

AGENDA

Greenwood City Council Meeting

Wednesday, September 7, 2016
20225 Cottagewood Road, Deephaven, MN 55331



*The public is invited to speak when items come up on the agenda (comments are limited to 3 minutes).
The public may speak regarding other items during Matters from the Floor (see below).*

- 7:00pm 1. CALL TO ORDER | ROLL CALL | APPROVE MEETING AGENDA
- 7:00pm 2. CONSENT AGENDA
Consent Agenda items are considered to be routine and are approved through one motion with no discussion by the city council. Council members may remove any Consent Agenda item for discussion and separate consideration under Other Business.
 - A. Approve: 08-03-16 City Council Meeting Minutes
 - B. Approve: July Cash Summary Report
 - C. Approve: July Certificates of Deposit Report
 - D. Approve: August Verifieds, Check Register, Electronic Fund Transfers
 - E. Approve: September Payroll Register
- 7:02pm 3. MATTERS FROM THE FLOOR
This is an opportunity for the public to address the council regarding matters not on the agenda. Comments are limited to 3 minutes. Typically, the council will not take action on items presented at this time, but will refer items to staff for review, action, and / or recommendation for future council action.
- 7:05pm 4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS
 - A. County Commissioner Jan Callison: Hennepin County Update
 - B. Planning Commission Applicants: David Steingas and Jennifer Gallagher
Res 32-16, Updating City Appointments
 - C. Dave Martini: City Engineer Update
 - D. Announcement: Truth in Taxation / Budget Comment Opportunity, 7pm 12-07-16, Deephaven
Council Chambers (during regular city council meeting)
- 7:45pm 5. PUBLIC HEARING
 - A. None
- 7:45pm 6. ACTION RELATED TO PUBLIC HEARING
 - A. None
- 7:45pm 7. PLANNING & ZONING ITEMS
 - A. Res 33-16, Variance Findings, Duane & Leonora Thurow, 5125 West Street
 - B. Res 34-16, Signage Conditional Use Permit Findings, Brahmani, Inc, 21380 State Highway 7
 - C. 2nd Reading: Ord 257, Amending Noxious Tree List in City Code Section 1140.80
 - D. 1st Reading: Ord 261, Grading Ordinance and Res 35-16 Summary of Ord 261
 - E. 1st Reading: Ord 262, Mandatory Floodplain Ordinance Update and Res 36-16 Summary of Ord 262
- 8:15pm 8. UNFINISHED BUSINESS
 - A. Consider: Coyote Management Plan and Coyote Alert Sheet
- 8:30pm 9. NEW BUSINESS
 - A. 1st Reading: Ord 263, Amending City Code Chapter 9 Regarding Weapons and
Res 37-16 Summary of Ord 263
 - B. Consider: City Docks Trash & Recycling Service / Enclosure
 - C. Consider: Res 38-16 Preliminary 2017 Tax Levy and Budget
 - D. 1st Reading: Ord 264, Chapter 5 Fees
 - E. Consider: 2017 LMCC Budget
- 9:00pm 10. OTHER BUSINESS
 - A. None
- 9:00pm 11. COUNCIL REPORTS
 - A. Cook: Planning Commission, Public Works Committee, Coyote Committee
 - B. Fletcher: Lake Mtka Comm Commission, Fire, Administrative Committee
 - C. Kind: Police, Administrative Committee, Mayors' Meetings, Website, Coyote Committee
 - D. Quam: Public Works Committee, Minnetonka Community Education
 - E. Roy: Lake Minnetonka Conservation District, St. Alban's Bay Lake Improvement District
- 9:20pm 12. ADJOURNMENT



Agenda Item: Consent Agenda

Summary: The consent agenda items are considered to be routine and are approved through one motion with no discussion by the city council. Council members may remove consent agenda items for further discussion. Removed items will be placed under Other Business on the agenda.

The consent agenda items are included in the hard copy of the full council packet and in the electronic version of the packet available at www.greenwoodmn.com.

Council Action: Required. Possible motion ...

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

MINUTES

Greenwood City Council Meeting

Wednesday, August 3, 2016

20225 Cottagewood Road, Deephaven, MN 55331



1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA

Mayor Kind called the meeting to order at 7pm.

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

Staff Members Present: None

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

2. CONSENT AGENDA

A. Approve: 07-06-16 City Council Meeting Minutes

B. Approve: June Cash Summary Report

C. Approve: June Certificates of Deposit Report

D. Approve: July Verifields, Check Register, Electronic Fund Transfers

E. Approve: August Payroll Register

F. Approve: Liability Coverage Waiver Form

G. Approve: Budget Comment Opportunity

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

3. MATTERS FROM THE FLOOR

No one spoke during matters from the floor.

4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS

A. Chief Meehan: South Lake Minnetonka Police Department Quarterly Update, 2017 Budget, and Coyote Discussion

Motion by Roy that the Greenwood city council approves the 2017 South Lake Minnetonka Police Department operating budget with a 3.8% overall increase to member cities. Second by Cook. Motion passed 5-0.

Coyote Discussion: Chief Meehan explained that the best coyote management method is hazing. He stated that he knows of no other city in the state that has a coyote management plan that uses sharpshooters or traps to destroy coyotes. He emphasized there have been zero cases in the area where a coyote has attacked a human.

Bob Newman, 5230 Meadville Street, asked if snares could be used in such a way that the coyote would not be harmed.

Chief Meehan stated that snares / foot traps typically do not kill coyotes, but they can be seriously hurt. He also stated that the main problem with foot traps is that dogs and other animals can get caught in them and be seriously hurt.

Since the coyote topic originally was slated for later on the agenda, the city council delayed action.

B. Chief Gerber: Excelsior Fire District 2017 Budget

Motion by Fletcher that the Greenwood city council approves the 2nd draft of the 2017 Excelsior Fire District operating budget and facilities / capital budget as presented. Second by Cook. Motion passed 5-0.

C. Dave Martini: City Engineer Update

No council action was taken.

D. Announcement: Budget & Fees Worksession, 6pm Wed 09-07-16 (before council meeting)

Since good progress was made at the 8/3 worksession, the city council consensus was to cancel the scheduled 9/7 worksession.

5. PUBLIC HEARING

- A. Public Hearing: Showcase Event Permit Request, Mark Williams Custom Homes, 21695 Fairview St

Motion by Cook to open the public hearing. Second by Quam. Motion passed 5-0.

No one spoke during the public hearing. Written comments were received by Jeannie Bowers, Joan Moser, and Brian Burdick.

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

6. ACTION RELATED TO PUBLIC HEARING

- A. Consider: Showcase Event Permit Request, Mark Williams Custom Homes, 21695 Fairview St

Motion by Cook that the city council approves the application of Mark D. Williams Custom Homes for a Showcase Event Permit per section 450 of the Greenwood ordinance code. The city finds that (a) the showcase event will not endanger the public health, safety or general welfare of its residents; (b) the showcase event will not cause undue traffic hazards, congestion or parking shortages; and (c) the showcase event will not impose an excessive burden on the city or its residents or cause damage to private property, parks, streets, rights-of-way, or other public property. Approval is subject to the following conditions: (1) all parking shall be in the Old Log Theatre parking lot only; (2) "No Parade of Homes Parking" signs shall be posted on both sides of Fairview Street for a distance of 300 feet in both directions during event times only; (3) the Old Log Theatre's address shall be listed in the Parade of Homes' guide; and (4) any damage to the Fairview Street boulevard shall be repaired. Second by Cook. Motion passed 4-1 with Fletcher voting nay.

7. PLANNING & ZONING ITEMS

- A. 1st Reading: Ord 257, Amending Noxious Tree List in City Code Section 1140.80

Motion by Fletcher that the city council approves the first reading of ordinance 257, an ordinance of the city of Greenwood, Minnesota amending the noxious tree list in Greenwood ordinance code section 1140.80, as written. I further move that the ordinance be placed on the next council agenda for a second reading. Second by Quam. Motion passed 3-2 with Cook and Roy opposing.

- B. 1st Reading: Ord 258, Regarding Temporary Family Health Care Dwellings

Motion by Fletcher that the city council adopts ordinance 258, an ordinance of the city of Greenwood, Minnesota amending Greenwood ordinance code section 1140.05 to opt out of the requirements of Minnesota Statutes Section 462.3593, as written. Second by Cook. Motion passed 5-0.

Motion by Fletcher that the city council waives the second reading of ordinance 258 and directs staff to publish the ordinance in the city's official newspaper. Second by Cook. Motion passed 5-0.

- C. Review: Draft Ord 261, Regarding Grading

Motion by Fletcher that the city council directs the planning commission to hold a public hearing for ordinance 261 amending section 1140.19 regarding grading, with the following revision: Add "... determine and mitigate impacts ..." to the purpose statement. Second by Roy. Motion passed 5-0.

8. UNFINISHED BUSINESS

- A. None.

9. NEW BUSINESS

- A. Reconsider: Removal of Lilacs at the Fire Lane Between 5120 & 5130 Meadville Street

Motion by Roy that the city council repeals the 07-06-16 decision to remove the lilac bushes located at the fire lane between 5120 & 5130 Meadville Street. Second by Quam. Motion passed 4-0-1 with Fletcher abstaining.

B. Consider: Coyote Management Control

Marilyn Thacker, 21915 Fairview Street, stated that she believes the city's leash laws should be followed, opposes killing coyotes.

John Ekelund, 5135 Meadville Street, stated that a coyote attacked his dog in his own yard, believes that police have identified the location of the den, now feels like a prisoner in his own yard.

Jennifer Gallagher, 21775 Fairview Street, stated that a coyote chased her on July 25, the coyote came from Greenwood Park, she feels like she is being stalked.

Dan Statsick, 21695 Fairview Street, suggested the city conduct a controlled burn adjacent to the marsh where the coyote den appears to be located.

Lynn Allar, 5070 Covington Street, stated that she would like the city to be creative, get rid of coyote food source, opposes shooting or trapping.

Karen Hessian, 4990 Meadville Street, stated that a coyote attacked her dog in her own yard, she is living in fear, the dumpster at the Old Log needs to be kept closed.

Jack Pavlick, 5205 Greenwood Circle #13, stated that the dumpster at Georgetown Manor may be contributing to the coyote problem, he believes city dock users are causing the dumpsters to be overflowing with garbage.

Jean Gray, 5180 Meadville Street, stated that the Old Log's dumpsters may be overflowing because they are not breaking down their boxes.

Marna Fronius, 5140 Meadville Street, stated that she is concerned for the safety of small children.

Joe Fronius, 5140 Meadville Street, asked how a coyote can tell the difference between a small child and a dog.

Mark Krezowski, 5130 Meadville Street, stated that coyotes have been seen in lakeside yards, supports establishing a coyote management plan.

Bob Newman, 5230 Meadville Street, stated that something needs to be done, coyotes are in our territory, a fast-moving committee should be formed to make a recommendation.

Jan Gray, 5170 Meadville Street, stated that everyone in the area is feeling threatened, concerned about children playing at the playground in Greenwood Park and children attending shows at the Old Log Theatre.

Dana Nelson, 5025 Meadville Street, stated that he has lived in other parts of the country where coyotes are prevalent, he has never heard of coyotes being successfully eradicated, we're going to have to teach the population how to live with coyotes.

View complete comments at LMCC-TV.org.

Motion by Fletcher that the city council authorizes Mayor Kind, Councilmember Cook, and the city clerk to (1) spend up to \$5,000 from the city's contingency fund for coyote management; (2) initiate a proactive garbage dumpster inspection program; and (3) explore options with the Old Log Theatre for the marsh area. And further directs Mayor Kind and Councilmember Cook to draft a coyote management plan with public input within 2 weeks. Second by Roy. Motion passed 5-0.

10. OTHER BUSINESS

- A. None.

11. COUNCIL REPORTS

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

Motion by Roy that the city council authorizes the purchase and installation of a battery-operated camera that is triggered by motion activity at the city docks. Second by Quam. Motion passed 5-0.

- B. Fletcher: Lake Minnetonka Communications Commission, Fire

No council action taken. View report at LMCC-TV.org.

- C. Kind: Police, Administration, Mayors' Meetings, Website

No council action taken. View report at LMCC-TV.org.

D. Quam: Roads & Sewers, Minnetonka Community Education, Traffic Committee

No council action taken. *View report at LMCC-TV.org.*

E. Roy: Lake Minnetonka Conservation District, St. Alban's Bay Lake Improvement District

No council action taken. *View report at LMCC-TV.org.*

12. ADJOURNMENT

Motion by Roy to adjourn the meeting at 9:17pm. Second by Cook. Motion passed 5-0.

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 for 1 year, and on DVD at the city office (permanent archive).



MINUTES

Greenwood City Council Worksession

Wednesday, August 3, 2016

20225 Cottagewood Road, Deephaven, MN 55331

1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA

Mayor Kind called the meeting to order at 6pm.

Members Present: Mayor Kind; Councilmembers Bill Cook, Tom Fletcher, Bob Quam, Rob Roy (arrived at 6:15pm)

Others Present: None

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

2. DISCUSS 2017 BUDGET & FEES

The city council discussed the proposed budget line by line and decided to make the following revisions:

101-49000-437 July 4th Fireworks & Parade, change amount from \$1600 to \$1700.

602-43200-309 Change description to read "Met Council."

Add June year-to-date cash balance numbers for Sewer Enterprise Fund, Stormwater Special Revenue Fund, Park Special Revenue Fund, Marina Enterprise Fund, Bridge Capital Project Fund, Special Project Fund, and Road Improvement Fund.

In addition, the city council discussed the proposed fee ordinance and made several revisions that will be incorporated into the ordinance for the 1st reading at the 09-07-16 city council meeting.

3. ADJOURNMENT

Motion by Cook to adjourn the worksession at 6:55pm. Second by Fletcher. Motion passed 5-0.

Check Issue Date(s): 08/01/2016 - 08/31/2016

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
08/16	08/16/2016	12585	876	ANDY ERDAHL	401-20100	530.58
08/16	08/16/2016	12586	51	BOLTON & MENK, INC.	301-20100	13,712.00
08/16	08/16/2016	12587		Information Only Check	101-20100	.00 V
08/16	08/16/2016	12588	9	CITY OF DEEPHAVEN	101-20100	10,891.12
08/16	08/16/2016	12589	871	CONRAD ANDERSON	101-20100	541.66
08/16	08/16/2016	12590	872	DALE COONEY	101-20100	140.76
08/16	08/16/2016	12591	822	ECM PUBLISHERS INC	101-20100	419.75
08/16	08/16/2016	12592	68	GOPHER STATE ONE CALL	602-20100	75.60
08/16	08/16/2016	12593	789	HENNEPIN COUNTY TREASURER	101-20100	50.00
08/16	08/16/2016	12594	861	HOFF, BARRY & KOZAR, P.A.	101-20100	771.65
08/16	08/16/2016	12595	788	KRISTI CONRAD	101-20100	82.85
08/16	08/16/2016	12596	841	LAW OFFICE GREGORY E KELLER PA	101-20100	598.00
08/16	08/16/2016	12597	873	LIFE'S A BEACH SHORELINE SVCS	605-20100	1,250.00
08/16	08/16/2016	12598	105	METRO COUNCIL ENVIRO SERVICES	602-20100	3,203.41
08/16	08/16/2016	12599	877	MIDWEST ASPHALT CORP	101-20100	102,219.83
08/16	08/16/2016	12600	874	MIKE VANDERLINDEN	101-20100	541.66
08/16	08/16/2016	12601	867	RANDY'S ENVIRONMENTAL SERVICES	101-20100	1,628.25
08/16	08/16/2016	12602	38	SO LAKE MINNETONKA POLICE DEPT	101-20100	16,074.58
08/16	08/16/2016	12603	868	ST ALBAN'S BAY	101-20100	10,701.50
08/16	08/16/2016	12604	824	STAR TRIBUNE	101-20100	162.40
08/16	08/16/2016	12605	878	THN ENTERPRISES INC	401-20100	5,000.00
08/16	08/16/2016	12606	875	TIMBERWALL LANDSCAPE & MASONR	401-20100	165.51
08/16	08/16/2016	12607	145	XCEL ENERGY	101-20100	537.72
Totals:						<u>169,298.83</u>

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
ANDY ERDAHL					
876	ANDY ERDAHL	W5464363	MEADVILLE BOAT LAUNCH BENCH	08/13/2016	530.58
Total ANDY ERDAHL					530.58
BOLTON & MENK, INC.					
51	BOLTON & MENK, INC.	0193157	2016 DEVELOPMENT REVIEW	07/31/2016	76.00
		0193158	2016 DEVELOPMENT REVIEW	07/31/2016	448.00
		0193159	2016 MISC ENGINEERING	07/31/2016	687.00
			2016 MISC ENGINEERING		172.00
			2016 MISC ENGINEERING		60.00
			2016 MISC ENGINEERING		75.00
		0193160	2016 SEWER IMPROVEMENTS	07/31/2016	427.00
		0193161	2016 STREET IMPROVEMENTS	07/31/2016	11,767.00
Total BOLTON & MENK, INC.					13,712.00
CITY OF DEEPHAVEN					
9	CITY OF DEEPHAVEN	JULY 2016	Clerk Services	08/01/2016	3,537.00
			ZONING		647.88
			VOTER RECEIPTS		14.00
			RENT & EQUIPMENT		487.45
			Postage		37.59
			COPIES		393.60
			SEWER		857.00
			SIGNS		94.55
			WEED/TREE/MOWING		1,701.90
			Docks/BEACHES		661.85
			PARK MAINTENANCE		2,080.10
			STORM SEWERS		378.20
Total CITY OF DEEPHAVEN					10,891.12
CONRAD ANDERSON					
871	CONRAD ANDERSON	0000002	ONE 12TH CONTACT	07/19/2016	541.66
Total CONRAD ANDERSON					541.66
DALE COONEY					
872	DALE COONEY	080916	PRIMARY ELECTION REIMBURSEMT	08/09/2016	140.76
Total DALE COONEY					140.76
ECM PUBLISHERS INC					
822	ECM PUBLISHERS INC	382140	PUBLIC ACCURACY TEST	07/21/2016	28.75
		382141	LEGAL NOTICE	07/21/2016	46.00
		385303	NOTICE OF ST PRIMARY ELECTION	07/28/2016	40.25
		387924	ELECTION LOCATION	08/04/2016	40.25
		387925	LEGAL NOTICE	08/04/2016	51.75
		387926	LEGAL NOTICE	08/04/2016	46.00
		387927	LEGAL NOTICE	08/04/2016	46.00
		392078	LEGAL NOTICE	08/11/2016	46.00
		392079	LEGAL NOTICE	08/11/2016	74.75
Total ECM PUBLISHERS INC					419.75
GOPHER STATE ONE CALL					
68	GOPHER STATE ONE CALL	6070405	Gopher State calls	07/31/2016	75.60

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
	Total GOPHER STATE ONE CALL				75.60
HENNEPIN COUNTY TREASURER					
789	HENNEPIN COUNTY TREASURE	1000079734	PINS PROGRAM	08/01/2016	50.00
	Total HENNEPIN COUNTY TREASURER				50.00
HOFF, BARRY & KOZAR, P.A.					
861	HOFF, BARRY & KOZAR, P.A.	13093	SO SHORE COMM CNTR	07/20/2016	771.65
	Total HOFF, BARRY & KOZAR, P.A.				771.65
KRISTI CONRAD					
788	KRISTI CONRAD	072916	2011 JULY 4TH EXP REIMBURED	07/29/2016	82.85
	Total KRISTI CONRAD				82.85
LAW OFFICE GREGORY E KELLER PA					
841	LAW OFFICE GREGORY E KELL	071916	PROSECUTION BILL	07/19/2016	598.00
	Total LAW OFFICE GREGORY E KELLER PA				598.00
LIFE'S A BEACH SHORELINE SVCS					
873	LIFE'S A BEACH SHORELINE SV	1180	SHORELINE MNTNCE	08/08/2016	500.00
		993	BOAT LANE MNTNCE	07/16/2016	750.00
	Total LIFE'S A BEACH SHORELINE SVCS				1,250.00
METRO COUNCIL ENVIRO SERVICES					
105	METRO COUNCIL ENVIRO SERV	0001058237	Monthly wastewater Charge	08/02/2016	3,203.41
	Total METRO COUNCIL ENVIRO SERVICES				3,203.41
MIDWEST ASPHALT CORP					
877	MIDWEST ASPHALT CORP	081516	2016 ST IMPROVE PROJECT-PAY #1	08/15/2016	102,219.83
	Total MIDWEST ASPHALT CORP				102,219.83
MIKE VANDERLINDEN					
874	MIKE VANDERLINDEN	0000001	ONE 12TH ANNUAL CONTRACT	07/19/2016	541.66
	Total MIKE VANDERLINDEN				541.66
RANDY'S ENVIRONMENTAL SERVICES					
867	RANDY'S ENVIRONMENTAL SEF	JULY 2016	RECYCLING SERVICES	07/19/2016	1,628.25
	Total RANDY'S ENVIRONMENTAL SERVICES				1,628.25
SO LAKE MINNETONKA POLICE DEPT					
38	SO LAKE MINNETONKA POLICE	AUG 2016	OPERATING BUDGET	08/01/2016	16,074.58
	Total SO LAKE MINNETONKA POLICE DEPT				16,074.58
ST ALBAN'S BAY					
868	ST ALBAN'S BAY	081616	SPECIAL ASSMT REV	08/16/2016	10,701.50

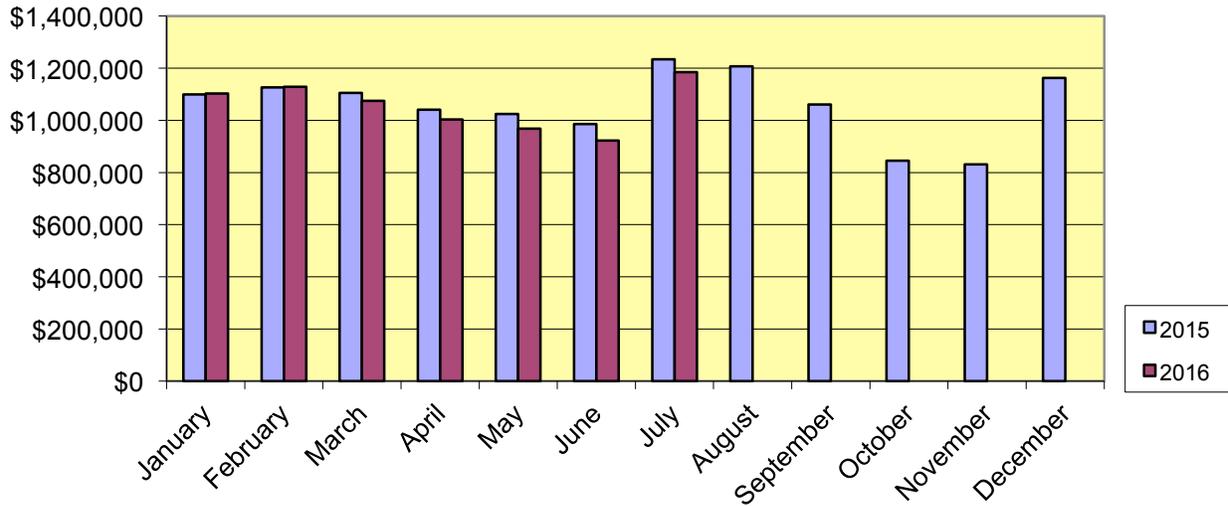
Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
	Total ST ALBAN'S BAY				10,701.50
STAR TRIBUNE					
824	STAR TRIBUNE	080716	LEGAL NOTICE	08/07/2016	162.40
	Total STAR TRIBUNE				162.40
THN ENTERPRISES INC					
878	THN ENTERPRISES INC	1790	FIELDSTONE RIPRAP-MEADVILLE ST	08/16/2016	5,000.00
	Total THN ENTERPRISES INC				5,000.00
TIMBERWALL LANDSCAPE & MASONRY					
875	TIMBERWALL LANDSCAPE & M/	10078206	ROCK FOR FIRE LANE	08/09/2016	165.51
	Total TIMBERWALL LANDSCAPE & MASONRY				165.51
XCEL ENERGY					
145	XCEL ENERGY	072516	Street Lights *	07/25/2016	377.10
			4925 MEADVILLE STREET *		8.35
			Sleepy Hollow Road *		8.35
			SIREN		3.79
			LIFT STATION #1		36.10
			LIFT STATION #2		39.26
			LIFT STATION #3		25.71
			LIFT STATION #4		38.52
			LIFT STATION #6		.54
	Total XCEL ENERGY				537.72

Total Paid: 169,298.83

Total Unpaid: -

Grand Total: 169,298.83

City of Greenwood Monthly Cash Summary



Month	2015	2016	Variance with Prior Month	Variance with Prior Year
January	\$1,100,038	\$1,103,197	-\$59,352	\$3,159
February	\$1,125,995	\$1,128,257	\$25,060	\$2,262
March	\$1,105,199	\$1,074,726	-\$53,531	-\$30,473
April	\$1,041,296	\$1,003,064	-\$71,662	-\$38,232
May	\$1,025,022	\$968,814	-\$34,250	-\$56,208
June	\$986,189	\$922,082	-\$46,732	-\$64,107
July	\$1,234,400	\$1,184,900	\$262,818	-\$49,500
August	\$1,207,294	\$0	-\$1,184,900	-\$1,207,294
September	\$1,061,011	\$0	\$0	-\$1,061,011
October	\$845,408	\$0	\$0	-\$845,408
November	\$831,317	\$0	\$0	-\$831,317
December	\$1,162,549	\$0	\$0	-\$1,162,549

Bridgewater Bank Money Market	\$234,645
Bridgewater Bank Checking	\$31,123
Bridgewater Bank CD'S	\$202,681
Alerus Bank CD'S	\$266,581
Alerus Bank Money Market	\$443,740
Alerus Bank Checking	\$6,130
	\$1,184,900

ALLOCATION BY FUND

General Fund	\$386,402
Special Project Fund	(\$2,810)
General Fund Designated for Parks	\$22,685
Bridge Capital Project Fund	\$147,173
Road Improvement Fund	\$166,623
Stormwater Fund	\$3,643
Sewer Enterprise Fund	\$381,180
Marina Enterprise Fund	\$80,004
	\$1,184,900

GREENWOOD CERTIFICATES OF DEPOSIT

Report Date: 7/31/16

Acct #	Bank	Date	Term	Maturity	Rate	Amount
101-10409	Alerus Bank	08/05/15	13 month	09/05/16	0.60%	\$ 61,729.74
101-10412	Alerus Bank	10/22/15	13 month	11/22/16	0.60%	\$ 80,971.94
101-10410	Alerus Bank	12/06/15	13 month	01/06/17	0.60%	\$ 61,664.36
101-10407	Alerus Bank	02/04/16	13 month	03/04/17	0.60%	\$ 62,214.76
101-10413	Bridgewater Bank	05/11/16	13 month	06/11/17	1.00%	\$ 61,857.69
101-10408	Bridgewater Bank	07/11/16	13 month	08/11/17	1.00%	\$ 60,000.00
101-10411	Bridgewater Bank	07/25/16	13 month	08/25/17	1.00%	\$ 80,823.22
TOTAL						\$ 469,261.71

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.

Pay Per Date	Jrnl	Check Date	Check Number	Payee	Emp No	Description	GL Account	Amount
09/01/16	PC	09/01/16	9011601	COOK, WILLIAM B.	37		001-10100	184.70
09/01/16	PC	09/01/16	9011602	Fletcher, Thomas M	33		001-10100	84.70
09/01/16	PC	09/01/16	9011603	Kind, Debra J.	34		001-10100	277.05
09/01/16	PC	09/01/16	9011604	Quam, Robert	32		001-10100	184.70
09/01/16	PC	09/01/16	9011605	ROY, ROBERT J.	38		001-10100	184.70
Grand Totals:								<u>915.85</u>



Agenda Number: 4A

Agenda Date: 09-07-16

Prepared by Deb Kind

Agenda Item: Commissioner Jan Callison, Annual Hennepin County Update

Summary: Hennepin County Commissioner Jan Callison will attend the September council meeting to give the council her annual update. This also will be an opportunity for the council to ask questions.

Council Action: None required.



Agenda Number: 4B

Agenda Date: 09-07-16

Prepared by Deb Kind

Agenda Item: Planning Commission Applicants and Res 32-16 Updating City Appointments

Summary: The planning commission holds public hearings and makes recommendations to the city council regarding zoning issues including variances and conditional use permits. The planning commission is comprised of 5 voting members and 3 alternate members. Per ordinance section 220.05(7), the city council liaison to the planning commission serves as the Alt-3 seat and only votes when needed to complete a quorum. Terms are for 2 years, and the city does not limit the number of terms a planning commissioner may serve. Anyone who is interested in serving on the planning commission can stop by city hall to complete an application or visit www.greenwoodmn.com to download the form.

Currently the Alt-1 and Alt-2 on the planning commission are vacant. Greenwood residents David Steingas and Jennifer Gallagher submitted the attached planning commission applications on 08-13-16 and 08-31-16.

David and Jennifer will attend the 09-07-16 city council meeting for an informal interview.

If the city council desires to move forward with appointing David and Jennifer to the planning commission, a resolution is attached for the council's consideration. Note: The resolution also includes other updates for the council's consideration.

Council Action: No action is required. Potential motions ...

1. I move the council approves resolution 32-16 updating the city's appointments and assignments and directs that the oath of office be administered to David Stienegas and Jennifer Gallagher at the next planning commission meeting.
2. Do nothing or motion ???

Planning Commission Application



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

Name	DAVID STEINWAS	
Address	21500 FAIRVIEW ST	
Phone	612-414-5124	
Email	DAVID@STEINERKOPPELMAN.COM	
Job Title	OWNER	
How many years have you lived in the Lake Minnetonka area?	50	
How many years have you lived in Greenwood?	2 1/2	
Are you able to attend meetings on the 3rd Wednesday of each month?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Would you be willing to attend a city-paid training class?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Why do you want to serve on the planning commission?	I'VE LIVED IN DEEPAVEN FOR THE PAST 40 YEARS AND WANT TO BE A PART OF A GREAT NEIGHBORHOOD	
Do you have any special qualifications or capabilities that would serve Greenwood well on the planning commission?	BUILDER, CABINETMAKER IN DEEPAVEN AND MINNETONKA FOR THE LAST 40 YEARS	
What would be your main goal as a member of the planning commission?	TO LISTEN AND BE INVOLVED THE FUTURE QUALITY OF OUR CITY	
Office Use Only	Date Received: 8/15/16	

Planning Commission Application



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

Name	Jennifer Gallagher	
Address	21775 Fairview St	
Phone	813-340-2623	
Email	jenniejoy5@gmail.com	
Job Title	Speech Pathologist	
How many years have you lived in the Lake Minnetonka area?	5	
How many years have you lived in Greenwood?	5	
Are you able to attend meetings on the 3rd Wednesday of each month?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Would you be willing to attend a city-paid training class?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Why do you want to serve on the planning commission?	I am interested in serving my community and having a voice in the decision making process within our city. I want to see first hand how land use is being implemented and to learn more about our city ordinances.	
Do you have any special qualifications or capabilities that would serve Greenwood well on the planning commission?	I have worked many years with YMCA'S in inner cities and in developing countries.	
What would be your main goal as a member of the planning commission?	I believe strongly in community involvement. As a mother of 4, this is an opportunity to be a role model for my children.	
Office Use Only	Date Received: 08-31-16	

Resolution 32-16 – City of Greenwood Appointments & Assignments for 2016

Be it resolved that the city council of Greenwood, Minnesota approves the following appointments for 09-07-16 through 01-04-17.

OFFICE & DESIGNATIONS	2015 HOLDER	2016 HOLDER
Mayor Pro-Tem	Bob Quam	Bob Quam
Administrative Committee	Deb Kind, Tom Fletcher	Deb Kind, Tom Fletcher
Animal Enforcement Officer	South Lake Police Department	South Lake Police Department
Assessor	Hennepin County	Hennepin County
Attorney	Mark Kelly	Mark Kelly, Bob Vose (alternate)
Attorney - Conduit Financing Projects		Jennifer Hanson
Attorney - Prosecutor	Greg Keller	Greg Keller
Auditor	CliftonLarsonAllen	CliftonLarsonAllen
Bank Signatures	Kind, Quam, Courtney	Kind, Quam, Courtney
Building Official	Bob Manor	Bob Manor
Clerk	Dana Young	Dana Young
Depositories	Bridgewater Bank, Beacon Bank	Bridgewater Bank, Beacon Bank
Engineer	Bolton & Menk (Dave Martini)	Bolton & Menk (Dave Martini)
Fire Board Representative – 4th Wed (Jan, Mar, May, Jul, Sep, Nov)	Tom Fletcher, Bob Quam (alt.), Bill Cook (2nd alt.)	Tom Fletcher, Bob Quam (alt.), Bill Cook (2nd alt.)
Forester / Certified Tree Inspector	Manuel Jordan	Manuel Jordan
Lake Minnetonka Communications Commission (LMCC) Representative 2 reps (1 elected official), meets 2nd Thurs (Feb, Apr, May, Jul, Aug, Oct, Dec)	Tom Fletcher, Deb Kind, Rob Roy (alternate)	Tom Fletcher, Deb Kind, Rob Roy (alternate)
Lake Minnetonka Conservation District (LMCD) Rep – 2nd and 4th Wed	Rob Roy (1/31/17)	Rob Roy (1/31/17)
Marina Clerk	Dana Young	Dana Young
Minnetonka Community Education (MCE) Representative – 4th Mon	Bob Quam	Bob Quam
Newspapers	Sun-Sailor, Star Tribune (alternate)	Sun-Sailor, Finance & Commerce (alternate), Star Tribune (alternate)
Planning Commissioners – 3rd Wed	A-1 Douglas Reeder (8/11-3/16)	A-1 Douglas Reeder (8/11-3/18)
	A-2 Lake Bechtell (5/14-3/16)	A-2 Lake Bechtell (5/14-3/18)
	A-3 Dave Paeper (3/07-3/16)	A-3 Fiona Sayer (8/14-3/18)
	B-1 Pat Lucking (2/01-3/17)	B-1 Pat Lucking (2/01-3/17)
	B-2 Kristi Conrad (10/11-3/17)	B-2 Kristi Conrad (10/11-3/17)
	Alt-1 Rick Sundberg (7/14-3/16)	Alt-1 David Steingas (9/16-3/18)
	Alt-2 Fiona Sayer (8/14-3/17)	Alt-2 Jennifer Gallagher (9/16-3/17)
Alt-3 Bill Cook (city council liaison)	Alt-3 Bill Cook (city council liaison)	
Planning Commission Liaison – 3rd Wed	Bill Cook	Bill Cook
Public Safety City Administrator Representative (police and fire)	Dana Young	Dana Young
Read and Sewer Public Works Committee (roads, sewer, stormwater, etc.)	Bob Quam, Bill Cook	Bob Quam, Bill Cook
Responsible Authority (Govt. Data Practices Act)	Dana Young	Dana Young
St. Alban's Bay Lake Improvement District Ex-Officio Director		Rob Roy
South Lake Minnetonka Police Department (SLMPD) Coordinating Committee Representative (must be mayor, meets quarterly)	Deb Kind, Bob Quam (alternate)	Deb Kind, Bob Quam (alternate)
Treasurer	Mary Courtney	Mary Courtney
Utility Billing Clerk	Deborah Hicks	Deborah Hicks
Weed Inspector (must be mayor), Assistant Weed Inspector	Deb Kind, Assistant John Menzel	Deb Kind, Assistant John Menzel
Zoning Administrator	Dale Cooney	Dale Cooney

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GREENWOOD, MINNESOTA that any and all commissioners, appointees, representatives, delegates, or other non-elected officials of the city shall hold their official status or membership on a basis subject to resolution, subject to reconsideration, and / or removal at the insistence of the city council. This resolution is enacted pursuant to the codes of the city.

ADOPTED by the city council of the city of Greenwood, Minnesota this ____ day of _____, 2017.

There were ____ AYES and ____ NAYS

By: _____

Attest: _____



Agenda Number: **4C**

Agenda Date: **09-07-16**

Prepared by *Deb Kind*

Agenda Item: City Engineer Update

Summary: City Engineer Dave Martini will attend the city council meeting to discuss past, present, and potential engineering-related projects. This month's packet includes information regarding a drainage project for St. Alban's Bay Road and sewer improvement quotes.

For the city council's reference, below are funds as of **07-31-16** that may be used for any city purpose.

\$131,180	Sewer Enterprise Fund (\$381,180 – minus \$250,000 goal balance)
\$3,643	Stormwater Special Revenue Fund
\$36,623	Road Improvement Fund (\$166,623 – minus \$130,000 earmarked for 2016 road projects)
\$12,500	2016 Contingency Budget (\$13,500 – minus \$1,000 earmarked for coyote project)
\$146,488	General Fund Reserves (12-31-15 audited balance of \$536,488 – minus \$390,000 goal balance)

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

1. I move the city council authorizes the city engineer to move forward with the **St. Alban's Bay Road drainage project** in an amount not to exceed \$_____ for an **open trench** pipe system to be paid from the _____ Fund.
2. I move the city council authorizes the city engineer to move forward with the **St. Alban's Bay Road drainage project** in an amount not to exceed \$_____ for a **trenchless** pipe system to be paid from the _____ Fund.
3. I move the city council (1) awards the **sewer improvements project** to (name of company) _____, in the amount of \$_____ to be paid from the _____ Fund.
4. I move the city council authorizes the city treasurer to **transfer** \$_____ from the _____ Fund to the _____ Fund.
5. Do nothing or other motion ???

Other potential motion regarding engineering-related projects ...

- A. I move the city council directs the city engineer to secure bids for (name of project) _____ and include the bids on the next council agenda for consideration by the city council.



BOLTON & MENK, INC.[®]

Consulting Engineers & Surveyors

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

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

www.bolton-menk.com

August 30, 2016

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

RE: Bid Results for 2016 Sanitary Sewer Improvements

Dear Mr. Quam:

Enclosed is the bid tab for the 2016 Sanitary Sewer Improvements Project. The following is a summary of the bids:

Pember	\$59,300.00
Minger	\$74,025.00
G.F. Jedlicki	\$97,315.00
Geislinger & Sons	\$132,152.00

The project includes the following scope of work:

- Adding new top slab and hatch with safety grating to Lift Station 1 on Minnetonka Boulevard along with joint sealing, regrading and raising the driveway to new slab elevation.
- Adding new 1-foot barrel section to Lift Station 5 on Weeks Road along with regrading and extending driveway to the lift station.

I will be at the City Council meeting on September 7th to discuss the bids with the Council. Please let me know if you have questions or need additional information.

Sincerely,
BOLTON & MENK, INC.

David P. Martini, P.E.
Principal Engineer

CITY OF GREENWOOD
2016 SANITARY SEWER IMPROVEMENTS
BID DATE: AUGUST 30, 2016 - 3:00 PM

CONTRACTOR	TOTAL AMOUNT BID
PEMBER	\$59,300.00
MINGER	\$74,025.00
G.F. JEDLICKI	\$97,315.00
GEISLINGER & SONS	\$132,152.00



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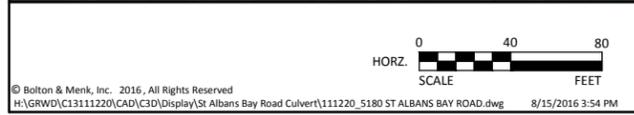
MEMORANDUM

Date: August 30, 2016
To: Greenwood City Council
From: David P. Martini
Subject: St. Alban's Bay Road Drainage

Based on direction from the City Council, I met with the property owner at 5180 St. Albans Bay Road with council members Quam and Cook to review and discuss options to improve the drainage at their property.

Based on our meeting, we have evaluated an option to install a 6" drain pipe along the east side of the house from the low area to a discharge point located in the back yard. Based on our review, we estimate construction costs of \$23,280 to install the pipe with an open trench and a cost of \$28,280 to install the pipe using trenchless construction methods. The proposed improvements include constructing some bituminous curbing along the south side of St. Albans Bay Road, raising the low spot in the driveway, and some grading along the drainage path in the backyard.

Attached is a sketch of the proposed pipe along with construction cost estimates for the proposed work. I will be at the City Council Meeting on September 7th to review this information with the Council. Let me know if you have questions or need additional information before then.



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 H:\GRWD\C13111220\CAD\C3D\Display\St Albans Bay Road Culvert\111220_5180 ST ALBANS BAY ROAD.dwg 8/15/2016 3:54 PM

BOLTON & MENK, INC.
 Consulting Engineers & Surveyors
 2638 SHADOW LANE, SUITE 200 - CHASKA, MINNESOTA 55318
 Phone: (952)-448-8838 Email: Chaska@bolton-menk.com
 www.bolton-menk.com

REV	ISSUED FOR	DATE
?	?	?

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.

ENGINEER NAME _____
 LIC. NO. XXXXX DATE XX/XX/XXXX

DESIGNED	XXX
DRAWN	XXX
CHECKED	XXX

CITY OF GREENWOOD, MINNESOTA
 ST. ALBANS BAY ROAD
 2016 DRAINAGE IMPROVEMENTS
 5180 ST. ALBANS BAY ROAD

SHEET 1 OF 1

CITY OF GREENWOOD

5180 ST. ALBAN'S BAY ROAD DRAINAGE IMPROVEMENTS

ENGINEERS ESTIMATE - BORE PIPE

8/16/2016

ITEM NO.	ITEM DESCRIPTION	UNIT	TOTAL EST.	EST. COST	TOTAL COST
1	MOBILIZATION	LS	1	\$ 1,000.00	\$ 1,000.00
2	CLEARING AND GRUBBING	LS	1	\$ 500.00	\$ 500.00
3	SITE GRADING	LS	1	\$ 3,000.00	\$ 3,000.00
4	BITUMINOUS DRIVEWAY	SF	800	\$ 8.00	\$ 6,400.00
5	BITUMINOUS CURB	LF	134	\$ 20.00	\$ 2,680.00
6	BITUMINOUS SPILLWAY	EA	1	\$ 1,000.00	\$ 1,000.00
7	6" HDPE	LF	200	\$ 60.00	\$ 12,000.00
8	12" AREA DRAIN	EA	1	\$ 500.00	\$ 500.00
9	RODENT GUARD	EA	1	\$ 100.00	\$ 100.00
10	RIPRAP, CL. 2	CY	0.5	\$ 200.00	\$ 100.00
11	EROSION CONTROL	LS	1	\$ 500.00	\$ 500.00
12	TURF RESTORATION	LS	1	\$ 500.00	\$ 500.00
	CONSTRUCTION COST				\$ 28,280.00

CITY OF GREENWOOD

5180 ST. ALBAN'S BAY ROAD DRAINAGE IMPROVEMENTS

ENGINEERS ESTIMATE - OPEN TRENCH

8/16/2016

ITEM NO.	ITEM DESCRIPTION	UNIT	TOTAL EST.	EST. COST	TOTAL COST
1	MOBILIZATION	LS	1	\$ 1,000.00	\$ 1,000.00
2	CLEARING AND GRUBBING	LS	1	\$ 2,000.00	\$ 2,000.00
3	SITE GRADING	LS	1	\$ 4,000.00	\$ 4,000.00
4	BITUMINOUS DRIVEWAY	SF	800	\$ 8.00	\$ 6,400.00
5	BITUMINOUS CURB	LF	134	\$ 20.00	\$ 2,680.00
6	BITUMINOUS SPILLWAY	EA	1	\$ 1,000.00	\$ 1,000.00
7	6" HDPE	LF	200	\$ 20.00	\$ 4,000.00
8	12" AREA DRAIN	EA	1	\$ 500.00	\$ 500.00
9	RODENT GUARD	EA	1	\$ 100.00	\$ 100.00
10	RIPRAP, CL. 2	CY	0.5	\$ 200.00	\$ 100.00
11	EROSION CONTROL	LS	1	\$ 500.00	\$ 500.00
12	TURF RESTORATION	LS	1	\$ 1,500.00	\$ 1,500.00
	CONSTRUCTION COST				\$ 23,780.00



Agenda Item: Consider Variance Request, Duane and Leonora Thurow, 5125 West Street.

Summary: Duane and Leonora Thurow have signed a purchase agreement to buy the property at 5125 West Street. In order to make the house functional for them long term, they desire to build a main level bedroom and are seeking a variance from the side yard setback requirements to build the addition onto the existing house.

	Front Setback	Lake Setback	West Setback	East Side Setback	Impervious Surface Area	Volume	Principal Structure Height
Permitted/Required	30	50'	15'	15'	30%	41,760 cf	28'
Existing	6'-1"	40'-6"	21'-4"	4'-4"	31.9%	unknown	unknown
Proposed	6'-1"	40'-6"	21'-4"	6'-2"	31.7%	34,472 cf	13'-6" (addition height)

The proposal would expand the existing house by adding a 395 square foot, main level addition. The addition would sit 6 feet, 2 inches off of the east property line. Section 1120:15 of the Zoning Ordinance requires a minimum side yard setback of 15 feet, and the applicants are seeking a **variance to encroach 8 feet, 10 inches into the minimum required side yard setback**. All other encroachments would remain unaffected by the proposal.

The current house does not have a main level bedroom, and the addition would make it more suitable for the Thurow's long term needs. The property is 6,960 square feet, which is 46% of the required lot size for the zoning district. The small size of the property creates a number of challenges in modifying this 1940s house.

Applicants are proposing to remove a parking pad and a shed, which will create a net reduction of 15 square feet of hardcover from existing conditions. The proposal is otherwise zoning code compliant in terms of height, structure volume, grading, and tree preservation.

While staff is sympathetic to the desires of the buyers, the proposed encroachment would create an extremely narrow side yard setback. While similar narrow setbacks exist within the city, primarily among older houses, it is the goal of the city not to further perpetuate the problem by allowing new encroachments of this magnitude. While the property does create challenges to expand the house, the existing house is of an adequate size and scale that make the need for a variance less about the limitations of the property, and more about the needs of the buyers.

Staff Recommendation: Staff recommends denial of the variance request of Duane and Leonora Thurow to encroach 8 feet, 10 inches from the minimum required side yard setback for the proposed house addition at 5125 West Street, as presented.

Staff findings, based on the practical difficulty standards found in city code section 1155.10:

1. The variance, if granted, will not be in harmony and keeping with the spirit and intent of the zoning ordinance because: The applicants are seeking to vary from the setback standards in order to complete a home addition that would create an extremely narrow side setback, creating substantial impacts on adjacent property. While the garage encroaches to a significant degree, further expanding the encroachment would not be in keeping with the spirit and intent of the ordinance.
2. The variance, if granted, will be consistent with the comprehensive plan's guiding use for the subject property in the applicable zoning because of the character of the proposed use is consistent with the applicable zoning.
3. Though the property owner's proposed *manner of use* of the property is not permitted by the zoning ordinance without a variance, the proposed *manner of use* is not reasonable because: it creates an extremely narrow side setback for the property.

4. The plight of the landowner-applicant is not due to circumstances unique to the property and is created by the landowner because: The desire for a main floor bedroom area is proposed to meet the needs of the new property owners. The property is otherwise suitable as is for a wide variety of households.
5. The variance, if granted, will not alter the essential character of the locality, because: the proposed expansion would remain consistent with the scope and scale of the surrounding properties. There are similar non-conformities within the city, although these are typically legal non-conformities created by homes that were built prior to the creation of the zoning ordinance.
6. The variance, if granted, will not:
 - a. Impair an adequate supply of light and air to adjacent property;
 - b. Unreasonably increase the congestion in the public street;
 - c. Increase the danger of fire or endanger the public safety; or
 - d. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance.

Planning Commission Action: The planning commission held a public hearing at their August 17 meeting. Motion by Bechtell to recommend that the city council deny the variance request, as presented, based on the findings of staff. Motion was seconded by Sayer. Motion carried 3-0.

City Council Action: Action required by September 19, 2016. Potential motions ...

1. **Denial Motion:** I move that the city council adopts resolution 33-16 **denying** the application of Duane and Leonora Thurow for a variance of Greenwood Ordinance Section 1120.15 to encroach 8 feet, 10 inches into the minimum required side yard setback for the proposed home addition at 5125 West Street as presented and based on the recommendation and findings of the planning commission.
2. **Approval Motion:** I move that the city council **approves** the application of Duane and Leonora Thurow for a variance of Greenwood Ordinance Section 1120.15 to encroach 8 feet, 10 inches into the minimum required side yard setback for the proposed home addition at 5125 West Street, based on the following verbal findings of fact: _____ . I further move the city council directs staff to draft a resolution with these findings and authorizes the mayor to sign the resolution by the 09-19-16 deadline.
3. **Motion for Additional Time:** I move city staff exercise the right to take up to 60 additional days as provided by MN statute 15.99 to process the application of Duane and Leonora Thurow, extending the deadline to November 18, 2016 so the city council may consider findings **denying** and findings **approving** the applicaiton.

KEY DATES:

Application complete:	July 21, 2016
Notice of Public Hearing published:	August 4, 2016
Planning Commission Public Hearing:	August 17, 2016
City Council Consideration:	September 7, 2016
60-Day Deadline:	September 19, 2016
120-Day Deadline (if necessary):	November 18, 2016

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).

7/21



Variance Application

Person completing form: Property Owner **BUYERS**
 If you prefer to complete this form electronically, it is available at www.greenwoodmn.com.

Date application submitted	7/20/16
Date application complete (office use only)	
Property address	5125 West St
Property identification number (PID)	26-117-23-31-0013
Property owner's current mailing address	1161 Elmwood Ave
Names of all property owners	Richard Sundberg
Cell phone and email of property owner(s)	612-298-1173; sundberg.rick@gmail.com
Name of BUYERS	Duane and Leonora Thurow
	Buyers of 5125 West St
Cell phone and email of BUYERS	605-216-4788; thurow@nvc.net
BUYER'S ADDRESS	PO Box 1003, Aberdeen, SD, 57402
Present use of property	Single Family Residence
Property acreage	0.16
Existing variances or conditional use permits	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes -- please attach a copy
Request is for	<input type="checkbox"/> New Construction <input checked="" type="checkbox"/> Addition <input type="checkbox"/> Remodel <input type="checkbox"/> Replace
The variance(s) are being requested to (e.g. build a garden shed)	Construct a single story main floor bedroom and bathroom

Requested variance(s):

		Required*	Proposed	Difference
<input checked="" type="checkbox"/>	Side Yard (feet)	15	6.2	8.8
<input type="checkbox"/>	Front Yard (feet)			
<input type="checkbox"/>	Rear Yard (feet)			
<input type="checkbox"/>	Lake Setback (feet)			
<input type="checkbox"/>	Building Height (feet)			
<input type="checkbox"/>	Structure Height (feet)			
<input type="checkbox"/>	Wetland Setback (feet)			
<input type="checkbox"/>	Bluff Setback (feet)			
<input type="checkbox"/>	Maximum Above Grade Building Volume (cubic feet)			
<input type="checkbox"/>	Hardcover (percentage)			
<input type="checkbox"/>	Other:			

* See page 2 of the CUP & Variance Checklist document for the requirements for various zoning districts.

Making your case for the grant of a variance

Per state law and city code section 1155 (view at city hall or at www.greenwoodmn.com) any persons may request variances from the literal provisions of the zoning ordinance, shoreland management district ordinance, wetland ordinance, and other applicable zoning regulations in instances where their strict enforcement would cause practical difficulties because of circumstances unique to the individual property under consideration. A variance shall only be permitted when it is in harmony with the purposes and intent of the ordinance and when the variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. Economic considerations alone shall not constitute practical difficulties.

"Practical difficulties," as used in connection with the granting of a variance, means:

- (a) that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
- (b) the plight of the landowner is due to circumstances unique to the property and not created by the landowner;
- (c) and the variance, if granted, will not alter the essential character of the locality.

Establishing a "practical difficulty"

Please respond to each of the following questions. If you are unable to establish a "practical difficulty," please consider alternatives to your construction plans that may remove the need for a variance.

<p>Is the variance in harmony with the purposes and intent of the ordinance?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: Proposed variance would maintain as many setbacks as possible while allowing a small expansion in the only area that does not create another encroachment. The existing garage already encroaches into the east side yard setback which sits 4.2 feet front the side yard, the proposed addition would encroach less than the garage and not create any new encroachments. Also the hard cover % will be improved, reduced from the existing 33% to 31.7%.</p>
<p>Is the variance consistent with the comprehensive plan?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: Improving the existing structure through the addition of a main floor bedroom would maintain the existing property and housing diversity of the neighborhood and city by keeping this relatively small house intact and improving its functionality to make it functional for the foreseeable future for the new owners and subsequent owners.</p>
<p>Does the proposal put the property to use in a reasonable manner?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: Small size and scale of proposed addition keeps the existing home comparable to the other homes in the neighborhood and will increase the lakeside elevation appeal of the property increasing the uniqueness and character of the neighborhood.</p>
<p>Are there unique circumstances to the property not created by the landowner?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: Lot is nonconforming and narrow (68'). Setback requirements of 15' per side would only allow a 38 foot wide home, which is not practical (a standard garage is 24 feet wide). Also the location of the existing home limits areas on the lot for expansion. The east side yard is the only area on the lot that would not create a new encroachment on the property, as the garage already encroaches into the east side yard setback requirement.</p>
<p>Will the variance alter the essential character of the locality?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: No - the proposed addition is small - 317 square feet - and the house will remain modest in size after the expansion of approximately 2300sf. It will also improve the lakeside "curb appeal" with the attractive design.</p>
<p>Will the variance impair an adequate supply of light and air to adjacent property?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: The variance would allow a single story addition, attached to an existing two story home which will attach to the new addition on two sides - the north side and the west side. The single story addition will only be 13'6" wide and will not make a significant impact on lighting and air supply to the adjacent property.</p>
<p>Will the variance unreasonably increase the congestion in the public street?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: It will make no difference</p>
<p>Will the variance increase the danger of fire or endanger the public safety?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: If anything it will decrease the fire danger to the occupants as they would not need to climb out of a 2nd story window and jump to the ground if there was ever a fire while they were sleeping.</p>
<p>Will the variance unreasonably diminish or impair established property values within the neighborhood?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: If anything it will improve property values in the neighborhood by improving the existing structure's functionality for an aging population and also the curb appeal from the lake side of the property, currently the least-attractive side of the home.</p>

with adjacent property owners and secure signatures in this section. Attach another page if there are more than 2 adjacent neighbors. The undersigned acknowledges that we have reviewed the plans for the proposed improvements or proposed use of the property listed on page 1 of this document. We understand that by signing this acknowledgement, that we NOT being asked to declare approval or disapproval of the proposal, but merely are confirming for the city council that we aware of the plans and that we understand that the proposed project requires city council approval.

Neighbor #1 Address: 5135 West Street, Greenwood, MN 55331	
Signature:	Date:
Print Name: Tom and Tami Smith	

Neighbor #2 Address: 5120 West Street, Greenwood, MN 55331	
Signature:	Date:
Print Name: Bob and Gail Quam	

The undersigned contacted the following regulatory bodies and will seek approvals if required:
 (1) Lake Minnetonka Conservation District 952.745.0789 (2) Minnehaha Creek Watershed District 952.471.0560

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: <i>Shane Purson</i>	Date: 7/24/2016
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Property owner's acknowledgement and signature: The undersigned is the fee file 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: <i>R.M. [unclear]</i>	Date: 7/20/2016
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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
Shortland Management Review Fee (nonrefundable)	\$200
Total Amount Due (make check payable to the City of Greenwood)	\$600

For Office Use Only	Fee Paid: <input type="checkbox"/> Cash <input type="checkbox"/> Check #:	Amount \$
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VARIANCE APPLICATION - Page 3 of 3 Fees Updated 02-09-10

Permit #	FORM #8 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.

Property Owner(s)	Richard Sundberg (on behalf of buyers Duance and Leonora Thurow)
Property Address	5125 West St, Greenwood, MN 55331

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	7/19/2016
Property Owner's Mailing Address	5125 West Street, Greenwood, MN 55331
Property Owner's Phone Number	612-298-1173 (605-216-4788)
Property Owner's Email	sundberg.rick@gmail.com (thurow@nvc.net)
Contractor or Builder / Architect Name	Terry Scholz
Contractor or Builder / Architect Address	420 Walnut St North, Chaska, MN 55318
Contractor or Builder / Architect Phone	952-220-9563
Contractor or Builder / Architect Email	terrenceascholz@aol.com

SECTION 2

Total surface area to be moved, disturbed, cut, or filled (square feet)	
Total volume of soil or earth to be moved, disturbed, cut, or filled (cubic feet)	
Estimated start date	October 1 st , 2016

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

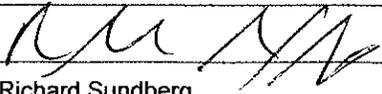
Work is due to circumstances not related to the land or existing drainage issues, but due to an election by the property owner to make an addition to a principal or accessory structure: Yes No

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 or at city hall).

Signature		Date: 7/19/2016
Print Name	Richard Sundberg	

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:
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Form Updated 10-27-14

Permit #	FORM #12 Return this document to City Hall
Receipt #	



Shoreland Management Worksheet

If you prefer to complete this form electronically, it is available at www.greenwoodmn.com.

Property Owner(s)	Richard Sundberg, on behalf of buyers Duane and Leonora Thurow
Property Address	5125 West Street, Greenwood, MN 55331

Person completing this form: Property Owner Builder / Architect

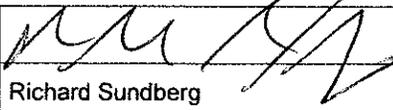
Per the Construction Site Management ordinance (section 305.00 subd 2b) a Shoreland Management Worksheet is required for building projects \$10,000+. Per section 1176.03, subd. 3 & 10, a Shoreland Compliance Review is required for all properties within 1,000 feet of the Ordinary High Water Level of Lake 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)	6960
Proposed lot size (square feet)	6960
Dimensions of proposed structure(s)	13'6" X 29'
Total square footage of proposed structure(s)	395
Percent of existing hardcover	33%
Total hardcover including proposed hardcover	31.7%
Amount of fill to be added (cubic yards)	0
Amount of soil to be removed (cubic yards)	0
Type and area of vegetation to be removed	none - grass to be added to replace exist BT pad and shed

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

Signature		Date: 7/19/16
Print Name	Richard Sundberg	

Form Updated 10-27-14

Permit #	FORM #5 Return this document to City Hall
Receipt #	



Building Volume Compliance Form

If you prefer to complete this form electronically, it is available at www.greenwoodmn.com.

Property Owner(s)	Richard Sundberg (on behalf on buyers Duane and Leonora Thurow)
Property Address	5125 West St, Greenwood, MN 55331

Person completing this form: Property Owner Builder / Architect

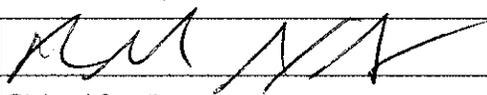
Per code section 1140.18 (view at www.greenwoodmn.com or at city hall), no lot in the residential zones of the city may be host to principal and accessory buildings and structures whose above grade building volume (expressed in cubic feet) is greater than the following maximums:

- (1) Lots of 7500 square feet or less in area may be host to buildings, structures, and accessory structures whose above grade building volume is not greater than a volume equal to 6 times the lot area.
 - (2) Lots between 7500 square feet and 15,000 square feet in area may be host to buildings, structures, and accessory structures whose above grade building volume is not greater than a volume equal to 42,000 cubic feet plus a volume of cubic feet equal to a figure 4 times (lot area minus 7500 square feet).
 - (3) Lots greater than 15,000 square feet in area may be host to buildings, structures, and accessory structures whose above grade building volume is not greater than a volume equal to 75,000 cubic feet plus a volume of cubic feet equal to a figure 2 times (lot area minus 15,000 square feet).
- Exclusions. All space above unroofed structures such as decks, patios, and wholly in-ground, at grade, pools with no exposed sides shall be excluded from the calculation of building volume.
 - Inclusions. Enclosed or unenclosed porches or porticos shall be included in the total volume of the building.
 - Building Perimeter Grade means the average of all elevation measurements taken off the finished grade or surface of the ground, sidewalk or paving around the perimeter of a building or structure at (a) points 5 feet distant and perpendicular to the building perimeter commencing at the most northerly corner thereof and thence clockwise at similarly situated points every 10 feet around the building perimeter, (b) the point of highest grade within 5 feet of the building perimeter and (c) the point of lowest grade within 5 feet of the building perimeter.

Exemption for small projects: The proposed improvements involve an area equal to 20% or less of the first floor of the principal structure, therefore I request the city zoning administrator waive the requirement to submit the additional survey requirements and the "above grade building volume" calculation.

The "above grade building volume" calculation for the property is:	less than 34,472 cu-ft
---------------------------------------------------------------------------	-------------------------------

Sworn Statement: The undersigned hereby submits this "sworn statement" that the "above grade building volume" calculation is prepared in conformance with the provisions of code section 1140.18. In the event of inaccuracies, misstatements, incomplete information, or errors in the application and/or supporting materials, the city may issue stop work orders, or delay action on applications pending receipt of corrected or additional information. The undersigned assumes all risk of loss or expenses caused by any such deficiency, delay, or structural changes required to cause the structure to come into code compliance.

Signature		Date: 7/19/2016
Print Name	Richard Sundberg	

As-Built Construction Statement (to be signed prior to a certificate of occupancy being issued): The undersigned hereby submits this "sworn statement" and the attached as-built plans verifying the "above grade building volume" of the structure conforms to code section 1140.18.

Signature		Date:
Print Name		

Form Updated 10-27-14

RESOLUTION NO. 09-14

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

IN RE: **The Application of Richard Sundberg, 5125 West Street, Greenwood, Minnesota for variances to permit a second story addition above an existing non-conforming garage and addition of a mudroom over an existing front stoop.**

WHEREAS, Richard Sundberg is the owner of real property at 5125 West Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-31-0013); and

WHEREAS, the applicant proposes an addition above an existing garage and also addition of a mudroom over an existing front stoop. The addition above the garage requires a front yard setback variance of 9 ft. and an east side yard variance of 4 ft. The property has existing hard cover of 33%; applicant is proposing 33%, and requires a variance to do so; and

WHEREAS, notice of public hearing was published, notice given to neighboring property owners, and a public hearing held before the Planning Commission on March 19, 2014 to consider the application; and

WHEREAS, public comment was taken at the public hearing and the Planning Commission has considered the matter and recommended approval of a variance to permit the addition of an unenclosed front porch.

NOW, THEREFORE, the City Council of the City of Greenwood, Minnesota acting as the Board of Appeals and Adjustments does hereby make the following:

FINDINGS OF FACT

1. That the applicant's property is located at 5125 West Street, Greenwood, Minnesota 55331 within the R-1A Single Family Residential District.
2. The property is host to an existing house on a 7,560 sq. ft. lot. The applicant desires to add a second story addition above an existing garage and also to add a mudroom over an existing front stoop. The proposed mud room does not in itself require a variance grant. The addition above the garage requires a variance to permit encroachment on the required front yard setback of 9 ft. and an east side yard variance of 4ft. The property has existing hard cover of 2493 sq. ft. (33% of 7560 sq. ft.) which appears to a be a legal non-conforming use. The applicant proposes to maintain, and not add to, the existing hardcover. This requires a variance to section 1176.04 (3) (3).

3. That Section 1120:15 requires a minimum front yard setback of 30 ft., a minimum side yard setback of 15 ft. Section 1176.04.3.3 allows a maximum permitted hard cover of 30%.
4. The Planning commission received public comment that the garage has been an issue in terms of drainage and view, but that the plan is otherwise acceptable.
5. The applicant advised the planned increase in roof pitch would not significantly impact drainage. Furthermore he advised that to relocate the garage would require abandonment of the existing well and consume the entire front yard. Applicant advised the proposed design is his best plan, that it addresses fire safety issues where the garage connects to the home, and that the design is intended to minimize impact on adjacent properties.
6. The planning commission observed that property owners are given protections by statute to a reasonable use of their property and that the addition above the garage would not worsen the existing drainage issues along the east property line.
7. The Planning Commission, recognizing these facts, recommended approval of the application for a front yard setback variance of 9 ft. and an east side yard setback variance of 4 ft. to permit the planned second story addition over the existing garage, and a variance to section 1176.04 (3) (3) of three percent (3%) allowing no increase in existing hardcover, upon the following findings: the proposal (a) maintains the spirit and intent of the zoning ordinance by maintaining the low density nature of the R-1A single family district; (b) is consistent with the Comprehensive Plan in that it seeks to maintain the character of the city through the maintenance of the existing housing stock; (c) manner of use is reasonable since the proposal seeks to maintain the existing use of the property by updating a home while maintaining the character of the structure; (d) the plight of the owner is due to the size of the lot and location of the existing garage; and maintains the essential character of the neighborhood.
8. Section 1155.10, Subd. 4, 5 & 6 provide:

“Subd. 4. Practical Difficulties Standard. “Practical difficulties,” as used in connection with the granting of a variance, means:

- (a) That the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
- (b) The plight of the landowner is due to circumstances unique to the property and not created by the landowner; and
- (c) The variance, if granted, will not alter the essential character of the locality

Economic considerations alone shall not constitute practical difficulties.

Subd.5 Findings. The board, in considering all requests for a variance, shall adopt findings addressing the following questions:

- (a) Is the variance in harmony with the purposes and intent of the ordinance?
- (b) Is the variance consistent with the comprehensive plan?
- (c) Does the proposal put property to use in a reasonable manner?

- (d) Are there unique circumstances to the property not created by the landowner?
- (e) Will the variance, if granted, alter the essential character of the locality?

Subd. 6. Practical Difficulties Considerations. When determining reasonable manner or essential character, the board will consider, but will not be limited to, the following:

- (a) Impair an adequate supply of light and air to adjacent property.
 - (b) Unreasonably increase the congestion in the public street.
 - (c) Increase the danger of fire or endanger the public safety.
 - (d) Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance.”
9. Based on the foregoing, the City Council finds that the variance to permit an addition above an existing garage and also add a mudroom over an existing front stoop, if granted, would (1) be in harmony and keeping with the spirit and intent of the Zoning Code because it will maintain the character of the neighborhood, and (2) will be consistent with the Comprehensive Plan’s guiding use for the subject property in the applicable zone because the character of the proposed use is consistent with the zoning.
10. The City Council further finds, that the property owner’s proposed manner of use of the Property - addition of a second story above an existing garage - is reasonable because the encroachment of the proposed second story addition on the front and east side yard does not increase the existing encroachment, and there is no possibility of a second story addition for added utility without the requested variance; that the plight of the applicant is due to circumstances unique to the property - that being a short lot depth and existing house placement on the lot - and was not created by the applicant; and the variance, if granted, will not alter the essential character of the locality, it will not impair the supply of light and air, or create congestion on the public street or endanger public health, safety, and welfare.
11. That the following conditions should be imposed on any such variance grant for a porch:
- A. Project must be completed according to the specifications and submitted plan;
 - B. That the total permitted hard cover on the lot shall be kept at 2493 sq. ft. (33% of 7560 sq. ft.) and no more and shall be verified by survey prior to final inspection.
 - C. A certified copy of this resolution shall be filed by the applicants with Hennepin County Registrar of Titles and proof of filing provided to the Clerk of the City before any permits shall be issued.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the City Council acting as the Board of Appeals and Adjustments makes the following Conclusions of Law:

1. That the applicant has made an adequate demonstration of facts meeting the standards of Section 1155:10; and that a variance to Greenwood Ordinance Code Section 1120:15, of 9 ft. to the required front yard setback of 30 feet, and a variance of 4 ft. to the required side yard setback of 15 ft. necessary to allow a second story addition to an existing garage, subject to conditions as stated at paragraph 11, **should** be granted.
2. That the applicant's grandfathered right to a maximum permitted hard cover upon the property of 2493 sq. ft. is acknowledged and a variance to Greenwood Ordinance Code Section 1176.04 (3)(3) to permit an continued total permitted hard cover in excess of 30% at 2493 sq. ft. (33%) **should** be granted .

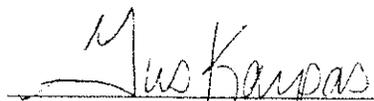
NOW, THEREFORE, be it resolved by the City Council of the City of Greenwood, Minnesota acting as the Board of Appeals and Adjustments.

1. That the application of Richard Sundberg for a variance of nine (9 ft.) to the required front yard setback and four (4 ft.) to the required side yard setback under Greenwood Ordinance Code Section 1120:15 to allow the addition of a second story over the existing garage, is **granted** subject to the following conditions:
 - A. The project must be completed according to the specifications and submitted plans.
 - B. The total permitted hard cover on the lot shall be kept at 2493 sq. ft. (33% of 7560 sq. ft.) and no more and shall be verified by survey prior to final inspection.
 - C. A certified copy of this resolution shall be filed by the applicants with Hennepin County Registrar of Titles and proof of filing provided to the Clerk of the City before any permits shall be issued.

PASSED THIS 2nd DAY OF APRIL, 2014 BY THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA ACTING AS THE BOARD OF APPEALS AND ADJUSTMENTS FOR THE CITY OF GREENWOOD, MINNESOTA.

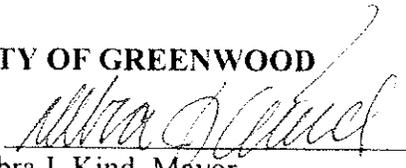
3 Ayes, 1 Nays, 1 Abstain

ATTEST:



Gus Karpas, City Clerk/Administrator

CITY OF GREENWOOD

By 

Debra J. Kind, Mayor

July 21, 2016

City of Greenwood
20225 Cottagewood Road
Deephaven, MN 55331

RE: 5125 West Street - Proposed Bedroom and Deck above Addition on Main Floor and Parking lot removal.

Dear Planning Commission Members & City Council Members,

We would like to take the time to voice some concerns we have regarding the requested non-conforming addition onto the home at 5125 West Street. The proposed addition would be added to the garage and kitchen on the east side which faces our west side of our home. The garage is already only 4 feet from our property which is non-conforming. Now they want to put an addition up which would be non-conforming to within 6ft of our property line. We feel that this should not be allowed as this property is non-conforming and has already constructed an addition on a non-conforming lot. What happens in the future if you were to pass this and they want to add another story? When does it end? If the parking area is removed it will cause more congestion on an already congested street. There is no driveway to speak of that they can park on because we have a 15 x 40 ft easement to get to our garage in an already very congested area. There is already a good sized deck on the southwest corner of house facing the lake which was added on to and non-conforming. We feel this would decrease the value of our property.

The new garage addition is 13 feet from our house when you measure our house to garage soffit.

- 11 feet over side yard setback to 5135 West Street (our property)
- 9 feet over front yard setback to 5115 West Street

There are consistently issues with parking in front of the garage blocking our deeded 15' x 40' easement causing us to drive on our neighbor's driveway at 5115 West Street to get to our house and she prefers to not have her driveway used in that manner. This also causes safety concerns for fire and rescue. We feel that this property is maximized as far as additions are concerned to a non-conforming lot. With having the addition with a deck whether it's on top or facing the lake or both. Would take away any privacy we might have being so close to property line which would be only 6 ft. We feel we have been put through enough with already one massive non-conforming addition that we get to stare at every day. Maybe this property is not the correct choice for the Thurow's needs. We don't feel we should have to bare responsibility for a home that does not have a bedroom on the main floor.

We strongly encourage each of you to stop by and view the proposed site and adjoining properties to better understand our concerns and we thank you for taking our concerns into consideration.

If you have any questions or would like to discuss this further, please contact Tom Smith at 612-240-6799 or Email tom.smith@mchsi.com.

Kind Regards, Tom and Tammy Smith and family

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

GENERAL COMMENTS ON REQUEST:

Any variances on setbacks continue to enclose views of the lake from adjacent properties. We need more lake views given that the area is rapidly being overbuilt as it is.

SPECIFIC ISSUES or CONCERNS:

Name: Helja Alari
Address: 5120 Curve St. Greenwood MN 55331

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

Dale Cooney

From: Rich Ambrose <rambrose814@gmail.com>
Sent: Monday, August 15, 2016 9:42 AM
To: dalec@mediacombb.net
Cc: cambrose405@gmail.com; Debra Kind
Subject: Resident Comment Form
Attachments: ambrose resident comment form.pdf

Dale,

Please see the attached Resident Comment Form as it pertains to the request for a variance on West St.

For the record, I agree 100% with Connie's comments and I too stand in **strong** opposition to the variance request.

Thanks for your time and attention.,

Regards,

Connie & Rich Ambrose
5130 Curve St.
Greenwood

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

GENERAL COMMENTS ON REQUEST:

- (1) This variance request ~~is~~ should not be accepted. It places the addition too close to existing neighbors and absolutely does not conform with the existing laws on the books. This is not a small variance request.
- (2) The applicants are not citizens of Greenwood and prior approval should not be a condition of the sale.
- (3) Current owner did not build to quality of plans submitted to owners. He also had variance request ~~denied~~ for the property and was granted. Now, additional requests? Additional encroachment into the neighborhood is unfair to neighbors.

SPECIFIC ISSUES or CONCERNS:

The fact that the request is coming from "potential" buyers tells me they are not happy with the house as is. To me that means this house is probably not the right house for them.
I strongly oppose granting of this variance.

Name: Connie L Ambrose
Address: 5130 Curme Street, Greenwood, MN 55331

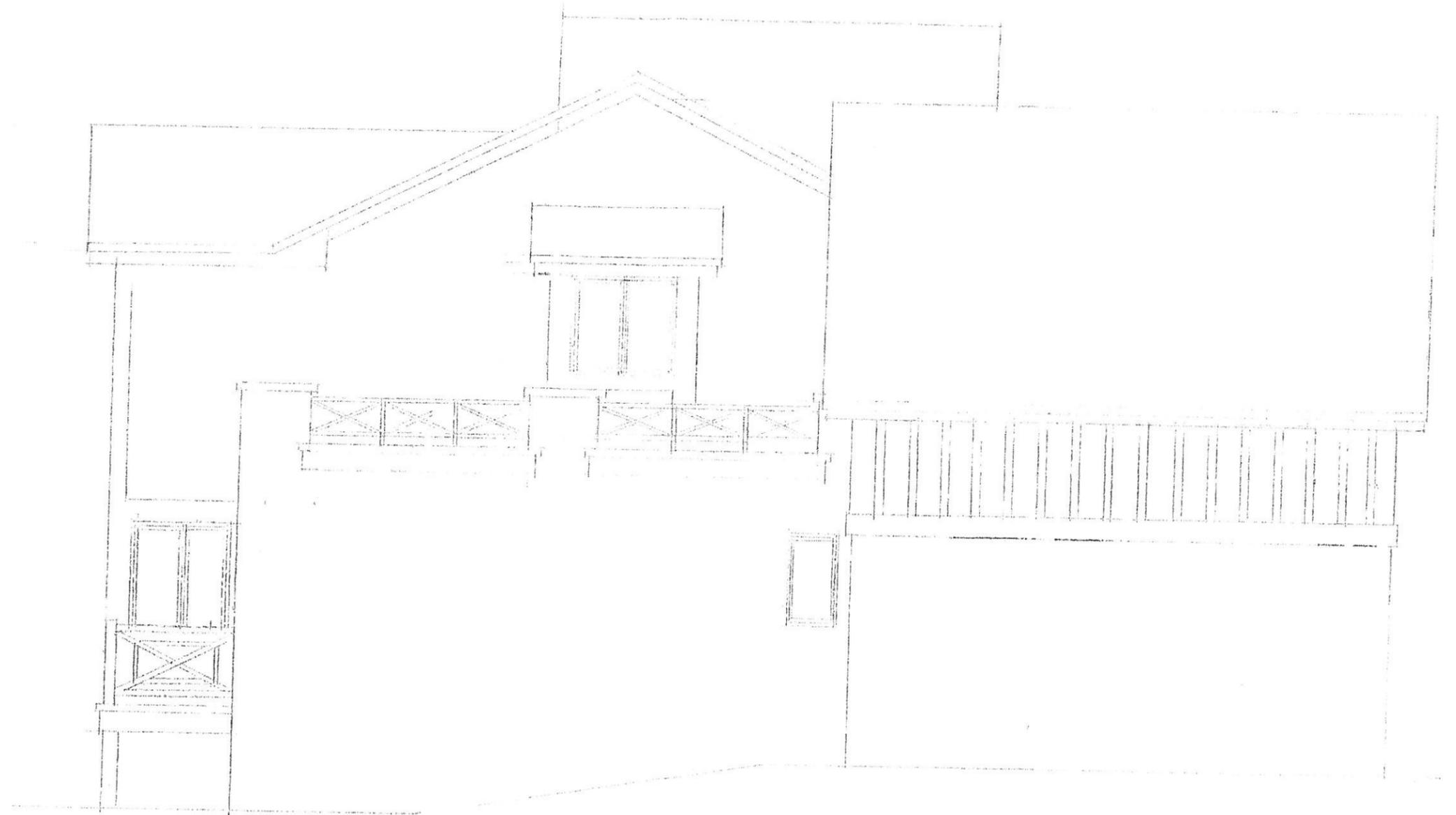
Please return completed form to the attention of Dale Cooney @ 20225 Cottagewood Road, Deephaven MN 55331 or fax to (952) 474-1274.

dalec@mediacombb.net



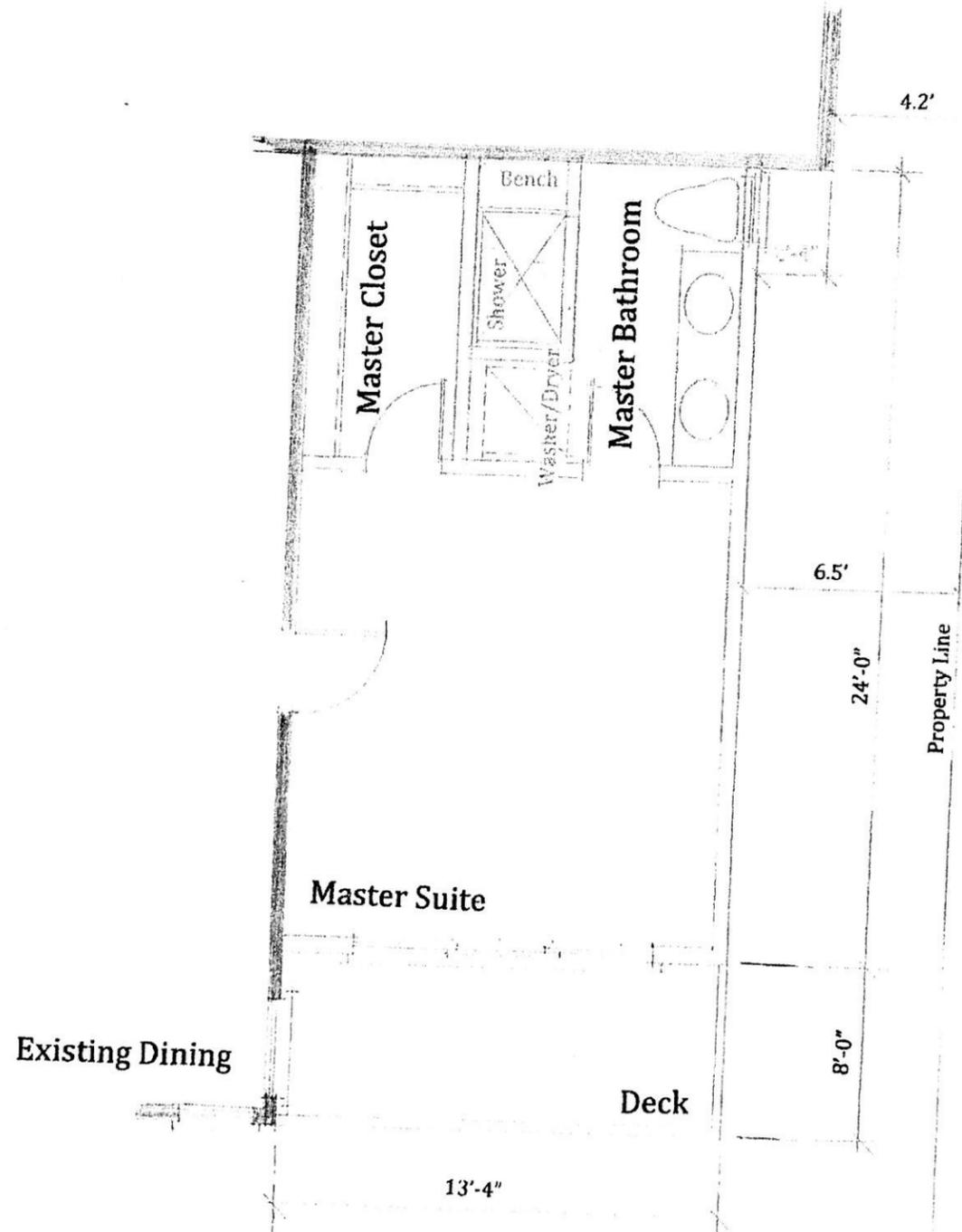
5125 West Street, Greenwood, MN

Rear/Lakeside Elevation: 1/4"=1'-0"



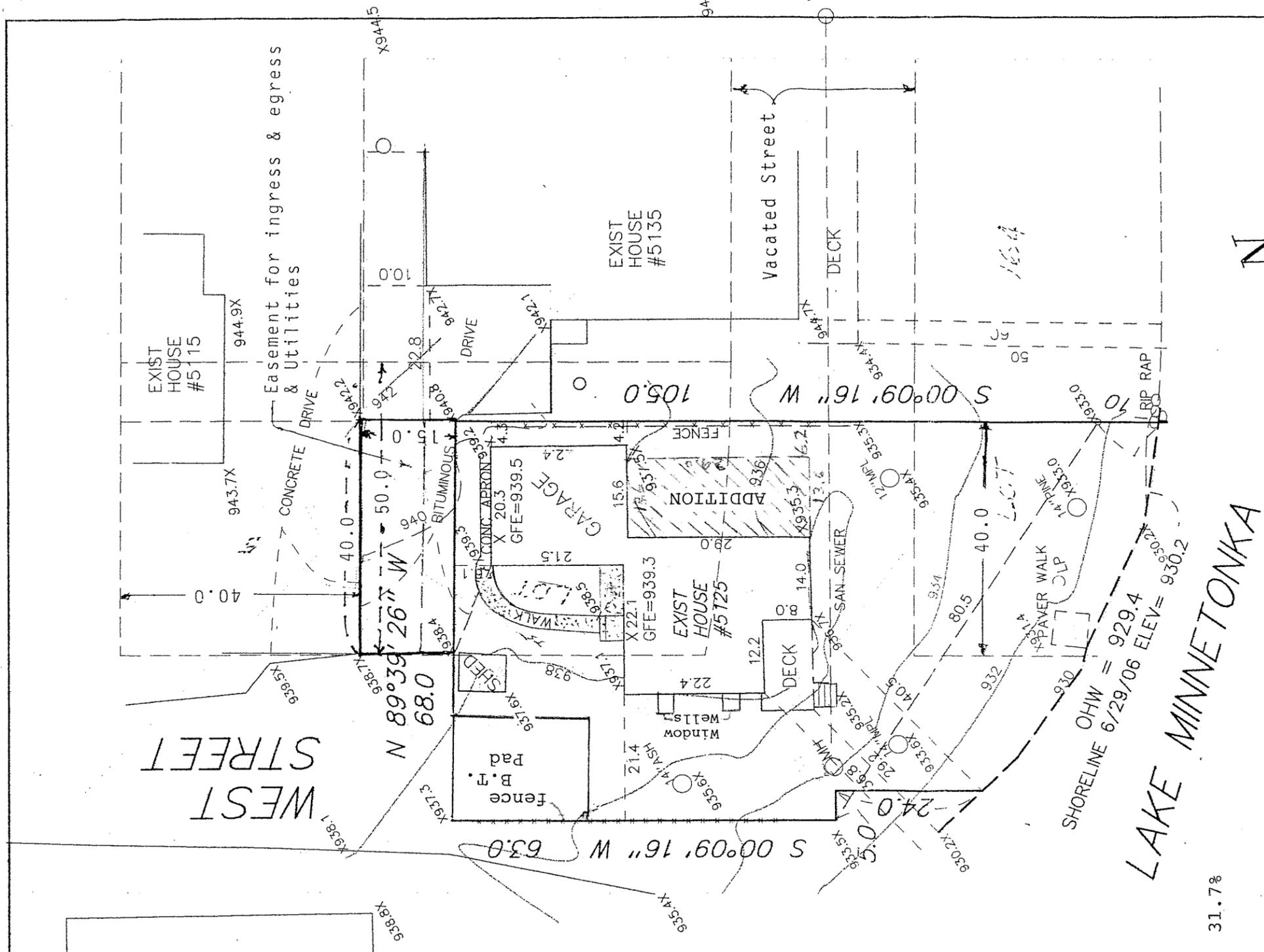
5125 West Street, Greenwood, MN

Left Side Elevation: ¼"=1'-0"



5125 West Street, Greenwood, MN

Main Level Floor Plan: 1/4"=1'-0"



Proposed HC
 House 543 Sq. Ft.
 Gar. 455 Sq. Ft.
 New Add. 395 Sq. Ft.
 B.T. Dr. 725 Sq. Ft.
 Deck-St. 148 Sq. Ft.
 Conc. St.
 & Walk 132 Sq. Ft.
 Total 2398 Sq. Ft. 31.7%

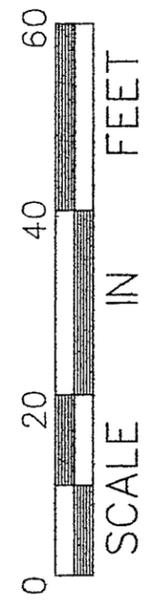
DESCRIPTION:
 WEST 40 FEET OF LOT 164, AUDITOR'S SUBD. NO. 140,
 AND THAT PART OF THE WEST 40 FEET OF LOT 5,
 LYING SOUTH OF THE NORTH 40 FEET THEREOF,
 BENNETTS ADDITION TO COVINGTON

NOTE: THIS SURVEY IS SUBJECT TO CHANGE ON SURVEYORS
 RECEIPT OF ANY TITLE OR EASEMENT INFORMATION.

ADDRESS = 5125 WEST STREET
 PID#26-117-23-31-0013

6960 SF / 0.16 ACRES	House	543 Sq. Ft.
X 30% = 2088 SF HC ALLOW.	Gar.	455 " "
600 s.f. in easement as shown	Deck & Steps	148 " "
Total s.f. 7560 or 0.174 acres	B.T. Drive	805 " "
	B.T. Pad	374 " "
	Conc. Stoop & Walk	132 " "
	Shed	36 " "
	Total	2493 Sq. Ft.

REMOVE
 X(998.0) = PROPOSED SPOT ELEVATION
 = DIRECTION SURFACE DRAINAGE
 Hard Cover 33%



PROJECT NO. 6815 BOOK
 DATE JUNE 30, 2006 7-19-16
 REVISIONS 7/10/2006 11-11-13
 I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
 FRANK R. GARDARELLE REG. NO. 6508

CERTIFICATE OF SURVEY
 Survey For: Rick Sundberg
 5125 West St.
 Greenwood, MN 55331
 Land
 Frank R. Cardarelle Surveyor
 6440 FLYING CLOUD DRIVE
 EDEN PRAIRIE, MN. 55344

6815

RESOLUTION NO 33-16

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

DENYING

IN RE: The application of Duane and Leonora Thurow, 5125 West Street for a variance from Greenwood ordinance code section 1120.15 to encroach into the minimum side yard setback for the construction of a house addition.

WHEREAS, Duane and Leonora Thurow have made application for a variance for the property commonly known as 5125 West Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-31-0013) being real property in Hennepin County, Minnesota and legally described as follows:

W 40 FT OF LOT 164 AUD SUBD NO 141 ALSO THAT PART OF W 40 FT OF LOT 5 BENNETTS ADDN TO COVINGTON LYING S OF N 40 FT THOF INCL ADJ PART OF VAC WEST ST AND INCL ADJ 1/2 OF VAC LAKE STREET

; and

WHEREAS, Rick Sundberg, property owner at 5125 West Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-31-0013) has consented to this request as evidenced by his signature on the variance application; and

WHEREAS, application was made for a variance to section 1120.15 to permit construction of a home addition that encroaches into the minimum required side yard setback by 8 feet, 10 inches; 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 August 17, 2016; 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 5125 West Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-31-0013) is a single-family lot of record located within the R-1A district.
2. The applicant proposes to construct a home addition that encroaches into the minimum required side yard setback by 8 feet, 10 inches.

Greenwood ordinance code section 1120.15 states, "Subject to the provisions of section 1176 et seq., the following front, side, rear, and lake yard setbacks shall be considered as minimum standards for buildings:

Land Use	Front Yard	Side Yard	Exterior Side Yard (Corner Lot)	Rear Yard	Lake Yard
Single-Family Principal Structure	30 feet	15 feet	30 feet	35 feet	50 feet
Municipal Park Equipment & Buildings	50 feet	50 feet	50 feet	50 feet	Not Allowed
Public & Private Utilities	50 feet	100 feet	50 feet	100 feet	100 feet

Accessory Structures	See section 1140.10 for Accessory Structures and Uses (primary and secondary) Setbacks and General Regulations
----------------------	----------------------------------------------------------------------------------------------------------------

3. Greenwood ordinance section 1155.10, subd 4, 5 & 6 states:

“Subd. 4. Practical Difficulties Standard. “Practical difficulties,” as used in connection with the granting of a variance, means:

- (a) that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
- (b) the plight of the landowner is due to circumstances unique to the property and not created by the landowner;
- (c) and the variance, if granted, will not alter the essential character of the locality

Economic considerations alone shall not constitute practical difficulties.

Subd. 5. Findings. The board, in considering all requests for a variance, shall adopt findings addressing the following questions:

- (a) Is the variance in harmony with the purposes and intent of the ordinance?
- (b) Is the variance consistent with the comprehensive plan?
- (c) Does the proposal put property to use in a reasonable manner?
- (d) Are there unique circumstances to the property not created by the landowner?
- (e) Will the variance, if granted, alter the essential character of the locality?

Subd. 6. Practical Difficulties Considerations. When determining reasonable manner or essential character, the board will consider, but will not be limited to, the following:

- (a) Impair an adequate supply of light and air to adjacent property.
- (b) Unreasonably increase the congestion in the public street.
- (c) Increase the danger of fire or endanger the public safety.
- (d) Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance.”

4. The applicant asserts that the proposed variance request complies with the practical difficulties standards in Greenwood ordinance section 1155.10, subd 4, 5, & 6.

5. The planning commission discussed the variance request and on a 3-0 vote recommended the council accept the recommendation and findings of staff to deny the application of Duane and Leonora Thurow for the variance to encroach 8 feet, 10 inches into the minimum required side yard setback for the property located 5125 West Street, as presented. The proposal does not meet the practical difficulties standards outlined in section 1155.10 in that:

- a) The variance, if granted, will not be in harmony and keeping with the spirit and intent of the zoning ordinance because: The applicants are seeking to vary from the setback standards in order to complete a home addition that would create an extremely narrow side setback, creating substantial impacts on adjacent property. While the garage encroaches to a significant degree, further expanding the encroachment would not be in keeping with the spirit and intent of the ordinance.
- b) The variance, if granted, will be consistent with the comprehensive plan’s guiding use for the subject property in the applicable zoning because of the character of the proposed use is consistent with the applicable zoning.
- c) Though the property owner’s proposed *manner of use* of the property is not permitted by the zoning ordinance without a variance, the proposed *manner of use* is not reasonable because: it creates an extremely narrow side setback for the property.
- d) The plight of the landowner-applicant is not due to circumstances unique to the property and is created by the landowner because: The desire for a main floor bedroom area is proposed to meet the needs of the new property owners. The property is otherwise suitable, as is, for a wide variety of households.
- e) The variance, if granted, will not alter the essential character of the locality, because: the proposed expansion would remain consistent with the scope and scale of the surrounding properties. There are similar non-conformities within the city, although these are typically legal non-conformities created by homes that were built prior to the creation of the zoning ordinance.
- f) The variance, if granted, will not:
 - a. Impair an adequate supply of light and air to adjacent property;
 - b. Unreasonably increase the congestion in the public street;

- c. Increase the danger of fire or endanger the public safety; or
 - d. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance.
6. Based on the foregoing, the city council determined that variance request does not comply with the practical difficulties standards in Greenwood ordinance section 1155.10, subd 4, 5, & 6 in that:
- a) The variance, if granted, will not be in harmony and keeping with the spirit and intent of the zoning ordinance because: The applicants are seeking to vary from the setback standards in order to complete a home addition that would create an extremely narrow side setback, creating substantial impacts on adjacent property. While the garage encroaches to a significant degree, further expanding the encroachment would not be in keeping with the spirit and intent of the ordinance.
 - b) The variance, if granted, will be consistent with the comprehensive plan's guiding use for the subject property in the applicable zoning because of the character of the proposed use is consistent with the applicable zoning.
 - c) Though the property owner's proposed *manner of use* of the property is not permitted by the zoning ordinance without a variance, the proposed *manner of use* is not reasonable because: it creates an extremely narrow side setback for the property.
 - d) The plight of the landowner-applicant is not due to circumstances unique to the property and is created by the landowner because: The desire for a main floor bedroom area is proposed to meet the needs of the new property owners. The property is otherwise suitable, as is, for a wide variety of households.
 - e) The variance, if granted, will not alter the essential character of the locality, because there are similar non-conformities within the city. However, these are typically legal non-conformities created by homes that were built prior to the creation of the zoning ordinance.
 - f) The variance, if granted, will not:
 - a. Impair an adequate supply of light and air to adjacent property;
 - b. Unreasonably increase the congestion in the public street;
 - c. Increase the danger of fire or endanger the public safety;
 - d. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance.
7. Consequently, the variance, if granted, will not be in harmony with the purpose and intent of the zoning ordinance and that a variance to Section 1120.15 should not be granted.

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:

The applicant has not made an adequate demonstration of facts meeting the standards of section 1155.10 necessary for the granting of a variance and therefore a variance to section 1120.15 to encroach 8 feet, 10 inches into the minimum required side yard setback should be denied.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments:

That the application of Duane and Leonora Thurow, for the property at 5125 West Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-31-0013) for a variance to section 1120.15 to encroach 8 feet, 10 inches into the minimum required side yard setback is DENIED.

PASSED this 7th day of September, 2016 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 H. Young, City Clerk



Agenda Number: **7B**

Agenda Date: **09-07-16**

Prepared by Dale Cooney, Zoning Administrator

Agenda Item: Consider the conditional use permit request of Brahmani, Inc., 21380 State Highway 7, to replace and install new signage.

Summary: Brahmani, Inc. is requesting a conditional use permit to replace and install new signage at 21380 State Highway 7 in order to rebrand Greenwood Market as a Minnoco. 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 façade of the structure in which it is located and in no case exceed 75 square feet for all types of signs.

Background: The property has gone through several iterations as a gas station/convenience store. The station has been known as Food and Fuel, Oasis Market, Lakeshore Market, and currently Greenwood Market. The original Food and Fuel was issued a Conditional Use Permit in 1982. Signage was authorized as a conditional use with that permit, but no square footage total was given in the resolution. Since that time, the signage has evolved. However, staff was unable to locate an updated conditional use permit beyond the original 1982 CUP. The assumption has been that the market signage on the property continues to be allowed under that permit, even though the signage on the property has fluctuated.

While the property operates under the 1982 CUP, the gas station use is prohibited, and is considered a legal non-conformity. The total sight signage for the property exceeds current zoning regulations, and could also be considered a legal non-conformity. However, as mentioned above, records of the total signage permitted for the property have not been well documented.

Existing and Proposed Conditions: Staff has included several photos of existing conditions for the site. Staff will address only those signs that are proposed to be altered. There are a number of other window signs on the property that the city may want to address via the authorization of this conditional use permit.

Pylon sign: The existing pylon sign contains 79 square feet of illuminated signage on each sign face. It should be noted that this existing sign alone exceeds current city regulations. The updated pylon sign is proposed to be capped by an 11' x 3' (33 sf) illuminated Minnoco logo sign. A 6' x 6'1" price display, and a 1'6" x 6'1" bait sign would total an additional 45.6225 square feet. The total signage for the pylon sign would equal 78.6225, which is almost exactly the same size as the current signage. Applicant is also proposing a green LED "halo" light around the sign. Staff would recommend that the pylon sign square footage not exceed 79 square feet, and that the halo light include a dimmer when installed.

Canopy Signage: Existing canopy signage has non-illuminated lettering on three sides. Staff estimates the total signage for the canopy to be 126 square feet (32.4 square feet for each narrow side of the canopy lettering, and 61.2 square feet for the front canopy lettering). Again, the existing signage is well above what would be allowed under current city code.

Applicant proposes to install 19.25 square feet of signage on 3 of the 4 canopy faces. (The north facing canopy would remain blank.) Total proposed signage for the canopy is 57.75 square feet, which is approximately 49% of the existing signage area for the canopy. On two of the three faces, applicant proposes to install illuminated channel letters, which would represent 38.5 square footage of new *illuminated* signage. Applicant is also proposing a green LED halo at the top of the canopy. Non-signage under-canopy lighting is also proposed to be upgraded as part of the overall improvements to the property.

Staff has received complaints from neighbors across the highway about the brightness of the existing canopy lighting. Staff would recommend that any increase in signage lighting be offset by reductions to the glare from the non-signage canopy lighting. This would include shades on the newly installed canopy lights in order to direct the lighting downward. Staff would recommend that the applicant install a dimmer for the “halo” at the top of the canopy.

Gas Pumps: Greenwood Market gas pumps will be replaced with Minnoco gas pumps. Staff recommends approval of this changeover without conditions.

Nearby Minnoco Station: The easiest way to see the real-world impact of the new signage and branding would be to visit a Minnoco station. The closest Minnoco station in the area is Glenn's 1 Stop, at 12908 Minnetonka Blvd, near Shady Oak Road. Note that the property does not have the “halo” light on the canopy.

Hunt Brothers Pizza: As a part of the makeover, the applicant is offering the Hunt Brothers Pizza brand at the Greenwood Market location. The city council should determine if they believe that offering this type of food constitutes the expansion of the business into a restaurant operation, or if the food falls within the standard hot food fare that might typically be found within gas station convenience stores (such as hot dogs, hot sandwiches, breakfast sandwiches, etc.)

If the city council feels that the business is a reasonable and typical component one might expect to find within gas station convenience stores, no further action is needed. If the council feels that the operation constitutes a restaurant, additional city action would be required, including the possibility of requiring that this component of the business be discontinued.

Staff conducted a site visit and discussed the Hunt Brothers operation with the business owner. The menu consists of pizza and wings that are delivered frozen by the company and heated via ventless oven. Food preparation consists of placing toppings on the pizza and sauces on the wings. No additional seating area is provided for dining.

Other Zoning Issues: Staff has been in contact with the current property owner regarding a number of zoning code complaints including complaints related to signage, trash screening, and used vehicles. The applicant has complied with these issues, but often grudgingly. Public Works was asked to remove a right of way sign after the owner failed to comply with staff's initial request. Staff was required to issue a citation for the property in order to have additional signage removed. Staff believes that the proposed signage will create an overall positive impact on the property and the community, but the relationship between the city and the property owner has been adversarial at times.

Signatures: Applicant needs to provide the property owner's signature on the Conditional Use Permit application. Applicant has previously provided the signature on the incorrect form.

Conclusion: In staff's opinion, the branding changes will greatly improve the appearance of the station, which will be a benefit to both the property owner and the City of Greenwood. The pylon sign would have the same amount of signage that it currently has. The canopy sign will have more illuminated signage, but less overall signage. The tradeoff from the property owner would be glare reduction from the lighting under the canopy. A benefit to the city in this process is that by approving the Conditional Use Permit, it would create a formal record of approved square footage for the main signage on the property.

Staff Recommendation: Staff recommends approval with conditions of the application of Brahmani, Inc for the Conditional Use Permit to install new signage at the property located at 21380 State Highway 7. The proposal meets the requirements outlined in Section 1140.40 Regulation of Signs, and the criteria for Section 1150.20 of the ordinance in that:

- a) the proposed use complies with the specified regulations of the district in which it is located;
- b) the use is a permitted accessory use in the C-1 zoning district;
- c) the use would not be detrimental to or endanger the general welfare of the neighborhood or city;
- d) the use is harmonious with the objective of the comprehensive plan in that it maintains (or in this case improves) the aesthetic standards for commercial signage;
- e) the use will not be hazardous or disturbing to existing or future neighboring uses;
- f) the use will be adequately served by essential public facilities and services;
- g) there will be no excessive additional costs for public facilities or service and will not be detrimental to the economic welfare of the community;
- h) the proposed use will not include uses that would be detrimental to any persons due to traffic, noise, smoke fumes, glare or odors;
- i) the use will not create traffic congestion;
- j) there will be no loss or damage of any natural, scenic or historic features; and
- k) the use will not depreciate surrounding property values.

And subject to the following conditions:

- a) The total signage for the pylon sign shall not exceed 79 square feet for each sign face.
- b) Total canopy signage shall not exceed 57.75 square feet of total signage, and shall not exceed 38.5 square feet of illuminated signage.
- c) The under canopy area lighting will be fitted with shades that direct light downward and shield the surrounding area from excess glare. New fixtures to be reviewed and approved prior to the issuance of the electrical permit.
- d) The green LED "halo" lights on the pylon sign and on the roof of the canopy will be installed with dimmers. Applicant agrees to adjust the brightness of these lights if the city receives complaints from the community.
- e) Signs will remain illuminated only during the regular business hours of 6 a.m. to 10 p.m.
- f) Flashing, animated, blinking, or other illegal signs, as defined by city code, are not authorized as a part of this permit.

Planning Commission Action: The planning commission held a public hearing at their August 17 meeting. Motion by Sayer to recommend that the city council approve the conditional use permit request, as presented, based on the findings of staff. And subject to the following conditions:

- a) The total signage for the pylon sign shall not exceed 79 square feet for each sign face.
- b) Total canopy signage shall not exceed 57.75 square feet of total signage, and shall not exceed 38.5 square feet of illuminated signage.
- c) The under canopy area lighting will be fitted with shades that direct light downward and shield the surrounding area from excess glare. New fixtures to be reviewed and approved prior to the issuance of the electrical permit.
- d) The green LED "halo" lights on the pylon sign and on the roof of the canopy will be installed with dimmers. Applicant agrees to adjust the brightness of these lights if the city receives complaints from the community.
- e) Signs will remain illuminated only during the regular business hours of 6 a.m. to 10 p.m.
- f) Flashing, animated, blinking, or other illegal signs, as defined by city code, are not authorized as a part of this permit.
- g) The pylon sign height shall not exceed 20 feet.

Motion was seconded by Bechtell. Motion carried 3-0.

Key Dates:

Application complete:	August 2, 2016
Notice of Public Hearing published:	August 4, 2016
Planning Commission Public Hearing:	August 17, 2016
City Council Consideration:	September 7, 2016
60-Day Deadline:	October 1, 2016
120-Day Deadline (if necessary):	November 30, 2016

City Council Action: Action required by October 1, 2016. Potential motions ...

1. I move that the city council adopts resolution 34-16 **approving** the application of Brahmani, Inc. for a conditional use permit to replace and install signage at 21380 State Highway 7 as presented and based on the recommendation, findings, and conditions of the planning commission.
2. I move that the city council (1) directs staff to draft a resolution **denying** the application of Brahmani, Inc. for a conditional use permit to replace and install signage at 21380 State Highway 7, based on the following findings: _____; (2) directs staff to exercise the city's right to take up to 60 additional days as provided by MN statute 15.99 to process the application of Brahmani, Inc., extending the deadline to November 30, 2016, to give the city time to draft findings for denial, so the city council may consider findings **approving** and findings **denying** the application.
3. I move city council directs staff to exercise the city's right to take up to 60 additional days as provided by MN statute 15.99 to process the application of Brahmani, Inc., extending the deadline to November 30, 2016, for the following reason: _____.

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).

Greenwood Market: Existing Conditions





Greenwood Minnoco Re-imaging Project

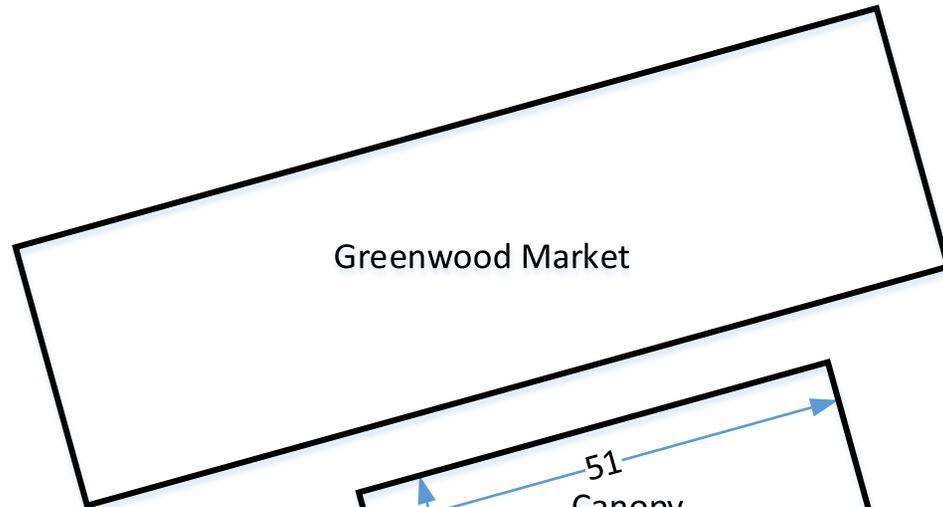
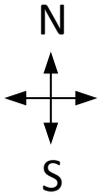
Canopy Supporting Documents

August – 2016

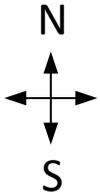
Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331



Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331

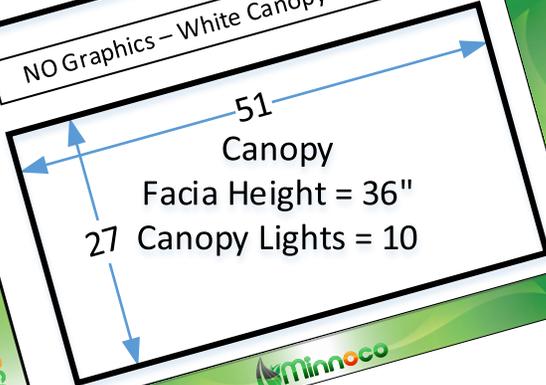


Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331



Greenwood Market

NO Graphics – White Canopy Facia Only



51

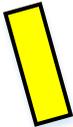
Canopy

Facia Height = 36"

27 Canopy Lights = 10



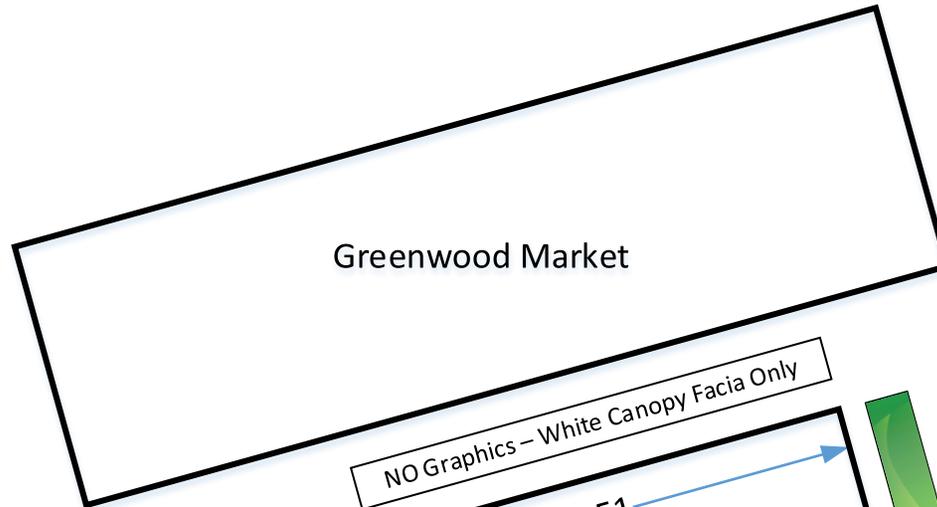
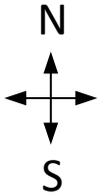
Christians Lake Rd



ID Sign

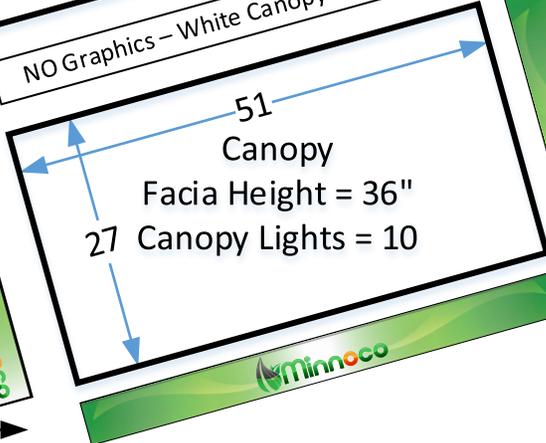
MN Highway 7

Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331



Greenwood Market

NO Graphics – White Canopy Facia Only



51
Canopy

Facia Height = 36"

27 Canopy Lights = 10

2D Non-Illuminated Vinyl Graphics

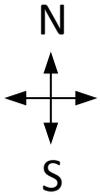
3D Illuminated Channel Letters

ID Sign

Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331

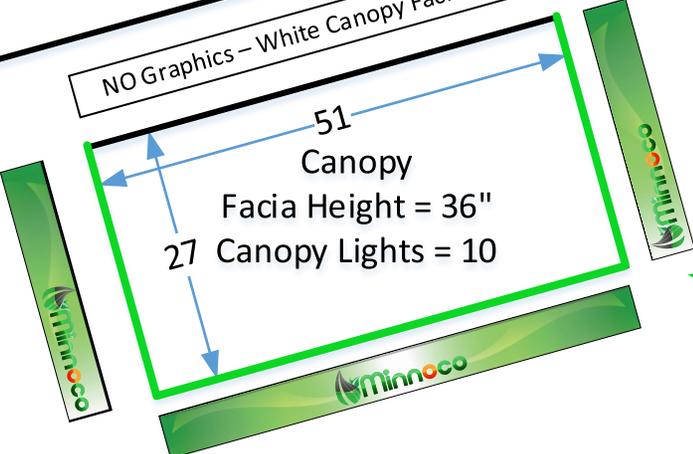
Christians Lake Rd

MN Highway 7



Greenwood Market

NO Graphics – White Canopy Facia Only

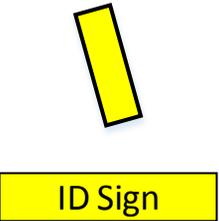


51
Canopy
Facia Height = 36"
27 Canopy Lights = 10

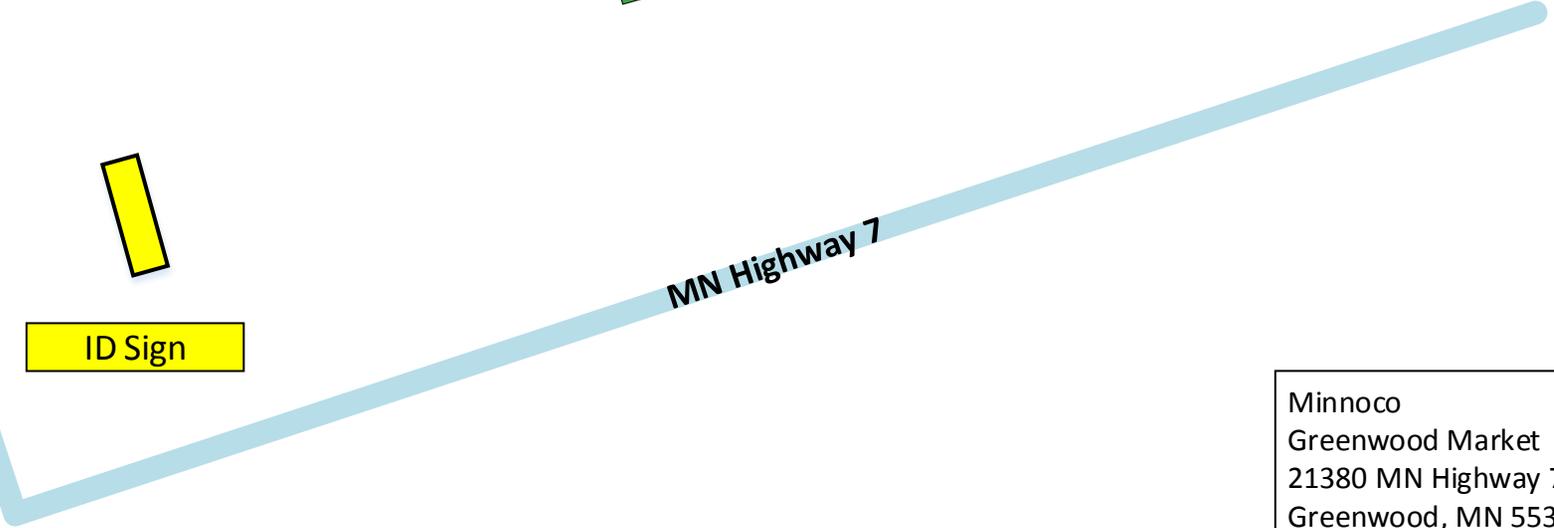
Sloan Green
LED Border Tubing
Front (3) Sides



Christman Lake Rd



ID Sign



MN Highway 7

Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331

Canopy Graphics

← 36" x 51' Front (South Facing) **3D Illuminated** Channel Letters →



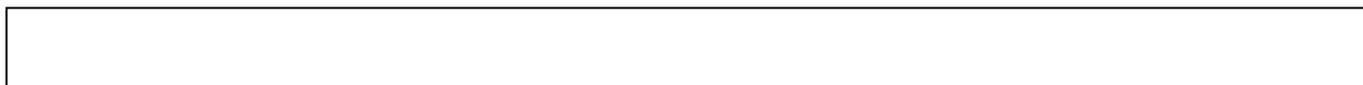
← 36" x 27' Side (East Facing)
2D Non-Illuminated Vinyl Graphics →



← 36" x 27' Side (West Facing)
3D Illuminated Channel Letters →

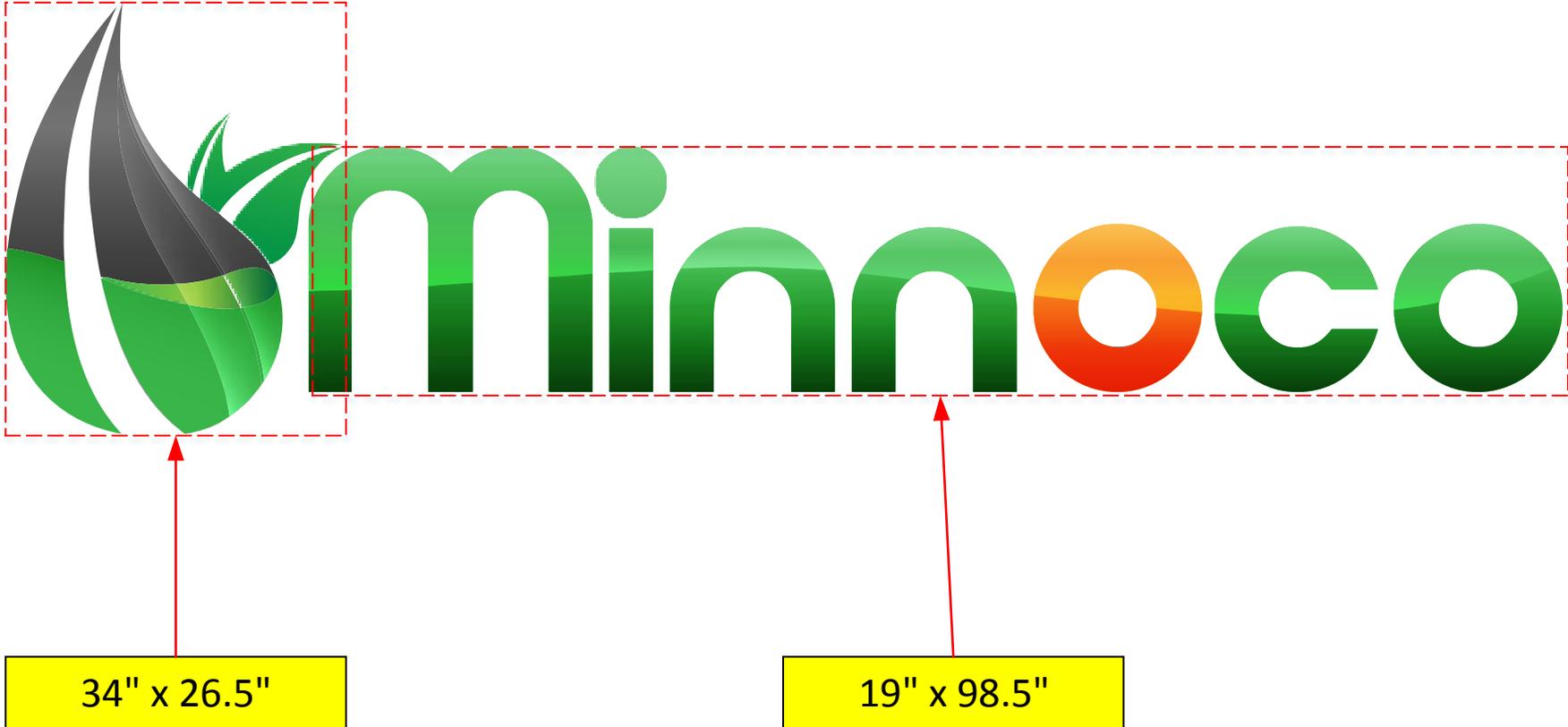


← 36" x 51' Back (North Facing) NO Graphics. White Canopy Facia ONLY →



Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331

3D Illuminated Channel Letters
2D Non-Illuminated Vinyl Graphics



Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331

East Facing Canopy

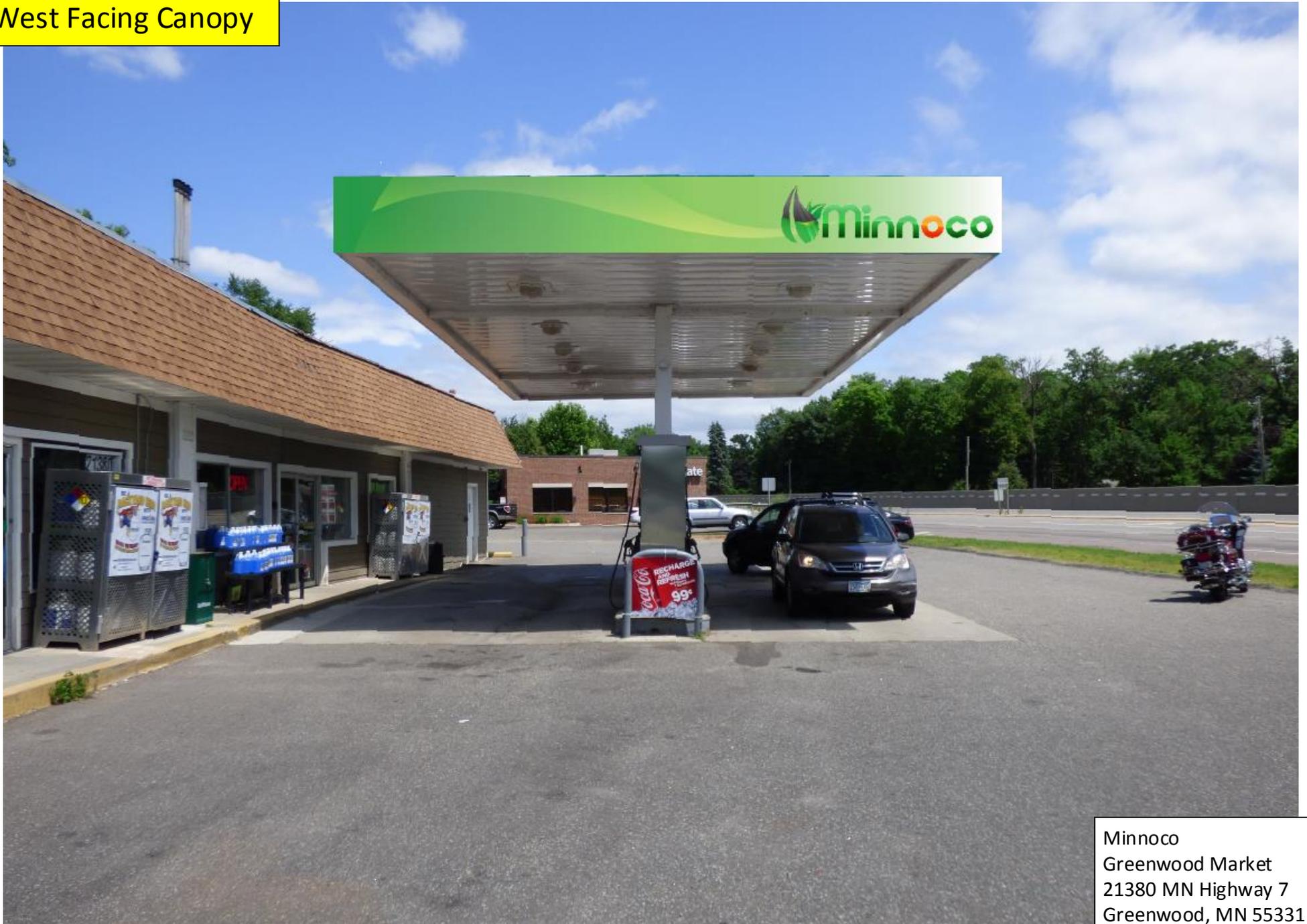


Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331

612-669-6700

THINKDIGITALSIGNS.COM

West Facing Canopy

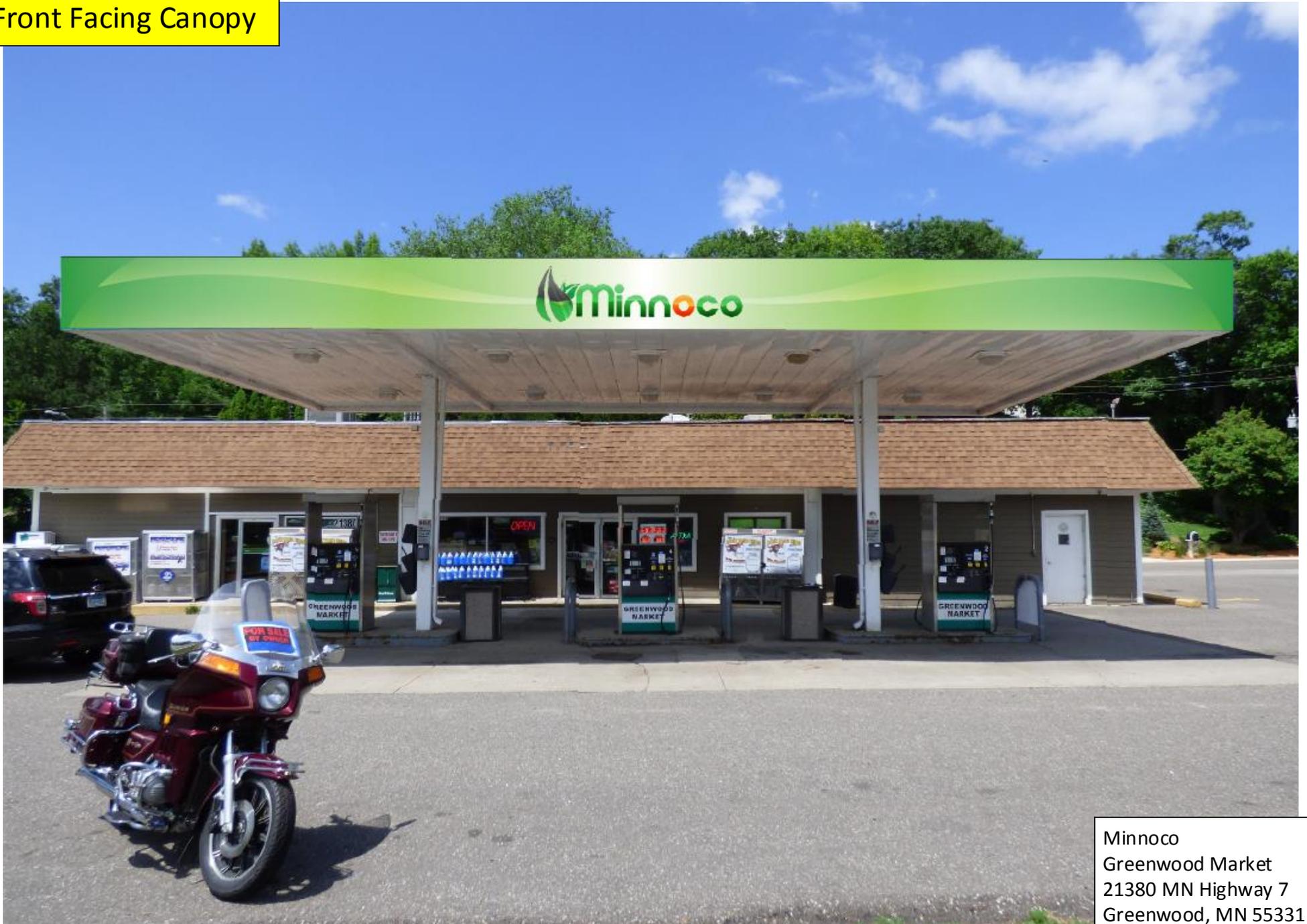


Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331

612-669-6700

THINKDIGITALSIGNS.COM

Front Facing Canopy



Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331

612-669-6700

THINKDIGITALSIGNS.COM

We BRIGHTEN Your BRANDS



ColorLINE Neon-inspired tubing

- Slim profile similar to standard neon
- Neutral frosted white color when non-illuminated
- High impact acrylic: UV stable, hydrocarbon insensitive, and non-fading
- Can be factory bent to minimum 9.75 inch radius
- Three lit mitered corner configurations
- Convenient, weatherproof connectors between sections
- Can be cut in the field

SPECIFICATIONS

Part number	2-ft Tube.....701800-Color-2
	4-ft Tube.....701800-Color-4
	6-ft Tube.....701800-Color-6
	8-ft Tube.....701800-Color-8
Dimensions	Width.....0.44 in
	Base width.....0.59 in
	Height.....1.00 in
	Lengths.....2 ft; 4 ft; 6 ft; 8 ft
Factory bends	9.75 in radius (radial and flat bend)
In-field bends	Radial bend.....19 ft
	Flat bend.....6 ft
Operating temperature	-40° C to +70° C
Protection class	IP66
Power per foot	2.28 W
Power capacity	24 ft per SloanLED 60 W 12 VDC power supply

Colors	Red, Orange, Yellow, Green, Blue, White, Warm White
Mounting	Dual-position mounting clips (400381-25) orient in two directions
Accessories	Snap-on, frosted joint covers (701807) for clean finish Illuminated, mitered corners: Inside corner.....701800-IC-Color Outside corner.....701800-OC-Color Step corner.....701800-SC-Color

Item description	Part number	Approx. cut increments	Actual length
2-ft Tube	701800-color-2	2.4 in	24.66 in
4-ft Tube	701800-color-4	2.4 in	48.66 in
6-ft Tube	701800-color-6	2.4 in	72.66 in
8-ft Tube	701800-color-8	2.4 in	96.66 in



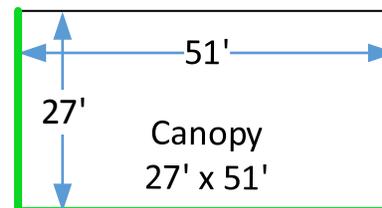
ColorLINE is covered by US and foreign patents pending and covered by the following US patents issued: 6,776,504, 6,960,170, and 7,192,157

SloanLED Headquarters
5725 Olivas Park Drive • Ventura, California 93008
805.676.3200 • info@sloanLED.com

SloanLED Europe b.v.
Overslagweg 7 • 2645 EK Delfgauw • The Netherlands
+31 88 12 44900 • Europe@sloanLED.com

SloanLED.com

© 2016 SloanLED Rev A 2016-03-22



Sloan ColorLine
Green LED Border Tubing
3 Sides (27' x 51' x 27')
105 total feet

Includes:

- > LED Tubing
- > Power Supplies
- > Connectors/Etc.
- > All Required Components
- > All Labor to Install
- > All Required Electrical

Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331

612-669-6700

THINKDIGITALSIGNS.COM

8/2



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.

Date application submitted	8-2-16
Date application complete (office use only)	
Property address	21380 HWY 7, Greenwood MN 55331
Property identification number (PID)	
Property owner's current mailing address	21380 HWY 7, Greenwood, MN 55331
Names of all property owners	
Cell phone and email of property owner(s)	612-323-0274 patelakshay12@gmail.com
Name of builder / architect (if any)	
Company name of builder / architect	Brahmani INC
Cell phone and email of builder / architect	612-323-0274
Company address	" "
Present use of property	
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 checked="" type="checkbox"/> Addition <input checked="" type="checkbox"/> Remodel <input checked="" type="checkbox"/> Replace <input type="checkbox"/> Other:
The CUP is being requested to (e.g. install a swimming pool)	

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). 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:

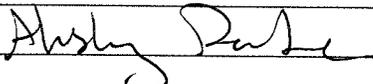
Will the proposed use comply with the regulations specified in the ordinance for the district in which the proposed use is to be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain:
Is the proposed use one of the conditional uses permitted for the district in which it is to be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain:
Will the proposed use be harmonious with the objectives of the comp plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 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 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No 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 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 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 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 Please explain:
Will the proposed use unreasonably depreciate surrounding property values?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain:

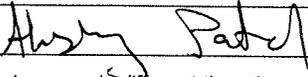
The applicant(s) contacted the following regulatory bodies and will seek approvals if required:

(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: 8-2-16
------------------------------------------------------------------------------------------------	--------------

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: 8-2-16
------------------------------------------------------------------------------------------------	--------------

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
Total Amount Due (make check payable to the City of Greenwood)	\$600

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

June 15, 2004



Schulte Roth & Zable LLP
Chicago Title Insurance Company
C/o Eric S. Anderson
Fredrikson & Byron, P.A.
200 South Sixth Street – Suite 4000
Minneapolis, MN 55402-1425

Re: Zoning Compliance Letter
21380 State Highway 7, Greenwood Minnesota
Legally described on Exhibit A attached hereto (the "Project")

Ladies and Gentlemen:

We are the authority responsible for the enforcement of building codes, zoning ordinances and similar codes or ordinances related to commercial development, and the issuance of certificates of occupancy, in the City of Greenwood (the "City"). In response to your request concerning the Project's compliance with applicable codes, regulations and ordinances, please be advised as follows:

1. A certificate of occupancy has been issued without condition or variance and is in effect for the improvements located at the Project. We were unable to locate a copy of the certificate of occupancy. We are not aware of any circumstances which would render the certificate of occupancy invalid or cause it to be revoked.
2. The Project is zoned C-1, Commercial under the applicable zoning laws and ordinances. This zoning classification permits the existing use as a conditional use requiring the issuance of a new conditional use permit should the use deviate from the existing and approved use.
3. Attached hereto are true copies of the resolution approving the conditional use relating to the zoning and use of the Project. A conditional use may be reconstructed only with the permission of the City Council and the issuance of a new conditional use permit.
4. As far as we are aware, the Project is in compliance with all applicable building codes, fire codes, other health and safety rules and regulations, parking density and height requirements and other building and zoning laws.

Sincerely,
CITY OF GREENWOOD

A handwritten signature in black ink, appearing to read "Gus Karpas".

Gus Karpas
Zoning Coordinator

RESOLUTION NO. 4-82

WHEREAS, Northern Oil Co. and Food-N-Fuel, Inc. have requested a conditional use permit from the City of Greenwood to convert Payless Tire Station to a retail food and gas outlet, and

WHEREAS, said request covers property zoned commercial described as the westerly 1/2 of Lot 20, Patridge Heights, and

WHEREAS, a public hearing on such request has been held before the Greenwood Planning Commission as duly published, posted and mailed notice, and

WHEREAS, the Greenwood City Council is in receipt of the recommendation of the City Planning Commission and after full consideration adopts this conditional use resolution subject to its terms and conditions;

NOW, THEREFORE, be it resolved:

1. A conditional use permit for the operation of a gasoline station at the Christmas Lake intersection on property described generally as the westerly 1/2 of Lot 20, Patridge Heights, as a retail convenience store which also offers gasoline for sale as hereby granted subject to the following restrictions:

- (1) A landscaping plan shall be filed forthwith with the City Clerk which plan shall be subject to the approval of this Council and include the following:

- a. Full landscape treatment for the northwest corner; no parting to be permitted in this area.
- b. North side of property to be screened by twelve 3' high Techny arborvitae or equivalent.
- c. All trash containers to be fully screened.
- d. Building and signs to be repainted in earth tone colors.
- e. Damage to asphalt curbs to be repaired.
- f. Cedar fence on north side to be extended to east line of property.

- (2) A performance bond for the amount of the building permit issued for remodelling should be filed with the City Clerk

(3) Annual maintenance bond of \$2,000.00 to be filed with the City which shall guarantee maintenance of the exterior building, fences and landscaping.

(4) No electronic games shall be permitted on the premises.

(5) Failure to comply with any of the restrictions or requirements of this permit shall be basis for the right of the City of Greenwood to withdraw the conditional use permit.

Adopted by the City Council of the City of Greenwood this
2 day of February, 1982.

Vote: 5 yeas. 0 nays.

A handwritten signature in cursive script, appearing to read "J. B. [unclear]", written over a horizontal line.



July 30, 2015

Akshay Patel
Greenwood Market
21380 State Hwy No 7
Greenwood, MN 55331

Mr. Patel:

You received a formal Civil Citation warning on June 29, which was sent via certified mail and which you signed for. You were cited for violation of the City of Greenwood's signage ordinance. Specifically, you were cited for having signs not in compliance with your Conditional Use Permit. The signs for which you were sighted included the ATM sign and the Monster drink sign attached to your main monument sign, as well as the large bait sign in the public right of way.

The bait sign was removed only the after public works department threatened to take the sign. Then, you replaced the sign, only to have public works ask you to remove it a second time. In short, you did not willingly remove this sign.

The two remaining signs for which you were cited (*ATM sign and the Monster drink sign attached to your main monument sign*) remain in place. If you do not remove these signs by **August 10**, you will be issued a Civil Citation and **fined \$300.00**.

The only condition under which the above signs could remain in place after August 10 would be if you wanted to keep them as temporary signs for up to 30 days with the appropriate temporary sign permit. Section 1040.40, Subdivision 6 of the Greenwood City Code specifies the requirements for temporary signs and temporary sign permits:

***Subd. 6. Temporary Sign Permit. 1. Issuing Authority.** The zoning administrator will have the authority to issue permits for temporary signs upon payment of the temporary sign permit fee specified in chapter 5 if the sign is: (a) in keeping with the character and development of the property on which it is located; (b) is reasonably necessary for the proposed use of the property on which it is located; and (c) not likely to have a detrimental effect on values of property in the surrounding area. No individual property, leased space or business may obtain more than 6 temporary sign permits in a calendar year. Each temporary sign permit shall be valid for a period of 30 days.*

If you submit a temporary sign permit prior to August 10 for each of these two signs, at a cost of \$25 each, you may keep the signs in place for 30 days from the date of the permit. Failure to act by **August 10** will result in a Civil Citation and a **fine of \$300.00**

The City of Greenwood appreciates your support and cooperation in this matter. Feel free to contact me anytime with any questions you might have.

Sincerely,


Dale Cooney
Zoning Administrator

Cc: File



From: Peter and Marie Lehman
21265 Radisson Road
Shorewood, MN 55331
Date: August 17, 2016

To:
Brahmani Inc. and the City of Greenwood Planning Commission

Subject: Wednesday August 17, 2016, Greenwood MN Planning Commission Meeting item 3b. Public Hearing to consider the conditional use permit request of Brahmani Inc to replace and install new signage at 21380 State Highway 7.

Dear Business Owners, Planning Commission and City Council

We reside directly south of subject property across Highway 7 at 21285 and 21265 Radisson Road. As 30 year residents of the City of Shorewood at this property, we are very familiar with light emanating from the subject parcel.

We understand and respect the fact that the subject property is commercial in nature and the business owners and city have a right to improve or otherwise make changes to their benefit. That said, we respectfully request the following items be given serious consideration with the understanding that the use and enjoyment of our property can and is impacted by light from the subject property:

- 1) We request that any new signage minimize, to the extent possible, intense direct light (e.g. spot lighting) that might be directed at our property,
- 2) We request that flashing or other 'attention getting' light also be minimized and
- 3) We request that the 'Canopy Lights', currently installed, be shielded or otherwise deflected so as to not project above the retaining wall located on the south side of Highway 7, that wall being the wall separating Highway 7 from Radisson Road.

The 3rd request is of particular interest as it is our belief that the current condition presents a safety concern for those walking, driving or otherwise traveling north on Merry Lane between the Public Access to Christmas Lake and the retaining wall to Highway 7. As seen in the following pages, the canopy lights project intense light over the wall at eye level while a shadow is created on the roadway at waste level and lower. The net effect is a significant amount of glare from these lights blinding the individual at night (i.e. you can't see the road or other obstacles in front of you).

The impact of these lights and this glare is best experienced in person, if possible, simply walk north from the public access towards the wall after dusk when it is dark outside.

Thank-you for the opportunity to share our concerns and requests.

Respectfully



Peter Lehman

Marie Lehman

View North on Merry Lane

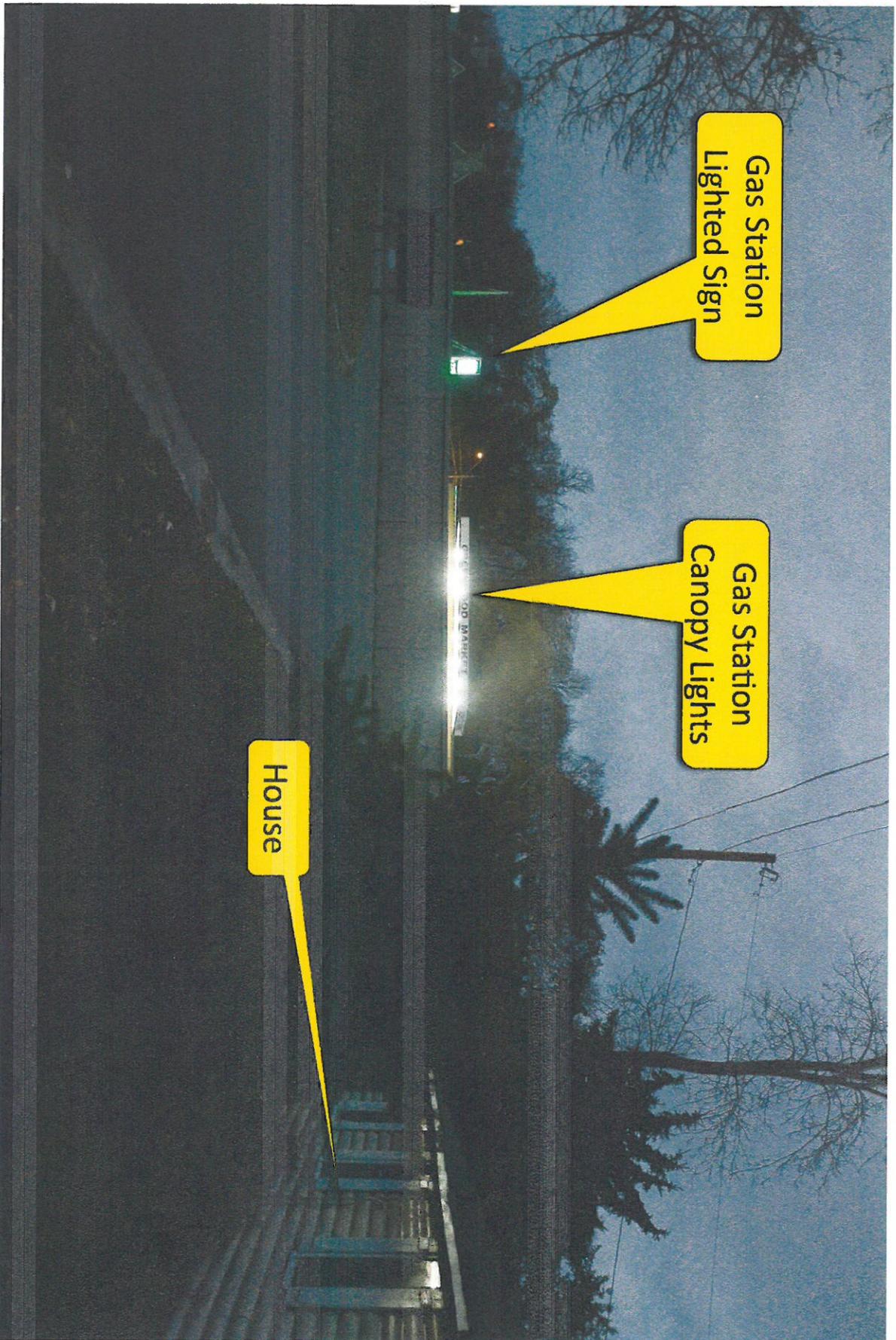
Looking North on Merry Lane from subject property midway between Radisson Road and Public Access

House 21285 Radisson Road

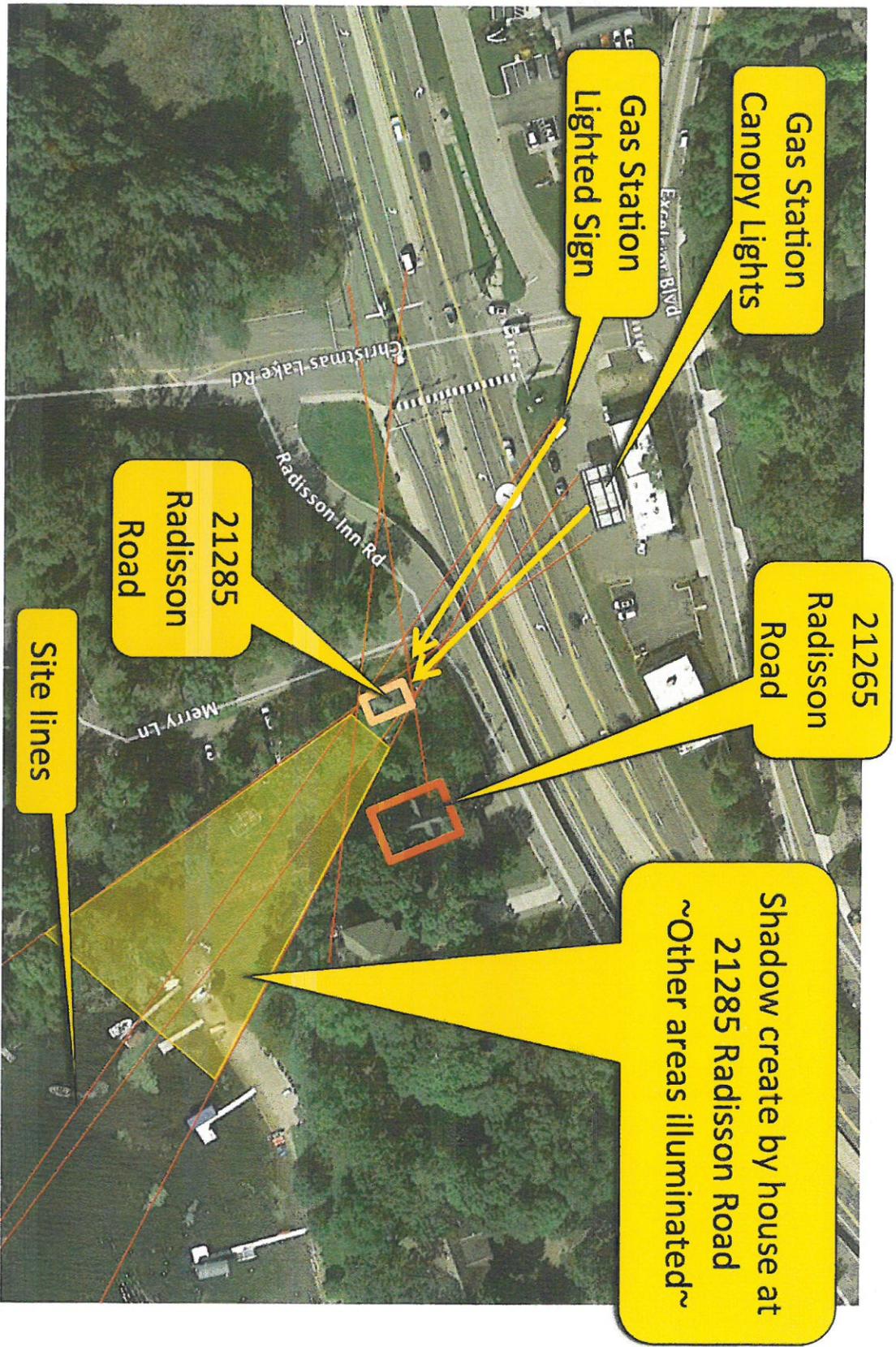
Gas Station Canopy Lights



View North on Merry Lane (Dusk)



Elevated view of Subject Property and impact on 21285/21265 Radisson Road residences.





Greenwood Minnoco Re-imaging Project

ID Sign Supporting Documents

August – 2016

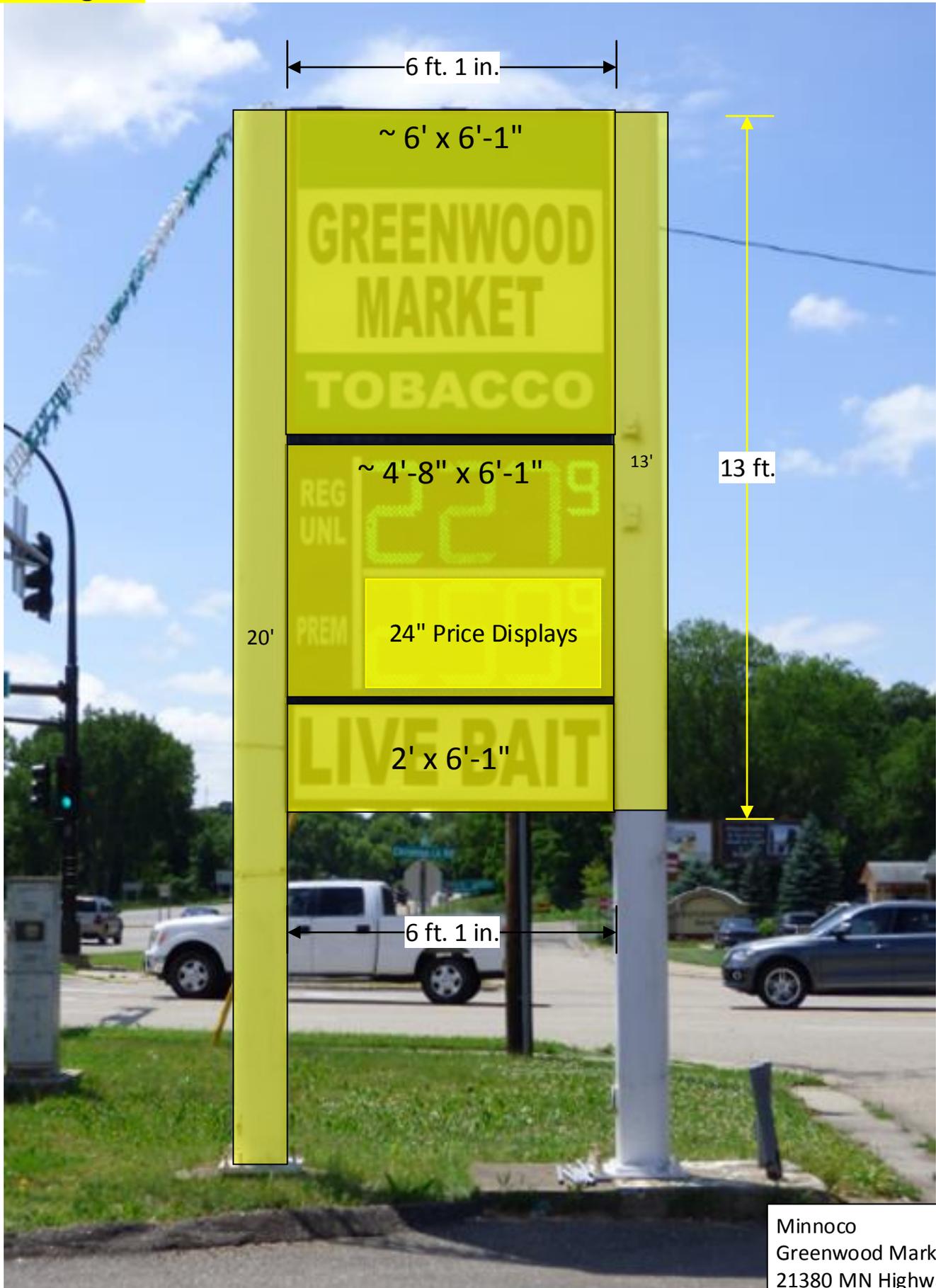
Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331

Current Sign



Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331

Current Sign



Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331

Current Sign



6 ft. 1 in.

13 ft.

20'

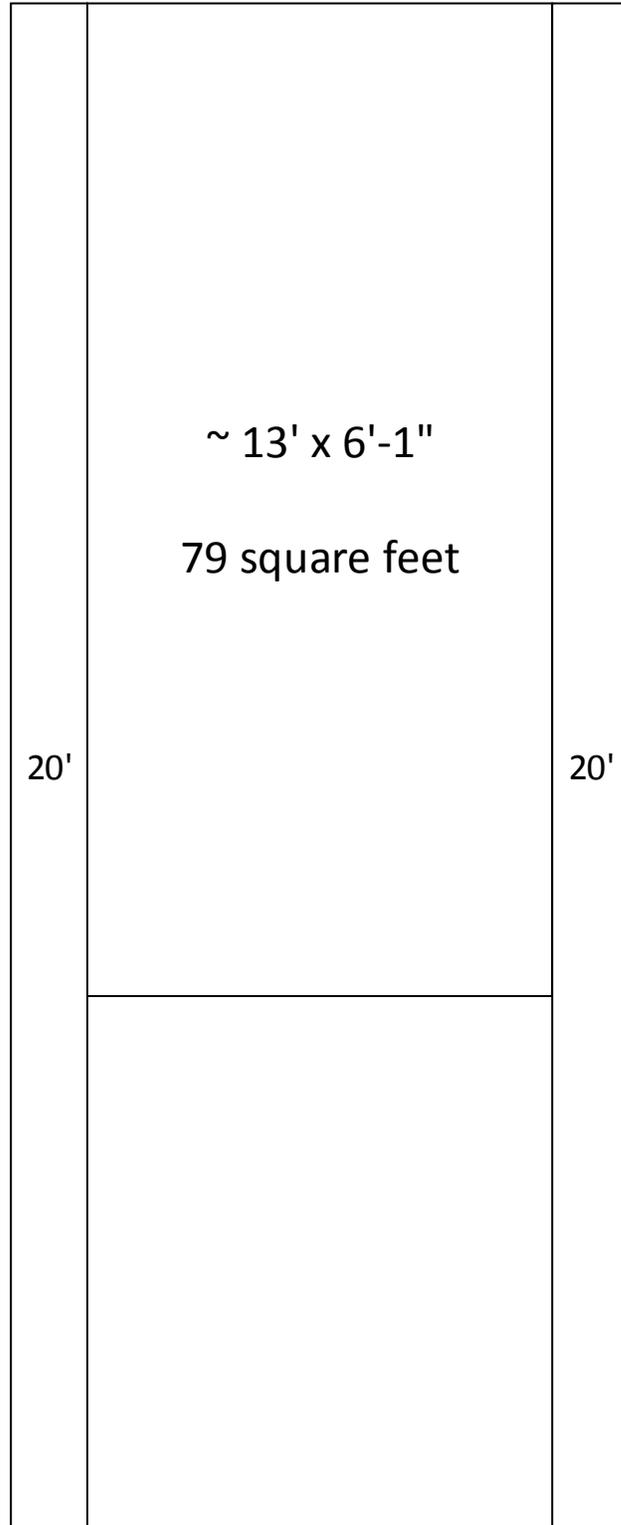
Overall Sign Cabinet
~13' x 6'-1"

13'

6 ft. 1 in.

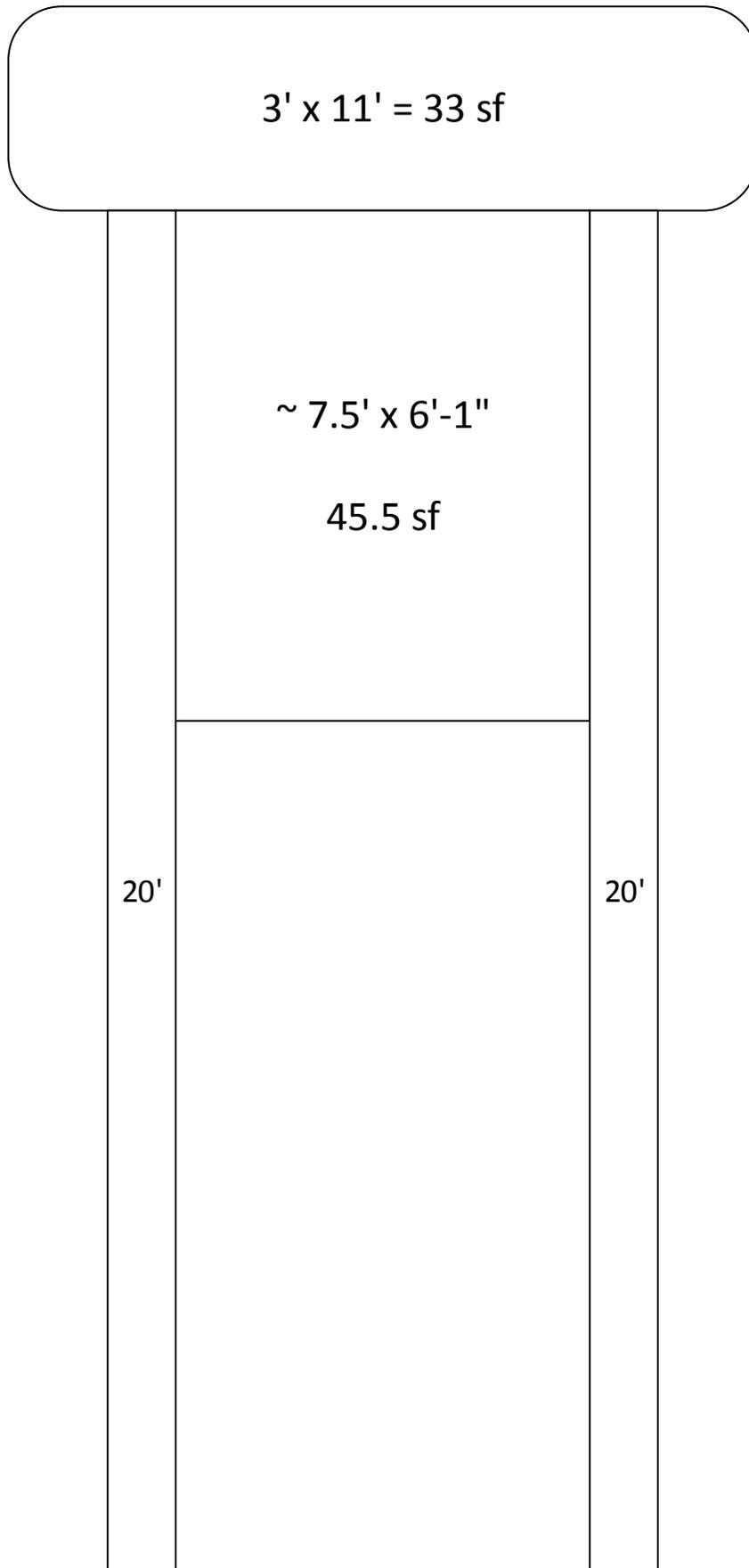
Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331

Current Sign



Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331

Proposed Sign



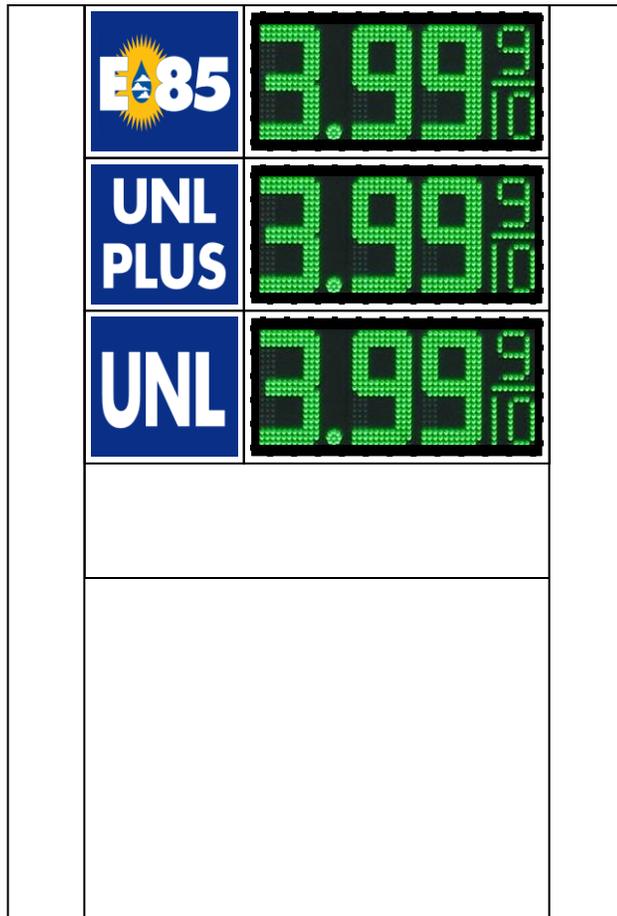
Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331

Proposed Sign - 18" Displays

Price ID 24" x 25"	18" Price Display Cabinet 24" x 48"
Price ID 24" x 25"	18" Price Display Cabinet 24" x 48"
Price ID 24" x 25"	18" Price Display Cabinet 24" x 48"

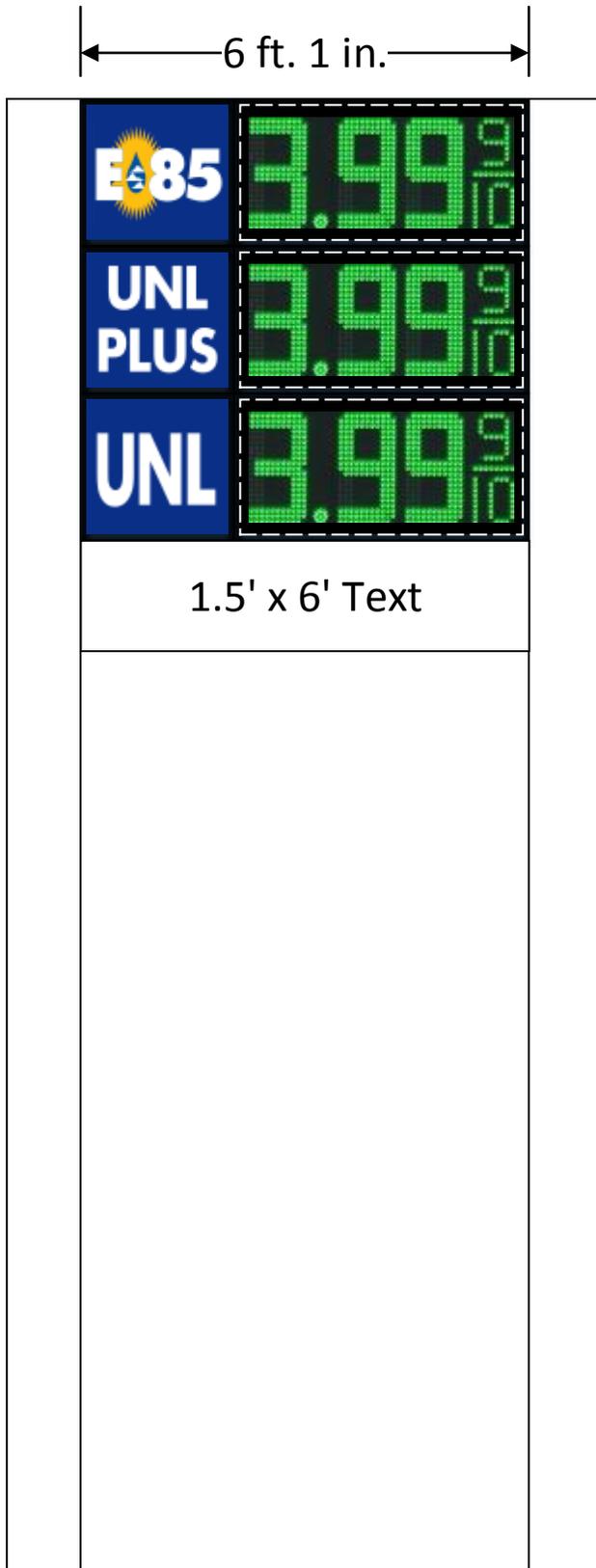


6 ft. 1 in.



Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331

Proposed Sign - 18" Displays



Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331

Proposed Sign
18" Displays

11 ft.



3 ft.

Sloan Green LED Tubing
Around Minnoco Cabinet

E85	3.99
UNL PLUS	3.99
UNL	3.99
LIVE BAIT	

7 ft. 6 in.

6 ft. 1 in.

Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331

Minnoco Cabinet

3' x 11'

Sloan FlexiBRITE Green LED Tubing



White Polycarbonate Flat Faces
First surface digital print
Blockout applied to face with 1/4" translucent border around logo.

Nighttime View



Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331

Proposed Sign
18" Displays



E85	3.99
UNL PLUS	3.99
UNL	3.99
LIVE BAIT	

Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331



 E85	3.99 9/10
UNL PLUS	3.99 9/10
UNL	3.99 9/10
LIVE BAIT	

Minnoco
Greenwood Market
21380 MN Highway 7
Greenwood, MN 55331

We BRIGHTEN Your BRANDS



FlexiBRITE

Flexible LED tubing

- Extremely flexible LED tubing
- Daytime color for red and neutral for other colors
- Optically modified silicone extrusion: UV stable, hydrocarbon insensitive, and non-fading
- Convenient mounting clips and mounting tracks
- Can be cut in the field

SPECIFICATIONS

Part number Red Kit701499-R-Size
 Orange Kit.....701499-O-Size
 Yellow Kit.....701499-Y-Size
 Green Kit.....701499-G-Size
 Blue Kit701499-B-Size

Dimensions Width.....0.6 in
 Base width.....0.5 in
 Height.....1.0 in
 Lengths.....2 ft; 10 ft

In-field bends Radial bend.....12 in
 Flat bend.....1 in

Operating temperature.....-40° C to +70° C

Protection class IP66

Power per foot 2.8 W

Power capacity 20 ft per SloanLED 60 W 12 VDC power supply

Colors Red, Orange, Yellow, Green, Blue

Mounting Mounting Clips ...701572-25
 Mounting Track ...701456-10

Packaging 2-ft or 10-ft kit with end caps and mounting clips

Item description	Part number	Cut increments
Red Kit	701499-R-Size	2 in
Orange Kit	701499-O-Size	2 in
Yellow Kit	701499-Y-Size	2 in
Green Kit	701499-G-Size	1 in
Blue Kit	701499-B-Size	1 in



FlexiBRITE is covered by US and foreign patents pending and covered by the following US patents issued: 6,776,504 and 7,213,941 and European Patent No. 1756471

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Mininoco



RESOLUTION NO 34-16

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

APPROVING

In Re: Application of Brahmani, Inc., 21380 State Highway 7 for a conditional use permit under Greenwood ordinance code section 1140.40 and 1150.20 to replace and install new signage at the property.

WHEREAS, Brahmani, Inc., the owner of property commonly known as 21380 State Highway 7, Greenwood, Minnesota 55331 (PID No. 35-117-23-12-0017) being real property in Hennepin County Minnesota and legally described as follows:

That part of Lot 20, "Partridge Heights" lying and being Westerly of a line described as follows: Commencing at the most Easterly corner of said Lot 20; thence Westerly along the Northerly line thereof a distance of 275.00 feet to the actual point of beginning; thence deflect to the left 89 degrees 01 minutes 35 seconds a distance of 68.58 feet more or less to the Southerly line of said Lot 20 and there terminating; together with the vacated portion of street; all according to the map or plat thereof on file and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota.

; and

WHEREAS, application was made for a conditional use permit (CUP) in conformance with Greenwood ordinance code sections 1140.19(2) and 1150.20; and

WHEREAS, the applicant proposes replace and 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 August 17, 2016; 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 21380 State Highway 7, Greenwood, Minnesota 55331 (PID No. 35-117-23-12-0017), is a commercial lot of record located within the C-1 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 3-0 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 for the pylon sign shall not exceed 79 square feet for each sign face.
 - b. Total canopy signage shall not exceed 57.75 square feet of total signage, and shall not exceed 38.5 square feet of illuminated signage.
 - c. The under canopy area lighting will be fitted with shades that direct light downward and shield the surrounding area from excess glare. New fixtures to be reviewed and approved prior to the issuance of the electrical permit.
 - d. The green LED “halo” lights on the pylon sign and on the roof of the canopy will be installed with dimmers. Applicant agrees to adjust the brightness of these lights if the city receives complaints from the community.
 - e. Signs will remain illuminated only during the regular business hours of 6 a.m. to 10 p.m.
 - f. Flashing, animated, blinking, or other illegal signs, as defined by city code, are not authorized as a part of this permit.
 - g. The pylon sign height shall not exceed 20 feet.
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 for the pylon sign shall not exceed 79 square feet for each sign face.
 - (b) Total canopy signage shall not exceed 57.75 square feet of total signage, and shall not exceed 38.5 square feet of illuminated signage.
 - (c) The under canopy area lighting will be fitted with shades that direct light downward and shield the surrounding area from excess glare. New fixtures to be reviewed and approved prior to the issuance of the electrical permit.
 - (d) The green LED “halo” lights on the pylon sign and on the roof of the canopy will be installed with dimmers. Applicant agrees to adjust the brightness of these lights if the city receives complaints from the community.
 - (e) Signs will remain illuminated only during the regular business hours of 6 a.m. to 10 p.m.
 - (f) Flashing, animated, blinking, or other illegal signs, as defined by city code, are not authorized as a part of this permit.
 - (g) The pylon sign height shall not exceed 20 feet.
 - (h) The project must be completed according to the specifications and design requirements in the approved plans.
 - (i) 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 for the pylon sign shall not exceed 79 square feet for each sign face.
 - (b) Total canopy signage shall not exceed 57.75 square feet of total signage, and shall not exceed 38.5 square feet of illuminated signage.
 - (c) The under canopy area lighting will be fitted with shades that direct light downward and shield the surrounding area from excess glare. New fixtures to be reviewed and approved prior to the issuance of the electrical permit.
 - (d) The green LED "halo" lights on the pylon sign and on the roof of the canopy will be installed with dimmers. Applicant agrees to adjust the brightness of these lights if the city receives complaints from the community.
 - (e) Signs will remain illuminated only during the regular business hours of 6 a.m. to 10 p.m.
 - (f) Flashing, animated, blinking, or other illegal signs, as defined by city code, are not authorized as a part of this permit.
 - (g) The pylon sign height shall not exceed 20 feet.
 - (h) The project must be completed according to the specifications and design requirements in the approved plans.
 - (i) 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 install commercial signage at the property with the following conditions:

- (a) The total signage for the pylon sign shall not exceed 79 square feet for each sign face.
- (b) Total canopy signage shall not exceed 57.75 square feet of total signage, and shall not exceed 38.5 square feet of illuminated signage.
- (c) The under canopy area lighting will be fitted with shades that direct light downward and shield the surrounding area from excess glare. New fixtures to be reviewed and approved prior to the issuance of the electrical permit.
- (d) The green LED "halo" lights on the pylon sign and on the roof of the canopy will be installed with dimmers. Applicant agrees to adjust the brightness of these lights if the city receives complaints from the community.
- (e) Signs will remain illuminated only during the regular business hours of 6 a.m. to 10 p.m.
- (f) Flashing, animated, blinking, or other illegal signs, as defined by city code, are not authorized as a part of this permit.
- (g) The pylon sign height shall not exceed 20 feet.
- (h) The project must be completed according to the specifications and design requirements in the submitted plans.
- (i) 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 7th day of September, 2016 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: **09-07-16**

Prepared by *Deb Kind*

Agenda Item: 2nd Reading of Ordinance 257, Amending Noxious Tree List in City Code Section 1140.80

Summary: At the 06-01-16 meeting, the city council approved ordinance 255 regarding tree preservation. After reviewing the new ordinance, the city forester and certified arborist Manuel Jordan expressed concern regarding the inclusion of cottonwoods on the noxious tree list (trees that MAY be removed without limitation). See the 08-03-16 city council packet for Manuel's comments.

At their 07-20-16 meeting, the Planning Commission held a public hearing and recommended that the city council keep Cottonwood trees on the noxious tree list.

At the 08-03-16 meeting, the city council approved the following motion ...

Motion by Fletcher that the city council approves the first reading of ordinance 257, an ordinance of the city of Greenwood, Minnesota amending the noxious tree list in Greenwood ordinance code section 1140.80, as written. I further move that the ordinance be placed on the next council agenda for a second reading. Second by Quam. Motion passed 3-2 with Cook and Roy opposing.

Timeline:

~~07-20-16~~ Planning commission holds public hearing and makes recommendation to the city council.

~~08-03-16~~ City council approved 1st reading of the ordinance.

09-07-16 City council considers 2nd reading of the ordinance (may make revisions).

09-08-16 The ordinance is submitted to the Sun-Sailor for publication.

09-15-16 The ordinance is published in the Sun-Sailor (goes into effect on this date).

City Council Action: Potential motions ...

1. I move that the city council (1) approves ordinance 257 amending the Noxious Tree List in Greenwood Ordinance Code Section 1140.80, as written; and (2) directs staff to publish the ordinance in the city's official newspaper.
2. Do nothing (maintain the current ordinance regulations) or other motion ???

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. The 2nd reading may be waived by a unanimous vote of city council members present at the meeting. Ordinances go into effect once they are published in the city's official newspaper. The planning commission must review and make a recommendation to the city council regarding any changes to the zoning code chapter 11. A public hearing, typically held by the planning commission, also is required for changes to chapter 11.

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE SECTION 1140.80 REGARDING NOXIOUS TREES**

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

SECTION 1.

Greenwood ordinance code section 1140.80 subdivision 2 E is amended to read as follows:

" *Noxious Trees* are Buckthorn, Sumac, Box Elder, Siberia Elm, Green Ash, and Prickly Ash, ~~and Cottonwood.~~"

SECTION 2.

Effective Date. This ordinance shall be effective upon publication according to law.

Enacted by the city council of Greenwood, Minnesota this ___ day of _____, 2016.

___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana H. Young, City Clerk

First reading: _____, 2016
Second reading: _____, 2016
Publication: _____, 2016



Agenda Item: 1st Reading Ordinance 261, Grading Ordinance

Summary: In response to the 5145 Weeks Road variance request, Councilmember Tom Fletcher drafted a resolution that attempts to remove the variance language from the Section 1140.19, while still maintaining the integrity of the original intent of the ordinance. The planning commission reviewed the draft ordinance at their July meeting. The planning commission reviewed the draft ordinance, and recommended amendments to include a section describing the intent of the ordinance, and to change the threshold for a conditional use permit from 20 cubic yards to 7 cubic yards. The city council reviewed the draft ordinance and directed the planning commission to hold a public hearing for ordinance with the one change to add "... determine and mitigate impacts ..." to the purpose statement.

Regarding the reduction from 20 cubic yards to 7 cubic yards: Councilmember Cook noted that 20 cubic yards was equal to 540 cubic feet. This amounts to 1.8 feet of grade change in in an area of 300 square feet, which is slightly under the city's current variance threshold. As proposed, 7 cubic yards (189 cubic feet) would equal 1 foot of grade change in an area of 189 square feet.

Timeline:

- ~~08-17-16 Planning commission holds public hearing and makes recommendation to the city council.~~
- 09-07-16 City council considers 1st reading of the ordinance (may make revisions / may waive 2nd reading).
- 09-08-16 If the 2nd reading is waived, the ordinance is submitted to the Sun-Sailor for publication.
- 09-15-16 If the 2nd reading is waived, the ordinance is published in the Sun-Sailor (goes into effect on this date).
- 10-05-16 City council considers 2nd reading of the ordinance (may make revisions).
- 10-06-16 The ordinance is submitted to the Sun-Sailor for publication.
- 10-13-16 The ordinance is published in the Sun-Sailor (goes into effect on this date).

Planning Commission Action: The planning commission held a public hearing for Ordinance No. 261 at their August 17 meeting and recommended adoption of the ordinance, as written. Motion carried 3-0

City Council Action: Potential motions ...

1. I move the city council (1) approves the 1st reading of ordinance 261 amending the grading ordinance code section 1140.19 as written / as amended; (2) waives the 2nd reading; (3) approves resolution 35-16 a summary of ordinance 261; and (4) directs staff to publish resolution 35-16 in the city's official newspaper.
2. I move the city council (1) approves the 1st reading of ordinance 261 amending the grading ordinance code section 1140.19 as written / as amended; and (2) directs the ordinance be placed on the next city council agenda for a 2nd reading.
3. Do nothing (maintain current ordinance) or other motion ???

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. The 2nd reading may be waived by a unanimous vote of city council members present at the meeting. Ordinances go into effect once they are published in the city's official newspaper. The planning commission must review and make a recommendation to the city council regarding any changes to the zoning code chapter 11. A public hearing, typically held by the planning commission, also is required for changes to chapter 11.

ORDINANCE NO. 261

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE SECTION 1140.19 REGARDING GRADING REGULATIONS**

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

SECTION 1.

Greenwood ordinance code section 1140.19 is amended to read as follows:

“Section 1140.19. Grading Regulation & Restrictions.

Subd. 1. Purpose. The purpose of this ordinance is to review significant grading projects in order to determine and mitigate impacts related to site drainage and stormwater, and adherence to the city’s height regulations.

Subd. 4 2. Grading Permit Required. No disturbance of the existing surface of land or the grading or alteration of the topography of land or of a lot shall be performed without a permit first obtained.

Subd. 2 3. Grading Permit Application. Application for a grading permit shall be made to the zoning administrator. In support of a grading permit the applicant shall set forth in writing a full description of the grading or site / lot topography alteration to be performed, including:

- (a) the total surface area to be moved, disturbed, cut or filled,
- (b) the total volume of soil or earth to be moved, disturbed, cut or filled,
- (c) the reason why the grading or topography alteration is required,
- (d) whether the work is required for the remodeling of an existing structure or construction of a new structure, whether the grading or topography alteration or disturbance is due to drainage issues related to existing
- (e) topography or structures,
- (f) whether the grading or topography alteration or disturbance is or 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,
- (g) the cubic feet of material to be disturbed, added and removed,
- (h) the surface area in square feet to be disturbed.

If upon review, the zoning administrator is satisfied a) that the application is complete, b) that the application is supported by a statement of accuracy, c) that the grading or site / lot topography alteration request does not involve more than 200 square feet of surface area, and d) that the grading or site / lot topography alteration does not involve or more than 20 7 cubic yards of material, and e) the grading or site / lot alteration will not alter the existing drainage pattern or concentrate or accelerate the flow of water off the lot, a grading permit may be issued without a conditional use permit first obtained. All other grading permit requests shall require a conditional use permit application pursuant to section 1150 of this code.

Subd. 3 4. Additional Information Required in Support of Grading Conditional Use Permit Applications. Grading conditional use permits, shall, in addition to all of the information required in subdivision 2 above and all information required under section 1150, be supported by i) a current topographic survey by a licensed surveyor illustrating the existing topography of the entire lot in 2-foot contours, existing ~~and proposed~~ drainage pattern, existing ~~and proposed~~ drainage volumes, existing mean lot grade ~~and the proposed mean lot grade~~, ii) a topographic of the entire lot ~~showing proposed topography in 2-foot contours post grading, proposed drainage pattern, proposed drainage volumes, the proposed mean lot grade, and the proposed Building Perimeter Grade~~, and iii) a stormwater management plan for the entire lot post grading prepared by a civil engineer meeting the approval of the city engineer.

Subd. 4-5. Grading Limitations. 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. ~~In granting a grading conditional use permit the city may require that the proposed above grade building volume, building height, and structure height be determined using and limited by the existing building perimeter grade or a~~

previous estimated building perimeter grade, if the site has had previous grading performed instead of the proposed building perimeter grade.

Subd. 5 6. Grade Alteration. The existing grade of a lot shall not be altered by the addition or removal of fill or by grading so as to increase or decrease the average elevation of the land by more than 1 foot in any area greater than 100 square feet without the approval of the city engineer. ~~Any elevation increase or decrease of more than 2 feet in any area greater than 300 square feet requires a variance.~~ The measurements shall be calculated by averaging the lowest point of elevation and highest point of elevation in the square foot area on the existing survey compared to the proposed survey.”

SECTION 2.

Effective Date. This ordinance shall be effective upon publication according to law.

Enacted by the city council of Greenwood, Minnesota this ____ day of _____, 2016.

____ AYES ____ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana H. Young, City Clerk

First reading: _____, 2016
Second reading: _____, 2016
Publication: _____, 2016

RESOLUTION 35-16

**A RESOLUTION APPROVING PUBLICATION
OF ORDINANCE NUMBER 261 BY TITLE AND SUMMARY**

WHEREAS, on September 7, 2016 the city council of the city of Greenwood adopted "Ordinance 261 Amending Greenwood Ordinance Code Chapter 1140.19 Regarding Grading Regulations."

WHEREAS, the city council has prepared a summary of ordinance 261 as follows:

1. The purpose of this ordinance is to review significant grading projects in order to determine and mitigate impacts related to site drainage and stormwater and adherence to the city's height regulations.
2. The ordinance states that a conditional use permit is required for grading alterations that involve more than 200 sq ft of surface area or more than 7 cubic yards of material.
3. The ordinance states that the city may require that the proposed above grade building volume, building height, and structure height be determined using and limited by the existing building perimeter grade or a previous estimated building perimeter grade, if the site has had previous grading performed instead of the proposed building perimeter grade.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENWOOD:

1. The city council finds that the above title and summary of ordinance 261 clearly informs the public of intent and effect of the ordinance.
2. The city clerk is directed to publish ordinance 261 by title and summary, pursuant to Minnesota statutes, section 412.191, subdivision 4.
3. A full copy of the ordinance is available at the Greenwood city office, 20225 Cottagewood Road, Deephaven, MN 55331.

ADOPTED by the city council of the city of Greenwood, Minnesota this ____ day of _____, 2016.

____ AYES ____ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana H. Young, City Clerk

CITY OF GREENWOOD
Debra J. Kind, Mayor
Attest: Dana H. Young, City Clerk
First reading: _____, 2016
Second reading: _____, 2016
Publication: _____, 2016



Agenda Number: **7E**

Agenda Date: **09-07-16**

Prepared by Dale Cooney

Agenda Item: 1st Reading Ord 262 Mandatory Floodplain Ordinance Update and Res 36-16 Summary of Ord 262

Background: FEMA had updated their Flood Insurance Rate Maps for Hennepin County. As a part of this update, FEMA is requiring that cities update their Floodplain Ordinance to be in compliance with new federal language. The new ordinance is required to be updated by November 4, 2016. FEMA has stated that "without exception" any community that has not adopted new language will be suspended from the National Flood Insurance Program.

Draft Ordinance Review by City Council: The Minnesota DNR is the state agency in charge of administering the National Flood Insurance Program at the state level and has created a model ordinance for cities to adopt. The DNR requested that cities submit a draft ordinance to them by August 4, 2016. Staff prepared a draft ordinance for the city council, which was reviewed at the July 6 meeting, and the draft ordinance was then submitted to the DNR for their review and comments. Those comments are enclosed and have been incorporated into this most recent version of the ordinance.

As recommended by the city council, and approved by the DNR, the ordinance contains only the mandatory floodplain language, with all optional language removed. To review the optional language and 21-page DNR commentary, please contact City Zoning Administrator Dale Cooney 952.358.9938 dalec@mediacommbb.net.

Timeline:

~~08-04-16 Notice of public hearing published.~~

~~08-17-16 Planning Commission Public Hearing.~~

09-07-16 City council considers 1st reading of new Floodplain ordinance (may make revisions)

09-08-16 If 2nd reading is waived, the ordinance is submitted to the Sun-Sailor for publication.

09-15-16 If 2nd reading is waived, the ordinance is published in the Sun-Sailor (goes into effect on this date).

10-05-16 City council considers 2nd reading of the ordinance (may make revisions).

10-06-16 The ordinance is submitted to the Sun-Sailor for publication.

10-13-16 The ordinance is published in the Sun-Sailor (goes into effect on this date).

Planning Commission Action: The planning commission held a public hearing for Ordinance No. 262 at their August 17 meeting and recommended adoption of the ordinance, as written. Motion carried 3-0

City Council Action: Action required. Potential motions ...

1. I move the city council (1) approves the 1st reading of ordinance 262 amending the floodplain ordinance code section 1174 as written / as amended; (2) waives the 2nd reading; (3) approves resolution 36-16 a summary of ordinance 262; and (4) directs staff to publish resolution 36-16 in the city's official newspaper.
2. I move the city council (1) approves the 1st reading of ordinance 262 amending the floodplain ordinance code section 1174 as written / as amended; and (2) directs the ordinance be placed on the next city council agenda for a 2nd reading.

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. The 2nd reading may be waived by a unanimous vote of city council members present at the meeting. Ordinances go into effect once they are published in the city's official newspaper. The planning commission must review and make a recommendation to the city council regarding any changes to the zoning code chapter 11. A public hearing, typically held by the planning commission, also is required for changes to chapter 11.



MINNESOTA DEPARTMENT OF NATURAL RESOURCES
CENTRAL OFFICE
500 LAFAYETTE ROAD, BOX 25
SAINT PAUL, MN 55155
651-296-6157
888-646-6367

August 4, 2016

The Honorable Deb Kind
Mayor, City of Greenwood
20225 Cottagewood Road
Deephaven, MN 55331

CONDITIONAL STATE APPROVAL OF FLOODPLAIN ORDINANCE & REQUIRED NEXT STEPS

Dear Honorable Mayor Kind,

The Department of Natural Resources (DNR) received via email on August 2, 2016, a draft floodplain management ordinance for the City of Greenwood from Zoning Coordinator Dale Cooney. This ordinance is being adopted in order to incorporate the *Flood Insurance Study, Hennepin County, Minnesota and Incorporated Areas* and the accompanying Flood Insurance Rate Map panels with an effective date of November 4, 2016.

Prior to adoption, the City should incorporate a few minor amendments to ensure conformance with state and FEMA standards:

- I've noticed that the "model with commentary" that I sent on June 1, 2016 incorrectly identifies Sections 7.25 and 7.3 as optional provisions, when in fact they are required under 44 CFR 60.3(a)(3 & 4). As such, the city needs to incorporate these items. To do this, we recommend the city amend Section 1360.07 of the ordinance to better mirror Section 7.0 of the model.
- Consider adding definition for "Flood Insurance Rate Map" consistent with 44 CFR §59.1. While this definition was not in the model, adding this definition will add clarity when cross referencing the Flood Insurance Study.
- Please insert language from Section 9.12 of the floodplain model into Section 1360.09, Subd. 1 of the city's draft ordinance. Provisions within this section are required per 44 CFR §60.3(b)(8) and 44 CFR §60.3(c)(12).

We apologize for the inconvenience and are planning to correct the model accordingly.

Apart from the above items, the draft floodplain management ordinance is in compliance with the state floodplain management rules (MR 6120.5000 to 6120.6200) and, to the best of my knowledge, with the floodplain management standards of the Federal Emergency Management Agency. Therefore, in accordance with Minnesota Statutes, Chapter 103F, I hereby give conditional state approval of the draft floodplain management ordinance, provided the above - mentioned revisions are made.



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AN EQUAL OPPORTUNITY EMPLOYER

This approval is valid upon adoption of the draft ordinance by the city and receipt by this office of **one (1) copy each of the adopted ordinance (signed and stamped with the community seal), the affidavit of publication, and the completed "Ordinance Certification Checklist"** that I have enclosed. Please forward these documents to Ceil Strauss, the DNR's State NFIP Coordinator in St. Paul at the address above in the header. Upon receipt and verification, Ms. Strauss will transmit one copy of these materials to Mr. John Devine at FEMA's Chicago Regional Office.

Please remember, FEMA must receive a signed, certified, and in-effect ordinance no later than November 4, 2016. To allow sufficient time for processing and transmittal, we request that you submit the requested materials to the DNR no later than November 1, 2016. ***If FEMA has not received the documentation by the map effective date, FEMA will suspend the City from the National Flood Insurance Program.***

Please be advised that any future amendments of this ordinance or change in the designation of flood prone areas require prior approval of the Commissioner. In addition, you are required to send copies of hearing notices and final decisions pertaining to variance, conditional uses, and ordinance amendments to this agency. Please send those to State NFIP Coordinator Ceil Strauss at the above address. Should you have any questions on this ordinance or related matters, please contact Ms. Strauss at (651) 259-5713 or ceil.strauss@state.mn.us.

While our office in St. Paul will continue to be the main contact for the ordinance update, your DNR Area Hydrologist will continue to be your main contact for day to day assistance with administering your floodplain management ordinance and questions about other DNR water-related programs and permits. Your Area Hydrologist is Kate Drewry, who can be contacted at 651-259-5753 or kate.drewry@state.mn.us.

The DNR greatly appreciates your community's cooperation and initiative in providing for the reduction of flood damages through the adoption and administration of this ordinance.

Sincerely,



Jennifer Shillcox
Land Use Section Supervisor

Enclosures: Ordinance Certification Checklist

ec: Dale Cooney, Zoning Coordinator
Terri Yearwood, DNR Eco-Waters' Regional Manager
Jeanne Daniels, DNR Eco-Waters' District Manager
Kate Drewry, Area Hydrologist

ORDINANCE CERTIFICATION CHECKLIST

Please sign and return the checklist and all required documents to the DNR Floodplain Program office when completed.

1. _____ **Date(s) of published hearing notice.**

2. _____ **Date(s) of public hearing.**

3. _____ **Date of ordinance adoption. Include 1 certified copy of the adopted ordinance text in its entirety including the signature of the chief elected official and the stamped seal of the community.**
4. _____ **Date of newspaper publication of adopted ordinance. Include 1 copy of affidavit of publication of the adopted ordinance. Publication of an ordinance summary is acceptable by statute.**
5. _____ **Date of official filing of adopted ordinance with County Recorder (_____ record book number and _____ page number). If filing of an adopted ordinance with the county auditor is not a standard practice, please indicate "N/A."**
6. _____ **Board of Adjustment/Appeals has been established (yes or no).**

Note: Cities under charter must also submit a list of any additional requirements for hearings, notices, etc. stated in their charter and not required by statute. Please specify:

Signature of Clerk/Auditor

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE SECTION 1174 FLOODPLAIN ORDINANCE**

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

SECTION 1.

Greenwood ordinance code chapter 11, section 1174 is hereby deleted and replaced with the following:

“1174. FLOODPLAIN ORDINANCE.

Section 1174.01. Statutory Authorization, Findings of Fact, and Purpose.

Subd. 1. Statutory Authorization: The legislature of the State of Minnesota has, in Minnesota Statutes Chapter 103F and Chapter 462 delegated the responsibility to local government units to adopt regulations designed to minimize flood losses. Therefore, the city council of Greenwood, Minnesota, does ordain as follows.

(a) **Purpose:**

- (1) This ordinance regulates development in the flood hazard areas of the city of Greenwood. These flood hazard areas are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. It is the purpose of this ordinance to promote the public health, safety, and general welfare by minimizing these losses and disruptions.
- (2) National Flood Insurance Program Compliance. This ordinance is adopted to comply with the rules and regulations of the National Flood Insurance Program codified as 44 Code of Federal Regulations Parts 59 -78, as amended, so as to maintain the community’s eligibility in the National Flood Insurance Program.

Section 1174.02. General Provisions.

Subd. 1. How to Use This Ordinance: This ordinance adopts the floodplain maps applicable to the city of Greenwood and includes three floodplain districts: Floodway, Flood Fringe, and General Floodplain.

- (a) Where Floodway and Flood Fringe districts are delineated on the floodplain maps, the standards in Sections 1174.04 or 1174.05 will apply, depending on the location of a property.
- (b) Locations where Floodway and Flood Fringe districts are not delineated on the floodplain maps are considered to fall within the General Floodplain district. Within the General Floodplain district, the Floodway District standards in Section 1174.04 apply unless the floodway boundary is determined, according to the process outlined in Section 6. Once the floodway boundary is determined, the Flood Fringe District standards in Section 1174.05 may apply outside the floodway.

Subd. 2. Lands to Which Ordinance Applies: This ordinance applies to all lands within the jurisdiction of Greenwood shown on the Official Zoning Map and/or the attachments to the map as being located within the boundaries of the Floodway, Flood Fringe, or General Floodplain Districts.

Subd. 3. Incorporation of Maps by Reference: The following maps together with all attached material are hereby adopted by reference and declared to be a part of the Official Zoning Map and this ordinance. The attached material includes the Flood Insurance Study for Hennepin County, Minnesota, and Incorporated Areas, dated November 4, 2016 and the Flood Insurance Rate Map panels enumerated below, dated November 4, 2016, all prepared by the Federal Emergency Management Agency. These materials are on file in the city clerk’s office.

Effective Flood Insurance Rate Map panels:

27053C0316F
27053C0318F

Subd. 4. Regulatory Flood Protection Elevation: The regulatory flood protection elevation (RFPE) is an elevation no lower than one foot above the elevation of the regional flood.

Subd. 5. Interpretation: The boundaries of the zoning districts are determined by scaling distances on the Flood Insurance Rate Map.

- (a) Where a conflict exists between the floodplain limits illustrated on the official zoning map and actual field conditions, the flood elevations shall be the governing factor. The zoning administrator must interpret the boundary location

based on the ground elevations that existed on the site on the date of the first National Flood Insurance Program map showing the area within the regulatory floodplain, and other available technical data.

- (b) Persons contesting the location of the district boundaries will be given a reasonable opportunity to present their case to the Board of Adjustment and to submit technical evidence.

Subd. 6. Abrogation and Greater Restrictions: It is not intended by this ordinance to repeal, abrogate, or impair any existing easements, covenants, or other private agreements. However, where this ordinance imposes greater restrictions, the provisions of this ordinance prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

Subd. 7. Warning and Disclaimer of Liability: This ordinance does not imply that areas outside the floodplain districts or land uses permitted within such districts will be free from flooding or flood damages. This ordinance does not create liability on the part of the city of Greenwood or its officers or employees for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

Subd. 8. Severability: If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of law, the remainder of this ordinance shall not be affected and shall remain in full force.

Subd. 9. Definitions: Unless specifically defined below, words or phrases used in this ordinance must be interpreted according to common usage and so as to give this ordinance its most reasonable application.

- (a) *Accessory Use or Structure* – a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.
- (b) *Basement* – any area of a structure, including crawl spaces, having its floor or base subgrade (below ground level) on all four sides, regardless of the depth of excavation below ground level.
- (c) *Development* – any manmade change to improved or unimproved real estate, including buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.
- (d) *Equal Degree of Encroachment* – a method of determining the location of floodway boundaries so that floodplain lands on both sides of a stream are capable of conveying a proportionate share of flood flows.
- (e) *Flood Fringe* – the portion of the Special Flood Hazard Area (one percent annual chance flood) located outside of the floodway. Flood fringe is synonymous with the term “floodway fringe” used in the Flood Insurance Study for Hennepin County, Minnesota.
- (f) *Flood Insurance Rate Map (FIRM)* means an official map of a community, on which the Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community.
- (g) *Flood Prone Area* – any land susceptible to being inundated by water from any source (see “Flood”).
- (h) *Floodplain* – the beds proper and the areas adjoining a wetland, lake or watercourse which have been or hereafter may be covered by the regional flood.
- (i) *Floodproofing* – a combination of structural provisions, changes, or adjustments to properties and structures subject to flooding, primarily for the reduction or elimination of flood damages.
- (j) *Floodway* – the bed of a wetland or lake and the channel of a watercourse and those portions of the adjoining floodplain which are reasonably required to carry or store the regional flood discharge.
- (k) *Lowest Floor* – the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building’s lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 Code of Federal Regulations, Part 60.3.
- (l) *Manufactured Home* – a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include the term “recreational vehicle.”
- (m) *New Construction* - Structures, including additions and improvements, and placement of manufactured homes, for which the start of construction commenced on or after the effective date of this ordinance.
- (n) *One Hundred Year Floodplain* – lands inundated by the “Regional Flood” (see definition).
- (o) *Recreational Vehicle* – a vehicle that is built on a single chassis, is 400 square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towable by a light duty truck, and is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. For the purposes of this ordinance, the term recreational vehicle is synonymous with the term “travel trailer/travel vehicle.”
- (p) *Regional Flood* – a flood which is representative of large floods known to have occurred generally in Minnesota and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of the 1% chance or 100-year recurrence interval. Regional flood is synonymous with the term "base flood" used in a flood insurance study.

- (q) *Regulatory Flood Protection Elevation (RFPE)* - an elevation not less than one foot above the elevation of the regional flood.
- (r) *Repetitive Loss* – Flood related damages sustained by a structure on two separate occasions during a ten year period for which the cost of repairs at the time of each such flood event on the average equals or exceeds 25% of the market value of the structure before the damage occurred.
- (s) *Special Flood Hazard Area* – a term used for flood insurance purposes synonymous with “One Hundred Year Floodplain.”
- (t) *Start of Construction* – includes substantial improvement, and means the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement that occurred before the permit’s expiration date. The actual start is either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- (u) *Structure* - anything constructed or erected on the ground or attached to the ground or on-site utilities, including, but not limited to, buildings, factories, sheds, detached garages, cabins, manufactured homes, recreational vehicles not meeting the exemption criteria specified in Section 1774.09(2)(b) of this ordinance and other similar items.
- (v) *Substantial Damage* - means damage of any origin sustained by a structure where the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- (w) *Substantial Improvement* - within any consecutive 365-day period, any reconstruction, rehabilitation (including normal maintenance and repair), repair after damage, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures that have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:
 - (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.
 - (2) Any alteration of a “historic structure,” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.” For the purpose of this ordinance, “historic structure” is as defined in 44 Code of Federal Regulations, Part 59.1.

Subd.10. Annexations: The Flood Insurance Rate Map panels adopted by reference into Section 1774.02(3) above may include floodplain areas that lie outside of the corporate boundaries of the city of Greenwood at the time of adoption of this ordinance. If any of these floodplain land areas are annexed into the city of Greenwood after the date of adoption of this ordinance, the newly annexed floodplain lands will be subject to the provisions of this ordinance immediately upon the date of annexation.

Section 1174.03. Establishment of Zoning Districts.

Subd. 1. Districts:

- (a) **Floodway District.** The Floodway District includes those areas within Zones AE that have a floodway delineated as shown on the Flood Insurance Rate Map adopted in Section 1774.02(3), as well as portions of other lakes, wetlands, and basins within Zones AE (that do not have a floodway delineated) that are located at or below the ordinary high water level as defined in Minnesota Statutes, Section 103G.005, subdivision 14.
- (b) **Flood Fringe District.** The Flood Fringe District includes areas within Zones AE that have a floodway delineated on the Flood Insurance Rate Map adopted in Section 1774.02(3), but are located outside of the floodway. For lakes, wetlands and other basins within Zones AE that do not have a floodway delineated, the Flood Fringe District also includes those areas below the 1% annual chance (100-year) flood elevation but above the ordinary high water level as defined in Minnesota Statutes, Section 103G.005, subdivision 14.
- (c) **General Floodplain District.** RESERVED FOR GENERAL FLOODPLAIN DISTRICT (GF)

Subd. 2. Applicability: Within the floodplain districts established in this ordinance, the use, size, type and location of development must comply with the terms of this ordinance and other applicable regulations. In no cases shall floodplain development adversely affect the efficiency or unduly restrict the capacity of the channels or floodways of any tributaries to the main stream, drainage ditches, or any other drainage facilities or systems. All uses not listed as permitted uses in Sections 1774.04, 1774.05 and 1774.06 are prohibited.

Section 1174.04. Floodway District (FW).

Subd. 1. Permitted Uses: The following uses, subject to the standards set forth in Subd. 2, are permitted uses if otherwise allowed in the underlying zoning district or any applicable overlay district:

- (a) Open space uses, including but not limited to picnic grounds, boat launching ramps, swimming areas, parks, wildlife and nature preserves, hunting and fishing areas.
- (b) Residential lawns.
- (c) Railroads, streets, bridges, utility transmission lines and pipelines, provided that the Department of Natural Resources' Area Hydrologist is notified at least ten days prior to issuance of any permit.

Subd. 2. Standards for Floodway Permitted Uses:

- (a) The use must have a low flood damage potential.
- (b) The use must not obstruct flood flows or cause any increase in flood elevations and must not involve structures, obstructions, or storage of materials or equipment.

Section 1174.05. Flood Fringe District (FF).

Subd. 1. Permitted Uses: Permitted uses are those uses of land or structures allowed in the underlying zoning district(s) that comply with the standards in Sections 1174.05(2). If no pre-existing, underlying zoning districts exist, then any residential or nonresidential structure or use of a structure or land is a permitted use provided it does not constitute a public nuisance.

Subd. 2. Standards for Flood Fringe Permitted Uses:

- (a) All structures, including accessory structures, must be elevated on fill so that the lowest floor, as defined, is at or above the regulatory flood protection elevation. The finished fill elevation for structures must be no lower than one foot below the regulatory flood protection elevation and the fill must extend at the same elevation at least 15 feet beyond the outside limits of the structure.
- (b) Accessory Structures. As an alternative to the fill requirements of section 1174.05(2)(a), structures accessory to the uses identified in Section 1174.05(1) may be permitted to be internally/wet floodproofed to the FP3 or FP4 floodproofing classifications in the State Building Code, provided that:
 - (1) the accessory structure constitutes a minimal investment, does not exceed 576 square feet in size, and is only used for parking and storage.
 - (2) All portions of floodproofed accessory structures below the Regulatory Flood Protection Elevation must be: (i) adequately anchored to prevent flotation, collapse or lateral movement and designed to equalize hydrostatic flood forces on exterior walls, (ii) be constructed with materials resistant to flood damage, and (iii) must have all service utilities be water-tight or elevated to above the regulatory flood protection elevation
 - (3) Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following criteria:
 - (i) To allow for the equalization of hydrostatic pressure, there must be a minimum of two "automatic" openings in the outside walls of the structure, with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding; and
 - (ii) There must be openings on at least two sides of the structure and the bottom of all openings must be no higher than one foot above the lowest adjacent grade to the structure. Using human intervention to open a garage door prior to flooding will not satisfy this requirement for automatic openings.
- (c) The storage of any materials or equipment must be elevated on fill to the regulatory flood protection elevation.
- (d) All service utilities, including ductwork, must be elevated or water-tight to prevent infiltration of floodwaters.
- (e) The storage or processing of materials that are, in time of flooding, flammable, explosive, or potentially injurious to human, animal, or plant life is prohibited.
- (f) All fill must be properly compacted and the slopes must be properly protected by the use of riprap, vegetative cover or other acceptable method.
- (g) All new principal structures must have vehicular access at or above an elevation not more than two feet below the regulatory flood protection elevation, or must have a flood warning /emergency evacuation plan acceptable to the city council.
- (h) Accessory uses such as yards, railroad tracks, and parking lots may be at an elevation lower than the regulatory flood protection elevation. However, any facilities used by employees or the general public must be designed with a flood warning system that provides adequate time for evacuation if the area is inundated to a depth and velocity such that the depth (in feet) multiplied by the velocity (in feet per second) would exceed a product of four upon occurrence of the regional (1% chance) flood.

- (i) Interference with normal manufacturing/industrial plant operations must be minimized, especially along streams having protracted flood durations. In considering permit applications, due consideration must be given to the needs of industries with operations that require a floodplain location.
- (j) Manufactured homes and recreational vehicles must meet the standards of Section 1774.09 of this ordinance.

Section 1174.06. Reserved for General Floodplain District (GF).

Section 1174.07. Land Development Standards.

Subd. 1 Subdivisions: No land may be subdivided which is unsuitable for reasons of flooding or inadequate drainage, water supply or sewage treatment facilities. Manufactured home parks and recreational vehicle parks or campgrounds are considered subdivisions under this ordinance.

- (a) All lots within the floodplain districts must be able to contain a building site outside of the Floodway District at or above the regulatory flood protection elevation.
- (b) All subdivisions must have road access both to the subdivision and to the individual building sites no lower than two feet below the regulatory flood protection elevation, unless a flood warning emergency plan for the safe evacuation of all vehicles and people during the regional (1% chance) flood has been approved by the city council. The plan must be prepared by a registered engineer or other qualified individual, and must demonstrate that adequate time and personnel exist to carry out the evacuation.
- (c) For all subdivisions in the floodplain, the Floodway and Flood Fringe District boundaries, the regulatory flood protection elevation and the required elevation of all access roads must be clearly labeled on all required subdivision drawings and platting documents.
- (d) In the General Floodplain District, applicants must provide the information required in Section 1774.06(2) of this ordinance to determine the regional flood elevation, the Floodway and Flood Fringe District boundaries and the regulatory flood protection elevation for the subdivision site.
- (e) If a subdivision proposal or other proposed new development is in a flood prone area, any such proposal must be reviewed to assure that:
 - (1) All such proposals are consistent with the need to minimize flood damage within the flood prone area,
 - (2) All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and
 - (3) Adequate drainage is provided to reduce exposure of flood hazard.

Subd. 2. Building Sites: If a proposed building site is in a flood prone area, all new construction and substantial improvements (including the placement of manufactured homes) must be:

- (a) Designed (or modified) and adequately anchored to prevent floatation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- (b) Constructed with materials and utility equipment resistant to flood damage;
- (c) Constructed by methods and practices that minimize flood damage; and
- (d) Constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

Section 1174.08. Public Utilities, Railroads, Roads, and Bridges.

Subd. 1. Public Utilities: All public utilities and facilities such as gas, electrical, sewer, and water supply systems to be located in the floodplain must be floodproofed in accordance with the State Building Code or elevated to the regulatory flood protection elevation.

Subd. 2. Public Transportation Facilities: Railroad tracks, roads, and bridges to be located within the floodplain must comply with Sections 1774.04 and 1774.05 of this ordinance. These transportation facilities must be elevated to the regulatory flood protection elevation where failure or interruption of these facilities would result in danger to the public health or safety or where such facilities are essential to the orderly functioning of the area. Minor or auxiliary roads or railroads may be constructed at a lower elevation where failure or interruption of transportation services would not endanger the public health or safety.

Subd. 3. On-site Water Supply and Sewage Treatment Systems: Where public utilities are not provided: 1) On-site water supply systems must be designed to minimize or eliminate infiltration of flood waters into the systems and are subject to the provisions in Minnesota Rules Chapter 4725.4350, as amended; and 2) New or replacement on-site sewage treatment systems must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, they must not be subject to impairment or contamination during times of flooding, and are subject to the provisions in Minnesota Rules Chapter 7080.2270, as amended.

Section 1174.09. Manufactured Homes, Manufactured Home Parks, and Recreational Vehicles.

Subd. 1. Manufactured Homes: New manufactured home parks and expansions to existing manufactured home parks are prohibited in any floodplain district. For existing manufactured home parks or lots of record, the following requirements apply:

If allowed in the Flood Fringe District, placement or replacement of manufactured home units is subject to the requirements of Section 1174.05 of this ordinance and the following standards.

- (a) New and replacement manufactured homes must be elevated in compliance with Section 5 of this ordinance and must be securely anchored to an adequately anchored foundation system that resists flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state or local anchoring requirements for resisting wind forces.
- (b) New or replacement manufactured homes in existing manufactured home parks must meet the vehicular access requirements for subdivisions in Section 1174.07(1)(b)

Subd. 2. Recreational Vehicles: New recreational vehicle parks or campgrounds and expansions to existing recreational vehicle parks or campgrounds are prohibited in any floodplain district. Placement of recreational vehicles in existing recreational vehicle parks or campgrounds in the floodplain must meet the exemption criteria below or be treated as new structures meeting the requirements of this ordinance.

- (a) Recreational vehicles are exempt from the provisions of this ordinance if they are placed in any of the following areas and meet the criteria listed in Section 1174.09(2)(b):
 - (1) Individual lots or parcels of record.
 - (2) Existing commercial recreational vehicle parks or campgrounds.
 - (3) Existing condominium-type associations.
- (b) Criteria for Exempt Recreational Vehicles:
 - (1) The vehicle must have a current license required for highway use.
 - (2) The vehicle must be highway ready, meaning on wheels or the internal jacking system, attached to the site only by quick disconnect type utilities commonly used in campgrounds and recreational vehicle parks.
 - (3) No permanent structural type additions may be attached to the vehicle.
 - (4) The vehicle and associated use must be permissible in any pre-existing, underlying zoning district.

Section 1174.10. Administration.

Subd. 1. Zoning Administrator: A zoning administrator or other official designated by the city council must administer and enforce this ordinance.

Subd. 2. Permit Requirements:

- (a) *Permit Required*. A permit must be obtained from the zoning administrator prior to conducting the following activities:
 - (1) The erection, addition, modification, rehabilitation, or alteration of any building, structure, or portion thereof. Normal maintenance and repair also requires a permit if such work, separately or in conjunction with other planned work, constitutes a substantial improvement as defined in this ordinance.
 - (2) The use or change of use of a building, structure, or land.
 - (3) The construction of a dam, fence, or on-site septic system, although a permit is not required for a farm fence as defined in this ordinance.
 - (4) The change or extension of a nonconforming use.
 - (5) The repair of a structure that has been damaged by flood, fire, tornado, or any other source.
 - (6) The placement of fill, excavation of materials, or the storage of materials or equipment within the floodplain.
 - (7) Relocation or alteration of a watercourse (including new or replacement culverts and bridges), unless a public waters work permit has been applied for.
 - (8) Any other type of "development" as defined in this ordinance.
- (b) *Application for Permit*. Permit applications must be submitted to the zoning administrator on forms provided by the zoning administrator. The permit application must include the following as applicable:
 - (1) A site plan showing all pertinent dimensions, existing or proposed buildings, structures, and significant natural features having an influence on the permit.
 - (2) Location of fill or storage of materials in relation to the stream channel.
 - (3) Copies of any required municipal, county, state or federal permits or approvals.
 - (4) Other relevant information requested by the zoning administrator as necessary to properly evaluate the permit application.

- (c) *Certificate of Zoning Compliance for a New, Altered, or Nonconforming Use.* No building, land or structure may be occupied or used in any manner until a certificate of zoning compliance has been issued by the zoning administrator stating that the use of the building or land conforms to the requirements of this ordinance.
- (d) *Certification.* The applicant is required to submit certification by a registered professional engineer, registered architect, or registered land surveyor that the finished fill and building elevations were accomplished in compliance with the provisions of this ordinance. Floodproofing measures must be certified by a registered professional engineer or registered architect.
- (e) *Record of First Floor Elevation.* The zoning administrator must maintain a record of the elevation of the lowest floor (including basement) of all new structures and alterations or additions to existing structures in the floodplain. The Zoning administrator must also maintain a record of the elevation to which structures and alterations or additions to structures are floodproofed.
- (f) *Notifications for Watercourse Alterations.* Before authorizing any alteration or relocation of a river or stream, the Zoning administrator must notify adjacent communities. If the applicant has applied for a permit to work in public waters pursuant to Minnesota Statutes, Section 103G.245, this will suffice as adequate notice. A copy of the notification must also be submitted to the Chicago Regional Office of the Federal Emergency Management Agency (FEMA).
- (g) *Notification to FEMA When Physical Changes Increase or Decrease Base Flood Elevations.* As soon as is practicable, but not later than six months after the date such supporting information becomes available, the Zoning administrator must notify the Chicago Regional Office of FEMA of the changes by submitting a copy of the relevant technical or scientific data.

Subd. 3. Variances:

- (a) *Variance Applications.* An application for a variance to the provisions of this ordinance will be processed and reviewed in accordance with applicable state statutes and Section 1155 of the zoning ordinance.
- (b) *Adherence to State Floodplain Management Standards.* A variance must not allow a use that is not allowed in that district, permit a lower degree of flood protection than the regulatory flood protection elevation for the particular area, or permit standards lower than those required by state law.
- (c) *Additional Variance Criteria.* The following additional variance criteria of the Federal Emergency Management Agency must be satisfied:
 - (1) Variances must not be issued by a community within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.
 - (2) Variances may only be issued by a community upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
 - (3) Variances may only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (d) *Flood Insurance Notice.* The Zoning administrator must notify the applicant for a variance that: 1) The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and 2) Such construction below the base or regional flood level increases risks to life and property. Such notification must be maintained with a record of all variance actions.
- (e) *Submittal of Hearing Notices to the Department of Natural Resources (DNR).* The Zoning administrator must submit hearing notices for proposed variances to the DNR sufficiently in advance to provide at least 10 days' notice of the hearing. The notice may be sent by electronic mail or U.S. Mail to the respective DNR area hydrologist.
- (f) *Submittal of Final Decisions to the DNR.* A copy of all decisions granting variances must be forwarded to the DNR within ten days of such action. The notice may be sent by electronic mail or U.S. Mail to the respective DNR area hydrologist.
- (g) *Record-Keeping.* The zoning administrator must maintain a record of all variance actions, including justification for their issuance, and must report such variances in an annual or biennial report to the Administrator of the National Flood Insurance Program, when requested by the Federal Emergency Management Agency.

Subd. 4. Conditional Uses:

- (a) *Administrative Review.* An application for a conditional use permit under the provisions of this ordinance will be processed and reviewed in accordance with Section(s) 1150 of the zoning ordinance.
- (b) *Submittal of Hearing Notices to the Department of Natural Resources (DNR).* The zoning administrator must submit hearing notices for proposed conditional uses to the DNR sufficiently in advance to provide at least ten days' notice of the hearing. The notice may be sent by electronic mail or U.S. Mail to the respective DNR area hydrologist.

- (c) *Submittal of Final Decisions to the DNR.* A copy of all decisions granting conditional uses must be forwarded to the DNR within ten days of such action. The notice may be sent by electronic mail or U.S. Mail to the respective DNR area hydrologist.

Section 1174.11. Nonconformities.

Subd. 1. Continuance of Nonconformities: A use, structure, or occupancy of land which was lawful before the passage or amendment of this ordinance but which is not in conformity with the provisions of this ordinance may be continued subject to the following conditions. Historic structures, as defined in Section 1774.02(9)(w)(2) of this ordinance, are subject to the provisions of Sections 1774.11(1)(a) – 1774.11(1)(e) of this ordinance.

- (a) A nonconforming use, structure, or occupancy must not be expanded, changed, enlarged, or altered in a way that increases its flood damage potential or degree of obstruction to flood flows except as provided in 1774.11(b) below. Expansion or enlargement of uses, structures or occupancies within the Floodway District is prohibited.
- (b) Any addition or structural alteration to a nonconforming structure or nonconforming use that would result in increasing its flood damage potential must be protected to the regulatory flood protection elevation in accordance with any of the elevation on fill or floodproofing techniques (i.e., FP1 thru FP4 floodproofing classifications) allowable in the State Building Code, except as further restricted in 1774.11(c) and 1774.11(d) below.
- (c) If any nonconformity is substantially damaged, as defined in Section 1774.02(9)(v) of this ordinance, it may not be reconstructed except in conformity with the provisions of this ordinance. The applicable provisions for establishing new uses or new structures in Sections 1774.04 or 1774.05 will apply depending upon whether the use or structure is in the Floodway or Flood Fringe, respectively.
- (d) If any nonconforming use or structure experiences a repetitive loss, as defined in Section 1774.02(9)(r) of this ordinance, it must not be reconstructed except in conformity with the provisions of this ordinance.
- (e) Any substantial improvement, as defined in Section 1774.02(9)(w) of this ordinance, to a nonconforming structure requires that the existing structure and any additions must meet the requirements of Section 1774.04 or 1774.05 of this ordinance for new structures, depending upon whether the structure is in the Floodway or Flood Fringe District.

Section 1174.12. Penalties and Enforcement.

Subd. 1. Violation Constitutes a Misdemeanor: Violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or conditional uses) constitute a misdemeanor and will be punishable as defined by law.

Subd. 2. Other Lawful Action: Nothing in this ordinance restricts the city of Greenwood from taking such other lawful action as is necessary to prevent or remedy any violation. If the responsible party does not appropriately respond to the zoning administrator within the specified period of time, each additional day that lapses will constitute an additional violation of this ordinance and will be prosecuted accordingly.

Subd. 3. Enforcement: Violations of the provisions of this ordinance will be investigated and resolved in accordance with the provisions of section 515 of the city ordinance. In responding to a suspected ordinance violation, the zoning administrator and city council may utilize the full array of enforcement actions available to it including but not limited to prosecution and fines, injunctions, after-the-fact permits, orders for corrective measures or a request to the National Flood Insurance Program for denial of flood insurance availability to the guilty party. The city of Greenwood must act in good faith to enforce these official controls and to correct ordinance violations to the extent possible so as not to jeopardize its eligibility in the National Flood Insurance Program.

Section 1174.13. Amendments.

Subd. 1. Floodplain Designation – Restrictions on Removal: The floodplain designation on the Official Zoning Map must not be removed from floodplain areas unless it can be shown that the designation is in error or that the area has been filled to or above the elevation of the regulatory flood protection elevation and is contiguous to lands outside the floodplain. Special exceptions to this rule may be permitted by the Commissioner of the Department of Natural Resources (DNR) if the Commissioner determines that, through other measures, lands are adequately protected for the intended use.

Subd. 2. Amendments Require DNR Approval: All amendments to this ordinance must be submitted to and approved by the Commissioner of the Department of Natural Resources (DNR) prior to adoption. The Commissioner must approve the amendment prior to community approval.

Subd. 3. Map Revisions Require Ordinance Amendments: The floodplain district regulations must be amended to incorporate any revisions by the Federal Emergency Management Agency to the floodplain maps adopted in Section 1774.02(3) of this ordinance.”

SECTION 2.

Effective Date. This ordinance shall be effective upon publication according to law.

Enacted by the city council of Greenwood, Minnesota this ____ day of _____, 2016.

____ AYES ____ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana H. Young, City Clerk

First reading: _____, 2016
Second reading: _____, 2016
Publication: _____, 2016

RESOLUTION 36-16

**A RESOLUTION APPROVING PUBLICATION
OF ORDINANCE NUMBER 262 BY TITLE AND SUMMARY**

WHEREAS, on September 7, 2016 the city council of the city of Greenwood adopted "Ordinance 262 Amending Greenwood Ordinance Code Section 1174 Floodplain Ordinance."

WHEREAS, the city council has prepared a summary of ordinance 262 as follows:

1. The legislature of the State of Minnesota has, in Minnesota Statutes Chapter 103F and Chapter 462 delegated the responsibility to local government units to adopt regulations designed to minimize flood losses. Therefore, the city council of Greenwood, Minnesota, does ordain as follows.
2. This ordinance regulates development in the flood hazard areas of the city of Greenwood. These flood hazard areas are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. It is the purpose of this ordinance to promote the public health, safety, and general welfare by minimizing these losses and disruptions.
3. This ordinance is adopted to comply with the rules and regulations of the National Flood Insurance Program codified as 44 Code of Federal Regulations Parts 59 -78, as amended, so as to maintain the community's eligibility in the National Flood Insurance Program.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENWOOD:

1. The city council finds that the above title and summary of ordinance 262 clearly informs the public of intent and effect of the ordinance.
2. The city clerk is directed to publish ordinance 262 by title and summary, pursuant to Minnesota statutes, section 412.191, subdivision 4.
3. A full copy of the ordinance is available at the Greenwood city office, 20225 Cottagewood Road, Deephaven, MN 55331.

ADOPTED by the city council of the city of Greenwood, Minnesota this ___ day of _____, 2016.

___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana H. Young, City Clerk

CITY OF GREENWOOD

Debra J. Kind, Mayor
Attest: Dana H. Young, City Clerk
First reading: _____, 2016
Second reading: _____, 2016
Publication: _____, 2016



Agenda Number: **8A**

Agenda Date: 09-07-16

Prepared by Deb Kind

Agenda Item: Consider Coyote Management Plan and Coyote Alert Sheet

Summary: Due to a number of calls from residents regarding coyotes running at large in certain areas of the city (Meadville, Fairview, Covington), Mayor Kind asked staff to contact wildlife control services on the cost of providing coyote management control within the city and included the topic on the 08-03-16 city council agenda. At the council meeting, residents spoke in support and in opposition of lethally removing the coyotes. After discussion, the city council approved the following motion ...

Motion by Fletcher that the city council authorizes Mayor Kind, Councilmember Cook, and the city clerk to (1) spend up to \$5,000 from the city's contingency fund for coyote management; (2) initiate a proactive garbage dumpster inspection program; and (3) explore options with the Old Log Theatre for the marsh area. And further directs Mayor Kind and Councilmember Cook to draft a coyote management plan with public input within 2 weeks. Second by Roy. Motion passed 5-0.

Here is an update regarding the items in the motion ...

- Kind and Cook have not spent any city money for coyote management thus far. Some money will be spent to print the proposed Coyote Alert sheet (attached). Some money also may be used to pay a wildlife expert to conduct an assessment of coyotes in Greenwood in the fall when there is less foliage. Otherwise, with the implementation of the proposed Coyote Management Plan (attached), Kind and Cook do not anticipate the need to spend all of the \$5000 authorized by the city council for coyote management.
- Kind and Cook are working with the city clerk to finalize the elements of a garbage dumpster enforcement program. A letter regarding the program will be mailed to all commercial property owners who have a dumpster located on their property.
- Kind and Cook met with Greg Frankenfield from the Old Log Theatre and secured permission to fly a drone, have wildlife experts walk the property to conduct assessments, and to do coyote hazing at times when patrons are not at the Old Log. We also reminded him to keep the dumpster lid closed and let him know that city will be engaging in a dumpster enforcement program.
- Kind and Cook formed a Coyote Management Plan Advisory Committee. Members of the committee are: Kind, Cook, Chief Meehan, City Clerk Dana Young, Lynn Allar, John & Julie Ekelund, Joe Fronius, Jennifer Gallagher, and Mary Thacker. The committee met three times and also communicated via email.
- Committee members invested a lot of time researching Urban Coyotes. Based on this extensive research, the committee developed the attached Coyote Management Plan and Coyote Alert sheet. The city website also has been updated to include a "Coyotes & Animal Services" tab that includes information and links about coyotes.
- The committee is requesting that the city council approves the below recommended motion.

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

1. I move the city council accepts the recommendations of the Coyote Management Plan Advisory Committee and (1) approves the Greenwood Coyote Management Plan; (2) approves the Coyote Alert sheet; (3) approves posting the Coyote Management Plan and Coyote Alert sheet on the city website; and (4) approves printing the Coyote Alert sheet for inclusion in the next utility bill mailing.
2. Do nothing or other motion ???



COYOTE ALERT

DRAFT - AUGUST 22, 2017

COYOTES ARE IN GREENWOOD

Coyotes can be found anywhere in Minnesota and populations are increasing in our area. Coyotes have visited Greenwood in the past, but now it appears some are living here.

Recently, there have been several encounters where the coyotes have shown aggressive behavior in the presence of people walking their dogs along Meadville Street and Fairview Street and in the vicinity of the regional trail. Dogs also have been bitten.

Typically coyotes avoid people, and no attacks on a human have ever occurred in Minnesota according to the Minnesota DNR. Coyotes are generally timid and frightened when confronted by people. Hazing coyotes has been an effective method in preventing coyote / human encounters.

WHAT SHOULD RESIDENTS DO?

1. Get educated about coyotes (see the other side of this sheet, visit www.greenwood-mn.com).
2. Engage in coyote hazing (see right column).
3. Stop feeding pets or wildlife in your yard (birdfeeders are okay).
4. Supervise your children when outside.
5. Do not let pets run loose. The city has a leash law.
6. Secure all garbage containers and compost.
7. Report aggressive coyote behavior to the city.

HOW SHOULD WE REACT?

When you encounter a coyote, do the following:

Be SMART!

S = Stop don't run

M = Make yourself bigger

A = Announce yourself (yell)

R = Retreat by backing away

T = Tell someone

HAZING METHODS:

- NEVER run away from a coyote!
- Yell and wave your arms when approached by a coyote.
- Use noisemakers (e.g. voice, whistles, bells, air horns).
- Throw things (e.g. sticks, rocks, balls).
- Use other repellents (e.g. water hose, pepper spray, walking sticks).

WHY DON'T WE KILL THEM ALL?

Coyotes are very “wiley,” so they are difficult to kill. Plus, if they are killed, more coyotes move in to replace those that were killed. Coyotes also adapt to the loss of individuals in their families by over-reproducing to replace those lost. On the positive side, coyotes play an important role by helping control other wild animals frequently found in Greenwood, including rodents and Canada geese.



WHAT IS THE CITY DOING?

The city council approved a Coyote Management Plan that was developed with public input. The plan includes information on what to do and who to call (see the plan on the right). In addition, the city is ...

- Communicating with residents.
- Providing residents with education resources.
- Engaging in a garbage container enforcement program to reduce sources of food for coyotes.
- Collecting and assessing coyote sighting reports. See the plan on the right for categories and actions.
- Compiling and posting sighting reports.
- Organizing a volunteer Coyote Hazing Team that will conduct hazing, training, and disseminate information as the plan moves forward.
- Managing the removal of coyotes that meet the plan criteria.

Note: In Greenwood, it is illegal to discharge a weapon (including a BB gun, paint ball gun, etc.) to scare or kill a coyote. IF the city council determines that extreme hazing or lethal removal of a coyote is necessary, the city council may suspend this prohibition for the Coyote Hazing Team or a wildlife control company.

FOR MORE INFORMATION AND TIPS REGARDING COYOTES:

www.humanesociety.org/animals/coyotes
www.projectcoyote.org
www.urbandcoyotereseach.com
www.dnr.state.mn.us/livingwith_wildlife/coyotes/index.html

Additional information has been reviewed and posted on the city’s website at www.greenwoodmn.com (click on the “Coyotes & Animal Services” tab).



DRAFT Coyote Management Plan

Updated 08-22-16

Level	Behavior	Action	Response
Green	Coyote is observed and leaves when a person is present.	None.	Leave the coyote alone. Self-education. Visit www.greenwoodmn.com to view educational materials.
Yellow	Coyote is observed and exhibits little wariness of humans. A domestic animal not on a 6ft leash held by a person is attacked by a coyote.	Call city hall at 952.474.6633.	Coyote hazing recommended. Self-education. Visit www.greenwoodmn.com to view educational materials. The location of the coyote encounter is put on a “watch” list and a map.
Orange	Coyote enters a yard where people are present without a domestic animal present.	Call city hall at 952.474.6633.	The location of the coyote encounter is put on a “watch” list and a map. If 3 orange-level encounters in the same area have occurred within 2 weeks, members of the Coyote Hazing Team* will engage in extreme hazing. If the coyote still acts aggressively towards the Coyote Hazing Team or any other person, then lethal removal may be attempted.
	Coyote acts aggressively (growls, bares teeth) towards a person with or without a domestic animal present. A domestic animal on a 6ft leash held by a person is attacked by a coyote.	Call 911. Then call city hall at 952.474.6633.	
Red	Coyote involved in a provoked or unprovoked attack on a person.	Call 911 immediately.	Upon investigation, lethal removal will be attempted.

The above Coyote Management Plan provides guidelines and establishes a framework for community education, enforcement, and enactment of a tiered response to aggressive coyote behavior. The city clerk has discretion to implement other responses than listed above based on actual coyote behavior.

* Greenwood’s Coyote Hazing Team is a group of volunteer citizens that respond to calls about aggressive coyotes. The Coyote Hazing Team will confront the animals with shouts, projectiles, etc. To join the Greenwood Coyote Hazing Team, contact Councilman Bill Cook at 612.805.0424 or wcsquaredlic@gmail.com. Visit www.greenwoodmn.com and click on the “Coyotes & Animal Services” tab to view coyote educational materials.

DRAFT Coyote Management Plan



Updated 08-22-16

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	A domestic animal <u>not</u> on a 6ft leash held by a person is attacked by a coyote.		
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Visit www.greenwoodmn.com and click on the “Coyotes & Animal Services” tab to view coyote educational materials.



Agenda Number: 9A

Agenda Date: 09-07-16

Prepared by Deb Kind

Agenda Item: 1st Reading Ord 263 Amending Chapter 9 Regarding Weapons and Res 37-16 Summary of Ord 263

Summary: When the Coyote Management Plan Advisory Committee met, the committee expressed concern that the current weapons ordinance allows bow and arrow weapons as well as leg traps. The committee also noted that the current weapons ordinance does not allow the city council to make exceptions to the weapons ordinance should the council desire to authorize lethal removal of coyotes or other wildlife. To address these issues, attached is a draft of amendments to the weapons ordinance for the city council's consideration.

Timeline:

- 09-07-16 City council considers 1st reading of new Floodplain ordinance (may make revisions)
- 09-08-16 If 2nd reading is waived, the ordinance is submitted to the Sun-Sailor for publication.
- 09-15-16 If 2nd reading is waived, the ordinance is published in the Sun-Sailor (goes into effect on this date).
- 10-05-16 City council considers 2nd reading of the ordinance (may make revisions).
- 10-06-16 The ordinance is submitted to the Sun-Sailor for publication.
- 10-13-16 The ordinance is published in the Sun-Sailor (goes into effect on this date).

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

1. I move the city council (1) approves the 1st reading of ordinance 263 amending the weapons ordinance code section 900.20 as written / as amended; (2) waives the 2nd reading; (3) approves resolution 37-16 a summary of ordinance 263; and (4) directs staff to publish resolution 37-16 in the city's official newspaper.
2. I move the city council (1) approves the 1st reading of ordinance 263 amending the weapons ordinance code section 900.20 as written / as amended; and (2) directs the ordinance be placed on the next city council agenda for a 2nd reading.
3. Do nothing (leaves current ordinance as is) or other motion ???

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. The 2nd reading may be waived by a unanimous vote of city council members present at the meeting. Ordinances go into effect once they are published in the city's official newspaper. The planning commission must review and make a recommendation to the city council regarding any changes to the zoning code chapter 11. A public hearing, typically held by the planning commission, also is required for changes to chapter 11.

AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA AMENDING GREENWOOD ORDINANCE CODE SECTIONS 900.20 THROUGH 900.24 REGARDING WEAPONS, TRAPS, AND DESTRUCTIVE DEVICES

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

SECTION 1.

Greenwood ordinance code sections 900.22 through 900.24 are repealed in their entirety.

SECTION 2.

Greenwood ordinance code section 900.20 is amended to read as follows:

“Section 900.20. Weapons, Traps, and Destructive Devices.

Subd. 1. Discharge of Weapons Prohibited.

1. No person shall fire, discharge or explode any rifle, gun, pistol, air rifle, BB gun, pellet gun, paint pellet gun or other firearm in any part of the city.
2. No person shall discharge an arrow from a bow in any part of the city.
3. No person, unless they possess a conceal and carry permit, shall possess out of doors or transport any of the ~~firearms~~ weapons listed in this ~~section~~ subdivision unless the same is unloaded and cased.
4. Nothing shall be construed to prohibit any firing or discharging of a rifle, gun, pistol, or other ~~firearm~~ weapon when done in the lawful defense of person or property or in the necessary defense or enforcement of the laws.

Subd. 2. Traps. It shall be unlawful for any person to set a foot trap, snare, or similar device in any part of the city. Live traps are allowed.

Subd. 3. Destructive Devices and Hoax Devices.

1. For this section, the term "destructive device" includes, but is not limited to, any device, apparatus or equipment by whatever name known, which causes damage by combustion or explosion. The term "destructive device" also includes any bomb, time bomb, Molotov cocktail, grenade, mine, rocket or missile, and any similar type device.
2. No person shall manufacture, own, possess or have in the person's custody or control any destructive device.
3. The provision of this section shall not apply to owners, employees or agents of bona fide business operations which store, transport or use explosives in their business operation, nor shall it apply to a government official acting in the discharge of official duties.
4. No person shall manufacture, own, possess or have in the person's custody or control any false or hoax device, apparatus or equipment resembling destructive devices and place the same in any public building or place.

Subd 4. Other Prohibited Weapons. It shall be unlawful within the corporate limits of the city for any person to manufacture, or cause to be manufactured, sell, offer or expose for sale, lend, give away, or have in their possession any instrument or weapon of the kind commonly known as a blackjack, sand-club or metal knuckles, or other dangerous weapons of a similar kind. No person shall manufacture, cause to be manufactured, sell, offer or expose for sale, lend, give away, or have in his possession, any dagger, dirk, stiletto switchblade, spring blade knife, or push button knife.

Subd 5. Weapons to be Destroyed. Upon conviction of any person for violation of section 900.20, any of the devices described or referred to in section 900.20 found in the possession of the defendant shall be destroyed in such manner as the court may direct.

Subd. 6. Exemptions.

1. Nothing contained in ~~this article~~ section 900.20 shall be construed to prohibit the possession of instruments or weapons by any regular or special peace officer of the city or other municipality, or of any county or state, while engaged in the performance of official duties.
2. By resolution, the city council may suspend specific requirements of sections 900.20 for the management of wildlife or any other purpose to protect public health, safety, and welfare.”

SECTION 3.

Effective Date. This ordinance shall be effective upon publication according to law.

Enacted by the city council of Greenwood, Minnesota this ___ day of _____, 2016.

___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana H. Young, City Clerk

First reading: _____, 2016
Second reading: _____, 2016
Publication: _____, 2016

RESOLUTION 37-16

**A RESOLUTION APPROVING PUBLICATION
OF ORDINANCE NUMBER 263 BY TITLE AND SUMMARY**

WHEREAS, on September 7, 2016 the city council of the city of Greenwood adopted "Ordinance 263 Amending Greenwood Ordinance Code Sections 900.20 through 900.24 Regarding Weapons, Traps, and Destructive Devices."

WHEREAS, the city council has prepared a summary of ordinance 263 as follows:

1. The ordinance adds language that prohibits discharging an arrow from a bow in any part of the city.
2. The ordinance adds language that prohibits the setting of foot traps, snare, or similar devices in any part of the city.
3. The ordinance specifies that live traps are allowed in the city.
4. The ordinance adds language that allows the city council to suspend specific requirements of the weapons, traps, and destructive devices ordinance for the management of wildlife or any other purpose to protect public health, safety, and welfare.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENWOOD:

1. The city council finds that the above title and summary of ordinance 263 clearly informs the public of intent and effect of the ordinance.
2. The city clerk is directed to publish ordinance 263 by title and summary, pursuant to Minnesota statutes, section 412.191, subdivision 4.
3. A full copy of the ordinance is available at the Greenwood city office, 20225 Cottagewood Road, Deephaven, MN 55331.

ADOPTED by the city council of the city of Greenwood, Minnesota this ____ day of _____, 2016.

____ AYES ____ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana H. Young, City Clerk

CITY OF GREENWOOD
Debra J. Kind, Mayor
Attest: Dana H. Young, City Clerk
First reading: _____, 2016
Second reading: _____, 2016
Publication: _____, 2016



Agenda Number: 9B

Agenda Date: 09-07-16

Prepared by Deb Kind

Agenda Item: Consider: City Docks Trash & Recycling Service / Enclosure

Summary: At the 08-03-16 city council meeting, the city council authorized Councilman Bill Cook and Mayor Deb Kind to establish a dumpster enforcement program. In the past, the Georgetown Manor property owner has expressed a concern that city dock slip holders use the Georgetown dumpster which causes the Georgetown dumpster to frequently overflow its capacity. To address the concern, the city clerk secured the attached estimate for seasonal garbage and recycling service for the city docks and estimated that the cost for public works to build an enclosure similar to the attached photo would be approximately \$200.

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

1. I move the city council (1) approves seasonal trash and recycling service for the city docks beginning as soon as possible; (2) approves up to \$____ for public works to build an enclosure for the trash and recycling containers; (3) directs the cost for the service and enclosures to be paid from the Marina Fund
2. Do nothing or other motion ???

4351 US Hwy 12 SE
 PO Box 169
 Delano MN 55328-0169



www.RandysSanitation.com
 Phone: 763.972.3335
 Fax: 763.972.6042

08/22/2016

Attn: Deb Kind
 Greenwood City Docks
 51XX Greenwood Cir
 Greenwood, MN 55331

Phone: 317-888-2100

Dear Deb,

Thank you for allowing us this opportunity to propose our services to you and your company. I hope that this proposal conveys to you our most sincere interest in earning your business. Please accept the following:

PROPOSAL											
<u>Trash Service</u>					<u>Recycle Service</u>						
Qty.	Size	Frequency	Rate/unit	Rate/mo.	Qty.	Size	Type	Frequency	Rate/unit	Rate/mo.	
1	96 gal.	1x/week	\$20.00	\$20.00	1	96 gal.	One-sort	1x/week	\$15.00	\$15.00	
1	-	fuel/environmental	\$4.88	\$4.88	1	-	-	commodity adjstmt	\$2.23	\$2.23	
					1	-	-	fuel/environmental	\$3.66	\$3.66	
Trash Total: \$24.88					Recycle Total: \$20.89						

SubTotal: \$45.77
 County Tax: \$3.61
 Mn Solid Waste Mgmt Tax: \$4.23
Total per month: \$53.61

Rates are subject to a variable fuel/environmental fee & recycle commodity adjustment. Trash rate based on 100 lbs/cu.yd. **Quote valid for 30 days*

Randy's Sanitation has been serving this community since 1979. As one of the largest independent haulers in the state, we are confident that we can provide you with the service you deserve. Please review the above proposal. If you have any questions or comments, please don't hesitate to contact me. I look forward to hearing from you at your earliest convenience!

Respectfully Submitted,

Mark Hackbarth
 Account Representative
 612.919.1721





Agenda Number: 9C

Agenda Date: 09-07-16

Prepared by Deb Kind

Agenda Item: Resolution 38-16, Approving 2017 Preliminary Tax Levy

Summary: Attached is the updated draft of the 2017 budget based on the council's 08-03-16 worksession discussion. This draft of the budget includes a tax levy of \$639,894 --.4% reduction from 2016. Further changes may be made to the budget and levy amount may be made at the 09-07-16 city council meeting. The PRELIMINARY tax levy must be approved at the 09-07-16 council meeting. Once the preliminary tax levy amount is set, the amount may be decreased, but it cannot be increased when the final levy is approved at the 12-02-16 council meeting.

Council Action: Required. Suggested motion ...

1. I move the council approves resolution 38-16 approving \$_____ as the preliminary tax levy for taxes collectible in 2017.

2017 Greenwood PRELIMINARY Budget

		2014 Actual	2015 Actual	2015 Budget	2016 June YTD	2016 Budget	2017 Budget	% Change	% Total Budget
	GENERAL FUND REVENUE								
1	TAXES								
2	101-31010 General Property Tax	648,923	629,947	642,782	4,424	642,490	639,894	-0.40%	
3	101-31020 General Property Tax - Delinquent	7,186	4,640	0	0	0	0	#DIV/0!	
4	101-31040 Fiscal Disparities	3,472	3,526	0	0	3,262	3,500	7.30%	
5	101-31800 Surcharge Revenue	127	112	0	44	0	0	#DIV/0!	
6	101-31910 Penalties	0	0	0	0	0	0	#DIV/0!	
7		659,708	638,226	642,782	4,467	3,262	3,500	7.30%	0.45%
8	LICENSES & PERMITS								
9	101-32110 Liquor & Cigarette Licenses	10,450	10,050	10,050	0	10,050	10,050	0.00%	
10	101-32180 Other Business Licenses / Permits (Rental, Commercial Marina, Garbage Hauler, Tree Contractor, Etc)	4,021	5,320	4,000	700	4,000	4,500	12.50%	
11	101-32210 Building Permits	67,347	67,562	36,000	27,985	45,000	46,000	2.22%	
12	101-32211 Electric Permits	8,466	4,065	5,000	1,929	5,000	4,000	-20.00%	
13	101-32240 Animal Licenses	340	525	450	65	450	500	11.11%	
14		90,624	87,522	55,500	30,678	64,500	65,050	0.85%	8.30%
15	INTERGOVERNMENT REVENUE								
16	101-33402 Homestead Credit (Market Value Credit)	0	0	0	0	0	0	#DIV/0!	
17	101-33423 Other Grants / Aids (Recycle Grant, Small Cities Assistance, Etc.)	18,985	19,000	0	2,825	2,500	3,000	20.00%	
18	101-33610 County Aid to Municipalities (CAM Road Aid)	1,802	1,800	0	0	0	1,500	#DIV/0!	
19		20,787	20,800	0	2,825	2,500	4,500	80.00%	0.57%
20	PUBLIC CHARGES FOR SERVICES								
21	101-34103 Zoning & Subdivisions (Variances, Conditional Use Permits, Etc.)	6,800	11,058	5,000	4,050	6,000	6,000	0.00%	
22	101-34207 False Alarm Fee	0	0	75	0	0	0	#DIV/0!	
23	101-34304 Load Limit Fees	6,448	12,524	4,000	3,311	6,000	6,000	0.00%	
24	101-34409 Recycling Fees	19,352	19,063	19,500	8,913	17,000	17,825	4.86%	
25		32,600	42,645	28,575	16,274	29,000	29,825	2.85%	3.80%
26	FINES, FORFEITURES & PENALTIES								
27	101-35101 Court Fines	6,153	6,132	5,600	2,458	6,000	6,000	0.00%	0.77%
28									
29	MISC. INCOME								
30	101-36102 Investment Income	4,681	5,196	4,000	2,391	5,000	6,000	20.00%	
31	101-36230 Photocopy Revenue, Donations, Refunds, Parking Permit Revenue, Workshop Revenue, Etc.	3,076	716	0	197	500	500	0.00%	
32		7,758	5,912	4,000	2,588	5,500	6,500	18.18%	0.83%
33	OTHER FINANCING SOURCES								
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	3,346	3,470	3,470	0	3,600	3,730	3.61%	
36	101-39202 Administrative Expense Reimbursement: 10% of Sewer Revenue	10,866	10,090	10,090	0	10,090	10,090	0.00%	
37	101-39203 Administrative Expense Reimbursement: 10% of Stormwater Revenue	1,625	2,302	2,302	0	2,573	2,573	0.00%	
38		28,337	28,362	28,362	0	28,763	28,893	0.45%	3.68%
39									
40	Total Revenue	845,967	829,600	764,819	59,291	782,015	784,163	0.27%	

2017 Greenwood PRELIMINARY Budget

		2014 Actual	2015 Actual	2015 Budget	2016 June YTD	2016 Budget	2017 Budget	% Change	% Total Budget
GENERAL FUND EXPENSES									
41	COUNCIL & PLANNING COMMISSION								
42	101-41100-103	13,200	13,200	13,200	6,600	13,200	13,200	0.00%	
43	101-41100-122	818	818	818	409	818	818	0.00%	
44	101-41100-123	191	191	191	96	191	191	0.00%	
45	101-41100-371	90	90	1,200	0	1,200	1,000	-16.67%	
46	101-41100-372	84	142	100	165	150	175	16.67%	
47	101-41100-433	0	93	150	93	100	100	0.00%	
48		14,383	14,535	15,660	7,363	15,660	15,485	-1.12%	1.97%
49	ELECTIONS								
50	101-41200-103	1,900	0	0	0	1,900	0	-100.00%	
51	101-41200-214	43	0	50	0	50	0	-100.00%	
52	101-41200-319	676	0	550	534	700	0	-100.00%	
53	101-41200-372	882	0	0	0	885	0	-100.00%	
54	101-41200-439	453	0	0	0	450	0	-100.00%	
55		3,953	0	600	534	3,985	0	-100.00%	0.00%
56	ADMINISTRATION								
57	101-41400-201	189	117	150	109	150	150	0.00%	
58	101-41400-202	2,312	1,979	1,800	1,065	1,800	1,800	0.00%	
59	101-41400-204	1,010	818	1,000	873	1,000	1,000	0.00%	
60	101-41400-309	815	0	450	375	600	600	0.00%	
61	101-41400-310	36,936	35,634	35,714	15,563	36,785	40,464	10.00%	
62	101-41400-311	5,905	5,849	5,999	2,437	5,849	5,849	0.01%	
63	101-41400-313	2,032	2,076	1,990	1,060	2,100	2,163	3.00%	
64	101-41400-322	713	1,099	800	348	800	800	0.00%	
65	101-41400-351	798	1,257	800	484	800	900	12.50%	
67	101-41400-439	630	681	725	539	725	725	0.00%	
68		51,340	49,510	49,428	22,853	50,609	54,451	7.59%	6.94%
69	ASSESSOR								
70	101-41500-309	15,000	17,000	17,000	18,324	18,000	13,000	-27.78%	
71	101-41500-439	382	272	125	81	400	600	50.00%	
72		15,382	17,272	17,125	18,405	18,400	13,600	-26.09%	1.73%
73	LEGAL SERVICES								
74	101-41600-304	11,812	16,355	12,000	6,900	12,000	10,000	-16.67%	
75	101-41600-308	3,813	3,996	4,000	771	4,000	4,000	0.00%	
76	101-41600-309	0	2,166	0	5,474	0	2,000	#DIV/0!	
77		15,625	22,516	16,000	13,145	16,000	16,000	0.00%	2.04%

2017 Greenwood PRELIMINARY Budget

		2014 Actual	2015 Actual	2015 Budget	2016 June YTD	2016 Budget	2017 Budget	% Change	% Total Budget
78	AUDITING								
79	101-41700-301 Auditing (\$9700 in 2017 for 2016 audit, \$9,800 in 2018 for 2017 audit)	9,480	9,600	9,570	9,600	9,600	9,700	1.04%	
80		9,480	9,600	9,570	9,600	9,600	9,700	1.04%	1.24%
81	GENERAL GOVERNMENT TOTAL	110,163	113,434	108,383	71,899	114,254	109,236	-4.39%	13.93%
82									
83	LAW ENFORCEMENT								
84	101-42100-310 Law Enforcement - Contract	182,215	187,037	187,637	96,447	192,895	182,361	-5.46%	
85	101-42100-311 Police Side Lease - Facilities (Based on Total Tax Capacity on County Website in July)	45,628	46,320	46,319	21,960	46,115	43,658	-5.33%	
86	101-42100-439 Police Safety - Other (Jail, Court Overtime, Etc.)	4,266	497	1,000	268	2,500	2,500	0.00%	
87		232,109	233,854	234,956	118,676	241,510	228,519	-5.38%	29.14%
88	FIRE								
89	101-42200-309 Fire Protection - Operations (2015 actual includes \$2382 from 2014 excess reserves)	70,517	67,092	69,474	36,929	73,859	74,689	1.12%	
90	101-42200-311 Fire Side Lease - Facilities	60,371	56,878	56,878	28,992	57,983	55,087	-4.99%	
91		130,888	123,970	126,352	65,921	131,842	129,776	-1.57%	16.55%
92	PUBLIC SAFETY TOTAL	362,997	357,823	361,308	184,596	373,352	358,295	-4.03%	45.69%
93									
94	ZONING								
95	101-42400-308 Zoning Administration	4,372	10,222	3,500	3,468	4,000	7,000	75.00%	
96	101-42400-309 Public Notices	2,408	1,191	1,700	1,780	2,000	2,000	0.00%	
97	101-42400-310 Building Inspections (69% of Building & Electrical Permits)	39,784	49,509	28,290	16,636	34,500	34,500	0.00%	
98	101-42400-438 Misc. (County Recording Fees, State Bldg. Surcharge, etc.)	0	0	200	0	0	0	#DIV/0!	
99	ZONING TOTAL	46,564	60,922	33,690	21,883	40,500	43,500	7.41%	5.55%
100									
101	ENGINEERING								
102	101-42600-303 Engineering Fees - Misc.	1,212	4,930	2,500	1,217	3,000	3,000	0.00%	
103		1,212	4,930	2,500	1,217	3,000	3,000	0.00%	0.38%
104	UTILITIES & ROADS								
105	101-43100-381 S&R - Utility Services - Elec (Includes Siren Electric)	4,534	4,827	5,500	2,295	5,000	5,000	0.00%	
106	101-43100-409 Other - Road Repair & Maintenance (Public Works Repairs)	2,881	6,607	5,000	1,229	4,500	5,000	11.11%	
107		7,414	11,434	10,500	3,524	9,500	10,000	5.26%	1.28%
108	MAJOR ROAD IMPROVEMENTS								
109	101-43200-229 Major Road Improvements - Construction	63,030	89,725	75,000	0	0	0	#DIV/0!	
109	101-43200-303 Major Road Improvements - Engineering	21,315	37,656	15,000	0	0	0	#DIV/0!	
110	101-43200-500 Major Road Improvements - Transfer to Road Improvement Fund	40,000	10,000	44,000	134,000	134,000	134,000	0.00%	
111		124,345	137,380	134,000	134,000	134,000	134,000	0.00%	17.09%

2017 Greenwood PRELIMINARY Budget

		2014 Actual	2015 Actual	2015 Budget	2016 June YTD	2016 Budget	2017 Budget	% Change	% Total Budget
112	PUBLIC WORKS								
113	101-43900-226 Signs	11,090	754	5,000	803	2,500	1,500	-40.00%	
114	101-43900-312 Snow Plowing	22,166	7,773	16,000	4,881	20,000	20,000	0.00%	
115	101-43900-313 Trees, Weeds, Mowing	11,441	19,626	10,000	6,426	12,000	13,000	8.33%	
116	101-43900-314 Park & Tennis Court Maintenance	0	3,516	1,000	1,986	1,000	2,000	100.00%	
117	101-43900-315 Trail Snow Plowing (LRT and Tar Paths)	2,008	1,128	2,100	952	2,100	2,100	0.00%	
118		46,705	32,798	34,100	15,047	37,600	38,600	2.66%	4.92%
119	ROADS & PUBLIC WORKS TOTAL	179,676	186,542	181,100	153,788	184,100	185,600	0.81%	23.67%
120									
121	MISC. EXPENSES								
122	101-49000-310 Recycling Contract (\$20,650 through August 31, 2018)	19,539	21,167	20,000	8,141	20,650	20,650	0.00%	
123	101-49000-311 Spring Clean-Up Day	2,253	3,238	2,500	0	3,300	4,500	36.36%	
124	101-49000-369 League of Minnesota Cities Insurance Trust / Liability & Property	2,417	3,233	5,000	0	2,500	3,300	32.00%	
125	101-49000-370 League of Minnesota Cities Insurance Trust / Workers Comp	138	157	140	0	150	160	6.67%	
126	101-49000-433 Misc. Expenses	0	0	100	0	100	100	0.00%	
127	101-49000-434 Southshore Community Center	1,200	0	1,200	0	1,200	0	-100.00%	
128	101-49000-435 League of Minnesota Cities (3% max increase in 2017 per letter from LMC)	798	833	1,100	0	800	824	3.00%	
129	101-49000-436 Lake Minnetonka Conservation District	6,880	6,560	6,560	3,005	6,009	6,298	4.81%	
129	101-49000-437 July 4th Fireworks & Parade (\$1600 Chamber of Commerce, \$100 parade)	1,518	1,627	1,100	1,500	1,600	1,700	6.25%	
130	MISC. TOTAL	34,743	36,815	37,700	12,646	36,309	37,532	3.37%	4.79%
131									
132	Subtotal	734,143	755,537	722,181	444,813	748,515	734,163	-1.92%	
133									
134	CONTINGENCY & FUND TRANSFERS								
135	101-49000-439 Contingency	0	0	12,638	0	13,500	30,000	122.22%	
136	101-49000-500 Transfer to Bridge Fund	20,000	30,000	30,000	0	20,000	20,000	0.00%	
137	CONTINGENCY & BRIDGE FUND TRANSFER TOTAL	20,000	30,000	42,638	0	33,500	50,000	49.25%	6.38%
138									
139	Total Expenses	754,143	785,537	764,819	444,813	782,015	784,163	0.27%	
140									
141	GENERAL FUND CASH BALANCE (Goal: 35%-50% of Operating Expenditures)	502,981	536,488						
	<i>Audited Percent of Operating Expenditures</i>	67.10%	66.70%						

2017 Greenwood PRELIMINARY Budget

		2014 Actual	2015 Actual	2015 Budget	2016 June YTD	2016 Budget	2017 Budget	% Change	% Total Budget	
142	SEWER ENTERPRISE FUND <i>This fund may be used for any city purpose. Goal: \$250,000.</i>									
143	602-34401	REVENUE: Sewer Use Charges (\$65 per quarter)	104,941	97,015	100,899	47,507	100,899	100,899	0.00%	
144	602-34402	REVENUE: Late Charges & Penalties	809	492	0	123	0	0	#DIV/0!	
145	602-34403	REVENUE: Delinquent Sewer Payments Received	547	1,019	0	0	0	0	#DIV/0!	
146	602-34404	REVENUE: Delinquent Sewer Late Fees Received	40	40	0	0	0	0	#DIV/0!	
147	602-34408	REVENUE: Permit Fees	525	675	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 Pre-Payments)	8,302	0	0	0	0	0	#DIV/0!	
150	602-36100	REVENUE: Special Assessments (Excelsior Blvd Watermain Assessment Payments)	17,423	12,894	0	2,485	0	0	#DIV/0!	
151	602-43200-303	EXPENSE: Engineering Sewer	10,725	10,820	10,000	2,048	10,000	10,000	0.00%	
152	602-43200-309	EXPENSE: Met Council	40,308	36,395	44,447	21,681	45,000	45,000	0.00%	
153	602-43200-310	EXPENSE: Public Works Sewer	8,403	6,636	3,700	3,994	6,000	6,000	0.00%	
154	602-43200-381	EXPENSE: Utility Services - Electric	2,469	2,538	2,500	721	2,500	2,500	0.00%	
155	602-43200-404	EXPENSE: Repair & Maintenance	11,939	13,376	7,000	7,733	12,000	12,000	0.00%	
156	602-43200-410	EXPENSE: Excelsior Blvd. Watermain Project (Hennepin County Special Assessment Annual Fee)	12,028	125,801	0	390	0	0	#DIV/0!	
157	602-43200-439	EXPENSE: Misc. (Gopher State One Call, Forms, Printing, Insurance, etc.)	763	858	2,000	339	900	900	0.00%	
158	602-43200-530	EXPENSE: Capital Outlay (I&I Projects)	38,108	0	25,000	0	14,000	14,000	0.00%	
159	602-43200-720	ADMINISTRATIVE EXPENSE: To General Fund (10% of budgeted sewer revenue for adm. costs)	10,866	10,090	10,090	0	10,090	10,090	0.00%	
160		Net Total	-3,023	-94,377	-3,838	13,509	409	409	0.00%	
161		SEWER ENTERPRISE FUND CASH BALANCE (Audited)	443,203	348,785		361,458				
162	STORMWATER SPECIAL REVENUE FUND <i>This fund may be used for any city purpose.</i>									
163	502-34401	REVENUE: Stormwater Use Charges (\$19 per quarter)	16,097	22,578	23,021	11,760	25,729	25,729	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	2,802	10,595	6,700	642	6,700	6,700	0.00%	
167	502-43200-310	EXPENSE: Public Works Stormwater	960	4,385	0	756	0	0	#DIV/0!	
168	502-43200-319	EXPENSE: Equipment and Maintenance	0	9,880	0	0	0	0	#DIV/0!	
169	502-43200-409	EXPENSE: Street Sweeping	2,469	2,612	3,000	2,371	3,000	2,700	-10.00%	
170	502-43200-439	EXPENSE: Misc. (EPA Fee, Etc.)	43	216	250	211	250	250	0.00%	
171	502-43200-530	EXPENSE: Capital Outlay	15,000	0	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	2,302	2,302	0	2,573	2,573	0.00%	
174		Net Total	-6,802	-7,413	10,769	7,779	13,206	13,506	2.27%	
175		STORMWATER SPECIAL REVENUE FUND CASH BALANCE (Audited)	8,625	443		2,465				

2017 Greenwood PRELIMINARY Budget

		2014 Actual	2015 Actual	2015 Budget	2016 June YTD	2016 Budget	2017 Budget	% Change	% Total Budget
180	PARK SPECIAL REVENUE FUND <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	4,370	0	0	0	#DIV/0!	
183		Net Total	0	-4,370	0	0	0	#DIV/0!	
184		PARK FUND CASH BALANCE	27,055	22,685	22,685				
185	MARINA ENTERPRISE FUND <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 (\$1400 x 26 boats, \$300 x 2 sailboats, \$50 x 6 canoes)	32,700	34,050	34,700	35,400	36,000	37,300	3.61%
187	605-45100-309	EXPENSE: Professional Services (Dock In and Out)	3,000	3,000	5,150	1,500	3,500	3,500	0.00%
188	605-45100-310	EXPENSE: Public Works	474	179	2,000	216	500	500	0.00%
189	605-45100-439	EXPENSE: Misc. (LMCD Multi-Dock License \$350, SABLID / AIS \$2500 in 2017, Insurance \$873)	2,925	5,889	6,223	5,000	6,223	3,723	-40.17%
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)	3,346	3,470	3,470	0	3,600	3,730	3.61%
193		Net Total	10,455	9,012	5,357	28,684	9,677	13,347	37.92%
194		MARINA ENTERPRISE FUND CASH BALANCE (Audited)	48,833	51,320	80,004				
195	BRIDGE CAPITAL PROJECT FUND <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	30,000	30,000	0	20,000	20,000	0.00%
197	403-45100-303	EXPENSE: Engineering	150	1,290	2,000	0	2,000	4,000	100.00%
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		Net Total	19,850	28,710	26,000	0	16,000	14,000	-12.50%
201		BRIDGE CAPITAL PROJECT FUND CASH BALANCE (Audited)	118,463	147,173	147,173				
202	SPECIAL PROJECT FUND <i>This fund was created in 2013.</i>								
203	301-36103	REVENUE: Greenwood Park Stormwater Project	0	0	0	0	0	0	#DIV/0!
204	301-47000-603	EXPENSE: Greenwood Park Stormwater Project (Engineering, Etc)	0	0	0	152	0	0	#DIV/0!
205		Net Total	0	0	0	-152	0	0	#DIV/0!
206		SPECIAL PROJECT FUND CASH BALANCE (Audited)	0	0	-152				
207	ROAD IMPROVEMENT FUND <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	40,000	10,000	44,000	134,000	134,000	134,000	0.00%
208	404-45100-100	EXPENSE: Capital Outlay	0	0	0	0	75,000	75,000	0.00%
209	404-45100-303	EXPENSE: Engineering Expenses, Public Notices, Etc.	0	0	0	3,016	20,000	20,000	0.00%
210		Net Total	40,000	10,000	44,000	130,984	39,000	39,000	0.00%
211		ROAD IMPROVEMENT FUND CASH BALANCE (Audited)	40,000	50,000	50,984				
212		Total Cash Balance	1,189,160	1,156,894					

**CITY OF GREENWOOD
RESOLUTION 38-16**

A RESOLUTION APPROVING PROPOSED TAX LEVY COLLECTIBLE IN 2017.

BE IT RESOLVED by the council of the city of Greenwood, county of Hennepin, Minnesota, that the below sum of money is the amount proposed to be levied for the current year, collectible in 2017, upon taxable property in the city of Greenwood for the following purpose: General Fund

TOTAL: \$ _____

The city clerk is hereby instructed to transmit a certified copy of this resolution to the county auditor of Hennepin County, Minnesota.

ADOPTED by the city council of Greenwood, Minnesota, this 7th day of September, 2016.

____ AYES ____ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana Young, City Clerk



Agenda Number: **9D**

Agenda Date: **09-07-16**

Prepared by *Deb Kind*

Agenda Item: 1st Reading, Ordinance 264, Updating Chapter 5 Fee Schedule

Summary: Attached is the draft of the fee ordinance based on the council's 08-03-16 worksession discussion. Further changes may be made based on the discussion at the 09-07-06 council meeting.

Timeline:

- 09-07-16 City council considers 1st reading of the ordinance (may make revisions)
- 09-08-16 If 2nd reading is waived, the ordinance is submitted to the Sun-Sailor for publication.
- 09-15-16 If 2nd reading is waived, the ordinance is published in the Sun-Sailor
- 10-05-16 City council considers 2nd reading of the ordinance (may make revisions).
- 10-06-16 The ordinance is submitted to the Sun-Sailor for publication.
- 10-13-16 The ordinance is published in the Sun-Sailor
- 01-01-17 By law, fee ordinance changes go into effect on January 1.

Council Action: None required. Potential motions ...

1. I move the city council (1) approves the 1st reading of ordinance 264 amending chapter 5 fees as written / as amended; (2) waives the 2nd reading; and (3) directs staff to publish a clean version of ordinance 264 in the city's official newspaper.
2. I move the city council (1) approves the 1st reading of ordinance 264 amending chapter 5 fees as written / as amended; and (2) directs the ordinance be placed on the next city council agenda for a 2nd reading.
3. Do nothing or other motion ???

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. The 2nd reading may be waived by a unanimous vote of city council members present at the meeting. Ordinances go into effect once they are published in the city's official newspaper. The planning commission must review and make a recommendation to the city council regarding any changes to the zoning code chapter 11. A public hearing, typically held by the planning commission, also is required for changes to chapter 11.

ORDINANCE NO. 264

**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:

Gasoline Station / Auto Repair License	420.15	\$0 \$100 per site plus \$10 \$0 per pump	Annual
Mailing Labels of City Utility Billing Database		\$50	Per instance
Zoning: Simple Subdivision Fee	600.07	\$150 plus publication cost and \$400 plus Park Fund contribution and consultant / contract service provider expenses incurred by the city as they exceed the base fee amount	
Animal: Dog License	445.10 445.80	\$25 (\$15 if purchased in year 2)	Good for up to 2 years
Animal: Potentially Dangerous Animal License Registration	445.25 445.65	\$500 Determined by police department.	Plus proof of \$100,000 insurance
Animal: Private Kennel License (4 or more dogs)	445.05 445.15	\$50 \$100 per dog	Annual
Animal: Wild Animal Permit	445.15	\$50	72-hour limit
Boat Launch Permit Sticker (for Meadville fire lane): Non-Resident	425.45	\$50 \$100	Annual per vehicle. Must provide vehicle information / license plate number.
Building: IPM Code Book	320.30	\$34 \$75	Per copy
Burning Permit: Non-Recreational	475.10	\$50	Per instance
City Code Book (binder with tabs and photocopies)		\$55 \$100	
Docks: Municipal St. Alban's Bay Dock Permit	425.30 (5)	\$1350 \$1400	Per slip, per season
Duplicate Permit / License	400.15	\$5 \$10	Per instance
False Alarm Permit: Fire (after 2nd offense in 12 mo. period)	460.03	\$75 \$150	
False Alarm Permit: Police (after 3rd offense in 12 mo. period)	455.10	\$75 \$150	
Fireworks Permit	900.55	\$50 \$100	Council approval required
Gasoline Station / Auto Repair License	420.15	\$0 \$100 per site plus \$10 \$0 per pump	Annual
Mobile Home 15-Day License	405.40	\$50 \$100	Per instance
Parking Permit: Building Project	305.00	\$50 \$250	Per project
Peddler Permit	465.10	\$70 \$250	For 6 months
Sewer: Sewer Access Charge (SAC)		As set by the Metropolitan Council, plus \$200	
Sewer: Cap Fee		\$75 \$100	Per instance
Sewer: Re-Connection Fee		\$75 \$100	Per instance
Sign Permit: Temporary	1140.40	\$25 \$50	Valid for 30 days. Limit 6 per year.
Tobacco License	415.04	\$50 \$100	Annual

SECTION 2.

Effective Date. This ordinance shall be effective January 1, 2017.

Enacted by the city council of the city of Greenwood, Minnesota this ___ day of _____, 2016.

___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana Young, City Clerk

First reading: _____, 2016
Second reading: _____, 2016
Publication: _____, 2016



Agenda Number: 9E

Agenda Date: 09-07-16

Prepared by Deb Kind

Agenda Item: Lake Minnetonka Communications Commission 2017 Budget

Summary: Attached is the cover letter and proposed 2017 budget for the Lake Minnetonka Communications Commission. The LMCC budget is funded with Public, Education, and Government (PEG) fees and Franchise fees paid by cable users (not by tax dollars). The LMCC needs approval of the majority of the member cities to proceed with the proposed budget.

Note from LMCC operations manager, Jim Lundberg: At first glance, the budget may look like we are deficit spending. However, if you take out the remaining \$21,000 AV Support dollars (a carry over from the intended draw down from the LMCC reserve), you'll note that we should actually be operating in the black for 2017.

Council Action: Required. Suggested motion ...

1. I move the city council approves the 2017 Lake Minnetonka Communications Commission budget as presented and directs the city clerk to forward a copy of this motion to the LMCC operations manager for LMCC records.
2. Other motion ???



LMCC

LAKE MINNETONKA COMMUNICATIONS COMMISSION

4071 SUNSET DRIVE ■ BOX 385 ■ SPRING PARK, MN 55384-0385 ■ 952.471.7125 ■ FAX 952.471.9151 ■ lmcc@lmcc-tv.org

8/17/16

To: All LMCC Member Cities
From: Jim Lundberg, Operations Manager
Reason: LMCC's 2017 Budget

DEEPHAVEN

EXCELSIOR

GREENWOOD

INDEPENDENCE

LONG LAKE

LORETTO

MAPLE PLAIN

MINNETONKA
BEACH

ST. BONIFACIUS

SHOREWOOD

SPRING PARK

WOODLAND

Attached, please find a copy of the Lake Minnetonka Communications Commission's 2017 Budget and 5 Year Capital Plan. The Budget was approved along with a \$.75 PEG Fee increase at our August 11th Commission meeting. The Commission felt that the PEG Fee increase was necessary to continue our commitment to improvements in technologies as well as to continue our level of service to both Mediacom subscribers and our Member Cities.

Please bring it to your Council for approval. Also, please feel free to call or e-mail me if you have any questions. Interested parties can view our August 11th Commission meeting from the LMCC's website at www.lmcc-tv.org

Sincerely,

Jim Lundberg
Operations Manager
LMCC
(952)471-7125 x104

Lake Minnetonka Communications Commission
2016 Budget Detail vs 2017 Budget

		2016 Quarterly	2016 Annualized	2017 Quarterly	2017 Annualized
Budget Revenues					
Franchise fees(2017 is W/O Maple Plain \$s)		60,969.02	\$ 243,876.08	\$ 55,268.03	\$ 221,072.11
PEG fees(2017 is W/O Maple Plain \$s)		15,451.00	\$ 61,805.00	\$ 23,832.24	\$ 95,328.96
Mound Usage fees		11,462.57	\$ 45,850.28	\$ 11,118.69	\$ 44,474.77
Studio Rental		625.00	\$ 2,500.00	\$ 625.00	\$ 2,500.00
All other		1,000.00	\$ 4,000.00	\$ 1,000.00	\$ 4,000.00
Total Budgeted revenues		89,507.59	\$ 358,031.36	\$ 91,843.96	\$ 367,375.84
Personnel Expenses					
Franchise Salaries	Franchise		\$ 183,596.14		\$ 110,157.58
PEG Production Salaries	PEG		\$ -		\$ 77,110.48
Franchise PERA Contributions	Franchise		\$ 13,686.64		\$ 8,211.98
PEG Production PERA Contributions	PEG		\$ -		\$ 5,748.39
Franchise FICA Contributions	Franchise		\$ 13,343.67		\$ 8,006.19
PEG Production FICA Contributions	PEG		\$ -		\$ 5,604.47
Franchise Health Insurance	Franchise		\$ 25,521.60		\$ 15,012.69
PEG Production Health Insurance	PEG		\$ -		\$ 10,508.91
Franchise Worker's Compensation Insurance	Franchise		\$ 1,349.30		\$ 882.35
PEG Prod. Worker's Compensation Insurance	PEG		\$ -		\$ 617.65
Total Budget - Personnel Expenses			\$ 237,497.35		\$ 241,860.69
Other Expenses					
Office Supplies	Franchise		\$ 1,000.00		\$ 1,400.00
Special Events/Meetings	Franchise		\$ 300.00		\$ 300.00
Repairs & Maintenance Supplies	PEG		\$ 500.00		\$ 500.00
Studio Expendables	PEG		\$ 2,500.00		\$ 2,500.00
Audit/Accounting Fees	Franchise		\$ 13,000.00		\$ 13,000.00
Access Contractors	Franchise		\$ 13,000.00		\$ 13,000.00
Legal Fees	Franchise		\$ 4,000.00		\$ 4,000.00
Copier Expense	Franchise		\$ 3,507.00		\$ 4,150.00
Payroll Services	Franchise		\$ 1,876.00		\$ 1,250.00
Janitorial Services	Franchise		\$ 2,730.00		\$ 2,900.00
Security Services	Franchise		\$ 300.00		\$ 300.00
Telephone/Communications	Franchise		\$ 3,500.00		\$ 3,500.00
Postage	Franchise		\$ 1,200.00		\$ 1,200.00
Computer Consulting	Franchise		\$ 2,000.00		\$ 2,000.00
Training	Franchise		\$ 400.00		\$ 400.00
Travel	Franchise		\$ -		\$ -
Mileage	Franchise		\$ 1,000.00		\$ 1,000.00
Printing & Publishing	Franchise		\$ 400.00		\$ 400.00
Insurance	Franchise		\$ 4,500.00		\$ 4,500.00
Utilities	Franchise		\$ 10,500.00		\$ 10,500.00
Refuse & Recycling	Franchise		\$ 900.00		\$ 1,500.00
Bank Finance Fees	Franchise		\$ -		\$ -
Contracted Building Repair	PEG		\$ 2,000.00		\$ 2,000.00
Maintenance Repair Equipment	PEG		\$ 2,000.00		\$ 2,000.00
Equipment Rental	PEG		\$ -		\$ -
Advertising	Franchise		\$ 200.00		\$ 200.00
Van Operation	PEG		\$ 1,500.00		\$ 1,500.00
Web streaming/Broadband	Franchise		\$ 7,800.00		\$ 8,800.00
Licenses	Franchise		\$ 1,000.00		\$ 1,000.00
Other Expenses / Contingency	Franchise		\$ 500.00		\$ 500.00
Capital Building Improvements	PEG		\$ 2,000.00		\$ 2,000.00
Total Budget - Expenses			\$ 84,113.00		\$ 86,300.00
Total Budget - All Expenses			\$ 321,610.35		\$ 328,160.69
Capital Equipment & Support Program					
Capital equipment expenditures budget	PEG		\$ 76,017.00		\$ 27,347.98
AV Support Program for Member Cities	PEG		\$ 80,000.00		\$ 21,022.00
Total 2017 Budget - All expenses plus Capital			\$ 477,627.35		\$ 376,530.67



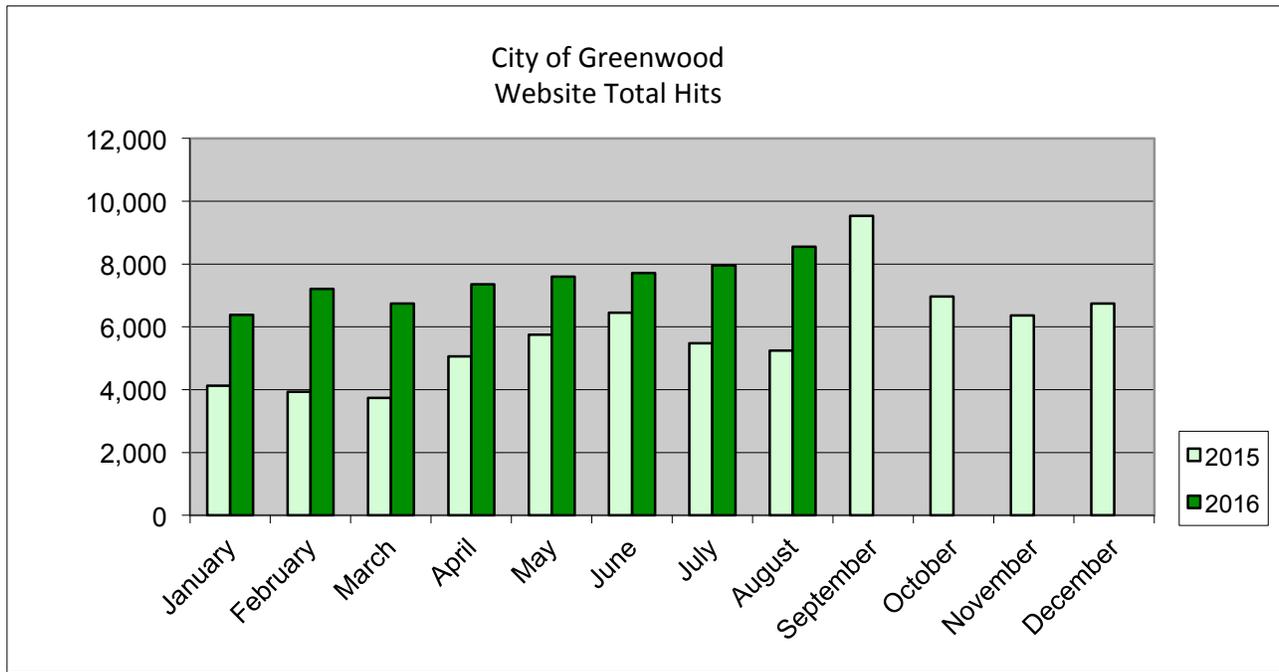
Agenda Number: **11A-E**

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 are included in the hard copy of the full council packet and in the electronic version of the packet available at www.greenwoodmn.com.

Council Action: None required.



Month	2015	2016	Variance with Prior Month	Variance with Prior Year	Bulk Email List
January	4,123	6,382	-360	2,259	156
February	3,928	7,209	827	3,282	156
March	3,732	6,741	-468	3,009	156
April	5,058	7,351	610	2,293	156
May	5,753	7,603	252	1,850	158
June	6,448	7,711	108	1,263	158
July	5,481	7,962	251	2,481	156
August	5,249	8,555	593	3,306	159
September	9,532		-8,555	-9,532	
October	6,969		0	-6,969	
November	6,362		0	-6,362	
December	6,742		0	-6,742	
AVERAGE	5,781	7,439			

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

POPULATION: 693
EMAIL ADDRESSES % OF POPULATION: 22.94%

Population source: www.metrocouncil.org, Data & Maps, Download Data, Population and Household Estimates
 Population figure updated: 05-20-16

Site Statistics

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

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

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

Begin Date

End Date

Report Name

Page Views by Section

Section	Page Views	Percent of Total
Default Home Page	3063	35.8%
Agendas, Minutes, Meeting Packets	629	7.35%
RFPs & Bids	468	5.47%
City Departments	372	4.35%
Planning Commission	351	4.1%
Welcome to Greenwood	238	2.78%
Mayor & City Council	231	2.7%
Assessments & Taxes	208	2.43%
Budget & Finances	186	2.17%
Garbage & Recycling	154	1.8%
Forms, Permits, Licenses	144	1.68%
Elections, Voting	140	1.64%
Spring Clean-Up Day	131	1.53%
Meetings	124	1.45%
Code Book of Ordinances	123	1.44%
Lake Minnetonka	117	1.37%
Agendas, Minutes, Meetings	114	1.33%
Meetings on TV	109	1.27%
Email Sign-Up	101	1.18%
Photo Gallery	98	1.15%
Swiffers NOT Flushable	88	1.03%
Community Surveys	83	0.97%
Parks, Trails & Watercraft Amenities	82	0.96%
Well Water	76	0.89%
Smoke Testing	75	0.88%

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.

Missing Section	74	0.86%
Comp Plan & Maps	74	0.86%
Sewer, Stormwater, Water, Garbage, Recycling	73	0.85%
St. Alban's Bay Lake Improvement District	66	0.77%
Links	65	0.76%
Watercraft Spaces	65	0.76%
Search Results	61	0.71%
Public Safety Alerts	59	0.69%
Old Log Events	54	0.63%
City Newsletters	52	0.61%
Emergency Preparedness	50	0.58%
Finances, RFPs, Taxes, Assessments	49	0.57%
Tour de Tonka	38	0.44%
Coyotes & Animal Services	36	0.42%
Recreation, Amenities	31	0.36%
Southshore Center	31	0.36%
Missing Section	30	0.35%
Missing Section	28	0.33%
News, Events	28	0.33%
Luck O' the Lake	27	0.32%
July 4th	24	0.28%
Unsubscribe	12	0.14%
Tree Contractors	11	0.13%
Fire Department	7	0.08%
---	5	0.06%
TOTAL	8555	100%

Unique IPs by Section

Section	Unique IPs	Percent of Total IPs
Default Home Page	867	24.44%
City Departments	225	6.34%
Agendas, Minutes, Meeting Packets	176	4.96%
Mayor & City Council	144	4.06%
Welcome to Greenwood	128	3.61%
Planning Commission	122	3.44%
Forms, Permits, Licenses	80	2.26%
Assessments & Taxes	77	2.17%
Elections, Voting	74	2.09%
Garbage & Recycling	74	2.09%
Budget & Finances	68	1.92%
Meetings	65	1.83%
Parks, Trails & Watercraft Amenities	64	1.8%
Photo Gallery	64	1.8%
Spring Clean-Up Day	64	1.8%
Code Book of Ordinances	63	1.78%
St. Alban's Bay Lake Improvement District	57	1.61%
Comp Plan & Maps	57	1.61%
Lake Minnetonka	56	1.58%
Meetings on TV	54	1.52%
Agendas, Minutes, Meetings	54	1.52%
Email Sign-Up	49	1.38%
Swiffers NOT Flushable	48	1.35%
Community Surveys	45	1.27%
Links	43	1.21%
Old Log Events	42	1.18%
Sewer, Stormwater, Water, Garbage, Recycling	42	1.18%
Smoke Testing	41	1.16%
Watercraft Spaces	41	1.16%

City Newsletters	41	1.16%
Missing Section	40	1.13%
Well Water	40	1.13%
Search Results	39	1.1%
RFPs & Bids	39	1.1%
Public Safety Alerts	38	1.07%
Tour de Tonka	35	0.99%
Finances, RFPs, Taxes, Assessments	34	0.96%
Emergency Preparedness	29	0.82%
News, Events	28	0.79%
Missing Section	27	0.76%
Recreation, Amenities	27	0.76%
Southshore Center	26	0.73%
Coyotes & Animal Services	26	0.73%
Luck O' the Lake	24	0.68%
Missing Section	22	0.62%
July 4th	18	0.51%
Tree Contractors	9	0.25%
Unsubscribe	9	0.25%
Fire Department	7	0.2%
---	5	0.14%
TOTAL	3547	100%

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

Done



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.

**GREENWOOD PLANNING COMMISSION
WEDNESDAY, AUGUST 17, 2016
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, Commissioners Lake Bechtell and Fiona Sayer

Others Present: Zoning Administrator Dale Cooney

Absent: Commissioners Kristi Conrad and Doug Reeder, and Council Liaison Bill Cook

2. MINUTES – July 20, 2016

Chairman Lucking moved to approve the minutes of July 20, 2016 as written. Chairman Bechtell seconded the motion. Motion carried 3-0.

3. PUBLIC HEARINGS

3a. Public hearing to consider the variance request of Duane and Leonora Thurow for the property at 5125 West Street: The applicants are proposing a side yard setback 6 feet, 2 inches in order to construct an addition onto the existing house. Section 1120:15 of the Zoning Ordinance requires a minimum side yard setback of 15 feet

Chairman Lucking introduced the agenda item and opened the public hearing.

Rick Sundberg, the property owner, said that his intent is not to take away parking. He said that he would like to install a grass pave product that will allow water to infiltrate, but that will not compact. He said that this will deal with the potential parking problem from removing the current parking pad.

Lucking asked if there would need to be a gravel base for the parking area. Sundberg said yes. Lucking said that the city does not consider gravel pervious.

Sundberg said that this parking area proposal will also help address the issue of the drainage at the end of West Street. He said that when he spoke with the adjacent neighbors he thought that they were comfortable with the proposal.

Duane Thurow, the applicant, said that he had conversations with the neighbors and that, based upon their conversations, he did not expect them to object.

Lucking closed the public hearing.

Sayer said that perhaps the applicant could look at other solutions that the neighbors would not object to.

Sundberg said that the west side of the lot would also create a new encroachment. He said that the lot is non-conforming and that it is difficult to meet the setback requirements, and what he is proposing is less than the existing encroachment. He said that a proposal for anywhere else on the lot would create a new encroachment.

Bechtell said that he agrees that there is a drainage issue at the end of West Street. But, he said that several neighbors are not in favor of the request, nor is city staff, and that he would not support the variance.

**GREENWOOD PLANNING COMMISSION
WEDNESDAY, AUGUST 17, 2016
7:00 P.M.**

Lucking said that Commissioner Conrad had also submitted comments stating that she was not in favor of the request.

Lucking said that any improvements that sit on top of class 5 gravel would not be considered pervious. He said there is a severe parking problem in that area. Lucking said that the previously approved variance was on top of existing hardcover, but that in this case it would be new hardcover. He said that if this were approved, a second-story addition would likely be added in the future. He said that, based on precedent, he would find it hard to approve the request.

Motion by Bechtell to recommend denial of the variance request of Duane and Leonora Thurow for the property at 5125 West Street, as presented. Motion was seconded by Sayer. Motion carried 3-0.

3b. Public Hearing to consider the conditional use permit request of Brahmani, Inc. to replace and install new signage at 21380 State Highway 7: Section 1140.40(3)(2) of the Zoning Ordinance requires a Conditional Use Permit to erect, alter, reconstruct, maintain or move signage.

Chairman Lucking introduced the agenda item and opened the public hearing.

Akshay Patel, applicant, said that they will be installing new pumps, islands, pylon signs and canopy signs.

Lucking asked if the height of the proposed sign could come down since, as proposed, it is 3 feet higher than the current sign.

Patel said that he would talk with the contractor to see if that was possible. Bechtell said that he would like to see the sign shorter.

Lucking said that he thinks the improvements will look nice and add continuity.

Peter Lehman, of 21265 Radisson Road, Shorewood MN, 55331, said that he lives across State Highway 7 from the Greenwood Market. He said that he would like the new signage to minimize spot lighting towards their property, not have any flashing lights, and shield the canopy lights that cause so much glare in the area.

Patel said that the proposed LED lights will replace the current canopy lighting, and will be recessed into the canopy, similar to a Holiday station.

Lucking closed the public hearing at this point.

Bechtell said that he was comfortable with the proposal if the height of the pylon sign did not exceed 20 feet.

Lucking said that he would want to ensure the city had a chance to approve the under-canopy lighting.

Motion by Sayer to recommend approval the conditional use permit request of Brahmani, Inc. to replace and install new signage at 21380 State Highway 7 as presented, based on the findings, recommendation, and conditions of staff, with the additional condition that the pylon sign not exceed 20 feet in height. Motion was seconded by Bechtell. Motion carried 3-0.

GREENWOOD PLANNING COMMISSION
WEDNESDAY, AUGUST 17, 2016
7:00 P.M.

3c. Public Hearing for Ordinance No. 261, an ordinance amending Section 1140.19 regarding grading conditional use permits and variances

Chairman Lucking introduced the agenda item and opened the public hearing. Hearing no public comments, Lucking closed the public hearing.

Motion by Bechtell to recommend approval of Ordinance No. 261 as written. Motion seconded by Sayer. Motion carried 3-0.

3d. Public Hearing for Ordinance Number 262, mandatory update of Section 1174: Floodplain Ordinance

Chairman Lucking introduced the agenda item and opened the public hearing. Hearing no public comments, Lucking closed the public hearing.

Bechtell asked if the ordinance was a federal mandate. Cooney said that it was not a mandate, but that if the city did not update the language, they could not participate in the National Flood Insurance Program.

Motion by Sayer to recommend approval of Ordinance No. 262 as written. Motion seconded by Bechtell. Motion carried 3-0.

4. NEW BUSINESS

5. LIAISON REPORT

Council Liaison Bill Cook was not in attendance, and no liaison report was given.

6. ADJOURN

Motion by Sayer to adjourn the meeting. Bechtell seconded the motion. Motion carried 3-0. The meeting was adjourned at 7:45 p.m.

Respectively Submitted,
Dale Cooney - Zoning Administrator