

Greenwood City Council Meeting

7:00 PM, Tuesday, April 6, 2010

20225 Cottagewood Road ~ Deephaven, MN 55331 ~ 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. CONSENT AGENDA
- A. Recommendation: Approve 2-24-10 Joint Work Session Minutes
 - B. Recommendation: Approve 3-2-10 Council Minutes
 - C. Recommendation: Approve 3-24-10 Work Session Minutes
 - D. Recommendation: Approve February Cash Summary Report
 - E. Recommendation: Approve March payables **\$72.789.08**
- 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 back for public comment guidelines.*
- 7:10 PM 4. ANNOUNCEMENTS, PRESENTATIONS AND STAFF REPORTS
- A. City Engineer Dave Martini: 2010 Road Project Recommendations
 - B. Local Board of Appeal & Equalization Meeting 6 PM, April 15, 2010
- 7:20 PM 5. PUBLIC HEARINGS
- A. None
- 7:20 PM 6. UNFINISHED BUSINESS
- A. Second Reading: Ordinance #170 Tree Regulations, Code Section 1140.80
 - B. First Reading: Ordinance #182 Weight Restrictions, Code Section 730.00
 - C. Consider: Lake Management Inc. Proposal for Annual Treatment of Milfoil at City Docks
 - D. Consider: Bank Designation
- 7:40 PM 7. NEW BUSINESS
- A. Consider: Reclassification of Commercial Sanitary Sewer Service Unit for the Former Boathouse Restaurant
 - B. Consider: Beaver Trapping Proposals
 - C. Set Date: Code Book Work Session
- 7:55 PM 8. OTHER BUSINESS
- A. None
- 7:55 PM 9. COUNCIL REPORTS
- A. Kind: Minnehaha Creek Watershed District
 - B. Rose: Fire
 - D. Fletcher: Planning Commission, Lake Minnetonka Communications Commission, Milfoil
 - E. Page: Lake Minnetonka Conservation District
- 8:10 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 & Planning Commission Joint Work Session Minutes

7:00 pm, Wednesday, February 24, 2010
Jake O'Connor's Public House ~ 200 Water Street ~ Excelsior, MN 55331

1. Call to Order/Roll Call/Approval Agenda

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

Council members present: Fletcher, Kind, Page, and Quam
Planning Commission members present: Beal, Cook, Lucking, Malo, Paeper (7:10),
Palmberg (7:05), Spiers
Council members absent: Rose
Planning Commission members absent: None
Others present: City Attorney Kelly

Quam moved to approve the agenda. Second by Page. Motion carried 7-0.

2. Introductions

Each person introduced themselves to the group.

Discussion Topics

A. Setbacks and hardcover for small and narrow lots

The group discussed whether there was interest in pursuing a change to the code to reduce the number of requests for variances for setbacks and hardcover on small and narrow lots. There was no strong planning commission support to change the code.

B. Pervious surfaces

The group discussed ideas for how to encourage the use of pervious surfaces to improve stormwater runoff in the city. The group favored the concept of using pervious surfaces as a tool that may be applied as a condition for variances vs. creating an ordinance.

C. As-built surveys

The group discussed the concept of requiring as-built surveys to ensure that construction projects are built according to what was promised. Concerns included the cost for the survey and setting standards that would allow the zoning administrator to waive the requirement. The planning commission will review Woodland's ordinance and make a recommendation to the council.

Open Discussion

Other potential planning commission projects were discussed, including the regulation of adult establishments and telecommunications towers. The group decided that the planning commission will work on the development of a telecommunications tower ordinance. Regarding the regulation of adult establishments, it was decided that the council should continue the discussion and give direction to the planning commission.

3. Adjournment

Page moved to adjourn at 8:45 pm. Second by Lucking. Motion carried 9-0.

Respectfully submitted by Deb Kind

GREENWOOD CITY COUNCIL MEETING
Tuesday, March 2, 2010 7:00 p.m.
Council Chambers 20225 Cottagewood Road Deephaven MN 55331

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

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

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

Others present: City Attorney Kelly and Recording Secretary Link

Absent: City Administrator Whipple

Councilmember Fletcher requested moving Item 7C to Item 4C. Quam asked that Item 2B, Approve 2-4-10 Council minutes be moved to Item 8A for more discussion. Fletcher asked that item 6C be moved to his report under Item 9D.

Quam moved to approve the agenda with the changes: Fletcher seconded the motion. Motion carried. 5-0

2. APPROVE CONSENT AGENDA

Rose moved to approve the consent agenda as amended. Items so approved include the following:

- A. Recommendation: Approve 2-4-10 Worksession minutes
- C. Recommendation: Approve January Treasurer's Report
- D. Recommendation: Approve February payables \$32,460.18

Councilmember Fletcher seconded the motion. Motion approved 5-0

3. MATTERS FROM THE FLOOR

None

4. ANNOUNCEMENTS, PRESENTATIONS & STAFF REPORTS

- A. Planning Commission Appointments (Palmberg A-1, Beal A-2, Paeper A-3, Cook Alt. 1)

Quam moved to approve the Planning Commission appointments. Page seconded the motion. Motion carried 5-0

B. 2009 City Audit Presentation by LarsonAllen

Kind introduced the city's auditors from LarsonAllen who gave an overview of the 2009 audit. Brady Hoffman discussed the balances and fund accounts. Craig Popenhagen discussed the total assets and non-spendable amounts in the marina fund and the sewer fund.

Quam asked if the assets are being depreciated appropriately. Popenhagen stated the assets are being depreciated in an acceptable manner.

In response to a question from Kind, Popenhagen stated the reserves do not need to be built up any higher at this time.

Page asked if all funds are accounted for and if they have been allocated properly. Popenhagen indicated they were.

Quam asked if the city's bank accounts are insured appropriately. Popenhagen indicated they are insured appropriately, and they are insured for more than is in the bank. In response to a question from Kelly, Popenhagen stated the funds are collateralized to their full value, plus.

Fletcher stated it has been suggested the road and park funds be made general fund line items. Fletcher moved to set the road and park funds as general fund line items. Kind seconded the motion. Fletcher stated it will simplify the accounting for the city. Quam noted there are statutory restrictions on park funds. Popenhagen stated it will just show up in a different place in the budget. Motion carried 4-1. Page opposed the motion.

Fletcher moved to move \$40,000 from the reserves and dedicate it as road funds. Quam seconded the motion. Kind stated she would prefer keeping it in the reserve funds until there have been discussions about road projects. Motion failed 2-3. Kind, Page and Rose opposed the motion.

C. Consider Bank Designation

Councilmembers discussed the possibility of having money in more than one bank. It will be discussed at the April meeting.

5. **PUBLIC HEARINGS**

A. **Stormwater Pollution Prevention Program**

Quam moved to open the public hearing. Rose seconded the motion.
Motion carried 5-0

Kind opened the hearing for public comments. There were none.

Quam moved to close the public hearing. Fletcher seconded the motion.
Motion carried 5-0

B. **Ordinance #170 Tree Regulations, Code Section 1140.80**

Rose moved to open the public hearing. Fletcher seconded the motion.
Motion carried 5-0

Kind opened the hearing for public comments. There were none.

Page moved to close the public hearing. Fletcher seconded the motion.
Motion carried 5-0

Kind stated this item ties in with Item 6A, and moved to the next item on the agenda.

6. **UNFINISHED BUSINESS**

A. **First Reading: Ordinance #170 Tree Regulations, Code Section 1140.80**

Kind reviewed the changes which included moving the fees to the fee schedule section to be consistent, tree removal permit requirement, and measuring a tree.

Page asked how it can be assured a tree is removed due to disease without proof. Kind stated there isn't a requirement in our ordinance to prove that a tree is diseased. She suggested the nuisance section of the ordinance be tightened up to deal with this issue. It was agreed that the sentence 'A tree removal conditional use permit is not required for removal of diseased trees per Section 1040.' will be removed from the proposed Ordinance.

Councilmembers discussed the permitting process for tree removal and educating residents through the use of the newsletter.

Fletcher moved to adopt the first reading of Ordinance #170 Tree Regulations, Code Section 1140.80 as amended. Page seconded the motion. Council discussed the fee for tree removal. Page discussed the need to cover costs, and the motion was so amended to set the fee at \$250. Motion carried 5-0. This item will be on the agenda for a second reading in April.

B. First Reading: Ordinance #182 Weight Restrictions, Code Section 730.00

Fletcher reviewed the amendments to the ordinance as discussed by the Council at a previous meeting. He stated he received comments from the City Attorney today. Kelly noted he started to look at this, and his comments can be discussed during the second reading. Fletcher stated that the allowable hours for trucks covered by the ordinance were made the same as those in the Construction Management Ordinance. Councilmembers discussed the proposed changes and fees. Kind stated the dates for road restrictions should be changed to March 1 to May 1 to match the dates on current signs. Councilmembers discussed the weight restriction exemptions such as delivery trucks. Page stated household delivery trucks should also be exempted. Kind stated moving vans should also be an exemption. This item will also be continued to the April meeting.

Kind moved to move Item 6C back to its original location as the representatives were present. Fletcher seconded the motion. Motion carried 5-0

C. Consider Annual Treatment for Eurasian Water Milfoil at City Docks

Fletcher reviewed milfoil treatment of Christmas Lake over the last eight years. Kind noted the permit for the bay-wide treatment of St. Alban's Bay has been denied by the DNR as has the funding request. She stated the question is whether Greenwood wants to pay for the treatment at the City docks or wait to see if the DNR reconsiders their denial for bay-wide treatment.

Fletcher discussed the DNR's concerns about water quality and the impact of milfoil treatment on the lake ecological systems.

Bay Captain Rob Roy stated he will be taking this issue to the DNR to ask for reconsideration of their denial.

Fletcher moved that Greenwood take a position to have the DNR revisit their permit denial for the treatment of St. Alban's Bay. Quam seconded the motion. Page stated he would like to see the letter of denial. Roy stated he would forward it. Page stated if the reason for denial is the damaged water lilies, that would be ridiculous. He was uncomfortable commenting on a denial he hasn't seen.

Lake Minnetonka Association Executive Director Dick Osgood, stated he forwarded the letter to Tom Fletcher for Gideons Bay. He stated he was told the letter for St. Alban's Bay is similar in nature, but he has not seen the letter. Fletcher had a copy of the Gideon's Bay letter and gave it to Page to review.

Kind asked if we should delay the treatment of the City dock area for another month given this new issue. This item will be continued to the April meeting.

Rose stated the Council needs to consider the DNR's point of view and why they are denying the treatment. He suggested the DNR come in to explain why they have denied the permit.

Osgood discussed the treatment in Gray's Bay and the steps taken after it was determined the water lilies there were damaged

Motion passed 4-1. Rose voted against the motion.

7. NEW BUSINESS

A. Consider Greenwood Sign Replacement

Kind stated there are four signs in the city, and three are not in good shape. She stated there is \$2000 to replace one sign each year. The first sign to be replaced is at Manor Blvd. and Excelsior Blvd. She reviewed the estimates and design options provided for different signs. She noted the maintenance-free options are more expensive.

Kind noted all of the current signs are wood. She recommended trying the sign foam.

Quam moved to approve the low estimate for the sign using sign foam. Fletcher seconded the motion. Motion carried 5-0

B. Consider Greenwood Property Tax Basics – Newsletter Insert

Kind distributed a copy of a proposed property tax basics newsletter insert. She stated the purpose of the sheet is to educate residents. She stated this would be included in the March newsletter.

D. Set Date for Code Project Worksession

Kind discussed her review of the city code and the need for a worksession to review these changes. She suggested dates for the worksession. Following discussion, the worksession was set for Wednesday, March 24 at 5:00 p.m.

8. OTHER BUSINESS

A. Approve 2-4-10 Council Minutes

Quam stated the minutes should state that Dave Martini be noted as the City Engineer the first time his name is mentioned under Item 8A, second paragraph.

Quam moved to amend the minutes and approve as so amended. Fletcher seconded the motion. Motion carried 5-0

9. COUNCIL REPORTS

A. Kind: School District Lunch

Kind stated the school district lunch was on February 17. The school district is looking for input from the cities on how they can better partner with them. Possible options would be to share residents broadcast lists.

Kind discussed a recent meeting held with the assessor and how lakeshore valuations are calculated.

Kind stated letters were sent on behalf of Greenwood to the Minnehaha Creek Watershed District (MCWD), Hennepin County and Jan Callison relating to MCWD Rules D and F. She discussed future meetings scheduled.

B. Rose: Fire

No report

C. Quam: Sewer & Roads

Quam stated they are unable to identify road problems resulting from the winter weather at this point but will soon. He stated there is a problem with beavers in the northwest side of St. Alban's Bay. He reviewed options to remove the beavers. He noted it is possible they are burrowing under Minnetonka Boulevard. He noted this is an ongoing problem. This item will be continued to the April meeting.

The Council recessed at 8:55 p.m. and reconvened at 9:00 p.m.

D. Fletcher: Planning Commission, Lake Minnetonka Communications Commission, Milfoil

Fletcher reviewed Planning Commission activity.

He stated the Lake Minnetonka Communications Commission (LMCC) is coming to all the cities to discuss fiber-to-home communications and seeking contributions from the eighteen cities (including Mound).

Quam stated he didn't see any value and felt it was redundant to what is already available.

Fletcher's milfoil report was included as part of the discussion for Item 6C.

E. Page: Lake Minnetonka Conservation District

No Report

10. ADJOURNMENT

There being no further business, it was moved by Quam to adjourn the meeting at 9:07 p.m. Fletcher seconded the motion. Motion carried 5-0.

Respectfully submitted,

Clare T. Link
Recording Secretary

Greenwood City Council Worksession Minutes

Wednesday, March 24, 2010 5:00 PM

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 5:00 PM

Council present: Page, Rose, Fletcher, Kind and Quam

Staff present: Attorney Kelly and Administrator Whipple

Councilmember Page moved to approve the agenda. Second by Councilmember Quam. Motion carried 5-0

2. Discuss Code Book Project

The Council reviewed and discussed a draft ordinance regarding regulation of adult establishments in Greenwood. This will be forwarded to the planning commission for review.

Adding a definition section of to the zoning code was discussed.

While reviewing the draft changes to chapters 11 and 12 of the ordinance book, it was agreed the planning commission should review all yellow highlighted sections.

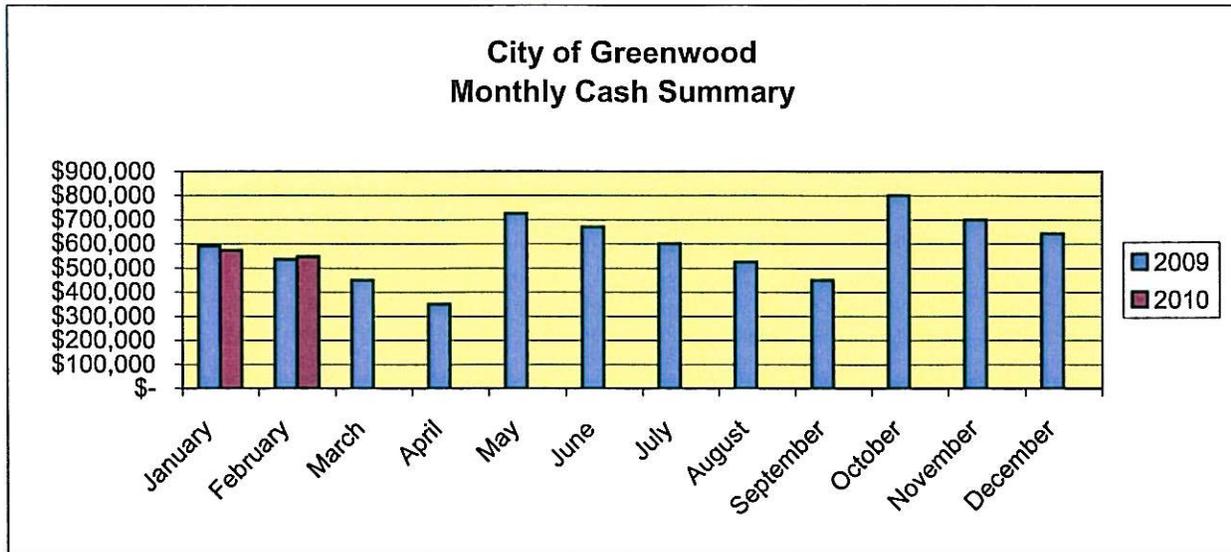
Councilmember Rose left at 5:55 PM and Councilmember Page at 6:50 PM

The Council ended their discussion of Chapter 11 on page 46, section 1155.25

Quam moved to adjourn at 7:00 PM with a second by Fletcher. Motion carried 3-0.

Respectfully submitted,

Roberta Whipple
City Administrator



	2009	2010	Variance with Prior Month	Variance with Prior Year
January	\$ 590,000	\$ 573,056	\$ (69,174)	\$ (16,944)
February	535,000	545,897	(27,159)	\$ 10,897
March	450,000	-	(545,897)	\$ (450,000)
April	350,000	-	-	\$ (350,000)
May	725,000	-	-	\$ (725,000)
June	670,000	-	-	\$ (670,000)
July	600,000	-	-	\$ (600,000)
August	525,000	-	-	\$ (525,000)
September	450,000	-	-	\$ (450,000)
October	800,000	-	-	\$ (800,000)
November	700,000	-	-	\$ (700,000)
December	642,230	-	-	\$ (642,230)

Bridgewater Bank Money Market:5 \$515,553.57
 Bridgewater Bank Checking: \$ \$30,343.00
 \$545,896.57

CITY OF GREENWOOD

Check Register - Summary

Page: 1
Mar 25, 2010 11:21am

Check Issue Date(s): 03/01/2010 - 03/31/2010

Per	Date	Check No	Vendor No	Payee	Amount
03/10	03/16/2010	9922	10	AMERICAN SOLUTIONS / BUSINESS	13.03
03/10	03/16/2010	9923	51	BOLTON & MENK, INC.	1,265.00
03/10	03/16/2010	9924	615	Cardmember Services	187.19
03/10	03/16/2010	9925	660	CLARE T. LINK	200.00
03/10	03/16/2010	9926	757	LarsonAllen, LLP	6,900.00
03/10	03/16/2010	9927	105	METROPOLITAN COUNCIL ENV SERV	3,007.42
03/10	03/16/2010	9928	68	ONE CALL CONCEPTS	2.90
03/10	03/16/2010	9929	701	Popp Telecom	143.13
03/10	03/16/2010	9930	38	SOUTH LAKE MINNETONKA POLICE	75.00
03/10	03/16/2010	9931	136	Sun Newspapers	235.98
03/10	03/16/2010	9932	745	Vintage Waste Systems	1,568.40
03/10	03/16/2010	9933	145	XCEL	549.34
03/10	03/25/2010	9934	9	CITY OF DEEPHAVEN	2,261.44
03/10	03/25/2010	9935	52	EXCELSIOR FIRE DISTRICT	30,627.52
03/10	03/25/2010	9936	3	KELLY LAW OFFICES	816.50
03/10	03/25/2010	9937	38	SOUTH LAKE MINNETONKA POLICE	24,588.00
03/10	03/25/2010	9938	136	Sun Newspapers	235.98
03/10	03/25/2010	9939	600	Union Security Insurance Compa	112.25
Totals:					<u>72,789.08</u>

GL Acct No	Vendor	Vendor Name	Description	Invoice No	PO No	Inv Date	Amount
101-42500-381	GENERAL FUND - LAW ENFORCEMENT - CIVIL DEFENSE - UTILITY SERVICES-ELECTRIC						
	145 XCEL		SIREN	311088501		03/24/2010	3.93
101-42600-303	GENERAL FUND - LAW ENFORCEMENT - ENGINEERING - ENGINEERING FEES						
	51 BOLTON & MENK, INC.		ENGINEER FEES	0131107		02/23/2010	1,265.00
Total LAW ENFORCEMENT							56,674.45
101-43100-381	GENERAL FUND - CONTRACT UTILITY AND ROADS - CONTRACT UTILITY AND ROADS - S&R-UTILITY SERVICES-ELE						
	145 XCEL		4925 MEADVILLE ST.	311088499		02/24/2010	9.23
	145 XCEL		Sleepy Hollow Road	311514782		02/27/2010	9.24
	145 XCEL		LIGHTS	311935871		03/02/2010	383.44
							401.91 *
101-43900-226	GENERAL FUND - CONTRACT UTILITY AND ROADS - PUBLIC WORKS - SIGNS						
	9 CITY OF DEEPHAVEN		SIGNS	0310		03/23/2010	78.76
101-43900-310	GENERAL FUND - CONTRACT UTILITY AND ROADS - PUBLIC WORKS - STREETS-CONTRACTURAL						
	9 CITY OF DEEPHAVEN		STREET	0310		03/23/2010	1,023.93
101-43900-312	GENERAL FUND - CONTRACT UTILITY AND ROADS - PUBLIC WORKS - SNOW PLOWING-CONTRACUTRAL						
	9 CITY OF DEEPHAVEN		SNOW PLOWING	0310		03/23/2010	15.00
Total CONTRACT UTILITY AND ROADS							1,519.60
101-49000-310	GENERAL FUND - MISCELLANEOUS - MISCELLANEOUS - RECYCLING CONTRACT						
	745 Vintage Waste Systems		City Recycling Contract	0310		02/26/2010	1,568.40
Total MISCELLANEOUS							1,568.40
Total GENERAL FUND							69,398.97
502-43200-319	STORMWATER FUND - STORMWATER FUND EXPENSES - STORMWATER FUND EXPENSES - EQUIPMENT MAINTEN.						
	9 CITY OF DEEPHAVEN		STORM SEWERS	0310		03/23/2010	236.29
Total STORMWATER FUND EXPENSES							236.29
Total STORMWATER FUND							236.29
602-43200-309	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - PROFESSIONAL SVCS-METRO W						
	105 METROPOLITAN COUNCIL ENV		Monthly wastewater Charge	0000922713		03/02/2010	3,007.42
602-43200-381	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - UTILITY SERVICES-ELECTRIC						
	145 XCEL		Lift Station 1	311159773		02/24/2010	24.44
	145 XCEL		Lift Station 4	311161719		02/24/2010	23.30
	145 XCEL		Lift Station 2	311162717		02/24/2010	26.68
	145 XCEL		Lift Station 3	311184900		02/24/2010	19.93

GL Acct No	Vendor	Vendor Name	Description	Invoice No	PO No	Inv Date	Amount	
	145 XCEL		Lift Station 6	311187227		02/24/2010	49.15	
							143.50 *	
602-43200-439	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - MISCELLANEOUS							
	68 ONE CALL CONCEPTS		Gopher State One Call	0020540		02/28/2010	2.90	
Total SEWER FUND EXPENSES							3,153.82	
Total SEWER FUND							3,153.82	
Grand Total:							72,789.08	

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

City Treasurer: _____

ORDINANCE NO. 170

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE, SECTION 1140.80 TREE PRESERVATION**

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

SECTION 1.

Greenwood Ordinance Code Section 510.00, Fees: Licenses and Permits is amended to add:

“

Tree Removal Conditional Use Permit: Shore / Bluff Impact Zone	1140.80	\$100	Per application
Tree Removal Permit: Exceed Permitted Tree Harvest	1140.80	\$100	Maximum of 5 significant trees
Tree Removal Permit: Construction Related	1140.80	\$250	Home Addition: Remove up to 10% of trees. New Construction: Remove up to 20% of trees. Tree preservation plan required for both.

”

SECTION 2.

Greenwood Ordinance Code Section 515.00, Civil Fines and Fees, is amended to add the following:

“

Tree Harvest Without Permit	1140.80	\$1,000	Per tree
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”

SECTION 3.

Greenwood Ordinance Code Section 1140:80, Subd. 2 (A2) is amended to read as follows:

“A deciduous tree, either hardwood or softwood, being a woody plant with a trunk of 3" diameter (9" circumference) or greater for hardwood, or 4" diameter (13" circumference) or greater for softwood, and which at maturity is at least 15 feet or more in height, having a defined crown and which loses leaves annually. The trunk diameter shall be measured at 48" above grade or at the top of the remaining stump if already cut or harvested.”

SECTION 4.

Greenwood Ordinance Code Section 1140:80, Subd. 2 (D) is amended to read as follows:

“Significant Tree - A “significant tree” is a healthy tree, measuring a minimum of 10" in diameter (31" circumference) or greater for hardwood deciduous trees, 14" in diameter (44" circumference) or greater for softwood deciduous trees, or 12" in diameter (38" circumference) or greater for conifer/evergreen trees. The trunk diameter of significant trees shall be measured at 48" above grade or at the top of the remaining stump if already cut or harvested.”

SECTION 5.

Greenwood Ordinance Code Section 1140:80, Subd. 3 (A) is amended to read as follows:

“Shore Impact Zone and Bluff Impact Zone - Except by a tree removal conditional use permit first obtained from the city, no trees within the shore impact zone (~~see chapter 12 for definition~~) (~~50' back from the ordinary high water mark of Lake Minnetonka~~) or within a bluff impact zone (~~see chapter 12 for definition~~) ~~area as defined under the shoreland management district ordinance~~, shall be cut, killed, diseased or permitted by the owner to be cut, killed, or diseased or infected unless otherwise permitted by subdivision 3C or 3D. The permit fee shall be determined by the city council and set forth in chapter 5 of this code book.”

SECTION 6.

Greenwood Ordinance Code Section 1140:80, Subd. 8 (B) table is amended to read as follows:

“

Replacement of “Trees” or “Significant Trees”					
Size of Tree Damaged or Destroyed	Quantity of Replacement Trees Required Per Category				
	A	or	B	or	C
Coniferous: 1-1/2" diameter but less than 6' tall	1		–		–
Coniferous: 6' to 12' tall	2		1		–
Coniferous: 12' to 24' tall	4		2		1
Coniferous: 24' or taller	8		4		2
Deciduous, Hardwood: 1-1/2 " to less than 6" diameter (5" to 18" circ.)	3		2		1
Deciduous, Hardwood: 6" to less than 10" diameter (19" to 30" circ.)	4		3		2
Deciduous, Hardwood: 10" to less than 20" diameter (31" to 62" circ.)	4		2		1

”

Deciduous, Hardwood: 20" diameter (63" circ.) or greater	8	4	2
Deciduous, Softwood: 1-1/2 " to less than 6" diameter (5" to 18" circ.)	3	2	1
Deciduous, Softwood: 6" to less than 14" diameter (19" to 43" circ.)	4	3	2
Deciduous, Softwood: 14" to less than 24" diameter (44" to 74" circ.)	4	2	1
Deciduous, Softwood: 24" diameter (75" circ.) or greater	8	4	2

SECTION 7.

Greenwood Ordinance Code Section 1140:80, Subd. 8 (D) is amended to read as follows:

“Alternate Site. In the event a property does not offer a reasonable site for planting of replacement trees on the property, the owner shall pay to the city the fair market value of each replacement tree required per the tree replacement schedule including installation costs as determined by the city’s zoning administrator.”

SECTION 8.

Greenwood Ordinance Code Section 1140:80, Subd. 9 is amended to read as follows:

“Property Owner/Developer Warranties of Replacement Trees. The property owner shall warrant the survival of replacement trees planted pursuant to this ordinance for a term of 2 years from the date of planting. The property owner, their successors and assigns shall be responsible for the replanting of replacement trees which die during the 2 years following initial planting or replanting. The property owner shall be responsible to remove and restore any replacement tree that is not alive and healthy 2 years after the date that the replacement tree was planted, unless such tree was planted on public lands. In the event a dead or unhealthy tree is not replaced on 30-day written demand to the owner from the city, the property owner shall be subject to the process outlined in chapter 12 of this code book.”

SECTION 9.

Greenwood Ordinance Code Section 1140:80, Subd. 12 (B) is amended to read as follows:

“Harvesting without a Permit. Harvesting without a permit is a misdemeanor and is subject to the process outlined in chapter 12 of this code book.”

SECTION 10.

Greenwood Ordinance Code Section 1140:80, Subd. 14 is amended to read as follows:

“Subd. 14. Prohibition Against Tree Removal Within the Shoreland Setback and Bluff Zones. No person shall cause to be killed, cut, diseased, or removed, trees located within the shore impact zone or within a bluff impact zone without a tree removal conditional use permit first obtained from the city and such additional permits as may be required from the Department of Natural Resources. Removal of a tree within the shoreland impact zone or within a bluff impact zone shall constitute “harvesting without a permit” punishable as provided above.”

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 _____, 2010.

Ayes _____, Nays _____.

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Roberta L. Whipple, City Administrator

ORDINANCE NO. 182

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE, SECTION 730.00 WEIGHT RESTRICTIONS**

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

SECTION 1.

Greenwood Ordinance Code Section 510 Load Limit Fee is amended as follows:

“

Load Limit Fee - Per Trip Special Operating Permit	730.00	\$50 (\$500 from March 1- April 30 May 1)	Per round trip. Not available for building projects exceeding \$20,000 in value.
Load Limit Fee - Blanket Special Operating Permit	730.00	20% of the Building Permit or Moving Fee	Required for building projects exceeding \$20,000 in value. Not available March 1- April 30 May 1

”

SECTION 2.

Greenwood Ordinance Code Section 730.00 is replaced with the following:

“Section 730.00 Weight Restrictions.

Subd. 1. Axle Weight Restrictions. No motor vehicle, truck or commercial vehicle with weight on any single axle in excess of 7 tons may be operated on posted weight restricted streets.

Subd. 2. Signs. The city shall erect and maintain signs plainly indicating the prohibition or restriction set out in this section by placing signs at each end of the portion of the street affected thereby.

Subd. 3. Designated Streets. All streets or roads in the city are designated as weight restricted with the exception of Highway 7.

Subd. 4. Seasonal Load Restriction. Between March 1 and ~~April 30~~ May 1 of each year, the weight on any single axle shall not exceed 5 tons on Minnetonka Boulevard or Excelsior Boulevard and 4 tons on any other city street or road. The gross weight on consecutive axles shall not exceed the gross weight allowed in Minnesota statutes.

Subd. 5. Exempt vehicles. The restrictions in this section do not apply to the following vehicles:

- A. School buses when engaged in the act of transporting pupils to or from school;
- B. Transit buses and intercity buses for hire;
- C. Emergency vehicles;
- D. Trucks belonging to the city or its service providers;
- E. Trucks belonging to utility companies when actually engaged in the construction or repair of utility company facilities;
- ~~F. Trucks delivering retail merchandise to homes; and~~
- F. Moving and furniture trucks;
- G. Package delivery trucks (FedEx, UPS, etc.);
- H. Trucks with a special operating permit to travel on city streets from the city clerk as provided in subdivision 8, below.

Subd. 6. Per Trip Special Operating Permit. The city council or its designated agent may on application thereto, and a finding of undue hardship, grant a per trip special operating permit for operation of a vehicle in excess of the stated weight restriction. The per trip special operating permit fee shall be set forth in chapter 5.

Subd 7. Blanket Special Operating Permit. The city council or its designated agent may on application thereto and a finding of undue hardship grant a blanket special operating permit for operation of vehicles in excess of the stated weight restriction for a building project or building moving project for which a permit is being issued. A blanket special operating permit is required for any building project exceeding the value set forth in chapter 5 of this code book. The blanket special operating permit fee is determined by the city council and set forth in chapter 5 of this code book. A blanket special operating permit is not available between March 1 and ~~April 30~~ May 1. The blanket special operating permit does not cover operation of vehicles for landscaping related work as part of a building project.

Subd. 8. Special Operating Permit Procedures. Per trip and blanket special operating permits may be obtained from the city clerk by persons for travel on city streets by prohibited vehicles. The applicant must be the owner or a person with written authorization to act as agent for the owner in making the application. The owner or its agent must submit to the city clerk an application containing the following information:

- 1. Name and address of the person who owns and operates the truck;

2. Vehicle description and license plate number of the truck including gross weight of the (loaded) truck;
3. Street or streets (including address of destination) for which the permit is desired; and
4. Time and dates on which the desired trip(s) are to be made.

Upon submission of:

1. A completed application;
2. Payment of the fee/bond (as set by the city council and set forth in chapter 5 of this code book); and
3. A signed agreement between the owner of the truck and the city (by which the owner of the truck agrees to pay for any damage caused to the city street by the truck's operation);

The city clerk may issue a special operating permit when the total round trips of the given truck are not more than 1 in any 1-week period.

In the event the total number of trips to be undertaken by a given truck or trucks is:

- (a) Greater than 1 round trip in any one week period;
- (b) ~~Between March 1 and May 1~~ ~~During March-April or the first 15 days of May;~~ or
- (c) In conjunction with a duly authorized building permit;

the city may require the truck owner post a bond in an amount to be determined by the city ~~engineer clerk~~ after the city has been fully advised, in writing, the nature, and type of loads to be carried, the total number of loads anticipated, the proposed route, and loaded weights for all vehicles including but not limited to, concrete trucks, lumber delivery trucks, supply trucks, specialty construction equipment, cranes, excavation hauling and/or soil delivery or other related construction traffic. The city ~~engineer clerk~~ shall set the bond in an amount necessary to fully indemnify the city, and ensure monies necessary to rebuild any damaged portion of public streets will be available. In lieu of a bond, a cash deposit with the city clerk may be made. In no event, however, shall the city be obligated to pay interest thereon. All bonds and/or cash deposits shall remain on deposit with the city and be effective or held for a term of not less than 2 years from the date of the certificate of occupancy, if the permit has been issued in relation to a construction project for which a building permit was issued, or not less than 2 years from the last date of travel authorized by the permit.

A general contractor may make application on behalf of the homeowner for a general project related blanket special operating permit and may post the necessary bond and/or cash deposit in accordance with the terms of this ordinance without need for each individual trucking firm/owner servicing a construction site to make individual separate applications. The general contractor shall identify all trucks, their owners (name, address, phone), type of truck, and type of loads.

Subd. 9 - Hours of Operation. Special operating permits issued by the city clerk are valid for the hours of 7:00 a.m. to 9:00 p.m. Monday through Friday and 8:00 a.m. to 7:00 p.m. on weekends and holidays.

Subd. 10 - City Engineer Designation of Streets. The city engineer shall define the load limits of city streets and, in cooperation with the public works department, cause signs as necessary to designate the established truck routes and otherwise give notice of load limitations on city streets.

Subd. 11 - Enforcement. The operation of a vehicle without a duly authorized and valid special operating permit to travel on city streets shall constitute a misdemeanor for each unauthorized trip. Violation of subdivision 9, Hours of Operation, shall constitute a misdemeanor."

SECTION 3.

Greenwood Ordinance Code Section 740.00 Truck Routes and Load Limitations is hereby repealed.

SECTION 8.

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 _____, 2010.

Ayes _____, Nays _____.

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Roberta L. Whipple, City Administrator

Greenwood City Council Agenda Item
February 4, 2010

Agenda Item: Discuss annual Eurasian Watermilfoil Control services provided by Lake Management, Inc.

Summary:

City Staff would like to enter a contract with Lake Management, Inc. to furnish the City with weed treatments in St. Albans Bay. The specific treatments and costs are broken down as follows:

St. Albans Bay: 178 shoreline feet x 150 feet lakeward \$4.35/shoreline
foot

TOTAL COST \$809.30*

** total for two-trip treatment and the \$35.00 DNR permit.*

This is a two-treatment program with the first treatment for Eurasian watermilfoil and the second treatment for native weeds and algae. The City has contracted with Lake Management, Inc. for these treatments for a number of years.

There has been no increase over what was charged by Lake Management, Inc. in 2009.

LAKE MANAGEMENT, INC.

Minnesota Operations
10400 185th Street North
Marine on St. Croix, MN 55047
(651) 433-3283 Phone Fax # (651) 433-5316

PROPOSAL FOR AQUATIC NUISANCE MANAGEMENT PROGRAM 2010

Submitted to:

Mr. Gus Karpas
City of Greenwood
20225 Cottagewood Road
Deephaven, MN 55331

Date: January 2010

Phone: (952) 474-4755
(952) 474-1274 Fax

Lake Management, Inc. proposes to furnish at it's expense, all of the necessary materials, subject to state and federal regulations, equipment and labor as well as to direct and administer treatment as needed for the control of the excessive growth of submerged aquatic weeds and shoreline algae in the water area described as follows:

Lake Minnetonka – Hennepin County
St. Albans Bay: 178 shoreline feet x 150 feet lakeward - \$4.35/shoreline foot.....\$774.30

This is a two application program which includes control of the exotic species Eurasian watermilfoil and curlyleaf pondweed.
Plus DNR Permit Fee.....\$35.00**

In consideration of the goods and materials furnished, use of equipment and services rendered, payment is to be:
Eight Hundred Nine and .30/100 Dollars (\$809.30)

Terms: Net June 30, 2010

Questions about our program or special requests should be directed to: Mike O'Connell at (651) 433-3283.

Lake Management, Inc. will post such signs as may be required to restrict the use of treated water. It is the responsibility of the customer to remove the signs at the end of the restriction periods.

**Lake Management (LMI) will obtain the DNR permit for customer and customer will reimburse LMI for permit fees. If the DNR raises permit fees from the current charge of \$35.00 per property with a \$750.00 maximum, LMI will notify you for your approval. All work, when permit is required, is contingent upon DNR approval. The DNR permit fee is non-refundable.

Lake Management, Inc. carries insurance for both liability and property damage and workers' compensation and will, upon request, confirm that coverage by certificates issued to the customer.

This proposal may be withdrawn by Lake Management, Inc. if not accepted within 30 days.

ACCEPTANCE OF PROPOSAL

The above payment and conditions are satisfactory and are accepted. Lake Management, Inc. is authorized to conduct the management program described above. Payment will be made as indicated above. If you have any questions regarding the effectiveness of the treatment, please call us between the 14th and 18th day following treatment.

Signature _____ Date _____

Representing _____



APPLICATION FOR A PERMIT TO CONTROL: AQUATIC PLANTS, ALGAE, SWIMMER'S ITCH, AND LEECHES
 (This application does not constitute a permit)
 (Print or type)

I. APPLICANT INFORMATION		
First, MI, Last Jus Karpas		Day Time Telephone Number 952-474-4755
Lake Home Address (# and street, RFD, Box #, City, State, Zip Code) 20225 Cottagewood Road, Deephaven, MN 55331	Fire # or 911 #	Lake Residence Telephone Number
Permanent Mailing Address (Indicate if it is the same as above) Same		Email Address
Have you ever applied for an Aquatic Plant Control Permit at this address before? No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> If yes, Permit # <u>09F-3A178</u>		

II. LAKE INFORMATION	
Lake Name (and bay if applicable) Mtka - St Albans Bay (27013329)	County Hennepin
Length of Shoreline Owned. I own <input type="text"/> feet of shoreline on the above lake.	

III. TREATMENT INFORMATION	
1. Type of Treatment Proposed. (check all that apply)	
Mechanical Tools/Harvester <input type="checkbox"/>	Chemical <input checked="" type="checkbox"/>
An Automated Device:	
	Weed Roller <input type="checkbox"/>
	Beach Groomer <input type="checkbox"/>
	Lake Maid <input type="checkbox"/>
	Other <input type="checkbox"/> Explain: _____
2. Type of Vegetation / Organism to be Treated (check all that apply)	
Submerged Vegetation X.	Filamentous Algae X.
Floating-leaf Vegetation	Chara X.
Emergent Vegetation	Plankton Algae..... X.
	Floating Bog X
	Snails (swimmer's itch) X
	Leeches
	Duckweed
3. Dimensions of Proposed Treatment Area. I propose to control vegetation in an area that extends:	
<input type="text"/> feet along shore and into the lake a distance of <input type="text"/> feet where the lake is approximately <input type="text"/> feet deep, and/or a channel which is <input type="text"/> feet wide and extends <input type="text"/> feet into the lake to open water.	
4. Who will be doing the treatment? The Applicant <input type="checkbox"/> A Commercial Applicator/Harvester <input checked="" type="checkbox"/>	
If the applicant is treating, what chemical(s) or mechanical device (give brand name) - do you intend to use? _____	
If a commercial applicator / harvester will be treating, what is the name and address of the company? <u>Lake Management, Inc., 10400 185th St. N., Marine on St. Croix, MN 55047</u>	

IV. JUSTIFICATION: (explain reason for control) Excessive vegetation interferes with swimming, boating, fishing, and/or other aquatic recreation.

V. FEE INFORMATION: If two or more treatment types are requested, only the largest fee shall apply.	
Individual property applications.	
Submerged, emergent or floating leaf control \$35.00	Fee Total <input type="text"/>
Duckweed \$20.00 per property (\$200.00 maximum)	<input type="text"/>
Snails, Filamentous Algae, Chara, or Leech control. \$4.00 per 100 feet of shoreline, or any portion thereof. (\$200.00 maximum Fee) (Fee for 150 feet = \$8.00)	<input type="text"/>
Multiple party applications	
Plankton Algae \$20.00 plus \$0.40 per acre, \$200.00 maximum fee.	(Acres to be treated x \$0.40) + \$20.00 = Fee <input type="text"/>
All other types of control \$35.00 per property (maximum fee \$750.00).	\$35.00 x number of properties to be treated = Fee <input type="text"/>
Offshore Harvest of Submerged Vegetation (Offshore >150 feet from shore)	
Mechanical Control of Submerged Vegetation \$35.00 for the first acre plus \$2.00 each additional acre to a maximum of \$750.00	<input type="text"/>
	(Total # acres to be harvested - 1) x 2 + \$35.00 = Fee

This application is two-sided. Please complete both sides.

April 6, 2010

TO: Greenwood City Council
FROM: Roberta Whipple
City Administrator

RE: money market interest rates

Here are money market rates for three local banks:

Beacon Bank – Shorewood
1% interest APY \$49,000 and over
FDIC insured

Mid Country Bank – Shorewood
1% interest APY \$100,000 minimum
FDIC insured

First MN Bank – Minnetonka
.7% interest APY \$100,000-\$499,999
Special as advertised in local paper: 2.08% for 18 months \$10,000-\$499,999
FDIC insured

Banks may offer higher rates if we open a checking account, too, but we are trying to avoid having all our funds in one bank.

April 6, 2010

TO: Greenwood City Council
FROM: Roberta Whipple, City Administrator

RE: Dispute of St. Albans Boathouse Restaurant sewer billing

Peter Benencasa, acting manager for the St. Albans restaurant, is requesting a reimbursement of sewer charges going back to October 11, 2008.

I have confirmed with Hennepin County Environmental Health that no restaurant licenses were issued to the St. Albans restaurant in 2009 or 2010.

The restaurant is current in its utility payments with \$946.00 due May 1, 2010. By request, the utility bills are being sent to and paid by Excelsior Bay Harbor. Kent Carlson owns the Excelsior Bay Harbor as well as the St. Albans Boathouse building.

Attached is a copy of Section 520, the Sanitary Sewer Utility Fund ordinance. As the property is no longer being used as a restaurant, Subd. 3 (e) "each 2000 square feet or fraction thereof of gross building floor space used for commercial purposes" would be applicable as a proposed sewer rate for the former restaurant. The combined square feet for the main dining room, kitchen, upstairs dining and bistro is approximately 5,975.

5,975 divided by 2000 equals 3 sanitary sewer units
New proposed rate: 3 units @ \$75 = \$225 per quarter

Already billed at old rate:

2009 (NO restaurant license)
4 quarters billed at \$910 = \$3640

2010 (NO restaurant license)
1 quarter billed a \$910 (payment due 5/1/10)

Old rate total: 5 quarters billed at \$910 = \$4450
Proposed rate total: 5 quarters billed at \$225 = \$1125
Difference: \$3325

Recommendation: Reclassify the former St. Alban's Boathouse restaurant to 3 commercial sanitary sewer service units for future billing and credit the St. Alban's Boathouse restaurant utility account \$3325 once the 5/1/10 payment has been received.

Section 520 – Sanitary Sewer Utility Established.

520:00 Authority and Purpose.

Minnesota Statute Section 444.075 permits a municipality to build, construct, reconstruct, repair, enlarge, improve, or in any other manner obtain sanitary sewer facilities, and maintain and operate the necessary sanitary sewer facilities inside or outside its corporate limits, and acquire by gift, purchase, lease, condemnation, or otherwise any and all land and easements required for that purpose. For purposes of this ordinance “sanitary sewer” means sanitary sewer systems, including sewage treatment works, disposal systems, and other facilities for disposing of sewage, industrial waste, or other wastes as may be established by the city from time to time.

520:01 Sanitary Sewer Utility. A Sanitary Sewer Utility is hereby established. The Sanitary Sewer Utility shall be operated as a public utility pursuant to Minnesota Statute Section 444.075. Pursuant to said authority the City shall charge residential, commercial, and industrial customers a quarterly charge to offset sanitary sewer expenses of the City including Metropolitan Council, state, and federally mandated procedures, testing, and servicing costs relating to sanitary sewer and related facilities and utilities.

520:05 General Provisions.

Subd. 1 Sanitary Sewer Utility Fund.

The City shall retain all Sanitary Sewer Utility fees within a Sanitary Sewer Utility Fund approved by the Greenwood City Council for sanitary sewer expenses including: planning, engineering, monitoring, capital expenditures, personnel expenses, equipment, and operation of the utility in accordance with the established City policy.

Subd. 2 Exceptions.

The following land uses are exempt from Sanitary Sewer Utility fees:

- A. Public rights of way.
- B. Unimproved real estate tax parcels employed for agricultural purposes only.
- C. Lakes.
- D. Wetlands.
- E. Municipal owned property, municipal parks.

520:10 Sanitary Sewer Utility Fees, Rates, and Charges. Sanitary Sewer Utility fees shall be a charge against the owner of the real property benefited/charged, computed for quarterly payments, invoiced with the stormwater/sewer/recycling bills.

Subd. 1. Fixing Sanitary Sewer Charges. Sanitary Sewer Utility fees may be fixed at the election of the City Council (a) on the basis of water consumed, if municipal water service is provided by the City, or (b) by reference to a reasonable classification of the types of premises to which service is furnished or (c) by reference to the quantity, pollution qualities, and difficulty of disposal of sewage produced, without limit.

Subd. 2. Residential Sanitary Sewer Utility fees. For the purpose of Sanitary Sewer Charges against residential use properties, each single family residential dwelling, and each separate residential dwelling unit within a multiple dwelling residential building or apartment, shall constitute one “Residential Sanitary Sewer Service Unit.” Sanitary Sewer Utility fees shall be set by the City Council on a per “Residential Sanitary Sewer Service Unit” basis.

Subd. 3. Commercial Sanitary Sewer Utility fees. Sanitary Sewer Charges against commercial use properties shall be on a per “Commercial Sanitary Sewer Service Unit” basis. Commercial properties shall be subject to charges for multiple Commercial Sanitary Sewer Service Units within the boundaries of any given tax parcel equal to the total number or fraction thereof of Commercial Sanitary Sewer Service Units contained therein. A “Commercial Sanitary Sewer Service Unit” means: (a) each 2000 square feet or fraction thereof of gross building floor space of a structure used for office or retail (b) each sixty-four (64) theater seats or fraction thereof of buildings used as theaters or dinner-theaters (c) each 8 seats or fraction thereof within a County Health Department licensed restaurant, (d) each twenty (20) authorized boat slips or fraction thereof within in a City licensed marina, or (e) each 2000 square feet or fraction thereof of gross building floor space used for commercial purposes not otherwise addressed by the foregoing categories.

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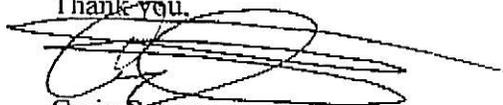
March 8, 2010

City of Greenwood
20225 Cottagewood Rd.
Deephaven, MN 55331

Re: beaver removal

The cost for trapping beaver are as follows: Trap setting \$95.00 + applicable taxes.
Cost for each beaver removed \$225.00 + applicable taxes.

Thank you.



Craig Peterson

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF ENFORCEMENT

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SPECIAL PERMIT

No. 2010-III-09

Permission is hereby granted to: **CWC Conley's Wildlife Control, LLC**
C/O Scott E. Conley
1053 Meadow Street
Cologne, MN 55322

to take raccoon, muskrat, rabbit, squirrel, and unprotected animals which are doing damage to private property in accordance with the following rules:

1. The company and its employees must be acting as an agent for the owner, occupant, or lessee of the damaged property, and at their request.
2. Live trapped animals may be euthanized or relocated in a remote area subject to land owner approval. All animals euthanized must be destroyed and no part may be retained for any purpose.
3. The following Minnesota Statutes and Rules apply:
M.S. 97B.651 Poisons.
M.S. 97B.928 Identification of traps.
M.S. 97B.931 Trap tending times.
M.R. 6234.2200 (Except subpoints 8, 9, 10, and 11) Regulating use of traps.
M.R. 6234.2300, 6234.2400, and 6234.2500 Regulating use of snares.
4. When a nursing female is captured, it must be attempted to relocate her with the young in a suitable location.
5. The permittee shall complete an annual report, on forms provided by the Department of Natural Resources, and mailed by January 31st of each year to:

Division of Enforcement
1200 Warner Road
St. Paul, MN 55106

This permit does not exempt the permittee from any restrictions or permit requirements of the Department of Agriculture, local units of government, or any other governmental agency.

This permit may be revoked for failure to comply with the above items.

Department of Natural Resources
Office of the Director

BY: 
Regional Enforcement Manager

PERMIT IS NOT TRANSFERRABLE AND EXPIRES ON DECEMBER 31, 2010

POLICY NUMBER:
NWC337717

COMMERCIAL GENERAL LIABILITY
CG 25 01 07 98

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT
CAREFULLY.

AMENDMENT OF LIMITS OF INSURANCE (DESIGNATED PROJECT OR PREMISES)

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

	Limits Of Insurance	
General Aggregate Limit	\$	<u>1,000,000</u>
Products-Completed Operations Aggregate Limit	\$	<u>1,000,000</u>
Personal & Advertising Injury Limit	\$	<u>500,000</u>
Each Occurrence Limit	\$	<u>500,000</u>
Damage To Premises Rented To You Limit	\$	<u>10,000</u> Any One Premises
Medical Expense Limit	\$	<u>1,000</u> Any One Person
Designation Of Project Or Premises: Nuisance Wildlife Control Operators, repair of damage done by wildlife and the prevention of access for wildlife (known as "exclusion work")	INSURED: CWC Conley's Wildlife Control Scott E. Conley 1053 Meadow Street Cologne MN 55322-9098	
Herbicide/Pesticide Applicators Endorsement Applies		
POLICY PERIOD: 07/01/09 to 07/01/10		

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

The limits of insurance shown in the Declarations are replaced by the limits designated in the Schedule with respect to the project or premises entered above. These limits are inclusive of and are not in addition to the limits being replaced.

CWC Conley's Wildlife Control, LLC
 Scott Conley President, Consultant
 Business Mobile: 952-212-0843
 www.conleyswildlifecontrol.com

Invoice No. 96

Bid

Customer

Name City of Greenwood Greenwood City Council
 Address 20225 Cottagewood Rd.
 City Deephaven State MN ZIP 55331
 Phone Phone: 952-474-6633 Fax: 952-401-7587

Misc

Date 3/9/2010
 Order No.
 Rep Scott Conley
 FOB

Qty	Description	Unit Price	TOTAL
	Nuisance Wildlife Control		
	Beaver removal City of Greenwood, MN Contact: Roberta Whipple Position: City Administrator Phone: 952-474-6633 Email: administrator@greenwoodmn.com Contract year: 2010 Fee: \$300 per beaver removed The city of Greenwood is not liable for any actions involving the setting and tending of traps or the act of beaver removal. The city of Greenwood will reimburse CWC \$50 for any trap that is stolen. The city of Greenwood will appoint one contact for beaver removal. This contact will instruct CWC where beaver removal is needed. The city of Greenwood and CWC retain the right to cancel the beaver removal contract at any time.		

SubTotal	
Discounts	
Tax Rate(s)	

TOTAL

Respectfully submitted March 9th, 2010

Scott E. Conley

President/Consultant

EIM No. 75-3240542

CWC
 Scott Conley
 1053 Meadow Street
 Cologne, MN 55322

Thank you

Please call with any questions or send email to scott@conleyswildlifecontrol.com

March 4, 2010

Senator Gen Olson
100 Rev. Dr. Martin Luther King Jr. Blvd.
State Office Building, Room 113
St. Paul, MN 55155-1206

Representative Connie Doepke
215 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

Senator Olson and Representative Doepke –

We are writing to request your support regarding bay-wide milfoil treatment on Lake Minnetonka's St. Alban's Bay and Gideon's Bay. The DNR recently denied the Lake Minnetonka Association's plan and grant application for treatment of these bays. We are hoping you can help us persuade the DNR to reconsider their denial.

As you know, the DNR has permitted a 3-bay study on Lake Minnetonka. The study began in 2008 and originally included Gray's Bay, Phelp's Bay, and Carman's Bay. Carman's Bay dropped out after year 1 due to poor results. Gray's Bay and Phelp's Bay continued the program in 2009 and the results were impressive. In fact the results were so impressive that the residents in our cities have secured the funds necessary to treat St. Alban's Bay and Gideon's Bay in 2010. The effort to raise funds was based on the DNR's indication that they would look favorably on applications that included a Lake Vegetation Management Plan, monitoring, and sufficient funding resources. The applications for St. Alban's Bay and Gideon's Bay treatment included these items as well as Blue Water Science surveys that included plant density information. The Army Corps of Engineers surveys for the 3-bay program do not. This before and after information could be very useful in evaluating the impact of herbicide treatments on native plants. There is no way to go back in time and obtain native plant density information prior to the treatments for the 3-bay program. Thus, approving the permits for treatment of St. Alban's Bay and Gideon's Bay has the potential to provide important information that can help guide treatments for the remaining 2 bays in the study as well as possible future bays.

Our residents are aware that treatment is not a 1-year "fix" and are committed to the program for the long haul. Bay captains Rob Roy (St. Alban's) and Rich Kofski (Gideon's) and their teams raised funds for 2009 plant studies and have secured funds for the 2010 treatment program. Private funding for the project is 86% and 87% (St. Alban's / Gideon's) and each city has committed funding or is contemplating funding as well. This took a lot of effort and in the current economic environment this work needs to be privately driven. There is no guarantee that there will be anyone who will step forward to restart this program if it is not approved in 2010. We believe there is a positive momentum that should be embraced.

To support these efforts we are hoping you would be willing to set up a meeting with the decision makers at the DNR. In addition to both of you and the representatives from the DNR, meeting participants would include Dick Osgood (Executive Director of the Lake Minnetonka Association), the bay captains, and city representatives. Spring is around the corner, so we need to schedule a meeting as soon as possible.

Thank you for your consideration.

Sincerely,

Nick Ruehl
Mayor, City of Excelsior

Christine Lizée
Mayor, City of Shorewood

Debra J. Kind
Mayor, City of Greenwood

William LaBelle
Mayor, City of Tonka Bay

GREENWOOD PLANNING COMMISSION
WEDNESDAY, MARCH 17, 2010
7:00 P.M.

1. CALL TO ORDER/ROLL CALL

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

Members Present: Chairman John Beal and Commission members Todd Palmberg, Mark Spiers and Alternate members Bill Cook and Brian Malo

Absent: Chairman Pat Lucking, Commissioner David Paeper and Council Liaison Tom Fletcher

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

City Attorney Mark Kelly Administered Oath of Office to Commissioners John Beal, Bill Cook and Todd Palmberg

2. APPROVE AGENDA

Commissioner Spiers moved to accept the agenda for tonight’s meeting. Commissioner Palmberg seconded the motion. Motion carried 5-0.

3. MINUTES OF November 18, 2009 and Joint Work Session Minutes of February 24, 2010

Commissioner Spiers moved to approve the minutes of November 18, 2009. Commissioner Cook seconded the motion. Motion carried 5-0.

Commissioner Spiers felt the Joint Work Session minutes did not include pertinent conversation of some zoning issues. He understands that minutes are abbreviated, but feels the discussion should be included. Chairman Beal suggested that Spiers send his proposed changes to Staff.

Commissioner Palmberg suggested adding a generic statement outlining the additional conversation. Commissioner Spiers believes the minutes should be more specific than that. He said he would send his changes to Staff so the minutes can amended and presented to the City Council.

Commissioner Cook moved to postpone approval of the Joint Work Session minutes of February 24, 2010 to the April meeting. Commissioner Spiers seconded the motion. Motion carried 5-0.

4. LIAISON REPORT

There was no Liaison Report.

5. PUBLIC HEARINGS

There were no Public Hearings.

6. OTHER BUSINESS

GREENWOOD PLANNING COMMISSION
WEDNESDAY, MARCH 17, 2010
7:00 P.M.

ORDINANCE AMENDMENT – Discuss an amendment to the Zoning Ordinance, establishing provisions regulating the placement of telecommunications towers. The proposed ordinance amendment is necessary to ensure the city’s compliance with the Telecommunications Act of 1996.

City Attorney Kelly said the proposed ordinance is fashioned after the City of Minnetonka’s ordinance and provides licensing for cell towers in two categories, Administrative approvals, providing specific conditions are met and a Special Use process for new towers. He said the ordinance permits a standard tower height of seventy feet and allows for a maximum height of ninety feet with a variance. He said it requires the placement of “stealth” towers when possible and limits towers to publicly owned properties in the R-2, C-1 and C-2 Zoning Districts. Zoning Coordinator asked if there was any publicly owned land in the C-2 district. Kelly said there is a bridge head and that the C-2 district was added for discussion purposes.

Commissioner Palmberg asked if the city owned any land near the Clear Channel billboards. City Attorney Kelly said the city owns a small area of land near the License Bureau which currently serves as a drainage area.

Chairman Beal asked if there was a way the city can force continued maintenance of a tower, citing the state of disrepair of the existing Qwest boxes in the Lake Minnetonka area. City Attorney Kelly said it could. Zoning Coordinator Karpas explained that each carrier that places a tower in the city would have to enter into a Lease Agreement with the city and maintenance would be one item addressed in the agreement.

Commissioner Spiers suggested that the city require towers to be galvanized steel and coated with duplex coating, which is more costly, but would ensure it wouldn’t peel. Chairman Beal commented that the ordinance already requires that towers be constructed on non-corrosive material.

The Planning Commission suggested minor language changes.

City Attorney Kelly asked if the Commission would like to remove the reference to the C-2 district. The Commission agreed to remove the C-2 district as a potential location for towers.

Commissioner Spiers reiterated his support for requiring a duplex coating, noting that even though galvanized steel is non-corrosive, it could take up to seven years before the tower is no longer shiny. He said duplex coating comes in a number of colors and could be modified based on a tower’s location. The Planning Commission agreed to add language requiring duplex coating to the proposed ordinance.

The Planning Commission directed Staff to schedule a public hearing on the proposed ordinance for the April meeting.

ORDINANCE AMENDMENT – Discuss an amendment to the Zoning Ordinance, establishing provisions requiring as-built surveys to ensure construction projects in the city are built in conformance to the approved building plans.

GREENWOOD PLANNING COMMISSION
WEDNESDAY, MARCH 17, 2010
7:00 P.M.

Zoning Coordinator Karpas summarized the proposed ordinance amendment, noting it's intent is to protect the city by verifying structures are constructed as proposed and within the ordinance requirements.

Commissioner Cook felt the ordinance is onerous and requiring citizens to submit as-built surveys doesn't make sense. He feels if the survey pins are available, measurements can be taken without help of surveyors. He believes it would be a heavy burden to place on a property owner and the ordinance is a little "loose" on what can be waived by the Zoning Coordinator, which puts them at risk to being second guessed.

Chairman Beal said the cost to property owners would be approximately \$2,000 and guesses that ninety percent of all builders really try to construct what they represent to the city. He feels imposing costs on nine out of ten residents to catch those potential violators is unreasonable. He said the Building Inspector currently verifies if a structure complies. If anything looks out of order, the city could then require a survey.

Commissioner Spiers agreed and said the ordinance could include a provision that if a concern is raised by any member of the City Council, Planning Commission, Staff or any of the city's Agents, that the city reserves the right to require a survey.

Commissioner Cook said that perhaps a simple measurement should be provided to the city and not a certified survey. Commissioner Spiers agreed, but said there would also have to be a provision that requires a survey when necessary to give it some teeth.

City Attorney Kelly discussed some case law regarding non-conforming structures and said he can envision situations where Staff is concerned and would like to see a certified survey.

Commissioner Spiers reiterated that he would like to see a provision that allows for a survey if any member of the Planning Commission or Council has a concern. Zoning Coordinator Karpas said there is the issue of trespass and that Planning Commission member and City Council member didn't have a "right" to access a property even though it has been issued a building permit. He said the Commissioners and Council members had the "right" if there is an application for a variance or special use permit because it is part of the application process.

Zoning Coordinator Karpas said the proposed ordinance is consistent with what is required by other cities and felt it is a good tool to insure compliance, noting the cost associated with the additional surveys would be minimal since the initial survey for the building permit is already required.

Commissioner Cook said he had no issue with making the current ordinance more robust but is still concerned the proposed ordinance places a burden on residents. He feels if there is a situation where potential litigation may occur, the city may want to take their own measurements.

Chairman Beal didn't like the idea of requiring additional cost to the ninety percent to catch the ten percent.

Zoning Coordinator Karpas said there are situations where accurate measurement may be difficult to obtain and he doesn't feel comfortable with "eyeballing" measurements.

GREENWOOD PLANNING COMMISSION
WEDNESDAY, MARCH 17, 2010
7:00 P.M.

Commissioner Cook said he doesn't like the idea of "eyeballing" measurements and said the ordinance should require the reasonable accommodations be made for the city to obtain accurate measurements.

Zoning Coordinator Karpas said the proposed ordinance would mainly apply to new structures since improvements such as decks and additions would be easy to measure by Staff since a certified survey is already required for the initial permit. He said, even though he supports the ordinance, any change that would give the city the right to request a survey if concerns arise if fine with him.

Commissioner Palmberg said the city shouldn't bear the cost of confirming compliance and agrees that the bulk of the cost is with the initial survey for the building permit, which is required anyways, and the additional surveying would be considerably less expensive.

Chairman Beal discussed the height measurement and felt a certified survey would be the best way to verify compliance, but feels requiring an as-built survey should be the exception and not the rule.

Zoning Coordinator Karpas said he could draft language that would provide the city the authority to require a survey when needed and suggested the language pertaining to what is required on a survey should be kept since the city doesn't currently have those requirements in the ordinance. He said he would bring the new language to the April meeting for the Commission's review before scheduling a public hearing.

7. ADJOURN

Motion by Commissioner Cook to adjourn the meeting. Commissioner Malo seconded the motion. The meeting was adjourned at 8:00 p.m.

Respectively Submitted
Gus Karpas - Zoning Coordinator

FYI

Roberta Whipple

From: Margie Walz [MWalz@threeriversparkdistrict.org]**Sent:** Wednesday, March 17, 2010 12:19 PM**To:** Allan Orsen; Bill Craig; Brenda Fisk; Brian Heck; Chad Adams; Cindy Patnode; Cindy Walsh; Dan Donahue; Dan Masloski; Dana Young; Daniel Buchholtz; David Johnson; Don Pflaum; Eric Blank; Gene Hackett; Greg Mack; Greg Withers; Jason Ziemer; Jay Lotthammer; Jim Brimeyer; Jim Glasoe; Jim Topitzhofer; Jim Willis; Joe Kohlmann; John Elholm; John Keprios; John VonDeLinde; Jon Gurban; Jon Oyanagi; Kandis M. Hanson; Kristi Luger; Mark Themig; Martha Reger; Marty Walsh; Michael Hahm; Mike Funk; Mike Gaffron; Mike Mornson; Nancy Carswell; Randy Quale; Rick Getschow; Rick Jacobson; Roberta Whipple; Samantha Orduno; Shari French; Shelley Souers; Steve Stahmer; Steve Sullivan; Susanne Griffin; Terrance Post; Terry Just; Todd Hoffman; Tom Marshall; Toni Hirsch**Cc:** Cris Gears**Subject:** FYI - Date Change for Three Rivers Park District Board Review of Electric-Assisted Bike Proposal - due to Personal Scheduling Issue**Re: Schedule Change – Three Rivers Park District Board review of Electric-Assisted Bicycle Proposal**

Due to personal scheduling conflicts with upcoming Board meeting dates between the two key staff members (myself and our in-house counsel, Jeff Brauchle) who are planning to lead the Committee and Board discussions and answer questions on this item, the Committee consideration date has **been changed from March 18 to April 8th** and we will be recommending that the item be placed on the Board agenda for **May 6th**. **We wanted you to know since the original dates were reflected in the letter you received from Superintendent Gears.**

Thank you if you have already sent comments from your city regarding our proposed action to recognize electric-assisted bicycle for use on Park District trails. Since the meeting date has been moved back, Superintendent Gears and I are still able to receive comments for consideration prior to the meeting dates reflected above. Also, please don't hesitate to call if you have any questions or need additional information.

I appreciate your understanding. On a personal note, I have the privilege of accompanying my sister, who has significant health issues, on a trip to France to see our brother. It is somewhat last minute because of the need to make sure her last treatments were effective and before she is faced with another round of care. My vacation conflicts with Jeff's vacation dates, so we weren't able to be at our Board meetings on the same dates as originally planned.

Margie Walz

Associate Superintendent
Parks and Natural Resources
3000 Xenium Lane N
Plymouth, MN 55441
763.559.6746 office
612-490-0828 cell
763.559.3287 fax
mwalz@threeriversparkdistrict.org

March 1, 2010

Three Rivers
Park District
Board of
Commissioners

Roberta Whipple, City Administrator
City of Greenwood
20225 Cottagewood Rd
Deephaven MN 55331

Sara Wyatt
District 1

Re: Three Rivers Park District Proposal to Allow E-Bikes on Regional Trails

Dear Ms. Whipple:

Marilynn Corcoran,
Vice Chair
District 2

Three Rivers Park District is considering a proposal that would allow the use of electric-assist pedal bicycles (e-bikes) on the Park District's regional trails. As a valued partner, we'd like to share our rationale for this proposal and invite your feedback. This topic was initially reviewed by a Committee of the Park District's Board in 2009, and we are planning to bring back a recommendation to the Committee on March 18th with final Board consideration on April 8th.

K Haggerty
District 3

To help bring you up to speed on the current status of e-bikes, we'd like to provide you with a bit of background information:

State Definition of E-Bikes

Dale Woodbeck
District 4

Minnesota law considers e-bikes to be a special subset of motorized vehicles, defining and restricting their design in a manner similar to classic bikes. The definition requires that to be classified as an e-bike, the bicycle cannot exceed a maximum speed of 20 miles per hour and must meet certain federal safety standards; it must have a saddle, operable pedals, and two or three wheels; and the electric motor (which may not exceed 1,000 watts) must disengage during braking. E-bikes look like a classic bicycle, take up the same amount of trail space as a classic bike, and are ridden as a classic bike. They can only be operated by persons 16 years of age or older with a valid license.

Rosemary Franzese
District 5

Growing Popularity of E-Bikes

Larry Blackstad, Chair
Appointed

E-bikes are growing in popularity throughout the country and the Twin Cities. These bikes are now sold at a number of local bike shops and other retailers. Nationally, sales increased by 60% last year. Although a niche market bicycle, Park District public safety and research staff both report that these bikes are frequently seen on the Park District's regional trails.

Barbara Kinsey
Appointed

Use of E-Bikes

Informal research indicates that e-bike users fall into one of two categories: (1) previous bicyclists with health issues who are looking for some sort of assistance when riding; and (2) individuals who want a viable alternative to the car for transportation. This second group includes commuters who want to avoid the carbon emissions of a car or road congestion, as well as those who want to utilize the bike to run errands and carry goods. Many of the users in both groups use e-bikes because they are concerned about the environment and want to do their part to reduce the effects of climate change.

Cris Gears
Interim

Bike Trail Ordinances and Enforcement

Throughout our discussions with representatives from metro area park systems as well as other trail providers across the country, we have found that a number of systems have ordinances or rules that prohibit "motorized vehicles" on paved trails. Most of these rules were written before the advent of e-bikes and were intended to restrict access to cars, motorcycles, ATV's and similar motor powered vehicles. The current proposal being considered by our Board would utilize the state definition of "e-bikes" and would consider them to be classified as bicycles, rather than as motorized vehicles, thus allowing their use on all Park District trails. The Park District is not proposing to change its Ordinance or signage.

The Park District regulates the use of bikes within its Ordinance and provides public safety patrol of regional trails to establish a presence and enforce the rules. Specifically, the Park District Ordinance states that it shall be a petty misdemeanor to "ride or operate a bicycle except in a prudent and careful manner or at a speed faster than is reasonable and safe with regard to the safety of the operator and other persons in the immediate area." We believe that the need to enforce these regulations is the same regardless of if a classic or e-bike is ridden on the trail. The complete Three Rivers Ordinance is available at www.threeriversparks.org.

We understand that city trails often connect to Park District regional trails and that our proposed direction may or may not be in conflict with city ordinances. Park District staff has a great deal of information about e-bikes which we can share with your staff, if you have further interest.

We welcome your comments on this topic. Please feel free to contact Associate Superintendent Margie Walz at 763-559-6746 or mwalz@threeriversparkdistrict.org .

Sincerely,



Cris Gears
Superintendent

c: Margie Walz, Associate Superintendent
Tom McDowell, Associate Superintendent
Boe Carlson, Associate Superintendent

CITY OF GREENWOOD

Check Register

Page: 1

Check Issue Date(s): 03/01/2010 to 03/31/2010

Mar 25, 2010 11:45am

Pay Per Date	Jrnl	Check Date	Check Number	Payee	Emp No	Amount
02/28/10	PC	03/01/10	9915	Debra J. Kind	34	277.05
02/28/10	PC	03/01/10	9916	Fletcher, Thomas M	33	84.70
02/28/10	PC	03/01/10	9917	H. Kelsey Page	35	184.70
02/28/10	PC	03/01/10	9918	Quam, Robert	32	184.70
02/28/10	PC	03/01/10	9919	WHIPPLE, ROBERTA L.	21	1,443.85
02/28/10	PC	03/01/10	9920	William Rose	36	184.70
03/14/10	PC	03/15/10	9921	WHIPPLE, ROBERTA L.	21	1,443.85
03/28/10	PC	03/29/10	9940	Debra J. Kind	34	277.05
03/28/10	PC	03/29/10	9941	Fletcher, Thomas M	33	84.70
03/28/10	PC	03/29/10	9942	H. Kelsey Page	35	184.70
03/28/10	PC	03/29/10	9943	Quam, Robert	32	184.70
03/28/10	PC	03/29/10	9944	WHIPPLE, ROBERTA L.	21	1,443.85
03/28/10	PC	03/29/10	9945	William Rose	36	184.70
Grand Totals:						<u>6,163.25</u>



Lake Minnetonka Mayors' & LMCD Board Members' Letter – March 2010

At the LMCD's February 24th board meeting as well as in a March 2nd letter in Lakeshore Weekly News, Mark Washa, concerned citizen, addressed concerns regarding Dick Osgood's recent guest column. We would like to clarify several assertions made by Mr. Washa.

- Washa claimed the harvesting of milfoil 'recycled large amounts of excess nutrients removed from the lake.' This is inaccurate. A study conducted several years ago under the direction of the LMCD's Aquatic Invasive Species (AIS) Task Force involving Three Rivers Park District found no significant removal of nutrients via the removal of milfoil.
- Washa further claimed that harvesting was sound ecological practice by comparing this with the herbicide demonstration project. Washa referred to the application of herbicides as 'pollutants,' again this is inaccurate. The herbicides used are registered for use by the US EPA and permitted for use by the MN DNR. A pollutant is regulated entirely differently under the federal and state statutes and programs.
- Washa referred to Osgood's involvement in Christmas Lake, suggesting they had approached milfoil control in a different manner. The Christmas Lake Association did indeed choose not to use herbicides to control milfoil. Over the past several years, they have tried harvesting and small-scale hand pulling. Despite this, there has been a statistically significant decline in the frequency of native plants as documented by independent surveys (MN DNR and Blue Water Science). The decision to not control milfoil in Christmas Lake is in fact damaging native plants – meaning milfoil is acting like a pollutant.
- Washa suggested the state of Michigan has shifted to the use of weevils as a bio-control to 'recover from the negative effects of fluridone.' Michigan has permitted the use of fluridone (a herbicide applied lake-wide for selective milfoil control) on over 300 lakes spanning over 20 years. The practice of permitting fluridone in Michigan has not changed.
- In his letter, Washa felt there were other alternatives to herbicides. In fact, the LMCD's AIS Task Force who developed the Lake Vegetation Management Plan for the herbicide treatments, found the use of selective herbicides (those that only target milfoil) was the only feasible method to address the plan's goals and objectives.
- Washa urged the LMCD to use weevils for milfoil control. As well, Washa made a presentation to the AIS Task Force last month on the topic of weevils. The Lake Minnetonka Association would be interested in this alternative milfoil control technology once it has become a viable option. At this time however, this is not the case. The MN DNR has invested over \$1 million on University of MN research and they are no longer supporting this research. The MN DNR indicated they

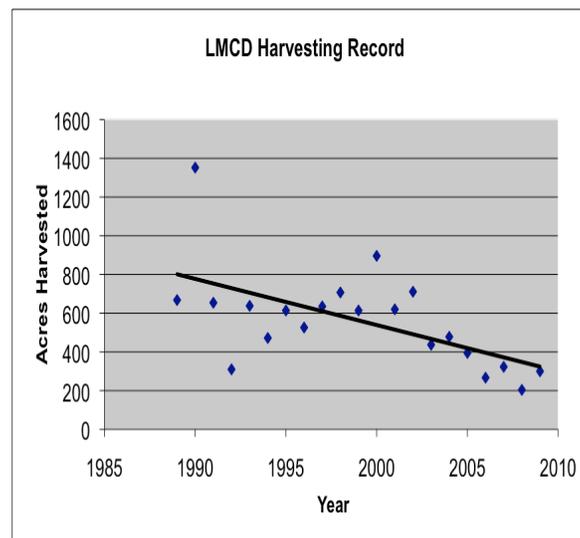


Lake Minnetonka Mayors' & LMCD Board Members' Letter – March 2010

would entertain a proposal; however, there is no proposal on the table. This technology is neither reliable nor operational at this time – and the LMCD has also recognized this:

“Since 1991, the University of Minnesota has been conducting research on Lake Minnetonka and other Minnesota lakes to evaluate the potential to use biological control to manage Eurasian watermilfoil. These efforts have been primarily focused on an aquatic weevil, which is a type of beetle that can damage plants under experimental conditions. Unfortunately, it is not yet clear how these insects might be reliably used to control milfoil in lakes. This work is on-going.” [from the LMCD’s website]

The Lake Minnetonka Association believes the harvesting program should be down-sized or phased out. Our members’ top complaint over the past decade is in regard to the harvesting – too late in the season, too many fragments and ineffective (see the photos one of our members took last year (www.carmanbay.org/aerial.photos.html)). Research conducted by the University of Minnesota on Lake Minnetonka in the 1990s found that milfoil re-growth was higher in harvested areas compared to non-harvested areas. The LMCD’s harvesting program has cut decreasing acreages of milfoil over the past 20+ years – see graphic below [data from LMCD reports].



Harvesting – public and private – will facilitate the spread of Flowering rush, another invasive plant now in Lake Minnetonka. We can probably not eliminate Flowering rush at this point, but we can – indeed should – take precautions not to speed its spread around the lake.



Lake Minnetonka Mayors' & LMCD Board Members' Letter – March 2010

At the March 12th LMCD AIS Task Force meeting it was discussed that harvesters (public and private), weed rollers and boating facilitates the spread of Flowering rush. As all of these are difficult to control and there was no consensus to recommend any significant prevention actions. As well, there are no plans in place to control or contain Flowering rush.

The Lake Minnetonka Association agrees controlling the spread of Flowering rush within Lake Minnetonka is challenging. In a larger context, this illustrates the urgent need for prevention actions, which are now substantially lacking on Lake Minnetonka.



Flowering rush in a Minnesota lake.

The harvesting program has served a useful purpose at a time when this was the only viable alternative to large-scale milfoil management. This is no longer the case.

Thank you,

A handwritten signature in black ink that reads "Gedney Tuttle".

Gedney Tuttle, President
LAKE MINNETONKA ASSOCIATION

"This communiqué from the Lake Minnetonka Association has been reviewed and approved by its Board of Directors."



FYI

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

March 9, 2010

Burt McGlynn
21650 Fairview Street
Greenwood, MN 55331

Dear Mr. McGlynn,

The Greenwood City Council recently approved revisions to the fence and lighting ordinances. By doing so, a number of ongoing issues on your property were resolved, but a few minor changes must be made to bring your property into total compliance with the ordinance.

First, the new fence ordinance permitted a three inch separation from grade to the bottom of a fence and permitted the post finials to extend over the top of a fence. You may recall this was one of the issues raised last year regarding your fence. You are now in compliance with the fence ordinance in terms of the height of the main fence portion. The only remaining issue with your fence is the half circle attachment. I understand its purpose, but there was no exception put in the ordinance that would permit such an attachment. It was felt that once an appendage was attached to a fence, it becomes part of the fence, thus the half circle portion of your fence is in violation of the height requirement.

Second, the new lighting ordinance permits the use of spotlights and holiday lights provided they are extinguished by 11 p.m. Current spot lighting on some portions of your property have been documented as being illuminated past the 11 p.m. deadline. Modification of your timer should take care of this issue.

I understand your frustration with the seemingly never ending issues raised on your property, but with these two simple changes, your property will be in compliance with the city's ordinances. Please make these modifications and contact me by March 26, 2010 so we can put these issues to rest.

Sincerely,

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

Gus Karpas
Zoning Coordinator

Cc: Mayor Kind and City Councilmembers
Mark Kelly, City Attorney
File

FYI



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

March 10, 2010

Mike Brost
5110 Curve Street
Greenwood, MN 55331

Dear Mr. Brost,

The storage of your camper trailer on the front side of your home is in violation of the city's Zoning Ordinance. The ordinance reads as follows:

"Section 1140:45(14)(b) Parking and Storage Prohibitions. No person shall cause, undertake, permit or allow:

1. Regulated Motor Vehicles to be parked or allowed to stand longer than 24 hours upon, in front, or beside any R-1 or R-2 single family residential district property, except for the purpose of loading or unloading such regulated motor vehicle, unless such shall be stored wholly within a building upon the premises.

Camper trailers are a "regulated motor vehicle." Please remove the camper from its current location and bring it into compliance with the city's ordinance no later than March 26th. Thank you for your attention to this matter and please call me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Gus Karpas", written over a faint, stylized outline of a mountain range.

Gus Karpas
Zoning Coordinator

Cc: Mayor and City Councilmembers
Mark Kelly, City Attorney
File