

# MINUTES

## Greenwood City Council Meeting

Wednesday, February 5, 2014  
20225 Cottagewood Road, Deephaven, MN 55331



### 1. CALL TO ORDER ~ ROLL CALL ~ APPROVE AGENDA

Mayor Kind called the meeting to order at 7pm.

Members Present: Mayor Kind; Councilmembers Bill Cook, Tom Fletcher, Bob Quam, and Rob Roy

Others Present: Attorney Mark Kelly, City Zoning Administrator / City Clerk Gus Karpas, City Engineer Dave Martini

Members Absent: None

**Motion by Kind, second by Cook, to approve the agenda. Motion passed 5-0.**

### 2. CONSENT AGENDA

- A. Approve: 01-02-14 City Council Meeting Minutes
- B. Approve: December Cash Summary Report
- C. Approve: January Verifieds, Check Register, Electronic Fund Transfers
- D. Approve: February Payroll Register

**Motion by Kind, second by Quam, to approve the consent agenda items as presented. Motion passed 5-0.**

### 3. MATTERS FROM THE FLOOR

- A. None

### 4. PRESENTATIONS, REPORTS, GUESTS & ANNOUNCEMENTS

- A. Presentation: Certificate of Appreciation for Retiring Planning Commissioner John Beal

**Motion by Quam, second by Cook, to approve the certificate of appreciation recognizing the contributions of Planning Commissioner John Beal. Motion passed 5-0.**

- B. Presentation: Minnetonka High School Vantage Students, Southshore Center Project

No council action was taken.

- C. Report: Quarterly Police Update

No council action was taken.

- D. City Engineer: Dave Martini

- St. Alban's Bridge

Nothing new to report. This item will be on the council agenda in 6 months.

- Curve Street Drainage Issue

Nothing new to report. This item will be on the council agenda in 2 months.

- Excelsior Blvd Retaining Wall

**Motion by Roy, second by Quam, to approve the estimate in the amount of \$4357 for the plain concrete retaining wall along the Excelsior Blvd path. Motion passed 5-0.**

- 2014 No-Parking Sign Project

Councilman Quam and Councilman Cook will work with the city engineer to create a no-parking sign plan and present to the council in August.

E. Announcement: Planning Commission Term Expirations

In March, 3 planning commission terms and 1 alternate seat term will expire. In addition, there is 1 alternate seat open. Greenwood residents are encouraged to apply by contacting city clerk Gus Karpas at 952.358.9938 or download the planning commission application at [www.greenwoodmn.com](http://www.greenwoodmn.com).

5. PUBLIC HEARINGS

A. None

6. UNFINISHED BUSINESS

A. 1st Reading: Ordinance 227, Alcohol Regulations (changing hours of service)

**Motion by Cook, second by Roy, to approve the 1st reading of ordinance 227. Motion passed 5-0.**

B. 2nd Reading: Ordinance 224, Animal Regulations

**Motion by Fletcher, second by Cook, to approve the 2nd reading of ordinance 224 with the following revisions in subd 5, paragraph 2 ~~“At the hearing the city shall have the burden of proof. No formal rules of evidence shall apply however the owner shall have the right to present evidence in response to the allegations. All hearings shall be conducted according to chapter 12 of this code book.”~~ And further direct that the city clerk send the lined ordinance to the city administrators of Excelsior, Shorewood, and Tonka Bay. Motion passed 5-0.**

Resolution 05-14, Summary of Ordinance 224 for Publication

**Motion by Fletcher, second by Quam, to approve resolution 05-14, a summary of ordinance 224 for publication. Motion passed 5-0.**

C. 2nd Reading: Ordinance 226, Swimming Pool Regulations

**Motion by Fletcher, second by Quam, to approve the 2nd reading of ordinance 226. Motion passed 5-0.**

Resolution 06-14, Summary of Ordinance 226 for Publication

**Motion by Fletcher, second by Roy, to approve resolution 06-14, a summary of ordinance 226 for publication. Motion passed 5-0.**

7. NEW BUSINESS

A. Consider: Resolution 04-14, Findings, Rogers' Variance Request, 5050 Greenwood Circle

**Motion by Cook, second by Quam, to approve resolution 04-14 approving the variance application of Sam and Jenny Rogers as presented. And further direct the city clerk to mail a copy of the findings to the applicant and the DNR, and place an Affidavit of Mailing for each of the mailings in the property file. Motion passed 5-0.**

The council directed the planning commission to review and recommend changes to the zoning code relating to trading driveway hardcover for structural hardcover and burden-of-proof language. The schedule will be:

- February planning commission meeting, discussion to craft language for ordinance
- March planning commission meeting, public hearing
- April city council meeting, consider 1st reading of ordinance

B. 1st Reading: Ordinance 228, Practical Difficulties Considerations

**Motion by Roy, second by Quam, to approve the 1st reading of ordinance 228 with the following revisions to subd 6, “When determining reasonable manner or essential character, the board will look into consider, but will not be limited to, the following considerations:” Motion passed 5-0.**

C. Consider: Annual Recycling Reports / Activities & Hennepin Cty Recycling Grant Application

**Motion by Quam, second by Cook, to direct the city clerk to submit an updated Hennepin County Recycling Program grant application by February 15, 2014 consisting of the Re-TRAC web-based report and the planning document that describes the programs and activities the city has implemented to increase recycling and make progress toward the county's goals. The updated grant application also shall include copies of the two reports from Vintage Waste: (a) October household participation report. (b) 2013 year-end report including types of recycling and tonnage. Motion passed 5-0.**

- D. Consider: Resolution 07-14, Support for Joint Powers Associations Sales Tax Exemption

**Motion by Cook, second by Roy, to approve resolution 07-14 in support of joint powers associations being granted sales tax exemption under MN statute 297A.70 with the following revision: change references to the Lake Minnetonka Communications Commission to be the Lake Minnetonka Conservation District. And further direct the city clerk to email a copy of this resolution to Minnesota Department of Revenue Commissioner Myron Frans, Senator David Osmeck, Representative Cindy Pugh, South Lake Minnetonka Police Chief Bryan Litsey, Excelsior Fire District Chief Scott Gerber, and Lake Minnetonka Conservation District Executive Director Greg Nybeck. Motion passed 5-0.**

- E. Discuss: Potential Increased Plantings Along Excelsior Blvd

The council agreed that Excelsior Blvd property owners could consult with the city's arborist regarding increasing plantings along Excelsior Blvd in conjunction with the Met Council project if the neighbors are willing to pay the city for the arborist's time and the cost for the increased plantings.

## 8. OTHER BUSINESS

- A. None

## 9. COUNCIL REPORTS

- A. Cook: Planning Commission
- B. Fletcher: Lake Minnetonka Communications Commission, Fire
- C. Kind: Police, Administration, Mayors' Meetings, Website, Southshore Center Committee
- D. Quam: Roads & Sewer, Minnetonka Community Education
- E. Roy: Lake Minnetonka Conservation District, Lake Improvement District

No council action was taken on any of the council reports.

## 10. ADJOURNMENT

**Motion by Fletcher, second by Cook, to adjourn the meeting at 9:01pm. Motion passed 5-0.**

*This document is intended to meet statutory requirements for city council meeting minutes. A video recording was made of the meeting, which provides a verbatim account of what transpired. The video recording is available for viewing on LMCC TV channel 8 for 1 month, at [www.lmcc-tv.org](http://www.lmcc-tv.org) for 1 year, and on DVD at the city office (permanent archive).*