

AGENDA

Greenwood City Council Meeting



Wednesday, March 1, 2017
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: 02-01-17 City Council Meeting Minutes
 - B. Approve: January Cash Summary Report
 - C. Approve: January Certificates of Deposit Report
 - D. Approve: February Verifieds, Check Register, Electronic Fund Transfers
 - E. Approve: March Payroll Register
- 7:05pm 3. MATTERS FROM THE FLOOR
This is an opportunity for the public to address the council regarding matters not on the agenda. 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.
- 7:10pm 4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS
 - A. Chief Michael Meehan: Quarterly Police Update
1st Reading: Social Host Ordinance 268, Summary Resolution 06-17
 - B. Report: CliftonLarsonAllen, 2016 Audit Report
 - C. Announcement: Luck O' the Lake Run, Expect Delays 03-11-17, 9:30 to 10:30am
- 7:40pm 5. PUBLIC HEARING
 - A. None
- 7:45pm 6. ACTION RELATED TO PUBLIC HEARING
 - A. None
- 7:45pm 7. PLANNING & ZONING ITEMS
 - A. Consider: Planning Commission Appointments, Resolution 07-17
- 7:50pm 8. UNFINISHED BUSINESS
 - A. None
- 7:50pm 9. NEW BUSINESS
 - A. Consider: Lake Minnetonka Communications Commission JPA Amendment
 - B. Discuss: LMCD Harvesting of St. Alban's Bay Floating Weeds
 - C. Consider: St. Alban's Bay Lake Improvement District Contribution
 - D. Consider: Authorizing Request for Proposals for Weed Removal at City Docks
- 8:20pm 10. OTHER BUSINESS
 - A. None
- 8:20pm 11. COUNCIL REPORTS
 - A. Conrad: Planning Commission
 - B. Cook: Lake Minnetonka Conservation District, Public Works Committee
 - C. Fletcher: Lake Minnetonka Communications Commission, Fire, Administrative Committee
 - D. Kind: Police, Administrative Committee, Mayors' Meetings, Website
 - E. Quam: Minnetonka Community Education, Public Works Committee
- 8:45pm 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, February 1, 2017

20225 Cottagewood Road, Deephaven, MN 55331



1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA

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

Members Present: Mayor Kind; Councilmembers Bill Cook, Kristi Conrad, Tom Fletcher, Bob Quam

Staff Members Present: None

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

2. CONSENT AGENDA

A. Approve: 01-04-17 City Council Meeting Minutes

B. Approve: December Cash Summary Report

C. Approve: December Certificates of Deposit Report

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

E. Approve: February Payroll Register

F. Approve: 2016 Recycling Report

Motion by Kind to approve the consent agenda items as presented. Second by Quam. Motion passed 5-0.

3. MATTERS FROM THE FLOOR

None

4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS

A. Announcement: Planning Commission Term Expirations and Vacancy

View announcement at LMCC-TV.org.

5. PUBLIC HEARING

A. None

6. ACTION RELATED TO PUBLIC HEARING

A. None

7. PLANNING & ZONING ITEMS

A. None

8. UNFINISHED BUSINESS

A. 2nd Reading: Ord 267 Clean Up of City Code Section 910.60 and Summary Res 03-17

Motion by Cook that city council (1) approves the 2nd reading of ordinance 267 cleaning up ordinance code section 910.60 as written; (2) approves resolution 03-17 a summary of ordinance 267; and (4) directs staff to publish resolution 03-17 in the city's official newspaper. Second by Conrad. Motion passed 5-0.

B. Discuss: 2018 Comprehensive Plan Update

Motion by Fletcher that the city council authorizes a subcommittee of Mayor Kind and Councilwoman Conrad to work with city zoning administrator and the city engineer to update the city's comprehensive plan using the following process:

A. Hold a public hearing at the August city council meeting to gather public input regarding the previous comprehensive plan.

B. Submit the preliminary draft to the planning commission for review and input.

C. Submit the preliminary draft with planning commission comments to the city council for approval.

D. Planning commission holds a public hearing for the approved preliminary draft by 04-18-18.

E. City council approves preliminary draft by 05-02-18.

- F. The approved preliminary draft is sent to adjoining communities by 06-30-18.
- G. The city council considers comments from adjoining communities for possible incorporation into the final draft.
- H. The city council approves the final draft by 12-31-18.

Second by Cook. Motion passed 5-0.

- C. Discuss: Ordinance Regarding Zoning Regulations Based on Lot Size
No action taken. View discussion at LMCC-TV.org.

9. NEW BUSINESS

- A. None

10. OTHER BUSINESS

- A. None

11. COUNCIL REPORTS

- A. Conrad: Planning Commission

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

- B. Cook: Lake Minnetonka Conservation District, Public Works Committee

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

- C. Fletcher: Lake Mtn Comm Commission, Fire, Administrative Committee

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

- D. Kind: Police, Administrative Committee, Mayors' Meetings, Website

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

- E. Quam: Minnetonka Community Education, Public Works Committee

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

12. ADJOURNMENT

Motion by Quam to adjourn the meeting at 8:30pm. 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).

Check Issue Date(s): 02/01/2017 - 02/28/2017

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
02/17	02/07/2017	12730	51	BOLTON & MENK, INC.	101-20100	2,794.00
02/17	02/07/2017	12731	9	CITY OF DEEPHAVEN	101-20100	9,913.05
02/17	02/07/2017	12732	871	CONRAD ANDERSON	101-20100	541.66
02/17	02/07/2017	12733	68	GOPHER STATE ONE CALL	602-20100	114.85
02/17	02/07/2017	12734	789	HENNEPIN COUNTY TREASURER	101-20100	51.00
02/17	02/07/2017	12735	861	HOFF, BARRY & KOZAR, P.A.	101-20100	271.75
02/17	02/07/2017	12736	886	KENNETH N. POTTS, P.A.	101-20100	400.00
02/17	02/07/2017	12737	816	LABEL PRODUCTS	101-20100	413.79
02/17	02/07/2017	12738	99	LAKE MTKA CONSERVATION DISTRIC	101-20100	1,574.50
02/17	02/07/2017	12739	841	LAW OFFICE GREGORY E KELLER PA	101-20100	1,564.00
02/17	02/07/2017	12740	105	METRO COUNCIL ENVIRO SERVICES	602-20100	2,592.38
02/17	02/07/2017	12741	874	MIKE VANDERLINDEN	101-20100	541.66
02/17	02/07/2017	12742	867	RANDY'S ENVIRONMENTAL SERVICES	101-20100	1,628.25
02/17	02/07/2017	12743	38	SO LAKE MINNETONKA POLICE DEPT	101-20100	15,196.00
02/17	02/07/2017	12744	145	XCEL ENERGY	101-20100	289.39
Totals:						<u>37,886.28</u>

Dated: _____

Mayor: _____

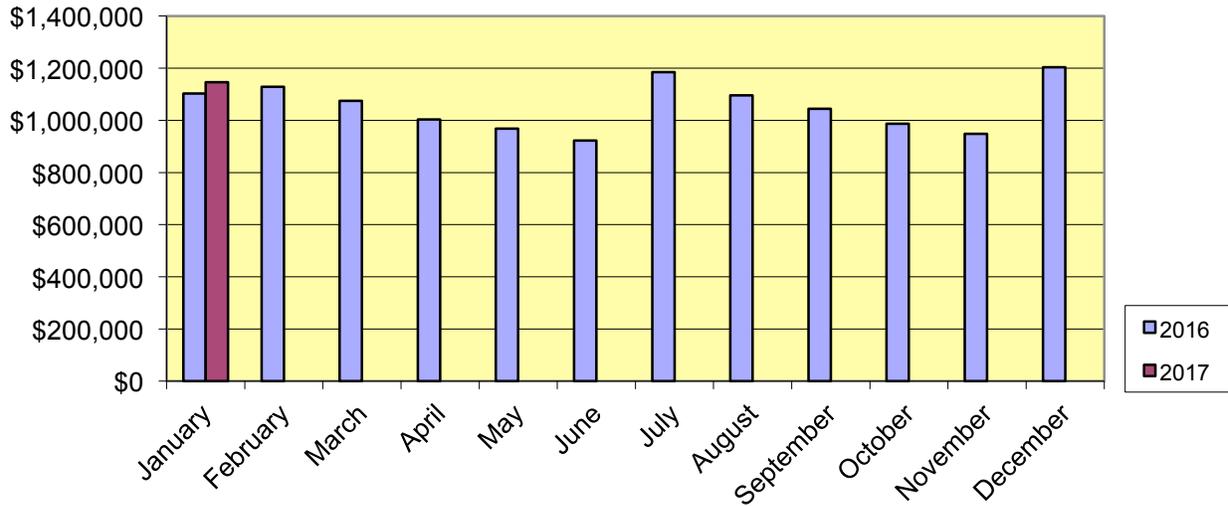
City Council: _____

City Recorder: _____

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
BOLTON & MENK, INC.					
51	BOLTON & MENK, INC.	0198622	2016 DEVELOPMENT REVIEW	12/31/2016	168.00
		0198623	2016 SEWER IMPROVEMENTS	12/31/2016	1,766.00
		0198624	COVINGTON IMPROVEMENTS	12/31/2016	860.00
	Total BOLTON & MENK, INC.				<u>2,794.00</u>
CITY OF DEEPAVEN					
9	CITY OF DEEPAVEN	JAN 2017	RENT & EQUIPMENT	01/31/2017	487.45
			Postage		38.81
			COPIES		92.40
			SEWER		95.20
			SNOW PLOWING/SANDING/SALT		5,873.89
			BIKE PATH		190.40
			BIKE PATH (CREDIT)		214.65 -
			Clerk Services		3,266.64
			ZONING		82.91
	Total CITY OF DEEPAVEN				<u>9,913.05</u>
CONRAD ANDERSON					
871	CONRAD ANDERSON	2017-1	1/2 MO CONTRACT AMT	01/31/2017	541.66
	Total CONRAD ANDERSON				<u>541.66</u>
GOPHER STATE ONE CALL					
68	GOPHER STATE ONE CALL	7000409	ANNUAL FEE	01/31/2017	100.00
		7010408	Gopher State calls	01/31/2017	14.85
	Total GOPHER STATE ONE CALL				<u>114.85</u>
HENNEPIN COUNTY TREASURER					
789	HENNEPIN COUNTY TREASURE	1000087047	PINS PROGRAM	02/01/2017	51.00
	Total HENNEPIN COUNTY TREASURER				<u>51.00</u>
HOFF, BARRY & KOZAR, P.A.					
861	HOFF, BARRY & KOZAR, P.A.	13401	SO SHORE COMM CNTR	01/21/2017	271.75
	Total HOFF, BARRY & KOZAR, P.A.				<u>271.75</u>
KENNETH N. POTTS, P.A.					
886	KENNETH N. POTTS, P.A.	02 02 17	LEGAL SVCS	02/02/2017	400.00
	Total KENNETH N. POTTS, P.A.				<u>400.00</u>
LABEL PRODUCTS					
816	LABEL PRODUCTS	82370	PARKING STICKERS	01/30/2017	413.79
	Total LABEL PRODUCTS				<u>413.79</u>
LAKE MTKA CONSERVATION DISTRIC					
99	LAKE MTKA CONSERVATION DI	01 02 17	1st Qtr. LMCD Levy	01/02/2017	1,574.50
	Total LAKE MTKA CONSERVATION DISTRIC				<u>1,574.50</u>
LAW OFFICE GREGORY E KELLER PA					
841	LAW OFFICE GREGORY E KELL	01 05 17	PROSECUTION BILL	01/05/2017	1,564.00

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
	Total LAW OFFICE GREGORY E KELLER PA				1,564.00
METRO COUNCIL ENVIRO SERVICES					
105	METRO COUNCIL ENVIRO SERV	0001063786	Monthly wastewater Charge	02/02/2017	2,592.38
	Total METRO COUNCIL ENVIRO SERVICES				2,592.38
MIKE VANDERLINDEN					
874	MIKE VANDERLINDEN	2017-1	1/2 MO CONTRACT AMT	01/31/2017	541.66
	Total MIKE VANDERLINDEN				541.66
RANDY'S ENVIRONMENTAL SERVICES					
867	RANDY'S ENVIRONMENTAL SEF	JAN 2017	RECYCLING SERVICES	01/19/2017	1,628.25
	Total RANDY'S ENVIRONMENTAL SERVICES				1,628.25
SO LAKE MINNETONKA POLICE DEPT					
38	SO LAKE MINNETONKA POLICE	FEB 2017	OPERATING BUDGET	02/01/2017	15,196.00
	Total SO LAKE MINNETONKA POLICE DEPT				15,196.00
XCEL ENERGY					
145	XCEL ENERGY	012517	4925 MEADVILLE STREET *	01/25/2017	9.05
			SIREN		3.89
			Sleepy Hollow Road *		9.07
			LIFT STATION #1		49.60
			LIFT STATION #2		37.25
			LIFT STATION #3		49.71
			LIFT STATION #4		36.45
			LIFT STATION #6		94.37
	Total XCEL ENERGY				289.39
Total Paid: 37,886.28					
Total Unpaid: -					
Grand Total: <u>37,886.28</u>					

City of Greenwood Monthly Cash Summary



Month	2016	2017	Variance with Prior Month	Variance with Prior Year
January	\$1,103,197	\$1,146,895	-\$56,730	\$43,698
February	\$1,128,257		-\$1,146,895	-\$1,128,257
March	\$1,074,726		\$0	-\$1,074,726
April	\$1,003,064		\$0	-\$1,003,064
May	\$968,814		\$0	-\$968,814
June	\$922,082		\$0	-\$922,082
July	\$1,184,900		\$0	-\$1,184,900
August	\$1,095,742		\$0	-\$1,095,742
September	\$1,044,116		\$0	-\$1,044,116
October	\$986,451		\$0	-\$986,451
November	\$948,462		\$0	-\$948,462
December	\$1,203,625		\$0	-\$1,203,625

Alerus Bank Checking	\$17,579
Bridgewater Bank Checking	\$37,112
Alerus Bank Money Market	\$590,921
Bridgewater Bank Money Market	\$12,125
Alerus Bank CD's	\$62,403
Bridgewater Bank CD's	\$426,755
	<u>\$1,146,895</u>

ALLOCATION BY FUND

General Fund	\$449,026
Special Project Fund	(\$6,730)
General Fund Designated for Parks	\$16,756
Bridge Capital Project Fund	\$167,098
Road Improvement Fund	\$109,425
Stormwater Fund	\$26,696
Sewer Enterprise Fund	\$321,499
Marina Enterprise Fund	\$63,125
	<u>\$1,146,895</u>

GREENWOOD CERTIFICATES OF DEPOSIT

Report Date: 1/31/17

Acct #	Bank	Date	Term	Maturity	Rate	Amount
101-10407	Alerus Bank	02/04/16	13 month	03/04/17	0.60%	\$ 62,403.08
101-10413	Bridgewater Bank	05/11/16	13 month	06/11/17	1.00%	\$ 62,169.92
10110408	Bridgewater Bank	07/11/16	13 month	08/11/17	1.00%	\$ 60,302.84
101-10414	Bridgewater Bank	07/25/16	13 month	08/25/17	1.00%	\$ 81,231.17
101-10411	Bridgewater Bank	09/08/16	13 month	10/08/17	1.00%	\$ 61,915.17
101-10409	Bridgewater Bank	12/01/16	15 month	03/01/18	1.00%	\$ 81,135.72
101-10412	Bridgewater Bank	01/06/17	15 month	04/06/18	1.00%	\$ 80,000.00
TOTAL						\$ 489,157.90

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 Alerus Bank or Bridgewater Bank. Second by Cook. Motion passed 5-0.

11-02-16 Motion by Fletcher that the city council authorizes an increase from \$500,000 to \$600,000 for the city's maximum balance of certificate of deposit. Second by Roy. Motion passed 5-0.

Pay Per Date	Jrnl	Check Date	Check Number	Payee	Emp No	Description	GL Account	Amount
03/01/17	PC	03/01/17	3011701	CONRAD, KRISTI	39		001-10100	277.05
03/01/17	PC	03/01/17	3011702	COOK, WILLIAM B.	37		001-10100	277.05
03/01/17	PC	03/01/17	3011703	Fletcher, Thomas M	33		001-10100	177.05
03/01/17	PC	03/01/17	3011704	Kind, Debra J.	34		001-10100	415.57
03/01/17	PC	03/01/17	3011705	Quam, Robert	32		001-10100	277.05
Grand Totals:								<u>1,423.77</u>



Agenda Number: **4A**

Agenda Date: **03-01-17**

Prepared by *Deb Kind*

Agenda Item: Chief Michael Meehan: Quarterly Police Update AND Social Host Ordinance 268

Summary: Summary: Per the city council's request, a representative from the South Lake Minnetonka Police Department attends Greenwood council meetings on a quarterly basis to give the council a brief update regarding police activities in the city and South Lake area. This also is an opportunity for the council to have a discussion with a SLMPD representative regarding police issues and concerns. Quarterly police updates are presented at the February, May, August, and November council meetings. Chief Meehan was unable to attend the February council meeting, so he will present his quarterly update at the 03-01-17 city council meeting.

In addition, Chief Meehan is requesting the city council consider approval of a Social Host ordinance. In 2009, the Greenwood city council denied the request for a Social Host ordinance. At that time, the council's rationale was that it was a "feel good" ordinance that would be difficult to enforce. At the 03-01-17 city council meeting, Chief Meehan will share his perspective regarding Social Host ordinances.

The Tonka CARES organization is encouraging all Minnetonka School District cities to adopt Social Host ordinances. The Tonka CARES mission is to reduce underage substance use in the Minnetonka School District community.

Minnetonka School Board Chair, Pam Langseth said, "The Board has not taken a position regarding this specific item. That said, the Board has supported the efforts of Tonka CARES to reduce use of chemicals by our students."

Minnetonka Superintendent Dr. Dennis Peterson said, "I believe these ordinances are powerful tools to protect students and encourage safe behavior."

Attached is an ordinance for the council's consideration. This ordinance is based on an ordinance approved by Minnetonka. Shorewood approved the ordinance in 2012.

Timeline:

- 03-01-17 City council considers 1st reading of the ordinance (may make revisions / may waive 2nd reading).
- 03-02-17 If the 2nd reading is waived, the ordinance is submitted to the Sun-Sailor for publication.
- 03-09-17 If the 2nd reading is waived, the ordinance is published in the Sun-Sailor (goes into effect on this date).
- 04-05-17 City council considers 2nd reading of the ordinance (may make revisions).
- 04-06-17 The ordinance is submitted to the Sun-Sailor for publication.
- 04-13-17 The ordinance is published in the Sun-Sailor (goes into effect on this date).

Council Action: None required. Potential motions ...

1. I move the city council (1) approves the 1st reading of ordinance 268 amending city code chapter 9 to add a new Social Hosts section 930 as written / as amended; (2) waives the 2nd reading; (3) approves resolution 06-17 a summary of ordinance 268; and (4) directs staff to publish resolution 06-17 in the city's official newspaper.
2. I move the city council (1) approves the 1st reading of ordinance 268 amending city code chapter 9 to add a new Social Hosts section 930 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. 4/5ths vote is required for publishing a summary of an ordinance. 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 CHAPTER 9 TO ADD SECTION 930 REGARDING SOCIAL HOSTS**

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

SECTION 1.

Greenwood ordinance code chapter 12, section 1205.00 is amended to add the following new definitions:

“Alcohol. Ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, whiskey, rum, brandy, gin or any other distilled spirits, including dilutions and mixtures thereof from whatever source or by whatever process produced. (SOCIAL HOSTS 930)

Alcoholic Beverage. Alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine or beer, and which contains one-half of 1% or more of alcohol by volume, and which is fit for beverage purposes, either alone or when diluted, mixed or combined with other substances. (SOCIAL HOSTS 930)

Gathering. A group of three or more persons who have assembled or gathered together for a social occasion or other activity. (SOCIAL HOSTS 930)

Host. To aid, conduct, sponsor, organize, supervise, control, or allow a gathering. (SOCIAL HOSTS 930)

Parent. A person having the following relationship to a juvenile:

- a. A natural parent, adoptive parent, or step-parent;
- b. A legal guardian; or
- c. A person to whom legal custody has been given by order of a court. (SOCIAL HOSTS 930)

Premises, Social Host. Any location, including a home, yard, farm, field, land, apartment, condominium, hotel room or other dwelling unit, or a hall or meeting room, park, or any other place of assembly, public or private, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically for a party or other social function, and whether owned, leased, rented or used with or without permission or compensation. (SOCIAL HOSTS 930)

Underage Person. An individual under 21 years of age. (SOCIAL HOSTS 930) ”

SECTION 2.

Greenwood ordinance code chapter 9 is amended to add the following new section 930:

“SECTION 930. SOCIAL HOSTS.

930.00. Findings and Purpose.

Subd. 1. The city council finds that:

- (a) Consumption of alcohol by persons under the age of 21 is harmful to those persons and constitutes a potential threat to public health from injuries related to alcohol consumption, such as alcohol overdose or alcohol-related traffic collisions.
- (b) Alcohol is also an addictive drug which, if used irresponsibly, could have drastic effects on those who use it as well as those who are affected by the actions of an irresponsible user.
- (c) As a result, gatherings held on private or public property where alcohol is possessed or consumed by persons under the age of 21 should be prevented as much as possible.
- (d) Gatherings involving underage possession and consumption often occur outside the presence of parents or other responsible adults. However, there are times when a parent or other adult is present and condones the activity, and in some circumstances provides the alcohol.
- (e) Although furnishing alcohol to an underage person is a crime, it is difficult to prove, and an ordinance is necessary to help further combat underage consumption.
- (f) A deterrent effect will be created by holding a person criminally responsible for hosting a gathering where underage possession or consumption occurs.

Subd. 2. The purpose of this section is to discourage underage possession and consumption of alcohol, even if done within the confines of a private residence, and to hold persons criminally responsible who host gatherings where persons

under 21 years of age possess or consume alcohol, regardless of whether the person hosting the gathering supplied the alcohol or was present.

Subd. 3. The city council intends that this section should not target parents who may have alcoholic beverages on their premises and have issued a standing order that alcohol is not to be consumed by underage persons on those premises.

930.05. Definitions.

See chapter 12 for definitions.

930.10. Prohibited Acts.

Subd. 1. It is unlawful for a person to host or allow a gathering on any premises if:

- (a) The person knows that alcohol or alcoholic beverages will be present; and
- (b) The person knows that an underage person will attend, or is likely to attend; and
- (c) The person fails to take reasonable steps to prevent the possession or consumption of alcoholic beverages by an underage person; and
- (d) An underage person consumes an alcoholic beverage, or possesses an alcoholic beverage with the intent to consume it, at the gathering.

Subd. 2. Examples of reasonable steps include:

- (a) Directing, on a one-time basis or as a standing order, that no consumption of alcohol and alcoholic beverages is allowed; or
- (b) Controlling access to alcohol and alcoholic beverages; or
- (c) Checking identification of attendees to determine age; or
- (d) Supervising the activities of underage persons at the gathering, either in person or through a responsible adult.

Subd. 3. A person is not criminally responsible under this section 930 et seq if the person does not know that a gathering will occur, or does not know that alcoholic beverages will be present, or does not know that an underage person will be or is likely to be present. However, if a person has the knowledge specified in subdivision 1 above, a person who hosts a gathering does not have to be present at the gathering to be criminally responsible.

Subd. 4. A person is criminally responsible for violating subd. 1 above if the person intentionally aids, advises, hires, counsels, or conspires with or otherwise procures another to commit the prohibited act.

930.15. Exceptions.

Subd. 1. This section 930 et seq does not apply to conduct of an underage person that is permitted by his or her parent and occurs in the parent's household.

Subd. 2. This section 930 et seq does not apply to a legally protected religious observance.

Subd. 3. This section 930 et seq does not apply when an underage person is lawfully in possession of alcohol or alcoholic beverages during the course and scope of employment.

Subd. 4. This section 930 et seq does not apply to the holder of a liquor license issued under chapter 8 of this code, but it does apply to a person who hosts a gathering at such a liquor establishment.”

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 _____, 2017.

___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana H. Young, City Clerk

First reading: _____, 2017
Second reading: _____, 2017
Publication: _____, 2017

RESOLUTION 06-17

**A RESOLUTION APPROVING PUBLICATION
OF ORDINANCE NUMBER 268 BY TITLE AND SUMMARY**

WHEREAS, on _____, 2017 the city council of the city of Greenwood adopted "ORDINANCE 268 AMENDING GREENWOOD ORDINANCE CODE CHAPTER 9 TO ADD SECTION 930 REGARDING SOCIAL HOSTS."

WHEREAS, the city council has prepared a summary of ordinance 268 as follows:

1. The purpose of this ordinance is to discourage underage possession and consumption of alcohol, even if done within the confines of a private residence, and to hold persons criminally responsible who host gatherings where persons under 21 years of age possess or consume alcohol, regardless of whether the person hosting the gathering supplied the alcohol or was present.
2. The ordinance does not target parents who may have alcoholic beverages on their premises and have issued a standing order that alcohol is not to be consumed by underage persons on those premises.

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 268 clearly informs the public of intent and effect of the ordinance.
2. The city clerk is directed to publish ordinance 268 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 _____, 2017.

____ 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: _____, 2017
Second reading: _____, 2017
Publication: _____, 2017



Agenda Number: 4B

Agenda Date: 03-01-17

Prepared by Deb Kind

Agenda Item: 2016 Audit Report

CliftonLarsonAllen has completed the 2016 audit. An electronic copy of the audit report will be emailed to the city council when it becomes available. Hard copies will be available at the council meeting. The hard copy also will be available for public viewing at city hall. Mayor Kind met with the auditors during the audit process. The administrative committee (Mayor Kind and Councilman Fletcher) offered the responses on behalf of management that are included in the report.

The audit team from CliftonLarsonAllen will present the 2016 audit report at the 03-01-17 council meeting.

Council Action: Council action required. Potential motions ...

1. I move the council approves the 2016 audit report as presented by CliftonLarsonAllen.
2. I move the council approves the 2016 audit report presented by CliftonLarsonAllen, with the following comments:

_____.



Agenda Number: 7A

Agenda Date: 03-01-17

Prepared by Deb Kind

Agenda Item: Res 10-16 Planning Commission 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. This March, the terms of 3 planning commissioner seats expire:

B-1	Pat Lucking
B-2	Jennifer Gallagher
Alt-2	Vacant

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 may stop by city hall to get an application or download the form from the city website at www.greenwoodmn.com. The city council makes planning commission appointments at the March city council meeting and throughout the year to fill vacancies.

Both Pat Lucking and Jennifer Gallagher have expressed interest in reappointment.

The city has received no new planning commission applications.

Past protocol has been to reappoint commissioners that are willing to serve again, for alternate 1 & 2 members to move up to voting positions that open up on the commission, and for new applicants to fill the alternate 1 & 2 positions. Based on this protocol, the new appointments would be as listed in the right column on the attached resolution.

Council Action: Council action required. Potential motions ...

1. I move the council approves resolution 07-17 updating the city's planning commission appointments and directs that the oath of office be administered to the newly-appointed planning commissioners at the next planning commission meeting.
2. Other motion ???

PLANNING COMMISSION ATTENDANCE for Planning Commission Members as of February 2017

	2015												2016												2017	
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F
Lake Bechtell (5/14-3/16)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Kristi Conrad (10/11-12/16)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Jennifer Gallagher (09/16-3/17)	X	NA	X	NA	X	NA	X	NA	X	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X
Pat Lucking (2/01-3/17)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Douglas Reeder (8/11-3/16)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Fiona Sayer (3/16-3/18)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
David Steingas (10/16-3/18)	X	NA	X	NA	X	NA	X	NA	X	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X

- X** ATTENDED MEETING
- ABSENT**
- NA** NOT ON COMMISSION
- X** NO MEETING

Resolution 07-17 – City of Greenwood Appointments & Assignments for 2017

Be it resolved that the city council of Greenwood, Minnesota approves the following appointments for 03-01-17 through 01-03-18.

OFFICE & DESIGNATIONS	2016 HOLDER	2017 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, Bob Vose (alternate)	Mark Kelly, Bob Vose (alternate)
Attorney - Conduit Financing Projects	Jennifer Hanson	Jennifer Hanson
Attorney - Prosecutor	Greg Keller	Ken Potts
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,
Lake Minnetonka Conservation District (LMCD) Rep – 2nd and 4th Wed	Rob Roy (1/31/17)	Bill Cook (3yr term expires 1/31/20)
Marina Clerk	Dana Young	Dana Young
Minnetonka Community Education (MCE) Representative – 4th Mon	Bob Quam	Bob Quam
Newspapers	Sun-Sailor Finance & Commerce (alternate) Star Tribune (alternate)	Sun-Sailor Finance & Commerce (alternate) Star Tribune (alternate)
Planning Commissioners and City Council Liaison – 3rd Wed	A-1 Douglas Reeder (8/11-3/18)	A-1 Douglas Reeder (8/11-3/18)
	A-2 Lake Bechtell (5/14-3/18)	A-2 Lake Bechtell (5/14-3/18)
	A-3 Fiona Sayer (8/14-3/18)	A-3 Fiona Sayer (8/14-3/18)
	B-1 Pat Lucking (2/01-3/17)	B-1 Pat Lucking (2/01-3/19)
	B-2 Kristi Conrad (10/11-3/17)	B-2 Jennifer Gallagher (9/16-3/19)
	Alt-1 Jennifer Gallagher (9/16-3/18)	Alt-1 David Steingas (10/16-3/18)
	Alt-2 David Steingas (10/16-3/17)	Alt-2 Vacant (___-3/19)
	Alt-3 Bill Cook (council liaison)	Alt-3 Kristi Conrad (council liaison)
Public Safety City Administrator Representative (police and fire)	Dana Young	Dana Young
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 1st day of March, 2017.

There were ___ AYES and ___ NAYS

By: _____
Debra J. Kind, Mayor, City of Greenwood

Attest: _____
Dana H. Young, City Clerk, City of Greenwood



Agenda Number: 9A

Agenda Date: 03-01-17

Prepared by Deb Kind

Agenda Item: Lake Minnetonka Communications Commission JPA Amendment

Summary: Per the attached letter for Jim Lundberg, Operations Manager of the LMCC, the LMCC Commission is recommending approval of the attached Joint Powers Agreement amendment. The amendment is designed to protect member cities and their cable subscribers should an existing member chose to leave the LMCC. The amendment states that the withdrawing city is responsible for all LMCC costs incurred when a member city leaves the LMCC.

Council Action: Council action required. Potential motions ...

1. I move the council (1) approves the Lake Minnetonka Joint Powers Agreement amendment which reads as follows: "Section X 4A Withdrawing Member Responsibilities: A Member withdrawing from the Commission shall be responsible for any costs incurred as a result of such Member's withdrawal. This includes, but is not limited to, any costs incurred by a franchised cable operator for reconfiguration of its cable system in order to keep airing the LMCC's community programming channels as required by the franchise." And (2) directs the city clerk to send a copy of this motion to Jim Lundberg, Operations Manager of the LMCC.
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

To: All LMCC Member Cities
From: Jim Lundberg, Operations Manager LMCC
Date: 2/14/17
Reason: Amendment to the LMCC Joint Powers Agreement

DEEPHAVEN

At last week's 2/9/17 LMCC Commission meeting the group unanimously approved an amendment to our current JPA. The amendment updates Section X regarding withdrawing member cities.

EXCELSIOR

GREENWOOD

The amendment, which is attached, is designed to protect LMCC Member Cities and their subscribers should an existing Member chose to the leave the Commission. Basically, it says that if a City chooses to leave, that the City would be responsible for any costs incurred by the LMCC when they leave.

INDEPENDENCE

LONG LAKE

The main concern currently, is the costs associated with rebuilding Mediacom's cable plant to allow our channels to only be viewed by residents of Member Cities, due to the fact that existing cabling is not bound by each City's boarders.

LORETTO

MAPLE PLAIN

I ask that you add this amendment to your agenda of an upcoming City Council meeting for action. Please get back to me with your Cities approval or disapproval by March 15th, 2017.

MINNETONKA
BEACH

Of course, please feel free to contact me if you have any questions regarding this amendment.

ST. BONIFACIUS

Thank you and have a great day!

SHOREWOOD

SPRING PARK

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

WOODLAND

Section X:

4A: Withdrawing Member Responsibilities:

A Member withdrawing from the Commission shall be responsible for any costs incurred as a result of such Member's withdrawal. . This includes, but is not limited to, any costs incurred by a franchised cable operator for reconfiguration of its cable system in order to keep airing the LMCC's community programming channels as required by the franchise.



Agenda Number: 9B

Agenda Date: 03-01-17

Prepared by Deb Kind

Agenda Item: LMCD Harvesting of St. Alban's Bay Floating Weeds

Summary: As a result of the St. Alban's Bay Lake Improvement District's (SABLID) successful bay-wide treatment for non-native Eurasian watermilfoil and curly-leaf pondweed, the city requested that Lake Minnetonka Conservation District (LMCD) harvesters focus efforts on other parts of the lake and not bring harvesters into St. Alban's Bay.

For the past couple of summers, native water buttercup and wild celery have flourished and become a nuisance when they detach from the lake bottom and become floating masses on St. Alban's Bay. Theories as to possible causes include:

1. Early spring weather increases the growing season for natives to flourish.
2. There is more habitat for natives to flourish now that non-natives are controlled.
3. The popularity of wake surfing disturbs the lake bottom and dislodges the shallow root structure of water buttercup and wild celery.

The SABLID has the authority to manage non-native aquatic invasive species, but it does not have the authority to manage native species like water buttercup and wild celery. The consensus of the SABLID board and district members in attendance at the Annual Meeting last fall was that there is no interest in stopping bay-wide treatment and going back to the days when Eurasian watermilfoil dominated the bay. Therefore, the SABLID board has asked the city to consider requesting the return of LMCD harvesters to St. Alban's Bay.

At the 11-02-16 council meeting, the city council consensus was that St. Alban's Bay should be put on the Lake Minnetonka Conservation District's schedule for harvesting during the summer of 2017 and asked that Councilman Roy look into what is needed to get on the schedule. Since Councilman Roy did not run for reelection and is no longer on the council, the council needs to determine the best course for future action. Below are motions that lay out a couple options for the council's consideration.

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

1. I move the council directs the city's current LMCD board member Councilman Bill Cook to request the return of LMCD harvesters to St. Alban's Bay.
2. I move the council directs the mayor to write a letter on behalf of the city council to the LMCD board to request the return of LMCD harvesters to St. Alban's Bay.
3. Do nothing or other motion ???



Agenda Number: 9C

Agenda Date: 03-01-17

Prepared by Deb Kind

Agenda Item: Annual Contribution for St. Alban's Bay Aquatic Invasive Species Treatment

Summary: The city's 26 dock slips are located on St. Alban's Bay, so each year the city council authorizes a contribution from the city's marina fund for bay-wide treatment of aquatic invasive species in St. Alban's Bay. The 2017 city budget includes a \$2500 contribution from the marina fund for this purpose.

Council Action: None required. Possible motions ...

1. I move the council approves disbursement of \$2500 from the marina fund for St. Alban's Bay aquatic invasive species treatment and directs the city treasurer to send the funds to the St. Alban's Bay Lake Improvement District, managers of the treatment program.
2. Other motion ???



Agenda Number: 9D

Agenda Date: 03-01-17

Prepared by Deb Kind

Agenda Item: Request for Proposals for Weed Removal at City Docks

Summary: In June 2016, the city council contracted with Life's A Beach to clean up loose weeds along the shore by the city docks 4 times during the season for a cost of \$600. As the season progressed the amount of loose weeds became overwhelming, so the city council authorized Life's A Beach to engage in additional removals. In 2016, the total cost for removal of weeds was \$3590. In 2017, the city council may wish to consider engaging a company who can provide the best "per 6cf wheelbarrow" rate vs guessing how many clean-up sessions are needed.

Council Action: None required. Possible motions ...

1. I move the council directs the city clerk to secure bids for a "per 6cf wheelbarrow" rate for ongoing removal of loose weeds that accumulate along the shore by the city docks.
2. Do nothing or other motion ???



Agenda Number: **11A-E**

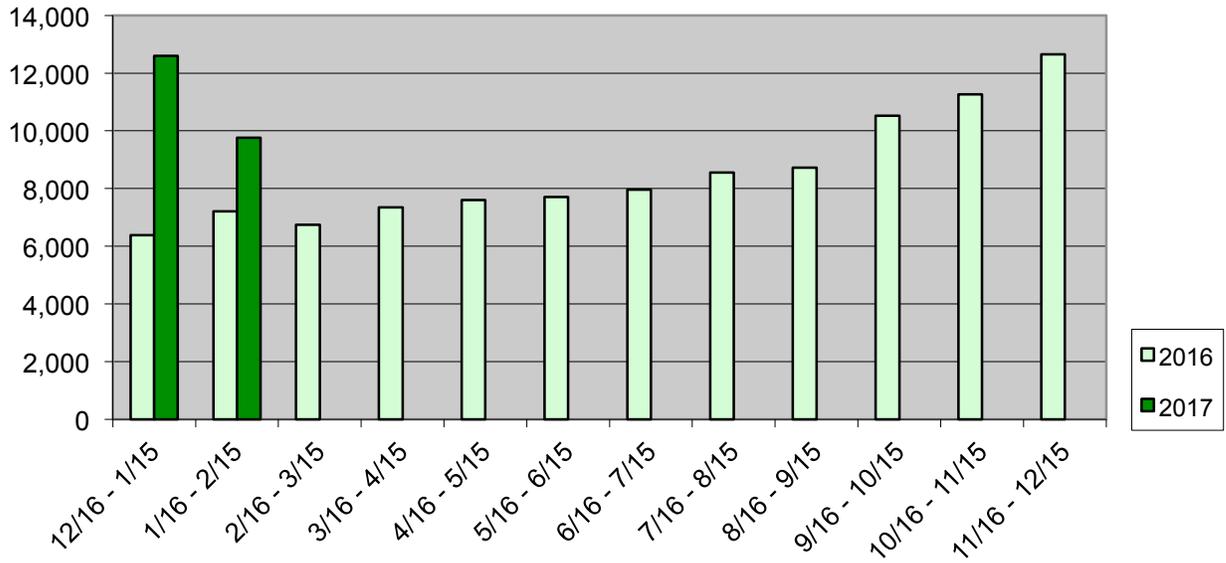
Agenda Item: Council Reports

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.

City of Greenwood
Website Total Hits



Month	2016	2017	Variance with Prior Month	Variance with Prior Year	Bulk Email List
12/16 - 1/15	6,382	12,599	-48	6,217	161
1/16 - 2/15	7,209	9,758	-2,841	2,549	160
2/16 - 3/15	6,741		-9,758	-6,741	
3/16 - 4/15	7,351		0	-7,351	
4/16 - 5/15	7,603		0	-7,603	
5/16 - 6/15	7,711		0	-7,711	
6/16 - 7/15	7,962		0	-7,962	
7/16 - 8/15	8,555		0	-8,555	
8/16 - 9/15	8,719		0	-8,719	
9/16 - 10/15	10,528		0	-10,528	
10/16 - 11/15	11,261		0	-11,261	
11/16 - 12/15	12,647		0	-12,647	
AVERAGE	8,556	11,179			

POPULATION: 693
EMAIL ADDRESSES % OF POPULATION: 23.09%

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	3946	40.44%
Welcome to Greenwood	623	6.38%
Agendas, Minutes, Meeting Packets	580	5.94%
RFPs & Bids	550	5.64%
City Departments	458	4.69%
Planning Commission	283	2.9%
Mayor & City Council	231	2.37%
Garbage & Recycling	191	1.96%
Comp Plan & Maps	165	1.69%
Assessments & Taxes	157	1.61%
Meetings on TV	153	1.57%
Code Book of Ordinances	152	1.56%
Budget & Finances	145	1.49%
Forms, Permits, Licenses	114	1.17%
Elections, Voting	113	1.16%
Agendas, Minutes, Meetings	107	1.1%
Meetings	101	1.04%
Community Surveys	96	0.98%
Spring Clean-Up Day	95	0.97%
Watercraft Spaces	91	0.93%
Recreation, Amenities	90	0.92%
Parks, Trails & Watercraft Amenities	84	0.86%
Photo Gallery	83	0.85%
Email Sign-Up	81	0.83%
	79	0.81%

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.

St. Alban's Bay Lake Improvement District		
Swiffers NOT Flushable	75	0.77%
Coyotes & Animal Services	72	0.74%
Emergency Preparedness	69	0.71%
Smoke Testing	69	0.71%
Sewer, Stormwater, Water, Garbage, Recycling	66	0.68%
Lake Minnetonka	64	0.66%
Public Safety Alerts	57	0.58%
Old Log Events	52	0.53%
Well Water	51	0.52%
Finances, RFPs, Taxes, Assessments	46	0.47%
Links	43	0.44%
City Newsletters	42	0.43%
Missing Section	41	0.42%
Fire Department	40	0.41%
Tree Contractors	36	0.37%
Tour de Tonka	35	0.36%
Luck O' the Lake	35	0.36%
News, Events	34	0.35%
July 4th	27	0.28%
Search Results	21	0.22%
---	10	0.1%
Unsubscribe	5	0.05%
TOTAL	9758	100%

Unique IPs by Section

Section	Unique IPs	Percent of Total IPs
Default Home Page	1724	40.77%
City Departments	336	7.95%
Welcome to Greenwood	298	7.05%
Agendas, Minutes, Meeting Packets	153	3.62%
Mayor & City Council	106	2.51%
Garbage & Recycling	88	2.08%
Comp Plan & Maps	88	2.08%
Planning Commission	85	2.01%
Meetings on TV	70	1.66%
Assessments & Taxes	66	1.56%
Code Book of Ordinances	62	1.47%
Budget & Finances	56	1.32%
Photo Gallery	55	1.3%
Elections, Voting	53	1.25%
Forms, Permits, Licenses	53	1.25%
RFPs & Bids	47	1.11%
Coyotes & Animal Services	42	0.99%
Agendas, Minutes, Meetings	42	0.99%
Watercraft Spaces	41	0.97%
Community Surveys	39	0.92%
Spring Clean-Up Day	37	0.87%
Recreation, Amenities	37	0.87%
Email Sign-Up	37	0.87%
Meetings	37	0.87%
Public Safety Alerts	37	0.87%
Emergency Preparedness	34	0.8%
Lake Minnetonka	34	0.8%
Parks, Trails & Watercraft Amenities	34	0.8%
St. Alban's Bay Lake Improvement District	34	0.8%
Old Log Events	30	0.71%
Well Water	30	0.71%
Finances, RFPs, Taxes, Assessments	29	0.69%

Fire Department	28	0.66%
Links	28	0.66%
Swiffers NOT Flushable	28	0.66%
Smoke Testing	27	0.64%
Sewer, Stormwater, Water, Garbage, Recycling	26	0.61%
City Newsletters	25	0.59%
Tree Contractors	25	0.59%
Tour de Tonka	23	0.54%
Missing Section	23	0.54%
Luck O' the Lake	23	0.54%
News, Events	19	0.45%
July 4th	15	0.35%
Search Results	13	0.31%
---	8	0.19%
Unsubscribe	4	0.09%
TOTAL	4229	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.



February 13, 2017

Minnehaha Creek Watershed District
Attn: Board of Managers
15320 Minnetonka Blvd
Minnetonka, MN 55345

SENT VIA EMAIL
admin@minnehahacreek.org

Re: Phosphorus Credit for Floating Weed Removal

Dear Lake Minnetonka Conservation District Board of Managers,

During the summer of 2016, the city of Greenwood engaged the services of Life's A Beach Shoreline Services to remove 228 6cf wheelbarrows heaped full of floating weeds (water buttercup and wild celery) from the city dock area located on St. Alban's Bay on Lake Minnetonka. Removed weeds were delivered to The Mulch Store for composting. Approximately 40 pounds of total phosphorus were removed from the lake according to the following equation:

$228 \text{ barrels} \times 6 \text{ cf per barrel} \times 1 \text{ pcf} \times .03 \text{ (plant material is 3\% TP)} = 40 \text{ pounds}$

The Greenwood city council would like the Minnehaha Creek Watershed District to give the city credit for at least 40 pounds of phosphorus reduction for this work and include the phosphorus reduction towards the watershed's goals.

We anticipate that we will remove a similar amount of weeds in 2017 and beyond. Please let us know if you would like us to provide a report of the amount of weeds removed each year.

Sincerely,

A handwritten signature in black ink that reads "Debra J. Kind". The signature is written in a cursive style.

Mayor Debra J. Kind
and the Greenwood City Council

CC: *City Engineer*

**GREENWOOD PLANNING COMMISSION
WEDNESDAY, FEBRUARY 15, 2017
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, Jennifer Gallagher, Doug Reeder (arrived at 7:05), Fiona Sayer, and David Steingas

Others Present: Councilmember Bill Cook, City Attorney Mark Kelly, and Zoning Administrator Dale Cooney

Absent: Council Liaison Kristi Conrad

2. MINUTES – December 21, 2016

Commissioner Bechtell moved to approve the minutes of December 21, 2016 as written. Commissioner Steingas seconded the motion. Motion carried 5-0.

3. PUBLIC HEARINGS

4. NEW BUSINESS

4a. Review Draft Ordinance Amending Sections 1115.00 through 1125.25 to Simplify and Regulate Residential Zoning Based on Lot Size.

Chairman Lucking introduced the agenda item. Lucking said that he had asked Cooney for a list of undeveloped lots within the city. Lucking said that he had attempted to calculate the setbacks for the vacant lots facing Highview Place based upon Mayor Kind's proposed formula. He said he chose these because they were corner lots. He said that many of the small lots are on Minnetonka Boulevard but that the proposed changes would impact someone's backyard.

Steingas asked if all of the vacant properties were assessed for sewer installation when it was originally installed. He said that, if they were, how the city could claim a lot was unbuildable.

Cook said that no lot should be considered unbuildable until it has been fully vetted via the city process. He said that he was not in favor of setbacks tied to the overall size of a lot, but preferred that the relevant dimension (width, or length) be the primary factor in determining the setback. Cook said that this is an investigative process at this point intended to collect information and gather input. He noted that the current shoreland ordinance also has some language that applies to zoning. Cook said that he hears the concerns of Lucking regarding the small vacant lots on Minnetonka Boulevard, but he said that the city has been charging taxes on these lots as if they were suitable residential properties. He said that he estimates that one-third of the lots within the city are non-conforming and that the goal of this ordinance was to make more lots conforming. He said that the shoreland language refers to lots as small as 4,500 square feet. He said that he would like something slightly larger and 5,500 square feet covers all the lots that he can find. He said that it would be hard to not allow building on the Minnetonka Boulevard sites since there are a number of residential lots that are smaller than those.

Lucking noted that the mayor's proposal had setbacks tied to lot size. Cook said that some lots are very skinny and are limited in what they can build, but might otherwise be large lots. He said that in those cases he would like to have the setbacks based on the width, not the lot size. Steingas said that, for example, a 100 foot wide lot

GREENWOOD PLANNING COMMISSION
WEDNESDAY, FEBRUARY 15, 2017
7:00 P.M.

might have 15 foot setbacks and they would be reduced as a percentage from that point. Cook agreed that was the concept.

Cook said that the city council was interested in increasing the hardcover percentages for some of the smaller lots.

Lucking asked about the concept of a taking. He said that if an undersized property had a house on it then the home could be rebuilt, but if it did not have a house on it then it could not be built on. Kelly said that he had not read the proposed ordinance or heard the city council discussion, but that broadly speaking he said that a reasonable use on the property would not allow it to be considered a taking. He said that the city code at the time of purchase is a factor. He said that a taking cannot have taken place until a variance has been applied for and denied for the expected use.

Lucking asked about the precedent for allowing a home on a smaller lot, if the city needed to allow similar sized lots the same rights or otherwise it could be considered a taking. Kelly said that the city has never told someone with an existing house that they cannot build on the lot. He said that he favors the variance process since it allows the neighborhood to be given notice and to be heard. He said that with the new code, there is still the right to request a variance and that it is only a matter of time before someone comes in to request a reduction from the proposed reduced setbacks.

Cook said that he still wants variances. He said that a variance is a negotiation. He said that there are a lot of 50 foot wide lots in the city and that variances are important. He said that one of the primary goals of the proposal was to allow for more normal houses on some of these smaller lots.

Kelly said that, with the expectation that there will be variance requests from the already narrow setback standards, the city should include some language related to minimum standards for health, safety, and welfare. He said that the point of the setback is to prevent the spread of fire and to allow access in the case of a fire. He said that there would need to be enough room to allow for proper drainage of the property. He said that many of these lots were platted for cabins and campsites, and were not necessarily envisioned for their current use.

Steingas asked about setback requirements in some of the other lake communities with small lots such as Tonka Bay. Kelly said that they have the same issues and that there setbacks are remarkably narrow, as narrow as 5 feet.

Steingas asked about Cook's most recent proposal that allows for a 15 foot front setback if there is a lake yard. Cook said that on some of the smaller lots, they are already being penalized with the 50 foot lake yard setback and that a smaller front yard setback would help accommodate the challenges for the lot. Steingas said that 15 feet is not enough to park a car. Cook said that is what we have now in many situations, but he conceded that in some cases people are parking within what is actually the city's right-of-way.

Reeder said that he has a 12,000 square foot lot and he does not like the idea of smaller lots. Lucking said that there are only a small number of undeveloped properties within the city and that it would not impact many lots.

Cook said that he viewed the situation differently and that all houses within the city are potential teardowns.

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Cooney asked if the purpose of the ordinance was to help set expectations on what might be built on a smaller lot before having to go through the time and expense of bringing fully-developed plans to the city for a variance. Cook said that it is partly an assessor question since they have a simple formula that does not reflect the value of the lot. He said that assessors value lakeshore lots based on lake frontage in a simplistic way.

Kelly suggested that there be a formula for a reasonable use to set minimum expectations on small lots including house footprint, garage, driveway, patio. Kelly said that anything beyond that could be considered an exceptional request. He said that the small lots should not be entitled to structures comparable to larger lots, otherwise they should have purchased a larger lot. Cook said that this concept was part of his proposal.

Bechtell said that he was lost trying to find the differences between the zoning districts. Kelly said that R-2 was created for Georgetown Manor. He said that R1-B came later for Oak Street and Lyman Lodge subdivisions.

Reeder asked why there was even a conversation about minimum lot size. He said that the lots are what they are, and there are not that many undeveloped lots, and that the only issues to address are setbacks and hardcover.

Cook said that the information about lot size was less about what is buildable, and more about setting the standards for setbacks and impervious area that go with each lot size category.

Reeder said that he agreed with the idea of eliminating the multiple zoning districts. Steingas said that he also liked the consolidation, but that the real challenge will be in working out the details. Bechtell agreed.

Cook said that people who think that the city is going to be able to tell them exactly what they can do on their lot will be disappointed, and they will likely show up at the planning commission asking for more. Kelly reiterated the idea of setting a minimum reasonable use in order to blunt these types of variance requests.

Cooney asked, for the record, if there were any objections from the planning commission on the broad outlines of the proposed ordinance. The consensus from the planning commission was that they supported the concept, but that working out the details will be difficult.

Bechtell said that the smallest undeveloped lots look to be about 7,500 square feet and that should be the minimum. Lucking said that is true but that the city cannot take away an existing lot. Kelly said that there is a distinction between the minimum lot size of 15,000 and the variable setback standards for undersized lots. Reeder said that the minimum lot size should still be 15,000 square feet, and the code is simply trying to accommodate existing, legal non-conforming smaller lots.

Lucking said that he liked the idea of including a minimum legal use for which no variance would be required. He asked why, if someone is building within an existing nonconforming footprint, does the city review variance requests since state law requires that the city allow them to rebuild within that footprint. Steingas said that in some cases, having a minimum standard would give people more than what they already have with their non-conforming house. Reeder said that was fine if they could meet the setback requirements of the new code. Steingas said it could be tricky with nonconforming houses that don't meet the setbacks.

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Sayer asked which lots are now buildable. Lucking said that most of the vacant lots might be buildable, except for those corner lots that have increased setbacks on two sides which would squeeze the buildable area.

5. LIAISON REPORT

Council Liaison Kristi Conrad was absent and therefore no liaison report was presented.

6. ADJOURN

Motion by Steingas to adjourn the meeting. Reeder seconded the motion. Motion carried 6-0. The meeting was adjourned at 8:31 p.m.

Respectively Submitted,
Dale Cooney - Zoning Administrator