

# AGENDA

## Greenwood City Council Meeting

Wednesday, August 5, 2015

20225 Cottagewood Road, Deephaven, MN 55331



*In accordance with open meeting laws, the worksession is open for public viewing, but there will be no opportunity for public participation. The public is invited to speak to items on the regular agenda. See "Public Comment Guidelines" for details. Agenda times are approximate.*

- 6:00pm **CLOSED SESSION 1:** Pursuant to MN statute 13D.05 subd 3(b) for attorney-client privilege to discuss next steps to address code violations at 4950 Sleepy Hollow Road.
- 6:15pm **WORKSESSION:** Discuss 2016 Budget & Fees
- 7:00pm **REGULAR MEETING:**
- 7:00pm 1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA
- 7:00pm 2. CONSENT AGENDA  
*Council members may remove consent agenda items for discussion. Removed items will be put under Other Business.*
- A. Approve: 07-01-15 City Council Meeting Minutes
  - B. Approve: June Cash Summary Report
  - C. Approve: June Certificates of Deposit Report
  - D. Approve: July Verifieds, Check Register, Electronic Fund Transfers
  - E. Approve: August Payroll Register
- 7:05pm 3. MATTERS FROM THE FLOOR  
*This is an opportunity for the public to address the council regarding matters not on the agenda. The council will not engage in discussion or take action on items presented at this time. However, the council may ask for clarification and may include items on a future agenda. Comments are limited to 3 minutes.*
- 7:10pm 4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS
- A. Interim Chief Mike Siitari: South Lake Minnetonka Police Department 2016 Budget
  - B. Chief Scott Gerber: Excelsior Fire District 2016 Budget
  - C. Laura Hotvet: Excelsior - Lake Minnetonka Chamber of Commerce Update
  - D. Announcement: Smoke Testing Open House, 5-7pm Thu 08-06-15
  - E. Announcement: St. Alban's Bay Lake Improvement District Annual Mtg, 7pm Thu 08-13-15
  - F. Announcement: Budget & Fees Worksession, 6pm Wed 09-02-15 (before council meeting)
- 7:30pm 5. PUBLIC HEARINGS
- A. None
- 7:30pm 6. UNFINISHED BUSINESS
- A. Consider: Next Steps Regarding St. Alban's Bay Lake Improvement District
- 7:40pm 7. NEW BUSINESS
- A. Consider: Res 08-15, Signage Conditional Use Permit Findings of Fact, Michael Dvoracek of Signs Unlimited of Plymouth on Behalf of Joel Buttenhoff, 21000 State Highway 7
  - B. Consider: Res 09-15, Grading Conditional Use Permit Findings of Fact, Excelsior Entertainment LLC / Old Log Theatre, 5185 Meadville Street
  - C. Consider: Recommendations for Connors' Project, 21650 Fairview Street
  - D. Consider: Recommendations for No Parking Signs and Traffic Calming
  - E. Consider: Authorization to Send Budget Comment Opportunity Information to County
  - F. Consider: Res 10-15, Residential Recycling Grant Agreement with Hennepin County
- 9:20pm 8. OTHER BUSINESS
- A. None
- 9:20pm 9. COUNCIL REPORTS
- A. Cook: Planning Commission, Parks, Sewer Study, St. Alban's Bay Bridge
  - B. Fletcher: Lake Minnetonka Communications Commission, Fire
  - C. Kind: Police, Administration, Mayors' Meetings, Website
  - D. Quam: Roads & Sewers, Mtka Comm Education, St. Alban's Bay Bridge
  - E. Roy: Lake Minnetonka Conservation District, St. Alban's Bay Lake Improvement District
- 9:50pm 10. ADJOURNMENT
- 9:55pm **CLOSED SESSION 2:** Pursuant to MN statute 13D.05 subd 3(c) to discuss Shorewood's offer to purchase the Southshore Center.



# Closed Session 1

Agenda Date: 08-05-15

Prepared by Deb Kind

**Agenda Item:** Closed session pursuant to MN statute 13D.05 subd 3(b) for attorney-client privilege to discuss next steps to address code violations at 4950 Sleepy Hollow Road.

**Summary:** The city council will receive a verbal update from attorney Bob Vose during the closed session.

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

1. I move the city council convenes a Closed Session pursuant to MN statute 13D.05 subd 3(b) for attorney-client privilege to discuss next steps to address code violations at 4950 Sleepy Hollow Road.
2. I move the city council adjourns the Closed Session.

*13D.05 Subd. 3(a) is for closed meetings to evaluate the performance of an individual who is subject to the city council's authority. The city council shall identify the individual to be evaluated prior to closing a meeting. At its next open meeting, the city council shall summarize its conclusions regarding the evaluation. A meeting must be open at the request of the individual who is the subject of the meeting. 13D.05 Subd. 1(d) The meeting must be electronically recorded. The recordings must be preserved for at least 3 years after the date of the meeting.*

*13D.05 Subd. 3(b) is for closed meetings for attorney-client privilege. 13D.05 Subd. 1(d) All closed meetings, except those closed as permitted by the attorney-client privilege, must be electronically recorded.*

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



# Worksession

Agenda Date: 08-05-15

Prepared by Deb Kind

## **Agenda Item:** 2016 Budget & Fees

**Summary:** The administrative committee (Mayor Kind and Councilman Fletcher) created the attached draft of the 2016 city budget. The council will have the opportunity to discuss the draft of the budget at the 08-06-15 worksession prior to the regular council meeting. Changes to the budget may be made at the worksession in August and will be reviewed and finalized at another worksession before the 09-02-15 council meeting.

The "preliminary" budget must be approved at the 09-02-15 council meeting, so the tax levy amount may be reported to the county by the 09-30-15 deadline. Once the preliminary tax levy amount has been reported to the county, the amount may be reduced, but it may not be increased. The "final" budget and tax levy will be approved at the 12-02-15 council meeting.

For the council's reference, attached are updated copies of the CITY Levy Per Person, Tax Rate History, and Tax Capacity Formula & Tax Rate Comparison documents. These documents also are available at [www.greenwoodmn.com](http://www.greenwoodmn.com) under the Assessor & Taxes tab.

Since the budget is related to fees, the city council also will discuss possible changes to the city's fee schedule at the worksession. A copy of the current fee schedule is attached. Any fee changes must be done via an ordinance. The first reading would be at the 09-02-15 council meeting and the 2nd reading would be at the 10-07-15 council meeting. Attached is a fee ordinance for the worksession discussion.

**Council Action:** No council action may be taken during a worksession.

*Greenwood code section 1215 requires 2 readings of all ordinances prior to adoption. The 2nd reading shall be within 3 months of the 1st reading. There may be changes between the 1st and 2nd readings. Ordinances go into effect once they are published in the city's official newspaper.*

# 2016 Greenwood PRELIMINARY Budget

|                             |   | 2013<br>Actual | 2014<br>Actual | 2014<br>Budget | 2015<br>June YTD | 2015<br>Budget | 2016<br>Budget | %<br>Change    | % Total<br>Budget |
|-----------------------------|---|----------------|----------------|----------------|------------------|----------------|----------------|----------------|-------------------|
| <b>GENERAL FUND REVENUE</b> |   |                |                |                |                  |                |                |                |                   |
| 1                           | <b>TAXES</b>  |                |                |                |                  |                |                |                |                   |
| 2                           | 101-31010 General Property Tax  | 621,465        | 648,923        | 643,874        | 3,068            | 642,782        | 642,307        | -0.07%         |                   |
| 3                           | 101-31020 General Property Tax - Delinquent   | 10,995         | 7,186          | 0              | 0                | 0              | 0              | #DIV/0!        |                   |
| 4                           | 101-31040 Fiscal Disparities  | 3,237          | 3,472          | 0              | 0                | 0              | 0              | #DIV/0!        |                   |
| 5                           | 101-31800 Surcharge Revenue   | 101            | 127            | 0              | 62               | 0              | 0              | #DIV/0!        |                   |
| 6                           | 101-31910 Penalties   | 12             | 0              | 0              | 0                | 0              | 0              | #DIV/0!        |                   |
| 7                           |   | <b>635,810</b> | <b>659,708</b> | <b>643,874</b> | <b>3,130</b>     | <b>642,782</b> | <b>642,307</b> | <b>-0.07%</b>  | <b>82.52%</b>     |
| 8                           | <b>LICENSES &amp; PERMITS</b>   |                |                |                |                  |                |                |                |                   |
| 9                           | 101-32110 Liquor & Cigarette Licenses   | 15,217         | 10,450         | 10,050         | 50               | 10,050         | 10,050         | 0.00%          |                   |
| 10                          | 101-32180 Other Business Licenses / Permits (Rental, Peddler, Commercial Marina, Trash, Tree Contractors) | 4,165          | 4,021          | 4,500          | 1,555            | 4,000          | 4,000          | 0.00%          |                   |
| 11                          | 101-32210 Building Permits  | 47,749         | 67,347         | 30,000         | 37,405           | 36,000         | 45,000         | 25.00%         |                   |
| 12                          | 101-32211 Electric Permits  | 8,017          | 8,466          | 2,000          | 1,686            | 5,000          | 5,000          | 0.00%          |                   |
| 13                          | 101-32240 Animal Licenses   | 475            | 340            | 450            | 500              | 450            | 450            | 0.00%          |                   |
| 14                          |   | <b>75,623</b>  | <b>90,624</b>  | <b>47,000</b>  | <b>41,195</b>    | <b>55,500</b>  | <b>64,500</b>  | <b>16.22%</b>  | <b>8.29%</b>      |
| 15                          | <b>INTERGOVERNMENT REVENUE</b>  |                |                |                |                  |                |                |                |                   |
| 16                          | 101-33402 Homestead Credit (Market Value Credit)  | 0              | 0              | 0              | 0                | 0              | 0              | #DIV/0!        |                   |
| 16                          | 101-33423 Other Grants / Aids (Recycle Grant, Etc.)   | 2,606          | 18,985         | 0              | 0                | 0              | 0              | #DIV/0!        |                   |
| 17                          | 101-33610 County Aid to Municipalities (CAM Road Aid)   | 1,800          | 1,802          | 0              | 0                | 0              | 0              | #DIV/0!        |                   |
| 18                          | 101-33630 MN State Aid (Local Government Aid, Small Cities Assistance, Etc.)                              | 0              | 0              | 0              | 0                | 0              | 0              | #DIV/0!        |                   |
| 19                          |   | <b>4,406</b>   | <b>20,787</b>  | <b>0</b>       | <b>0</b>         | <b>0</b>       | <b>0</b>       | <b>#DIV/0!</b> | <b>0.00%</b>      |
| 20                          | <b>PUBLIC CHARGES FOR SERVICES</b>  |                |                |                |                  |                |                |                |                   |
| 21                          | 101-34103 Zoning & Subdivisions (Variances, Conditional Use Permits, Etc.)                                | 6,652          | 6,800          | 4,000          | 4,391            | 5,000          | 6,000          | 20.00%         |                   |
| 22                          | 101-34207 False Alarm Fee   | 0              | 0              | 75             | 0                | 75             | 75             | 0.00%          |                   |
| 23                          | 101-34304 Load Limit Fees   | 12,475         | 6,448          | 6,000          | 9,463            | 4,000          | 6,000          | 50.00%         |                   |
| 24                          | 101-34409 Recycling Fees  | 19,579         | 19,352         | 19,000         | 9,389            | 19,500         | 19,500         | 0.00%          |                   |
| 25                          |   | <b>38,706</b>  | <b>32,600</b>  | <b>29,075</b>  | <b>23,243</b>    | <b>28,575</b>  | <b>31,575</b>  | <b>10.50%</b>  | <b>4.06%</b>      |
| 26                          | <b>FINES, FORFEITURES &amp; PENALTIES</b>   |                |                |                |                  |                |                |                |                   |
| 27                          | 101-35101 Court Fines   | <b>7,312</b>   | <b>6,153</b>   | <b>6,000</b>   | <b>3,574</b>     | <b>5,600</b>   | <b>6,000</b>   | <b>7.14%</b>   | <b>0.77%</b>      |
| 28                          |   |                |                |                |                  |                |                |                |                   |
| 29                          | <b>MISC. INCOME</b>   |                |                |                |                  |                |                |                |                   |
| 30                          | 101-36102 Investment Income   | 2,867          | 4,681          | 2,200          | 2,655            | 4,000          | 5,000          | 25.00%         |                   |
| 31                          | 101-36230 Photocopy Revenue, Donations, Refunds, Parking Permit Revenue, Workshop Revenue, Etc.           | 15,492         | 3,076          | 0              | 316              | 0              | 500            | #DIV/0!        |                   |
| 32                          |   | <b>18,359</b>  | <b>7,758</b>   | <b>2,200</b>   | <b>2,971</b>     | <b>4,000</b>   | <b>5,500</b>   | <b>37.50%</b>  | <b>0.71%</b>      |
| 33                          | <b>OTHER FINANCING SOURCES</b>  |                |                |                |                  |                |                |                |                   |
| 34                          | 101-39201 Interfund Operating Transfer: From Marina Fund  | 12,500         | 12,500         | 12,500         | 0                | 12,500         | 12,500         | 0.00%          |                   |
| 35                          | 101-39200 Administration Expense Reimbursement: 10% of Marina Revenue                                     | 3,086          | 3,346          | 3,346          | 0                | 3,470          | 3,600          | 3.75%          |                   |
| 36                          | 101-39202 Administrative Expense Reimbursement: 10% of Sewer Revenue                                      | 10,866         | 10,866         | 10,866         | 0                | 10,090         | 10,090         | 0.00%          |                   |
| 37                          | 101-39203 Administrative Expense Reimbursement: 10% of Stormwater Revenue                                 | 1,625          | 1,625          | 1,625          | 0                | 2,302          | 2,302          | 0.00%          |                   |
| 38                          |   | <b>28,077</b>  | <b>28,337</b>  | <b>28,337</b>  | <b>0</b>         | <b>28,362</b>  | <b>28,492</b>  | <b>0.46%</b>   | <b>3.66%</b>      |
| 39                          |   |                |                |                |                  |                |                |                |                   |
| 40                          | <b>Total Revenue</b>  | <b>808,293</b> | <b>845,967</b> | <b>756,486</b> | <b>74,114</b>    | <b>764,819</b> | <b>778,374</b> | <b>1.77%</b>   |                   |

# 2016 Greenwood PRELIMINARY Budget

|                              |  | 2013<br>Actual   | 2014<br>Actual | 2014<br>Budget | 2015<br>June YTD | 2015<br>Budget | 2016<br>Budget | %<br>Change   | % Total<br>Budget |
|------------------------------|--|--|----------------|----------------|------------------|----------------|----------------|---------------|-------------------|
| <b>GENERAL FUND EXPENSES</b> |  |  |                |                |                  |                |                |               |                   |
| 41                           | <b>COUNCIL &amp; PLANNING COMMISSION</b> |  |                |                |                  |                |                |               |                   |
| 42                           | 101-41100-103                            | Council Salaries (Gross)   | 13,200         | 13,200         | 13,200           | 6,600          | 13,200         | 13,200        | 0.00%             |
| 43                           | 101-41100-122                            | FICA Contributions (6.2%)  | 818            | 818            | 818              | 409            | 818            | 818           | 0.00%             |
| 44                           | 101-41100-123                            | Medicare Contributions (1.45%)   | 191            | 191            | 191              | 96             | 191            | 191           | 0.00%             |
| 45                           | 101-41100-371                            | Training / Conference Registration   | 2,386          | 90             | 1,200            | 0              | 1,200          | 1,200         | 0.00%             |
| 46                           | 101-41100-372                            | Meals / Lodging  | 0              | 84             | 100              | 142            | 100            | 150           | 50.00%            |
| 47                           | 101-41100-433                            | Misc. (Dues, Subscriptions, Supplies, Etc.)  | 30             | 0              | 150              | 93             | 150            | 100           | -33.33%           |
| 48                           |  |  | <b>16,626</b>  | <b>14,383</b>  | <b>15,660</b>    | <b>7,340</b>   | <b>15,660</b>  | <b>15,660</b> | <b>0.00%</b>      |
| 49                           | <b>ELECTIONS</b>                         |  |                |                |                  |                |                |               |                   |
| 50                           | 101-41200-103                            | Election Salaries (Part-Time Election Judge Salaries \$9 per hour)                         | 0              | 1,900          | 1,900            | 0              | 0              | 1,900         | #DIV/0!           |
| 51                           | 101-41200-214                            | Operational Support - Forms (Ballots, Voter Reg. Rosters)                                  | 31             | 43             | 160              | 0              | 50             | 50            | 0.00%             |
| 52                           | 101-41200-319                            | Equipment Maintenance (County Agreement, \$187.50 x 2 Voting Machines, \$160 for Automark) | 534            | 676            | 535              | 0              | 550            | 700           | 27.27%            |
| 53                           | 101-41200-372                            | Meals / Lodging (Election Judge Meals & Snacks)  | 0              | 882            | 650              | 0              | 0              | 885           | #DIV/0!           |
| 54                           | 101-41200-439                            | Misc. (Supplies, Postage, Public Notices, Etc.)  | 0              | 453            | 650              | 0              | 0              | 450           | #DIV/0!           |
| 55                           |  |  | <b>565</b>     | <b>3,953</b>   | <b>3,895</b>     | <b>0</b>       | <b>600</b>     | <b>3,985</b>  | <b>564.17%</b>    |
| 56                           | <b>ADMINISTRATION</b>                    |  |                |                |                  |                |                |               |                   |
| 57                           | 101-41400-201                            | Office Supplies  | 0              | 189            | 150              | 62             | 150            | 150           | 0.00%             |
| 58                           | 101-41400-202                            | Duplicating (Council Packets, Code Book Pages, Etc.)                                       | 1,209          | 2,312          | 1,400            | 674            | 1,800          | 1,800         | 0.00%             |
| 59                           | 101-41400-204                            | Stationary, Forms, Printing  | 1,239          | 1,010          | 800              | 321            | 1,000          | 1,000         | 0.00%             |
| 60                           | 101-41400-309                            | Professional Services - Other (ISP, Website, Email)  | 415            | 815            | 450              | 0              | 450            | 600           | 33.33%            |
| 61                           | 101-41400-310                            | Clerk's Contract with Deephaven (2015 \$35,714, 2016 \$36,785)                             | 34,195         | 36,936         | 37,793           | 17,777         | 35,714         | 36,785        | 3.00%             |
| 62                           | 101-41400-311                            | Office Rent & Equipment (2015-16 \$487.45 per month, 2014-15 incl \$150 telephone)         | 5,972          | 5,905          | 5,999            | 2,925          | 5,999          | 5,849         | -2.50%            |
| 63                           | 101-41400-313                            | Professional Services (Civic Accounting)   | 1,988          | 2,032          | 1,970            | 1,038          | 1,990          | 2,100         | 5.53%             |
| 64                           | 101-41400-322                            | Postage  | 820            | 713            | 800              | 260            | 800            | 800           | 0.00%             |
| 65                           | 101-41400-351                            | Newspaper Legal Notices  | 759            | 798            | 1,000            | 190            | 800            | 800           | 0.00%             |
| 67                           | 101-41400-439                            | Misc. (Equipment, Dog Tags, Meadville Launch Stickers \$425, Etc.)                         | 495            | 630            | 725              | 515            | 725            | 725           | 0.00%             |
| 68                           |  |  | <b>47,093</b>  | <b>51,340</b>  | <b>51,087</b>    | <b>23,762</b>  | <b>49,428</b>  | <b>50,609</b> | <b>2.39%</b>      |
| 69                           | <b>ASSESSOR</b>                          |  |                |                |                  |                |                |               |                   |
| 70                           | 101-41500-309                            | Assessor - Contract (Hennepin Co.)   | 14,000         | 15,000         | 15,000           | 0              | 17,000         | 18,000        | 5.88%             |
| 71                           | 101-41500-439                            | Assessor - Other (Public Notices, Processing, Tax Rolls)                                   | 75             | 382            | 100              | 172            | 125            | 400           | 220.00%           |
| 72                           |  |  | <b>14,075</b>  | <b>15,382</b>  | <b>15,100</b>    | <b>172</b>     | <b>17,125</b>  | <b>18,400</b> | <b>7.45%</b>      |
| 73                           | <b>LEGAL SERVICES</b>                    |  |                |                |                  |                |                |               |                   |
| 74                           | 101-41600-304                            | Legal Services - General   | 8,073          | 11,812         | 12,000           | 1,990          | 12,000         | 12,000        | 0.00%             |
| 75                           | 101-41600-308                            | Legal Services - Prosecution   | 3,393          | 3,813          | 4,000            | 2,673          | 4,000          | 4,000         | 0.00%             |
| 76                           |  |  | <b>11,466</b>  | <b>15,625</b>  | <b>16,000</b>    | <b>4,663</b>   | <b>16,000</b>  | <b>16,000</b> | <b>0.00%</b>      |

# 2016 Greenwood PRELIMINARY Budget

|     |   | 2013<br>Actual | 2014<br>Actual | 2014<br>Budget | 2015<br>June YTD | 2015<br>Budget | 2016<br>Budget | %<br>Change   | % Total<br>Budget |
|-----|---|----------------|----------------|----------------|------------------|----------------|----------------|---------------|-------------------|
| 77  | <b>AUDITING</b>   |                |                |                |                  |                |                |               |                   |
| 78  | 101-41700-301 Auditing (2014: \$9480, 2015: \$9570)                       | 10,717         | 9,480          | 9,480          | 9,600            | 9,570          | 9,857          | 3.00%         |                   |
| 79  |   | <b>10,717</b>  | <b>9,480</b>   | <b>9,480</b>   | <b>9,600</b>     | <b>9,570</b>   | <b>9,857</b>   | <b>3.00%</b>  | <b>1.27%</b>      |
| 80  | <b>GENERAL GOVERNMENT TOTAL</b>   | <b>100,541</b> | <b>110,163</b> | <b>111,222</b> | <b>45,537</b>    | <b>108,383</b> | <b>114,511</b> | <b>5.65%</b>  | <b>14.71%</b>     |
| 81  |   |                |                |                |                  |                |                |               |                   |
| 82  | <b>LAW ENFORCEMENT</b>  |                |                |                |                  |                |                |               |                   |
| 83  | 101-42100-310 Law Enforcement - Contract                                  | 177,053        | 182,215        | 182,215        | 93,519           | 187,637        | 192,895        | 2.80%         |                   |
| 84  | 101-42100-311 Police Side Lease - Facilities                              | 47,296         | 45,628         | 45,629         | 23,160           | 46,319         | 47,218         | 1.94%         |                   |
| 85  | 101-42100-439 Police Safety - Other (Jail, Court Overtime, Etc.)          | 1,132          | 4,266          | 1,000          | 272              | 1,000          | 2,500          | 150.00%       |                   |
| 86  |   | <b>225,481</b> | <b>232,109</b> | <b>228,844</b> | <b>116,950</b>   | <b>234,956</b> | <b>242,613</b> | <b>3.26%</b>  | <b>31.17%</b>     |
| 87  | <b>FIRE</b>   |                |                |                |                  |                |                |               |                   |
| 88  | 101-42200-309 Fire Protection - Operations                                | 64,856         | 70,517         | 70,517         | 32,355           | 69,474         | 73,859         | 6.31%         |                   |
| 89  | 101-42200-311 Fire Side Lease - Facilities                                | 58,092         | 60,371         | 60,371         | 28,439           | 56,878         | 57,983         | 1.94%         |                   |
| 90  |   | <b>122,948</b> | <b>130,888</b> | <b>130,888</b> | <b>60,794</b>    | <b>126,352</b> | <b>131,842</b> | <b>4.35%</b>  | <b>16.94%</b>     |
| 91  | <b>PUBLIC SAFETY TOTAL</b>  | <b>348,429</b> | <b>362,997</b> | <b>359,732</b> | <b>177,744</b>   | <b>361,308</b> | <b>374,455</b> | <b>3.64%</b>  | <b>48.11%</b>     |
| 92  |   |                |                |                |                  |                |                |               |                   |
| 93  | <b>ZONING</b>   |                |                |                |                  |                |                |               |                   |
| 94  | 101-42400-308 Zoning Administration                                       | 2,867          | 4,372          | 3,327          | 3,307            | 3,500          | 4,000          | 14.29%        |                   |
| 95  | 101-42400-309 Public Notices  | 1,794          | 2,408          | 850            | 364              | 1,700          | 2,000          | 17.65%        |                   |
| 96  | 101-42400-310 Building Inspections (69% of Building & Electrical Permits) | 32,788         | 39,784         | 22,080         | 33,997           | 28,290         | 34,500         | 21.95%        |                   |
| 97  | 101-42400-438 Misc. (County Recording Fees, State Bldg. Surcharge, etc.)  | 0              | 0              | 200            | 0                | 200            | 0              | -100.00%      |                   |
| 98  | <b>ZONING TOTAL</b>   | <b>37,449</b>  | <b>46,564</b>  | <b>26,457</b>  | <b>37,668</b>    | <b>33,690</b>  | <b>40,500</b>  | <b>20.21%</b> | <b>5.20%</b>      |
| 99  |   |                |                |                |                  |                |                |               |                   |
| 100 | <b>ENGINEERING</b>  |                |                |                |                  |                |                |               |                   |
| 101 | 101-42600-303 Engineering Fees - Misc.                                    | 3,828          | 1,212          | 1,400          | 2,776            | 2,500          | 3,000          | 20.00%        |                   |
| 102 |   | <b>3,828</b>   | <b>1,212</b>   | <b>1,400</b>   | <b>2,776</b>     | <b>2,500</b>   | <b>3,000</b>   | <b>20.00%</b> | <b>0.39%</b>      |
| 103 | <b>UTILITIES &amp; ROADS</b>  |                |                |                |                  |                |                |               |                   |
| 104 | 101-43100-381 S&R - Utility Services - Elec (Includes Siren Electric)     | 5,479          | 4,534          | 4,750          | 2,441            | 5,500          | 5,000          | -9.09%        |                   |
| 105 | 101-43100-409 Other - Road Repair & Maintenance (Public Works Repairs)    | 5,506          | 2,881          | 5,000          | 1,882            | 5,000          | 4,500          | -10.00%       |                   |
| 106 |   | <b>10,985</b>  | <b>7,414</b>   | <b>9,750</b>   | <b>4,323</b>     | <b>10,500</b>  | <b>9,500</b>   | <b>-9.52%</b> | <b>1.22%</b>      |
| 107 | <b>MAJOR ROAD IMPROVEMENTS</b>  |                |                |                |                  |                |                |               |                   |
| 108 | 101-43200-229 Major Road Improvements - Construction                      | 106,696        | 63,030         | 110,000        | 0                | 75,000         | 0              | -100.00%      |                   |
| 108 | 101-43200-303 Major Road Improvements - Engineering                       | 28,386         | 21,315         | 20,000         | 3,897            | 15,000         | 0              | -100.00%      |                   |
| 109 | 101-43200-500 Major Road Improvements - Transfer to Road Improvement Fund | 0              | 40,000         | 0              | 0                | 44,000         | 134,000        | 204.55%       |                   |
| 110 |   | <b>135,081</b> | <b>124,345</b> | <b>130,000</b> | <b>3,897</b>     | <b>134,000</b> | <b>134,000</b> | <b>0.00%</b>  | <b>17.22%</b>     |

# 2016 Greenwood PRELIMINARY Budget

|     |  | 2013<br>Actual | 2014<br>Actual | 2014<br>Budget | 2015<br>June YTD | 2015<br>Budget | 2016<br>Budget | %<br>Change    | % Total<br>Budget |
|-----|--|----------------|----------------|----------------|------------------|----------------|----------------|----------------|-------------------|
| 111 | <b>PUBLIC WORKS</b>  |                |                |                |                  |                |                |                |                   |
| 112 | 101-43900-226 Signs (2012-2018: Retroreflectivity Project)                           | 10,826         | 11,090         | 11,000         | 365              | 5,000          | 2,500          | -50.00%        |                   |
| 113 | 101-43900-312 Snow Plowing   | 10,587         | 22,166         | 16,000         | 7,594            | 16,000         | 20,000         | 25.00%         |                   |
| 114 | 101-43900-313 Trees, Weeds, Mowing   | 8,241          | 11,441         | 20,000         | 1,436            | 10,000         | 12,000         | 20.00%         |                   |
| 115 | 101-43900-314 Park & Tennis Court Maintenance  | 1,263          | 0              | 1,000          | 358              | 1,000          | 1,000          | 0.00%          |                   |
| 116 | 101-43900-315 Trail Snow Plowing (LRT and Tar Paths)                                 | 4,146          | 2,008          | 2,100          | 1,128            | 2,100          | 2,100          | 0.00%          |                   |
| 117 |  | <b>35,063</b>  | <b>46,705</b>  | <b>50,100</b>  | <b>10,882</b>    | <b>34,100</b>  | <b>37,600</b>  | <b>10.26%</b>  | <b>4.83%</b>      |
| 118 | <b>ROADS &amp; PUBLIC WORKS TOTAL</b>  | <b>184,957</b> | <b>179,676</b> | <b>191,250</b> | <b>21,878</b>    | <b>181,100</b> | <b>184,100</b> | <b>1.66%</b>   | <b>23.65%</b>     |
| 119 |  |                |                |                |                  |                |                |                |                   |
| 120 | <b>MISC. EXPENSES</b>  |                |                |                |                  |                |                |                |                   |
| 121 | 101-49000-310 Recycling Contract   | 17,911         | 19,539         | 19,050         | 9,770            | 20,000         | 20,650         | 3.25%          |                   |
| 122 | 101-49000-311 Spring Clean-Up Day  | 2,307          | 2,253          | 2,500          | 3,238            | 2,500          | 3,300          | 32.00%         |                   |
| 123 | 101-49000-369 League of Minnesota Cities Insurance Trust / Liability & Property      | 4,119          | 2,417          | 2,500          | 176              | 5,000          | 2,500          | -50.00%        |                   |
| 124 | 101-49000-370 League of Minnesota Cities Insurance Trust / Workers Comp              | 54             | 138            | 110            | 145              | 140            | 150            | 7.14%          |                   |
| 125 | 101-49000-433 Misc. Expenses   | 95             | 0              | 0              | 0                | 100            | 100            | 0.00%          |                   |
| 126 | 101-49000-434 Southshore Community Center  | 900            | 1,200          | 1,200          | 0                | 1,200          | 1,200          | 0.00%          |                   |
| 127 | 101-49000-435 League of Minnesota Cities   | 779            | 798            | 1,063          | 0                | 1,100          | 800            | -27.27%        |                   |
| 128 | 101-49000-436 Lake Minnetonka Conservation District                                  | 6,450          | 6,880          | 6,880          | 3,280            | 6,560          | 6,009          | -8.40%         |                   |
| 129 | 101-49000-437 July 4th Fireworks & Parade (\$1500 Chamber of Commerce, \$100 parade) | 1,442          | 1,518          | 1,500          | 1,600            | 1,100          | 1,600          | 45.45%         |                   |
| 130 | <b>MISC. TOTAL</b>   | <b>34,057</b>  | <b>34,743</b>  | <b>34,803</b>  | <b>18,208</b>    | <b>37,700</b>  | <b>36,309</b>  | <b>-3.69%</b>  | <b>4.66%</b>      |
| 131 |  |                |                |                |                  |                |                |                |                   |
| 132 | <b>Subtotal</b>  | <b>705,433</b> | <b>734,143</b> | <b>723,464</b> | <b>301,035</b>   | <b>722,181</b> | <b>749,874</b> | <b>3.83%</b>   |                   |
| 133 |  |                |                |                |                  |                |                |                |                   |
| 134 | <b>CONTINGENCY &amp; FUND TRANSFERS</b>  |                |                |                |                  |                |                |                |                   |
| 135 | 101-49000-439 Contingency  | 308            | 0              | 13,022         | 0                | 12,638         | 8,500          | -32.74%        |                   |
| 136 | 101-49000-500 Transfer to Bridge Fund  | 20,000         | 20,000         | 20,000         | 0                | 30,000         | 20,000         | -33.33%        |                   |
| 137 | <b>CONTINGENCY &amp; BRIDGE FUND TRANSFER TOTAL</b>                                  | <b>20,308</b>  | <b>20,000</b>  | <b>33,022</b>  | <b>0</b>         | <b>42,638</b>  | <b>28,500</b>  | <b>-33.16%</b> | <b>3.66%</b>      |
| 138 |  |                |                |                |                  |                |                |                |                   |
| 139 | <b>Total Expenses</b>  | <b>725,741</b> | <b>754,143</b> | <b>756,486</b> | <b>301,035</b>   | <b>764,819</b> | <b>778,374</b> | <b>1.77%</b>   |                   |
| 140 |  |                |                |                |                  |                |                |                |                   |
| 141 | <b>GENERAL FUND CASH BALANCE (Goal: 35%-50% of Operating Expenditures)</b>           | <b>422,786</b> | <b>502,981</b> |                |                  |                |                |                |                   |
|     | <i>Audited Percent of Operating Expenditures</i>                                     | <b>54.00%</b>  | <b>67.10%</b>  |                |                  |                |                |                |                   |

# 2016 Greenwood PRELIMINARY Budget

|     |  | 2013<br>Actual  | 2014<br>Actual | 2014<br>Budget | 2015<br>June YTD | 2015<br>Budget | 2016<br>Budget | %<br>Change   | % Total<br>Budget |  |
|-----|--|---|----------------|----------------|------------------|----------------|----------------|---------------|-------------------|--|
| 142 | <b>SEWER ENTERPRISE FUND</b> <i>This fund may be used for any city purpose. Goal: \$250,000.</i> |   |                |                |                  |                |                |               |                   |  |
| 143 | 602-34401  | REVENUE: Sewer Use Charges (\$65 per quarter)   | 107,019        | 104,941        | 108,660          | 47,535         | 100,899        | 100,899       | 0.00%             |  |
| 144 | 602-34402  | REVENUE: Late Charges & Penalties   | 800            | 809            | 0                | 176            | 0              | 0             | #DIV/0!           |  |
| 145 | 602-34403  | REVENUE: Delinquent Sewer Payments Received   | 444            | 547            | 0                | 0              | 0              | 0             | #DIV/0!           |  |
| 146 | 602-34404  | REVENUE: Delinquent Sewer Late Fees Received  | 20             | 40             | 0                | 0              | 0              | 0             | #DIV/0!           |  |
| 147 | 602-34408  | REVENUE: Permit Fees  | 100            | 525            | 0                | 300            | 0              | 0             | #DIV/0!           |  |
| 148 | 602-38100  | REVENUE: Grant Revenue  | 0              | 0              | 0                | 0              | 0              | 0             | #DIV/0!           |  |
| 149 | 602-37100  | REVENUE: Excelsior Blvd. Watermain Project (Contributions for Study, Assessment Payments) | 45,260         | 8,302          | 0                | 0              | 0              | 0             | #DIV/0!           |  |
| 150 | 602-36100  | REVENUE: Special Assessments  | 2,351          | 17,423         | 0                | 0              | 0              | 0             | #DIV/0!           |  |
| 151 | 602-43200-303  | EXPENSE: Engineering Sewer  | 15,573         | 10,725         | 7,500            | 692            | 10,000         | 10,000        | 0.00%             |  |
| 152 | 602-43200-309  | EXPENSE: Met Council and Excelsior  | 38,989         | 40,308         | 40,000           | 17,100         | 44,447         | 45,000        | 1.24%             |  |
| 153 | 602-43200-310  | EXPENSE: Public Works Sewer   | 4,762          | 8,403          | 3,700            | 3,231          | 3,700          | 6,000         | 62.16%            |  |
| 154 | 602-43200-381  | EXPENSE: Utility Services - Electric  | 2,377          | 2,469          | 2,500            | 1,211          | 2,500          | 2,500         | 0.00%             |  |
| 155 | 602-43200-404  | EXPENSE: Repair & Maintenance   | 8,358          | 11,939         | 7,000            | 6,500          | 7,000          | 12,000        | 71.43%            |  |
| 156 | 602-43200-410  | EXPENSE: Excelsior Blvd. Watermain Project (Construction, Engineering, Legal Costs, Etc.) | 21,949         | 12,028         | 0                | 90             | 0              | 0             | #DIV/0!           |  |
| 157 | 602-43200-439  | EXPENSE: Misc. (Gopher State One Call, Forms, Printing, Insurance, etc.)                  | 850            | 763            | 2,000            | 274            | 2,000          | 900           | -55.00%           |  |
| 158 | 602-43200-530  | EXPENSE: Capital Outlay (I&I Projects)  | 0              | 38,108         | 0                | 0              | 25,000         | 14,000        | -44.00%           |  |
| 159 | 602-43200-720  | ADMINISTRATIVE EXPENSE: To General Fund (10% of budgeted sewer revenue for adm. costs)    | 10,866         | 10,866         | 10,866           | 0              | 10,090         | 10,090        | 0.00%             |  |
| 160 |  | <b>Net Total</b>  | <b>52,270</b>  | <b>-3,023</b>  | <b>35,094</b>    | <b>18,914</b>  | <b>-3,838</b>  | <b>409</b>    | <b>-110.66%</b>   |  |
| 161 |  | <b>SEWER ENTERPRISE FUND CASH BALANCE</b>   | <b>446,226</b> | <b>443,203</b> |                  |                |                |               |                   |  |
| 162 | <b>STORMWATER SPECIAL REVENUE FUND</b> <i>This fund may be used for any city purpose.</i>        |   |                |                |                  |                |                |               |                   |  |
| 163 | 502-34401  | REVENUE: Stormwater Use Charges (\$17 per quarter)  | 16,148         | 16,097         | 16,250           | 10,994         | 23,021         | 23,021        | 0.00%             |  |
| 164 | 502-34403  | REVENUE: Delinquent Stormwater Payments Received  | 0              | 0              | 0                | 0              | 0              | 0             | #DIV/0!           |  |
| 165 | 502-34404  | REVENUE: Delinquent Stormwater Late Fees Received   | 0              | 0              | 0                | 0              | 0              | 0             | #DIV/0!           |  |
| 166 | 502-43200-303  | EXPENSE: Engineering Stormwater   | 9,848          | 2,802          | 6,700            | 2,159          | 6,700          | 6,700         | 0.00%             |  |
| 167 | 502-43200-310  | EXPENSE: Public Works Stormwater  | 0              | 960            | 0                | 269            | 0              | 0             | #DIV/0!           |  |
| 168 | 502-43200-319  | EXPENSE: Equipment and Maintenance  | 0              | 0              | 0                | 0              | 0              | 0             | #DIV/0!           |  |
| 169 | 502-43200-409  | EXPENSE: Street Sweeping  | 2,236          | 2,469          | 3,000            | 2,612          | 3,000          | 3,000         | 0.00%             |  |
| 170 | 502-43200-439  | EXPENSE: Misc. (EPA Fee, Etc.)  | 214            | 43             | 250              | 216            | 250            | 250           | 0.00%             |  |
| 171 | 502-43200-530  | EXPENSE: Capital Outlay   | 0              | 15,000         | 0                | 0              | 0              | 0             | #DIV/0!           |  |
| 173 | 502-43200-720  | ADMINISTRATIVE EXPENSE: To General Fund (10% of budgeted stormwater rev. for adm. costs)  | 1,625          | 1,625          | 1,625            | 0              | 2,302          | 2,302         | 0.00%             |  |
| 174 |  | <b>Net Total</b>  | <b>2,226</b>   | <b>-6,802</b>  | <b>4,675</b>     | <b>5,738</b>   | <b>10,769</b>  | <b>10,769</b> | <b>0.00%</b>      |  |
| 175 |  | <b>STORMWATER SPECIAL REVENUE FUND CASH BALANCE</b>                                       | <b>13,764</b>  | <b>8,625</b>   |                  |                |                |               |                   |  |

# 2016 Greenwood PRELIMINARY Budget

|     |  | 2013<br>Actual   | 2014<br>Actual   | 2014<br>Budget   | 2015<br>June YTD | 2015<br>Budget | 2016<br>Budget | %<br>Change    | % Total<br>Budget |
|-----|--|--|------------------|------------------|------------------|----------------|----------------|----------------|-------------------|
| 180 | <b>PARK SPECIAL REVENUE FUND</b> <i>This is a dedicated fund for park "acquisitions" only. Cannot be used for maintenance.</i>   |  |                  |                  |                  |                |                |                |                   |
| 181 | 401-36230  | REVENUE: Park Dedication Fees  | 0                | 0                | 0                | 0              | 0              | #DIV/0!        |                   |
| 182 | 401-45000-000  | EXPENSE: Park Improvements   | 0                | 0                | 0                | 4,370          | 0              | #DIV/0!        |                   |
| 183 |  | <b>Net Total</b>   | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>-4,370</b>  | <b>0</b>       | <b>#DIV/0!</b> |                   |
| 184 |  | <b>PARK FUND CASH BALANCE</b>  | <b>27,055</b>    | <b>27,055</b>    |                  |                |                |                |                   |
| 185 | <b>MARINA ENTERPRISE FUND</b> <i>This fund may be used for any city purpose. Goal: \$55,000 Tonka Dock; \$65,000 Permanent Dock; \$120,000 Floating Dock.</i>            |  |                  |                  |                  |                |                |                |                   |
| 186 | 605-36201  | REVENUE: Slip Fees (2015: \$1300 -- 2016: \$1350 x 26 boats, \$300 x 2 sailboats, \$50 x 6 canoes) | 30,860           | 32,700           | 33,460           | 34,050         | 34,700         | 36,000         | 3.75%             |
| 187 | 605-45100-309  | EXPENSE: Professional Services (Dock In and Out)   | 4,000            | 3,000            | 5,150            | 1,500          | 5,150          | 3,500          | -32.04%           |
| 188 | 605-45100-310  | EXPENSE: Public Works  | 300              | 474              | 2,000            | 179            | 2,000          | 500            | -75.00%           |
| 189 | 605-45100-439  | EXPENSE: Misc. (LMCD Multi-Dock License \$350, Milfoil \$5000, Insurance \$873)                    | 6,223            | 2,925            | 6,223            | 5,000          | 6,223          | 6,223          | 0.00%             |
| 190 | 605-45100-590  | EXPENSE: Capital Outlay  | 0                | 0                | 0                | 0              | 0              | 0              | #DIV/0!           |
| 191 | 605-49300-720  | OPERATING TRANSFER: To General Fund  | 12,500           | 12,500           | 12,500           | 0              | 12,500         | 12,500         | 0.00%             |
| 192 | 605-49300-721  | ADMINISTRATIVE EXPENSE: To General Fund (10% of budgeted marina revenue for adm. costs)            | 3,086            | 3,346            | 3,346            | 0              | 3,470          | 3,600          | 3.75%             |
| 193 |  | <b>Net Total</b>   | <b>4,751</b>     | <b>13,801</b>    | <b>4,241</b>     | <b>27,371</b>  | <b>5,357</b>   | <b>13,277</b>  | <b>147.84%</b>    |
| 194 |  | <b>MARINA ENTERPRISE FUND CASH BALANCE</b>   | <b>40,735</b>    | <b>48,832</b>    |                  |                |                |                |                   |
| 195 | <b>BRIDGE CAPITAL PROJECT FUND</b> <i>This fund was created in 2010. The funds may be used for any city purpose. Goal: \$200,000</i>                                     |  |                  |                  |                  |                |                |                |                   |
| 196 | 403-39200  | REVENUE: Transfer from General Fund  | 20,000           | 20,000           | 20,000           | 0              | 30,000         | 20,000         | -33.33%           |
| 197 | 403-45100-303  | EXPENSE: Engineering   | 0                | 150              | 2,000            | 1,050          | 2,000          | 2,000          | 0.00%             |
| 198 | 403-45100-304  | EXPENSE: Legal Services  | 0                | 0                | 2,000            | 0              | 2,000          | 2,000          | 0.00%             |
| 199 | 403-45100-530  | EXPENSE: Capital Outlay  | 0                | 0                | 0                | 0              | 0              | 0              | #DIV/0!           |
| 200 |  | <b>Net Total</b>   | <b>20,000</b>    | <b>19,850</b>    | <b>16,000</b>    | <b>-1,050</b>  | <b>26,000</b>  | <b>16,000</b>  | <b>-38.46%</b>    |
| 201 |  | <b>BRIDGE CAPITAL PROJECT FUND CASH BALANCE</b>  | <b>98,613</b>    | <b>118,463</b>   |                  |                |                |                |                   |
| 202 | <b>SPECIAL PROJECT FUND</b> <i>This fund was created in 2013 for the Greenwood Circle Xcel Project. The fund may be used for other special projects in the future.</i>   |  |                  |                  |                  |                |                |                |                   |
| 203 | 301-36102  | REVENUE: Greenwood Circle Xcel Project   | 36,900           | 0                | 0                | 0              | 0              | 0              | #DIV/0!           |
| 204 | 301-47000-602  | EXPENSE: Greenwood Circle Xcel Project   | 0                | 0                | 0                | 0              | 0              | 0              | #DIV/0!           |
| 205 |  | <b>Net Total</b>   | <b>36,900</b>    | <b>0</b>         | <b>0</b>         | <b>0</b>       | <b>0</b>       | <b>0</b>       | <b>#DIV/0!</b>    |
| 206 |  | <b>SPECIAL PROJECT FUND CASH BALANCE</b>   | <b>36,900</b>    | <b>0</b>         |                  |                |                |                |                   |
| 207 | <b>ROAD IMPROVEMENT FUND</b> <i>This fund was created in 2014. The funds may be used for any city purpose. Goal: \$_____ for Minnetonka Blvd rehabilitation project.</i> |  |                  |                  |                  |                |                |                |                   |
| 208 | 404-36230  | REVENUE: Transfer from General Fund  | 0                | 40,000           | 0                | 0              | 44,000         | 134,000        | 204.55%           |
| 208 | 404-45100-100  | EXPENSE: Capital Outlay  | 0                | 0                | 0                | 0              | 0              | 75,000         | #DIV/0!           |
| 209 | 404-45100-303  | EXPENSE: Engineering Expenses  | 0                | 0                | 0                | 0              | 0              | 20,000         | #DIV/0!           |
| 210 |  | <b>Net Total</b>   | <b>0</b>         | <b>40,000</b>    | <b>0</b>         | <b>0</b>       | <b>44,000</b>  | <b>39,000</b>  | <b>-11.36%</b>    |
| 211 |  | <b>ROAD IMPROVEMENT FUND CASH BALANCE</b>  | <b>0</b>         | <b>40,000</b>    |                  |                |                |                |                   |
| 212 | <b>Total Cash Balance (audited total of all funds combined)</b>  |  | <b>1,086,079</b> | <b>1,189,159</b> |                  |                |                |                |                   |

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA  
AMENDING GREENWOOD ORDINANCE CODE CHAPTER 5 FEES**

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

SECTION 1.

The Greenwood ordinance code section 510 fee schedule is amended as follows:

“

|  |            |   |   |
|--|------------|---|---|
| Docks: Municipal St. Alban's Bay Dock Permit | 425.30 (5) | <del>\$1300</del> \$1350  | Per slip, per season  |
| Landscaping Security Deposit                 | 1140.60    | <del>\$1500</del> The greater of \$1500 or 5% of the building value submitted on the building permit (refundable once landscaping is complete). | Cashier's or certified check. If landscaping is not completed in 12 months, deposit is forfeited.   |
| <u>Sewer: Repair Permit Fee</u>              |            | \$75  | Per instance  |
| Zoning: Shoreland Compliance Review Fee      | 1176.03    | \$200   | Per application. Paid only once if paid at variance or CUP application prior to building permit application. Signage CUP applications are exempt from paying the Shoreland Compliance Review Fee. |

”

SECTION 2.

Effective Date. This ordinance shall be effective January 1, 2016.

Enacted by the city council of the city of Greenwood, Minnesota this \_\_ day of \_\_\_\_\_, 2015.

\_\_\_ AYES \_\_\_ NAYS

CITY OF GREENWOOD

By: \_\_\_\_\_  
Debra J. Kind, Mayor

Attest: \_\_\_\_\_  
Dana Young, City Clerk

First reading: \_\_\_\_\_, 2015  
Second reading: \_\_\_\_\_, 2015  
Publication: \_\_\_\_\_, 2015

# CHAPTER 5: FEES, FINES & PUBLIC UTILITIES

**SECTION 500. FEES: GENERAL.**

**SECTION 510. FEES: LICENSES, PERMITS AND SERVICES.**

**SECTION 515. CIVIL FINES AND FEES.**

**SECTION 520. SANITARY SEWER UTILITY FUND.**

**SECTION 525. STORMWATER MANAGEMENT UTILITY FUND.**

**SECTION 530. FRANCHISE GRANTS.**

**SECTION 500. FEES: GENERAL.**

**Section 500.00. Fees, Charges and Rates Authorized and Defined.**

The fees, charges, and rates for the purposes set forth in this chapter 5 of this code for licenses, permits, and municipal services shall be in the amounts set forth in this chapter. Reference to the amounts set forth herein in other portions of this code or in other ordinances may be made in such terms as “required fee,” “established fee,” “required license fee,” “license fee,” and “license fee in the required amount,” without specific reference to this chapter, in which event the amounts herein set forth shall be applicable.

**Section 500.05. Priority of Application.**

If fees, charges, and rates are set forth specifically in parts of this code other than this chapter 5 or in other ordinances which are now in effect, but have not been set forth in this chapter 5, in that event, the fees, charges, and rates thereby specifically set forth shall be effective for all purposes. In the event that such amounts shall appear in other places in this code or in other ordinances or codes, but shall appear in this chapter 5, the amounts appearing in chapter 5 shall supersede the others.

**Section 500.10. Collection, Late Payment Charge, Special Assessment.**

Payment in accordance with billings shall be made no later than the billing date established for the account. In addition to the charges provided, there shall be a late charge for payments made after the 30th day after the billing date. When a charge is more than 30 days past due, it shall be considered delinquent. It shall be the duty of the clerk to endeavor to promptly collect delinquent accounts. All delinquent accounts shall be certified by the clerk who shall prepare an assessment roll each year providing for assessment of the delinquent amounts against the respective properties served. The city council may set an additional assessment penalty fee for delinquent accounts that are certified to the county for collection. The assessment roll shall be delivered to the council for adoption on or before October 10 of each year. Such action may be optional or subsequent to taking legal action to collect delinquent accounts. The delinquent account fee and additional assessment penalty fee shall be determined by the council and set forth in the section 510 fee schedule of this chapter.

(SECTION 500.10 UPDATED DEC. 2012, ORD. 213)

**SECTION 510. FEES: LICENSES, PERMITS AND SERVICES.**

**Section 510.00. Fees: Licenses, Permits and Services Established.**

Subd.1. The following fees for licenses, permits and municipal services have been established by the city council. No person, partnership, corporation, or other association shall engage in the following types of activity without paying the fee listed.

| Type of License, Permit, or Fee | Section | Fee                                | Conditions & Terms     |
|---------------------------------|---------|------------------------------------|------------------------|
| Advertisement Tube License      | 490.00  | \$25                               | Annual per tube        |
| Animal: Dog License             | 445.10  | \$25 (\$15 if purchased in year 2) | Good for up to 2 years |

|  |                 |   |   |
|--|-----------------|---|---|
| Animal: Potentially Dangerous Animal License                       | 445.25          | \$500   | Plus proof of \$100,000 insurance   |
| Animal: Private Kennel License                                     | 445.05          | \$50  | Annual  |
| Animal: Wild Animal Permit   | 445.15          | \$50  | 72-hour limit   |
| Blasting Permit  | 910.20          | \$500   | Council approval required   |
| Boat Launch Permit Sticker (for Meadville fire lane): Resident     | 425.45          | First 2 stickers are free. Additional stickers \$10 each.   | Annual. 2 free stickers per address. Additional stickers require proof of residency and vehicle information / license plate number. |
| Boat Launch Permit Sticker (for Meadville fire lane): Non-Resident | 425.45          | \$50  | Annual per vehicle. Must provide vehicle information / license plate number.  |
| Building: IPM Code Book  | 320.30          | \$31  | Per copy  |
| Building: Excavation / Filling Permit                              | 440.00          | Per building code   | Per instance  |
| Building: Excavation / Building Permit, Floodplain                 | 1174.07         | Per building code   | Per instance  |
| Building: Moving Permit  | 300.20          | Per building code   | Required per structure  |
| Building: Permit   | 300.10          | Per building code   | Required per structure  |
| Building: Permit to Extend Completion of Exterior Work             | 300.30          | \$200 for first 60-day extension (administrative) \$400 for an additional extension (council)                     | Required per structure  |
| Burning Permit: Recreational                                       | 475.10          | No permit required  |   |
| Burning Permit: Non-Recreational                                   | 475.10          | \$50  | Per instance  |
| Code Book (binder with tabs and photocopies)                       |                 | \$55  |   |
| Docks: Commercial Marina License, Base                             | 430.10          | \$110   | Base per year   |
| Docks: Commercial Marina License, Per Slip                         | 430.10          | \$5   | Per slip, per year  |
| Docks: Municipal St. Alban's Bay Dock Permit                       | 425.30 (5)      | \$1300  | Per slip, per season  |
| Docks: Municipal Sailboat Space Permit                             | 425.30 (5)      | \$300   | Per slip, per season  |
| Docks: Municipal Canoe / Kayak Permit                              | 425.30 (5)      | \$50  | Per space, per season   |
| Duplicate Permit / License   | 400.15          | \$5   | Per instance  |
| Excavation Permit: Temporary                                       | 1140.50         | The fee is the cost incurred by the city for the review of the excavation plan.                                   | Council approval required plus proof of bonding to cover expense of development plan.   |
| Excavation Permit: Street / Sewer                                  | 640.30 & 640.95 | The fee is the cost incurred by the city for the review of the excavation plan.                                   | Plus surety bond as determined by city engineer.  |
| False Alarm Permit: Fire (after 2nd offense in 12 mo. period)      | 460.03          | \$75  |   |
| False Alarm Permit: Police (after 3rd offense in 12 mo. period)    | 455.10          | \$75  |   |
| Fire / Police Alarm Non-Compliance Fine                            | 455.35 & 460.07 | \$1,000   | According to state statute  |
| Fireworks Permit   | 900.55          | \$50  | Council approval required   |
| Gambling License   | 915.15          | \$100   | Council approval required   |
| Garage Sale Permit (more than 1 in 12-month period)                | 450.25          | \$150 per event, plus proof of insurance: \$300,000 per person, \$500,000 per incident, \$50,000 property damage. |   |
| Garbage / Refuse Collector License                                 | 475.20          | \$200 per year, plus proof of insurance: \$100,000 per person, \$500,000 per incident, \$100,000 property damage  |   |
| Gasoline Station / Auto Repair License                             | 420.15          | \$0 per site plus \$0 per pump  | Annual  |
| Home Occupation License  | 480             | \$50  | Annual. City council approval required. The city council may impose conditions.   |
| Landscaping Security Deposit                                       | 1140.60         | \$1,500 (refundable once landscaping is complete)   | Cashier's or certified check. If landscaping is not completed in 12 months, deposit is forfeited.                                   |

|  |                 |   |   |
|--|-----------------|---|---|
| Liquor: Off-Sale Non-Intoxicating License  | 800.15 & 800.35 | \$100 per year plus commercial general liability by an insurance company licensed to do business in the state of Minnesota with a limit of liability of not less than \$1,000,000 per occurrence for bodily and property damage and loss of means of support with the "City of Greenwood" named as an additional insured on the policy. The liability policy must provide that it may not be canceled for any cause either by the insured or the insurance company without first giving ten days notice to the city in writing of that intention. The policy also must provide that any amount paid by the insurance company as a result of a claim will not reduce the coverage available to pay subsequent claims. Businesses with projected liquor sales of less than \$50,000 per year are only required to comply with the minimum insurance requirements in Minnesota state statutes. |   |
| Liquor: Off-Sale Non-Intoxicating, Investigation Fee   | 800.30          | \$500 plus all costs and expenses associated with investigation outside of MN as allowable by state statute   |   |
| Liquor: On-Sale Non-Intoxicating Temporary License   | 800.15          | \$100 plus the minimum insurance requirements in Minnesota state statutes. License good for no more than 3 consecutive days   |   |
| Liquor: On-Sale Intoxicating License   | 820.40 & 820.45 | \$10,000 per year plus commercial general liability and dram shop insurance by an insurance company licensed to do business in the state of Minnesota with a limit of liability of not less than \$1,000,000 per occurrence for bodily and property damage and loss of means of support with the "City of Greenwood" named as an additional insured on the policy. The liability policy must provide that it may not be canceled for any cause either by the insured or the insurance company without first giving ten days notice to the city in writing of that intention. The policy also must provide that any amount paid by the insurance company as a result of a claim will not reduce the coverage available to pay subsequent claims.   |   |
| Liquor: On-Sale Intoxicating, Wine License   | 820.40          | \$2,000   | Annual  |
| Liquor: On-Sale Intoxicating, Sunday License   | 820.40          | \$200   | Annual  |
| Liquor: On-Sale Intoxicating, Delimited License  | 820.40          | \$2,500   | Annual  |
| Liquor: On-Sale Intoxicating, Investigation Fee  | 820.35          | \$500 plus all costs and expenses associated with investigation outside of MN as allowable by state statute   |   |
| Liquor: On-Sale Intoxicating, Investigation Fee for Renewal Applications or Change of Status | 820.35          | \$250 per person to be investigated (not to exceed \$500)   | Annual  |
| Liquor: On-Sale Surety Bond  | 820.45          | \$1,000   | In conjunction w/application  |
| Load Limit Fee: Per Trip Special Operating Permit (Jan 1-Feb 29 and May 2-Dec 31)            | 730.00          | \$50  | Per round trip. Not required for building projects exceeding \$20,000 in value.   |
| Load Limit Fee: Per Trip Special Operating Permit (Mar 1-May 1)                              | 730.00          | \$500 per round trip.<br>Or \$450 per round trip with Blanket Special Operating Permit.   |   |
| Load Limit Fee: Blanket Special Operating Permit   | 730.00          | 20% of the Building Permit or Moving Fee  | Required for building projects exceeding \$20,000 in value. Blanket special operating permit holders must pay the additional March 1-May 1 per round trip fee for operation of vehicles in excess of the stated March 1-May 1 weight restriction. |
| Misc. Petitions to the City for Legal Consent or Releases Application Fee                    |                 | \$200 plus consultant and contract service provider expenses incurred by the city as they exceed the base fee amount  | Per application   |
| Mobile Home Park Permit Fee  | 405.40          | \$100   | Annual  |
| Mobile Home 15-Day License   | 405.40          | \$50  | Per instance  |
| Mobile Home Temporary Residence License  | 405.40          | \$100   | Per instance  |
| Parking Permit: Building Project   | 305.00          | \$50  | Per project   |
| 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.   |
| Peddler Permit   | 465.10          | \$70  | For 6 months  |
| Photocopies  | 125.00          | \$0.25 for black and white, \$1 for color   | Per copy  |
| Plumbing Permit  | 410.25          | Per building code   | Required per structure  |
| Recycling: Collection Fee  | 475.30          | \$16  | Quarterly   |

|   |   |   |  |
|---|---|---|--|
| Rental Property License   | 320.30                                  | \$50 first unit, \$30 per additional unit   | Annual   |
| Right-Of-Way Encroachment Permit  | 630.05                                  | Council approval required. Fee will be determined by the city council.  |  |
| Sanitary Sewer Non-Compliance Surcharge: Residential                          | 310.30 5(f)                             | \$300   | Quarterly  |
| Sanitary Sewer Non-Compliance Surcharge: Commercial                           | 310.30 5(f)                             | \$750   | Quarterly  |
| Sewer: Lateral Connection Fee   |   | \$5,120   | Per instance   |
| Sewer: Sewer Access Charge (SAC)  |   | As set by the Metropolitan Council  |  |
| Sewer: Cap Fee  |   | \$75  | Per instance   |
| Sewer: Re-Connection Fee  |   | \$75  | Per instance   |
| Sewer Rates: Residential  | 520.10                                  | \$65 per residential sanitary service unit  | Quarterly  |
| Sewer Rates: Commercial   | 520.10                                  | \$65 per commercial sanitary service unit   | Quarterly  |
| Sewer / Recycling / Stormwater Delinquent Accounts: <u>Late Fee</u>           | 520.15,<br>525.15<br>525.15 &<br>475.30 | 3% of the delinquent amount per quarter (12% annually).   | Certified to county annually.  |
| Sewer / Recycling / Stormwater Delinquent Accounts: <u>Assessment Amounts</u> | 500.10                                  | The total delinquent amount including late fees, plus 12% per year once certified to the county, in addition to any fees charged by the county. | Certified to county annually.  |
| Showcase Event Permit   | 450.25                                  | \$250 per event, plus proof of insurance: \$300,000 per person, \$500,000 per incident, \$50,000 property damage.                               |  |
| Sign Permit: Temporary  | 1140.40                                 | \$25  | Valid for 30 days.<br>Limit 6 per year.  |
| Stormwater Management Utility Fee: Residential                                | 525.00                                  | \$17  | Quarterly  |
| Stormwater Management Utility Fee: Commercial                                 | 525.10(3)                               | 3 x current residential rate  | Quarterly  |
| Street Excavation Permit  | 640.30                                  | \$200   | Per site   |
| Tobacco License   | 415.04                                  | \$50  | Annual   |
| Tree Contractor License   | 435.00 &<br>1140.80                     | \$50  | Annual. Proof of insurance also required: workers compensation insurance and liability insurance in the amounts of \$500,000 for injury or death of any one person, \$500,000 for injury or death of more than one person in any one accident, and \$100,000 for damage to property. |
| Tree Removal Conditional Use Permit: Shore / Bluff Impact Zone                | 1140.80                                 | \$100   | Per application  |
| Tree Removal Permit: Exceed Permitted Tree Harvest                            | 1140.80                                 | \$100   | Maximum of 5 significant trees   |
| Tree Removal Permit: Construction Related                                     | 1140.80                                 | \$250   | Home Addition: Remove up to 10% of trees. New Construction: Remove up to 20% of trees. Tree preservation plan required for both.   |
| Zoning: Code Amendment Application Fee  | 1160.05                                 | \$400 plus consultant and contract service provider expenses incurred by the city as they exceed the base fee amount                            | Per application  |
| Zoning: Conditional Use Permit Application Fee                                | 1150.15                                 | \$400 plus consultant and contract service provider expenses incurred by the city as they exceed the base fee amount                            | Per application  |
| Zoning: Misc. Administrative Review Fee                                       | Chapter 11                              | \$200 plus consultant and contract service provider expenses incurred by the city as they exceed the base fee amount                            | Per application  |
| Zoning: Preliminary Administrative Plan Review Fee                            | 1105.00                                 | \$200   | Per instance   |
| Zoning: Preliminary Plat Application Fee                                      | 600.10                                  | \$500 plus consultant and contract service provider expenses incurred by the city as they exceed the base fee amount                            | Per instance   |
| Zoning: Shoreland Compliance Review Fee                                       | 1176.03                                 | \$200   | Per application  |
| Zoning: Simple Subdivision Fee  | 600.07                                  | \$150 plus publication cost and Park Fund contribution  |  |
| Zoning: Subdivision Park Fund Fee   | 600.35                                  | 10% of the fair market value of the buildable land to be subdivided   |  |
| Zoning: Variance Application Fee  | 1155.25                                 | \$400 plus consultant and contract service provider expenses incurred by the city as they exceed the base fee amount                            | Per application  |
| Zoning: Variance Extension  | 1155.10(9)                              | 1st 1-year extension: \$50 (approved by zoning administrator).<br>Subsequent 1-year extensions: \$350 (approved by city council).               |  |

(SECTION 510 TABLE LAST REVISED OCT 2014 ORD 240)

## 2015 CERTIFIED CITY LEVY PER PERSON

Hennepin County Lake Minnetonka Cities

|                         | 2015<br>Final<br>Certified<br>Levy | 2013<br>Population | 2015<br>Certified Levy<br>Per Person |
|-------------------------|------------------------------------|--------------------|--------------------------------------|
| <b>Minnetonka Beach</b> | \$869,669                          | 555                | \$1,567                              |
| <b>Wayzata</b>          | \$4,384,948                        | 4136               | \$1,060                              |
| <b>Greenwood</b>        | \$642,782                          | 693                | \$928                                |
| <b>Woodland</b>         | \$349,629                          | 451                | \$775                                |
| <b>Tonka Bay</b>        | \$1,048,566                        | 1492               | \$703                                |
| <b>Shorewood</b>        | \$4,931,464                        | 7524               | \$655                                |
| <b>Minnetonka</b>       | \$32,812,035                       | 50841              | \$645                                |
| <b>Orono</b>            | \$4,772,000                        | 7611               | \$627                                |
| <b>Excelsior</b>        | \$1,378,895                        | 2284               | \$604                                |
| <b>Spring Park</b>      | \$998,620                          | 1676               | \$596                                |
| <b>Mound</b>            | \$5,544,362                        | 9421               | \$589                                |
| <b>Minnetrista</b>      | \$4,004,111                        | 6796               | \$589                                |
| <b>Deephaven</b>        | \$2,024,878                        | 3677               | \$551                                |

*Certified Levy Source: [www.co.hennepin.mn.us](http://www.co.hennepin.mn.us), Taxing District Information*

*Population Source: [www.metrocouncil.org](http://www.metrocouncil.org), Data & Maps, Download Data, Population and Household Estimates*

*Updated 04.23.15*

## Tax Capacity Formula & Tax Rate Comparison for Taxes Payable in 2015

|  |                  |   |       |                |
|--|------------------|---|-------|----------------|
| A property with an assessed EMV of:                | <b>\$750,000</b> |   |       |                |
| First \$500,000 is multiplied by 1%                | \$500,000        | x | 1%    | = \$5,000      |
| Balance is multiplied by 1.25%                     | \$250,000        | x | 1.25% | = \$3,125      |
| <b>Equals the "tax capacity" for the property:</b> |                  |   |       | <b>\$8,125</b> |

The above tax capacity formula is determined by the state and the multipliers are the same for every property in the state. To calculate your property's **tax capacity**, simply replace the **bold** number on the first line of the above formula with your property's **2014 estimated market value (EMV)**. The tax capacity number in yellow then is automatically inserted into the below spreadsheet and multiplied times the county, school, city, and misc **tax rates** to calculate the total **2015 taxes** for your property (Greenwood line if you live in Greenwood) and compares your taxes to the taxes paid by properties with the same EMV in other cities. **The tax rate is the same for every property in a jurisdiction.** The tax rate is determined by taking the total budgeted levy and dividing it by the total tax capacity for all properties in a jurisdiction. In other words, **when property values decline, tax rates will increase** so the total amount collected matches the budgeted levy amounts. Conversely, **when property values increase, tax rates typically decrease** to match the budgeted levy amounts. The tax rates for **2016** will not be known until budgets / levies are set in the fall. Since property values increased county wide, it is likely that the tax rates will decrease for taxes collected in **2016, so this sheet will NOT work for calculating your 2016 taxes.**

|              | HENNEPIN COUNTY TAXES |              |                    | MTKA SCHOOL DISTRICT TAXES |              |                       |                             |           |                           | CITY TAXES         |               |              | MISC TAXES: Hennepin Parks, Met Council, Watershed, etc. |               |              | TOTAL            |                      |
|--------------|-----------------------|--------------|--------------------|----------------------------|--------------|-----------------------|-----------------------------|-----------|---------------------------|--------------------|---------------|--------------|--|---------------|--------------|------------------|----------------------|
|              | COUNTY Tax Rate       | Tax Capacity | Total COUNTY Taxes | SCHOOL Tax Rate            | Tax Capacity | Subtotal SCHOOL Taxes | SCHOOL Referendum Tax Rate* | EMV       | Subtotal SCHOOL Ref Taxes | Total SCHOOL Taxes | CITY Tax Rate | Tax Capacity | Total CITY Taxes   | MISC Tax Rate | Tax Capacity | Total MISC Taxes | Total PROPERTY Taxes |
| Minnetonka   | 46.398%               | \$8,125      | \$3,770            | 25.09300%                  | \$8,125      | \$2,039               | 0.26449%                    | \$750,000 | \$1,984                   | \$4,022            | 36.767%       | \$8,125      | \$2,987  | 11.525%       | \$8,125      | \$936            | \$11,716             |
| Eden Prairie | 46.398%               | \$8,125      | \$3,770            | 25.09300%                  | \$8,125      | \$2,039               | 0.26449%                    | \$750,000 | \$1,984                   | \$4,022            | 33.954%       | \$8,125      | \$2,759  | 11.525%       | \$8,125      | \$936            | \$11,487             |
| Excelsior    | 46.398%               | \$8,125      | \$3,770            | 25.09300%                  | \$8,125      | \$2,039               | 0.26449%                    | \$750,000 | \$1,984                   | \$4,022            | 32.462%       | \$8,125      | \$2,638  | 11.525%       | \$8,125      | \$936            | \$11,366             |
| Shorewood    | 46.398%               | \$8,125      | \$3,770            | 25.09300%                  | \$8,125      | \$2,039               | 0.26449%                    | \$750,000 | \$1,984                   | \$4,022            | 30.723%       | \$8,125      | \$2,496  | 11.525%       | \$8,125      | \$936            | \$11,225             |
| Greenwood    | 46.398%               | \$8,125      | \$3,770            | 25.09300%                  | \$8,125      | \$2,039               | 0.26449%                    | \$750,000 | \$1,984                   | \$4,022            | 19.819%       | \$8,125      | \$1,610  | 11.525%       | \$8,125      | \$936            | \$10,339             |
| Tonka Bay    | 46.398%               | \$8,125      | \$3,770            | 25.09300%                  | \$8,125      | \$2,039               | 0.26449%                    | \$750,000 | \$1,984                   | \$4,022            | 18.081%       | \$8,125      | \$1,469  | 11.525%       | \$8,125      | \$936            | \$10,198             |
| Deephaven    | 46.398%               | \$8,125      | \$3,770            | 25.09300%                  | \$8,125      | \$2,039               | 0.26449%                    | \$750,000 | \$1,984                   | \$4,022            | 17.381%       | \$8,125      | \$1,412  | 11.525%       | \$8,125      | \$936            | \$10,141             |
| Woodland     | 46.398%               | \$8,125      | \$3,770            | 25.09300%                  | \$8,125      | \$2,039               | 0.26449%                    | \$750,000 | \$1,984                   | \$4,022            | 11.380%       | \$8,125      | \$925  | 11.525%       | \$8,125      | \$936            | \$9,653              |

Greenwood Percent of \$1

36.5%

38.9%

15.6%

9.1% 100.0%

The above spreadsheet shows how a Hennepin County / Minnetonka School District property with the same EMV will pay more or less taxes depending on the **city** it is located in.

\* School referendum tax rates are multiplied times the total EMV, not the tax capacity number.

Source: www.hennepin.us, Taxing District Information, 2015 Final Tax Rate Cards.

Sheet updated 04-05-15

# TAX RATE HISTORY

Tax rates are calculated by taking the total budgeted levy and dividing it by the total tax capacity – derived from assessed estimated market values (EMVs) – for all properties in a jurisdiction from the previous year. For instance, Greenwood's budgeted levy has had ZERO increases since 2010. So when Greenwood's EMVs decreased from 2009 to 2013, the city's tax rate increased from 2010 to 2014 in order to collect the same budgeted levy amount. Conversely, when Greenwood's EMVs increased in 2014, the city's 2015 tax rate decreased to collect the same budgeted levy amount. Note: Even though the county increased their budgeted levy for 2015, their 2015 tax rate decreased, because the 2014 countywide EMVs increased more than the budgeted levy increase.

|                         | <b>2010 Tax Rate</b><br>Based on<br>2009 EMVs | <b>2011 Tax Rate</b><br>Based on<br>2010 EMVs | <b>2012 Tax Rate</b><br>Based on<br>2011 EMVs | <b>2013 Tax Rate</b><br>Based on<br>2012 EMVs | <b>2014 Tax Rate</b><br>Based on<br>2013 EMVs | <b>2015 Tax Rate</b><br>Based on<br>2014 EMVs |
|-------------------------|---|---|---|---|---|---|
| <b>Hennepin County</b>  | 41.945%                                       | 45.840%                                       | 48.231%                                       | 49.461%                                       | 49.959%                                       | 46.398%                                       |
| <b>Mtka School Dist</b> | 18.657%                                       | 21.274%                                       | 23.015%                                       | 24.487%                                       | 24.374%                                       | 25.093%                                       |
| <b>Greenwood</b>        | 17.936%                                       | 19.107%                                       | 20.336%                                       | 20.897%                                       | 22.246%                                       | 19.819%                                       |

Updated 05-01-15

Source: [www.hennepin.us](http://www.hennepin.us), Taxing District Information, Final Tax Rate Cards

The above chart does not include school district referendum tax rates and misc tax rates.



**Agenda Item:** Consent Agenda

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

**Council Action:** Required. Possible motion ...

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

# MINUTES

## Greenwood City Council Meeting

Wednesday, July 1, 2015

20225 Cottagewood Road, Deephaven, MN 55331



### 1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA

Mayor Kind called the meeting to order at 7pm.

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

Members Absent: Tom Fletcher

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

**Motion by Kind to approve the agenda. Second by Quam. Motion passed 4-0.**

### 2. CONSENT AGENDA

A. Approve: 06-03-15 City Council Meeting Minutes

B. Approve: May Cash Summary Report

C. Approve: May Certificates of Deposit Report

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

E. Approve: July Payroll Register

F. Approve: 2nd Reading Ordinance 243, Seasonal Load-Limit Restrictions

**Motion by Cook to approve the consent agenda items. Second by Roy. Motion passed 4-0.**

### 3. MATTERS FROM THE FLOOR

**No one spoke during matters from the floor.**

### 4. PRESENTATIONS, REPORTS, GUESTS & ANNOUNCEMENTS

A. Andy Erdahl: Proposal for Eagle Scout Project at Meadville Boat Launch

**Motion by Kind that the city council (1) approves Andy Erdahl's Eagle Scout project for the Meadville Boat Launch area to be completed in 2015, (2) authorizes Andy to order a bench in an amount not to exceed \$600 including tax, (3) directs Andy to work with city council members Bill Cook and Bob Quam to determine the location and style of the bench, (4) directs that Andy submit a receipt to the city of Greenwood for payment from the city's Park Fund. Second by Roy. Motion passed 4-0.**

B. City Engineer Dave Martini: 2015 Road Project Bids and County Aid Application

**Motion by Cook that the city council (1) approves the bid from GMH in the amount of \$127,879.60 to complete the road projects as designed; (2) authorizes the city engineer to submit the project approval form to receive CAM funds for the city's 2015 road projects; (3) authorizes council members Cook and Quam to consider and approve change orders to spend up to \$134,000 (total road budget). Second by Quam. Motion passed 4-0.**

BB. Briefing: Connors' Project, 21650 Fairview Street

**Motion by Cook to refer the Connors' matter to the planning commission for a recommendation on how to proceed. Second by Roy. Motion passed 4-0.**

C. Announcement: July 4th Parade, Meet at Greenwood Park (Covington & Fairview) at 9:45am

**No council action was taken regarding the announcement.**

D. Announcement: Night to Unite, Tue 08-04-15, contact Dave Hohertz (952.960.1619 dhohertz@southlakepd.com) to have an officer stop by your neighborhood gathering

**No council action was taken regarding the announcement.**

E. Announcement: Budget & Fees Worksession, 6pm Wed 08-05-15 (before council meeting)

**No council action was taken regarding the announcement.**

5. PUBLIC HEARINGS

A. None

6. UNFINISHED BUSINESS

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

**No council action was taken. The next SABLID Board Meeting will be at The Commons Workplace in Excelsior on 07-21-15 at 7pm. The SABLID Annual Meeting will be on 08-13-15 at 7pm at Deephaven City Hall.**

B. Consider: 2nd Reading, Ordinance 242, Firearms Regulations and Dangerous Weapons

**Motion by Roy that the city council approves the 2nd reading of ordinance 242 regarding dangerous weapons. Second by Cook. Motion passed 4-0.**

7. NEW BUSINESS

A. Discuss: Lake Minnetonka Conservation District 2016 Budget

**No council action was taken regarding the announcement.**

8. OTHER BUSINESS

A. None

9. COUNCIL REPORTS

A. Cook: Planning Commission, Parks, Sewer Study, St. Alban's Bay Bridge

**No council action was taken. Smoke testing will be done in late August or early September. There will be an open house the evening of 08-06-15. Location and time are still to be determined. A mailing will be sent to affected property owners.**

B. Fletcher: Lake Minnetonka Communications Commission, Fire

**Mayor Kind gave an update regarding the LMCC and Fire on behalf of Councilman Fletcher. No council action was taken.**

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

**No council action was taken.**

D. Quam: Roads & Sewers, Mtka Comm Education, St. Alban's Bay Bridge

**No council action was taken.**

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

**No council action was taken.**

10. CLOSED SESSION

A. Discuss: Shorewood Offer to Purchase the Southshore Center

**Motion by Roy that the city council enters into closed session pursuant to Minn. Stat. 13D.05 Subd. 3(c) to discuss Shorewood's offer to purchase the Southshore Center. Second by Cook. Motion passed 4-0.**

**The city council went into closed session. The session was audio recorded. The recording will be archived at city hall for 8 years and will be made available to the public after the purchase is finalized or the purchase has been abandoned.**

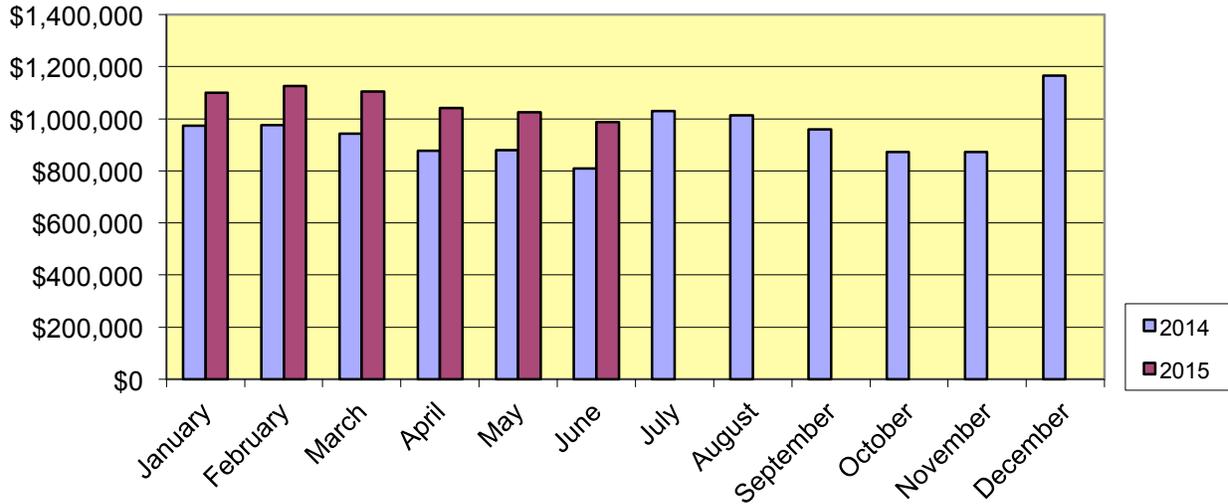
**Motion by Kind that the city council end the closed session. Second by Quam. Motion passed 4-0.**

11. ADJOURNMENT

**Motion by Roy to adjourn the meeting at 8:55pm. Second by Cook. Motion passed 4-0.**

*This document is intended to meet statutory requirements for city council meeting minutes. A video recording was made of the meeting, which provides a verbatim account of what transpired. The video recording is available for viewing on LMCC TV channel 8 for 1 month, at [www.lmcc-tv.org](http://www.lmcc-tv.org) for 1 year, and on DVD at the city office (permanent archive).*

**City of Greenwood**  
Monthly Cash Summary



| Month     | 2014        | 2015        | Variance with Prior Month | Variance with Prior Year |
|-----------|-------------|-------------|---------------------------|--------------------------|
| January   | \$973,698   | \$1,100,038 | -\$65,893                 | \$126,340                |
| February  | \$976,134   | \$1,125,995 | \$25,957                  | \$149,861                |
| March     | \$942,468   | \$1,105,199 | -\$20,796                 | \$162,731                |
| April     | \$878,040   | \$1,041,296 | -\$63,903                 | \$163,256                |
| May       | \$879,272   | \$1,025,022 | -\$16,274                 | \$145,750                |
| June      | \$808,884   | \$986,189   | -\$38,833                 | \$177,305                |
| July      | \$1,029,060 | \$0         | -\$986,189                | -\$1,029,060             |
| August    | \$1,013,814 | \$0         | \$0                       | -\$1,013,814             |
| September | \$960,083   | \$0         | \$0                       | -\$960,083               |
| October   | \$872,707   | \$0         | \$0                       | -\$872,707               |
| November  | \$871,871   | \$0         | \$0                       | -\$871,871               |
| December  | \$1,165,931 | \$0         | \$0                       | -\$1,165,931             |

|                               |           |
|-------------------------------|-----------|
| Bridgewater Bank Money Market | \$473,573 |
| Bridgewater Bank Checking     | \$10,070  |
| Beacon Bank CD                | \$406,147 |
| Beacon Bank Money Market      | \$91,095  |
| Beacon Bank Checking          | \$5,304   |
|                               | \$986,189 |

**ALLOCATION BY FUND**

|                                   |           |
|-----------------------------------|-----------|
| General Fund                      | \$265,676 |
| Special Project Fund              | \$0       |
| General Fund Designated for Parks | \$22,685  |
| Bridge Capital Project Fund       | \$117,413 |
| Road Improvement Fund             | \$40,000  |
| Stormwater Fund                   | \$8,619   |
| Sewer Enterprise Fund             | \$462,117 |
| Marina Enterprise Fund            | \$69,679  |
|                                   | \$986,189 |

## GREENWOOD CERTIFICATES OF DEPOSIT

Report Date: 6/30/15

| Acct #    | Bank        | Date     | Term     | Maturity | Rate         | Amount               |
|-----------|-------------|----------|----------|----------|--------------|----------------------|
| 101-10409 | Beacon Bank | 08/05/14 | 12 month | 08/05/15 | 0.40%        | \$ 61,297.93         |
| 101-10412 | Beacon Bank | 09/22/14 | 13 month | 10/22/15 | 0.70%        | \$ 80,419.95         |
| 101-10410 | Beacon Bank | 11/06/14 | 13 month | 12/06/15 | 0.70%        | \$ 61,227.67         |
| 101-10407 | Beacon Bank | 01/04/15 | 13 month | 02/04/16 | 0.70%        | \$ 61,666.39         |
| 101-10408 | Beacon Bank | 04/05/15 | 13 month | 05/05/16 | 0.70%        | \$ 61,235.74         |
| 101-10411 | Beacon Bank | 06/22/15 | 13 month | 07/22/16 | 0.60%        | \$ 80,299.18         |
|           |             |          |          |          |              |                      |
|           |             |          |          |          | <b>TOTAL</b> | <b>\$ 406,146.86</b> |

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

Check Issue Date(s): 07/01/2015 - 07/31/2015

| Per     | Date       | Check No | Vendor No | Payee                          | Check GL Acct | Amount            |
|---------|------------|----------|-----------|--------------------------------|---------------|-------------------|
| 07/15   | 07/07/2015 | 12065    |           | Information Only Check         | 101-20100     | .00 V             |
| 07/15   | 07/07/2015 | 12066    | 9         | CITY OF DEEPHAVEN              | 101-20100     | 16,684.19         |
| 07/15   | 07/07/2015 | 12067    | 594       | CITY OF EXCELSIOR              | 602-20100     | 2,812.53          |
| 07/15   | 07/07/2015 | 12068    | 52        | EXCELSIOR FIRE DISTRICT        | 101-20100     | 31,587.94         |
| 07/15   | 07/07/2015 | 12069    | 819       | FINANCE & COMMERCE INC         | 101-20100     | 207.06            |
| 07/15   | 07/07/2015 | 12070    | 68        | GOPHER STATE ONE CALL          | 602-20100     | 97.35             |
| 07/15   | 07/07/2015 | 12071    | 789       | HENNEPIN COUNTY TREASURER      | 101-20100     | 8,721.50          |
| 07/15   | 07/07/2015 | 12072    | 3         | KELLY LAW OFFICES              | 101-20100     | 1,863.00          |
| 07/15   | 07/07/2015 | 12073    | 850       | KENNEDY, GRAVEN, CHARTERED     | 101-20100     | 1,356.25          |
| 07/15   | 07/07/2015 | 12074    | 105       | METRO COUNCIL ENVIRO SERVICES  | 602-20100     | 1,912.42          |
| 07/15   | 07/07/2015 | 12075    | 38        | SO LAKE MINNETONKA POLICE DEPT | 101-20100     | 27,166.42         |
| 07/15   | 07/07/2015 | 12076    | 745       | Vintage Waste Systems          | 101-20100     | 1,628.25          |
| 07/15   | 07/07/2015 | 12077    | 145       | XCEL ENERGY                    | 101-20100     | 217.52            |
| 07/15   | 07/21/2015 | 12078    | 51        | BOLTON & MENK, INC.            | 602-20100     | 11,869.00         |
| 07/15   | 07/21/2015 | 12079    | 9         | CITY OF DEEPHAVEN              | 101-20100     | 1,333.62          |
| 07/15   | 07/21/2015 | 12080    | 822       | ECM PUBLISHERS INC             | 101-20100     | 351.86            |
| 07/15   | 07/21/2015 | 12081    | 788       | KRISTI CONRAD                  | 101-20100     | 26.79             |
| 07/15   | 07/21/2015 | 12082    | 99        | LAKE MTKA CONSERVATION DISTRIC | 101-20100     | 1,640.00          |
| 07/15   | 07/21/2015 | 12083    | 216       | QUALITY FLOW SYSTEMS INC       | 602-20100     | 769.50            |
| 07/15   | 07/21/2015 | 12084    | 855       | SOUTHWEST NEWSPAPERS           | 101-20100     | 133.50            |
| 07/15   | 07/21/2015 | 12085    | 145       | XCEL ENERGY                    | 101-20100     | 376.96            |
| Totals: |            |          |           |                                |               | <u>110,755.66</u> |

Dated: \_\_\_\_\_

Mayor: \_\_\_\_\_

City Council: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

City Recorder: \_\_\_\_\_

| Vendor No | Invoice No                     | Description                  | Inv Date   | Invoice Amt | Disc Amt | Check Amt | Check No | Chk Date   |
|-----------|--------------------------------|------------------------------|------------|-------------|----------|-----------|----------|------------|
| 3         | KELLY LAW OFFICES              |                              |            |             |          |           |          |            |
|           | 6362                           | GENERAL LEGAL                | 07/02/2015 | 1,863.00    | .00      | 1,863.00  | 12072    | 07/07/2015 |
| Total 3   |                                |                              |            | 1,863.00    | .00      | 1,863.00  |          |            |
| 9         | CITY OF DEEPHAVEN              |                              |            |             |          |           |          |            |
|           | 070115                         | 2nd Quarter Building Permits | 07/01/2015 | 16,684.19   | .00      | 16,684.19 | 12066    | 07/07/2015 |
|           | 3T QTR 2015                    | NEWSLETTER POSTAGE           | 04/01/2015 | 146.28      | .00      | 146.28    | 12079    | 07/21/2015 |
|           | ID QTR 2015                    | NEWSLETTER POSTAGE           | 07/01/2015 | 146.28      | .00      | 146.28    | 12079    | 07/21/2015 |
|           | JNE 30 2015                    | JUNE ZONING                  | 07/01/2015 | 1,041.06    | .00      | 1,041.06  | 12079    | 07/21/2015 |
| Total 9   |                                |                              |            | 18,017.81   | .00      | 18,017.81 |          |            |
| 38        | SO LAKE MINNETONKA POLICE DEPT |                              |            |             |          |           |          |            |
|           | 1D QTR 2015                    | 3rd quarter lease            | 07/01/2015 | 11,580.00   | .00      | 11,580.00 | 12075    | 07/07/2015 |
|           | JULY 2015                      | OPERATING BUDGET EXPENSE     | 07/01/2015 | 15,586.42   | .00      | 15,586.42 | 12075    | 07/07/2015 |
| Total 38  |                                |                              |            | 27,166.42   | .00      | 27,166.42 |          |            |
| 51        | BOLTON & MENK, INC.            |                              |            |             |          |           |          |            |
|           | 0179713                        | 2014 I/I REDUCTION GRANT APP | 06/30/2015 | 754.00      | .00      | 754.00    | 12078    | 07/21/2015 |
|           | 0179714                        | 2014 MS4 ADMN                | 06/30/2015 | 435.00      | .00      | 435.00    | 12078    | 07/21/2015 |
|           | 0179715                        | 2015 MISC ENGINEERING        | 06/30/2015 | 1,394.00    | .00      | 1,394.00  | 12078    | 07/21/2015 |
|           | 0179716                        | 2015 SEWER IMPROVEMENTS      | 06/30/2015 | 150.00      | .00      | 150.00    | 12078    | 07/21/2015 |
|           | 0179717                        | 2015 STREET IMPROVEMENTS     | 06/30/2015 | 9,136.00    | .00      | 9,136.00  | 12078    | 07/21/2015 |
| Total 51  |                                |                              |            | 11,869.00   | .00      | 11,869.00 |          |            |
| 52        | EXCELSIOR FIRE DISTRICT        |                              |            |             |          |           |          |            |
|           | 1D QTR 2015                    | 3rd qtr buildings            | 07/07/2015 | 31,587.94   | .00      | 31,587.94 | 12068    | 07/07/2015 |
| Total 52  |                                |                              |            | 31,587.94   | .00      | 31,587.94 |          |            |
| 68        | GOPHER STATE ONE CALL          |                              |            |             |          |           |          |            |
|           | 138612                         | Gopher State calls           | 06/30/2015 | 97.35       | .00      | 97.35     | 12070    | 07/07/2015 |
| Total 68  |                                |                              |            | 97.35       | .00      | 97.35     |          |            |
| 99        | LAKE MTKA CONSERVATION DISTRIC |                              |            |             |          |           |          |            |
|           | 070215                         | 3rd QTR LEVY PMT             | 07/02/2015 | 1,640.00    | .00      | 1,640.00  | 12082    | 07/21/2015 |
| Total 99  |                                |                              |            | 1,640.00    | .00      | 1,640.00  |          |            |
| 105       | METRO COUNCIL ENVIRO SERVICES  |                              |            |             |          |           |          |            |
|           | 0001046148                     | Monthly wastewater Charge    | 07/02/2015 | 1,912.42    | .00      | 1,912.42  | 12074    | 07/07/2015 |
| Total 105 |                                |                              |            | 1,912.42    | .00      | 1,912.42  |          |            |
| 145       | XCEL ENERGY                    |                              |            |             |          |           |          |            |
|           | 062915                         | LIFT STATION #4              | 06/29/2015 | 217.52      | .00      | 217.52    | 12077    | 07/07/2015 |
|           | 070615                         | Street Lights *              | 07/06/2015 | 376.96      | .00      | 376.96    | 12085    | 07/21/2015 |

| Vendor No | Invoice No                              | Description                      | Inv Date   | Invoice Amt | Disc Amt | Check Amt | Check No | Chk Date   |
|-----------|---|----------------------------------|------------|-------------|----------|-----------|----------|------------|
| Total 145 |   |                                  |            | 594.48      | .00      | 594.48    |          |            |
| 216       | QUALITY FLOW SYSTEMS INC<br>30690       | LIFT STN #5 REPAIR               | 07/07/2015 | 769.50      | .00      | 769.50    | 12083    | 07/21/2015 |
| Total 216 |   |                                  |            | 769.50      | .00      | 769.50    |          |            |
| 594       | CITY OF EXCELSIOR<br>00201395           | 3rd qtr joint sanitary sewer use | 06/05/2015 | 2,812.53    | .00      | 2,812.53  | 12067    | 07/07/2015 |
| Total 594 |   |                                  |            | 2,812.53    | .00      | 2,812.53  |          |            |
| 745       | Vintage Waste Systems<br>062315         | City Recycling Contract          | 06/23/2015 | 1,628.25    | .00      | 1,628.25  | 12076    | 07/07/2015 |
| Total 745 |   |                                  |            | 1,628.25    | .00      | 1,628.25  |          |            |
| 788       | KRISTI CONRAD<br>071315                 | 2011 JULY 4TH EXP REIMBURED      | 07/13/2015 | 26.79       | .00      | 26.79     | 12081    | 07/21/2015 |
| Total 788 |   |                                  |            | 26.79       | .00      | 26.79     |          |            |
| 789       | HENNEPIN COUNTY TREASURER<br>1000062027 | 2ND 1/2 2015 ASSESSMENT SVCS     | 06/23/2015 | 8,721.50    | .00      | 8,721.50  | 12071    | 07/07/2015 |
| Total 789 |   |                                  |            | 8,721.50    | .00      | 8,721.50  |          |            |
| 819       | FINANCE & COMMERCE INC<br>742234681     | CONSRUCTION BID                  | 06/16/2015 | 207.06      | .00      | 207.06    | 12069    | 07/07/2015 |
| Total 819 |   |                                  |            | 207.06      | .00      | 207.06    |          |            |
| 822       | ECM PUBLISHERS INC<br>234046            | LEGAL NOTICE                     | 07/02/2015 | 44.68       | .00      | 44.68     | 12080    | 07/21/2015 |
|           | 234047                                  | LEGAL NOTICE                     | 07/02/2015 | 55.85       | .00      | 55.85     | 12080    | 07/21/2015 |
|           | 238738                                  | LEGAL NOTICE                     | 07/16/2015 | 189.89      | .00      | 189.89    | 12080    | 07/21/2015 |
|           | 238739                                  | LEGAL NOTICE                     | 07/16/2015 | 61.44       | .00      | 61.44     | 12080    | 07/21/2015 |
| Total 822 |   |                                  |            | 351.86      | .00      | 351.86    |          |            |
| 850       | KENNEDY, GRAVEN, CHARTERED<br>053115    | B BURDICK VAR MATTER/ZONING SUI  | 06/25/2015 | 1,356.25    | .00      | 1,356.25  | 12073    | 07/07/2015 |
| Total 850 |   |                                  |            | 1,356.25    | .00      | 1,356.25  |          |            |
| 855       | SOUTHWEST NEWSPAPERS<br>063015          | LEGAL NOTICE                     | 06/30/2015 | 133.50      | .00      | 133.50    | 12084    | 07/21/2015 |

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| <u>Vendor No</u> | <u>Invoice No</u> | <u>Description</u> | <u>Inv Date</u> | <u>Invoice Amt</u> | <u>Disc Amt</u> | <u>Check Amt</u>  | <u>Check No</u> | <u>Chk Date</u> |
|------------------|-------------------|--------------------|-----------------|--------------------|-----------------|-------------------|-----------------|-----------------|
|                  |                   |                    |                 | <u>133.50</u>      | <u>.00</u>      | <u>133.50</u>     |                 |                 |
|                  |                   | Total 855          |                 |                    |                 |                   |                 |                 |
|                  |                   | Grand Totals:      |                 | <u>110,755.66</u>  | <u>.00</u>      | <u>110,755.66</u> |                 |                 |

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| Pay Per<br>Date | Jrnl | Check<br>Date | Check<br>Number | Payee              | Emp No | Description | GL<br>Account | Amount        |
|-----------------|------|---------------|-----------------|--------------------|--------|-------------|---------------|---------------|
| 08/01/15        | PC   | 08/01/15      | 8011501         | COOK, WILLIAM B.   | 37     |             | 001-10100     | 184.70        |
| 08/01/15        | PC   | 08/01/15      | 8011502         | Fletcher, Thomas M | 33     |             | 001-10100     | 84.70         |
| 08/01/15        | PC   | 08/01/15      | 8011503         | Kind, Debra J.     | 34     |             | 001-10100     | 277.05        |
| 08/01/15        | PC   | 08/01/15      | 8011504         | Quam, Robert       | 32     |             | 001-10100     | 184.70        |
| 08/01/15        | PC   | 08/01/15      | 8011505         | ROY, ROBERT J.     | 38     |             | 001-10100     | 184.70        |
| Grand Totals:   |      |               |                 |                    |        |             |               | <u>915.85</u> |



**Agenda Number: 4A**

**Agenda Date: 08-05-15**

*Prepared by Deb Kind*

**Agenda Item:** Interim Chief Mike Siitari, South Lake Minnetonka Police Department 2016 Budget

**Summary:** The South Lake Minnetonka Police Department coordinating committee discussed the 2016 budget at a worksession and special meeting in July. After much discussion and a few revisions, the coordinating committee recommends approval of the attached operating budget (3.13% increase to member cities). Chief Siitari will attend the 08-05-15 city council meeting to answer questions regarding the budget.

**Council Action:** According to the SLMPD joint powers agreement, the budget needs to be approved by ALL of the member city councils by 09-01-15.

Potential motions ...

1. I move the Greenwood city council approves the 2016 South Lake Minnetonka Police Department operating budget with a 3.13% increase to member cities.
2. Other motion ???

# SOUTH LAKE MINNETONKA POLICE DEPARTMENT

## 2016 Proposed Budget

### COORDINATING COMMITTEE BUDGET WORK SESSION

Prepared July 14, 2015

### Projected Contributions from Member Cities - Year 2016

#### With Additional Officer

| MEMBER CITY | TOTAL AMOUNT | % SHARE  | \$ SHARE    | \$ INCREASE OVER 2015 |
|-------------|--------------|----------|-------------|-----------------------|
| Excelsior   | \$2,276,129  | 28.0532% | \$638,527   | \$19,393              |
| Greenwood   | \$2,276,129  | 8.4747%  | \$192,895   | \$5,858               |
| Shorewood   | \$2,276,129  | 48.4887% | \$1,103,665 | \$33,519              |
| Tonka Bay   | \$2,276,129  | 14.9834% | \$341,043   | \$10,360              |

|   |                    |  |
|---|--------------------|--|
| <b>2016 Total Contributions from Member Cities</b>  | <b>\$2,276,129</b> |  |
| <b>2015 Total Contributions from Member Cities</b>  | <b>\$2,207,000</b> |  |
| <p>The funding formula used to determine each member city's percentage contribution toward the operating budget is based on an arbitration ruling in 2006. Every five years the funding formula is subject to adjustment based on the criteria set forth in this ruling. The 2012 operating budget was the first time since the ruling took effect that the funding formula was subject to adjustment. An administrators group established by the Coordinating Committee worked on the reallocation formula that was subsequently sanctioned by the member cities and incorporated into the 2012 operating budget. The reset funding formula is not subject to change again until 2017.</p> |                    |  |
| <b>Dollar Increase Over 2015</b>  | <b>\$69,129</b>    |  |
| <b>Percentage Increase Over 2015</b>  | <b>3.1%</b>        |  |

### Contributions from Member Cities - Year 2015

| MEMBER CITY   | TOTAL AMOUNT | % SHARE  | \$ SHARE           | \$ INCREASE OVER 2014 |
|---------------|--------------|----------|--------------------|-----------------------|
| Excelsior     | \$2,207,000  | 28.0532% | \$619,134          | \$15,962              |
| Greenwood     | \$2,207,000  | 8.4747%  | \$187,037          | \$4,822               |
| Shorewood     | \$2,207,000  | 48.4887% | \$1,070,146        | \$27,589              |
| Tonka Bay     | \$2,207,000  | 14.9834% | \$330,683          | \$8,527               |
| <b>Totals</b> |              |          | <b>\$2,207,000</b> | <b>\$56,900</b>       |

**South Lake Minnetonka Police Department  
2016 Proposed Budget  
With Additional Officer**

|  | <u>2016 Budget</u>     | <u>2015 Budget</u>     | <u>Variable %</u> |
|--|------------------------|------------------------|-------------------|
| <b>Income</b>                          |                        |                        |                   |
| 40101 · Excelsior                      | \$ 638,527.00          | \$ 619,134.00          | 3.13%             |
| 40102 · Greenwood                      | \$ 192,895.00          | \$ 187,037.00          | 3.13%             |
| 40103 · Shorewood                      | \$ 1,103,665.00        | \$ 1,070,145.00        | 3.13%             |
| 40104 · Tonka Bay                      | \$ 341,042.00          | \$ 330,684.00          | 3.13%             |
| 40110 · Court Overtime                 | \$ 8,000.00            | \$ 5,000.00            | 60.00%            |
| 40120 · Excelsior Park and Dock Patrol | \$ 21,500.00           | \$ 21,500.00           | 0.00%             |
| 42100 · State Police Officer Aid       | \$ 104,000.00          | \$ 96,000.00           | 8.33%             |
| 42200 · State Training Reimbursement   | \$ 4,500.00            | \$ 4,500.00            | 0.00%             |
| 43100 · Minnetonka School District     | \$ 7,000.00            | \$ 7,000.00            | 0.00%             |
| 43200 · Administrative Requests        | \$ 5,000.00            | \$ 4,000.00            | 25.00%            |
| 43400 · Special Policing Details       | \$ 29,600.00           | \$ 48,400.00           | -38.84%           |
| 44000 · Investment Income              | \$ 5,000.00            | \$ 5,000.00            | 0.00%             |
| 46400 · Forfeitures                    | \$ 2,000.00            | \$ 2,000.00            | 0.00%             |
| 46500 · Grant Reimbursements           | \$ 33,000.00           | \$ 25,000.00           | 32.00%            |
| 46600 · Other Reimbursements           | \$ 1,500.00            | \$ 3,000.00            | -50.00%           |
| <b>Total Income</b>                    | <b>\$ 2,497,229.00</b> | <b>\$ 2,428,400.00</b> | <b>2.8%</b>       |
| <b>Expense</b>                         |                        |                        |                   |
| 50100 - Full-Time Salaries             | \$ 1,358,300.00        | \$ 1,298,700.00        | 4.6%              |
| 50200 - General Overtime               | \$ 36,000.00           | \$ 37,900.00           | -5.0%             |
| 50230 - Reimbursed Overtime            | \$ 45,900.00           | \$ 59,500.00           | -22.9%            |
| 50300 - Part-Time Salaries             | \$ 59,300.00           | \$ 99,100.00           | -40.2%            |
| 50500 · Social Security & Medicare     | \$ 32,700.00           | \$ 31,200.00           | 4.8%              |
| 50600 · PERA Pensions                  | \$ 222,600.00          | \$ 221,800.00          | 0.4%              |
| 50700 · Insurance Benefits             | \$ 240,600.00          | \$ 243,500.00          | -1.2%             |
| 51000 · Contracted Services            | \$ 25,300.00           | \$ 22,900.00           | 10.5%             |
| 52100 · Equipment Leases               | \$ 37,000.00           | \$ 34,300.00           | 7.9%              |
| 52200 · Repairs and Maintenance        | \$ 47,000.00           | \$ 49,800.00           | -5.6%             |
| 52300 · Utilities                      | \$ 63,400.00           | \$ 64,400.00           | -1.6%             |
| 52400 · Janitorial & Cleaning          | \$ 10,500.00           | \$ 11,300.00           | -7.1%             |
| 52500 · Printing & Publishing          | \$ 2,000.00            | \$ 3,200.00            | -37.5%            |
| 53000 · Supplies                       | \$ 68,450.00           | \$ 77,200.00           | -11.3%            |
| 54000 · Uniforms & Gear                | \$ 14,800.00           | \$ 14,800.00           | 0.0%              |
| 54500 · Training & Conferences         | \$ 20,000.00           | \$ 15,000.00           | 33.3%             |
| 56000 · Insurance                      | \$ 93,600.00           | \$ 56,000.00           | 67.1%             |
| 56100 · Subscriptions & Memberships    | \$ 3,000.00            | \$ 3,200.00            | -6.3%             |
| 57000 · Special Projects               | \$ 7,900.00            | \$ 12,600.00           | -37.3%            |
| 58000 · Capital Outlay                 | \$ 72,000.00           | \$ 72,000.00           | 0.0%              |
| 59000 - Undesignated Allocation        | \$ 36,879.00           | \$ -                   | 100.0%            |
| <b>Total Expense</b>                   | <b>\$ 2,497,229.00</b> | <b>\$ 2,428,400.00</b> | <b>2.8%</b>       |



**Agenda Number: 4B**

**Agenda Date: 08-05-15**

*Prepared by Deb Kind*

**Agenda Item: 2016 Excelsior Fire District Budget**

**Summary:** The proposed 2016 Excelsior Fire District budget is attached. This budget was approved on 07-22-15 by the EFD board and now is being forward to the city councils for consideration. The budget calls for an overall 2.79% increase in contributions from the cities. However, since Greenwood's 2012 to 2013 property values did not decrease as much as the other EFD cities, the proposed budget means that Greenwood will have a 6.31% increase in operations and a 1.94% increase for facilities / capital costs, with an overall 4.35% increase. Each city council in the district needs to take action on the budget. 3 of 5 cities must approve the operating budget. 4 of 5 cities must approve the facilities / capital budget. Chief Scott Gerber will attend the 08-05-15 council meeting to answer questions regarding the budget.

|                              | <b>2014<br/>Budget</b> | <b>2015<br/>Budget</b> | <b>%<br/>Change</b> |
|------------------------------|------------------------|------------------------|---------------------|
| Fire Protection - Operations | 69,474                 | 73,859                 | 6.31%               |
| Fire Side Lease - Facilities | 56,878                 | 57,983                 | 1.94%               |
|                              | <b>126,352</b>         | <b>131,842</b>         | <b>4.35%</b>        |

**Council Action:** Required. Potential motions ...

1. I move the council approves the 2016 Excelsior Fire District operating budget and facilities / capital budget as presented.
2. Other motion ???



**2016**

**FINAL**  
**Recommended**

**CIP and Operating  
Budget**

**July 23, 2015**



**Excelsior Fire District**  
*Proudly serving the Communities of:*  
**Deephaven-Excelsior-Greenwood-Shorewood-Tonka Bay**  
 24100 Smithtown Road  
 Shorewood, MN. 55331

**FINAL Recommended 2016 Budget Summary**  
**July 23, 2015**

• **Overall Proposed 2016 Budget**

- Operating Budget - \$967,177 / \$73,997 increase (8.28%) from the 2015 Budget to the 2016 Budget. The increase is attributable to the following expense items:
  - Change in Administrative Specialist position. Full time with EFD and shared services with the City of Chanhassen for 50% of costs.
  - Building Maintenance projects included in the operating fund
  - The Operating Budget does not include a Required Firefighter Relief Association (Pension) contribution again in 2016
  - Wage increases for Fire Chief, Fire Inspector and Administrative Specialist according to wage policy.
  - Wage increases for Firefighters
  - Continuing the Part-Time Fire Inspector for Special Events
  - Employer benefit increases including health insurance and PERA.
- Capital Equipment Fund - \$ 170,000 (No change from 2015 funding)
  - Includes the following purchases in 2016:
    - Year three lease payment for new Engine 22 - \$87,337
    - Purchase of new command vehicle - \$39,500
    - Completion of refurbishment of new Boat 11 - \$61,000
- Fire Facilities Fund - \$ 549,098 (\$ 2,007 increase or 0.37%)
- Total 2016 Budget - \$1,686,275 (\$13,996 decrease or 0.82 %)

• **\$0 contribution from Operating Fund Reserves for Operating Expenditures**

- This maintains a 30% unreserved fund balance and exceeds the adopted policy of 20-30% unreserved fund balance.

• **\$44,307 or 2.79% overall increase in 2016 Municipal Contribution**

- 2016 Proposed Municipal Contribution – \$1,635,079
- 2015 Proposed Municipal Contribution – \$1,590,772
- \$44,307 or 2.79% increase in 2016 Municipal Contribution

• **Municipal Contribution Comparisons**

|           | <u>2015</u>       | <u>2016</u>       | <u>Difference</u> |
|-----------|-------------------|-------------------|-------------------|
| Deephaven | \$ 443,603        | \$ 466,247        | \$ 22,644         |
| Excelsior | \$ 175,642        | \$ 187,522        | \$ 11,880         |
| Greenwood | \$ 126,352        | \$ 131,842        | \$ 5,490          |
| Shorewood | \$ 613,471        | \$ 615,334        | \$ 1,863          |
| Tonka Bay | <u>\$ 231,704</u> | <u>\$ 234,134</u> | <u>\$ 2,430</u>   |
| Total     | \$1,590,772       | \$ 1,635,079      | \$ 44,307         |

- **Fund Balance Summary**

**Projected Operating Fund Balances**

|  | <b>2014<br/>Budget<br/>Actual</b> | <b>2015<br/>Budget<br/>Actual</b> | <b>2016<br/>Budget<br/>Proposed</b> |
|--|-----------------------------------|-----------------------------------|-------------------------------------|
| <b><u>EFD Annual Expenditures</u></b>        |                                   |                                   |                                     |
| Operating Fund Expenditures                  | 837,535                           | 893,180                           | 967,177                             |
| Mandatory Fire Relief Contribution           | 0                                 | 0                                 | 0                                   |
| CEP Fund Transfer                            | 175,000                           | 170,000                           | 170,000                             |
| Facilities Fund Transfer                     | 548,460                           | 547,091                           | 549,098                             |
| Fund Balance Reimbursement                   | 0                                 | 30,000                            | 0                                   |
| Building Fund Transfer                       | 0                                 | 30,000                            | 0                                   |
| Fire Relief Fund Transfer                    | 0                                 | 30,000                            | 0                                   |
| <b>Total Operating Fund Expenditures</b>     | <b>1,560,995</b>                  | <b>1,700,271</b>                  | <b>1,686,275</b>                    |
| <b><u>EFD Annual Revenues</u></b>            |                                   |                                   |                                     |
| EFD Municipal Contributions                  | 1,568,508                         | 1,590,771                         | 1,635,079                           |
| Interest Income                              | 1,124                             | 1,500                             | 1,500                               |
| Other Revenues                               | 11,682                            | 12,000                            | 12,000                              |
| Special Event Permit Fees                    | 0                                 | 6,000                             | 6,000                               |
| Shared Services Income                       | 0                                 | 0                                 | 31,696                              |
| <b>Total Operating Fund Revenues</b>         | <b>1,581,314</b>                  | <b>1,610,271</b>                  | <b>1,686,275</b>                    |
| <b>Annual Surplus (Deficit)</b>              | <b>20,319</b>                     | <b>(90,000)</b>                   | <b>0</b>                            |
| <b>January 1<sup>st</sup> Fund Reserve</b>   | <b>368,503</b>                    | <b>388,822</b>                    | <b>298,822</b>                      |
| <b>December 31<sup>st</sup> Fund Reserve</b> | <b>388,822</b>                    | <b>298,822</b>                    | <b>298,822</b>                      |
| <b>Fund Reserve Percentage</b>               | <b>43.53%</b>                     | <b>30.90%</b>                     | <b>30.00%</b>                       |

**Fire District Auditor recommends a Operating Fund Reserve of 20-30% of budgeted expenditures.**



# Excelsior Fire District

*Proudly serving the Communities of:*

*Deephaven-Excelsior-Greenwood-Shorewood-Tonka Bay*

24100 Smithtown Road

Shorewood, MN. 55331

## **FINAL Recommended 2016 Budget Foot Notes**

**July 23, 2015**

- **Proposed 2016 Budget Footnotes**

The following footnotes help to identify significant changes for 2016 as proposed in the budget.

- **Excelsior Fire District does not become Tax Exempt until January 1, 2017**
  - Change in law sign as part of 2015 Education Bill
  - Cut \$9,000 from 1<sup>st</sup> Draft proposed budget to stay in line with proposed increase
- **Staffing**
  - Administrative Specialist - Shared Services with the City of Chanhassen as described within
  - All detail is included
- **Facilities**
  - The \$25,100 in identified building maintenance projects as identified in the building maintenance planning
- **Capital Equipment Fund**
  - Aerial 11 replacement – a detail memo of the replacement for Aerial 11 is included
    - No Changes in planning as discussed to date
  - Boat 11 Replacement – 2015/2016
    - Boat and Trailer purchased for \$11,000
    - Total costs projected to get boat in service as new boat \$61,000
    - Boat put in CIP as a 10 year replacement.
      - Consider using same plan for replacement in future if this project is successful.



Operating Revenue

|       |                               |                  |                  |                  |                  |                  |                  |
|-------|-------------------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| 34202 | Municipal Contribution        | 1,511,751        | 1,516,291        | 1,532,895        | 1,568,508        | 1,590,771        | 1,635,079        |
|       | Shared Services Income        | -                | -                | -                | -                | -                | 31,696           |
| 36210 | Interest Income               | 3,209            | 1,592            | 1,073            | 1,124            | 1,500            | 1,500            |
| 36228 | Refunds and Reimbursemer      | 16,910           | 24,464           | 22,080           | 11,132           | 12,000           | 12,000           |
| 36230 | Donations / Other Income      | 10,136           | -                | 4,266            | 550              | -                | -                |
| 39203 | Special Events                | -                | -                | -                | -                | 6,000            | 6,000            |
| 39203 | Fund Transfers                | 62,000           | 22,956           | 27,529           | -                | -                | -                |
|       | <b>Total Revenue</b>          | <u>1,604,006</u> | <u>1,565,303</u> | <u>1,587,843</u> | <u>1,581,314</u> | <u>1,610,271</u> | <u>1,686,275</u> |
|       | <b>Balance</b>                | <u>36,530</u>    | <u>23,052</u>    | <u>28,682</u>    | <u>20,319</u>    | <u>(90,000)</u>  | <u>-</u>         |
|       | <b>Balance, January 1st</b>   | <u>280,239</u>   | <u>316,769</u>   | <u>339,821</u>   | <u>368,503</u>   | <u>388,822</u>   | <u>298,822</u>   |
|       | <b>Balance, December 31st</b> | <u>316,769</u>   | <u>339,821</u>   | <u>368,503</u>   | <u>388,822</u>   | <u>298,822</u>   | <u>298,822</u>   |
|       | <b>Fund Balance %</b>         | <u>39.837</u>    | <u>40.703</u>    | <u>43.999</u>    | <u>43.532</u>    | <u>30.896</u>    |                  |

(2015 vs. 2016 Contribution) = 1,590,771 1,635,079 2.79%

**City Contribution increase from 2015 44,308**

**EXCELSIOR FIRE DISTRICT**  
**2016 FINAL Recommended Operating Budget**  
 July 23, 2015

| <u>CATEGORY</u>                |  |                           |                              |                      |  |                 |                |
|--------------------------------|--|---------------------------|------------------------------|----------------------|--|-----------------|----------------|
| <b>PERSONAL SERVICES</b>       |  |                           |                              |                      |  |                 |                |
|                                |  |                           | Detail Item Amount           |                      |  | Line Item Total | Category Total |
| 101                            | Employees Regular (Full-time)  |                           |                              |                      |  | 204,633         |                |
|                                | Fire Chief   |                           | 107,579                      | 4.50%                |  |                 |                |
|                                | Fire Inspector   |                           | 55,516                       | 9.60%                |  |                 |                |
|                                | Administrative Specialist  |                           | 41,538                       |                      |  |                 |                |
|                                | Full time Excelsior Fire (Contract to City of Chanhasen for 20 hours per week) |                           |                              |                      |  |                 |                |
|                                | 50% cost share   |                           | EFD Cost (\$20,769)          |                      |  |                 |                |
|                                | 19.97/hr x 40 hours per week   |                           |                              |                      |  |                 |                |
| 103                            | Part Time employees  |                           |                              |                      |  |                 |                |
|                                | PT Fire Inspector (May to October)   |                           | 5,846                        |                      |  | 5,846           |                |
|                                | 21.65/hr x 10 hours per week   | 27 weeks                  |                              |                      |  |                 |                |
| 106                            | Firefighters Salaries  |                           |                              |                      |  | 189,805         |                |
|                                | Station 1 Call Pay   |                           |                              |                      |  |                 |                |
|                                | \$12.24 x 350 x 14 x 1.25 hrs  |                           | 74,970                       | 2.00%                |  |                 |                |
|                                | Station 2 Call Pay   |                           |                              |                      |  |                 |                |
|                                | \$12.24 x 100 x 12 x 1.25 hrs  |                           | 18,360                       | 2.00%                |  |                 |                |
|                                | All Call Pay   |                           |                              |                      |  |                 |                |
|                                | \$12.24 x 104 x 20 x 1.25 hrs  |                           | 31,824                       | 2.00%                |  |                 |                |
|                                | Station 1 Drill Pay  |                           |                              |                      |  |                 |                |
|                                | \$24.48 x 50 x 22  |                           | 26,928                       | 2.00%                |  |                 |                |
|                                | Station 2 Drill Pay  |                           |                              |                      |  |                 |                |
|                                | \$24.48 x 50 x 15  |                           | 18,360                       | 2.00%                |  |                 |                |
|                                | Duty Officer Pay   |                           |                              |                      |  |                 |                |
|                                | \$45 per day x 365   |                           | 16,425                       |                      |  |                 |                |
|                                | \$24.48 per call x 120   |                           | 2,938                        |                      |  |                 |                |
| 107                            | Fire Officer's Salaries  |                           |                              |                      |  | 36,544          |                |
|                                | Assistant Chief  |                           | 6,055                        | 2.00%                |  |                 |                |
|                                | Battalion Chiefs (2)   |                           | 8,717                        | 4474 TO and 4243 CH3 |  |                 |                |
|                                | Captains (5)   |                           | 13,144                       | 2.00%                |  |                 |                |
|                                | Apparatus Coordinator  |                           | 3,509                        | 2.00%                |  |                 |                |
|                                | Asst. Apparatus Coord.   |                           | 1,165                        | 2.00%                |  |                 |                |
|                                | Coordinators (6)   |                           | 3,954                        | 2.00%                |  |                 |                |
| 121                            | PERA   |                           |                              |                      |  | 29,538          |                |
|                                | Chief  |                           | 17,428                       |                      |  |                 |                |
|                                | Fire Inspector   |                           | 8,994                        |                      |  |                 |                |
|                                | Administrative Specialist  |                           | 3,116                        |                      |  |                 |                |
| 122                            | FICA   |                           |                              |                      |  | 16,972          |                |
|                                | Firefighters   |                           | 11,768                       |                      |  |                 |                |
|                                | PT Fire Inspector  |                           | 362                          |                      |  |                 |                |
|                                | Administrative Specialist  |                           | 2,576                        |                      |  |                 |                |
|                                | Fire Officers (10)   |                           | 2,266                        |                      |  |                 |                |
| 123                            | Medicare   |                           |                              |                      |  | 6,334           |                |
|                                | Chief  |                           | 1,560                        |                      |  |                 |                |
|                                | FT Fire Inspector  |                           | 805                          |                      |  |                 |                |
|                                | PT Fire Inspector  |                           | 85                           |                      |  |                 |                |
|                                | Firefighters   |                           | 2,752                        |                      |  |                 |                |
|                                | Fire Officers (10)   |                           | 530                          |                      |  |                 |                |
|                                | Administrative Specialist  |                           | 602                          |                      |  |                 |                |
| 131                            | Health Insurance   |                           |                              |                      |  | 39,446          |                |
|                                | Chief  |                           | 15,927                       | 10%                  |  |                 |                |
|                                | Fire Inspector   |                           | 13,559                       | 10%                  |  |                 |                |
|                                | Administrative Specialist  |                           | 9,960                        |                      |  |                 |                |
| 133                            | Life Insurance   | Chief                     | 12                           |                      |  | 36              |                |
|                                |  | Fire Inspector            | 12                           |                      |  |                 |                |
|                                |  | Administrative Specialist | 12                           |                      |  |                 |                |
| 151                            | Workers Compensation   |                           |                              |                      |  | 25,000          |                |
| <b>TOTAL PERSONAL SERVICES</b> |  |                           |                              |                      |  |                 | <b>554,154</b> |
| <u>CATEGORY</u>                |  |                           |                              |                      |  |                 |                |
| <b>PENSION</b>                 |  |                           |                              |                      |  |                 |                |
|                                |  |                           | Detail Item Amount           |                      |  | Line Item Total | Category Total |
|                                | Firefighter Pension Contribution   |                           | -                            |                      |  | -               | -              |
|                                |  |                           | Note: None required for 2016 |                      |  |                 |                |



| <b>CATEGORY</b>                   |   |  |  |                           |  |   |  |                        |                       |
|-----------------------------------|---|--|--|---------------------------|--|---|--|------------------------|-----------------------|
| <b>OTHER SERVICES AND CHARGES</b> |   |  |  |                           |  |   |  |                        |                       |
|                                   |   |  |  | <b>Detail Item Amount</b> |  |   |  | <b>Line Item Total</b> | <b>Category Total</b> |
|                                   | 321 Communications                      |  |  |                           |  |   |  | 27,600                 |                       |
|                                   |   | Telephone  |  | 16,600                    |  |   |  |                        |                       |
|                                   |   | Cell Phones  |  | 4,350                     |  |   |  |                        |                       |
|                                   |   | Pagers (4 @ 475)                                       |  | 1,900                     |  |   |  |                        |                       |
|                                   |   | Pager Repair   |  | 1,700                     |  |   |  |                        |                       |
|                                   |   | Internet   |  | 1,450                     |  |   |  |                        |                       |
|                                   |   | MDC Air Cards  |  | 800                       |  |   |  |                        |                       |
|                                   |   | IPAD Connectivity                                      |  | 800                       |  |   |  |                        |                       |
|                                   | 322 Postage                             |  |  |                           |  |   |  | 500                    |                       |
|                                   | 323 Radio Units                         |  |  |                           |  |   |  | 28,500                 |                       |
|                                   |   | Hennepin County Radio Lease                            |  | 27,000                    |  |   |  |                        |                       |
|                                   |   | Hennepin County Radio Repair                           |  | 500                       |  |   |  |                        |                       |
|                                   |   | MDC Maintenance  |  | 1,000                     |  |   |  |                        |                       |
|                                   | 331 Conferences                         |  |  |                           |  |   |  | 4,000                  |                       |
|                                   |   | Mn Fire Dept. Conference                               |  | 750                       |  |   |  |                        |                       |
|                                   |   | Mn Fire Chief's Conference                             |  | 1,000                     |  |   |  |                        |                       |
|                                   |   | Chiefs Conference                                      |  |                           |  |   |  |                        |                       |
|                                   |   | Fire Department Instr. Conf.                           |  | 1,600                     |  |   |  |                        |                       |
|                                   |   | Emergency Mgmt Conf.                                   |  | 400                       |  |   |  |                        |                       |
|                                   |   | Fire Inspectors Conference                             |  | 250                       |  |   |  |                        |                       |
|                                   | 332 Mileage and Travel                  |  |  |                           |  |   |  | 200                    |                       |
|                                   | 333 Meeting Expenses                    |  |  |                           |  |   |  | 4,000                  |                       |
|                                   | 334 Training Expenses                   |  |  |                           |  |   |  | 26,820                 |                       |
|                                   |   | Training Tower / Simulator                             |  | 2,000                     |  | (Traded services for Donation)          |  |                        |                       |
|                                   |   | EMT (4 @ 1300)   |  | 5,200                     |  |   |  |                        |                       |
|                                   |   | EMT Refresher  |  | 5,600                     |  |   |  |                        |                       |
|                                   |   | FFI  |  | 2,000                     |  | (No longer fully funded by MBFTE Funds) |  |                        |                       |
|                                   |   | FFII   |  | 1,200                     |  |   |  |                        |                       |
|                                   |   | Haz-Mat Ops  |  | 2,000                     |  |   |  |                        |                       |
|                                   |   | Vo-Tech Schools  |  | 1,500                     |  |   |  |                        |                       |
|                                   |   | State Sectional Schools                                |  | 1,320                     |  |   |  |                        |                       |
|                                   |   | Boat Training  |  | 300                       |  |   |  |                        |                       |
|                                   |   | Bloodborne/Right To Know                               |  | 100                       |  |   |  |                        |                       |
|                                   |   | Guest Speakers   |  |                           |  |   |  |                        |                       |
|                                   |   | Training Aids  |  | 600                       |  |   |  |                        |                       |
|                                   |   | Support Staff training                                 |  | 300                       |  |   |  |                        |                       |
|                                   |   | Fire Chief Training                                    |  | 300                       |  |   |  |                        |                       |
|                                   |   | Fire Inspector Training                                |  | 700                       |  |   |  |                        |                       |
|                                   |   | Blue Card ICS Training                                 |  | 2,700                     |  |   |  |                        |                       |
|                                   |   | Training Equipment                                     |  | 1,000                     |  |   |  |                        |                       |
|                                   | 350 Printing And Publishing             |  |  |                           |  |   |  | 1,100                  |                       |
|                                   |   | Call Sheets  |  | 425                       |  |   |  |                        |                       |
|                                   |   | Film & Developing                                      |  | 100                       |  |   |  |                        |                       |
|                                   |   | Stationary   |  | 350                       |  |   |  |                        |                       |
|                                   |   | Printer cartridges                                     |  | 225                       |  |   |  |                        |                       |
|                                   |   | Other Printing   |  |                           |  |   |  |                        |                       |
|                                   | 360 Insurance                           |  |  |                           |  |   |  | 27,000                 |                       |
|                                   | 381 Electric Utilities                  |  |  |                           |  |   |  | 34,800                 |                       |
|                                   | 383 Gas Utilities                       |  |  |                           |  |   |  | 14,000                 |                       |
|                                   | 386 Water and Sewer Utilities           |  |  |                           |  |   |  | 1,100                  |                       |
|                                   | 401 Building Repair                     |  |  |                           |  |   |  | 52,650                 |                       |
|                                   |   | Annual Maintenance                                     |  | 20,400                    |  |   |  |                        |                       |
|                                   |   | Sprinkler Alarm Inspection / Testing (Contractor Eval) |  | 5,300                     |  |   |  |                        |                       |
|                                   |   | Elevator Inspection                                    |  | 1,850                     |  |   |  |                        |                       |
|                                   |   | Building Maintenance Projects (Plan identified)        |  | 25,100                    |  |   |  |                        |                       |
|                                   | 404 Repair And Maintenance Of Apparatus |  |  |                           |  |   |  | 25,450                 |                       |
|                                   |   | Truck Repair   |  | 14,680                    |  |   |  |                        |                       |
|                                   |   | Pump Testing   |  | 1,720                     |  |   |  |                        |                       |
|                                   |   | Service  |  | 5,500                     |  |   |  |                        |                       |
|                                   |   | Major Repairs  |  | 2,700                     |  |   |  |                        |                       |
|                                   |   | Supplies   |  | 850                       |  |   |  |                        |                       |



## *Shared Administrative Specialist Services*

- a. Job Share with City of Chanhassen
- b. Administrative Specialist
  - i. Full Time Position with the Excelsior Fire District
  - ii. No Change in Hours for the Excelsior Fire District
    - 1. 20 Hours Per Week for Excelsior Fire
  - iii. Salary and Benefits thru the Excelsior Fire District
    - 1. 50% cost recovery from the City of Chanhassen
  - iv. Shared Services Agreement with the City of Chanhassen
  - v. Job Duties as defined in position description
  - vi. Job Satisfaction and Retention – Primary benefits to changing the service delivery and compensation expectations.

|                                    |                  |
|------------------------------------|------------------|
| c. Cost Considerations – Full Time |                  |
| i. Salary                          | \$ 41,538        |
| ii. Benefits                       | \$ 16,253        |
| 1. PERA – 3116                     |                  |
| 2. FICA – 2576                     |                  |
| 3. Medicare – 602                  |                  |
| 4. Health Insurance - 9960         |                  |
| iii. Work Comp / Liability         | <u>\$ 5,600</u>  |
|                                    | <b>\$ 63,391</b> |

**TOTAL COST           \$ 63,391**

**Excelsior Fire           \$ 31,695.50**

**City of Chanhassen   \$ 31,695.50**

Administrative Specialist Part time – No changes

|                           |                  |
|---------------------------|------------------|
| a. Cost Considerations    |                  |
| iv. Salary                | \$ 20,769        |
| v. Benefits               | \$ 3,147         |
| 1. PERA – 1558            |                  |
| 2. FICA – 1288            |                  |
| 3. Medicare – 301         |                  |
| 4. Health Insurance - 0   |                  |
| vi. Work Comp / Liability | <u>\$ 5,600</u>  |
|                           | <b>\$ 29,516</b> |

**TOTAL COST           \$ 29,516**

The full time numbers are as follows:

|          |   |   |
|----------|---|---|
| Wage     | - | \$41,537.60 (40 hrs x \$19.97 x 52 weeks) |
| PERA     | - | \$ 3,115.32 (7.5%)                        |
| FICA     | - | \$ 2,575.33 (6.2%)                        |
| Medicare | - | \$ 602.30 (1.45%)                         |

I'm not sure which one you want for Ana so here is both Employee + Spouse and Family health insurance estimates for 2016 based on a 10% increase over 2015:

Employee + Spouse HSA - \$9,959.14

Family HAS - \$12,327.22

Let me know if there is anything else you need.

Here is part of the information you requested on Ana:

|          |   |   |
|----------|---|---|
| Wage     | - | \$20,768.80 (20 hrs x \$19.97 x 52 weeks) |
| PERA     | - | \$ 1,557.66 (7.5%)                        |
| FICA     | - | \$ 1,287.67 (6.2%)                        |
| Medicare | - | \$ 301.15 (1.45%)                         |

## *Future Staffing*

- a. Consideration for Full Time Assistant Chief
  - i. Job Duties – Clear Definitions and Expectations
    - 1. Fire Inspections
    - 2. Training
  - ii. Task Impacts
    - 1. Fire Inspections
    - 2. Residential Fire Sprinklers
    - 3. Training Coordination
  - iii. Chief impacts
    - 1. Emergency Management

- b. Cost Considerations
  - i. Salary \$ 80,000
  - ii. Benefits \$ 27,000  
**\$ 101,000**
  - iii. Vehicle \$35,500
    - 1. Purchase another command vehicle

**TOTAL COST      \$142,500**

- iv. Cost Savings

- 1. Elimination of Paid On Call Asst. Chief
  - 1. \$6,055
- 2. Elimination of Paid on Call Training Battalion Chief
  - 1. \$4,474

**\$ 10,529**

## *2016 Computer Cost projections*

|   |           |                 |
|---|-----------|-----------------|
| a. Computer Services –The costs included in this area include the following:  |           |                 |
| i. Computers  |           |                 |
| • Virus Protection  |           | \$400           |
| • Firehouse – multi-user maintenance  |           | \$500           |
| • Station 2 internet speed  |           | \$1000          |
| • Exchange filtering  |           | \$900           |
| • Office 2007   |           | \$600           |
| ii. Powerpoint Interactive Software   | (\$2,000) | \$0             |
| iii. Laptop Computers for Trucks  |           |                 |
| • Maintenance of computers (3)  |           | \$1,000         |
| iv. Computer Replacement (3)  |           | \$3,000         |
| v. Monitor Replacement (3)  |           | \$504           |
| vi. IPAD Additions (3)  |           | \$3,500         |
| • Computer, Software and Mounting   |           |                 |
| vii. Firehouse Support  |           | \$1,300         |
| viii. Copiers   |           | \$2,400         |
| • Ongoing lease for copier at Station 1 in the<br>administrative area. This is the annual cost of a four year<br>lease including the service and supply contract. |           |                 |
| ix. Computer Consultant   |           | \$9,000         |
| • Monthly technology/networking consulting costs  |           |                 |
| x. Website Consultant   |           | \$1,000         |
| • Monthly technology/networking consulting costs  |           |                 |
| •   |           |                 |
| <b>Total technology costs for 2016</b>  |           | <b>\$25,104</b> |

## *2016 Building Annual Maintenance Cost projections*

### Maintenance

#### **a. Station 1**

|       |   |             |
|-------|---|-------------|
| i.    | HVAC                                    | \$ 5,700.00 |
| ii.   | Boiler                                  | \$ 500.00   |
| iii.  | Generator                               | \$ 3,000.00 |
| iv.   | Garage Doors                            | \$ 3,350.00 |
| v.    | Bathroom Fixtures Repair                | \$ 300.00   |
| vi.   | Elevator Maintenance                    | \$ 450.00   |
| vii.  | Light Bulb Replacement                  | \$ 900.00   |
| viii. | Outdoor maintenance                     | \$ 800.00   |
|       | 1. mulch, trees, plants, weed control   |             |
| ix.   | Outdoor Sprinkler Maintenance / Repairs | \$ 500.00   |
| x.    | Data / phone jacks repairs              | \$ 500.00   |
| xi.   | Fire Sprinklers and Alarms system       | \$ 3,800.00 |
|       | a. Repairs                              |             |
|       | b. Monitoring fees                      |             |
|       | c. City Permit fees                     |             |
| xii.  | Elevator Inspection at station #1       | \$ 1,850.00 |

#### **b. Station 2**

|       |  |                    |
|-------|--|--------------------|
| i.    | HVAC   | \$ 800.00          |
| ii.   | Generator  | \$ 1,500.00        |
| iii.  | Garage Doors   | \$ 500.00          |
| iv.   | Bathroom Fixtures Repair                                 | \$ 200.00          |
| v.    | Light Bulb Replacement                                   | \$ 500.00          |
| vi.   | Outdoor maintenance – mulch, trees, plants, weed control | \$ 300.00          |
| vii.  | Outdoor Sprinkler Maintenance / Repairs                  | \$ 200.00          |
| viii. | Water Softener Maintenance and Repairs                   | \$ 400.00          |
|       | 1. Salt  |                    |
| ix.   | Fire Sprinklers / Alarms system                          | <u>\$ 1,500.00</u> |
|       | 1. Repairs   |                    |
|       | 2. Monitoring fees                                       |                    |
|       | 3. City Permit fees                                      |                    |

Total \$ 27,550.00

x. Building Maintenance Projects as identified on the plan \$ 25,100.00

**Total Building Maintenance costs for 2016 \$52,650.00**

***Building Maintenance  
2016 Major Project Summary  
July, 2015***

**Station 1**

|                            |          |
|----------------------------|----------|
| TV Replacements            | \$ 1,000 |
| Concrete for station apron | \$21,000 |

**Station 2**

|                      |          |
|----------------------|----------|
| Bathroom countertops | \$ 3,100 |
|----------------------|----------|

**Other Not Identified Future Projects**

Signage update on County Road 19 side of building

- \$ 2,800 - EFD sign
- \$ 2,600 – SLMPD Sign



## **Excelsior Fire District**

*Proudly Serving the Communities of:*

*Deephaven – Excelsior – Greenwood – Shorewood – Tonka Bay*

**24100 Smithtown Road**

**Shorewood, MN. 55331**

**952-401-8801 Phone**

**952-960-1690 Fax**

### **Aerial 11/Truck 15 Replacement information**

- 1) Background – Aerial 11 is slated to be replaced after 20 years of service. Aerial 11 is currently on the CIP plan to be replaced in 2018 which will make the aerial 20 years old at time of replacement. Aerial 11 is the first run engine/aerial out of station one for most fire calls. Aerial 11 serves as a multi-use apparatus – it carries water, personnel, and has a ladder for elevated operations.
  
- 2) Refurbishment – A refurbishment of Aerial 11 was done in 2010. The goal of the refurbishment was to provide the necessary mechanical, structural, and operational repairs and maintenance on Aerial 11 in order to keep the truck operating effectively until its projected replacement date. The Aerial 11 refurbishment committee solicited quotes for repair/refurbishment of the Aerial truck in the last quarter of 2009 and the repairs were made in 2010. We had \$40,000 allocated for this project. Based on this information and the available financial resources, the Fire District decided to become the general contractor for this repair/refurbishment of the aerial truck. We contracted with a number of specialized providers to provide the needed repairs and maintenance of the truck. The categories were broke down as follows:

|      |                         |  |                    |
|------|-------------------------|--|--------------------|
| i.   | Kirvida Fire, Inc.      | Mechanical Repair  | \$20,870.00        |
|      |                         | 1. The mechanical repairs are needed to replace and repair worn or broken parts and fluids. These mechanical repairs will allow the truck to operate effectively and safely while striving to meet the current capital improvement plan. |                    |
| ii.  | Dusty’s Body Shop, Inc. | Paint Repair   | \$6,297.50         |
|      |                         | 1. Paint repair is needed to stop and repair rusted areas of the truck to eliminate further damage.  |                    |
| iii. | Grafix Shoppe           | Install new graphics   | \$2,175.00         |
| iv.  | Grafix Shoppe           | Remove old graphics  | \$1,500.00         |
|      |                         | 1. The Graphic removal and new graphic installation is required in order to fix repaired paint areas and to replace scratched and damaged graphics.  |                    |
| v.   | Northern Safety Tech.   | New LED lights   | \$7,405.64         |
|      |                         | 1. New LED lights will be installed to be more NFPA compliant and also give better visibility passing traffic. The LED lights will also cause less draw on the alternator and will extend the new alternators life.                      |                    |
|      |                         | <b>Total</b>   | <b>\$38,248.14</b> |

- 3) Current use of Aerial 11 – Aerial 11 is the first run engine/aerial out of station one on most fire emergencies. Aerial 11 provides fire attack (600 gallons of water), a 65 foot reach for fire and rescue operations, a 65 foot ladder for rescue of victims, a 65 foot elevated water supply (master stream), transports up to six (6) firefighters to a scene, carries ground ladders, carries multiple hose lines, carries a wide variety of fire suppression equipment, and carries basic medical supplies. Aerial 11 is also used during training to carry out training objectives and carry firefighter to and from training locations.
  - A) Apparatus placement a fire operations considerations
    - i. Community roadways, residential and multi-family dwellings, and business occupancies all provide various challenges with access. Some areas of the fire district are more challenging than others.
  
- 4) Aerial 11 Description – Aerial 11 is a 1998 American LaFrance/General aerial with a 1500 gallon per minute pump, 600 gallon water tank, 10 gallon foam tank, and 6.5 kw generator. It currently has 36,415 miles on the odometer and 2446 hours on the hour meter. It has the ability to carry 6 seated firefighters inside the cab with 5 SCBA units mounted in the seated positions. It carries 500 feet of 5” supply hose, 3 - 200 foot 1/3/4” pre-connected attack hose and 1 - 200 foot 2-1/2” pre-connected hose. It carries 1 – 35 foot 3 fly ladder, 1 – 28 foot 2 fly ladder, 1 – 20 foot roof ladder, 1 - 8 foot attic ladder, and 1 – 10 foot attic ladder. The truck also carries several other miscellaneous items used for fire fighting. Ladder operations -
  
- 5) What Excelsior Fire District Needs for Effective Operations
  - A) Needs
    - i. An aerial device with an elevated ladder – up to 78 feet
    - ii. Single axle truck for maneuverability thru our roads for most fire calls
    - iii. Minimum 300 gallon water tank (prefer 500 gallons)
    - iv. Minimum 10 gallon foam tank
    - v. Minimum 1500 gpm pump to assure water flow
    - vi. Adequate cabinets for fire suppression and emergency equipment
    - vii. Adequate storage for hose (hand lines and large diameter).
  
- 6) Repair items of concern and expense for Aerial 11
  - A) The manufacturer of Aerial 11, American LaFrance, is no longer in business and parts are becoming hard to find.
  - B) Aerial 11’s chassis and motor are not current production and parts are becoming more difficult to locate.
  
- 7) Corrections needed to be made to make A-11 NFPA compliant – The current Aerial 11 was built to be NFPA compliant in 1998; however, many new standards have been added. Listed below are a few of the larger items.
  - A) Install slow close valve on discharges over 3”.
  - B) Install intake relief on pump
  - C) Wiring and lighting upgrade
  - D) Current truck does not have rollover protection
  
- 8) Options for Replacement - Aerial 11 has several options for replacement. These options include the following:
  - a. Do not replace

- a. Keep running this apparatus until it is no longer serviceable.
- b. Use Mutual Aid and do not ever replace
  - i. Mutual Aid ladders are bigger in most cases and may not be able to get to all areas of our service area.
- c. I do not see this as the proper direction, but it is an option.

b. Refurbish / Remount

- a. You could take the existing ladder device and remount it on a new chassis. This is not a preferable option mainly due to changes in safety and operations of the ladder device itself. However, we have spoken with a vendor to get an estimate of these costs to perform this option. These costs are very approximate. They are as follows:
  - i. Aerial device \$ 200,000
    - 1. Labor to take off and remount
  - ii. New Chassis \$ 300,000
  - iii. New Pump \$ 85,000
    - 1. Including the labor to take off and remount
  - iv. Total Estimate \$ 585,000
- b. If this is something the Board wanted to pursue further, I would ask a vendor or two to come out and provide a detail estimate.

c. Purchase a used apparatus

- a. Used apparatus exist in the fire apparatus trade journals, however, most are as old or older that our current aerial device.

d. Purchase a Demo unit

- a. Various manufacturers produce demo units every year. It is possible to purchase a demo unit. When you purchase a demo unit it may fit most of our specification but not all. When you purchase a demo unit you generally have to be ready to purchase at that time. Demo units are generally not kept by a manufacturer for more than a year.
  - i. Costs to a demo unit are variable. An example is Toyne, Inc. has a current demo that is a 75 foot single axel Aerial that is approximately \$700,000.

e. Purchase a new unit

- a. Purchasing a new unit would likely be done thru a service called the Houston-Galveston Purchasing Cooperative (HGAC). This purchasing cooperative has been used by many other fire department in Minnesota and meets all Minnesota bid requirements. The advantage to using this system is that we do not have to create our own specifications. We are able to purchase off of the already specified purchasing agreement. Current pricing is good thru 2015. The HGAC pricing is good for three years and will be bid again in 2016.

Examples of costs for 2014/5 include:

|   |            |
|---|------------|
| i. Rosenbauer 78' single axle rear mount steel ladder | \$ 606,042 |
| ii. Crimson 75' single axle rear mount steel ladder   | \$ 633,118 |
| iii. E-One 78' single axle rear mount aluminum ladder | \$ 609,548 |
| iv. KME 79' single axle rear mount steel ladder       | \$ 576,004 |
| v. Marion 75' single axle rear mount steel ladder     | \$ 671,045 |
| vi. Pierce 75' single axle rear mount aluminum ladder | \$ 610,000 |
| vii. Seagrave 75' single axle rear mount steel ladder | \$ 707,849 |
| viii. Sutphen 75' mid mount aluminum ladder           | \$ 637,176 |

9) Sale of current Aerial 11

- A) The longer we keep our equipment, the less our sale or trade is worth, the more the repairs and maintenance will be, and the cost of the new apparatus will increase. Our sale value or trade value is estimated to be approximately \$80,000 if done in 2018 or sooner.

10) Other considerations

- A) Current A-11 doesn't meet emission standards.
- B) Truck will be 20 years old and much more unreliable. Time is of the essence in emergencies and no room for mechanical failure.
- C) New A-11- platform for safer ladder operations
- D) New A-11 would be 100% NFPA compliant making it much safer for the firefighters.
- E) To give full credit ISO requires the Excelsior Fire District to have an aerial device. We currently have a ISO rating of 4 where there is hydrants and a 5 where there is not hydrants.
- F) CIP Planning – It is important to remember that the CIP planning is a system/ process that include many components that are interchanged. In the past, the Excelsior Fire District was strapped with old and obsolete apparatus and financial difficulties to replace them in part because of inadequate planning.

**Excelsior Fire District**  
**(FINAL RECOMMENDED) Proposed Budget 2016**  
Allocation by City using Joint Powers Agreement funding formula for 2016

\$915,981 Operating  
\$719,098 Building

|                    | <u>Tax Capacity Payable 2015</u> |                | <u>Sum of all</u> | <u>Cities' Calculated</u> |                   |                    |
|--------------------|----------------------------------|----------------|-------------------|---------------------------|-------------------|--------------------|
|                    |                                  |                | <u>Factors</u>    | <u>Share of Cost</u>      |                   |                    |
|                    | <u>Dollars</u>                   | <u>Percent</u> | <u>Per JPA</u>    | <u>Operations</u>         | <u>Facilities</u> | <u>Total</u>       |
| <b>Deephaven</b>   | \$11,630,430                     | 28.52%         | <b>28.52%</b>     | \$261,195                 | \$205,053         | \$466,247          |
| <b>Excelsior</b>   | \$4,677,689                      | 11.47%         | <b>11.47%</b>     | \$105,051                 | \$82,471          | \$187,522          |
| <b>Greenwood</b>   | \$3,288,761                      | 8.06%          | <b>8.06%</b>      | \$73,859                  | \$57,983          | \$131,842          |
| <b>Shorewood**</b> | \$15,349,359                     | 37.63%         | <b>37.63%</b>     | \$344,714                 | \$270,620         | \$615,334          |
| <b>Tonka Bay</b>   | \$5,840,418                      | 14.32%         | <b>14.32%</b>     | \$131,163                 | \$102,971         | \$234,134          |
|                    | <u>\$40,786,657</u>              | <u>100%</u>    | <u>100.00%</u>    | <u>\$915,981</u>          | <u>\$719,098</u>  | <u>\$1,635,079</u> |

(Using 2015 Hennepin County Assessors' valuations as of March 4, 2015)  
xx -- Total 2015 Tax Capacity less reduction for The Islands served by the Mound FD.

**Quarterly Billings**

|                    | <u>Operations</u> | <u>Buildings</u> | <u>Total</u>  |
|--------------------|-------------------|------------------|---------------|
| <b>Deephaven</b>   | \$ 65,298.64      | \$ 51,263.20     | \$ 116,561.84 |
| <b>Excelsior</b>   | \$ 26,262.72      | \$ 20,617.75     | \$ 46,880.47  |
| <b>Greenwood</b>   | \$ 18,464.63      | \$ 14,495.80     | \$ 32,960.44  |
| <b>Shorewood**</b> | \$ 86,178.44      | \$ 67,655.05     | \$ 153,833.49 |
| <b>Tonka Bay</b>   | \$ 32,790.82      | \$ 25,742.69     | \$ 58,533.51  |
|                    |                   |                  | \$ 408,769.75 |

**2016**  
**FINAL Recommended Budget**  
**Contribution with 2016 JPA Formula**  
**Summary of Percentage Increase by City**

| <b>2016 Formula</b>   |                          |                          |                      |                             |                        |                     |                             |
|---|--------------------------|--------------------------|----------------------|-----------------------------|------------------------|---------------------|-----------------------------|
| <b>2015 Operating Budget and \$175,000 Capital Transfer</b> |                          |                          |                      |                             |                        |                     |                             |
| <b>City</b>   | <b>2014 Contribution</b> | <b>2015 Contribution</b> | <b>Increase</b>      | <b>% Increase from 2014</b> | <b>2016 Proposed</b>   | <b>Increase</b>     | <b>% Increase from 2015</b> |
| Deephaven   | \$ 433,492.00            | \$ 443,603.00            | \$ 10,111.00         | 2.33%                       | \$ 466,247.00          | \$ 22,644.00        | 5.10%                       |
| Excelsior   | \$ 166,924.00            | \$ 175,642.00            | \$ 8,718.00          | 5.22%                       | \$ 187,522.00          | \$ 11,880.00        | 6.76%                       |
| Greenwood   | \$ 130,888.00            | \$ 126,352.00            | \$ (4,536.00)        | -3.47%                      | \$ 131,842.00          | \$ 5,490.00         | 4.35%                       |
| Shorewood   | \$ 603,638.00            | \$ 613,471.00            | \$ 9,833.00          | 1.63%                       | \$ 615,334.00          | \$ 1,863.00         | 0.30%                       |
| Tonka Bay   | \$ 233,566.00            | \$ 231,704.00            | \$ (1,862.00)        | -0.80%                      | \$ 234,134.00          | \$ 2,430.00         | 1.05%                       |
|   |                          |                          | \$ -                 |                             |                        |                     |                             |
| <b>Total Contribution</b>                                   | <b>\$ 1,568,508.00</b>   | <b>\$ 1,590,772.00</b>   | <b>\$ 22,264.00</b>  | <b>1.42%</b>                | <b>\$ 1,635,079.00</b> | <b>\$ 44,307.00</b> | <b>2.79%</b>                |
| <b>Tax Capacity Information</b>                             |                          |                          |                      |                             |                        |                     |                             |
| <b>City</b>   | <b>2014 Values</b>       | <b>2015 Values</b>       | <b>\$ Change</b>     | <b>% Change from 2014</b>   |                        |                     |                             |
| Deephaven   | \$10,338,938             | \$11,630,430             | \$1,291,492          | 12.49%                      |                        |                     |                             |
| Excelsior   | \$4,093,637              | \$4,677,689              | \$584,052            | 14.27%                      |                        |                     |                             |
| Greenwood   | \$2,944,848              | \$3,288,761              | \$343,913            | 11.68%                      |                        |                     |                             |
| Shorewood   | \$14,298,012             | \$15,349,359             | \$1,051,347          | 7.35%                       |                        |                     |                             |
| Tonka Bay   | \$5,400,256              | \$5,840,418              | \$440,162            | 8.15%                       |                        |                     |                             |
| <b>Totals</b>   | <b>\$37,075,691</b>      | <b>\$40,786,657</b>      | <b>\$3,710,966</b>   | <b>10.01%</b>               |                        |                     |                             |
| <b>City</b>   | <b>2012 Values</b>       | <b>2013 Values</b>       | <b>\$ Change</b>     | <b>% Change from 2012</b>   |                        |                     |                             |
| Deephaven   | \$10,838,330             | \$10,373,559             | (\$464,771)          | -4.29%                      |                        |                     |                             |
| Excelsior   | \$4,111,332              | \$3,994,527              | (\$116,805)          | -2.84%                      |                        |                     |                             |
| Greenwood   | \$3,219,849              | \$3,132,192              | (\$87,657)           | -2.72%                      |                        |                     |                             |
| Shorewood   | \$15,943,687             | \$14,445,211             | (\$1,498,476)        | -9.40%                      |                        |                     |                             |
| Tonka Bay   | \$6,031,328              | \$5,589,291              | (\$442,037)          | -7.33%                      |                        |                     |                             |
| <b>Totals</b>   | <b>\$40,144,526</b>      | <b>\$37,534,780</b>      | <b>(\$2,609,746)</b> | <b>-6.50%</b>               |                        |                     |                             |

**Excelsior Fire District  
2016 - 2036  
Capital Improvement Program**

**FINAL Recommended CIP Budget July, 2015**

| Equipment Item                      | Date Acquired | Original Cost | Life Bench mark | Proj Repl Date | Proj Equip Costs | Proj Finance Costs | Proj Apparatus Costs | Total Cost of Apparatus | 2014    | 2015    | 2016    | 2017    | 2018    | 2019    | 2020    | 2021    | 2022    | 2023    | 2024    | 2025    | 2026    | 2027    | 2028    | 2029    | 2030    | 2031    | 2032    | 2033    | 2034     | 2035    | 2036     |         |         |         |         |  |
|-------------------------------------|---------------|---------------|-----------------|----------------|------------------|--------------------|----------------------|-------------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|----------|---------|----------|---------|---------|---------|---------|--|
| Beginning Apparatus/Equip Balance   |               |               |                 |                |                  |                    |                      |                         | 81,095  | 136,528 | 172,240 | 161,847 | 227,747 | 309,857 | 235,609 | 237,877 | 116,189 | 46,068  | 49,781  | 71,569  | 63,792  | 101,360 | 174,197 | 309,699 | 372,374 | 349,678 | 228,027 | 156,926 | 19,824   | 19,824  | (90,162) |         |         |         |         |  |
| <b>APPARATUS</b>                    |               |               |                 |                |                  |                    |                      |                         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| #28 - New Chief Vehicle             | 2016          |               | 12 yrs          | 2028           | 11000            | 0                  | 28500                | 39500                   |         |         | 39,500  |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| #23 - Command Utility Vehicle       | 2008          | 31,805        | 12 yrs          | 2019           | 10500            | 0                  | 32000                | 42500                   |         |         |         |         |         |         |         |         |         |         |         | 42,500  |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| #25 - Inspector Vehicle             | 2010          | 32,500        | 12 yrs          | 2022           | 10500            | 0                  | 30000                | 40500                   |         |         |         |         |         | 40,500  |         |         |         |         |         |         |         |         | 41,500  |         |         |         |         |         |          |         |          |         |         |         |         |  |
| #26 - Duty Vehicle                  | 2013          | 37,744        | 12 yrs          | 2025           | 11000            | 0                  | 30500                | 41500                   |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         | 42,500  |         |          |         |          |         |         |         |         |  |
| #21 - Rescue/Utility 21             | 2005          | 40,000        | 15 yrs          | 2025           | 4000             | 0                  | 44000                | 48000                   |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| #16 - Rescue 12 - Excursion         | 2002          | 37,500        | 15 yrs          | 2023           | 3500             | 0                  | 42000                | 45500                   |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| #17 - Utility 11 -P/U Truck         | 2002          | 37,500        | 17 yrs          | 2021           | 0                | 0                  | 42000                | 42000                   |         |         |         |         |         |         |         | 42,000  |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| #24 - Heavy Rescue/Rescue 11        | 2009          | 284,688       | 20 yrs          | 2029           | 25000            | 60185              | 430000               | 515185                  |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| #27 - Engine 22                     | 2013          | 425,000       | 20 yrs          | 2033           | 35000            | 95000              | 480000               | 610000                  | 87,337  | 87,337  | 87,337  | 87,337  |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| #15 - Aerial 11                     | 1998          | 421,000       | 20 yrs          | 2018           | 35000            | 97225              | 730000               | 862225                  |         |         |         |         | 172,445 | 172,445 | 172,445 | 172,445 | 172,445 |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| #18 - Engine 11                     | 2002          | 327,000       | 21 yrs          | 2023           | 30000            | 63540              | 450000               | 543540                  |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| #22 - Engine 21                     | 2007          | 309,000       | 21 yrs          | 2028           | 35000            | 68125              | 480000               | 583125                  |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| #19 - Tanker 11                     | 2002          | 181,000       | 25 yrs          | 2027           | 25000            | 32410              | 220000               | 277410                  |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| Tank for Rescue 21                  | 2008          | 5,000         |                 | 2025           | 5000             | 0                  | 0                    | 5000                    |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| Hazmat / LSU Trailer                | 2004          | 40,000        | 15 yrs          | 2019           | 20000            | 0                  | 10000                | 30000                   |         |         |         |         |         | 25,000  |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| ATV - John Deere Gator - Utility 21 | 2014          | 17,663        | 15 yrs          | 2029           | 0                | 0                  | 20000                | 20000                   |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| Boat 11                             |               | 27,000        | 10 yrs          | 2016           | 0                | 0                  | 61000                | 61000                   |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| Boat 12                             |               | 8,000         |                 | 2024           | 0                | 0                  | 0                    | 15000                   |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| Boat 21                             | 2007          | 31,380        | 15 yrs          | 2023           | 0                | 0                  | 0                    | 0                       |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| Boat Trailer - #11                  |               | 5,000         |                 | 2016           | 0                | 0                  | 0                    | 0                       |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| Boat Trailer - #12                  |               | 2,000         |                 | 2024           | 0                | 0                  | 1500                 | 1500                    |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| Boat Trailer - #21                  | 2008          | 2,860         | 15 yrs          | 2023           |                  |                    |                      |                         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| ATV - Mule - Utility 12             | 2006          | 12,000        | 15 yrs          | 2021           | 0                | 0                  | 17000                | 17000                   |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| ATV - Mule Trailer                  | 2006          | 1,700         | 15 yrs          | 2021           | 0                | 0                  | 2000                 | 2000                    |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| Capital Truck Maint                 |               |               | Ongoing         |                |                  |                    |                      |                         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| Equipment Lease Costs               |               |               |                 |                |                  |                    |                      |                         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| <b>Total Apparatus Expenses</b>     |               |               |                 |                |                  |                    |                      |                         | 87,337  | 87,337  | 187,837 | 92,337  | 172,445 | 237,945 | 172,445 | 233,445 | 213,945 | 154,208 | 125,208 | 204,208 | 178,708 | 164,190 | 96,982  | 178,519 | 275,144 | 317,644 | 264,662 | 341,662 | 282,125  | 122,000 | 202,000  |         |         |         |         |  |
| <b>EQUIPMENT</b>                    |               |               |                 |                |                  |                    |                      |                         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| Air Pack (SCBA) Replacement         | 2011          | 166,000       | 10 yrs          | 2021           | 166000           | 16600              | 0                    | 182600                  | 34,682  | 34,682  |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| Extrication Tool (Station #2)       | 2007          | 28,000        | 15 yrs          | 2021           |                  |                    |                      | 30000                   |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| Extrication Tool (Station #1)       | 2009          | 29,239        | 15 yrs          | 2023           |                  |                    |                      | 32000                   |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| Defibrillators (5)                  |               | 8,000         |                 |                |                  |                    |                      | 5000                    |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| Miscellaneous Equip. (TIC)          |               |               |                 |                |                  |                    |                      | 45000                   |         |         |         |         |         | 10,000  |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| Training Equipment                  |               |               |                 |                |                  |                    |                      | 10000                   |         |         |         |         |         | 5,000   |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| <b>Total Equipment Expenses</b>     |               |               |                 |                |                  |                    |                      |                         | 34,682  | 49,682  | -       | 15,000  | -       | 20,000  | -       | 73,000  | 38,000  | 43,000  | 80,000  | 38,000  | 10,000  | 10,000  | -       | 20,000  | -       | 40,000  | 40,000  | 45,000  | 60,000   | 50,000  | -        |         |         |         |         |  |
| <b>Total Expenses</b>               |               |               |                 |                |                  |                    |                      |                         | 122,019 | 137,019 | 187,837 | 107,337 | 172,445 | 257,945 | 172,445 | 306,445 | 251,945 | 197,208 | 205,208 | 242,208 | 188,708 | 174,190 | 96,982  | 198,519 | 275,144 | 357,644 | 304,662 | 386,662 | 342,125  | 172,000 | 202,000  |         |         |         |         |  |
| <b>REVENUES</b>                     |               |               |                 |                |                  |                    |                      |                         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| Interest Income                     |               |               |                 |                |                  |                    |                      |                         | 952     | 2,731   | 3,445   | 3,237   | 4,555   | 6,197   | 4,712   | 4,758   | 2,324   | 921     | 996     | 1,431   | 1,276   | 2,027   | 3,484   | 6,194   | 7,447   | 6,994   | 4,561   | 4,561   | 3,139    | 3,139   |          |         |         | 396     |         |  |
| Sale of Used Equipment              |               |               |                 |                |                  |                    |                      |                         | 1,500   | -       | 4,000   |         | 80,000  | 7,500   |         | 5,000   | 4,500   | 25,000  | 1,000   | 8,000   |         | 20,000  | 4,000   | 30,000  | 20,000  | 4,000   | 4,000   | 20,000  | 4,000    |         |          |         |         |         |         |  |
| Donations / Transfers               |               |               |                 |                |                  |                    |                      |                         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| Equipment Lease Proceeds            |               |               |                 |                |                  |                    |                      |                         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |          |         |          |         |         |         |         |  |
| Cities Contribution                 |               |               |                 |                |                  |                    |                      |                         | 175,000 | 170,000 | 170,000 | 170,000 | 170,000 | 170,000 | 170,000 | 175,000 | 175,000 | 175,000 | 225,000 | 225,000 | 225,000 | 225,000 | 225,000 | 225,000 | 225,000 | 225,000 | 225,000 | 225,000 | 225,000  | 225,000 | 225,000  | 225,000 | 225,000 | 225,000 | 225,000 |  |
| <b>Total Revenues</b>               |               |               |                 |                |                  |                    |                      |                         | 177,452 | 172,731 | 177,445 | 173,237 | 254,555 | 183,697 | 174,712 | 184,758 | 181,824 | 200,921 | 226,996 | 234,431 | 226,276 | 247,027 | 232,484 | 261,194 | 252,447 | 235,994 | 233,561 | 249,561 | 232,139  | 228,139 | 225,396  |         |         |         |         |  |
| Year End Apparatus/Equip Balance    |               |               |                 |                |                  |                    |                      |                         | 136,528 | 172,240 | 161,847 | 227,747 | 309,857 | 235,609 | 237,877 | 116,189 | 46,068  | 49,781  | 71,569  | 63,792  | 101,360 | 174,197 | 309,699 | 372,374 | 349,678 | 228,027 | 156,926 | 19,824  | (90,162) | 75,963  | (66,766) |         |         |         |         |  |

**Notes:**

- Interest Income estimated at 2.0% to FY 2036.
- Equipment Inflation is estimated to be approximately 5% per year.
- Financing estimated at 5% interest rate
- Boat 11 obtained on loan from DNR - boat needs to be returned to DNR upon new purchase. No revenue for sale.
- Hazmat / LSU Trailer - trailer originally obtained thru grant from Hennepin County Emergency Management (Homeland Security funds). Sale of trailer will involve Hennepin County and Grant requirements.
- Current Changes to the CIP Plan
  - Keep vehicle #23 as utility vehicle and add three years of life to each command vehicle
  - Removed Snomobile from fleet
  - Removed Buildings from the plan and placed building improvement area in a separate plan
  - Updated plan colors and categories for streamlined reading
  - Updated the Sale of used equipment
  - Updated purchase of Boat 11 and replacement plan

**Excelsior Fire District  
2016 - 2036  
Building Projects Improvement Program**

July, 2015

| Facility Items                         | 2014      | 2015      | 2016      | 2017      | 2018      | 2019      | 2020      | 2021      | 2022      | 2023      | 2024      | 2025      | 2026      | 2027     | 2028     | 2029     | 2030      | 2031      | 2032      | 2033      | 2034      | 2035      | 2036      |
|--|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------|----------|----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| <b>Maintenance Items - Station 1</b>   |           |           |           |           |           |           |           |           |           |           |           |           |           |          |          |          |           |           |           |           |           |           |           |
| Roof Repairs                           | \$ 5,400  |           |           |           |           |           |           |           |           |           |           |           |           |          |          |          |           |           | \$ 10,000 | \$ 10,000 | \$ 10,000 | \$ 10,000 | \$ 10,000 |
| Landscaping                            | \$ 7,000  |           |           |           |           | \$ 2,000  |           |           |           |           | \$ 2,000  |           |           |          |          | \$ 2,000 |           |           |           |           | \$ 2,000  |           |           |
| Painting                               | \$ 4,240  | \$ 3,505  |           |           |           |           | \$ 2,500  |           |           |           |           | \$ 2,500  |           |          |          |          | \$ 2,500  |           |           |           |           |           | \$ 2,500  |
| TV replacement                         | \$ 1,500  | \$ 1,000  | \$ 1,000  |           |           |           |           |           |           |           |           | \$ 1,500  | \$ 1,500  | \$ 1,500 |          |          |           |           |           |           |           |           |           |
| Caulking outside                       | \$ 1,500  |           |           |           |           |           |           | \$ 2,000  |           |           |           |           |           |          | \$ 3,000 |          |           |           |           |           |           | \$ 4,000  |           |
| Floor Sealing in Bays                  |           | \$ 22,000 |           |           |           |           |           |           |           |           |           |           |           |          |          |          | \$ 15,000 |           |           |           |           |           |           |
| Concrete for station apron             |           |           | \$ 21,000 |           |           |           |           |           |           |           |           |           | \$ 8,000  | \$ 8,000 |          |          |           |           |           |           |           |           |           |
| Seal Coating in parking lots           |           |           |           | \$ 4,000  |           |           |           | \$ 4,500  |           |           |           |           |           |          | \$ 5,000 |          |           |           |           |           | \$ 5,500  |           |           |
| UPS Replacement                        |           |           |           | \$ 8,375  |           |           |           | \$ 9,020  |           |           |           |           | \$ 9,720  |          |          |          |           | \$ 10,500 |           |           |           |           |           |
| Carpet Replacement                     |           |           |           |           | \$ 8,908  | \$ 8,908  | \$ 8,908  | \$ 8,908  |           |           |           |           |           |          |          |          |           |           |           |           | \$ 9,000  | \$ 9,000  | \$ 9,000  |
| Office Furniture - offices             |           |           |           |           |           |           |           |           |           |           |           |           |           |          |          |          |           |           |           |           |           |           |           |
| Office furniture - conference rooms    |           |           |           |           |           |           |           |           |           |           |           |           |           |          |          |          |           |           |           |           |           |           |           |
| Office furniture - training room / EOC |           |           |           |           |           |           |           |           |           |           |           |           |           |          |          |          |           |           |           |           |           |           |           |
| Appliances (Kitchen and Wash Room)     |           |           |           | \$ 1,500  | \$ 5,000  |           |           |           |           |           |           |           | \$ 2,000  |          |          |          |           |           |           |           |           |           |           |
| Radiant Heaters in Garage              |           |           |           |           |           |           |           |           | \$ 14,700 | \$ 14,700 | \$ 14,700 | \$ 14,700 |           |          |          |          |           |           |           |           |           |           |           |
| Fitness Equipment                      |           |           |           | \$ 3,500  |           |           | \$ 3,500  |           |           |           |           | \$ 3,500  |           |          |          |          | \$ 4,000  |           |           |           |           | \$ 4,500  | \$ 4,500  |
| Generator                              |           |           |           |           |           |           |           |           |           |           |           |           |           |          |          |          |           |           |           |           |           |           |           |
| <b>Station 1 Expenses</b>              | \$ 19,640 | \$ 26,505 | \$ 22,000 | \$ 17,375 | \$ 13,908 | \$ 10,908 | \$ 14,908 | \$ 24,428 | \$ 14,700 | \$ 14,700 | \$ 16,700 | \$ 22,200 | \$ 21,220 | \$ 9,500 | \$ 8,000 | \$ 2,000 | \$ 21,500 | \$ 10,500 | \$ 10,000 | \$ 10,000 | \$ 26,500 | \$ 30,000 | \$ 23,500 |
| <b>Maintenance Items - Station 2</b>   |           |           |           |           |           |           |           |           |           |           |           |           |           |          |          |          |           |           |           |           |           |           |           |
| Roof Repairs                           |           |           |           |           |           |           |           |           |           |           |           |           |           |          |          |          |           |           | \$ 5,000  | \$ 5,000  | \$ 5,000  | \$ 5,000  | \$ 5,000  |
| Landscaping                            | \$ 2,000  |           |           |           |           |           |           |           |           |           |           |           |           |          |          |          |           |           |           |           |           |           |           |
| Painting                               | \$ 2,000  |           |           |           |           |           | \$ 2,000  |           |           |           |           | \$ 2,000  |           |          |          |          | \$ 2,000  |           |           |           |           | \$ 2,000  | \$ 2,000  |
| TV replacement                         |           | \$ 1,000  |           |           |           |           |           |           |           |           |           | \$ 1,500  |           |          |          |          |           |           |           |           |           | \$ 1,500  | \$ 1,500  |
| Caulking outside                       |           |           |           |           |           |           |           |           |           |           |           |           |           |          |          |          |           |           |           |           |           |           |           |
| Floor Sealing in Bays                  |           | \$ 11,000 |           |           |           |           |           |           |           |           |           |           |           |          |          |          | \$ 10,000 |           |           |           |           |           |           |
| Seal Coating in parking lots           |           |           |           | \$ 2,000  |           |           |           |           | \$ 2,000  |           |           |           |           | \$ 2,000 |          |          |           |           | \$ 2,000  |           |           |           |           |
| Carpet Replacement                     |           |           |           | \$ 3,000  | \$ 3,000  | \$ 3,000  | \$ 3,000  |           |           |           |           |           |           |          |          |          |           |           |           |           | \$ 3,000  | \$ 3,000  | \$ 3,000  |
| Office Furniture - offices             |           |           |           |           |           |           |           |           |           |           |           |           |           |          |          |          |           |           |           |           |           |           |           |
| Office furniture - conference rooms    |           |           |           |           |           |           |           |           |           |           |           |           |           |          |          |          |           |           |           |           |           |           |           |
| Appliances (Kitchen and Wash Room)     |           |           |           |           |           | \$ 5,500  |           |           |           |           |           |           |           |          |          | \$ 1,500 |           |           |           |           |           |           |           |
| Radiant Heaters in Garage              |           |           |           |           |           |           |           |           | \$ 3,000  | \$ 3,000  | \$ 3,000  | \$ 3,000  |           |          |          |          |           |           |           |           |           |           |           |
| Fitness Equipment                      |           |           |           | \$ 1,500  |           |           |           |           |           |           |           |           |           |          | \$ 1,500 |          |           |           |           |           |           |           |           |
| Generator                              |           |           |           |           |           |           |           |           |           |           |           |           |           |          |          |          |           |           |           |           |           |           |           |
| Bathroom countertops                   |           |           | \$ 3,100  |           |           |           |           |           |           |           |           |           |           |          |          |          |           |           |           |           |           | \$ 4,000  |           |
| <b>Station 2 Expenses</b>              | \$ 4,000  | \$ 12,000 | \$ 3,100  | \$ 5,000  | \$ 4,500  | \$ 8,500  | \$ 5,000  | \$ -      | \$ 5,000  | \$ 3,000  | \$ 3,000  | \$ 6,500  | \$ -      | \$ 2,000 | \$ 1,500 | \$ 1,500 | \$ 12,000 | \$ 4,000  | \$ 7,000  | \$ 5,000  | \$ 8,000  | \$ 11,500 | \$ 11,500 |
| <b>Total Building Expenses</b>         | 23,640    | 38,505    | 25,100    | 22,375    | 18,408    | 19,408    | 19,908    | 24,428    | 19,700    | 17,700    | 19,700    | 28,700    | 21,220    | 11,500   | 9,500    | 3,500    | 33,500    | 14,500    | 17,000    | 15,000    | 34,500    | 41,500    | 35,000    |

**Notes:**

1. Need to consider any future remodeling issues at stations if changes occur in staffing models at EFD
2. Need to consider any future expansion at station 2 for storage and safe operations.



**Agenda Number: 4C**

**Agenda Date: 08-05-15**

*Prepared by Deb Kind*

**Agenda Item:** Laura Hotvet, Excelsior - Lake Minnetonka Chamber of Commerce Update

**Summary:** Laura Hotvet, Executive Director of the Excelsior - Lake Minnetonka Chamber of Commerce, requested the opportunity to present an update to each of the city councils in the area served by the Chamber. Laura will attend the 08-05-15 city council meeting to present an update and answer city council questions.

**Council Action:** No action required.



Agenda Number: **6A**

Agenda Date: **08-05-15**

*Prepared by Deb Kind*

**Agenda Item:** Consider: Next Steps Regarding St. Alban's Bay Lake Improvement District

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

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

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

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

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

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

~~\_\_-\_\_-15 Excelsior appoints 1 ex-officio director.~~

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

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

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

1. I move the Greenwood city council (1) accepts the St. Alban's Bay Lake Improvement District board's recommendation and appoints \_\_\_\_\_ as the St. Alban's Bay Lake Improvement District Fiduciary Agent at a cost not to exceed \$\_\_\_\_\_ per year, (2) directs that a copy of this motion be sent to the Excelsior city council with a recommendation that Excelsior also approve \_\_\_\_\_ as the Fiduciary Agent.
2. Do nothing or other motion ???



**Agenda Number: 7A**

**Agenda Date: 08-05-15**

*Prepared by Dale Cooney  
City Zoning Administrator*

**Agenda Item:** Res 08-15, Signage Conditional Use Permit Findings of Fact, Michael Dvoracek of Signs Unlimited of Plymouth on Behalf of Joel Buttenhoff, 21000 State Highway 7

**Summary:** Signs Unlimited of Plymouth is requesting a conditional use permit to install new signage to identify Allstate Insurance, a new commercial tenant at 21000 State Highway 7. The sign ordinance does not regulate the number of signs that can be placed on a property; rather it limits the amount of sign square footage permitted to be on the property.

Section 1140.40(3)(2) of the Zoning Ordinance requires a Conditional Use Permit to erect, alter, reconstruct, maintain or move signage.

Section 1140.40(3)(3)(c) of the Zoning Ordinance requires that illuminated signs be shielded to prevent lights from being directed at oncoming traffic. Signs cannot interfere with or obscure an official traffic sign or signal. This includes indoor signs that are visible from public streets.

Section 1140.40(8)(a) of the Zoning Ordinance requires that a sign may not exceed 15% of the wall area of the front facade of the structure in which it is located and in no case exceed 75 square feet for all types of signs.

A few hours prior to the Planning Commission meeting, Staff and Commissioner Conrad had a conversation about signage square footage calculations since Staff and Commissioner Conrad had come up with different calculations. During that conversation it became clear that A) there were a few ways to interpret the ordinance; and B) for signs without frames, city code required there be an additional six inches of invisible space be included around all sides of the sign, which significantly increases the square footage calculation. The relevant section of code is included below:

Section 1140.40(8)(b): The area within the frame shall be used to calculate the square footage except that the width of a frame exceeding 12 inches shall constitute the sign face, and if such letters or graphics be mounted directly on a wall or fascia or in such way as to be without a frame, the dimensions for calculating the square footage shall be the area extending 6 inches beyond the periphery formed around such letters or graphics in a plane figure bounded by straight lines connecting the outermost points thereof. Each surface utilized to display a message or to attract attention shall be measured as a separate sign and shall be calculated in the overall square footage.

Staff has included Exhibits A & B to this report in an attempt to show how different methods of applying the ordinance can lead to different square footage calculations. The issue of calculating square footage was brought up at the Planning Commission meeting. However, staff did not have time to create Exhibits A & B in advance of the meeting. Therefore, the Planning Commission was not able to consider these exhibits as part of their decision making. Staff is requesting that the City Council make a determination on how to interpret the signage ordinance and what method should be applied to this particular Conditional Use application.

For the council's reference, the following items also are attached: application materials and drawings, copy of the public hearing notice, landlord approval form, neighbor comment, and resolution 08-15.

**Planning Commission Action:** Commissioner Conrad moved the Planning Commission recommend the city council approve a Conditional Use Permit for the installation of new commercial signage at 21000 State Highway 7 in accordance with Greenwood Ordinance Section 1140.40. The motion is conditioned that the applicant bring the total sign square footage under 37.5 square feet as required by the property owner or receive written permission from the property owner to exceed that square footage amount. The motion is also conditioned that the applicant be made aware of what the city calculates the signage square footage to be. Commissioner Sundberg seconded the motion. The motion carried 5-0.

**Key Dates:**

|                                     |                 |
|-------------------------------------|-----------------|
| Application complete:               | June 08, 2015   |
| Notice of Public Hearing published: | July 2, 2015    |
| Planning Commission Public Hearing: | July 15, 2015   |
| City Council Consideration:         | August 5, 2015  |
| 60-Day Deadline:                    | August 7, 2015  |
| 120-Day Deadline (if necessary):    | October 6, 2015 |

**Council Action:** The city council must take action by 8-07-15. Potential motions ...

1. I move the city council approves resolution 08-15 based on the recommendations of the Planning Commission. I further move that the council determines that the square footage calculation for the proposed signage is equal to \_\_\_\_\_ square feet per Method \_\_\_\_ shown on Exhibits A & B.
2. I move the city council directs the city attorney to draft “findings for **denial**” for the council’s consideration at the 9-02-15 city council meeting. I further move the council directs the city clerk to provide written notice to the applicant to extend the 60-day time limit by 30 days, so the council may consider findings **approving and denying** the request.
3. Other motions ???

*Note: MN statute 15.99 requires a council decision within 60 days. The council may approve or modify a request based on verbal findings of fact and the applicant may proceed with their project. However, if the council denies the request, the council must state in writing the reasons for denial at the time that it denies the request. The council may extend the 60-day time limit by providing written notice to the applicant including the reason for the extension and its anticipated length (may not exceed 60 additional days unless approved by the applicant in writing).*



| SIGN# | SIGN TYPE        | SIGN DESCRIPTION   | ACTION   |
|-------|------------------|--|----------|
| N03   | ALST.DOOR.NS.VIN | 1st Surface White Door Vinyl "Logo Good Hands Allstate" without Securities | New Sign |
|       |                  |  |          |
|       |                  |  |          |
|       |                  |  |          |
|       |                  |  |          |

**PROPOSED SIGNAGE PHOTO**



**Rob Shuman**  
952-474-4101

**Office Hours**  
Monday - Friday 8am-5pm  
Saturday by Appointment

allstate.com  
1-800-Allstate

**Auto, Home, Business, Life**

ALST.DOOR.NS.VIN

**EXISTING SIGNAGE PHOTO**



**\*NOTE:**

*Your approval of the Brandbook indicates your acceptance that the signage, provided to you and owned by Allstate, will be manufactured and installed as shown, pending landlord and/or municipality approval. Once accepted, signage may not be declined at time of installation for any reason other than a manufacturing defect.*



707 West Spring Garden Street  
Palmyra, NJ 08065-1798

CLIENT: ALLSTATE - MW

LOCATION: MNXV4  
Rob Shuman  
21350 State Highway 7  
Excelsior, MN

DATE: 4/30/2015

SHEET: P02

DWG BY: JC

REVISION:  
05.28.2015 TP Added N01 Removed N04  
05.27.2015 TP Removed N01  
05.06.15 JC Added the phone # and added N04

DRAWING NUMBER: **A23093**

THIS IS AN ORIGINAL UNPUBLISHED DRAWING CREATED BY PHILADELPHIA SIGN IT IS SUBMITTED FOR YOUR PERSONAL USE IN CONJUNCTION WITH A PROJECT BEING PLANNED FOR YOU BY PHILADELPHIA SIGN IT

| SIGN# | SIGN TYPE       | SIGN DESCRIPTION  | ACTION   |
|-------|-----------------|---|----------|
| N01   | ALST.CL.RW.W_21 | 21"h Illuminated White Raceway Channel Letters 3' 0"oah x 12' 4-1/2"oal (37.5 SF) | New Sign |
| N02   | ALST.WVT_C      | 1st Surface Window Vinyl Treatment "C" Swoosh Version                             | New Sign |
|       |                 |   |          |
|       |                 |   |          |
|       |                 |   |          |

**PROPOSED SIGNAGE PHOTO**

**EXISTING SIGNAGE PHOTO**



**\*NOTE:**  
 Your approval of the Brandbook indicates your acceptance that the signage, provided to you and owned by Allstate will be manufactured and installed as shown, pending landlord and/or municipality approval. Once accepted, signage may not be declined at time of installation for any reason other than a manufacturing defect.

|  |  |   |  |   |
|--|--|---|--|---|
|  <b>PHILADELPHIASIGN</b><br><small>BRINGING THE WORLD'S BRANDS TO LIFE</small><br>707 West Spring Garden Street<br>Palmyra, NJ 08065-1798 | CLIENT: ALLSTATE - MW<br>LOCATION: MNXV4<br>Rob Shuman<br>21350 State Highway 7<br>Excelsior, MN | DATE: 4/30/2015<br>SHEET: P01<br>DWG BY: JC | REVISION:<br>05.28.2015 TP Added N01 Removed N04<br>05.27.2015 TP Removed N01<br>05.06.15 JC Added the phone # and added N04 | THIS IS AN ORIGINAL UNPUBLISHED DRAFT CREATED BY PHILADELPHIASIGN IT IS SUBMITTED FOR YOUR PERSONAL USE IN CONJUNCTION WITH THE PROJECT BEING PLANNED BY PHILADELPHIASIGN |
|  | DRAWING NUMBER: <b>A23093</b>  |   |  |   |

**RESIDENT COMMENT FORM** - This form will become part of the public record and therefore may be viewed by anyone.

**GENERAL COMMENTS ON REQUEST:**

As long as signs are in good taste,  
2 Window Graphics and 1 3x12 sign  
we have no objection

**SPECIFIC ISSUES or CONCERNS:**

What size is this sign? - 3x12 + 2 Windows

Minnetonka has an effective policy on Signs  
It limits the number and size.

3 signs proposed 2 Window Graphics and  
3x12' sign per Dale Cooney

All State Ins

Name:

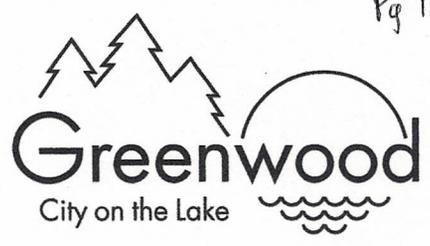
Ken & Helen Hendrickson

Address:

21125 Rudison Rd

Please return completed form to the attention of Dale Cooney @ 20225 Cottagewood Road, Deephaven MN 55331 or fax to (952) 474-1274.

*✍ SIGN PERMIT FOR ALLSTATE INS.*



# Conditional Use Permit Application

Person completing form:  Property Owner  Builder / Architect  
If you prefer to complete this form electronically, it is available at [www.greenwoodmn.com](http://www.greenwoodmn.com).

|  |  |
|--|--|
| Date application submitted                                   | 6/4/15   |
| Date application complete (office use only)                  |  |
| Property address   | 21350 State Highway 7  |
| Property identification number (PID)                         |  |
| Property owner's current mailing address                     | 21350 State Highway 7  |
| Names of all property owners                                 | Joel Bottenhoff  |
| Cell phone and email of property owner(s)                    | 952-368-9009 jbottenhoff@5thstreetventures.com   |
| Name of builder / architect (if any)                         | Signs Unlimited of Plymouth - Michael DVORACEK   |
| Company name of builder / architect                          | " " " "  |
| Cell phone and email of builder / architect                  | 612-396-7636 Michael@SignsUnlimited@gmail.com  |
| Company address  | 22400 HWY 55 Hamel, MN 55340   |
| Present use of property                                      | OFFICE BUILDING  |
| Property acreage   |  |
| Existing variances or conditional use permits                | <input type="checkbox"/> No <input type="checkbox"/> Yes - please attach a copy  |
| Request is for   | <input type="checkbox"/> New Construction <input type="checkbox"/> Addition <input type="checkbox"/> Remodel <input type="checkbox"/> Replace<br><input checked="" type="checkbox"/> Other: SIGN |
| The CUP is being requested to (e.g. install a swimming pool) | Install a Sign   |

**Making your case for the grant of a conditional use permit:** The planning commission shall make findings and recommendations to the city council. The council may then authorize a conditional use by resolution provided the evidence presented complies with the city conditional use permits ordinance section 1150 (view at city hall or at [www.greenwoodmn.com](http://www.greenwoodmn.com)). The council may impose such conditions and safeguards upon the premises benefited by a conditional use permit as may be necessary to maintain compatibility with other properties in the neighborhood. Examples of conditions include, but are not limited to: controlling size and location of use, regulating ingress and egress, controlling traffic flow, regulating off-street parking and loading areas, location of utilities, berming, fencing, screening, landscaping, restricting hours of operation, controlling noise, controlling lighting, controlling odors, and compatibility of appearance. Violation of such conditions and safeguards, when made part of the terms under which the conditional use permit is granted, shall be deemed a violation of this ordinance and punishable under section 1180 et seq.

Please answer each of the below questions:

|   |  |
|---|--|
| Will the proposed use comply with the regulations specified in the ordinance for the district in which the proposed use is to be located?           | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>Please explain:            |
| Is the proposed use one of the conditional uses permitted for the district in which it is to be located?  | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>Please explain:            |
| Will the proposed use be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or city? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Please explain: |
| Will the proposed use be harmonious with the objectives of the comp plan?   | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>Please explain:            |
| Will the proposed use be hazardous or disturbing to existing or future neighboring uses?  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Please explain: |

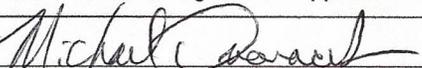
CUP APPLICATION - Page 1 of 2

|  |  |
|--|--|
| Will the proposed use be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, sewer, schools?   | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>Please explain: |
| Will the proposed use create excessive additional requirements at public cost for public facilities and services or be detrimental to the economic welfare of the community?   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Please explain: |
| Will the proposed use involve activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Please explain: |
| Will the proposed use have vehicular approaches to the property that do not create traffic congestion or interfere with traffic on surrounding public thoroughfares?   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Please explain: |
| Will the proposed use result in the destruction, loss or damage of a natural, scenic or historic feature of major importance?  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Please explain: |
| Will the proposed use unreasonably depreciate surrounding property values?   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Please explain: |

**The applicant(s) contacted the following regulatory bodies and will seek approvals if required:**

(1) Lake Minnetonka Conservation District 952.745.0789 (2) Minnehaha Creek Watershed District 952.471.0590

**Applicant's acknowledgement and signature(s):** The undersigned hereby submits this application for the described action by the city and is responsible for complying with all city requirements with regard to this request. This application should be processed in my name, and I am the party whom the city should contact about this application. The applicant certifies that the information supplied is true and correct to the best of their knowledge. The undersigned also acknowledges that before this request can be considered and / or approved, all required information and fees must be paid to the city, and if additional fees are required to cover costs incurred by the city, the city has the right to require additional payment from one or more of the undersigned, who shall be jointly liable for such fees. An incomplete application will delay processing and may necessitate rescheduling the review timeframe. The application timeline commences once an application is considered complete when all required information and fees are submitted to the city. The applicant recognizes that they are solely responsible for submitting a complete application and that upon failure to do so, recognizes city staff has no alternative but to reject the application until it is complete or to recommend denial regardless of its potential merit. A determination of completeness of the application shall be made within 10 business days of the application submittal. A written notice of application deficiencies shall be mailed to the applicant within 10 business days of application. I am the authorized person to make this application and the fee owner has also signed this application.

|  |              |
|--|--------------|
| Signature:  | Date: 6/4/15 |
|--|--------------|

**Property owner's acknowledgement and signature:** The undersigned is the fee title owner of the page 1 described property. I acknowledge and agree to this application and further authorize reasonable entry onto the property by city staff, consultants, agents, planning commission members, and city council members for purposes of investigation and verification of this request.

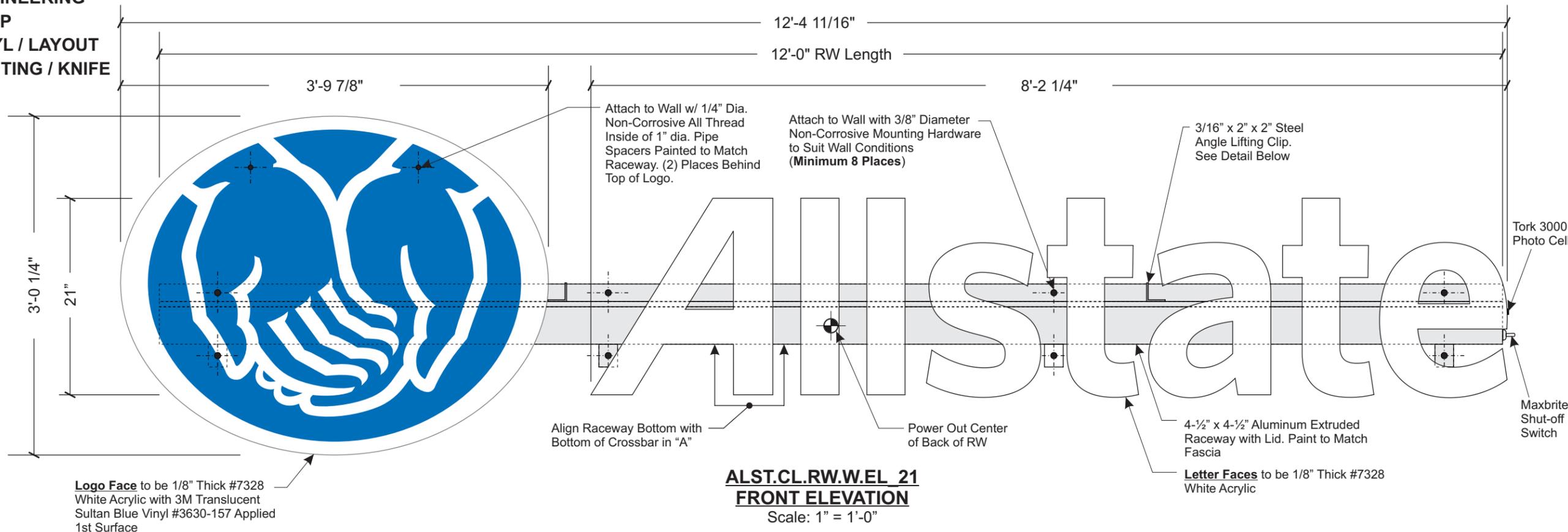
|                         |               |
|-------------------------|---------------|
| Signature: See Attached | Date: 5/21/15 |
|-------------------------|---------------|

*Note: If the property owner is different than the applicant, signatures from both the applicant and the property owner are required.*

|   |              |
|---|--------------|
| Variance Fee (nonrefundable)  | \$400        |
| Shoreland Management Review Fee (nonrefundable)                       | \$200        |
| <b>Total Amount Due (make check payable to the City of Greenwood)</b> | <b>\$600</b> |

|                            |   |           |
|----------------------------|---|-----------|
| <b>For Office Use Only</b> | Fee Paid: <input type="checkbox"/> Cash <input type="checkbox"/> Check #: | Amount \$ |
|----------------------------|---|-----------|

**ENGINEERING  
SHOP  
VINYL / LAYOUT  
ROUTING / KNIFE**



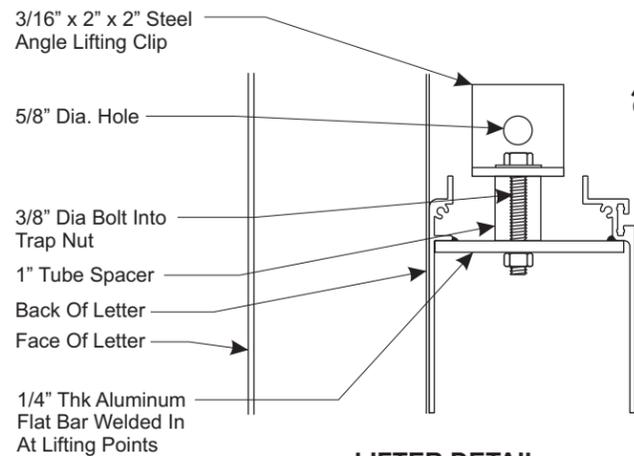
**ELECTRICAL LOAD**  
(1.16) Amps @ 120 Volts  
**ELECTRICAL REQ'MTS**  
(1) 20 Amp/120 Volt Circuits



**LED Specifications:**  
1. (2) BITRO - ASU-60-12U 60 Watt LED Power Supply  
2. (79 Each) Bitro OmegaOPTICS Plus (OTSP-M3PL-BW65) White LEDs

**STANDARD LETTER NOTES:**  
1. Sufficient Primary Circuit In Vicinity Of Sign By Others.  
2. Letter To Letter Wiring & Final Primary Hook-up By Sign Installer, Where Allowed By Local Codes.  
3. Sign Shall Be U.L. Listed.  
4. Mounting Hardware By Sign Installer.  
5. Full Size Drilling Template Furnished With Sign.

Note: This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.



**PERMIT  
DRAWING**

1" Metallic Silver Jewelite Trimcap. Attached Using Methylene Chloride Followed by IPS Weld-On 40 with #8 x 1/2" PH Phillips S.S. Screws (as Required all Around)



Bitro OmegaOPTICS Plus (OTSP-M3PL-BW65) White LED's as Required (0.90w ea.)

Logo Face to be 1/8" Thick #7328 White Acrylic with 3M Translucent Sultan Blue Vinyl #3630-157 Applied 1st Surface

Letter Faces to be 1/8" Thick #7328 White Acrylic

.040 Pre-Coat White Aluminum Back

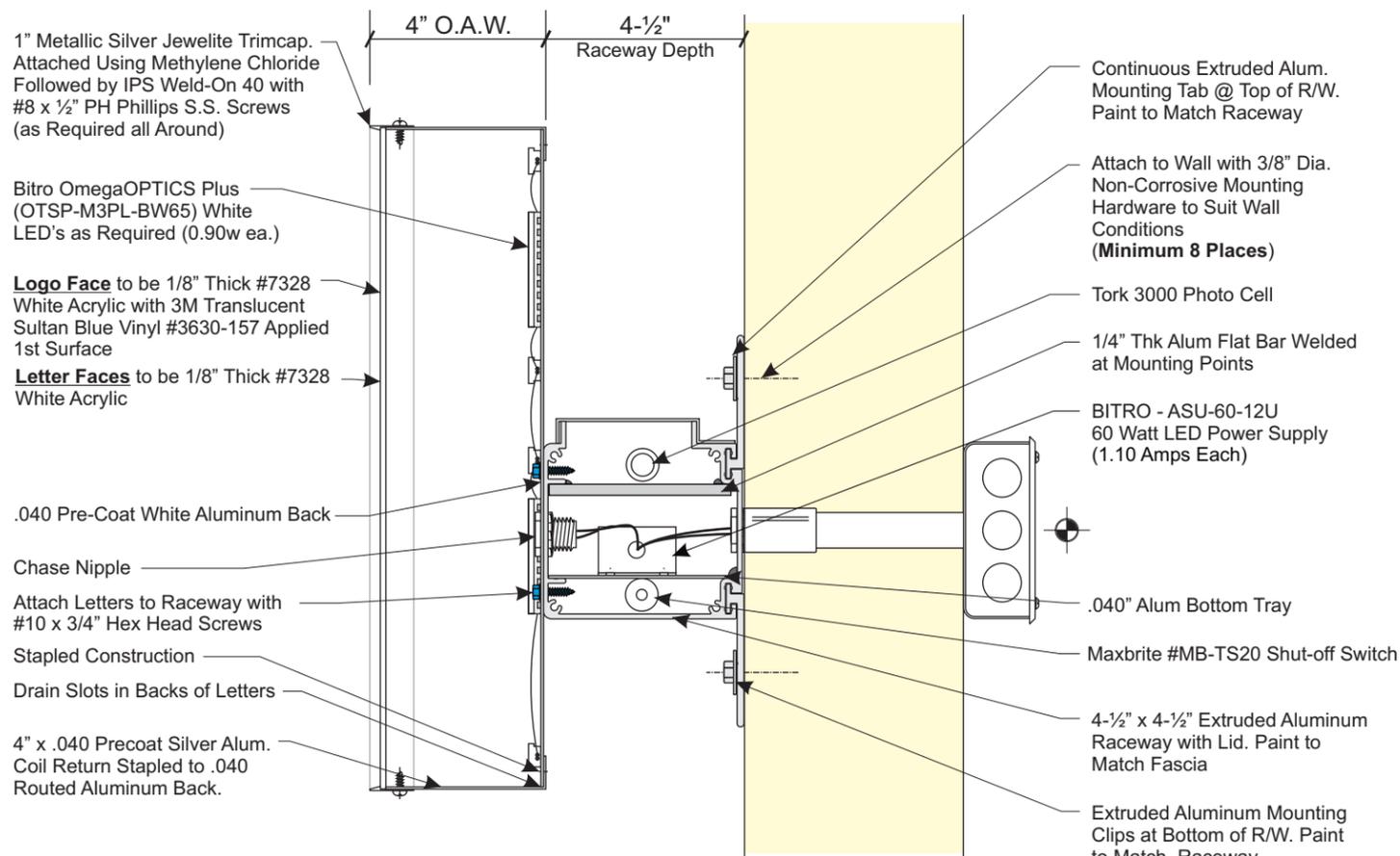
Chase Nipple

Attach Letters to Raceway with #10 x 3/4" Hex Head Screws

Stapled Construction

Drain Slots in Backs of Letters

4" x .040 Precoat Silver Alum. Coil Return Stapled to .040 Routed Aluminum Back.



  
**PHILADELPHIASIGN**  
BRINGING THE WORLD'S BRANDS TO LIFE  
707 West Spring Garden Street  
Palmyra, New Jersey 08065  
Phone: 856.829.1460  
Fax: 856.829.8549  
www.philadelphiasign.com

**CUSTOMER:**  
**ALLSTATE**  
**JOB NUMBER:**  
**ALST\_CL ILL\_14654**

**SIGN TYPE:**  
**ALST.CL.RW.W.EL\_21**

**LOCATION:**  
**Various**

**DATE:**  
**9/30/2014**

**DRAWN BY:**  
**GJF**

**REVISION:**  
Number: 1 Date: 2/4/2015 By: GJF

**SHEET:** **1 of 1**  
ENG DEPT

**DWG NUMBER:**  
**B57467**

**ENGINEER SEAL:**



**MAX DESIGN WIND SPEED 90 MPH  
EXPOSURE C**

THIS IS AN ORIGINAL UNPUBLISHED DRAWING CREATED BY PSCO. IT IS SUBMITTED FOR YOUR PERSONAL USE IN CONJUNCTION WITH A PROJECT BEING PLANNED FOR YOU BY PSCO. IT IS NOT TO BE SHOWN TO ANYONE OUTSIDE YOUR ORGANIZATION NOR IS IT TO BE USED, COPIED, REPRODUCED, OR EXHIBITED IN ANY FASHION.



PHILADELPHIASIGN

BRINGING THE WORLD'S BRANDS TO LIFE

Philadelphia Sign Company • 707 West Spring Garden St • Palmyra, NJ 08065

Re: SiteID MNXV4  
Rob Shuman  
21350 State Highway 7  
Excelsior, MN 55331

**AUTHORIZATION AND CONSENT FORM**

By my signature below, I hereby represent that I am the owner of the property indicated above or otherwise duly authorized by the Lease to grant authorization for Philadelphia Sign Company and/or their sub contractor to apply for permits and install new signage at the above referenced location.

**LANDLORD APPROVAL**

Signature [Handwritten Signature] Print Name Joel Battenhoff Date 5-21-15

Title OWNER email j.battenhoff@5thstreetventures.com

Address # of Property: 1 Phone 952-368-9009

21350 State Hwy 7  
Excelsior, MN 55331

In no event however, shall the total signage for this tenant exceed 37.5 sq Feet. [Handwritten Signature]

Return Form to: **Philadelphia Sign Company**  
707 West Spring Garden St  
Palmyra, NJ 08065

email (Preferred): **eassenheimer@philadelphiasign.com**

or FAX to: **(856) 829-8549 attn: Eric Assenheimer**

**CITY OF GREENWOOD  
NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the Greenwood Planning Commission will hold a public hearing in the Council Chambers at Deephaven City Hall, 20225 Cottagewood Road, Deephaven, Minnesota on **Wednesday July 15<sup>th</sup> at 7:00 P.M.**, or as soon thereafter as possible for the following purpose:

**To consider the conditional use permit request of Michael Dvoracek of Signs Unlimited to install signage on the property located at 21000 State Highway 7.**

All persons are invited to attend the public hearing and written testimony will be accepted. Such persons as desire to express their opinion with reference to this proposal will be heard at this meeting. Comments can be mailed to, City of Greenwood, 20225 Cottagewood Road, Deephaven, MN 55331, emailed to [dalec@mediacombb.net](mailto:dalec@mediacombb.net) or you can call (952) 358-9938.

Dale Cooney  
Zoning Administrator

Publish:  
MN Sun Publications  
July 2, 2015

**RESOLUTION NO 08-15**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA  
ACTING AS THE BOARD OF APPEALS & ADJUSTMENTS**

---

**In Re: Application of Michael Dvoracek of Signs Unlimited of Plymouth on behalf of Joel Buttenhoff, 21000 State Highway 7 for a conditional use permit under Greenwood ordinance code section 1140.40 and 1150.20 to install new signage at the property.**

---

**WHEREAS**, Michael Dvoracek of Signs Unlimited of Plymouth, on behalf of Joel Buttenhoff, the owner of property commonly known as 21000 State Highway 7, Greenwood, Minnesota 55331 (PID No. 35-117-23-12-0016) in conformance with Greenwood ordinance code sections 1140.40 Subd. 3, and 1150.20 has made application for a conditional use permit (CUP); and

**WHEREAS**, the applicant proposes install new signage at the property; and

**WHEREAS**, notice of a public hearing was published, notice given to neighboring property owners, and a public hearing was held before the planning commission to consider the application; and

**WHEREAS**, public comment was taken at the public hearing before the planning commission on July 15, 2015; and

**WHEREAS**, the city council of the city of Greenwood has received the staff report, the recommendation of the planning commission, and considered the application, the comments of the applicant, and the comments of the public.

**NOW, THEREFORE**, the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments does hereby make the following:

**FINDINGS OF FACT**

1. That the real property located at 21000 State Highway 7, Greenwood, Minnesota 55331 (PID No. 35-117-23-12-0016), is a commercial lot of record located within the C1 district.
2. Pursuant to Greenwood ordinance code section 1140.40, Subd. 3, erecting, altering, reconstructing, maintaining or moving signs in the city requires the property owner to apply for a CUP.
3. Pursuant to Greenwood ordinance code section 1150.20, subd. 3, Conditional Use Permits (general regulations), the city council may impose such conditions and safeguards upon the property benefitted by a CUP as may be necessary to maintain compatibility with other properties in the neighborhood.
4. Greenwood ordinance section 1150.20, subd 1 states:

“Subd. 1. The planning commission shall make findings and recommendations to the city council. The council may then authorize a conditional use by resolution provided the evidence presented is such as to establish:

  - (a) That the proposed use will comply with the regulations specified in this ordinance for the district in which the proposed use is to be located.
  - (b) That the use is one of the conditional uses permitted for the district in which it is to be located.
  - (c) The use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or city.
  - (d) The use will be harmonious with the objectives of the comp plan.
  - (e) The use will not be hazardous or disturbing to existing or future neighboring uses.
  - (f) The use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, sewer, schools, or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use.
  - (g) The use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.

- (h) The use will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors.
  - (i) The use will have vehicular approaches to the property that do not create traffic congestion or interfere with traffic on surrounding public thoroughfares.
  - (j) The use will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.
  - (k) The use will not depreciate surrounding property values.”
6. The applicant asserts that the proposed CUP request complies with CUP standards in Greenwood ordinance section 1150.20, subd 1.
  7. The planning commission discussed the CUP request and on a 5-0 vote recommended approval because the proposed CUP request complies with the CUP standards in Greenwood ordinance section 1150.20, subd 1, if the following reasonable and necessary conditions relating to the present request are made a condition of approval:
    - a. The total signage square footage shall not exceed 37.5 square feet unless the applicant receives written approval from the owner of the property to exceed that square footage allowance.
    - b. The applicant is made aware of what the city calculates the signage square footage to be.
  8. Based on the foregoing, the city council determined that the proposed CUP request complies with the CUP standards in Greenwood ordinance section 1150.20 subd 1, if the following reasonable and necessary conditions relating to the present request are made a condition of approval:
    - (a) The total signage square footage shall not exceed 37.5 square feet unless the applicant receives written approval from the owner of the property to exceed that square footage allowance.
    - (b) The applicant is made aware that Method \_\_ from Exhibits A&B is used to calculate sign square footage.
    - (c) The project must be completed according to the specifications and design requirements in the submitted plans.
    - (d) A certified copy of this resolution shall be filed by the applicants with the Hennepin County Register of Titles and proof of filing provided to the city of Greenwood before any permits may issue or the project commence.

## CONCLUSIONS OF LAW

Based upon the foregoing findings of fact, the city council acting as the Board of Appeals & Adjustments makes the following conclusions of law:

1. The applicant has made an adequate demonstration of facts meeting the standards of sections 1140.40 and 1150.20 necessary for the grant of a CUP.
2. The CUP requested is reasonable and should be granted on the following conditions:
  - (a) The total signage square footage shall not exceed 37.5 square feet unless the applicant receives written approval from the owner of the property to exceed that square footage allowance.
  - (b) The applicant is made aware that Method \_\_ from Exhibits A&B is used to calculate sign square footage.
  - (c) The project must be completed according to the specifications and design requirements in the submitted plans.
  - (d) A certified copy of this resolution shall be filed by the applicants with the Hennepin County Register of Titles and proof of filing provided to the city of Greenwood before any permits may issue or the project commence.

**NOW, THEREFORE, BE IT RESOLVED** by the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments that the city of Greenwood does hereby grant and issue a Conditional Use Permit to the applicant for the subject property to construct a permanent in-ground, at-grade swimming pool on the following conditions:

- (a) The total signage square footage shall not exceed 37.5 square feet unless the applicant receives written approval from the owner of the property to exceed that square footage allowance.
- (b) The applicant is hereby notified that Method \_\_ from Exhibits A&B is used to calculate sign square footage.
- (c) The project must be completed according to the specifications and design requirements in the submitted plans.
- (d) A certified copy of this resolution shall be filed by the applicants with the Hennepin County Register of Titles and proof of filing provided to the city of Greenwood before any permits may issue or the project commence.

**PASSED** this 5th day of August, 2015 by the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments for the city of Greenwood, Minnesota.

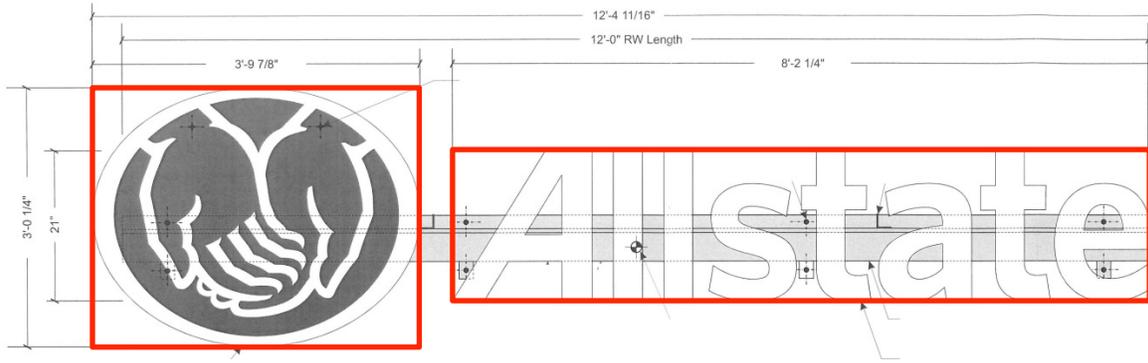
\_\_\_ AYES \_\_\_ NAYS

CITY OF GREENWOOD

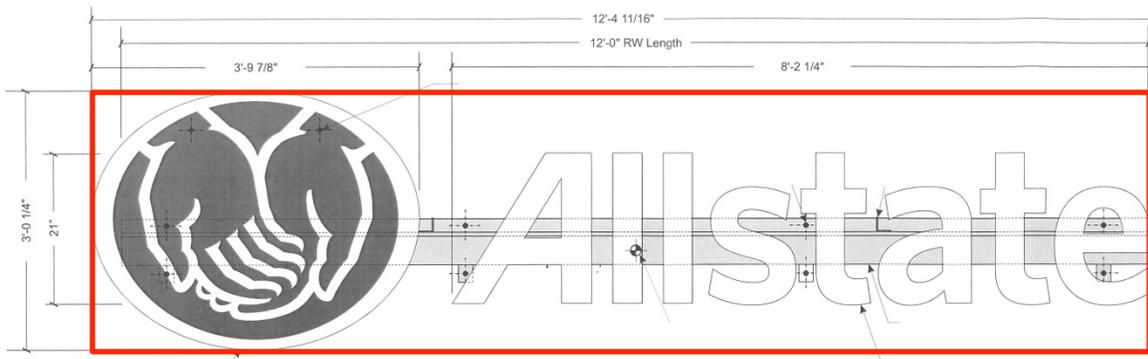
By: \_\_\_\_\_  
Debra J. Kind, Mayor

Attest: \_\_\_\_\_  
Dana Young, City Clerk

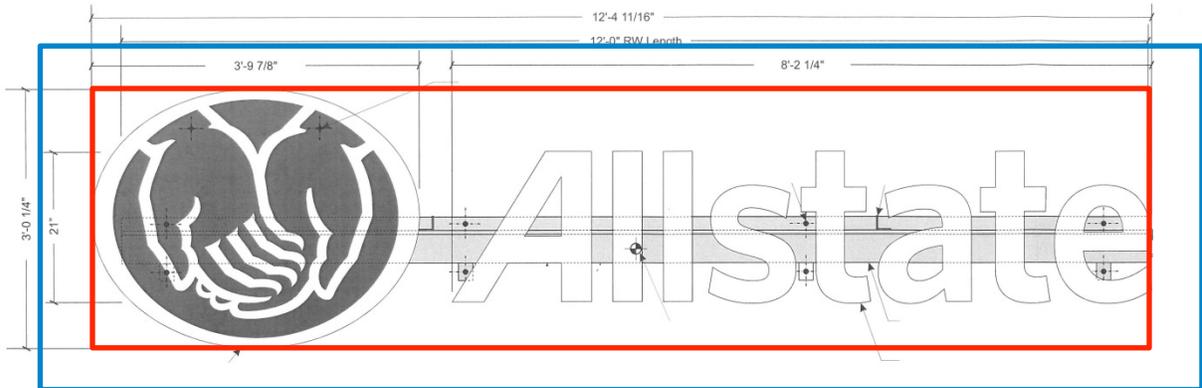
**Exhibit A**



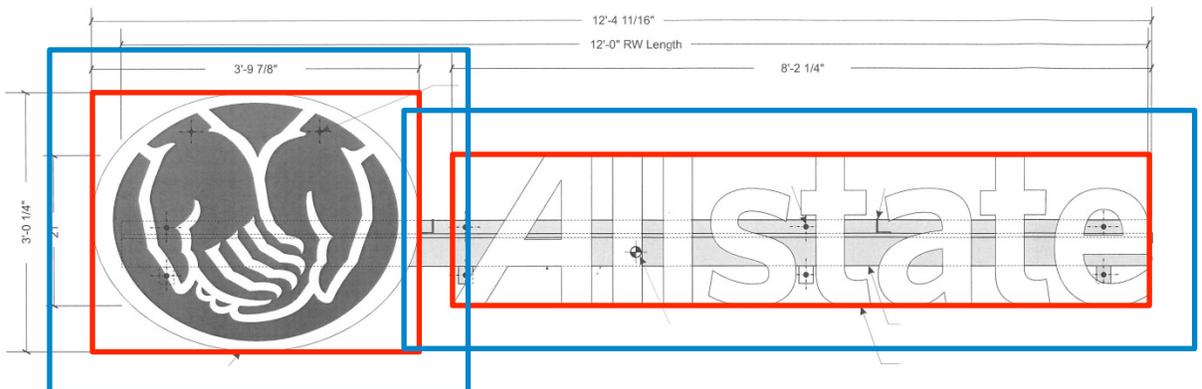
**A. 25.87 square feet**



**B. 37.43 square feet**



**C. 53.84 square feet**



**D. 41.76 square feet**

Agenda Item XX; Exhibit B

**217000 State Highway 7: Application for a Sign CUP**

Calculation of proposed signage using four different methodologies.

|                             | <b>Method A</b> | <b>Method B</b> | <b>Method C</b> | <b>Method D</b> |
|-----------------------------|-----------------|-----------------|-----------------|-----------------|
| <b>Illuminated Sign</b>     | 25.87           | 37.43           | 53.84           | 41.76           |
| <b>Door Vinyl</b>           | 4.3             | 5.96            | 11.97           | 12.21           |
| <b>Window Name/#</b>        | 2.3             | 2.3             | 6.84            | 6.84            |
| <b>Total Square Footage</b> | <b>32.47</b>    | <b>45.69</b>    | <b>72.65</b>    | <b>60.81</b>    |



Agenda Number: **7B**

Agenda Date: **08-05-15**

Prepared by Dale Cooney  
City Zoning Administrator

**Agenda Item:** Res 09-15, Grading Conditional Use Permit Findings of Fact, Excelsior Entertainment LLC / Old Log Theatre, 5185 Meadville Street

**Summary:** The applicant is proposing a grading project to add topsoil of not more than 10" in depth, to seed, mulch, and install drain tile. The project will impact 8075 square feet of surface area, and the total soil volume to be impacted will be 248 cubic yards (6700 cubic feet).

Section 1140:19(2) of the Zoning Ordinance requires a Conditional Use Permit for grading impacting more than 200 square feet of surface area, and more than 20 cubic yards of soil volume.

The proposal was reviewed by the City Engineer and complies with the maximum grade alteration permitted in Section 1140.19(5). The proposal also complies with Section 1176.08(2) related to grading and filling within the Shoreland Management District.

Section 1140:19(4) states that in considering the issuance of a conditional use permit application for grading or site/lot alteration, the city may impose reasonable restrictions to protect property, both public and private, from concentrated or redirected stormwater flow, inundation, flooding, erosion, water hazard, ponding, or damage. The city may impose stormwater management and drainage controls, including but not limited to, holding ponds or other water management methods recommended by the city engineer, and such other requirements as are deemed necessary to protect the public health safety and welfare against actual or potential, harm or other damage related to the proposed grading or site/lot alteration.

**Planning Commission Action:** Commissioner Conrad moved the Planning Commission recommends the City Council approve a Conditional Use Permit for a grading project to add topsoil of not more than 10" in depth, to seed, mulch, and install drain tile in accordance with Greenwood Ordinance Sections 1140.19. The motion is conditioned that the applicant receives approval for the project from the Minnehaha Creek Watershed District. Commissioner Sundberg seconded the motion. The motion carried 5-0.

**Key Dates:**

|                                     |                  |
|-------------------------------------|------------------|
| Application complete:               | June 30, 2015    |
| Notice of Public Hearing published: | July 4, 2015     |
| Planning Commission Public Hearing: | July 15, 2015    |
| City Council Consideration:         | August 5, 2015   |
| 60-Day Deadline:                    | August 29, 2015  |
| 120-Day Deadline (if necessary):    | October 28, 2015 |

**Council Action:** The city council must take action by 8-29-15. Suggested motions ...

1. I move the city council approves resolution 09-15 based on the recommendations of the Planning Commission.
2. I move the city council directs the city attorney to draft "findings for **denial**" for the council's consideration at the 9-02-15 city council meeting. I further move the council directs the city clerk to provide written notice to the applicant to extend the 60-day time limit by 30 days, so the council may consider findings **approving and denying** the request.
3. Other motions...

*Note: MN statute 15.99 requires a council decision within 60 days. The council may approve or modify a request based on verbal findings of fact and the applicant may proceed with their project. However, if the council denies the request, the council must state in writing the reasons for denial at the time that it denies the request. The council may extend the 60-day time limit by providing written notice to the applicant including the reason for the extension and its anticipated length (may not exceed 60 additional days unless approved by the applicant in writing).*

# Conditional Use Permit Application



Person completing form:  Property Owner  Builder / Architect  
 If you prefer to complete this form electronically, it is available at [www.greenwoodmn.com](http://www.greenwoodmn.com).

|  |   |
|--|---|
| Date application submitted                                   | 6/29/2015   |
| Date application complete (office use only)                  |   |
| Property address   | 5185 Meadville Street, Greenwood, MN 55331  |
| Property identification number (PID)                         | 26-117-23-31-0028 and 26-117-23-34-0001   |
| Property owner's current mailing address                     | 5185 Meadville Street, Greenwood, MN 55331  |
| Names of all property owners                                 | Excelsior Entertainment, LLC Gregory Frankenfield, CEO  |
| Cell phone and email of property owner(s)                    | (612)747-1891 gregf@magenic.com   |
| Name of builder / architect (if any)                         | N/A   |
| Company name of builder / architect                          | Greenscapes Lawn Service  |
| Cell phone and email of builder / architect                  | (763)493-2079   |
| Company address  | PO Box 431, St. Bonifacious, MN 55375   |
| Present use of property                                      | Commercial  |
| Property acreage   | 11.5  |
| Existing variances or conditional use permits                | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – please attach a copy  |
| Request is for   | <input type="checkbox"/> New Construction <input type="checkbox"/> Addition <input type="checkbox"/> Remodel <input type="checkbox"/> Replace<br><input checked="" type="checkbox"/> Other: Grading |
| The CUP is being requested to (e.g. install a swimming pool) | Repair of lawn due to flood damage from spring/summer 2014  |

**Making your case for the grant of a conditional use permit:** The planning commission shall make findings and recommendations to the city council. The council may then authorize a conditional use by resolution provided the evidence presented complies with the city conditional use permits ordinance section 1150 (view at city hall or at [www.greenwoodmn.com](http://www.greenwoodmn.com)). The council may impose such conditions and safeguards upon the premises benefited by a conditional use permit as may be necessary to maintain compatibility with other properties in the neighborhood. Examples of conditions include, but are not limited to: controlling size and location of use, regulating ingress and egress, controlling traffic flow, regulating off-street parking and loading areas, location of utilities, berming, fencing, screening, landscaping, restricting hours of operation, controlling noise, controlling lighting, controlling odors, and compatibility of appearance. Violation of such conditions and safeguards, when made part of the terms under which the conditional use permit is granted, shall be deemed a violation of this ordinance and punishable under section 1180 et seq.

Please answer each of the below questions:

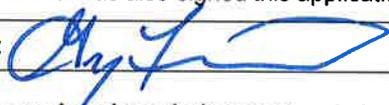
|   |  |
|---|--|
| Will the proposed use comply with the regulations specified in the ordinance for the district in which the proposed use is to be located?           | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>Please explain: Restore lawn to pre-flood condition of 2014           |
| Is the proposed use one of the conditional uses permitted for the district in which it is to be located?  | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>Please explain: Restore lawn to pre-flood condition of 2014           |
| Will the proposed use be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or city? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Please explain:   |
| Will the proposed use be harmonious with the objectives of the comp plan?   | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>Please explain: Restore lawn condition to pre-flood condition of 2014 |
| Will the proposed use be hazardous or disturbing to existing or future neighboring uses?  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Please explain:   |

|  |  |
|--|--|
| Will the proposed use be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, sewer, schools?   | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>Please explain: |
| Will the proposed use create excessive additional requirements at public cost for public facilities and services or be detrimental to the economic welfare of the community?   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Please explain: |
| Will the proposed use involve activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Please explain: |
| Will the proposed use have vehicular approaches to the property that do not create traffic congestion or interfere with traffic on surrounding public thoroughfares?   | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>Please explain: |
| Will the proposed use result in the destruction, loss or damage of a natural, scenic or historic feature of major importance?  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Please explain: |
| Will the proposed use unreasonably depreciate surrounding property values?   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Please explain: |

**The applicant(s) contacted the following regulatory bodies and will seek approvals if required:**

(1) Lake Minnetonka Conservation District 952.745.0789 (2) Minnehaha Creek Watershed District 952.471.0590

**Applicant's acknowledgement and signature(s):** The undersigned hereby submits this application for the described action by the city and is responsible for complying with all city requirements with regard to this request. This application should be processed in my name, and I am the party whom the city should contact about this application. The applicant certifies that the information supplied is true and correct to the best of their knowledge. The undersigned also acknowledges that before this request can be considered and / or approved, all required information and fees must be paid to the city, and if additional fees are required to cover costs incurred by the city, the city has the right to require additional payment from one or more of the undersigned, who shall be jointly liable for such fees. An incomplete application will delay processing and may necessitate rescheduling the review timeframe. The application timeline commences once an application is considered complete when all required information and fees are submitted to the city. The applicant recognizes that they are solely responsible for submitting a complete application and that upon failure to do so, recognizes city staff has no alternative but to reject the application until it is complete or to recommend denial regardless of its potential merit. A determination of completeness of the application shall be made within 10 business days of the application submittal. A written notice of application deficiencies shall be mailed to the applicant within 10 business days of application. I am the authorized person to make this application and the fee owner has also signed this application.

|  |               |
|--|---------------|
| Signature:  | Date: 4/30/15 |
|--|---------------|

**Property owner's acknowledgement and signature:** The undersigned is the fee title owner of the page 1 described property. I acknowledge and agree to this application and further authorize reasonable entry onto the property by city staff, consultants, agents, planning commission members, and city council members for purposes of investigation and verification of this request.

|            |       |
|------------|-------|
| Signature: | Date: |
|------------|-------|

*Note: If the property owner is different than the applicant, signatures from both the applicant and the property owner are required.*

|   |              |
|---|--------------|
| Variance Fee (nonrefundable)  | \$400        |
| Shoreland Management Review Fee (nonrefundable)                       | \$200        |
| <b>Total Amount Due (make check payable to the City of Greenwood)</b> | <b>\$600</b> |

|                            |   |           |
|----------------------------|---|-----------|
| <b>For Office Use Only</b> | Fee Paid: <input type="checkbox"/> Cash <input type="checkbox"/> Check #: | Amount \$ |
|----------------------------|---|-----------|

|           |  |
|-----------|--|
| Permit #  | FORM #8<br>Return this document to City Hall |
| Receipt # |  |



# Grading Permit Application

This form becomes a "permit" when city staff issues a permit number. If you prefer to complete this form electronically, it is available at [www.greenwoodmn.com](http://www.greenwoodmn.com).

|                   |                                      |
|-------------------|--------------------------------------|
| Property Owner(s) | Greg Frankenfield                    |
| Property Address  | 5185 Meadville St. (Old Log Theatre) |

Person completing this form:  Grading Contractor  Property Owner  Builder / Architect  
 This sheet is accompanied by a **Building Permit Application (Form #1)**:  Yes (skip to section 2)  No (complete section 1)

## SECTION 1

|   |   |
|---|---|
| Date Application Submitted                | 6/29/2015                               |
| Property Owner's Mailing Address          | 5185 Meadville St., Greenwood, MN 55331 |
| Property Owner's Phone Number             | 612-747-1891                            |
| Property Owner's Email                    | gregf@magenic.com                       |
| Contractor or Builder / Architect Name    | Greenscapes Lawn Service                |
| Contractor or Builder / Architect Address | PO Box 431, St. Bonifacious, MN 55375   |
| Contractor or Builder / Architect Phone   | 763-493-2079                            |
| Contractor or Builder / Architect Email   | greenscapes@mchsi.com                   |

## SECTION 2

|   |           |
|---|-----------|
| Total surface area to be moved, disturbed, cut, or filled (square feet)           | 8075      |
| Total volume of soil or earth to be moved, disturbed, cut, or filled (cubic feet) | 6700      |
| Estimated start date  | 6/15/2014 |

Work is required for:  Remodeling of an existing structure  Construction of a new structure  Other: Repair flood damaged yard

Work is due to circumstances not related to the land or existing drainage issues, but due to an election by the property owner to make an addition to a principal or accessory structure:  Yes  No

The average elevation of the land will increase / decrease by:  Less than 1ft  
 1ft or more in a 100+ sq ft area (city engineer approval required)  2ft or more in a 300+ sq ft area (variance required)

**Per code section 1140.19 subd 3, the following items must submitted with this application:**

- (1) Survey (2) Stormwater Management Plan prepared by a civil engineer

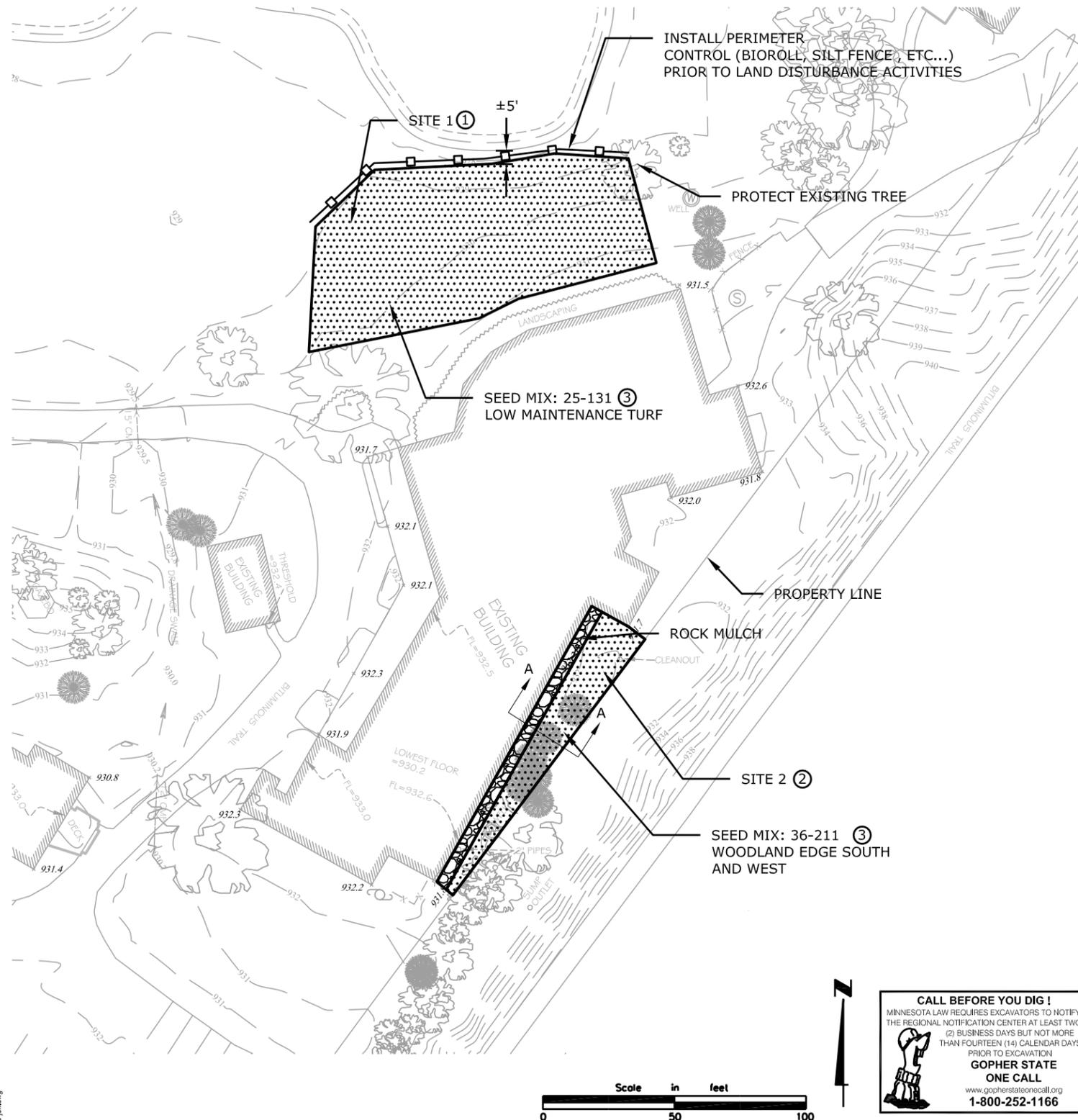
**The undersigned hereby submits this application (including a survey and Stormwater Management Plan) for a grading permit and certifies** the information provided on this permit application is true and correct to the best of my knowledge. The property owner(s) listed above are the sole fee title owner(s) of the described property; information provided on this application and submitted documents is true, complete and accurate; if the application is approved, the work will be in accordance with the application and city code section 1140.19 (view at [www.greenwoodmn.com](http://www.greenwoodmn.com) or at city hall).

|            |                   |                 |
|------------|-------------------|-----------------|
| Signature  |                   | Date: 6/29/2015 |
| Print Name | Greg Frankenfield |                 |

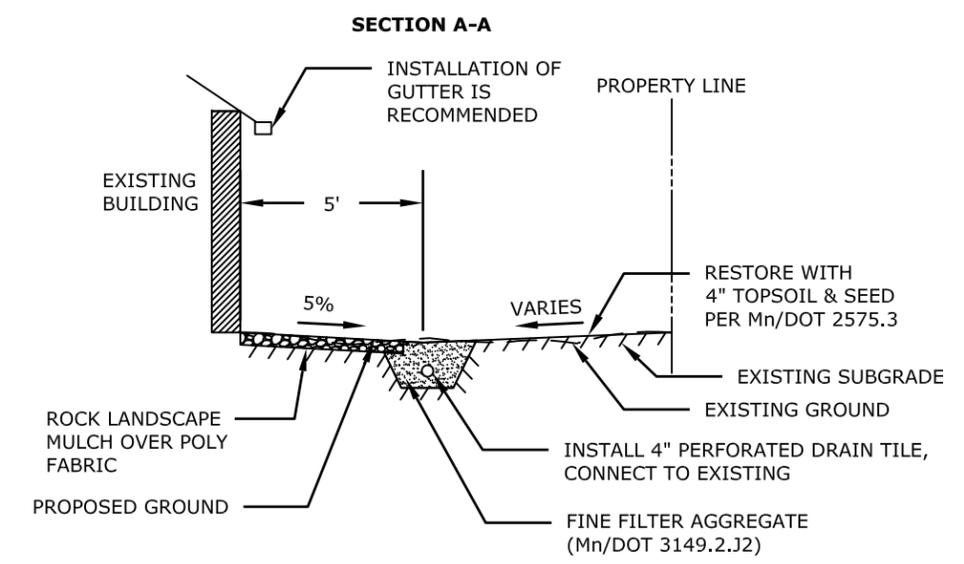
**This section completed if grading is NOT in conjunction with a building permit:**

|                            |               |  |                    |
|----------------------------|---------------|--|--------------------|
| <b>For Office Use Only</b> | Fee Amount \$ | Fee Paid: <input type="checkbox"/> Cash <input type="checkbox"/> Check # | Date Pmt Received: |
|----------------------------|---------------|--|--------------------|

Form Updated 10-27-14

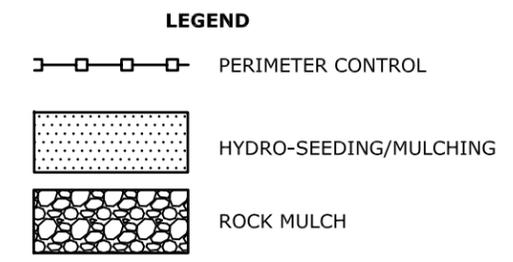


- KEY NOTES**
- ① SITE 1: IMPORT COMMON TOPSOIL BORROW IN ACCORDANCE WITH Mn/DOT 2574.3.C TO MATCH PRE-EROSION CONDITIONS AS SHOWN BY THE CONTOURS BUT NOT TO EXCEED 10 INCHES IN DEPTH. EXACT LIMITS OF RESTORATION TO BE DETERMINED IN THE FIELD.
  - ② SITE 2: GRADE THE AREA AND INSTALL DRAIN TILE AS PER SECTION A-A. PROTECT ALL TREES.
  - ③ SITES 1 & 2: HYDRO-SEED/MULCH IN ACCORDANCE WITH Mn/DOT 2575.3.
- GENERAL NOTES**
1. THE GOVERNING SPECIFICATIONS ARE Mn/DOT STANDARD SPECIFICATIONS FOR CONSTRUCTION, 2014 EDITION.
  2. THE SURVEY WAS PREPARED BY OTHERS AND PROVIDED BY THE OWNER.
  3. THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL "D". THIS UTILITY QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CI/ASCE 38-02, ENTITLED "STANDARD GUIDELINE FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA". CONTRACTOR SHALL DETERMINE LOCATION OF EXISTING PUBLIC AND PRIVATE UTILITIES PRIOR TO CONSTRUCTION AND SHALL BE RESPONSIBLE FOR PRESERVING THESE. ANY REPAIRS NECESSARY DUE TO CONTRACTORS OPERATIONS SHALL BE MADE AT THEIR EXPENSE.
  4. CONTRACTOR TO RESTORE ALL DISTURBED AREAS TO EXISTING CONDITION OR BETTER.



**DISTURBANCE TABLE**

| SITE  | SF    | ACRE |
|-------|-------|------|
| 1     | 6,822 | 0.16 |
| 2     | 1,915 | 0.04 |
| TOTAL | 8,075 | 0.20 |



**PRELIMINARY - NOT FOR CONSTRUCTION**

**CALL BEFORE YOU DIG!**  
 MINNESOTA LAW REQUIRES EXCAVATORS TO NOTIFY THE REGIONAL NOTIFICATION CENTER AT LEAST TWO (2) BUSINESS DAYS BUT NOT MORE THAN FOURTEEN (14) CALENDAR DAYS PRIOR TO EXCAVATION.  
**GOPHER STATE ONE CALL**  
 www.gopherstateonecall.org  
 1-800-252-1166

FILE: P20151543DW15-043\_1.ENG.dwg LAYOUT: Layout  
 SCALE: 50 DATE/TIME: Jun 25, 2015 - 2:19pm  
 USER: ANICALLUM XREFID: topolbe-r1-15gfl.dwg

**HTPO** Engineering · Surveying  
 Landscape Architecture  
**HANSEN THORP PELLIN OLSON, Inc.**  
 7510 Market Place Drive · Eden Prairie, MN 55344  
 952-829-0700 · 952-829-7806 fax

|             |          |
|-------------|----------|
| PROJECT NO. | 15-043.1 |
| DRAWN BY    | AEM      |
| DESIGN BY   | AEM      |
| CHECKED BY  | CJH      |

| DATE    | ISSUES / REVISIONS       |
|---------|--------------------------|
| 6-25-15 | GRADING PERMIT SUBMITTAL |
|         |                          |
|         |                          |

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.  
**CHARLES J. HOWLEY**  
 LIC. NO. 42728 DATE: 6-25-15

|                       |   |
|-----------------------|---|
| STATE AID PROJECT NO. | X |
| STATE PROJECT NO.     | X |
| COUNTY PROJECT NO.    | X |
| CITY PROJECT NO.      | X |
| CLIENT PROJECT NO.    | X |

**GRADING AND TURF ESTABLISHMENT PLAN**  
**OLD LOG THEATRE**  
 5175 MEADVILLE STREET, GREENWOOD, MN.

SHEET **1**  
 OF  
**1** SHEETS



**CITY OF GREENWOOD  
NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the Greenwood Planning Commission will hold a public hearing in the Council Chambers at Deephaven City Hall, 20225 Cottagewood Road, Deephaven, Minnesota on **Wednesday, July 15<sup>th</sup> at 7:00 P.M.** or as soon thereafter as possible for the following purpose:

**To consider the issuance of a grading conditional use permit for Excelsior Entertainment, LLC, dba as The Old Log Theater, 5185 Meadville Street, in connection with a proposed grading project.**

**Section 1140.19 (Subd. 2) of the Greenwood Ordinance Code requires the acquisition of a conditional use permit for any the grading or site/lot topography alteration request involving more than 200 square feet of surface area, and involving more than 20 cubic yards of material.**

All persons are invited to attend the public hearing and written testimony will be accepted. Such persons as desire to express their opinion with reference to this proposal will be heard at this meeting. Comments can be mailed to, City of Greenwood, 20225 Cottagewood Road, Deephaven, MN 55331, emailed to [dalec@mediacombb.net](mailto:dalec@mediacombb.net) or you can call (952) 358-9938.

Dale Cooney  
Zoning Administrator

**RESOLUTION NO 09-15**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA  
ACTING AS THE BOARD OF APPEALS & ADJUSTMENTS**

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**In Re: Application of** Excelsior Entertainment, LLC, dba as The Old Log Theater, 5185 Meadville Street  
**for a conditional use permit under Greenwood ordinance code section 1140.19 and 1150.20  
to permit grading on the property**

---

**WHEREAS**, Excelsior Entertainment, LLC, dba as The Old Log Theater is the owner of property commonly known as 5185 Meadville Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-31-0028) in conformance with Greenwood ordinance code sections 1140.19 and 1150.20 has made application for a conditional use permit (CUP); and

**WHEREAS**, the applicant proposes a grading project that will impact 8075 square feet of surface area and 248 cubic yards (6700 cubic feet) of soil volume; and

**WHEREAS**, notice of a public hearing was published, notice given to neighboring property owners, and a public hearing was held before the planning commission to consider the application; and

**WHEREAS**, public comment was taken at the public hearing before the planning commission on July 15, 2015; and

**WHEREAS**, the city council of the city of Greenwood has received the staff report, the recommendation of the planning commission, and considered the application, the comments of the applicant, and the comments of the public.

**NOW, THEREFORE**, the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments does hereby make the following:

**FINDINGS OF FACT**

1. That the real property located at 5185 Meadville Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-31-0028) is a commercial lot of record located within the R1C district.
2. The property owner proposes a grading project that will impact 8075 square feet of surface area and 248 cubic yards (6700 cubic feet) of soil volume, which due to square footage and volume of material, requires the property owner to apply for a CUP under Section 1140.19.
3. Pursuant to Greenwood ordinance code section 1150.20, subd. 3, Conditional Use Permits (general regulations), the city council may impose such conditions and safeguards upon the property benefitted by a CUP as may be necessary to maintain compatibility with other properties in the neighborhood.
4. Greenwood ordinance section 1150.20, subd 1 states:

“Subd. 1. The planning commission shall make findings and recommendations to the city council. The council may then authorize a conditional use by resolution provided the evidence presented is such as to establish:

  - (a) That the proposed use will comply with the regulations specified in this ordinance for the district in which the proposed use is to be located.
  - (b) That the use is one of the conditional uses permitted for the district in which it is to be located.
  - (c) The use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or city.
  - (d) The use will be harmonious with the objectives of the comp plan.
  - (e) The use will not be hazardous or disturbing to existing or future neighboring uses.
  - (f) The use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, sewer, schools, or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use.
  - (g) The use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.

- (h) The use will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors.
  - (i) The use will have vehicular approaches to the property that do not create traffic congestion or interfere with traffic on surrounding public thoroughfares.
  - (j) The use will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.
  - (k) The use will not depreciate surrounding property values.”
6. The applicant asserts that the proposed CUP request complies with CUP standards in Greenwood ordinance section 1150.20, subd 1.
  7. The planning commission discussed the CUP request and on a 5-0 vote recommended approval because the proposed CUP request complies with the CUP standards in Greenwood ordinance section 1150.20, subd 1, if the following reasonable and necessary conditions relating to the present request are made a condition of approval:
    - a. The applicant receives approval of the project from the Minnehaha Creek Watershed District.
  8. Based on the foregoing, the city council determined that the proposed CUP request complies with the CUP standards in Greenwood ordinance section 1150.20 subd 1, if the following reasonable and necessary conditions relating to the present request are made a condition of approval:
    - (a) The applicant receives approval of the project from the Minnehaha Creek Watershed District.
    - (b) The project must be completed according to the specifications and design requirements in the submitted plans.
    - (c) A certified copy of this resolution shall be filed by the applicants with the Hennepin County Register of Titles and proof of filing provided to the city of Greenwood before any permits may issue or the project commence.

## CONCLUSIONS OF LAW

Based upon the foregoing findings of fact, the city council acting as the Board of Appeals & Adjustments makes the following conclusions of law:

1. The applicant has made an adequate demonstration of facts meeting the standards of sections 1140.19 and 1150.20 necessary for the grant of a CUP.
2. The CUP requested is reasonable and should be granted on the following conditions:
  - (a) The applicant files with the City proof of approval of the project from the Minnehaha Creek Watershed District.
  - (b) The project must be completed according to the specifications and design requirements in the submitted plans.
  - (c) A certified copy of this resolution shall be filed by the applicants with the Hennepin County Register of Titles and proof of filing provided to the city of Greenwood before any permits may issue or the project commence.

**NOW, THEREFORE, BE IT RESOLVED** by the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments that the city of Greenwood does hereby grant and issue a Conditional Use Permit to the applicant for the subject property to construct a permanent in-ground, at-grade swimming pool on the following conditions:

- (a) The applicant files with the City proof of approval of the project from the Minnehaha Creek Watershed District.
- (b) The project must be completed according to the specifications and design requirements in the submitted plans.
- (c) A certified copy of this resolution shall be filed by the applicants with the Hennepin County Register of Titles and proof of filing provided to the city of Greenwood before any permits may issue or the project commence.

**PASSED** this 5th day of August, 2015 by the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments for the city of Greenwood, Minnesota.

\_\_\_ AYES \_\_\_ NAYS

CITY OF GREENWOOD

By: \_\_\_\_\_  
Debra J. Kind, Mayor

Attest: \_\_\_\_\_  
Dana Young, City Clerk



**Agenda Number: 7C**

**Agenda Date: 08-05-15**

*Prepared by Dale Cooney  
City Zoning Administrator*

**Agenda Item:** Consider Recommendations for Connors' Project, 21650 Fairview Street

**Summary:** Recent issues related to landscaping and construction at 21650 Fairview have raised questions about what constitutes an accessory structure and if the improvements at the property should be considered an accessory structure that would require a variance. The City Council requested that the Planning Commission review this project and make a recommendation for how to proceed.

The Planning Commission reviewed this item at their July 17, 2015 meeting. At the meeting, the Planning Commission heard from Mark Thieroff, legal counsel of Amy and Kevin Connors who are the owners of the property at 21650 Fairview. The Planning Commission also heard concerns from neighbors regarding the project. Details of the discussion can be found in the meeting minutes included in the FYI section of the City Council packet. For the City Council's reference, staff has included several attachments related to this issue: Original application materials, images from on-site construction, a rendering of the grill area from the landscape company. A letter from Mark Thieroff with enclosures also is attached.

The issues addressed by the Planning Commission were whether or not the improvements at 21650 Fairview should be considered an accessory structure, and should the improvements require a variance from setback regulations:

- *Do at-grade improvements (concrete slabs, pavers, masonry, etc.) that include frost footings constitute a structure?*
- *What distinguishes an accessory structure from personal property?*

Section 1102 of the zoning code defines an Accessory Use, Building, or Structure as "a use, building, or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principle use or structure, including but not limited to, docks, garages, sheds or storage buildings, swimming pools, spas and tennis courts."

Section 1120 of the zoning code prohibits accessory structures within the R1-A setbacks. Section 1120 of the zoning code also prohibits accessory structures between the lakeshore and the side of the principal structure facing the lakeshore.

Note: The grill area shown in the enclosed photos is not affixed to the ground. It rests on the concrete slab. It does have gas and electric connections in order to operate the grill. According to past interpretations, weight, size, and ease-of-portability has not been a deciding factor in distinguishing personal property from a structure. Items such as hot tubs, refrigeration units, and fish houses have been considered personal property.

**Planning Commission Action:** Below are the Planning Commission's responses to the questions:

*Do at-grade improvements (concrete slabs, pavers, masonry, etc.) that include frost footings constitute a structure?*

No. The Planning Commission determined that there are a number of applications that would not be considered a structure that also require frost footings, notably steps and sidewalks. The Planning Commission noted that because of the climate, the use of frost footings is prevalent in the region. If the council were to determine that any such application was a structure, a significant number of properties within the city would have non-conforming accessory structures. The Planning Commission did make the distinction between frost footings and structural footings. Structural footings—footings that hold up posts, building foundations, and other applications—serve a different function than frost footings, which are only meant to reduce frost heave.

*What distinguishes an accessory structure from personal property?* The Planning Commission felt that the code language was unclear on this matter and decided in this particular instance the grill area in question did not constitute an accessory structure. The grill area would therefore not be regulated by setback requirements and not require an after-the-fact variance.

*Other Planning Commission comments:* The Planning Commission felt that, because of the hardcover changes (even though hardcover is being reduced), this project should have come through the variance process. They recognized that due to staff transition, this did not happen. The Planning Commission felt that if the project had been vetted via the variance process, these issues might have been better managed at the front end. The Planning Commission also determined that they needed to look more closely at the language related to structures, accessory structures, and other

possible limitations within the setbacks to avoid similar confusion in the future. The Planning Commission anticipates more of these types of outdoor kitchens and felt that the current zoning ordinance is not well equipped to offer guidance on the issues associated with them.

**Council Action:** City Council action is required. Potential motions ...

1. I move the City Council accepts the planning commission's interpretations regarding the Connors' project at 21650 Fairview Street, and makes the following determinations: (1) Frost footings do not constitute a structure, therefore the at-grade patio is not required to meet accessory structure setback requirements and no variance is required. (2) The grill area is personal property, therefore it is not required to meet accessory structure setback requirements and no variance is required.
2. I move the City Council directs the Planning Commission to review and make recommendations to the City Council regarding the following: (1) Definitions for structure and accessory structure. (2) Limitations regarding the location of personal property.
3. Other motions ???

# 21650 Fairview: Timeline of Events

*Prepared by Dale Cooney, Zoning Administrator*

- o The Connors' contractor submitted a grading permit for a landscaping project during the time when Dana was covering for Gus.
- o Dana told the contractor that a grading permit was not required from the city, but that contractor needed to go to the watershed to pull necessary permits and provide hardcover calculations to the city.
- o The contractor pulled the necessary permits from the watershed and completed the city's shoreland management worksheet stating that the proposed hardcover of 34.2% is a reduction from the previous hardcover of 34.9% (400 square feet reduction).
- o The new pervious patio system replaces old impervious patios and walkways. However, the city's ordinances make no distinction between pervious and impervious hardcover — both are counted as hardcover in Greenwood.
- o Historically, Greenwood has allowed at-grade patios and walkways in setbacks.
- o When the landscaping plan was submitted, Dana was unaware that footings were going to be poured underneath the section of the grill area of the patio that encroaches 2ft into the 10ft side yard setback for accessory structures. Dana also was unaware of the scope of masonry grill structure and pergola that were planned for this area.
- o When neighbors noticed footings were being prepared, they contacted the city.
- o By then Dale was working for the city, so Dale contacted the landscaping contractor and learned about the planned masonry grill structure and pergola. Dale told the contractor that these structures were not allowed to encroach into the side yard setback. The contractor proceeded with pouring the footings to create an at-grade patio slab.
- o In a follow-up conversation, the contractor asked Dale if a regular grill was allowed on the patio. Dale said of course, personal property such as grills and patio furniture are allowed on patios.
- o The contractor then came up with the idea of creating a grill counter and pergola that are movable and not attached to the at-grade slab.
- o Then the neighbors raised the concern that the only reason the movable grill counter and pergola are able to be on the patio is because of the footings and water and gas lines that were already underneath the area. They recalled the city taking the position in the past that anything with footings is considered to be a structure and must meet setbacks.
- o Dale checked with the city attorney who agreed that the past practice has been that anything with footings is considered to be a structure. So Dale contacted the landscaping contractor to let him know that he had 3 options: (1) move the slab/footings so they comply with setback requirements (2) apply for a variance (3) remove the footings.
- o The movable grill counter is made of a stone veneer that looks heavier than it is. The contractor told Dale that the footings are not needed to support the movable grill counter and portable pergola but are for frost heave protection, so the movable grill counter and portable pergola will be able to stay whether or not the concrete slab has footings.
- o In addition, the neighbors questioned a new looking structure that is attached to the side of the lakeside cabin.
- o Amy Connors contacted me. She stated that she and her contractor did everything they were told to do and now are facing the possibility of having to tear out about 40 thousand dollars in landscaping to remove footings that are not even necessary for what they are doing now. She stated that the new structure attached to the lakeside cabin is a pump enclosure that replaces an old enclosure that was the same size and located in the same spot.
- o I contacted Councilman Bill Cook (our planning commission liaison) to discuss the situation with him. He asked about the Old Log Theatre project where a patio and refrigeration unit encroach into the setback. He wanted to make sure that the city is being consistent regarding patios and personal property.
- o We found out that that there are no footings under the patio at the Old Log. Instead the Old Log used a new technology that allows the patio slab to float and support heavy weights. The large refrigeration units were deemed to be personal property.

|           |  |
|-----------|--|
| Permit #  | FORM #8<br>Return this document to City Hall |
| Receipt # |  |



# Grading Permit Application

This form becomes a "permit" when city staff issues a permit number. If you prefer to complete this form electronically, it is available at [www.greenwoodmn.com](http://www.greenwoodmn.com).

|                   |                            |
|-------------------|----------------------------|
| Property Owner(s) | Amy Connors                |
| Property Address  | 21650 Fairway Street / RIA |

Person completing this form:  Grading Contractor  Property Owner  Builder / Architect  
 This sheet is accompanied by a **Building Permit Application (Form #1)**:  Yes (skip to section 2)  No (complete section 1)

## SECTION 1

|   |   |
|---|---|
| Date Application Submitted                | 4/17/15                                 |
| Property Owner's Mailing Address          | 21650 Fairway Street Greenwood MN 55331 |
| Property Owner's Phone Number             | 415-601-5836                            |
| Property Owner's Email                    | amy-townsend@yahoo.com                  |
| Contractor or Builder / Architect Name    | Mangold Horticulture - Justin Mangold   |
| Contractor or Builder / Architect Address | P.O. Box 250 Excelsior MN 55331         |
| Contractor or Builder / Architect Phone   | 952-999-1633                            |
| Contractor or Builder / Architect Email   | justin@mhort.com                        |

## SECTION 2

|   |                         |
|---|-------------------------|
| Total surface area to be moved, disturbed, cut, or filled (square feet)           | less than 5000 sq ft    |
| Total volume of soil or earth to be moved, disturbed, cut, or filled (cubic feet) | less than 40 cubic feet |
| Estimated start date  | late May or early June  |

Work is required for:  Remodeling of an existing structure  Construction of a new structure  Other: Landscaping

Work is due to circumstances not related to the land or existing drainage issues, but due to an election by the property owner to make an addition to a principal or accessory structure:  Yes  No

The average elevation of the land will increase / decrease by:  Less than 1ft  
 1ft or more in a 100+ sq ft area (city engineer approval required)  2ft or more in a 300+ sq ft area (variance required)

**Per code section 1140.19 subd 3, the following items must submitted with this application:**

(1) Survey (2) Stormwater Management Plan prepared by a civil engineer

The undersigned hereby submits this application (including a survey and Stormwater Management Plan) for a grading permit and certifies the information provided on this permit application is true and correct to the best of my knowledge. The property owner(s) listed above are the sole fee title owner(s) of the described property; information provided on this application and submitted documents is true, complete and accurate; if the application is approved, the work will be in accordance with the application and city code section 1140.19 (view at [www.greenwoodmn.com](http://www.greenwoodmn.com) or at city hall).

|            |                |               |
|------------|----------------|---------------|
| Signature  |                | Date: 4/17/15 |
| Print Name | Justin Mangold |               |

This section completed if grading is NOT in conjunction with a building permit:

|                     |               |  |                    |
|---------------------|---------------|--|--------------------|
| For Office Use Only | Fee Amount \$ | Fee Paid: <input type="checkbox"/> Cash <input type="checkbox"/> Check # | Date Pmt Received: |
|---------------------|---------------|--|--------------------|

Form Updated 10-27-14



|                 |  |
|-----------------|--|
| Permit #        | <b>FORM #12</b><br>Return this document to City Hall |
| Receipt # 10004 |  |

# Shoreland Management Worksheet

If you prefer to complete this form electronically, it is available at [www.greenwoodmn.com](http://www.greenwoodmn.com).

|                   |                      |
|-------------------|----------------------|
| Property Owner(s) | KEVIN & ANNY CONNORS |
| Property Address  | 21650 FARVIEW ST.    |

Person completing this form:  Property Owner  Builder / Architect

Per the Construction Site Management ordinance (section 305.00 subd 2b) a Shoreland Management Worksheet is required for building projects \$10,000+. Per section 1176.03, subd. 3 & 10, a Shoreland Compliance Review is required for all properties within 1,000 feet of the Ordinary High Water Level of Lake Minnetonka (all properties in the city). **Fee: \$200. Collected on Form #1.**

The proposed project includes the following (check all that apply):

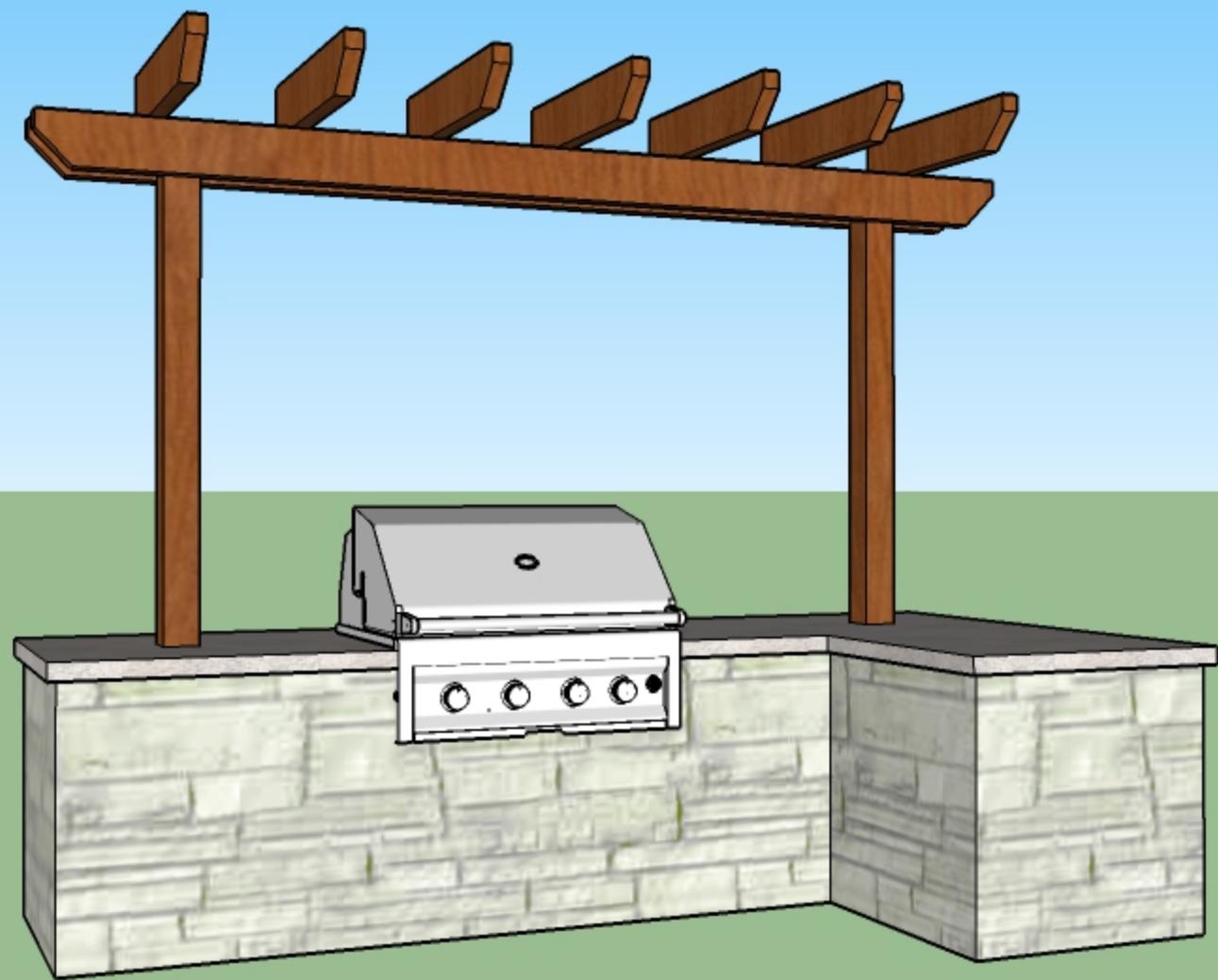
- Repair
- Improve
- Change or alter use of land
- Change size or shape of lot
- Erect a structure
- Expand impervious surface
- Install or maintain water line
- Install or maintain sewer line
- Grade or fill
- Remove vegetation
- Trim vegetation

|   |   |
|---|---|
| Current lot size (square feet)                | 27,591 SF                                 |
| Proposed lot size (square feet)               | NO CHANGE.                                |
| Dimensions of proposed structure(s)           | —   |
| Total square footage of proposed structure(s) | —   |
| Percent of existing hardcover                 | 34.9%                                     |
| Total hardcover including proposed hardcover  | 9,470 = 34.2%                             |
| Amount of fill to be added (cubic yards)      | —   |
| Amount of soil to be removed (cubic yards)    | —   |
| Type and area of vegetation to be removed     | REDUCE PLANTING RED SIDE / INCREASE LAWN. |

The undersigned hereby certifies that the above information is true and correct to the best of his / her knowledge.

|            |              |                 |
|------------|--------------|-----------------|
| Signature  |              | Date: 6/19/2015 |
| Print Name | THOMAS HOESE |                 |

Form Updated 10-27-14







|                        |
|------------------------|
| Size/Condition         |
| 15' B#B                |
| #2 Container<br>8' B#B |
| #1 Container           |
| None                   |
| None                   |

Boulder steps added into rip rap

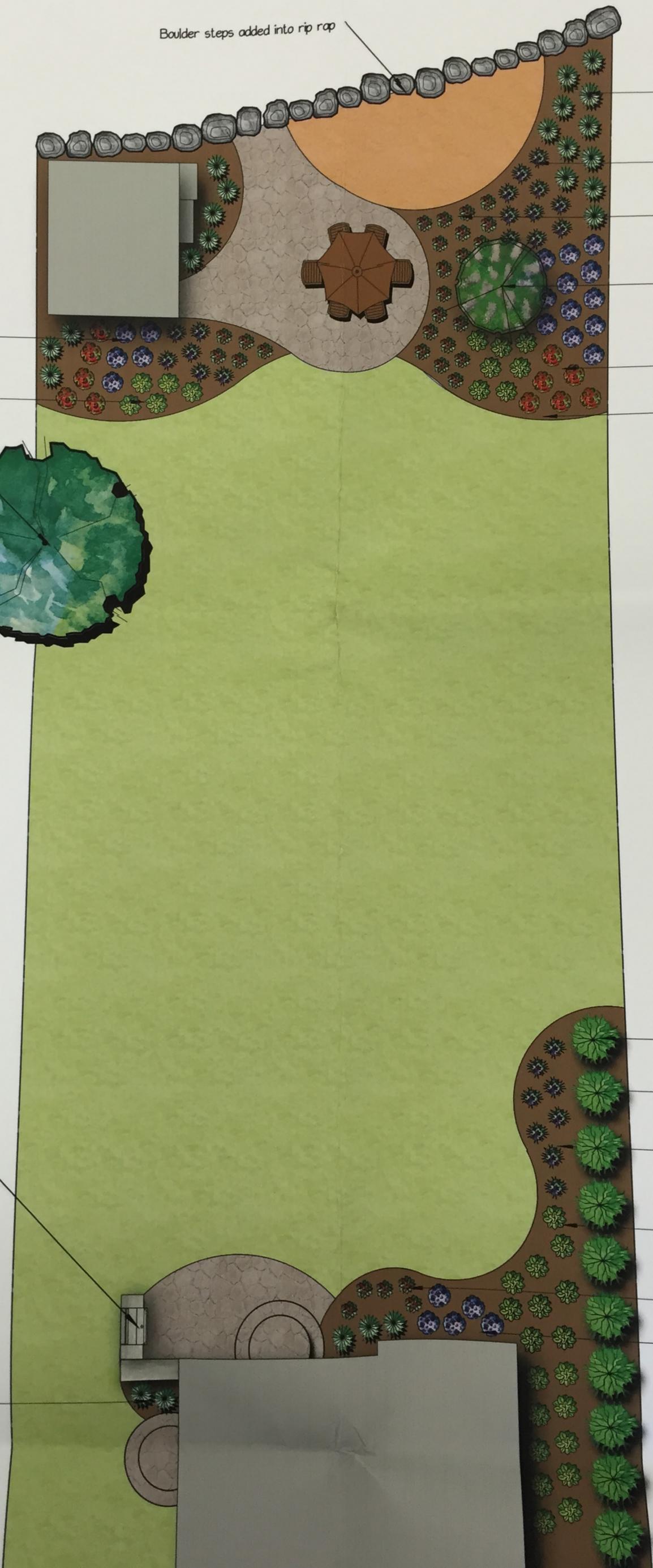
18  
Sag

14  
Hos

Existing Ash Tree

New built-in grill & prep counter

5  
Gra



July 27, 2015

**Via U.S. Mail and Email** ([dalec@mediacombb.net](mailto:dalec@mediacombb.net) )

Members of the City Council  
City of Greenwood  
20225 Cottagewood Road  
Deephaven, MN 55331

Re: 21650 Fairview Street  
Our File No. 27650

Dear Councilmembers:

I represent Amy and Kevin Connors, who own the property at 21650 Fairview Street. As you are aware, my clients recently constructed a patio on their property, and that project was discussed by the Planning Commission at its July 15 meeting. At the conclusion of that meeting, the Planning Commission determined that my clients' project does not include a "structure" for purposes of the setback requirement and that no after-the-fact variance should be required for the project. The purpose of my letter is to provide additional information regarding two points that were discussed at the Planning Commission meeting.

The first issue is the portability of the grill that is located on my clients' patio. The grill is not only removable, the Connorses' contractor has experience of moving grills exactly like it. The photo on the next page shows another grill—fabricated by the same contractor—on display at a trade show that was held at Chapel Hill Academy in Chanhassen. The entire assembly was carried into and out of the building by hand. And this is consistent with staff findings. The staff report prepared for the July 15 Planning Commission meeting notes that the grill and associated counter area are not bolted or otherwise affixed to the ground, and they are not as heavy as they appear. It is also the case that the grill can be removed from the patio without damaging either the grill or the patio. While the grill does have utility connections (the gas and electric lines were already in place), the same is true of other objects that the City treats as personal property rather than a structure, including hot tubs and refrigeration units.



The second point that warrants emphasis is that my clients and their contractors proceeded with the project based on guidance provided by City staff. Specifically, my clients were told that no variance or other land use approval was required for the project, and they proceeded only after being specifically authorized by staff to do so. This point is important because the timeline that was included in the packet for the July 15 Planning Commission meeting, which does not include any dates, suggests that the contractors poured the contract before receiving staff approval. That is not accurate. In order to address any remaining confusion about the chain of events, I have enclosed with this letter a detailed timeline describing all of the steps in the project and the communication between City staff and my clients and their contractors. To be clear, and as the enclosed timeline demonstrates, my clients have been open with staff regarding their intentions from the outset of the project, they provided staff with complete details about the project and its various components, and they proceeded only after receiving staff approval.

In summary, the Planning Commission correctly concluded that the grill is not a "structure" for setback purposes. This conclusion is consistent with the City's treatment of many other items that one finds on lakeside properties in Greenwood, including pergolas and gazebos, hot tubs and Jacuzzis, and swing sets and play structures (such as the large swing set on neighboring property immediately adjacent to the Connorses' patio). While the Planning Commissioners did discuss the potential need for the City to take a look at Code amendments to clarify what is and what is not a structure for setback purposes, in fairness to those who have relied on City

guidance to date—which includes the Connorses—that is a discussion that should be prospective in nature.

For all of these reasons, and the reasons set forth in my July 14, 2015, letter to the Planning Commission, my clients respectfully request that you adopt the recommendation of the Planning Commission, resolve that no further approvals are required for my clients' project, and bring this matter to a close.

Thank you for your consideration.

Very truly yours,



Mark Thieroff

612-337-6102 | Direct  
markthieroff@siegelbrill.com

cc. Clients (via email)

## Timeline of Connors Patio Project

4/13 - Contractor Justin Mangold of Mangold Horticulture sent an email to Dana Young with the landscape design (which included the grill area) and asked if Dana would like to schedule a site visit.

4/17 - Justin Mangold met on site with Dana Young with a full scale copy of the plan that included the grill. Dana said that no permits would be needed as long as the Minnehaha Creek Watershed District (MCWD) signed off on the project. Mangold and Young ended that meeting with the understanding that the City did not require any further documentation but Mangold would keep the City in the loop as the project moved forward.

5/7 - Mangold received approval for the project from the MCWD. Mangold sent Dana Young an email informing of that approval.

5/13 – Dale Cooney took over as Zoning Administrator

6/3 – Magnolia Landscaping took over the project from Mangold Horticulture.

6/4 – Tom Hoese from Magnolia Landscaping met with the MCWD's Lauren Sampedro.

6/9 - Hoese met with Cooney. Hoese provided Cooney with Mangold's original design as well as Magnolia's slightly revised plan. Hoese relayed to Cooney that the footings had already been dug and the forms for the slab completed. Magnolia was just waiting for the OK from the City to pour the concrete. Dale approved the project and allowed the concrete to be poured.

6/9 –Later on June 9, at around 4:45 pm, Cooney met Magnolia's Alan Sandford at the property. Sandford walked Cooney around the property and explained the project. Cooney took photos of the property including the footings for the grill that had been dug and the form boards for the concrete.

6/10 – Magnolia Landscaping poured the concrete

6/10 - Cooney contacted Hoese to let him know that permanent structures would not be allowed on lakeside of the home. Cooney offered to discuss possible alternatives with Hoese. Hoese told Cooney that Magnolia could install a grill that is movable and un attached to the at-grade slab. Cooney told Hoese that that would be fine because grills and patio furniture are personal property and personal property is allowed on patios. Cooney said that as long as it is removable ("as long as you can sell it on Craigslist"), such as a hot tub, it would be fine.

Week of June 15 – Magnolia Landscaping continued work on the property, including cutting and fitting the patio custom stonework around the at-grade slab of concrete.

Week of June 15 - Sandford was in contact with Cooney regarding the arbor above the grill. After some back and forth discussions, Sandford was informed that the arbor was approved.

Week of June 15 – Mayor Kind and Cooney contacted the City Attorney after receiving complaints from neighbors, who contended that a footing should be considered a structure.

6/18 –Hoese received an email from Cooney about some issues that need to be resolved. Hoese responded that he was out of town and asked Sandford to follow up with Cooney.

6/19 - Cooney informed Sandford that the footings in the ground were a problem. At this point all the surrounding custom cut stone was in place around the poured concrete. The grill surround was also in the process of being put together.

6/23 – Cooney told Sandford that even though he had approved the pouring of the concrete, the City Attorney had overruled him. Cooney said that that the City Attorney told him that there had been a previous situation in which the City treated an object with footings as a structure. Cooney told Sandford that he had 3 options: (1) move the slab/footings so they comply with setback requirements; (2) apply for a variance; or (3) remove the footings.

6/24 – Magnolia advised Amy Connors of the situation because at this point removing the footings would require them to rip up the entire patio.

6/24 – Connors spoke with both Mayor Kind and Cooney to understand the situation. They said that it is unclear whether the frost footings are considered a structure or not and would need to get city council direction during the council meeting on July 1. Since the issue had been described as involving only the frost footings, Cooney said that it was ok to proceed on the remaining grill surround.

Week of June 1 – Connors had more discussions with the Mayor and Cooney and learned that the stone counter tops, which had already been installed, were now also part of the “Structure” discussion.

June 1 – The landscaping project was finished.





**Agenda Number: 7D**

**Agenda Date: 08-05-15**

*Prepared by Deb Kind*

**Agenda Item:** Consider Recommendations for No Parking Signs and Traffic Calming

**Summary:** Councilmembers Cook and Quam agreed to review and make a recommendation to the city council regarding No Parking Signs and Traffic Calming. Cook and Quam will present a verbal report at the 08-05-15 meeting.

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

1. I move the Greenwood city council approves the following No Parking Sign and Traffic Calming projects:  
(1) \_\_\_\_\_ (2) \_\_\_\_\_ (3) \_\_\_\_\_
2. Do nothing or other motion ???



**Agenda Number: 7E**

**Agenda Date: 08-05-15**

*Prepared by Deb Kind*

**Agenda Item:** Authorization to Send Budget Comment Opportunity Information to County

**Summary:** Every August the council is asked to determine when public comment will be taken regarding the budget and authorize the city clerk to the information to the county. The information will be published in the property tax mailing sent out by the county. The council routinely sets the budget comment date at the January council meeting at same time other key dates are set for the year. December 2, 2015 at 7pm (regular city council meeting) was the date set by the council. The council needs to authorize the clerk to send this information to the county.

**Council Action:** Required. Suggested motion ...

I move the council authorizes the city clerk to send the following information to Hennepin County regarding the opportunity for the public comment regarding the city's 2015 budget: 7pm, Wednesday, December 2, 2015, Deephaven Council Chambers, 20225 Cottagewood Rd, Deephaven, MN 55331, phone 952.474.6633.



**Agenda Number: 7F**

**Agenda Date: 08-05-15**

*Prepared by Deb Kind*

**Agenda Item:** Res 10-15, Residential Recycling Grant Agreement with Hennepin County

**Summary:** This is a routine request from the county to approve amendments to the recycling agreement between the county and the city. This time the changes are to ...

1. Extend the contract period from December 31, 2015 to December 31, 2016.
2. Incorporate state requirements to expend additional SCORE funds for organics recycling.

For the city council's reference, the following items are attached ...

1. Cover letter from the county.
2. Amendment to the agreement.
3. The updated Hennepin County Residential Recycling Funding Policy.
4. Resolution 10-15, Residential Recycling Grant Agreement with Hennepin County.

**Council Action:** None required. Potential motions ...

1. I move the city council approves resolution 10-15 regarding the residential recycling grant agreement with Hennepin County.
2. Do nothing or other motion ???



**Hennepin County Department of Environment and Energy**

701 Fourth Avenue South, Suite 700  
Minneapolis, Minnesota 55415-1842

612-348-3777 REDUCE.REUSE.RECYCLE  
612-348-8532 & 612-348-6510 Faxes  
612-348-6500 Facility **INFO** Line  
[www.hennepin.us/recycling](http://www.hennepin.us/recycling)

July 17, 2015

Mr. Gus Karpas  
CITY OF GREENWOOD  
20225 Cottagewood Road  
Deephaven, MN 55331

*AUGUST AGENDA*

Mr. Karpas:

This year the County has \$3.7m in SCORE funds available to award to cities for their recycling and organics programs. The Residential Recycling Funding Policy sets the terms and conditions for awarding those funds. On June 16, 2015 the County Board adopted a resolution to amend the Residential Recycling Funding Policy. The following changes were approved:

- Extend the contract period from December 31, 2015 to December 31, 2016
- Incorporate state requirements to expend additional SCORE funds on organics recycling

The legislature dedicated additional funds to SCORE last year. As a result, the County has \$813,764 more in SCORE funds in 2015 and will have approximately \$600,000 more in 2016. Per state statute, 50 percent of the additional funds must be spent on organics.

Enclosed are two originals of the Amendment to Agreement A120109 between Hennepin County and the CITY OF GREENWOOD. I have enclosed a copy of the revised Residential Recycling Funding Policy as Attachment A. Please have both originals signed by an authorized official. Mail the signed originals to me along with a resolution that confirms the City's approval of the amendment and confirms the signatory's delegation of authority. A sample resolution is enclosed as an example.

When I receive the signed originals and the authorizing resolution, I will forward them to county administration and the County Board for final signatures. One of the originals will be mailed to you.

Recycling funds will be distributed as they have in the past. I will send out an application for organics funds in August. The application will ask cities to report the number of households that are receiving organics service as of September 1, 2015. The application will also request a description of how funds will be used.

If you have any questions or comments, please contact me by email at [ben.knudson@hennepin.us](mailto:ben.knudson@hennepin.us) or by phone at 612-596-1176.

Sincerely,

Ben Knudson

Enclosures – 3

An Equal Opportunity Employer



**Hennepin County Department of Environment and Energy**

701 Fourth Avenue South, Suite 700  
Minneapolis, Minnesota 55415-1842

612-348-3777 REDUCE.REUSE.RECYCLE  
612-348-8532 & 612-348-6510 Faxes  
612-348-6500 Facility **INFO** Line  
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If you have any questions or comments, please contact me by email at [ben.knudson@hennepin.us](mailto:ben.knudson@hennepin.us) or by phone at 612-596-1176.

Sincerely,

Ben Knudson

Enclosures – 3

An Equal Opportunity Employer

**AMENDMENT NO. 1 TO AGREEMENT A120109**

This Agreement is between the COUNTY OF HENNEPIN, STATE OF MINNESOTA, A-2300 Government Center, Minneapolis, Minnesota 55487 ("COUNTY"), on behalf of the Hennepin County Environment and Energy Department, 701 Fourth Avenue South, Minneapolis, Minnesota 55415-1600 ("DEPARTMENT") and the CITY OF GREENWOOD, 20225 Cottagewood Road, Deephaven, Minnesota 55331 ("CITY").

WHEREAS, the COUNTY and the CITY entered into a four-year Residential Recycling Grant Agreement, Contract No. A120109 ("Agreement"), for a residential recycling grant commencing on January 1, 2012; and

WHEREAS, the County Board, by Resolution No. 15-0216 adopted on June 16, 2015, amended the Hennepin County Residential Recycling Funding Policy to incorporate requirements to expend additional SCORE funds on organics recycling, extended the period from December 31, 2015 to December 31, 2016, and authorized grant funding for municipal recycling programs consistent with said policy; and

WHEREAS, the parties desire to amend the Agreement to extend the term and incorporate other changes;

NOW, THEREFORE, the parties agree that Agreement A120109 is amended as follows:

1. Paragraph a. of Section 1, TERM AND COST OF THE AGREEMENT, shall be amended to read as follows:

This Agreement shall commence upon execution and terminate on December 31, 2016.

2. Section 2, SERVICES TO BE PROVIDED, shall be amended to read as follows:

The CITY shall operate its recycling program in accordance with the requirements described in the County's Residential Recycling Funding Policy ("Policy"), attached as Attachment A and incorporated by this reference, and fulfill the responsibilities of the Policy.

3. Section 3, METHOD OF PAYMENT, shall be amended to read as follows:

The COUNTY will distribute SCORE funds as described in the Policy. The CITY shall follow the requirements for use of funds described in the Policy.

Except as amended, the terms, conditions and provisions of this Agreement shall remain in full force and effect.

**COUNTY BOARD AUTHORIZATION**

Reviewed by the County Attorney's Office

COUNTY OF HENNEPIN  
STATE OF MINNESOTA

\_\_\_\_\_  
Assistant County Attorney

By: \_\_\_\_\_  
Chair of Its County Board

Date: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Deputy/Clerk of County Board

Date: \_\_\_\_\_

By: \_\_\_\_\_  
David Hough, County Administrator

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Assistant County Administrator, Public Works

**Recommended for Approval**

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Director, Environment and Energy Department

Date: \_\_\_\_\_

MUNICIPALITY  
CITY warrants that the person who executed this Agreement is authorized to do so on behalf of CITY as required by applicable articles, bylaws, resolutions or ordinances.\*

Printed Name: \_\_\_\_\_

Signed: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

\*CONTRACTOR shall submit applicable documentation (articles, bylaws, resolutions or ordinances) that confirms the signatory's delegation of authority. This documentation shall be submitted at the time CONTRACTOR returns the Agreement to the COUNTY. Documentation is not required for a sole proprietorship.

# Attachment A

## Hennepin County Residential Recycling Funding Policy

January 1, 2012 – December 31, 2016



Public Works  
Environment and Energy Department

## **I. Policy Description**

The Hennepin County Board of Commissioners determined that curbside collection of recyclables from Hennepin County residents is an effective strategy to reduce reliance on landfills, prevent pollution, reduce the toxicity of waste, conserve natural resources and energy, improve public health, support the economy, and reduce greenhouse gases. Therefore, the county adopted the goals established by the Minnesota Pollution Control Agency (MPCA) in its Metropolitan Solid Waste Management Policy Plan and developed a Residential Recycling Funding Policy to help reach a 75% recycling rate by 2030.

The county will distribute all Select Committee on Recycling and the Environment (SCORE) funds received from the state to cities for curbside collection of residential recyclables, including organics. If cities form a joint powers organization responsible for managing a comprehensive recycling and waste education system for the residents of those cities, the county will distribute a recycling grant to that organization. Cities are expected to fulfill the conditions of the policy.

### **Length of Residential Recycling Funding Policy**

Hennepin County is committed to implement this policy and continue distributing all SCORE funds received from the state for the purpose of funding curbside residential recycling programs from January 1, 2012 through December 31, 2016. The county may revise this policy if it determines changes are needed to assure compliance with state law and MPCA goals established for metropolitan counties. In the event that SCORE funds are eliminated from the state budget or significantly reduced, the county will consult with cities to develop a subsequent recommendation for the county board that will continue this policy and fund curbside recycling programs.

### **Fund Distribution**

The county will distribute to the cities one hundred percent (100%) of SCORE funds that the county receives from the state. SCORE funds are based on revenue collected by the State of Minnesota from the solid waste management (SWM) tax on garbage services. SCORE funds are subject to change based on actual SWM revenue and the funds allocated by the State Legislature. Funds distributed to cities for the current calendar year will be based on SCORE funds received by the county in the state's corresponding fiscal year.

In 2014 the State Legislature allocated additional funds to SCORE in 2015 and 2016. Beginning in fiscal year 2015 and continuing thereafter, of any money distributed that exceeds the amount the county received in fiscal year 2014, 50 percent must be expended on organics recycling.

## II. Recycling

### Allocation of Funds

The following formula will be utilized to determine each city's recycling SCORE grant each year.

$$\frac{\text{\# of households with curbside recycling in city}}{\text{Total \# of households with curbside recycling in county}} \times \text{Total SCORE funds available for recycling} = \text{Recycling grant amount available to the city}$$

Eligible households are defined as single family through eight-plex residential buildings or other residential buildings where each housing unit sets out refuse and recycling containers for curbside collection. The cities will determine the number of eligible households by counting the number of households with curbside recycling service on January 1 of each funding year. The number will be reported in the application for funding.

The total SCORE grant available for recycling will equal the 2014 base year amount plus 50 percent of additional SCORE funds. If the total SCORE funds are less than the 2014 base year, 100 percent of those funds will be available for recycling.

The grant can be used for recycling program expenses including capital and operating costs. Expenses associated with residential collection of organics are eligible recycling program expenses. However, yard waste expenses are ineligible. If organics and yard waste are commingled, the organics expenses must be tracked separately.

### Responsibilities of Cites

#### A. Grant Agreement

Each city seeking funding under the terms of the Residential Recycling Funding Policy must enter into a Residential Recycling Grant Agreement with the county for a term concurrent with the expiration of this policy, December 31, 2016. The grant agreement must be accompanied by a resolution authorizing the city to enter into such an agreement.

#### B. Application for Funding

Each city must complete an annual application by February 15 to receive funding for that year. The application consists of the Re-TRAC web-based report and a planning document submitted to the county describing the programs or activities the applicant will implement to increase recycling and make progress toward recycling goals.

#### C. Minimum Program Performance Requirements

1. Collection of Recyclables. Cities that contract for curbside recycling services will require a breakout of the following expenses when renewing or soliciting bids for new recycling services:

- a) containers – if provided by the hauler
- b) collection service
- c) processing cost per ton
- d) revenue sharing

2. Materials to be Collected. At a minimum, the following materials must be collected curbside:

- a) Newspaper and inserts;
- b) Cardboard boxes;
- c) Glass food and beverage containers;
- d) Metal food and beverage cans;
- e) All plastic containers and lids, #1 – Polyethylene Terephthalate (PET, PETE), #2 High Density Polyethylene (HDPE), #3 – Vinyl Polyvinyl Chloride (PVC), #4 – Low Density Polyethylene (LDPE) and #5 – Polypropylene (PP) plastic bottles, except those that previously contained hazardous materials or motor oil;
- f) Magazines and catalogs;
- g) Cereal, cracker, pasta, cake mix, shoe, gift, and electronics boxes;
- h) Boxes from toothpaste, medications and other toiletries;
- i) Aseptic and gable-topped containers; and
- j) Mail, office and school papers.

The county may add materials to this list and require cities to begin collection within one year of receiving notification from the county. Cities will notify the county if materials not found on this list will be collected.

3. Collection Methods. Cities must use one of the following systems to collect materials at the curb:

- a) single sort system - all materials combined in one container; or
- b) dual sort system - glass, metal and plastic together with paper separate

If one of these two systems is not in place, the city must submit a plan with its application for converting to a single or dual sort system by December 31, 2016. If the municipality is unable to meet this deadline, an alternative implementation schedule must be negotiated with the county.

4. Education and Outreach.

- a) County Responsibilities

- 1) Coordinate meetings of the communications committee, which will be composed of county, cities, and other stakeholders.
- 2) Produce education material templates and print the template materials for cities. Materials will also be available online to download.
- 3) Provide a minimum of eight promotional resources that will include a newsletter article, a web story, social media posts, and printed promotional materials for municipalities on a variety of waste reduction, reuse, recycling, and proper disposal messages.
- 4) Develop an annual priority message campaign. The campaign will be one main message to promote throughout the year; for example “recycle magazines.” The message and the materials will be developed with the communications committee. The county will provide templates and be responsible for primary distribution of the campaign through direct mail, advertising, or public relations. The cities will be required to support the campaign through their communication channels.

b) City Requirements

- 1) Use county terminology when describing recycling guidelines (i.e. description of materials accepted and not accepted, preparation guidelines, etc.).
- 2) Use images provided by the county or the Solid Waste Management Coordinating Board, if using images of recyclables.
- 3) Use the county’s terminology, preparation guidelines and images on the city’s website.
- 4) Mail a recycling guide once a year to residents using a template developed by the communications committee and produced and printed by the county at the county’s expense. If a municipality does not want to use the template produced by the county, the municipality may develop its own guide at the municipality’s expense, with prior approval by the county. If the city relies on its hauler to provide the recycling guide, this guide would also require approval by the county.
- 5) Complete two additional education activities from a menu of options developed by the communications committee to support the priority message campaign.

Any print material that communicates residential recycling guidelines that were not provided by the county template will require county approval. This does not apply to waste reduction and reuse, articles on recycling that do not include guidelines, and social media posts. The county will respond within five business days to any communication piece submitted.

5. Use of Funds.

- a) The city must use all grant funds for waste reduction and recycling capital and operating expenses in the year granted. Cities will not be reimbursed any funds in excess of actual expenses.
- b) The city may not charge its residents through property tax, utility fees or any other method for that portion of the costs of its recycling program funded by county grant funds.
- c) The city must establish a separate accounting mechanism, such as a project number, activity number, or fund that will separate recycling revenues and expenditures from other municipal activities, including solid waste and yard waste activities.
- d) Recycling and waste reduction activities, revenues, and expenditures are subject to audit.
- e) Cities that do not contract for curbside recycling services will receive grant funds provided that at least ninety percent (90%) of the grant funds are credited back to residents and the city meets all minimum program requirements. The additional ten percent (10%) may be used for administrative and promotional expenses.

6. Reporting Requirements.

- a) Each city must submit an annual recycling report to the county electronically using the Re-TRAC web-based reporting system by February 15 of each year. If a city is unable to access Re-TRAC, the county must be contacted by February 1 to make arrangements for alternative filing of the report.
- b) Each city must calculate its participation rate in the curbside recycling program during the month of October. The participation rate will be reported in Re-TRAC. The methodology for measuring participation must be provided to the county upon request.
- c) Each city must submit an annual planning document to the county describing the programs or activities the applicant will implement to increase recycling and make progress toward county goals.

7. Recycling Performance. On an annual basis, each city must demonstrate a reasonable effort to maintain and increase the average amount of recyclables collected from its residential recycling program to at least 725 pounds per household or a minimum recovery rate of 80%, by December 31, 2015. The goal remains the same for December 31, 2016. An alternative performance option for cities with organized waste collection is to validate at least a 35% recycling rate. To ensure the accuracy of data for these metrics, cities will be required, upon request, to provide documentation on the methodology used to calculate performance. To the extent practicable, the results should rely on actual data rather than estimates.

Failure by a city to demonstrate measurable progress toward goals will result in the city being required to submit a recycling improvement plan within 90 days of being notified by the county. The recycling improvement plan must be negotiated with the county and specify the efforts that will be undertaken to yield the results necessary to achieve the goals. The plan shall focus on the following areas: type of container, sort method, materials collected,

frequency of collection, education and outreach, performance measurement, and incentives. Funding will be withheld until the city's recycling improvement plan is approved by the county.

In cooperation with the county, the city may be required to participate in waste and recycling sorts to identify recovery levels of various recyclables in their communities. Based on the results of the study, the county and city will collaborate to increase the recovery of select recyclable materials being discarded in significant quantities.

#### **D. Partnership**

The partnership between the county and cities has been highly effective in educating and motivating behavior of residents resulting in significant amounts of waste being reduced and recycled. In order to continue this partnership and increase these efforts, program activities of cities must be coordinated with county and regional efforts. Cities are responsible for cooperating with the county in an effort to reach the county's goals for recycling and organics recovery. Quarterly recycling coordinator meetings are an opportunity to share resources and facilitate the coordination of efforts.

### **Responsibilities of Hennepin County**

#### **A. Application Form**

The county will provide an application form by December that each city will use to report on its recycling program and request grant funding for the next year.

#### **B. Payments**

The county will make grant payments to each city in two equal payments. One payment will be made after the county receives the application, which will consist of the Re-TRAC report and the planning document. A second payment will be made after the report has been approved, measurable progress toward the goals has been confirmed, and, if necessary, a recycling improvement plan has been approved by the county. If the city meets the county requirements, both payments will be made during the same calendar year.

### III. Organics Recycling

#### Allocation of Funds

The following formula will be used to determine a city's organics grant each year.

$$\frac{\text{Number of households with curbside organics in city}}{\text{Total number of households with curbside organics in county}} \times \text{Total SCORE funds available for organics} = \text{Organics grant amount available to the city}$$

The total SCORE funds available for organics recycling will equal 50 percent of the additional SCORE revenue allocated by the State Legislature. If the total SCORE funding is less than the 2014 base year, no funds will be available for organics recycling.

#### Application for Funds

To apply for funds, a city must submit the number of eligible households that signed up for organics to the county by September 1 of each funding year.

#### Use of Funds

The grant funds may be used for organics program expenses, including the following:

- Contract cost of service (to the city or its residents)
- Discount to new customers
- Carts
- Compostable bags
- Kitchen containers
- Education and outreach

Program administration is an ineligible expense. Yard waste expenses are ineligible expenses. If organics and yard waste are collected together, the organics expenses must be tracked separately. If the city passes funds through to a hauler, 100% of those funds must be credited to households' bills.

In addition, the following requirements apply:

- All grant funds must be used during the term of the agreement. Funds not spent must be returned to the county.
- Funds must be expended on eligible activities per Minnesota State Statute 115A.557.
- A city may not charge its residents through property tax, utility fees or any other method for that portion of the costs of its organics program funded by county grant funds.
- Cities must be able to account for organics expenditures separately upon request by the county. Expenditures are subject to audit.

## **Education and Outreach**

The partnership between the county and cities has been highly effective in educating and motivating the behavior of residents, resulting in significant amounts of waste being reduced and recycled. In order to continue this partnership with organics recycling, the county encourages cities to coordinate program activities with county and regional efforts.

The county will work with cities to provide assistance with the following:

- Standard terminology and images
- Organics recycling guide (yes-no list)
- Promotional resources to increase participation

## **Reporting**

A report on the city's organics program must be submitted electronically to the county by February 15 following each funding year. The report must include, but is not limited to, the following:

Basic Program Information:

- Hauler
- Collection method
- Where organics are delivered to and processed at
- Is service opt-in or opt-out
- Cost of service to residents and contract cost to the city
- How the service is billed
- Items included in service: curbside collection, cart, compostable bags, etc.

Results

- Tons
- Number of households signed up
- Average pounds per household per year
- Participation (set-out rate on pickup day)
- How funds were used

# City of Greenwood Resolution 10-15



## A RESOLUTION AUTHORIZING AMENDMENT TO RESIDENTIAL RECYCLING GRAND AGREEMENT WITH HENNEPIN COUNTY

**WHEREAS**, pursuant to Minnesota statutes, chapter 115A.552, counties shall ensure that residents have an opportunity to recycle; and

**WHEREAS**, Hennepin County ordinance 13 requires that each city implement and maintain a recycling program; and

**WHEREAS**, the Hennepin County Board adopted a resolution to amend the Hennepin County Residential Recycling Funding Policy to incorporate requirements to expend additional SCORE funds on organics recycling, and extend the contract period of the Residential Recycling Funding Policy from December 31, 2015 to December 31, 2016; and

**WHEREAS**, in order to receive grant funds, Greenwood city representatives must sign the agreement; and

**WHEREAS**, the city of Greenwood wishes to receive these grant funds each year.

**NOW, THEREFORE, BE IT RESOLVED** by the city council of the city of Greenwood, Minnesota that the city council accepts the agreement as proposed.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that city council authorizes the mayor and city clerk to execute such Residential Recycling Grant Agreement with the county.

**ADOPTED** by the city council of Greenwood, Minnesota this 5th day of August, 2015.

\_\_\_ AYES \_\_\_ NAYS

CITY OF GREENWOOD

By: \_\_\_\_\_  
Debra J. Kind, Mayor

Attest: \_\_\_\_\_  
Dana Young, City Clerk

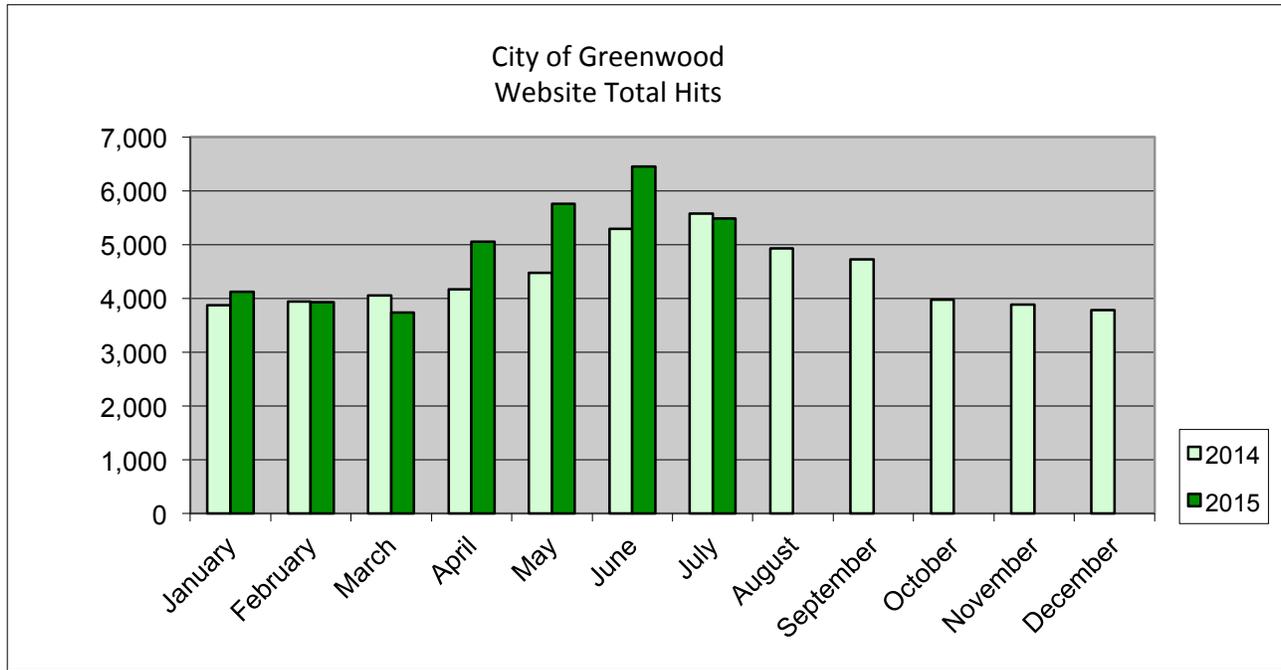


Agenda Number: **9A-E**

**Agenda Item:** Council Reports

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

**Council Action:** None required.



| Month          | 2014         | 2015         | Variance with<br>Prior Month | Variance with<br>Prior Year | Bulk Email<br>List |
|----------------|--------------|--------------|------------------------------|-----------------------------|--------------------|
| January        | 3,876        | 4,123        | 337                          | 247                         | 166                |
| February       | 3,943        | 3,928        | -196                         | -16                         | 166                |
| March          | 4,057        | 3,732        | -196                         | -325                        | 166                |
| April          | 4,170        | 5,058        | 1,326                        | 888                         | 165                |
| May            | 4,468        | 5,753        | 695                          | 1,285                       | 165                |
| June           | 5,291        | 6,448        | 695                          | 1,157                       | 158                |
| July           | 5,579        | 5,481        | -967                         | -98                         |                    |
| August         | 4,922        |              | -5,481                       | -4,922                      |                    |
| September      | 4,723        |              | 0                            | -4,723                      |                    |
| October        | 3,969        |              | 0                            | -3,969                      |                    |
| November       | 3,878        |              | 0                            | -3,878                      |                    |
| December       | 3,786        |              | 0                            | -3,786                      |                    |
| <b>AVERAGE</b> | <b>4,388</b> | <b>4,932</b> |                              |                             |                    |

Gray indicates estimated numbers (average of month prior and month after)

**POPULATION: 693**  
**EMAIL ADDRESSES % OF POPULATION: 22.80%**

Population source: [www.metrocouncil.org](http://www.metrocouncil.org), Data & Maps, Download Data, Population and Household Estimates  
 Population figure updated: 04.23.15

## 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.

|   |   |
|---|---|
| <b>Begin Date</b>                         | <input type="text" value="6/15/2015"/>            |
| <b>End Date</b>                           | <input type="text" value="7/15/2015"/>            |
| <b>Report Name</b>                        | <input type="text" value="Page Views (Default)"/> |
| <input type="button" value="Get Report"/> |   |

### Page Views by Section

| Section   | Page Views | Percent of Total |
|---|------------|------------------|
| <a href="#">Default Home Page</a>                         | 2094       | 38.2%            |
| <a href="#">Agendas, Etc.</a>                             | 368        | 6.71%            |
| <a href="#">City Departments</a>                          | 245        | 4.47%            |
| <a href="#">Planning Commission</a>                       | 186        | 3.39%            |
| <a href="#">Forms &amp; Permits</a>                       | 177        | 3.23%            |
| <a href="#">Assessments &amp; Taxes</a>                   | 169        | 3.08%            |
| <a href="#">Code Book</a>                                 | 156        | 2.85%            |
| <a href="#">Welcome to Greenwood</a>                      | 151        | 2.75%            |
| <a href="#">St. Alban's Bay Lake Improvement District</a> | 144        | 2.63%            |
| <a href="#">Mayor &amp; City Council</a>                  | 142        | 2.59%            |
| <a href="#">Garbage &amp; Recycling</a>                   | 127        | 2.32%            |
| <a href="#">Budget &amp; Finances</a>                     | 123        | 2.24%            |
| <a href="#">Photo Gallery</a>                             | 117        | 2.13%            |
| <a href="#">What's New?</a>                               | 101        | 1.84%            |
| <a href="#">Watercraft Spaces</a>                         | 97         | 1.77%            |
| <a href="#">Lake Minnetonka</a>                           | 82         | 1.5%             |
| <a href="#">Links</a>                                     | 82         | 1.5%             |
| <a href="#">Spring Clean-Up Day</a>                       | 75         | 1.37%            |
| <a href="#">Crime Alerts</a>                              | 75         | 1.37%            |
| <a href="#">Comp Plan &amp; Maps</a>                      | 73         | 1.33%            |
| <a href="#">RFPs &amp; Bids</a>                           | 66         | 1.2%             |
| <a href="#">Well Water</a>                                | 61         | 1.11%            |
| <a href="#">Parks &amp; Trails</a>                        | 59         | 1.08%            |
| <a href="#">Email List</a>                                | 53         | 0.97%            |
| <a href="#">Meetings</a>                                  | 52         | 0.95%            |

### 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.

|  |             |             |
|--|-------------|-------------|
| <a href="#">Old Log Events</a>         | 51          | 0.93%       |
| <a href="#">Meetings on TV</a>         | 50          | 0.91%       |
| <a href="#">Public Safety</a>          | 50          | 0.91%       |
| <a href="#">Animal Services</a>        | 41          | 0.75%       |
| <a href="#">Trees</a>                  | 41          | 0.75%       |
| <a href="#">Swiffers NOT Flushable</a> | 39          | 0.71%       |
| <a href="#">Search Results</a>         | 36          | 0.66%       |
| <a href="#">Elections</a>              | 35          | 0.64%       |
| <a href="#">Southshore Center</a>      | 29          | 0.53%       |
| <a href="#">Community Surveys</a>      | 21          | 0.38%       |
| <a href="#">---</a>                    | 11          | 0.2%        |
| <a href="#">Unsubscribe</a>            | 2           | 0.04%       |
| <b>TOTAL</b>                           | <b>5481</b> | <b>100%</b> |

### Unique IPs by Section

| Section                                   | Unique IPs  | Percent of Total IPs |
|---|-------------|----------------------|
| Default Home Page                         | 821         | 29.55%               |
| City Departments                          | 144         | 5.18%                |
| Agendas, Etc.                             | 136         | 4.9%                 |
| St. Alban's Bay Lake Improvement District | 101         | 3.64%                |
| Welcome to Greenwood                      | 99          | 3.56%                |
| Mayor & City Council                      | 97          | 3.49%                |
| Forms & Permits                           | 83          | 2.99%                |
| Planning Commission                       | 77          | 2.77%                |
| Code Book                                 | 75          | 2.7%                 |
| Garbage & Recycling                       | 73          | 2.63%                |
| What's New?                               | 66          | 2.38%                |
| Assessments & Taxes                       | 65          | 2.34%                |
| Photo Gallery                             | 65          | 2.34%                |
| Lake Minnetonka                           | 57          | 2.05%                |
| Comp Plan & Maps                          | 56          | 2.02%                |
| Watercraft Spaces                         | 53          | 1.91%                |
| Budget & Finances                         | 52          | 1.87%                |
| Spring Clean-Up Day                       | 47          | 1.69%                |
| Email List                                | 44          | 1.58%                |
| Parks & Trails                            | 44          | 1.58%                |
| Links                                     | 43          | 1.55%                |
| Well Water                                | 42          | 1.51%                |
| Crime Alerts                              | 42          | 1.51%                |
| Old Log Events                            | 40          | 1.44%                |
| Meetings                                  | 39          | 1.4%                 |
| Public Safety                             | 39          | 1.4%                 |
| Meetings on TV                            | 37          | 1.33%                |
| RFPs & Bids                               | 33          | 1.19%                |
| Trees                                     | 33          | 1.19%                |
| Elections                                 | 32          | 1.15%                |
| Animal Services                           | 31          | 1.12%                |
| Swiffers NOT Flushable                    | 31          | 1.12%                |
| Southshore Center                         | 25          | 0.9%                 |
| Search Results                            | 23          | 0.83%                |
| Community Surveys                         | 21          | 0.76%                |
| <a href="#">---</a>                       | 11          | 0.4%                 |
| Unsubscribe                               | 1           | 0.04%                |
| <b>TOTAL</b>                              | <b>2778</b> | <b>100%</b>          |

Generate Download File (.csv) for the current report:



Agenda Number: **FYI**

**Agenda Item:** FYI Items in Council Packet

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

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



# BOLTON & MENK, INC.<sup>®</sup>

## Consulting Engineers & Surveyors

2638 Shadow Lane, Suite 200 • Chaska, MN 55318-1172

Phone (952) 448-8838 • Fax (952) 448-8805

www.bolton-menk.com

July 13, 2015

City of Shorewood  
Attn: Paul Hornby  
5755 Country Club Road  
Shorewood, MN 55331

RE: 2015 Minnetonka Boulevard Improvements

Dear Mr. Hornby:

As we have discussed, the City of Greenwood has included improvements to the portion of Minnetonka Boulevard that is shared with Shorewood in its 2015 Street Improvements Project. The scope of work for the project includes approximately 700' of reclamation, with a new surface consisting of 5" of bituminous in the area where the most severe distress is visible.

Bids were opened for the project on June 29<sup>th</sup>. The low bid was submitted by GMH Asphalt in the amount of \$75,303.90. Therefore, Shorewood's share of the project costs is \$37,651.95 plus engineering costs for project design and construction of \$6,777.35 for a total project cost of **\$44,429.30**.

Please let me know if you have questions or need additional information.

Sincerely,  
BOLTON & MENK, INC.

David P. Martini, P.E.  
Principal Engineer

cc: Deb Kind, Mayor - City of Greenwood

**From:** Manuel Jordan manuel@heritageshadetree.com   
**Subject:** Greenwood diseased and high risk trees  
**Date:** July 21, 2015 at 4:29 PM  
**To:** Dana Young danayoung@mchsi.com  
**Cc:** Debra Kind dkind100@gmail.com

---

Dana,

As per a conversation I had recently with Mayor Kind (CC'd on this message), I have done a brief inspection of several trees on or very close to city ROW. She requested I contact you with the pertinent data regarding these trees.

Attached are a spreadsheet (in PDF form) and several screenshots (.PNG) that show approximate locations and sizes of trees that were tagged today. They were 'tagged' with orange paint and have a ring around the trunk at about 4.5 feet from the ground.

Most of the trees have Dutch elm disease (DED). A few others that are either not an elm or not part of the DED disease cycle are dead and a risk to fall on a city road or a city trail (see spreadsheet for explanation of each tree's individual issues).

Please have city staff check to see if they are in city ROW or city property. If so, please send a notice to the property owners to make them aware of the reason for the tree tagging (again, see spreadsheet for explanation of each tree's individual issues).

If they are on city ROW or property, please contact the city tree removal company (if there has not been one designated, let me know and I can provide a list of companies that we can request a bid from, as we have done in the past). If they are not, please send them an official DED letter requesting removal within 21 days (as per city ordinance).

Please let me know if you have any questions.

Thank you,

**Manuel Jordán**  
**Heritage Shade Tree Consultants**  
**6347 Minnewashta Woods Drive**  
**Excelsior, MN 55331**

**Phone #: 763-717-9366**

[manuel@heritageshadetree.com](mailto:manuel@heritageshadetree.com)



ISA Certified Arborist # MN 0206 A



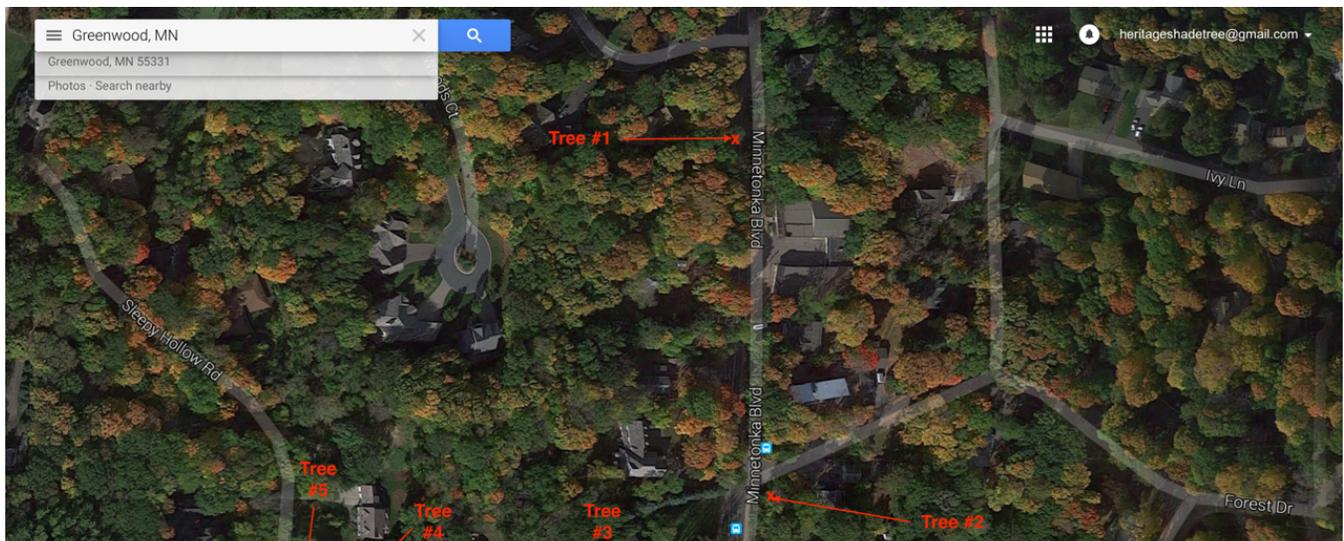
Go GREEN, keep it on the screen. Please do not print this unless necessary.

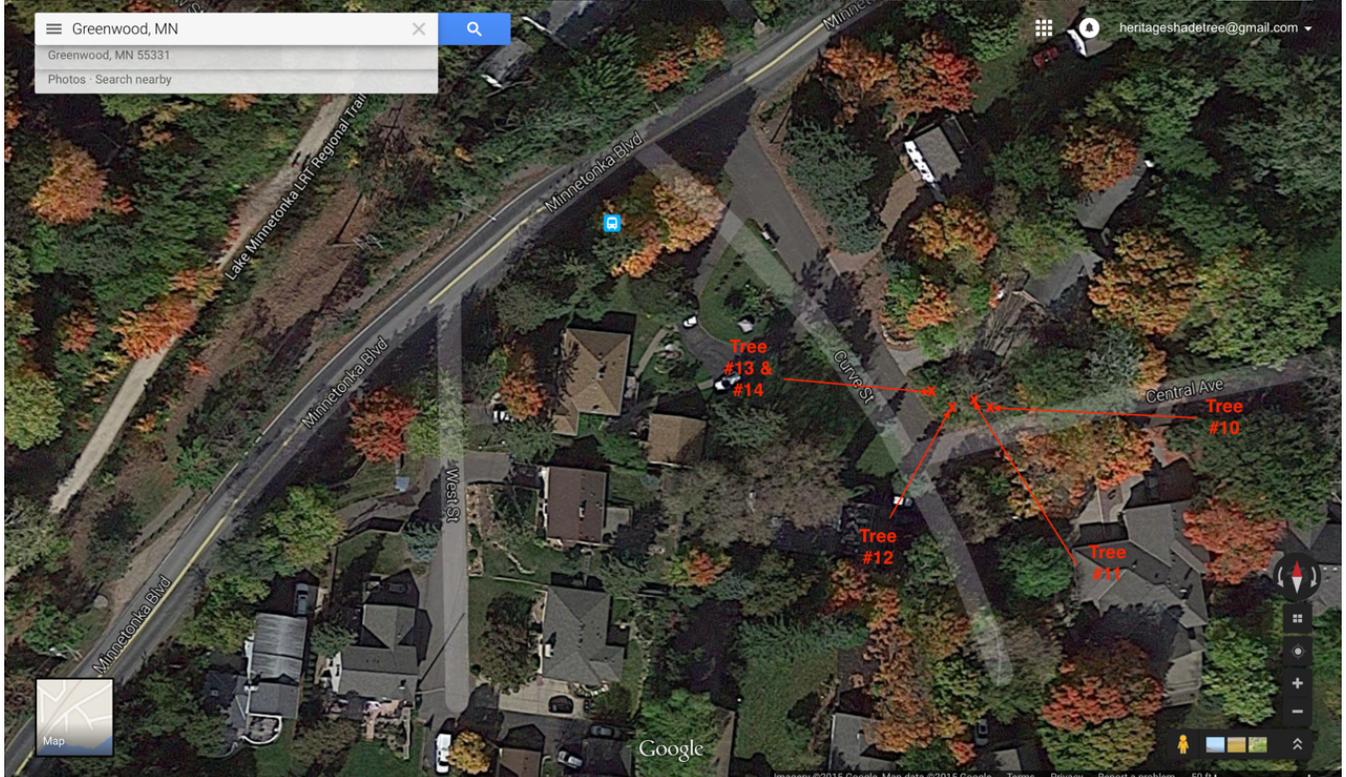
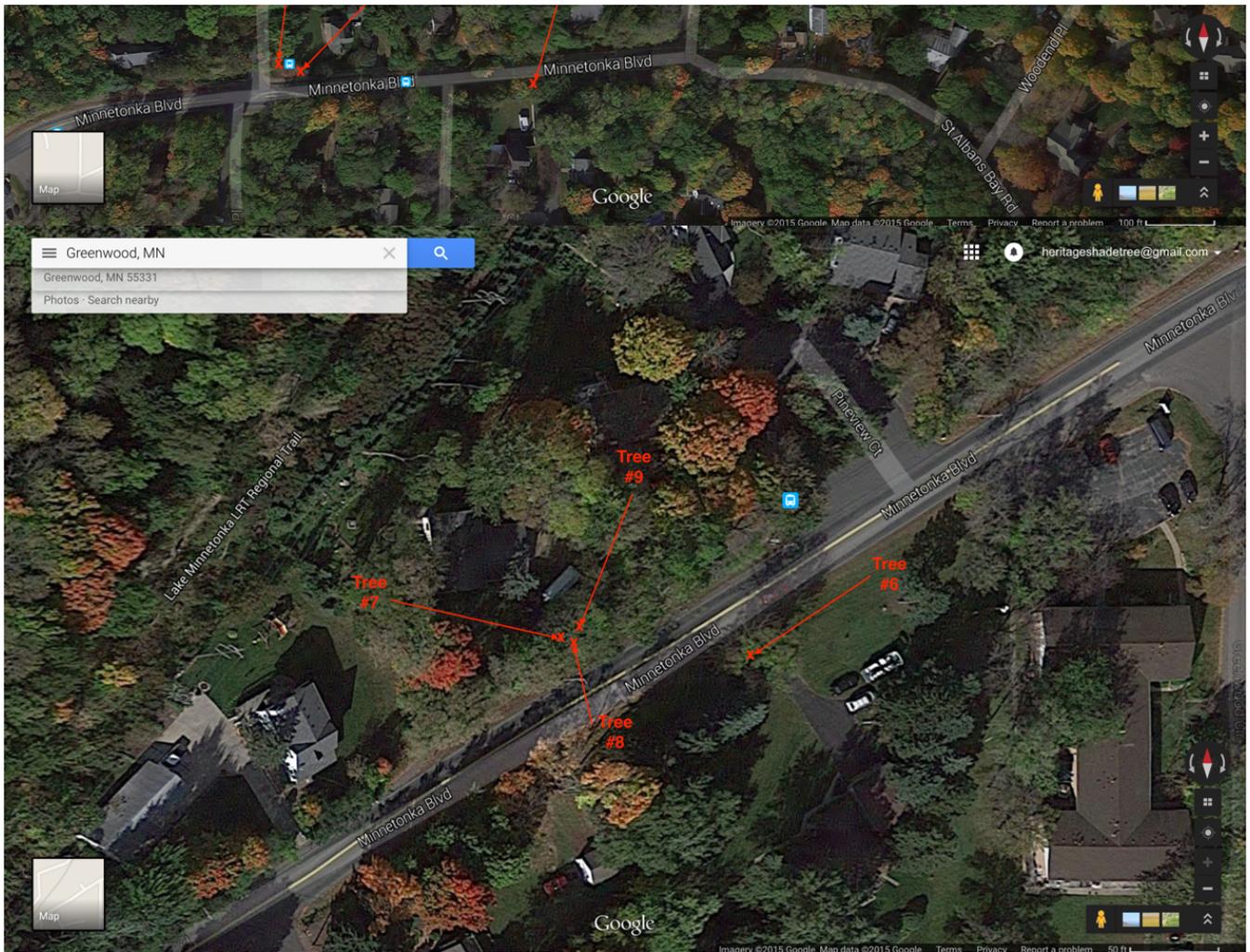
City of Greenwood 2015 DED and High Risk Tree's

7/21/15

| Tree Map # | Species       | Size (DBH)    | Approximate Address   | Comments/Concerns   |
|------------|---------------|---------------|-----------------------|---|
| 1          | American elm  | 16"           | 4920 Lodge Ln         | DED   |
| 2          | American elm  | 8,10,7,6,6,6" | 21165 Forest Dr       | DED   |
| 3          | Sugar maple   | 10"           | 5040 Kings Ct         | Dead tree; hazard to street traffic                             |
| 4          | Austrian pine | 14"           | 21380 Minnetonka Blvd | Dead tree; hazard to street traffic & pedestrians on city trail |
| 5          | Spruce        | 13"           | 21380 Minnetonka Blvd | Dead tree; hazard to street traffic & pedestrians on city trail |
| 6          | American elm  | 19"           | 21555 Minnetonka Blvd | DED; has 16" green ash growing next to it                       |
| 7          | American elm  | 12"           | 21600 Pineview Ct     | DED; hazard to street traffic (is now or will become soon)      |
| 8          | American elm  | 14"           | 21600 Pineview Ct     | DED; hazard to street traffic (is now or will become soon)      |
| 9          | American elm  | 12"           | 21600 Pineview Ct     | DED; hazard to street traffic (is now or will become soon)      |
| 10         | American elm  | 11"           | 5115 Curve St         | DED; hazard to street traffic (is now or will become soon)      |
| 11         | American elm  | 12"           | 5115 Curve St         | DED; hazard to street traffic (is now or will become soon)      |
| 12         | American elm  | 15"           | 5115 Curve St         | Dead tree; hazard to street traffic                             |
| 13         | American elm  | 4"            | 5115 Curve St         | DED   |
| 14         | American elm  | 4"            | 5115 Curve St         | DED   |

Prepared by Manuel Jordan, ISA Certified Arborist # MN 0206 A, Heritage Shade Tree Consultants





**GREENWOOD PLANNING COMMISSION  
WEDNESDAY, JULY 21, 2015  
7:00 P.M.**

**1. CALL TO ORDER/ROLL CALL**

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

Members Present: Chairman Pat Lucking and Commissioners Lake Bechtell, Kristi Conrad, Rick Sundberg and Fiona Sayer

Absent: Commissioners David Paeper and Douglas Reeder

Others Present: Council Liaison Bill Cook, City Attorney Mark Kelly, Zoning Administrator Dale Cooney, and City Contract Attorney Bob Vose.

**2. MINUTES – February 18, 2015**

Commissioner Bechtell moved to approve the minutes of February 18, 2015 as presented. Commissioner Sayer seconded the motion. Motion carried 5-0.

**3. PUBLIC HEARINGS**

Chairman Lucking asked if staff had reorganized the agenda to move the 4950 Sleepy Hollow Road Variance to the first public hearing agenda item. Zoning Coordinator Cooney said that the commission needed to amend the agenda.

Chairman Lucking made a motion to amend the agenda to move the 4950 Sleepy Hollow Road Variance to the first public hearing agenda item. Commissioner Bechtell seconded the motion. Motion carried 5-0.

**3a. Variance Request and Right-of-Way Encroachment Permit, Brian and Trisha Burdick, 4950 Sleepy Hollow Road** – Request for variances of the minimum required exterior and rear yard setbacks for an accessory structure and a request to encroach into the city right-of-way.

**Section 1120.15** of the Zoning Ordinance requires a minimum exterior side yard setback for accessory structures of thirty-five (35) feet and a minimum rear yard setback for accessory structures of ten (10) feet.

**Section 630.05** of the City Code requires a permit to use publicly owned right-of-ways within the city for any private use or purpose other than the primary purpose of public travel, whether such use constitutes a substantial or incidental use.

City Attorney Mark Kelly recused himself from the meeting at this point. City Contract Attorney Bob Vose was the acting city attorney for this agenda item.

Chairman Lucking stated that a variance cannot be granted in defiance of a city ordinance, nor can a variance be granted to build on a third party's property. Lucking said that the encroachment into the right-of-way, since it was on city property, was not something for which a variance could be granted. He said that the applicant had the option to withdraw the request for a variance until the city vacated the right-of-way, but that a variance could not be granted.

Brian Burdick of 4950 Sleepy Hollow Road, Greenwood, MN 55331 addressed the Planning Commission. He said that he was instructed by City Contract Attorney Bob Vose, in writing, to seek a variance. Burdick says that is in conflict with what he is being told at this meeting, but that he was willing to work with the city. Burdick said that the shed was only two inches into the city's right-of-way. He said that he felt the project met the other requirements for a variance, and that it is a nice looking garden shed. He said he was prepared to show pictures of the new shed as well

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as the old sheds that were there before. Burdick said he will await instruction from the city on how to proceed.

Attorney Bob Vose noted that the City Attorney, Mark Kelly, had a potential conflict of interest and that is why the city hired him for this issue. Vose said that he did inform Burdick that he could pursue a variance and that the shed encroaches both into the setbacks and into the public right-of-way. Vose said that he was retained to have the structure moved or legally approved by the city. Vose said that he instructed the applicant to make the structure legal by either moving the structure or applying for a variance.

Attorney Vose said that while the Planning Commission could not address the right-of-way issue at this meeting, they could address the setback issues. Vose suggested that the Planning Commission address the setback issues at this meeting. He said that the applicant has a right to be heard by the City Council.

Chairman Lucking said that he thinks the issue needs to go before the City Council. Lucking said that he felt the applicant had the option to move the building, or the city could vacate the right-of-way so that the issue could move forward.

Attorney Vose said that he still felt the process should move forward. He said that the will of the Planning Commission could be a denial of the application because the applicant is asking for something that cannot be granted. He said that would be appropriate. Vose said that the Planning Commission could also hear from the applicant and the zoning coordinator about the details of the application and make some recommendations about the other elements of the application.

Chairman Lucking asked Brian Burdick if he was bounded on three sides by right-of-ways. Burdick replied that he was not but he mentioned that the right-of-way was unique in the way it crossed through his property and the neighboring property.

Burdick said that the shed could not be moved. He said that the way it was constructed would make it very impractical to move. Burdick said that there was a natural drainage area to the west of the shed.

Chairman Lucking said that if the property was bounded on three sides by a right-of-way, the city clerk could make a judgement call about the front yard setback, but that if it was only bounded on two sides, the city clerk could not make a judgement call.

Chairman Lucking said that the problem in this case was that it is more of an issue of the applicant was asking for forgiveness, rather than permission. He said that previous Zoning Coordinator Gus Karpas tried to look for a solution based on the fact that the project had already been started. Lucking said that the shed is in the front yard and that the city cannot grant a variance for the shed since it is illegal to have an accessory structure in the front yard.

Burdick disputed how the process with Karpas was handled. Burdick said that it was a confusing situation, and that Karpas was unclear as to which yard was the front yard and what the required setbacks would be. Burdick said that Karpas had given him conflicting information on the yards and the setbacks. Burdick said that he and his son were replacing existing garden sheds and that the shed is a pole barn and does not have a slab, but only post footings with steel frame construction.

Burdick said that he was 80 percent complete on the shed when a neighbor complained and Karpas notified him of the issue. Burdick said that he applied for a permit on June 9, 2014 and that the City of Minnetonka building inspectors inspected the property on June 12, 2014 and approved it with minor changes. Burdick said that he did not hear anything further until the fall.

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Chairman Lucking asked why Burdick, who had previously been on the Planning Commission, did not get a survey. Lucking said that he himself couldn't just go and build a shed on his property. Burdick said that there were two sheds there before. Lucking said that that did not matter. Burdick said that the shed cost approximately \$2,000 and that surveys are costly. Burdick said that Karpas asked him to draw the shed onto an existing survey.

Lucking asked how Burdick could not have known that he was right on the property line, regardless of what he was told about the setbacks.

Burdick said that he estimated the setbacks and that he talked to two of his neighbors and that they had no problem with the location.

Vose asked Burdick if it was correct that, regardless of what the setbacks were, the shed would be encroaching since it is on the lot lines. Burdick confirmed that this was correct.

Vose asked if Burdick was claiming that the new shed would be a legal non-conformity because it was built on the site of two previous sheds. Burdick said that it may likely be grandfathered, and that he was bringing it up today because the new shed conforms better and has a smaller footprint than the two sheds that used to be there.

Vose said that the code would not allow the shed to be a legal nonconformity since the shed was not repaired or maintained. Vose said that replacing two sheds with one shed could not be considered a legal nonconformity.

Brian Burdick presented pictures of the two previously existing sheds and the new shed. He said that the new shed is nicely screened, and that he would understand the issue if it were in front of someone's home.

Commissioner Bechtell said that it was a terrible chain of events, but that the street is still there.

Burdick said that he would like to address that issue with the city and find a solution for it.

Commissioner Bechtell said that it might be best to withdraw the variance application rather than having it denied. Chairman Lucking said that it might be best to withdraw the application until the right-of-way issue is resolved. Burdick said that would be fine.

Commissioner Conrad asked if the picture that Burdick handed out that showed an image of a tent and a shed was the same as the two sheds he had mentioned previously. Burdick said that there was a tent and a shed. Conrad asked if Burdick was comparing a tent to the new structure that looks more like a garage. Burdick said that was correct.

Burdick said that he would follow Chairman Lucking's instructions and come back with the variance application at another time. Burdick added that the new shed allowed him to keep a number of items out of view.

Commissioner Sundberg asked if there was any information on the setbacks of the original structures. Burdick said that he thought the previous shed was closer than five feet to the rear lot line and into the existing right-of-way. Commissioner Sundberg asked how big the previous shed was. Burdick said that the shed was 8 feet by 12 feet, and that the tent structure was 10 feet by 20 feet. Commissioner Sundberg said that Burdick could talk about the tent all that he wanted, but that it was not a structure.

Attorney Vose said that the city has asked him to have the building moved or have a variance granted. Vose said he cannot ask the applicant not to withdraw the variance application, but he did not know of another way to make the structure legal without a variance.

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Chairman Lucking said that a variance could not be granted. He said that as long as the structure is in the right of way, the Planning Commission could not handle the issue.

Brian Burdick said that he would take Chairman Lucking's advice and work with the city on a resolution.

Chairman Lucking opened the public hearing at this time.

A neighbor of Brian Burdick spoke. He said that this building was initiated without a permit of any kind and Burdick continued to build the structure so he brought it to the city's attention. He said that he himself had to get a survey and meet setbacks when he did his projects on his house and that Mr. Burdick doesn't think that those rules apply. He said that how the council decides to resolve this will be an important statement. He said because someone chooses to do things without permission does not excuse them from obeying the rules and regulations that govern Greenwood. He said that he did not believe Burdick was unaware of the rules because Burdick was on the Planning Commission.

Attorney Vose asked if the application was withdrawn. Lucking confirmed that the application was withdrawn.

Vose mentioned that the public hearing should have been opened before Brian Burdick began making his comments. Vose asked Burdick if he stood by his comments made before the public hearing was opened and if they can be considered part of the public record. Burdick said that he stood by his comments.

No action was taken by the Planning Commission.

City Contract Attorney Bob Vose left the meeting. City Attorney Mark Kelly returned to the meeting.

**3b. Conditional Use Permit Request, Michael Dvoracek of Signs Unlimited of Plymouth on behalf of Joel Battenhoff, 21000 State Highway 7** – Request for the issuance of a conditional use permit for Michael Dvoracek of Signs Unlimited of Plymouth to install new signage to identify a commercial tenant at 21000 State Highway 7.

The applicant was not in attendance at the meeting.

Zoning Coordinator Cooney summarized the application. Signs Unlimited of Plymouth is requesting a conditional use permit to install new signage to identify Allstate Insurance, a new commercial tenant at 21000 State Highway 7.

The sign ordinance does not regulate the number of signs that can be placed on a property; rather it limits the amount of sign square footage permitted to be on the property.

**Section 1140.40(3)(2)** of the Zoning Ordinance requires a Conditional Use Permit to erect, alter, reconstruct, maintain or move signage.

**Section 1140.40(3)(3)(c)** of the Zoning Ordinance requires that illuminated signs be shielded to prevent lights from being directed at oncoming traffic. Signs cannot interfere with or obscure an official traffic sign or signal. This includes indoor signs that are visible from public streets.

Cooney said that he had done some calculations on the sign square footage that were incorrect at the time of submitting the staff report. Cooney said that the ordinance required an additional six inches around the exterior of the sign and that would significantly increase the amount of signage calculated. Cooney originally calculated the total signage as 34.3 square feet, and that the owner

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of the building requested that total signage not exceed 37.5 square feet (half of the signage limit) to allow for another tenant in the building.

Cooney said that because of the extra six inches around the sign required by the ordinance, there would be approximately 13 square feet of extra signage in the calculation. Cooney said that the extra square footage would not put it over the total sign limit for the property, but that it would exceed the owner's request of a 37.5 square foot limit.

Commissioner Conrad stated that the six inches needed to be included for signs that were not enclosed within a rectangle and that if the sign were in a rectangle, you would simply calculate the frame of the sign. Conrad said that she pointed this out to Cooney when she read the staff report because her calculations were different than Cooney's.

Cooney said that the Planning Commission could approve the application with the conditions that the signage be reduced to less than 37.5 square feet or that the owner increase his signage allowance for this particular tenant.

Chairman Lucking said that he found it ironic that the sign would get six additional inches added onto it, but that if the same letters were on a billboard that extra area would not be included.

Chairman Lucking asked if there was a motion on the CUP. Commissioner Conrad said that she motioned to approve the CUP with the conditions that the signage be reduced to less than 37.5 square feet or that the owner increase his signage allowance for this particular tenant.

Chairman Lucking said that he would like to include the condition that the applicant be made aware of what the city calculated the square footage to be.

Motion was seconded by Commissioner Sundberg. Motion carried 5-0.

**3b. Conditional Use Permit Request, Excelsior Entertainment, LLC 5185 Meadville Street –**  
Request for the issuance of a conditional use permit for Excelsior Entertainment, LLC, dba as The Old Log Theater, 5185 Meadville Street, in connection with grading on the property.

Section 1140:19(2) of the Zoning Ordinance requires a Conditional Use Permit for grading impacting more than 200 square feet of surface area, and more than 20 cubic yards of soil volume.

Chairman Lucking introduced the request. Chairman Lucking opened the public hearing at this time.

Greg Frankenfield, applicant for the request, spoke to the Planning Commission. Frankenfield said that the flooding from Lake Minnetonka last year inundated his property and removed all of the topsoil. He said he is asking to repair that area to the original grade as it existed before the flooding. Frankenfield said that the other area he is requesting to regrade would be so that he can create drainage away from his building to keep water from coming in when it rains.

Frankenfield said that he has contacted the Minnehaha Creek Watershed District (MCWD) and has submitted a permit with them.

Julie Ekelund of 5135 Meadville Street, Greenwood, MN 55331, said that her property abuts the Old Log Theater and that she wanted to see a plan as to what kind of regrading would be going on. Ekelund asked about how the truck traffic would be handled.

Ekelund was handed the public copy of the plan. She asked Frankenfield about how the dirt would be delivered. He said that he had not made a specific plan as to where and how the dirt

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would be delivered. Frankenfield said some would probably go through the parking lot and some might have to navigate the city streets. He said that, if it helps, his contractor has small trucks and will bring in small loads.

Ekelund asked if it would be possible to go through the parking lot and if that was a reasonable request. Chairman Lucking said that it would be better to do it in the way that would be most expedient.

Commissioner Conrad asked Frankenfield the questions that Commissioner Paeper had submitted via e-mail. Conrad asked where the new drain tile was draining to. Frankenfield said that it is running to a detention pond on the south side of the field.

Commissioner Conrad asked if the regrading was to create a fill area for future use. Frankenfield said that it was dirt for a swale.

Commissioner Conrad said that she contacted the watershed district about the grade and the wetland. She said that she confirmed that the existing grade would be very similar to what was there before. Conrad asked how Frankenfield would ensure that the wetland boundary would be maintained and that soil matches what is around it and doesn't wash away. Frankenfield said that they were planting grass. Conrad asked if Frankenfield would be trying to address future flooding issues. Frankenfield said no.

Attorney Kelly said that wetland grasses would begin to grow in over time and that the wetland boundary would be determined by where the aquatic oriented plants stop.

Frankenfield said that in this area it is mostly cattails and that they make a very defined edge.

Commissioner Conrad asked Frankenfield if he was taking out any soil and if there was any documentation about that. Frankenfield said that his plans only called for bringing soil in. Conrad said that her conversations with the MCWD led her to believe that dead, moldy soil would be brought out. Frankenfield said that any dead, moldy soil was carried out with the flooding.

Commissioner Bechtell motioned to approve the CUP. Commissioner Conrad asked to add that the MCWD approve of the project as a condition of the city's approval. Commissioner Sundberg seconded the motion. Motion carried 5-0.

**Discussion Related to Connors' Project at 21650 Fairview Street** – The City Council has requested that the Planning Commission review the project and make a recommendation for how to proceed.

Chairman Lucking introduced the issue and opened a public hearing.

Mark Thieroff, Attorney for Amy and Kevin Connors, addressed the Planning Commission. He said that the issue was framed as an accessory structure issue, but that the grill area is not "constructed or erected on the ground" as in the city's definition. Thieroff said that there is a patio, optional frost footings, and the removable grill which is personal property. He also said his clients were open about the project and staff has been on site to view the progress a number of times.

Chairman Lucking asked about the footings and their purpose. Thieroff said that they were optional and the purpose was to reduce frost heave.

Joan Moser of 21670 Fairview, Greenwood, MN 55331, addressed the Planning Commission. She presented several photos of the project including the finished project and the construction of the footings. Moser said that it was a fairly large structure.

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Commissioner Conrad asked what the Planning Commission was requested to determine. Council Liaison Bill Cook said that the Planning Commission should look at this issue in comparison with what the city has done in the past, and if the city should be more specific about the definition of a structure. Cook said he felt that an ordinance modification might be needed since the ordinance is quite broad. He said that the city has some responsibility in this matter since city staff has given the Connors direction about what should have been required of their project. Cook said that this project either requires a variance request or that it does not need to be in front of the city. He said that the Planning Commission needs to make a recommendation about what to do with both the Connors property and similar issues going forward.

Commissioner Sundberg asked if the discussion was just about the frost footings. Commissioner Conrad said that the issue is also about the permanence of the grill area. Council Liaison Cook said that the applicants have gone to great lengths to make the grill area non-permanent and that this is an issue that will likely come before the Planning Commission and City Council again in the future. Cook said that he thinks our ordinance is not up to the challenge on these types of issues.

City Attorney Mark Kelly said that further review may be needed about the definition of structure. Kelly said that at this time, the City Council would like the Planning Commission to advise on this issue, if the project should be considered a structure, and if the project is compliant with the setbacks.

Joan Moser described the structure as having footings, gas and electric connections, and a pergola. She also summarized a version of events regarding this project leading up to this meeting. She said that this is not a temporary structure and that there is not a precedent for this. Moser said that by calling these projects temporary the city would be opening a Pandora's Box, and it will affect the entire city.

Jeannie Bowers of 21600 Fairview Street, Greenwood, MN 55331, addressed the Planning Commission. Bowers described the construction of the grill area and how it is connected to the structure. She said that the law was violated and that this would set a bad precedent for the city. Bowers said that the Connors could have pulled the structure back into their own space, but that they didn't want to obscure their view. Bowers said that the rights of the neighbors were violated by putting the structure in the setback and that if they applied for a variance they would not meet the practical difficulty standard.

Chairman Lucking asked about the construction of the grill area. Mark Thieroff said that the grill area is lighter than it looks and that it was designed to be movable. Thieroff said that the order of events is less important than making the appropriate judgement of the law. Thieroff mentioned that there were many things within setbacks that could also be considered structures including pergolas, swing sets, and hot tubs.

Alan Sandberg of Magnolia Landscaping, the project manager for the Connor's patio and grill project addressed the Planning Commission. He said that he would be happy to address any questions regarding the construction. Commissioner Conrad asked how structure could be moved. Sandberg said that it was not bolted down and that it was built in an L shape to be taken apart. Conrad asked how it would be taken apart. Sandberg said that they would have to separate the grout in the L-shaped structure. Conrad said that they would have to deconstruct it to move it.

Attorney Mark Kelly asked if the grill area was secured to the patio. Sandberg said no. Kelly asked if it sits there by gravity. Sandberg said yes. Kelly asked if it was secured in any way. Sandberg said no. Commissioner Bechtell said that it is connected to the gas line. Sandberg confirmed that there was a gas line.

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Kelly asked if Sandberg was responsible for the landscaping. Sandberg said yes. Kelly asked if there was any grading running up to the patio itself. Sandberg said yes. Kelly asked if the patio sits above the lawn. Sandberg said that they added about one inch of dirt up to the patio.

Commissioner Sundberg mentioned the slabs at the Old Log Theater. Attorney Kelly said that the city has not treated a slab-on-grade as a structure, but that what drew the attention in this case were the footings. Kelly said that the Old Log Theater slabs do not have footings.

Commissioner Conrad asked if there was a list of hot tubs and fish houses within setbacks. Attorney Kelly said that he was not aware of a list of this kind. Conrad said that a fish house in the side yard is not a structure. Kelly said that it would not be a structure.

Chairman Lucking closed the public hearing.

Lucking said that this should have required a variance from the beginning because the property is over 30% hardcover, and that is not the Connor's fault but rather it is the city's fault. Lucking said that there should be a distinction between structural footings and frost footings. Lucking said that his sidewalk has frost footings and that he does not consider it to be a structure. Lucking said that he did not consider the grill area a structure, but that it was simply a grill with a pergola on top.

Attorney Kelly said that he wanted to point out the law cannot be changed if there was an error by city staff.

Commissioner Bechtell said that he hated to see people in this position and that the city dropped the ball. He said he could not see moving backwards and requiring a variance.

Council Liaison Cook said that he thought there needed to be clarification in some of the ordinance language and the city process. He said the city should clean up how the ordinance is written and how the city has interpreted the law.

Commissioner Conrad said that there are a number of structural things like swing sets, playground equipment, and hot tubs that need clarification. Conrad said that patios in the setbacks seemed problematic.

Zoning Coordinator Cooney asked if the Planning Commission was prepared to issue findings for the City Council on the issues at 21650 Fairview.

Chairman Lucking said that he was not in favor of requiring a variance. Commissioners Bechtell, Sundberg, and Sayer offered similar comments that this particular case would not require a variance and they did not wish to have this come back as a formal application to the planning committee. Commissioner Conrad said that she had more trouble with the grill area since she does not feel that it is moveable.

Commissioner Conrad asked Chairman Lucking if the project had come before the Planning Commission before it had begun, would he have considered it a structure. Lucking said that he would not have considered it a structure.

Commissioner Conrad asked if the city felt that they needed to offer a solution to mitigate the situation. Council Liaison Cook said that he would be reluctant to have the city get involved in that.

Chairman Lucking said, in summation, that the body did not feel the Connors needed to come back for a variance. He said that the Planning Commission would look at the code and propose some changes to make the code clearer. He said that future changes to non-conformities should require variance requests.

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**4. LIAISON REPORT**

Council Liaison Cook said the Council received bids for Minnetonka Boulevard and other areas in the city. He said that the work would begin in the late summer. Commissioner Conrad asked about how and when sewer patching is done. Cook said that it was a public works issue and an issue for the contractor who does the work.

Commissioner Conrad thanked Bill Cook and the City Council for putting in basketball hoops on the tennis courts. She said the kids in the area were very happy.

**5. ADJOURN**

Motion by Commissioner Bechtell to adjourn the meeting. Commissioner Conrad seconded the motion. The meeting was adjourned at 8:49 pm.

Respectfully Submitted,  
Dale Cooney - Zoning Administrator