

AGENDA

Greenwood City Council Meeting

Wednesday, March 7, 2012
20225 Cottagewood Road, Deephaven, MN 55331



Worksession

In accordance with open meeting laws, the council worksession is open to the public for viewing, but there will be no opportunity for public participation.

- 6:30 PM 1. CALL TO ORDER ~ ROLL CALL ~ APPROVE AGENDA
- 6:30 PM 2. DISEASED TREES DISCUSSION WITH CITY TREE INSPECTOR MANUEL JORDÁN
- 6:55 PM 3. ADJOURNMENT

Regular Meeting

Welcome! The public is invited to address the council regarding any item on the regular meeting agenda. If your topic is not on the agenda, you may speak during Matters from the Floor. Agenda times are approximate. Please turn off cell phones and pagers. Thank you!

- 7:00 PM 1. CALL TO ORDER ~ ROLL CALL ~ APPROVE AGENDA
- 7:00 PM 2. CONSENT AGENDA
 - Council members may remove consent agenda items for discussion. Removed items will be put under Other Business.*
 - A. Approve: 02-01-12 City Council Minutes
 - B. Approve: November Cash Summary Report
 - C. Approve: December Cash Summary Report
 - D. Approve: January Cash Summary Report
 - E. Approve: February Verifieds, Check Register, Electronic Fund Transfers
 - F. Approve: March Payroll Register
 - G. Approve: 2nd Reading, Ordinance 202, Shore Impact Zone Definition
 - H. Approve: 2nd Reading, Ordinance 208, Temporary Parking Permits
- 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.*
- 7:10 PM 4. ANNOUNCEMENTS, INTERVIEWS, PRESENTATIONS, & REPORTS
 - A. Presentation: Jennifer Foley & Brady Hoffman (CliftonLarsonAllen), 2011 Auditor's Report
- 7:30 PM 5. PUBLIC HEARINGS
 - A. Annual Public Hearing for City's Stormwater Pollution Prevention Program
- 7:35 PM 6. UNFINISHED BUSINESS
 - A. Consider: Planning Commission Appointments
 - B. Consider: Resolution 04-12, Recognizing Outgoing Planning Commissioner Brian Malo
 - C. Consider: Greenwood Park Skating Rink
 - D. Discuss: Potential Sump Pump Program
- 8:00 PM 7. NEW BUSINESS
 - A. Discuss: Response to Potential County Policy to Charge 911 Fees to Cities
 - B. Discuss: Conduit Financing for Wayzata Bay Project
 - C. Discuss: Procedure for Authorization of City Expenditures
 - D. Consider: Resolution 05-12, Election Precincts and Polling Places
 - E. Consider: Hennepin County Assessor Contract Extension
 - F. Consider: Resolution 04-12, Hennepin County Recycling Program
- 8:30 PM 8. OTHER BUSINESS
 - A. None
- 8:30 PM 9. COUNCIL REPORTS
 - A. Fletcher: Planning Commission, Lake Minnetonka Communications Commission, Excelsior Blvd. Water Project, Xcel LRT Tree Project
 - B. Kind: Police, Administration, Mayor Meetings, Website
 - C. Page: Lake Minnetonka Conservation District
 - D. Quam: Roads & Sewer, Minnetonka Community Education
 - E. Rose: Excelsior Fire District
- 8:45 PM 10. ADJOURNMENT



Agenda Item: Consent Agenda

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

Council Action: Required. Possible motion ...

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

GREENWOOD CITY COUNCIL MEETING
Wednesday, February 1, 2012, 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 7:01 P.M.

Members Present: Mayor Kind; Councilmembers Fletcher, Page, Quam and Rose

Others Present: City Zoning Administrator/City Clerk Karpas

Members Absent: None

Quam moved, Fletcher seconded, approving the agenda as presented. Motion passed 5/0.

2. CONSENT AGENDA

Mayor Kind reviewed the items on the Consent Agenda.

Page moved, Rose seconded, approving the items contained on the Consent Agenda.

- A. January 4, 2012, City Council Meeting Minutes**
- B. December 2011 Cash Summary Report** (This was moved to Item 8.A under Other Business.)
- C. January 2012 Verifieds, Check Register, Electronic Fund Transfers**
- D. February 2012 Payroll Register**

Motion passed 5/0.

3. MATTERS FROM THE FLOOR

There were no matters from the floor presented this evening.

4. ANNOUNCEMENTS, PRESENTATIONS & REPORTS

- A. South Lake Minnetonka Police Department Lieutenant David Pierson and Sergeant Mark Geyer Quarterly Police Update**

Mayor Kind stated South Lake Minnetonka Police Department (SLMPD) Lieutenant David Pierson and Sergeant Mark Geyer were present this evening to provide Council with a quarterly update on SLMPD activities in the City and the South Lake area. She explained that toward the later part of 2011 Council requested a quarterly update. Council can also use this time as an opportunity to talk to SLMPD representatives about police issues and concerns. She noted that SLMPD Detective Sergeant Steve Neururer is also present to give an update on the crime alert.

Lieutenant Pierson thanked Council for this opportunity. He stated the SLMPD's officers are doing a lot of great things in the South Lake community. He noted that Sergeant Geyer will talk about the SLMPD's first ever Law Enforcement Academy (the Academy) and Detective Sergeant Neururer will talk about investigations.

Sergeant Geyer explained the Academy was ten weeks long and it was held during the fall of 2011. There were ten sessions each of them being approximately 2.5 hours in length. A variety of topics were covered. The Academy was a way for the SLMPD to have positive interaction with the community and vice versa. At the end of the Academy each attendee received a certificate of attendance along with a tee shirt with the Academy and date on it. He noted that Councilmember Fletcher and his wife attended the Academy. He presented Fletcher with his certificate and shirt for him and his wife this evening because Fletcher was not able to attend the last session. He provided Council with pamphlets about the 2012 Academy which will also be held in the fall. The current plan is to start the Academy the first week after Labor Day but that has not been firmed up. The sessions will typically be held on Thursday evenings because there is less conflict with government meetings. He noted the class size is twelve participants. He also noted that attendees are limited to anyone who lives in the SLMPD jurisdiction area and is at least 18 years old.

Councilmember Fletcher highly recommended attending the Academy.

Detective Sergeant Neururer explained that in Greenwood there had been one attempted burglary that occurred on January 18th and two actual burglaries that occurred on January 27th. The SLMPD is working with other agencies investigating similar crimes and it is following up on all possible leads no matter how small the lead may appear. Because it is an active investigation the SLMPD cannot share a lot of information. The burglars are disabling phone lines and using a variety of vehicles. No one was home at the time of the break-ins. SLMPD representatives will meet with representatives from other agencies working on this investigation on February 2nd to share information about it. He urged people to call 911 with information about suspicious people or vehicles they see in the South Lake area. He noted the SLMPD has increased patrol coverage in the area and the SLMPD has received positive feedback about that.

Councilmember Quam stated he has noticed a patrol car parked at the corner of Excelsior Boulevard and Minnetonka Boulevard and he thought that could be a deterrent for criminals entering the City.

In response to a question from Mayor Kind, Detective Sergeant Neururer stated there is some evidence that similar incidents in other cities are somewhat related.

Mayor Kind stated that there are rumors going around that she would like Detective Sergeant Neururer to either confirm or dispel. One is that the perpetrator knocks on the door first to try and determine if anyone is home. Neururer stated he has heard that but he is not sure if that is the case all of the time. It's hard to know what the burglars do because the residents aren't at home. Kind asked Neururer if there is anything he can share about the types of vehicles the burglars drive. Neururer explained that he cannot answer that at this time because it could jeopardize the investigation. Kind then asked Neururer if he could comment on the age and size of the perpetrators. Neururer explained he cannot share anything about any leads they may have.

In response to a question from Councilmember Quam, Detective Sergeant Neururer stated the SLMPD is receiving help from the Deephaven, Eden Prairie, Edina and Bloomington Police Departments because there have been burglaries in those Cities. In response to another question from Quam, Neururer responded if residents are going to be away on vacation for an extended period of time they should let the SLMPD know because they can be placed on a vacation check list so SLMPD personnel can check on

their property. Neururer recommended residents have lights go on and off with timers when they are gone. He noted there is information about crime prevention techniques on the SLMPD's website www.southlakepd.com or call the SLMPD at (952) 474-3261. Residents can also call the after hours non-emergency number through the Hennepin County Sheriff's Office which is (763) 525-6210 and ask for a SLMPD officer to call them back when time permits.

In response to a question from Councilmember Page, Detective Sergeant Neururer explained phone lines are being cut because home alarm systems dispatch alerts through the phone line and he noted there are systems that have a backup to the phone line. Also, some systems notify the alarm company if there is no signal because a line is cut. Councilmember Fletcher noted that is not the case for most residential alarm systems.

In response to a question from someone in the audience, Detective Sergeant Nurturer stated if residents are home they should keep their doors to their homes locked. They should also keep their garage doors locked, their car doors locked, keep valuables out of their cars and so forth. He then recommended keeping doors locked when out in the yard. It's also a good idea to keep ground floor windows closed. He recommended people get to know their neighbors and to find out when they will be gone.

Councilmember Fletcher stated the topic of speeding on the City's residential streets does get brought up a lot by people in the City. He asked Sergeant Geyer if he had any suggestions. Geyer stated the SLMPD patrol force does spend a fair amount of time on speed enforcement. Geyer recommended residents who believe there is a lot of speeding in their neighborhood call the SLMPD and tell the SLMPD about it. He noted that earlier in the day he spoke with a Greenwood resident who expressed concern about speeding on Minnetonka Boulevard. In response the SLMPD will step up speed enforcement activities on that roadway. In the summer months the speed buggy can be deployed.

Councilmember Quam asked Sergeant Geyer what his perspective is about speed bumps. Geyer stated he had no problem with them but it is his understanding public works departments are not fond of them because they create issues when plowing roadways. Geyer commented he is aware of a private road in the City of Shorewood having them on it. Quam noted there are roadways in Greenwood where traveling 30 miles per hour (mph) is too fast and too dangerous. Geyer explained residential streets have 30 mph speed limits unless they a speed study is done that supports a lower speed limit.

Mayor Kind thanked Lieutenant Pierson, Detective Sergeant Neururer and Sergeant Geyer for coming to the meeting.

B. St. Albans Bay Captain Rob Roy, Baywide Milfoil Treatment Program

Rob Roy, 21270 Excelsior Boulevard, (the St. Alban's Bay Captain) stated the total cost for chemically treating for Eurasian Watermilfoil (milfoil) in 2011 came to \$63,773. He explained the volume of milfoil decreased from 71 percent of St. Alban's Bay (the Bay) to zero percent in the areas of the Bay that were sampled. The volume of native plants in the Bay increased by 33 percent in the areas sampled. Of the 111 households solicited, 84 percent contributed to the cost of the milfoil treatment. The cost to treat the Bay in 2012 should be no more than one half of the 2011 cost. He noted that he has already contacted the 2011 street captains who helped with the solicitation. He explained five bays were chemically treated in 2011. There is interest in treating three additional bays in 2012.

Mr. Roy asked Council if it would be willing to have the City contribute \$2,000 toward the cost of the 2012 chemical treatment of the Bay. He noted the City contributed \$5,000 for the 2011 treatment. He stated he also will be asking lakeshore owners to contribute less because the cost of the treatment will be

less. He also noted the Environmental Protection Agency is imposing a \$1,200 per fee per bay treated for permitting of chemicals and that may go into effect for 2012.

Mayor Kind asked Mr. Roy when the funds are needed by. Mr. Roy responded not until the actual treatment occurs in June.

Councilmember Page asked if the proposed charge Mr. Roy spoke about is because of asking the Army Corps of Engineers to be involved. Mr. Roy responded it is not and that the Army Corps wants to be involved and do the surveys so it can capture more data. Page asked if the Army Corps indicated any desire to be involved in 2012. Mr. Roy responded he has not spoken with the Army Corps about that. Page noted that he has learned via the Lake Minnetonka Conservation District (LMCD) that the Army Corps will not be involved next year.

Mr. Roy commented that Lake Minnetonka ends up with a variety of aquatic invasive species (AIS) because it is a large, high use lake. He noted the LMCD does not have comprehensive AIS management and mitigation plan for the Lake. He stated he does not understand why that has not been done. He noted Asian Carp are migrating up the river and there is a direct feed from the river into the Lake. He questioned if the LMCD is being proactive. He asked Councilmember Page, as the City's representative on the LMCD Board, to bring the request for a plan forward. Page stated the LMCD has discussed the need for a plan and it has discussed it with the Minnesota Department of Natural Resources (DNR). The DNR questions the need for a plan for the entire Lake and the cost to execute such a plan. Page noted there are widely varying cost estimates for executing such a plan. Mr. Roy asked how the cost of a plan can be estimated when there isn't a plan in writing. Page stated it costs money to prepare the plan and the estimates have ranged from \$30,000 – \$70,000. Mr. Roy stated he would spend \$30,000 in a heartbeat on the plan in order to get everyone going in the same direction.

Fletcher moved, Quam seconded, approving the payment of \$2,000 from the Marina Fund towards the 2012 milfoil treatment of St. Alban's Bay and directing the City Treasurer to send the funds to the Lake Minnetonka Association, managers of the treatment program, by June 1, 2012. Motion passed 4/1 with Rose dissenting.

Councilmember Rose stated he dissented because he questions why all of the money goes toward the treatment of St. Alban's Bay and not the other side [Excelsior Bay]. Mayor Kind stated there needs to be a bay captain for Excelsior Bay to get the project going there.

Councilmember Fletcher noted the 2012 budget includes \$5,000 for the treatment.

Mr. Roy asked if it would be possible to get a list of the people who rent the City-owned docks so they can be solicited. Mayor Kind stated she will make sure he gets the list.

Council thanked Mr. Roy for his efforts.

C. City Clerk Gus Karpas, Hennepin County Recycling Program and Grant Application

Zoning Administrator/Clerk Karpas stated on January 12, 2012, he attended a meeting conducted by Hennepin County Environmental Services regarding the County's residential recycling program. The meeting packet contains a copy of a document outlining the program. If Council desires to apply for a grant, it must be completed online using the County's Re-TRAC report and planning documents. He noted that annually the City has to submit a Re-TRAC report. He explained the County wants to achieve

its 725 pounds per-household recycling goal by 2015. During the meeting County representatives spoke about the need to increase public awareness about recycling. The County is going to have information on a website for municipalities to use to help increase awareness. The County representatives encouraged cities to include information about recycling in their newsletters and to provide residents with brochures explaining what can be recycled. Public awareness was stressed a lot. He explained the City's request for proposal for recycling services has been modified to include additional recyclables the County has added to its collections. The County is considering collecting recyclable materials from smaller haulers to help them keep their costs competitive with larger haulers. He noted there is a slight change in the County's recycling grant program so cities now have to adopt a resolution to participate in the Hennepin County Recycling Program grant program.

Councilmember Page asked what the current per-household pound goal is. Zoning Administrator/Clerk Karpas responded the County representatives did not say. Mayor Kind asked if the 45 percent rate specified in the documents means 45 percent of total solid waste (i.e., trash plus recyclable material). Karpas responded that it does. Karpas explained that in some instances it is difficult to determine how much total solid waste is collected for an individual city because a hauler will combine multiple cities waste together. Councilmember Fletcher stated the City uses private haulers to pick up trash so there is no way to know what the total waste collected is. Fletcher noted there are a lot of empty-nesters living in the City as well as a lot of residents who go south for the winter months. He asked how that is factored into calculations. Karpas stated he will ask the County how it addresses that.

Mayor Kind stated that for Council's March 2012 meeting there will be a resolution regarding participation in the county recycling program.

Councilmember Fletcher noted the City has to submit its application for funding by February 15, 2012. Zoning Administrator/Clerk Karpas stated that will be done in time.

Page moved, Rose seconded, directing the City Clerk to apply for the Hennepin County Recycling Program Grant program and to draft a resolution for a recycling contract with Hennepin County for Council's consideration during its March 2012 meeting.

Councilmember Fletcher noted the City is required to do a little more to publicize recycling so there is some additional burden to the City. He stated Hennepin County does not want cities to make more than 10 percent on their recycling programs. He explained that for 2011 the City made more than the 10 percent margin based on the recycling fees collected and the grant money received from the County. During the next item on the agenda he is going to suggest reducing the recycling fee so the City doesn't make too much money from its recycling program and grant funds received.

Motion passed 5/0.

5. PUBLIC HEARING

A. None.

6. UNFINISHED BUSINESS

A. Second Reading: Ordinance 207, Amending Code Section 510, Fees (updating various application fees

Mayor Kind explained that during Council's January 4, 2012, meeting Council approved the first reading of Ordinance 207, amending Ordinance Code Section 510 updating fees for variances, conditional use permits, and zoning code amendment applications subject to changing "*conditional use permit*" to "*conditional use permit application fee*," and changing the fee for code amendment, conditional use permit and variance applications to "\$400 plus consultant fees incurred by the City as they exceed the base fee amount." There was consensus to review each instance that includes "*plus consultant fees incurred by the City*" language and modify it to reflect the new proposed language for the second reading of the Ordinance. As a result, three additional application fees have been added to the ordinance. They are fees for miscellaneous petitions to the City for legal consent or releases, zoning miscellaneous administrative review fee, and zoning preliminary plat application fee. A copy of the revised Ordinance is included in the meeting packet.

Kind then explained that since the January 4th Council meeting Councilmember Fletcher noted that other cities require escrows to ensure reimbursement for city expenses to process applications. It means money would be set aside upfront for the City to draw upon as it incurs expenses. The meeting packet also contains a second option of Ordinance 207 which includes the escrow language.

Zoning Administrator/Clerk Karpas stated he has never seen an escrow account requirement for a variance. He has seen them for subdivision applications. Subdivisions tend to incur higher expenses because of the need for engineering services, legal, and administrative services. He expressed concern about the amount of administrative time it will take to manage escrow accounts. He explained that in the past the City has used invoices it receives for legal and administrative services to assess if the City's expenses have exceeded the permit fee paid. When the expenses have greatly exceeded the fee paid the City has at times billed the applicant for those expenses in excess of the fee paid.

Mayor Kind asked Zoning Administrator/Clerk Karpas if there has been any problem with trying to collect fees in addition to the permit fee to cover the City's costs. Karpas explained the City does not issue a building permit until all fees are paid. Karpas stated for a subdivision the resolution could include a requirement that all fees must be paid prior to the final plat being signed. Karpas then stated he can understand requiring an escrow for a subdivision, but not a variance. He explained that he thought the variance fee of \$400 should cover legal and administrative expenses as well as the cost to mail necessary public hearing notices.

Councilmember Page stated he reviewed the City of Shorewood's ordinance relating to subdivisions and Shorewood requires an escrow for a subdivision in the amount of \$1,000 plus \$25 per lot. He noted that he has not ever seen where an escrow has been required for things such as a variance or conditional use permit. He stated he is not concerned that the City does not require an escrow because the City will not sign the final plat until all fees have been paid.

Councilmember Quam also expressed concern about the administrative time required to manage the escrow accounts. Quam stated he does not think it has not been a problem in the past. Zoning Administrator/Clerk Karpas noted it has not been.

Councilmember Page asked if the City receives timely invoices of the costs the City is incurring. Mayor Kind responded yes. Zoning Administrator/Clerk Karpas stated that the City Attorney and the City Engineer know how much time they have spent on an application before the City is invoiced for their services. Therefore, Karpas could easily verify expenses.

Page moved, Quam seconded, Approving Ordinance NO. 207, “An Ordinance Amending the Greenwood Ordinance Code Section 510 Updating Various Fees” as reflected in Ordinance Option 1.

Councilmember Fletcher noted he would be fine with Option 1. He also noted that the City of Spring Park does escrow for variances and the City of Plymouth does not. He stated if a variance application does not get approved the City may have incurred expenses above the base fee that it may have a hard time collecting on.

Fletcher asked Council if it would support reducing the recycling collection fee to \$15 quarterly from \$16 quarterly. This is based on the comments he made earlier in the meeting about the City making more than a 10 percent margin in 2011 on its recycling program based on the recycling fees collected and the grant money received from the County. Councilmember Quam suggested waiting until the bids for recycling service are received and then the City could determine what its margin would be based on the current fee. Councilmember Page stated the City will likely incur additional costs in 2012 because of the requirement to promote recycling. Fletcher noted the grant from the County is not supposed to help the City make money.

There was Council consensus to leave the recycling collection fee as is and review after the bids for the recycling service are received.

Motion passed 5/0.

B. First Reading, Ordinance 208, Temporary parking Permits (allowing temporary parking in no-parking zones)

Mayor Kind explained that currently the City Code requires a parking permit for on-street parking of construction vehicles at a price of \$50 per project (Section 305.00 and Section 510.00). The Code does not allow for temporary parking permits in no-parking zones for parties and similar events. In the past the City has issued such permits. If the City wishes to continue with the practice of issuing these types of temporary parking permits, the Code should be amended accordingly. She noted that Council discussed this item during its January 4, 2012, meeting and it directed Staff to draft an ordinance to help focus the discussion. The meeting packet contains a copy of draft Ordinance 208 for Council’s consideration.

Councilmember Quam stated the first sentence in the proposed new Section 710.05 states “*Upon the request of a resident holding a party...*” He expressed he does not like the word “*party*.”

Mayor Kind noted the City has an ordinance for showcase events.

There was Council consensus to change “*holding a party or similar event*” to “*holding a social event*.”

Quam moved, Page seconded, approving the first reading of ordinance 208 regarding temporary parking permits subject to changing “*holding a party or similar event*” to “*holding a social event*.”
Motion passed 5/0.

7. NEW BUSINESS

A. Estimates for Clean up of Greenwood Park Pond

Mayor Kind explained that during its January 4, 2011, meeting Council directed the City Clerk to secure estimates for the cost to clean up the pond at Greenwood Park. As of this meeting the City has not received any estimates.

Zoning Administrator/Clerk Karpas explained the contractor the City uses to do these types of things had been out of town. He will be back in town in the next few days and will provide the City with a bid some time during the upcoming week. He noted because it is getting to the end of the season for outdoor ice skating he suggested waiting until next season to create an ice rink on the pond.

Councilmember Page suggested using funds in the Park Fund for this because it is not normal maintenance. Zoning Administrator/Clerk Karpas clarified the Park Fund can only be used for acquisitions.

Page moved, Fletcher seconded, continuing this item to the March 7, 2012, Council meeting. Motion passed 5/0.

B. First Reading: Ordinance 202, Amending Code Section 1102, Shore Impact Zone Definition

Mayor Kind explained this is the first reading of Ordinance 202, amending Ordinance Code Section 1102 updating the definition of the Shore Impact Zone. The Planning Commission held a public hearing and reviewed the draft ordinance during its December 21, 2011, meeting. The Planning Commission on a 4/1 vote recommended Council approve Ordinance 202 amending Section 1102 of the Zoning Ordinance redefining the definition of Shore Impact Zone to mean *“the land located between the ordinary high water level of Lake Minnetonka and a line parallel to it at a setback of 25 feet from the ordinary high water level of the lake.”* Commissioner Malo cast the dissenting vote.

Zoning Administrator/Clerk Karpas stated the proposed language would more closely follow the intent in the State Statute. Councilmember Page stated he had understood the current definition to mean 50 feet back from the shoreline. Karpas explained that Shore Impact Zone is different than the Building Setback which is 50 ft. and is not being changed. Mayor Kind stated the only place she could find where the Shore Impact Zone is used in the Zoning Ordinance is with regard to tree removal.

Fletcher moved, Quam seconded, adopting the first reading of Ordinance 202 amending Section 1102 definition of Shore Impact Zone.

Motion passed 5/0.

C. Authorization of Recycling Request for Proposals

Mayor Kind explained the City's contract with Vintage Waste Systems for recycling collection services began on September 1, 2009. The contract included the option for two 1-year extensions if agreed upon by both parties. Last year the City Council approved the second of the two 1-year extensions for service to be provided from September 1, 2011 through August 31, 2012. There are no more options for extension in the current contract. The meeting packet contains a copy of a proposed request for proposals (RFP) for citywide recycling services for Council's consideration. She noted that yesterday the City's auditors informed her that the City does not have to go through the RFP process for projects less than \$100,000. Councilmember Fletcher questioned why the City would not go through the RFP process.

Mayor Kind stated she thought it prudent to go through the RFP process for contract services periodically to ensure the City is getting the best price.

Councilmember Fletcher suggested adding a statement to the RFP which states "*The proposer shall also provide a written report each November showing the October household participation in the recycling program.*" He explained that is to dovetail with Hennepin County information reporting requirements. Mayor Kind stated the RFP contains the statement "*At the end of each year, the proposer shall provide the city with a written report detailing types of recycling and tonnage as required by the Hennepin County Residential Recycling Program.*" Fletcher suggested including his proposed requirement right after that statement in the same bulleted item. Fletcher noted the County wants October participation.

Fletcher moved, Quam seconded, approving the request for proposals for Citywide recycling services subject to adding the statement "*The proposer shall also provide a written report each November showing the October household participation in the recycling program*" after the statement "*At the end of each year, the proposer shall provide the city with a written report...*"

Councilmember Page stated the blanks in the final bulleted item in the RFP about when the final selection of the vendor will occur and when the RFPs have to be submitted by need to be filled in. Also, the size of the three ____-gallon containers for the 17-unit apartment complex needs to be filled in.

Mayor Kind asked if Council wants to change when the recycling services contract goes into effect. She stated for budgeting purposes it would be nice if would be on a calendar year cycle (January through December). Councilmember Fletcher cautioned against doing that because recycling containers could potentially have to be changed during the winter months.

Without objection from the maker or seconder, the motion was amended to specify the final selection of the vendor will take place on or before July 5, 2012, and that the electronic copy of the proposal must be submitted by 4:30 P.M. on June 1, 2012.

Zoning Administrator/Clerk Karpas suggested that maybe the first term of the contract be one year with a renewal option term of two years.

Councilmember Quam stated the City used to have a longer term contract. Mayor Kind explained it was the vendor that asked for 1-year terms. Councilmember Fletcher stated from his perspective a longer term contract favors larger haulers.

Councilmember Fletcher suggested the City allow the proposers to either submit a RFP for a 1-year contract with the option to extend it twice for one year each or to submit a RFP for a 3-year contract.

Without objection from the maker or seconder, the motion was amended again to modify the RFP to allow the proposers to either submit a RFP for a 1-year contract with the option to extend it twice for one year each or to submit a RFP for a 3-year contract and to have the City Clerk determine the size of the containers for the 17-unit apartment complex and put that in the RFP. Motion passed 5/0.

D. Potential Sump Pump Program

Mayor Kind stated that in light of the recent excess water flow problem on Channel Drive that Council may want to consider conducting a new sump pump program. She explained that the last program was conducted in 2006. The program is outlined in Section 310.30 subd. 5(d) of the City Code. A copy of that

Section is included in the meeting packet. In 2006 it is believed that property owners were asked to complete a form to certify that their sump pump was not hooked up to the sewer system. Unfortunately, there was no follow-up with onsite inspections of property owners that did not return the certification form. The City Attorney recalls that in-home inspections were seen as intrusive and costly by the Council at that time. That Council chose to focus on repairing manholes instead. If this Council desires to conduct a new sump pump program the code would need to be amended.

Kind explained that earlier in the day she had asked Zoning Administrator/Clerk Karpas to contact Metropolitan Council Environmental Services (MCES) to get information about the City's typical flow into the Metropolitan Sanitary Sewer System sewer system. MCES provided Gus with flow information for August 7, 9, 11, 13, and 15 of 2010.

Zoning Administrator/Clerk Karpas stated the information from MCES indicated that for 2011 the City had an annual flow of 16.82 million gallons. MCES takes the annual flow amount and divides it by the number of residents in the City and then divides the results by the number of days in the year. That came out to be 65 gallons per day per resident. MCES sets its average standard at 70 – 80 gallons per day per resident in dry conditions. For one rain event there was a significant spike in the flow into the sewer system. The MCES representative he spoke with said when that is averaged out with other flows the City's daily flow is still below the MCES average standard. He noted he did tell the representative the City did do another sewer repair project in 2011 and that could help reduce stormwater flow into the Sewer System during rain events.

Mayor Kind suggested that maybe the City should wait to find out if the sewer system repairs made in 2011 have had a positive impact during rain events. Councilmember Quam expressed his agreement with that.

In response to a question from Councilmember Page, Mayor Kind stated the owners of the 20840 Channel Drive property are receiving invoices for all costs associated with excess clean water flow into the City's sanitary sewer system and that she thinks the invoices are being paid. Page asked if the excess flow is from a sump pump. Zoning Administrator/Clerk Karpas explained the people renting that property don't know what the problem is. Karpas noted the renters have been very helpful. He also noted that he is not sure if the City Engineer or if anyone from Public Works went into the home to find out if there is a sump pump and if so is it draining into the City's sewer system. He explained the City Engineer thought the problem could possibly be a broken pipe because there is a continuous flow of water.

There was Council consensus to have Zoning Administrator/Clerk Karpas go to the property to find out if there is a sump pump and if so where it drains.

Councilmember Fletcher suggested waiting a year before making any more non-emergency sewer system repairs in order to determine the impact the repairs have had. Councilmember Quam clarified that the repairs Fletcher is talking about are complete. Fletcher expressed his confidence that not all of the repair work was completed due to budget constraints. Quam agreed that the final part of the project remains to be done.

Mayor Kind stated the March Council meeting agenda will include a report on this.

8. OTHER BUSINESS

A. December 2011 Cash Summary Report

This was removed from the consent agenda at Councilmember Fletcher's request.

Councilmember Fletcher explained that during its November 2, 2011, meeting Council directed the City Treasurer to open a 13-month certificate of deposit (CD) at Beacon Bank using \$60,000 in funds from the Bridgewater Bank savings account. The \$60,000 CD is not reflected in the December Cash Summary Report. He suggested the Report be corrected and then it can be approved during Council's March 7, 2012, meeting.

Discussion moved to Item 9.B on the agenda.

9. COUNCIL REPORTS

A. Fletcher: Planning Commission, Lake Minnetonka Communications Commission

This was discussed after Item 9.B on the agenda.

With regard to the Planning Commission, Councilmember Fletcher stated the Commission did not meet in January so there is nothing to report on.

With regard to the Lake Minnetonka Communications Commission (LMCC), Fletcher stated agenda parsing has been implemented for government meeting recordings on the LMCC's website. He explained the LMCC is starting to consider contracting out its video production services. Being the LMCC is a government body he asked what Council thinks about that. Councilmember Quam stated he doesn't think the LMCC should do that. Councilmember Page stated he doesn't have an opinion on that. Mayor Kind stated it bothers her philosophically to have taxpayer money competing with the private sector.

Discussion moved to Item 9.C on the agenda.

B. Kind: Police, Administration, Freshwater Society Mayor's Meeting

This was discussed after Item 8.A on the agenda.

Mayor Kind stated John Utley with Kennedy & Graven is present this evening to answer questions Council may have about the email he wrote to the City of Woodland City Clerk about conduit revenue bond financing for Wayzata Bay Senior Housing, Inc. A copy of the email was included in the FYI section of the meeting packet.

Kind summarized the email. Presbyterian Homes & Services formed Wayzata Bay Senior Housing, Inc., a Minnesota nonprofit corporation (the Corporation), to undertake the Wayzata Bay Project (the Project). The development will be comprised of multifamily housing for seniors and commercial. The Corporation is proposing to finance the construction of a substantial portion of the Project through the issuance of tax-exempt conduit revenue bonds (the Bonds). Approximately \$60 million in bonds will have to be issued. Wayzata will issue approximately \$10 million of the Bonds.

Kind explained other issuers have been asked to participate in the financing of the Project through the issuance of bank-qualified Bonds by such other issuers. The City has been asked if it would like to participate. She noted this topic came up at a mayor's luncheon she attended. She stated the Cities of Shorewood and Woodland are seriously considering doing this. She explained if the City did participate and issued \$10 million of Bonds it would be paid an administrative fee of approximately \$12,500 which would be paid on the date of the issuance of the Bonds.

Mr. Utley gave a brief overview of what the Project will entail. He explained that because the Corporation is a qualified 501(c)(3) organization it can use tax-exempt financing. A political subdivision such as the City has to issue the debt and sell it in this case to a bank. The bank would loan out the purchase price of the note. He noted they have to be revenue bonds and he explained how revenue bonds work. In the event that the developer had trouble paying the debt there would be no recourse to the City should it decide to participate. The bank could not come after the City. He stated the State has allowed this type of financing for about 50 years and there has never been a problem for a municipality when they did this type of thing.

Mayor Kind asked Mr. Utley to explain why Kennedy & Graven is involved with this.

Mr. Utley explained there is quite a history behind tax-exempt municipal bonds. When anyone buys a tax-exempt bond in today's world they need to have an opinion from a qualified bond counsel which Kennedy & Graven is. He noted this is a very narrow area of law. There are about six law firms in the State that are considered qualified to be a bond counsel. Kennedy & Graven has worked with Presbyterian Homes on this type of thing in the past.

Mr. Utley explained that many, many years ago Congress adopted a law, which is codified under Section 265 of the United States Revenue Code, which prohibits double dipping. It states if you borrow money to buy tax-exempt bonds then you can't have the deduction on the interest of your borrowing at the same time you are taking the tax-exempt interest. That affected banks in a big way and resulted in banks basically stopping buying bonds. Banks can purchase these types of Bonds and not have to do a reduction on their interest rate deduction. Because a municipality can't issue more than \$10 million of such bonds in a year the request has gone to municipalities in addition to Wayzata to see if they are interested in issuing such Bonds.

Councilmember Page stated if there was a default on the \$10 million in Bonds issued by the City there could be a judgment issued against the City for that amount.

Mr. Utley clarified it is non-recourse to the issuing entity, noting that is absolutely established by Minnesota law. Mr. Utley noted there has not been a case where this type of debt has had to be paid by the issuer. Mr. Utley explained revenue bonds are secured solely by the revenue from the facility. He also gave further explanation why there is no liability for the City.

Councilmember Page asked if the City would have to pay taxes on the administrative fee it would be paid. Mr. Utley noted the City is tax exempt.

Mr. Utley stated that in December 2011 the City of Minnetonka issued \$6.25 million in such Bonds for the Project and it was paid an administrative fee equal to one-eighth of one percent of the principal amount of the Bonds it issued.

In response to a question from Mayor Kind, Mr. Utley stated eight other cities have expressed interest in participating in this. In response to another question from Kind, Mr. Utley stated the developer is looking at other options besides bank-qualified bonds. If the developer decides to go the route of bank-qualified bonds other interested cities will be asked to hold public hearings on it and adopt resolutions approving the debt. March would be the common time for that to happen. The transactions would be approved in March or April. In response to a third question, Mr. Utley stated it would be fair to classify the administrative fee as "free money."

Mr. Utley explained that if the City issued \$10 million in such Bonds and then later in 2012 needed to issue more bonds, it could issue other debt at a higher interest rate. He noted the developer has told him that if that situation would arise the developer would pay the difference between the two interest rates.

Mayor Kind stated if Council is interested in proceeding with this she asked what the next steps would be. Mr. Utley stated Kennedy & Graven would prepare a notice of public hearing that would be published at least 15 days before the public hearing. A representative from Kennedy & Graven and from the developer would be present at the public hearing. Council would be asked to consider a resolution approving the debt and the documentation that goes with it at that same time. He noted Kennedy & Graven considers the issuer of the Bonds its client. The client's fees are covered and it is its highest priority.

Mayor Kind thanked Mr. Utley for coming.

The Council consensus was to put the Bond topic on the March Council meeting agenda for further discussion.

Mayor Kind stated the 2011 audit is in progress. She then stated that Councilmember Fletcher had noticed that there was a discrepancy in the financial reporting of cash. She asked Council if it would prefer to use an accrual reporting methodology or a cash reporting methodology. There was Council consensus to use the cash reporting methodology.

Kind stated the City's tree inspector asked for Council direction on what to do regarding tree diseases. The tree inspector suggested the discussion could be in a worksession or regular Council meeting. Councilmember Page stated he preferred the presentation be no more than 15 or 20 minutes on a regular Council meeting agenda and Council would have 5 minutes for questions. Councilmember Fletcher stated the Council could have a worksession held just prior to a regular meeting.

The Council consensus was to have a worksession before the March regular Council meeting.

Mayor Kind noted South Lake Minnetonka Police Department (SLMPD) Community Service Supervisor (CSS) Hohertz apologized for not being able to deploy the speed buggy last fall. He is going to train others on how to deploy the speed buggy. CSS Hohertz explained that the recording feature that allows the speed buggy to capture speeds without the display being on is now functioning. She stated the SLMPD Coordinating Committee is scheduled to meet on February 8, 2012.

Kind stated the City received a letter from the Hennepin County Sheriff regarding potential fees for 911 dispatch calls. The Hennepin County Board of Commissioners is considering charging cities for 911 dispatched calls. The Sheriff does not support charging a fee and encouraged cities to weigh in on this issue. Council did not favor being charged a fee.

Mayor Kind recessed the meeting at 9:05 P.M.

Mayor Kind reconvened the meeting at 9:15 P.M.

Kind reported on the Minnetonka School District meeting for mayors in the District she attended on January 25th. All children in the District get into language emersion programs if they want to. The Minnetonka school district spends \$9,500 per student per year for their education. The City of Minneapolis spends \$13,000 per student per year. There are 745 children in the current kindergarten class with 400 being residents and 345 being open-enrollment students. There were 850 open-enrollment applicants for the class. The Cities of Chanhassen, Minnetonka and Woodland have changed their

mayoral terms to 4-year terms. She stated it may be beneficial for Greenwood to consider changing its mayoral term for the 2014 election and indicated she will place it on an upcoming agenda for Council discussion.

Kind then reported on a mayors' meeting hosted by the Freshwater Society and Orono mayor Lili McMillan on January 26th. The topic of discussion was total maximum daily load (TMDL). TMDL is used to help determine phosphorous reduction goals. Minnehaha Creek Watershed District (MCWD) District Administrator Eric Evenson explained the MCWD assumes responsibility for reducing half of the phosphorous flow into waters within the District and the municipalities in the District are responsible for the other half.

Kind noted she will attend a mayors' meeting with Hennepin County Commissioner Jan Callison on February 3rd.

Councilmember Fletcher stated based on studies done by the MCWD the phosphorous level in St. Alban's Bay has changed little since the late 1800s.

Mayor Kind noted she had told Mr. Evenson that she does not agree with how Greenwood's reduction goal is calculated.

Councilmember Quam stated the City should continue its efforts (primarily street sweepings) to reduce phosphorus flow into Lake Minnetonka.

Discussion returned to Item 9.A on the agenda.

C. Page: Lake Minnetonka Conservation District

This was discussed after Item 9.A on the agenda.

Councilmember Page reported on Lake Minnetonka Conservation District (LMCD) activities. He noted the Minnesota Department of natural Resources (DNR) has indicated it does not think it is necessary to have an all-lake aquatic invasive species (AIS) management plan for Lake Minnetonka (the Lake). For example, there is no need for a Eurasian Watermilfoil (milfoil) plan for Halsted Bay because milfoil doesn't grow in that Bay because the water clarity is extremely bad. There has been a lot of discussion about an all-lake plan and the cost to create one. There has been a wide range of estimates for what it will cost to create the plan (\$30,000-\$70,000). The DNR will not require an all-lake plan unless there is an effort to do an all-lake chemical treatment of milfoil.

Councilmember Quam stated he can understand that with regard to milfoil but what about Asian Carp.

Councilmember Page responded the plan is that Asian Carp is to be addressed at the county, state and federal level.

Page stated from the LMCD's perspective there has been a milfoil plan in place for many years to determine where the milfoil is in the lake and to eradicate it; to harvest it. He then stated no one is stepping up to develop the plan or to say they will pay to have the plan developed. From a theoretical perspective people would like to have a plan. If the LMCD decided it wants to have an all-lake plan it will have to levy the Cities to fund it. He noted that the Minnehaha Creek Watershed District (MCWD) has been talking about developing an AIS management plan that would include the Lake.

Page noted the contract has been approved to accept the bid for a new harvester. The LMCD has the funding to pay for it. The LMCD's fund to replace harvesters has approximately \$100,000 in it and the LMCD will receive \$65,000 for an insurance settlement. The cost for the new harvester is \$172,000. The remainder of the cost will be funded out of the unused portion of the LMCD's 2011 harvesting budget.

Councilmember Fletcher asked if the LMCD is putting money aside each year to replace harvesters. Councilmember Page responded for most years that had been true. Page stated there has been discussion about the need to replenish the fund because of the age of the other harvesters.

Councilmember Page stated the LMCD's Save the Lake Committee did not recommend using funds in the Save the Lake Fund to help fund the chemical treatment of St. Alban's Bay and Gideon Bay for milfoil. The applications for those two bays were denied. That Committee is comprised of four LMCD Boardmembers. Contributions to the Fund have been on the decline the last few years. The Committee did approve \$12,000 to help purchase a machine to be used to search for bodies under the water. He expressed he was not pleased with that decision. The Hennepin County Sheriff's Water Patrol can borrow one when needed.

D. Quam: Roads & Sewer, Minnetonka Community Education

Councilmember Quam stated there is nothing to report on roads and sewer. He also had nothing to report on Minnetonka Community Education.

E. Rose: Excelsior Fire District

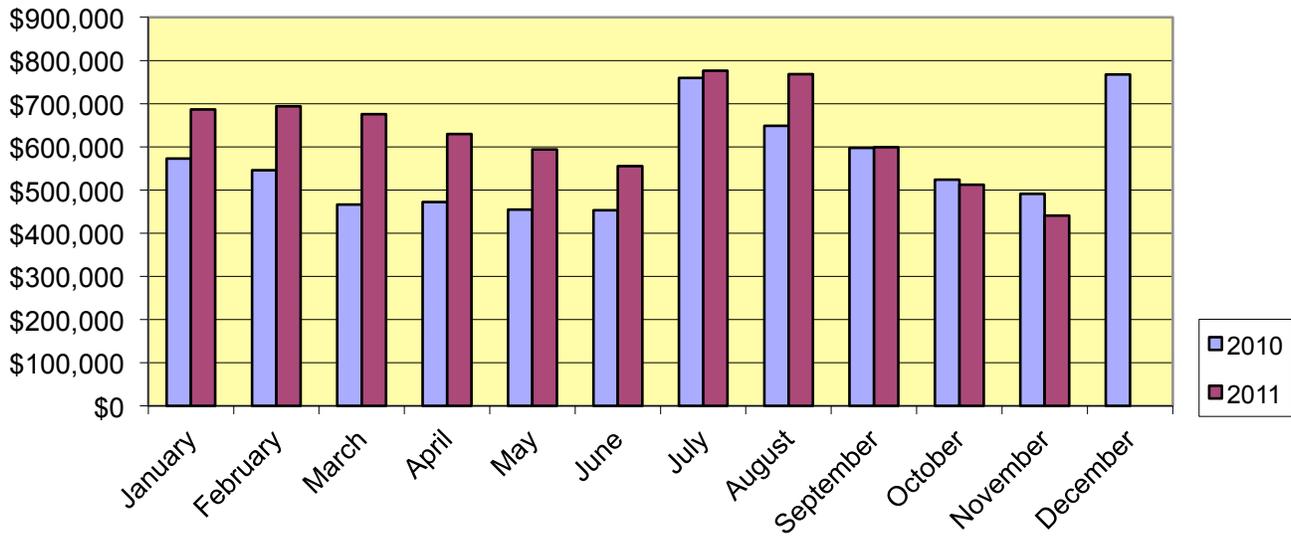
Councilmember Rose stated he attended an Excelsior Fire District (EFD) Board meeting on January 25, 2012. One topic of discussion was about communication from the EFD when major incidents occur. The EFD Board agreed that during those events the EFD (the Chief or another EFD Officer) will try to make contact with the EFD Board Chair, the city administrator and mayor of the affected community as soon as practical. The EFD will also provide an email update as soon as possible that can be shared with all communities and city council members.

10. ADJOURNMENT

Page moved, Fletcher seconded, Adjourning the City Council Regular Meeting of February 1, 2012, at 9:35 P.M. Motion passed 5/0.

RESPECTFULLY SUBMITTED,
Christine Freeman, Recorder

City of Greenwood Monthly Cash Summary



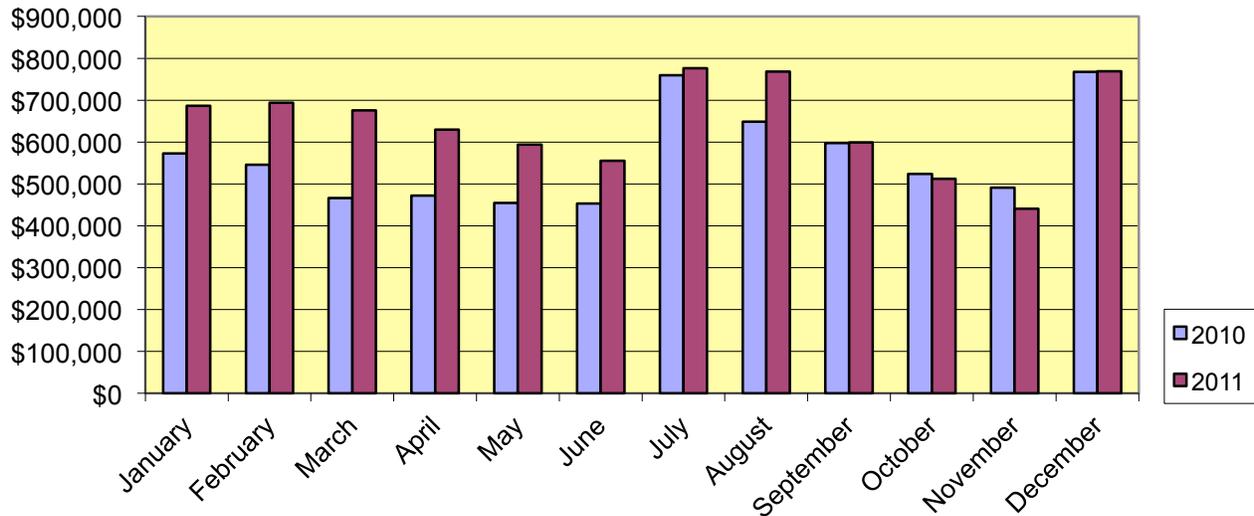
Month	2010	2011	Variance with Prior Month	Variance with Prior Year
January	\$573,056	\$686,781	-\$80,855	\$113,725
February	\$545,897	\$693,859	\$7,078	\$147,962
March	\$466,631	\$675,719	-\$18,140	\$209,088
April	\$472,069	\$629,569	-\$46,150	\$157,500
May	\$454,955	\$593,928	-\$35,641	\$138,973
June	\$453,487	\$555,064	-\$38,864	\$101,577
July	\$759,701	\$776,650	\$221,586	\$16,949
August	\$648,560	\$768,223	-\$8,427	\$119,663
September	\$597,536	\$599,139	-\$169,084	\$1,603
October	\$523,980	\$512,188	-\$86,951	-\$11,792
November	\$491,216	\$440,946	-\$71,242	-\$50,270
December	\$767,636	\$0	-\$440,946	-\$767,636

Bridgewater Bank Money Market	\$231,643
Bridgewater Bank Checking	\$6,349
Beacon Bank CD	\$60,000
Beacon Bank Money Market	\$142,854
Beacon Bank Checking	\$100
	\$440,946

ALLOCATION BY FUND

General Fund	(\$6,077)
General Fund Designated for Parks	\$27,055
Bridge Capital Project Fund	\$39,970
Stormwater Special Revenue Fund	\$5,449
Sewer Enterprise Fund	\$337,075
Marina Enterprise Fund	\$37,474
	\$440,946

City of Greenwood Monthly Cash Summary



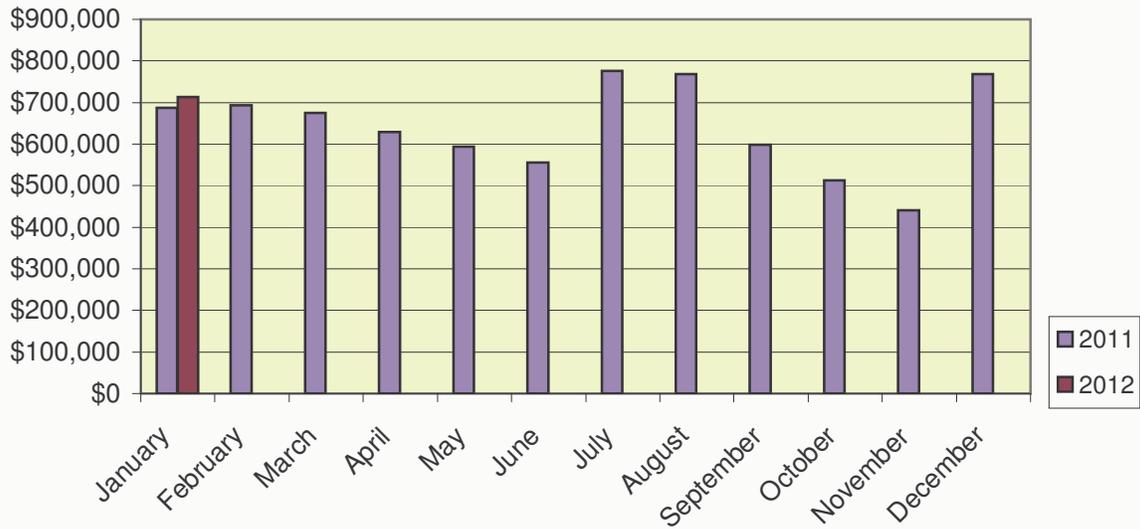
Month	2010	2011	Variance with Prior Month	Variance with Prior Year
January	\$573,056	\$686,781	-\$80,855	\$113,725
February	\$545,897	\$693,859	\$7,078	\$147,962
March	\$466,631	\$675,719	-\$18,140	\$209,088
April	\$472,069	\$629,569	-\$46,150	\$157,500
May	\$454,955	\$593,928	-\$35,641	\$138,973
June	\$453,487	\$555,064	-\$38,864	\$101,577
July	\$759,701	\$776,650	\$221,586	\$16,949
August	\$648,560	\$768,223	-\$8,427	\$119,663
September	\$597,536	\$599,139	-\$169,084	\$1,603
October	\$523,980	\$512,188	-\$86,951	-\$11,792
November	\$491,216	\$440,946	-\$71,242	-\$50,270
December	\$767,636	\$769,119	\$328,173	\$1,483

Bridgewater Bank Money Market	\$563,135
Bridgewater Bank Checking	\$2,954
Beacon Bank CD	\$60,000
Beacon Bank Money Market	\$142,930
Beacon Bank Checking	\$100
<hr/>	
	\$769,119

ALLOCATION BY FUND

General Fund	\$332,375
General Fund Designated for Parks	\$27,055
Bridge Capital Project Fund	\$59,970
Stormwater Special Revenue Fund	\$3,664
Sewer Enterprise Fund	\$323,581
Marina Enterprise Fund	\$22,474
<hr/>	
	\$769,119

City of Greenwood Monthly Cash Summary



Month	2011	2012	Variance with Prior Month	Variance with Prior Year
January	\$686,781	\$712,814	-\$56,305	\$26,033
February	\$693,859	\$0	-\$712,814	-\$693,859
March	\$675,719	\$0	\$0	-\$675,719
April	\$629,569	\$0	\$0	-\$629,569
May	\$593,928	\$0	\$0	-\$593,928
June	\$555,064	\$0	\$0	-\$555,064
July	\$776,650	\$0	\$0	-\$776,650
August	\$768,223	\$0	\$0	-\$768,223
September	\$599,139	\$0	\$0	-\$599,139
October	\$512,188	\$0	\$0	-\$512,188
November	\$440,946	\$0	\$0	-\$440,946
December	\$769,119	\$0	\$0	-\$769,119

Bridgewater Bank Money Market	\$504,825
Bridgewater Bank Checking	\$4,886
Beacon Bank CD	\$60,000
Beacon Bank Money Market	\$143,003
Beacon Bank Checking	\$100
<hr/>	
	\$712,814

ALLOCATION BY FUND

General Fund	\$228,273
General Fund Designated for Parks	\$27,055
Bridge Capital Project Fund	\$59,970
Stormwater Special Revenue Fund	\$6,502
Sewer Enterprise Fund	\$368,540
Marina Enterprise Fund	\$22,474
<hr/>	
	\$712,814

Check Issue Date(s): 02/01/2012 - 02/29/2012

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
02/12	02/09/2012	10518	781	CHRISTINE A. FREEMAN	101-20100	1,290.00
02/12	02/09/2012	10519	9	CITY OF DEEPHAVEN	101-20100	6,889.35
02/12	02/09/2012	10520	594	CITY OF EXCELSIOR	101-20100	540.00
02/12	02/09/2012	10521	68	GOPHER STATE ONE CALL	602-20100	19.05
02/12	02/09/2012	10522	3	KELLY LAW OFFICES	101-20100	759.00
02/12	02/09/2012	10523	99	LAKE MTKA CONSERVATION DISTRIC	101-20100	1,566.00
02/12	02/09/2012	10524	105	METROPOLITAN COUNCIL ENV SERV	602-20100	2,598.16
02/12	02/09/2012	10525	38	SO LAKE MINNETONKA POLICE DEPT	101-20100	14,376.58
02/12	02/09/2012	10526	745	Vintage Waste Systems	101-20100	1,568.40
02/12	02/09/2012	10527	145	XCEL	602-20100	560.19
02/12	02/21/2012	10528	51	VOID - BOLTON & MENK, INC.	602-20100	.00
02/12	02/21/2012	10529	742	Marco, Inc.	101-20100	212.15
02/12	02/21/2012	10530	51	BOLTON & MENK, INC.	101-20100	90.00
Totals:						<u>30,468.88</u>

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
BOLTON & MENK, INC.					
51	BOLTON & MENK, INC.	0145258	2011 MISC ENGINEERING FEES	01/31/2012	30.00
			2011 MISC ENGINEERING FEES		30.00 -
		0145259	2012 MISC ENGINEERING FEES	01/31/2012	60.00
			2012 MISC ENGINEERING FEES		60.00 -
		145258	2011 MISC ENGINEERING FEES	01/31/2012	30.00
		145259	2012 MISC ENGINEERING FEES	01/31/2012	60.00
	Total BOLTON & MENK, INC.				90.00
CHRISTINE A. FREEMAN					
781	CHRISTINE A. FREEMAN	GW-CC-20120110	COUNCIL MEETING RECORDER	01/10/2012	1,290.00
	Total CHRISTINE A. FREEMAN				1,290.00
CITY OF DEEPHAVEN					
9	CITY OF DEEPHAVEN	JANUARY 2012	RENT & EQUIPMENT	02/01/2012	542.95
			Postage		58.79
			COPIES		.10
			SNOW PLOWING/SANDING/SALT		3,397.75
			WEED/TREE/MOWING		243.78
			Clerk Services		2,514.40
			4TH QTR 2011 BLDG PERMITS		54.68
			OFFICE SUPPLIES		76.90
	Total CITY OF DEEPHAVEN				6,889.35
CITY OF EXCELSIOR					
594	CITY OF EXCELSIOR	020912	EXC BLVD WTR PROJECT	02/09/2012	540.00
	Total CITY OF EXCELSIOR				540.00
GOPHER STATE ONE CALL					
68	GOPHER STATE ONE CALL	32123	Gopher State calls	02/01/2012	19.05
	Total GOPHER STATE ONE CALL				19.05
KELLY LAW OFFICES					
3	KELLY LAW OFFICES	5952	GENERAL LEGAL	02/02/2012	356.50
		5953	LAW ENFORCE PROSECUTION	02/03/2012	402.50
	Total KELLY LAW OFFICES				759.00
LAKE MTKA CONSERVATION DISTRIC					
99	LAKE MTKA CONSERVATION DIST	020612	1st Qtr. LMCD Levy	02/06/2012	1,566.00
	Total LAKE MTKA CONSERVATION DISTRIC				1,566.00
Marco, Inc.					
742	Marco, Inc.	197039829	Copier lease	02/12/2012	212.15
	Total Marco, Inc.				212.15
METROPOLITAN COUNCIL ENV SERV					
105	METROPOLITAN COUNCIL ENV SE	0000981241	Monthly wastewater Charge	02/02/2012	2,598.16
	Total METROPOLITAN COUNCIL ENV SERV				2,598.16
SO LAKE MINNETONKA POLICE DEPT					

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
38	SO LAKE MINNETONKA POLICE DE	FEB 2012	OPERATING BUDGET EXPENSE	02/01/2012	14,376.58
	Total SO LAKE MINNETONKA POLICE DEPT				14,376.58
Vintage Waste Systems					
745	Vintage Waste Systems	012512	City Recycling Contract	01/25/2012	1,568.40
	Total Vintage Waste Systems				1,568.40
XCEL					
145	XCEL	JANUARY 2012	Street Lights *	02/01/2012	391.48
			Sleepy Hollow Road *		9.08
			LIFT STATION #2		25.27
			LIFT STATION #3		20.65
			LIFT STATION #6		47.22
			SIREN		3.79
			4925 MEADVILLE STREET *		9.09
			LIFT STATION #1		28.95
			LIFT STATION #4		24.66
	Total XCEL				560.19

Total Paid: 30,468.88

Total Unpaid: -

Grand Total: 30,468.88

Pay Per Date	Jrnl	Check Date	Check Number	Payee	Emp No	Amount
03/01/12	PC	03/01/12	3011201	Debra J. Kind	34	277.05
03/01/12	PC	03/01/12	3011202	Fletcher, Thomas M	33	84.70
03/01/12	PC	03/01/12	3011203	H. Kelsey Page	35	184.70
03/01/12	PC	03/01/12	3011204	Quam, Robert	32	184.70
03/01/12	PC	03/01/12	3011205	William Rose	36	184.70
Grand Totals:						<u>915.85</u>

ORDINANCE NO. 202

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE SECTION 1102
DEFINITION OF "SHORE IMPACT ZONE"**

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

SECTION 1.

Greenwood ordinance code section 1102 Definitions is amended to redefine the term "Shore Impact Zone" to read as follows:

"Shore Impact Zone means the land located between the ordinary high water level of Lake Minnetonka and a line parallel to it at a setback of 25 feet from the ordinary high water level of the lake."

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 _____ 2012.

Ayes _____, Nays _____.

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Gus E. Karpas, City Clerk

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE SECTIONS 510 AND 710
TO ADD TEMPORARY PARKING PERMITS**

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

SECTION 1.

Greenwood ordinance code section 710 is amended to add the following subsection:

“710.05. Temporary Parking Permits.

Upon the request of a resident holding a social event, the city clerk may issue a permit for the parking of vehicles in a no-parking zone for a limited time period during the event if no other feasible alternative exists. Permits may be issued for a maximum of 24 hours and no more than 2 permits may be issued to the same property per year. Persons requesting a permit shall submit the following to the city clerk:

- (a) Written statement that includes the reason for the request and lists the date and time period vehicles will be parked in the no-parking zone.
- (b) A map indicating the area and number of parking spaces that will be utilized.
- (c) Payment of the permit fee set forth in chapter 5.

The city clerk may deny the permit request or revoke an approved permit if it is found there is endangerment to public safety or if inclement weather such as a heavy snowfall makes roadside parking unsafe. If the city clerk approves the request, a hard copy or electronic copy of the permit will be issued. The permit holder may make copies of the permit as needed. Permits must be displayed on the driver’s side dash of each vehicle during the time permitted. Vehicles must be parked in a manner that allows space for the unimpeded passage of emergency vehicles. The city clerk shall notify the fire chief and police chief regarding the date, location, and duration of approved temporary parking permits.”

SECTION 2.

Existing subsections in Greenwood ordinance code section 710 shall be renumbered to reflect the above addition.

SECTION 3.

Greenwood ordinance code section 510 is amended to add the following new fee:

“

Type of License, Permit, or Fee	Section	Fee	Conditions & Terms
Parking Permit: Temporary	710.05	\$25	Charged on a per event basis. Fee will be refunded in cases where the permit is revoked due to inclement weather.

”

SECTION 4.

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 _____ 2012.

There were ___ AYES and ___ NAYS as follows:

Greenwood City Council	YEAS	NAYS	ABSTAIN	ABSENT
Mayor Debra Kind				
Councilman Tom Fletcher				
Councilman H. Kelsey Page				
Councilman Bob Quam				
Councilman William (Biff) Rose				

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Gus E. Karpas, City Clerk



Agenda Number: **4A**

Agenda Date: 03-07-12

Agenda Item: 2011 Auditor's Report

Summary: CliftonLarsonAllen has completed the 2011 audit. A hard copy of the final audit is enclosed in the council packet. An electronic version of the audit will be available for viewing on the city website in the online version of the council packet. The administrative committee (Mayor Deb Kind and Councilman Tom Fletcher) met with the auditors during the audit process and offered the responses on behalf of management that are included in the report.

Jen Foley and Brady Hoffman from CliftonLarsonAllen will present the 2011 audit report at the 03-07-12 council meeting.

Council Action: Council action required. Possible motion ...

1. I move the council approves the 2011 audit report as presented by CliftonLarsonAllen.



Agenda Item: Annual Public Hearing for City's Stormwater Pollution Prevention Program

Summary: In 2003, all cities in the metropolitan area were required to submit a Stormwater Pollution Prevention Plan (SWPPP) outlining the steps they would take to limit runoff into protected water bodies. This is done through the adoption of Best Management Practices (BMPs) in six categories:

1. Public Education and Outreach on Stormwater Impacts
2. Public Participation/Involvement
3. Illicit Discharge Detection and Elimination
4. Construction Site Stormwater Runoff Control
5. Post-Construction Stormwater Management in New Development and Redevelopment
6. Pollution Prevention/Good Housekeeping for Municipal Operations

The Minnesota Pollution Control Agency (MPCA) is working on reissuance of the Municipal Separate Storm Sewer System (MS4) General Permit, which will expire May 2011. The last MS4 General Permit issued was to address the new federal phase II stormwater regulations for small MS4s. These federal rules identified a stepped process for improved stormwater management where MS4 programs are strengthened with each five-year permit cycle. This permit reissuance will shift from the initial focus on permit program development to measuring implementation. Permit revisions will focus on main issues that have been identified for improvement from the existing permit with efforts to streamline and clarify permit requirements.

In addition, federal rulemaking is currently underway to overhaul the municipal stormwater program. United States Environmental Protection Agency (USEPA) plans to propose rules to control stormwater from, at minimum, newly developed and redeveloped sites. Final action on this rule is expected by December 2012. The MPCA will need to comply with the new federal rules with the 2016 MS4 General Permit reissuance.

As part of the program the city must hold annual public hearings to collect public input on the program and to document suggestions. The previous hearings have yielded no public comment.

Questions may be directed to city clerk / city zoning administrator Gus Karpas.

Council Action: No council action needed.



Agenda Item: Planning Commission Appointments

Summary: The planning commission holds public hearings and makes recommendations to the city council regarding the zoning code. This includes recommendations on variance and conditional use permit applications.

Each year three to four of planning commission terms expire. Terms are for two years and there is no limit to the number of terms that may be served. Planning commission members are appointed by the city council at the March council meeting and as needed to fill a vacancy. Notification regarding term expirations was announced at the December council meeting. An article seeking applicants was published in the winter 2011-12 edition of the Greenwood Quarterly newsletter. Greenwood residents interested in serving on the planning commission are asked to complete an application available at city hall and on the city website. New applicants also are asked to attend the March council meeting, so the council can conduct a casual "interview." Incumbent applicants typically submit a letter and do not attend the council meeting.

Current planning commission appointments:

- A-1 Brian Malo (term expires 3/12)
- A-2 John Beal (term expires 3/12)
- A-3 Dave Paeper (term expires 3/12)
- B-1 Pat Lucking (term expires 3/13)
- B-2 Bill Cook (term expires 3/13)
- Alt-1 Douglas Reeder (term expires 3/12)
- Alt-2 Kristi Conrad (term expires 3/13)

The terms of Brian Malo, John Beal, Dave Paeper, and Douglas Reeder expire in March 2012. All except Brian Malo have stated that they are willing to serve another 2-year term and have submitted letters or applications (see attached). As of the council packet deadline, no new applications have been received. Past protocol has been to reappoint commissioners that are willing to serve again, for alternate members to move up to voting positions that open up on the commission, and for new applicants to fill the alternate positions. Based on this, the new appointments would be:

- A-1 Douglas Reeder (term expires 3/14)
- A-2 John Beal (term expires 3/14)
- A-3 Dave Paeper (term expires 3/14)
- Alt-1 Kristi Conrad (term expires 3/14)
- Alt-2 Vacant (term expires 3/13)

Council Action: Council action required. Possible motion ...

1. I move the council approves the following planning commission appointments and directs that the oath of office be administered to them at the March planning commission meeting or at a meeting thereafter:

- A-1 Douglas Reeder (term expires 3/14)
- A-2 John Beal (term expires 3/14)
- A-3 Dave Paeper (term expires 3/14)
- Alt-1 Kristi Conrad (term expires 3/14)
- Alt-2 Vacant (term expires 3/13)

Planning Commission Application

Please complete the below form and return to 20225 Cottagewood Road, Deephaven, MN 55331. You also may submit the application by email to administrator@greenwoodmn.com, or by fax to 952.474.1274. The submission of this application does not obligate you to volunteer for any city service. New applicants will be invited to a city council meeting for an informal interview. We enjoy meeting you.

Name	Douglas Reeder
Address	515 Weeks Rd Greenwood MN 55331
Phone	952-934-8921
Email	Douglas.Reeder@YAHOO.COM
Job Title	RETIRED CITY MANAGER
How many years	36
How many years	
Are you able to	<input checked="" type="radio"/> Yes No
Would you be willing	<input checked="" type="radio"/> Yes No
Why do you want to serve on the planning commission?	WOULD ENJOY SERVING MY CITY.
Do you have any special qualifications or capabilities that would serve Greenwood well on the planning commission?	36 YEARS GOVERNMENT SERVICE

<p>What would be your main goal as a member of the planning commission?</p>	<p>To Help guide the future of Greenwood.</p>
<p>Office Use Only</p>	<p>Date Received:</p>

Planning Commission Application



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Name	David R. Paeper	
Address	5525 Crestside Ave	
Phone	612-743-1635	
Email	dpaeper@hga.com	
Job Title	Architect	
How many years have you lived in the Lake Minnetonka area?	30	
How many years have you lived in Greenwood?	26	
Are you able to attend meetings on the 3rd Wednesday of each month?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Would you be willing to attend a city-paid training class?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Why do you want to serve on the planning commission?	Continue my service to our community.	
Do you have any special qualifications or capabilities that would serve Greenwood well on the planning commission?	Architect - familiar with Planning Commission processes.	
What would be your main goal as a member of the planning commission?	<ul style="list-style-type: none"> - Protect the interests of all Greenwood residents, regardless of property location, size, or value. - Guide redevelopment of the Old Log Theater site. 	
Office Use Only	Date Received: 12/19/11	

John Beal
5470 Maple Heights Road
Greenwood, Minnesota 55331

December 9, 2011

The City Council
City of Greenwood
20225 Cottagewood Road
Deephaven, Minnesota 55331

Council Members:

My term on the Greenwood Planning Commission is about to expire. I would like to serve on the Planning Commission for another two year term.

Very truly yours,

A handwritten signature in black ink that reads "John Beal". The signature is fluid and cursive, with the first name "John" starting with a large loop and the last name "Beal" ending with a long horizontal stroke.

John Beal

PLANNING COMMISSION ATTENDANCE - 2011

Commissioner Name	January	February	March	April	May	June	July	August	September	October	November	December
John Beal	No Mtg	X	No Mtg	X	No Mtg	X	X	X	No Mtg	Absent	X	X
Kristi Conrad	No Mtg	*	No Mtg	*	No Mtg	*	*	*	No Mtg	X	X	X
Bill Cook	No Mtg	X	No Mtg	X	No Mtg	X	X	X	No Mtg	X	X	Absent
Pat Lucking	No Mtg	X	No Mtg	X	No Mtg	X	X	X	No Mtg	X	X	X
Brian Malo	No Mtg	X	No Mtg	X	No Mtg	X	X	Absent	No Mtg	Absent	X	X
Dave Paeper	No Mtg	X	No Mtg	X	No Mtg	Absent	Absent	X	No Mtg	X	Absent	Absent
Doug Reader	No Mtg	*	No Mtg	X	No Mtg	X	X	X	No Mtg	X	X	X

* Not on the Commission



Agenda Number: **6B**

Agenda Date: 03-07-12

Agenda Item: Resolution 04-12 Recognizing Outgoing Planning Commissioner Brian Malo

Summary: Planning commissioner Brian Malo completed 2-plus years on the commission and is not seeking reappointment. To recognize his service to the city a resolution has been drafted for the council's consideration (see attached).

Council Action: No council action required. Possible motion ...

1. I move the council approves resolution 04-12 recognizing the planning commission service of Brian Malo and direct the city clerk to mail an original signed copy of the resolution to Mr. Malo.



Resolution 04-12

**RESOLUTION RECOGNIZING THE
PLANNING COMMISSION CONTRIBUTIONS OF**

BRIAN MALO

WHEREAS, Brian Malo has been a member of the Greenwood planning commission since September 16, 2009; and

WHEREAS, Brian Malo's retirement from the planning commission will be effective March 7, 2012; and

WHEREAS, the city of Greenwood desires to recognize the planning commission service of Brian Malo.

NOW THEREFORE, BE IT RESOLVED that the city council of the city of Greenwood designates March 7, 2012 as Brian Malo Day in the city of Greenwood.

ADOPTED by the city council of the city of Greenwood, Minnesota this ____ day of _____, 2012.

There were ____ AYES and ____ NAYS as follows:

Greenwood City Council	YEAS	NAYS	ABSTAIN	ABSENT
Mayor Debra Kind				
Councilman Tom Fletcher				
Councilman H. Kelsey Page				
Councilman Bob Quam				
Councilman William (Biff) Rose				

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Gus E. Karpas, City Clerk



Agenda Number: **6C**

Agenda Date: 03-07-12

Agenda Item: Greenwood Park Skating Rink

Summary: At the 01-04-12 council meeting Greenwood Park neighbor Kristi Conrad approached the council about the idea of creating a skating rink on the pond at the park. She stated that the neighbors would be willing to flood and maintain the rink if the city could clean out the fallen trees, branches, and other debris in the dry pond bed. During the council discussion another neighbor suggested that they could have a chainsaw / wood-chopping gathering at the park as has been done in the past. There also was concern that it may not be possible for a neighboring home to flood the rink with a hose. The topic of liability also was discussed. The city has insurance, so there would be no liability for the city if the neighbors maintain a skating rink at the park.

At the 01-04-12 meeting the council directed the city clerk to secure estimates for the cost to clean up the pond. No estimates were received in time for the 02-01-12 council meeting, so the topic was continued to the 03-07-12 council meeting.

Attached is a \$440 estimate to clean out the pond from Cornerstone Industries (the city's trail plowing and signage contractor). The price is contingent on the ground being frozen.

Also attached is an email from Deephaven city administrator Dana Young regarding the cost to flood the pond bed (approximately \$3,656).

Council Action: None required. Possible motions ...

1. I move the council approves the estimate from Cornerstone Industries in the amount of \$440 to be paid from the general fund for clean up of the pond bed at Greenwood Park. I further move the council grants permission to the Greenwood Park neighbors and friends to flood the pond area to create a skating rink and maintain the skating rink for the enjoyment of the public.
2. I move the council gives permission for Greenwood Park neighbors and friends to clean up the trees, branches and debris in the pond at the park, flood the pond area to create a skating rink, and maintain the skating rink for the enjoyment of the public.
3. Do nothing.

Hi Gus,

Sounds good, please be aware that this price requires the ground still be frozen in order to use a bobcat to load the debris. If the weather turns on us by then I may need to re-work things.

Thanks,
Tim

From: Gus Karpas <guskarpas@mchsi.com>; **To:** 'Tim Lovett' <csilandscaping@yahoo.com>; **Cc:** 'Debra Kind' <dkind100@gmail.com>; **Subject:** RE: Skating rink area clean-up **Sent:** Mon, Feb 13, 2012 2:14:32 PM

This will be put on the March 7th City Council agenda for discussion.

GUS

From: Tim Lovett [<mailto:csilandscaping@yahoo.com>]
Sent: Friday, February 10, 2012 11:10 AM
To: Gus Karpas
Subject: Skating rink area clean-up

Hi Gus,

I can clean-out the skating rink area and haul out all of the brush, down trees, three or four treated railroad ties etc, with disposal/recycling for \$440.00 (railroad ties are \$50 of this with special disposal). Let me know what you guys want to do, and thanks for the opportunity to bid the project.

Tim Lovett
Cornerstone Ind. Inc.
612 226 8344

Excerpt of a January 26, 2012 email from Deephaven city administrator Dana Young:

... we typically form ice in Deephaven by using the water truck to spray water on the ground early each morning so that it gradually builds up a base. ... So it would generally cost you about one hour for labor and a truck at \$81.26 per day to begin the process to get a decent base installed. The question is how decent do you want this rink to be? We typically water our rinks once per day because the expectations from the public are that the rinks need to be in pretty good condition. At \$81.26 per day or \$406.30 per week, would you want your rink watered every day to maintain (and hopefully) increase the overall base of ice? We usually open our rinks around the third week in December. If we watered your rink with the same frequency as ours, it would cost Greenwood about \$3,656.70 (45 days x \$81.26) to maintain an ice rink in Greenwood to the same standards as we maintain our rink for an entire season. Please note that this does not include the cost of plowing the rink clear after a snowfall.



Agenda Item: Potential Sump Pump Program

Summary: At the 02-01-12 council meeting the council discussed the possibility of conducting a new sump pump program in light of the recent excess flow problem from a Channel Drive property. The last sump pump program was conducted in 2006. For the council's reference the program is outlined in section 310.30, subd. 5(d) of the city code (attached). In 2006 it is believed that property owners were asked to complete a form to certify that their sump pump was not hooked up to the sewer system, but there was no follow up with onsite inspections of properties that did not return the certification form. The city attorney recalls that in-home inspections were seen as intrusive and costly by the council at that time, so the council chose to focus on repairing manholes, etc. instead. If the council desires to conduct a new sump pump program, section 310.30, subd. 5(d) of the code would need to be revised.

The 02-01-12 council discussion centered around whether the Channel Drive property's excess flow was caused by a sump pump and directed city clerk Gus Karpas to do an onsite inspection. On 02-16-12 an onsite inspection was conducted. The home currently is for sale and is vacant, so the home has been winterized and the water has been turned off. The sump pump basket was dry with no water flowing. That same day Randy (the city's "sewer guy") stop by the property to check to see if water still was running into the manhole. Randy confirmed that water is no longer running into the manhole and talked with the realtor's plumber who was at the property. The plumber told Randy that the excess flow issue may be the water softener regenerating, but he won't be able to say for sure until the water is turned back on. For the time being, the surcharge to the property's sewer bill has been removed. This will be reviewed again when the water is turned back on.

The council also directed Gus to get Met Council flow information for the past 5+ years to help determine whether the city's inflow and infiltration (I&I) projects have helped reduce flow. The allocated wastewater volumes sheet for 2005-2012 is attached. Also attached is a rain event report from August 2010. Based on this information, it is unclear how much the city's total volume has been helped by the I&I projects that were completed in recent years. For example, the city's wastewater volume billed in 2012 is 16.82 million gallons, which is an increase from 13.84 million gallons billed in 2011 (volume of flow from July 2010 through June 2011, and July 2009 through June 2010 respectively). Therefore it appears that the amount of rain and the related sump pump flow directly into sanitary sewer system still is a factor causing fluctuations in total volume from year to year. Based on this, the council may wish to conduct a new sump pump program to reduce the amount of money the city is paying to treat clean sump pump water.

Council Action: None required. Possible motions ...

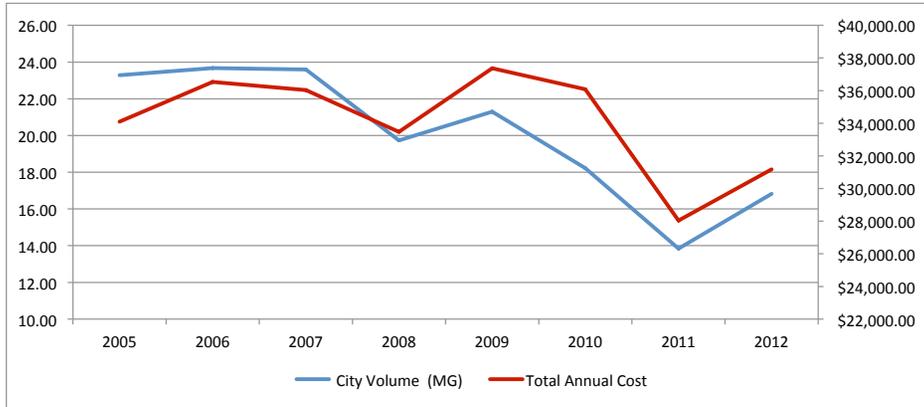
1. I move the council directs the city clerk to draft an amendment to city code section 310.30, subd. 5(d) to allow the city to conduct a new sump pump program to reduce the amount of money the city pays to treat clean water and place on the 04-04-12 council agenda for a first reading.
2. Do nothing.

Greenwood Allocated Wastewater Volumes
February 2, 2012

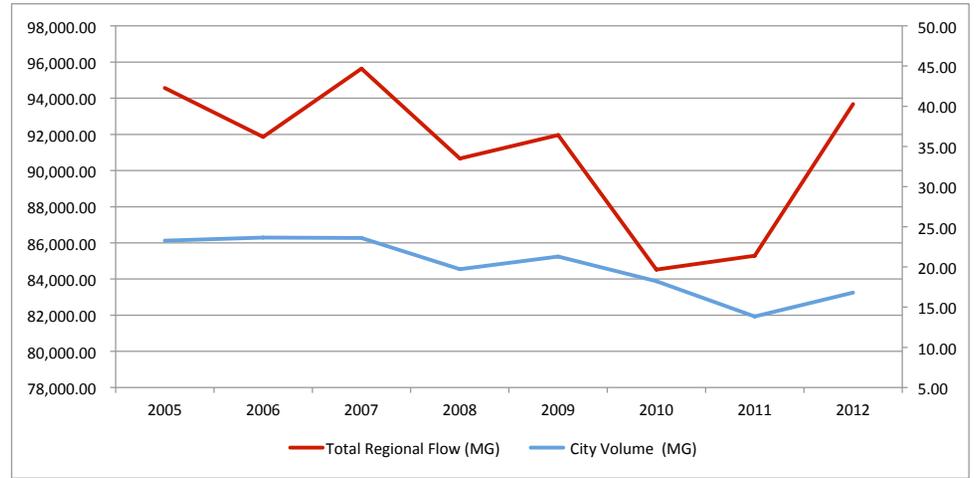
<u>Year Volume Billed</u>	<u>City Volume (MG)</u>	<u>Total Annual Cost</u>	<u>Total Regional Flow (MG)</u>	<u>% of Total Regional MG</u>
2005	23.28	\$ 34,095.02	94,567.49	0.02462%
2006	23.67	\$ 36,534.13	91,860.47	0.02577%
2007	23.60	\$ 36,029.35	95,633.14	0.02468%
2008	19.73	\$ 33,478.02	90,664.35	0.02176%
2009	21.30	\$ 37,366.48	91,958.31	0.02316%
2010	18.22	\$ 36,089.03	84,519.05	0.02156%
2011	13.84	\$ 28,036.43	85,293.98	0.01623%
2012	16.82	\$ 31,177.97	93,680.78	0.01795%

Billed Volumes reflect measured and estimated wastewater flow covering the period between 18 and 6 months prior to the year billed.

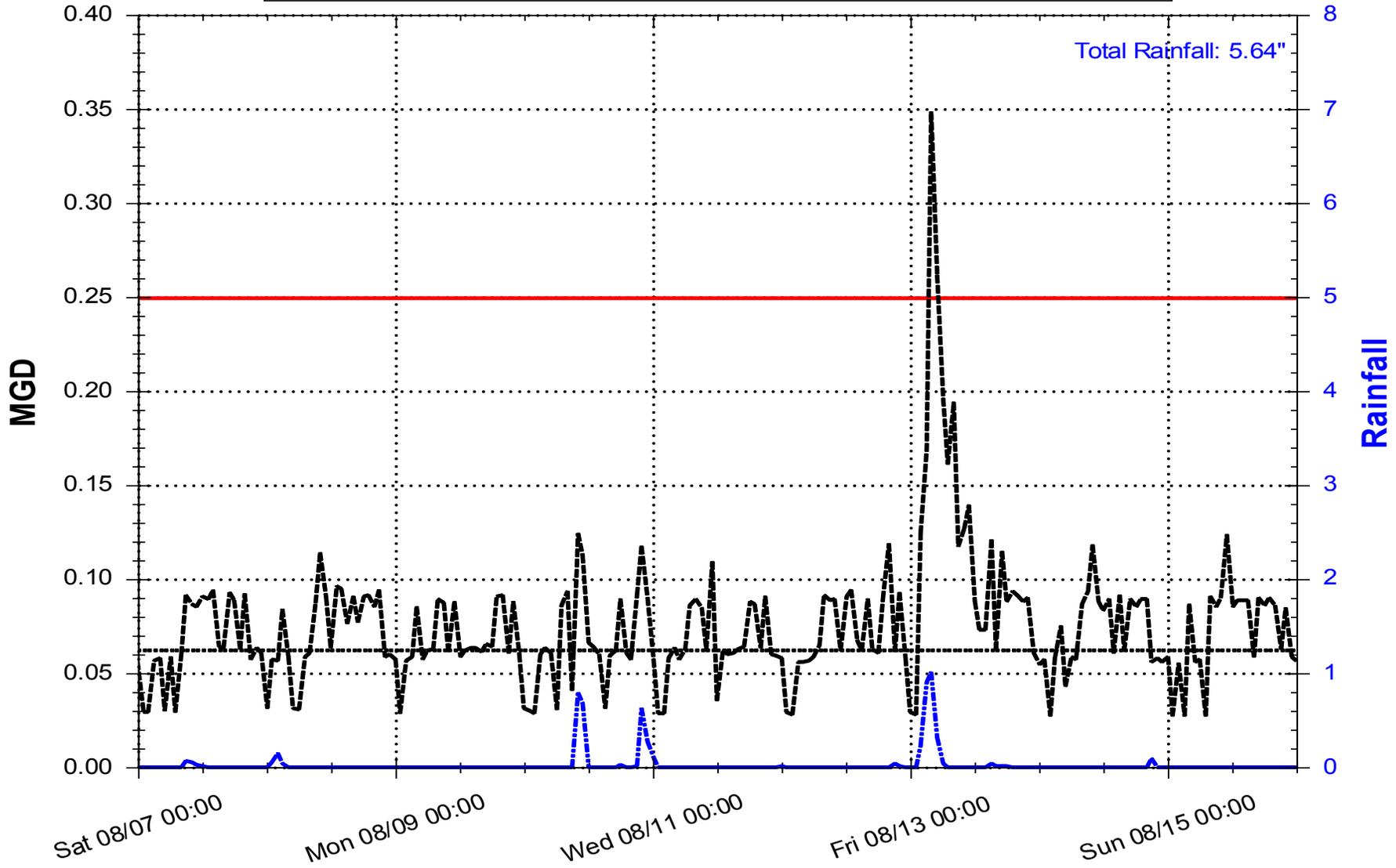
Example: 2012 billed year covers July 1, 2010 through June 30, 2011 flow period
2011 billed year covers July 1, 2009 through June 30, 2010 flow period, etc.



Note: Cost allocation based on proportionate share of each community's flow to total Regional flow multiplied by MCEs' Municipal Wastewater Charge budget.



II Report for GREENWOOD416



public property disturbed in the course of the work shall be restored in a manner satisfactory to the city by the person making the installation.

Subd. 4. Prohibited Discharges Into Sanitary Sewer System and Natural Outlets.

- (a) No person shall discharge or cause to be discharged any substance not requiring treatment or any substance not acceptable for discharge, as determined by the city, Metropolitan Council, or the Minnesota Pollution Control Agency, into the sanitary sewer system. Only sanitary sewage from approved plumbing fixtures may be discharged into the sanitary sewer system.
- (b) Storm water, ground water, roof runoff, surface water, or unpolluted drainage shall be discharged only to specifically designated storm drains or to a natural outlet approved by the city engineer.
- (c) No person shall discharge or cause to be discharged any of the following waters or wastes to any public sewer:
- 1) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquids, solids or gases.
 - 2) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, to constitute a hazard to humans or animals, to create a nuisance or to create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of 2 milligrams per liter as CN in the wastes as discharged to the public sewer.
 - 3) Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works or the sewage treatment plant.
 - 4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works or sewage treatment plant such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, garbage, whole blood, manure, hair and fleshing, entrails, and any paper dishes, cups, or other paper containers or paper products, whether whole or ground by garbage grinders.
 - 5) Other substances in amounts in excess of the concentrations permitted under rules and regulations of the metropolitan sewer board.
- (d) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer unless such person has obtained a permit from the Metropolitan Council specifically authorizing the discharge of such water or waste and unless the conditions, if any, set forth in the permit have been and are complied with by such person:
- 1) Any waters or other liquid or vapor having a temperature higher than 150° Fahrenheit (65°C).
 - 2) Any waters or wastes containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 milligrams per liter or containing substances which may solidify or become viscous at temperatures between 32° and 150° Fahrenheit (0°C and 65°C).
 - 3) Any garbage that has not been properly shredded.
 - 4) Any waters or wastes containing pickling wastes or concentrated plating solutions.
 - 5) Any waters or wastes containing iron, chromium, copper, zinc and similar substances in such concentration so as to cause the waters or wastes to be objectionable or toxic.
 - 6) Any waters or wastes exerting a chlorine requirement or demand such that when the waters or wastes are received in the composite sewage at the sewage treatment plant, the chlorine requirement or demand of the composite sewage exceeds reasonable limits.
 - 7) Any waters or wastes containing phenols or other taste or odor producing substances in concentrations which exceed reasonable limits in view of the applicable requirements of the state, federal or other public agencies having jurisdiction over effluent discharge to the receiving waters.
 - 8) Any radioactive wastes or isotopes of such half-life or concentration as may exceed reasonable limits in view of the applicable state or federal regulations.
 - 9) Any waters or wastes having a pH in excess of 9.5.
 - 10) Materials that exert or cause: i.) concentrations of inert suspended solids, such as, but not limited to, fullers earth, sand, lime, slurries and lime residues, or of dissolved solids, such as, but not limited to, sodium chloride and sodium sulfate, which are likely to be harmful to the sewer, sewer works or sewage treatment plant. ii.) excessive discoloration, such as, but not limited to, dye wastes and vegetable tanning solutions. iii.) unusual BOD or chemical oxygen demand in such quantities as to constitute a significant load on the sewage treatment plant. iv.) unusual volume of flow or concentration of waters or wastes constituting "slugs" as defined herein.

- (e) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes utilized by sewage treatment plants, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of the state, federal or other public agencies having jurisdiction over effluent discharge to the receiving waters.
- (f) Where pretreatment or flow-equalization facilities and/or where grease, oil or sand interceptors are provided for any waters or wastes, such facilities and/or interceptors shall be maintained continuously in satisfactory and effective operation by the user thereof and at no expense to the city.
- (g) The owner of any property having a building sewer into which industrial wastes are discharged or caused to be discharged, shall install a suitable control structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the industrial wastes. Such structure, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the city engineer. The structure shall be installed by the owner at their expense, and shall be maintained by them so as to be safe and accessible at all times. The owner shall pay all city engineer fees to review the plan.
- (h) All measurements, tests and analyses of the waters and wastes discharged or caused to be discharged to a public sewer shall be determined in accordance with the latest edition of "Standard Methods of the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control structure provided, or in the event that no special control structure has been provided, at the nearest downstream manhole in the public sewer from the point at which the building sewer is connected to the public sewer. Sampling shall be carried out by customarily accepted methods under the direction of the city engineer to reflect the effect of the waters and wastes upon the sewers, sewage works and the sewage treatment plant and to determine the existence of hazards to public health, safety and welfare.
- (i) Notwithstanding any other provision hereof, the city may enter into a valid agreement with any person whereby industrial wastes and/or sewage of unusual strength or character may be discharged to a public sewer and accepted by the sewage treatment plant, subject to the payment of special charges to the city thereof by the person; and provided that the city shall give its prior, written approval to the special agreement.

Subd. 5. Prohibited Discharges of Stormwater, Surface Water, Groundwater, Roof Runoff, Subsurface Drainage, or Cooling Water and Discharge to Any Sanitary Sewer.

- (a) No person shall discharge or cause to be discharged, directly or indirectly, any stormwater, surface water, groundwater, roof runoff, subsurface drainage, foundation drain systems, or cooling water to any sanitary sewer. Any person having a roof drain, sump pump, unauthorized swimming pool discharge, cistern overflow pipe or surface drain connected and/or discharging into the sanitary sewer shall disconnect and remove any piping or system conveying such water to the sanitary sewer system.
- (b) All construction involving the installation of clear water sump pits shall include a sump pump with minimum size 1-1/2 inch diameter discharge pipe. The pipe attachment must be a rigid permanent type plumbing such as PVC or ABS plastic pipe with glued fittings, copper or galvanized pipe. All discharge piping shall be installed in accordance with the building code. Discharge piping shall start at the sump pit and extend through the exterior of the building and terminate with not less than 6 inches of exposed pipe. Sump pump discharge location and flow shall be consistent with the approved development drainage plan for the lot. The discharge may not be pumped directly onto any public right-of-way unless approved by the city engineer or their designee. Any disconnects or openings in the sanitary sewer shall be closed and repaired in compliance with applicable codes.
- (c) Every person owning improved real estate which discharges into the city's sanitary sewer system shall allow inspection by authorized city employees or its agents of all properties or structures connected to the sanitary sewer system to confirm there is no sump pump or other prohibited discharge into the sanitary sewer system. Any persons refusing to allow their property to be inspected shall immediately become subject to the surcharge as described in subsection (f) hereinafter.
- (d) Every person owning improved real estate that discharges into the city's sanitary sewer system shall submit to the city clerk on or before March 31, 2006 certification that their real estate is not in violation of section 310.30, subdivisions 4 and 5. Any owner of any property in violation of section 310.30, subdivisions 4 or 5 shall a) on or before March 31, 2006 notify the city clerk of the violation, b) make the necessary changes to comply with section 310, and c) schedule an inspection of their property to be conducted on or before June 30, 2006 by authorized city employees or its agents to verify that the violation has been ended. Any property or structure not inspected or not in compliance by June 30, 2006, shall, following notification from the city, comply within 14 calendar days or be subject to the surcharge as provided in subsection (f) hereinafter.

- (e) Upon verified compliance with this section, the city reserves the right to re-inspect such property or structure at least annually to confirm continued compliance. Any property found not to be in compliance upon re-inspection or any person refusing to allow their property to be re-inspected shall, following notification from the city, comply within 14 calendar days or be subject to the surcharge as provided in subsection (f) hereinafter.
- (f) A stormwater surcharge per quarter is hereby imposed and shall be added to every residential utility billing, to property owners who are found not in compliance with this section; a surcharge per quarter is hereby imposed and shall be added to every commercial or industrial sewer billing, to property owners who are found not in compliance with this section. The surcharge shall be added every quarter until the property is verified to be in compliance through the city's inspection program. The stormwater sewer non-compliance surcharge fee amount shall be determined by the city council and set forth in chapter 5 of this code book.
- (g) The city council, upon recommendation of the city engineer, shall hear and decide requests for temporary waivers from the provisions of this section where strict enforcement would cause a threat to public safety because of circumstances unique to the individual property under consideration. Any request for a temporary waiver shall be submitted to the city engineer in writing. Upon approval of a temporary waiver from the provisions of this section, the property owner shall agree to pay an additional fee for sanitary sewer services based on the number of gallons discharged into the sanitary sewer system as estimated by the city engineer.
- (h) Violation of this section is a misdemeanor and each day that the violation continues is a separately prosecutable offense. The imposition of the surcharge shall not limit the city's authority to prosecute the criminal violations, seek an injunction in district court ordering the person to disconnect the nonconforming connection to the sanitary sewer, or for the city to correct the violation and certify the costs of connection as an assessment against the property on which the connection was made.

Section 310.35. Right to Enter.

The duly authorized employees or representatives of the city bearing proper credentials and identification shall have the right to enter all properties served by the city's sewer system for the purpose of inspection, observation, measurement, sampling and testing in accordance with and for the purpose of enforcing the provisions of this ordinance. The employees or representatives shall have the power and authority to obtain a warrant to secure entry onto a property and shall obtain a warrant to enter any property upon which entry is or has been refused. The employees or representatives shall have no authority to inquire into any industrial processes beyond that point in the process having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for treatment.

Section 310.40. Discontinuance of Service.

Sewer service shall be discontinued when it is determined that a sum equal to the portion of the cost of constructing the sewer system attributable to the parcel or property as determined by the assessment proceedings or pursuant to the provisions of this code has not been paid or is not in the process of being paid in regular installments.

Section 310.45. Liability.

Each user or owner shall be responsible for maintaining and cleaning their sewer connection from the house to the sewer main. The city shall not be liable for any stoppages in the sewer system. Each user should provide a suitable backwater valve to prevent flooding of basements in the event of sewer stoppage.

Section 310.50. One House Per Connection.

Not more than one house or building shall be supplied from one sewer connection, except with the permission of the city engineer.

Section 310.55. Building Sewers.

Subd. 1. All building sewer connections must be made to the wye or riser provided for that purpose. No sewer connection shall be laid in the same trench with water, gas or any other pipe, and all sewer connections must be laid far enough from all others to permit the repair or removal or relaying of any one without disturbing the other, unless an alternate method is approved by the city engineer.

Subd. 2. At the time any connection is made to the city sanitary sewer system, all cesspools, septic tanks, or other sewage disposal facilities existing on the property that is connected shall be pumped and then filled to earth level with suitable material. Piping through cesspools or septic tanks will not be permitted, and connections to buildings with



Agenda Item: Potential County Policy Change to Charge 911 Fees to Cities

Summary: The city received a letter from the county sheriff regarding 911 dispatch fees (see attached). Currently fees are NOT charged back to cities. The county board is considering changing the policy so that fees ARE charged back to cities. The sheriff does not support a change in policy and he suggests that the city should weigh in with our county board representative (Jan Callison) regarding this issue. It is expected that the county board will make a decision regarding this issue in 2012.

County Commissioner Jan Callison hosted a Lake Minnetonka Mayors' Breakfast on 02-03-12 and this topic was discussed. Currently every city in the county shares in the 911 center expense via property taxes. Commissioner Callison explained that some cities like Minneapolis, Edina, and Minnetonka have their own 911 service centers, so they are paying twice for 911 service. These cities are asking the county board to make a change in policy so that the cities that are using the 911 service are the cities paying for the service.

If cities are charged for their 911 use, theoretically Greenwood would benefit because our tax capacity is high compared to our percentage of use. However, adding 911 charges to the city's general fund budget would mean that other city spending would need to be reduced or that city taxes would need to be increased to cover the added expense. It is unlikely there would be a corresponding reduction in county taxes paid by Greenwood residents.

The South Lake Minnetonka Police Department coordinating committee discussed 911 fees at their 02-08-12 meeting. Chief Bryan Litsey noted he anticipated this issue coming up, and that is why he and Fire Chief Scott Gerber made the recommendation that each of the South Lake cities add a stipulation regarding costs to resolutions supporting the new 911 center (see highlighted text on the attached resolution approved by Greenwood). Chief Litsey pointed out that 911 dispatch is a basic service that should be provided by the county, and if cities choose to pay a premium to have their own 911 service, that is their choice.

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

1. I move that the council authorizes the mayor to do the following:
 - a. Draft a letter a letter to County Commissioner Jan Callison on behalf of the city council based on the council discussion regarding the potential change in the county's policy regarding 911 fees.
 - b. Include the draft of the letter on the April council agenda for council approval.
2. Do nothing.



RICHARD W. STANEK
Hennepin County Sheriff

January 5, 2012

Mayor Debra J. Kind
City of Greenwood
20225 Cottagewood Road
Deephaven, MN 55331

Dear Mayor Kind,

As one of thirty-five Hennepin County cities that receive dispatch service from the Sheriff's Office, I wanted you to be aware of discussions that have been occurring over the past few months.

On Monday, December 12, Hennepin County administrator Richard Johnson convened a meeting of the independent PSAPs (public safety answering points) in our county for purposes of reviewing a consultant study on consolidation and/or integration in the future. *The next step in the study is to undergo a financial analysis including a review of the current policy of not charging cities for dispatch service provided by the Sheriff's Office.*

As you may know, the decision whether or not to charge a fee to cities for dispatch service is a policy decision to be made by the county board, with advice from the Sheriff, as outlined in MN Statute 383B.255 which I have included for your reference below.

MN Statute 383B.255

Subd. 2. **Policy and operations.** The public safety communications system shall be under the direction of the sheriff. Public safety communications policies may be established by the board of county commissioners.

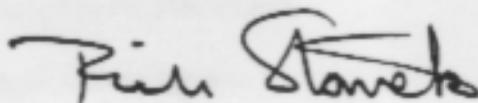
Subd. 3. **Extension of services; charges.** Public safety communications services may be extended to any statutory or home rule charter city within the county, and to any adjoining county or statutory or home rule charter city in an adjoining county, upon the written request of its governing body to the Hennepin County board. All the communications equipment used in connection with the extended service shall, unless otherwise provided by the Hennepin County board, be owned, maintained, and serviced by Hennepin County. *The board with the advice of the sheriff may establish a charge for extended public safety communications services pursuant to section 383B.118.*

In discussions with the county board, *I have made it clear that I do not support a fee for dispatch service*; however, the decision on whether to charge cities for dispatch service moving forward will be made by the county board. I am bringing

this issue to your attention as I believe the next 12 months will be a critical time for cities to weigh in with your respective county commissioner to express your thoughts about a potential change in policy.

If you have any questions about the above information, please feel free to contact Sandra Westerman on my staff, Director of Intergovernmental Relations, at 612.543.0694 or call me directly anytime.

Sincerely,



Richard W. Stanek
Hennepin County Sheriff

**CITY OF GREENWOOD
RESOLUTION NO. 14-11**

**A RESOLUTION SUPPORTING HENNEPIN COUNTY SHERRIF'S
NEW REGIONAL 911 EMERGENCY COMMUNICATIONS FACILITY**

WHEREAS, the City of Greenwood values public safety as a core service of government; and

WHEREAS, reliable emergency communications is a critical component in the delivery of public safety; and

WHEREAS, the City of Greenwood receives police and fire dispatch service from the Hennepin County Sheriff's Office, with over 11,830 police dispatch events handled in 2010 for the South Lake Minnetonka Police Department; and

WHEREAS, the Hennepin County Sheriff's Office currently provides dispatch to 36 entities across Hennepin County from a 60 plus year-old building in Golden Valley scheduled to be replaced in 2012/2013 with a new facility on county-owned property in Plymouth, adjacent to the Adult Correctional Facility at Parkers Lake; and

WHEREAS, the new Hennepin County Sheriff's Office emergency communications facility is important to public safety.

NOW, THEREFORE, BE IT RESOLVED, that the City of Greenwood supports the construction of a new Hennepin County Sheriff's Office Regional 911 Communications Facility **at no cost to the city and with the understanding that no fees will be assessed to the city to support ongoing operations of the new facility;** and

BE IT FURTHER RESOLVED, that due to the regional nature of this project, the City of Greenwood encourages the Minnesota State Legislature and Federal Elected Officials to support this project through state bonding and state and federal grants.

ADOPTED by the city council of the City of Greenwood, Minnesota, this ___ day of _____, 2011.

Ayes _____, Nays _____.

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Gus E. Karpas, City Clerk



Agenda Item: Discuss: Conduit Financing for the Wayzata Bay Project

Summary: The council packet includes a 02-03-12 memo from John Utley of Kennedy Graven regarding conduit financing for the Wayzata Bay Project. The letter states the developers are proposing to finance the project through the issuance of bank-qualified tax-exempt conduit revenue bonds. They need to issue a total of \$60 million in bonds. If they proceed with this scenario, Wayzata would issue \$10 million in bonds (which is the maximum bank-qualified tax-exempt bonds that any city can issue). Other neighboring cities would need to participate to reach the \$60 million needed. In addition to Wayzata, Minnetonka has committed to issuing bank-qualified tax-exempt bonds. Deephaven, Minnetonka Beach, Shorewood, Tonka Bay, and Woodland also have expressed interest in participating. If Greenwood participates at the maximum \$10,000 level, the city would receive a minimum of \$12,500 as an administrative fee payable on the date of the issuance of the bonds. The city also would be reimbursed for legal costs. According to Mr. Utley, there is no risk to the city. Participating cities need to publish notice, hold a public hearing, and approve a resolution that would be provided by Kennedy Graven.

This topic was discussed during "council reports" at the 02-01-12 council meeting. At that time the council decided to include further discussion on the 03-07-12 council agenda to allow time for the city attorney to review the concept and advise the council.

City attorney Mark Kelly suggested that the council consult with an attorney who specializes in municipal financing. He recommended Tim Keane from Malkerson Gunn Martin. Mr. Keane's proposal letter is attached.

The latest news from Mr. Utley is that the city of Wayzata may decide to issue regular (not bank-qualified) tax-exempt bonds for the entire project. So participation from other cities may not be needed because regular tax-exempt bonds do not have the \$10,000 limit like bank-qualified tax-exempt bonds do. There also is a possibility the project will be financed through a combination of bank-qualified and regular tax-exempt bonds. Mr. Utley said the decision will be made in March. He also stated that if they decide to go with some or all bank-qualified bonds, participating cities would need to move fairly quickly. Therefore, it may be prudent for the council to authorize the engagement of Mr. Keane, should his services be needed.

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

1. I move that the council authorizes the services of Tim Keane to advise the council if the option opens up for the city to possibly participate in bank-qualified tax-exempt conduit bond financing of the Wayzata Bay Project. The cost for Mr. Keane's services shall be paid from the general fund and shall not exceed \$3000 with the understanding that this cost shall be reimbursed to the city if the city participates in the project.
2. Do nothing.

From: "Berg, Terry L." <tberg@Kennedy-Graven.com>
Date: February 3, 2012 9:21:00 AM CST
To: "Debra Kind" <dkind100@gmail.com>, "Gus Karpas" <guskarpas@mchsi.com>
Cc: "Utley, John C." <jutley@Kennedy-Graven.com>
Subject: **FW: Bank-Qualified Bonds - Wayzata Bay Project**

Deb Kind, Mayor
Gus Karpas, City Clerk
City of Greenwood
20225 Cottagewood Road
Deephaven, Minnesota 55331-6700

Mayor Kind and Mr. Karpas:

Wayzata Bay Senior Housing, Inc., a Minnesota nonprofit corporation (the "Corporation"), was formed by Presbyterian Homes & Services (also a Minnesota nonprofit corporation) to undertake a major development in the downtown area of the City of Wayzata ("Wayzata") comprised of multifamily housing developments for seniors and commercial retail facilities (the "Wayzata Bay Project"). The Corporation is proposing to finance the construction of a substantial portion of the Wayzata Bay Project through the issuance of tax-exempt conduit revenue bonds (the "Bonds") in a total aggregate principal amount of approximately \$60,000,000. (The technical name for such obligations is "qualified 501(c)(3) bonds.") The proposed purchaser(s) of the Bonds are banks. Banks generally purchase only tax-exempt bonds that are "bank qualified." Every political subdivision in Minnesota is permitted to designate up to \$10,000,000 of tax-exempt bonds per calendar year as "qualified tax-exempt obligations" (more commonly referred to as "bank qualified bonds") as long as the political subdivision does not reasonably expect to issue more than \$10,000,000 of tax-exempt bonds in that calendar year. Both governmental bonds (typically general obligation bonds) and private activity bonds that are designated as "qualified 501(c)(3) bonds" must be included in determining whether an issuer is within the \$10,000,000 limit for bank-qualified bonds. Wayzata has agreed to issue a portion of such bank-qualified Bonds but cannot issue more than \$10,000,000 of such Bonds. Therefore, requests are being made to several other issuers to participate in the financing of the Wayzata Bay Project through the issuance of bank-qualified Bonds by such other issuers.

Minnesota law and federal tax law permit a city to issue tax-exempt bonds for a facility located in another city, such as the Wayzata Bay Project, if the issuing city is authorized to do so by the city in which the facility is located and if the issuing city is located within the market area of the facility to be financed. The City of Greenwood ("Greenwood") is located within the market area of the Wayzata Bay Project and Wayzata has expressed its willingness to authorize the issuance of such Bonds by other cities.

It is our understanding that Greenwood has no plans to issue any tax-exempt bonds in calendar year 2012. If this is correct, then Greenwood could issue \$10,000,000 of bank-qualified bonds in calendar year 2012 to assist in the financing of the Wayzata Bay Project for the Corporation. The bank-qualified Bonds would be issued under Minnesota Statutes, Chapter 462C, as amended, or Minnesota Statutes, Sections 469.152-469.1651, as amended (collectively, the "Act"). The Bonds would be issued under the Act as revenue bonds and, as such, will be secured solely by the revenues derived from the Wayzata Bay Project and any additional security provided by the Corporation. The Bonds would not constitute general or moral obligations of Greenwood and would not be secured by the taxing powers of Greenwood or be payable from any funds, assets, or other property of Greenwood. In addition to assisting the development of senior housing facilities in a neighboring city that will be available to the residents of Greenwood, an additional benefit to Greenwood would come in the form of an administrative fee payable by the Corporation as compensation for the use of Greenwood's authority to issue bank-qualified bonds. The Corporation is proposing a payment in the amount of one-eighth of one percent (0.125%) of the principal amount of Bonds issued by Greenwood. (This was the same fee paid to the City of Minnetonka with respect to the bonds it issued in December, 2011 for the Wayzata Bay Project.) If Greenwood issues \$10,000,000 of Bonds, the administrative fee would be equal to \$12,500. The administrative fee would be payable on the date of issuance of the Bonds.

The Corporation would propose that Kennedy & Graven, Chartered, act as bond counsel on behalf of Greenwood in connection with the proposed financing. The Corporation would be responsible for the payment of all fees of Kennedy & Graven. The Corporation would also pay any other out-of-pocket costs paid or incurred by Greenwood, including any fees of the Greenwood City Attorney, although it is not anticipated that Greenwood will be required to pay or incur any such costs.

In order to proceed with this financing, it will be necessary for the Greenwood City Council to conduct a public hearing on the proposed financing (preceded by publication of a notice of public hearing in the Greenwood official newspaper at least fifteen days prior to the date of the public hearing) and to adopt a resolution approving the documentation for the financing and authorizing the issuance of the bank-qualified Bonds. These two actions can be accomplished at a single meeting of the City Council. A representative of the Corporation and I would appear at the public hearing to answer any questions that the City Council or members of the public may have regarding the Wayzata Bay Project or the legal aspects of the proposed financing.

If you have any questions regarding the foregoing, please contact me at your earliest convenience. Also, if you wish to speak to a representative of the Corporation, please let me know and John Mehrkens or another representative of the Corporation will contact you.

John Utley
Kennedy & Graven, Chartered
470 U.S. Bank Plaza
200 South Sixth Street
Minneapolis, MN 55402-1458
612-337-9270
Fax: 612-337-9310
Email: jutley@kennedy-graven.com

This notice is required by IRS Circular 230, which regulates written communications about federal tax matters between tax advisors and their clients. To the extent the preceding correspondence and or any attachment is a written tax advice communication, it is not a full "covered opinion." Accordingly, this advice is not intended and cannot be used for the purpose of (1) avoiding penalties that may be imposed under the Internal Revenue Code of 1986, as amended, or (2) promoting, marketing, or recommending to another party any matters addressed herein.

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MALKERSON GUNN MARTIN LLP

1900 U.S. BANK PLAZA SOUTH TOWER
220 SOUTH SIXTH STREET
MINNEAPOLIS, MINNESOTA 55402
TELEPHONE 612-344-1111
FACSIMILE 612-344-1414

TIMOTHY J. KEANE
612-455-6633 DIRECT
TIM.KEANE@MGMLLP.COM

February 14, 2012

Gus Karpas
City Administrator
City of Greenwood
2025 Cottagewood Road
Deephaven, MN 55331-6700

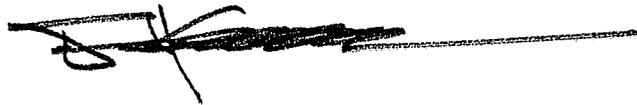
Re: City of Greenwood: Wayzata Bay Senior Housing, Inc. - Revenue Bond Sale

Dear Mr. Karpas:

This letter-proposal is in response to an inquiry from the City of Greenwood's civil counsel, Mark Kelly, relating to providing an opinion of issuer's counsel in the above-referenced financing. It is my understanding bond counsel in this matter is John C. Utley of Kennedy-Graven. Our office is familiar with the scope of work requested in this matter and would be prepared to undertake this work on an hourly basis with an estimated fee in the range of \$2,500-\$3,500. Should you have any questions, please contact me at (612) 455-6633.

Sincerely,

MALKERSON GUNN MARTIN LLP



Timothy J. Keane

TJK/ban

cc: Mark Kelly, Esq.



Agenda Number: **7C**

Agenda Date: 03-07-12

Agenda Item: Procedure for Authorization of City Expenditures

Summary: The city auditors would like the council to establish an official policy regarding the authorization of city expenditures. Currently when a need for an expenditure is determined (e.g. a tree needs to be removed from the city right-of-way), the clerk contacts the mayor to get verbal approval before authorizing the work on behalf of the city. According to the auditors, this basic procedure is acceptable, but expenditure orders should be documented and the procedure should be made official by a council motion. Attached is a proposed "expenditure log sheet." Below is a proposed procedure for the council's consideration.

Council Action: Council action recommended. Possible motion ...

1. I move that the council authorizes the following procedure for approving city expenditures:
 - a. When a need is determined, the city clerk may write a work order or make a purchase for expenditures up to \$500.
 - b. If the expenditure is larger than \$500, the city clerk must contact the mayor or mayor pro tem for approval. The mayor or mayor pro tem will review the budget and give verbal approval or denial as the case may be.
 - c. The clerk documents all expenditures on an "expenditure log sheet."
 - d. The mayor or mayor pro tem compares invoices with the expenditure log sheet and approves, dates, and initials all invoices.



Agenda Number: **7D**

Agenda Date: 03-07-12

Agenda Item: Election Precincts and Polling Places

Summary: Minnesota statute section 204B.14, subd. 3 (d) requires that precinct boundaries must be reestablished within 60 days of when the legislature has been redistricted or at least 19 weeks before the state primary election, whichever comes first. To comply with the law, the attached resolution has been drafted for the council's consideration.

Council Action: Council action is required. Possible motion ...

1. I move that the council approves resolution 05-12 establishing the city precinct and polling place.



Resolution 05-12

RESOLUTION REESTABLISHING PRECINCTS AND POLLING PLACES

WHEREAS, the legislature of the State of Minnesota has been redistricted; and

WHEREAS, Minnesota Statute section 204B.14, subd. 3 (d) requires that precinct boundaries must be reestablished within 60 days of when the legislature has been redistricted or at least 19 weeks before the state primary election, whichever comes first;

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Greenwood, County of Hennepin, State of Minnesota hereby reestablishes the boundaries of the voting precinct and polling places as follows:

Precinct 1 – 5185 Meadville Street (Old Log Theater) LOTS 49 TO 56 INCL. ALSO THAT PART OF LOT 109 LYING SELY OF A LINE DES AS BEG AT MOST NLY COR OF LOT 56 TH NELY ALONG THE EXTENSION

(The entire City of Greenwood is located in Precinct 1)

Attached to this resolution, for illustrative purposes, is a map showing Precinct 1 and the polling place.

ADOPTED by the city council of the city of Greenwood, Minnesota this ___ day of _____, 2012.

There were ___ AYES and ___ NAYS as follows:

Greenwood City Council	YEAS	NAYS	ABSTAIN	ABSENT
Mayor Debra Kind				
Councilman Tom Fletcher				
Councilman H. Kelsey Page				
Councilman Bob Quam				
Councilman William (Biff) Rose				

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

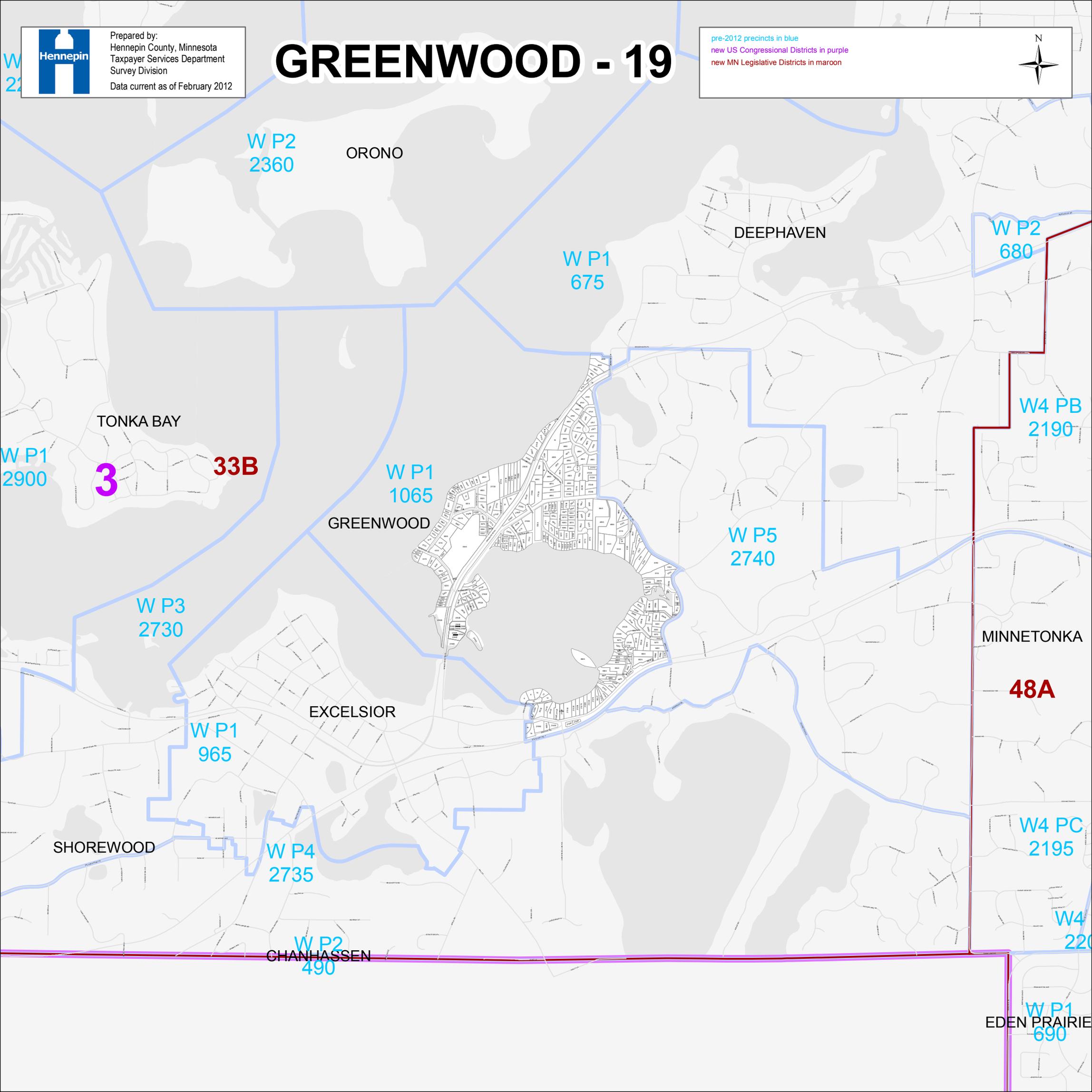
Attest: _____
Gus E. Karpas, City Clerk



Prepared by:
Hennepin County, Minnesota
Taxpayer Services Department
Survey Division
Data current as of February 2012

GREENWOOD - 19

pre-2012 precincts in blue
new US Congressional Districts in purple
new MN Legislative Districts in maroon



TONKA BAY

3

33B

GREENWOOD

EXCELSIOR

SHOREWOOD

CHANHASSEN

DEEPHAVEN

MINNETONKA

EDEN PRAIRIE

W P2
2360

W P1
675

W P1
1065

W P3
2730

W P1
965

W P4
2735

W P2
490

W P5
2740

W P2
680

W4 PB
2190

48A

W4 PC
2195

W4
220

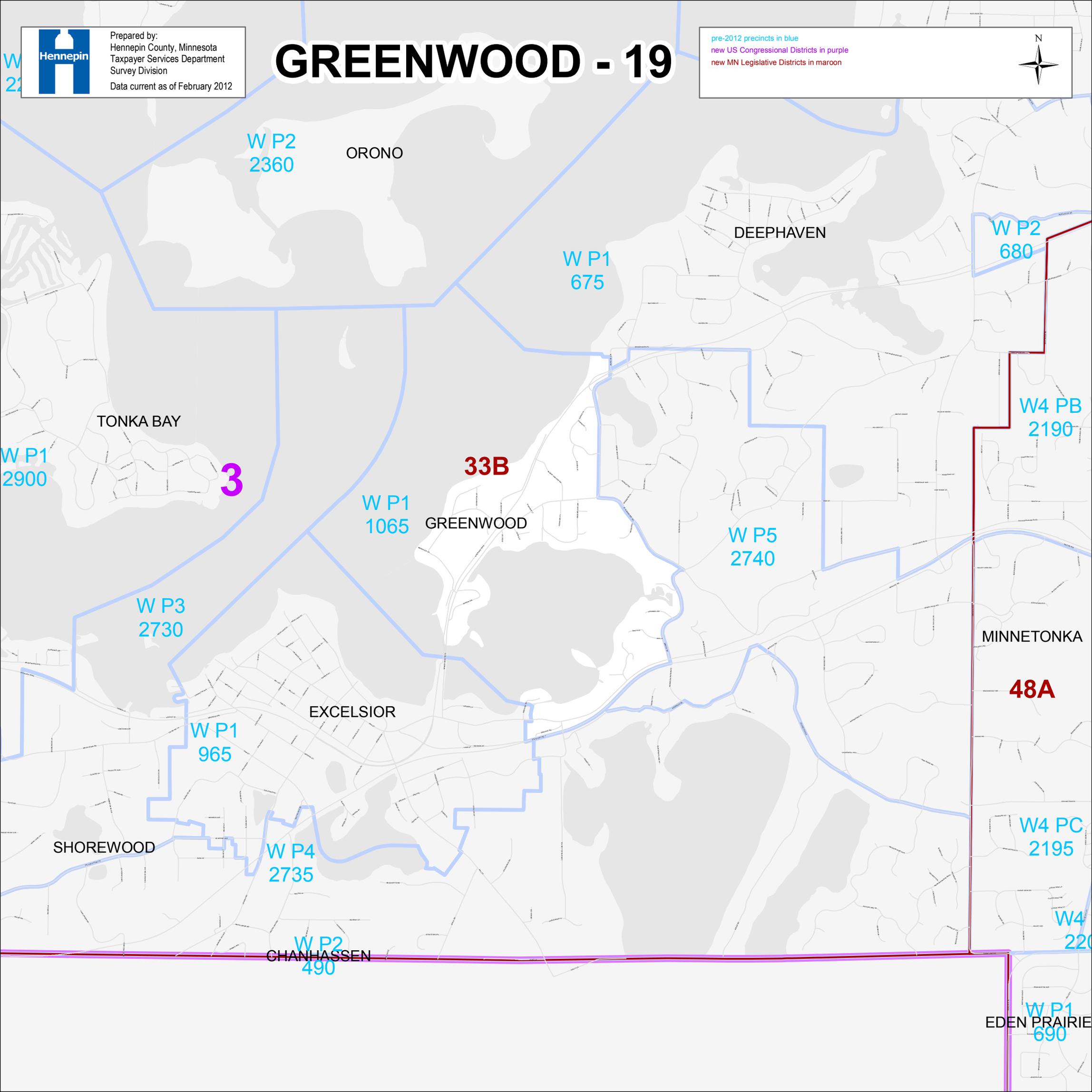
W P1
690



Prepared by:
Hennepin County, Minnesota
Taxpayer Services Department
Survey Division
Data current as of February 2012

GREENWOOD - 19

pre-2012 precincts in blue
new US Congressional Districts in purple
new MN Legislative Districts in maroon



W P2
2360

ORONO

W P1
675

DEEPHAVEN

W P2
680

TONKA BAY

W P1
2900

3

33B

W P1
1065

GREENWOOD

W P5
2740

W4 PB
2190

W P3
2730

MINNETONKA

48A

EXCELSIOR

W P1
965

SHOREWOOD

W P4
2735

W4 PC
2195

W P2
490

CHANHASSEN

W4
220

W P1
690

EDEN PRAIRIE



Agenda Number: **7E**

Agenda Date: 03-07-12

Agenda Item: Consider: Hennepin County Assessor Contract Extension

Summary: The council packet includes a copy of the 2011-12 agreement with Hennepin county to provide assessor services for the city through July 31, 2012. Prior to the council approving the contract in August 2010, the council researched other options for assessor services and could not find anyone willing to submit a proposal at that time. Since then one former county assessor (Bill Davey) has entered the field to provide assessment services to cities. Bill has participated in the valuation of Greenwood properties in the past, so there is no reason to believe he would take a different approach if the city was to contract with him.

Paragraph 11 of the 2011-12 agreement states that either party may initiate an extension of the agreement for a term of two years by giving the other written notice of its intent to so extend no less than 150 days prior to the termination of the agreement (March 3, 2012). If the party who receives said notice of intent to extend gives written notice to the other party of its desire NOT to extend within 110 days prior to termination of the agreement (April 12, 2012), the agreement shall terminate on July 31, 2012.

The city received written notification of intent from Hennepin county assessor James Atchison on February 1, 2012. The city needs to respond by April 12, 2012 if it is the city's intent to NOT extend the agreement. If the city does not respond, the contract will be extended through July 31, 2014.

Council Action: Council action is required. Possible motions ...

1. I move the city council authorizes the mayor to send written notice to the Hennepin county assessor stating that the city approves extending the 2011-12 agreement to provide assessor services through July 31, 2014.
2. I move the city council authorizes _____ to seek additional bids to provide assessor services for the city from August 1, 2012 through July 31, 2014. Such bids shall provide the same services listed in the 2011-12 Hennepin county agreement and are due by March 28, 2012. The council will compare the bids with the county agreement and make a decision at the April 4, 2012 council meeting.



Hennepin County Assessor Department

A-2103 Government Center
300 South Sixth Street
Minneapolis, MN 55487-0213

www.co.hennepin.mn.us

February 1, 2012

Gus Karpas
Greenwood City Administrator
20225 Cottagewood Rd.
Deephaven, MN 55331

Dear Mr. Karpas:

Re: Assessment Agreement A101050

Assessment Agreement A101050 between the County of Hennepin and the City of Greenwood expires on July 31, 2012. Section 11 of this agreement provides that this agreement may be extended for a term of two (2) years by either party giving the other written notice of its intent to extend no less than 150 days prior to the termination of this agreement.

We would appreciate a written notice of your intent at your earliest convenience so we may start planning for the 2013 assessment.

We truly appreciate our professional relationship with the City of Greenwood and look forward to continuing assessment services for the City. If you or the city council has any questions concerning the assessment contract, feel free to contact me at (612) 348-3046.

Very truly yours,

A handwritten signature in black ink that reads 'James R. Atchison'. The signature is fluid and cursive, with a long horizontal flourish extending to the right.

James R Atchison
Hennepin County Assessor

JRA:js

Cc: Rob Winge
Tamara Doolittle

AGREEMENT

THIS AGREEMENT, Made and entered into by and between the COUNTY OF HENNEPIN, a political subdivision of the State of Minnesota, hereinafter referred to as the "COUNTY", and the CITY OF GREENWOOD, a political subdivision of the State of Minnesota, hereinafter referred to as "CITY";

WHEREAS, said CITY lies wholly within the COUNTY OF HENNEPIN and constitutes a separate assessment district; and

WHEREAS, under such circumstances, the provisions of Minnesota Statutes, Section 273.072 and Minnesota Statutes, Section 471.59 permit the County Assessor to provide for the assessment of property; and

WHEREAS, said CITY desires the COUNTY to perform certain assessments on behalf of said CITY; and

WHEREAS, the COUNTY is willing to cooperate with said CITY by completing the assessment in a proper manner;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, it is agreed as follows:

1. The COUNTY shall perform the 2011 and 2012 property assessment for the CITY OF GREENWOOD in accordance with property assessment procedures and practices established and observed by the COUNTY, the validity and reasonableness of which are hereby acknowledged and approved by the CITY. Any such practices and procedures may be changed from time to time, by the COUNTY in its sole judgment, when good and efficient assessment procedures so require. The property assessment

by the COUNTY shall be composed of those assessment services which are set forth in Exhibit A, attached hereto and made a part hereof by this reference, provided that the time frames set forth therein shall be considered to be approximate only.

2. All information, records, data, reports, etc. necessary to allow the COUNTY to carry out its herein responsibilities shall be furnished to the COUNTY without charge by the CITY, and the CITY agrees to cooperate in good faith with the COUNTY in carrying out the work under this Agreement.

3. The CITY agrees to furnish, without charge, office space needed by the COUNTY at appropriate places in the CITY's offices. The keys thereto shall be provided to the COUNTY. The CITY assures that such areas shall not be unattended, during or after work of any kind by or on behalf of the CITY, in any area occupied by the COUNTY as provided herein, or if unattended, the CITY shall make certain that such areas are locked and secured. Such office space shall be sufficient in size to accommodate reasonably one (1) appraiser and any furniture placed therein. The office space shall be available for the COUNTY's use at any and all times during the CITY's business hours, and during all such hours the COUNTY shall be provided with levels of heat, air conditioning and ventilation as are appropriate for the seasons.

4. The CITY also agrees to provide appropriate desk and office furniture as necessary, clerical and secretarial support necessary and reasonable for the carrying out of the work herein, necessary office supplies and equipment, copying machines and fax machines and their respective supplies, and telephone service to the COUNTY, all without charge to the COUNTY.

5. It shall be the responsibility of the CITY to have available at the CITY's

offices each CITY working day a person who has the knowledge and skill to be able to answer routine questions pertaining to homesteads and property assessment matters and to receive, evaluate and organize homestead applications. It shall also be the responsibility of the CITY to promptly refer any homestead application which needs investigation to the COUNTY.

6. In accordance with Hennepin County Affirmative Action Policy and the County Commissioners' policies against discrimination, no person shall be excluded from full employment rights or participation in or the benefits of any program, service or activity on the grounds of race, color, creed, religion, age, sex, disability, marital status, sexual orientation, public assistance status, ex-offender status or national origin; and no person who is protected by applicable Federal or State laws, rules and regulations against discrimination shall be otherwise subjected to discrimination.

7. It is agreed that nothing herein contained is intended or should be construed in any manner as creating or establishing the relationship of joint venturers or co-partners between the parties hereto or as constituting the CITY as the agent, representative or employee of the COUNTY for any purpose or in any manner whatsoever. Any and all personnel of CITY or other persons, while engaged in the performance of any activity under this Agreement, shall have no contractual relationship with the COUNTY and shall not be considered employees of the COUNTY and any and all claims that may or might arise under the Workers' Compensation Act of the State of Minnesota on behalf of said personnel or other persons while so engaged, and any and all claims whatsoever on behalf of any such person or personnel arising out of employment or alleged employment including, without limitation, claims of discrimination

against the CITY, its officers, agents, CITY or employees shall in no way be the responsibility of the COUNTY, and CITY shall defend, indemnify and hold the COUNTY, its officials, officers, agents, employees and duly authorized volunteers harmless from any and all such claims regardless of any determination of any pertinent tribunal, agency, board, commission or court. Such personnel or other persons shall not require nor be entitled to any compensation, rights or benefits of any kind whatsoever from the COUNTY, including, without limitation, tenure rights, medical and hospital care, sick and vacation leave, Workers' Compensation, Re-employment Compensation, disability, severance pay and retirement benefits.

8. CITY agrees that it will defend, indemnify and hold the COUNTY, its elected officials, officers, agents, employees and duly authorized volunteers harmless from any and all liability (statutory or otherwise) claims, suits, damages, judgments, interest, costs or expenses (including reasonable attorney's fees, witness fees and disbursements incurred in the defense thereof) resulting from or caused by any act or omission of the CITY, its officers, agents, contractors, employees or duly authorized volunteers in the performance of the responsibilities provided by this Agreement.

9. The COUNTY shall endeavor to perform all services called for herein in an efficient manner. The sole and exclusive remedy for any breach of this Agreement by the COUNTY and for COUNTY's liability of any kind whatsoever, including but not limited to liability arising out of, resulting from or in any manner related to contract, tort, warranty, statute or otherwise, shall be limited to correcting diligently any deficiency in said services as is reasonably possible under the pertinent circumstances.

10. Neither party hereto shall be deemed to be in default of any provision of

this Agreement, or for delay or failure in performance, resulting from causes beyond the reasonable control of such party, which causes shall include, but are not limited to, acts of God, labor disputes, acts of civil or military authority, fire, civil disturbance, changes in laws, ordinances or regulations which materially affect the provisions hereof, or any other causes beyond the parties' reasonable control.

11. This Agreement shall commence on August 1, 2010, and shall terminate on July 31, 2012. Either party may initiate an extension of this Agreement for a term of two (2) years by giving the other written notice of its intent to so extend no less than 150 days prior to the termination of this Agreement. If the party who receives said notice of intent to extend gives written notice to the other party of its desire not to extend within 110 days prior to termination of this Agreement, this Agreement shall terminate on July 31, 2012.

Nothing herein shall preclude the parties, prior to the end of this Agreement, from agreeing to extend this contract for a term of two (2) years. Any extended term hereof shall be on the same terms and conditions set forth herein and shall commence on August 1, 2012. Either party may terminate this Agreement for "just cause" as determined by the Commissioner of Revenue after hearing for such a determination is held by the Commissioner of Revenue and which has been attended by representatives of COUNTY and CITY or which said representatives had a reasonable opportunity to attend, provided that after such determination, any party desiring to cancel this Agreement may do so by giving the other party no less than 120 days' written notice. If the CITY should cancel this Agreement, as above provided, before the completion of the then current property assessment by the COUNTY, the CITY agrees to defend and hold the COUNTY, its officials, officers, agents, employees and duly

authorized volunteers harmless from any liability that might ensue as a result of the non-completion of a property tax assessment.

For the purpose of this Agreement, the term "just cause" shall mean the failure of any party hereto reasonably to perform a material responsibility arising hereunder.

12.A. In consideration of said assessment services, the CITY agrees to pay the COUNTY the sum of Fourteen Thousand Dollars (\$14,000) for each assessment, provided that any payment for the current year's assessment may be increased or decreased by that amount which exceeds or is less than the COUNTY's estimated cost of appraising new construction and new parcels for the current year's assessment. The amount of any increase or decrease shall be specified in the billing for the current year's assessment.

12.B. Regarding each assessment, in addition to being subject to adjustment in the above manner, said assessment cost of \$14,000.00 may also be increased by the COUNTY if:

- (1) The COUNTY determines that any cost to the COUNTY in carrying out any aspect of this Agreement has increased, including but not limited to the following types of costs: **new construction and new parcel appraisals, gasoline, postage, supplies, labor (including fringe benefits) and other types of costs, whether similar or dissimilar;** and/or
- 2) The COUNTY reasonably determines that other costs should be included in the costs of assessment work.

If the COUNTY desires to increase the assessment cost pursuant to this paragraph 12(B), it shall give written notice thereof by June 15 of any year and such increase shall apply to the assessment for the calendar year next following the current calendar year. Any such notification shall specifically set forth the amount of any new construction and new parcel appraisal charges. Notwithstanding any provisions herein to the contrary, if any such

increase, exclusive of any charge for the estimated costs of new construction and new parcel appraisals, exceeds ten (10%) percent of the amount charged for the assessment for the then current calendar year, exclusive of any charge for the estimated costs of new construction and new parcel appraisals, the CITY may cancel this Agreement by giving to the COUNTY written notice thereof, provided that said cancellation notice must be received by the COUNTY not later than July 24 of the then current calendar year and said cancellation shall be effective no earlier than five (5) days after the receipt of said notice by the COUNTY and not later than July 31 of said current calendar year. Supportive records of the cost increase will be open to inspection by the CITY at such times as are mutually agreed upon by the COUNTY and CITY.

Failure of the COUNTY to give the CITY a price-change notice by June 15 shall not preclude the COUNTY from giving CITY such notice after said date but prior to September 1 of any year, provided that if such price increase exceeds said ten (10%) - all as above set forth - the CITY may cancel this Agreement if the COUNTY receives notice thereof not later than thirty-nine (39) days from the date of receipt by the CITY of any said late price-change notice, provided further that any such cancellation shall be effective not earlier than five (5) days after COUNTY's receipt of said cancellation notice and not later than forty-six (46) days after the CITY's receipt of any said price-increase notice.

Payment for each assessment shall be made in the following manner:
Approximately one-half (1/2) of the cost of an assessment (the amount payable being set forth in a bill sent by the COUNTY to the CITY) shall be paid by the CITY no later than the fifteenth (15th) day of the December which precedes the pertinent assessment

year; and the remaining portion of said cost (the amount payable being set forth in a bill sent by the COUNTY to the CITY) shall be paid by the CITY no later than July 15 of the pertinent year.

The COUNTY may bill the CITY after the aforesaid dates and in each such case, the CITY shall pay such bill within fifteen (15) days after receipt thereof. In the event the CITY receives a bill less than fifteen (15) days before said December 15 or said July 15, such bill shall be paid not more than fifteen (15) days after its receipt.

13. Any notice or demand, which may or must be given or made by a party hereto, under the terms of this Agreement or any statute or ordinance, shall be in writing and shall be sent registered or certified mail to the other party addressed as follows:

TO CITY: Mayor, City of Greenwood
20225 Cottagewood Road
Deephaven, MN 55331

TO COUNTY: Hennepin County Administrator
2300A Government Center
Minneapolis, MN 55487

copies to: County Assessor
Hennepin County
2103A Government Center
Minneapolis, MN 55487

Assistant County Assessor
Hennepin County
2103A Government Center
Minneapolis, MN 55487

Any party may designate a different addressee or address at any time by giving written notice thereof as above provided. Any notice, if mailed, properly addressed, postage prepaid, registered or certified mail, shall be deemed dispatched on the registered date or that stamped on the certified mail receipt and shall be deemed received within the second business day thereafter or when it is actually received,

whichever is sooner. Any notice delivered by hand shall be deemed received upon actual delivery.

14. It is expressly understood that the obligations of the CITY under Paragraphs 7, 8, 11, and 12 hereof and the obligations of the CITY which, by their sense and context, are intended to survive the performance thereof by the CITY, shall so survive the completion of performance, termination or cancellation of this Agreement.

[Remainder of page intentionally left blank.]

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by its duly authorized officers and delivered on its behalf, this _____ day of _____, 2010.

COUNTY OF HENNEPIN
STATE OF MINNESOTA

Reviewed by the County:
Attorney's Office

By: _____
Chair of the County Board

And: _____
Assistant/Deputy/County Administrator

Assistant County Attorney

Date: _____

ATTEST: _____
Deputy/Clerk of the County Board

CITY OF GREENWOOD

Date: _____

By: _____

Its _____

And: _____

Its _____

City organized under:

_____ Statutory _____ Option A _____ Option B _____ Charter

EXHIBIT A
CITY OF GREENWOOD

During the contract term, the County shall:

1. Physically inspect and revalue 20% of the real property, as required by law.
2. Physically inspect and value all new construction, additions and renovation.
3. Conduct valuation reviews prior to Board of Review - approximate dates: March through May 15.
4. Attend Board of Review. Per Board request, make all necessary review appraisals. Approximate dates: April 1 - May 31 .
5. Keep updated property record files - current values, homestead and classification data.
6. Print, mail and post valuation notices and homestead cards.
7. Respond to taxpayers regarding assessment or appraisal problems or inquiries periodically.
8. Make divisions and combinations periodically.
9. Administer the abatement process pursuant to Minn. Stat. § 375.192 (2000).
10. Make appraisals, defend and/or negotiate all Tax Court cases.
11. Adjust estimated market values on those properties not physically inspected as needed as per sales analysis.



Agenda Number: **7F**

Agenda Date: 03-07-12

Agenda Item: Resolution 04-12, Hennepin County Recycling Program

Summary: At the 02-01-12 council meeting city clerk Gus Karpas gave a report regarding Hennepin county's new recycling program. The council directed Gus to apply for the county recycling grant and also directed Gus to contact the county to get a draft of the recycling agreement resolution for the council's consideration at the March council meeting. As of the 02-29-12 council packet deadline, the city has not received the draft resolution from the county. If the resolution arrives before the council meeting, hard copies will be available at the meeting.

Council Action: None required. Possible motions ...

1. I move the council approves resolution 04-12 establishing a recycling agreement with Hennepin county.
2. Do nothing.



Agenda Number: **9A-E**

Agenda Item: Council Reports

Summary: This is an opportunity for each council member to present updates and get input regarding various council assignments and projects. Related documents may be attached to this cover sheet.

Council Action: None required.



SOUTH LAKE MINNETONKA POLICE DEPARTMENT
Serving Excelsior, Greenwood, Shorewood and Tonka Bay

BRYAN T. LITSEY
Chief of Police

24150 SMITHTOWN ROAD
SHOREWOOD, MN 55331-8598

Office (952) 474-3261
Fax (952) 474-4477

MEDIA RELEASE

TO: General Distribution

FROM: Bryan Litsey, Chief of Police

DATE: February 16, 2012 - Thursday

RE: Residential Burglary Spree Ends - Suspect Arrested



Stewart Pesheck

A spree of residential daytime burglaries in the southwest metro came to an end on Monday, February 6, 2012, with the arrest of **Stewart Eugene Pesheck, DOB 11/07/1968 (Age 43)**. Pesheck, who was released from custody back in October 2011, became a person of interest after similarities were noted between these burglaries and his known method of operation. One of these was an attempted burglary in Greenwood on January 18, 2012 followed by two successful burglaries in Greenwood on January 27, 2012. Greenwood is one of four cities served by the South Lake Minnetonka Police Department (SLMPD).

Detective Sergeant Steve Neururer and Detective Mike O'Keefe with the SLMPD joined forces with their counterparts in other communities experiencing similar burglaries. This led to a detail being formed to keep Pesheck under surveillance during the hours of the day when these burglaries were being committed. Staffing such a detail consumes a considerable amount of manpower and normally takes a collaborative effort like this to be successful. Detective Sergeant Neururer was on the surveillance detail when Pesheck burglarized a home in Eden Prairie and was arrested on February 6, 2012. He subsequently interviewed Pesheck, who confessed to the three burglaries in Greenwood as well as a burglary in neighboring Deephaven. Pesheck also confessed to a multitude of other burglaries in Eden Prairie and Edina. He continues to be a suspect in other neighboring jurisdictions that have experienced residential burglaries. It is believed Pesheck acted alone and targeted the homes at random, although this is still being investigated. Detective Sergeant Neururer took part in executing a search warrant at Pesheck's apartment in Richfield where evidence was seized connecting him to a number of burglaries, including the ones in Greenwood. Pesheck is currently being held at the Hennepin County Adult Detention Center with bail set at \$150,000. He has a lengthy criminal history, including burglary and assault.

General Media Release - February 16, 2012
Arrest Made in Burglary Spree
Page 2 of 2

Not only was the SLMPD instrumental in the capture of Pesheck, but virtually every member of the department contributed to this effort. This included going door-to-door with crime alert flyers; keeping community leaders and residents informed through the city website and e-mail distribution network; stepping up residential patrols in both marked and unmarked vehicles; responding to an increased number of house check requests and suspicious activity calls; and providing crime prevention tips and information. These efforts, coupled with the strong partnership that exists between the SLMPD and the residents of Greenwood, really made a difference.

Payable 2011 Minnehaha Creek Watershed Taxes By City

CITY		TAX CAPACITY	TAX
Minneapolis	01 Total		\$ 2,263,190.89
Chanhassen	14 Total		\$ 4.02
Woodland	15 Total		\$ 55,166.65
Spring Park	17 Total		\$ 39,352.04
Greenwood	19 Total		\$ 53,829.67
Edina	24 Total		\$ 578,403.89
Shorewood	26 Total		\$ 219,713.02
Golden Valley	28 Total		\$ 14,083.91
Hopkins	30 Total		\$ 116,754.16
Minnetonka	34 Total		\$ 603,977.49
Minnetrista	36 Total		\$ 212,772.08
Orono	38 Total		\$ 499,505.01
Plymouth	40 Total		\$ 274,939.04
Fort Snelling	41 Total		\$ -
Richfield	42 Total		\$ 113,857.43
St Louis Park	46 Total		\$ 739,584.38
Deephaven	59 Total		\$ 147,523.00
Excelsior	63 Total		\$ 57,173.28
Independence	70 Total		\$ 18,615.02
Long Lake	72 Total		\$ 40,887.46
Maple Plain	77 Total		\$ 8,543.12
Medina	80 Total		\$ 78,238.22
Minnetonka Beach	82 Total		\$ 52,667.15
Mound	85 Total		\$ 192,364.88
St Bonifacius	95 Total		\$ 32,689.78
Tonka Bay	97 Total		\$ 101,168.75
Wayzata	99 Total		\$ 244,985.90
	Grand Total		\$ 6,759,990.23

Amount levied on fiscal disparities pool	\$ 661,728.00
Total amount levied	\$ 7,421,718.23



Site Statistics

Use this reporting tool to see your site statistics for your public site for this month or the previous month. Statistics for the Administration (or "admin") side of your site are not included in this report. Additionally, visits you make to your own site while administering it are not included in these statistics. All data collected before the previous month has been purged from our system and is not available for use; therefore, we recommend printing this report each month for your records.

The first report - Page Views by Section - shows total page views for each section. The second report - Unique Visitors by Section - shows the total page views for each section without the return visitors (showing only views from unique IP addresses). For example, if you browse to a page today, and then browse to that same page tomorrow, your viewing of that page would only be counted once in the unique (second) report.

Each report lists sections in page view order (highest number of page views first) and only lists sections that have had traffic within the reporting period. It does not list those sections without traffic.

Begin Date	<input type="text" value="1/15/2012"/>
End Date	<input type="text" value="2/15/2012"/>
Report Name	<input type="text" value="Page Views (Default)"/>
<input type="button" value="Get Report"/>	

Page Views by Section

Section	Page Views	Percent of Total
Default Home Page	1169	40.16%
Agendas, Packets & Minutes	268	9.21%
Crime Alert!	181	6.22%
City Departments	97	3.33%
Mayor & City Council	83	2.85%
Welcome to Greenwood	82	2.82%
Docks	65	2.23%
Planning Commission	64	2.2%
Budget & Finances	57	1.96%
RFPs & Bids	56	1.92%
Email List	56	1.92%
Events	51	1.75%
Assessments & Taxes	49	1.68%
Forms & Permits	43	1.48%
Code Book	41	1.41%
Meetings	39	1.34%
What's New?	37	1.27%
Photo Gallery	34	1.17%
Lake Minnetonka	33	1.13%
Search Results	32	1.1%
Comprehensive Plan & Maps	32	1.1%
Swiffers NOT Flushable	31	1.06%
Links	29	1%
Milfoil Project	28	0.96%
Garbage & Recycling	26	0.89%



Quick Tips

The reports offered in your Site Statistics tool only track activity on the public side of your site.

In each report, a section named "Default" and a section named "Home" may appear.

A page view gets attributed to "Default" when a visitor to your site types your URL into his or her Web browser. In most cases, the "Default" section is your Home Page.

A page view gets attributed to "Home" each time a visitor clicks the "Home" button on your Web site.

In the Page View (Default) report, only sections with Web traffic are reported and they are listed in page view order.

In the Page View by Section report, sections are listed in the order they appear in the navigation menu and are reported regardless of their traffic level.

In the Referrers report, it is important to remember that your own site acts like a referrer. So, don't be surprised if you see your own Web address(es) listed -- this tracks the number of times people went from one part of your site to another.

Xcel Project	26	0.89%
Spring Clean-Up Day	24	0.82%
Meetings on TV	23	0.79%
Elections	22	0.76%
Community Surveys	20	0.69%
Animal Services	20	0.69%
Old Log Greenwood Night	20	0.69%
Well Water	19	0.65%
Southshore Center	16	0.55%
Emergency Preparedness	14	0.48%
Unsubscribe	12	0.41%
Health & Safety	12	0.41%
TOTAL	2911	100%

Unique IPs by Section

Section	Unique IPs	Percent of Total IPs
Default Home Page	393	26.52%
Crime Alert!	145	9.78%
Agendas, Packets & Minutes	89	6.01%
City Departments	68	4.59%
Welcome to Greenwood	66	4.45%
Mayor & City Council	45	3.04%
Planning Commission	38	2.56%
Assessments & Taxes	35	2.36%
Docks	33	2.23%
Email List	32	2.16%
Forms & Permits	30	2.02%
What's New?	29	1.96%
Photo Gallery	29	1.96%
Comprehensive Plan & Maps	27	1.82%
Meetings	27	1.82%
Events	26	1.75%
RFPs & Bids	24	1.62%
Links	24	1.62%
Lake Minnetonka	23	1.55%
Budget & Finances	23	1.55%
Code Book	23	1.55%
Swiffers NOT Flushable	22	1.48%
Xcel Project	19	1.28%
Meetings on TV	19	1.28%
Milfoil Project	18	1.21%
Spring Clean-Up Day	18	1.21%
Community Surveys	17	1.15%
Animal Services	17	1.15%
Old Log Greenwood Night	17	1.15%
Garbage & Recycling	16	1.08%
Search Results	16	1.08%
Well Water	16	1.08%
Elections	15	1.01%
Unsubscribe	12	0.81%
Southshore Center	12	0.81%
Emergency Preparedness	11	0.74%
Health & Safety	8	0.54%
TOTAL	1482	100%

Generate Download File (.csv) for the current report: [Generate and Download](#)



Agenda Number: **FYI**

Agenda Item: FYI Items in Council Packet

Summary: The attached items are included in the council packet for your information (FYI) only. FYI items typically include planning commission minutes, ViBES (Violations Bureau Electronic System) report of traffic citations processed by Hennepin County District Court, monthly report of activity on the Greenwood website, and other items of interest to the council.

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

Mn/DOT Structure Inventory Report

Bridge ID: 27A27

SW REG LRT TRAIL

over CHANNEL

Date: 12/05/2011

GENERAL	
Agency Br. No.	
District	Metro
Maint. Area	Crew
County	027 - Hennepin
City	Excelsior
Township	
Desc. Loc.	AT ST ALBANS BAY
Sec., Twp., Range	35 - 117N - 23W
Latitude	Deg 44 Min 54 Sec 20.24
Longitude	Deg 93 Min 33 Sec 32.52
Custodian	12 - Local Park, Forest, or Res. Agent
Owner	12 - Local Park, Forest, or Res. Agent
BMU Agreement	
Year Built	1996
MN Year Reconstructed	
FHWA Year Reconstructed	
MN Temporary Status	
Bridge Plan Location	1 - CENTRAL
Date Opened to Traffic	
On-Off System	0 - OFF
Legislative District	33B

STRUCTURE	
Service On	3 - Pedestrian-bicycle
Service Under	5 - Waterway
Main Span Type	
	3 - Steel 02 - Low Truss
Main Span Detail	
Appr. Span Type	
Appr. Span Detail	
Skew	0
Culvert Type	
Barrel Length	ft.
Cantilever ID	

NUMBER OF SPANS		
MAIN:	1	APPR: 0 TOTAL: 1
Main Span Length	105.0	ft.
Structure Length	110.5	ft.
Deck Width (Out-to-Out)	12.0	ft.
Deck Material	8 - Wood or Timber	
Wear Surf Type	N - Not Applicable (applies onl)	
Wear Surf Install Year		
Wear Course/Fill Depth	ft.	
Deck Membrane	0 - None	
Deck Rebars	N - Not Applicable (no deck)	
Deck Rebars Install Year		
Structure Area (Out-to-Out)	1326	sq. ft.
Roadway Area (Curb-to-Curb)	1324	sq. ft.
Sidewalk Width	Lt 0.00 ft. Rt 0.00	ft.
Curb Height	Lt 0.00 ft. Rt 0.00	ft.
Rail Type	Lt NN Rt NN	

ROADWAY	
Bridge Match ID (TIS)	0
Roadway O/U Key Route On Structure	
Route Sys	Number
Roadway Name or Description	
Level of Service	0 - NONE OF THE BELOW
Roadway Type	
Control Section (TH Only)	
Reference Point	
Detour Length	99.0 mi
Lanes	On 0 Under 0
	ADT 1 Year 2009
HCADT	0 ADTT 0 %
Functional Class	19 - Urban - Local

RDWY DIMENSIONS		
If Divided	NB-EB	SB-WB
Roadway Width	ft.	ft.
Vertical Clearance	ft.	ft.
Max. Vert. Clear.	ft.	ft.
Horizontal Clear.	ft.	ft.
Lateral Clearance	ft.	ft.
Appr. Surface Width	0.0	ft.
Bridge Roadway Width	0.0	ft.
Median Width On Bridge		ft.

MISC. BRIDGE DATA	
Structure Flared	0 - No flare
Parallel Structure	N - No parallel structure
Field Conn. ID	
Abutment Foundation	1 - CONC
(Material/Type)	3 - FTG PILE
Pier Foundation	
(Material/Type)	N - N/A
Historic Status	5 - Not eligible

PAINT	
Year Painted	
Unsound Paint %	
Painted Area	sq. ft.
Primer Type	
Finish Type	

BRIDGE SIGNS	
Posted Load	0 - Not Required
Traffic	0 - Not Required
Horizontal	0 - Not Required
Vertical	N - Not Applicable

INSPECTION	
Userkey	67
Unofficial Structurally Deficient	N
Unofficial Functionally Obsolete	N
Unofficial Sufficiency Rating	N
Routine Inspection Date	07/20/2011
Routine Inspection Frequency	24
Inspector Name	County, Hennepin
Status	A - Open

NBI CONDITION RATINGS	
Deck	8 - Very Good Condition
Unsound Deck %	
Superstructure	7 - Good Condition
Substructure	7 - Good Condition
Channel	8 - Banks are protected
Culvert	N - Not Applicable

NBI APPRAISAL RATINGS	
Structure Evaluation	N
Deck Geometry	N
Underclearances	N
Water Adequacy	9 - Bridge Above Flood Wat
Approach Alignment	N - Not Applicable

SAFETY FEATURES	
Bridge Railing	N - NOT REQUIRED
GR Transition	N - NOT REQUIRED
Appr. Guardrail	N - NOT REQUIRED
GR Termini	N - NOT REQUIRED

IN DEPTH INSP.		
Y/N	Freq	Date
Frac. Critical		
Underwater		
Pinned Asbly.		
Spec. Feat.		

WATERWAY	
Drainage Area (sq. mi.)	
Waterway Opening	1200 sq. ft.
Navigation Control	0 - No nav. control on waterw
Pier Protection	
Nav. Clr. (ft.)	Vert. ft. Horiz. ft.
Nav. Vert. Lift Bridge Clear. (ft.)	
MN Scour Code	1 - LOWRISK Year 1997

CAPACITY RATINGS	
Design Load	7 - Pedestrian
Operating Rating	5 - NRAP 0.0
Inventory Rating	5 - NRAP 0.0
Posting VEH:	SEMI: DBL:
Rating Date	

Mn/DOT Permit Codes

A: N - N/A
 B: N - N/A
 C: N - N/A

Mn/DOT BRIDGE INSPECTION REPORT

12/05/2011

Inspector: County, Hennepin

BRIDGE 27A27 SW REG LRT TRAIL OVER CHANNEL

INSP. DATE: 07/20/2011

County: Hennepin Location: AT ST ALBANS BAY Length: 110.5 ft.
 City: Excelsior Route: Ref. Pt.: Deck Width: 12.0 ft.
 Township: Control Section: Rdwy. Area/ Pct. Unsnd: 1324 sq. ft. / %
 Section: 35 Township: 117N Range: 23W Maint. Area: Paint Area/ Pct. Unsnd: sq. ft. / %
 Span Type: 3 - Steel 10 - Truss - Thru Local Agency Bridge Nbr.: Culvert: N/A
 List: Postings:

NBI Deck: 8 Super: 7 Sub: 7 Chan: 8 Culv: N
 Open, Posted, Closed: A - Open
 MN Scour Code: 1 - LOW RISK
 Appraisal Ratings - Approach: N Waterway: 9 Unofficial Structurally Deficient N
 Required Bridge Signs - Load Posting: 0 - Not Required Traffic: 0 - Not Required Unofficial Functionally Obsolete N
 Horizontal: 0 - Not Required Vertical: N - Not Applicable Unofficial Sufficiency Rating N

Structure Unit: 0

ELEM NBR	ELEMENT NAME	ENV	INSP. DATE	QUANTITY	QTY CS 1	QTY CS 2	QTY CS 3	QTY CS 4	QTY CS 5
031	Timber Deck (No Overlay)	1	07/20/2011	1324 SF	1324	0	0	0	N/A
			06/02/2009	1324 SF	1324	0	0	0	N/A
Notes: 31. Treated timber appears weathered.									
113	Painted Steel Stringer	2	07/20/2011	443 LF	443	0	0	0	0
			06/02/2009	443 LF	443	0	0	0	0
Notes: 113.									
121	Painted Steel Through Truss - Bottom Chord	2	07/20/2011	217 LF	184	32	0	0	0
			06/02/2009	217 LF	184	32	0	0	0
Notes: 121. Truss spliced @ C/L. Paint peeling and curling @ top of bottom chord-E and W side. Surface rust where paint peeled. Some paint is chalking.									
126	Painted Steel Through Truss - Upper Members	2	07/20/2011	217 LF	184	32	0	0	0
			06/02/2009	217 LF	184	32	0	0	0
Notes: 126. Truss spliced @ C/L. Some paint is chalking. Several chipped paint areas.									
152	Painted Steel Floorbeam	2	07/20/2011	203 LF	203	0	0	0	0
			06/02/2009	203 LF	203	0	0	0	0
Notes: 152.									
215	Reinforced Concrete Abutment	2	07/20/2011	23 LF	23	0	0	0	N/A
			06/02/2009	23 LF	23	0	0	0	N/A
Notes: 215. N parapet wall sawed and repoured at time of construction. Long cracks @ top N parapet wall. Vert crack @ NE corner of N abut near anchor bolts. Cracks and spalling @ chain link post in SW corner.									
310	Elastomeric (Expansion) Bearing	2	07/20/2011	4 EA	4	0	0	N/A	N/A
			06/02/2009	4 EA	4	0	0	N/A	N/A
Notes: 310. Anchor bolts bent @ NW. NW corner expansion bolts are tight, open as far as possible @ 70 degrees F. Superstructure is positioned about 1" to the north (tight @ north end of all bearing slots).									
334	Metal Bridge Railing (Coated or Painted)	1	07/20/2011	220 LF	202	11	7	0	0
			06/02/2009	220 LF	202	11	7	0	0
Notes: 334. Paint peeling off the 1" channel railing in SE and SW corners. 1" sq metal railing expanded due to freeze-thaw @ SE and SW corners. Possible to get slivers from timber rail.									

Structure Unit: 0

ELEM NBR	ELEMENT NAME	ENV	INSP. DATE	QUANTITY	QTY CS 1	QTY CS 2	QTY CS 3	QTY CS 4	QTY CS 5
387	Reinforced Concrete Wingwall	2	07/20/2011	4 EA	4	0	0	0	N/A
			06/02/2009	4 EA	4	0	0	0	N/A
Notes: 387.									
964	Critical Finding Smart Flag	2	07/20/2011	1 EA	1	0	N/A	N/A	N/A
			06/02/2009	1 EA	1	0	N/A	N/A	N/A
Notes: 964.									
981	Signing	1	07/20/2011	1 EA	1	0	0	0	0
			06/02/2009	1 EA	1	0	0	0	0
Notes: 981. Plaque on bridge "Vehicle Load Limit 5 Tons"									
984	Deck & Approach Drainage	2	07/20/2011	1 EA	1	0	0	N/A	N/A
			06/02/2009	1 EA	1	0	0	N/A	N/A
Notes: 984. 4" PVC pipe drain @ NW and SW corner of riprap.									
985	Slopes & Slope Protection	2	07/20/2011	1 EA	0	1	0	N/A	N/A
			06/02/2009	1 EA	0	1	0	N/A	N/A
Notes: 985. N abut slope riprap eroded showing fabric.									
988	Miscellaneous Items	2	07/20/2011	1 EA	1	0	0	N/A	N/A
			06/02/2009	1 EA	1	0	0	N/A	N/A
Notes: 988. Water depth = 7' @ center of bridge. N bit approach settled 1.5". Timber retaining wall @ NW, SW and SE. 5' chain link fence @ all corners. Culvert under S bike path(40' SW of bridge). Conc fishing walkway and limestone wall completed in '00. Also, conc path under @ SW corner. Overhead power W of bridge. Br #90608 is 15' E of this one. The park placed bit @ N and S trail approaches in '03. New O/L and erosion repair @ N trail.									

General Notes: BRIDGE 27A27 Ped Bridge/St. Albans Bay Channel of Lake Mtkka 7/20/11. BJJ, JDA, WJM and PTH. Load limit 5 T. Continental Bridge, Alexandria, MN 1-800-328-2047 S.N. 96188. Inspected using Tony B's boat. Note: Contact Land Acquisition Manager, Suburban Hennepin Regional Park District(Three Rivers), Phone # 559-6754 or City of Excelsior.

Recommended Repairs:

- 121. Spot paint bottom chord where paint is peeling before steel starts to deteriorate.
- 334. Remove slivers from attached timber handrail.

Inventory Notes:

Bernard Jahn

Inspector's Signature

Eric Nelson

Reviewer's Signature

Mn/DOT Structure Inventory Report

Bridge ID: 90608

56C(MTONKA BLV)

over ST ALBANS BAY

Date: 02/10/2012

GENERAL	
Agency Br. No.	21
District	Metro
Maint. Area	Crew
County	027 - Hennepin
City	Excelsior
Township	
Desc. Loc.	0.5 MI N OF JCT TH 7
Sect., Twp., Range	35 - 117N - 23W
Latitude	Deg 44 Min 54 Sec 20.37
Longitude	Deg 93 Min 33 Sec 32.5
Custodian	04 - City or Municipal Highway Agency
Owner	04 - City or Municipal Highway Agency
BMU Agreement	
Year Built	1941
MN Year Reconstructed	
FHWA Year Reconstructed	
MN Temporary Status	
Bridge Plan Location	3 - COUNTY
Date Opened to Traffic	1/1/1941
On-Off System	0 - OFF
Legislative District	33B

STRUCTURE	
Service On	5 - Highway-pedestrian
Service Under	5 - Waterway
Main Span Type	
1 - Concrete	06 - Deck Girder
Main Span Detail	
Appr. Span Type	
Appr. Span Detail	
Skew	0
Culvert Type	
Barrel Length	ft.
Cantilever ID	

NUMBER OF SPANS		
MAIN:	3	TOTAL: 3
APPR:	0	
Main Span Length	36.0	ft.
Structure Length	108.0	ft.
Deck Width (Out-to-Out)	34.8	ft.
Deck Material	1 - Concrete Cast-in-Place	
Wear Surf Type	6 - Bituminous	
Wear Surf Install Year		
Wear Course/Fill Depth	0.25	ft.
Deck Membrane	0 - None	
Deck Rebars	N - Not Applicable (no deck)	
Deck Rebars Install Year		
Structure Area (Out-to-Out)	3758	sq. ft.
Roadway Area (Curb-to-Curb)	2917	sq. ft.
Sidewalk Width	Lt 4.50	ft. Rt 0.70
Curb Height	Lt 0.75	ft. Rt 0.75
Rail Type	Lt 35	Rt 35

ROADWAY	
Bridge Match ID (TIS)	0
Roadway O/U Key	Route On Structure
Route Sys	10 - MUN Number 56
Roadway Name or Description	MINNETONKA BLVD MUN 560
Level of Service	1 - MAINLINE
Roadway Type	2 - 2-way traffic
Control Section (TH Only)	
Reference Point	000+00.199
Detour Length	2.0 mi
Lanes	On 2 Under 0
	ADT 4400 Year 1993
HCA DT	0 ADT 0 %
Functional Class	17 - Urban - Collector

RDWY DIMENSIONS			
If Divided	NB-EB	SB-WB	
Roadway Width	27.00	ft.	ft.
Vertical Clearance		ft.	ft.
Max. Vert. Clear.		ft.	ft.
Horizontal Clear.	26.9	ft.	ft.
Lateral Clearance		ft.	ft.
Appr. Surface Width	31.0	ft.	
Bridge Roadway Width	27.0	ft.	
Median Width On Bridge		ft.	

MISC. BRIDGE DATA	
Structure Flared	0 - No flare
Parallel Structure	N - No parallel structure
Field Conn. ID	
Abutment Foundation	1 - CONC
(Material/Type)	3 - FTG PILE
Pier Foundation	1 - CONC
(Material/Type)	3 - FTG PILE
Historic Status	2 - Eligible for National Register

PAINT	
Year Painted	
Unsound Paint %	10
Painted Area	sq. ft.
Primer Type	
Finish Type	

BRIDGE SIGNS	
Posted Load	0 - Not Required
Traffic	0 - Not Required
Horizontal	1 - Object Markers
Vertical	N - Not Applicable

INSPECTION	
Userkey	67
Unofficial Structurally Deficient	N
Unofficial Functionally Obsolete	Y
Unofficial Sufficiency Rating	51.5
Routine Inspection Date	07/20/2011
Routine Inspection Frequency	24
Inspector Name	County, Hennepin
Status	A - Open

NBI CONDITION RATINGS	
Deck	5 - Fair Condition
Unsound Deck %	
Superstructure	5 - Fair Condition
Substructure	5 - Fair Condition
Channel	7 - Needs minor repairs
Culvert	N - Not Applicable

NBI APPRAISAL RATINGS	
Structure Evaluation	5
Deck Geometry	3
Underclearances	N
Water Adequacy	8 - Bridge Above Approach
Approach Alignment	7 - Better than present minor

SAFETY FEATURES	
Bridge Railing	0 - SUBSTANDARD
GR Transition	0 - SUBSTANDARD
Appr. Guardrail	0 - SUBSTANDARD
GR Termini	0 - SUBSTANDARD

IN DEPTH INSP.			
	Y/N	Freq	Date
Frac. Critical			
Underwater	Y	60 mo.	10/01/2007
Pinned Asbly.			
Spec. Feat.			

WATERWAY	
Drainage Area (sq. mi.)	
Waterway Opening	990 sq. ft.
Navigation Control	0 - No nav. control on waterw
Pier Protection	
Nav. Clr. (ft.)	Vert. ft. Horiz. ft.
Nav. Vert. Lift Bridge Clear. (ft.)	
MN Scour Code	1 - LOW RISK Year 1991

CAPACITY RATINGS	
Design Load	0 - Other/Unknown
Operating Rating	2 - AS HS 24.9
Inventory Rating	2 - AS HS 12.6
Posting VEH:	SEMI: DBL:
Rating Date	5/1/1990

Mn/DOT Permit Codes
 A: N - N/A
 B: N - N/A
 C: N - N/A

Bridge

Mn/DOT BRIDGE INSPECTION REPORT

02/10/2012

Inspector: County, Hennepin

BRIDGE 90608 56C(MTONKA BLV) OVER ST ALBANS BAY

ROUTINE INSP. DATE: 07/20/2011

County: Hennepin	Location: 0.5 MI N OF JCT TH 7	Length: 108.0 ft.
City: Excelsior	Route: 10 - MUN 56 Ref. Pt.: 000+00.199	Deck Width: 34.8 ft.
Township:	Control Section:	Rdwy. Area/ Pct. Unsnd: 2917 sq. ft. / %
Section: 35 Township: 117N Range: 23W Maint. Area:		Paint Area/ Pct. Unsnd: sq. ft. / 10%
Span Type: 1 - Concrete 03 - Girder and Floorbeam Local Agency Bridge Nbr.: 21		Culvert: N/A
List: System		Postings:
NBI Deck: 5 Super: 5 Sub: 5 Chan: 7 Culv: N		
	Open, Posted, Closed: A - Open	
	MN Scour Code: I - LOW RISK	

Appraisal Ratings - Approach: 7 Waterway: 8	Unofficial Structurally Deficient	N
Required Bridge Signs - Load Posting: 0 - Not Required	Unofficial Functionally Obsolete	Y
Horizontal: 1 - Object Markers	Vertical: N - Not Applicable	Unofficial Sufficiency Rating 51.5

Structure Unit:

ELEM NBR	ELEMENT NAME	ENV	REPORT TYPE	INSP. DATE	QUANTITY	QTY CS 1	QTY CS 2	QTY CS 3	QTY CS 4	QTY CS 5
210	Reinforced Concrete Pier Wall	1	Routine	07/20/2011	75 LF	0	65	10	0	N/A
			Routine	06/02/2009	75 LF	0	73	2	0	N/A
Notes: 210. Piers are weathered, stained, cracked, delaminated and spalled w/ rebar exp and efflor. Spalls @ both sides of both piers. Seat is cracked and spalled @ S pier. N pier near W girders and water pipe is spalled w/ rebar exp. Rebar exposed on S side of S pier and N side of N pier. E end of S pier has large spall w/ rebar exp. Conc spalled @ pipe opening of both piers. Face of N pier is delaminated.										
215	Reinforced Concrete Abutment	1	Routine	07/20/2011	75 LF	0	71	4	0	N/A
			Routine	06/02/2009	75 LF	0	72	4	0	N/A
Notes: 215. Conc spalled and delaminated @ S abut. Vert cracks in both abuts. Conc is spalled w/ rebar exp @ joint between wingwall and abut in SE and NE corners and @ bridge seats. SE has hollow area and NE is spalled. Horiz crack and large delam from abut to wing @ NW corner on S face parapet wall.										
387	Reinforced Concrete Wingwall	1	Routine	07/20/2011	4 EA	4	0	0	0	N/A
			Routine	06/02/2009	4 EA	4	0	0	0	N/A
Notes: 387.										
312	Enclosed/Concealed Bearing	2	Routine	07/20/2011	2 EA	2	0	0	N/A	N/A
			Routine	06/02/2009	2 EA	2	0	0	N/A	N/A
Notes: 312.										
359	Underside of Concrete Deck Smart Flag	2	Routine	07/20/2011	1 EA	0	1	0	0	0
			Routine	06/02/2009	1 EA	0	1	0	0	0
Notes: 380. Efflor in center span and cracking @ W side of span 3. Long cracks, some w/ efflor. Spall w/ rebar exp in coping on 50% of S side. Spall w/ rebar exp in center span. 1' X 1' spall w/ rebar exp in center of N span.										
380	Secondary Structural Elements	2	Routine	07/20/2011	24 EA	0	0	24	0	N/A
			Routine	06/02/2009	24 EA	0	0	24	0	N/A
Notes: 380. Horiz cracks @ bottom of 2 diaphragms over pier 1 and all diaphragm over pier 2. Diaphragm between 4th and 5th girder from S over piers have horiz cracks and spalls.										
964	Critical Finding Smart Flag	2	Routine	07/20/2011	1 EA	1	0	N/A	N/A	N/A
			Routine	06/02/2009	1 EA	1	0	N/A	N/A	N/A
Notes: 964.										

Structure Unit:

ELEM NBR	ELEMENT NAME	ENV	REPORT TYPE	INSP. DATE	QUANTITY	QTY CS 1	QTY CS 2	QTY CS 3	QTY CS 4	QTY CS 5
981	Signing	2	Routine	07/20/2011	1 EA	1	0	0	0	0
			Routine	06/02/2009	1 EA	1	0	0	0	0
Notes: 981. Horiz clear markers X4-4 @ N end w/ bolt missing and small faded clear markers @ S end of bridge. "No Fishing Or Standing On Bridge" @ approach corners. No Parking symbol signs on all sides.										
982	Approach Guardrail	2	Routine	07/20/2011	1 EA	1	0	0	N/A	N/A
			Routine	06/02/2009	1 EA	1	0	0	N/A	N/A
Notes: 982. Guardrail is turned down @ SE and NW. Minor damage @ SE. Guardrail is low in NW.										
984	Deck & Approach Drainage	2	Routine	07/20/2011	1 EA	0	1	0	N/A	N/A
			Routine	06/02/2009	1 EA	0	1	0	N/A	N/A
Notes: 984.										
985	Slopes & Slope Protection	2	Routine	07/20/2011	1 EA	0	0	1	N/A	N/A
			Routine	06/02/2009	1 EA	0	0	1	N/A	N/A
Notes: 985. Severe erosion of N gravel slopes. Runoff @ NE corner. New path and wall on S side of pier 2 in 1999.										
986	Curb & Sidewalk	2	Routine	07/20/2011	1 EA	0	0	1	N/A	N/A
			Routine	06/02/2009	1 EA	0	0	1	N/A	N/A
Notes: 986. Very severe spalling @ E and W curb w/ rebar exp @ both curbs. Trans cracks @ walk. Walk is very weathered. Bit walk approaches settled. Rebar exp @ W side of W walk. Sand and gravel cover W walk.										
988	Miscellaneous Items	2	Routine	07/20/2011	1 EA	1	0	0	N/A	N/A
			Routine	06/02/2009	1 EA	1	0	0	N/A	N/A
Notes: 988. Water depth = 7'-10' @ center of channel. 11" water pipe behind W fascia girder. Conduit and cable behind E fascia girder is attached to girder. Buried gas pipeline in front of SW guardrail. Overhead power @ W side of bridge. SW Regional Trail Br #27A27 15' to W. Some new random riprap added @ parts of N side channel.										
013	Bituminous Overlay (Concrete Deck)	3	Routine	07/20/2011	3757 SF	0	0	3757	0	0
			Routine	06/02/2009	3757 SF	0	0	3757	0	0
Notes: 13. Bit O/L w/ large patches. Some small spalls in O/L. Thin bit O/L has moderate deterioration. Some recent repairs. Many unsealed trans and long cracks.										
110	Reinforced Concrete Girder or Beam	3	Routine	07/20/2011	755 LF	604	0	151	0	N/A
			Routine	06/02/2009	755 LF	604	0	151	0	N/A
Notes: 110. Long crack in bottom of E and W fascia in S span. All haunches in S span @ S pier have diag cracks, except W fascia. Several girders have vert cracks that start @ bottom and end in center(tension cracks). Horiz cracks and much efflor dripping on 2nd girder from E @ 2nd span. 2"-3" horiz crack w/ delam @ N end of E fascia girder of N span. Efflor and map cracking.										
320	Concrete Approach Slab-Bituminous Wearing Surface	3	Routine	07/20/2011	2 EA	0	2	0	0	N/A
			Routine	06/02/2009	2 EA	0	2	0	0	N/A
Notes: 320. Some settlement.										
333	Masonry, Other or Combination Material Railing	3	Routine	07/20/2011	217 LF	0	195	22	N/A	N/A
			Routine	06/02/2009	217 LF	0	195	22	N/A	N/A
Notes: 333. Posts are weathered, cracked and spalled. Rebar exposed on both rails. Pipe rail is rusted.										

General Notes: Bridge 90608 Minnetonka Blvd (56C) over St Albans Bay 7/20/11. Used Tony B.'s boat to inspect. BJJ, JDA, WJM and PTH.

Structure Unit:

ELEM NBR	ELEMENT NAME	ENV	REPORT TYPE	INSP. DATE	QUANTITY	QTY CS 1	QTY CS 2	QTY CS 3	QTY CS 4	QTY CS 5
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Recommended Repairs:

- 981. Bolt missing in horiz clear marker X4-4 @ NW. Replace faded horiz clear marker X4-4 @ S end.
- 982. Raise guardrail in NW. Add guardrail on east rail to make guardrail continuous across bridge.
- 986. Remove sand and gravel from W sidewalk.

58. Deck NBI:

36A. Brdg Railings NBI:

36B. Transitions NBI:

36C. Appr Guardrail NBI:

36D. Appr Guardrail
Terminal NBI:

59. Superstructure NBI:

60. Substructure NBI:

61. Channel NBI:

62. Culvert NBI:

71. Waterway Adeq NBI:

72. Appr Roadway
Alignment NBI:

Inventory Notes:

James Archer

Inspector's Signature

Bernard Jahm

Reviewer's Signature

From: Michael Hopfenspirger <hopfenspirger@gmail.com>
Subject: **Well Water**
Date: February 16, 2012 2:11:15 PM CST
To: dkind100@gmail.com

Hi Deb-

In the last Greenwood newsletter, there was an item about a resident's well water testing positive for arsenic. Our home is the first I have ever owned with a private well. It never occurred to me to test the water before reading that report. Anyway, we did test ours and found that we, too, had arsenic levels beyond the upper limit of the reference range. Granted, it was slightly elevated, but still. Anyway, I wanted to both thank you for including that item in the newsletter and to also alert you to an additional positive test. Perhaps many more residents should do this testing as well.

Sincerely,

Michael Hopfenspirger
5100 Manor Rd



PUBLIC WATERS RESTORATION AND REPLACEMENT ORDER

Pursuant to Minnesota Statutes, Section 103G.2372 and Minnesota Rules, part 6115.0255, the Commissioner of Natural Resources hereby orders Jeffrey Wirth, 18135 13th Avenue North, Plymouth, MN 55447 to remove the steel reinforcement beams on the bridge on Lake Minnetonka (27-133P) connecting mainland parcel 3511723110092 to parcel 3511723120001 on a private island at 5560 Maple Heights Road, NE¼ of Section 35, T117-R23W, City of Greenwood, Hennepin County.

Findings of Fact:

1. In the 1958 the DNR authorized a small bridge to be constructed to the island. The permit (58-503) required that a 4-foot clearance above the Ordinary High Water elevation (929.4 feet) of Lake Minnetonka be provided i.e. the lowest portion of the bridge over the water must be at a minimum elevation of 933.4 feet.
2. In 2002 State Rules were revised so that bridges to private islands are prohibited (*Minnesota Rules* 6115.0230 subp. 3, F). Structural repair or modification (other than minor work such as painting) to the bridge as it existed in 2002 requires a permit that can only be issued where the work will not exceed 50 percent of the replacement cost of the structure. Furthermore, the degree of permanence of the structure cannot be materially increased by replacing the majority of the structure, nor can the size of this bridge be increased (*Minnesota Rules* 6115.0211, subp. 7, A).
3. In 2004 the DNR became aware that Mr. Wirth had modified and reinforced the bridge with steel beams to facilitate the construction of a home on the island. Mr. Wirth did not have authorization to modify the bridge.
4. The support beams do not allow the required 4 feet clearance above the Ordinary High Water elevation of 929.4 feet. The modifications increased the permanence of the structure.
5. Mr. Wirth applied for an After-the-Fact Public Waters Work Permit, requesting authorization for the bridge modifications and reinforcement.
6. The project was found not consistent with Minnesota Public Water Rules, primarily because of the obstruction to navigation and the above findings. Therefore, on January 24, 2005 the DNR issued Limited Permit 2005-3071, authorizing the beams to be in-place only to April 30, 2005.
7. On June 7, 2005 the DNR amended permit 2005-3071 to extend the expiration date of the permit to December 31, 2006, at the request of Mr. Wirth. On November 14, 2006 the DNR again amended the permit to extend the expiration date to December 31, 2007, at the request of Mr. Wirth.
8. On January 31, 2012 staff from the Minnehaha Creek Watershed District contacted the DNR and provided photographic evidence that the steel support beams still exist on the bridge.
9. On February 8, 2012 Mr. Wirth requested an extension of limited permit 2005-3071 because completion of the construction of the house has been delayed. In a letter to Mr. Wirth dated February 13, 2012 the DNR denied the extension. The DNR advised Mr. Wirth that he must remove the support beams prior to Spring 2012 ice-out. Mr. Wirth was advised that he could reapply for a Public Waters Work permit when construction of the house was scheduled to resume.
10. In letters to Mr. Wirth on 1/25/2005, 6/7/2005, 11/14/2006, and 2/13/2012 the DNR advised Mr. Wirth that the bridge modifications were not consistent with Minnesota Public Water Rules, and that bridge access to the island in the future may not be viable.

Order:

You shall accomplish restoration by doing the following:

1. Remove the steel support beams from the bridge by April 30, 2012.
2. Submit pertinent elevations, dimensions and photographs to DNR Central Region Ecological and Water Resources (1200 Warner Rd, St. Paul, MN 55106) by June 1, 2012.

This Order is final and binding on you, unless within 30 days of the date on which it was served on you, you appeal the terms and conditions of this restoration order to the commissioner by filing a written request for review. Please mail any such request to: DNR Ecological and Water Resources, Violations Coordinator, 500 Lafayette Rd., St. Paul, MN 55155-4032.

Violation of this order is a misdemeanor.

DNR Conservation Officer		Badge Number	Date
Issuance Record:	In person	or, by certified mail on	_____
EC::	City of Greenwood, Gus Karpas Hennepin County, Joel Settles Hennepin County, Stacey Lijewski US. Army Corps of Engineers, Melissa Jenny	Minnehaha Creek WSD, Luke Schwitzer DNR Enforcement, Jason Jensen DNR EWR, Melissa Doperalski DNR Fisheries, Daryl Ellison	DNR Wildlife, Brian Lueth DNR EWR Regional Mgr, Terri Yearwood DNR Area Hydrologist, Jack Gleason DNR Violations Coordinator, Tom Hovey

LAKE STICKERS

COST-EFFECTIVE AIS CONTROL

A simple cost-effective idea for slowing the spread of aquatic invasive species: *Require boats and trailers to have colored lake stickers prior to launching in any MN lake.*

Here's how the idea would work ...

1. The DNR-certifies inspection stations (Commercial Marinas, Jiffy Lube, Tires Plus, etc.). Inspectors must complete a \$50 (?) DNR training course, use their own office printers / toner, and purchase the sticker material directly from 3M or office supply stores. In exchange, the inspection stations get all of the proceeds from inspection fees. Inspection fees would be set by the business owner (competitive market). Note: Ideally the sticker material would have UV protection and the design would be similar to the current 3M bag tag product with a 2nd coating of adhesive on the back.
2. Before launching in any MN lake, boat owners go to an inspection station at their convenience. After passing the inspection, the inspector uses a password to log on to a DNR website and enters the watercraft registration number and/or trailer plate number as well as the desired lake name. The website generates a colored lake-specific image that includes the watercraft number and lake name, as well as a sticker number and QR code for the boat. And if desired a second image would be generated with the trailer plate number. The website image(s) are then printed on a standard office printer and sandwiched between the sticker material. Two lake stickers are printed to attach to the boat (next to registration decals) and one lake sticker is printed to attach to the trailer tongue. Note: If there are 10 basic colors positioned into 4 quadrants of the sticker, there would be 10,000 color combinations (one for most every lake in the state). Stickers would be the same size as watercraft registration decals so they are large enough to enable quick identification on the lake.
3. The boat and trailer are limited to the lake identified on the sticker until inspected again and obtaining a new sticker for another lake. Annual inspections are not required.
4. Enforcement officials can quickly key in the sticker number or scan the QR code to determine if the sticker is legitimate. If a boat is discovered on a lake with no sticker, or the wrong sticker, or a counterfeited sticker, the penalty is the loss of the boat and trailer. No warning. You lose your boat and trailer. Period. Note: Proceeds from the sale of confiscated boats could be used for AIS management research.



To ensure inspections are being done correctly, DNR officials may pose as “secret shoppers” at inspection locations. Two (?) improper inspections would result in the loss of DNR certification and the website password would be deactivated.

The program could be kickstarted by the DNR issuing a lake sticker to every registered boat / trailer in the state for the lake where they are to be launched first (without requiring an inspection). There is no downside from the current situation with this option and it makes it easy to get the program off the ground without inspecting every boat in the state. Then only out-of-state boats and the boats that go from lake to lake would need to be inspected in a cost-effective and manageable manner.

A lake sticker program avoids the problem of the red / blue sticker concept where all red lakes become open to other AIS. A lake sticker program would eliminate the need for expensive, time-consuming inspections at launch sites and on the highway. A lake sticker program also would avoid the controversy of gating lakes. Instead enforcement officials simply check for lake stickers. There also could be a hotline to report violators.

This program gets to the core of the cause for the spread of AIS – boats moving from lake to lake. The serious penalty (loss of boat and trailer) will ensure compliance.



414 Nicollet Mall
Minneapolis, Minnesota 55401

Re: Notice of Certificate of Need proceedings to upgrade the Southwest Twin Cities (SWTC) Bluff Creek- Westgate 69 kV Transmission Line to 115 kV Capacity near the Cities of Chanhassen, Excelsior, Greenwood, Deephaven, Shorewood, Minnetonka, and Eden Prairie located in Carver and Hennepin Counties

Dear Local Resident/Land Owner:

My name is Paul Lehman. I manage regulatory projects for Xcel Energy. I am writing on behalf of Xcel Energy to inform you of our proposal to upgrade approximately 14 miles of an existing high voltage transmission line and to upgrade two existing substations that may be located in your area. I also explain the regulatory process that the Minnesota Public Utilities Commission (“the Commission”) will follow in determining whether this project is needed and the various opportunities you will have to participate in the regulatory process.

Proposed 115 Kilovolt (kV) Transmission Line Upgrade

This project is needed to ensure reliable and stable electric service in the Chanhassen, Shorewood, Excelsior, Greenwood, Deephaven, Minnetonka and Eden Prairie areas of the southwest Twin Cities. The project is also needed to allow future growth and development in the area.

Our plan to meet area electricity needs includes upgrading the Bluff Creek to Westgate transmission line from 69 kV to 115 kV capacity and to upgrade two substations to 115 kV capacity. We propose the following upgrades:

- Converting approximately 3.6 miles of 69 kV transmission line to 115 kV transmission line between the Bluff Creek and Excelsior Substations
- Converting approximately 3 miles of 69 kV transmission line to 115 kV capacity between the Excelsior and Deephaven Substations
- Converting approximately 7.5 miles of 69 kV transmission line to 115 kV capacity between the Deephaven and Westgate Substations

- Upgrading the Excelsior and Deephaven Substations to 115 kV capacity
- Change the voltage of approximately 5.3 miles of 115/69 kV transmission line to 115/115 kV operation between the Scott County Substation to a point just north of the Bluff Creek Substation

The attached map illustrates the proposed project. The transmission line that we propose to upgrade is illustrated by the red dashed line. The brown dashed line represents an alternative route that would replace approximately 4 miles of the existing line from the Excelsior Substation to the Deephaven Substation. Existing Substations are identified by name on the map.

Xcel Energy continuously repairs, upgrades and adds new facilities to its system in communities throughout the state to maintain reliable service for its customers. The project we propose here is part of a larger effort to ensure reliable electric service throughout the southwest Twin Cities.

We propose to upgrade approximately 14 miles of transmission line along existing right-of-way. Some of the existing poles would be removed and replaced with steel structures that are capable of supporting the larger transmission line. Typically, 115 kV transmission lines use wood or steel poles that are 60- to 80 feet tall and spaced about 300 to 400 feet apart within a right-of-way that is about 75 feet wide. In the event that new right-of-way is required for this project, we will work with landowners to purchase property rights, known as an easement, in order to construct any new segment of transmission line that may be needed. If easement terms cannot be reached, we can then submit the dispute to the eminent domain process.

I wish to stress the fact that no part of our proposal has been approved and no construction has taken place. Again, no routing or construction decisions have been made at this stage of the process. This letter is intended to provide you with early notice of our plans so that you can participate in the decision making process for this important energy project. I hope you will consider taking time to participate in the regulatory process that will ultimately determine if and where these lines are constructed.

Regulatory Information

Two regulatory steps must be taken before any transmission line upgrades can begin. First, the Commission must determine whether the upgrade is needed. The Commission will base its determination on a thorough review of our

application and input received from the public. If the Commission determines that the transmission project is needed, the second step is to determine where the line should be built. The transmission line cannot be constructed unless the Commission issues both a Certificate of Need and a Route Permit.

As part of the Certificate of Need process, the Minnesota Department of Commerce, Division of Energy Resources will solicit public comment and prepare an Environmental Report. Additional environmental review will take place during the routing process. The routing process will consider environmental, land use, and other potential routing impacts. Again, I encourage you to participate and to share your views.

Citizen Participation & Contact Information

Both the Certificate of Need and Routing processes emphasize public participation. There will be public meetings and hearings in your area during the coming months so that you can participate in this important energy infrastructure decision. Notice of these meetings and hearings will be published in local newspapers and will also be available at the Commission's web site (www.puc.state.mn.us). You can also learn more about transmission planning in your area by visiting the Minnesota Electric Transmission Planning website at www.minnelectrans.com.

The Certificate of Need process is governed by Minnesota Statutes § 216B.243, and Minnesota Rules Chapters 4410, 7829, and 7849. The Route Permit process is governed by Minnesota Statutes § 216E and Minnesota Rules Chapter 7849. You can review these regulations at www.revisor.leg.state.mn.us. The application for these lines, as well as other regulatory filings related to our proposal, will be posted at www.xcelenergy.com. You can also add your name to the official state agency mailing lists to receive information. The mailing address and related information to do so is provided at the end of this letter.

Please note that the Certificate of Need process and the Routing process are separate. In other words, decisions about the need for the upgrade will be determined during the Need process. Decisions about the location of the transmission line will be made during the Routing process. Although the Company plans to upgrade the existing transmission line along existing right-of-way, the Commission must ultimately determine if the existing right-of-way or a new line location is in the public interest.

The Minnesota Public Utilities Commission will reference the Certificate of Need proceeding for our proposal as Docket No.E002/CN-11-332, *In the Matter of the Application of Northern States Power Company, a Minnesota Corporation*,

*for a Certificate of Need to Upgrade the Southwest Twin Cities (SWTC) Bluff Creek-
Westgate Transmission line from 69 kV to 115 kV Capacity.*

Please feel free to contact any of the individuals below for more information.

Certificate of Need Process

Bret Eknes
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101
Bret.eknes@state.mn.us
651-201-2236

Routing & Environmental Review

Deborah Pile
Minnesota Division of Energy Resources
85 7th Place East, Suite 500
St. Paul, MN 55101
Deborah.pile@state.mn.us
651-297-2375

Xcel Energy Contact

Timothy G. Rogers
250 Marquette Plaza
Minneapolis, MN
612-330-1955
Timothy.G.Rogers@xcelenergy.com

Sincerely,

Paul J. Lehman
Manager, Regulatory Administration

Enclosures

