

MINUTES

Greenwood City Council Meeting

Wednesday, October 7, 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 Engineer Dave Martini

Motion by Kind to approve the agenda. Second by Quam. Motion passed 5-0.

2. CONSENT AGENDA

A. Approve: 09-02-15 City Council Meeting Minutes

B. Approve: August Cash Summary Report

C. Approve: August Certificates of Deposit Report

D. Approve: September Verifieds, Check Register, Electronic Fund Transfers

E. Approve: October Payroll Register

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

3. MATTERS FROM THE FLOOR

No one spoke during matters from the floor.

4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS

A. Guest: Chief Michael Meehan, South Lake Minnetonka Police Department Update

No council action was taken. View the presentation on LMCC TV channel 8 or at www.lmcc-tv.org.

B. Guest: Hennepin County Commissioner Jan Callison, Annual County Update

No council action was taken. View the presentation on LMCC TV channel 8 or at www.lmcc-tv.org.

C. Guest: Prosecutor Greg Keller, Annual Prosecution Update

No council action was taken. View the presentation on LMCC TV channel 8 or at www.lmcc-tv.org.

D. City Engineer Dave Martini: Smoke Testing, Road Projects, Stormwater Drainage (Meadville Street and St. Alban's Bay Rd)

Public Comment:

Bob Newman, 5230 Meadville Street, suggested the council consider placing a speed hump in the location where the new yellow striping is now located at the Meadville & Minnetonka Blvd intersection. Full comments may be viewed on LMCC TV channel 8 or at www.lmcc-tv.org.

No council action was taken. View the discussion on LMCC TV channel 8 or at www.lmcc-tv.org.

E. Announcement: Excelsior - Lake Minnetonka Chamber of Commerce, State of the Cities Lunch, Thurs 10/15 11:30am Southshore Center

No council action was taken. View the announcement on LMCC TV channel 8 or at www.lmcc-tv.org.

5. PUBLIC HEARINGS

A. Delinquent Sewer, Stormwater, and Recycling Charges

Motion by Fletcher to open the public hearing. Second by Roy. Motion passed 5-0.

No one spoke during the public hearing.

Motion by Fletcher to close the public hearing. Second by Roy. Motion passed 5-0.

6. UNFINISHED BUSINESS

A. Consider: Res 17-15 Regarding Lighting and Landscaping Plans, Kam & Sara Talebi, 5570 Maple Heights Rd

Public Comments:

John Lang, 21120 Excelsior Blvd – Expressed concern regarding hardcover and bright lights that can be on all night. Suggested the city council consider removing the override allowance for lights to be on for guests and visitors and require that all lights be on a 10-minute timer.

John Beal, 5470 Maple Heights Rd – Asked if any of the existing trees would be removed on the property.

Kam Talebi's response: None of the existing trees will be removed as part of the landscaping project.

Marietta Jacobsen, 5530 Maple Heights Rd – Expressed concern regarding brightness of the wall-mounted lights.

Jeff Sagal, 21420 Excelsior Blvd – Expressed concern regarding the amount of grading that has changed on the property.

Miles Canning, 21100 Excelsior Blvd – Expressed concern regarding bright lights and spillage over the property line. Expressed concern regarding the number of trees that have been removed and the amount of grading that has changed on the property.

Steve Janousek, 21210 Excelsior Blvd – Expressed concern regarding the visibility of the wall-mounted lights from his property's perspective which is higher than the Talebi property.

Full comments may be viewed on LMCC TV channel 8 or at www.lmcc-tv.org.

Motion by Cook that the Greenwood city council extends the variance up to 60 days to allow time for the property owner to submit a complete lighting and landscaping plan to the city. Second by Kind. Motion passed 5-0.

B. 2nd Reading: Ordinance 244, Updating Chapter 5 Fee Schedule

Motion by Fletcher that the Greenwood city council approves the 2nd reading of ordinance 224 with 2% as the figure for the Landscaping Security Deposit percentage. Second by Cook. Motion passed 5-0.

C. Consider: St. Alban's Bay Lake Improvement District, Next Steps

No council action was taken.

7. NEW BUSINESS

A. Consider: Res 13-15, Findings for Variance Request to Encroach into Lakeshore Setback, Jon Connolly of Gonyea Homes for Chad & Kelly Kerlin, 6 Maclynn Rd

Motion by Fletcher that the Greenwood city council affirms the planning commission recommendation and approves resolution 13-15 regarding the variance request to encroach into the 50-foot lakeshore setback for Chad & Kelly Kerlin, 6 Maclynn Road, with the following addition to paragraph 6(d): "and the increased height of the house in the existing non-conforming footprint is felt to be a reasonable use of the property with an updated home." Second by Roy. Motion passed 5-0.

- B. Consider: Res 14-15, Findings for Variance Request to Exceed 30% Hardcover, and Res 15-15, Findings for Grading Conditional Use Permit Request, Dale Gustafson for Mary McQuinn, 5025 Covington St

Motion by Quam that the Greenwood city council notify Mary McQuinn, 5025 Covington St, in writing that the city will take up to an additional 60 days to take action regarding her variance and conditional use permit request to allow time for the city engineer to review the plans. Second by Kind. Motion passed 3-2 with Cook and Fletcher voting against the motion.

- C. 1st Reading: Ordinance 245, Regarding Accessory Structures, Recreational Improvements, and Miscellaneous Improvements / Uses

Motion by Fletcher that the Greenwood city council approves the 1st reading of ordinance 245, regarding Accessory Structures, Recreational Improvements, and Miscellaneous Improvements / Uses with the following revisions: (1) In the section 1140.10 subd. 2 table, delete "up to 30 inches" in the description for decks and patios and change to "less than 30 inches." (2) In section 1140.10, delete subd. 5 regarding Water-Oriented Accessory Structures in its entirety. Second by Cook. Motion passed 4-1 with Kind voting against the motion.

- D. Discuss: Proposed Amendments to Municipal Watercraft Ordinance

Motion by Fletcher that the Greenwood city council continue the discussion regarding proposed amendments to the Municipal Watercraft Ordinance to the November 4, 2015 city council meeting. Second by Cook. Motion passed 5-0.

- E. Consider: Ongoing Weed Removal at City Docks

No council action taken.

- F. 1st Reading: Ordinance 246, Amending Sign Ordinance

Motion by Roy that the Greenwood city council approves the 1st reading of ordinance 246 amending the sign ordinance with the following directives: (1) Delete "front" from "front façade" in paragraph (a). (2) Revise paragraph (e) to state signs on canopies count towards 75 square foot total allowed. (3) Authorize Mayor Kind and Councilman Fletcher to review other cities' ordinances and make a recommendation regarding the maximum sign square footage allowed for multiple tenant buildings. Second by Quam. Motion passed 5-0.

- G. Consider: Resolution 16-15, Delinquent Sewer, Stormwater, and Recycling Charges

Motion by Fletcher that the Greenwood city council approves resolution 16-15 and the assessment roll for delinquent sewer, stormwater, and recycling charges. Second by Cook. Motion passed 5-0.

- H. Consider: Auditor Proposals

Motion by Roy that the Greenwood city council approves the auditing services proposal from CliftonLarsonAllen in the amount of \$9,600 to provide auditing services for 2015, \$9,700 to provide auditing services for 2016, \$9,800 to provide auditing services for 2017, and directs the city clerk to notify all proposers of the council's decision. Second by Cook. Motion passed 5-0.

- I. Consider: Hwy 7 / Christmas Lake Rd Traffic Signal Painting Project

Motion by Fletcher that the Greenwood city council affirms the city of Shorewood's approval of the bid from Pole Painting Plus to paint the Hwy 7 / Christmas Lake Road traffic signal with dark bronze paint in the amount of \$11,900, and further directs the city treasurer to disburse payment from the general fund contingency line #101-49000-439 for one half of the cost to the city of Shorewood upon completion of the project. Second by Roy. Motion passed 5-0.

- J. Discuss: Bean's Greenwood Marina Environmental Assessment Worksheet

Motion by Roy that the Greenwood city council directs the mayor to send written letter of support regarding Bean's Greenwood Marina's Environmental Assessment Worksheet to the Lake Minnetonka Conservation District. Second by Quam. Motion passed 5-0.

8. OTHER BUSINESS

A. None

9. COUNCIL REPORTS

- A. Cook: Planning Commission, Parks, Sewer Study, St. Alban's Bay Bridge
- B. Fletcher: Lake Minnetonka Communications Commission, Fire
- C. Kind: Police, Administration, Mayors' Meetings, Website
- D. Quam: Roads & Sewers, Minnetonka Community Education
- E. Roy: Lake Minnetonka Conservation District, St. Alban's Bay Lake Improvement District

No council action was taken.

10. ADJOURNMENT

Motion by Roy to adjourn the meeting at 10:32pm. Second by Cook. Motion passed 5-0.

NOTE: The closed session to discuss Shorewood's partition action lawsuit regarding the Southshore Center was not held because there was no new information to discuss.

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).