



AGENDA

Greenwood City Council Meeting

Wednesday, June 3, 2015
20225 Cottagewood Road, Deephaven, MN 55331

The public is invited to speak when items come up on the agenda (comments are limited to 3 minutes). The public may speak regarding other items during Matters from the Floor (see below). Agenda times are approximate.

- 7:00pm 1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA
Moment of Silence in Memory of Former Greenwood City Councilman Kelsey Page
December 18, 1952 – May 23, 2015
- 7:00pm 2. CONSENT AGENDA
Council members may remove consent agenda items for discussion. Removed items will be put under Other Business.
 - A. Approve: 05-06-15 City Council Meeting Minutes
 - B. Approve: 05-20-15 City Council / Planning Commission Joint Worksession Minutes
 - C. Approve: April Cash Summary Report
 - D. Approve: April Certificates of Deposit Report
 - E. Approve: May Verifieds, Check Register, Electronic Fund Transfers
 - F. Approve: June Payroll Register
- 7:05pm 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 3 minutes.
- 7:10pm 4. PRESENTATIONS, REPORTS, GUESTS & ANNOUNCEMENTS
 - A. Senator Dave Osmek: State Legislature Update
 - B. City Engineer Dave Martini: 2015 Road Project Bids and County Aid Application
 - C. Announcement: July 4th Parade, Meet at Greenwood Park (Covington & Fairview) at 9:45am
- 7:45pm 5. PUBLIC HEARINGS
 - A. None
- 7:45pm 6. UNFINISHED BUSINESS
 - A. Next Steps Regarding St. Alban's Bay Lake Improvement District
Consider: Fiduciary Agent Options
- 7:55pm 7. NEW BUSINESS
 - A. 1st Reading: Ordinance 242, Firearms Regulations and Dangerous Weapons
 - B. 1st Reading: Ordinance 243, Seasonal Load-Limit Restrictions
 - C. Consider: Amendments to Lake Minnetonka Communications Commission Bylaws
- 8:10pm 8. OTHER BUSINESS
 - A. None
- 8:10pm 9. COUNCIL REPORTS
 - A. Cook: Planning Commission, Parks, Sewer Study, Traffic Committee, Bridge Committee
 - B. Fletcher: Lake Minnetonka Communications Commission, Fire
 - C. Kind: Police, Administration, Mayors' Meetings, Website
 - D. Quam: Roads & Sewers, Mtka Comm Education, Traffic Committee, Bridge Committee
 - E. Roy: Lake Minnetonka Conservation District, Lake Improvement District
- 8:30pm 10. CLOSED SESSION
 - A. Discuss: Shorewood Offer to Purchase the Southshore Center
- 9:00pm 11. ADJOURNMENT



Agenda Item: Consent Agenda

Summary: The consent agenda typically includes the most recent council minutes, cash summary report, verified report, electronic fund transfers, and check registers. The consent agenda also may include the 2nd reading of ordinances that were approved unanimously by the council at the 1st reading. Council members may remove consent agenda items for further discussion. Removed items will be placed under Other Business on the agenda.

Council Action: Required. Possible motion ...

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

MINUTES

Greenwood City Council Meeting

Wednesday, May 6, 2015

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, Rob Roy

Others Present: City Attorney Mark Kelly, City Engineer Dave Martini

Motion by Kind to approve the agenda with Councilman Cook's request to add a discussion about Shuman Woods Park under 8A. Second by Quam. Motion passed 5-0.

2. CONSENT AGENDA

- A. Approve: 04-01-15 City Council Worksession Minutes
- B. Approve: 04-01-15 City Council Regular Meeting Minutes
- C. Approve: 04-09-15 Local Board of Appeal & Equalization Minutes
- D. Approve: 04-23-15 Local Board of Appeal & Equalization Reconvene Minutes
- E. Approve: March Cash Summary Report
- F. Approve: March Certificates of Deposit Report
- G. Approve: April Verifies, Check Register, Electronic Fund Transfers
- H. Approve: May Payroll Register
- I. Approve: Public Access Procedures
- J. Approve: Annual Excelsior Park & Dock Patrol Proposal

Motion by Kind to approve the consent agenda items. Second by Cook. Motion passed 5-0.

3. MATTERS FROM THE FLOOR

No one spoke during matters from the floor.

4. PRESENTATIONS, REPORTS, GUESTS & ANNOUNCEMENTS

- A. Emilee Metcalf, Vintage Waste: Resolution 08-15, Contract for 2016-2018 Recycling Services

Motion by Cook to approve resolution 08-15 establishing a weekly 3-year recycling service agreement between the city of Greenwood and Vintage Waste Systems beginning 09-01-15 and expiring 08-31-18 with the following change: add "or 96-gallon upon request of the homeowner" to H on the resolution. Second by Quam. Motion passed 5-0.

- B. Interim Chief Mike Siitari: Quarterly Police Update, Discuss Dangerous Weapons Ordinance

Motion by Cook to direct that a new dangerous weapons ordinance be drafted based on the Edina model ordinance presented by Chief Siitari for inclusion on the 06-03-15 agenda for a 1st reading. Second by Roy. Motion passed 5-0.

- C. City Engineer Dave Martini: 2015 Road Projects, Traffic Calming, Repainting Christmas Lake Road Traffic Signal, Seasonal Load Limit Restrictions

Motion by Cook to direct the city engineer and road committee to meet with Shorewood representatives to prepare a 2015 road design package and obtain bids for approval at the June city council meeting. Second by Quam. Motion passed 5-0.

Motion by Cook to authorize payment to Shorewood in an amount not to exceed \$9000 for repainting the Christmas Lake Road Traffic Signal. Funds shall come from the 2015 contingency budget. Second by Roy. Motion passed 5-0.

Motion by Kind to (1) direct that the load-limit ordinance be revised to authorize the city engineer to determine when 5-ton seasonal load restrictions are in effect; (2) authorize the installation of 4 new load limit signs stating that the 5-ton load limit is in place when the sign is flagged; (3) authorize payment to

Advantage Sign and Cornerstone (city's sign installer) in a total amount not to exceed \$1000 with funds from the 2015 sign budget. Second by Quam. Motion passed 5-0.

D. Announcement: Spring Clean-Up Day, Saturday 5/16 (items should be curbside by 7am)

No council action was taken regarding the announcement.

E. Announcement: Planning Commission & City Council Annual Joint Worksession, Wednesday 5/20, Old Log's Cast & Cru Restaurant (following the regular planning commission meeting, approximately 7:30pm)

No council action was taken regarding the announcement.

5. PUBLIC HEARINGS

A. None

6. UNFINISHED BUSINESS

A. Consider: Next Steps Regarding St. Alban's Bay Lake Improvement District

Motion by Roy to (1) approve Sandra Carr, 5135 Greenwood Circle, as Greenwood's 5th initial director for the St. Alban's Bay Lake Improvement District; (2) direct the city clerk to send a copy of this motion to the Excelsior city manager to inform Excelsior of Greenwood's action. Second by Fletcher. Motion passed 5-0.

Motion by Kind to "continue" action regarding the St. Alban's Bay Lake Improvement District Fiduciary Agent until the St. Alban's Bay Lake Improvement District Board meets and makes a recommendation. Second by Quam. Motion passed 5-0.

7. NEW BUSINESS

A. Consider: Potential Basketball Court at Greenwood Park Tennis Court

Motion by Cook to authorize city staff to procure and install 2 basketball hoops that overhang the Greenwood Park tennis court fence and are centered on the northern court for a total price not to exceed \$7500 to be paid from the Park Fund. Any costs above that amount would need to be paid by the adjacent neighborhood. Second by Roy. Motion passed 5-0.

B. Consider: Potential Survey Regarding City Docks

Roger Champagne, 21595 Minnetonka Blvd, asked the council to keep the current the process for city docks. He did more research since he presented his request to change the system at the April council meeting and decided that the current city dock process is working fine.

Motion by Cook to show council support for the current city dock system and not move forward with the city dock survey. Second by Quam. Motion passed 5-0.

C. Consider: Annual July 4th Celebration Contribution

Motion by Cook to direct the city treasurer to disburse a check in the amount of \$1600 to the Excelsior - Lake Minnetonka Chamber of Commerce for the 2015 July 4th Celebration Fund. Second by Quam. Motion passed 5-0.

D. Consider: Resolution 07-15, Update of 2015 City Council Appointments & Assignments

Motion by Fletcher to approve resolution 07-15 updating 2015 appointments and assignments as written. Second by Cook. Motion passed 5-0.

E. Discuss: Proposed 2016 Excelsior Fire District Budget

No council action was taken.

8. OTHER BUSINESS

F. Discuss: Shuman Woods Park

The city council agreed that the council is open to an Eagle Scout project to clean up both Shuman Woods Park and Greenwood Park.

9. COUNCIL REPORTS

A. Cook: Planning Commission, Sewer Study, Traffic Committee, Bridge Committee

No council action was taken.

B. Fletcher: Lake Minnetonka Communications Commission, Fire

No council action was taken.

C. Kind: Police, Administration, Mayors' Meetings, Website

No council action was taken.

D. Quam: Roads & Sewers, Mtka Comm Education, Traffic Committee, Bridge Committee

No council action was taken.

E. Roy: Lake Minnetonka Conservation District, Lake Improvement District

No council action was taken.

10. ADJOURNMENT

Motion by Quam to adjourn the meeting at 8:55pm. Second by Roy. 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 for 1 year, and on DVD at the city office (permanent archive).

MINUTES

Greenwood City Council & Planning Commission Annual Joint Worksession



7:30pm, Wednesday, May 20, 2015

Old Log's Cast & Cru Restaurant, 5175 Meadville Street, Greenwood, MN 55331

1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA

Mayor Kind called the meeting to order at 7:30pm.

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

Councilmembers Absent: None

Planning Commissioners Present: Lake Bechtell, Kristi Conrad, Pat Lucking, Fiona Sayer, Rick Sundberg

Planning Commissioners Absent: David Paeper and Douglas Reeder

Others Present: City Zoning Administrator Dale Cooney, City Attorney Mark Kelly

Motion by Bechtell to approve the agenda. Second by Lucking. Motion passed 10-0.

2. INTRODUCTIONS

Each person shared their name, address, and what they do during the day.

3. MINI-TRAINING

The group discussed the following topics from the Quick Reference Sheet distributed at the worksession:

Greenwood is a "statutory city" with a weak-mayor / council form of government. Which means the powers of the mayor are not greater than those of any other member of the city council, with the exception of the mayor's role as presiding officer at city council meetings and several minor duties. The Greenwood city council has 5 voting members including the mayor. A quorum of the city council is 3 members. The planning commission (PC) holds public hearings and makes recommendations to the city council regarding the zoning code. The planning commission is appointed by the city council and has 5 voting members, 2 alternate members who vote only if a voting member is absent, and 1 city council liaison that votes only to complete a quorum. A quorum of the PC is 3 members.

CONFLICT OF INTEREST The fundamental duty of Greenwood public officials is to participate in city business without a personal conflict of interest. A "conflicted" public official may not vote on a matter of direct personal interest. However, a public official is entitled to vote or participate in deliberations regarding a matter of shared common interest. Even when an actual conflict exists, the public official remains entitled to address the council or PC on the matter from the floor. In the event of a conflict of interest, public officials are encouraged to state the conflict and voluntarily recuse themselves before an item is discussed or acted on. Only the person with the conflict may recuse him / herself from participation. The city council or PC as a whole, does not have the authority to "force" a member to recuse him / herself.

THE OPEN MEETING LAW (MN Statute 13D) requires that a "meeting" involving a quorum be open to the public. The purpose is to ensure that the public is informed and official actions are not taken in secret. A phone or email discussion among a quorum is a "meeting." A series of conversations, phone calls, or emails between a quorum is a "serial meeting." Chance meetings or social gatherings are allowed, but city business cannot be discussed. Public officials that intentionally violate the law are subject to monetary penalties and may be removed from office.

CLOSED MEETINGS In some cases, meetings may be or must be "closed." Common examples include performance evaluations of an employee (meetings must be "open" if requested by the employee), meetings authorized by statute or permitted by attorney-client privilege, meetings for consideration of certain details related to the sale or purchase of property, and security briefings or discussion of emergency response procedures. Closed meetings for employee performance and property sale / purchase discussions must be audio recorded and kept for 3yrs and 8yrs respectively. Closed meetings for attorney-client privilege are not audio recorded. In general, council action must be taken in an "open" meeting. View MN 13D.05 for more details.

MEETING NOTIFICATIONS The mayor or 2 council members may call a special or closed meeting with 72 hours notice (24 hours for an emergency meeting). Meeting notifications must be posted on city bulletin board, distributed to the city email list (includes the press), and mailed to persons who have requested mailed notification of meetings.

PUBLIC HEARINGS must be held for subdivisions, conditional use permits, variances, re-zonings, zoning code amendments, and liquor fee adjustments. Notice of the public hearing must be published in one of the city's official

newspapers 10 days in advance. Note: Ordinances require 2 readings (agenda item), but do not require a public hearing.

THE DATA PRACTICES ACT (MN Statute 13) applies to all “government data” defined as data in a physical form (written document, computer info, handwritten note, etc.) that is collected, created, received, maintained or disseminated by the city. There is no obligation for Greenwood public officials to respond to questions from the public. The requirements are: (1) the city must allow a person to see and make copies of public data; (2) the city must not allow unauthorized persons to have access to data that is not public; and (3) the city must appoint a Responsible Authority to ensure compliance. The Data Practices Act is very broad. A public official’s personal cell phone records or personal email could be subject to the Act if they are used to discuss city matters. The city is subject to significant monetary penalties for violation of the Act. A person who willfully violates the Act is guilty of a misdemeanor and may be suspended without pay or discharged.

LEGAL ADVICE The city is the client of the city attorney. The city attorney represents the city as a whole, not individual city council members, PC members, or staff. The city attorney is not a resource for citizens or property owners. Only the client may waive attorney-client privilege. When the client is a corporate entity, such as a city, its attorney-client privilege can only be waived by official city council action. Thus, unless the city council as a whole decides to make legal advice public, the legal advice must be kept confidential.

In addition, the group discussed the concepts of “takings” and “grandfathered rights.”

4. OPEN DISCUSSION

Councilman Roy noted that the new St. Alban’s Bay Lake Improvement District will need to follow all of the rules regarding open meetings, data practices, etc. The group agreed that the city website should have a SABLID tab for posting public notices and that the city email system should be used to send out SABLID public notices.

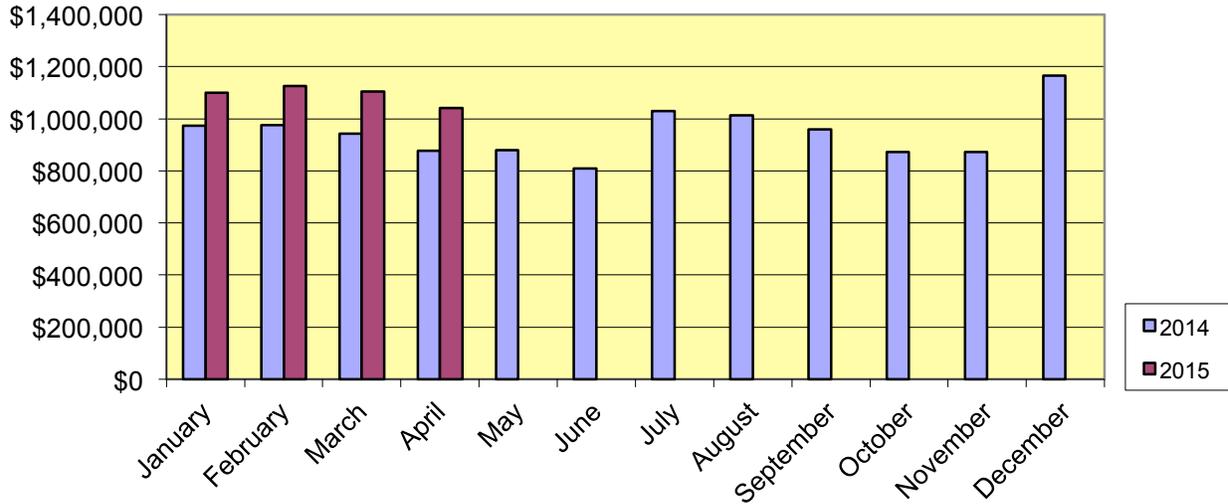
The group discussed the merits of having city email addresses and electronic tablets to keep city business separate from personal life. The consensus of the group was that it would be worth checking into getting city email addresses, but that electronic tablets were too small -- especially for reviewing site plans.

Commissioner Conrad asked about the status of the St. Alban’s Bay Bridge. Councilman Cook explained that the new bridge rating now qualifies the cities of Greenwood and Excelsior to apply for grant money, but such an application will not be happening anytime in the near future. His best guess is that it will be 5-10 years before anything is done with the bridge.

5. ADJOURNMENT

Motion by Roy to adjourn the meeting at 9:02pm. Second by Quam. Motion passed 10-0.

City of Greenwood Monthly Cash Summary



Month	2014	2015	Variance with Prior Month	Variance with Prior Year
January	\$973,698	\$1,100,038	-\$65,893	\$126,340
February	\$976,134	\$1,125,995	\$25,957	\$149,861
March	\$942,468	\$1,105,199	-\$20,796	\$162,731
April	\$878,040	\$1,041,296	-\$63,903	\$163,256
May	\$879,272	\$0	-\$1,041,296	-\$879,272
June	\$808,884	\$0	\$0	-\$808,884
July	\$1,029,060	\$0	\$0	-\$1,029,060
August	\$1,013,814	\$0	\$0	-\$1,013,814
September	\$960,083	\$0	\$0	-\$960,083
October	\$872,707	\$0	\$0	-\$872,707
November	\$871,871	\$0	\$0	-\$871,871
December	\$1,165,931	\$0	\$0	-\$1,165,931

Bridgewater Bank Money Market	\$473,177
Bridgewater Bank Checking	\$9,500
Beacon Bank CD	\$405,542
Beacon Bank Money Market	\$148,252
Beacon Bank Checking	\$4,825
<hr/>	
	\$1,041,296

ALLOCATION BY FUND

General Fund	\$305,588
Special Project Fund	\$0
General Fund Designated for Parks	\$27,055
Bridge Capital Project Fund	\$117,623
Road Improvement Fund	\$40,000
Stormwater Fund	\$11,451
Sewer Enterprise Fund	\$471,020
Marina Enterprise Fund	\$68,559
<hr/>	
	\$1,041,296

GREENWOOD CERTIFICATES OF DEPOSIT

Report Date: 4/30/15

Acct #	Bank	Date	Term	Maturity	Rate	Amount
101-10411	Beacon Bank	09/22/14	9 month	06/22/15	0.50%	\$ 80,000.00
101-10409	Beacon Bank	08/05/14	12 month	08/05/15	0.40%	\$ 61,238.20
101-10412	Beacon Bank	09/22/14	13 month	10/22/15	0.70%	\$ 80,278.18
101-10410	Beacon Bank	11/06/14	13 month	12/06/15	0.70%	\$ 61,123.34
101-10407	Beacon Bank	01/04/15	13 month	02/04/16	0.70%	\$ 61,666.39
101-10408	Beacon Bank	04/05/15	13 month	05/05/16	0.70%	\$ 61,235.74
TOTAL						\$ 405,541.85

CITY COUNCIL POLICY: 09-03-14 Motion by Roy to authorize the administrative committee to open CDs with a maximum initial maturity of 25 months with a combined maximum total CD balance of \$500,000 at Beacon Bank or Bridgewater Bank. Second by Cook. Motion passed 5-0.

Check Issue Date(s): 05/01/2015 - 05/31/2015

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
05/15	05/06/2015	12021	849	BRIAN BURDICK	101-20100	108.96
05/15	05/19/2015	12022	245	ALLIED BLACKTOP, INC.	502-20100	1,272.00
05/15	05/19/2015	12023	51	BOLTON & MENK, INC.	101-20100	2,302.00
05/15	05/19/2015	12024	9	CITY OF DEEPHAVEN	101-20100	5,969.64
05/15	05/19/2015	12025	757	CliftonLarsonAllen, LLP	101-20100	500.00
05/15	05/19/2015	12026	199	ELECTRIC PUMP	602-20100	1,208.00
05/15	05/19/2015	12027	818	EXCELSIOR - LAKE MTKA CHAMBER	101-20100	1,600.00
05/15	05/19/2015	12028	68	GOPHER STATE ONE CALL	602-20100	39.25
05/15	05/19/2015	12029	3	KELLY LAW OFFICES	101-20100	448.50
05/15	05/19/2015	12030	850	KENNEDY, GRAVEN, CHARTERED	101-20100	1,756.96
05/15	05/19/2015	12031	841	LAW OFFICE GREGORY E KELLER PA	101-20100	368.00
05/15	05/19/2015	12032	105	METRO COUNCIL ENVIRO SERVICES	602-20100	1,912.42
05/15	05/19/2015	12033	851	MICHELLE LANAHAN	001-20100	98.00
05/15	05/19/2015	12034	38	SO LAKE MINNETONKA POLICE DEPT	101-20100	15,586.42
05/15	05/19/2015	12035	745	Vintage Waste Systems	101-20100	1,628.25
05/15	05/19/2015	12036	145	XCEL ENERGY	101-20100	591.57
Totals:						<u>35,389.97</u>

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Vendor No	Invoice No	Description	Inv Date	Invoice Amt	Disc Amt	Check Amt	Check No	Chk Date
3		KELLY LAW OFFICES						
	6345	GENERAL LEGAL	04/23/2015	333.50	.00	333.50	12029	05/19/2015
	6352	GENERAL LEGAL	05/12/2015	115.00	.00	115.00	12029	05/19/2015
Total 3				448.50	.00	448.50		
9		CITY OF DEEPHAVEN						
	MAY 2015	ROCK - FIRE ALLEY	05/19/2015	5,969.64	.00	5,969.64	12024	05/19/2015
Total 9				5,969.64	.00	5,969.64		
38		SO LAKE MINNETONKA POLICE DEPT						
	MAY 2015	OPERATING BUDGET	05/01/2015	15,586.42	.00	15,586.42	12034	05/19/2015
Total 38				15,586.42	.00	15,586.42		
51		BOLTON & MENK, INC.						
	0177637	2014 MS4 ADMN	04/30/2015	724.00	.00	724.00	12023	05/19/2015
	0177638	2015 ST WTR MNGMT REVIEW	04/30/2015	108.00	.00	108.00	12023	05/19/2015
	0177641	2015 STREET IMPROVEMENTS	04/30/2015	1,125.00	.00	1,125.00	12023	05/19/2015
	0177642	2015 MISC ENGINEERING	04/30/2015	270.00	.00	270.00	12023	05/19/2015
	0177643	2015 SEWER IMPROVEMENTS	04/30/2015	75.00	.00	75.00	12023	05/19/2015
Total 51				2,302.00	.00	2,302.00		
68		GOPHER STATE ONE CALL						
	135179	Gopher State calls	04/30/2015	39.25	.00	39.25	12028	05/19/2015
Total 68				39.25	.00	39.25		
105		METRO COUNCIL ENVIRO SERVICES						
	0001044189	Monthly wastewater Charge	05/04/2015	1,912.42	.00	1,912.42	12032	05/19/2015
Total 105				1,912.42	.00	1,912.42		
145		XCEL ENERGY						
	042415	LIFT STATION #4	04/24/2015	591.57	.00	591.57	12036	05/19/2015
Total 145				591.57	.00	591.57		
199		ELECTRIC PUMP						
	0055241-IN	LIFT STATION REPAIR	04/24/2015	1,208.00	.00	1,208.00	12026	05/19/2015
Total 199				1,208.00	.00	1,208.00		
245		ALLIED BLACKTOP, INC.						
	20332	STREET SWEEPING	04/21/2015	1,272.00	.00	1,272.00	12022	05/19/2015
Total 245				1,272.00	.00	1,272.00		

Vendor No	Invoice No	Description	Inv Date	Invoice Amt	Disc Amt	Check Amt	Check No	Chk Date
745	Vintage Waste Systems 042315	City Recycling Contract	04/23/2015	1,628.25	.00	1,628.25	12035	05/19/2015
Total 745				1,628.25	.00	1,628.25		
757	CliftonLarsonAllen, LLP 1033263	2014 AUDIT	04/29/2015	500.00	.00	500.00	12025	05/19/2015
Total 757				500.00	.00	500.00		
818	EXCELSIOR - LAKE MTKA CHAMBER 051815	JULY 4TH CONTRIBUTION	05/18/2015	1,600.00	.00	1,600.00	12027	05/19/2015
Total 818				1,600.00	.00	1,600.00		
841	LAW OFFICE GREGORY E KELLER PA 050415	PROSECUTION BILL	05/04/2015	368.00	.00	368.00	12031	05/19/2015
Total 841				368.00	.00	368.00		
849	BRIAN BURDICK 050515	REIMBURSE FOR VAR APPL	05/05/2015	108.96	.00	108.96	12021	05/06/2015
Total 849				108.96	.00	108.96		
850	KENNEDY, GRAVEN, CHARTERED 042115	BURDICK ZONING SUIT	04/21/2015	1,756.96	.00	1,756.96	12030	05/19/2015
Total 850				1,756.96	.00	1,756.96		
851	MICHELLE LANAHAN 050115	UB PMT REFUND	05/01/2015	98.00	.00	98.00	12033	05/19/2015
Total 851				98.00	.00	98.00		
Grand Totals:				35,389.97	.00	35,389.97		

Pay Per Date	Jrnl	Check Date	Check Number	Payee	Emp No	Description	GL Account	Amount
06/01/15	PC	06/01/15	6011501	COOK, WILLIAM B.	37		001-10100	184.70
06/01/15	PC	06/01/15	6011502	Fletcher, Thomas M	33		001-10100	84.70
06/01/15	PC	06/01/15	6011503	Kind, Debra J.	34		001-10100	277.05
06/01/15	PC	06/01/15	6011504	Quam, Robert	32		001-10100	184.70
06/01/15	PC	06/01/15	6011505	ROY, ROBERT J.	38		001-10100	184.70
Grand Totals:								<u>915.85</u>



Agenda Number: 4A

Agenda Date: 06-03-15

Prepared by Deb Kind

Agenda Item: Senator Dave Osmek

Summary: Minnesota State Senator Dave Osmek will attend the 06-03-15 council meeting to give the council a legislative update. This also will be an opportunity for the council to ask questions.

Council Action: None required.



Agenda Item: City Engineer Discussion re: 2015 Road Projects and County Aid Application

Summary: At the 05-06-15 meeting, the city council authorized City Engineer Dave Martini to secure bids for 2015 road projects. The bids will be presented at the 06-03-15 city council meeting.

The 2015 budget includes \$134,000 for road projects. There also is \$40,000 in the Road Improvement Fund. In addition, there is \$502,981 in General Fund Reserves as of 12-31-14. The state auditor's recommendation is to have a reserve fund balance of 35%-50% of expenses. Below are balance sheets showing the "available funds" if the city council wants to maintain a fund balance of 35% or 50%.

2014 Expenses	\$690,972	2014 Expenses	\$690,972
x 35% = Minimum Reserve Amt	\$241,840	x 50% = Maximum Reserve Amt	\$345,486

12-31-14 General Fund Reserves	\$502,981	12-31-14 General Fund Reserves	\$502,981
Minus Minimum Reserve Amt	\$241,840	Minus Maximum Reserve Amt	\$345,486
Excess Reserve Funds	\$261,141	Excess Reserve Funds	\$157,495
2015 Road Budget	\$134,000	2015 Road Budget	\$134,000
Road Improvement Fund Balance	\$40,000	Road Improvement Fund Balance	\$40,000
CAM* Funds	\$1,000	CAM* Funds	\$1,000
TOTAL FUNDS AVAILABLE	\$436,141	TOTAL FUNDS AVAILABLE	\$332,495

*County Aid to Municipalities: In 1957, Hennepin County established a County Aid to Municipalities (CAM) program to provide financial assistance for roadways and bridges to cities with populations under 5,000. Typically the funding is between \$1,000 and \$3,000 per year. The city must submit a project approval form to receive the funds.

Council Action: No action required. Potential motions ...

1. I move the city council (1) approves the bid from _____ in the amount of \$_____ to complete the following road projects: _____; (2) authorizes the city engineer to submit the project approval form to receive CAM funds for the city's 2015 road projects; (3) authorizes the city clerk to transfer \$_____ from General Fund Reserves to the Road Improvement Fund.
2. Do nothing or other mortion ???



Agenda Number: **6A**

Agenda Date: **06-03-15**

Prepared by *Deb Kind*

Agenda Item: Discuss Next Steps Regarding St. Alban's Bay Lake Improvement District
& Consider Fiduciary Agent Options

Summary: In January and February 2015, the cities of Excelsior and Greenwood approved the establishment of a St. Alban's Bay Lake Improvement District (SABLID) – the first LID on Lake Minnetonka. The SABLID is made up of property owners who have access rights to St. Alban's Bay. The SABLID has taxing authority for the specific purpose to manage aquatic invasive species beginning in 2016.

Below are recently completed steps and next steps to be accomplished.

Timeline: Recently completed steps and next steps in the SABLID process are listed on the timeline below ...

~~04-06-15 Excelsior appointed 1st of 2 initial directors~~

~~04-06-15 Excelsior adopted the Fiduciary Agent Statement of Duties (request for proposal) and submitted a proposal for a one-year contract.~~

~~05-04-15 Excelsior appoints Joan Maher as 2nd of 2 initial directors and Bill Slattery as the interim chair for the SABLID.~~

~~05-06-15 Greenwood appointed Sandra Carr as 5th of 5 initial directors and "continued" discussion regarding appointment of Fiduciary Agent pending a recommendation from the SABLID Board.~~

~~__-__-15 Excelsior appoints 1 ex-officio director.~~

~~__-__-15 Greenwood appoints a Fiduciary Agent for the SABLID.~~

~~__-__-15 Excelsior appoints a Fiduciary Agent for the SABLID.~~

Council Action: No action is required. Suggested motions ...

1. I move the Greenwood city council appoints _____ as the Fiduciary Agent for the St. Alban's Bay Lake Improvement District and directs that a copy of this motion be sent to the Excelsior city council with a recommendation that they also approve _____ as the Fiduciary Agent.
2. Do nothing or other motion ???



Agenda Number: **7A**

Agenda Date: **06-03-15**

Prepared by *Deb Kind*

Agenda Item: Ordinance 242, Firearms Regulations and Dangerous Weapons

Summary: At the 05-03-15 city council meeting Interim Chief Siitari recommended that the city amend the current firearms regulations and dangerous weapons ordinance to prohibit the discharge of “any rifle, gun, pistol, air rifle, BB gun, pellet guns, paint pellet gun, or other weapon” in any part of the city. Chief Siitari provided a copy of a model ordinance from Edina for the council's consideration. The city council reviewed the ordinance and directed that a new ordinance based on Edina's model ordinance be placed on the 06-03-15 agenda for a 1st reading. The new ordinance is attached.

Timeline:

- 06-03-15 City council considers the 1st reading of the ordinance.
- 07-01-15 City council considers the 2nd reading of the ordinance.
- 07-02-15 Ordinance submitted to Sun-Sailor.
- 07-09-15 Ordinance published in Sun-Sailor (the ordinance goes into effect the date it is published).

Council Action: None required. Potential motions ...

1. I move the city council approves the 1st reading of ordinance 242 regarding dangerous weapons as written.
2. I move the city council approves the 1st reading of ordinance 242 regarding dangerous weapons with the following revisions.
3. Do nothing.

Greenwood code section 1215 requires 2 readings of all ordinances prior to adoption. The 2nd reading shall be within 3 months of the 1st reading. There may be changes between the 1st and 2nd readings. Ordinances go into effect once they are published in the city's official newspaper. The planning commission must review and make a recommendation to the city council regarding any changes to the zoning code chapter 11. A public hearing, typically held by the planning commission, also is required for changes to chapter 11.

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE SECTIONS 900.20 FIREARMS REGULATIONS, SECTION 900.25
DANGEROUS WEAPONS, AND SECTION 510.00 FIREARMS PERMIT FEE**

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

SECTION 1.

Greenwood ordinance code section 900.20 Firearms Regulations is amended to read as follows:

“Section 900.20. Discharge of Firearms Prohibited.

No person shall fire, discharge or explode any rifle, gun, pistol, air rifle, BB gun, pellet gun, paint pellet gun or other weapon in any part of the city except by a certified firearms training instructor while participating in a department of natural resources approved firearms safety program or by any person on a rifle, trap, archery or target range established in accordance with the city's zoning ordinance or as part of a city sponsored event. No person shall possess out of doors or transport any of the weapons listed in this section unless the same is unloaded and cased. Nothing shall be construed to prohibit any firing of a rifle, gun, pistol, or other weapon when done in the lawful defense of person or property or in the necessary defense or enforcement of the laws.”

SECTION 2.

Greenwood ordinance code section 900.21 Destructive Devices and Hoax Devices is hereby created to read as follows:

“Section 900.21. Destructive Devices and Hoax Devices.

1. For this section, the term "destructive device" includes, but is not limited to, any device, apparatus or equipment by whatever name known, which causes damage by combustion or explosion. The term "destructive device" also includes any bomb, time bomb, Molotov cocktail, grenade, mine, rocket or missile, and any type of weapon which will, or is designed to, or may readily be converted to, expel a projectile by the action of any explosive.
2. No person shall manufacture, own, possess or have in the person's custody or control any destructive device.
3. The provision of this section shall not apply to owners, employees or agents of bona fide business operations which store, transport or use explosives in their business operation, nor shall it apply to a government official acting in the discharge of official duties.
4. No person shall manufacture, own, possess or have in the person's custody or control any false or hoax device, apparatus or equipment resembling destructive devices and place the same in any public building or place.”

SECTION 3.

Greenwood ordinance code section 900.22 Prohibited Weapons is hereby created to read as follows:

“Section 900.22. Prohibited Weapons.

It shall be unlawful within the corporate limits of the city for any person to manufacture, or cause to be manufactured, sell, offer or expose for sale, lend, give away, or have in their possession any instrument or weapon of the kind commonly known as a blackjack, sand-club or metal knuckles, slingshots or other dangerous weapons of a similar kind. No person shall manufacture, cause to be manufactured, sell, offer or expose for sale, lend, give away, or have in his possession, any dagger, dirk, stiletto switch blade, spring blade knife, or push button knife.”

SECTION 4.

Greenwood ordinance code section 900.23 Prohibited Weapons to be Destroyed is hereby created to read as follows:

“Section 900.23. Prohibited Weapons to be Destroyed.

Upon conviction of any person for violation of sections 900.20, 900.21, or 900.22, any of the devices described or referred to in sections 900.20, 900.21, or 900.22 found in the possession of the defendant shall be destroyed in such manner as the court may direct.”

SECTION 5.

Greenwood ordinance code section 900.24 Peace Officers Exempted is hereby created to read as follows:

“Section 900.24. Peace Officers Exempted.

Nothing contained in this article shall be construed to prohibit the possession of instruments or weapons by any regular or special peace officer of the city or other municipality, or of any county or state, while engaged in the performance of official duties.”

SECTION 6.

Greenwood ordinance code section 900.25 Dangerous Weapons is hereby repealed in its entirety.

SECTION 7.

Greenwood ordinance code section 510.00 Fee Schedule is amended to remove the Firearms Permit fee.

SECTION 8.

Effective Date. This ordinance shall be effective upon publication according to law.

Enacted by the city council of Greenwood, Minnesota this ___ day of _____, 2015.

___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana Young, City Clerk

First reading: _____, 2015
Second reading: _____, 2015
Publication: _____, 2015

Section 900.20. Firearms Regulations.

Subd. 1. Firearms. For the purposes of this section, a firearm shall be defined as any gun, rifle, pistol, carbon dioxide propellant gun or rifle, pellet gun or rifle, or any other weapon propelling a missile by gunpowder explosive, but firearms shall not include B-B guns or air guns.

Subd. 2. Permit to Discharge Firearms. Any person who shall fire or discharge any firearm as defined herein within the city without having in their immediate possession a permit issued by the city council, shall be guilty of a misdemeanor. Per chapter 4 the city council shall determine the permit fee and set forth in chapter 5 of this code book.

Subd. 3. Application. Applications for such permit shall be in writing addressed to the city council and shall state the reason for requesting such permit, the period for which such permit is desired not to exceed 1 year, the type of firearm to be discharged, and such other information as may be deemed necessary by the council to pass upon the application. Such application shall be in writing and shall be issued by the city clerk upon direction from the city council for a period not to exceed 1 year. Permits shall be useable only by the person to whom issued.

Subd. 4. Self-Defense, Exception. Nothing herein shall be construed to prohibit any firing of a firearm by any person when done in lawful defense of person, property, or family, or in the necessary defense or enforcement of the laws by a duly authorized peace officer.

Subd. 5. Revocation. The city council may at any time revoke any such permit if the council deems any hazard to safety exists by reason of the permit.

Subd. 6. Carrying of Firearms by Persons Under the Influence of Alcohol or Drugs. No person within the corporate limits of the city who is under the influence of an alcoholic beverage or a controlled substance shall carry any firearm as defined herein. Any violation of this subdivision shall be a misdemeanor.

Section 900.25. Dangerous Weapons.

Subd. 1. Acts Prohibited. Whoever does any of the following is guilty of a misdemeanor:

1. Recklessly handles or uses a gun or other dangerous weapon or explosive so as to endanger the safety of another; or
2. Manufactures or sells for any unlawful purpose any weapon known as a sling-shot or sand club; or
3. Manufactures, transfers or possesses metal knuckles or a switch blade knife opening automatically; or
4. Possesses any other dangerous article or substance for the purpose of being used unlawfully as a weapon against another; or
5. Sells or has in their possession any device designed to silence or muffle the discharge of a firearm; or
6. Without the parent's or guardian's consent furnishes a child under 14 years of age, or as a parent or guardian permits such child to handle or use, outside of the parent's or guardian's presence, a firearm or air gun of any kind, or any ammunition or explosive; or
7. In any municipality of this state, furnishes a minor under 18 years of age with a firearm, air gun, ammunition or explosive without the written consent of their parent or guardian or of the police department or magistrate of such municipality.

Subd. 2. No minor under the age of 18 shall handle or have in their possession or under their control, except while accompanied by or under the immediate charge of their parent, guardian or competent supervision, any firearms, air guns, sling shots, bow and arrows, ammunition or other weapons of any kind for hunting or target practice or any other purpose.

Section 900.30. Fishing on Bridges.

No person shall use any part of or be or stand on any private street, highway, or railroad bridge for the purpose of fishing therefrom.

Section 900.35. Provoking Assault.

No person shall use in reference to any other person in the presence of another or in reference to, or in the presence of any member of the family of another, abusive or obscene language tending to provoke an assault or any breach of the peace.

Section 900.40. Assault.

Whoever does any of the following commits an assault and is guilty of a misdemeanor:



Agenda Number: **7B**

Agenda Date: **06-03-15**

Prepared by *Deb Kind*

Agenda Item: 1st Reading: Ordinance 243, Seasonal Load-Limit Restrictions

Summary: Because of the early thaw, city staff received several phone calls to see if Greenwood would be lifting the seasonal load limit restriction. Deephaven staff lifted their restriction early, but Greenwood's current code does not give staff or the city engineer the authority to lift the restriction in Greenwood.

At the 05-06-15 meeting, the city council authorized payment to Advantage Sign and Cornerstone to install new signs stating the reduced weight limit only is in place when the sign is flagged (see attached layout). The city council also directed that the ordinance be revised to give the city engineer the authority to determine when to flag the sign. The draft of the ordinance is attached.

Timeline:

- 06-03-15 City council considers the 1st reading of the ordinance.
- 07-01-15 City council considers the 2nd reading of the ordinance.
- 07-02-15 Ordinance submitted to Sun-Sailor.
- 07-09-15 Ordinance published in Sun-Sailor (the ordinance goes into effect the date it is published).

Council Action: None required. Potential motions ...

1. I move the city council approves the 1st reading of ordinance 243 regarding seasonal load limits as written.
2. I move the city council approves the 1st reading of ordinance 243 regarding seasonal load limits with the following revisions.
3. Do nothing.

Greenwood code section 1215 requires 2 readings of all ordinances prior to adoption. The 2nd reading shall be within 3 months of the 1st reading. There may be changes between the 1st and 2nd readings. Ordinances go into effect once they are published in the city's official newspaper. The planning commission must review and make a recommendation to the city council regarding any changes to the zoning code chapter 11. A public hearing, typically held by the planning commission, also is required for changes to chapter 11.

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE SECTION 730.00 SUBD 4
REGARDING SEASONAL LOAD RESTRICTIONS**

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

SECTION 1.

Greenwood ordinance code section 730.00, subdivision 4 is amended to read as follows:

"Subd. 4. Seasonal Load Restriction. ~~The city engineer shall determine the timing of spring season load restrictions each year and the load limit signs shall be "flagged" to indicate~~ the weight on any single axle shall not exceed 5 tons on any city street or road. The gross weight on consecutive axles shall not exceed the gross weight allowed in Minnesota statutes."

Debra Kind 5/27/15 2:31 PM

Deleted: Between March 1 and May 1 of each year,

SECTION 2.

Effective Date. This ordinance shall be effective upon publication according to law.

Enacted by the city council of Greenwood, Minnesota this ___ day of _____, 2015.

___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana Young, City Clerk

First reading: _____, 2015
Second reading: _____, 2015
Publication: _____, 2015

Proposed 18 x 24 Sign

Four Locations: Christmas Lake Rd & Excelsior Blvd, Manor Rd & St. Alban's Bay Rd, Deephaven Border on Minnetonka Blvd, Excelsior Border (near bridge) on Minnetonka Blvd.





Agenda Number: 7C

Agenda Date: 06-03-15

Prepared by Deb Kind

Agenda Item: LMCC Bylaws

Summary: Even though the last page of the Lake Minnetonka Communications Commission Bylaws states, "These bylaws may be amended from time-to-time by the Board upon a majority of the votes of Directors (or voting alternates) present," the LMCC Board would like the member city councils to approve the proposed amendments to the Bylaws. Highlighted and clean copies of the Bylaws are attached.

Council Action: None required. Potential motions ...

1. I move the city council approves the amended Lake Minnetonka Communications Commission Bylaws with the footer "459322 RJV LK115-1" and directs that a copy of this motion be sent to the Lake Minnetonka Communications Commission Operations Manager.
2. Do nothing.

Greenwood code section 1215 requires 2 readings of all ordinances prior to adoption. The 2nd reading shall be within 3 months of the 1st reading. There may be changes between the 1st and 2nd readings. Ordinances go into effect once they are published in the city's official newspaper. The planning commission must review and make a recommendation to the city council regarding any changes to the zoning code chapter 11. A public hearing, typically held by the planning commission, also is required for changes to chapter 11.



LMCC

LAKE MINNETONKA COMMUNICATIONS COMMISSION

4071 SUNSET DRIVE ■ BOX 385 ■ SPRING PARK, MN 55384-0385 ■ 952.471.7125 ■ FAX 952.471.9151 ■ lmcc@lmcc-tv.org

To: All LMCC Member Cities
From: Jim Lundberg, Operations Manager
Reason: Approval of LMCC's Updated By Laws

On May 14th, 2015 the LMCC Full Commission voted unanimously to recommend the approval of our updated By Laws by our Member Cities. For the LMCC to officially adopt these By Laws, we need at least two thirds of our Member Cities to approve these changes.

Along with this brief cover letter, you should also find 2 additional documents:

- 1) A summary of changes from our existing By Laws. This will be highlighted in yellow to show changes/additions and underlined in red where text has been removed.
- 2) A clean copy of the new By Laws.

We ask that you include this information on an agenda as well as in the packet for one of your upcoming City Council meetings. Discuss the changes at said meeting and then send me either a proclamation that states that your City has approved or denied these By Laws. You can also send me your meeting minutes that show the approval or denial.

We would appreciate hearing back from your City no later than 6/15/15.

As always, thanks for your support!

Jim Lundberg
Operations Manager
LMCC
(952)471-7125 x104

DEEPHAVEN

EXCELSIOR

GREENWOOD

INDEPENDENCE

LONG LAKE

LORETTO

MAPLE PLAIN

MINNETONKA
BEACH

ST. BONIFACIUS

SHOREWOOD

SPRING PARK

WOODLAND

To: The LMCC Full Commission

From: The By Laws Committee

Reason: Summary of Recommended Changes to LMCC Council's Updated Version of the LMCC By Laws

After reviewing and discussing our current By Laws updates (Provided by LMCC Council Bob Vose), the LMCC By Laws Committee recommends the following changes and additions highlighted in **yellow**. Deletions are listed and underlined in **red**.

Article III, Section 1.

The Board is the governing body of the Commission. Each Member may appoint two Directors and one alternate. Members shall provide a list of Directors and any alternate to the Commission, and promptly update such list in the event of changes to the appointments **within 30 days of their appointment.**

Article III, Section 2:

a. **Weighted votes will be applied if agreed on by 3 or more members(cities) who are present at the time of the vote.**

Article III, Section 4:

Note: The majority of this used to be found in Article VII, Section 1 but is recommended to be moved to this location.

Other legal instruments shall be executed on behalf of the Commission, by authority of the Board, by the chair and chief executive or in their absence, another officer of the Commission.

Article V, Section 1:

The Executive Committee shall consist of the officers of the Commission **plus 2 at large members of the Commission.** Each member of the Executive Committee shall have one vote at any meeting of the Executive Committee. **Meetings of the Executive Committee shall be conducted in accordance with the current addition of Robert's Rules of Order.** Action by the Executive Committee shall require the affirmative vote of two or more members present at a meeting of the Committee.

Article VI, Section 1:

Regular meetings of the Board shall be held monthly at regular intervals **at least once per quarter** and at a time and location prescribed by the Board.

Article VI, Section 3:

Special meetings of the Board may be called by the chair, vice chair or the chief executive (operations manager) or 3 or more members (cities) of the Commission. The purpose of any special meeting shall be stated in the notice and the business transacted shall be confined to the purposes stated.

Article VII, Section 1:

The expenditure of Commission funds shall be authorized by the Board, and checks, drafts, or other instruments expending such funds shall be signed by the chair or vice chair, and the secretary/treasurer or the chief executive (operations manager) of the Commission as a substitute for either. Other legal instruments shall be executed on behalf of the Commission, by authority of its Board, by the chair and secretary/treasurer.

**BYLAWS OF THE
LAKE MINNETONKA CABLE COMMUNICATIONS COMMISSION II**

**ARTICLE I.
MEMBERSHIP**

Section 1.

The members of the Commission are the following cities that have entered into the Joint and Cooperative Agreement II:

Deephaven	Excelsior	Greenwood
Independence	Long Lake	Loretto
Maple Plain	Minnetonka Beach	Shorewood
Spring Park	St. Bonifacius	Woodland

Section 2.

Additional members may, upon a majority vote of the Commission and adoption and execution of Joint and Cooperative Agreement II, be added to this Commission.

**ARTICLE II.
DEFINITIONS**

Section 1.

For purposes of these bylaws, terms used herein shall mean as follows:

“Agreement” means the Joint and Cooperative Agreement II creating the Commission.

“Commission” means the Lake Minnetonka Cable Communications Commission II created by the Agreement.

“Board” means the Board of Directors of the Commission consisting of up to two directors from each Member.

“Director” means a person appointed by a Member to serve on the Board.

“Member” means a city that is a member of the Commission.

Section 2.

Any other terms defined in the Agreement shall have the meanings established therein.

**ARTICLE III.
THE BOARD**

Section 1.

The Board is the governing body of the Commission. Each Member may appoint two Directors and one alternate. Members shall provide a list of Directors and any alternate to the Commission within 30 days of their appointment.

Section 2.

Directors shall be entitled to vote as provided in Article V, Section 3 of the Agreement.

a. Weighted votes will be applied if agreed on by 3 or more members(cities) who are present at the time of the vote.

Section 3.

If a Director is not present at a meeting of the Board, the appointed alternate may serve and vote in lieu of such Director. In the event an absent Director is an officer of the Board, the alternate shall not, however, be entitled to serve as an officer.

Section 4.

Other legal instruments shall be executed on behalf of the Commission, by authority of the Board, by the chair and chief executive or in their absence, another officer of the Commission.

**ARTICLE IV.
OFFICERS**

Section 1.

The officers of the Commission shall be the chair, vice chair, and secretary/treasurer.

Section 2.

The chair shall be the chief presiding officer and shall preside at all meetings of the Board. The chair shall seek to ensure that actions, orders and resolutions of the Board are carried into effect, but shall have no additional executive or management authority over Commission operations.

Section 3.

The vice chair shall, in the absence or disability of the chair, perform the duties and exercise the powers of the chair.

Section 4.

The secretary/treasurer shall record all votes and prepare minutes of all proceedings of the Board, give or cause to be given notice of all meetings of the Board, have custody of the funds and securities of the Commission, keep full and accurate account of receipts and disbursements of the Commission, and deposit all moneys and other assets in the name and to the credit of the Commission in such depository as may be designated by the Commission. The secretary/treasurer shall disburse funds of the Commission authorized by the Board, and periodically report all transactions and the financial condition of the Commission at regular meetings of the Board and whenever otherwise required. The secretary/treasurer's duties may be delegated to appropriate staff or consultants provided that the secretary/treasurer shall maintain accountability for the performance of such duties.

Section 5.

The secretary/treasurer may be required by the Board to give a bond, at Commission expense, with corporate sureties satisfactory to the Board, for the faithful performance of duties and for the security and restoration of all books, papers, vouchers, money and property of the Commission the possession or under the control of the secretary/treasurer.

**ARTICLE V.
EXECUTIVE COMMITTEE**

Section 1.

The Executive Committee shall consist of the officers of the Commission plus 2 at large members of the Commission. Each member of the Executive Committee shall have one vote at any meeting of the Executive Committee. Meetings of the Executive Committee shall be conducted in accordance with the current edition of Robert's Rules of Order.

Section 2.

The Executive Committee shall exercise authority only over those matters specifically delegated to the Committee by the Board.

Section 3.

The Executive Committee shall meet at the call of the chair. Notice of an Executive Committee meeting shall be given at least forty-eight hours in advance.

Section 4.

Minutes of meetings of the Executive Committee shall be kept and provided upon request to any Directors or Members.

**ARTICLE VI.
BOARD MEETINGS**

Section 1.

Regular meetings of the Board shall be held at least once per quarter and at a time and location prescribed by the Board.

Section 2.

Notice of Board meetings shall be given as required for notice of meetings of statutory cities. Written notice of all meetings of the Board shall be provided to all Directors and alternate directors.

Section 3.

Special meetings of the Board may be called by the chair, vice chair or the chief executive (operations manager) or 3 or more members (cities) of the Commission. The purpose of any special meeting shall be stated in the notice and the business transacted shall be confined to the purposes stated.

Section 4.

Any resolution, election or other formal action of the Commission shall be adopted upon the affirmative vote of a majority of the votes of the Directors present at any duly convened meeting of the Board.

Section 5.

Unless otherwise specified in the Agreement or these bylaws, meetings of the Board and Executive Committee shall be conducted in accordance with the current edition of *Roberts' Rules of Order*.

Section 6.

The Board may from time to time determine the order of business for its meetings. An agenda setting forth the business to be conducted shall be approved at the outset of any meeting of the Board.

**ARTICLE VII.
FINANCIAL MATTERS**

Section 1.

The expenditure of Commission funds shall be authorized by the Board, and checks, drafts, or other instruments expending such funds shall be signed by the chair or vice chair, and the secretary/treasurer or the chief executive (operations manager) of the Commission as a substitute for either.

Section 2.

The Commission's fiscal year shall be the calendar year.

Section 3.

The Board shall designate a depository for Commission funds.

**ARTICLE VIII.
AMENDMENTS TO BYLAWS**

Section 1.

These bylaws may be amended from time-to-time by the Board upon a majority of the votes of Directors (or voting alternates) present.

Section 2.

In any instance where these bylaws are in conflict with the Agreement, the Agreement shall control.

Section 3.

These bylaws are effective upon adoption by the Board.



Agenda Number: **9A-E**

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 memo.

Council Action: None required.



Agenda Number: **10A**

Agenda Date: **06-03-15**

Prepared by *Deb Kind*

Agenda Item: Closed Session to Discuss Shorewood Offer to Purchase the Southshore Center

Summary: Greenwood received documents from Shorewood regarding an offer to purchase the Southshore Center. The city council will receive hard copies of the documents and discuss in a closed session at the 06-03-15 city council meeting.

Council Action: The city council must take action to open and end the closed session. Suggested motions ...

1. I move the city council enters into closed session pursuant to Minn. Stat. 13D.05 Subd. 3(c) to consider Shorewood's offer to purchase the Southshore Center.
2. I move the city council ends the closed session.

13D.05 Subd. 3(c) is for closed meetings to (1) determine the asking price for real or personal property to be sold by the city, (2) review confidential or protected nonpublic appraisal data, (3) develop or consider offers or counteroffers for the purchase or sale of real or personal property. Before holding a closed meeting to under this paragraph, the city council must identify on the record the particular real or personal property that is the subject of the closed meeting. The proceedings of a meeting closed under this paragraph must be tape recorded. The recording must be preserved for 8 years after the date of the meeting and made available to the public after all real or personal property discussed at the meeting has been purchased or sold or the city council has abandoned the purchase or sale. The real or personal property that is the subject of the closed meeting must be specifically identified on the tape. A list of members and all other persons present at the closed meeting must be made available to the public after the closed meeting. An agreement reached that is based on an offer considered at a closed meeting is contingent on approval of the city council at an open meeting. The actual purchase or sale must be approved at an open meeting after the notice period required by statute or city council's internal procedures, and the purchase price or sale price is public data.



Agenda Number: **FYI**

Agenda Item: FYI Items in Council Packet

Summary: The attached items are included in the council packet for the council's information (FYI) only. FYI items typically include planning commission minutes and other items of interest to the council. When the agenda is approved at the beginning of the meeting, any council member may request to move an FYI item to the regular agenda for further discussion. Moved items will be placed under Other Business on the agenda.

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

East Upper	A-					N/A*	N/A*	N/A*		
Minnetonka: Forest	C-	D+	D+	D+	D	C	C-	C-	D+	D
Minnetonka: Gideon							A-	A	A	A
Minnetonka: Grays	A	B+	B	A	B+	A-	A	A	A	A
Minnetonka: Halsted	C-	C-	D	D+	D	D	D	D-	D	D
Minnetonka: Harrisons	C	D+	D+	C-	C-	C	D+	D+	C	
Minnetonka: Jennings	D+	D	F	D	C-	D	D	D-	D+	D
Minnetonka: Lafayette	B+	B+	B-	A	A	A	A-	A	A	A
Minnetonka: Libbs							N/A	N/A		
Minnetonka: Lower Lake North	A-	A-	B+	A	A	A	A	A	A	
Minnetonka: Lower Lake South	A-	B+	B+	A	A	A	A-	A	A	A
Minnetonka: Maxwell	C+	C+	C	B	C+	B-	B-	C+	C+	B+
Minnetonka: North Arm	B-	B-	C+	B	B-	B-	B-	C+	B+	
Minnetonka: Peavey	C	C-	C-	C+	C	C	C	C-	C	C-
Minnetonka: Phelps		B+	B	A-	A-	A	B+	B+	A	
Minnetonka: Priests	N/A	C+	C+	C+	C+	C+	C	C-	C	C
Minnetonka: Smithtown	A-	B	B	A	B+	A	B+	B+	A	
Minnetonka: Spring Park		B	B	A-	A-	A	A-	A-	A	A
Minnetonka: St. Albans	A	A-	B+	A	A	A	A-	A	A	A
Minnetonka: Stubbs		D+	C-	C	C	C	C	D+	D	D+
Minnetonka: Wayzata	A-	B+	B	A	A	A	A	A	A	A
Minnetonka: West Arm	C	D+	D	D+	C-	C	C-	D	C-	D
Minnetonka: West Upper	A-	B	C+	B+	B+	A	B	B-	B+	A-
Shaver - East Bay	C**	C**	N/A~			N/A~	N/A	N/A	N/A~	
William					N/A	C+	N/A*	N/A*	N/A*	C+*

Lake Virginia Subwatershed

Lake	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Minnewashta	A-	B+	B+	A-	B+	B+	B+	B+	B	B-
Minnewashta - South Bay						B+**	A**	B-**	B**	A-**
St. Joe	A**	B**	A**	A-**	B+**	A-**	A-**	A-**	N/A**	A-**
Tamarack	C**	C-**	B**	B+**	B+**	N/A*	B*	B+*	B-*	B-*
Virginia	C	C	C	C-	C	C	C	C-	C-	C+

Langdon Lake Subwatershed

Lake	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Flanagan (Black - Unnamed Wetland)					A	A				
Langdon	D	F	N/A	F	D+	C-	D+	F	D-	C-
Saunders					B+	N/A*	N/A*	B-		

Long Lake Creek Subwatershed

Lake	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Dickeys					B	B*	B*	B*	C*	C*
Holy Name		N/A	N/A	D						N/A*
Long	C	C	C-	C	C-	C	C-	D+	C	D
Lydiard					A	A*	B+*	A*	A*	B+*
Minnetonka: Tanager		D	D-	D	D	D+	D	D-	D	D+
Mooney		N/A	N/A	C			N/A*	N/A*	C*	C*
School					F	D-				
Wolsfeld		N/A	N/A	D						N/A*

Minnehaha Creek Subwatershed

Lake/Pond	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Brownie		N/A^		N/A^		C-^		C-^		B-^
Calhoun	A^	A^	A-^	A^	A^	A^	A^	A^	A^	A^
Cedar	B+^	B-^	B+^	B^	B+^	B^	B+^	B+^	C+^	B^
Cobblecrest	F**	F**	F**	F**	F**	F**	D**	N/A**	D+**	N/A**
Grass		N/A^		N/A^		N/A^		N/A^		N/A^
Hannan						N/A	C-		N/A*	C*
Harriet	A^	B+^	A-^	B+^	A^	A^	A^	A-^	A-^	B+^
Hiawatha	B-^	C+^	D+^	C^	D+^	C+^	B-^	C-^	B-^	B-^
Isles	B-^	C^	C^	C^	C+^	C^	C+^	C^	C+^	C+^
Lampighter					F	D-				
Meadowbrook									N/A	N/A
Melody					D-	F				
Mother							N/A	N/A	N/A	N/A
Nokomis	C+^	C-^	C-^	C^	C-^	C^	C+^	C-^	C+^	B-^
Pamela							N/A	N/A	D+*	N/A*
Powderhorn	C^	C-^	C^	C-^	C+^	C^	D+	D+^	D-^	D^

May 1, 2015

Katharine Krezowski
5130 Meadville Street
Greenwood, MN 55331

Dear Katharine:

It has come to my attention that a portion of your dock is located off of Meadville Street and there also appears to be the storage of some dock material on Meadville Street itself just west of the bituminous surface. I must advise you that the City of Greenwood cannot permit a private use of municipal property nor does the City's current Municipal Dock License with the Lake Minnetonka Conservation District permit a dock to be placed at this location.

If you have any questions regarding your dock use area, I would recommend contacting Judd Harper, Administrative Technician with the Lake Minnetonka Conservation District, at 952-745-0789 to discuss the required rules and regulations pertaining to dock use area.

I regret to inform you that the portion of your dock and other material that is stored within the City's street right-of-way and within the City's dock use area off of Meadville Road must be removed no later than Friday, May 15, 2015.

If you have any questions, please feel free to give me a call at 952-358-9939 or DanaYoung@mchsi.com.

I thank you in advance for your attention to this matter.

Sincerely,

Dana H. Young
City Clerk
City of Greenwood