

# MINUTES

## Greenwood City Council Meeting

Wednesday, December 6, 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

Members Absent: Councilman Bob Quam

Staff Members Present: City Zoning Administrator Dale Cooney

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

### 2. CONSENT AGENDA

A. Approve: 11-01-17 City Council Worksession & Regular Meeting Minutes

B. Approve: 11-02-17 Assessor Worksession Minutes

C. Approve: October Cash Summary Report

D. Approve: October Certificates of Deposit Report

E. Approve: November Verifies, Check Register, Electronic Fund Transfers

F. Approve: December Payroll Register

G. Approve: 2018 Licenses

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

### 3. MATTERS FROM THE FLOOR

A. None

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

A. None

### 5. PUBLIC HEARINGS

A. Truth in Taxation Hearing: Opportunity to Speak Regarding 2018 City Levy & Budget

**Motion by Fletcher that the city council opens the Truth in Taxation public hearing. Second by Cook. Motion passed 4-0.**

Even though he arrived after the public hearing was closed, the council heard comments from Ron Weseman 5165 Queens Circle who had questions about what he could do regarding his 16% tax increase. The council advised him that his only option at this point in the process is to contact the city assessor to evaluate his property value in hope that new assessor information would help him appeal to MN Tax Court. The council reminded Mr. Weseman that the time to appeal property values is in April of each year for taxes payable the following year. The date for 2018 property value appeals for taxes payable in 2019 will be 04-12-18 at 6pm.

**Motion by Cook that the city council closes the Truth in Taxation public hearing. Second by Fletcher. Motion passed 4-0.**

### 6. ACTION RELATED TO PUBLIC HEARINGS

A. Consider: Res 27-17 Final 2018 Tax Levy and Res 28-17 Final 2018 Budget

**Motion by Fletcher that the city council (1) adopts resolution 27-17 approving the 2018 tax levy in the amount of \$637,879 to be collected in 2018 and directs the city clerk to send the information to Hennepin County; and (2) adopts resolution 28-17 approving the 2018 general fund budget in the amount of \$766,184. Second by Cook. Motion passed 4-0.**

### 7. PLANNING & ZONING ITEMS

A. Consider: Res 25-17 & Res 29-17 Findings for Variance Application, Laura & Lloyd Ness, 5500 Maple Heights Rd

**Motion by Cook that the city council adopts resolution 25-17 laying out the findings of fact APPROVING the variance requests for a deck that encroaches into the north and south side yard setbacks and exceeds**

the maximum permitted impervious area for the property. I further move that the council directs the city clerk to mail a copy of the findings to the applicant and the DNR, and place an Affidavit of Mailing for each of the mailings in the property file. Second by Kind. Motion passed 4-0.

**Motion by Cook that the city council adopts resolution 29-17 laying out the findings of fact APPROVING the variance request for an enclosed porch that encroaches into the south side yard setback. I further move that the council directs the city clerk to mail a copy of the findings to the applicant and the DNR, and place an Affidavit of Mailing for each of the mailings in the property file. Second by Kind. Motion passed 3-1 with Conrad voting nay. Note: Fletcher voted nay for the verbal findings at the 11-01-17 meeting, but voting aye to formally adopt the written findings in order to not be an obstructionist to approving the findings in Quam's absence.**

- B. Consider Res 30-17, Findings for Variance Application, David & Kimberly Barry, 21550 Excelsior Blvd.

**Motion by Fletcher that the city council adopts resolution 30-17 laying out the findings of fact APPROVING the variance requests of David and Kimberly Barry to encroach 13 feet, 4 inches from the minimum required lake yard setback for the proposed garage addition, encroach 30 inches into the minimum required front and lake yard setback for the garage eaves, to increase the total impervious area on the property by 138 square feet for the property at 21550 Excelsior Boulevard, with amendments as discussed. I further move that the council directs the city clerk to mail a copy of the findings to the applicant and the DNR, and place an Affidavit of Mailing for each of the mailings in the property file. Second by Conrad. Motion passed 4-0.**

- C. 2nd Reading: Ord 272, Amending Code Section 630 Regarding Right-of-Ways and Small Wireless Facilities & Res 26-17, Summary of Ord 272 for Publication

**Motion by Fletcher that the city council (1) approves the 2nd reading of ordinance 272 amending the city's right-of-way ordinance section 630 to regulate public rights-of-way and to provide for the issuance and regulation of right-of-way permits as written; (2) approves resolution 26-17 a summary of ordinance 272 for publication; and (3) directs that resolution 26-17 be submitted to the Sun-Sailor for publication. Second by Cook. Motion passed 4-0.**

- D. Consider: Sending Potential Lot-Size Ordinance to Planning Commission for Public Hearing and Recommendation  
**The consensus of the council was to continue this item to the February council agenda.**

## 8. UNFINISHED BUSINESS

- A. Consider: Amendments to St. Alban's Bay Lake Improvement District Joint Cooperation Agreement

**The consensus of the council was to continue this item to the April council agenda.**

## 9. NEW BUSINESS

- A. Consider: Potential Replacement of Sewage Pump Station

**Councilman Cook clarified that the request was regarding a sewage pump, not a much more costly station. The consensus of the council was to have the public works department take care of replacing essential sewer pumps and parts as appropriate and that no prior council approval is needed.**

- B. Consider: 2017 Budget Line Item Adjustments and Fund Transfers

**Motion by Fletcher that the city council approves the following budgeted 2017 fund transfers:**

- a. **\$3,730** from 605-49300-721 Marina Fund Transfer Out to 101-39200 General Fund for Administrative Expense Reimbursement
- b. **\$12,500** from 605-49300-720 Marina Fund Transfer to 101-39201 General Fund
- c. **\$10,090** from 602-43200-720 Sewer Fund Transfer Out to 101-39202 General Fund for Administrative Expense Reimbursement
- d. **\$2,573** from 502-43200-720 Stormwater Fund Transfer Out to 101-39203 General Fund for Administrative Expense Reimbursement
- e. **\$20,000** from 101-49000-500 General Fund Bridge Transfer to 403-39200 Bridge Fund

**and further move that the council approves the following 2017 fund transfer to “repay” the Sewer Fund:**

- f. **\$20,000** from 502-43200-720 Stormwater Interfund Transfer Out to 602-34405 (new number) Sewer Fund Interfund Transfer In

**Second by Cook. Motion passed 4-0.**

- C. Discuss: Planning Review Concept

**The consensus of the council was to continue this item to the January council agenda.**

- D. Discuss: Aquatic Invasive Species Prevention

**The consensus of the council was for Mayor Kind to send a letter on behalf of the city council to the Lake Minnetonka Conservation District Board to express Greenwood's support for the LMCD to be more aggressive in monitoring and responding to new aquatic invasive species threats in Lake Minnetonka.**

## 10. OTHER BUSINESS

- A. None

## 11. COUNCIL REPORTS

- A. Conrad: Planning Commission

**No report, since planning commission items were discussed during the meeting.**

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

**The consensus of the council was to consider an amendment to the nuisance ordinance to address property owner changes that affect stormwater runoff onto adjacent properties.**

- C. Fletcher: Lake Minnetonka Communications Commission, Fire, Administrative Committee

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

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

**Motion by Fletcher to authorize Mayor Kind to write a letter on behalf of the city council to the Hennepin County Commissioners opposing the proposed budget amendment that affects Crime Lab services. Second by Conrad. Motion passed 4-0.**

**Motion by Kind to set 04-12-18 at 6pm in the Deephaven City Council Chambers as the date, time, and place for the Local Board of Appeal & Equalization meeting. Second by Cook. Motion passed 4-0.**

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

**No report since Quam was not at the meeting.**

## 12. ADJOURNMENT

**Motion by Kind to adjourn the meeting at 9:20pm. Second by Conrad. Motion passed 4-0.**

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