50 to 100 people use that sidewalk daily. He asked what the cost is to replace a sign. Mayor Kind responded that signs cost more than \$150. Engineer Martini noted a sign

typically needs to be replaced every 15 to 20 years. Mr. Farraher noted that if a sign costs \$150 and it has to be replaced every 20 years that amounts to about \$7 per year.

Page moved, Fletcher seconded, continuing the discussion about the policy for “No Parking” signs to the November 1, 2011, Council meeting. Motion passed 4/0.

Engineer Martini departed the meeting at 8:20 P.M.

5. PUBLIC HEARING

A. Delinquent Sewer, Stormwater and Recycling Charges

Mayor Kind stated the notice for this public hearing on delinquent sewer, stormwater and recycling charges was published in the Sun-Sailor Newspaper on September 15, 2011, and September 22, 2011. A list of the delinquent accounts is included in the meeting packet. She noted Council will take action on the resolution for the assessment under Item 7.A on the agenda.

Page moved, Fletcher seconded, opening the Public Hearing at 8:21 P.M. Motion passed 4/0.

Page moved, Rose seconded, closing the Public Hearing at 8:21 P.M. Motion passed 4/0.

6. UNFINISHED BUSINESS

A. Second Reading: Ordinance 196 an Ordinance Amending Code Section 1155, Regarding Variances

Mayor Kind explained this is the second reading of ordinance 196 amending the ordinance code section 1155 regarding variances. The first reading occurred during the September 6, 2011, Council meeting. She noted that during the first reading of the ordinance the Council directed Staff to add what had been section 1155.10 subd. 4 titled Additional Requirements for Variance and Undue Hardship Grants of Variance Requests subject to deleting “5. Violate the intent and purpose of the comprehensive plan.” She also noted the meeting packet contains a copy of the current ordinance, the original ordinance amendment and the revised amended ordinance.

Councilmember Fletcher stated “5. Violate the intent and purpose of the comprehensive plan’ is redundant with subd. 5 (b).

Councilmember Page stated this is going to require people to be more aware of what’s in the Comprehensive Plan.

Mayor Kind asked Zoning Administrator/Clerk Karpas to make copies of the Comprehensive Plan for the Council.

Fletcher moved, Page seconded, Approving Ordinance No. 196, “An Ordinance amending the Greenwood Ordinance Code Section 1155 Regarding Variances.” Motion passed 4/0.

B. Resolution 22-11, Findings of Fact for the Ostrander Variances

Mayor Kind explained that during its September 6, 2011, meeting the Council approved 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 verbal findings. The Council also directed Staff to put the findings of fact into a recordable format for approval during this meeting. A copy of the findings drafted by the City Attorney is included in the meeting packet.

Fletcher moved, Page seconded, Adopting RESOLUTION NO. 22-11, “A Resolution of the City Council of Greenwood, Minnesota Acting as the Board of Appeals and Adjustments, Lot 2, Block 1 Pier Pleasure Addition” setting out the findings of fact and conclusions of law regarding the Gregg and Kristin Ostrander variance requests. Motion passed 3/1 with Rose dissenting.

Councilmember Rose noted he expressed his concerns about the variances during the September 6, 2011, Council meeting.

7. NEW BUSINESS

A. Resolution 18-11, Assessment Roll for Delinquent Sewer, Stormwater and Recycling Charges

Mayor Kind stated the meeting packet contained a list of properties with past due utility accounts with the City as well as a draft resolution. She noted a public hearing was held earlier on the agenda.

Fletcher moved, Rose seconded, Adopting RESOLUTION NO. 18-11, “A Resolution Directing Delinquent Sewer Charges and Recycling Charges be Placed on the 2012 Property Tax Rolls.”

Councilmember Page stated when he was going through his historical records he came across the assessment roll for the prior year. He noted that some of the same people were on both lists. He stated the City does a lot of paper work for this and it doesn't get much money back for its efforts.

Mayor Kind commented that the City of Deephaven takes a property owner's name off its boat slip list if they are on the delinquent utility list.

Motion passed 4/0.

B. First Reading: Ordinance 200 an Ordinance Amending Code Section 510, Fees

Mayor Kind stated this is the first reading of ordinance 200 amending the ordinance code section 500 regarding fees. She explained that each fall the City Council reviews and updates the fee schedule listed in chapter 5 of the code book. The Council discussed the fees to be changed during its September 6, 2011, work session. The draft ordinance included in the meeting packet includes the fees that are to be changed based on that discussion.

Fletcher moved, Rose seconded, adopting the first reading of Ordinance 200 amending the Greenwood Ordinance Code Section 500 regarding fees. Motion passed 3/1 with Page dissenting.

Councilmember Page explained he does not support raising the Dock: Municipal Watercraft Space Permit fee \$150 in one year.

C. First Reading: Ordinance 197 an Ordinance Amending Code Section 900.65, Unlawful Parking and Storage of Vehicles

Mayor Kind stated this is the first reading of ordinance 197. She 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.*” During its September 6, 2011, meeting Council directed Staff to draft an ordinance amending Code Section 900.65 to delete Paragraph (3)(b). That removes the requirement that vehicles be parked on paved surfaces in front yards. A copy of the draft amended ordinance is included in the meeting packet.

Councilmember Fletcher stated the ordinance allows a person to park a vehicle next to the property line. He asked Council if they would entertain restricting vehicles to be parked at least ten feet from the interior side yard line and at least 30 feet from the exterior side yard line. He noted those definitions can be found in chapter 11 of the city code. They could be added to chapter 12.

Zoning Administrator/Clerk Karpas stated that would be an enforcement nightmare.

Page moved, Rose seconded, adopting the first reading of Ordinance 197 amending the Greenwood Ordinance Code Section 900.65 regarding parking and storage of vehicles. Motion passed 4/0.

D. Resolution 19-11, Policy for “Slow, Children at Play” and Similar Signs

This was moved to Item 4.D under Announcements, Presentations and Reports at Councilmember Fletcher’s request.

E. Resolution 20-11, Policy for “No Parking” Signs

This was moved to Item 4.E under Announcements, Presentations and Reports at Councilmember Fletcher’s request.

F. Resolution 21-11, Supporting the City of Tonka Bay’s Youth Sports Grant Application

Mayor Kind explained the City of Tonka Bay is applying for a Hennepin County Youth Sports Grant to help rehabilitate the basketball court in Manitou Park. Tonka Bay is requesting the surrounding communities adopt resolutions of support of its application.

Fletcher moved, Page seconded, Adopting RESOLUTION NO. 21-11, “A Resolution Supporting the City of Tonka Bay’s Hennepin Youth Sports Grant Application.”

Councilmember Fletcher stated the City of Tonka Bay encourages Greenwood residents to use the facility.

Mayor Kind noted there is no cost to the City for adopting this resolution.

Motion passed 4/0.

G. Tree Trimming

This item was added to the agenda at Councilmember Page’s request.

Councilmember Page stated he thought the City is deficient in its tree trimming responsibilities this year. He cited the example of the walking path along Minnetonka Boulevard. The overhang growth is pushing people on to the area between the path and the roadway. Also the pathway to the walkway is overgrown. He suggested Public Works pay more attention to trimming trees along the pathway and in the City's rights-of-way. He noted he trimmed trees in the right-of-way next to his property.

Mayor Kind asked Zoning Administrator/Clerk Karpas how Public Works decides when it should trim trees. Zoning Administrator/Clerk Karpas explained Public Works typically responds to resident complaints, but it does do scheduled trimming.

Councilmember Page stated he doesn't think the area next to the walking path has been trimmed at all. He suggested the overhang of the trees from the right-of-way near Greenwood Circle also be trimmed.

Zoning Administrator/Clerk Karpas stated he will put in a work order to have that area trimmed.

Councilmember Fletcher stated there is some overhang near the path by Excelsior Boulevard. He cautioned against trimming that area too much.

8. OTHER BUSINESS

A. None

9. COUNCIL REPORTS

A. Fletcher: Lake Minnetonka Communications Commission, Excelsior Boulevard Street and Water Project

With regard to the Lake Minnetonka Communications Commission (LMCC), Councilmember Fletcher stated he has nothing to report.

With regard to the Excelsior Boulevard Street and Water project, Fletcher stated the engineer for Excelsior estimates it will cost the Greenwood Excelsior Boulevard residents approximately \$500 to do the initial engineering work for extending Excelsior municipal water system along Excelsior Boulevard to about twelve properties in Greenwood. He explained that those residents will write checks to the City of Greenwood and then the funds will be paid to the City of Excelsior. He noted a check will not be written to Excelsior until the City receives the entire \$500.

B. Kind: Police, Administration

Mayor Kind stated there has not been a South Lake Minnetonka Police Department (SLMPD) Coordinating Committee meeting since the last Council meeting. She will let Council know what the schedule is for the next meeting. She explained the SLMPD labor agreement for union employees expires at the end of 2011 and negotiations for a new contract have been started. SLMPD Chief Litsey and Excelsior City Manager Luger participate in the actual negotiations. She serves as the liaison between the management negotiating team and the Coordinating Committee. She commented this is the third time that team has worked together on that.

Kind then stated she informed SLMPD Chief Litsey that Council is exploring other options for police services. She noted that Litsey was surprised and unhappy to hear that. She related that Litsey is confident that once the Council weighs everything Council will decide to stay with the SLMPD.

Kind explained the original plan was to have Hennepin County Sheriff Stanek come to the October council meeting to discuss the possibility of the City contracting with his department for policing services. Unfortunately, Stanek could not attend because he had a prior commitment. Instead Stanek requested that he meet with just her before he meets with the entire Council. That meeting is scheduled for October 6, 2011. She stated that Councilmember Fletcher asked if another Councilmember could attend that meeting. Stanek said that would be okay. Fletcher volunteered to attend unless another Councilmember wants to attend instead. Councilmember Page stated that he was fine with Fletcher attending the meeting and asked that the Council be provided with an update during its November 1 meeting.

Councilmember Fletcher explained he has been attending the Citizen's Law Enforcement Academy being held by the SLMPD. He noted he has been very impressed. There have been three sessions to date. He related that he has heard that there is a store in the City that is selling items that are used for things that are not so legal. He explained that he has spoken with the City Attorney about this. He asked the Council if it's interested in speaking with the owner of the store about selling drug paraphernalia. He stated the items include devices like pipes for smoking. He noted the store has a license to sell non-intoxicating malt liquor and wondered if the Council was interested in tying the issuance of a liquor license with the prohibition of selling drug paraphernalia. He related that a member of the Southwest Metro Drug Task Force indicated that selling drug paraphernalia tends to attract the wrong types of activities to the City.

Councilmember Page stated he will go into the store and look around.

Councilmember Rose stated the store has been selling those items for quite some time.

Councilmember Fletcher noted the store owner's non-intoxicating malt liquor license expires at the end of the year. Therefore, Council may want to address this before then. He stated the prep work could be done before the November 1 council meeting. He then stated Council could consider repealing the non-intoxicating liquor license.

Councilmember Rose stated that is like beating around the bush with the store owner. He then stated the owner started selling drug paraphernalia after the City turned down his request to provide food service. He suggested talking to the owner before doing anything.

Councilmember Page reiterated he will go into the store to look around. Council will discuss this again during its next meeting.

Jan Gray, 5170 Meadville Street, stated she and her husband have been attending the Citizen's Law Enforcement Academy being held by the SLMPD. She is involved with the South Lake Minnetonka Crime Prevention Fund, which supports the SLMPD with things that are not supported through the SLMPD member cities' budgets. The Crime Prevention Fund encourages community participation. She then stated having worked with the Crime Fund for many years along with her participation at the Academy she continues to be impressed with the professional nature of the SLMPD. She expressed her gratitude for the sense of security the four member cities have because of that. She urged the Councilmembers to participate in the Academy when the next opportunity presents itself.

Ms. Gray then stated when she read the newspaper article last week that the Greenwood City Council is considering alternative options for police services she was really struck. It's her understanding that had taken place without there being any prior communication with SLMPD Chief Litsey. Communications is a huge issue when it comes to community health and how the City maintains a good relationship with its

sister cities in the South Lake community that the City shares services with. The cities are all part of a greater community. The residents are part of a greater south shore area. It's imperative to the health of these cities to maintain some sort of relationship. She expressed that she was dismayed this had happened.

Ms. Gray asked Mayor Kind if she correctly understood her to say that Chief Litsey was unhappy and surprised to hear from Kind that Council was considering alternative policing services. Also, that once all things were compared the City would stay with the SLMPD. Kind clarified that Litsey was the one that stated he thought that after the Council has compared alternatives the Council would chose to remain with the SLMPD.

Mayor Kind noted that she informed Litsey that Council will invite Litsey to come before Council to present his perspective.

Ms. Gray stated when the City is community with other cities and a member of joint powers agreements there is a need for open communication with the joint powers service providers and the other member cities. It's a real hazard to do it differently. Not doing that can lead to a morale issue for people who serve the City and the other member cities in ways that go beyond our realization. She stated the newspaper article said one of the reasons Council is choosing to explore other alternatives is price. Part of the price is driven by the SLMPD funding formula. She clarified price is what you pay and value is what you get. There is a great deal of value in knowing that the SLMPD can respond within minutes, generally less than five minutes, to an emergency call. The response time from the Sheriff's Office is much longer because they may be located further away. Many in the community want better security than that.

Ms. Gray asked what the current cost per capita is for SLMPD services. Mayor Kind stated it's \$251 per capita for the Greenwood. For the City of Deephaven its cost is \$209. For the City of Excelsior its cost is \$261. For the City of Shorewood its cost is \$135. For the City of Tonka Bay its cost is \$207. For the City of Woodland its cost is \$234.

Ms. Gray noted that's less than \$1.00 per day. Ms. Gray stated before Council decides to start cutting things that cost residents less than \$1.00 a day the City's street maintenance program should be considered. Maybe the roadways should be graveled. Maybe the City park should be covered up, noting she uses the park with her grandchildren. She asked why Council would compromise the quality of life the residents have now with a quality police department. She commented she has been told that there are other cities that have decided to use the Sheriff's Office for policing services only to revoke that decision because the services provided are not adequate. She urged Council to consider morale, value and price when exploring the alternatives. She stated she thought the City's residents receive a value for what they pay.

Mayor Kind thanked Ms. Gray for her comments.

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

Kind reconvened the meeting at 9:07 P.M.

Gene Gray, 5180 Meadville Street, stated he had a career in law enforcement. He had also been the constable for the Excelsior Township in the 1950s and his territory also included what is now called the City of Greenwood and the City of Shorewood. He then stated his observation on the police service the residents receive is speed. He explained that yesterday when he was driving on Minnetonka Boulevard and turned on to Meadville Street a SLMPD patrol car passed him going toward the City of Greenwood with the warning lights and siren on. By the time he reached his driveway a second SLMPD patrol car

passed him and it appeared that car was going to meet up with the first patrol car. If the City depended for an outside agency for provide that type of service the residents would not receive that type of response time. The Sheriff's Office is primarily located in the northern suburbs. He stated at his age if he were to have a medical emergency he would want a first responder at this door in a minute. Mayor Kind thanked Mr. Gray for his comments and stated that 911 response will be an important consideration when evaluating the City's options.

Mayor Kind stated the fall sales ratio study work session with the assessor is scheduled for October 27. She noted the meeting packet contains a copy of the most recent budget, which is dated September 10, 2011. The budget reflects a slight decrease from the budget discussed during the September 6 work session. The tax levy for the new budget reflects a decrease of -0.11 percent over the 2011 tax levy. The final budget will be adopted during Council's December 6, 2011, meeting.

C. Page: Lake Minnetonka Conservation District

Councilmember Page reported on Lake Minnetonka Conservation District (LMCD) activities. He stated Eric Evenson, Minnehaha Creek Watershed District (MCWD) District Administrator, appeared before the LMCD Board during its last meeting. From his vantage point, it was a contentious appearance. The topic of discussion centered on the MCWD's proposal for regulatory action. He related that Mr. Evenson indicated that document was necessary for the Christmas Lake pilot aquatic invasive species (AIS) prevention project. The document needed to be filed with the State of Minnesota in order to conduct that trial program. The MCWD has no intention of gating access to Lake Minnetonka (the Lake). LMCD Boardmembers brought up that the discussion document included gating access to the Lake.

Page related that Mr. Evenson indicated that if there is not enough support from the LMCD member cities the MCWD will not move forward. He stated the MCWD is hiring someone to be the director of AIS but that according to Mr. Evenson the MCWD has no plans to take over management of AIS such as Eurasian Watermilfoil (milfoil) and zebra mussels in the Lake. It's Page's understanding that the MCWD's regulatory plan is to stop the spread of AIS from Lake Minnetonka to other water bodies located in the District. That indicates to him that the resolution adopted by the City is more realistic because it calls on the LMCD and the MCWD to cooperate. It was indicated to him that the LMCD is going to manage control of AIS in Lake Minnetonka.

Page stated the other major topic for discussion during the last meeting was the loss of one harvester. Some Boardmembers don't want to replace that harvester. They would prefer to have a more aggressive chemical treatment program. Others believe there is a need to replace the harvester because the LMCD needs three of them, and that harvesting is the most efficient and cost effective way of achieve navigability. The experts have stated that it is cost prohibitive to chemically treat the entire Lake for milfoil and a chemical treatment will not work in all areas of the lake. Before the LMCD AIS Task Force makes any recommendation about continuing the harvesting program and purchasing a new harvester more data needs to be supplied.

Page then stated the LMCD would only be reimbursed \$30,000 (the fair market value of the harvester) from the insurance company if it decided not to purchase another harvester. It would receive a little more than \$60,000 if it were to purchase a new harvester. A new harvester costs approximately \$165,000. The insurance policy the LMCD requires a decision within 180 days.

Mayor Kind stated the property owners having lakefront on St. Alban's Bay are thrilled with the results of the chemical treatment efforts this year. And they were pleased the Bay wasn't harvested.

Councilmember Fletcher asked why the MCWD would have asked for support from the LMCD member cities if it has no intention to take on the management of AIS in the Lake. Councilmember Page restated it is his understanding that the MCWD's involvement will be with restricting the spread of AIS to other water bodies in the District.

Fletcher commented that when the Lake is infested with different types of AIS it's going to spread. He asked if there is anyway to get agencies to work together more to stop the spread of AIS and mitigate the problems caused by the infestation of AIS.

Councilmember Page stated agencies and organizations have worked together cooperatively on the chemical treatment of some bays in the Lake and on the milfoil harvesting program. He then stated the questions that have to be answered are what is cost effective and also what is affordable. He noted he favors purchasing another harvester. He explained that he went to the Lake Minnetonka Forum website called <http://www.lakeminnetonkaforum.com> where the vast majority of voters indicated they preferred chemical treatment of the Lake. He commented he tried to vote for the harvesting program and there was an error, so he questioned the validity of the survey. He stated the original chemical treatment model does not work; it had to be revised. He then stated the cost for harvesting versus the cost of chemical treatment isn't comparable (it would cost \$350,000 to chemically treat the Lake each year). He commented he also has a lot of trepidation about putting the chemicals into the Lake.

Councilmember Fletcher asked how old the other two harvesters are. Councilmember Page explained the one that went into the Lake was the oldest. The next oldest machine is over 10 years old and there is not much life in it. Page stated the LMCD needs to run two harvesters all summer and one harvester frequently is being repaired. Fletcher stated he assumes the LMCD would need fewer harvesters if there is some amount of chemical treatment of the Lake. He then stated if the insurance reimbursement helps replace the harvester it may make sense to purchase one now. Page commented that the LMCD has been putting money away for a replacement harvester and next year there will be about \$100,000 in the LMCD's equipment replacement fund. He stated it's almost fortuitous that the one harvester is totaled, because now there is the rest of the money needed to purchase a new one.

Councilmember Page stated per a request the AIS Task Force is going to investigate the feasibility of contracting the harvesting program out. He noted he doesn't think contractors would have large enough harvesters. Councilmember Fletcher commented that the harvester he saw on the lake his parents have property near was not near as large as the LMCD's harvesters.

The Council consensus was that future milfoil management will involve a combination of harvesting and chemicals, therefore it makes sense to use the insurance money to buy a new harvester.

D. Quam: Roads & Sewer, Minnetonka Community Education

No report was given because Councilmember Quam was not in attendance.

E. Rose: Excelsior Fire District

Councilmember Rose stated he attended the Excelsior Fire District (EFD) Board Meeting held on September 28, 2011. He informed Council that it will be provided with a third amendment to the EFD JPA relating to a change in the budget process timeline. The timeline change proposed is to accommodate getting more accurate date regarding the amount of any mandatory contribution to the Excelsior Firefighters Relief Association's fund for pensions.

After some discussion, there was Council consensus to approve the amendment.

Fletcher moved, Rose seconded, supporting the amendment to the Excelsior Fire District Joint Powers Agreement changing the budget process timeline. Motion passed 4/0.

C. ADJOURNMENT

Page moved, Fletcher seconded, Adjourning the City Council Regular Meeting of October 4, 2011, at 9:32 P.M. Motion passed 4/0.

RESPECTFULLY SUBMITTED,
Christine Freeman, Recorder

Pay Per Date	Jrnl	Check Date	Check Number	Payee	Emp No	Description	GL Account	Amount
11/01/11	PC	11/01/11	11011101	Debra J. Kind	34		001-10101	277.05
11/01/11	PC	11/01/11	11011102	Fletcher, Thomas M	33		001-10101	84.70
11/01/11	PC	11/01/11	11011103	H. Kelsey Page	35		001-10101	184.70
11/01/11	PC	11/01/11	11011104	Quam, Robert	32		001-10101	184.70
11/01/11	PC	11/01/11	11011105	William Rose	36		001-10101	184.70
Grand Totals:								<u>915.85</u>

Check Issue Date(s): 10/01/2011 - 10/31/2011

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
10/11	10/12/2011	10409	51	BOLTON & MENK, INC.	502-20100	30.00
10/11	10/12/2011	10410	762	CATALYST GRAPHICS INC	101-20100	44.41
10/11	10/12/2011	10411		Information Only Check	101-20100	.00 V
10/11	10/12/2011	10412	9	CITY OF DEEPHAVEN	605-20100	15,527.82
10/11	10/12/2011	10413	594	CITY OF EXCELSIOR	602-20100	2,317.56
10/11	10/12/2011	10414	19	EARL F. ANDERSEN, INC.	101-20100	224.39
10/11	10/12/2011	10415	52	EXCELSIOR FIRE DISTRICT	101-20100	31,946.25
10/11	10/12/2011	10416	68	GOPHER STATE ONE CALL	602-20100	52.30
10/11	10/12/2011	10417	262	HENNEPIN COUNTY RECORDER	101-20100	46.00
10/11	10/12/2011	10418	700	INFRASTRUCTURE TECHNOLOGIES	602-20100	5,285.00
10/11	10/12/2011	10419	3	KELLY LAW OFFICES	101-20100	1,127.00
10/11	10/12/2011	10420	105	METROPOLITAN COUNCIL ENV SERV	602-20100	4,544.07
10/11	10/12/2011	10421	769	MN DEPT OF LABOR & INDUSTRY	101-20100	417.47
10/11	10/12/2011	10422	701	Popp Telecom	101-20100	41.83
10/11	10/12/2011	10423	38	SOUTH LAKE MINNETONKA POLICE	101-20100	25,039.00
10/11	10/12/2011	10424	136	Sun Newspapers	101-20100	77.22
10/11	10/12/2011	10425	745	Vintage Waste Systems	101-20100	1,568.40
10/11	10/12/2011	10426	145	XCEL	101-20100	596.98
10/11	10/20/2011	10427	262	HENNEPIN COUNTY RECORDER	101-20100	46.00
10/11	10/26/2011	10428	51	BOLTON & MENK, INC.	602-20100	9,400.50
10/11	10/26/2011	10429	792	CORNERSTONE INDUSTRIES INC	101-20100	2,585.62
10/11	10/26/2011	10430	761	DEBRA KIND	101-20100	66.22
10/11	10/26/2011	10431	315	DOCK & LIFT INC.	605-20100	1,500.00
10/11	10/26/2011	10432	99	LAKE MTKA CONSERVATION DISTRICT	605-20100	342.50
10/11	10/26/2011	10433	742	Marco, Inc.	101-20100	212.15
10/11	10/26/2011	10434	791	MINNESOTA UI	101-20100	7,872.00
10/11	10/26/2011	10435	689	Mission Communications LLC	602-20100	1,737.00
10/11	10/26/2011	10436	38	SOUTH LAKE MINNETONKA POLICE	101-20100	75.00
10/11	10/26/2011	10437	136	Sun Newspapers	101-20100	220.22
10/11	10/26/2011	10438	145	XCEL	602-20100	167.47
Totals:						<u>113,110.38</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.	0142447	2011 STREET IMPROVEMENT	09/30/2011	3,522.50
		0142450	2011 MISC ENGINEERING FEES	09/30/2011	90.00
		0142451	2011 SANITARY SWR REHAB	09/30/2011	1,885.00
		0142453	MEADVILLE DRAINAGE STUDY	09/30/2011	3,903.00
		141146	2011 MISC ENGINEERING FEES	07/31/2011	30.00
	Total BOLTON & MENK, INC.				9,430.50
CATALYST GRAPHICS INC					
762	CATALYST GRAPHICS INC	75854	CITY NEWSLETTER	09/22/2011	44.41
	Total CATALYST GRAPHICS INC				44.41
CITY OF DEEPHAVEN					
9	CITY OF DEEPHAVEN	100111	Clerk Services	10/01/2011	3,052.00
			SEWER		62.92
			SEWER		509.86
			WEED/TREE/MOWING		1,568.80
			Docks		78.44
			PARK MAINTENANCE		78.44
			Postage		37.82
			COPIES		1.50
			RENT & EQUIPMENT		542.95
			ZONING		211.56
			3RD QTR BLDG PERMITS		9,383.53
	Total CITY OF DEEPHAVEN				15,527.82
CITY OF EXCELSIOR					
594	CITY OF EXCELSIOR	100111	3rd qtr joint sanitary sewer use	10/01/2011	2,317.56
	Total CITY OF EXCELSIOR				2,317.56
CORNERSTONE INDUSTRIES INC					
792	CORNERSTONE INDUSTRIES INC	962	SIGN PROJECT	10/26/2011	2,585.62
	Total CORNERSTONE INDUSTRIES INC				2,585.62
DEBRA KIND					
761	DEBRA KIND	102611	SUPPLIES REIMBURSEMENT	10/26/2011	66.22
	Total DEBRA KIND				66.22
DOCK & LIFT INC.					
315	DOCK & LIFT INC.	19988	REMOVE FLOATING DOCK	10/24/2011	1,500.00
	Total DOCK & LIFT INC.				1,500.00
EARL F. ANDERSEN, INC.					
19	EARL F. ANDERSEN, INC.	0096976-IN	SIGN - GRWD WINTER PKG	09/20/2011	224.39
	Total EARL F. ANDERSEN, INC.				224.39
EXCELSIOR FIRE DISTRICT					
52	EXCELSIOR FIRE DISTRICT	11-012	4th Qtr. Facilities	10/12/2011	14,823.30
			4th Qtr. Operations		17,122.95

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
Total EXCELSIOR FIRE DISTRICT					31,946.25
GOPHER STATE ONE CALL					
68	GOPHER STATE ONE CALL	19035	Gopher State calls	10/03/2011	52.30
Total GOPHER STATE ONE CALL					52.30
HENNEPIN COUNTY RECORDER					
262	HENNEPIN COUNTY RECORDER	101211	County Recorder Fee	10/12/2011	46.00
		102011	County Recorder Fee	10/20/2011	46.00
Total HENNEPIN COUNTY RECORDER					92.00
INFRASTRUCTURE TECHNOLOGIES					
700	INFRASTRUCTURE TECHNOLOGIE	PR11681	JOINT GROUTING	08/29/2011	5,285.00
Total INFRASTRUCTURE TECHNOLOGIES					5,285.00
KELLY LAW OFFICES					
3	KELLY LAW OFFICES	092711	GENERAL LEGAL	09/27/2011	575.00
		5913	LAW ENFORCE PROSECUTION	09/27/2011	552.00
Total KELLY LAW OFFICES					1,127.00
LAKE MTKA CONSERVATION DISTRIC					
99	LAKE MTKA CONSERVATION DIST	DOCK RENEW 2012	2012 DOCK RENEWAL	10/25/2011	342.50
Total LAKE MTKA CONSERVATION DISTRIC					342.50
Marco, Inc.					
742	Marco, Inc.	188359087	Copier lease	10/14/2011	212.15
Total Marco, Inc.					212.15
METROPOLITAN COUNCIL ENV SERV					
105	METROPOLITAN COUNCIL ENV SE	0000971828	Monthly wastewater Charge	10/04/2011	2,336.37
		093011	SWR AVAILABILITY CHG (SAC)	09/30/2011	2,207.70
Total METROPOLITAN COUNCIL ENV SERV					4,544.07
MINNESOTA UI					
791	MINNESOTA UI	090511	MN UI BENEFITS-R WHIPPLE	09/05/2011	7,872.00
Total MINNESOTA UI					7,872.00
Mission Communications LLC					
689	Mission Communications LLC	40014987	Annual Service Package	10/05/2011	1,737.00
Total Mission Communications LLC					1,737.00
MN DEPT OF LABOR & INDUSTRY					
769	MN DEPT OF LABOR & INDUSTRY	SEPT 2011	3RD QTR 2011 SURCHARGE	09/30/2011	417.47
Total MN DEPT OF LABOR & INDUSTRY					417.47
Popp Telecom					
701	Popp Telecom	991973766	Local, Long dist. & DSL	09/30/2011	41.83

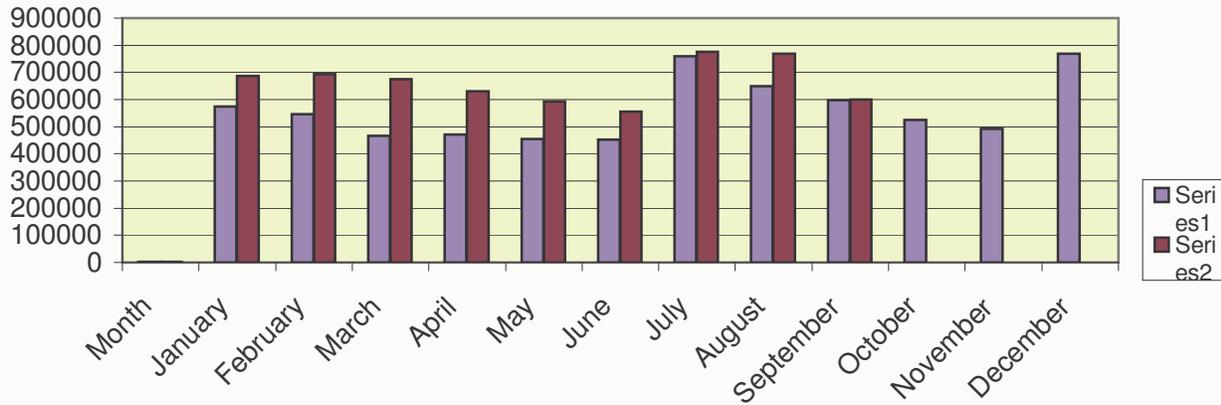
Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
	Total Popp Telecom				41.83
SOUTH LAKE MINNETONKA POLICE					
38	SOUTH LAKE MINNETONKA POLIC	101911	Hennepin Co. Processing Fees	10/19/2011	75.00
		4TH QTR 2011	4th Quarter Lease	10/01/2011	11,816.00
		OCT 2011	OPERATING BUDGET EXPENSE	10/01/2011	13,223.00
	Total SOUTH LAKE MINNETONKA POLICE				25,114.00
Sun Newspapers					
136	Sun Newspapers	1070441	DELINQUENT CHARGES	09/22/2011	77.22
		1075161	Ord #196	10/13/2011	220.22
	Total Sun Newspapers				297.44
Vintage Waste Systems					
745	Vintage Waste Systems	092611	City Recycling Contract	09/26/2011	1,568.40
	Total Vintage Waste Systems				1,568.40
XCEL					
145	XCEL	092611	4925 MEADVILLE STREET *	09/26/2011	9.35
			SIREN		3.80
			LIFT STATION #1		32.61
			LIFT STATION #2		30.93
			LIFT STATION #3		23.00
			LIFT STATION #4		29.59
			LIFT STATION #6		61.83
			Sleepy Hollow Road *		9.38
		100311	Street Lights *	10/03/2011	396.49
		102111	LIFT STATION #1	10/21/2011	31.55
			LIFT STATION #2		27.84
			LIFT STATION #3		20.93
			LIFT STATION #4		28.81
			LIFT STATION #6		58.34
	Total XCEL				764.45

Total Paid: 113,110.38

Total Unpaid: -

Grand Total: 113,110.38

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	\$599,139	-\$169,084	\$1,603
October	\$523,980	\$0	-\$599,139	-\$523,980
November	\$491,216	\$0	\$0	-\$491,216
December	\$767,636	\$0	\$0	-\$767,636

Bridgewater Bank Money Market	\$391,883
Bridgewater Bank Checking	\$4,499
Beacon Bank Money Market	\$202,657
Beacon Bank Checking	\$100
<hr/>	
	\$599,139

ALLOCATION BY FUND

General Fund	\$279,495
General Fund Designated for Parks	\$27,055
Bridge Capital Project Fund	\$39,970
Stormwater Special Revenue Fund	\$5,618
Sewer Enterprise Fund	\$375,817
Marina Enterprise Fund	\$40,268
<hr/>	
	\$599,139



Agenda Number: **4A**

Agenda Date: 11-01-11

Agenda Item: Meadville Drainage Issue Update

Summary: At the 10-04-11 council meeting City Engineer Dave Martini presented a new possible solution to the Meadville Street drainage problem near the Newman and Hurd properties. The solution was to install a curb, gutter, spillway, and 4 ft. wide swale all made of concrete. A portion of the road surface also would be replaced with asphalt in the area where the concrete curb and gutter is installed. The total cost of the project would be approximately \$49,000. The cost would be approximately \$20,000 if the 4 ft. wide swale portion of the project is not included. At the 10-04-11 meeting the council directed the city clerk to send the proposed plan to Mr. Hurd to get his input and to find out if he would be willing to grant the city an easement for the construction and future maintenance of 4 ft. wide swale that would be on his property. The city clerk will give a verbal update at the 11-01-11 council meeting.

Council Action: None required.



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

October 5, 2011

Jim Hurd
5220 Meadville Street
Greenwood, MN 55331

Dear Jim,

City Engineer Dave Martini addressed the City Council at their October 4th meeting regarding potential solutions for the drainage issue along Meadville Street. At that meeting he submitted a plan showing the alteration of the drainage swale that currently runs between your property and the Newman's. The Council continued the discussion to their November 1st meeting to allow an opportunity for you to comment on the Engineer's proposal.

Please review the proposal I have included in the letter and either submit written comments for the Council's review or attend the November 1st meeting to voice your comments in person.

The Council would also like your opinion on the perceived impact of recent modification you made to the area on the drainage pattern.

Please contact me at (952) 474-4755 or City Engineer Dave Martini at (952) 448-8838 if you have any questions or need further clarification on the proposal.

Sincerely,

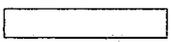
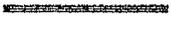
A handwritten signature in black ink, appearing to read "Gus Karpas", with a stylized flourish at the end.

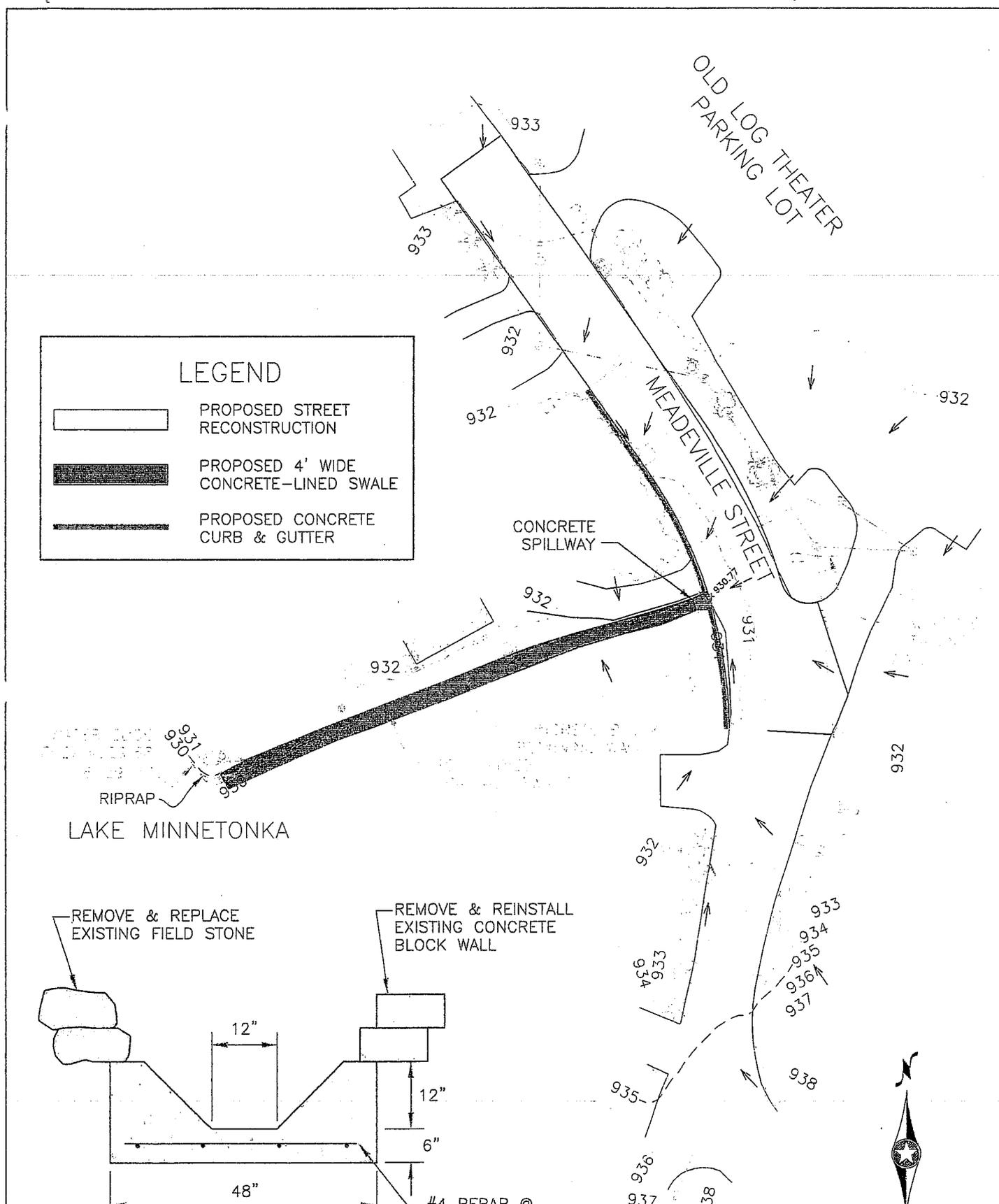
Gus Karpas
City Clerk

Cc: File

OLD LOG THEATER
PARKING LOT

LEGEND

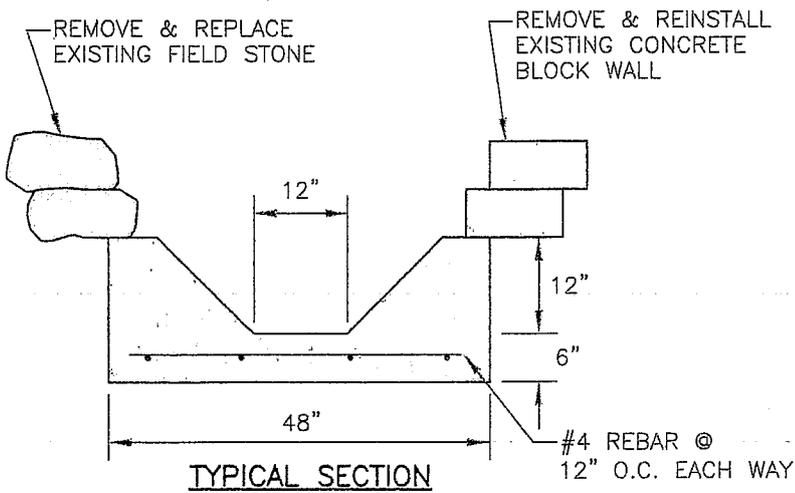
-  PROPOSED STREET RECONSTRUCTION
-  PROPOSED 4' WIDE CONCRETE-LINED SWALE
-  PROPOSED CONCRETE CURB & GUTTER



LAKE MINNETONKA

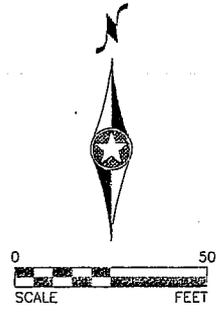
REMOVE & REPLACE
EXISTING FIELD STONE

REMOVE & REINSTALL
EXISTING CONCRETE
BLOCK WALL



**TYPICAL SECTION
CONCRETE-LINED SWALE**

SCALE: 1"=2'



CITY OF GREENWOOD
 MEADVILLE STREET DRAINAGE STUDY
 CONCRETE CURB & CONCRETE LINED SWALE
 PROJECT COST ESTIMATE
 September 28, 2011

Item No.	Item	Qty.	Unit	Amount	Total
1	BITUMINOUS PAVEMENT REMOVAL	226	SY	\$ 4.00	\$ 904.00
2	COMMON EXCAVATION (EV)	140	CY	\$ 15.00	\$ 2,100.00
3	REMOVE AND REPLACE CONCRETE BLOCK RETAINING WALL	190	SF	\$ 10.00	\$ 1,900.00
4	REMOVE AND REPLACE FIELD STONE RETAINING WALL	1	LS	\$ 1,000.00	\$ 1,000.00
5	SELECT GRANULAR BORROW (LV)	23	CY	\$ 25.00	\$ 575.00
6	AGGREGATE BASE, 100% CRUSHED	160	TON	\$ 25.00	\$ 4,000.00
7	GEOTEXTILE FABRIC	340	SY	\$ 3.00	\$ 1,020.00
8	B618 CONCRETE CURB AND GUTTER	140	LF	\$ 22.00	\$ 3,080.00
9	CONCRETE LINED SWALE, 4' WIDE	190	LF	\$ 75.00	\$ 14,250.00
10	2" BITUMINOUS BASE COURSE	27	TON	\$ 100.00	\$ 2,700.00
11	1.5" BITUMINOUS WEAR COURSE	203	SY	\$ 10.00	\$ 2,030.00
12	SOD	32	SY	\$ 7.00	\$ 224.00
13	WOOD MULCH	74	SY	\$ 7.00	\$ 518.00
				SUB TOTAL	\$ 34,301.00
				MOBILIZATION - 5%	\$ 1,715.05
				TOTAL ESTIMATED CONSTRUCTION COST	\$ 36,016.05
				ESTIMATED SOFT COSTS AND CONTINGENCIES- 30%	\$ 10,804.82
				TOTAL ESTIMATED PROJECT COST	\$ 46,820.87



Agenda Number: **6A**

Agenda Date: 11-01-11

Agenda Item: 2nd 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 the fees to be changed at the 09-06-11 worksession and approved the 1st reading of the ordinance at the 10-04-11 council meeting. No changes were made at the 1st reading. If the council approves the 2nd reading, the ordinance will need to be published in the Sun-Sailor before the new fees go into effect.

Council Action: Optional. Suggested motions ...

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

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: **6B**

Agenda Date: 11-01-11

Agenda Item: 2nd 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 directed 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. The 1st reading was approved at the 10-04-11 council meeting. No changes were made at the 1st reading. If the council approves the 2nd reading, the ordinance will need to be published in the Sun-Sailor before the new fees go into effect.

Council Action: Optional. Suggested motions ...

1. I move the council approves the 2nd 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 2nd 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.

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: **7A**

Agenda Date: 11-01-11

Agenda Item: Consider: Extension of Variance for Robert Schmitt Property (License Center)

Summary: On December 2, 2008, the City Council approved resolution 23-08, approving a variance to develop a commercial parcel of land owned by Robert Schmitt, Jr. at 21550 State Highway 7. Variances expire one year after approval. The reason variances have expiration dates is to prevent a property owner from claiming that a variance approved decades ago still is valid. Therefore cities typically review and grant variance extensions on a year-to-year basis. The council approved variance extensions for the Schmitt property in 2009 and 2010. The current extension expires on December 2, 2011. Mr. Schmitt has submitted a letter seeking another one-year extension to expire on December 2, 2012. Mr. Schmitt's letter is attached.

Council Action: Optional. Suggested motions ...

1. I move the council approves the extension of the resolution 23-08 deadline to December 2, 2012.
2. I move the council approves the extension of the resolution 23-08 deadline to _____.
3. I move the council denies the extension request regarding resolution 23-08.
4. Do nothing.

Robert C Schmitt Jr.
21550 State Highway 7
Greenwood, Mn. 55331
PID: 35-117-23-12-0015

October 12, 2011

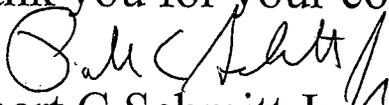
City of Greenwood
20225 Cottagewood Road
Greenwood, Mn. 55331

Re: Variance & Conditional Use Permit-Resolution
No. 23-08

Dear Counsel Members:

I (Robert C Schmitt Jr.) the owner/applicant of real property located at 21550 Highway 7, Greenwood, Mn. 55331. Due to the economic conditions at this time I'm asking the City Counsel for a 1 year extension on my variance & conditional use permit, until December 2012. I do have some prospects but no commitment at this time.

Thank you for your consideration.


Robert C Schmitt Jr.



Agenda Item: Consider: Next Steps Regarding Police Exploration

Summary: During budget worksessions, the Greenwood council discussed the increasing costs of our police services. Based on the preliminary discussion, the council has expressed interest in exploring the concept of leaving the Joint Powers Agreement (JPA) with Excelsior, Shorewood, and Tonka Bay and contracting for services from the Hennepin County Sheriff. While the main motivation for the exploration is “financial,” it is important to note that the council places a high priority on public safety. So an important part of the exploration will be to ensure that any potential arrangement that the city might enter into will provide the safety standards that our residents and businesses expect.

If the city council decides to leave the JPA, a decision must be made by the JPA deadline of May 1, 2012 and the new contract would not go into effect until January 1, 2014. Whether the city stays or leaves the JPA, the city is obligated to pay our portion of the police building bond (approximately \$45,000 per year) through 2023.

Mayor Kind and Councilman Fletcher met with Sheriff Rich Stanek and Chief Deputy Mike Carlson on 10-06-11 at the Brooklyn Park Sheriff's Office. A report from that meeting is attached.

If the council desires to move forward with the exploration, Sheriff Stanek has asked that the council take official action to authorize city representatives to work with his staff to develop a proposed Policing Plan. Proceeding with the development of a plan does not commit the council to an agreement with the Sheriff.

Also, whatever the meeting format is for the Sheriff (regular council meeting or council worksession), it is recommended that the same meeting format be followed with Chief Bryan Litsey.

Council Action: Required, if the council desires to move forward with the exploration with the Sheriff.

Suggested motions ...

1. I move the council authorizes _____ and _____ to meet with the Sheriff's staff to develop a proposed Policing Plan that includes _____ hours per day of proactive patrol and the other items included on the list in the report from the 10-06-11 meeting with the Sheriff. I further move the council invites Sheriff Stanek or a representative from the Sheriff's Office to a city council meeting or worksession on a mutually agreeable date before January 3, 2012 to discuss the proposed Policing Plan.
2. I move the council invites Chief Bryan Litsey to the January 3, 2012 city council meeting or to a worksession on a mutually agreeable date prior to January 3, 2012.
3. Do nothing.

10-06-11 Meeting with Sheriff Stanek

Report by Mayor Deb Kind and Councilman Tom Fletcher

We met with Sheriff Rich Stanek and Chief Deputy Mike Carlson at the Sheriff's Brooklyn Park office on 10-06-11 (see attached biographies).

The meeting confirmed information Mayor Kind shared with the council from her 08-05-11 phone conversation with Sheriff Stanek, which includes information from the "Benefits of Contract Policing" available on the Sheriff's website (attached). In addition, we also confirmed the following ...

- 911 emergency response times would be the same as they are now -- 24 hours a day, 7 days a week.
- If we contract for proactive patrol time, we would have a deputy physically in the city for a set amount of time per day or per week. The proactive patrol would be at random times and would not be continuous. Therefore, a deputy would be in the area to provide 911 response and mutual aid for more hours than the contract amount.
- The Sheriff's office operates 911 dispatch for Sheriff deputies and many cities in the county including South Lake Minnetonka PD and Deephaven PD. They track patrol vehicles with GPS and know where the closest officers are located, so they can dispatch the closest officer to the scene. We would need to rely on mutual aid at times.
- Proactive patrol includes all of the typical police duties (speed enforcement, load limit checks, etc). We also could request targeted enforcement.
- Emergency management would be included.
- Animal complaints would be included.
- Booking fees for arrests would be included.
- Jail time for arrests in Greenwood would not be charged to the city. Currently \$90 per day.
- Deputies would work with our city prosecutor for misdemeanors. Felonies would be handled by the county attorney (no change from what is done now).
- A deputy would give reports at city council meetings (monthly, quarterly – whatever we want).
- Participation at National Night Out and July 4th Parade would be included.
- Depending on the final customized "Policing Plan," the cost may be less than \$60 per hour of proactive patrol.

NEXT STEPS

Before Sheriff Stanek (or another representative from the Sheriff's office) comes to meet with the full council, he asked that the council take official action to authorize city representatives to work with the Sheriff's staff to develop a proposed Policing Plan. Any insights into the city's policing needs as part of a council motion would be helpful to create the proposed plan. Note: Sheriff Stanek is at an out-of-town meeting on December 6, so he would not be available to attend the regularly scheduled council meeting at on that date. If the council decides to proceed with the development of a proposed Policing Plan, we could invite Chief Deputy Carlson or another representative to come to the December 6 council meeting. If the council prefers to meet with Sheriff Stanek, we recommend that we invite him to a worksession rather than waiting until the January 3 council meeting. Note: Proceeding with the development of a proposed Policing Plan does not commit the council to an agreement with the Sheriff.

Whatever the meeting format is for the Sheriff (regular council meeting or council worksession), we recommend that we do the same meeting format with Chief Bryan Litsey to discuss the benefits of staying with the South Lake Minnetonka Police Department Joint Powers Agreement.



Hennepin County Sheriff's Office

Dedicated to increasing public safety through leadership, integrity, and strong partnerships



[Contact Us](#) [10 Most Wanted](#) [Wanted DWIs](#) [Submit a Tip](#) [Forms](#) [Contract for Policing](#) [News Releases](#)

Administration



Chief Deputy Mike Carlson has served as a licensed peace officer for 20 years and was a highly decorated Minneapolis Police Officer before joining the Sheriff's Office. He was awarded the Medal of Valor and eight Medals of Commendation, among many other honors. In the Minneapolis Police Department, Carlson commanded the Homicide Unit, the Minneapolis/Hennepin County Narcotics Task Force and also supervised the highly successful Violent Offender Task Force, the Weapons Task Force, and the Joint Terrorism Task Force. Under Chief Carlson's leadership, these federal, state and local task forces in Minneapolis achieved the following results; more than 84 federal indictments of violent gang members, 200 gang member arrests, the confiscation of 125 guns, and more than \$2 million in federal forfeitures. Hennepin County Sheriff Rich Stanek selected Chief Carlson to command the daily operations of the Sheriff's Office. In August 2007, Chief Carlson served as the Incident Commander for the Hennepin County Sheriff's Office river recovery operations after the I-35W bridge collapsed.



Hennepin County Sheriff's Office

Dedicated to increasing public safety through leadership, integrity, and strong partnerships


[Contact Us](#)
[10 Most Wanted](#)
[Wanted DWIs](#)
[Submit a Tip](#)
[Forms](#)
[Contract for Policing](#)
[News Releases](#)

Meet the Sheriff

Sheriff Richard W. Stanek is the 27th Sheriff of Hennepin County. He took office on January 1, 2007 to serve a second term as the chief law enforcement officer of Minnesota's largest county, containing 1.3 million residents.

A 27-year veteran of law enforcement, Sheriff Stanek began his career with the Minneapolis Police Department (MPD) where he rose through the ranks serving as a Patrol Officer, Detective, commanding a precinct on the east side of Minneapolis, and finally earning a promotion to Commander of the MPD Criminal Investigations Division.

Concurrent with his law enforcement career, he served five terms in the Minnesota House of Representatives where he chaired the House Crime Policy and Finance Committee. In 2003, he was appointed by the Governor to lead Minnesota's largest law enforcement agency as Commissioner of Public Safety and Director of Homeland Security.

Currently, Sheriff Stanek is well-respected on a national level and currently serves on a number of boards, work groups and organizations including: Department of Homeland Security's Interagency Threat Assessment and Coordination Group (ITACG) which, through a Presidential directive, allows for the sharing of terrorism-related information. He is a member of the national Criminal Intelligence Coordinating Council (CICC), advising the U.S. Attorney General and U.S. Department of Homeland Security. Sheriff Stanek has been elected vice president of the Major County Sheriffs' Association (MCSA). He serves on the board of directors for the National Sheriffs' Association (NSA). He is an active member of the International Association of Chiefs of Police (IACP).



He has lectured extensively on law enforcement issues including: intelligence-led policing, countering violent extremism, crime policy, and managing disaster recovery. He has been an instructor at the National Critical Incident Management Conference, the National Emergency Managers Association and other executive-level meetings.

Sheriff Stanek invests time with community-focused organizations committed to working with youth. He serves as a board member for the Boys & Girls Clubs of the Twin Cities and Treehouse. At the helm of Sheriff's Office, he has founded the Hennepin County Sheriff Foundation, which supports several initiatives including programs for at-risk youth.

Sheriff Stanek graduated from the University of Minnesota with a bachelor's degree in criminal justice and earned a master's degree in public administration from Hamline University. He has completed executive training at the National Sheriffs' Institute. In addition, he has recently participated in high-level FBI training as part of the National Executive Institute (NEI) and Leadership in Counter Terrorism (LinCT) international leadership program.

Born and raised in northeast Minneapolis, Sheriff Stanek is a lifelong resident of Hennepin County. He lives in Maple Grove with his wife and their 2 children.

Hennepin County Sheriff's Office
 Dedicated to increasing public safety through leadership, integrity, and strong partnerships

[Contact Us](#) [10 Most Wanted](#) [Wanted DWIs](#) [Submit a Tip](#) [Forms](#) [Contract for Policing](#) [News Releases](#)

Sheriff's Office Contract for Policing

The Hennepin County Sheriff's Office is dedicated to increasing public safety through leadership, integrity, and strong partnerships. Public safety is an important investment for all of us, so the Sheriff's Office actively partners with local jurisdictions across the county and in cities. We work together to provide professional law enforcement and public safety services to all residents in all communities.

Most of the cities in Hennepin County have their own police departments, some operate within police department collaboratives and some have entered into contracts for policing services with the Sheriff's Office.

Some cities recently have expressed an interest in exploring a Contract for Policing with the Sheriff's Office; the information provided here is intended to describe the program generally.

The Sheriff's Office already provides services to residents to enhance the services provided by local police departments.

While police departments regularly patrol their own cities, we assist with emergency calls for service (Sheriff's Patrol Units and Special Enforcement Response Team (SERT)), provide investigation services in instances of violent or emergent crime. The Sheriff's Office manages the Hennepin County Jail, patrols the lakes and waterways, answers calls for Crime Scene Forensic Sciences Services, and processes forensic evidence in partnership with local police departments. We provide K-9 Patrols, Crime Prevention Specialists and coordinate Mounted Patrol and Volunteer Units that serve across all 45 cities and unincorporated areas of the County. We provide 911 Dispatch Services for 23 law enforcement agencies and 19 fire departments. **These services are provided to all residents, across all jurisdictions, and are paid for primarily through your Hennepin County Property Taxes.**

The Sheriff's Office has entered into Contracts for Policing in cities where their city Councils have chosen not to operate their own independent Police Department: Greenfield, Medicine Lake, and Hanover are examples. These cities have entered into agreements to pay the Hennepin County Sheriff's Office for primary policing and patrolling services in their community. The Sheriff's Office works with each community to develop a customized Plan for Policing, which will vary substantially from one city to the next, depending on the number of residents, the density of population, the commercial-industrial to residential ratio, crime-rates and experience, and the particular goals of the community.

A contract for 8 hours per day of patrolling coverage is less expensive than a contract for 24 hours per day 7 days per week, and only the city can make a final decision about the level of coverage needed. However, **the Sheriff's Office Contracts for Policing are intended to pass along to each city only the additional and actual costs of providing the agreed upon services.**

Benefits of Contract Policing

Providing management and oversight of an independent police department can be burdensome, especially in smaller communities. Contracting with the Sheriff's Office can be less costly than maintaining a police department. A contract for services with the Sheriff's Office includes services from our Uniformed Patrol Unit, Crime Prevention Specialists, and Volunteer Units, but **your community will also receive the following services, included in the hourly charges for coverage. These services are provided in support of law enforcement-related activities:**

Personnel Considerations:

- Hiring/Firing Issues
- Scheduling and Performance evaluations
- Worker's Compensation
- Labor/Contract Negotiations
- Internal Affairs Issues
- Citizen Complaints
- Grievance & Discipline Issues
- Family Medical Leave Act Requests
- Fair Labor Standards Issues
- Risk Management & Liability
- Watch Commander & 24 Hour Supervision

Vehicle Considerations:

- Purchase & Maintenance for Squads/Vehicles
- Equipment Purchase & Maintenance
- Insurance/Repair/Fuel

Service Coordination:

- Public Information Officer
- Community Liaison

Contracting for police services with the Sheriff's Office offers an efficient and affordable alternative for policing in your community, and can save thousands of dollars in administrative and personnel costs, and equipment, vehicle, and capital budget expenses.



MISSION STATEMENT
 Dedicated to increasing public safety through leadership, integrity and strong partnerships.

- Federal Agency and Task Force Coordination
- Records/Budget/Finance/Revenue/Payroll
- Capital improvement and building maintenance
- County Attorney Services
- Courts/Jail/Civil Process/Warrants
- Emergency Management

VISION STATEMENT
 Outstanding public safety through
 exemplary leadership, dynamic
 collaborative partnerships and innovative
 resource management.

Contracts for Policing: Customized Levels of Service

The Hennepin County Sheriff's Office will work directly with your community leaders to assist in determining the level of service that best meets your community's need. This "policing plan" would be developed specifically for your community based on activity levels, population, and specific goals of the community. Service levels vary as follows:

- **Basic emergency response.** No dedicated patrol. Varying response times, limited Investigative or Special Operations resources.
- **Part time.** Basic emergency response augmented by dedicated patrol for specific limited time period. Increased investigative and special operations resources.
- **Full time.** Dedicated deputy(s) who work full time as your community's uniformed law enforcement officers. Full service Investigative and Special Operations resources.
- **Supplemental** – D.A.R.E. and School Resource Officers or enhanced use of any particular resource for a specific crime reduction initiative, special event, or significant response.

What Part Does the Community Play?

In evaluating the service needs of the community, the elected officials need to consider both community and policing factors, including its Comprehensive Plan, number of lakes, parks, and trails, number of schools, and the cost of providing services, in addition to the number of residents, the density of population, the commercial-industrial to residential ratio, crime-rates and experience, and the particular goals of the community. Policing factors include the number of calls for service, response times, visibility in the community, traffic enforcement, and familiarity with local issues.

Once a decision is made on the level of services needed, the city also has a voice in how much local oversight is desired, as well as whether they want local identity in the services. ***Together a partnership is built resulting in a model of policing that responds to local public safety needs, addresses local concerns and reflects the character of the community.*** The final decision of what's right for each community rests upon each individual community.

For more information, call the Hennepin County Sheriff's Office at 612-348-3744.



City on the Lake

Greenwood, Minnesota

- [Home](#)
- [Welcome to Greenwood](#)
- [What's New?](#)
- [Greenwood Exploring Police Options](#)
- [2011 Milfoil Project](#)
- [Xcel Project](#)
- [City Departments](#)
- [Mayor & City Council](#)
- [Planning Commission](#)
- [Meetings](#)
- [Meetings on TV](#)
- [Agendas, Packets & Minutes](#)
- [Assessments & Taxes](#)
- [Animal Services](#)
- [Budget & Finances](#)
- [Code Book](#)
- [Comprehensive Plan & Maps](#)
- [Community Surveys](#)
- [Docks](#)
- [Email List](#)
- [Emergency Preparedness](#)
- [Forms & Permits](#)
- [Garbage & Recycling](#)
- [Links](#)
- [Photo Gallery](#)
- [Southshore Center](#)
- [Well Water](#)
- [Search](#)

Greenwood Exploring Police Options

During recent budget worksessions, the Greenwood council discussed the increasing costs of our police services. Based on the preliminary discussion, the council has expressed interest in *exploring* the concept of leaving the Joint Powers Association (JPA) with Excelsior, Shorewood, and Tonka Bay and contracting for services from the Hennepin County Sheriff. The reason we are considering a change is for financial reasons -- the council believes it is our fiduciary responsibility to consider all options for securing cost-effective law enforcement for our community. While our motivation for this exploration is "financial," we want to make it clear that the council's highest priority is public safety. Therefore we will ensure that any potential arrangement that we might enter into will provide the safety standards that our residents and businesses expect.

The city council will make a decision by the JPA deadline of May 1, 2012. If we decide to leave the JPA, the new contract would not go into effect until January 1, 2014. The council also understands that whether we stay or leave the JPA, the city is obligated to pay our portion of the police building bond (approximately \$45,000 per year) through 2023.

The police topic will be discussed at upcoming city council meetings and there will be opportunity for public comment. Links to council meeting agendas will be sent via the city email list. Click on the "Email List" button on the left to sign up.

Please contact the mayor or a city council member if you have questions or comments regarding this issue. Click on the "Mayor & City Council" button on the left for contact information.

Below are related documents for viewing or downloading.

-  [2012 Police Costs Per Person.xls.pdf](#)
-  [09-26-11 Lakeshore Weekly News.pdf](#)
-  [2012-2016 SLMPD Reallocation Formula.xlsx.pdf](#)

- Full Site
- This Section

[Search Tips](#)

[Home](#) | [Welcome to Greenwood](#) | [What's New?](#) | [Greenwood Exploring Police Options](#) | [2011 Milfoil Project](#) | [Xcel Project](#) | [City Departments](#) | [Mayor & City Council](#) | [Planning Commission](#) | [Meetings](#) | [Meetings on TV](#) | [Agendas, Packets & Minutes](#) | [Assessments & Taxes](#) | [Animal Services](#) | [Budget & Finances](#) | [Code Book](#) | [Comprehensive Plan & Maps](#) | [Community Surveys](#) | [Docks](#) | [Email List](#) | [Emergency Preparedness](#) | [Forms & Permits](#) | [Garbage & Recycling](#) | [Links](#) | [Photo Gallery](#) | [Southshore Center](#) | [Well Water](#)

powered by [GovOffice.com](#)

You currently have an active admin session: [Click to return to Site Administration](#)

POLICE SPENDING PER PERSON ~ SOUTH LAKE CITIES

	COST FOR 2012 POLICE OPERATIONS*	2010 POPULATION **	COST PER PERSON	POPULATION % OF TOTAL
Excelsior	\$571,079	2188	\$261	13.90%
Greenwood	\$172,519	688	\$251	4.37%
Woodland	\$102,334	437	\$234	2.78%
Deephaven	\$759,384	3642	\$209	23.14%
Tonka Bay	\$305,017	1475	\$207	9.37%
Shorewood	\$987,085	7307	\$135	46.43%

TOTAL POPULATION 15737

SLMPD Cities Combined	\$2,035,700	11,658	\$175
-----------------------	-------------	--------	-------

* Source: SLMPD 2012 Budget and Deephaven 2012 Budget (\$861,718 - \$102,334 for Woodland = \$759,384)

** Source: 2010 Census

Updated 9/29/11

REALLOCATION FORMULA FOR SLMPD OPERATING FUND ~ 2012-2016

Revised 06-28-11

POPULATION BASELINE

	2004 Population	% of Total
Excelsior	2,400	19.3159%
Greenwood	800	6.4386%
Shorewood	7,625	61.3682%
Tonka Bay	1,600	12.8773%
	12,425	100.0000%

TAX CAPACITY BASELINE

	2005 Tax Cap	% of Total
Excelsior	3,005,669	13.7493%
Greenwood	2,079,710	9.5135%
Shorewood	12,836,707	58.7209%
Tonka Bay	3,938,449	18.0163%
	21,860,535	100.0000%

ICR BASELINE

	2005 ICR's	% of Total
Excelsior	2,049	31.8762%
Greenwood	369	5.7405%
Shorewood	3,308	51.4623%
Tonka Bay	702	10.9210%
	6,428	100.0000%

POPULATION AVERAGES

	2005	2006	2007	2008	2009	Average	% of Avg. Total
	2,380	2,395	2,437	2,382	2,360	2,391	19.4371%
	759	814	818	804	806	800	6.5056%
	7,551	7,499	7,611	7,582	7,618	7,572	61.5616%
	1,545	1,525	1,534	1,532	1,549	1,537	12.4957%
	12,235	12,233	12,400	12,300	12,333	12,300	100.0000%

TAX CAPACITY AVERAGES

	2006	2007	2008	2009	2010	Average	% of Avg. Total
	3,334,776	3,917,784	4,245,911	4,397,510	4,235,792	4,026,355	13.3040%
	2,447,073	2,894,806	3,377,856	3,688,315	3,713,570	3,224,324	10.6539%
	14,477,835	16,319,066	17,798,714	18,513,585	18,269,931	17,075,826	56.4224%
	4,609,014	5,358,772	6,148,162	6,748,501	6,824,277	5,937,745	19.6197%
	24,868,698	28,490,428	31,570,643	33,347,911	33,043,570	30,264,250	100.0000%

ICRs AVERAGES

	2006	2007	2008	2009	2010	Average	% of Avg. Total
	2159	2044	2316	2086	2150	2,151	35.3597%
	341	352	382	352	385	362	5.9574%
	3142	2823	3190	2928	2831	2,983	49.0334%
	596	537	695	598	509	587	9.6495%
	6,238	5,756	6,583	5,964	5,875	6,083	100.0000%

	Column A			
	1/3 Pop	1/3 Tax Cap	1/3 ICRs	Totals for Comparison
	2004	2005	2005	
Excelsior	6.4386%	4.5831%	10.6254%	21.6471%
Greenwood	2.1462%	3.1712%	1.9135%	7.2309%
Shorewood	20.4561%	19.5736%	17.1541%	57.1838%
Tonka Bay	4.2924%	6.0054%	3.6403%	13.9382%
TOTAL	33.3333%	33.3333%	33.3333%	100.0000%

	Column B		Column C	Column D
	1/3 Pop	1/3 Tax Cap	1/3 ICRs	Totals for Difference
	2005-2009	2006-2010	2006-2010	5-Year Avg Column A & B
	6.4790%	4.4347%	11.7866%	22.7003%
	2.1685%	3.5513%	1.9858%	7.7056%
	20.5205%	18.8075%	16.3445%	55.6725%
	4.1652%	6.5399%	3.2165%	13.9216%
	33.3332%	33.3334%	33.3334%	100.0000%
				Arbitration Allocation
				27.0000%
				8.0000%
				50.0000%
				15.0000%
				100.0000%
				C+D = New Allocation
				28.0532%
				8.4747%
				48.4887%
				14.9834%
				100.0000%

In 2016 the formula will be adjusted for 2017-2021 using Column B percentages as the new baseline numbers for Column A, and the numbers for the new averages will be from 2010-2014 for population, and from 2011-2015 for tax capacity and ICRs.

Going forward the same reallocation formula is used every 5 years.

Tax Capacity Source: Hennepin County Taxpayer Services 'Adjusted Net Tax Capacity'

ICR Source: SLMPD - does not included citations

Population Source: www.metrocouncil.org/metroarea/stats.htm



Agenda Number: **7C**

Agenda Date: 11-01-11

Agenda Item: 1st Reading: Ordinance 198, Amending Code Section 1135.05, C-2 Lake Recreation District.

Summary: The city council directed the planning commission to consider amending section 1135.05 of the zoning ordinance regarding C-2 permitted uses. The proposed amendment would remove "restaurant" from a permitted use status in the C-2 district and place it as a conditional use. In addition, the amendment would remove "general offices" from being a conditional use and place it as a permitted use.

The existing restaurant use has been discontinued on the Carlson property and now would be a good time to get the ordinance in order and require a more comprehensive look at restaurants as a conditional use since the use tends to have a larger impact than that of an office use.

Planning Commission Action: The public hearing notice was published in the Sun-Sailor on October 6. The planning commission held the public hearing and reviewed the draft ordinance on October 19. The planning commission approved the following motion on a 5 to 0 vote: To recommend the city council adopt ordinance 198, amending section 1135.05 of the zoning ordinance regarding permitted and conditional uses in the C-2 district.

Council Action: Optional. Suggested motions ...

1. I move the council approves the 1st reading of ordinance 198, to allow general office uses as a permitted use in the C-2 district and to allow restaurants as a conditional use in the C-2 district.
2. I move the council approves the 1st reading of ordinance 198, to allow general office uses as a permitted use in the C-2 district and to allow restaurants as a conditional use in the C-2 district, with the following revision(s): ____.
3. Do nothing.

ORDINANCE NO. 198

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE SECTION 1135.05
REGARDING PERMITTED AND CONDITIONAL USES IN THE C-2 DISTRICT**

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

SECTION 1.

Greenwood ordinance code section 1135.05, subd. 1 is amended to read as follows:

"Subd. 1. Principal Uses:

- A. Marinas (as defined at section 1135.35, subdivision 4); and
- B. General Offices."

SECTION 2.

Greenwood ordinance code section 1135.05, subd. 3 is amended to read as follows:

"Subd. 3. Conditional Principal Uses:

- A. Retail uses that are marina or water related;
- B. Multi-family residential uses (including the platting of condominiums within multi-family buildings with a minimum of not less than 1,500 square feet per residential unit subject to performance standards set forth at section 1135.00 et seq. and section 1140.00 et seq.);
- C. Restaurants (as defined at section 1135.35, subdivision 5); and
- D. Multiple permitted principal or conditional principal uses, other than multi-family, on a single tax parcel."

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: **7D**

Agenda Date: 11-01-11

Agenda Item: 1st Reading: Ordinance 199, Amending Code Section 1102, Definitions (adding illustrations and clarifying the definitions for yards)

Summary: The city recently received some complaints regarding the storage of vehicles in “front yards.” The applicable code is section 900.65(3)(b) which prohibits the parking or storage of vehicles in front yards unless they are parked on a paved area. The effort to enforce this code has highlighted the need for the city to review the definition of “front yard” and “yards” in general to gain greater clarity and consistency. The city council directed the planning commission to consider amending the definition of “yards” included in section 1102 of the city code and to discuss the inclusion of a diagrams showing the intent of the definitions.

Attached is a copy of the current code definitions and a copy of the proposed ordinance with drawings depicting the yard definitions.

Planning Commission Action: A public hearing notice was published in the Sun-Sailor on October 6 and the planning commission held the public hearing and reviewed the draft ordinance on October 19. The planning commission approved the following motion on a 5 to 0 vote: To recommend the city council adopt ordinance 199, amending section 1102 of the zoning ordinance, redefining definitions of yards and suggest that multiple illustrations be inserted into the ordinance to show varying lot types.

Council Action: Optional. Suggested motions ...

1. I move the council approves the 1st reading of ordinance 199, to amend section 1102 of the zoning ordinance to redefine yards and include multiple illustrations showing varying lot types.
2. I move the council approves the 1st reading of ordinance 199, to amend section 1102 of the zoning ordinance to redefine yards and include multiple illustrations showing varying lot types, with the following revisions: _____.
3. Do nothing.

ORDINANCE NO. 199

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE SECTION 1102 REDEFINING DEFINITIONS OF YARDS**

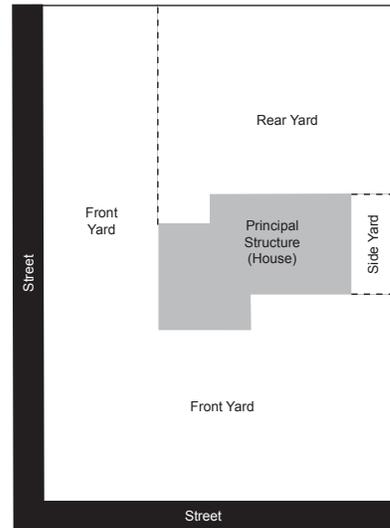
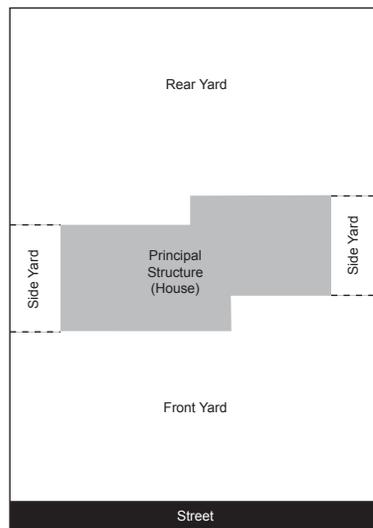
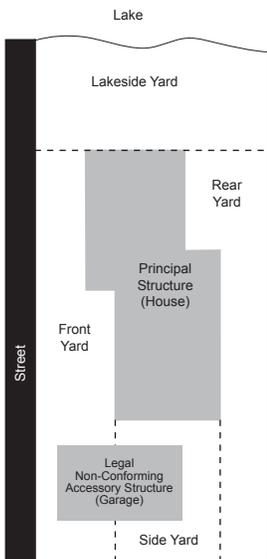
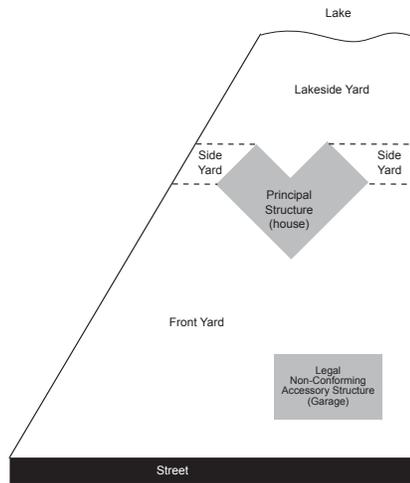
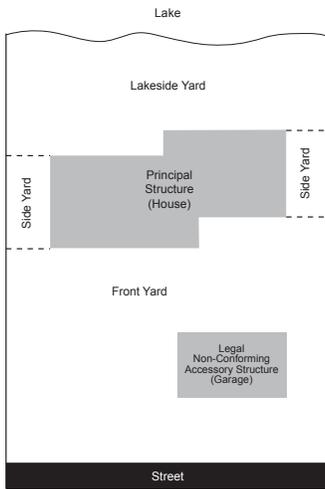
THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA DOES ORDAIN:

SECTION 1.

Greenwood ordinance code section 1102, definitions of “Yard, Yard (Front), Yard (Lakeside), Yard (Rear), Yard (Side)” are amended to read as follows:

“Yard means an open space on the same lot with a building, lying between the principal structure and the lot line otherwise unobstructed or unoccupied from the ground to the sky, except for fences, permitted accessory structures, or trees and shrubs.

The following illustrations show examples of yard locations:



Yard (Front) means an open, unoccupied space extending across the full width of the lot and lying between the edge of the public right-of-way open and actually used for travel and the nearest building line of the principal structure. Corner lots must have two front yards.

Yard (Lakeside) means an open, unoccupied space extending the full width of the lot and lying between the ordinary high water mark of the lake and the nearest building line of the principal structure. In no event shall the lakeside yard be interpreted to coincide with definition of front yard contained herein.

Yard (Rear) means an open, unoccupied space between the rear property line or ordinary high water mark of the lake and the nearest building line of the principal structure, for the full width of the lot.

Yard (Side) means an open, unoccupied space between the side property line of the lot and the nearest building line of the principal structure."

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

Video Display Sign means a sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames that gives the illusion of motion, including, but not limited to the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or messages with these characteristics onto buildings or other objects. (SIGNS 1140)

Visible means capable of being seen by a person of normal visual acuity (whether legible or not) without visual aid. (SIGNS 1140)

Wall means any structure which defines the exterior boundaries of courts or a building or structure and which has a slope of 60° or greater with the horizontal plane. (SIGNS 1140)

Wall Sign means any building sign attached parallel to, but within 2 feet of a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building and which displays only 1 sign surface. (SIGNS 1140)

Water-Oriented Accessory Structure means a small, above ground building or other improvement, except stairways and retaining walls, which, because of the relationship of its use to a surface water feature, reasonably needs to be located closer to public waters than the normal structure setback. Examples of such structures and facilities include docks and boathouses. (SHORELAND 1176)

Water Quality Volume means 1/2 inch of runoff from the new impervious surfaces created by this project and is the volume of water to be treated in the permanent stormwater management system, as required by this permit except as provided in Appendix A.C.2. (SITE RUN-OFF 1177)

Waters of the State as defined in Minnesota statutes 115.01, subd. 22, means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof. (SITE RUN-OFF 1177)

Wetland or Wetlands as defined in Minn. R. 7050.0130, subp. F including those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Constructed wetlands designed for wastewater treatment are not waters of the state. Wetlands must have the following attributes: A predominance of hydric soils; Inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in a saturated soil condition; and under normal circumstances support a prevalence of such vegetation.

Window Sign means any building sign, pictures, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window. (SIGNS 1140)

Yard means an open space on the same lot with a building, lying between the principal structure and the lot line otherwise unobstructed or unoccupied from the ground to the sky, except for fences, permitted accessory structures, or trees and shrubs.

Yard (Front) means a yard extending across the front of the lot between the side yard lines and lying between the edge of the public right-of-way open and actually used for travel and the nearest line of the building.

Yard (Lakeside) means a yard extending across the lot and lying between the rear line of the building and lakeshore. In no event shall the lakeside yard be interpreted to coincide with definition of front yard contained herein.

Yard (Rear) means an open space unoccupied except for accessory buildings on the same lot with a building between the rear lines of the building and the rear line of the lot, for the full width of the lot.

Yard (Side) means an open, unoccupied space on the lot with a building between the building and the side line of the lot.



Agenda Number: **7E**

Agenda Date: 11-01-11

Agenda Item: Discuss: Prohibiting Possession or Sale of Drug Paraphernalia

Summary: At the 10-04-11 council meeting the council expressed interest in the possibility of prohibiting the sale of drug paraphernalia in the city. Attached is a memo drafted by City Attorney Kelly, which suggests that the liquor and/or tobacco licenses could prohibit the sale of drug paraphernalia. Another option would be the outright prohibition of the possession or sale of drug paraphernalia (see the attached draft of an ordinance). The definition in the draft ordinance mirrors the definition from state statute 152.01.

Council Action: Optional. Suggested motions ...

1. I move the council authorizes _____ to contact the owners of establishments selling liquor and tobacco to let them know the city is contemplating an ordinance that will prohibit liquor and/or tobacco license holders from selling drug paraphernalia.
2. I move the draft of ordinance 201 be included on the 12-06-11 council agenda for a 1st reading.
3. I move the draft of ordinance 201 be included on the 12-06-11 council agenda for a 1st reading, with the following revisions _____.
4. Do nothing.

KELLY LAW OFFICES

Established 1948

351 SECOND STREET
EXCELSIOR, MINNESOTA 55331

MARK W. KELLY
WILLIAM F. KELLY (1922-1995)

(952) 474-5977
FAX 474-9575

KELLY LAW OFFICES

MEMORANDUM

TO: Mayor and Greenwood City Council Members
FROM: Mark W. Kelly
DATE: October 11, 2011
RE: Regulation of the Sale of Drug Paraphernalia

South Lake Police have advised that they are aware of a retail establishment in the city offering goods that in their experience serve no legitimate purpose other than as an aid to the consumption of controlled substances. As such, the goods may meet state definition of drug paraphernalia.

What regulatory authority does the City have?

State Control – State law defines drug paraphernalia and makes it unlawful for any person to knowingly or intentionally use or possess such (Mn. Stat. §152.092). It is a petty misdemeanor charge most often issued incident to a charge of possession of marijuana.

The State definition of drug paraphernalia includes, in part, equipment and products and materials of any kind, knowingly or intentionally used primarily for injecting, ingesting, inhaling or otherwise inducing into the human body a controlled substance, or enhancing the effect of a controlled substance.

The City of Greenwood does not have a separate paraphernalia regulation and the League of Minnesota Cities does not offer any model ordinances thereon. The City of Minneapolis does separately regulate possession of drug paraphernalia (see Exhibit "A"); however, the City of Minnetonka does not. Neither city appears to regulate the sale of drug paraphernalia relative to liquor sales.

Mn. Stat. Chapter 340A regulates the sale of liquor and authorizes cities to issue liquor licenses. Section 340A.509 specifically provides that a city may impose regulations beyond state statute relating to the issuance of liquor licenses.

Discussion

By its nature, drug paraphernalia can mean many things, and consequently definition with precision is difficult. The City of Minneapolis and the State of Minnesota both define it broadly. Minneapolis adds a requirement that the Police consider the intent of the person holding the goods for sale at the time of Police inquiry.

The City of Greenwood might adopt an ordinance regulating drug paraphernalia as has Minneapolis. However, our police are likely less interested in any additional potential paraphernalia charge than a way to end sales altogether. If the retail shop in question has a liquor and/or cigarette license, the City might impose additional local regulations on licensees.

The City might consider amending its liquor ordinance – after a public hearing required by statute – to establish a provision that no person to whom a liquor license is issued, may possess or offer for sale drug paraphernalia upon the licensed premises.

The definitions of the City of Minneapolis might be adopted. Then, in the event our Police Department were to advise Greenwood that a liquor license holder was selling drug paraphernalia, a license review hearing could be called and possible suspension or revocation of the liquor license might be considered. An outright ban on the sale of drug paraphernalia by a liquor license holder should be included in any liquor license amendment.

I recommend, however, that all current licensees be encouraged to voluntarily stop all paraphernalia sales or face a new ordinance. Alternatively, the City could consider getting out of off-sale liquor sales entirely. Doing so would not economically impact the City significantly, but the potential impact on licensees may persuade them to voluntarily end paraphernalia sales.

MINNEAPOLIS CITY CODE

DEFINITIONS

Drug paraphernalia. The term "**drug paraphernalia**" means all equipment, products, and materials of any kind which are used, intended for use, or designed for use, in manufacturing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of Minnesota Statutes, Chapter 152. The term includes, but is not limited to:

(1)

Dilutants and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used, intended for use, or designed for use in cutting controlled substances;

(2)

Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana;

(3)

Hypodermic syringes, needles, and other objects used, intended for use, and designed for use in parenterally injecting controlled substances into the human body; and

(4)

Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, which shall include but not be limited to the following:

(a)

Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;

(b)

Water pipes;

(c)

Carburetion tubes and devices;

(d)

Smoking and carburetion masks;

(e)

Roach clips, meaning objects used to hold burning material, such as a marijuana cigarette, which has become too small or too short to be held in the hand;

(f)

Miniature cocaine spoons, and cocaine vials;

(g)

Chamber pipes;

(h)

Carburetor pipes;

(i)

Electric pipes;

(j)

Chillums;

(k)

Bongs;

(l)

Reserved;

(m)

Ice pipes or chillers.

Intent; intended. The terms "intent" or "intended" refer to the intent of the person to be charged with a violation of this article.

Delivery. The term "delivery" means sale, dispensing, giving away, or supplying in any other manner. (82-Or-092, § 1, 5-14-82; 82-Or-196, § 1, 10-8-82)

223.220. - Standards for determining violation.

In determining probable cause for a violation of this article, law enforcement personnel shall consider, in addition to all other logically relevant factors, the following:

(1)

Statements by an owner or by anyone in control of the object concerning its use;

(2)

Prior criminal convictions, if any, of any owner, or of anyone in control of the object, under any state or federal law relating to any controlled substance;

(3)

The proximity of the object, in time and space, to a direct violation of this article;

(4)

The proximity of the object to any controlled substance;

(5)

The existence of any residue of a controlled substance on the object;

(6)

Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to any person who he or she knows, or should reasonably know, intends to use the object to facilitate a violation of this article. The innocence of an owner, or of anyone in control of the object, as to a direct violation of this article shall not prevent a finding that the object is intended for use, or designed for use as **drug paraphernalia**;

(7)

Instructions, oral or written, provided with the object concerning its use;

(8)

Descriptive materials accompanying the object which explain or depict its use;

(9)

National and local advertising concerning its use;

(10)

The manner in which the object is displayed for sale;

(11)

Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;

(12)

Direct or circumstantial evidence of the ratio of sales of the object or objects to the total sales of the business enterprise;

(13)

The existence and scope of any legitimate use for the object in the community; and

(14)

Expert opinion concerning its use. (82-Or-196, § 2, 10-8-82)

223.230. - Possession of **drug paraphernalia** prohibited.

It is unlawful for any person knowingly or intentionally to use or to possess **drug paraphernalia**. Any violation of this section is a petty misdemeanor. (82-Or-092, § 1, 5-14-82; 82-Or-196, § 3, 10-8-82)

223.235. - Possession of **drug paraphernalia** in a public place prohibited.

It is unlawful for any person knowingly or intentionally to use or to possess **drug paraphernalia** in a public place. As used in this section, "public place" shall include streets, alleys and sidewalks dedicated to public use, and shall also include such parts of buildings and other premises whether publicly or privately owned which are used by the general public or to which the general public is invited commercially, for a fee, or otherwise, or in or on which the general public is permitted without specific invitation. Any violation of this section is a misdemeanor. (2003-Or-126, § 1, 10-24-03)

223.240. - Manufacture or delivery of **drug paraphernalia** prohibited.

It is unlawful for any person knowingly or intentionally to deliver **drug paraphernalia** or knowingly or intentionally to possess or manufacture **drug paraphernalia** for delivery. Any violation of this section is a misdemeanor. (82-Or-092, § 1, 5-14-82; 82-Or-196, § 3, 10-8-82)

223.250. - Advertisement of **drug paraphernalia** prohibited.

It is unlawful for any person knowingly to intentionally to place in any newspaper, magazine, handbill, or other publication any advertisement or promotion for the sale of **drug paraphernalia**. A violation of this section is a misdemeanor. (82-Or-092, § 1, 5-14-82; 82-Or-196, § 3, 10-8-82)

2010 Minnesota Statutes

152.01 DEFINITIONS.

Subdivision 1. **Words, terms, and phrases.** Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purposes of this chapter, shall be given the meanings subjoined to them.

Subd. 2. **Drug.** The term "drug" includes all medicines and preparations recognized in the United States Pharmacopoeia or National Formulary and any substance or mixture of substances intended to be used for the cure, mitigation, or prevention of disease of either humans or other animals.

Subd. 3. MS 1967 [Repealed, 1969 c 933 s 22]

Subd. 3. **Administer.** "Administer" means to deliver by, or pursuant to the lawful order of a practitioner a single dose of a controlled substance to a patient or research subject by injection, inhalation, ingestion, or by any other immediate means.

Subd. 3a. **Cocaine.** "Cocaine" means coca leaves and any salt, compound, derivative, or preparation of coca leaves, including cocaine and ecgonine, the salts and isomers of cocaine and ecgonine, and the salts of their isomers and any salt, compound, derivative, or preparation thereof that is chemically equivalent or identical with any of those substances, except decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine.

Subd. 4. MS 1967 [Repealed, 1969 c 933 s 22]

Subd. 4. **Controlled substance.** "Controlled substance" means a drug, substance, or immediate precursor in Schedules I through V of section 152.02. The term shall not include distilled spirits, wine, malt beverages, intoxicating liquors or tobacco.

Subd. 5. [Repealed, 1971 c 937 s 22]

Subd. 5a. **Hallucinogen.** "Hallucinogen" means any hallucinogen listed in section 152.02, subdivision 2, clause (3), or Minnesota Rules, part 6800.4210, item C, except marijuana and Tetrahydrocannabinols.

Subd. 6. **Pharmacist intern.** The term "pharmacist intern" means a natural person, a graduate of the College of Pharmacy, University of Minnesota, or other pharmacy college, approved by the board, or a person satisfactorily progressing toward the degree in pharmacy required for licensure, registered by the state Board of Pharmacy, for the purpose of obtaining practical experience as a requirement for licensure as a pharmacist or a qualified applicant, awaiting licensure.

Subd. 7. **Manufacture.** "Manufacture," in places other than a pharmacy, means and includes the production, cultivation, quality control, and standardization by mechanical, physical, chemical, or pharmaceutical means, packing, repacking, tableting, encapsulating, labeling, relabeling, filling, or by other process, of drugs.

Subd. 8. **Dispense.** "Dispense" means to deliver one or more doses of a controlled substance in a suitable container, properly labeled, for subsequent administration to, or use by a patient or research subject.

Subd. 9. **Marijuana.** "Marijuana" means all parts of the plant of any species of the genus Cannabis, including all agronomical varieties, whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture,

or preparation of such plant, its seeds or resin, but shall not include the mature stalks of such plant, fiber from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks, except the resin extracted therefrom, fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination.

Subd. 9a. **Mixture.** "Mixture" means a preparation, compound, mixture, or substance containing a controlled substance, regardless of purity.

Subd. 10. **Narcotic drug.** "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) opium, coca leaves, opiates, and methamphetamine;

(2) a compound, manufacture, salt, derivative, or preparation of opium, coca leaves, opiates, or methamphetamine;

(3) a substance, and any compound, manufacture, salt, derivative, or preparation thereof, which is chemically identical with any of the substances referred to in clauses (1) and (2), except that the words "narcotic drug" as used in this chapter shall not include decocainized coca leaves or extracts of coca leaves, which extracts do not contain cocaine or ecgonine.

Subd. 11. **Opiate.** "Opiate" means any dangerous substance having an addiction forming or addiction sustaining liability similar to morphine or being capable of conversion into a drug having such addiction forming or addiction sustaining liability.

Subd. 12. **Opium poppy.** "Opium poppy" means the plant of the species *Papaver somniferum* L., except the seeds thereof.

Subd. 12a. **Park zone.** "Park zone" means an area designated as a public park by the federal government, the state, a local unit of government, a park district board, or a park and recreation board in a city of the first class. "Park zone" includes the area within 300 feet or one city block, whichever distance is greater, of the park boundary.

Subd. 13. **Person.** "Person" includes every individual, copartnership, corporation or association of one or more individuals.

Subd. 14. **Poppy straw.** "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

Subd. 14a. **School zone.** "School zone" means:

(1) any property owned, leased, or controlled by a school district or an organization operating a nonpublic school, as defined in section 123B.41, subdivision 9, where an elementary, middle, secondary school, secondary vocational center or other school providing educational services in grade one through grade 12 is located, or used for educational purposes, or where extracurricular or cocurricular activities are regularly provided;

(2) the area surrounding school property as described in clause (1) to a distance of 300 feet or one city block, whichever distance is greater, beyond the school property; and

(3) the area within a school bus when that bus is being used to transport one or more elementary or secondary school students.

Subd. 15. **Immediate precursor.** "Immediate precursor" means a substance which the state Board of Pharmacy has found to be and by rule designates as being the principal compound commonly used or produced for use, and which is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail, or limit such manufacture.

Subd. 15a. **Sell.** "Sell" means:

(1) to sell, give away, barter, deliver, exchange, distribute or dispose of to another, or to manufacture; or

(2) to offer or agree to perform an act listed in clause (1); or

(3) to possess with intent to perform an act listed in clause (1).

Subd. 16. **Small amount.** "Small amount" as applied to marijuana means 42.5 grams or less. This provision shall not apply to the resinous form of marijuana.

Subd. 16a. **Subsequent controlled substance conviction.** Notwithstanding section 152.18, subdivision 1, a "subsequent controlled substance conviction" means that before commission of the offense for which the person is convicted under this chapter, the person received a disposition for a felony-level offense under section 152.18, subdivision 1, was convicted in Minnesota of a felony violation of this chapter or a felony-level attempt or conspiracy to violate this chapter, or was convicted elsewhere for conduct that would have been a felony under this chapter if committed in Minnesota. An earlier disposition for a felony-level offense under section 152.18, subdivision 1, or an earlier conviction is not relevant if ten years have elapsed since discharge from sentence or stay of adjudication.

Subd. 17. [Repealed, 1994 c 636 art 2 s 69]

Subd. 18. **Drug paraphernalia.** (a) Except as otherwise provided in paragraph (b), "drug paraphernalia" means all equipment, products, and materials of any kind, except those items used in conjunction with permitted uses of controlled substances under this chapter or the Uniform Controlled Substances Act, which are knowingly or intentionally used primarily in (1) manufacturing a controlled substance, (2) injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance, (3) testing the strength, effectiveness, or purity of a controlled substance, or (4) enhancing the effect of a controlled substance.

(b) "Drug paraphernalia" does not include the possession, manufacture, delivery, or sale of hypodermic needles or syringes in accordance with section 151.40, subdivision 2.

Subd. 19. **Public housing zone.** "Public housing zone" means any public housing project or development administered by a local housing agency, plus the area within 300 feet of the property's boundary, or one city block, whichever distance is greater.

Subd. 20. **Unlawfully.** "Unlawfully" means selling or possessing a controlled substance in a manner not authorized by law.

Subd. 21. **Orphan drug.** "Orphan drug" means a drug for a disease or condition which is rare in the United States and has been designated as an orphan drug by the Secretary of Health and Human Services as provided in the Orphan Drug Act, Public Law 92-414, as amended.

Subd. 22. **Drug treatment facility.** "Drug treatment facility" means any facility in which a residential rehabilitation program licensed under Minnesota Rules, parts 9530.4100 to 9530.4450, is

located, and includes any property owned, leased, or controlled by the facility.

History: (3899-2, 3899-5, 3899-7, 3906-12) 1921 c 190 s 2,5,7; 1939 c 102 s 2; 1967 c 408 s 1,2; 1971 c 937 s 1-11; Ex1971 c 38 s 1; Ex1971 c 48 s 17; 1973 c 693 s 1; 1979 c 157 s 1; 1981 c 37 s 2; 1981 c 295 s 1; 1982 c 557 s 1; 1982 c 642 s 22; 1985 c 248 s 70; 1986 c 444; 1987 c 298 s 1; 1989 c 290 art 3 s 1-7; 1991 c 279 s 1,2; 1992 c 359 s 1-3; 1993 c 82 s 1; 1997 c 239 art 4 s 1,2; 1998 c 397 art 11 s 3; 1999 c 98 s 1; 2005 c 136 art 7 s 2

DRAFT FOR COUNCIL DISCUSSION

ORDINANCE NO. 201

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE SECTION 1205 & SECTION 900.10
DEFINING AND PROHIBITING THE POSSESSION OR SALE OF DRUG PARAPHERNALIA**

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

SECTION 1.

Greenwood ordinance code section 1205 Definitions is amended to include the term "Drug Paraphernalia" to read as follows:

"Drug paraphernalia means all equipment, products, and materials of any kind, except those items used in conjunction with permitted uses of controlled substances under the Uniform Controlled Substances Act, which are knowingly or intentionally used primarily in (1) manufacturing of a controlled substance, (2) injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance, (3) testing the strength, effectiveness, or purity of a controlled substance, or (4) enhancing the effect of a controlled substance."

SECTION 2.

Greenwood ordinance code section 900.10 is amended to add subdivision (w) to the list of prohibited Public Nuisances Affecting Morals and Decency and will read as follows:

"(w) The possession or sale of drug paraphernalia as defined in Minnesota state statutes and code section 1205."

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: **7F**

Agenda Date: 11-01-11

Agenda Item: Discuss: Clarifying the Definition of Shore Impact Zone (Ordinance 202)

Summary: There has been a question of what exactly is the Shore Impact Zone. The way the definition currently is written it can be interpreted to mean a line that is 50% of the distance between the lakeshore and the building, with the minimum building setback being 50 feet. Or it could be interpreted to mean that the minimum Shore Impact Zone is 50 feet. Staff recommends that the definition be clarified for enforcement purposes. Below are the state definition, existing definition, and proposed definition for Shore Impact Zone.

Minnesota State Definition:

6120.2500 Subp. 14c. "Shore impact zone" means land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50% of the structure setback.

Current Greenwood Code Definition:

Shore Impact Zone means the land located between the ordinary high water level for Lake Minnetonka and a line parallel to it, setback 50% of the building setback line that is a minimum of 50 feet from the ordinary high water level.

Proposed Greenwood Code Definition:

Shore Impact Zone means the land located between the ordinary high water level of Lake Minnetonka and a line parallel to it at a setback of 25 feet from the ordinary high water level of the lake.

The definition is located in the zoning chapter 11 of the code book, so a public hearing and review by the planning commission are required.

Council Action: None required. Suggested motions ...

1. I move the council directs the planning commission to hold a public hearing and make a recommendation regarding the definition for Shore Impact Zone.
2. Do nothing.



Agenda Item: Discuss: Restricting the Location of Storage Piles of Lumber, Machinery, Garbage Cans, etc.

Summary: There has been a question as to why the city restricts the placement of brush piles to rear or side yards, but has no restriction on the location of storage piles of lumber, machinery, garbage cans, etc.

Below is current code language:

Code Section 900.65 (2) Unlawful Parking and Storage

A person must not place, store, or allow the placement or storage of pipe, lumber, forms, steel, machinery, or similar materials, including all materials used in conjunction with a business, outside on residential property, unless shielded from public view by an opaque cover or fence.

Section 910.60. Prohibited Activities Affecting Health and/or Property.

Subd. 1. The following are hereby declared to be nuisances affecting health and/or property:

- (f) Brush piles, compost piles, and other piles of yard wastes or clippings unless they are located in side or rear yards at least 5 feet from the property line. No brush piles, compost piles, or other piles of yard wastes or clippings are allowed in front yards.

Below is suggested language for the council's discussion:

Code Section 900.65 (2) Unlawful Parking and Storage

A person must not place, store, or allow the placement or storage of pipe, lumber, forms, steel, machinery, garbage cans, or similar materials, including all materials used in conjunction with a business, outside on residential property, unless shielded from public view by an opaque cover or fence the items are located in side or rear yards at least 5 feet from the property line and are screened by a fence or landscaping.

On a related topic, the council also may wish to revise the following subdivision of 910.60 to allow for the civil citation process:

Subd. 2. Remedy. When there exists on private property a condition that is in violation of section 910.60, a notice to remove the offensive matter shall be served by the city council or its agent upon the owner, agent or occupant. Such notice may be served personally or may be served by mail. In all cases where such owner is not in the city or cannot be found therein, then notice shall be sent to the last known address. Such notice shall describe the matter to be removed and require the removal thereof within 10 days, including Saturdays, Sundays and holidays. If at the end of said 10 days following service of such notice, the offensive matter has not been removed the city shall cause removal and disposition of same by petition to the district court. All costs incurred by the city, including court costs and reasonable attorney fees, for the removal and disposition of all offensive matter shall be assessed, levied and collected as a special assessment payable in the manner provided by law for the levy and collection of other special assessments. the offender shall be subject to the process outlined in chapter 12 of this code book.

Council Action: None required. Suggested motions ...

1. I move the council directs staff to draft an ordinance amendment to section 900.62 (2) that restricts the location of stored lumber, machinery, garbage cans, etc. to side or rear yards and place on the 12-06-11 council agenda for a 1st reading.
2. I move the council directs staff to draft an ordinance amendment to section 910.60, subd. 2 that allows for the civil citation process outlined in chapter 12 to be implemented for prohibited activities affecting health and/or property.
3. Do nothing.



Agenda Item: Discuss: Trail Plowing, Mowing, and Tree Trimming Options

Summary: In the past the city council has expressed a desire to possibly hire another company for trail plowing, mowing, and tree trimming services instead of using Deephaven Public Works for these services. With the snow season approaching it is timely for the council to consider options. Attached is a proposal from Cornerstone (the company that provides services to Woodland). Woodland has been very satisfied with Cornerstone and highly recommends them.

For the council's reference, here are Deephaven's rates:

Services	2009 Historical Rates	2010 Historical Rates	Annual % Increase 2011-2013	2011 Rates	2012 Rates	2013 Rates
Public Works						
Labor Cost per Hour	\$29.65	\$30.54	3.00%	\$31.46	\$32.40	\$33.37
Vehicle Cost per Hour	\$43.44	\$45.17	4.00%	\$46.98	\$48.86	\$50.81
TOTALS	\$73.09	\$75.71		\$78.44	\$81.26	\$84.18

Deephaven's trail plowing hours: 1/2 hour to 1 hour per snow event

Deephaven's mowing / tree trimming hours: 18 to 25 hours per month (May through August)

It should be noted that it is difficult to compare hourly rates because some people work faster than others. To get an accurate comparison, Cornerstone would be willing to do the first trail plowing (or mowing) on an hourly basis to determine the actual cost and then charge the city a flat rate.

Council Action: None required. Suggested motions ...

1. I move the council directs staff to hire Cornerstone to plow Greenwood's trails after the first snowfall of the season to determine the cost and continue with the service if the cost is less than or equal to the amount charged by Deephaven Public Works for similar service. I further move that staff contacts Deephaven Public Works to let them know that they should not plow Greenwood's trails after the first snowfall and let them know that they possibly will not be plowing Greenwood's trails this winter season.
2. Do nothing.



Cornerstone Industries, Inc. PO Box 374 Excelsior, Mn 55331 (612) 226-8344 csilandscaping@yahoo.com

2011-2012 Snow-Blowing and Mowing Proposal
for
City of Greenwood, MN

Winter Services

- 1) *Snow-blowing of all sidewalks/trails for the city of Greenwood to be performed using Bobcat S250 with 74" blower or comparable. Work will usually be performed within 24 hrs after snowfall stops (the next day after initial plowing). I am proposing that the City hire Cornerstone at an hourly rate for the first service (with no commitment necessary) at which time I will provide a flat price for the snowfall amounts listed below.* \$89/hour
- 2) *Snow-blowing services for snowfalls of 1" to 4" for all trails and sidewalks.* \$TBD
- 3) *Snow-blowing services for snowfalls of 4.1" to 8" for all trails and sidewalks.* \$TBD
- 3) *Snow-blowing services for snowfalls of 8.1" to 12" for all trails and sidewalks.* \$TBD

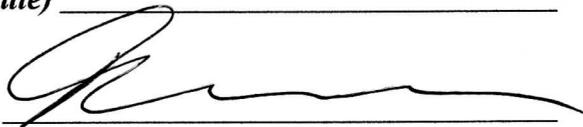
Summer Services

- 1) *Mowing, trimming and lite tree-work can be performed for the City upon request or on a set schedule. Work can be performed for an hourly rate for the first service (with no commitment) and for other miscellaneous projects throughout the Summer. Once we map out the areas needing to be mowed and define the frequency, I can give a flat rate for each service.* \$68/hour

Customer Acceptance (and title) _____

Date _____

Cornerstone Industries Inc, _____


Tim Lovett

Date 10/25/11



Agenda Item: Discuss: Bank CD Options

Summary: In recent months the interest rates on the city's savings accounts has decreased. If the council would like to increase the interest rate, we could consider putting money in certificates of deposit (CD). Below is information for the council's discussion.

BRIDGEWATER BANK rates on 10-26-11

- 0.65% The current rate for our Business Money Market Savings account (balance is approximately \$320,000)
- 0.10% 3-month CD rate (minimum deposit \$10,000)
- 0.20% 6-month CD rate (minimum deposit \$10,000)
- 0.40% 9-month CD rate (minimum deposit \$10,000)
- 0.65% 12-month CD rate (minimum deposit \$10,000)
- 0.75% 15-month CD rate (minimum deposit \$10,000)

BEACON BANK rates on 10-26-11

- 0.70% The current rate for our Money Market Savings account (balance is approximately \$200,000)
- 0.30% 3-month CD rate (minimum deposit \$50,000)
- 0.40% 6-month CD rate (minimum deposit \$50,000)
- 0.70% 9-month CD rate (special for clients with checking accounts, minimum deposit \$10,000)
- 0.80% 12-month CD rate (minimum deposit \$50,000)
- 1.15% 13-month CD rate (special for clients with checking accounts, minimum deposit \$10,000)
- 1.10% 24-month CD rate (minimum deposit \$50,000)

Note: \$50,000 must be left in the Money Market Savings account to get best the interest rate.

Council Action: None required. Suggested motions ...

1. I move the council directs the city treasurer to open a ___-month CD at _____ Bank using \$_____ in funds from the _____ Bank savings account. I further move the council authorizes the administrative committee to open other CDs with a maximum initial maturity of _____ months as long as there is at least \$_____ in the city's checking and savings accounts at the time the CD(s) are opened.
2. Do nothing.



Agenda Number: **8A**

Agenda Date: 10-04-11

Agenda Item: Review and Discussion: Resolution 20-11, Policy for “No Parking” Signs. Review current sign locations and determine a policy.

Summary: Mayor Kind and Councilman Quam completed their review and marking of obsolete signs for removal in the city. During their review they noticed the locations for no-parking signs in the city are inconsistent. They are seeking council direction regarding a policy for the location of no-parking signs.

The city council discussed no-parking signs at the October council meeting and decided to continue the discussion to the November council meeting pending the creation of a map showing the locations of current no-parking signs. The map is attached. Also attached is a revised resolution for the council’s consideration. This resolution is based on model language found in the Minnesota’s Best Practices for Traffic Sign Maintenance / Management Handbook.

Council Action: Optional. Suggested motions ...

1. I move the council approves resolution 20-11 establishing a policy for No Parking signs.
2. I move the council approves resolution 20-11 establishing a policy for No Parking signs, with the following revisions _____.
3. Do nothing.

Sign Says:
Resident
Parking Only
(Should it say
Private Drive?)

Signs Says:
Resident
Parking Only

● Approximate
locations
of current
no-parking
signs

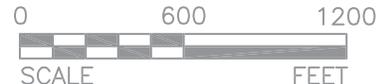
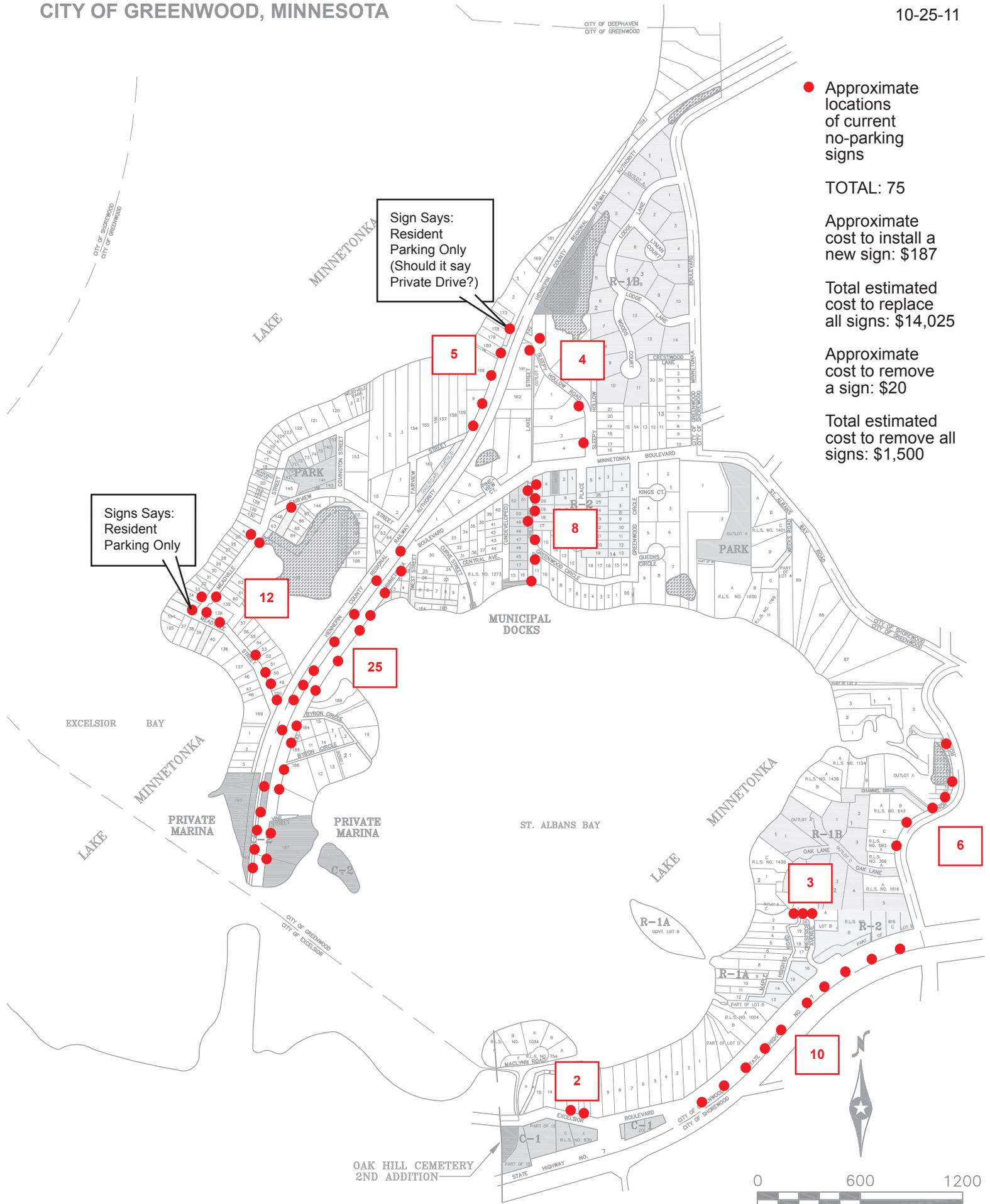
TOTAL: 75

Approximate
cost to install a
new sign: \$187

Total estimated
cost to replace
all signs: \$14,025

Approximate
cost to remove
a sign: \$20

Total estimated
cost to remove all
signs: \$1,500



**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, the Minnesota Manual on Uniform Traffic Control Devices (MN MUTCD) states that if cities decide to put up signs such as “No Parking” signs, the action will be based on exercising judgment, not on the requirements in the MN MUTCD; and

WHEREAS, the MN MUTCD states that cities should give very careful consideration to remove signs that are not consistently used throughout the city; and

WHEREAS, the city council has considered the following in exercising judgment regarding the consistent use of “No Parking” signs in the city:

- A. City streets are for public use, including short-term parking.
- B. Long-term parking is addressed through a city ordinance that prohibits parking of vehicles for more than 72 consecutive hours.
- C. Chronic intermittent parking affects the general aesthetics and welfare of the city.
- D. Parked cars can affect sightlines and public safety.
- E. Fire trucks need a minimum clearance width of 10.5 feet, therefore there is room to park typical cars and lightweight trucks on most Greenwood streets.
- F. It is expensive to install and maintain “No Parking” signs.
- G. Too many “No Parking” signs are unsightly and can affect the general aesthetics and welfare of the city.
- H. Most roads in the city are narrow, so if one road is signed, then all should be signed, which would be impractical.

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 Crestside Avenue, due to proven chronic parking concerns.
- 3. _____
- 4. _____

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 through ___ 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: **9A-E**

Agenda Date: 11-01-11

Agenda Item: Council Reports

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

Council Action: None required.



Agenda Number: **FYI**

Agenda Date: 11-01-11

Agenda Item: FYI Items in Council Packet

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

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

**GREENWOOD PLANNING COMMISSION
WEDNESDAY, AUGUST 17, 2011
7:00 P.M.**

1. CALL TO ORDER/ROLL CALL

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

Members Present: Chairman Patrick Lucking and Commission members John Beal, Bill Cook, David Paeper and Douglas Reeder

Absent: Council Liaison Tom Fletcher and Commissioner Brian Malo

Others Present: City Attorney Mark Kelly and Zoning Administrator Gus Karpas.

Due to the absence of Commissioner Malo, Commissioner Reeder was a voting member of the Commission.

2. APPROVE AGENDA

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

3. MINUTES OF July 20, 2011.

Commissioner Beal moved to approve the minutes of July 20, 2011. Commissioner Cook seconded the motion. Motion carried 4-0-1. Commissioner Paeper abstained.

4. LIAISON REPORT

There was no liaison report.

5. PUBLIC HEARINGS

VARIANCE - Gregg and Kristin Ostrander - 21520 Fairview Street – R-1A – Request to re-construct and reconfigure a lakeside deck which would encroach into the minimum required lake yard setback and exceed the maximum permitted impervious surface area.

Section 1120:15 of the Zoning Ordinance requires a lake yard setback of fifty feet as measure from the ordinary high water level. The applicants propose a lake yard setback of forty-three feet. The proposal requires a variance of seven feet of the required lake yard setback.

Section 1174.04(3)(a) of the Shoreland ordinance permits a maximum impervious surface area of 30%. The applicants propose an impervious surface area of 35.3%. The applicants seek a variance to exceed the maximum permitted impervious surface area by 5.3%.

Chairman Lucking noted the proposed deck was replacing a deck that was previously granted a variance by the city when it was initially constructed. He said if the applicant was re-constructing the deck within the existing footprint it wouldn't need city approval. He said, as proposed, the applicant is reducing the current encroachment into the required lake yard setback.

Commissioner Beal said he had no problem with the applicants rebuilding the rotting deck. He discussed the impervious area contained within the common driveway stating if that area was removed from the calculation, the property would be in compliance with the ordinance requirements. He said in terms of the setback, the property contains a seawall that was constructed a number of years ago by a previous owner which alters the natural shoreline, creating the need for a variance. He has no objection to the request.

Chairman Lucking opened the public hearing.

GREENWOOD PLANNING COMMISSION
WEDNESDAY, AUGUST 17, 2011
7:00 P.M.

Steve Kleineman, representing the applicant, informed the Commission that the applicants were out of town but he was able to answer any questions that would clarify the request.

Hearing no further public comment, the public hearing was closed.

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

Ordinance Amendment – Public hearing on the amendment of Zoning Ordinance to reflect changes in State Statutes as it pertains to the granting of variances.

Chairman Lucking explained the proposed amendment incorporates the language changes adopted by the State Legislature for the granting of variances and has been approved by the City Attorney.

Chairman Lucking opened the public hearing. Hearing no public comment, the public hearing was closed.

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.

6. OTHER BUSINESS

Ordinance Amendment – Discuss amendment of Zoning Ordinance to amend the use status for Restaurant and General Office uses in the C-2 District.

Zoning Coordinator Karpas said the proposed amendment would move Restaurant uses to a conditional use and move General Office uses to a permitted use. This would give the city the ability to more closely scrutinize requests for restaurants since they are the more intensive use.

Commissioner Beal questioned if the current regulations were sufficient enough to regulate general office uses as a principal use. City Attorney Kelly said the Commission could review the regulations and defer a decision on acting on the amendment.

Chairman Lucking said one of the reasons for the proposed amendment has to do with the recent commercial structure approved for the Carlson site. Even though Mr. Carlson said he would come back to the city in the event a new restaurant would be located on the site, under the current ordinance he would not have to.

Commissioner Paeper asked why both uses couldn't be conditional uses. City Attorney Kelly said they could since the conditional use process gives the city greater authority over a use. He said the Commission may want to review the current conditions for general office uses.

Commissioner Paeper asked about the future use of the Old Log Theatre property. City Attorney Kelly said the property is currently zoned residential and that the city may want to consider creating a Planned Unit Development for future development on the site.

The Planning Commission directed staff to research potential changes for the C-2 district in terms of regulating general office uses.

GREENWOOD PLANNING COMMISSION
WEDNESDAY, AUGUST 17, 2011
7:00 P.M.

Ordinance Amendment – Discuss amendment of Zoning Ordinance to clarify the definition of a “front yard” and include a visual depiction of the definition.

Zoning Coordinator Karpas said the Council would like the Planning Commission to consider a clarification in the code, including a diagram for the definition of front yard.

Chairman Lucking said he supported the proposed amendment but would like to see stronger language for properties that have their front doors facing an interior lot line. He feels in a case like that, the setback should be increased from the property line.

Commissioner Beal said the issue with the existing and proposed ordinance is the fact that Greenwood is not a city of rectangles.

City Attorney Kelly said “option B”, referring to the diagram included in the packet, is the way the current ordinance has been enforced. Commissioner Beal said he was under the impression that the issue was raised due to boat parking in front yards. Mr. Kelly said that was a different issue and the Commission should focus on the proposed amendment of the definition and the inclusion of a diagram in the code book.

Commissioner Reeder, speaking to Chairman Lucking’s concerns, asked when in the case there is a “front” door facing an interior lot line, what would the required street side setback be. Zoning Coordinator Karpas said it would remain the same and the lot would be treated as a corner lot, depending how the ordinance language is drafted.

City Attorney Kelly said he would work with staff to tweak the proposed language and bring it back to the Commission.

The Planning Commission directed staff to schedule a public hearing for their September meeting.

7. ADJOURN

Motion by Commissioner Beal to adjourn the meeting. Commissioner Cook seconded the motion. The meeting was adjourned at 7:27 p.m.

Respectively Submitted
Gus Karpas - Zoning Administrator



BOLTON & MENK, INC.[®]

Consulting Engineers & Surveyors

2638 Shadow Lane, Suite 200 • Chaska, MN 55318-1172
Phone (952) 448-8838 • Fax (952) 448-8805
www.bolton-menk.com

October 25, 2011

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

RE: 2011 Sewer Rehabilitation
City of Greenwood, MN

Dear Gus:

Enclosed is Pay Request No. 2 from Intratech for work completed on the 2011 Sewer Rehabilitation Project through October 25, 2011. We have reviewed the estimate, verified the quantities, and recommend payment in the amount of \$40,430.10.

A final pay request will be prepared once a final inspection of the improvements is completed and the final quantities are verified.

Please contact me if you have any questions or need additional information.

Sincerely,
BOLTON & MENK, INC.

David P. Martini, P.E.
Principal Engineer



BOLTON & MENK, INC.[®]

Consulting Engineers & Surveyors

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

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

www.bolton-menk.com

October 25, 2011

Infratech
21040 Commerce Boulevard
Rogers, MN 55374

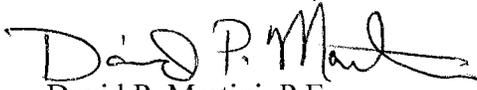
Re: 2011 Sewer Rehavilitation
City of Greenwood

Enclosed are 3 copies of Pay Request No. 2 in the amount of \$40,430.10. A final pay request will be prepared once all of the improvements have received final inspection and the quantities have been verified.

Please review the quantities and amounts shown to be assured of complete satisfaction. If everything is in order, please sign on all three copies of the Pay Estimate and return them to the City of Greenwood as soon as possible.

If you have any questions, please feel free to call.

Sincerely,
BOLTON & MENK, INC.


David P. Martini, P.E.
Principal Engineer

DPM/dpm

Enclosures

cc: Gus Karpas, City of Greenwood

CONTRACTOR'S PAY REQUEST NO. 2
2011 SANITARY SEWER REHABILITATION
CITY OF GREENWOOD
BMI PROJECT NO. C13.103379

CONTRACTOR
OWNER
ENGINEER

TOTAL ORIGINAL CONTRACT AMOUNT.....	\$96,242.76
APPROVED CHANGE ORDER NO.	
TOTAL, CURRENT CONTRACT AMOUNT	\$96,242.76
TOTAL, COMPLETED WORK TO DATE.....	\$ 67,055.76
TOTAL, STORED MATERIALS TO DATE.....	\$ -
DEDUCTION FOR STORED MATERIALS USED IN WORK COMPLETED.....	\$ -
TOTAL, COMPLETED WORK & STORED MATERIALS.....	\$ 67,055.76
RETAINED PERCENTAGE (5%)	\$ 3,352.79
TOTAL AMOUNT OF OTHER DEDUCTIONS.....	\$ -
NET AMOUNT DUE TO CONTRACTOR TO DATE.....	\$ 63,702.97
TOTAL AMOUNT PAID ON PREVIOUS ESTIMATES	\$ 23,272.87
PAY CONTRACTOR AS ESTIMATE NO. 2	\$ 40,430.10

Certificate for Partial Payment

I hereby certify that, to the best of my knowledge and belief, all items quantities and prices of work and material shown on this Estimate are correct and that all work has been performed in full accordance with the terms and conditions of the Contract for this project between the Owner and the undersigned Contractor, and as amended by any authorized changes, and that the foregoing is a true and correct statement of the contract amount for the period covered by this Estimate.

Contractor: INFRATECH
21040 COMMERCE BOULEVARD
ROGERS, MN 55374

By _____
Name Title
Date _____

CHECKED AND APPROVED AS TO QUANTITIES AND AMOUNT:
BOLTON & MENK, INC., ENGINEERS, 2638 SHADOW LN, SUITE 200, CHASKA MN 55318

By David P. Martini, CITY ENGINEER
DAVID MARTINI, P.E.

Date OCTOBER 25, 2011

APPROVED FOR PAYMENT:
Owner: CITY OF GREENWOOD

By _____
Name Title Date

PARTIAL PAY ESTIMATE NO. 2

CITY OF GREENWOOD
 2011 SANITARY SEWER REHABILITATION
 BMI PROJECT NO. C13.103379

WORK COMPLETED THROUGH OCTOBER 25, 2011

ITEM NO.	BID ITEM	UNIT PRICE	ESTIMATED		BID AMOUNT	QUANTITY PREVIOUS ESTIMATE		QUANTITY COMPLETED TO DATE		
			BID QUANTITY							
1	MOBILIZATION	\$ 3,000.00	1	LS	\$ 3,000.00	1	LS	1	LS	\$ 3,000.00
2	SEWER CLEANING AND TELEVISION, INCL. ROOTS AND MIN. DEPOSITS	\$ 2.12	3,098	LF	\$ 6,567.76	3,098	LF	3,098	LF	\$ 6,567.76
3	CHEMICAL GROUT SEALING OF JOINT OR CRACK	\$ 625.00	12	EACH	\$ 7,500.00		EACH		EACH	\$ 9,375.00
4	LATERAL SERVICE CONNECTIN SEALING AND RE-EST. OF FLOW	\$ 720.00	7	EACH	\$ 5,040.00		EACH		EACH	\$ -
5	SHORT-SECTION LINER UP TO 4' LENGTH	\$ 1,740.00	9	EACH	\$ 15,660.00	2	EACH	2	EACH	\$ 3,480.00
6	ADDITIONAL LENGTH SHORT-SECTION LINER OVER 4'	\$ 120.00	24	LF	\$ 2,880.00		LF		LF	\$ -
7	CUT OFF PROTRUDING TAP	\$ 900.00	1	EACH	\$ 900.00	1	EACH	1	EACH	\$ 900.00
8	SEAL MANHOLE JOINT	\$ 800.00	11	EACH	\$ 8,800.00	6	EACH	6	EACH	\$ 4,800.00
9	SEAL PIPE CONNECTIONS TO MANHOLE	\$ 500.00	14	EACH	\$ 7,000.00	10	EACH	10	EACH	\$ 5,000.00
10	PLACE CONCRETE LINER IN MANHOLE	\$ 220.00	31	LF	\$ 6,820.00		LF		LF	\$ 2,508.00
11	REPAIR / RECONSTRUCT MANHOLE BOTTOM AND INVERT	\$ 650.00	7	EACH	\$ 4,550.00		EACH		EACH	\$ 3,900.00
12	RECONSTRUCT MANHOLE ADJ. RINGS AND INSTALL EXT. CHIMNEY SEAL	\$ 1,575.00	16	EACH	\$ 25,200.00		EACH		EACH	\$ 25,200.00
13	RECONSTRUCT MANHOLE ADJ. RINGS AND INSTALL INTERNAL CHIMNEY SEAL	\$ 1,575.00	1	EACH	\$ 1,575.00		EACH		EACH	\$ 1,575.00
14	REPLACE MANHOLE COVER WITH WATERTIGHT COVER	\$ 150.00	5	EACH	\$ 750.00	5	EACH	5	EACH	\$ 750.00
TOTAL AMOUNT INCLUDING CHANGE ORDERS:					\$ 96,242.76			\$ 24,497.76		\$ 67,055.76



BOLTON & MENK, INC.[®]

Consulting Engineers & Surveyors

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

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

www.bolton-menk.com

October 24, 2011

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

RE: 2011 Street Improvements
City of Greenwood, MN

Dear Gus:

Enclosed is Pay Request No. 2 – Final from GMH Asphalt Corporation for work completed on the 2011 Street Improvements Project through October 24, 2011. We have reviewed the estimate, verified the quantities, and recommend payment in the amount of \$8,940.11.

Please contact me if you have any questions or need additional information.

Sincerely,
BOLTON & MENK, INC.

David P. Martini, P.E.
Principal Engineer



BOLTON & MENK, INC.

Consulting Engineers & Surveyors

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

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

www.bolton-menk.com

October 24, 2011

GMH Asphalt Corporation
9180 Laketown Road
Chaska, MN 55318

Re: 2011 Street Improvements
City of Greenwood

Enclosed are 3 copies of Pay Request No. 2 - Final in the amount of \$8,940.11. Please review the quantities and amounts shown to be assured of complete satisfaction. If everything is in order, please sign on all three copies of the Pay Estimate and return them to the City of Greenwood as soon as possible.

If you have any questions, please feel free to call.

Sincerely,
BOLTON & MENK, INC.

David P. Martini, P.E.
Principal Engineer

DPM/dpm

Enclosures

cc: Gus Karpas, City of Greenwood

CONTRACTOR'S PAY REQUEST NO. 2 - FINAL
2011 STREET IMPROVEMENTS
CITY OF GREENWOOD
BMI PROJECT NO. C13.103159

CONTRACTOR
OWNER
ENGINEER

TOTAL ORIGINAL CONTRACT AMOUNT.....	\$113,708.74
APPROVED CHANGE ORDER NO.	
TOTAL, CURRENT CONTRACT AMOUNT	\$113,708.74
TOTAL, COMPLETED WORK TO DATE.....	\$ 102,467.84
TOTAL, STORED MATERIALS TO DATE.....	\$ -
DEDUCTION FOR STORED MATERIALS USED IN WORK COMPLETED.....	\$ -
TOTAL, COMPLETED WORK & STORED MATERIALS.....	\$ 102,467.84
RETAINED PERCENTAGE (0%)	\$ -
TOTAL AMOUNT OF OTHER DEDUCTIONS.....	\$ -
NET AMOUNT DUE TO CONTRACTOR TO DATE.....	\$ 102,467.84
TOTAL AMOUNT PAID ON PREVIOUS ESTIMATES	\$ 93,527.73
PAY CONTRACTOR AS ESTIMATE NO. 2 - FINAL	\$ 8,940.11

Certificate for Final Payment

I hereby certify that, to the best of my knowledge and belief, all items quantities and prices of work and material shown on this Estimate are correct and that all work has been performed in full accordance with the terms and conditions of the Contract for this project between the Owner and the undersigned Contractor, and as amended by any authorized changes, and that the foregoing is a true and correct statement of the amount for the Final Estimate, that the provisions of M. S. 290.92 have been complied with and that all claims against me by reason of the Contract have been paid or satisfactorily secured.

Contractor: GMH ASPHALT CORPORATION
9180 LAKETOWN ROAD
CHASKA, MN 55318

By _____
Name Title
Date _____

CHECKED AND APPROVED AS TO QUANTITIES AND AMOUNT:
BOLTON & MENK, INC., ENGINEERS, 2638 SHADOW LN, SUITE 200, CHASKA MN 55318

By David P. Martini _____, CITY ENGINEER
DAVID MARTINI, P.E.

Date OCTOBER 24, 2011

APPROVED FOR PAYMENT:
Owner: CITY OF GREENWOOD

By _____
Name Title Date

PARTIAL PAY ESTIMATE NO. 2 - FINAL

CITY OF GREENWOOD
2011 STREET IMPROVEMENTS
BMI PROJECT NO. C13.103159

WORK COMPLETED THROUGH OCTOBER 24, 2011

ITEM NO.	BID ITEM	UNIT PRICE	ESTIMATED		QUANTITY PREVIOUS ESTIMATE	QUANTITY COMPLETED TO DATE
			BID QUANTITY	BID AMOUNT		
1	MOBILIZATION	\$ 2,750.00	1	\$ 2,750.00	1	1
2	SAW CUT BITUMINOUS PAVEMENT	\$ 2.00	350	\$ 700.00	LF	350
3	REMOVE BITUMINOUS PAVEMENT BY MILLING	\$ 1.67	5,160	\$ 8,617.20	SY	5,160
4	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	\$ 10.00	15	\$ 150.00	SY	15
5	STREET BASE/SUBGRADE EXCAVATION	\$ 8.00	300	\$ 2,400.00	CY	300
6	SUBGRADE PREPARATION	\$ 1.35	5,160	\$ 6,966.00	SY	5,160
7	GEOTEXTILE FABRIC, TYPE V	\$ 1.00	900	\$ 900.00	SY	900
8	FURNSH AND PLACE CLASS 5 AGGREGATE BASE (100% CRUSHED LIMESTONE)	\$ 16.00	600	\$ 9,600.00	TONS	106.71
9	2" BITUMINOUS BASE COURSE	\$ 59.70	630	\$ 37,611.00	TONS	681.87
10	1-1/2" BITUMINOUS WEAR COURSE, TYPE LV4	\$ 6.00	5,160	\$ 30,960.00	SY	5,160
11	3" BITUMINOUS WEAR COURSE FOR DRIVEWAY RESTORATION, TYPE LV4	\$ 25.00	15	\$ 375.00	SY	15
12	TOPSOIL BORROW (LV)	\$ 35.00	100	\$ 3,500.00	CY	40
13	SOD	\$ 6.25	350	\$ 2,187.50	SY	15
14	SEEDING WITH 270 RT SEED MIX AND TYPE 5 HYDROMULCH (3884)	\$ 1.45	750	\$ 1,087.50	SY	575
15	REGRADE BOULEVARD AREA SOUTH END OF WEST STREET	\$ 350.00	1	\$ 350.00	LS	1
16	ADJ. MANHOLE CASTING, REPLAE ADJ. RINGS AND INSTALL CHIMNEY SEAL	\$ 500.00	8	\$ 4,000.00	EACH	8
17	SILT FENCE, ORANGE PREASSEMBLED	\$ 7.35	30	\$ 220.50	LF	753
18	BITUMINOUS BERM CURB	\$ 1.00	570	\$ 570.00	LF	753
	EXTRA WORK					
1	ADJUST MANOLE CASTING WITHOUT CHIMNEY SEAL	\$ 382.02	2	\$ 764.04	EACH	2
	TOTAL AMOUNT INCLUDING CHANGE ORDERS:			\$ 113,708.74		\$ 98,450.24
						\$ 102,467.84