

MINUTES

Greenwood City Council Meeting

Wednesday, October 3, 2018

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 Kristi Conrad, Tom Fletcher

Members Absent: Councilmembers Bob Quam, Bill Cook

Staff Members Present: City Zoning Administrator Dale Cooney, City Engineer Dave Martini

Motion by Kind to approve the agenda with the change to add Sheriff Stanek's presentation as item 4AA. Second by Conrad. Motion passed 3-0.

2. CONSENT AGENDA

A. Approve: 09-05-18 City Council Worksession Minutes

B. Approve: 09-05-18 City Council Meeting Minutes

C. Approve: Aug Cash Summary Report

D. Approve: Aug Certificates of Deposit Report

E. Approve: Sep Verifieds, Check Register, Electronic Fund Transfers

F. Approve: Sep Payroll Register

G. Approve: 2019 Liquor License

2G consent agenda motion by Kind that the council approves the 2019 On Sale and Sunday Liquor License for Mayette Enterprises, LLC. Second by Fletcher. Motion passed 3-0.

Motion by Kind to approve the consent agenda items A-G. Second by Fletcher. Motion passed 3-0.

3. MATTERS FROM THE FLOOR

Luba Parsons, 4945 Sleepy Hollow Road, stated that (1) the city culvert near her property is not working anymore and that the grate at the end of the culvert is blocked and creating a mess, (2) her neighbor's driveway has a culvert that directs water to her property.

David Steingas, 21500 Fairview Street, stated that he believes the recently installed curb at the corner of Minnetonka Blvd and Sleepy Hollow Road has dramatically increased the problem for the Parsons' property.

Judy Gregg, 21280 Minnetonka Blvd, stated that her property has experienced water problems caused by new construction.

Council and staff response: The city engineer will contact public works to clean out the culvert and grate area. The council will consider including a stormwater project for Sleepy Hollow Road area in 2019.

4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS

AA. Sheriff Stanek, Hennepin County Sheriff's Office Update

No council action taken. View the presentation at LMCC-TV.org.

A. City Engineer Dave Martini: 2018 Projects, 2040 Comp Plan Surface Water Management Plan

Motion by Kind that the city council approves the \$54,655 bid from Valley Paving and authorizes up to \$60,000 from the Road Fund to be spent on the a mill and overlay and related work on Minnetonka Blvd between the St. Albans Bay Bridge and Meadville Street. Second by Conrad. Motion passed 2-1 with Fletcher voting nay.

Motion by Fletcher that the city council directs the zoning administrator to follow up to make sure rules regarding grease traps are being followed and report back to Councilman Fletcher. Second by Conrad. Motion passed 3-0.

David Steingas, 21500 Fairview Street, stated that Hennepin County requires inspections from the Health Department.

- B. Announcement: League of Women Voters' Candidate Meet & Greet, 10-16-18, 5-8pm, Southshore Community Center, 5735 Country Club Rd, Shorewood, MN 55331
No council action taken. View the announcement at LMCC-TV.org.

5. PUBLIC HEARINGS

- A. Public Hearing: Delinquent Sewer, Stormwater, and Recycling Charges

Motion by Fletcher that the city council opens the public hearing regarding delinquent sewer, stormwater, and recycling charges. Second by Conrad. Motion passed 3-0.

No one spoke during the public hearing.

Motion by Conrad that the city council opens the public hearing regarding delinquent sewer, stormwater, and recycling charges. Second by Fletcher. Motion passed 3-0.

6. ACTION RELATED TO PUBLIC HEARINGS

- A. Consider: Res 25-18, Delinquent Accounts

Motion by Fletcher that the city council approves resolution 25-18 and the assessment roll presented at the council meeting for delinquent sewer, stormwater, and recycling charges. Second by Conrad. Motion passed 3-0.

7. PLANNING & ZONING ITEMS

- A. Consider: Res 26-18, Variance Findings of Fact, Marcia & Jeffrey Fetters, 21200 Minnetonka Blvd

Jeffrey Fetters, 5100 Meadville Street (applicant) and owner of the property at 21200 Minnetonka Blvd, stated (1) the property has only 9% hardcover, (2) the property is on a hill and that water has always gone down the hill and pooled at the bottom, (3) the majority of the water comes through his neighbor's property and under the corner of the fence, (4) he does not believe it is his responsibility to mitigate all of the water that comes on to his property, (5) he does not want to have a deep, unsafe raingarden in the front yard, (6) he believes that his newly installed mitigation strategies are working. Mr. Fetters also distributed photos.

Tom Bren, Independence, MN (builder), stated (1) that properties that are well below the allowed hardcover should not have to add stormwater mitigation to their plans, (2) that he would like the city council to consider amending the ordinance.

George Loomis, 4920 Woods Court, stated (1) that the applicant has shown no hardship to grant them a pass to not abide by the city's stormwater rules, (2) that he is skeptical of whether it is possible for an engineer to determine before and after runoff conditions, now that the original smaller home has been removed.

David Steingas, 21500 Fairview Street, stated that he supports the variance request because the small size of the original house and lack of a previous driveway is a hardship.

Motion by Fletcher that the city council directs city staff to exercise the city's option to take 60 additional days to process the variance application of Marcia and Jeffrey Fetters, 21200 Minnetonka Boulevard, by mailing written notice and placing an Affidavit of Mailing in the property file. The written notice shall state the reason for the extension is because the applicants request that we hold off and give them a bit more time to look at engineering and review their plans. Second by Conrad. Motion passed 3-0.

- B. 2nd Reading: Ord 279, Updating Chapter 11 Residential Zoning Regulations
Res 19-18, Summary of Ord 279 for Publication

Motion by Fletcher that the city council (1) approves the 2nd reading of ordinance 279 amending zoning code chapter 11 to simplify residential zoning regulations dated 09-23-18 as written; (2) approves resolution 19-18 a summary of ordinance 279 for publication; and (3) directs the ordinance be submitted to the Sun-Sailor for publication. Second by Conrad. Motion passed 3-0.

- C. 1st Reading: Ord 281, Amending Section 1140.17, Stormwater Management

Motion by Fletcher that the city council (1) approves the first reading of ordinance 281 amending the city's zoning code section 1140.17 regarding stormwater management as written; (2) waives the second reading; and (3) directs staff to submit ordinance 281 to the Sun-Sailor for publication. Second by Conrad. Motion passed 3-0.

- D. 1st Reading: Ord 282, Amending Section 1140.19, Grading

David Steingas, 21500 Fairview Street, stated that he supports grading ordinance changes that mirror what Deephaven does.

Motion by Fletcher that the city council continues discussion of the grading ordinance to the November council meeting to allow for more council input. Second by Conrad. Motion passed 3-0.

8. UNFINISHED BUSINESS

A. None

9. NEW BUSINESS

A. 1st Reading: Ord 284, Amending Section 510, Fees

Motion by Fletcher that the city council (1) approves the 1st reading of ordinance 284 amending chapter 5 fees as written; (2) waives the 2nd reading; and (3) directs the ordinance be sent to the Sun-Sailor for publication. Second by Conrad. Motion passed 3-0.

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, St. Alban's Lake Improvement District

No report since Cook was not at the meeting.

View discussion at LMCC-TV.org.

C. Fletcher: Lake Minnetonka Communications Commission, Fire, Administrative Committee, League of Minnesota Cities Committee

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

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

Motion by Fletcher that the city council authorizes Councilmembers Conrad and Cook to make changes to the no-parking signs located on Meadville Street near the Old Log Theatre. Second by Kind. Motion passed 3-0.

The consensus of the council was that the mayor should contact Three Rivers Park District to research the possibility of installing "bike calming" posts on the LRT trail at the Meadville Street crossing.

View discussion at LMCC-TV.org.

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 10:45pm. Second by Conrad. Motion passed 3-0.

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).