

MINUTES

Greenwood City Council Meeting

Tuesday, July 7, 2020

Via Zoom Video-Conferencing Technology



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, Bill Cook, Tom Fletcher, Rob Roy

Members Absent: None

Staff Members Present: City Zoning Administrator Pat Smith, City Attorney Bob Vose (arrived at 9:30pm)

Motion by Kind to approve the agenda. Second by Conrad. Motion passed 5-0 on a roll-call vote.

2. CONSENT AGENDA

A. Approve: 06-01-20 City Council Emergency Meeting Minutes

B. Approve: 06-03-20 City Council Meeting Minutes

C. Approve: 06-03-20 City Council Worksession Minutes

D. Approve: 06-18-20 City Council Worksession Minutes

E. Approve: 06-18-20 City Council Special Meeting Minutes

F. Approve: May Cash Summary Report

G. Approve: May Certificates of Deposit Report

H. Approve: Jun Verifies, Check Register, Electronic Fund Transfers

I. Approve: Jul Payroll Register

J. Approve: 2nd Reading, Ord 298 Amending Zoning Ordinance re: Construction Hours

K. Approve: Res 20-20 Appointing Election Judges and Absentee Ballot Board

L. Approve: Res 21-20 Designation of Polling Place

M. Approve: Liability Coverage Waiver Form

N. Approve: Excelsior Dock Patrol

Consent Agenda Motion: Motion by Kind that the Greenwood city council approves the plan for South Lake Minnetonka Police Department to provide 2020 park and dock patrol services for the city of Excelsior. Second by Roy. Motion passed 5-0 on a roll-call vote.

Motion by Kind to approve the consent agenda. Second by Roy. Motion passed 5-0 on a roll-call vote.

3. MATTERS FROM THE FLOOR

Keith Steussi, 5000 Meadville Street, asked about the outcome of Cook's and Kind's County Board of Appeal and Equalization property value appeals and asked for the documents from the Local Board action. Council response: Cook came to an agreement with the assessor. Kind has not received results of the CBAE's decision yet. Kind will email LBAE action documents to Steussi.

4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS

A. City Engineer Dave Martini: Discuss 2020 Engineering Projects

Motion by Cook that the city council authorizes the city engineer to prepare plans and secure bids for the following projects: widening the Minnetonka Blvd city trail near Curve Street, Linwood Circle, curb on Meadville / Fairview curve, and misc. patching for a total cost not to exceed \$160,000. Second by Kind. Motion passed 4-1 on a roll-call vote with Fletcher voting nay.

B. Announcement: Budget & Fees Worksession, 6:30pm, 08.05.20 (before the regular council meeting)

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

5. PUBLIC HEARINGS

A. None

6. ACTION RELATED TO PUBLIC HEARINGS

A. None

7. PLANNING, ZONING & SUBDIVISION ITEMS

A. Consider: Res 19-20, Variance Findings, Colin Sievers, 5270 Meadville Street

Colin Sievers, 5270 Meadville Street, and architect Tammy Magney stated that their objective was to construct a home that is modest in size, compatible with the neighborhood, and that their variance requests were consistent with other recent variances that have been granted in the area. They also stated they were considering the idea of installing a green roof.

Maureen Burns, 5080 Meadville Street, asked if the project is compliant with the 50ft lake yard setback requirement. Council response: Yes.

Mike Kroening, 5260 Meadville Street, questioned the measurement of the wall height. Council response: The code definition of "wall height" references measuring from the building perimeter grade. Therefore, only walls that are on the perimeter of the structure are subject to the wall height requirement. This is something the council will look at revising in the future.

Motion by Fletcher that the city council adopts resolution 19-20 laying out the findings of fact APPROVING the variances with revisions as discussed, directs the city clerk to mail a copy of the findings to the applicant and DNR, and place an Affidavit of Mailing for each of the mailings in the property file. Second by Cook. Motion passed 5-0 on a roll-call vote.

B. Discuss: Potential Amendments to Small Cell Wireless Ordinance

Motion by Kind that discussion of the potential Small Cell Wireless Ordinance be continued to the 08-05-20 city council meeting. Second by Roy. Motion passed 5-0 on a roll-call vote.

C. Discuss: Potential Changes to Impervious Surface Definition

No council action taken.

8. UNFINISHED BUSINESS

A. None

9. NEW BUSINESS

A. Discuss: Use of Meadville Fire Lane (between 5130 and 5120 Meadville Street)

Jan Gray, 5170 Meadville Street, supports enhancing the fire lane to make it clear it is for the public to enjoy. The current shrubs are old and tired. Supports demarcation showing where the public and private line is.

Audrey Rudberg, 5120 Weeks Road, supports making the fire lane clear that it is open to the public. She enjoys reading a book and watching the sunset at the other Meadville fire lane (boat launch). She had no idea there was a 2nd fire lane on Meadville that was open to the public.

Maureen Burns, 5080 Meadville Street, supports keeping the fire lane for safety access to the lake and adjacent homes. She also would like to make sure the neighbor's dock is not encroaching into the required dock setback area.

Joe Fronius, 5140 Meadville Street, supports making the fire lane more inviting for the public.

Mark Krezowski, 5130 Meadville Street, shared a history of the fire lane, stated that he and his wife have maintained the fire lane, would like a reasonable level of privacy, and does not want any changes that would reduce his property value. He also would like the city to maintain the drainage swale.

Bob Jasper, 5120 Meadville Street, stated that he likes the fire lane the way it is and appreciates the efforts of the neighbors to beautify the area. Does not support installing a bench that would require maintenance.

Written comments also were received from Brian & Trisha Burdick (4950 Sleepy Hollow Rd), Jean Gray (5180 Meadville Street), and Judith & Richard Spiegel (5090 Meadville Street) supporting the public use of the fire lane.

Motion by Fletcher that the city council authorizes removal of the northern two shrubs. Second by Conrad. Motion passed 3-2 on a roll-call vote with Cook and Roy voting nay.

- B. Discuss: Minnehaha Creek Watershed District Capital Improvement Plan

Motion by Kind that the city council authorizes the mayor to send a letter on behalf of the city council that includes content shared by Fletcher. Second by Roy. Motion passed 5-0 on a roll-call vote.

10. OTHER BUSINESS

- A. None

11. COUNCIL REPORTS

- A. Conrad: Planning Commission

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

- B. Cook: Lake Minnetonka Conservation District, Public Works Committee, St. Alban's Lake Improvement District

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

- C. Fletcher: LMCC, Fire, Administrative Committee, Metro Cities, League of MN Cities

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

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

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

- E. Roy: Minnetonka Community Education

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

12. CLOSED SESSION

- A. Meeting with City Attorney Bob Vose re: Land Title Application for Registration of Land, Excelsior Entertainment, LLC

Motion by Cook that the city council convenes a Closed Session at 10:02pm pursuant to Minn. Stat. 13D.05 Subd. 3(b) for Attorney-Client Privilege to discuss a Land Title Application for Registration of Land from Excelsior Entertainment, LLC. Second by Conrad. Motion passed 5-0 on a roll-call vote.

Motion by Kind that the city council comes out of the Closed Session at 10:48pm. Second by Cook. Motion passed 5-0 on a roll-call vote.

13. ADJOURNMENT

Motion by Cook to adjourn the meeting at 10:49pm. Second by Fletcher. Motion passed 5-0 on a roll-call vote.

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 at lmcc-tv.org for 1 year.