

Greenwood City Council Work Session
Tuesday, May 5, 2009
Council Chambers 20225 Cottagewood Road Deephaven, MN 952-474-6633

AGENDA

Welcome to the Work Session of the Greenwood City Council. We are glad you are here! In accordance with open meeting laws, members of the public are welcome to view this meeting, but there will be no opportunity for the public to participate. If agenda items are not completed at the work session, the Council may continue this meeting after tonight's regular Council meeting.

- 6:00 PM 1. Call to order - Roll Call - Approve Agenda
- 6:00 PM 2. Discuss Greenwood Survey
- 6:20 PM 3. Discuss Year-to-Date expenses (Fletcher)
- 6:50 PM 4. Adjourn

2009 COMMUNITY SURVEY



Your opinions are needed to help guide the future of Greenwood. Please complete this quick survey and return to:
Greenwood City Office, 20225 Cottagewood Road, Deephaven, MN 55331. Deadline: _____. Your input is appreciated!

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
TAXES	<i>Greenwood city taxes are about 18% of your property tax bill. For every \$1,000 you pay in property taxes \$180 goes to the city (\$70 police/fire, \$40 administration/legal/auditor, \$30 roads/engineering, \$30 reserve replenishment, \$10 zoning).</i>				
	I get good value for my city tax dollar.				
	The Greenwood percentage (18%) of my property taxes is too high.				
	I support raising taxes to improve city services.				
POLICE	<i>The South Lake Minnetonka Police Department's strategic plan indicates a need for adding 1-2 police officers to improve officer safety.</i>				
	Greenwood feels like a safe community.				
	I support raising taxes to add police officers.				
ROADS & PLOWING	My road is in acceptable condition.				
	I do not want city taxes increased to pay for roads.				
	I support raising city taxes to pay for roads.				
	I support assessing residents to pay for roads that benefit them.				
	I support city bonding (getting a loan) to pay for roads.				
	I am satisfied with the quality of snow plowing on my road.				
	I support odd/even parking when there is 2+ inches of snow, to save the city money and improve curb-to-curb plowing.				
PUBLIC DOCKS	<i>The city owns a Public Marina on St. Alban's Bay. The 2009 slip fee is \$750 (same as it was in 2007 and 2008). In 2010 the fee is set to be \$850. There are 26 slips and 38 people on the waiting list. Note: Marina Funds may be used for any city purpose.</i>				
	The \$850 slip fee is about right.				
	The slip fee should be increased \$200 per year until it reaches the average of Excelsior's, Deephaven's, and Tonka Bay's rates (approx. \$1,400).				
	The slip fee should be the average of Excelsior's, Deephaven's, and Tonka Bay's rates (approx. \$1,400).				
	The slip fee should be increased \$200 per year until it reaches 50% of the commercial rate (average of Excel/Tonka Bay Marina & Bean's Greenwood Marina). Note: The current commercial rate is approximately \$4000, so 50% would be \$2000.				
	The slip fee should be 50% of the commercial rate (average of Excel/Tonka Bay Marina & Bean's Greenwood Marina). Note: The current commercial rate is approximately \$4000, so 50% would be \$2000.				
MILFOIL	<i>St. Alban's Bay appears to be a good candidate for chemical milfoil treatment. The city's Public Marina is located on St. Alban's Bay.</i>				
	I support using \$500 to \$1000 from the Marina Fund to help pay for milfoil treatment on St. Alban's Bay.				
	I support using \$1000 to \$5000 from the Marina Fund to help pay for milfoil treatment on St. Alban's Bay.				
I do not support using city money to help pay for milfoil treatment on St. Alban's Bay.					

2009 Y-T-D Expenses

CITY OF GREENWOOD

Payment Approval Report by GL No - Paid
Fully Paid Invoices 01/01/2009 - 04/30/2009

Page: 1
Apr 30, 2009 11:11am

GL Acct No	Vendor	Vendor Name	Description	Invoice No	PO No	Inv Date	Amount
101-20805	GENERAL FUND - DTOG - STATE SURCHARGE						
	733	Minnesota State Treasurer	Building Permit Surcharge	0309		04/02/2009	64.92
	733	Minnesota State Treasurer	Building Permit Surcharge	1208		01/08/2009	164.76
							229.68 *
101-41100-371	GENERAL FUND - COUNCIL - COUNCIL - TRAINING/CONF-REGISTRATIO						
	26	LEAGUE OF MN CITIES	New Elect Training - Kind/Fletcher	0109		01/01/2009	570.00
	26	LEAGUE OF MN CITIES	New Elect Training - Rose	126574		01/29/2009	285.00
							855.00 *
101-41200-319	GENERAL FUND - COUNCIL - ELECTIONS - EQUIPMENT MAINTENANCE-OTH						
	75	HENNEPIN COUNTY TREASURE	M100 Maintenance Fee-2009	0209		02/12/2009	136.00
	75	HENNEPIN COUNTY TREASURE	Automark Programming	20209		02/12/2009	25.00
							161.00 *
101-41400-139	GENERAL FUND - COUNCIL - ADMINISTRATION - CLERKS INSURANCE						
	578	Minnesota Life	Clerk's Life Insurance	0109		01/15/2009	5.55
	578	Minnesota Life	Clerk's Life Insurance	0209		02/13/2009	5.55
	578	Minnesota Life	Clerk's Life Insurance	0409		03/13/2009	5.55
	578	Minnesota Life	Clerk's Life Insurance	0509		04/14/2009	5.55
	600	Union Security Insurance Compa	Clerk's long-term disability	0209		01/16/2009	98.75
	600	Union Security Insurance Compa	Clerk's short-term disability	0209		01/16/2009	13.50
	600	Union Security Insurance Compa	Long Term Disability	0309		02/13/2009	98.75
	600	Union Security Insurance Compa	Clerk's short-term disability	0309		02/13/2009	13.50
	600	Union Security Insurance Compa	Clerk's long-term disability	0409		03/17/2009	98.75
	600	Union Security Insurance Compa	Clerk's short-term disability	0409		03/17/2009	13.50
	600	Union Security Insurance Compa	Clerk's long-term disability	0509		04/16/2009	98.75
	600	Union Security Insurance Compa	Clerk's short-term disability	0509		04/16/2009	13.50
							471.20 *
101-41400-201	GENERAL FUND - COUNCIL - ADMINISTRATION - OFFICE SUPPLIES						
	615	Cardmember Services	Credit Card - office supplies	0109		02/11/2009	61.39
	615	Cardmember Services	Credit Card - office supplies	0409		04/01/2009	10.42
							71.81 *
101-41400-202	GENERAL FUND - COUNCIL - ADMINISTRATION - DUPLICATING						
	9	CITY OF DEEPHAVEN	COPIES	0109		01/23/2009	44.10
	9	CITY OF DEEPHAVEN	COPIES	0209		02/26/2009	66.50
	9	CITY OF DEEPHAVEN	COPIES	0309		03/30/2009	12.60
	9	CITY OF DEEPHAVEN	COPIES	0409		04/29/2009	5.00
							128.20 *
101-41400-214	GENERAL FUND - COUNCIL - ADMINISTRATION - FORMS/PRINTING						
	10	AMERICAN SOLUTIONS / BUSINE	W-2 & 1099 FORMS	00160356		02/11/2009	16.89
101-41400-309	GENERAL FUND - COUNCIL - ADMINISTRATION - PROFESSIONAL SERVICES-OTH						
	738	AVENET, LLC	Domain Name Set-up Charge	19204		03/17/2009	75.00
101-41400-310	GENERAL FUND - COUNCIL - ADMINISTRATION - CLERKS CONTRACTURAL						
	9	CITY OF DEEPHAVEN	Clerk	0109		01/23/2009	34.07
	9	CITY OF DEEPHAVEN	DEPUTY CLERK	0209		02/26/2009	68.14
	9	CITY OF DEEPHAVEN	DEPUTY CLERK	0309		03/30/2009	68.14
	9	CITY OF DEEPHAVEN	DEPUTY CLERK	0409		04/29/2009	68.14
	660	CLARE T. LINK	Council Minutes	0209		02/03/2009	200.00
	660	CLARE T. LINK	Council Minutes	0309		03/03/2009	200.00
	660	CLARE T. LINK	Council Minutes	0409		04/11/2009	200.00
							838.49 *
101-41400-311	GENERAL FUND - COUNCIL - ADMINISTRATION - OFFICE-RENT						
	9	CITY OF DEEPHAVEN	RENT & EQUIPMENT	0109		01/23/2009	942.68
	9	CITY OF DEEPHAVEN	RENT & EQUIPMENT	0209		02/26/2009	942.68
	9	CITY OF DEEPHAVEN	RENT & EQUIPMENT	0309		03/30/2009	942.68
	9	CITY OF DEEPHAVEN	RENT & EQUIPMENT	0409		04/29/2009	942.68

PD = Fully Paid Invoice PR = Partially Paid Invoice

Shows where \$
was spent

GL Acct No	Vendor	Vendor Name	Description	Invoice No	PO No	Inv Date	Amount
							3,770.72 *
101-41400-313	GENERAL FUND - COUNCIL - ADMINISTRATION - PROFESSIONAL SERVICES-COM						
	586	CIVIC SYSTEMS, LLC	Semi-Annual Support Fee	CVC5832		01/02/2009	1,880.00
101-41400-321	GENERAL FUND - COUNCIL - ADMINISTRATION - COMMUNICATIONS-TELEPHONE						
	701	Popp Telecom	Local, Long dist. & DSL	1749139		12/31/2008	117.19
	701	Popp Telecom	Local, Long dist. & DSL	1756918		01/31/2009	117.37
	701	Popp Telecom	Local, Long dist. & DSL	1764637		02/28/2009	117.19
	701	Popp Telecom	Local, Long dist. & DSL	1772290		03/31/2009	117.47
	717	VISI	Annual Domain Name Regis. Fee	1688549		02/23/2009	30.58
							499.80 *
101-41400-322	GENERAL FUND - COUNCIL - ADMINISTRATION - POSTAGE						
	9	CITY OF DEEPHAVEN	Postage	0109		01/23/2009	32.51
	9	CITY OF DEEPHAVEN	Postage	0209		02/26/2009	40.86
	9	CITY OF DEEPHAVEN	Postage	0309		03/30/2009	157.97
	9	CITY OF DEEPHAVEN	Postage	0409		04/29/2009	276.94
							508.28 *
101-41400-331	GENERAL FUND - COUNCIL - ADMINISTRATION - TRANSPORTATION-TRAVEL EXP						
	685	WHIPPLE, ROBERTA	Jan. Feb. March mileage @.55	0309		03/27/2009	39.60
101-41400-351	GENERAL FUND - COUNCIL - ADMINISTRATION - PRINTING-LEGAL NOTICES						
	136	Sun Newspapers	Massing Ord.	0109		01/22/2009	858.00
	136	Sun Newspapers	Board of Appeals Notice	0309		03/26/2009	28.60
	136	Sun Newspapers	Liquor (ran)	0309		03/26/2009	28.60
	136	Sun Newspapers	Liquor (killed)	0309		03/26/2009	28.60
	136	Sun Newspapers	Showcase Events	1156633		01/22/2009	239.53
	136	Sun Newspapers	Com. Property Access	1156635		01/22/2009	75.08
	136	Sun Newspapers	Sign Ordinance	1156636		01/22/2009	1,015.30
	136	Sun Newspapers	Budget Summary	1156637		01/22/2009	35.75
	136	Sun Newspapers	Ordinance #155	1158065		01/29/2009	414.70
	136	Sun Newspapers	Ordinance #156	1158066		01/29/2009	157.30
	136	Sun Newspapers	Ord #154	1158067		01/29/2009	78.65
	136	Sun Newspapers	Lake Shore Market-zoning amendme	1159665		02/05/2009	35.75
	136	Sun Newspapers	Ordinance #150	1159666		02/05/2009	382.53
	136	Sun Newspapers	Ordinance #151	1159667		02/05/2009	171.60
	136	Sun Newspapers	Ordinance #153	1159668		02/05/2009	60.78
	136	Sun Newspapers	Stormwater hearing	1162223		02/19/2009	32.18
	136	Sun Newspapers	Ord #160	1166227		03/12/2009	71.50
	136	Sun Newspapers	Ord. #163	1174915		04/23/2009	210.93
	136	Sun Newspapers	Ord. #164	1174916		04/23/2009	250.25
							4,175.63 *
101-41400-411	GENERAL FUND - COUNCIL - ADMINISTRATION - RENTALS-OFFICE EQUIPMENT						
	742	Marco, Inc.	Copier lease	115507048		01/14/2009	189.22
	742	Marco, Inc.	Copier lease	117820803		02/11/2009	225.00
	742	Marco, Inc.	Copier lease	120107370		03/14/2009	189.22
	742	Marco, Inc.	Copier lease	122147341		04/10/2009	189.22
							792.66 *
101-41400-439	GENERAL FUND - COUNCIL - ADMINISTRATION - MISCELLANEOUS-OTHER						
	615	Cardmember Services	Computer Hardware/Software	0309		03/03/2009	64.13
101-41500-439	GENERAL FUND - COUNCIL - ASSESSOR - ASSESSORS-OTHER						
	78	Hennepin County Taxpayer Svcs.	Special Assessment Processing	0409		04/08/2009	12.00
101-41600-304	GENERAL FUND - COUNCIL - LEGAL SERVICES - LEGAL SERVICES-GENERAL						
	3	KELLY LAW OFFICES	GENERAL LEGAL	5525		01/28/2009	1,782.50
	3	KELLY LAW OFFICES	GENERAL LEGAL	5536		02/20/2009	2,564.50
	3	KELLY LAW OFFICES	GENERAL LEGAL	5556		03/24/2009	3,588.00
	3	KELLY LAW OFFICES	GENERAL LEGAL	5567		04/24/2009	2,484.00

GL Acct No	Vendor	Vendor Name	Description	Invoice No	PO No	Inv Date	Amount
							10,419.00 *
101-41700-301	GENERAL FUND - COUNCIL - AUDITING - AUDITING						
	646	VIRCHOW KRAUSE & COMPANY	2008 Audit-partial	VK363641		01/30/2009	8,047.30
	646	VIRCHOW KRAUSE & COMPANY	2008 Audit-partial	VK370564		02/28/2009	3,750.00
	646	VIRCHOW KRAUSE & COMPANY	final billing for 2008 audit	VK377451		03/30/2009	1,057.30
							12,854.60 *
	Total COUNCIL						37,634.01
101-42100-304	GENERAL FUND - LAW ENFORCEMENT - LAW ENFORCEMENT - LEGAL SERVICES-PROSECUTIO						
	3	KELLY LAW OFFICES	Prosecution	5526		01/28/2009	805.00
	3	KELLY LAW OFFICES	LAW ENFORCE PROSECUTION	5537		02/20/2009	356.50
	3	KELLY LAW OFFICES	Prosecution	5557		03/24/2009	690.00
	3	KELLY LAW OFFICES	Prosecution	5568		04/24/2009	195.50
							2,047.00 *
101-42100-310	GENERAL FUND - LAW ENFORCEMENT - LAW ENFORCEMENT - LAW ENFORCEMENT-CONTRACT						
	38	SOUTH LAKE MINNETONKA POL	JANUARY OPERATING BUDGET	0109		01/01/2009	12,519.00
	38	SOUTH LAKE MINNETONKA POL	OPERATING BUDGET	0209		01/15/2009	12,519.00
	38	SOUTH LAKE MINNETONKA POL	March Operating Budget	0309		02/02/2009	12,519.00
	38	SOUTH LAKE MINNETONKA POL	April operating budget	0409		04/01/2009	12,519.00
	38	SOUTH LAKE MINNETONKA POL	May Operating Budget Expenses	0509		04/15/2009	12,519.00
							62,595.00 *
101-42100-311	GENERAL FUND - LAW ENFORCEMENT - LAW ENFORCEMENT - POLICE SIDE LEASE						
	38	SOUTH LAKE MINNETONKA POL	2nd quarter lease	0509		04/15/2009	11,912.00
	38	SOUTH LAKE MINNETONKA POL	First Quarter Lease	1-09		02/18/2009	11,912.00
							23,824.00 *
101-42200-309	GENERAL FUND - LAW ENFORCEMENT - FIRE - FIRE PROTECTION						
	52	EXCELSIOR FIRE DISTRICT	1st Quarter - Operations	09-009		12/26/2008	14,599.63
	52	EXCELSIOR FIRE DISTRICT	2nd quarter operations	41509		03/18/2009	14,599.63
							29,199.26 *
101-42200-311	GENERAL FUND - LAW ENFORCEMENT - FIRE - FIRE SIDE LEASE						
	52	EXCELSIOR FIRE DISTRICT	1st Quarter - Buildings	09-009		12/26/2008	13,576.07
	52	EXCELSIOR FIRE DISTRICT	2nd quarter facilities	41509		03/18/2009	13,576.07
							27,152.14 *
101-42400-308	GENERAL FUND - LAW ENFORCEMENT - ZONING - ZONING CONTRACT						
	9	CITY OF DEEPHAVEN	ZONING	0109		01/23/2009	238.76
	9	CITY OF DEEPHAVEN	February-Zoning	0309		03/30/2009	193.34
	9	CITY OF DEEPHAVEN	March Zoning	0409		04/29/2009	275.65
							707.75 *
101-42400-310	GENERAL FUND - LAW ENFORCEMENT - ZONING - BLDG. INSPECTIONS-CONTRAC						
	9	CITY OF DEEPHAVEN	4TH QTR. BLD. PERMITS	0109		01/23/2009	5,066.82
	9	CITY OF DEEPHAVEN	1st Qtr Building Permits	0409		04/29/2009	2,522.73
							7,589.55 *
101-42500-381	GENERAL FUND - LAW ENFORCEMENT - CIVIL DEFENSE - UTILITY SERVICES-ELECTRIC						
	145	XCEL	SIREN	216479275		02/24/2009	3.92
	145	XCEL	SIREN	257196041		01/24/2009	3.54
	145	XCEL	SIREN	265536618		03/24/2009	3.30
							10.76 *
101-42600-303	GENERAL FUND - LAW ENFORCEMENT - ENGINEERING - ENGINEERING FEES						
	51	BOLTON & MENK, INC.	ENGINEER FEES - Stormwater Mgn	0109		01/28/2009	4,181.00
	51	BOLTON & MENK, INC.	ENGINEER FEES-Comp Plan Maps	0109		01/28/2009	151.50
	51	BOLTON & MENK, INC.	Road Engineering	0122249		12/31/2008	267.50
	51	BOLTON & MENK, INC.	ENGINEER FEES - Surfact Water M	0123343		02/23/2009	686.19
	51	BOLTON & MENK, INC.	ENGINEER FEES	0123344		02/23/2009	214.50
	51	BOLTON & MENK, INC.	ENGINEER FEES - Surface Water h	0124040		03/31/2009	1,900.00
	51	BOLTON & MENK, INC.	ENGINEER FEES	0124041		03/31/2009	345.00

GL Acct No	Vendor	Vendor Name	Description	Invoice No	PO No	Inv Date	Amount
							7,745.69 *
Total LAW ENFORCEMENT							160,871.15
101-43100-381	GENERAL FUND - CONTRACT UTILITY AND ROADS - CONTRACT UTILITY AND ROADS - S&R-UTILITY SERVICES-ELEI						
145	XCEL		LIGHTS	253425053		12/27/2008	8.97
145	XCEL		Street Light -Meadville	257196033		01/24/2009	9.40
145	XCEL		Street Light - Sleepy Hollow	257597415		01/27/2009	9.46
145	XCEL		Street Lights	258365192		02/02/2009	392.31
145	XCEL		Street Light -Meadville	261479274		02/24/2009	9.50
145	XCEL		Street Light - Sleepy Hollow	262075439		02/27/2009	9.51
145	XCEL		Street Lights	262295301		03/03/2009	388.03
145	XCEL		MEADVILLE ST. LIGHT	265536617		03/24/2009	9.37
145	XCEL		Sleepy Hollow Road	266124255		03/27/2009	9.38
145	XCEL		LIGHTS	266876882		04/02/2009	389.68
							1,235.61 *
101-43900-310	GENERAL FUND - CONTRACT UTILITY AND ROADS - PUBLIC WORKS - STREETS-CONTRACTURAL						
9	CITY OF DEEPHAVEN		STREET	0309		03/30/2009	76.06
9	CITY OF DEEPHAVEN		STREET	0409		04/29/2009	608.44
							684.50 *
101-43900-311	GENERAL FUND - CONTRACT UTILITY AND ROADS - PUBLIC WORKS - STORM SEWER-CONTRACTURAL						
9	CITY OF DEEPHAVEN		STORM SEWERS	0209		02/26/2009	228.17
9	CITY OF DEEPHAVEN		STORM SEWERS	0309		03/30/2009	152.11
							380.28 *
101-43900-312	GENERAL FUND - CONTRACT UTILITY AND ROADS - PUBLIC WORKS - SNOW PLOWING-CONTRACTURAL						
9	CITY OF DEEPHAVEN		SNOW PLOWING	0109		01/23/2009	6,556.03
9	CITY OF DEEPHAVEN		101-43900-312	0209		02/26/2009	873.50
9	CITY OF DEEPHAVEN		SNOW PLOWING	0309		03/30/2009	2,249.00
							9,678.53 *
101-43900-313	GENERAL FUND - CONTRACT UTILITY AND ROADS - PUBLIC WORKS - TREE/WEED-CONTRACT						
9	CITY OF DEEPHAVEN		101-43900-313	0209		02/26/2009	722.52
9	CITY OF DEEPHAVEN		PARK MAINTENANCE	0309		03/30/2009	76.06
9	CITY OF DEEPHAVEN		WEED & TREE	0309		03/30/2009	76.06
9	CITY OF DEEPHAVEN		WEED & TREE	0409		04/29/2009	304.22
9	CITY OF DEEPHAVEN		PARK MAINTENANCE	0409		04/29/2009	304.22
							1,483.08 *
101-43900-315	GENERAL FUND - CONTRACT UTILITY AND ROADS - PUBLIC WORKS - TAR BIKE PATH-CONTRACT.						
9	CITY OF DEEPHAVEN		BIKE PATH	0309		03/30/2009	190.14
Total CONTRACT UTILITY AND ROADS							13,652.14
101-49000-310	GENERAL FUND - MISCELLANEOUS - MISCELLANEOUS - RECYCLING CONTRACT						
745	Vintage Waste Systems		City Recycling Contract	0109		01/25/2009	1,128.75
745	Vintage Waste Systems		City Recycling Contract	0209		02/27/2009	1,128.75
745	Vintage Waste Systems		City Recycling Contract	0309		03/26/2009	1,128.75
745	Vintage Waste Systems		City Recycling Contract	0409		04/24/2009	1,128.75
							4,515.00 *
101-49000-369	GENERAL FUND - MISCELLANEOUS - MISCELLANEOUS - MISCELLANEOUS-INSURANCE						
126	LEAGUE OF MN CITIES INS TRU:		Municipality Insurance	30686		03/11/2009	254.00
255	LMC INSURANCE TRUST		Work Comp. - Final Audit	14842		02/03/2009	26.00
							280.00 *
101-49000-433	GENERAL FUND - MISCELLANEOUS - MISCELLANEOUS - MISC.-DUES & SUBSCRIPTION						
99	LAKE MTKA CONSERVATION DIK		1st Qtr. LMCD Levy	0109		01/14/2009	1,528.35
101-49000-439	GENERAL FUND - MISCELLANEOUS - MISCELLANEOUS - OTHER-3% Contingency						

615	Cardmember Services	Fire Pad Lock at Meadville	0109	02/11/2009	100.00
Total MISCELLANEOUS					6,423.35
Total GENERAL FUND					218,810.33
602-43200-214	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - OPERATIONAL SUPP-FORMS/PR				
10	AMERICAN SOLUTIONS / BUSINE	Utility Billing Paper	00101932	02/25/2009	81.67
602-43200-303	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - ENGINEERING-SEWER				
51	BOLTON & MENK, INC.	Sewer Engineering	0124041	03/31/2009	135.00
602-43200-309	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - PROFESSIONAL SVCS-METRO W				
105	METROPOLITAN COUNCIL ENV	Monthly wastewater Charge	0000889319	01/05/2009	3,113.87
105	METROPOLITAN COUNCIL ENV	Monthly wastewater Charge	0000891373	02/03/2009	3,113.87
105	METROPOLITAN COUNCIL ENV	Monthly wastewater Charge	0000893870	03/03/2009	3,113.87
105	METROPOLITAN COUNCIL ENV	Monthly wastewater Charge	0000896058	04/02/2009	3,113.87
105	METROPOLITAN COUNCIL ENV	Monthly wastewater Charge	0109	01/01/2009	3,113.87
594	CITY OF EXCELSIOR	4th Qtr Joint Use Sanitary Sewer	0109	01/01/2009	2,208.86
					17,778.21 *
602-43200-310	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - SEWER-CONTRACTURAL				
9	CITY OF DEEPHAVEN	SEWER	0309	03/30/2009	228.17
9	CITY OF DEEPHAVEN	SEWER	0409	04/29/2009	1,673.21
					1,901.38 *
602-43200-381	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - UTILITY SERVICES-ELECTRIC				
145	XCEL	LIFT STATION #2	257459973	01/26/2009	32.45
145	XCEL	LIFT STATION #4	257463665	01/26/2009	27.13
145	XCEL	LIFT STATION #1	257470981	01/26/2009	199.39
145	XCEL	LIFT STATION #3	257483996	01/26/2009	18.28
145	XCEL	LIFT STATION #6	257497247	01/26/2009	63.07
145	XCEL	LIFT STATION #1	261561425	02/24/2009	177.18
145	XCEL	LIFT STATION #2	261567213	02/24/2009	30.08
145	XCEL	LIFT STATION #4	261567520	02/24/2009	25.42
145	XCEL	LIFT STATION #3	261582753	02/24/2009	17.39
145	XCEL	LIFT STATION #6	261596077	02/24/2009	56.71
145	XCEL	Lift Station 1	265790099	03/25/2009	182.85
145	XCEL	Lift Station 4	265791178	03/25/2009	27.89
145	XCEL	Lift Station 2	265791480	03/25/2009	32.01
145	XCEL	Lift Station 3	265799506	03/25/2009	19.88
145	XCEL	Lift Station 6	265822532	03/25/2009	64.33
					974.06 *
602-43200-439	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - MISCELLANEOUS				
68	ONE CALL CONCEPTS	Gopher State One Call	8120529	12/31/2008	7.25
68	ONE CALL CONCEPTS	Gopher State One Call	9010530	01/31/2009	117.40
68	ONE CALL CONCEPTS	Gopher State One Call	9020534	02/28/2009	13.05
68	ONE CALL CONCEPTS	Gopher State One Call	9030536	03/31/2009	15.95
					153.65 *
Total SEWER FUND EXPENSES					21,023.97
Total SEWER FUND					21,023.97
605-45100-309	MARINA FUND - MARINA FUND EXPENSES - MARINA FUND EXPENSES - PROFESSIONAL SERVICES-OTH				

25 LAKE MANAGEMENT, INC.	Vegetation treatment-St. Albans Bay	2009	02/03/2009	809.30
315 DOCK & LIFT INC.	INSTALL FLOATING DOCK	14627	04/09/2009	1,500.00
				<u>2,309.30</u> *
Total MARINA FUND EXPENSES				<u>2,309.30</u>
Total MARINA FUND				<u>2,309.30</u>
Grand Total:				<u><u>242,143.60</u></u>

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

City Treasurer: _____

Greenwood City Council Meeting

Tuesday, May 5, 2009

Council Chambers 20225 Cottagewood Road, Deephaven, MN 55331 Phone: 952.474.6633

AGENDA

Welcome to the Greenwood City Council Meeting. We are glad you are here! Members of the public are invited to address the Council regarding any item on the agenda.

If your topic is not on the agenda, you may speak during Matters From the Floor.

See the back of this page for Public Comment Guidelines. And, as a friendly reminder, please turn off your cell phones.

- 7:00 PM 1. Call to Order - Roll Call - Approve Agenda
- 7:00 PM 2. Approve Consent Agenda
- A. *Recommendation:* Approve work session minutes of 4-7-09
 - B. *Recommendation:* Approve council minutes of 4-7-09
 - C. *Recommendation:* Approve work session minutes of 4-16-09
 - D. *Recommendation:* Approve March Treasurer's Report
 - E. *Recommendation:* Approve April payables **\$45,285.10**
 - F. *Recommendation:* Approve new trash hauler - Blackowiak - Mound, MN
- 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. (see the back for Public Comments Guidelines)*
- 7:10 PM 4. Announcements, Presentations and Staff Reports
- A. Dave Martini, Engineer: Discuss 2009 sewer project
 - B. Dave Martini, Engineer: Discuss 2009 street project
 - C. Clerk Whipple: volunteer(s) needed for 4th of July parade
- 7:25 PM 5. Public Hearings
- A. First Reading of Ordinance #166 Amend Section 820 Liquor Fees
- 7:30 PM 6. Unfinished Business
- A. Second reading of Ordinance #165 Establishing use of Fire Lanes
 - B. Review letter to LMCD regarding expansion of Excel Marina docks
- 7:40 PM 7. New Business
- A. Approve Excelsior's request for seasonal park and dock patrol services
 - B. Approve resolution #10-09 approval of LMCC's purchase of building
 - C. Determine next steps for SouthShore Center
 - D. Approve Resolution #09-09 MN Wetland Conservation Act
 - E. Discuss Tour de Tonka bicycle ride
 - F. Consider construction management ordinance
 - G. Consider revised variance application form
 - H. Consider designating City land by public docks as park land
 - I. Consider using park funds to install canoe/kayak racks or a Stormwater buffer at new park
 - J. Consider posting LMCD rules signs at public docks and Meadville launch
 - K. First reading of Ordinance #167 updating section 510 Licenses, Permits, and Fees and related sections of the code
- 8:40 PM 8. Other Business
- 8:40 PM 9. Council Reports
- A. Fletcher: Planning Commission Reports
 - B. Page: Lake Minnetonka Conservation District
- 8:50 PM 10. Adjournment

Agenda times are approximate. Please be ready 10 minutes prior to your agenda topic. Every effort will be made to keep the agenda on schedule.

GREENWOOD CITY COUNCIL WORKSESSION
Tuesday, April 7, 2009 6:00 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.

Members present: Mayor Kind, Councilmembers Page, Rose, Fletcher and Quam

Others attending: City Administrator Whipple, City Attorney Kelly, and Recording Secretary Link

Hennepin County Assessors Bill Effertz and Nathan Stulc were also present.

Councilmember Quam moved to approve the worksession agenda. Councilmember Rose seconded the motion. Motion carried.

2. PRE-BOARD MEETING WITH HENNEPIN COUNTY ASSESSORS

County Assessor Stulc discussed the booklets compiled by the County which show the sales for the previous year which are used to judge the level of assessment in Greenwood. Overall, there was a negative 2.8% growth. He noted four residents have signed up for the Board of Review meeting on April 16. Assessor, Bill Effertz, noted three Councilmembers have attended the Board of Review training. Kind reviewed the process for the Board of Review meeting on April 16. Kind noted the reconvened meeting is scheduled for April 30. In between the meetings, the Council will have a chance to do their own research and view the properties. Stulc stated a recommendation packet will be provided at the reconvened meeting.

Stulc noted foreclosed properties are not included in the calculations. Fletcher noted the properties sold in 2008 had over a 7% reduction in their valuation. Kind noted that according to the 2008 sales study, lakeshore properties should have averaged a 5.96% reduction and off-shore properties should have averaged a 6.82% reduction compared to 3.3% and 5.4% on the assessor's report. Effertz and Stulc agreed to look into questions raised and report back to the council.

3. DISCUSS GREENWOOD FEES

The Council continued discussion of the fee schedule. Fees discussed included certification of past due accounts, street excavation, tobacco licenses, and zoning code amendment fees. Another worksession will be held prior to the Board of Review meeting on April 16 at 5:30 p.m.

4. ADJOURNMENT

Councilmember Rose moved to adjourn the meeting at 6:57 p.m. Councilmember Quam seconded the motion. Motion carried.

Respectfully submitted,

Clare T. Link
Recording Secretary

GREENWOOD CITY COUNCIL MEETING

Tuesday, April 7, 2009 7:00 p.m.

Council Chambers 20225 Cottagewood Road Deephaven MN 55331 952-474-6633

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

Mayor Kind called the meeting to order at 7:00 p.m.

Members present: Mayor Kind and Councilmembers Page, Rose, Fletcher and Quam

Others attending: City Administrator Whipple, City Attorney Kelly, and Recording Secretary Link

Councilmember Rose moved to approve the meeting agenda. Councilmember Quam seconded the motion. Motion carried.

2. APPROVE CONSENT AGENDA

Councilmember Page moved to approve the Consent Agenda. Councilmember Fletcher seconded the motion. Motion carried. Items so approved include the following:

- A. Recommendation: Approve worksession minutes of 3-3-09.
- B. Recommendation: Approve regular council minutes of 3-3-09.
- C. Recommendation: Approve special meeting minutes of 3-10-09.
- D. Recommendation: Approve February Treasurer's Report
- E. Recommendation: Approve March payables \$61,388.57
- F. Withdraw application for interest-free loan from Met Council

3. MATTERS FROM THE FLOOR

- A. Val Mucenieks, 21555 Minnetonka Boulevard stated he shares the right-of-way with apartment buildings, and he would like to have the weeds removed.

4. ANNOUNCEMENTS, PRESENTATIONS & STAFF REPORTS

- A. Engineer, Dave Martini: Storm water plan, inflow & infiltration (I&I), roads

Dave Martini, City Engineer stated the city's stormwater management plan has been submitted to the MCWD, and it is still in the review process. He discussed the need for improvements to the sanitary sewer system. He explained how groundwater infiltration into the sewer system can be a problem, and Met Council charges a surcharge for this infiltration. The ideal solution is to make corrections to the system so that inflow and infiltration does not occur. Eight sewer districts were created to make the system more organized. He recommended that districts 3 and 4 be earmarked this year for improvements, specifically manhole repairs/corrections. He asked for authorization to start with manhole inspections. Councilmember Quam moved to authorize the expense to complete manhole inspections in

districts 3 and 4. Councilmember Fletcher seconded the motion. Motion carried.

Martini discussed road improvements that are in need of repair. He reviewed cost estimates. Councilmember Quam recommended Greenwood Circle be broken into several manageable projects. He also stated it should be determined if construction has been completed before road improvements are done. Martini suggested he work with Councilmember Quam on road construction projects.

B. Mayor Kind: New City website address and email address

Kind reported the city has its original website address back: www.greenwoodmn.com, and the city's email address is: administrator@greenwoodmn.com. The old addresses still work.

C. City Attorney, Mark Kelly: updates

Kelly stated he drafted the letter to Clear Channel, but since that time billboards have been re-signed. The letter is no longer necessary.

Kelly updated the Council on the dangerous dog issue. The parties are willing to work on resolution. He asked Council to pursue a resolution on the civil end of this matter. Page asked if this would be done amicably or if civil action would take place. Kelly stated the parties are interested in avoiding civil action. Councilmember Page moved to authorize the City Attorney to pursue resolution of this matter on an informal basis. Councilmember Rose seconded the motion. Motion carried.

5. PUBLIC HEARINGS

None

6. UNFINISHED BUSINESS

A. Second Reading of Ordinance #163 - Establishment of Stormwater Management Utility Fund

Kind stated the ordinance has not changed. Kelly stated after the discussion at the worksession, any fees in Ordinance #163 would be removed and language added that the fees would be set by statute. Councilmember Fletcher moved to approve the second reading. Councilmember Quam seconded the motion. Motion carried.

B. Second Reading of Ordinance #164 - Amendment to Section 520, Sewer Rates

Councilmember Fletcher has approved all the changes to the ordinance. Kelly stated similar changes as Item 6A will also be made. Councilmember Quam moved to approve the second reading as amended. Councilmember Rose seconded the motion. Motion carried.

7. **NEW BUSINESS**

A. **First Reading of Ordinance #165 - Establishing Uses of Fire Lanes**

Kelly stated City Code allows us to set parking requirements at fire lanes by resolution. Quam asked if penalties will be addressed. Kelly stated they are inferred. Kind opened the floor to public comments. David Paulson, 20580 Carson Road, Deephaven stated over time as regulations became more common on fire lanes in Deephaven, the fire lanes became the property of abutting property owners. Maureen Burns 5080 Meadville, Greenwood didn't understand what is being proposed. She asked if barriers were being installed so neighbors cannot use them. Kind stated they are seasonal barriers that would come down in the spring and summer. Councilmember Quam moved approval of the first reading. Councilmember Rose seconded the motion. Motion carried.

B. **Consider setting a date for "Painting with the Council" to repaint Greenwood signs**

Kind stated the signs are in need of repair. Councilmember Rose was one of the original painters of the signs. She suggested a community project to paint them and suggested Saturday, May 2 in conjunction with Greenwood's clean-up day. Councilmember Page moved to set Saturday, May 2 as the painting day. Councilmember Rose seconded the motion. Motion carried.

C. **Consider our response to Shorewood's notice to exercise its option to retain the Southshore Center**

Kind stated the city of Greenwood received a letter from Shorewood stating they have decided to exercise their option to retain the Southshore Center with the intent to resell to LMCC. Greenwood has gone on record as supporting maintaining the use of the building as a community/senior center. She stated that the dissolution of the Friends means that 1 of 4 things needs to happen: the 5 cities create a new cooperative agreement, Shorewood retains the Center by buying out the other 4 cities, the Center is sold, or Greenwood opts out. Last night there was a Community Conversation event at the Southshore Center preceding a Special Session of the Shorewood City Council. Residents want to figure out a way to keep the Southshore Center. It appeared Shorewood backed down from the possible sale. They also approved an interim agreement with SSSP to run the

center, and a Memorandum of Understanding stating five cities would each pay 20% towards the operation of the center through June 30. This afternoon a meeting was held with the five cities to discuss the outcome from last night's meeting and to review RFPs from three organizations. The cities would need to determine how to cover costs for a 2-year period based on one of the organization's proposal. It appears that all the other cities are willing to share the costs of 20% each. Councilmember Rose stated the April deadline has now been extended to June 30. Whipple stated that those at this afternoon's meeting are very excited about the proposals presented. The big issue for Greenwood is the 20%. Kind stated that it appears that the other 4 cities including Excelsior and Tonka Bay are okay with the 20% through the end of June.

Kind stated the three issues before us tonight are: a memorandum of understanding for 20% through June 30, an interim agreement with SSSP, and what our response to Shorewood's letter is for exercising their option.

Kelly stated his sense is they are still hoping to hear from the Shorewood City Council that they no longer wish to exercise their option. We are the first city being asked to act on this agreement. He stated he would like the opportunity to talk about this with the other city attorneys.

Quam stated he was not opposed to paying 20% until the end of June.

Kind opened the floor for public comments and explained how comments would be received in an orderly manner.

Nancy Middleton, 203 Mill Street, Excelsior discussed the importance of communication and the community meeting held the previous evening. She urged the Council to seriously consider their response to Shorewood and not rush into a decision.

Bob Newman, 5230 Meadville Street, Greenwood discussed arguments for retaining the community center. He submitted a petition with over 800 signatures to save the center.

Tom Anderson, 4640 Old Kemp Road, Deephaven stated the RFP options are very exciting. He stated the Shorewood City Council has lost their credibility. He encouraged the City Council to move forward.

Marietta Jacobsen, 5530 Maple Heights Road stated she is a Board

member for the Friends of the Southshore Center. She gave a background on the Center usage. She was opposed to Shorewood owning the building.

Scott Keane, Shorewood stated that history has shown that Shorewood will renege on any agreements.

Woody Love, 5390 Barrington Way, Shorewood thanked the Council for letting the residents be heard. He discussed his concerns about the Shorewood option. He didn't believe the option was presented in good faith and urged the council not to support the option.

Jan Gray, 5170 Meadville, Greenwood gave a background on the history of the creation of the center. What are being forgotten are the small and large contributions of \$100,000 to get the center started from organizations and fund raising events. She asked that those present this evening be heard.

Val Muceniaks, 21555 Mtka Blvd. Greenwood stated the center is used 4.5 days a week.

Kristin Dowell, Excelsior agreed that a legacy needs to be passed on to future generations. If every resident contributed \$1.20, the maintenance would be paid for. She believed a 20% share for Greenwood is ridiculous.

Kind closed the floor to public comments. She stated Greenwood currently owns 3.95% of the center which coincides with the population. We have 20% voting rights. She would not support 20% cost sharing. Maintaining the center will take two years of cost sharing before it is profitable.

Kind stated Shorewood and Deephaven have approved the Shorewood's decision to exercise their option to retain the center, Tonka Bay has said they're ok with it, and Excelsior opposes it. We also have to take action on a new agreement with SSSP, and we need to take action on the Memorandum of understanding.

Kelly stated the city will also need to respond to Excelsior's letter to Shorewood.

Page stated he has reviewed the agreement, and he doesn't agree Shorewood has the option to take over the building unless the other cities

agree. He stated we need to make clear to them that they don't have that option.

Quam asked if we don't take any action on Shorewood's assumption, what happens. Kelly stated four cities might vote to sell. If we stand silent, they don't have to vote. Part of the city's discussion should be whether they care and make a stand.

Rose stated he doesn't have a problem with it remaining a senior center. If Shorewood exercises their option and brings in a company to run the senior center, he would not oppose this.

The Council recessed at 9:08 p.m. and reconvened at 9:18 p.m.

Fletcher believed the 20% idea is a horrible precedent. He didn't see any problems with the Memorandum of Understanding through June otherwise. He stated we can opt out of the agreement. He believed the percentages should be in proportion to the population. Kind stated as an interim through June 30, the contribution should be in proportion to the ownership.

Page was in agreement with the first three pages of the Memorandum of Understanding. He discussed changes to the rest of the document. He definitely believed an appraisal should be done of the center. He was willing to pay 1/5 of the cost of the appraisal. He stated he does not feel good about those people who were supposed to be managing the center. He stated the seniors need to step forward and raise some substantial money. In summary, he supported the Memorandum but did not support the Shorewood option.

Quam stated he did not support any action that would threaten the use of the center. He opposed the Shorewood option.

Councilmember Page moved to send a letter to Shorewood in response to their March 25 correspondence rejecting their assertion that they have the power to exercise the option to take control of the Southshore Center and repay the other cities their original investment. Councilmember Quam seconded the motion. Rose asked what it will take for Greenwood to determine they are done with it. Kind stated she would personally entertain a sale to move forward after June 30. The Council concurred that after June 30, they could change their minds. Motion carried 4-1. Rose voted against the motion.

Councilmember Fletcher moved that we pass the Memorandum of Understanding as amended - change "equally" to "in proportion to their ownership of the center". Councilmember Rose seconded the motion. Page stated he opposed the amendment. Fletcher stated even if the other cities turn this down, we have gone on record opposing the 20%. Motion carried 3-2. Page and Rose voted against the motion.

Councilmember Fletcher moved to approve the SSSP operational agreement. Councilmember Rose seconded the motion. Motion carried 5-0.

8. OTHER BUSINESS

None

9. COUNCIL REPORTS

A. Fletcher: Planning Commission Report

at Fletcher stated Georgetown Manor and Lakeshore Market were discussed the last Planning Commission meeting. Lakeshore Market has added hardcover and is selling cars. Kind stated they must comply with our ordinances.

B. Fletcher: Milfoil Report

Fletcher stated a letter will be going out to raise funds for milfoil eradication.

C. Page: Lake Minnetonka Conservation District

Page stated Excelsior has added a new member to the LMCD Board. He will address Excel's Marina at the LMCD meeting.

10. ADJOURNMENT

There being no further business, it was moved by Councilmember Fletcher to adjourn the meeting at 9:50 p.m. Councilmember Page seconded the motion. Motion carried.

Respectfully submitted,

Clare T. Link
Recording Secretary

City of Greenwood - City Council Work Session
Greenwood City Council Chambers
20225 Cottagewood Road Deephaven, MN 55331 952-474-6633
Thursday, April 16, 2009

DRAFT MINUTES

1. Call to Order/Roll Call

Mayor Kind called the work session to order at 5:30 PM.
Council present: Page, Rose, Fletcher, Kind and Quam
Council absent: none
Staff present: Attorney Kelly and Clerk Whipple

Councilmember Quam moved to approve the Agenda. Second by Councilmember Rose. Motion carried 5-0

2. Discuss Greenwood Fees

The fees discussed by the Council dealt with zoning, Stormwater management utility fee, canoe/kayak rack rental, and dog license fees.
At 6:25 PM, this meeting was tabled for continuation after tonight's Board of Review meeting.

The work session continued at 8:25 PM

3. Discuss Community Survey

The draft of a community survey crafted by Kind and Quam was discussed. It was determined that the most important feedback needed at this time, was regarding the Southshore Center. Page and Kind will revise the survey and send to Roberta for mailing to residents in order to have results back in time for the 5/5/09 council meeting.

4. Xcel Marina Dock in St. Albans Bay

The Council discussed the extended dock slip at the Xcel Marina in Excelsior. Xcel applied for a permit for the dock extension with the Lake Minnetonka Conservation District (LMCD). With Greenwood's LMCD representative, Kelsey Page, being the only dissenting vote, the permit was approved. There is concern by the Greenwood Council that the dock protrudes too far into the navigational channel which may cause an accident. Sending a letter to the LMCD with the Council's concerns will be discussed at the next City Council meeting.

Councilmember Rose moved to adjourn at 8:52 PM. Second by Councilmember Page. Motion carried 5-0

Respectfully submitted,

Roberta Whipple
City Administrator

City of Greenwood Treasurer's Report
March 2009

Fund	Assets	Liabilities	Total Fund Balance
101 General	-\$17,506.61	\$28,012.76	-\$45,519.37
401 Park Improvement	\$27,054.92	\$0.00	\$27,054.92
402 Road Improvement	\$17,649.15	\$0.00	\$17,649.15
602 Sewer	\$852,938.42	\$520,235.83	\$332,702.59
605 Marina	\$58,151.76	\$0.00	\$58,151.76
	\$938,287.64	\$548,248.59	\$390,039.05
Bridgewater Bank - Ckg.	\$231,838.48		
Bridgewater Bank - MM	\$159,311.16		
	\$391,149.64		
2008 Ending Reserve Fund Bal	\$130,336.00		
2007 Ending Reserve Fund Bal	\$90,125.00		
2006 Ending Reserve Fund Bal	-\$1,787.00		
2005 Ending Reserve Fund Bal	-\$55,378.00		
2004 Ending Reserve Fund Bal	-\$61,445.00		

CITY OF GREENWOOD

Check Register - Summary

Page: 1
Apr 30, 2009 09:02am

Check Issue Date(s): 04/01/2009 - 04/30/2009

Per	Date	Check No	Vendor No	Payee	Amount
04/09	04/15/2009	9602	51	BOLTON & MENK, INC.	2,380.00
04/09	04/15/2009	9603	615	Cardmember Services	10.42
04/09	04/15/2009	9604	660	CLARE T. LINK	200.00
04/09	04/15/2009	9605	315	DOCK & LIFT INC.	1,500.00
04/09	04/15/2009	9606	78	Hennepin County Taxpayer Svcs.	12.00
04/09	04/15/2009	9607	742	Marco, Inc.	189.22
04/09	04/15/2009	9608	105	METROPOLITAN COUNCIL ENV SERV	3,113.87
04/09	04/15/2009	9609	733	Minnesota State Treasurer	64.92
04/09	04/15/2009	9610	68	ONE CALL CONCEPTS	15.95
04/09	04/15/2009	9611	701	Popp Telecom	117.47
04/09	04/15/2009	9612	38	SOUTH LAKE MINNETONKA POLICE	24,431.00
04/09	04/15/2009	9613	136	Sun Newspapers	85.80
04/09	04/15/2009	9614	646	VIRCHOW KRAUSE & COMPANY	1,057.30
04/09	04/15/2009	9615	145	XCEL	738.69
04/09	04/30/2009	9622	9	CITY OF DEEPHAVEN	6,981.23
04/09	04/30/2009	9623	3	KELLY LAW OFFICES	2,679.50
04/09	04/30/2009	9624	578	Minnesota Life	5.55
04/09	04/30/2009	9625	136	Sun Newspapers	461.18
04/09	04/30/2009	9626	600	Union Security Insurance Compa	112.25
04/09	04/30/2009	9627	745	Vintage Waste Systems	1,128.75
Totals:					<u>45,285.10</u>

Month of April 2009

GL Acct No	Vendor	Vendor Name	Description	Invoice No	PO No	Inv Date	Amount
101-20805	GENERAL FUND - DTOG - STATE SURCHARGE						
	733	Minnesota State Treasurer	Building Permit Surcharge	0309		04/02/2009	64.92
101-41400-139	GENERAL FUND - COUNCIL - ADMINISTRATION - CLERKS INSURANCE						
	578	Minnesota Life	Clerk's Life Insurance	0509		04/14/2009	5.55
	600	Union Security Insurance Compa	Clerk's long-term disability	0509		04/16/2009	98.75
	600	Union Security Insurance Compa	Clerk's short-term disability	0509		04/16/2009	13.50
							117.80 *
101-41400-201	GENERAL FUND - COUNCIL - ADMINISTRATION - OFFICE SUPPLIES						
	615	Cardmember Services	Credit Card - office supplies	0409		04/01/2009	10.42
101-41400-202	GENERAL FUND - COUNCIL - ADMINISTRATION - DUPLICATING						
	9	CITY OF DEEPHAVEN	COPIES	0409		04/29/2009	5.00
101-41400-310	GENERAL FUND - COUNCIL - ADMINISTRATION - CLERKS CONTRACTURAL						
	9	CITY OF DEEPHAVEN	DEPUTY CLERK	0409		04/29/2009	68.14
	660	CLARE T. LINK	Council Minutes	0409		04/11/2009	200.00
							268.14 *
101-41400-311	GENERAL FUND - COUNCIL - ADMINISTRATION - OFFICE-RENT						
	9	CITY OF DEEPHAVEN	RENT & EQUIPMENT	0409		04/29/2009	942.68
101-41400-321	GENERAL FUND - COUNCIL - ADMINISTRATION - COMMUNICATIONS-TELEPHONE						
	701	Popp Telecom	Local, Long dist. & DSL	1772290		03/31/2009	117.47
101-41400-322	GENERAL FUND - COUNCIL - ADMINISTRATION - POSTAGE						
	9	CITY OF DEEPHAVEN	Postage	0409		04/29/2009	276.94
101-41400-351	GENERAL FUND - COUNCIL - ADMINISTRATION - PRINTING-LEGAL NOTICES						
	136	Sun Newspapers	Liquor (ran)	0309		03/26/2009	28.60
	136	Sun Newspapers	Liquor (killed)	0309		03/26/2009	28.60
	136	Sun Newspapers	Board of Appeals Notice	0309		03/26/2009	28.60
	136	Sun Newspapers	Ord. #163	1174915		04/23/2009	210.93
	136	Sun Newspapers	Ord. #164	1174916		04/23/2009	250.25
							546.98 *
101-41400-411	GENERAL FUND - COUNCIL - ADMINISTRATION - RENTALS-OFFICE EQUIPMENT						
	742	Marco, Inc.	Copier lease	122147341		04/10/2009	189.22
101-41500-439	GENERAL FUND - COUNCIL - ASSESSOR - ASSESSORS-OTHER						
	78	Hennepin County Taxpayer Svcs.	Special Assessment Processing	0409		04/08/2009	12.00
101-41600-304	GENERAL FUND - COUNCIL - LEGAL SERVICES - LEGAL SERVICES-GENERAL						
	3	KELLY LAW OFFICES	GENERAL LEGAL	5567		04/24/2009	2,484.00
101-41700-301	GENERAL FUND - COUNCIL - AUDITING - AUDITING						
	646	VIRCHOW KRAUSE & COMPANY	final billing for 2008 audit	VK377451		03/30/2009	1,057.30
	Total COUNCIL						6,027.95
101-42100-304	GENERAL FUND - LAW ENFORCEMENT - LAW ENFORCEMENT - LEGAL SERVICES-PROSECUTIO						
	3	KELLY LAW OFFICES	Prosecution	5568		04/24/2009	195.50
101-42100-310	GENERAL FUND - LAW ENFORCEMENT - LAW ENFORCEMENT - LAW ENFORCEMENT-CONTRACT						
	38	SOUTH LAKE MINNETONKA POL	May Operating Budget Expenses	0509		04/15/2009	12,519.00
101-42100-311	GENERAL FUND - LAW ENFORCEMENT - LAW ENFORCEMENT - POLICE SIDE LEASE						
	38	SOUTH LAKE MINNETONKA POL	2nd quarter lease	0509		04/15/2009	11,912.00

GL Acct No	Vendor	Vendor Name	Description	Invoice No	PO No	Inv Date	Amount
101-42400-308	GENERAL FUND - LAW ENFORCEMENT - ZONING - ZONING CONTRACT						
	9	CITY OF DEEPHAVEN	March Zoning	0409		04/29/2009	275.65
101-42400-310	GENERAL FUND - LAW ENFORCEMENT - ZONING - BLDG. INSPECTIONS-CONTRAC						
	9	CITY OF DEEPHAVEN	1st Qtr Building Permits	0409		04/29/2009	2,522.73
101-42500-381	GENERAL FUND - LAW ENFORCEMENT - CIVIL DEFENSE - UTILITY SERVICES-ELECTRIC						
	145	XCEL	SIREN	265536618		03/24/2009	3.30
101-42600-303	GENERAL FUND - LAW ENFORCEMENT - ENGINEERING - ENGINEERING FEES						
	51	BOLTON & MENK, INC.	ENGINEER FEES - Surface Water	0124040		03/31/2009	1,900.00
	51	BOLTON & MENK, INC.	ENGINEER FEES	0124041		03/31/2009	345.00
							2,245.00 *
							<u>29,673.18</u>
101-43100-381	GENERAL FUND - CONTRACT UTILITY AND ROADS - CONTRACT UTILITY AND ROADS - S&R-UTILITY SERVICES-ELE						
	145	XCEL	MEADVILLE ST. LIGHT	265536617		03/24/2009	9.37
	145	XCEL	Sleepy Hollow Road	266124255		03/27/2009	9.38
	145	XCEL	LIGHTS	266876882		04/02/2009	389.68
							408.43 *
101-43900-310	GENERAL FUND - CONTRACT UTILITY AND ROADS - PUBLIC WORKS - STREETS-CONTRACTURAL						
	9	CITY OF DEEPHAVEN	STREET	0409		04/29/2009	608.44
101-43900-313	GENERAL FUND - CONTRACT UTILITY AND ROADS - PUBLIC WORKS - TREE/WEED-CONTRACT						
	9	CITY OF DEEPHAVEN	WEED & TREE	0409		04/29/2009	304.22
	9	CITY OF DEEPHAVEN	PARK MAINTENANCE	0409		04/29/2009	304.22
							608.44 *
							<u>1,625.31</u>
101-49000-310	GENERAL FUND - MISCELLANEOUS - MISCELLANEOUS - RECYCLING CONTRACT						
	745	Vintage Waste Systems	City Recycling Contract	0409		04/24/2009	1,128.75
							<u>1,128.75</u>
							<u>38,520.11</u>
602-43200-303	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - ENGINEERING-SEWER						
	51	BOLTON & MENK, INC.	Sewer Engineering	0124041		03/31/2009	135.00
602-43200-309	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - PROFESSIONAL SVCS-METRO W						
	105	METROPOLITAN COUNCIL ENV	Monthly wastewater Charge	0000896058		04/02/2009	3,113.87
602-43200-310	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - SEWER-CONTRACTURAL						
	9	CITY OF DEEPHAVEN	SEWER	0409		04/29/2009	1,673.21
602-43200-381	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - UTILITY SERVICES-ELECTRIC						
	145	XCEL	Lift Station 1	265790099		03/25/2009	182.85
	145	XCEL	Lift Station 4	265791178		03/25/2009	27.89
	145	XCEL	Lift Station 2	265791480		03/25/2009	32.01

GL Acct No	Vendor	Vendor Name	Description	Invoice No	PO No	Inv Date	Amount	
	145 XCEL		Lift Station 3	265799506		03/25/2009	19.88	
	145 XCEL		Lift Station 6	265822532		03/25/2009	64.33	
							326.96	
602-43200-439	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - MISCELLANEOUS							
	68 ONE CALL CONCEPTS		Gopher State One Call	9030536		03/31/2009	15.95	
Total SEWER FUND EXPENSES							5,264.99	
Total SEWER FUND							5,264.99	
605-45100-309	MARINA FUND - MARINA FUND EXPENSES - MARINA FUND EXPENSES - PROFESSIONAL SERVICES-OTH							
	315 DOCK & LIFT INC.		INSTALL FLOATING DOCK	14627		04/09/2009	1,500.00	
Total MARINA FUND EXPENSES							1,500.00	
Total MARINA FUND							1,500.00	
Grand Total:							45,285.10	

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

City Treasurer: _____

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CITY OF GREENWOOD
REVENUES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>TAXES</u>					
101-31010	CURRENT AD VALOREM	.00	8,820.07	687,057.00 (678,236.93)	1.28
101-31020	DELINQUENT AD VALOREM	.00	.00	1,000.00 (1,000.00)	.00
101-31040	FISCAL DISPARITIES	.00	.00	2,200.00 (2,200.00)	.00
101-31800	SUR-CHARGE REVENUE	.75	4.85	25.00 (20.15)	19.40
101-31910	PENALTIES	.00	.00	100.00 (100.00)	.00
<u>TOTAL TAXES</u>					
		.75	8,824.92	690,382.00 (681,557.08)	1.28
<u>LICENSES & PERMITS</u>					
101-32110	3.2 BEER, LIQ & CIGARETTE LICE	.00	3,250.00	2,965.00 285.00	109.61
101-32120	LIQUOR LICENSE	.00	.00	.00 .00	.00
101-32160	PROFESSIONAL/OCCUPATIONAL	.00	.00	.00 .00	.00
101-32180	OTHER BUSINESS LICENSES/P	.00	1,884.00	1,600.00 284.00	117.75
101-32210	BUILDING PERMITS-PUBLIC W	617.63	3,863.84	28,000.00 (24,136.16)	13.80
101-32211	ELEC PERMIT	.00	409.92	2,000.00 (1,590.08)	20.50
101-32215	MANAGEMENT REVIEW-BLDG	.00	.00	200.00 (200.00)	.00
101-32240	ANIMAL LICENSE	.00	.00	.00 .00	.00
<u>TOTAL LICENSES & PERMITS</u>					
		617.63	9,407.76	34,765.00 (25,357.24)	27.06
<u>INTERGOVERNMENTAL AID</u>					
101-33402	HOMESTEAD CREDIT	.00	.00	.00 .00	.00
101-33423	OTHER STATE GRANTS/AIDS	.00	.00	2,000.00 (2,000.00)	.00
101-33610	HENNEPIN COUNTY ROAD AID	.00	.00	1,675.00 (1,675.00)	.00
101-33630	AID FROM OTHER LOCAL GOV'	.00	.00	.00 .00	.00
<u>TOTAL INTERGOVERNMENTAL AID</u>					
		.00	.00	3,675.00 (3,675.00)	.00
<u>PUBLIC CHARGES FOR SERVICE</u>					
101-34100	GENERAL GOVERNMENT	.00	.00	.00 .00	.00
101-34103	ZONING & SUBDIVISIONS	.00	.00	1,500.00 (1,500.00)	.00
101-34107	ASSESSMENT SEARCHES	.00	.00	.00 .00	.00
101-34207	FALSE ALARM FEE	.00	50.00	50.00 .00	100.00
101-34304	LOAD LIMITS	.00	75.00	3,500.00 (3,425.00)	2.14
101-34409	RECYCLING FEES	.00	3,461.07	13,478.00 (10,016.93)	25.68
101-34960	REFUNDS	.00	.00	.00 .00	.00
<u>TOTAL PUBLIC CHARGES FOR SERVICE</u>					
		.00	3,586.07	18,528.00 (14,941.93)	19.35

CITY OF GREENWOOD
REVENUES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>FINES & FORFEITURES</u>					
101-35101	COURT FINES	.00	2,121.60	5,300.00 (3,178.40)	40.03
<u>TOTAL FINES & FORFEITURES</u>					
		.00	2,121.60	5,300.00 (3,178.40)	40.03
<u>SPECIAL ASSESSMENTS</u>					
101-36100	SPECIAL ASSESSMENTS	.00	.00	1,500.00 (1,500.00)	.00
101-36101	SA - PRINCIPAL	.00	.00	.00 .00	.00
101-36102	INTEREST	.00	681.56	7,000.00 (6,318.44)	9.74
101-36201	COPIES	.00	.00	50.00 (50.00)	.00
101-36220	OTHER INCOME	.00	.00	20,100.00 (20,100.00)	.00
101-36230	DONATIONS	.00	.00	.00 .00	.00
<u>TOTAL SPECIAL ASSESSMENTS</u>					
		.00	681.56	28,650.00 (27,968.44)	2.38
<u>OTHER FINANCING SOURCES</u>					
101-39200	INTERFUND OPERATING TRANS	.00	.00	.00 .00	.00
<u>TOTAL OTHER FINANCING SOURCES</u>					
		.00	.00	.00 .00	.00
<u>TOTAL FUND REVENUE</u>					
		618.38	24,821.91	781,300.00 (756,678.09)	3.15

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CITY OF GREENWOOD
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
COUNCIL					
101-41100-103 COUNCIL SALARIES	1,100.00	5,500.00	13,200.00	7,700.00	41.67
101-41100-122 FICA CONTRIBUTIONS	68.20	341.00	975.00	634.00	34.97
101-41100-123 MEDICARE CONTRIBUTIONS	15.95	79.75	220.00	140.25	36.25
101-41100-209 OFFICE SUPPLIES	.00	.00	150.00	150.00	.00
101-41100-309 MISC PROFESSIONAL SERVICE	.00	.00	.00	.00	.00
101-41100-371 TRAINING/CONF-REGISTRATIO	.00	855.00	1,325.00	470.00	64.53
101-41100-372 MEALS/LODGING	.00	.00	110.00	110.00	.00
101-41100-433 MISC-DUES & SUBSCRIPTIONS	.00	.00	50.00	50.00	.00
101-41100-439 MISCELLANEOUS-OTHER	.00	.00	.00	.00	.00
TOTAL COUNCIL	1,184.15	6,775.75	16,030.00	9,254.25	42.27
ELECTIONS					
101-41200-103 ELECTION SALARIES-PART TM	.00	.00	.00	.00	.00
101-41200-122 FICA CONTRIBUTIONS	.00	.00	.00	.00	.00
101-41200-123 MEDICARE CONTRIBUTIONS	.00	.00	.00	.00	.00
101-41200-214 OPERATIONAL SUPP.-FORMS/P	.00	.00	.00	.00	.00
101-41200-219 ELECTION OPERAT. SUPP.-OT	.00	.00	.00	.00	.00
101-41200-249 MINOR EQUIPMENT-OTHER	.00	.00	.00	.00	.00
101-41200-309 PROFESSIONAL SERVICES	.00	.00	.00	.00	.00
101-41200-319 EQUIPMENT MAINTENANCE-OTH	.00	161.00	400.00	239.00	40.25
101-41200-322 POSTAGE-ELECTION	.00	.00	40.00	40.00	.00
101-41200-372 MEALS/LODGING	.00	.00	.00	.00	.00
101-41200-438 MISCELLANEOUS-SALES TAX	.00	.00	.00	.00	.00
101-41200-439 MISCELLANEOUS-OTHER	.00	.00	.00	.00	.00
TOTAL ELECTIONS	.00	161.00	440.00	279.00	36.59

CITY OF GREENWOOD
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
ADMINISTRATION					
101-41400-101 CLERKS SALARIES-FULL TIME	5,052.00	22,649.60	71,000.00	48,350.40	31.90
101-41400-102 CLERKS SALARIES-FULL-OT	.00	.00	.00	.00	.00
101-41400-107 VACATION	.00	.00	.00	.00	.00
101-41400-108 SICK	.00	.00	.00	.00	.00
101-41400-109 OTHER	.00	.00	.00	.00	.00
101-41400-111 SEVERANCE	.00	.00	.00	.00	.00
101-41400-112 HOLIDAY	.00	.00	.00	.00	.00
101-41400-119 OTHER	.00	.00	.00	.00	.00
101-41400-121 PERA CONTRIBUTIONS	341.02	1,522.78	4,795.00	3,272.22	31.76
101-41400-122 FICA CONTRIBUTIONS	313.22	1,404.26	4,410.00	3,005.74	31.84
101-41400-123 MEDICARE CONTRIBUTIONS	73.26	328.44	1,030.00	701.56	31.89
101-41400-125 OTHER RETIREMENT	.00	.00	.00	.00	.00
101-41400-139 CLERKS INSURANCE	.00	353.40	1,440.00	1,086.60	24.54
101-41400-149 UNEMPLOYMENT COMPENSATION	.00	.00	.00	.00	.00
101-41400-201 OFFICE SUPPLIES	.00	61.39	800.00	738.61	7.67
101-41400-202 DUPLICATING	.00	123.20	500.00	376.80	24.64
101-41400-203 OFFICE SUPPLIES-COMPUTER	.00	.00	.00	.00	.00
101-41400-204 STATIONARY	.00	.00	400.00	400.00	.00
101-41400-209 OFFICE SUPPLIES-OTHER	.00	.00	200.00	200.00	.00
101-41400-213 PUBLICATIONS	.00	.00	.00	.00	.00
101-41400-214 FORMS/PRINTING	.00	16.89	150.00	133.11	11.26
101-41400-219 OPERATIONAL SUPPLIES-OTHE	.00	.00	.00	.00	.00
101-41400-249 MINOR EQUIPMENT-OTHER	.00	.00	400.00	400.00	.00
101-41400-308 ZONING SERVICES	.00	.00	.00	.00	.00
101-41400-309 PROFESSIONAL SERVICES-OTH	.00	75.00	3,500.00	3,425.00	2.14
101-41400-310 CLERKS CONTRACTURAL	.00	570.35	8,500.00	7,929.65	6.71
101-41400-311 OFFICE-RENT	.00	2,828.04	11,500.00	8,671.96	24.59
101-41400-312 ZONING ADMIN.	.00	.00	.00	.00	.00
101-41400-313 PROFESSIONAL SERVICES-COM	.00	1,880.00	3,900.00	2,020.00	48.21
101-41400-319 EQUIPMENT MAINTENANCE-OTH	.00	.00	.00	.00	.00
101-41400-321 COMMUNICATIONS-TELEPHONE	.00	382.33	1,500.00	1,117.67	25.49
101-41400-322 POSTAGE	.00	231.34	1,400.00	1,168.66	16.52
101-41400-329 OTHER	.00	.00	.00	.00	.00
101-41400-331 TRANSPORTATION-TRAVEL EXP	.00	39.60	300.00	260.40	13.20
101-41400-334 FREIGHT & EXPRESS	.00	.00	.00	.00	.00
101-41400-339 OTHER	.00	.00	25.00	25.00	.00
101-41400-349 ADVERTISING-OTHER	.00	.00	.00	.00	.00
101-41400-351 PRINTING-LEGAL NOTICES	.00	3,628.65	2,000.00	1,628.65	181.43
101-41400-352 GENERAL NOTICES & PUBLIC	.00	.00	.00	.00	.00
101-41400-353 ORDINANCE PUBLICATIONS	.00	.00	.00	.00	.00
101-41400-359 OTHER	.00	.00	.00	.00	.00
101-41400-371 TRAINING	.00	.00	.00	.00	.00
101-41400-372 MEALS/LODGING	.00	.00	50.00	50.00	.00
101-41400-379 OTHER	.00	.00	.00	.00	.00
101-41400-411 RENTALS-OFFICE EQUIPMENT	.00	603.44	2,280.00	1,676.56	26.47
101-41400-433 MISC-DUES & SUBSCRIPTIONS	.00	.00	100.00	100.00	.00
101-41400-437 BANK SERVICES	.00	.00	50.00	50.00	.00
101-41400-438 MISCELLANEOUS-SALES TAX	.00	.00	.00	.00	.00
101-41400-439 MISCELLANEOUS-OTHER	.00	64.63	400.00	335.37	16.16
101-41400-530 CAP OUTLAY-IMP OTHER THAN	.00	.00	.00	.00	.00
101-41400-560 CAP OUTLAY-FURNITURE-FIXIT	.00	.00	.00	.00	.00

CITY OF GREENWOOD
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
101-41400-570 OFFICE EQUIP & FURNISHING	.00	.00	.00	.00	.00
101-41400-590 CAPITAL OUTLAY-OTHER	.00	.00	.00	.00	.00
TOTAL ADMINISTRATION	5,779.50	36,763.34	120,830.00	83,866.66	30.48
ASSESSOR					
101-41500-209 ASSESSORS SUPPLIES	.00	.00	100.00	100.00	.00
101-41500-309 ASSESSORS-CONTRACT	.00	.00	13,500.00	13,500.00	.00
101-41500-322 ASSESSOR-POSTAGE	.00	.00	.00	.00	.00
101-41500-439 ASSESSORS-OTHER	.00	.00	25.00	25.00	.00
TOTAL ASSESSOR	.00	.00	13,625.00	13,625.00	.00
LEGAL SERVICES					
101-41600-304 LEGAL SERVICES-GENERAL	.00	7,935.00	20,000.00	12,065.00	39.67
101-41600-308 LEGAL SERVICES-PROJECTS	.00	.00	.00	.00	.00
101-41600-309 LEGAL SERVICES-SPECIAL	.00	.00	.00	.00	.00
TOTAL LEGAL SERVICES	.00	7,935.00	20,000.00	12,065.00	39.67
AUDITING					
101-41700-301 AUDITING	.00	11,797.30	13,000.00	1,202.70	90.75
TOTAL AUDITING	.00	11,797.30	13,000.00	1,202.70	90.75
LAW ENFORCEMENT					
101-42100-304 LEGAL SERVICES-PROSECUTIO	.00	1,851.50	6,000.00	4,148.50	30.86
101-42100-310 LAW ENFORCEMENT-CONTRACT	.00	50,076.00	150,232.00	100,156.00	33.33
101-42100-311 POLICE SIDE LEASE	.00	11,912.00	47,649.00	35,737.00	25.00
101-42100-439 PUBLIC SAFETY-OTHER	.00	.00	.00	.00	.00
TOTAL LAW ENFORCEMENT	.00	63,839.50	203,881.00	140,041.50	31.31
FIRE					
101-42200-309 FIRE PROTECTION	.00	29,199.26	58,314.00	29,114.74	50.07
101-42200-311 FIRE SIDE LEASE	.00	27,152.14	55,825.00	28,672.86	48.64
TOTAL FIRE	.00	56,351.40	114,139.00	57,787.60	49.37

CITY OF GREENWOOD
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
ZONING					
101-42400-214 OPERATIONAL SUPP.-FORMS/P	.00	.00	.00	.00	.00
101-42400-308 ZONING CONTRACT	.00	432.10	4,000.00	3,567.90	10.80
101-42400-309 PUBLIC NOTICES	.00	.00	.00	.00	.00
101-42400-310 BLDG. INSPECTIONS-CONTRAC	.00	5,068.82	30,000.00	24,933.18	16.89
101-42400-438 MISCELLANEOUS-SALES TAX	.00	.00	400.00	400.00	.00
TOTAL ZONING	.00	5,498.92	34,400.00	28,901.08	15.99
CIVIL DEFENSE					
101-42500-310 CIVIL DEFENSE	.00	.00	.00	.00	.00
101-42500-381 UTILITY SERVICES-ELECTRIC	.00	7.46	100.00	92.54	7.46
TOTAL CIVIL DEFENSE	.00	7.46	100.00	92.54	7.46
ENGINEERING					
101-42600-303 ENGINEERING FEES	.00	5,500.69	8,000.00	2,499.31	68.76
TOTAL ENGINEERING	.00	5,500.69	8,000.00	2,499.31	68.76
ANIMAL CONTROL					
101-42700-309 ANIMAL CONTROL	.00	.00	.00	.00	.00
101-42700-439 MISCELLANEOUS-OTHER	.00	.00	.00	.00	.00
TOTAL ANIMAL CONTROL	.00	.00	.00	.00	.00
CONTRACT UTILITY AND ROADS					
101-43100-229 R&M SUPPLIES-OTHER	.00	.00	.00	.00	.00
101-43100-309 PROFESSIONAL SVCS-OTHER	.00	.00	500.00	500.00	.00
101-43100-381 S&R-UTILITY SERVICES-ELEC	.00	827.18	4,600.00	3,772.82	17.98
101-43100-409 R&M CONTRACTURAL-OTHER(RE	.00	.00	75,000.00	75,000.00	.00
TOTAL CONTRACT UTILITY AND ROADS	.00	827.18	80,100.00	79,272.82	1.03

CITY OF GREENWOOD
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>PUBLIC WORKS</u>					
101-43900-219 OPERATIONAL SUPPLIES-OTHE	.00	.00	.00	.00	.00
101-43900-226 SIGNS	.00	.00	1,000.00	1,000.00	.00
101-43900-309 PROFESSIONAL SERVICES-OTH	.00	.00	2,000.00	2,000.00	.00
101-43900-310 STREETS-CONTRACTURAL	.00	76.06	8,350.00	8,273.94	.91
101-43900-311 STORM SEWER-CONTRACTURAL	.00	380.28	2,750.00	2,369.72	13.83
101-43900-312 SNOW PLOWING-CONTRACTURAL	.00	9,678.53	12,500.00	2,821.47	77.43
101-43900-313 TREE/WEED-CONTRACT	.00	874.64	12,000.00	11,125.36	7.29
101-43900-314 TENNIS COURTS-CONTRACTURA	.00	.00	200.00	200.00	.00
101-43900-315 TAR BIKE PATH-CONTRACT	.00	190.14	1,000.00	809.86	19.01
101-43900-438 MAINTENANCE CONTRACTURAL	.00	.00	.00	.00	.00
101-43900-439 MISCELLANEOUS-OTHER	.00	.00	.00	.00	.00
TOTAL PUBLIC WORKS	.00	11,199.65	39,800.00	28,600.35	28.14
<u>OUTSIDE CONTRACTORS</u>					
101-45100-225 R&M SUPPLIES-LANDSCAPING	.00	.00	.00	.00	.00
101-45100-309 PARKS-PROFESSIONAL SVCS-O	.00	.00	.00	.00	.00
101-45100-310 TREE/WEED/MOWING-CONTRACT	.00	.00	1,000.00	1,000.00	.00
101-45100-311 TENNIS COURTS-CONTRACTURA	.00	.00	.00	.00	.00
101-45100-312 TAR BIKE PATH-CONTRACT	.00	.00	.00	.00	.00
101-45100-313 PARKS-CONTRACTURAL	.00	.00	.00	.00	.00
101-45100-438 MISCELLANEOUS-SALES TAX	.00	.00	.00	.00	.00
TOTAL OUTSIDE CONTRACTORS	.00	.00	1,000.00	1,000.00	.00
<u>COUNCIL</u>					
101-49000-000 MISCELLANEOUS	.00	.00	.00	.00	.00
101-49000-309 MISC.-PROFESSIONAL SRVCS-	.00	.00	.00	.00	.00
101-49000-310 RECYCLING CONTRACT	.00	3,366.25	13,185.00	9,798.75	25.68
101-49000-311 GARBAGE-CLEAN UP	.00	.00	4,500.00	4,500.00	.00
101-49000-369 MISCELLANEOUS-INSURANCE	.00	280.00	7,000.00	6,720.00	4.00
101-49000-433 MISC.-DUES & SUBSCRIPTION	.00	1,528.35	11,213.00	9,684.65	13.63
101-49000-439 OTHER-3% CONTINGENCY	.00	100.00	22,757.00	22,657.00	.44
101-49000-440 RESERVE REPLENISHMENT	.00	.00	57,500.00	57,500.00	.00
101-49000-720 OPERATING TRANSFER	.00	.00	.00	.00	.00
TOTAL COUNCIL	.00	5,294.60	116,155.00	110,860.40	4.56
TOTAL FUND EXPENDITURES	6,963.65	211,951.79	781,300.00	569,348.21	27.13

CITY OF GREENWOOD
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
NET REVENUES OVER EXPENDITURES	(6,345.27)	(187,329.88)	.00	(1,326,026.30)	.00

Payroll April 2009

2
FYL

CITY OF GREENWOOD

Check Register

Page: 1

Check Issue Date(s): 04/01/2009 to 04/30/2009

Apr 30, 2009 11:33am

Pay Per Date	Jrnl	Check Date	Check Number	Payee	Emp No	Amount
03/29/09	PC	04/03/09	9599	Void		.00
04/12/09	PC	04/13/09	9601	WHIPPLE, ROBERTA L.	21	1,626.26
04/26/09	PC	04/27/09	9616	Debra J. Kind	34	277.05
04/26/09	PC	04/27/09	9617	Fletcher, Thomas M	33	84.70
04/26/09	PC	04/27/09	9618	H. Kelsey Page	35	184.70
04/26/09	PC	04/27/09	9619	Quam, Robert	32	184.70
04/26/09	PC	04/27/09	9620	WHIPPLE, ROBERTA L.	21	1,626.26
04/26/09	PC	04/27/09	9621	William Rose	36	184.70
Grand Totals:						<u>4,168.37</u>

CITY OF GREENWOOD
20225 COTTAGEWOOD ROAD
Deephaven, MN 55331
(952) 474-6633

APPLICATION FOR 2009 TRASH HAULER LICENSE

I/we hereby make application for a license to collect refuse in the City of Greenwood. This license will expire on December 31, 2009.

NOTE: INSURANCE INFO WILL BE FAXED TO YOU FROM OUR AGENT

- REQUIREMENTS:**
1. Application [Below]
 2. Certification of Compliance Minnesota Worker's Compensation Law [Form Enclosed]
 3. Insurance: Naming the City as Certificate Holder in the amount of
\$500,000 Death or personal injury
\$100,000 Property damage
 4. Fee: \$50.00

Company Name: BLACKOWIAK DISPOSAL INC.

Address: 1195 SUNNYFIELD RD N.
MOUND, MN 55364

phone number: 952-472-3398 email address: blackowiak@blackowiak.com

Service provided: commercial X residential

Signature of Applicant 

Title: PRESIDENT

DUE UPON RECEIPT

2009 SANITARY SEWER REHABILITATION REPORT
CITY OF GREENWOOD, MN

*BOOK
AVAILABLE
@ CITY OFFICE*



BOLTON & MENK, INC.
Consulting Engineers & Surveyors

Mankato, MN • Fairmont, MN • Sleepy Eye, MN • Burnsville, MN
Willmar, MN • Ramsey, MN • Chaska, MN • Ames, IA

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www.bolton-menk.com

4B

April 29, 2009

City of Greenwood
Attn: Bob Quam
20225 Cottagewood Road
Deephaven, MN 55331

RE: Greenwood Circle
City of Greenwood

Dear Mr. Quam:

As requested, we have taken a more detailed look at the bottom portion of Greenwood Circle to determine what scope of work is necessary to improve the roadway, which is severely deteriorated due to age and poor surface drainage.

Based on our review, it is our opinion that the most appropriate scope of work for this section of road is to remove approximately 350-feet of the existing pavement and aggregate base and to lower the surface of the road by approximately 3-inches. It is also proposed that the existing catch basins and storm sewer pipe that are located within the street section be replaced as part of this project to ensure that they can be set at an appropriate location and elevation to allow for improved surface drainage. This scope of work is more extensive than the street improvement projects that have been completed over the past few years; however, I believe that it will provide a longer term fix to the roadway than simply reshaping and resurfacing the road.

Based on this scope of work, we have estimated a total project cost of \$60,540, which includes estimated soft costs. This cost estimate does not include phosphorus reduction measures; however we have reviewed the possibility of incorporating them into the project in an effort to work towards the reduction goals that have been specified by the Minnehaha Creek Watershed District. We have reviewed the possibility of constructing a bioretention area in the park area at the end of the City's fire lane or installing a storm sewer treatment structure in Greenwood Circle. Based on our review, we have estimated that the bioretention can remove up to 1.1 pounds of phosphorus per year with an estimated construction cost of \$15,000. A treatment structure can remove up to 1.49 pounds per year with a construction cost of approximately \$25,000.

A detailed cost estimate has been included for your review and I will be at the Council Meeting on May 5th to discuss the project in more detail. Please contact me if you have questions or need additional information before then.

Sincerely,
BOLTON & MENK, INC.

David P. Martini, P.E.
Senior Project Manager

F:\GRWD\C13100903\Correspondence\Greenwood Circle Cost Estimate 4-29-09.doc

**CITY OF GREENWOOD
ESTIMATED PROJECT COST
GREENWOOD CIRCLE STREET IMPROVEMENTS**

ITEM NO.	ITEM	QTY.	UNIT	UNIT COST	TOTAL
1	REMOVE BITUMINOUS PAVEMENT	895	SY	\$ 4.00	\$ 3,580.00
2	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	40	SY	\$ 4.00	\$160.00
3	REMOVE STORM SEWER	1	LS	\$ 1,000.00	\$1,000.00
4	REMOVE AND REPLACE CONCRETE PAVERS	30	SF	\$ 15.00	\$450.00
5	STREET BASE / SUBGRADE EXCAVATION (EV)	338	CY	\$ 12.00	\$4,056.00
6	SAW CUT EXISTING STREET & DRIVEWAY	250	LF	\$ 3.00	\$750.00
7	AGGREGATE BASE - CLASS 5 (100% CRUSHED)	470	TONS	\$ 17.00	\$7,990.00
8	2" BITUMINOUS BASE (WITH CURB)	130	TONS	\$ 75.00	\$9,750.00
9	1.5" BITUMINOUS WEAR	895	SY	\$ 7.00	\$6,265.00
10	3" BITUMINOUS DRIVEWAY RESTORATION	40	SY	\$ 27.00	\$1,080.00
11	12" RCP STORM SEWER	44	LF	\$ 40.00	\$1,760.00
12	CATCH BASIN	2	EA	\$ 2,000.00	\$4,000.00
13	ADJUST EXISTING MANHOLE	2	EA	\$ 200.00	\$400.00
14	SILT FENCE	50	LF	\$ 4.00	\$200.00
15	CATCH BASIN INLET PROTECTION	2	EA	\$ 300.00	\$600.00
16	SOD WITH TOPSOIL CURB BACKFILL	210	SY	\$ 11.00	\$2,310.00
	SUBTOTAL				\$ 44,351.00
	MOBILIZATION + 5%				\$ 2,217.55
	TOTAL ESTIMATED CONSTRUCTION COST				\$ 46,568.55
	CONTINGENCIES + 10%				\$ 4,656.86
	SOFT COST +20%				\$ 9,313.71
	TOTAL ESTIMATED PROJECT COST				\$ 60,539.12

**CITY OF GREENWOOD
ESTIMATED PROJECT COST
GREENWOOD CIRCLE STREET IMPROVEMENTS**

ITEM NO.	ITEM	QTY.	UNIT	UNIT COST	TOTAL
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	CONTINGENCIES + 10%				\$ 4,656.86
	SOFT COST +20%				\$ 9,313.71
	TOTAL ESTIMATED PROJECT COST				\$ 60,539.12

ORDINANCE NO. 166

AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE SECTION 820:40 LIGHT
(LIQUOR) LICENSE FEES

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

SECTION 1.

Greenwood Ordinance Code Section 820:40 License Fees is hereby amended to read as follows:

"Section 820:40 License Fees.

Subd. 1. Fees. The annual fee for different types of licenses ~~are fixed by this section as follows:~~

On-Sale Intoxicating Liquor - Ten thousand (\$10,000.00) dollars, except as provided in Subd. 2 below.

On-Sale Wine - \$2,000.00.

Sunday On-Sale Intoxicating Liquor - \$200.00.

shall be set forth in section 510

The Council may adjust these fees after public hearing as required by Minnesota Statutes Chapter 340A and then memorialized in Chapter 5 of the City Code.

Subd. 2. Delimited Licenses.

1. Public Purpose. The City Council finds that it is beneficial to the public welfare that liquor sales be limited within the City of Greenwood by encouraging shorter periods of time per day during which on-sale liquor sales may occur.

2. Delimited License Established. A delimited intoxicating liquor license is established wherein the applicant for On-Sale intoxicating liquor license is restricted as to the days per week and hours per day for which the license would be effective.

3. Delimited License Fee and Business Hours. An applicant for a delimited license shall pay a prorated fee based upon the total number of hours per day per five day week the licensee will be open for service. The licensee shall state in the application the opening and closing times to be adopted by the business for liquor sales during the license term. Opening and closing times may vary to accommodate seasonal business demand three times during the license term. (For example: a business may have differing sets of business hours for Winter/Spring-Summer/and Fall). The application fee for a delimited license/in addition to the actual liquor license fee itself/and shall be set from time to time and as memorialized in Section 510 of this Code. Sunday service hours under a delimited license may not exceed six (6) hours. The hours of operation for liquor service may not be increased during the term of the license without an amended license first obtained. Hours of liquor service operation may be reduced during the license term. A delimited license may be issued in conjunction with any other license provided for under City Ordinances including Sunday On-Sale Intoxicating Liquor license or On-Sale Wine license. Sunday license hours shall be in addition to the hours permitted under a delimited license.

5. The fee for a delimited On-Sale Liquor License shall be calculated by multiplying the total annual number of hours of liquor service operation of the licensee to be licensed by \$_____/hour. In no event shall the fee for a delimited On Sale license be less than Three Thousand (\$3,000.00) dollars. The standard fee for a Sunday On-Sale Intoxication Liquor fee shall be in addition to this fee."

The amount set forth in Section 510

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 _____, 2009.

Ayes____, Nays____.

CITY OF GREENWOOD

Attest:

By:

Debra J. Kind, Mayor

Roberta L. Whipple, City Administrator

6A

Ordinance #165

AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA PERMITTING REGULATION OF FIRE LANE USE

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

SECTION 1.

The Greenwood Ordinance Code Section 710 – Parking and Driving Regulation is hereby amended by the addition of the following Section:

“Section 710:25 – Regulation of Fire Lane Use.

The City Council may, from time to time, by resolution designate such portions of the highways and streets within the City of Greenwood which dead end at the waters edge of public waters as no parking zones, parking by permit only zones, limited parking zones, no trailer parking zones, no boat launching, no lake access zones, restricted lake access zones, and may prohibit or restrict the use and operation of motor vehicles (as defined by Minnesota Statutes) including boats, trailers, snowmobiles, and all terrain vehicles thereon by vehicle type, purpose, season, permit, dates, times and such other restrictions as deemed necessary, including the installation of seasonal or permanent barriers within the public right of way. The City Council shall cause such zones to be marked by appropriate signs. The location of such signs and the restrictions stated thereon shall be prima facia evidence that the City Council has by proper resolution authorized the establishment of such no parking zones, parking by permit only zones, limited parking zones, no trailer parking zones, no boat launching, no lake access zones, restricted lake access zones or other restricted use zones. The City Council shall make a determination of such use restriction zones on the basis of necessity in the interest of the public health safety and welfare. No person shall park or perform an act in contravention of the posted restriction.”

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 _____, 2009.

Ayes____, Nays_____.

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest:

Roberta L. Whipple
City Administrator



2009 PROPOSAL

Seasonal Park and Dock Patrol Services

City of Excelsior

Prepared by Police Chief Bryan Litsev - '09

APPROVAL PROCESS

BOOK AVAILABLE @ CITY OFFICE

The City of Excelsior has requested a proposal from the South Lake Minnetonka Police Department (SLMPD) to provide seasonal park and dock patrol services. The City of Excelsior has historically provided these services for the City of Excelsior. A meeting held between SLMPD and Excelsior representatives prior to this proposal. A meeting occurred on April 13, 2009. Excelsior representatives included City Council Member Jennifer Caron and City Manager Kristi Luger. SLMPD representatives included Police Chief Bryan Litsev and Community Service Supervisor David Hohmann. The purpose of that meeting along with some additional work done at the staff level.

The SLMPD Joint Powers Agreement, as amended in 2006, requires that the City of Excelsior process be followed if a member city desires exclusive supplemental services from the SLMPD. The specific language is as follows:

"Parties may contract with the SLMPD for the delivery of supplemental services delivered by separately dedicated personnel outside of the approved budget as mutually agreed by all Parties. The City of Excelsior Agreement to provide such supplemental services shall not be unreasonably withheld."

In consideration of this provision, each member City Council is being asked to act on this proposal in advance of the planned implementation date of May 23, 2009. As in years past, this proposal meets the criteria for approval and complements overall SLMPD operations. This action will be reported on at the next quarterly meeting of the SLMPD Coordinating Committee. The following motion is being recommended by SLMPD staff.

Recommended Motion:

The ~~City~~ City Council approves the South Lake Minnetonka Police Department providing seasonal park and dock patrol services for the City of Excelsior as stipulated in the 2009 proposal.

OVERVIEW

This proposal is not profit driven as would typically be the case when such supplemental services are outsourced. The primary financial concern of the SLMPD is to recoup the expenses



May 5, 2009

Greg Nybeck, Executive Director
Lake Minnetonka Conservation District
23505 Smithtown Road, Suite 120
Shorewood, MN 55331

Dear Mr. Nybeck:

I am writing on behalf of the Greenwood City Council regarding a safety concern on the east side of the St. Alban's Bay channel.

The expansion of the Excel Marina docks brings their boat operating area very close to the channel and may cause boats to enter the channel from the side instead of the end of the channel. We are very concerned that side entries will catch incoming boaters by surprise and could cause collisions. This is especially a concern because Excel Marina's boat club caters to inexperienced boaters.

We applaud the efforts of Gabriel Jabbour to improve Excel Marina and do not want to cause him additional expense. After all he built his docks according to the plan approved by the LMCD – a plan that our LMCD representative, Kelsey Page, was very vocal in opposing. We would like this letter to become part of the public record showing that the Greenwood City Council wholeheartedly supports the concerns that Mr. Page raised from the very beginning. We hope the learning from this situation causes the LMCD to weigh concerns raised by affected representatives more carefully in future matters.

Going forward, we encourage you to take into consideration safe navigation and not merely mechanical review of code provisions for technical compliance. If marina dock installations are not handled as a conditional use permit, we believe they should be. Doing so would allow public safety and safe navigation to be taken into consideration and restriction imposed. Doing so also would mandate written notice be given to surrounding property owners. LMCD code also should require written notice be sent to the administrator(s) of the affected city/cities.

Regarding the St. Alban's Bay channel situation, we respectfully request the LMCD coordinate with the Hennepin County Sheriff's Department to determine the best way to proceed to ensure public safety.

Thank you.

Debra J. Kind
Mayor, City of Greenwood

cc: Hennepin County Sheriff's Department
City of Excelsior
Gabriel Jabbour

7B

RESOLUTION #10-09

APPROVING ACQUISITION OF REAL ESTATE BY THE LAKE MINNETONKA COMMUNICATIONS COMMISSION

WHEREAS, the Lake Minnetonka Communications Commission ("Commission") was established under Minnesota Statute 238.08 and 471.59 pursuant to Joint and Cooperative Agreement ("Agreement") by and between the cities of Deephaven, Excelsior, Greenwood, Independence, Long Lake, Loretto, Maple Plain, Medina, Minnetonka Beach, Minnetrista, Orono, St. Bonifacius, Shorewood, Spring Park, Tonka Bay, Victoria, and Woodland, Minnesota ("Member Cities"); and

WHEREAS, the Commission produces community programming and administers and enforced the cable franchise on behalf of the Member Cities; and

WHEREAS, the Commission leases office and studio space in a building located at 4071 Sunset Drive, Spring Park, Minnesota, 55384 ("Property"); and

WHEREAS, the Commission has determined that it is in the best interests of the Commission and Member Cities to purchase the Property; and

WHEREAS, the Commission has approved acquisition of the Property and has negotiated the terms of such transaction; and

WHEREAS, pursuant to the Agreement, in order for the Commission to purchase real estate two-thirds (2/3) of the Member Cities must approve.

NOW, THEREFORE, BE IT RESOLVED, by the City of Greenwood that:

1. the Commission's purchase of the Property is approved upon the terms and conditions negotiated and approved by the Commission;
2. the Commission shall be solely responsible for payment of the purchase price and for ownership of the Property including all capital improvements and all costs of operating, maintaining and insuring the Property;
3. this Resolution shall be effective immediately.

Passed and adopted this 5th day of May, 2009, by the Council of the City of Greenwood, Hennepin County, Minnesota.

___ Ayes ___ Nays

APPROVED:

ATTEST:

Debra J. Kind, Mayor

Roberta Whipple, City Administrator

4-27-2009

Background information:

The LMCC has been renting their facility for the past 10 years. Over the past several months we have been exploring other options. Such as renting or purchasing another building. On April 23, 2009 the executive committee unanimously voted to purchase our existing building. Payment would be made over 5 years and funding would come from cable franchise fees. There would be no additional cost to the cities.

Facts about our ability to enter into a possible agreement.

- This is our 25th year serving our member communities
- We receive our funding through cable TV franchise and PEG fees.
- Our current fund balance is approximately \$400,000.00.
- 2008 Revenue was \$614,000.00

Per our Joint Powers Agreement, approval is needed from 2/3rds of our 17 member cities. We will not be asking you for money to aid us in making this purchase, only permission.

Financially purchasing our existing building is our best option.

- #1 \$319,000. Own building at the end of 5 years
- #2 Continue existing lease for next 5 years, total cost, \$280,000.
Currently \$4,400. per month with 3% yearly increase.
- #3 Looked at leasing a larger facility. \$490,000. approximate cost.
Rent, build out, moving, etc.

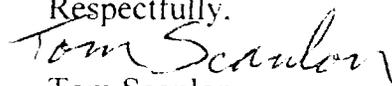
Appraisals

County tax assessor property value \$340,000.

Comparable sale summary in cost per square foot

- \$82.85 Current building we are purchasing
- \$165.08 Mist, Campus Dr, Spring Park
- \$123.99 4400 Shoreline Dr, Spring Park
- \$103.61 2434 Commerce Blvd, Mound
- \$115.84 3701 Shoreline Dr, Orono
- \$123.54 3600 Shoreline Dr, Orono
- \$229.75 5205 Shoreline Dr, Mound

Respectfully,



Tom Scanlon
Chairman

DEEPHAVEN

EXCELSIOR

GREENWOOD

INDEPENDENCE

LONG LAKE

LORETTO

MAPLE PLAIN

MEDINA

MINNETONKA
BEACH

MINNETRISTA

ORONO

S.T. BONIFACIUS

SHOREWOOD

SPRING PARK

TONKA BAY

VICTORIA

WOODLAND

electronic transfer of funds the \$75,000 amount due at Closing.

(3): DEED/MARKETABLE TITLE: Subject to performance by Buyer, Seller agrees to execute a Contract for Deed at Closing which provides for the subsequent delivery of a Warranty Deed conveying, upon completion of the payments due therein, marketable title to the Property to Buyer, subject only to the following exceptions:

- a. Building and zoning laws, ordinances, state and federal regulations.
- b. Reservation of minerals or mineral rights to the State of Minnesota, if any.
- c. Public utility and drainage easements of record.
- d. Any other real estate matters of record.

(4): DOCUMENTS TO BE DELIVERED AT CLOSING BY SELLER. In addition to the Contract for Deed required at paragraph 2B(3) above, Seller shall deliver to the Buyer:

- a. Standard form Affidavit of Seller.
- b. A "bring-down" certificate, certifying that all of the warranties made by Sellers in this Purchase Agreement remain true as of the date of closing.
- c. Certificate that Seller is not a foreign national.
- d. Well disclosure certification, if required, or, if there is no well on the Property, the Warranty Deed given pursuant to paragraph 2B(4) above must include the following statement: "The Seller certifies that the Seller does not know of any wells on the described real property."
- e. Any other documents reasonably required by the Buyer's title insurance company or attorney to evidence that title to the Property is marketable and that Seller has complied with the terms of this Purchase Agreement.

(5): EARLY PAYMENT. For a period of three (3) years from Closing, Buyer will not pay to Seller the entire then-remaining balance of the purchase price.

3. **Contingencies.** Buyer's obligation to buy is contingent upon the following:

PURCHASE AGREEMENT

THIS AGREEMENT is made as of this ____ day of _____, 2009 by and between Robert J. Ritchie, a single person ("Seller"), and the Lake Minnetonka Communications Commission, a multi-city joint powers body under the laws of the State of Minnesota ("LMCC" or "Buyer").

RECITALS

- A. Seller is the owner of property located at 4071 Sunset Drive, Spring Park, Minnesota, 55384 which is legally described on the attached Exhibit A ("Property").
- B. The Property includes all fixtures currently on the premises. No personal property is included in the sale.

AGREEMENT

1. **Offer/Acceptance for Sale of Property.** The Seller agrees to sell to the LMCC the Property and the LMCC agrees to purchase the same, according to the terms of this Agreement.

2. **Purchase Price for Property and Terms.**

A. **PURCHASE PRICE:** The total Purchase Price for the Property is Three Hundred Nineteen Thousand and 00/100 Dollars (\$319,000), less actual rental payments made by Buyer to Seller from January 1, 2009 to April 30, 2009. The parties acknowledge that rent is currently in the amount of Three Thousand Five Hundred Eight Five and 26/100 Dollars (\$3,585.26) per month. The Purchase Price shall be payable as follows:

1. \$10,000 Earnest Money which shall be applied to the Purchase Price hereunder;
2. \$75,000 cash at Closing (as hereinafter defined);
3. The balance payable over five (5) years at 6% interest annually, all pursuant to a Contract for Deed to be executed at Closing.

B. **TERMS:**

(1): **EARNEST MONEY.** The sum of Ten Thousand and 00/100 Dollars (\$10,000.00) Earnest Money shall be deposited in escrow by the Buyer within ten (10) days of the date of this agreement and shall be released at Closing to the Seller or refundable to Buyer in the event any contingency pursuant to paragraph 3 is not satisfied.

(2): **AMOUNT DUE SELLER AT CLOSING:** Buyer agrees to pay by check or

Notes for 5-05-09 CC Meeting

SouthShore Center Report	7C
<p>In our packet we have a couple items regarding the SouthShore Center.</p>	
<ul style="list-style-type: none"> • A chart that shows SouthShore Center usage by city from January 15-February 24, 2009. • A sheet with position statements submitted by Bob Newman on behalf of the SouthShore Center AdHoc Committee. 	
<p>At our last council meeting we acted on the Memorandum of Understanding. This was the document that had 20% cost sharing for operations of the Center through June 30 and also included the requirement to get an appraisal for the building. The MOU needed to be passed by 4/5ths of the cities to become effective. Shorewood, Deephaven, and Tonka Bay approved the MOU with 20% cost sharing. Excelsior and Greenwood did not approve the 20% cost sharing. Since 4/5ths of the cities did not approve the MOU, the appraisal process was stopped. Since 4/5ths did not approve the MOU and the 1996 agreement does not outline cost sharing, it is unclear where we are concerning cost sharing through June 30. There is the possibility that Shorewood will send Greenwood an invoice for 20% of the costs thus far -- anticipated to be about \$40.</p>	
<p>On April 23 and April 30 Councilman Biff Rose and I (Mayor Deb Kind) attended SouthShore Center meetings with representatives from the 5 cities. We heard presentations from two professional management companies. We discussed the presentations, goals, cost sharing, sponsor/membership program, and oversight ideas.</p>	
<p>The presentations from Community Rec Resources and Charthouse Management were very good. I especially was impressed with the life-cycle goals presented by CRR. Their proposal included programming ideas for young kids, teenagers, adults, and seniors. Both companies believe the Center can be self sustaining if properly managed. Both companies said the Center needs cosmetic updating to make it more marketable and there needs to be a mindset shift from a "senior" center to a "community center." Both companies said they would prefer 1 point of contact, but that they would be flexible to work with a 5-city model. CRR requires a \$23,000 subsidy in the first year and Charthouse requires a \$43,000 subsidy in the first year. This money would come from sponsors/members and the 5 cities. The subsidy would go down in subsequent years. The consensus of the group was that the CRR is the preferred choice. Ideally we should hire CRR now so they can hit the ground running on July 1. But the question is whether that is a good idea before we have an agreement in place.</p>	
<p>The concept of a SouthShore Center Sponsorship/Membership Program was discussed as a way to generate revenue and community pride. Sponsorships would come from area businesses/supporters and memberships would be offered to users of the facility. Each would contribute at gold, silver, and bronze levels. Names and level of contribution would be prominently displayed at the Center, on the website, and in other publications.</p>	
<p>Regarding goals -- The representatives from each city said they would like to see the Center remain as a community/senior center, but the underlying question is AT WHAT PRICE?</p>	
<p>Regarding cost sharing -- Discussions focused on establishing an annual funding cap of approximately \$30,000 so the cities can predict their costs for the Center. The debate (as usual) is how to divide the costs. Deephaven is firm on usage as a basis, Excelsior is firm that the cost sharing is not usage based. There appears to be a stalemate regarding funding.</p>	
<p>Regarding oversight -- The concept of a 7-member board was discussed as a more equitable way to allocate voting power to each city (Shorewood and Excelsior to each have 2 reps and for the other cities to each have 1 rep on the board). This board would have binding authority to aid in timely decision making. Since Shorewood and Excelsior are the biggest users, the 7-member board would make sense if cost sharing is usage based. But as I said, Excelsior is firm that they do not want costs shared based on usage. Another idea that has garnered interest, is the concept that Shorewood take on the sole oversight responsibility for the community center and that each city would VOLUNTARILY contribute money towards the center. There would be no payout to the cities, but each city would get their original contribution back if the center is sold in the future. There would be no funding formula. Shorewood's City Administrator Brian Heck is going to present the concept to the Shorewood City Council. If it is a GO, the plan is for Shorewood to draft a resolution for the 5-city committee to review and then bring back to our respective councils for approval. Note: It appears that the Shorewood "option" of buying out the other cities is off the table.</p>	
<p>Since our last council meeting we also sent out the SouthShore Center Survey.</p>	
<p>I have talked with a few residents who were extremely upset by the survey. They thought the survey was biased and that using the \$120,000 worst-case-with-no-revenue number would skew the results. ___ surveys were returned with a note saying that the survey is bogus. They believe the survey results should be ignored. I want everyone to know that we had good intentions and we were trying to get objective feedback regarding the Center.</p>	
<p>It should be noted that I also received feedback from several residents who liked the survey and were appreciative that the council was seeking community input.</p>	
<p>If anyone is interested, the survey results will be posted online at www.greenwoodmn.com and a hard copy will be available for viewing at the city office.</p>	
<p></p>	

SHOUTHSHORE CENTER ADHOC COMMITTEE POSITION STATEMENTS
(submitted by Bob Newman 4-28-09)

The Center requires a full-time on-site manager.

In order to move forward to an effective solution, each city needs to declare their clear and certain support for the vision of a successful Community Center.

A basic level of financial commitment from the cities ensures a vested interest in its success.

The power of ongoing oversight should remain in the hands of all participating ownership cities.

An oversight panel consisting of one selected representative from each city, the SSSP, and the management coordinator should evaluate and deliver quarterly evaluation status reports to the cities.

A joint meeting of all five city councils, the SSSP, the RFP winner, and any other parties holding a vital interest would be beneficial to clarify, cleanse, consolidate, and unify.

SouthShore Center Usage by City:**January 15-February 24, 2009**

Source: Provided by Tom Anderson based on daily log sheets that may include the same person on multiple days. During this time period there also were 230 out-of-area visitors (not included in the numbers below).

	Usage	% of Total
Greenwood	17	3.96%
Tonka Bay	45	10.49%
Excelsior	169	39.39%
Deephaven	33	7.69%
Shorewood	165	38.46%
TOTAL	429	100.00%

2008 Population

Source: MN Department of Revenue

	Population	% of Total
Greenwood	818	5.06%
Tonka Bay	1534	9.48%
Excelsior	2437	15.07%
Deephaven	3774	23.33%
Shorewood	7611	47.06%
TOTAL	16174	100.00%

Resolution #09-09

Resolution of the City Council of the City of Greenwood, Minnesota Regarding the Administration of the Wetland Act of 1991

WHEREAS, the Minnesota Wetland Conservation Act of 1991 (WCA) requires local governmental units (LGUs) to implement this law by adopting the rules and regulations promulgated by the Board of Water and Soil Resources (BWSR) pertaining to wetland draining, filling and excavation; and

WHEREAS, the BWSR is requesting notification of an LGU's decision adopting or excepting administrative responsibility for another LGU in accordance with Minn. Rules part 8420.0260, item A; which requires each local government unit of the State to acknowledge, in writing, to the board that it is assuming its responsibilities under the Wetland Conservation Act; and

WHEREAS, the LGU is responsible for following the WCA rules as stated in 8420.0200, Determining Local Government Unit Duties.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Greenwood hereby accepts the administrative responsibility as the LGU for the WCA within the legal boundaries as of May 5, 2009, within the guidelines as set forth by the WCA rules.

Passed and adopted this fifth day of May, 2009, by the Council of the City of Greenwood, Hennepin County, Minnesota.

___ Ayes ___ Nays

By: _____
Debra J. Kind, Mayor

Attest: _____
Roberta Whipple, City Administrator

2009 Tour de Tonka City/Community Involvement:

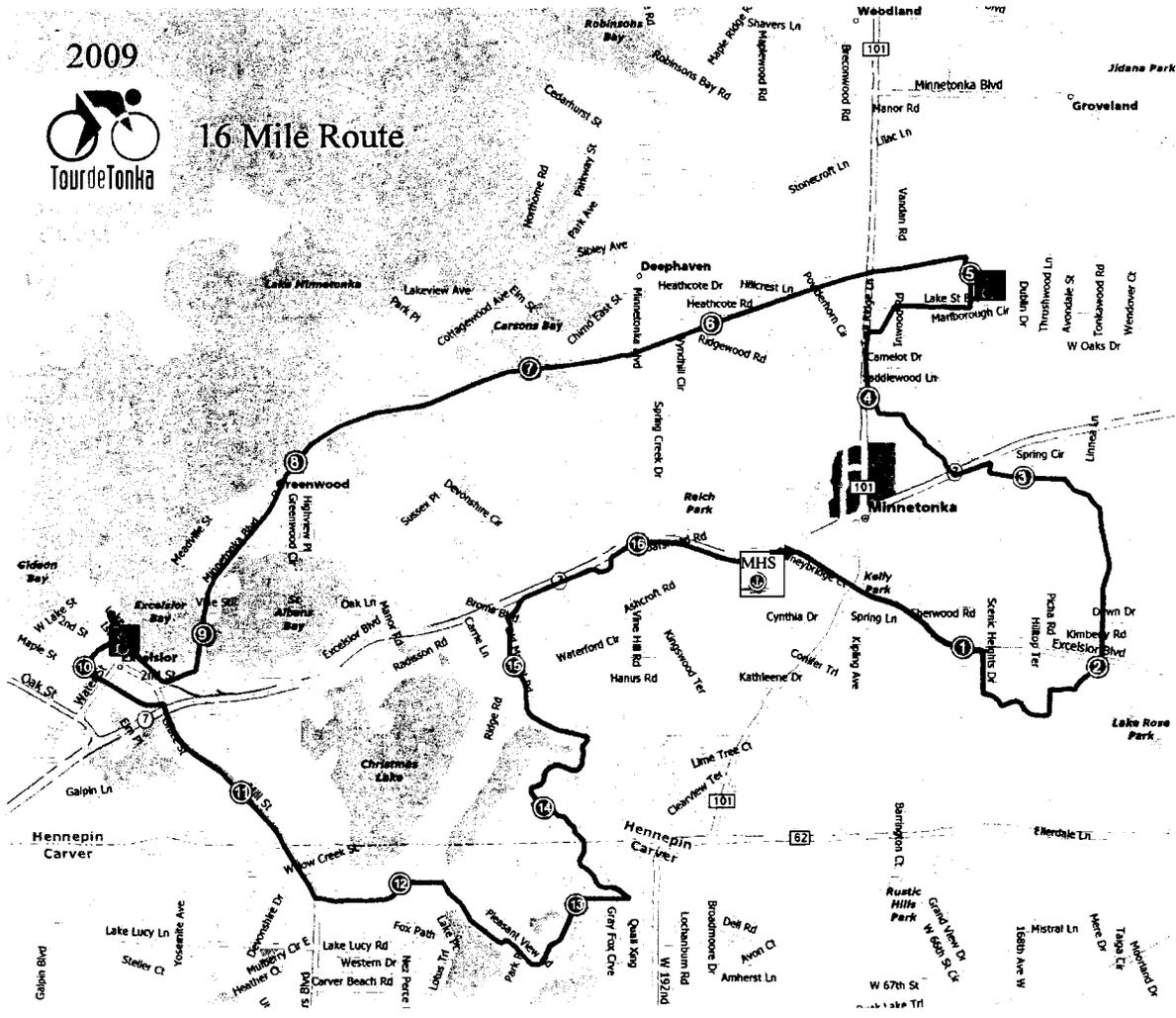
	<u>Chanhasen</u>	<u>Chaska</u>	<u>Deephaven</u>	<u>Delano</u>	<u>Excelsior</u>	<u>Greenwood</u>	<u>Independence</u>	<u>Lyndale</u>	<u>Minnetonka</u>
2-mile			X						
16-mile	X		X		X	X			X
38-mile	X		X		X	X			X
62-mile	X	X					X	X	X
75-mile	X	X		X			X		X

	<u>Navarre</u> (city of Orono)	<u>Orono</u>	<u>Shorewood</u>	<u>St. Bonifacius</u>	<u>Tonka Bay</u>	<u>Victoria</u>	<u>Waconia</u>	<u>Wayzata</u>
2-mile								
16-mile			X					
38-mile	X	X	X		X			X
62-mile		X	X	X		X	X	X
75-mile		X	X	X		X	X	X

2009



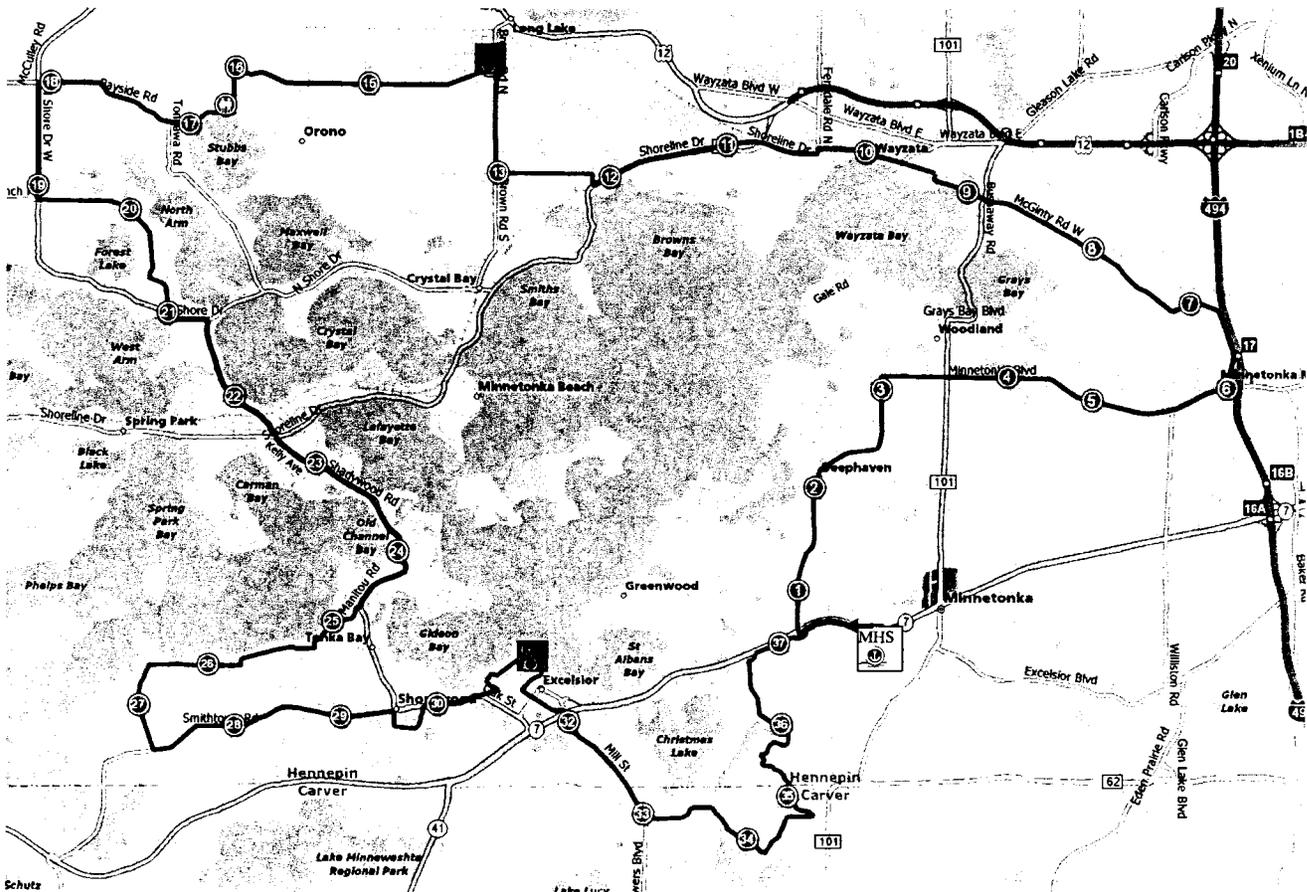
16 Mile Route



2009 Tour de Tonka



38 Mile Route



**Greenwood City Council Agenda Item
May 5, 2009**

Agenda Item: Construction Management Ordinance

Summary:

The Planning Commission re-visited the issue of adopting a Construction Management Ordinance. The ordinance regulating construction within the city was passed on to the City Council originally in 2005. The Council reviewed the ordinance, but did not take official action.

The Commission has taken up discussion about the proposed ordinance on numerous occasions in the past. I have attached a copy of that original ordinance, amended at the Commission's April 15th meeting for discussion, the minutes from the Planning Commission's meetings of August, September and October 2005 discussing the ordinance and the minutes from November 2006 and April 2009 discussing the Commission's desire to have the ordinance adopted.

Planning Commission Action:

Motion by Commissioner Paeper to recommend the Council approve the ordinance amendment creating provision regulating construction within the city. Commissioner Spiers seconded the motion for discussion.

(Actual discussion included in attached minutes)

Chairman Beal called the question on Mr. Paeper's motion to approve, with the amendments that the notification range be increased to two hundred feet, that the hours permitted for construction be 7 a.m. and 9 p.m., Monday through Friday and 8 a.m. to 9 p.m. on weekends and holidays and that the Commission requests the Council to take official action on the proposed amendment.

The motion carried 4-0.

Action Required:

Review and discuss proposed ordinance. Council action could include; 1) Approval of the proposed ordinance, 2) Direction to Staff to further amend the ordinance and bring it back for Council review, 3) Reject the proposed ordinance.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE GREENWOOD CITY CODE TO ADD
REGULATION OF CONSTRUCTION SITES**

The City Council of the City of Greenwood, Minnesota, ordains:

Section 1. Section 305 of the Code of the City of Greenwood is amended by the addition of the following section:

SECTION 305:00 Construction Site Management The purpose of these requirements is to ensure preparation and implementation of construction site management plans in order to limit the impact of construction on the immediate neighborhood.

Subdivision 1. General Regulations. All residential and commercial construction sites shall comply with the following:

- (a) Prior to issuance of a building permit, the applicant will be required to provide proof that they have contacted all adjacent property owners within two hundred (200) feet of the applicant's property to make them familiar with the proposed construction and to provide them with contact information for the applicant and their contractor.
- (b) Work at construction sites shall be limited to 7:00 a.m. to 9:00 p.m. Monday through Friday and 8:00 a.m. to 9:00 p.m. on weekends and holidays.
- (c) The applicant shall submit a Construction Site Management Plan as outlined in Subdivision 2 of this Section.
- (d) Onsite parking of construction vehicles and equipment will be provided. If on street parking is demonstrated to be necessary, it may be done only by parking permit first obtained in coordination with the city. The city may impose such conditions on said parking permit as city Zoning Administrator or City Clerk deems necessary. Any street parking will be limited to one side of the street, preferably adjacent to the construction site.
- (e) All equipment shall be stored within the confines of the construction site. If necessary, a property line fence will be required to ensure that no construction vehicles, materials or other debris encroaches onto adjacent properties.
- (f) A functioning enclosed toilet and a minimum of one dumpster are required on the site prior to commencement of construction activity. These are to be considerately placed in relation to adjacent properties.
- (g) Daily site clean up of debris and garbage is required.
- (h) Weekly street cleaning is required to remove all dirt, mud and debris from public streets caused by construction project. City staff will monitor the condition of public streets and may require more frequent street cleaning.

Subdivision 2. Construction Site Management Plan. The Construction Site Management Plan is a stand-alone document and shall include the following:

- (a) A site plan showing:
 - 1) Site address.
 - 2) Names, addresses and telephone numbers of construction manager responsible for preparing the construction site management plan.
 - 3) Site property lines.
 - 4) Location of proposed buildings and structures on site.
 - 5) Identification and location of all significant natural boundaries/buffers to neighboring properties.
 - 6) All property line fencing and erosion control fencing.
 - 7) Location of soil stockpiling.
 - 8) Locations of the temporary toilet, if required, and dumpster.
 - 9) Site entrance and on-site parking areas, and/or proposed street parking plan.

- (b) A completed Tree Preservation Plan as required by Section 1140:80(6) of the Zoning Ordinance.

- (c) A completed Shoreland Management worksheet.

- (d) Water Management Plan. Prior to commencing construction, the applicant shall prepare and submit a water management plan. The plan shall a) illustrate silt fencing and describe plans to implement Watershed regulatory requirements, (all applicable regulations shall be itemized in an addendum); b) illustrate before and after construction grades, water drainage patterns, and estimated volume and direction/path of water emanating from the property during typical heavy seasonal rains; c) describe and illustrate engineering necessary to manage, contain, or redirect water to prevent water from being concentrated, increased or accelerated onto neighboring properties, both during and after the conclusion of the planned construction. The City Engineer may require of the applicant a) additional engineering or survey data, b) water plan management revisions, c) temporary or final grade changes, d) drainage control structures, and e) such other requirements as the City Engineer, in their sole discretion, may deem necessary. No construction activity or grading which in the opinion of the City Engineer will significantly increase, concentrate, or accelerate water onto neighboring properties, either during or after construction, shall be permitted.

- (e) Site Policing and Notice Statement:
 - 1) A statement that all garbage/debris on the site will be picked up daily.
 - 2) A statement that the street will be swept clean once per week, and that the applicant will endeavor to have sweeping take place on Friday, so the street is clean for the weekend.
 - 3) A statement that the applicant has communicated with adjacent property owners that the project will be commencing and have provided them with contact information.

(f) Notification and Inspection. The applicant or its authorized agent shall notify the City on completing the installation of all property line and silt fencing. The applicant shall not proceed with site activity until the City has been notified and allowed two full business days to inspect the site and, as necessary, confer with applicant. Specific provisions of the construction site management plan and general regulations may be waived by City Staff based on the scope, grade change and duration of the specific construction project.

Subdivision 3. Enforcement. The City Zoning Official or City Clerk-Administrator shall have authority to issue a stop work order (red-tag) on the building permit issued for the project in the event the owner, his general contractor or owner's agents, contractors or sub-contractors fail to comply with a directive issued under this ordinance by the City Officials. Any person, firm, or corporation who shall violate any of the provisions hereof or who shall fail to comply with an order of the City Zoning Official or City Clerk-Administrator related to provisions hereof shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed one thousand dollars (\$1,000) and/or by imprisonment for not to exceed ninety (90) days. Each day that a violation continues shall constitute a separate offense.

Section 2. Effective Date. This Ordinance shall be effective as of its date of publication.

Enacted by the Greenwood City Council on _____, 2005.

___ Ayes ___ Nays

Robert Newman, Mayor

ATTEST:

Roberta Whipple, Clerk-Treasurer

A statement of compliance with the Construction Management Plan

The undersigned has read the Construction Management ordinance and agrees to abide by all the conditions and requirements set forth in the ordinance and specifically agrees to adhere to the following ordinance requirements;

1. The applicant agrees to contact adjacent neighbors prior to the commencement of construction and provide them with contact information. The applicant is required to address concerns raised by adjacent neighbors and make every effort to eliminate any nuisances caused by their construction project.
2. The construction site, and if necessary, adjacent properties, will be cleaned daily to remove any and all garbage and debris caused either directly or indirectly by the applicant's construction project.
3. All city streets affected by the construction project will be cleaned a minimum of once per week, preferably on Friday so that streets are clean for the weekend. The applicant agrees that additional cleaning, at the direction of city staff, may be necessary to maintain a debris free environment.

The applicant acknowledges that a violation of any portion of the Construction Management Ordinance or this statement will result in the placement of a stop work order on their project until such time as the applicant is considered, by city staff, in compliance with the requirements of the Construction Management Ordinance and this statement.

Contractor

Zoning Coordinator

Date

**Greenwood City Council Agenda Item
May 5, 2009**

Agenda Item: New Variance Application

Summary:

The Planning Commission has reviewed and has recommended that a new variance application form be used for the City of Greenwood.

The proposed application is an upgrade over the existing application. It requires that the specific hardship criteria be addressed and includes a checklist of submittal material to ensure completeness of all applications.

The application was taken from one currently being used by the City of Woodland and amended to conform to the City of Greenwood's requirements. It was reviewed at multiple Commission meetings and by the City Attorney.

Planning Commission Action:

Motion by Commissioner Paeper to recommend the Council approve the proposed application form for use on variances requests. Commissioner Palmberg seconded the motion. The motion carried 4-0.

Action Required:

Review and discuss proposed application. Council action could include; 1) Approval of the proposed application, 2) Direction to Staff to further amend the application and bring it back for Council review, 3) Reject the proposed application, continuing the use of the current application form.

Gus Karpas
Zoning Coordinator

CITY OF GREENWOOD FILING REQUIREMENTS – VARIANCE

Unless waived by the Zoning Coordinator you must provide all of the following items with this application that apply to your request. Incomplete applications will delay your request.

Complete

Incomplete

Meeting with Zoning Coordinator

Nonrefundable Filing Fee of \$300.00 to \$1,500.00 (payable to “City of Greenwood”)

Application for Variance

Paper copies & an electronic copy (pdf) of the following drawings or plans:

1 full size scalable certified survey and 1 (11 x 17) copy

- A certified survey with legal description and street address
- Parcel size in Acres and Square Feet
- Topography of the site - for major construction delineate grading and drainage plan with contours at two-foot intervals;
- Location and dimensions of all the existing improvements, including; buildings, structures, retaining walls, steps, parking areas, driveways, storage areas, utilities and wells;
- Location and dimension of all proposed buildings and structures;
- Impervious surface calculations - existing and proposed - % and square footage;
- Outline the setbacks “building pad” on the survey according to the ordinance provisions and show the closest distance between the buildings and front, side, lake and rear lot lines;
- Distance between principal buildings and accessory buildings and structures;
- Massing, building height, and structure height calculations;
- Delineate all wetland, OHWL of Lakes, bluffs, easements and driveways.
- Significant tree conditions and all significant trees proposed to be removed.

_____	_____	1 large scale copy and 1 (11x 17) set of scalable elevation of the proposed structure(s) on all sides & indicate structure height at the roof peak per City Ordinance. Scale must be appropriate for the size of the project (1 inch = 10 feet or 1 inch = 20 feet is preferred in most cases).
_____	_____	1 (11 x 17) set of the floor plan (existing and proposed);
_____	_____	Stake the location in the field of proposed buildings, structures and lot lines;
_____	_____	Applicant is responsible for producing any colored copies;
_____	_____	Tree preservation plan (if applicable);
_____	_____	Lighting plan for sports courts, pools, new home construction and accessory buildings, driveways and parking areas (if applicable); and

City of Greenwood – Variance Application Filing Requirements

- 1) Consult with the Zoning Coordinator to determine the ordinances and procedures applicable to your application. Applications are submitted to the Zoning Coordinator.
- 2) Discuss your proposal with the adjacent property owners before submitting this application. Any conflicts that you can resolve ahead of time may expedite your application.
- 3) Tree removal, land alteration and wetland alteration all require separate permits and approval from the City.
- 4) All plans, applications and written information become public information once filed, which may be used in the staff report and distributed to the Council and public.
- 5) Application and related materials are due to the Clerk’s office by published Planning Commission application deadline. (Speak with Zoning Coordinator with questions)
- 6) The Planning Commission typically meets on the third Wednesday of each month to review requests and the City Council typically meets on the First Tuesday of the following month to consider variance requests. The Planning Commission makes it’s recommendation to the City Council, which makes the actual decision on variance requests. Applicant(s)’s and Owner(s)’s presence at both meetings is strongly encouraged as questions may be asked of you that would better assist the Planning Commission and City Council in making an informed decision.
- 7) Notice will be published in the designated paper prior to the Planning Commission meeting and notice will be sent to residents within 350 feet of the subject property.
- 8) If approval is granted you may apply for a building permit.
- 9) **Expiration:** If a variance is granted for the property and the construction of the structure for which it was granted is not commenced within one year after the date of the Council Resolution approving the variance, the variance will expire and will be of no further force and effect. ***If a final inspection (in the case of remodeling) or an occupancy permit (in***

the case of new construction) is not obtained within one year from the date that the building permit is issued the variance will also expire.

- 10) The City reserves the right to require additional plans or information as necessary.
- 11) Submittal of an application grants the City permission to inspect and photograph the property.

**Zoning Coordinator Gus Karpas
City of Greenwood
20225 Cottagewood Road
Deephaven, MN 55331**

**Phone: 952-474-4755
Fax: 952-474-1274
Email: Guskarpas@mchsi.com**

City of Greenwood – Variance Application Filing Requirements

- _____ Date materials received (complete - incomplete), with electronic copy forwarded to Planning Commission members
- _____ Date sent either notice of incomplete information or notice that information is complete (within 15 workdays from date materials received (above)), with email copy of notice to Mayor and Councilmembers
- _____ 60 day deadline _____
- _____ Notice of 60 day extension
- _____ Planning Commission Meeting (Public Hearing)
- _____ Applicant given Meeting Schedule

City of Greenwood
 20225 Cottagewood Road
 Deephaven, MN 55331
 952-474-4755
 www.greenwoodmn.com

Variance Application

Applicant is (circle one) Owner Developer Contractor Architect Other _____

Property address for which variance is requested _____

Applicant (individual or company name): _____

Contact for Business: _____ Title: _____

Address: _____ City: _____ State: _____ Zip: _____

Wk Phone: _____ Hm Phone: _____

Email address: _____ Fax: _____

Present use of property: _____

Property acreage: _____

Existing Variances: Yes _____ No _____

If yes, please explain _____

Describe Request: Build New _____ Add On _____ Remodel _____ Replace _____

What is the Variance being requested for: _____

Variance for:

	Required	Proposed
_____ Side Yard	_____ feet	_____ feet
_____ Front Yard	_____ feet	_____ feet
_____ Rear Yard	_____ feet	_____ feet
_____ Lake setback	_____ feet	_____ feet
_____ Building height	_____ feet	_____ feet
_____ Structure height	_____ Feet	_____ feet
_____ Wetland	_____ feet	_____ feet
_____ Impervious Cover	_____ sq ft	_____ Sq ft
_____ Shoreland	_____ feet	_____ feet
_____ Massing	_____ volume	_____ volume
_____ Other	_____ feet	_____ feet
If other, please explain		

MAKING YOUR CASE FOR THE GRANT OF A VARIANCE

STATE LAW: Minnesota Statutes 462.357 controls the grant of variances to established zoning codes. Before a variance can be granted the Applicant must establish to the satisfaction of the City that: A) Strict enforcement of the applicable code would cause an undue hardship because of circumstances unique to the individual property under consideration, *and*, B) the grant of the requested variance will be in keeping with the spirit and intent of the ordinance.

"Undue hardship" as used in connection with the granting of a variance means: 1) the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls; 2) the plight of the landowner is due to circumstances unique to the property not created by the landowner, *and* 3) the variance, if granted, will not alter the essential character of the locality.

NOTICE: Simple inconvenience of a landowner or occupant, including self-created situations, are not considered undue hardships under Minnesota case law.

Economic considerations alone shall not constitute an undue hardship if reasonable use of the property exists under the ordinance. (MN Statutes 462.357)

If you have difficulty in establishing an undue hardship please consider alternatives to your construction plans that may remove the need for a variance.

The Applicant must respond fully and in detail to each of the following questions and data requests or the Application may be rejected as incomplete.

Establishing that the requested variance will be in keeping with the spirit and intent of the Zoning Code:

The requested variance, if granted, will be in keeping with the spirit and intent of the City Zoning because:

Establishing Undue Hardship:

1. The landowner's (Applicant's) property cannot be put to a reasonable use if used under conditions allowed by the official controls because:

2. The plight of the landowner (Applicant) is due to circumstances unique to the property not created by the landowner property because:

3. The variance, if granted, will not alter the essential character of the locality because:

Establishing the variance, if granted, will not adversely impact the rights of others:

Describe the effect of the variance, if granted, on neighboring properties and on the neighborhood in general:

Describe the effect of the variance, if granted, on supply of light and air to adjacent properties.

Describe the effect of the variance, if granted, on traffic congestion in the public street.

Describe the effect of the variance, if granted, on the danger of fire.

Describe the effect of the variance, if granted, on the danger to public safety.

Describe the effect of the variance, if granted, on established property values in the surrounding area.

Describe the effect of the variance, if granted, on the impairment of the public health, safety or welfare.

Applicant(s) have determined that the following approvals may be necessary from other regulatory bodies:

_____ LMCD # 952-745-0789

_____ Watershed District # 952-471-0590

Applicant's Acknowledgement & Signature(s)

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name, and I am the party whom the City should contact about this application. The applicant certifies that the information supplied is true and correct to the best of his/her knowledge.

The undersigned also acknowledges that she/he understands that before this request can be considered and/or approved, all required information and fees, including any deposits, must be paid to the City, and if additional fees are required to cover costs incurred by the City, the City has the right to require additional payment from one or more of the undersigned, who shall be jointly liable for such fees.

An incomplete application will delay processing and may necessitate a re-scheduling of the review time frame. The application time line commences once an application is considered complete when all required information and fees are submitted to the City. The applicant recognizes that he/she is solely responsible for submitting a complete application being aware that upon failure to do so, the staff has no alternative but to reject it until it is complete or to recommend the request for denial regardless of its potential merit.

A determination of completeness of the application shall be made within 15 business days of the application submittal. A written notice of application deficiencies shall be mailed to the applicant with in 15 business days of application.

I am the authorized person to make this application and the fee owner has also signed this application.

Applicant's Signature: _____ **Date:** _____

Signature: _____ **Date:** _____

Owner's Acknowledgement & Signature(s)

I am / we are the fee title owner of the above described property. I / we further acknowledge and agree to this application and further authorize reasonable entry onto the property by City Staff, Consultants, agents, Planning Commission Members, and City Council Members for purposes of investigation and verification of this request.

Owner's Signature: _____ **Date:** _____

Owner's Signature: _____ **Date:** _____

Note – Both signatures are required, if the owner is different than the applicant, before we can process the application, otherwise it is considered incomplete.

Notes for 5-05-09 CC Meeting

Consider designating area by city docks as park land

REPORT

If we designate the area by the public docks as park land we can use Park Funds to improve the area. The process is simple. We just pass a motion designating the area by the city docks as park land and direct staff to identify the area as such on future zoning maps. I also suggest that we include a name for the park in our motion. Ideas: Lakeside Park, Lakefront Park, Marina Park, or ???

RECOMMENDED MOTION

I move we designate the city right of way parallel to the city docks on St. Alban's Bay as Lakeside Park and direct staff to identify the area as such on future zoning maps.

Empty lined area for additional notes or comments.

Notes for 5-05-09 CC Meeting

Consider installing canoe/kayak racks and/or stormwater protection at the new park	
REPORT	
If we pass the motion to designate the area by the public docks as park land we can use Park Funds to improve the area. Ideas: install canoe/kayak racks, install a rain garden, install natural buffer along shoreline, or ???	
RECOMMENDED MOTION	
I move we direct the city administrator to get pricing for installing canoe/kayak racks and for installing a natural buffer at Lakeside Park for presentation at our June council meeting.	



WELCOME TO LAKE MINNETONKA LMCD WINTER RULES

Some rules on Lake Minnetonka are more restrictive than the State of Minnesota. These rules can be obtained at the LMCD office or at www.lmcd.org.

SHOREZONE DEFINITION:

- THE SHOREZONE IS ANY AREA WITHIN 150 FEET OF THE SHORELINE
- GENERALLY, THE SHOREZONE IS RESERVED FOR NON-MOTORIZED ACTIVITIES
- MOTORIZED VEHICLES MAY TRAVEL THROUGH THE SHOREZONE USING THE SHORTEST DIRECT PATH TOWARDS THE CENTER OF THE LAKE, AND OBSERVING THE SHOREZONE SPEED LIMITS AT ALL TIMES

SPEED LIMITS:

- SPEED LIMITS APPLY TO ALL MOTORIZED VEHICLES (SNOWMOBILES, ATV'S, CARS, ETC.)
- DAYTIME-MAXIMUM OF 50 M.P.H. WHEN OUTSIDE OF THE SHOREZONE
- NIGHTIME-MAXIMUM OF 30 M.P.H. WHEN OUTSIDE OF THE SHOREZONE
- ALL TIMES-MAXIMUM OF 15 M.P.H. WITHIN THE SHOREZONE, CHANNEL AREAS, OR WITHIN 150 FEET OF A PERSON OR FISHING HOUSE

Ordinance #167

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
 UPDATING SECTION 510 LICENSES, PERMITS, AND FEES
 AND RELATED SECTIONS OF THE CODE**

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

SECTION 1.

The Greenwood Ordinance Code Section 510 is hereby amended to read as follows:

“

Section 510:00 Greenwood Licenses, Permits, and Fees

Subd. 1. No person, partnership, corporation, or other association shall engage in the following types of activity without first paying the fee listed.

Type of License or Permit	Section	Fee	Conditions & Terms
Animal: Dog-At-Large Fee, 1st Offense	445:30	TBD	In addition to impound fees
Animal: Dog-At-Large Fee, 2nd Offense	445:30	TBD	In addition to impound fees
Animal: Dog-At-Large Fee, 3+ Offenses	445:30	TBD	In addition to impound fees
Animal: Dog License	445:10	\$25	Every two years
Animal: Potentially Dangerous Animal License	445:25	\$500	Plus proof \$1 million insurance
Animal: Private Kennel License	445:05	\$50	Annual
Animal: Wild Animal Permit	445:15	\$10	72-hour limit
Building Moving Permit	300:20	Per building code	Required per structure
Building Permit	300:10	Per building code	Required per structure
Docks: Commercial Marina License, Base	430:10	\$110	Base per year
Docks: Commercial Marina License, Per Slip	430:10	\$5	Per slip, per year
Docks: Municipal Watercraft Space Permit	425:10	\$850	Per slip, per season
Docks: Municipal Sailboat Space Permit	425:10	\$300	Per slip, per season
Docks: Municipal Canoe/Kayak Space Permit		\$60	Per space, per season
Duplicating Fee		\$0.25	Per copy
Excavation/Filling Permit	440:00	Per building code	Per instance
False Alarm Permit: Fire (after 2nd Offense in 12 mo. period)	1051:03	\$75	
False Alarm Permit: Police (after 3rd Offense in 12 mo. period)	1050:10	\$75	
Fire/Police Alarm Non-Compliance Fine	1050.35 & 1051:07	\$1,000	According to state statute
Garbage/Refuse Collector License	475:20	\$150	Annual
Gasoline Service License	420:15	\$8 per pump	Annual
Liquor License: Off-Sale Non-Intoxicating	800:15	To Be Determined	Annual
Liquor License: Off-Sale Non-Intoxicating, Investigation Fee	800:30	To Be Determined	Annual
Liquor License: On-Sale Intoxicating	820:40	\$10,000	Annual
Liquor License: On-Sale Intoxicating, Wine	820:40	To Be Determined	Annual
Liquor License: On-Sale Intoxicating, Sunday	820:40	To Be Determined	Annual
Liquor License: On-Sale Intoxicating, Reduced Hours	820:40	To Be Determined	Annual
Liquor License: On-Sale Intoxicating, Investigation Fee	820:35	To Be Determined	Annual
Liquor License: On-Sale Surety Bond	820:45	To Be Determined	In conjunction w/application
Load Limit Fee	740:00	\$50	Per instance
Peddler Permit	465:10	\$70	For 6 months
Plumbing Permit	410:25	Per building code	Required per structure
Recycling: Collection Fee	475:30	\$11.50	Quarterly
Rental Property License	320:30	\$50 first unit, \$20 per additional unit	Annual
Sewer Rates: Residential	520:10	\$75 per residential sanitary service unit	Quarterly
Sewer Rates: Commercial	520:10	\$75 per commercial sanitary service unit	Quarterly
Sewer: Lateral Connection Fee		\$5,120	Per instance
Sewer: Metro Waste Fee		As set by Metro Waste Control	
Sewer: Cap Fee		\$75.00	Per instance
Sewer: Re-Connection Fee		\$75.00	Per instance
Sewer/Recycling: Delinquent Accounts	525:15	\$20, plus 20%	Certified to county annually
Stormwater Management Utility Fee	525:00	\$12	Quarterly
Street Excavation Permit	640:30	\$75	Per site
Tobacco License	415:04	\$50	Annual
Tree Trimming/Removal Permit		To Be Determined	Per application
Zoning: Code Amendment Application Fee	1160:05	\$400	Per application
Zoning: Conditional Use Permit	1150:15	\$400 first item, \$300 per additional item	Per application
Zoning: Shoreland Compliance Review Fee	1176:03	\$200	Per application
Zoning: Simple Suidivision Fee	600:07	\$150	Plus publication cost
Zoning: Variance Application Fee	1155:20	\$400 first item, \$300 per additional item	Per application

SECTION 2.

Greenwood Ordinance Code Section 300:40. Violations and Penalties is hereby amended to read as follows:

“Section 300:40 “Violations and Penalties. The penalty described in the SBA, Section 205, as amended shall be in keeping with Minnesota Statutes 609.033 to 609.034.” ~~which provides for a maximum fine of \$700.00.~~

SECTION 3.

The Title of Greenwood Ordinance Code Section 310, to wit: “Sewers, Connections, Permits and Fees” is hereby amended to read as follows: “Section 310 - Sewers, Connections, and Permits” and Fees

SECTION 4.

Greenwood Ordinance Code Section 415:04 Fees. is hereby amended to read as follows:

“Section 415:04 Fees. No license shall be issued under this ordinance until the appropriate license fee shall be paid in full. The fee for a license under this ordinance shall be set forth in Section 510” ~~., Subd. 7.”~~

SECTION 5.

Greenwood Ordinance Code Section 475:30 Subd. 3 “Delinquent Bills is hereby amended to read as follows:

“Section 475:30 Subd. 3 Delinquent Bills. If recyclable collection charges are not paid within 30 days of the date of the City statement, a delinquency charge ~~may of \$5.00 per quarter shall~~ be added. All unpaid charges plus the delinquency charges which remain unpaid on September 15, annually, may, together with an assessment fee ~~of \$20.00,~~ be assessed by the City against the property served and shall become a lien upon the property assessed. ~~The fees shall be set forth in Section 510.~~ The Clerk shall prepare an assessment roll each year which provides for assessment of the delinquent recyclables collection charges plus the additional charges against the respective properties served. The assessment roll shall be submitted by the Clerk to the Council for adoption on or before October 10 of each year.”

SECTION 6.

Greenwood Ordinance Code Section 480:60 Prohibitions and Restrictions is hereby amended to read as follows:

“Section 480:60 Prohibitions and Restrictions.

- Subd. 1. No person, firm, corporation or association ~~holding a license under this ordinance~~ shall permit the use of juke boxes or games of skill, or mechanical rides between the hours of 1:00 o'clock a.m. and 6:00 o'clock a.m. of any day.
- Subd. 2. Every firm, person, corporation or association ~~who has licensed to have~~ vending machines on their premises that dispense merchandise packaged in disposable containers shall provide refuse containers within 25 feet of the machine.”

SECTION 7.

Greenwood Ordinance Code Section 1050:35 is hereby amended as follows:

“Section 1050:35 Criminal Penalties.

- Subd. 1. Any alarm user who continues to use an alarm system after receiving notice of revocation or suspension by the Public Safety Department shall be guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine ~~as provided by state statute. of not~~

~~more than Seven Hundred Dollars (\$700.00)~~ and by imprisonment not to exceed ninety (90) days.

- Subd. 2. Any person required by this ordinance to obtain an alarm user's permit who knowingly fails to do so shall be guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine ~~as provided by state statute. of not more than Seven Hundred Dollars (\$700.00)~~ and by imprisonment not to exceed ninety (90) days.
- Subd. 3. Any permit holder who fails to comply with an order or directive of the Fire Chief, shall be punishable by a fine ~~as provided by state statute. of not more than Seven Hundred Dollars (\$700.00)~~ and by imprisonment not to exceed ninety (90) days.”

SECTION 8.

Greenwood Ordinance Code Section 1051:07 is hereby amended to read as follows:

“Section 1051:07 CRIMINAL PENALTIES.

- Subd. 1. Any alarm user who continues to use an alarm system after receiving notice of revocation or suspension by the Fire Department shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine ~~as provided by state statute. of not more than Seven Hundred Dollars (\$700.00)~~ and by imprisonment not to exceed ninety (90) days.
- Subd. 2. Any person required by this section to obtain an alarm user's permit who knowingly fails to do so shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine ~~as provided by state statute. of not more than Seven Hundred Dollars (\$700.00)~~ and by imprisonment not to exceed ninety (90) days.
- Subd. 3. Any permit holder who fails to comply with an order or directive of the Fire Chief shall be punishable by a fine ~~as provided by state statute. of not more than Seven Hundred Dollars (\$700.00)~~ and by imprisonment not to exceed ninety (90) days.”

SECTION 9.

Greenwood Ordinance Code Section 1176:03 is hereby amended to add the following:

- Subd. 10. Shoreland Compliance Review Fee. Applicants for conditional uses, variances, permits, or plats shall pay, in addition to fees required by the underlying zoning Ordinance, upon filing an application for the same an additional Shoreland Compliance Review Fee listed on the fee schedule in Section 510 to cover the costs of notices and review by the City of standards established and required by this Ordinance.

Section 1176.07 Subd. 6 is hereby deleted.

SECTION 10.

Greenwood Ordinance Code Sections 405:00, 410:00, 480:10, 480:15, 480:20, 480:25, 480:30, 480:35, 480:40, 480:45, 480:50, 480:55, 485:25, and 810:20 are hereby repealed and amended to read, respectively, as follows:

- “SECTION 405:00. ‘Repealed.’”
“SECTION 410:00. ‘Repealed.’”
“SECTION 480:10. ‘Repealed.’”
“SECTION 480:15. ‘Repealed.’”
“SECTION 480:20. ‘Repealed.’”
“SECTION 480:25. ‘Repealed.’”
“SECTION 480:30. ‘Repealed.’”
“SECTION 480:35. ‘Repealed.’”
“SECTION 480:40. ‘Repealed.’”
“SECTION 480:45. ‘Repealed.’”

“SECTION 480:50. ‘Repealed.’”

“SECTION 480:55. ‘Repealed.’”

“SECTION 485:25. ‘Repealed.’”

“SECTION 810:20. ‘Repealed.’”

SECTION 11.

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 _____, 2009.

Ayes____, Nays_____.

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Roberta L. Whipple, City Administrator

Greenwood/Ordinance 167 Fees Draft 04-28-09

4/28/09

The dog-at-large fees were removed from the fee schedule per Mark's email below ...

Excelsior adopted Minnetonka's Administrative Penalties Ordinance. See below. With that in place they then adopted a fee schedule and issue civil fines such as the Dog at Large fees. A civil administrative law structure needs to be in place first. The City of Minnetonka has charged itself with establishing an administrative hearing officer system, (as does Excelsior), but we might contract with Minnetonka to provide this service. We simply do not have the Administrative staff to manage this. Excelsior City Clerk Cheri Johnson advises Minnetonka charges \$50 for a hearing (need to verify).

Many of our ordinances should be defined as petty misdemeanors subject to administrative set fines and administrative appeal; three or more like violations in a year might be defined as a misdemeanor.

Please read the Minnetonka Ordinance below.

Mark W. Kelly
Kelly Law Offices
351 2nd St., Excelsior, MN 55331
0-952.474.5977; f-952.474.9575

1310.005. Prohibited Acts.

1. A person must not do any of the following:
 - a. violate, fail to comply with, or assist, authorize or permit the violation of a provision of this code;
 - b. violate, fail to comply with, or assist, authorize, or permit the violation of the terms and conditions of a city approval, including permits and licenses, required and granted under this code; or
 - c. knowingly make or submit a false statement, document, or material omission in connection with an application or procedure required by this code.
2. No section or part of this code designating the duties of an official, employee, or appointee of the city may be construed to make that person liable for the penalties provided below.

1310.010. Penalties.

1. A person who violates section 1310.005 is guilty of a misdemeanor and upon conviction will be punished in accordance with state law; provided, that if a different punishment is stated in this code, that provision governs the punishment for the violation.
2. Designation as a petty misdemeanor means that upon conviction the sentence will be in accordance with state law. If not designated as "petty misdemeanor," a violation is a misdemeanor as set forth above in paragraph 1.
3. Each calendar day that section 1310.005 is violated constitutes a separate offense.
4. A person who violates section 1310.005 must pay twice the applicable fee related to the violation.
5. A violation of section 1310.005 constitutes sufficient grounds for denial of an application required by this code that is related to the violation.
6. Action prohibited by section 1310.005 may, at the option of the city, void a city approval that is related to the violation.
7. The city attorney may institute a legal proceeding in the name of the city of Minnetonka to prevent, restrain, remedy, or abate a violation of section 1310.005.
8. Nothing in this section prevents the city from taking other action permitted by law, and the penalties and remedies provided here and under other law are cumulative.

(Amended by Ord. #2006-09, adopted May 8, 2006)

1310.015. Administrative Citations and Civil Penalties.

Sections 1310.015 through 1310.055 govern administrative citations and civil penalties for violations of the city code.

1310.020. Purpose.

The city council finds that there is a need for alternative methods of enforcing the city code. While criminal fines and penalties have been the most frequent enforcement mechanism, there are certain negative consequences for both the city and the accused. The delay inherent in that system does not ensure prompt resolution. Citizens resent being labeled as criminals for violations of administrative regulations. The higher burden of proof and the potential of incarceration do not appear appropriate for most administrative violations. The criminal process does not always regard city code violations as being important. Accordingly, the city council finds that the use of administrative citations and the imposition of civil penalties is a legitimate and necessary alternative method of enforcement. This method of enforcement is in addition to any other legal remedy that may be pursued for city code violations.

1310.025. General Provisions.

1. A violation of a provision of the city code or the acts prohibited in section 1310.005 is an administrative offense, that may be subject to an administrative citation and civil penalties. Each day a violation exists constitutes a separate offense.
2. An administrative offense may be subject to a civil penalty not exceeding \$2000.00.
3. The city council must adopt by resolution a schedule of fines for offenses initiated by administration citation. The city council is not bound by that schedule when a matter is appealed to it for administrative review. The city council may adopt a schedule of fees to be paid to administrative hearing officers.
4. The city manager must adopt procedures for administering the administrative citation program.

1310.030. Administrative Citation.

1. A person authorized to enforce provisions of the city code may issue an administrative citation upon belief that a code violation has occurred. The citation must be issued in person or by mail to the person responsible for the violation or attached to the motor vehicle in the case of a vehicular offense. The citation must state the date, time, and nature of the offense, the name of the issuing officer, the amount of the scheduled fine, and the manner for paying the fine or appealing the citation.
2. The person responsible for the violation must either pay the scheduled fine or request a hearing within seven days after issuance. Payment of the fine constitutes admission of the violation. A late payment fee of 10 percent of the scheduled fine amount may be imposed under section 1310.050.

1310.035. Administrative Hearing.

1. The city council will periodically approve a list of lawyers, from which the city manager will randomly select a hearing officer to hear and determine a matter for which a hearing is requested. The accused will have the right to request no later than five days before the date of the hearing that the assigned hearing officer be removed from the case. One request for each case will be granted automatically by the city manager. A subsequent request must be directed to the assigned hearing officer who will decide whether he or she cannot fairly and objectively review the case. The city enforcement officer may remove a hearing officer only by requesting that the assigned hearing officer find that he or she cannot fairly and objectively review the case. If such a finding is made, the officer shall remove himself or herself from the case, and the city manager will assign another hearing officer. The hearing officer is not a judicial officer but is a public officer as defined by Minn. Stat. § 609.415. The hearing officer must not be a city employee. The city manager must establish a procedure for evaluating the competency of the hearing officers, including comments from accused violators and city staff. These reports must be provided to the city council.
2. Upon the hearing officer's own initiative or upon written request of an interested party demonstrating the need, the officer may issue a subpoena for the attendance of a witness or the production of books, papers, records or other documents that are material to the matter being heard. The party requesting the subpoena is responsible for serving the subpoena in the manner provided for civil actions and for paying the fees and expenses of a witness. A person served with a subpoena may file an objection with the hearing officer promptly but no later than the time specified in the subpoena for compliance. The officer may cancel or modify the subpoena if it is unreasonable or oppressive. A person who, without just cause, fails or refuses to attend and testify or to produce the required documents in obedience to a subpoena is guilty of a misdemeanor. Alternatively, the party requesting the subpoena may seek an order from district court directing compliance.
3. Notice of the hearing must be served in person or by mail on the person responsible for the violation at least 10 days in advance, unless a shorter time is accepted by all parties. At the hearing, the parties will have the opportunity to present testimony and question any witnesses, but strict rules of evidence will not apply. The hearing officer must tape record the hearing and receive testimony and exhibits. The officer must receive and give weight to evidence, including hearsay evidence, that possesses probative value commonly accepted by reasonable and prudent people in the conduct of their affairs.
4. The hearing officer has the authority to determine that a violation occurred, to dismiss a citation, to impose the scheduled fine, and to reduce, stay, or waive a scheduled fine either unconditionally or upon compliance with appropriate conditions. When imposing a penalty for a violation, the hearing officer may consider any or all of the following factors:
 - a. the duration of the violation;
 - b. the frequency or reoccurrence of the violation;
 - c. the seriousness of the violation;
 - d. the history of the violation;
 - e. the violator's conduct after issuance of the notice of hearing;
 - f. the good faith effort by the violator to comply;
 - g. the economic impact of the penalty on the violator;
 - h. the impact of the violation upon the community; and
 - i. any other factors appropriate to a just result.

The hearing officer may exercise discretion to impose a fine for more than one day of a continuing violation, but only upon a finding that (1) the violation caused a serious threat of harm to the public health, safety, or welfare or that (2) the accused intentionally and unreasonably refused to comply with the code requirement. The hearing officer's decision and supporting reasons must be in writing.

5. Except for matters subject to administrative review under section 1310.040, the decision of the hearing officer is final without any further right of administrative appeal. In a matter subject to administrative review under section 1310.040, the hearing officer's decision may be appealed to the city council by submitting a request in writing to the city clerk within 10 days after the hearing officer's decision.
6. The failure to attend the hearing constitutes a waiver of the violator's rights to an administrative hearing and an admission of the violation. A hearing officer may waive this result upon good cause shown. Examples of "good cause" are: death or incapacitating illness of the accused; a court order requiring the accused to appear for another hearing at the same time; and lack of proper service of the citation or notice of the hearing. "Good cause" does not include: forgetfulness and intentional delay.

1310.040. Administrative Review.

1. The hearing officer's decision in any of the following matters may be appealed by a party to the city council for administrative review:
 - a. an alleged failure to obtain a permit, license, or other approval from the city council as required by an ordinance;
 - b. an alleged violation of a permit, license, other approval, or the conditions attached to the permit, license, or approval, that was granted by the city council; and
 - c. an alleged violation of regulations governing a person or entity who has received a license granted by the city council.
2. The appeal will be heard by the city council after notice served in person or by registered mail at least 10 days in advance. The parties to the hearing will have an opportunity to present oral or written arguments regarding the hearing officer's decision.

3. The city council must consider the record, the hearing officer's decision, and any additional arguments before making a determination. The council is not bound by the hearing officer's decision, but may adopt all or part of the officer's decision. The council's decision must be in writing.

4. If the council makes a finding of a violation, it may impose a civil penalty not exceeding \$2000.00 per day per violation, and may consider any or all of the factors contained in section 1310.035(4). The council may also reduce, stay, or waive a fine unconditionally or based on reasonable and appropriate conditions.

5. In addition to imposing a civil penalty, the council may suspend or revoke a city-issued license, permit, or other approval associated with the violation, if the procedure in city code section 700.035 has been followed. The hearing required in that section will be satisfied by the hearing before the hearing officer with the right of appeal to the city council.

1310.045. Judicial Review.

An aggrieved party may obtain judicial review of the decision of the hearing officer or the city council by proceeding under a writ of certiorari in district court.

1310.050. Recovery of Civil Penalties.

1. If a civil penalty is not paid within the time specified, it will constitute:

- a. a lien on the real property upon which the violation occurred if the property or improvements on the property was the subject of the violation and the property owner was found responsible for that violation; or
- b. a personal obligation of the violator in all other situations.

2. A lien may be assessed against the property and collected in the same manner as taxes.

3. A personal obligation may be collected by appropriate legal means.

4. A late payment fee of 10 percent of the fine may be assessed for each 30-day period, or part thereof, that the fine remains unpaid after the due date.

5. During the time that a civil penalty remains unpaid, the provisions of city code section 210 apply to a license, permit, or other city approval sought by the violator or for property under the violator's ownership or control.

6. Failure to pay a fine is grounds for suspending or revoking a license related to the violation.

1310.055. Criminal Penalties

The following are misdemeanors, punishable in accordance with state law:

1. failure, without good cause, to appear at a hearing that was scheduled under section 1310.035;

2. failure to pay a fine imposed by a hearing officer within 30 days after it was imposed, or such other time as may be established by the hearing officer, unless the matter is appealed under section 1310.040; and

3. failure to pay a fine imposed by the city council within 30 days after it was imposed, or such other time as may be established by the city council.

If the final adjudication in the administrative penalty procedure is a finding of no violation, then the city may not prosecute a criminal violation in district court based on the same set of facts. This does not preclude the city from pursuing a criminal conviction for a violation of the same provision based on a different set of facts. A different date of violation will constitute a different set of facts.



April 9, 2009

Commissioner Mike Opat, Chairperson
Hennepin County Board
A-2400 Government Center
300 South Sixth Street
Minneapolis, MN 55487-0240

Dear Commissioner Opat:

We are excited that Hennepin County is considering the construction of a new library in our neighboring community of Excelsior — the “downtown” for the entire South Lake Minnetonka area.

Because of its unique location, the Excelsior Library will serve the needs of at least five cities — Excelsior, Deephaven, Shorewood, Tonka Bay, Greenwood, and more. This single project will enhance the county presence in a broad area and thus provide an excellent value for the county. Which is especially important in these times when budgets are tight.

We believe the Excelsior Library is a central and vital partner in our greater community and we encourage you to support this project in your budget for 2010.

Thank you.

Debra J. Kind
Mayor, City of Greenwood