

AGENDA

Greenwood City Council Meeting

7pm, Wednesday, August 5, 2020

The meeting will be held by Zoom video-conferencing technology.

Use this link to join the meeting ...

<https://us02web.zoom.us/j/86984807321?pwd=ekFHOFJUanJvM1VGdnViZUFacHpMQT09>

If you would like to test Zoom prior to the meeting, feel free to login early. If you have trouble with Zoom, call Councilman Fletcher at 952.224.5550.



Worksession

In accordance with open meeting laws, the worksession is open to the public to view, but there will be no opportunity for public participation.

- 6:30pm 1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA
- 6:30pm 2. Discuss 2021 City Budget and Fees
- 6:55pm 3. ADJOURNMENT

Regular Meeting 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
- 7:01pm 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: 07-07-20 City Council Meeting Minutes
- B. Approve: 07-07-20 City Council Worksession Minutes
- C. Approve: 07-20-20 City Council Worksession Minutes
- D. Approve: Jun Cash Summary Report
- E. Approve: Jun Certificates of Deposit Report
- F. Approve: Jul Verifieds, Check Register, Electronic Fund Transfers
- G. Approve: Aug Payroll Register
- H. Approve: Adoption of NFPA 96 Annex B, Mobile and Temporary Cooking Operations

- 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. Police Chief Mike Meehan: Police Update and 2021 Budget
 - B. Fire Chief Mackey: 2021 Excelsior Fire District Budget
 - C. City Engineer Dave Martini: 2021 Engineering Projects

- NONE 5. PUBLIC HEARINGS

- NONE 6. ACTION RELATED TO PUBLIC HEARINGS

- 7:45pm 7. PLANNING, ZONING & SUBDIVISION ITEMS

- A. Consider: Res 07-20, Conditional Use Permit Findings (grading and retaining walls) Precision Builders, LLC for 21750 Byron Circle
- B. Consider: Res 18-20, CUP Amendment Findings (grading), Alvin McQuinn, 4900 Meadville Street
- C. Discuss: Potential Ordinance for Code Clean-Up (Building Perimeter Grade Definition, Wall Height Rules, Planning Commission Meeting Dates)

- NONE 8. UNFINISHED BUSINESS

- 8:30pm 9. NEW BUSINESS

- A. Consider: Funding Request from Excelsior - South Lake Minnetonka Chamber of Commerce
- B. Discuss: Potential Landscaping the City Right-of-Way by Greenwood Market / Arco
- C. Discuss: Potential Comments, Minnehaha Creek Watershed District's 5yr Capital Improvement Plan
- D. Discuss: Signage for Shuman Woods Park
- E. Discuss: Georgetown Manor Inspection and Res ___-20 Appointment of Building Official
- F. Consider: Contracts for 2021 City Services
- G. Discuss: Potential Comments, Lake Mtn Conservation District Proposed Deicing Rule Changes

- NONE 10. OTHER BUSINESS

- 9:30pm 11. COUNCIL REPORTS

- A. Conrad: Planning Commission
- B. Cook: LMCD, SABLID, Public Works Committee
- C. Fletcher: LMCC, Fire, Administrative Committee
- D. Kind: Police, Administrative Committee, Public Works Committee, Mayors' Meetings, Website
- E. Roy: Minnetonka Community Education

- 9:45pm 12. CLOSED SESSION

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

- 10:00pm 13. ADJOURNMENT



Worksession

Agenda Date: 08-05-20

Prepared by Deb Kind

Agenda Item: 2021 Budget & Fees

Summary: Attached is a draft of the 2021 city budget with recommendations from the administrative committee (Mayor Kind and Councilman Fletcher). The council will have the opportunity to discuss the draft at the 08-05-20 worksession prior to the regular council meeting. See below for the budget timeline.

Since the budget is related to fees, the city council also will discuss changes to the city's fee schedule at the August and September worksessions. Attached is a copy of the current fee schedule and a draft ordinance with proposed fee changes. Any fee changes must be done via an ordinance and must go into effect on January 1 of the following year.

Timeline for Budget:

- 08-05-20 City council reviews draft of preliminary budget at the worksession (may make revisions).
- 09-02-20 City council reviews revised draft of preliminary budget at the worksession (may make revisions).
- 09-02-20 City council approves the "preliminary" budget and tax levy amount for submission to the county. Once the preliminary tax levy amount has been reported to the county, the amount may be reduced, but it may not increase.
- 09-30-20 Deadline to submit "preliminary" budget and tax levy amount to the county.
- 12-02-20 City council holds the Truth-in-Taxation public hearing and approves the "final" budget and tax levy amount for submission to the county. The tax levy amount may be reduced from the preliminary amount, but it may not increase.

Timeline for Fee Ordinance:

- 10-07-20 City council considers 1st reading of the ordinance (may make revisions / may waive 2nd reading).
- 10-08-20 If the 2nd reading is waived, the ordinance is submitted to the Sun-Sailor for publication.
- 10-15-20 If the 2nd reading is waived, the ordinance is published in the Sun-Sailor on this date.
- 11-04-20 City council considers 2nd reading of the ordinance (may make revisions).
- 11-05-20 The ordinance is submitted to the Sun-Sailor for publication.
- 01-12-21 The ordinance is goes into effect on this date.

Council Action: No council action may be taken during a worksession.

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.

2021 Greenwood PRELIMINARY Budget

		2018	2019	2019	2020	2020	2021	%	% Total
		Actual	Actual	Budget	June YTD	Budget	Budget	Change	Budget
GENERAL FUND REVENUE									
1	TAXES								
2	101-31010 General Property Tax	636,002	623,542	637,825	210,172	636,492	636,122	-0.06%	
3	101-31020 General Property Tax - Delinquent	1,801	10,455	0	0	1,500	1,500	0.00%	
4	101-31040 Fiscal Disparities	2,272	3,149	3,200	0	2,000	2,000	0.00%	
5	101-31800 Surcharge Revenue	141	92	0	40	0	0	#DIV/0!	
6	101-31910 Penalties	62	97	0	3	0	0	#DIV/0!	
7		640,278	637,334	641,025	210,215	639,992	639,622	-0.06%	80.63%
8	LICENSES & PERMITS								
9	101-32110 Liquor & Cigarette Licenses	10,500	10,500	10,700	0	10,500	10,500	0.00%	
10	101-32180 Other Business Licenses / Permits (Rental, Commercial Marina, Garbage Hauler, Tree Contractor, Etc)	7,600	6,940	4,500	4,906	5,000	5,000	0.00%	
11	101-32210 Building Permits	54,947	55,213	30,000	25,284	30,000	40,000	33.33%	
12	101-32211 Electric Permits	3,268	5,392	4,000	993	4,000	4,000	0.00%	
13	101-32240 Animal Licenses	35	685	500	0	50	50	0.00%	
14		76,350	78,730	49,700	31,183	49,550	59,550	20.18%	7.51%
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.)	9,568	0	0	707	0	0	#DIV/0!	
18	101-33610 County Aid to Municipalities	1,758	2,062	1,700	0	1,700	2,000	17.65%	
19		11,326	2,062	1,700	707	1,700	2,000	17.65%	0.25%
20	PUBLIC CHARGES FOR SERVICES								
21	101-34103 Zoning & Subdivisions (Variances, Conditional Use Permits, Etc.)	10,300	12,300	6,000	4,450	6,000	8,000	33.33%	
22	101-34207 False Alarm Fee	0	0	0	0	0	0	#DIV/0!	
23	101-34304 Load Limit Fees	5,813	6,603	5,000	3,185	5,000	5,000	0.00%	
24	101-34409 Recycling Fees (2019: \$20 per quarter)	18,508	22,718	23,135	12,053	24,967	24,106	-3.45%	
25		34,621	41,621	34,135	19,688	35,967	37,106	3.17%	4.68%
26	FINES, FORFEITURES & PENALTIES								
27	101-35101 Court Fines	9,518	8,062	7,000	3,024	7,000	7,000	0.00%	0.88%
28									
29	INVESTMENT & MISCELLANEOUS INCOME								
30	101-36102 Investment Income	11,878	19,282	12,000	9,742	17,570	17,000	-3.24%	
31	101-36230 Misc. Income: Parking Permits, Civil Citations, Etc. (2017 includes Southshore Center Payout)	2,054	3,429	500	1,091	2,000	2,000	0.00%	
32		13,932	22,711	12,500	10,833	19,570	19,000	-2.91%	2.40%
33	OTHER FINANCING SOURCES								
34	101-39200 Interfund Operating Transfer: From Marina Fund	12,500	12,500	12,500	0	12,500	12,500	0.00%	
35	101-39201 Administration Expense Reimbursement: 10% of Marina Revenue	3,860	3,860	3,960	0	4,120	4,250	3.16%	
36	101-39202 Administrative Expense Reimbursement: 10% of Sewer Revenue	10,090	10,090	10,090	0	9,664	9,701	0.38%	
37	101-39203 Administrative Expense Reimbursement: 10% of Stormwater Revenue	2,573	2,573	2,573	0	2,532	2,537	0.20%	
38		29,023	29,023	29,123	0	28,816	28,988	0.60%	3.65%
39									
40	Total Revenue	815,048	819,543	775,182	275,650	782,595	793,266	1.36%	

2021 Greenwood PRELIMINARY Budget

		2018 Actual	2019 Actual	2019 Budget	2020 June YTD	2020 Budget	2021 Budget	% Change	% Total Budget
GENERAL FUND EXPENSES									
41	COUNCIL & PLANNING COMMISSION								
42	101-41100-103	Council Salaries (2020 Mayor \$470.98/mo, Council \$313.99/mo; 2021 \$472.86/mo, Council \$315.25/mo)	19,978	20,478	20,477	10,362	20,723	20,806	0.40%
43	101-41100-122	FICA Contributions (6.2%)	1,239	1,270	1,270	642	1,285	1,290	0.40%
44	101-41100-123	Medicare Contributions (1.45%)	290	297	297	150	300	302	0.40%
45	101-41100-371	Training / Conference Registration	0	0	1,000	0	1,000	500	-50.00%
46	101-41100-372	Meals / Lodging	185	138	175	0	175	175	0.00%
47	101-41100-433	Misc. (Dues, Subscriptions, Supplies, Etc.)	60	433	100	381	100	400	300.00%
48			21,752	22,615	23,319	11,535	23,583	23,473	-0.47%
49	ELECTIONS								
50	101-41200-103	Election Salaries (Part-Time Election Judge Salaries \$9 per hour)	1,544	0	0	731	1,700	0	-100.00%
51	101-41200-214	Operational Support - Forms (Ballots, Voter Reg. Rosters)	42	45	0	0	270	0	-100.00%
52	101-41200-319	Equipment Maintenance (County Agreement, \$187.50 x 2 Voting Machines, \$160 for Automark)	559	1,069	0	0	1,100	0	-100.00%
53	101-41200-372	Meals / Lodging (Election Judge Meals & Snacks)	295	0	0	0	300	0	-100.00%
54	101-41200-439	Misc. (Supplies, Postage, Public Notices, Etc.)	1,183	0	0	641	350	0	-100.00%
55			3,623	1,114	0	1,372	3,720	0	-100.00%
56	ADMINISTRATION								
57	101-41400-202	Duplicating (Council Packets, Etc.)	1,854	1,651	1,800	1,032	1,800	1,800	0.00%
58	101-41400-204	Stationary, Forms, Printing	1,142	1,145	1,000	191	1,000	382	-61.80%
59	101-41400-309	Professional Services - Other (ISP, Website, Email)	194	0	600	258	500	500	0.00%
60	101-41400-310	Clerk's Contract	39,918	38,794	42,720	25,505	44,002	0	-100.00%
		Deputy Administrator - Part-Time						12,000	
61	101-41400-311	Office Rent & Equipment (2017-2020 \$487.45 per month)	5,849	5,362	5,849	3,412	5,849	0	-100.00%
		Clerk, Counter Service, Physical Space						12,750	
62	101-41400-313	Professional Services (2019-2020: Civic Accounting, 2021: Quickbooks)	2,212	2,737	2,175	3,837	2,250	800	-64.44%
63	101-41400-322	Postage	1,111	961	1,000	689	1,000	1,000	0.00%
64	101-41400-351	Newspaper Legal Notices	1,447	918	1,000	179	1,000	1,000	0.00%
65	101-41400-439	Misc. (Equipment, Dog Tags, Meadville Launch Stickers, Etc.)	1,352	1,420	800	938	800	800	0.00%
66			55,077	52,988	56,944	36,040	58,201	31,032	-46.68%
67	ASSESSOR								
68	101-41500-309	Assessor - Hennepin County (\$19,000 for 2018-2020)	19,000	21,000	19,000	11,000	19,000	22,000	15.79%
69	101-41500-439	Assessor - Other (Public Notices, Processing, Tax Rolls)	175	0	600	107	400	400	0.00%
70			19,175	21,000	19,600	11,107	19,400	22,400	15.46%
71	LEGAL SERVICES								
72	101-41600-304	Legal Services - General	5,316	5,592	10,000	2,159	8,000	6,000	-25.00%
73	101-41600-308	Legal Services - Prosecution	4,800	4,400	4,800	2,400	4,800	4,800	0.00%
74	101-41600-309	Legal Services - Litigation	0	0	2,000	0	2,000	1,000	-50.00%
75			10,116	9,992	16,800	4,559	14,800	11,800	-20.27%

2021 Greenwood PRELIMINARY Budget

		2018 Actual	2019 Actual	2019 Budget	2020 June YTD	2020 Budget	2021 Budget	% Change	% Total Budget
76	AUDITING								
77	101-41700-301 Auditing (\$1000 for state auditor filing requirements)	1,000	1,000	1,500	0	1,000	1,000	0.00%	
78		1,000	1,000	1,500	0	1,000	1,000	0.00%	0.13%
79	GENERAL GOVERNMENT TOTAL	110,744	108,709	118,163	64,614	120,704	89,705	-25.68%	11.31%
80									
81	LAW ENFORCEMENT								
82	101-42100-310 Law Enforcement - Contract	191,201	196,011	196,011	100,089	200,179	208,652	4.23%	
83	101-42100-311 Police Side Building Facility (Based on Total Tax Capacity on County Website in July)	46,030	46,016	46,016	22,636	45,272	45,640	0.81%	
84	101-42100-439 Police Safety - Other (Jail, Court Overtime, Etc.)	3,958	394	1,500	448	1,500	1,500	0.00%	
85		241,189	242,421	243,527	123,173	246,951	255,792	3.58%	32.25%
86	FIRE								
87	101-42200-309 Fire Protection - Operations (2020: This number includes both operations and facilities)	79,930	85,268	85,268	43,891	148,549	157,887	6.29%	
88	101-42200-311 Fire Side Building Facility	61,405	61,166	61,166	30,383	0	0	#DIV/0!	
89		141,335	146,435	146,434	74,275	148,549	157,887	6.29%	19.90%
90	PUBLIC SAFETY TOTAL	382,524	388,856	389,961	197,448	395,500	413,679	4.60%	52.15%
91									
92	ZONING								
93	101-42400-308 Zoning Administration	5,973	6,560	7,000	5,586	7,000	8,000	14.29%	
94	101-42400-309 Public Notices	1,500	1,341	2,000	602	2,000	1,500	-25.00%	
95	101-42400-310 Building Inspections	33,429	35,308	23,460	11,315	23,460	30,360	29.41%	
96	101-42400-438 Misc. (County Recording Fees, State Bldg. Surcharge, etc.)	0	46	0	0	0	0	#DIV/0!	
97	ZONING TOTAL	40,902	43,256	32,460	17,503	32,460	39,860	22.80%	5.02%
98									
99	ENGINEERING								
100	101-42600-303 Engineering Fees - Misc.	4,490	4,244	3,000	3,845	4,500	4,500	0.00%	
101		4,490	4,244	3,000	3,845	4,500	4,500	0.00%	0.57%
102	UTILITIES & ROADS								
103	101-43100-381 S&R - Utility Services - Elec (Includes Siren Electric)	5,055	4,714	5,000	2,462	5,000	5,000	0.00%	
104	101-43100-409 Other - Road Repair & Maintenance (Public Works Repairs)	3,928	4,218	3,000	1,120	4,000	4,000	0.00%	
105		8,983	8,932	8,000	3,582	9,000	9,000	0.00%	1.13%
106	MAJOR ROAD IMPROVEMENTS								
107	101-43200-229 Major Road Improvements - Construction	0	0	0	0	0	0	#DIV/0!	
107	101-43200-303 Major Road Improvements - Engineering	0	0	0	0	0	0	#DIV/0!	
108	101-43200-500 Transfer to Road Improvement Fund	244,000	124,000	124,000	0	124,000	124,000	0.00%	
109	Note: Deephaven's 2017 road costs were 9% of their budget	244,000	124,000	124,000	0	124,000	124,000	0.00%	15.63%

2021 Greenwood PRELIMINARY Budget

		2018	2019	2019	2020	2020	2021	%	% Total
		Actual	Actual	Budget	June YTD	Budget	Budget	Change	Budget
110	PUBLIC WORKS								
111	101-43900-226 Signs	303	1,179	1,000	211	1,000	1,000	0.00%	
112	101-43900-312 Snow Plowing	22,869	20,778	18,000	9,726	18,540	18,540	0.00%	
113	101-43900-313 Trees, Weeds, Mowing	12,353	11,773	20,000	3,903	16,000	16,000	0.00%	
114	101-43900-314 Park & Tennis Court Maintenance	3,241	3,053	4,000	2,338	4,000	4,000	0.00%	
115	101-43900-315 Trail Snow Plowing (LRT and Tar Paths)	1,762	1,411	1,500	0	1,500	1,500	0.00%	
116		40,527	38,193	44,500	16,178	41,040	41,040	0.00%	5.17%
117	ROADS & PUBLIC WORKS TOTAL	297,999	175,369	179,500	23,605	178,540	178,540	0.00%	22.51%
118									
119	MISC. EXPENSES								
120	101-49000-310 Recycling Contract (2020 2.8% increase, 2021 2.94% increase)	24,287	23,345	24,739	13,870	24,967	25,701	2.94%	
121	101-49000-311 Spring Clean-Up Day	4,481	5,729	4,500	5,976	6,000	6,000	0.00%	
122	101-49000-369 League of Minnesota Cities Insurance Trust / Liability & Property	4,419	4,007	4,000	0	4,500	4,500	0.00%	
123	101-49000-370 League of Minnesota Cities Insurance Trust / Workers Comp	319	200	325	200	325	325	0.00%	
124	101-49000-433 Misc. Expenses	0		100	0	100	100	0.00%	
125	101-49000-435 League of Minnesota Cities	895	902	875	0	922	922	0.02%	
126	101-49000-436 Lake Minnetonka Conservation District	6,816	7,090	7,090	3,539	7,077	7,335	3.65%	
127	101-49000-437 July 4th Fireworks & Parade (\$1500 Chamber of Commerce, \$100 parade)	1,587	1,522	1,600	0	2,000	1,600	-20.00%	
128	MISC. TOTAL	42,805	42,795	43,229	23,584	45,891	46,483	1.29%	5.86%
129									
130	Subtotal	874,973	758,985	763,313	326,755	773,095	768,266	-0.62%	
131									
132	CONTINGENCY & FUND TRANSFERS								
133	101-49000-439 Contingency	0	0	4,000	0	0	15,500	#DIV/0!	
134	101-49000-500 Transfer to Bridge Fund	10,000	10,000	10,000	0	9,500	9,500	0.00%	
135	101-49000-720 General Fund Transfer Out	0	0	0	0	0	0	#DIV/0!	
136	CONTINGENCY & FUND TRANSFER TOTAL	10,000	10,000	14,000	0	9,500	25,000	163.16%	3.15%
137									
138	Total Expenses	884,973	768,985	777,313	326,755	782,595	793,266	1.36%	
139									
140	GENERAL FUND YEAR-END CASH BALANCE (Goal: 35%-50% of Operating Expenditures)	541,528	505,443						
141	<i>Percent of Operating Expenditures</i>	61.19%	65.73%						

2021 Greenwood PRELIMINARY Budget

		2018 Actual	2019 Actual	2019 Budget	2020 June YTD	2020 Budget	2021 Budget	% Change	% Total Budget	
142	SEWER ENTERPRISE FUND <i>This fund may be used for any city purpose. Goal: \$400,000.</i>									
143	602-34401	REVENUE: Sewer Use Charges (\$65 per quarter)	96,121	97,010	100,899	48,552	96,645	97,010	0.38%	
144	602-34402	REVENUE: Late Charges & Penalties	262	402	0	177	250	250	0.00%	
145	602-34403	REVENUE: Delinquent Sewer Payments Received	186	325	0	0	150	150	0.00%	
146	602-34404	REVENUE: Delinquent Sewer Late Fees Received	0	0	0	0	0	0	#DIV/0!	
147	602-34405	REVENUE: Interfund Transfer In	0	0	0	0	0	0	#DIV/0!	
148	602-34408	REVENUE: Permit Fees	600	675	0	400	300	300	0.00%	
149	602-36220	REVENUE: Other Income (SAC charges)	0	0	2,500	2,485	0	0	#DIV/0!	
150	602-38100	REVENUE: Grant Revenue	0	27,793	0	0	0	0	#DIV/0!	
151	602-37100	REVENUE: Excelsior Blvd. Watermain Project (Excelsior Blvd Watermain Assessment Payments)	11,267	5,337	12,000	0	11,250	5,000	-55.56%	
152	602-36100	REVENUE: Special Assessments	6,466	0	0	0	6,500	0	-100.00%	
153	602-43200-303	EXPENSE: Engineering Sewer	10,175	14,873	10,000	10,379	10,000	10,000	0.00%	
154	602-43200-309	EXPENSE: Met Council	41,590	44,487	52,000	16,648	43,087	46,267	7.38%	
155	602-43200-310	EXPENSE: Public Works Sewer	7,179	6,971	7,000	202	7,000	7,000	0.00%	
156	602-43200-381	EXPENSE: Utility Services - Electric	3,186	1,606	3,000	1,675	3,000	3,000	0.00%	
157	602-43200-404	EXPENSE: Repair & Maintenance	10,579	15,037	14,000	0	14,000	14,000	0.00%	
158	602-43200-410	EXPENSE: Excelsior Blvd. Watermain Project (Hennepin County Special Assessment Fee)	0	0	400	0	0	0	#DIV/0!	
159	602-43200-439	EXPENSE: Misc. (Gopher State One Call, Forms, Printing, Insurance, etc.)	492	614	900	174	600	600	0.00%	
160	602-43200-530	EXPENSE: Capital Outlay (I&I Projects)	0	53,640	14,000	0	14,000	14,000	0.00%	
161	602-43200-720	INTERFUND TRANSFER OUT: To General Fund (10% of budgeted sewer revenue for adm. costs)	10,090	10,090	10,090	0	9,665	9,701	0.38%	
162		Net Total	31,612	-15,777	4,009	22,537	13,744	-1,858	-113.52%	
163	SEWER ENTERPRISE FUND CASH BALANCE		349,363	342,648						
164										
165	STORMWATER SPECIAL REVENUE FUND <i>This fund may be used for any city purpose.</i>									
166	502-34401	REVENUE: Stormwater Use Charges (2018, 2019, 2020: \$19 per quarter)	25,149	25,371	25,729	12,593	25,317	25,371	0.21%	
167	502-34403	REVENUE: Delinquent Stormwater Payments Received	0	0	0	0	0	0	#DIV/0!	
168	502-34404	REVENUE: Delinquent Stormwater Late Fees Received	0	0	0	0	0	0	#DIV/0!	
169	502-34405	INTERFUND TRANSFER IN	0	0	0	0	0	0	#DIV/0!	
170	502-43200-303	EXPENSE: Engineering Stormwater	10,154	7,783	3,500	2,981	3,500	3,500	0.00%	
171	502-43200-310	EXPENSE: Public Works Stormwater	1,473	242	0	0	0	0	#DIV/0!	
172	502-43200-319	EXPENSE: Equipment and Maintenance	0	0	0	0	0	0	#DIV/0!	
173	502-43200-409	EXPENSE: Street Sweeping	2,453	2,641	2,700	2,388	2,700	2,700	0.00%	
174	502-43200-439	EXPENSE: Misc. (EPA Fee, Public Notices, Etc.)	606	176	250	236	500	500	0.00%	
175	502-43200-530	EXPENSE: Capital Outlay	3,536	2,800	0	0	0	0	#DIV/0!	
176	502-43200-720	INTERFUND TRANSFER OUT: To General Fund (10% of budgeted stormwater rev. for adm. costs)	2,573	2,573	2,573	0	2,532	2,537	0.21%	
177		Net Total	4,354	9,156	16,706	6,988	16,085	16,133	0.30%	
178	STORMWATER SPECIAL REVENUE FUND CASH BALANCE		23,343	34,000						
179										

2021 Greenwood PRELIMINARY Budget

		2018 Actual	2019 Actual	2019 Budget	2020 June YTD	2020 Budget	2021 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	11,731	0	32,560	0	0	#DIV/0!
182	401-45100-100	EXPENSE: Park Improvements	2,176	0	0	2,870	0	0	#DIV/0!
183		Net Total	-2,176	11,731	0	29,690	0	0	#DIV/0!
184		PARK FUND CASH BALANCE	14,580	26,311					
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>								
187	605-36201	REVENUE: Slip Fees (2021: \$1600 x 26 boats, \$300 x 1 sailboats, \$50 x 12 canoes)	38,000	39,500	39,600	40,750	41,200	42,500	3.16%
188	605-45100-309	EXPENSE: Professional Services (Dock In and Out, Weed Removal)	8,300	7,650	7,000	1,900	8,500	8,500	0.00%
189	605-45100-310	EXPENSE: Public Works	196	600	500	1,011	500	500	0.00%
190	605-45100-439	EXPENSE: Misc. (LMCD Multi-Dock License \$350, SABLID / AIS \$2500, Insurance \$873)	2,843	2,843	3,723	2,500	3,723	3,723	0.00%
191	605-45100-590	EXPENSE: Capital Outlay	0	0	0	0	0	0	#DIV/0!
192	605-49300-720	OPERATING TRANSFER: To General Fund	12,500	12,500	12,500	0	12,500	12,500	0.00%
193	605-49300-721	ADMINISTRATIVE EXPENSE: To General Fund (10% of budgeted marina revenue for adm. costs)	3,860	3,960	3,960	0	4,120	4,250	3.16%
194		Net Total	10,301	11,948	11,917	35,339	11,857	13,027	9.87%
195		MARINA ENTERPRISE FUND CASH BALANCE	78,704	106,843					
196	BRIDGE CAPITAL PROJECT FUND <i>This fund was created in 2010. The funds may be used for any city purpose. Goal: \$200,000</i>								
198	403-39200	REVENUE: Transfer from General Fund	10,000	10,000	10,000	0	9,500	9,500	0.00%
199	403-45100-303	EXPENSE: Engineering	2,072	60	4,000	0	2,000	0	-100.00%
200	403-45100-304	EXPENSE: Legal Services	0	0	0	0	0	0	#DIV/0!
201	403-45100-530	EXPENSE: Capital Outlay	0	0	0	0	0	0	#DIV/0!
202		Net Total	7,928	9,940	6,000	0	7,500	9,500	26.67%
203		BRIDGE CAPITAL PROJECT FUND CASH BALANCE	181,304	181,244					
204	SPECIAL PROJECT FUND <i>This fund was created in 2013.</i>								
206	301-36103	REVENUE: Greenwood Park Stormwater Project	0	0	0	0	0	0	#DIV/0!
207	301-36210	REVENUE: Tree Security Deposits	0	6,875	0	0	0	0	#DIV/0!
208	301-47000-603	EXPENSE: Greenwood Park Stormwater Project (Capital Outlay, Engineering, Etc)	39,779	26,180	0	0	0	0	#DIV/0!
209		Net Total	-39,779	-19,305	0	0	0	0	#DIV/0!
210		SPECIAL PROJECT FUND CASH BALANCE	27,710	8,405					
211	ROAD IMPROVEMENT FUND <i>This fund was created in 2014. The funds may be used for any city purpose. Goal: \$_____.</i>								
213	404-36230	REVENUE: Transfers from General Fund and other Funds	244,000	124,000	124,000	0	124,000	124,000	0.00%
214	404-36231	REVENUE: Misc. Revenue	0	0	0	0	0	0	#DIV/0!
215	404-45100-100	EXPENSE: Capital Outlay (2018 number includes engineering, public notices, etc.)	230,402	48,156	75,000	0	75,000	75,000	0.00%
216	404-45100-303	EXPENSE: Engineering Expenses, Public Notices, Etc.	0	34,451	20,000	3,080	20,000	20,000	0.00%
217		Net Total	13,598	41,393	29,000	-3,080	29,000	29,000	0.00%
218		ROAD IMPROVEMENT FUND CASH BALANCE	-6,183	83,224					
219	Total Cash Balance								
220			1,210,349	1,288,118					

CHAPTER 5: FEES, FINES & FRANCHISE GRANTS

SECTION 500. FEES: GENERAL.

SECTION 510. FEES: LICENSES, PERMITS AND SERVICES.

SECTION 515. CIVIL FINES AND FEES.

SECTION 530. FRANCHISE GRANTS.

SECTION 500. FEES: GENERAL.

Section 500.00. Fees, Charges and Rates Authorized and Defined.

The fees, charges, and rates for the purposes set forth in this chapter 5 of this code for licenses, permits, and municipal services shall be in the amounts set forth in this chapter. Reference to the amounts set forth herein in other portions of this code or in other ordinances may be made in such terms as “required fee,” “established fee,” “required license fee,” “license fee,” and “license fee in the required amount,” without specific reference to this chapter, in which event the amounts herein set forth shall be applicable.

Section 500.05. Priority of Application.

If fees, charges, and rates are set forth specifically in parts of this code other than this chapter 5 or in other ordinances which are now in effect, but have not been set forth in this chapter 5, in that event, the fees, charges, and rates thereby specifically set forth shall be effective for all purposes. In the event that such amounts shall appear in other places in this code or in other ordinances or codes, but shall appear in this chapter 5, the amounts appearing in chapter 5 shall supersede the others.

Section 500.10. Collection, Late Payment Charge, Special Assessment.

Payment in accordance with billings shall be made no later than the billing date established for the account. In addition to the charges provided, there shall be a late charge for payments made after the 30th day after the billing date. When a charge is more than 30 days past due, it shall be considered delinquent. It shall be the duty of the clerk to endeavor to promptly collect delinquent accounts. All delinquent accounts shall be certified by the clerk who shall prepare an assessment roll each year providing for assessment of the delinquent amounts against the respective properties served. The city council may set an additional assessment penalty fee for delinquent accounts that are certified to the county for collection. The assessment roll shall be delivered to the council for adoption on or before October 10 of each year. Such action may be optional or subsequent to taking legal action to collect delinquent accounts. The delinquent account fee and additional assessment penalty fee shall be determined by the council and set forth in the section 510 fee schedule of this chapter.

(SECTION 500.10 UPDATED DEC. 2012, ORD. 213)

SECTION 510. FEES: LICENSES, PERMITS, AND SERVICES.

Section 510.00. Fees: Licenses, Permits and Services Established.

Subd.1. The following fees for licenses, permits and municipal services have been established by the city council. No person, partnership, corporation, or other association shall engage in the following types of activity without paying the fee listed.

Type of License, Permit, or Fee	Section	Fee	Conditions & Terms
Advertisement Tube License	490.00	\$25	Annual per tube
Animal Fees:			
Dog License	445.80	\$25 (\$15 if purchased in year 2)	Good for up to 2 years
Dangerous Animal Registration	445.65	Determined by police department.	Plus proof of \$100,000 insurance
Private Kennel License (4 or more dogs)	445.15	\$100 per dog	Annual

Blasting Permit	910.20	\$500	Council approval required
Boat Launch Permit Sticker (for Meadville boat launch):			
Resident	425.45	First 2 stickers are free. Additional stickers \$10 each.	Annual. 2 free stickers per address. Additional stickers require proof of residency and vehicle information / license plate number.
Non-Resident	425.45	\$100	Annual per vehicle. Must provide vehicle information / license plate number.
Building-Related Fees:			
Building Permit	300.10 1140.17 subd 2	Per 1997 Uniform Building Code, plus \$200 for projects that increase hardcover by 200 sq ft or more and for projects that received a hardcover variance.	
IPM Code Book	320.30	\$75	Per copy
Electrical Permit Fees	300.07	Per the city of Deephaven's fee schedule.	
Excavation / Filling Permit	440.00	1.5% of the project cost.	
Excavation Permit: Temporary	1140.50	The fee is the cost incurred by the city for the review of the excavation plan.	Council approval required plus proof of bonding to cover expense of development plan.
Excavation Permit: Street / Sewer	640.30 & 640.95	The fee is the cost incurred by the city for the review of the excavation plan.	Plus surety bond as determined by city engineer.
Heating, Ventilating, AC, Refrigeration Permit Fees	300.07	Per the city of Deephaven's fee schedule.	
Moving Permit	300.20	1.5% of the project cost.	
Parking Permit for Building Project (see parking permits)	305.00	\$250	Per project
Permit to Extend Completion of Exterior Work	300.30	\$200 for first 60-day extension (administrative) \$400 for an additional extension (council)	Required per structure
Plumbing Permit Fees	300.07	Per city of Deephaven's fee schedule.	
Tree Removal / Construction-Related (see building-related fees)	1140.80	\$250	Per application
Burning Permit:			
Recreational	475.10	No permit required	
Non-Recreational	475.10	\$50	Per instance
City Code Book (binder with tabs and photocopies)		\$100	
Dock Fees:			
Commercial Marina License, Base	430.10	\$110	Base per year
Commercial Marina License, Per Slip	430.10	\$5	Per slip, per year
Municipal St. Alban's Bay Dock Permit	425.30 (5)	\$1550	Per slip, per season
Municipal Sailboat Space Permit	425.30 (5)	\$300	Per slip, per season
Municipal Canoe / Kayak Permit	425.30 (5)	\$50	Per space, per season
Duplicate Permit / License	400.15	\$10	Per instance
Excavation Permit: Temporary	1140.50	The fee is the cost incurred by the city for the review of the excavation plan.	Council approval required plus proof of bonding to cover expense of development plan.
Excavation Permit: Street / Sewer	640.30 & 640.95	The fee is the cost incurred by the city for the review of the excavation plan.	Plus surety bond as determined by city engineer.
Fire / Police Alarm Fees:			
False Alarm Fine	460.03 & 455.10	\$150 for 2nd false alarm in a calendar year. This fee increases by \$100 for each additional false alarm in a calendar year.	One fee is paid per incident whether fire, police, or both respond to the false alarm.
Alarm Non-Compliance Fine	455.35 & 460.07	\$1,000	According to state statute
Fireworks Permit	900.55	\$100	Council approval required
Gambling License	915.15	\$100	Council approval required
Garage Sale Permit (more than 1 in 12-month period)	450.25	\$150 per event, plus proof of insurance: \$300,000 per person, \$500,000 per incident, \$50,000 property damage.	
Garbage / Refuse Collector License	475.20	\$100 per year, plus proof of insurance: \$100,000 per person, \$500,000 per incident, \$100,000 property damage	

Gasoline Station / Auto Repair License	420.15	\$500 per site per year, plus proof of commercial general liability by an insurance company licensed to do business in the state of Minnesota with a limit of liability of not less than \$1,500,000 per occurrence for bodily and property damage and loss of means of support with the "City of Greenwood" named as an additional insured on the policy. The liability policy must provide that it may not be cancelled for any cause either by the insured or the insurance company without first giving 10 days notice to the city in writing of that intention. The policy also must provide that any amount paid by the insurance company as a result of a claim will not reduce the coverage available to pay subsequent claims.	
Home Occupation License	480	\$50	Annual. City council approval required. The city council may impose conditions.
Liquor Fees			
Off-Sale Non-Intoxicating License	800.15 & 800.35	\$100 per year plus commercial general liability by an insurance company licensed to do business in the state of Minnesota with a limit of liability of not less than \$1,000,000 per occurrence for bodily and property damage and loss of means of support with the "City of Greenwood" named as an additional insured on the policy. The liability policy must provide that it may not be canceled for any cause either by the insured or the insurance company without first giving ten days notice to the city in writing of that intention. The policy also must provide that any amount paid by the insurance company as a result of a claim will not reduce the coverage available to pay subsequent claims. Businesses with projected liquor sales of less than \$50,000 per year are only required to comply with the minimum insurance requirements in Minnesota state statutes.	
Off-Sale Non-Intoxicating, Investigation Fee	800.30	\$500 plus all costs and expenses associated with investigation outside of MN as allowable by state statute	
On-Sale Non-Intoxicating Temporary License	800.15	\$100 plus the minimum insurance requirements in Minnesota state statutes. License good for no more than 3 consecutive days	
On-Sale Intoxicating License	820.40 & 820.45	\$10,000 per year plus commercial general liability and dram shop insurance by an insurance company licensed to do business in the state of Minnesota with a limit of liability of not less than \$1,000,000 per occurrence for bodily and property damage and loss of means of support with the "City of Greenwood" named as an additional insured on the policy. The liability policy must provide that it may not be canceled for any cause either by the insured or the insurance company without first giving ten days notice to the city in writing of that intention. The policy also must provide that any amount paid by the insurance company as a result of a claim will not reduce the coverage available to pay subsequent claims.	
On-Sale Intoxicating, Wine License	820.40	\$2,000	Annual
On-Sale Intoxicating, Sunday License	820.40	\$200	Annual
On-Sale Intoxicating, Delimited License	820.40	\$2,500	Annual
On-Sale Intoxicating, Investigation Fee	820.35	\$500 plus all costs and expenses associated with investigation outside of MN as allowable by state statute	
On-Sale Intoxicating, Investigation Fee for Renewal Applications or Change of Status	820.35	\$250 per person to be investigated (not to exceed \$500)	Annual
On-Sale Surety Bond	820.45	\$1,000	In conjunction w/application
Load Limit Fees			
Per Trip Special Operating Permit (Jan 1-Feb 29 and May 2-Dec 31)	730.00	\$50	Per round trip. Not required for building projects exceeding \$20,000 in value.
Per Trip Special Operating Permit (Mar 1-May 1)	730.00	\$500 per round trip. Or \$450 per round trip with Blanket Special Operating Permit.	
Blanket Special Operating Permit	730.00	20% of the Building Permit or Moving Fee Required for building projects exceeding \$20,000 in value. Blanket special operating permit holders must pay the additional March 1-May 1 per round trip fee for operation of vehicles in excess of the stated March 1-May 1 weight restriction.	
Mailing Labels of City Utility Billing Database		\$50	Per instance

Misc. Petitions to the City for Legal Consent or Releases Application Fee		\$200 plus consultant and contract service provider expenses incurred by the city as they exceed the base fee amount	Per application
Mobile Home Park Permit Fee	405.40	\$100	Annual
Mobile Home 15-Day License	405.40	\$100	Per instance
Mobile Home Temporary Residence License	405.40	\$100	Per instance
Parking Fees:			
Parking Permit for Building Project (see building-related fees)	305.00	\$250	Per project
Temporary Parking Permit	710.05	\$25	Charged on a per event basis. Fee will be refunded in cases where the permit is revoked due to inclement weather.
Peddler Permit	465.10	\$250	For 6 months
Photocopies	125.00	\$0.25 for black and white, \$1 for color	Per copy
Recycling Collection Fee	475.30	\$20	Quarterly
Rental Property License	320.30	\$50 per unit	Annual
Right-of-Way Fees:			
Delay Penalty	630.03	\$200 per day	
Encroachment Permit	630.21	Council approval required. Fee will be determined by the city council.	
Excavation, Obstruction, or Small Wireless Facility Permit	630.04 630.06 630.09	\$250 in addition to a certificate of insurance for at least \$2 million naming the city as an additional insured, verifying that the applicant is insured against claims for personal injury, death, or property damages associated with work in the right-of-way, and requiring 30-day notice to the city of cancellation or material modification of the policy. If the city incurs costs in association with the project (including, but not limited to restoration of the right-of-way), the permittee shall pay the estimated costs as part of the permit application fee with the actual costs to be determined and paid or refunded on completion of the project. NOTE: FEES ARE ESTABLISHED BY MN STATE STATUTES 237.162 & 237.163 OR ANY ORDINANCE ENACTED UNDER THOSE SECTIONS.	Paid with permit application.
Small Wireless Collocation Agreement Fees (for locations on city-owned poles or structures)	630.05	(a) Up to \$150 per year for rent to collocate on the city structure. (b) \$25 per year for maintenance associated with the collocation. (c) A monthly fee for electrical service as follows: \$73 per radio node less than or equal to 100 maximum watts; \$182 per radio node over 100 maximum watts; or the actual costs of electricity, if the actual cost exceed the foregoing. NOTE: FEES ARE ESTABLISHED BY MN STATE STATUTES 237.162 & 237.163 OR ANY ORDINANCE ENACTED UNDER THOSE SECTIONS.	
Sanitary Sewer Non-Compliance Surcharge: Residential	310.30 5(f)	\$300	Quarterly
Sanitary Sewer Non-Compliance Surcharge: Commercial	310.30 5(f)	\$750	Quarterly
Security Deposit / Security Agreement for Landscaping	1140.60	The greater of \$1500 or 2% of the building value submitted on the building permit application. The fine is the greater of \$1000 or .4% of the building value submitted on the building permit application for each month (or part thereof) after 12 months the landscaping or conditions remain uncompleted.	See section 1140.60 for more information (including details about the security agreement option).
Security Deposit / Security Agreement for Performance of Conditions of a Variance or Conditional Use Permit Grant	1140.60 1150.20 1155.17	Security Deposits / Agreements must be approved by the city council. If approved, the city council shall set the fee amount.	See sections 1150.20 (conditional use permits) or 1155.17 (variances) for more information (including details about the security agreement option).
Sewer Fees:			
Lateral Connection Fee		\$2500	Per instance

Sewer Access Charge (SAC)		As set by the Metropolitan Council, plus \$200	
Cap Fee		\$100	Per instance
Re-Connection Fee		\$100	Per instance
Repair Permit Fee		\$75	Per instance
Residential Rate	310.56	\$65 per residential sanitary service unit	Quarterly
Commercial Rate	310.56	\$65 per commercial sanitary service unit	Quarterly
Sewer / Recycling / Stormwater Delinquent Accounts:			
Late Fee	310.56, 311.00 & 475.30	3% of the delinquent amount per quarter (12% annually).	Certified to county annually.
Assessment Amounts	310.56, 311.00 & 475.30	The total delinquent amount including late fees, plus 12% per year once certified to the county, in addition to any fees charged by the county.	Certified to county annually.
Showcase Event Permit	450.25	\$250 per event, plus proof of insurance: \$300,000 per person, \$500,000 per incident, \$50,000 property damage.	
Sign Permit: Temporary	1140.40	\$50	Valid for 30 days. Limit 6 per year.
Stormwater Management Utility Fee:			
Residential	525.00	\$19	Quarterly
Commercial	525.10(3)	3 x current residential rate	Quarterly
Street Excavation Permit	640.30	\$200	Per site
Subdivision-Related Fees:			
Simple Subdivision Fee	600.07	\$400 plus consultant / contract service provider expenses incurred by the city as they exceed the base fee amount.	
Preliminary Plat Application Fee	600.10	\$500 plus consultant / contract service provider expenses incurred by the city as they exceed the base fee amount.	
Final Plat Application Fee	600.15	\$500 plus park fund fee and consultant / contract service provider expenses incurred by the city as they exceed the base fee amount.	
Park Dedication Fee	600.35	8% of the assessor's land valuation for the entire parcel prior to subdivision on January 2 of the year of the final plat application.	
Tobacco License	415.04	\$250	Annual
Tree Contractor License	435.00 & 1140.80	\$50	Annual. Proof of insurance also required: workers compensation insurance and liability insurance in the amounts of \$500,000 for injury or death of any one person, \$500,000 for injury or death of more than one person in any one accident, and \$100,000 for damage to property.
Tree Removal Fees:			
Tree Removal Conditional Use Permit Shore / Bluff Impact Zone	1140.80	\$100	Per application
Exceed Permitted Tree Harvest	1140.80	\$100	Per application
Tree Removal / Construction-Related (see building-related fees)	1140.80	\$250	Per application
Zoning-Related Fees:			
Appeals of Alleged Error in Administration of Zoning Ord	1155.05	\$450 plus consultant and contract service provider expenses incurred by the city as they exceed the base fee amount.	Fee is per application. If the city council finds that an error was made, all fees paid shall be returned to the applicant.
Code Amendment Application Fee	1160.05	\$400 plus consultant and contract service provider expenses incurred by the city as they exceed the base fee amount	Per application
Conditional Use Permit Application Fee	1150.15	\$400 plus consultant and contract service provider expenses incurred by the city as they exceed the base fee amount	Per application
Conditional Use Permit Extension	1150.21	1st 1-year extension: \$50 (approved by zoning administrator). Subsequent 1-year extensions: \$350 (approved by city council).	
Grading Permit for stand-alone project	1140.19	\$200 plus consultant and contract service provider expenses incurred by the city.	Per application
Grading Permit for project in conjunction with a building permit, variance application, or conditional use permit application	1140.19	No Fee	
Misc. Administrative Review Fee	Chapter 11	\$200 plus consultant and contract service provider expenses incurred by the city as they exceed the base fee amount	Per application

Preliminary Administrative Plan Review Fee	1105.00	\$200	Per instance
Shoreland Compliance Review Fee	1176.03	\$200	Per application. Paid only once if paid at variance or CUP application prior to building permit application. Signage CUP applications are exempt from paying the Shoreland Compliance Review Fee.
Variance Application Fee	1155.25	\$450 plus consultant and contract service provider expenses incurred by the city as they exceed the base fee amount	Per application
Variance Extension	1155.10(9)	1st 1-year extension: \$50 (approved by zoning administrator). Subsequent 1-year extensions: \$350 (approved by city council).	

(SECTION 510 TABLE LAST REVISED DEC 2018 ORD 282)

SECTION 515. CIVIL FINES AND FEES.

Section 515.00. Civil Fines and Fees Established.

To aid in the enforcement of the ordinance code, the following civil fines and fees authorized by chapter 12 of this code have been established by the city council:

Type of Violation	Section	Civil Fine	Notes
Animal Code Violation: Dog-At-Large 1st offense in 12-month period	445.15 445.30	\$50	In addition to impound fees
Animal Code Violation: Dog-At-Large 2nd offense in 12-month period	445.15 445.30	\$100	In addition to impound fees
Animal Code Violation: Dog-At-Large 3-plus offenses in 12-month period	445.15 445.30	\$150	In addition to impound fees
Animal Code Violation: Nuisance	445.15	\$300	
Building Code: Non Completion of Exterior	300.30	\$300	Each day a violation continues is subject to administrative civil citation
Liquor Code Violation: 60/40 Food/Liquor Sales 1st offense	820.70	\$2,000	1-year probation
Liquor Code Violation: 60/40 Food/Liquor Sales 2nd offense	820.70	\$4,000	7-day suspension of license and possible additional year probation
Liquor Code Violation: 60/40 Food/Liquor Sales 3rd offense in 10-year period	820.70	\$6,000	7-day suspension of license and possible revocation of license
Liquor Code Violation: Sale to Minor or Intoxicated Person, 1st offense in 24-month period	820.70	\$500	3-day suspension of license
Liquor Code Violation: Sale to Minor or Intoxicated Person, 2nd offense in 24-month period	820.70	\$1,000	3-day suspension of license. Proof of training completion.
Liquor Code Violation: Sale to Minor or Intoxicated Person, 3rd offense in 24-month period	820.70	\$1,500	3-day suspension of license. Proof of training completion. Possible revocation of license.
Liquor Code Violation: Sale to Minor or Intoxicated Person, 4th offense in 24-month period	820.70	\$2,000	3-day suspension of license. Proof of training completion. Possible revocation of license.
Tobacco Code Violation: 1st Offense in 24-Months	415	\$75	
Tobacco Code Violation: 2nd Offense in 24-Months	415	\$200	
Tobacco Code Violation: 3rd Offense in 24-Months	415	\$250	7-day suspension of license.
Tobacco Code Violation: Other	415	\$50	
Tree Harvest Without Permit	1140.80	\$1,000	Per tree
Penal Code Violation	900 et seq	\$300	Each day a violation continues is subject to administrative civil citation
Nuisance Code Violation	900 et seq	\$100	Each day a violation continues is subject to administrative civil citation
Zoning Code Violation	1100 et seq	\$300	Each day a violation continues is subject to administrative civil citation
City Code Violation Not Otherwise Designated		\$300	
Code Violation Fees	Section	Fee	Notes
Administrative Hearing Officer Fee	1210.25	\$100	Per instance
Late Fee	1210.50	10% of the fine amount. Applies for each 30-day period, or part thereof, that the fine is not paid.	

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE CHAPTER 5 FEES AND AMENDING
RELATED ANIMAL FEE ORDINANCES**

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

SECTION 1.

Greenwood ordinance code section 445.05 Registration and Licensing Requirements is repealed in its entirety:

~~“Section 445.05. Registration and Licensing Requirements.~~

~~Subd. 1. Licensure Required. All dogs over the age of six months kept in this city, including those allowed by a multiple dog license, shall be licensed and registered by the owner with the city. The fee for the license and registration shall be set by resolution of the city council. License applications shall be made at the office of the city clerk on city forms, setting forth the name and address of the owner, the name, breed, age, color, and gender of the dog, and such other information as may be considered necessary by the city. Applicants shall provide proof that each dog has current vaccination against rabies. License tags, if issued at the election of the city, shall be securely attached around the dog's neck at all times during the license term. If the tag is lost or stolen, the owner may obtain a duplicate license and tag upon payment of a fee set by resolution of the city council.~~

~~Subd. 2. Term of License. The license period shall be that specified by the city in appendix.~~

~~Subd. 3. New Residents of City. Any person who moves into and becomes a resident of the city and who owns a dog within the city shall cause the same to be registered and licensed as provided hereinbefore within a period of not more than 30 days after becoming a resident of the city.~~

~~Subd. 4. Transfer of License. The license of any dog, licensed by the city, may be transferred to a new owner of the licensed dog for the duration of that license. The transfer is when the information regarding the new owner is filed with the city clerk. The fee for license transfers shall be set by resolution of the city council.~~

~~Subd. 5. Revocation. Any person making any false statement on any license application required by this section shall be guilty of a misdemeanor. The city clerk / treasurer shall revoke any license issued under this section if the owner has made any false statement on the license application. No refund of any fees shall be due to the licensee whose license has been revoked.~~

~~Subd. 6. Reinstatement. Any person whose license has been revoked under this section may reapply for such license after all deficiencies have been corrected. Any person making application after any revocation shall follow the procedures set out for the initial issuance of the license and shall pay the fees in the full amount that would be required for an original license.”~~

SECTION 2.

Greenwood ordinance code section 445.15 Limitation on Number of Dogs is amended to read as follows:

“Section 445.15. Limitations on Number of Dogs.

Within the limits of the city, no person may own, keep, harbor, or maintain more than 3 dogs over the age of 6 months. ~~unless a multiple dog license is first obtained from the city.”~~

SECTION 3.

The Greenwood ordinance code section 445.80 Appendices is deleted in its entirety:

~~“Section 445.80. Appendices.~~

~~Subd. 1. Dog Licensing Required.~~

~~(a) All dogs kept in the city shall be registered in the office of the city clerk. The owner shall obtain a license and tag for each dog and pay for each such fee as the city council may adopt and set forth in chapter 5 of this code book. The council may provide for higher license fees for female dogs than for male or spayed females. The license tag shall be securely attached around the dog's neck and kept there at all times during the license period. If the tag is lost or stolen, the owner shall purchase a duplicate license and tag from the city clerk.~~

~~(b) The license shall be for a term of up to 2 years provided that in the event the dog's rabies certificate from a licensed veterinarian expires prior to the end of the license term, the owner shall, on or before expiration of the rabies certificate, provide evidence of a new, valid rabies certificate or the license shall become null and void. No license shall be issued for a dog unless the owner shall show written evidence that the dog has been inoculated for the prevention of rabies within the past 2 years.~~

~~Subd. 2. Reserved.~~

~~Subd. 3. Running at Large Prohibited. No owner of a dog, cat, or other animal owner, shall permit same to run at large, but this shall not prohibit the appearance of the animal upon the streets or other public places when such animal is under restraint. The finding of any dog, cat or animal running at large shall be prima facie evidence of a violation of this section by the owner of said animal."~~

Note: Running at large is covered by 445.30

SECTION 4.

Greenwood ordinance code section 510 fee schedule is amended to update the following fees:

Type of License, Permit, or Fee	Section	Fee	Conditions & Terms
Animal Fees:			
— Dog License	445.80	\$25 (\$15 if purchased in year 2)	Good for up to 2 years
Dangerous Animal Registration	445.65	Determined by police department.	Plus proof of \$100,000 insurance
— Private Kennel License (4 or more dogs)	445.15	\$100 per dog	Annual
Municipal St. Alban's Bay Dock Permit	425.30 (5)	\$1550 \$1600	Per slip, per season
Subdivision-Related Fees:			
Simple Subdivision Fee	600.07	\$400 plus \$1500 deposit towards consultant / contract service provider expenses incurred by the city. as they exceed the base fee amount. If the expenses are less than \$1500, the balance will be refunded to the applicant. If expenses exceed \$1500, the applicant will be invoiced and payment must be received prior to city council approval of the subdivision.	
Preliminary Plat Application Fee	600.10	\$500 plus \$1500 deposit towards consultant / contract service provider expenses incurred by the city. as they exceed the base fee amount. If the expenses are less than \$1500, the balance will be refunded to the applicant. If expenses exceed \$1500, the applicant will be invoiced and payment must be received prior to city council approval of the preliminary plat.	
Final Plat Application Fee	600.15	\$500 plus Park fund dedication fee and 1500 deposit towards consultant / contract service provider expenses incurred by the city. as they exceed the base fee amount. If the expenses are less than \$1500, the balance will be refunded to the applicant. If expenses exceed \$1500, the applicant will be invoiced and payment must be received prior to city council approval of the final plat.	
Zoning-Related Fees:			
Appeals of Alleged Error in Administration of Zoning Ord	1155.05	\$450 plus \$1500 deposit towards consultant / contract service provider expenses incurred by the city. as they exceed the base fee amount. If the expenses are less than \$1500, the balance will be refunded to the applicant. If expenses exceed \$1500, the applicant will be invoiced and payment must be received prior to final city council action.	Fee is per application. If the city council finds that an error was made, all fees paid shall be returned to the applicant.
Code Amendment Application Fee	1160.05	\$400 plus \$1500 deposit towards consultant / contract service provider expenses incurred by the city. as they exceed the base fee amount. If the expenses are less than \$1500, the balance will be refunded to the applicant. If expenses exceed \$1500, the applicant will be invoiced and payment must be received prior to final city council action.	Per application
Conditional Use Permit Application Fee	1150.15	\$400 plus \$1500 deposit towards consultant / contract service provider expenses incurred by the city. as they exceed the base fee amount. If the expenses are less than \$1500, the balance will be refunded to the applicant. If expenses exceed \$1500, the applicant will be invoiced and payment must be received prior to release of signed findings resolution.	Per application

Conditional Use Permit Extension	1150.21	1st 1-year extension: \$50 (approved by zoning administrator). Subsequent 1-year extensions: \$350 (approved by city council).	
Grading Permit for stand-alone project	1140.19	\$200 plus \$1500 deposit towards consultant / contract service provider expenses incurred by the city. as they exceed the base fee amount. If the expenses are less than \$1500, the balance will be refunded to the applicant. If expenses exceed \$1500, the applicant will be invoiced and payment must be received prior to final city council action.	Per application
Grading Permit for project in conjunction with a building permit, variance application, or conditional use permit application	1140.19	No Fee	
Misc. Administrative Review Fee	Chapter 11	\$200 plus consultant and contract service provider expenses incurred by the city as they exceed the base fee amount.	Per application
Preliminary Administrative Plan Review Fee	1105.00	\$200	Per instance
Shoreland Compliance Review Fee	1176.03	\$200	Per application. Paid only once if paid at variance or CUP application prior to building permit application. Signage CUP applications are exempt from paying the Shoreland Compliance Review Fee.
Variance Application Fee	1155.25	\$450 plus \$1500 deposit towards consultant / contract service provider expenses incurred by the city. as they exceed the base fee amount. If the expenses are less than \$1500, the balance will be refunded to the applicant. If expenses exceed \$1500, the applicant will be invoiced and payment must be received prior to release of signed findings resolution.	Per application

SECTION 5.

Effective Date. This ordinance shall be effective January 1, 2021.

Enacted by the city council of the city of Greenwood, Minnesota this ___ day of October, 2020

There were ___ AYES and ___ 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: ____

Second reading: ____

Publication: ____



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 Worksession

10:56pm, Tuesday, July 7, 2020

Via Zoom Video-Conferencing Technology

1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA

Mayor Kind called the worksession to order at 10:56pm.

Members Present: Mayor Kind; Councilmembers Kristi Conrad, Bill Cook, Tom Fletcher, Rob Roy

Members Absent: None

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

2. DISCUSS CONTRACT FOR CITY SERVICES

The city council continued discussion regarding city services in light of Deephaven's decision to not provide public works and planning and zoning services for Greenwood beginning 01.01.21. The council using this as an impetus to explore options for all city services.

The city council discussed proposals from Excelsior, Shorewood, Cornerstone Industries, Bolton & Menk, and WSB. The council also discussed the idea of hiring a part-time Zoning Administrator.

Cook and Kind will contact Tim Lovett (Cornerstone Industries) to discuss logistics of having his company provide public works services.

3. ADJOURNMENT

Motion by Cook to adjourn the meeting at 11:07pm. Second by Conrad. Motion passed 5-0 on a roll-call vote.

This document is intended to meet statutory requirements for city council meeting minutes.

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.



MINUTES

Greenwood City Council Worksession

4pm, Monday, July 20, 2020

Mayor Kind's Yard, 5140 Curve Street, Greenwood, MN 55331

Using COVID-19 social-distancing precautions.

1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA

Mayor Kind called the worksession to order at 4:09pm.

Members Present: Mayor Kind; Tom Fletcher, Rob Roy

Members Absent: Councilmembers Kristi Conrad, Bill Cook

Motion by Fletcher to approve the agenda. Second by Roy. Motion passed 3-0 on a roll-call vote.

2. INTERVIEW ZONING ADMINISTRATOR CANDIDATES

The city council interviewed three zoning administrator candidates.

The pros and cons of each candidate were discussed.

Mayor Kind will follow up with the candidates regarding pricing for variance / conditional use permit applications vs doing city work (attending city meetings, creating minutes, drafting ordinances, etc).

3. ADJOURNMENT

Motion by Fletcher to adjourn the meeting at 6:40pm. Second by Roy. Motion passed 3-0 on a roll-call vote.

This document is intended to meet statutory requirements for city council meeting minutes.

GREENWOOD CERTIFICATES OF DEPOSIT

Report Date 6/30/20

Acct #	Bank	Date	Term	Maturity	Rate	Amount
x237	Bridgewater Bank	11/08/18	18 Month	Cashed Out	0.00%	\$ -
x238	Bridgewater Bank	03/08/19	18 Month	09/08/20	2.82%	\$ 136,020.01
x239	Bridgewater Bank	05/08/19	18 Month	11/08/20	2.48%	\$ 135,597.08
x240	Bridgewater Bank	09/08/19	18 Month	03/08/21	2.23%	\$ 135,038.27
x241	Bridgewater Bank	11/08/19	18 Month	05/08/21	1.59%	\$ 135,186.28
x242	Bridgewater Bank	03/08/18	18 Month	09/08/21	1.84%	\$ 135,461.14
TOTAL						\$ 677,302.78

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.

10-04-17 Motion by Fletcher that the city council approves the August Certificates of Deposit Report and increases the maximum combined balance for Certificates of Deposit from \$600,000 to \$700,000. Second by Kind. Motion passed 4-0.

05-02-18 Motion by Conrad that the Greenwood city council (1) authorizes the administrative committee to move forward with the Bridgewater Bank CD staging concept; and (2) authorizes a maximum of \$800,000 to be invested in CDs. Second by Quam. Motion passed 5-0.

04-03-19 Motion by Fletcher to raise the allowable certificate of deposits balance to \$900,000 to allow for interest growth. Second by Conrad. Motion passed 4-0.

Pay Per Date	Jrnl	Check Date	Check Number	Payee	Emp No	Description	GL Account	Amount
08/01/20	PC	08/01/20	8012001	CONRAD, KRISTI	39		001-10101	289.97
08/01/20	PC	08/01/20	8012002	COOK, WILLIAM B.	37		001-10101	289.97
08/01/20	PC	08/01/20	8012003	Fletcher, Thomas M	33		001-10101	189.97
08/01/20	PC	08/01/20	8012004	Kind, Debra J.	34		001-10101	434.95
08/01/20	PC	08/01/20	8012005	ROY, ROBERT J.	38		001-10101	289.97
Grand Totals:								<u>1,494.83</u>

Check Issue Date(s): 07/01/2020 - 07/31/2020

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
07/20	07/16/2020	11493	105	METRO COUNCIL ENVIRO SERVICES	602-20100	2,460.15
07/20	07/21/2020	11494	910	AAA STRIPING SERVICE CO	404-20100	2,808.58
07/20	07/21/2020	11495	51	BOLTON & MENK, INC.	502-20100	8,752.00
07/20	07/21/2020	11496	762	CATALYST GRAPHICS INC	101-20100	124.11
07/20	07/21/2020	11497	9	CITY OF DEEPHAVEN	101-20100	12,918.99
07/20	07/21/2020	11498	792	CORNERSTONE INDUSTRIES INC	101-20100	6,012.68
07/20	07/21/2020	11499	761	DEBRA KIND	101-20100	16.11
07/20	07/21/2020	11500	822	ECM PUBLISHERS INC	101-20100	71.40
07/20	07/21/2020	11501	52	EXCELSIOR FIRE DISTRICT	101-20100	37,137.27
07/20	07/21/2020	11502	68	GOPHER STATE ONE CALL	602-20100	59.40
07/20	07/21/2020	11503	850	KENNEDY, GRAVEN, CHARTERED	101-20100	396.00
07/20	07/21/2020	11504	886	KENNETH N. POTTS, P.A.	101-20100	400.00
07/20	07/21/2020	11505	105	METRO COUNCIL ENVIRO SERVICES	602-20100	2,774.73
07/20	07/21/2020	11506	911	MINNESOTA PUMP WORKS	602-20100	1,093.25
07/20	07/21/2020	11507	38	SO LAKE MINNETONKA POLICE DEPT	101-20100	27,999.58
07/20	07/21/2020	11508	868	ST ALBANS BAY LAKE IMPROVEMENT	101-20100	10,433.23
07/20	07/21/2020	11509	902	WASTE MANAGEMENT OF WI-MN	101-20100	15.03
07/20	07/21/2020	11510	145	XCEL ENERGY	101-20100	393.27
Totals:						<u>113,865.78</u>

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
AAA STRIPING SERVICE CO					
910	AAA STRIPING SERVICE CO	107147	STREET STRIPING	06/30/2020	2,808.58
Total AAA STRIPING SERVICE CO					2,808.58
BOLTON & MENK, INC.					
51	BOLTON & MENK, INC.	0252911	2020 DEVELOPMENT REVIEW	06/30/2020	276.00
		0252912	2020 MISC DRAINAGE	06/30/2020	178.00
		0252914	2020 MISC ENGINEERING	06/30/2020	390.00
		0252914A	2020 MISC ENGINEERING	06/30/2020	30.00
		0252915	2020 SEWER IMPROVEMENTS	06/30/2020	2,501.00
		0252918	2020 STREET IMPROVEMENTS	06/30/2020	5,377.00
Total BOLTON & MENK, INC.					8,752.00
CATALYST GRAPHICS INC					
762	CATALYST GRAPHICS INC	25948	CITY NEWSLETTER	06/16/2020	124.11
Total CATALYST GRAPHICS INC					124.11
CITY OF DEEPHAVEN					
9	CITY OF DEEPHAVEN	2ND QTR BLDG PERMITS	2nd Quarter Building Permits	06/30/2020	12,918.99
Total CITY OF DEEPHAVEN					12,918.99
CORNERSTONE INDUSTRIES INC					
792	CORNERSTONE INDUSTRIES IN	1397	LANDSCAPE MAINTENANCE-TREES LANDSCAPE MAINT - SIGNS	06/15/2020	5,062.68 950.00
Total CORNERSTONE INDUSTRIES INC					6,012.68
DEBRA KIND					
761	DEBRA KIND	31524301	Zoom Video	07/17/2020	16.11
Total DEBRA KIND					16.11
ECM PUBLISHERS INC					
822	ECM PUBLISHERS INC	785488	CANDICACY FILING	07/16/2020	71.40
Total ECM PUBLISHERS INC					71.40
EXCELSIOR FIRE DISTRICT					
52	EXCELSIOR FIRE DISTRICT	20-011	3rd qtr buildings 3rd qtr operations	07/15/2020	15,191.74 21,945.53
Total EXCELSIOR FIRE DISTRICT					37,137.27
GOPHER STATE ONE CALL					
68	GOPHER STATE ONE CALL	0060432	Gopher State calls	06/30/2020	59.40
Total GOPHER STATE ONE CALL					59.40
KENNEDY, GRAVEN, CHARTERED					
850	KENNEDY, GRAVEN, CHARTERE	155507	LEGAL SERVICES	06/30/2020	396.00
Total KENNEDY, GRAVEN, CHARTERED					396.00
KENNETH N. POTTS, P.A.					
886	KENNETH N. POTTS, P.A.	JUNE 2020	LEGAL SVCS	07/01/2020	400.00

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
Total KENNETH N. POTTS, P.A.					400.00
METRO COUNCIL ENVIRO SERVICES					
105	METRO COUNCIL ENVIRO SERV	0001112044	Monthly wastewater Charge	07/07/2020	2,774.73
		SAC 2ND QTR 20	SAC Charges	07/15/2020	2,460.15
Total METRO COUNCIL ENVIRO SERVICES					5,234.88
MINNESOTA PUMP WORKS					
911	MINNESOTA PUMP WORKS	00011386	LIFT STATION INSPECT	07/10/2020	1,093.25
Total MINNESOTA PUMP WORKS					1,093.25
SO LAKE MINNETONKA POLICE DEPT					
38	SO LAKE MINNETONKA POLICE	JULY 2020	DEBT SERVICE	07/15/2020	11,318.00
		JULY 2020 OB	2020 OPERATING BUDGET	07/15/2020	16,681.58
Total SO LAKE MINNETONKA POLICE DEPT					27,999.58
ST ALBANS BAY LAKE IMPROVEMENT					
868	ST ALBANS BAY LAKE IMPROVE	1ST HALF 2020	1ST HALF SPEC ASSESS	07/02/2020	10,433.23
Total ST ALBANS BAY LAKE IMPROVEMENT					10,433.23
WASTE MANAGEMENT OF WI-MN					
902	WASTE MANAGEMENT OF WI-M	7383047-1593-6	RECYCLING SVCS	07/01/2020	15.03
Total WASTE MANAGEMENT OF WI-MN					15.03
XCEL ENERGY					
145	XCEL ENERGY	690211778	4925 MEADVILLE STREET *	06/25/2020	8.26
		690233528	SIREN	06/25/2020	3.77
		690561011	Sleepy Hollow Road *	06/29/2020	8.26
		691282652	Street Lights *	07/06/2020	372.98
Total XCEL ENERGY					393.27

Total Paid: 113,865.78

Total Unpaid: -

Grand Total: 113,865.78

GREENWOOD CERTIFICATES OF DEPOSIT

Report Date: 6/30/2020

Acct #	Bank	Date	Term	Maturity	Rate	Amount
x237	Bridgewater Bank	11/08/18	18 Month	Cashed Out	0.00%	\$ -
x238	Bridgewater Bank	03/08/19	18 Month	09/08/20	2.82%	\$ 136,020.01
x239	Bridgewater Bank	05/08/19	18 Month	11/08/20	2.48%	\$ 135,597.08
x240	Bridgewater Bank	09/08/19	18 Month	03/08/21	2.23%	\$ 135,038.27
x241	Bridgewater Bank	11/08/19	18 Month	05/08/21	1.59%	\$ 135,186.28
x242	Bridgewater Bank	03/08/18	18 Month	09/08/21	1.84%	\$ 135,461.14
TOTAL						\$ 677,302.78

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.

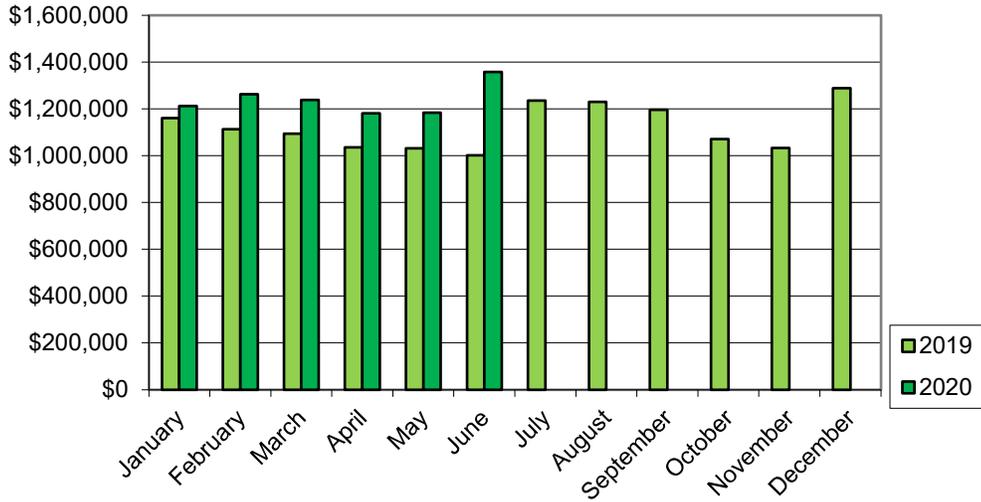
11-02-16 Motion by Fletcher that the city council authorizes an increase from \$500,000 to \$600,000 for the city's maximum balance of certificate of deposit. Second by Roy. Motion passed 5-0.

10-04-17 Motion by Fletcher that the city council approves the August Certificates of Deposit Report and increases the maximum combined balance for Certificates of Deposit from \$600,000 to \$700,000. Second by Kind. Motion passed 4-0.

05-02-18 Motion by Conrad that the Greenwood city council (1) authorizes the administrative committee to move forward with the Bridgewater Bank CD staging concept; and (2) authorizes a maximum of \$800,000 to be invested in CDs. Second by Quam. Motion passed 5-0.

04-03-19 Motion by Fletcher to raise the allowable certificate of deposits balance to \$900,000 to allow for interest growth. Second by Conrad. Motion passed 4-0.

**City of Greenwood
Monthly Cash Summary**



	2019	2020	Variance with Prior Month	Variance with Prior Year
January	\$1,160,255	\$1,212,136	-\$75,983	\$51,881
February	\$1,113,218	\$1,262,195	\$50,059	\$148,977
March	\$1,093,116	\$1,237,573	-\$24,622	\$144,457
April	\$1,035,438	\$1,181,345	-\$56,228	\$145,907
May	\$1,030,665	\$1,184,046	\$2,701	\$153,381
June	\$1,001,314	\$1,357,267	\$173,221	\$355,953
July	\$1,235,754	\$0	-\$1,357,267	-\$1,235,754
August	\$1,229,599	\$0	\$0	-\$1,229,599
September	\$1,196,210	\$0	\$0	-\$1,196,210
October	\$1,071,209	\$0	\$0	-\$1,071,209
November	\$1,031,949	\$0	\$0	-\$1,031,949
December	\$1,288,119	\$0	\$0	-\$1,288,119

Bridgewater Bank Checking	\$78,562
Bridgewater Bank Money Market	\$601,402
Bridgewater Bank CD's	\$677,303
	\$1,357,267

ALLOCATION BY FUND

General Fund	\$550,396
Special Project Fund	\$8,406
General Fund Designated for P	\$56,001
Bridge Capital Project Fund	\$191,244
Road Improvement Fund	\$31,988
Stormwater Fund	\$38,415
Sewer Enterprise Fund	\$355,094
Marina Enterprise Fund	\$125,723
	\$1,357,267



Agenda Number: 2G

Agenda Date: 08-05-20

Prepared by Deb Kind

Agenda Item: Adoption of NFPA 96 Annex B, Mobile and Temporary Cooking Operations

Summary: See the attached request from Excelsior Fire District Marshal Kellie Murphy-Ringate.

Consent Agenda Motion:

I move the Greenwood city council adopts NFPA 96 Annex B, Mobile and Temporary Cooking Operations to give the Excelsior Fire District the authority to enforce requirements that would reduce the risk of a Mobile or Temporary Cooking Operation accident or explosion.

From: Kellie Murphy Ringate kmurphyringate@excelsiorfire.org
Subject: Adoption of NFPA 96 Annex B, Mobile and Temporary Cooking Operations
Date: June 29, 2020 at 4:23 PM
To: Kristi Luger kluger@excelsiormn.org, Dana Young (Dana Young danay@cityofdeephaven.org, Greg Lerud GLerud@ci.shorewood.mn.us, Kathy Laur (klaur@cityoftonkabay.net) klaur@cityoftonkabay.net, Deb Kind dkind100@me.com
Cc: Curt Mackey cmackey@excelsiorfire.org, Thom Brown tbrown@excelsiorfire.org



Good afternoon City Administrators, Mayors , and Council Members,

The Excelsior Fire District has had a Risk Reduction Inspection Program for events that include the inspection of tents, Mobile Cooking Operations and Temporary Cooking Operations (food trucks and trailers) in place for many years.

As you are aware Mobile Cooking Operations and Temporary Cooking Operations (food truck and trailers) have become very popular. The number of food trucks and trailers that operate independently or as part of an event have increased dramatically in the last several years.

As the popularity of food trucks and trailers grew so did the safety concerns of code officials, especially after the 2014 food truck that exploded in Philadelphia critically injuring 2 people and hospitalizing 10 others and the 2015 food truck explosion in the driveway of a Lakeville resident that damaged 20 homes in the neighborhood.

Fire code officials have had to refer to several codes and standards to assure that Mobile Cooking and Temporary Cooking Operations were operating safely in the jurisdiction. These codes included, NFPA 58-LP Gas Code ,NFPA 10-Portable Fire Extinguishers, NFPA 70-National Electrical Code, and NFPA 96 Fire Protection of Commercial Cooking Operations to name a few.

In 2014 the International Fire Marshals Association created a task force to create a new chapter for Mobile and Temporary Cooking Operations in NFPA 96, this chapter combines new requirements with established requirements in the areas of high risk such as propene, ventilation hoods, and solid fuels. In 2017 NFPA 96 was published with a new Annex B, called Mobile and Temporary Cooking Operations.

This March the 2020 Minnesota State Fire Code was adopted along with NFPA 96-2017 Edition-Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations. However, the new Mobile and Temporary Cooking Operations Annex B was not automatically adopted because it is and optional annex/chapter.

The Excelsior Fire District is requesting that the Cities of Deephaven, Excelsior, Greenwood , Shorewood, and Tonka Bay adopt NFPA 96 Annex B, Mobile and Temporary Cooking Operations. Adoption of the annex would give the Excelsior Fire District the authority to enforce requirements that would reduce the risk of a Mobile or Temporary Cooking Operation accident or explosion. This would be another tool to help the Excelsior Fire District increase safety and reduce risk.

I have attached a copy of NFPA 96 Annex B, Mobile and Temporary Cooking Operations for your reference.

Please contact me if you have any questions.

Kellie Murphy-Ringate

Fire Marshal, Excelsior Fire District

Phone: 952-960-1692

Hours: Monday-Friday

Website: www.excelsiorfire.org

Email: KMurphyRingate@excelsiorfire.org



NFPA 96 2017
Mobile, Temp.
Cooking Operations

FIG

N Annex B Mobile and Temporary Cooking Operations

This annex is not a part of the requirements of this NFPA document unless specifically adopted by the jurisdiction at the discretion of the adopting jurisdiction. Additionally, information in this annex is intended to be incorporated on a voluntary basis. Although this annex is written in mandatory language, it is not intended to be enforced or applied unless specifically adopted by the jurisdiction or it is applied on a voluntary basis.

B.1 General.

B.1.1 Mobile and temporary cooking operations shall comply with the requirements of this chapter.

B.1.1.1 Cooking equipment that is powered on during transit shall be listed as installed for such use.

B.1.2 Cooking equipment used in processes producing smoke or grease-laden vapors shall be equipped with an exhaust system that complies with all the equipment and performance requirements of this standard.

B.1.2.1 Cooking equipment that has been listed in accordance with ANSI/UL 197 or an equivalent standard for reduced emissions shall not be required to be provided with an exhaust system.

B.1.2.2 The listing evaluation of cooking equipment covered by B.1.2.1 shall demonstrate that the grease discharge at the exhaust duct of a test hood placed over the appliance shall not exceed 5 mg/m^3 (0.00018 oz/ft^3) when operated with a total airflow of $0.236 \text{ m}^3/\text{s}$ (500 cfm).

B.1.3 All such equipment and its performance shall be maintained in accordance with the requirements of this standard during all periods of operation of the cooking equipment.

B.1.4 The following equipment shall be kept in working condition:

- (1) Cooking equipment
- (2) Hoods
- (3) Ducts (if applicable)
- (4) Fans
- (5) Fire-extinguishing equipment
- (6) Special effluent or energy control equipment

B.1.4.1 Maintenance and repairs shall be performed on all components at intervals necessary to maintain good working condition.

B.1.5 All airflows shall be maintained.

B.1.6 The responsibility for inspection, testing, maintenance, and cleanliness of the ventilation control and fire protection of the commercial cooking operations, including cooking appliances, shall ultimately be that of the owner of the system, provided that this responsibility has not been transferred in written form to a management company, tenant, or other party.

B.1.7 All interior surfaces of the exhaust system shall be accessible for cleaning and inspection purposes.

B.2 Clearance. Note: See Figure A.4.2(a) through Figure A.4.2(h) for clarification of the appropriate clearances required in Section B.2.

B.2.1 Where enclosures are not required, hoods, grease removal devices, exhaust fans, and ducts shall have a clearance of at least 457 mm (18 in.) to combustible material, 76 mm (3 in.) to limited-combustible material, and 0 mm (0 in.) to noncombustible material.

B.2.2 Where a hood, duct, or grease removal device is listed for clearances less than those required in B.2.1, the listing requirements shall be permitted.

B.2.3 Clearance Reduction.

B.2.3.1 Where a clearance reduction system consisting of 0.33 mm (0.013 in.) (28 gauge) sheet metal spaced out 25 mm (1 in.) on noncombustible spacers is provided, there shall be a minimum of 229 mm (9 in.) clearance to combustible material.

B.2.3.2 Where a clearance reduction system consisting of 0.69 mm (0.027 in.) (22 gauge) sheet metal on 25 mm (1 in.) mineral wool batts or ceramic fiber blanket reinforced with wire mesh or equivalent spaced 25 mm (1 in.) on noncombustible spacers is provided, there shall be a minimum of 76 mm (3 in.) clearance to combustible material.

B.2.3.3 Where a clearance reduction system consisting of a listed and labeled field-applied grease duct enclosure material, system, product, or method of construction specifically evaluated for such purpose in accordance with ASTM E2336, the required clearance shall be in accordance with the listing.

B.2.3.4 Zero clearance to limited-combustible materials shall be permitted where protected by one of the following:

- (1) Metal lath and plaster
- (2) Ceramic tile
- (3) Quarry tile
- (4) Other noncombustible materials or assembly of noncombustible materials that are listed for the purpose of reducing clearance
- (5) Other materials and products that are listed for the purpose of reducing clearance

B.2.4 Clearance Integrity.

B.2.4.1 In the event of damage, the material or product shall be repaired and restored to meet its intended listing or clearance requirements and shall be acceptable to the AHJ.

B.2.4.2 In the event of a fire within a kitchen exhaust system, the duct and its enclosure (rated shaft, factory-built grease duct enclosure, or field-applied grease duct enclosure) shall be inspected by qualified personnel to determine whether the duct and protection method are structurally sound, capable of maintaining their fire protection function, and in compliance with this standard for continued operation.

Note: The intent of this paragraph is to maintain the systems and their function in accordance with the requirements of the edition of NFPA 96 under which the systems were designed and installed.

B.2.4.3 Protection shall be provided on the wall from the bottom of the hood to the floor, or to the top of the noncombustible material extending to the floor, to the same level as required in B.2.1.

B.2.4.4 The protection methods for ducts to reduce clearance shall be applied to the combustible or limited-combustible construction, not to the duct itself.

B.3 Duct Contact.

B.3.1 A duct shall be permitted to contact noncombustible floors, interior walls, and other noncombustible structures or supports, but it shall not be in contact for more than 50 percent of its surface area for each linear foot of contact length.

B.3.2 Where duct contact must exceed the requirements of B.3.1, the duct shall be protected from corrosion.

B.3.3 Where the duct is listed for zero clearance to combustibles or is otherwise protected with a material or product listed for the purpose of reducing clearance to zero, the duct shall be permitted to exceed the contact limits of B.3.1 without additional corrosion protection.

B.3.4 Where the duct is listed for zero clearance to combustibles, the duct shall be permitted to exceed the contact limits of B.3.1 without additional corrosion protection.

B.3.5 Duct Clearances to Enclosures. Clearances between the duct and interior surfaces of enclosures shall meet the requirements of Section B.2.

B.3.6 Drawings. A drawing(s) of the exhaust system installation along with copies of operating schematics shall be kept in the mobile unit or temporary cooking operation unit.

B.3.7 Authority Having Jurisdiction Notification. If required by the authority having jurisdiction, notification in writing shall be given of any alteration, replacement, or relocation of any exhaust or extinguishing system or part thereof or cooking equipment.

B.3.8 Materials.

B.3.8.1 Noncombustible Material.

B.3.8.1.1 A material that complies with any of the following shall be considered a noncombustible material:

- (1) The material, in the form in which it is used, and under the conditions anticipated, will not ignite, burn, support combustion, or release flammable vapors when subjected to fire or heat.
- (2) The material is reported as passing ASTM E136, *Standard Test Method for Behavior of Materials in a Vertical Tube Furnace at 750 Degrees C.*
- (3) The material is reported as complying with the pass/fail criteria of ASTM E136 when tested in accordance with the test method and procedure in ASTM E2652, *Standard Test Method for Behavior of Materials in a Tube Furnace with a Cone-shaped Airflow Stabilizer, at 750 Degrees C.*

[5000:7.1.4.1.1]

Note: The provisions of B.3.8.1.1 do not require inherently noncombustible materials to be tested in order to be classified as noncombustible materials. Examples of such materials include steel, concrete, masonry, and glass.

B.3.8.1.2 Where the term *limited-combustible* is used in this [standard], it shall also include the term *noncombustible*. [5000:7.1.4.1.2]

B.3.8.2 Limited-Combustible Material. A material shall be considered a limited-combustible material where both of the conditions of B.3.8.2.1, and B.3.8.2.2, and the conditions of either B.3.8.2.3 or B.3.8.2.4 are met. [5000:7.1.4.2]

B.3.8.2.1 The material does not comply with the requirements for a noncombustible material, in accordance with B.3.8.1.1. [5000:7.1.4.2(1)]

B.3.8.2.2 The material, in the form in which it is used, exhibits a potential heat value not exceeding 3500 Btu/lb (8141 kJ/kg), when tested in accordance with NFPA 259. [5000:7.1.4.2(2)]

B.3.8.2.3 The material shall have a structural base of a noncombustible material with a surfacing not exceeding a thickness of 1/8 in. (3.2 mm) where the surfacing exhibits a flame spread index not greater than 50 when tested in accordance with ASTM E84, *Standard Test Method for Surface Burning Characteristics of Building Materials*, or ANSI/UL 723, *Standard for Test for Surface Burning Characteristics of Building Materials*. [5000:7.1.4.2.1]

B.3.8.2.4 The material shall be composed of materials that, in the form and thickness used, neither exhibit a flame spread index greater than 25 nor evidence of continued progressive combustion when tested in accordance with ASTM E84 or ANSI/UL 723 and are of such composition that all surfaces that would be exposed by cutting through the material on any plane would neither exhibit a flame spread index greater than 25 nor exhibit evidence of continued progressive combustion when tested in accordance with ASTM E84 or ANSI/UL 723. [5000:7.1.4.2.2]

B.3.8.2.5 Where the term *limited-combustible* is used in this [standard], it shall also include the term *noncombustible*. [5000:7.1.4.2.3]

B.4 Hoods.

B.4.1 Construction.

B.4.1.1 The hood or that portion of a primary collection means designed for collecting cooking vapors and residues shall be constructed of and be supported by steel not less than 1.21 mm (0.048 in.) (No. 18 MSG) in thickness, stainless steel not less than 0.91 mm (0.036 in.) (No. 20 MSG) in thickness, or other approved material of equivalent strength and fire and corrosion resistance.

B.4.1.2 All seams, joints, and penetrations of the hood enclosure that direct and capture grease-laden vapors and exhaust gases shall have a liquidtight continuous external weld to the hood's lower outermost perimeter.

B.4.1.3 Seams, joints, and penetrations of the hood shall be permitted to be internally welded, provided that the weld is formed smooth or ground smooth, so as to not trap grease, and is cleanable.

B.4.1.4 Internal hood joints, seams, filter support frames, and appurtenances attached inside the hood shall be sealed or otherwise made greasetight.

Note: Welding is one acceptable method.

B.4.1.5 Penetrations shall be permitted to be sealed by devices that are listed for such use and whose presence does not detract from the hood's or duct's structural integrity.

B.4.1.6 Listed exhaust hoods with or without exhaust dampers shall be permitted to be constructed of materials required by the listing.

B.4.1.7 Listed exhaust hoods with or without exhaust dampers shall be permitted to be assembled in accordance with the listing requirements.

B.4.1.8 Eyebrow-Type Hoods.

B.4.1.8.1 Eyebrow-type hoods over gas or electric ovens shall be permitted to have a duct constructed as required in B.6 from the oven flue(s) connected to the hood canopy upstream of the exhaust plenum, as shown in Figure 5.1.8.1.

B.4.1.8.2 The duct connecting the oven flue(s) to the hood canopy shall be connected with a continuous weld or have a duct-to-duct connection. [See Figure 8.1.3.2(b) through Figure 8.1.3.2(d).]

B.4.1.9 Insulation materials other than electrical insulation shall have a flame spread index of 25 or less, when tested in accordance with ASTM E84 or ANSI/UL 723.

B.4.1.10 Adhesives or cements used in the installation of insulating materials shall comply with the requirements of B.4.1.9 when tested with the specific insulating material.

B.4.1.11 Penetrations shall be sealed with listed devices in accordance with the requirements of B.4.1.12.

B.4.1.12 Devices that require penetration of the hood, such as pipe and conduit penetration fittings and fasteners, shall be listed in accordance with ANSI/UL 1978.

B.4.1.13 Wall-mounted exhaust hood assemblies shall be tight fitting against the back wall so as to not permit passage of grease vapor behind the hood or between the back wall and the hood assembly.

B.4.2 Hood Size. Hoods shall be sized and configured to provide for the capture and removal of grease-laden vapors. (See B.7.2.2.)

B.4.3 Exhaust Hood Assemblies with Integrated Supply Air Plenums.

B.4.3.1 The construction and size of exhaust hood assemblies with integrated supply air plenums shall comply with the requirements of B.4.1 and B.4.2.

B.4.3.2 The construction of the outer shell or the inner exhaust shell shall comply with B.4.1.

B.4.3.3 Where the outer shell is welded, the inner shell shall be of greasetight construction.

B.4.4 Listed Hood Assemblies. Note: Examples of acceptable materials for hoods include steel and stainless steel. Additionally, many health officials prohibit galvanized steel in hoods, as does NSF/ANSI 2.

B.4.4.1 Listed hood assemblies shall be installed in accordance with the terms of their listing and the manufacturer's instructions.

B.4.4.2 Listed hood assemblies shall be tested in accordance with ANSI/UL 710 or equivalent.

B.5 Grease Removal Devices in Hoods.

B.5.1 Grease Removal Devices.

B.5.1.1 Listed grease filters or other listed grease removal devices intended for use with commercial cooking operations shall be provided.

B.5.1.2 Listed grease filters and grease removal devices that are removable but not an integral component of a specific listed exhaust hood shall be listed in accordance with ANSI/UL 1046 and shall be designated on the filter.

B.5.1.3 Mesh filters shall not be used unless evaluated as an integral part of a listed exhaust hood or listed in conjunction with a primary filter in accordance with ANSI/UL 1046.

B.5.2 Installation.

B.5.2.1 Separation Distance.

B.5.2.1.1 The distance between the grease removal device and the cooking surface shall be as great as possible but not less than 457 mm (18 in.).

B.5.2.1.2 Where grease removal devices are used in conjunction with solid fuel or solid fuel-type broilers, including gas or electrically heated charbroilers, a minimum vertical distance of 1.22 m (4 ft) shall be maintained between the lower edge of the grease removal device and the cooking surface.

B.5.2.1.3 For cooking equipment without exposed flame and where flue gases bypass grease removal devices, the minimum vertical distance shall be permitted to be reduced to not less than 152 mm (6 in.).

B.5.2.1.4 Where a grease removal device is listed for separation distances less than those required in B.5.2.1.1 and B.5.2.1.2, the listing requirements shall be permitted.

B.5.2.1.5 Grease removal devices supplied as part of listed hood assemblies shall be installed in accordance with the terms of the listing and the manufacturer's instructions.

B.5.2.2 Grease Removal Device Protection.

B.5.2.2.1 Where the distance between the grease removal device and the appliance flue outlet (heat source) is less than 457 mm (18 in.), grease removal devices shall be protected from combustion gas outlets and from direct flame impingement occurring during normal operation of cooking appliances producing high flue gas temperatures.

Note: Appliances that produce high flue gas temperatures include deep-fat fryers, upright or high broilers, and salamander broilers.

B.5.2.2.2 This protection shall be permitted to be accomplished by the installation of a steel or stainless steel baffle plate between the heat source and the grease removal device.

Note: For a typical arrangement of a baffle protecting filters at an appliance vent, see Figure A.6.2.2.2.

B.5.2.2.3 The baffle plate shall be sized and located so that flames or combustion gases travel a distance not less than 457 mm (18 in.) from the heat source to the grease removal device.

B.5.2.2.4 The baffle shall be located not less than 152 mm (6 in.) from the grease removal device.

B.5.2.3 Grease Filters.

B.5.2.3.1 Grease filters shall be listed.

B.5.2.3.2 Grease filters shall be constructed of noncombustible material.

B.5.2.3.3 Grease filters shall be of rigid construction that will not distort or crush under normal operation, handling, and cleaning conditions.

B.5.2.3.4 Grease filters shall be arranged so that all exhaust air passes through the grease filters.

B.5.2.3.5 Grease filters shall be easily accessible for removal.

B.5.2.3.6 Grease filters shall be installed at an angle not less than 45 degrees from the horizontal.

B.5.2.4 Grease Drip Trays.

B.5.2.4.1 Grease filters shall be equipped with a grease drip tray beneath their lower edges.

B.5.2.4.2 Grease drip trays shall be kept to the minimum size needed to collect grease.

B.5.2.4.3 Grease drip trays shall be pitched to drain into an enclosed metal container having a capacity not exceeding 3.8 L (1 gal).

B.5.2.5 Grease Filter Orientation. Grease filters that require a specific orientation to drain grease shall be clearly so designated on the face of the filter as to be visible with the filter installed, or the hood or filter shall be constructed so that filters cannot be installed in the wrong orientation.

B.6 Exhaust Duct Systems.

B.6.1 All ducts shall lead directly to the exterior of the mobile unit or temporary cooking operation, so as not to unduly increase any fire hazard.

Note: Vertical or substantially pitched ducts are preferred over horizontal ducts because of their capacity to drain grease and to transfer heated vapors more rapidly to the exterior of a mobile unit or temporary cooking operation.

B.6.2 All ducts shall be installed with a minimum 2 percent slope on horizontal runs up to 22.86 m (75 ft) and a minimum 8 percent slope on horizontal runs greater than 22.86 m (75 ft).

B.6.2.1 Factory-built grease ducts shall be permitted to be installed at a lesser slope in accordance with the listing and the manufacturer's instructions.

B.6.2.2 All horizontal ducts shall be provided with access in accordance with B.6.5.1.

B.6.2.3 Drains shall be provided at low points in horizontal ducts.

Note: Typically, ducts that are sloped in accordance with B.6.2 prevent collection points for residue and eliminate the

need for drains. For horizontal ducts greater than 22.86 m (75 ft), low points are difficult to avoid. Where the low points cannot be avoided, access and drains should be considered.

B.6.2.3.1 Where provided, drains shall be continuously welded to the exhaust duct in accordance with the terms of the listing and the manufacturer's installation manual.

B.6.2.4 All ducts shall be installed without forming dips or traps.

B.6.2.5 Openings required for accessibility shall comply with B.6.4.

B.6.2.6 A sign stating the following shall be placed on all access panels:

ACCESS PANEL — DO NOT OBSTRUCT

B.6.2.7 Listed grease ducts shall be installed in accordance with the terms of the listing and the manufacturer's instructions.

B.6.3 Clearance. Clearance between ducts and combustible materials shall be provided in accordance with the requirements of Section B.2.

B.6.3.1 Where single-wall ductwork penetrates a non-fire-rated roof assembly, the penetration point shall be of limited combustible or noncombustible construction unless a field applied grease duct enclosure is installed to the top of the roof curb or the clearances of Section B.2 are maintained.

B.6.4 Openings.

B.6.4.1 Openings shall be provided at the sides or at the top of the duct, whichever is more accessible, and at changes of direction.

B.6.4.2 Openings shall be protected by approved access constructed and installed in accordance with the requirements of B.6.5.4.

B.6.4.3 Openings shall not be required in portions of the duct that are accessible from the duct entry or discharge.

B.6.4.4 Access panel openings shall not be required in portions of the common exhaust duct or branch duct that are accessible from the branch duct connection to the exhaust hood.

B.6.4.5 Exhaust fans with ductwork connected to both sides shall have access for cleaning and inspection within 0.92 m (3 ft) of each side of the fan.

B.6.4.6 Wall-mounted exhaust fans shall have access for cleaning and inspection within 0.92 m (3 ft) of the exhaust fan.

B.6.5 Openings in Ducts. All openings shall comply with the requirements of this section.

B.6.5.1 Horizontal Ducts.

B.6.5.1.1 On horizontal ducts, at least one 508 mm × 508 mm (20 in. × 20 in.) opening shall be provided for personnel entry.

B.6.5.1.2 Where an opening of the size specified in B.6.5.1.1 is not possible, openings large enough to permit thorough cleaning shall be provided at 3.7 m (12 ft) intervals.

B.6.5.1.3 Support systems for horizontal grease duct systems 609 mm (24 in.) and larger in any cross-sectional dimension shall be designed for the weight of the ductwork plus 363 kg (800 lb) at any point in the duct systems.

B.6.5.1.4 On nonlisted ductwork, the edge of the opening shall be not less than 38.1 mm (1 ½ in.) from all outside edges of duct or welded seams.

B.6.5.2 Vertical Ducts.

B.6.5.2.1 On vertical ductwork where personnel entry is possible, access shall be provided at the top of the vertical riser to accommodate descent.

B.6.5.2.2 Where personnel entry is not possible, adequate access for cleaning shall be provided on each floor.

B.6.5.2.3 On nonlisted ductwork, the edge of the opening shall be not less than 38.1 mm (1 ½ in.) from all outside edges of the duct or welded seams.

B.6.5.3 Access Panels.

B.6.5.3.1 Access panels shall be of the same material and thickness as the duct.

B.6.5.3.2 Access panels shall have a gasket or sealant that is rated for 815.6°C (1500°F) and shall be greasetight.

B.6.5.3.3 Fasteners, such as bolts, weld studs, latches, or wing nuts, used to secure the access panels shall be carbon steel or stainless steel and shall not penetrate duct walls.

B.6.5.3.4 Listed grease duct access door assemblies (access panels) shall be installed in accordance with the terms of the listing and the manufacturer's instructions.

B.6.5.4 Protection of Openings.

B.6.5.4.1 Openings for installation, servicing, and inspection of listed fire protection system devices and for duct cleaning shall be provided in ducts and enclosures and shall conform to the requirements of B.6.4.

B.6.5.4.2 Enclosure openings required to reach access panels in the ductwork shall be large enough for removal of the access panel through the enclosure opening.

B.6.6 Other Grease Ducts. Other grease ducts shall comply with the requirements of this section.

B.6.6.1 Materials. Note: Examples of acceptable materials for ducts include the following:

- (1) Steel
- (2) Galvanized steel
- (3) Stainless steel

B.6.6.1.1 Ducts shall be constructed of and supported by carbon steel not less than 1.52 mm (0.060 in.) (No. 16 MSG) in thickness or stainless steel not less than 1.21 mm (0.048 in.) (No. 18 MSG) in thickness.

B.6.6.1.2 Factory-built grease ducts listed in accordance with ANSI/UL 1978 shall be permitted to use materials in accordance with their listing.

B.6.6.2 Installation.

B.6.6.2.1 All seams, joints, penetrations, and duct-to-hood collar connections shall have a liquidtight continuous external weld.

B.6.6.2.1.1 Factory-built grease ducts listed in accordance with ANSI/UL 1978 shall be permitted to incorporate nonwelded joint construction in accordance with their listings.

B.6.6.2.1.2 Prior to the use of or concealment of any portion of a grease duct system, a leakage test shall be performed to determine that all welded joints and seams are liquidtight.

Note: The leakage test should consist of a light test, a water pressure test, or an approved equivalent test. The permit holder should be responsible for providing the necessary equipment and for performing the test. Refer to ANSI/ASHRAE 154, *Ventilation for Commercial Cooking Operations*, for specific information on such tests.

B.6.6.2.2 Duct-to-hood collar connections as shown in Figure 7.5.2.2 shall not require a liquidtight continuous external weld.

B.6.6.2.3 Penetrations shall be permitted to be sealed by other listed devices that are tested to be greasetight and are evaluated under the same conditions of fire severity as the hood or enclosure of listed grease extractors and whose presence does not detract from the hood's or duct's structural integrity.

B.6.6.2.4 Internal welding shall be permitted, provided the joint is formed or ground smooth and is readily accessible for inspection.

B.6.6.3 Penetrations shall be sealed with listed devices in accordance with the requirements of 7.5.4.

B.6.6.4 Devices that require penetration of the ductwork, such as pipe and conduit penetration fittings and fasteners, shall be listed in accordance with ANSI/UL 1978.

B.6.6.5 Welded Duct Connections.

B.6.6.5.1 Acceptable duct-to-duct connection shall be as follows:

- (1) Telescoping joint, as shown in Figure 7.5.5.1(a)
- (2) Bell-type joint, as shown in Figure 7.5.5.1(b)
- (3) Flange with edge weld, as shown in Figure 7.5.5.1(c)
- (4) Flange with filled weld, as shown in Figure 7.5.5.1(d)

B.6.6.5.2 Butt-welded connections shall not be permitted.

B.6.6.5.3 For telescoping and bell-type connections, the inside duct section shall always be uphill of the outside duct section.

B.6.6.5.4 For telescoping and bell-type connections, the difference between the inside dimensions of overlapping sections shall not exceed 6.4 mm (¼ in.).

B.6.6.5.5 For telescoping and bell-type connections, the overlap shall not exceed 50.8 mm (2 in.).

B.6.7 Exterior Installation.

B.6.7.1 The exterior portion of the ductwork shall be vertical wherever possible and shall be installed and supported on the exterior of a mobile unit or temporary cooking operation.

B.6.7.2 Bolts, screws, rivets, and other mechanical fasteners shall not penetrate duct walls.

B.6.7.3 Clearance of ducts shall comply with Section B.2.

B.6.7.4 All ducts shall be protected on the exterior by paint or other suitable weather-protective coating.

B.6.7.5 Ducts constructed of stainless steel shall not be required to have additional paint or weather-protective coatings.

B.6.7.6 Ductwork subject to corrosion shall have minimal contact with the mobile unit or temporary cooking operation surface.

B.6.8 Rooftop Terminations.

B.6.8.1 Rooftop terminations shall be arranged with or provided with the following:

- (1) The ability to drain grease out of any traps or low points formed in the fan or duct near the termination of the system into a collection container that is noncombustible, closed, rainproof, and structurally sound for the service to which it is applied and that will not sustain combustion
- (2) A grease collection device that is applied to exhaust systems that does not inhibit the performance of any fan
- (3) Listed grease collection systems that meet the requirements of B.6.8.1(1) and B.6.8.1(2)
- (4) A listed grease duct complying with Section B.3 or ductwork complying with B.3.5
- (5) A hinged upblast fan supplied with flexible weatherproof electrical cable and service hold-open retainer to permit inspection and cleaning that is listed for commercial cooking equipment with the following conditions:
 - (a) Where the fan attaches to the ductwork, the ductwork is a minimum of 0.46 m (18 in.) away from any roof surface, as shown in Figure 7.8.2.1.
 - (b) The fan discharges a minimum of 1.02 m (40 in.) away from any roof surface, as shown in Figure 7.8.2.1.
- (6) Other approved fan, provided it meets all of the following criteria:
 - (a) The fan meets the requirements of B.7.1.4.
 - (b) Exhaust fan discharge is directed up and away from the roof surface.

B.6.8.2 Fans shall be provided with safe access and a work surface for inspection and cleaning.

B.6.9 Wall Terminations. Wall terminations shall be arranged with or provided with the following properties:

- (1) The exhaust flow shall be directed perpendicularly outward from the wall face or upward.
- (2) All the ductwork shall be pitched to drain the grease back into the hood(s) or with a drain provided to bring the grease back into a container within the mobile unit or temporary cooking operation or into a remote grease trap.
- (3) A listed grease duct shall comply with B.6.5; other ducts shall comply with B.6.6.
- (4) An approved fan shall meet the requirements of B.6.9(2) and B.7.1.2 or B.7.1.4.

B.7 Air Movement.

B.7.1 Exhaust Fans for Commercial Cooking Operations.

B.7.1.1 Fans used in exhaust systems for commercial cooking shall be listed in accordance with UL 762.

B.7.1.2 Upblast Exhaust Fans. Note: An upblast exhaust fan is popular due to its low cost and ease of installation and is common in one- or two-story freestanding restaurants. The fan housing typically is made of spun aluminum. The motor and

the belt drive are outside the airstream. See Figure A.8.1.2 for an example.

B.7.1.2.1 Upblast fans with motors surrounded by the airstream shall be hinged and supplied with flexible weather-proof electrical cable and service hold-open retainers.

B.7.1.2.2 Installation shall conform to the requirements of B.6.8 and B.6.9.

B.7.1.2.3 Upblast fans shall have a drain directed to a readily accessible and visible grease receptacle not to exceed 3.8 L (1 gal).

B.7.1.3 In-Line Exhaust Fans.

B.7.1.3.1 In-line fans shall be of the type with the motor located outside the airstream and with belts and pulleys protected from the airstream by a greasetight housing.

B.7.1.3.2 In-line fans shall be connected to the exhaust duct by flanges securely bolted as shown in Figure 8.1.3.2(a) through Figure 8.1.3.2(d) or by a system specifically listed for such use.

B.7.1.3.3 Flexible connectors shall not be used.

B.7.1.3.4 If the design or positioning of the fan allows grease to be trapped, a drain directed to a readily accessible and visible grease receptacle not exceeding 3.8 L (1 gal) shall be provided.

B.7.1.3.5 In-line exhaust fans shall be located in easily accessible areas of adequate size to allow for service or removal.

B.7.1.3.6 Where the duct system connected to the fan is in an enclosure, the space or room in which the exhaust fan is located shall have the same fire resistance rating as the enclosure.

B.7.1.4 Utility Set Exhaust Fans. Note: See Figure A.8.1.4 for an example of a utility set fan. This type of fan generally is used for large exhaust systems such as found in hotels, hospitals, and prisons or in restaurants located in high-rise buildings. It typically is mounted on the roof but sometimes is located in a mechanical space or room.

B.7.1.4.1 Utility set exhaust fans, if installed at the rooftop termination point, shall meet the requirements of B.6.8.2.

B.7.1.4.2 The fan shall be connected to the exhaust duct by flanges securely bolted as shown in Figure 8.1.3.2(a) through Figure 8.1.3.2(d) or by a system specifically listed for such use.

B.7.1.4.3 Flexible connectors shall not be used.

B.7.1.4.4 Exhaust fans shall have a drain directed to a readily accessible and visible grease receptacle not to exceed 3.8 L (1 gal).

B.7.1.5 Exhaust Fan Housings Exhaust fan housings shall be constructed of carbon steel not less than 1.52 mm (0.060 in.) (No. 16 MSG) in thickness, of stainless steel not less than 1.21 mm (0.048 in.) (No. 18 MSG) in thickness, or, if listed, in accordance with the terms of the listing.

B.7.1.6 Openings for Cleaning, Servicing, and Inspection.

B.7.1.6.1 Openings for cleaning, servicing, and inspection shall conform to the requirements of 7.3.7.

B.7.1.6.2 Clearances shall conform to the requirements of Section B.2.

B.7.1.6.3 Upblast Fans.

B.7.1.6.3.1 Upblast fans shall be supplied with an access opening of a minimum 76 mm by 127 mm (3 in. by 5 in.) or a circular diameter of 101 mm (4 in.) on the curvature of the outer fan housing to allow for cleaning and inspection of the fan blades.

B.7.1.6.3.2 On existing upblast fans where sufficient access is not available to allow for the removal of grease contamination, an approved hinge mechanism or access panel shall be installed.

B.7.1.7 Wiring and Electrical Equipment. All wiring and electrical equipment shall comply with *NFPA 70* (see also Section B.8).

B.7.2 Airflow**B.7.2.1 Air Velocity.**

B.7.2.1.1 The air velocity through any duct shall be not less than 152.4 m/min (500 ft/min).

B.7.2.1.2 Transition duct sections that do not exceed 0.92 m (3 ft) in length and do not contain grease traps shall be permitted to be connected to hoods and exhaust fans that do not meet this velocity.

B.7.2.2 Air Volume.

B.7.2.2.1 Exhaust air volumes for hoods shall be of a sufficient level to provide for capture and removal of grease-laden cooking vapors.

B.7.2.2.2 Test data, performance tests acceptable to the authority having jurisdiction, or both shall be displayed, provided on request, or both.

Note: Performance tests can include a field test conducted with all appliances under the hood at operating temperatures and with all sources of outside air providing makeup air. Capture and containment should be verified visually by observing smoke or steam by actual or simulated full-load cooking.

B.7.2.2.3 Lower exhaust air volumes shall be permitted during no-load cooking conditions, provided they are sufficient to capture and remove flue gases and residual vapors from cooking equipment.

B.7.2.3 Exhaust Fan Operation.

B.7.2.3.1 A hood exhaust fan(s) shall continue to operate after the extinguishing system has been activated unless fan shutdown is required by a listed component of the ventilation system or by the design of the extinguishing system.

B.7.2.3.2 The hood exhaust fan shall start upon activation of the extinguishing system if the exhaust fan and all cooking equipment served by the fan have been shut down, unless fan shutdown is required by a listed component of the ventilation system or by the listing of the extinguishing system.

B.7.2.3.3 The exhaust fan shall be provided with a means so that the fan is activated when any heat-producing cooking appliance under the hood is turned on.

B.7.3 Replacement Air. Note: It is not advisable to discontinue the use of replacement air systems during cooking operations. Exhaust function, indoor pollution, indoor comfort, and grease removal, for example, will be adversely affected.

B.7.3.1 Replacement air quantity shall be adequate to prevent negative pressures in the commercial cooking area(s) from exceeding 4.98 Pa (0.02 in. water column).

B.7.3.2 When the fire-extinguishing system activates, makeup air supplied internally to a hood shall be shut off.

B.8 Auxiliary Equipment.**B.8.1 Dampers.**

B.8.1.1 Dampers shall not be installed in exhaust ducts or exhaust duct systems.

B.8.1.2 Where specifically listed for such use or where required as part of a listed device or system, dampers in exhaust ducts or exhaust duct systems shall be permitted.

B.8.2 Electrical Equipment.

B.8.2.1 Wiring systems of any type shall not be installed in ducts.

B.8.2.2 Motors, lights, and other electrical devices shall be permitted to be installed in ducts or hoods or to be located in the path of travel of exhaust products only where specifically listed for such use.

B.8.3 Lighting Units.

B.8.3.1 Lighting units in hoods shall be listed for use over commercial cooking appliances and installed in accordance with the terms of their listing.

B.8.3.2 Lighting units on hoods shall not be located in concealed spaces except as permitted by B.8.3.3 and B.8.3.4.

B.8.3.3 Lighting units shall be permitted in concealed spaces where such units are part of a listed exhaust hood.

B.8.3.4 Listed lighting units specifically listed for such use and installed in accordance with the terms of the listing shall be permitted to be installed in concealed spaces.

B.8.4 All electrical equipment shall be installed in accordance with *NFPA 70*.

Note: All wiring should be designed, specified, and installed with due regard to the effects of heat, vapor, and grease on the equipment.

B.9 Fire-Extinguishing Equipment.**B.9.1 General Requirements.**

B.9.1.1 Fire-extinguishing equipment for the protection of grease removal devices, hood exhaust plenums, and exhaust duct systems shall be provided.

B.9.1.2 Cooking equipment that produces grease-laden vapors shall be protected by a fire-extinguishing system for the protection of grease removal devices, hood exhaust plenums, and exhaust duct systems.

B.9.1.3 A placard shall be conspicuously placed near each Class K extinguisher that states that the fire protection system shall be activated prior to using the fire extinguisher.

Note: *NFPA 10*, Annex A, provides recommendations for placards.

B.9.1.3.1 The language and wording for the placard shall be approved by the authority having jurisdiction.

B.9.1.4 Automatic fire-extinguishing systems shall comply with ANSI/UL 300 or other equivalent standards and shall be installed in accordance with the terms of their listing and *NFPA 17A*.

Note: ANSI/UL 300 primarily addresses the method of fire testing for self-contained chemical extinguishing systems commonly referred to as pre-engineered systems. ANSI/UL 300 has been identified as a baseline for testing fire-extinguishing systems intended for the protection of commercial cooking-related hazards. Additional equivalent testing standards can and have been written for other types of fire-extinguishing systems not considered pre-engineered that demonstrate equivalent fire testing severity to the ANSI/UL 300 test standard. Current examples include, but are not limited to, ANSI/UL 199, UL Subject 199B, UL Subject 199E, and ANSI/UL 710B.

B.9.1.5 Where required, complete drawings of the system installation, including the hood(s), exhaust duct(s), and appliances, along with the interface of the fire-extinguishing system detectors, piping, nozzles, fuel and electric power shutoff devices, agent storage container(s), and manual actuation device(s), shall be submitted to the authority having jurisdiction and located within the mobile cooking operation.

B.9.2 Modifications to Existing Hood Systems.

B.9.2.1 Any abandoned pipe or conduit from a previous installation shall be removed from within the hood, plenum, and exhaust duct.

B.9.2.2 Penetrations and holes resulting from the removal of conduit or piping shall be sealed with listed or equivalent liquidtight sealing devices.

B.9.2.3 The addition of obstructions to spray patterns from the cooking appliance nozzle(s) such as baffle plates, shelves, or any modification shall not be permitted.

B.9.2.4 Changes or modifications to the hazard after installation of the fire-extinguishing systems shall result in reevaluation of the system design by a properly trained, qualified, and certified person(s).

B.9.3 Fuel and Electric Power Shutoff.

B.9.3.1 Upon activation of any fire-extinguishing system for a cooking operation, all sources of fuel and electrical power that produce heat to all equipment requiring protection by that system shall automatically shut off.

B.9.3.2 Any gas appliance not requiring protection but located under ventilating equipment where protected appliances are located shall be automatically shut off upon activation of the extinguishing system.

B.9.3.3 Shutoff devices shall require manual reset.

B.9.4 Manual Activation.

B.9.4.1 All systems shall have both automatic and manual methods of actuation.

B.9.4.1.1 At least one manual actuation device shall be located in a means of egress or at a location acceptable to the AHJ.

B.9.4.1.2 Manual activation using a cable-operated pull station shall not require more than 178 N (40 lb) of force, with a pull movement not to exceed 356 mm (14 in.) to activate the automatic fire-extinguishing equipment.

B.9.4.2 The automatic and manual means of system activation external to the control head or releasing device shall be separate and independent of each other so that failure of one will not impair the operation of the other except as permitted by B.9.4.3.

B.9.4.3 The manual means of system activation shall be permitted to be common with the automatic means if the manual activation device is located between the control head or releasing device and the first fusible link.

B.9.4.4 The means for manual activation shall be mechanical or rely on electrical power for activation in accordance with B.9.4.5.

B.9.4.5 Electrical power shall be permitted to be used for manual activation if a standby power supply is provided or if supervision is provided in accordance with Section 10.7.

B.9.4.6 Instruction regarding the proper use of portable fire extinguishers and the manual activation of fire extinguishing equipment shall be provided to employees regarding the proper use of portable fire extinguishers and the manual activation of fire-extinguishing equipment.

B.9.5 System Annunciation.

B.9.5.1 Upon activation of an automatic fire-extinguishing system, an audible alarm or visual indicator shall be provided to show that the system has activated.

B.9.5.2 At least one listed audible and visual notification appliance shall be installed on the exterior surface of the vehicle readily audible and visible to the public.

B.9.6 Installation Requirements. Note: Although training and qualification might be available elsewhere, the manufacturer of the equipment being installed should be considered an appropriate source of training and qualification.

B.9.6.1 Installation of systems shall be performed only by persons properly trained and qualified to install the specific system being provided.

B.9.6.2 The installer shall provide certification to the authority having jurisdiction that the installation is in agreement with the terms of the listing and the manufacturer's instructions and/or approved design.

B.9.7 Portable Fire Extinguishers.**B.9.7.1 General.**

B.9.7.1.1 Portable fire extinguishers shall be selected and installed in kitchen cooking areas in accordance with *NFPA 10* and shall be specifically listed for such use.

Note: The system used to rate extinguishers for Class B fires (flammable liquids in depth) does not take into consideration the special nature of heated grease fires. Cooking-grease fires are a special hazard requiring agents that saponify (make a soap foam layer to seal the top surface of the grease) for this application.

B.9.7.2 Class K fire extinguishers shall be provided for cooking appliance hazards that involve combustible cooking media (vegetable oils and animal oils and fats).

B.9.7.3 Portable fire extinguishers shall be provided for solid fuel cooking operations in accordance with B.10.6.3.

B.9.7.4 Portable fire extinguishers shall be provided for other hazards in kitchen areas and shall be selected and installed in accordance with NFPA 10.

B.9.7.5 Where internal combustion engine power sources are provided, at least one portable fire extinguisher rated 20-B:C shall be provided.

B.9.7.6 Portable fire extinguishers shall be maintained in accordance with NFPA 10.

B.10 Solid Fuel Cooking Operations.

B.10.1 Venting Application. Venting requirements of solid fuel cooking operations shall be determined in accordance with B.10.1.1 through B.10.1.4.

B.10.1.1 Where the solid fuel cooking equipment is located in a space with other vented equipment, all vented equipment shall have an exhaust system interlocked with a makeup air system for the space per B.10.5.

B.10.1.2 Natural draft ventilation systems and power-exhausted ventilation systems shall comply with B.10.3 and B.10.5.

B.10.1.3 Where a solid fuel cooking appliance allows effluent to escape from the appliance opening, this opening shall be covered by a hood and an exhaust system that meets the requirements of B.10.3 and B.10.5.

B.10.1.4 Solid fuel cooking operations shall have spark arresters to minimize the passage of airborne sparks and embers into plenums and ducts.

B.10.2 Location of Appliances.

B.10.2.1 Every appliance shall be located with respect to equipment so as to permit access to the appliance.

B.10.2.2 Solid fuel cooking appliances shall not be installed in confined spaces.

Note: The space should be of ample size to permit adequate circulation of heated air.

B.10.2.3 Solid fuel cooking appliances listed for installation in confined spaces such as alcoves shall be installed in accordance with the terms of the listing and the manufacturer's instructions.

B.10.2.4 Solid fuel cooking appliances shall not be installed in any location where gasoline or any other flammable vapors or gases are present.

B.10.3 Hoods for Solid Fuel Cooking.

B.10.3.1 Hoods shall be sized and located in a manner capable of capturing and containing all the effluent discharging from the appliances.

B.10.3.2 The hood and its exhaust system shall comply with the requirements of Sections B.4 through B.9.

B.10.3.3 Exhaust systems serving solid fuel cooking equipment, including gas or electrically operated equipment, shall be separate from all other exhaust systems.

B.10.3.4 Cooking equipment not requiring automatic fire-extinguishing equipment shall be permitted to be installed under a common hood with solid fuel cooking equipment that

is served by a duct system separate from all other exhaust systems.

B.10.4 Grease Removal Devices for Solid Fuel Cooking.

B.10.4.1 Grease removal devices shall be constructed of steel or stainless steel or be approved for solid fuel cooking.

B.10.4.2 If airborne sparks and embers can be generated by the solid fuel cooking operation, spark arrester devices shall be used prior to using the grease removal device, to minimize the entrance of these sparks and embers into the grease removal device and into the hood and the duct system.

B.10.4.3 Filters shall be a minimum of 1.2 m (4 ft) above the appliance cooking surface.

B.10.5 Air Movement for Solid Fuel Cooking.

B.10.5.1 Exhaust system requirements shall comply with Section B.7 for hooded operation.

B.10.5.2 A replacement or makeup air system shall be provided to ensure a positive supply of replacement air at all times during cooking operations.

B.10.5.3 Makeup air systems serving solid fuel cooking operations shall be interlocked with the exhaust air system and powered, if necessary, to prevent the space from attaining a negative pressure while the solid fuel appliance is in operation.

B.10.6 Fire-Extinguishing Equipment for Solid Fuel Cooking.

B.10.6.1 Solid fuel cooking appliances that produce grease-laden vapors shall be protected by listed fire-extinguishing equipment.

B.10.6.2 Listed fire-extinguishing equipment shall be provided for the protection of grease removal devices, hoods, and duct systems.

B.10.6.3 Listed fire-extinguishing equipment for solid fuel-burning cooking appliances, where required, shall comply with Section B.9 and shall use water-based agents.

B.10.6.4 Fire-extinguishing equipment shall be rated and designed to extinguish solid fuel cooking fires.

B.10.6.5 The fire-extinguishing equipment shall be of sufficient size to totally extinguish fire in the entire hazard area and prevent reignition of the fuel.

B.10.6.6 All solid fuel cooking appliances (whether under a hood or not) with fire boxes of 0.14 m³ (5 ft³) volume or less shall have at least one listed 2-A rated water mist fire extinguisher or at least one 6 L (1.6 gal) wet chemical fire extinguisher listed for Class K fires in accordance with NFPA 10, with a maximum travel distance of 3 m (10 ft) to each solid fuel cooking appliance.

Note: Water-type extinguishers are not allowed in the kitchen cooking area because they do not saponify upon contact with grease. However, water mist fire extinguishers that are rated 2-A are allowed to be used for solid fuel cooking in appliances. The 2-A rated water mist fire extinguisher is equipped with a nozzle that does not produce a straight stream.

B.10.6.7 Hose Protection.

B.10.6.7.1 Solid fuel appliances with fireboxes exceeding 0.14 m³ (5 ft³) shall be provided with a fixed water pipe system with a hose in the kitchen capable of reaching the firebox.

B.10.6.7.1.1 The hose shall be equipped with an adjustable nozzle capable of producing a fine to medium spray or mist.

B.10.6.7.1.2 The nozzle shall be of the type that cannot produce a straight stream.

B.10.6.7.2 The system shall have a minimum operating pressure of 275.8 kPa (40 psi) and shall provide a minimum of 19 L/min (5 gpm).

B.10.6.7.2.1 The system shall have a minimum water supply of 94.6 L (25 gal) for each firebox exceeding 0.14 m³ (5 ft³).

B.10.6.8 Fire suppression for fuel storage areas shall comply with B.10.8 of this standard.

B.10.6.9 In addition to the requirements of B.10.6.6 through B.10.6.8, where any solid fuel cooking appliance is also provided with auxiliary electric, gas, oil, or other fuel for ignition or supplemental heat and the appliance is also served by any portion of a fire-extinguishing system complying with Section B.9, such auxiliary-fuel shall be shut off on actuation of the fire-extinguishing system.

B.10.7 Procedures for Inspection, Cleaning, and Maintenance for Solid Fuel Cooking. The combustion chamber shall be scraped clean to its original surface once each week and shall be inspected for deterioration or defects.

B.10.7.1 The combustion chamber shall be scraped clean to its original surface once each week and shall be inspected for deterioration or defects.

B.10.7.2 Any significant deterioration or defect that might weaken the chamber or reduce its insulation capability shall be immediately repaired.

B.10.7.3 The flue or chimney shall be inspected weekly for the following conditions:

- (1) Residue that might begin to restrict the vent or create an additional fuel source
- (2) Corrosion or physical damage that might reduce the flue's capability to contain the effluent

B.10.7.3.1 The flue or chimney shall be cleaned before these conditions exist.

B.10.7.3.2 The flue or chimney shall be repaired or replaced if any unsafe condition is evident.

B.10.7.4 Spark arrester screens located at the entrance of the flue or in the hood assembly shall be cleaned prior to their becoming heavily contaminated and restricted.

B.10.7.5 Filters and filtration devices installed in a hood shall be cleaned per B.10.7.4.

B.10.8 Minimum Safety Requirements: Fuel Storage, Handling, and Ash Removal for Solid Fuel Cooking.

B.10.8.1 Installation Clearances.

B.10.8.1.1 Solid fuel cooking appliances shall be installed on floors of noncombustible construction that extend 0.92 m (3 ft) in all directions from the appliance.

B.10.8.1.2 Floors with noncombustible surfaces shall be permitted to be used where they have been approved for such use by the authority having jurisdiction.

B.10.8.1.3 Floor assemblies that have been listed for solid fuel appliance applications shall be permitted to be used.

B.10.8.1.4 Solid fuel cooking appliances that have been listed for zero clearance to combustibles on the bottom and sides and have an approved hearth extending 0.92 m (3 ft) in all directions from the service door(s) shall be permitted to be used on combustible floors.

B.10.8.1.5 Combustible and limited-combustible surfaces or construction with 0.92 m (3 ft) of the sides or 1.8 m (6 ft) above a solid fuel cooking appliance shall be protected in a manner acceptable to the authority having jurisdiction.

B.10.8.1.6 Solid fuel cooking appliances that are specifically listed for less clearance to combustibles shall be permitted to be installed in accordance with the requirements of the listing and the manufacturer's instructions.

B.10.8.2 Solid Fuel Storage.

B.10.8.2.1 Where storage is in the same space as the solid fuel appliance or in the same space as the fuel-loading or clean-out doors, fuel storage shall not exceed a 1-day supply.

B.10.8.2.2 Fuel shall not be stored above any heat-producing appliance or vent or closer than 0.92 m (3 ft) to any portion of a solid fuel appliance constructed of metal or to any other cooking appliance that could ignite the fuel.

B.10.8.2.3 Fuel shall be permitted to be stored closer than the requirements of B.10.8.2.2 where a solid fuel appliance or other cooking appliance is listed or approved for less clearance to combustibles.

B.10.8.2.4 Fuel shall not be stored in the path of the ash removal.

B.10.8.2.5 Where stored in the same space as the solid fuel appliance, fuel shall be stored only in an area with walls, floor, and ceiling of noncombustible construction extending at least 0.92 m (3 ft) past the outside dimensions of the storage pile.

B.10.8.2.6 Fuel shall be permitted to be stored in an area with walls, floor, and ceiling of combustible or limited-combustible construction where protected in accordance with B.2.3.

B.10.8.2.7 Fuel shall be separated from all flammable liquids, all ignition sources, all chemicals, and all food supplies and packaging goods.

B.10.8.2.8 All fuel storage areas larger than 5 ft³ shall be provided hose protection as required by B.10.6.7.

B.10.8.2.8.1 Where acceptable to the authority having jurisdiction, fuel storage areas shall be permitted to be protected with a fixed water pipe system with a hose capable of reaching all parts of the area.

B.10.8.3 Solid Fuel Handling and Ash Removal.

B.10.8.3.1 Solid fuel shall be ignited with a match, an approved built-in gas flame, or other approved ignition source.

B.10.8.3.2 Combustible or flammable liquids shall not be used to assist ignition.

B.10.8.3.3 Matches and other portable ignition sources shall not be stored in the vicinity of the solid fuel appliance.

B.10.8.3.4 Solid fuel shall be added to the fire as required in a safe manner and in quantities and ways not creating a higher flame than is required.

B.10.8.3.5 Long-handled tongs, hooks, and other required devices shall be provided and used to safely add fuel, adjust the fuel position, and control the fire without the user having to reach into the firebox.

B.10.8.3.6 Ash Protection.

B.10.8.3.6.1 Ash, cinders, and other fire debris shall be removed from the firebox at regular intervals to prevent interference with the draft to the fire and to minimize the length of time the access door is open.

B.10.8.3.6.2 All ash shall be removed from the chamber a minimum of once a day.

B.10.8.3.6.3 The ash shall be sprayed with water before removal to extinguish any hot ash or cinders and to control the dust when the ash is moved.

B.10.8.3.7 Hose Protection.

B.10.8.3.7.1 For the purposes described in B.10.8.3.6.3, to cool a fire that has become too hot and to stop all fire before the premises are vacated, a water supply with a flexible hose shall be provided at the solid fuel appliance.

B.10.8.3.7.2 For appliances with fireboxes not exceeding 0.14 m³ (5 ft³), the water source shall be permitted to be a 37.9 L (10 gal) container with a gravity arrangement or a hand pump for pressure.

B.10.8.3.7.3 For appliances with fireboxes over 0.14 m³ (5 ft³), the water source shall be a fixed pipe water system with a hose of adequate length to reach the combustion and cooking chambers of the appliance.

B.10.8.3.7.4 For either application, the nozzle shall be fitted with a manual shutoff device and shall be of the type to provide a fine to medium spray capable of reaching all areas of the combustion and cooking chambers.

B.10.8.3.7.5 The nozzle shall be of the type that cannot produce a straight stream.

B.10.8.3.8 Ash Removal Container or Cart.

B.10.8.3.8.1 A heavy metal container or cart (minimum 16 gauge) with a cover shall be provided for the removal of ash.

B.10.8.3.8.2 The ash removal container or cart shall not exceed a maximum of 75.7 L (20 gal) capacity, shall be assigned for this one purpose, shall be able to be handled easily by any employee assigned the task, and shall pass easily through any passageway to the outside of the vehicle or cooking operation.

B.10.8.3.8.3 The container or cart shall always be covered when it is being moved through the vehicle.

B.10.8.3.8.4 When any hole occurs in a container from corrosion or damage, the container shall be repaired or replaced immediately.

B.10.8.3.9 Ash Removal Process.

B.10.8.3.9.1 Tools shall be provided so that ash removal can be accomplished without having to reach into the chamber.

B.10.8.3.9.2 The ash shall be spread out gently in small lots on the chamber floor or on a shovel, to be sprayed before it is removed to the metal container or cart.

B.10.8.3.9.3 If the floor of the chamber is of a metal that is subject to rapid corrosion from water, then a noncombustible, corrosion-resistant pan shall be placed just outside the cleanout door for this purpose.

B.10.8.3.9.4 The ash shall be carried to a separate heavy metal container (or dumpster) used exclusively for the purpose.

B.10.9 Other Safety Requirements.

B.10.9.1 Metal-fabricated solid fuel cooking appliances shall be listed for the application where produced in practical quantities or shall be approved by the authority having jurisdiction.

B.10.9.2 Where listed, metal-fabricated solid fuel cooking appliances shall be installed in accordance with the terms of their listings and with the applicable requirements of this standard.

B.10.9.3 Site-Built Solid Fuel Cooking Appliances.

B.10.9.3.1 Site-built solid fuel cooking appliances shall be submitted for approval to the authority having jurisdiction before being considered for installation.

B.10.9.3.2 All units submitted to the authority having jurisdiction shall be installed, operated, and maintained in accordance with the approved terms of the manufacturer's instructions and any additional requirements set forth by the authority having jurisdiction.

B.10.9.3.3 Except for the spark arresters required in B.10.1.4, there shall be no additional devices of any type in any portion of the appliance, flue pipe, and chimney of a natural draft solid fuel operation.

B.10.9.3.4 No solid fuel cooking device of any type shall be permitted for deep fat frying involving more than 0.95 L (1 qt) of liquid shortening, nor shall any solid fuel cooking device be permitted within 0.92 m (3 ft) of any deep fat frying unit.

B.11 Procedures for the Use, Inspection, Testing, and Maintenance of Equipment.

B.11.1 Operating Procedures.

B.11.1.1 Exhaust systems shall be operated whenever cooking equipment is turned on.

B.11.1.2 Filter-equipped exhaust systems shall not be operated with filters removed.

B.11.1.3 Openings provided for replacing air exhausted through ventilating equipment shall not be restricted by covers, dampers, or any other means that would reduce the operating efficiency of the exhaust system.

B.11.1.4 Instructions for manually operating the fire extinguishing system shall be posted conspicuously in the kitchen and shall be reviewed with employees by the management.

B.11.1.5 Listed exhaust hoods shall be operated in accordance with the terms of their listings and the manufacturer's instructions.

B.11.1.6 Cooking equipment shall not be operated while its fire-extinguishing system or exhaust system is nonoperational or impaired.

B.11.1.6.1 Where the fire-extinguishing system or exhaust system is nonoperational or impaired, the system shall be tagged as noncompliant, the system owner or the owner's representative shall be notified in writing of the impairment, and, where required, the authority having jurisdiction shall be notified.

B.11.1.7 Inspection and maintenance of "other equipment" as allowed in 9.3.1 shall be conducted by properly trained and qualified persons at a frequency determined by the manufacturer's instructions or the equipment listing.

B.11.2 Inspection, Testing, and Maintenance of Fire-Extinguishing Systems.

B.11.2.1 All actuation and control components, including remote manual pull stations, mechanical and electrical devices, detectors, and actuators, shall be tested for proper operation during the inspection in accordance with the manufacturer's procedures.

Note: It is not intended that actual discharge of agent occur to test all components, but where pressure from the discharging agent or from compressed gas actuators is needed to activate control components, an alternate means for testing those components should be provided and used.

B.11.2.2 The specific inspection and maintenance requirements of the extinguishing system standards as well as the applicable installation and maintenance manuals for the listed system and service bulletins shall be followed.

B.11.2.3 Fusible links of the metal alloy type and automatic sprinklers of the metal alloy type shall be replaced at least semi-annually.

Note: The date of manufacture marked on fusible metal alloy sensing elements does not limit when they can be used. These devices have unlimited shelf life. The intent of B.11.2.3 is to require semiannual replacement of fusible metal alloy sensing elements that have been installed in environments that subject them to contaminant loading, such as grease in restaurant hoods and ducts, that could adversely affect their proper operation.

B.11.2.4 The year of manufacture and the date of installation of the fusible links shall be marked on the system inspection tag.

B.11.2.4.1 The tag shall be signed or initialed by the installer.

B.11.2.4.2 The fusible links shall be destroyed when removed.

B.11.2.5 Fusible links other than the metal alloy type shall be examined and cleaned or replaced annually.

B.11.2.6 Fixed temperature-sensing elements other than the fusible metal alloy type shall be permitted to remain continuously in service, provided they are inspected and cleaned or replaced if necessary in accordance with the manufacturer's instructions, every 12 months or more frequently to ensure proper operation of the system.

B.11.2.7 Where required, certificates of inspection and maintenance shall be forwarded to the authority having jurisdiction.

B.11.3 Inspection for Grease Buildup. The entire exhaust system shall be inspected for grease buildup by a properly trained, qualified, and certified person(s) acceptable to the

authority having jurisdiction and in accordance with Table B.11.3.

Note: The primary focus of an inspection for cleanliness is to establish whether the volume of grease buildup within the exhaust system warrants cleaning and to determine whether adequate access is available throughout the exhaust system to remove the grease buildup.

B.11.4 Cleaning of Exhaust Systems.

B.11.4.1 If, upon inspection, the exhaust system is found to be contaminated with deposits from grease-laden vapors, the contaminated portions of the exhaust system shall be cleaned by a properly trained, qualified, and certified person(s) acceptable to the authority having jurisdiction.

Note: A good operating practice is for cleaning personnel of commercial kitchen exhaust systems to have personal protective equipment (PPE) and height access equipment. The following items should be considered as a minimum:

- (1) Eye protection
- (2) Hand protection
- (3) Head protection
- (4) Foot protection
- (5) Respiratory protection
- (6) Fall protection
- (7) Ladders
- (8) Lock-out/tag-out kit

Preparation. The fan should be turned off, locked out, and tagged out. Open flames should be extinguished, and switches/breakers serving the appliance and cooking area outlets should be locked out. If the switches/breakers are not capable of being locked out and tagged out, any solid-fuel cooking appliances should be extinguished and the solid fuel removed.

Removal or Covering of Equipment. Food products, cookware, and cooking support equipment that can be removed should be removed from the cleaning area. Equipment that cannot be removed should be covered.

Table B.11.3 Schedule of Inspection for Grease Buildup

Type or Volume of Cooking	Inspection Frequency
Systems serving solid fuel cooking operations	Monthly
*Systems serving high-volume cooking operations	Quarterly
Systems serving moderate-volume cooking operations	Semiannually
†Systems serving low-volume cooking operations	Annually

*High-volume cooking operations include 24-hour cooking, charbroiling, and wok cooking.

†Low-volume cooking operations include churches, day camps, seasonal businesses, and senior centers.

Cleaning Methods. The following methods for cleaning surfaces covered with grease and contaminants have proved to be effective:

- (1) Manual cleaning by scraping, grinding, or scrubbing
- (2) Chemical cleaning with agents and water
- (3) Pressure washing with pressurized water or pressurized water and agents
- (4) Steam cleaning with pressurized steam

Waste Water and Solid Waste. Water and agents used in the cleaning process and solid waste should be collected for disposal.

B.11.4.2 Hoods, grease removal devices, fans, ducts, and other appurtenances shall be cleaned to remove combustible contaminants to a minimum of 50 µm (0.002 in.).

B.11.4.2.1 A measurement system of deposition shall be established to trigger a need to clean when the exhaust system is inspected at the frequencies in Table B.11.3.

B.11.4.2.2 A grease depth gauge comb as shown in Figure 11.6.1.1.2 shall be placed upon the duct surface to measure grease depth.

B.11.4.2.3 Where a measured depth of 2000 µm (0.078 in.) is observed, the surfaces shall be cleaned in accordance with B.11.4.1.

B.11.4.3 Hoods, grease removal devices, fans, ducts, and other appurtenances shall be cleaned to remove combustible contaminants prior to surfaces becoming heavily contaminated with grease or oily sludge.

B.11.4.4 At the start of the cleaning process, electrical switches that could be activated accidentally shall be locked out.

B.11.4.5 Components of the fire suppression system shall not be rendered inoperable during the cleaning process.

B.11.4.6 Fire-extinguishing systems shall be permitted to be rendered inoperable during the cleaning process where serviced by properly trained and qualified persons.

B.11.4.7 Flammable solvents or other flammable cleaning aids shall not be used.

B.11.4.8 Cleaning chemicals shall not be applied on fusible links or other detection devices of the automatic extinguishing system.

B.11.4.9 After the exhaust system is cleaned, it shall not be coated with powder or other substance.

B.11.4.10 When cleaning procedures are completed, all access panels (doors) and cover plates shall be restored to their normal operational condition.

B.11.4.11 When an access panel is removed, a service company label or tag preprinted with the name of the company and giving the date of inspection or cleaning shall be affixed near the affected access panels.

B.11.4.12 Dampers and diffusers shall be positioned for proper airflow.

B.11.4.13 When cleaning procedures are completed, all electrical switches and system components shall be returned to an operable state.

B.11.4.14 When an exhaust system is inspected or cleaned, a certificate showing the name of the servicing company, the name of the person performing the work, and the date of inspection or cleaning shall be maintained on the premises.

B.11.4.15 After cleaning or inspection is completed, the exhaust cleaning company and the person performing the work at the location shall provide the owner of the system with a written report that also specifies areas that were inaccessible or not cleaned.

B.11.4.16 Where required, certificates of inspection and cleaning and reports of areas not cleaned shall be submitted to the authority having jurisdiction.

B.11.5 Cooking Equipment Maintenance.

B.11.5.1 Inspection and servicing of the cooking equipment shall be made at least annually by properly trained and qualified persons.

B.11.5.2 Cooking equipment that collects grease below the surface, behind the equipment, or in cooking equipment flue gas exhaust, such as griddles or charbroilers, shall be inspected and, if found with grease accumulation, cleaned by a properly trained, qualified, and certified person(s) acceptable to the authority having jurisdiction.

B.12 Carbon Monoxide Detectors.

B.12.1 If the heat source is nonelectric and open flames are used, at least one listed carbon monoxide detector shall be installed.

B.13 Location of Mobile and Temporary Cooking Operations.

B.13.1 Relative to Buildings. Mobile or temporary cooking operations shall be separated from the entrances and other exits of buildings or structures, combustible materials, vehicles and other cooking operations by a clear space distance of 3 m (10 ft).

B.13.2 Relative to Other Mobile or Temporary Cooking. Mobile or temporary cooking operations shall be separated from other mobile or temporary cooking operations by a clear distance of 3 m (10 ft).

B.13.3 When the mobile unit is parked, the vehicle shall be stabilized so that it will not move, either by jacking the vehicle or placing wheel chocks around the wheels.

B.14 Tents.

B.14.1 Temporary cooking operations conducted in tents shall comply with NFPA 102.

B.15 Training.

B.15.1 Prior to performing cooking operations, one worker shall be provided with initial training in emergency response procedures including the following:

- (1) Using portable fire extinguishers and extinguishing systems
- (2) Shutting off fuel sources
- (3) Notifying the local fire department
- (4) Refueling internal combustion engine power sources and LP-Gas container change-out
- (5) Performing leak detection of LP-Gas
- (6) Understanding fuel properties

B.15.2 During the time of cooking operation at least one person in the vehicle shall be trained to provide the functions listed in B.15.1.

B.15.3 The provision of training shall be the responsibility of the owner, and the training program and materials shall be acceptable to the AHJ.

B.15.4 Refresher training shall be provided annually.

B.15.5 Initial and refresher training shall be documented, and the documentation shall be held in the mobile unit and made available to the AHJ upon request.

B.15.6 The address of the current operational location shall be posted and accessible to all employees.

B.16 16 Internal Combustion Engine Power Sources.

B.16.1 An internal combustion engine shall be permitted to be used to operate an electric power generator.

B.16.2 Generator units that are not vehicle-mounted while in use shall meet the requirement of B.16.2.1 through B.16.2.3.

B.16.2.1 Internal combustion engine power sources shall be located at least 4 m (12 ft) from mobile or temporary cooking operations.

B.16.2.2 Internal combustion engine power sources shall be isolated from physical contact by the installation of physical guards, fencing, or an enclosure.

B.16.2.3 Internal combustion engine power sources shall be positioned so that the exhaust complies with the following:

- (1) Located at least 4 m (12 ft) from openings, air intakes, and means of egress
- (2) In a position pointed away from any building
- (3) In a position pointed away from any mobile or temporary cooking operations

B.17 Vehicle-Mounted Generators.

B.17.1 Vehicle-mounted generators shall meet the requirements of B.17.2 through B.17.5.

B.17.2 Internal combustion engine-driven generator units (subject to the provisions of NFPA 1192) shall be listed and installed in accordance with the manufacturer's instructions and shall be vapor resistant to the interior of the vehicle. [1192:6.4.5.1]

B.17.3 Where a generator compartment is used to isolate the installed generator from the vehicle's interior, or a compartment is provided for the future installation of a generator and is intended to isolate the future generator from the vehicle interior, the generator compartment shall be lined with galvanized steel not less than 26 MSG thick. [1192:6.4.5.2]

B.17.3.1 Seams and joints shall be lapped, mechanically secured, and made vapor resistant to the interior of the vehicle. [1192:6.4.5.2.1]

B.17.3.2 Alternative materials and methods of construction shall be permitted in accordance with Section 1.5. [1192:6.4.5.2.2]

B.17.4 Liquid fuel lines and exhaust systems shall not penetrate into the area. [1192:6.4.5.2.3]

B.17.5 Holes into the living area shall be sealed. [1192:6.4.5.2.4]

B.18 Electrical Wiring.

B.18.1 Vehicle-mounted generators shall comply with the provisions of NFPA 70, Article 551, Part III.

B.18.2 The manufacturer of an engine generator unit intended for installation in a recreational vehicle shall provide instructions for the safe and effective installation, operation, and servicing of the generator.

B.18.3 Refueling of internal combustion engine power sources shall be permitted only when the electric generators and internal combustion power sources are not in use.

B.18.3.1 Refueling of internal combustion engines shall not be allowed during mobile or temporary cooking operations.

B.18.3.2 Refueling of internal combustion engine power sources from a container shall be permitted when the engine is shut down and the surface temperature of the engine and fuel tank is below the autoignition temperature of the fuel.

B.19 LP-Gas Systems.

B.19.1 LP-Gas systems for mobile cooking operations shall comply with NFPA 58.

B.19.1.1 LP-Gas cylinders shall be secured in an upright position.

B.19.2 LP-Gas System Leak Detection.

B.19.2.1 All recreational vehicles equipped with a propane appliance and an electrical system shall be equipped with a propane detector listed and marked on the device as being suitable for use in the vehicles under the requirements of ANSI/UL 1484, *Standard for Residential Gas Detectors*, and installed according to the terms of its listing. [1192:6.3.3.1]

B.19.2.2 The LP-Gas leak detection system shall be tested monthly.

B.19.2.3 LP-Gas systems shall be inspected prior to each use.

B.19.2.4 LP-Gas leak detection testing shall be performed every time a new LP-Gas connection is made or an LP-Gas cylinder is changed out.

B.19.2.5 LP-Gas leak detection testing shall be documented and the documentation be held in the mobile or temporary unit and made available to the AHJ upon request.

B.19.3 LP-Gas Systems on Vehicles Other Than Engine Fuel Systems.

B.19.3.1 LP-Gas Container Installation Requirements.

B.19.3.1.1 Only ASME mobile LP-Gas containers in compliance with the following shall be used:

- (1) A maximum allowable working pressure (MAWP) of 312 psi (2.2 MPag) or higher for LP-Gas containers installed in the enclosed spaces of a vehicle
- (2) A maximum allowable working pressure (MAWP) of 250 psi (1.7 MPag) or higher for LP-Gas containers installed on the exterior of a vehicle

B.19.3.1.2 LP-Gas containers installed on vehicles shall not exceed 0.8 m³ (200 gal) aggregate water capacity.

B.19.3.2 Disconnected LP-Gas containers and LP-Gas cylinders for purposes other than engine fuel systems shall not be transported or stored inside the vehicle.

B.19.3.3 All other LP-Gas containers and LP-Gas cylinders in storage shall comply with B.9.5 of this standard.

B.19.3.4 The LP-Gas supply system, including the containers, shall be installed either on the outside of the vehicle or in a recess or cabinet that is vaportight to the inside of the vehicle but accessible from and vented to the outside, with the vents located near the top and bottom of the enclosure and 1 m (3 ft) horizontally away from any opening into the vehicle and below the level of the vents.

B.19.3.5 LP-Gas containers shall be mounted securely on the vehicle or within the enclosing recess or cabinet and shall comply with the following:

- (1) LP-Gas containers shall be installed above the height of the rear bumper and forward of the rear bumper.
- (2) LP-Gas containers shall not be installed on the roof of the vehicle.
- (3) LP-Gas containers shall be mounted to prevent jarring loose and slipping or rotating, and the fastenings shall be designed and constructed to withstand, without permanent visible deformation, static loading in any direction equal to four times the weight of the container filled with fuel.
- (4) Where LP-Gas containers are mounted within the vehicle housing, the housing shall be secured to the vehicle and any removable portions of the housing shall be secured to the housing while in transit.
- (5) Field welding on LP-Gas containers shall be limited to attachments to nonpressure parts such as saddle plates, wear plates, or brackets applied by the container manufacturer.
- (6) All LP-Gas container valves, appurtenances, and connections shall be protected to prevent damage from accidental contact with stationary objects, loose objects, stones, mud, or ice thrown up from the ground or floor, and damage due to overturn or similar vehicular accident.
- (7) LP-Gas cylinders shall have permanent protection for cylinder valves and connections.
- (8) Where LP-Gas cylinders are located on the outside of a vehicle, weather protection shall be provided.

B.19.3.6 Where equipment such as a cargo heater or cooler is designed to be in operation while the vehicle is in transit, means such as an excess-flow valve to stop the flow of gas in the event of a line break shall be installed.

B.19.3.7 Cylinders shall be retested every 5 to 12 years in accordance with the manufacturer's recommendations and 49 CFR 180.205:

- (1) No letter after the requalification date means the cylinder must be retested within 12 years.
- (2) "S" means the cylinder must be retested within 7 years.
- (3) "E" means the cylinder must be retested within 5 years.

B.19.4 Installation of LP-Gas Container Appurtenances.

B.19.4.1 LP-Gas container appurtenances shall be installed in accordance with the following:

- (1) Pressure relief valve installation on ASME LP-Gas containers installed in the interior of vehicles complying with

Section 11.9 of NFPA 58 shall comply with 11.8.5 of NFPA 58.

- (2) Pressure relief valve installations on ASME LP-Gas containers installed on the outside of vehicles shall comply with 11.8.5 of NFPA 58 and B.19.3.4 of this standard.
- (3) Main shutoff valves on LP-Gas containers for liquid and vapor shall be readily accessible.
- (4) There shall be a quarter-turn manual gas ball valve installed within the LP-Gas piping for emergency shutoff use and shall be installed on the exterior of the vehicle and readily accessible.
- (5) LP-Gas cylinders shall be designed to be filled in either the vertical or horizontal position, or if they are universal-type cylinders, they shall be permitted to be filled in either position.
- (6) All LP-Gas container inlets, outlets, or valves installed in container inlets or outlets, except pressure relief devices and gauging devices, shall be labeled to designate whether they communicate with the vapor or liquid space.
- (7) LP-Gas containers from which only vapor is to be withdrawn shall be installed and equipped with connections to minimize the possibility of the accidental withdrawal of liquid.

B.19.4.2 Propane containers shall be so located that the discharge from their pressure relief valves shall be not less than 0.9 m (3 ft) measured horizontally along the surface of the vehicle from any of the following located below the level of such discharge:

- (1) Openings into the vehicle
- (2) Propane-burning appliance intake and exhaust vents
- (3) All combustion engine and hydronic heating appliance exhaust terminations

B.19.5 Regulators shall be installed in accordance with 6.8.2 of NFPA 58 and the following:

- (1) Regulators shall be installed with the pressure relief vent opening pointing vertically downward to allow for drainage of moisture collected on the diaphragm of the regulator.
- (2) Regulators not installed in compartments shall be equipped with a durable cover designed to protect the regulator vent opening from sleet, snow, freezing rain, ice, mud, and wheel spray.
- (3) If vehicle-mounted regulators are installed at or below the floor level, they shall be installed in a compartment that provides protection against the weather and wheel spray.
- (4) Regulator compartments shall comply with the following:
 - (a) The compartment shall be of sufficient size to allow tool operation for connection to and replacement of the regulator(s).
 - (b) The compartment shall be vaportight to the interior of the vehicle.
 - (c) The compartment shall have a 650 mm² (1 in.²) minimum vent opening to the exterior located within 25 mm (1 in.) of the bottom of the compartment.
 - (d) The compartment shall not contain flame- or spark-producing equipment.
- (5) A regulator vent outlet shall be at least 51 mm (2 in.) above the compartment vent opening.

B.19.6 Gas Piping.

B.19.6.1 Piping shall be installed in accordance with 6.9.3 of NFPA 58 and the following provisions:

- (1) Steel tubing shall have a minimum wall thickness of 1.2 mm (0.049 in.).
- (2) A flexible connector shall be installed between the regulator outlet and the fixed piping system to protect against expansion, contraction, jarring, and vibration strains.
- (3) Flexibility shall be provided in the piping between a cylinder and the gas piping system or regulator.
- (4) Flexible connectors shall be installed in accordance with 6.9.6 of NFPA 58.
- (5) Flexible connectors longer than the length allowed in the code, or fuel lines that incorporate hose, shall be used only where approved.
- (6) The fixed piping system shall be designed, installed, supported, and secured to minimize the possibility of damage due to vibration, strains, or wear and to preclude any loosening while in transit.
- (7) Piping shall be installed in a protected location.
 - (a) Where piping is installed outside the vehicle, piping shall be under the vehicle and below any insulation or false bottom.
 - (b) Fastening or other protection shall be installed to prevent damage due to vibration or abrasion.
 - (c) At each point where piping passes through sheet metal or a structural member, a rubber grommet or equivalent protection shall be installed to prevent chafing.
- (8) Gas piping shall be installed to enter the vehicle through the floor directly beneath or adjacent to the appliance served.
- (9) If a branch line is installed, the tee connection shall be located in the main gas line under the floor and outside the vehicle.
- (10) Exposed parts of the fixed piping system shall be of corrosion-resistant material or shall be coated or protected to minimize exterior corrosion.
- (11) Hydrostatic relief valves shall be installed in isolated sections of liquid piping in accordance with Section 6.13 of NFPA 58.
- (12) Piping systems, including hose, shall be pressure tested and proven free of leaks in accordance with Section 6.14 of NFPA 58.

B.19.6.2 There shall be no fuel connection between a powered vehicle and trailer or other vehicle units.

B.19.6.3 Protection of Valves on LP-Gas Cylinders in Storage.

B.19.6.3.1 LP-Gas cylinder valves shall be protected as required by 5.2.6.1 and 7.2.2.5 of NFPA 58.

B.19.6.3.2 Screw-on-type caps or collars shall be in place on all cylinders stored, regardless of whether they are full, partially full, or empty, and cylinder outlet valves shall be closed.

B.19.6.3.3 Valve outlets on LP-Gas cylinders less than 49 kg (108 lb) water capacity [nominal 20 kg (45 lb) propane capacity] shall be plugged, capped, or sealed in accordance with 7.2.2.5 of NFPA 58.

B.20 Cooking Appliance Installation on Vehicles.

B.20.1 All cooking appliances installed on vehicles shall be approved.

B.20.2 Gas-fired cooking appliances shall be equipped with shutoffs in accordance with 5.20.7(A) of NFPA 58.

B.20.3 Cooking appliances installed on vehicles shall be readily accessible under all conditions.

B.20.4 To minimize possible damage and impaired operation due to items shifting in transit, cooking appliances shall be constructed and secured in place or otherwise protected.

B.20.5 Cooking appliances shall be located so that a fire at any cooking appliance will not block egress of persons from the vehicle.

B.20.6 A permanent caution plate shall be provided, affixed to either the appliance or the vehicle outside of any enclosure and adjacent to the container(s), and shall include the following items:



- (1) Be sure all appliance valves are closed before opening container valve.
- (2) Connections at the appliances, regulators, and containers shall be checked periodically for leaks with soapy water or its equivalent.
- (3) Never use a match or flame to check for leaks.
- (4) Container valves shall be closed when equipment is not in use.

B.20.7 Gas-fired cooking appliances shall be equipped with automatic devices designed to shut off the flow of gas to the main burner and the pilot in the event the pilot flame is extinguished.

B.21 Parking, Servicing, and Repair.

B.21.1 Where vehicles with LP-Gas fuel systems used for purposes other than propulsion are parked, serviced, or repaired inside buildings, paragraphs B.21.2 through B.21.5 shall apply.

B.21.2 The LP-Gas system shall be leak-free, and the LP-Gas container(s) shall not be filled beyond the limits specified in Chapter 7 of NFPA 58.

B.21.3 LP-Gas container shutoff valves shall be closed, except that the container shutoff valve shall not be required to be closed when fuel is required for test or repair.

B.21.4 The vehicle shall not be parked near sources of heat, open flames, or similar sources of ignition, or near unventilated pits.

B.21.5 Wheel chocks shall be provided to prevent mobile and temporary cooking units from moving.

B.22 Records. All record-keeping documents shall be combined in one location on the mobile cooking operation and made available to the AHJ upon request.

Annex C Informational References

C.1 Referenced Publications. The documents or portions thereof listed in this annex are referenced within the informational sections of this standard and are not part of the requirements of this document unless also listed in Chapter 2 for other reasons.

C.1.1 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.

NFPA 10, *Standard for Portable Fire Extinguishers*, 2013 edition.

NFPA 17A, *Standard for Wet Chemical Extinguishing Systems*, 2017 edition.

NFPA 54, *National Fuel Gas Code*, 2015 edition.

NFPA 58, *Liquefied Petroleum Gas Code*, 2017 edition.

NFPA 70®, *National Electrical Code®*, 2017 edition.

NFPA 102, *Standard for Grandstands, Folding and Telescopic Seating, Tents, and Membrane Structures*, 2016 edition.

NFPA 259, *Standard Test Method for Potential Heat of Building Materials*, 2013 edition.

C.1.2 Other Publications.

C.1.2.1 ANSI Publications. American National Standards Institute, Inc., 25 West 43rd Street, 4th Floor, New York, NY, 10036.

ANSI Z83.11, *Gas Food Service Equipment*, 2006 (reaffirmed 2011).

C.1.2.2 ASHRAE Publications. ASHRAE, Inc., 1791 Tullie Circle, N.E., Atlanta, GA 30329-2305.

Kuehn, T. H., et al., "Effects of air velocity on grease deposition in exhaust ductwork," ASHRAE Research Project 1033-RP Final Report. Minneapolis: University of Minnesota, 2006.

ANSI/ASHRAE 154, *Ventilation for Commercial Cooking Operations*, 2011.

C.1.2.3 ASTM Publications. ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428-2959.

ASTM E84, *Standard Test Method for Surface Burning Characteristics of Building Materials*, 2015b.

ASTM E136, *Standard Test Method for Behavior of Materials in a Vertical Tube Furnace at 750°C*, 2016.

ASTM E2336, *Standard Test Methods for Fire Resistive Grease Duct Enclosure Systems*, 2016.

ASTM E2652, *Standard Test Method for Behavior of Materials in a Tube Furnace with a Cone-shaped Airflow Stabilizer, at 750°C*, 2016.

C.1.2.4 EPA Publications. Environmental Protection Agency, William Jefferson Clinton East Building, 1200 Pennsylvania Avenue, NW, Washington, DC 20460.

EPA Test Method 202, *Determination of Condensable Particulate Emissions for Stationary Sources*, 2010.

C.1.2.5 GA Publications. GA, 6525 Belcrest Road, Suite 480, Hyattsville, MD 20782.

Fire Resistance Design Manual, 2012.

C.1.2.6 IKECA Publications. IKECA, 100 North 20th Street, Suite 400, Philadelphia, PA 19103.

ANSI/IKECA C-10, *Standard for the Methodology for Cleaning Commercial Kitchen Exhaust Systems*, 2016.

C.1.2.7 NSF International Publications. NSF International, P.O. Box 130140, 789 N. Dixboro Road, Ann Arbor, MI 48113-0140.

NSF/ANSI 2, *Food Equipment*, 2014.

C.1.2.8 UL Publications. Underwriters Laboratories Inc., 333 Pfingsten Road, Northbrook, IL 60062-2096.

ANSI/UL 197, *Standard for Commercial Electric Cooking Appliances*, 2010, revised 2014.

ANSI/UL 199, *Standard for Automatic Sprinklers for Fire Protection Service*, 2005, revised 2014.

ANSI/UL 300, *Standard for Fire Testing of Fire Extinguishing Systems for Protection of Commercial Cooking Equipment*, 2005, revised 2014.

ANSI/UL 710, *Standard for Exhaust Hoods for Commercial Cooking Equipment*, 2006.

ANSI/UL 710B, *Standard for Recirculating Systems*, 2011, revised 2014.

ANSI/UL 723, *Standard for Test for Surface Burning Characteristics of Building Materials*, 2010.

ANSI/UL 737, *Standard for Fireplace Stoves*, 2011, revised 2015.

ANSI/UL 896, *Standard for Oil-Burning Stoves*, 1993, revised 2012.

ANSI/UL 923, *Standard for Microwave Cooking Appliances*, 2013, revised 2015.

ANSI/UL 1046, *Standard for Grease Filters for Exhaust Ducts*, 2010, revised 2012.

ANSI/UL 1484, *Standard for Residential Gas Detectors*, 2005.

ANSI/UL 1978, *Standard for Grease Ducts*, 2004.

UL Subject 199B, *Outline of Investigation for Control Cabinets for Automatic Sprinkler Systems Used for Protection of Commercial Cooking Equipment*, 2015.

UL Subject 199E, *Outline of Investigation for Fire Testing of Sprinklers and Water Spray Nozzles for Protection of Deep Fat Fryers*, 2004.

UL Subject 2162, *Outline of Investigation for Commercial Wood-Fired Baking Ovens — Refractory Type*, 2014.

C.1.2.9 U.S. Government Publications. U.S. Government Publishing Office, 732 North Capitol Street, NW, Washington, DC 20401-0001.

Title 49, Code of Federal Regulations, Part 180.205, "General Requirements for Requalification of Specification Cylinders."

C.2 Informational References. The following documents or portions thereof are listed here as informational resources only. They are not a part of the requirements of this document.

Ackland, P., *Inspection Manual for Commercial Kitchen Exhaust Systems*, 2001. ISBN 0-968160-4-6. Phil Ackland, P.O. Box 856, Summerland, BC V0H 1Z0.

Ackland, P., *Kitchen Exhaust Cleaning and Certification Manual*, 2003. ISBN 0-9681760-70. Phil Ackland, P.O. Box 856, Summerland, BC V0H 1Z0.

American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), "Kitchen Ventilation," Chapter 33 in *Heating, Ventilating, and Air-Conditioning Applications*, Atlanta: ASHRAE, 2011.

ANSI/UL 263, *Standard for Fire Tests of Building Construction and Materials*, 2015.

ASTM E119, *Standard Test Methods for Fire Tests of Building Construction and Materials*, 2016.

Carson, W. G., and R. L. Klinker, *Fire Protection Systems: Inspection, Test and Maintenance Manual*, 4th edition, Quincy, MA: NFPA, 2012.

Cote, A. E., ed., "Ventilation of Commercial Cooking Operations," Chapter 12.9 in *Fire Protection Handbook*, 19th edition, Quincy, MA: NFPA, 2003.

Gerstler, W. D., "New Rules for Kitchen Exhaust," *ASHRAE Journal*, November 2002: 26-33.

Solomon, R. E., ed., "Protection of Commercial Cooking Equipment," Chapter 55 in *Fire and Life Safety Inspection Manual*, 8th edition, Quincy, MA: NFPA, 2002.

"Using Extinguishers in Commercial Kitchens." National Fire Protection Association video, VC72VH, Quincy, MA: NFPA, 2002.

C.3 References for Extracts in Informational Sections.

NFPA 1192, *Standard on Recreational Vehicles*, 2015 edition.

NFPA 5000®, *Building Construction and Safety Code®*, 2015 edition.



Agenda Number: **4A**

Agenda Date: **08-05-20**

Prepared by Deb Kind

Agenda Item: Chief Mike Meehan, Police Update and 2021 Budget

Summary: Chief Meehan will attend the city council meeting for the regular quarterly police update and to discuss the 2021 budget.

The South Lake Minnetonka Police Department coordinating committee (mayors of Excelsior, Greenwood, Shorewood, and Tonka Bay) unanimously approved the attached operating budget which includes a 4.2% increase.

The funding formula used to determine each member city's percentage contribution toward the operating budget is based on an arbitration ruling in 2006. Every 5 years the funding formula is subject to an automatic adjustment based on the criteria set forth in the ruling. The 2017 operating budget was the second time the formula was adjusted since the ruling took effect. The funding formula is not subject to be reset again until 2022. **The JPA itself expires December 2023. Therefore, the cities will begin discussions regarding the future of the JPA in 2021.**

The attached 2021 debt service amounts for the police side of the public safety facility includes a 0.81% increase for Greenwood. The funding formula for the debt service is based solely on tax capacity. The debt service spreadsheet uses the latest tax capacity numbers posted on the county website.

Council Action: According to the 2006 4th amendment to the SLMPD joint cooperative agreement, the budget MUST be approved by ALL of the member city councils by September 1, or the amount of the previous year's Approved Annual Operating Budget will be increased by the lesser of the following: (a) The increase in the July Minneapolis / St. Paul Consumer Price Index for All Urban Consumers (CPI-U) over the previous 12-month period; or (b) The percentage increase in the most restrictive statutory levy limit applicable to the budget year placed on any of the Parties over the levy limit for that Party for the prior year. (c) In the event that (a) or (b) decreases, the operating budget shall remain the same. This provision applies only to operating expenses not governed by wage or benefit increases required by any union contracts. All Parties must pay wage or benefit increases as required by union contracts; other expenses can have ceilings applied per the above formula.

Potential motions ...

1. I move the Greenwood city council approves the 2021 South Lake Minnetonka Police Department operating budget and debt service payment amounts as presented.
2. Other motion ???



SOUTH LAKE MINNETONKA POLICE DEPARTMENT
Serving Excelsior, Greenwood, Shorewood and Tonka Bay

Mike Meehan
Chief of Police

24150 Smithtown Road
Shorewood, Minnesota 55331

Office (952) 474-3261
Fax (952) 474-4477

M E M O R A N D U M

TO: Kristi Luger, Excelsior City Manager
Dana Young, Deephaven City Administrator Representing City of Greenwood
Greg Lerud, Shorewood City Administrator
Kathy Laur, Tonka Bay City Administrator

FROM: Mike Meehan, Chief of Police

DATE: July 8th, 2020

RE: 2021 Operating Budget
Coordinating Committee Recommendation

As you are aware, the Coordinating Committee for the South Lake Minnetonka Police Department (SLMPD) passed, by a unanimous vote, a recommended operating budget for 2021. This took place at their quarterly meeting held on July 8th, 2020.

The recommended operating budget has been attached for your convenience. Overall, the budget increased by 4.6 % over the 2020 operating budget with a direct increase to the cities of 4.2%. The budget increase is attributed to the following:

- Increase from 15 to 16 full-time officers authorized by the Coordinating Committee.
- An estimated 3% wage increase. (same as Orono, Wayzata, Minnetrista, West Hennepin)
- An overall increase in worker's compensation insurance for law enforcement.
- A specific worker's compensation insurance increase for SLMPD.

The recommended budget now goes to your respective city councils for consideration prior to the September 1st deadline. Approval of all four member cities is required to avoid the budget being determined by the default provision in the Joint Powers Agreement.

2021 OPERATING BUDGET



PROPOSED OPERATING BUDGET

Tuesday - July 8th, 2020

SOUTH LAKE MINNETONKA POLICE DEPARTMENT
2021 OPERATING BUDGET

Projected Expenses

COORDINATING COMMITTEE RECOMMENDATION

Tuesday - July 08, 2020

ITEM	CATEGORY	AMOUNT
50100	Salaries - Full-Time	\$1,709,000
50200	Salaries - General Overtime	\$35,000
50230	Salaries - Reimbursed Overtime	\$54,500
50300	Salaries - Part-Time	\$60,768
50500	Social Security & Medicare	\$33,000
50600	PERA Pensions	\$300,500
50700	Insurance Benefits	\$305,000
51000	Contracted Services	\$30,000
52100	Equipment Leases	\$59,000
52200	Repairs & Maintenance	\$58,000
52300	Utilities	\$62,680
52400	Janitorial & Cleaning	\$8,500
52500	Printing & Publishing	\$2,500
52800	Care of Persons	\$0
53000	Supplies	\$69,200
54000	Uniforms & Gear	\$15,000
54500	Training & Development	\$30,000
56000	Insurance	\$139,000
56100	Subscriptions & Memberships	\$3,100
57000	Special Projects	\$16,000
58000	Capital Outlay	\$72,000
59000	Undesignated Allocation	\$0
	TOTAL PROJECTED EXPENSES	\$3,058,750

SOUTH LAKE MINNETONKA POLICE DEPARTMENT
2021 OPERATING BUDGET
Projected Revenues

COORDINATING COMMITTEE RECOMMENDATION
 Tuesday - July 08, 2020

ITEM	CATEGORY	AMOUNT
40110	Court Overtime	\$7,500
40120	Excelsior Park and Dock Patrol	\$20,000
42100	State Police Officer Aid	\$115,000
42200	State Training Reimbursement	\$13,500
43100	Minnetonka School District	\$5,000
43200	Administrative Requests	\$7,000
43400	Special Policing Details	\$28,000
44000	Investment Income	\$5,000
46400	Forfeitures	--
46500	Grant Reimbursements	\$20,000
46600	Other Reimbursements	\$117,000
	TOTAL PROJECTED REVENUES	\$338,000
	Expenses in Excess of Revenues	\$2,720,750
	PROJECTED COST TO MEMBER CITIES	\$2,720,750

SOUTH LAKE MINNETONKA POLICE DEPARTMENT 2021 OPERATING BUDGET

COORDINATING COMMITTEE RECOMMENDATION

Tuesday - July 8, 2020

Projected Contributions from Member Cities - Year 2021

2021 Reallocation Formula (2017-2021)

MEMBER CITY	TOTAL AMOUNT	% SHARE	\$ SHARE	\$INCREASE OVER 2020
Excelsior	\$2,720,750	26.9319%	\$732,749	\$29,753
Greenwood	\$2,720,750	7.6689%	\$208,651	\$8,472
Shorewood	\$2,720,750	49.5199%	\$1,347,312	\$54,707
Tonka Bay	\$2,720,750	15.8794%	\$432,038	\$17,542
2021 Total Contributions from Member Cities			\$2,720,750	
2020 Total Contributions from Member Cities			\$2,610,276	
<p>The funding formula used to determine each member city's percentage contribution toward the operating budget is based on an arbitration ruling in 2006. Every five years the funding formula is subject to an automatic adjustment based on the criteria set forth in this ruling. The 2017 operating budget was the second time since the ruling took effect that the funding formula was subject to adjustment. Barring an amendment to the JPA, the reset funding formula is not subject to change again until 2022.</p>				
Dollar Increase Over 2020			\$110,474	
Percentage Increase Over 2019			4.2%	

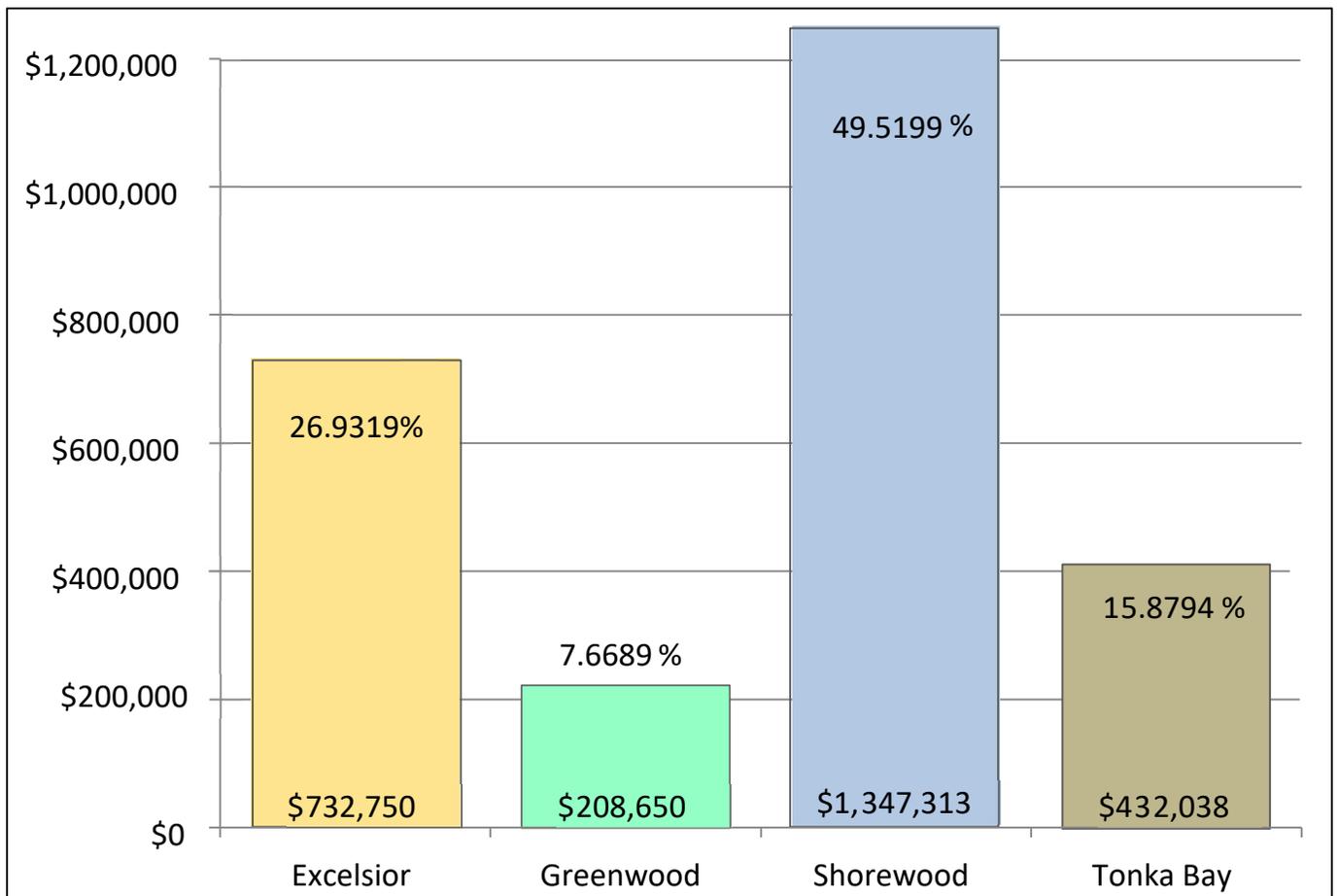
SOUTH LAKE MINNETONKA POLICE DEPARTMENT

2019 OPERATING BUDGET

COORDINATING COMMITTEE RECOMMENDATION
Tuesday - July 8, 2020



Proposed Contributions from Member Cities
Reallocation Formula (2017-2021)
Total Amount - \$2,720,750



**South Lake Minnetonka Police Department
2021 Proposed Budget**

	<u>2021 Budget</u>	<u>2020 Budget</u>	<u>Variable %</u>
Income			
40101 · Excelsior	\$ 732,749.67	\$ 702,996.92	4.2%
40102 · Greenwood	\$ 208,651.60	\$ 200,179.46	4.2%
40103 · Shorewood	\$ 1,347,312.68	\$ 1,292,606.06	4.2%
40104 · Tonka Bay	\$ 432,038.78	\$ 414,496.17	4.2%
40110 · Court Overtime	\$ 7,500.00	\$ 7,500.00	0.0%
40120 · Excelsior Park and Dock Patrol	\$ 20,000.00	\$ 22,000.00	-9.1%
42100 · State Police Officer Aid	\$ 115,000.00	\$ 115,000.00	0.0%
42200 · State Training Reimbursement	\$ 13,500.00	\$ 13,500.00	0.0%
43100 · Minnetonka School District	\$ 5,000.00	\$ 5,000.00	0.0%
43200 · Administrative Requests	\$ 7,000.00	\$ 7,000.00	0.0%
43400 · Special Policing Details	\$ 28,000.00	\$ 28,000.00	0.0%
44000 · Investment Income	\$ 5,000.00	\$ 5,000.00	0.0%
46400 · Forfeitures	\$ -	\$ -	0.0%
46500 · Grant Reimbursements	\$ 20,000.00	\$ 20,000.00	0.0%
46600 · Other Reimbursements	\$ 117,000.00	\$ 92,000.00	27.2%
Total Income	<u>\$ 3,058,752.72</u>	<u>\$ 2,925,278.61</u>	<u>4.6%</u>
Expense			
50100 - Full-Time Salaries	\$ 1,709,000.00	\$ 1,611,211.00	6.1%
50200 - General Overtime	\$ 35,000.00	\$ 35,000.00	0.0%
50230 - Reimbursed Overtime	\$ 54,500.00	\$ 54,500.00	0.0%
50300 - Part-Time Salaries	\$ 60,770.00	\$ 60,885.00	-0.2%
50500 · Social Security & Medicare	\$ 33,000.00	\$ 33,000.00	0.0%
50600 · PERA Pensions	\$ 300,500.00	\$ 285,000.00	5.4%
50700 · Insurance Benefits	\$ 305,000.00	\$ 305,000.00	0.0%
51000 · Contracted Services	\$ 26,000.00	\$ 26,000.00	0.0%
52100 · Equipment Leases	\$ 59,000.00	\$ 58,100.00	1.6%
52200 · Repairs and Maintenance	\$ 58,000.00	\$ 58,000.00	0.0%
52300 · Utilities	\$ 62,680.00	\$ 62,680.00	0.0%
52400 · Janitorial & Cleaning	\$ 8,500.00	\$ 8,500.00	0.0%
52500 · Printing & Publishing	\$ 2,500.00	\$ 2,500.00	0.0%
53000 · Supplies	\$ 69,200.00	\$ 69,200.00	0.0%
54000 · Uniforms & Gear	\$ 15,000.00	\$ 15,000.00	0.0%
54500 · Training & Conferences	\$ 30,000.00	\$ 30,000.00	0.0%
56000 · Insurance	\$ 139,000.00	\$ 116,000.00	19.8%
56100 · Subscriptions & Memberships	\$ 3,100.00	\$ 3,100.00	0.0%
57000 · Special Projects	\$ 16,000.00	\$ 19,600.00	-18.4%
58000 · Capital Outlay	\$ 72,000.00	\$ 72,000.00	0.0%
59000 - Undesignated Allocation	\$ -	\$ -	100.0%
Total Expense	<u>\$ 3,058,750.00</u>	<u>\$ 2,925,276.00</u>	<u>4.6%</u>



Agenda Number: 4B

Agenda Date: 08-05-20

Prepared by Deb Kind

Agenda Item: 2021 Excelsior Fire District Budget

Summary: Excelsior Fire District Chief Curtis Mackey will attend the council meeting to answer questions regarding the EFD's proposed 2021 budget (see attached files). EFD contributions are based solely on tax capacity. The proposed budget includes a 3.29% increase for Greenwood. The budget uses the latest tax capacity numbers posted on the county website. The tax capacity number for Shorewood is lower than the amount shown on the county website, because it does not include the tax capacity for the properties located on the islands served by Mound FD.

Council Action: Each city council in the EFD must take action on the budget. 3 of 5 cities must approve the operating budget. 4 of 5 cities must approve the facilities / capital budget. Potential motions ...

1. I move the Greenwood city council approves the final recommended draft of the 2021 Excelsior Fire District operating budget and facilities / capital budget as presented.
2. Other motion ???

**EXCELSIOR FIRE DISTRICT
2021 Operating Budget - DRAFT
FUND 230
5/31/2020**

Account Code	Item	2017 Actual	2018 Actual	2019 Actual	2020 Budget	2020 Monthly	2020 YTD	2021 Budget	2020		2021	
									YTD Variance Over (Under)	% of Budget	Budget Increase relative to 2020	% Increase
Personal Services												
230-42200-101	Employees Regular	215,143	227,315	267,463	220,998	17,070	93,615	235,447	-127,383	42.4%	14,449	6.5%
230-42200-103	Part-Time Employees	5,431	2,832	12,659	27,807	1,342	7,642	17,225	-20,165	27.5%	-10,582	-38.1%
230-42200-106	Firefighter's Salaries	188,337	211,375	255,909	337,756	27,160	114,067	344,016	-223,689	33.8%	6,260	1.9%
230-42200-107	Fire Officer's Salaries	36,241	37,521	37,906	40,790	3,407	15,347	40,888	-25,443	37.6%	98	0.2%
230-42200-121	PERA	31,567	32,375	28,338	32,890	2,635	14,423	39,908	-18,467	43.9%	7,018	21.3%
230-42200-122	FICA/MC	23,133	25,005	31,649	37,288	2,873	12,863	37,788	-24,425	34.5%	500	1.3%
230-42200-129	State Fire Aid	147,183	152,546	156,071	0	0	0	0	0	0.0%	0	0.0%
230-42200-131	Health & Dental Insurance	32,046	49,071	35,623	31,393	0	15,876	55,393	-15,517	50.6%	24,000	76.4%
230-42200-133	Life Insurance	18	18	14	18	1	8	419	-10	44.4%	401	2227.8%
230-42200-151	Worker's Comp	27,538	28,585	29,745	35,759	-3,000	32,527	36,342	-3,232	91.0%	583	1.6%
	Total Personal Services	706,637	766,643	855,377	764,699	51,488	306,368	807,426	-458,331	40.1%	42,727	5.6%
Supplies												
230-42200-200	Office Supplies	3,486	2,824	2,709	3,800	0	829	2,800	-2,971	21.8%	-1,000	-26.3%
230-42200-212	Motor Fuels	11,667	14,833	14,689	13,000	741	4,944	13,000	-8,056	38.0%	0	0.0%
230-42200-217	Clothing	40,322	26,305	38,293	30,250	12,329	23,362	36,346	-6,888	77.2%	6,096	20.2%
230-42200-219	COVID-19	0	0	0	0	607	4,702	0	4,702	0.0%	0	0.0%
230-42200-220	Repair/Maint. Supplies	6,502	4,262	4,558	6,620	719	2,880	7,000	-3,740	43.5%	380	5.7%
230-42200-221	First Aid Supplies	4,662	4,881	3,396	4,800	156	2,257	5,200	-2,543	47.0%	400	8.3%
230-42200-222	Firefighting Supplies	17,904	6,411	6,400	9,600	510	4,247	11,000	-5,353	44.2%	1,400	14.6%
230-42200-241	Fire Prevention Tools	5,995	4,796	3,347	4,200	0	201	4,000	-3,999	4.8%	-200	-4.8%
	Total Supplies	90,538	64,312	73,392	72,270	15,062	43,422	79,346	-28,848	60.1%	7,076	9.8%
Professional Services												
230-42200-304	Legal	5	21,087	3,316	3,000	560	715	3,000	-2,285	23.8%	0	0.0%
230-42200-307	Fiscal Mgmt Fees	18,000	18,540	19,096	22,500	1,875	9,375	0	-13,125	41.7%	-22,500	-100.0%
230-42200-311	Auditing	12,955	12,060	10,550	15,025	0	13,200	13,500	-1,825	87.9%	-1,525	-10.1%
230-42200-312	Refuse & Recycling	821	722	1,430	800	169	506	1,260	-294	63.3%	460	57.5%
230-42200-313	Janitorial Services	10,760	9,605	9,948	10,500	481	2,962	10,000	-7,538	28.2%	-500	-4.8%
230-42200-318	Medical Fees	6,057	8,755	7,000	7,000	0	3,102	7,500	-3,898	44.3%	500	7.1%
230-42200-319	Other Prof. Services	27,260	23,742	27,340	30,345	548	18,286	28,000	-12,059	60.3%	-2,345	-7.7%
	Total Prof. Services	75,858	94,511	75,205	89,170	3,633	48,146	63,260	-41,024	54.0%	-25,910	-29.1%
Other Services and Charges												
230-42200-321	Telephone	29,879	22,500	35,672	26,600	1,343	11,317	26,000	-15,283	42.5%	-600	-2.3%
230-42200-322	Postage	23	209	410	400	0	398	600	-2	99.5%	200	50.0%
230-42200-323	Radio Units	34,771	32,193	33,740	41,260	2,898	14,938	39,000	-26,322	36.2%	-2,260	-5.5%
230-42200-331	Conferences	4,130	2,606	4,317	6,650	0	2,737	6,780	-3,913	41.2%	130	2.0%
230-42200-332	Mileage	89	16	0	150	0	0	100	-150	0.0%	-50	-33.3%
230-42200-333	Meeting Expenses	3,296	3,926	3,758	4,000	83	1,204	4,000	-2,796	30.1%	0	0.0%
230-42200-334	Training & Schools	22,167	23,359	40,452	26,676	62	9,160	27,200	-17,516	34.3%	524	2.0%
230-42200-350	Printing & Publishing	1,607	1,095	859	1,375	60	61	1,000	-1,314	4.4%	-375	-27.3%
230-42200-360	Insurance	8,000	20,265	15,805	24,000	0	17,781	20,000	-6,219	74.1%	-4,000	-16.7%
230-42200-381	Electric Utilities	33,378	31,977	34,613	33,500	2,185	9,964	37,000	-23,536	29.7%	3,500	10.4%
230-42200-383	Gas Utilities	8,621	12,327	12,651	11,000	996	5,306	11,000	-5,694	48.2%	0	0.0%
230-42200-386	Water and Sewer Utilities	740	1,594	1,863	1,400	359	834	2,100	-566	59.6%	700	50.0%
230-42200-401	Contracted Repairs	27,351	61,086	37,088	30,000	8,597	20,065	30,600	-9,335	66.9%	600	2.0%
230-42200-404	Machinery/Equipment	28,332	26,686	53,149	26,650	642	7,211	27,200	-19,439	27.1%	550	2.1%
230-42200-405	Fire Equipment Maintenance	12,525	15,652	13,580	19,450	0	200	20,550	-19,250	1.0%	1,100	5.7%
230-42200-430	Misc Expenses (Bank)	766	811	824	1,220	613	876	1,226	-344	71.8%	6	0.5%
230-42200-433	Dues and Subscriptions	2,129	1,766	2,395	6,761	0	1,002	2,500	-5,759	14.8%	-4,261	-63.0%
230-42200-439	Contingency	0	0	0	0	0	0	0	0	0.0%	0	0.0%
	Total Other Services	217,804	258,068	291,176	261,092	17,838	103,054	256,856	-158,038	39.5%	-4,236	-1.6%
	Total Operating Budget	1,090,837	1,183,534	1,295,150	1,187,231	88,021	500,990	1,206,888	-686,241	42.2%	19,657	1.7%
Capital Outlay												
230-42200-560	CIP Transfer (Building Fund)	45,642	24,000	24,000	30,000	0	0	105,000	-30,000	0.0%	75,000	250.0%
230-42200-720	CEF Transfer (Equipment)	170,000	170,000	180,000	190,000	0	95,000	105,000	-95,000	50.0%	-85,000	-44.7%
230-42200-720	Facilities Transfer	527,250	532,800	538,050	528,150	0	264,075	533,100	-264,075	50.0%	4,950	0.9%
	Total Capital Outlay	742,892	726,800	742,050	748,150	0	359,075	743,100	-389,075	48.0%	-5,050	-0.7%
	Total Fund 230	1,833,729	1,910,334	2,037,200	1,935,381	88,021	860,065	1,949,988	-1,075,316	44.4%	14,607	0.8%
Operating Revenues												
230-33400	State Fire Aid	147,183	152,546	156,071	0	0	0	0	0	0.0%	0	0.0%
230-34202	Municipal Fire Contracts	1,642,870	1,708,762	1,776,505	1,828,905	0	914,551	1,882,858	-914,354	50.0%	53,953	3.0%
230-36210	Interest Earnings	2,049	1,187	7,967	2,000	138	686	1,500	-1,314	34.3%	-500	-25.0%
230-36228	Refunds & Reimbursements	38,328	14,850	39,709	15,000	1,825	8,465	15,000	-6,535	56.4%	0	0.0%
230-36230	Donations	0	485	0	0	1,500	1,750	0	1,750	0.0%	0	0.0%
230-36230	Shared Services Income	34,048	34,051	35,248	33,478	0	9,150	0	-24,328	27.3%	-33,478	-100.0%
230-39203	Special Event Permits	6,045	11,550	6,786	5,500	100	1,470	5,000	-4,030	26.7%	-500	-9.1%
230-39203	Transfers	0	0	0	0	0	0	0	0	0.0%	0	0.0%
	Total Operating Revenues	1,870,523	1,923,431	2,022,286	1,884,883	3,563	936,072	1,904,358	-948,811	49.7%	19,475	1.0%
	Balance	36,794	13,097	-14,914	-50,498	-84,458	76,007	-45,630				
	Balance January 1st	352,430	389,224	402,321	387,407		387,213	336,715				
	Balance December 31st	389,224	402,321	387,407	336,909		463,220	291,085				
	Fund Balance %	35.68%	33.99%	29.91%	28.38%			24.12%				

CATEGORY
SUPPLIES

	Detail Item Amount	Line Item Total	Category
200 Office Supplies		2,800	
212 Motor Fuels		13,000	
217 Clothing		36,346	
Turnout Gear (5 sets)	11,500		
Helmets (6)	3,500		
ID for helmets	1,200		
Hoods (10)	1,000		
Gloves (10 pairs)	500		
Boots (6 pairs)	1,400		
Turnout Gear Cleaning	2,946		
Turnout Gear Repair	1,800		
Firefighter Uniforms (6)	3,500		
Badges & Uniform Brass	800		
Firefighter Work Uniforms (10)	2,500		
Fire Inspector Uniforms	400		
Duty Uniforms	2,500		
Fire Chief Uniforms	400		
Cold Water Rescue Suits (1)	700		
Class A Uniforms	1,300		
Fire Marshall Uniform	400		
220 Repair and Maintenance Supplies		7,000	
Batteries	800		
Culligan Water Station 1 & 2	700		
Solar Salt Station 2	700		
Small Tools	1,800		
Vehicle and Station Supplies	3,000		
221 First Aid Supplies		5,200	
222 Fire Fighting Supplies/Tools		11,000	
Fire Extinguisher Powder	450		
Cartridge Refills	350		
Oxygen Refills	2,000		
Firefighting Foam	1,000		
Extinguisher Refill	1,700		
Small tools (Acct Tags, Saws, Wrt	2,000		
Hazmat Supplies	500		
Hose	3,000		
241 Fire Prevention		4,000	
Code Books	500		
Open House	1,200		
Supplies & Handouts	1,600		
Sparky Costume Maintenance	500		
Life Safety Video	200		

TOTAL SUPPLIES

79,346

PROFESSIONAL SERVICES

304 Legal		3,000	
307 Fiscal Management		-	
311 Auditing		13,500	
District Audit	8,900		
Northland Securities	1,600		
Relief Actuarial	3,000		
312 Refuse		1,260	
313 Janitorial		10,000	
318 Medical Fees		7,500	
319 Professional services		28,000	

Recording Secretary	2,500
Computer Services	24,000
CISD	500
LMCC Recording Fees	1,000

TOTAL PROFESSIONAL SERVICES

63,260

CATEGORY

OTHER SERVICES AND CHARGES

	Detail Item Amount	Line Item Total	Category
321 Communications		26,000	
Telephone	15,100		
Cell Phones	4,350		
Pagers (4 @ 475)	1,900		
Pager Repair	1,700		
Internet	1,450		
MDC Air Cards	200		
IPAD Connectivity	1,300		
322 Postage		600	
323 Radio Units		39,000	
Hennepin County Radio Lease	37,500		
Hennepin County Radio Repair	500		
MDC Maintenance	1,000		
331 Conferences		6,780	
Mn Fire Dept. Conference			
Mn Fire Chief's Conference	1,230		
I Chiefs Conference	2,000		
Fire Department Instr. Conf.	3,000		
Emergency Mgnt Conf.	300		
Fire Inspectors Conference	250		
332 Mileage and Travel		100	
333 Meeting Expenses		4,000	
334 Training Expenses		27,200	
Training Tower / Simulator	2,500		
EMT (4 @ 1800)	7,200		
EMT Refresher	5,500		
FFI	3,100		
FFII	1,200		
Haz-Mat Ops	1,500		
Vo-Tech Schools	700		
State Sectional Schools	-		
Boat Training	300		
Bloodborne/Right To Know	100		
Training Aids	600		
Support Staff training	300		
Fire Chief Training	300		
Fire Inspector Training	700		
Blue Card ICS Training	2,700		
Training Equipment	500		
350 Printing And Publishing		1,000	
Call Sheets	325		
Film & Developing	100		
Stationary	350		
Printer cartridges	225		
Other Printing			
360 Insurance		20,000	
381 Electric Utilities		37,000	
383 Gas Utilities		11,000	

386 Water and Sewer Utilities

2,100

401 Building Repair

30,600

STATION 1

HVAC	4,700
Boiler	1,000
Generator	2,700
Garage Doors	5,500
Air Compressor Maint	900
Bathroom Fixtures Repair	700
Elevator Maint	450
Light Bulb Replacement	900
Outdoor Maint (mulch, trees, plants, weeds)	800
Outdoor Sprinkler Maint	900
Data/Phone jack repairs	500
Fire Sprinkler/Alarm (Repair, Monitoring, Permits)	2,000
Elevator Inspection	1,850
Garage Floor Maint	600

STATION 2

HVAC	900
Generator	1,500
Garage Doors	700
Air Compressor Maint	500
Bathroom Fixtures Repair	200
Light Bulb Replacement	500
Outdoor Maint (mulch, trees, plants, weeds)	300
Outdoor Sprinkler Maint	200
Garage Floor Maint	400
Water Softener Maint & Repairs	400
Fire Sprinkler/Alarm (Repair, Monitoring, Perr	1,500

404 Repair And Maintenance Of Apparatus

27,200

Truck Repair	15,880
Pump Testing	1,720
Service	5,500
Major Repairs	2,700
Supplies	1,400

CATEGORY

OTHER SERVICES AND CHARGES (Cont.)

	Detail Item Amount	Line Item Total	Category
405 Fire Equipment Maintenance		20,550	
Compressor Service	1,500		
Air	475		
Gas Powered Equipment	500		
SCBA Service	5,425		
31 packs @\$175/per pack			
Fit Testing			
SCBA Flow Testing			
SCBA Hydro Testing	2,000		
SCBA Maintenance	1,000		
Ladder Testing	2,000		
Hose Testing	6,000		
Air Monitor	850		
Air Monitor Calibration	300		
Maint. Agreement Fitness Room	500		
430 Misc Expenses		1,226	
Bank Expenses	500		
Payroll Direct Deposit Fees	726		
433 Dues And Subscriptions		2,500	
Nat. Volunteer Fire Council	30		
IAFC/Int Assoc Of Fire Chiefs	210		
Int Assn Of Arson Investigators		50	
NAFI			
Mn State Fire Chiefs Assoc	275	130	
ACFEI			

MSFDA		
Fire Marshals Assoc Of Mn (2)	70	
NFPA		
ACS Firehouse Solutions	-	
Hennepin County Fire Chiefs	20	
Hennepin County Fire Chiefs (FIT	16	
United Firefighters Assoc		30
Firehouse Magazine	30	
Smoke Eater (22)	160	
Lake Region Mutual Aid		75
Southwest Mutual Aid		100
Metro Fire Chief's	100	
Fire Chiefs	74	
Vol FF Benefit Association	350	780

439 Contingency

440 Fund Balance / Reserve

TOTAL OTHER SERVICES AND CHARGES

256,856

2021 Payroll & Benefit Worksheet

Overview: Staffing includes:
Fire Chief, Fire Marshal (both full-time)
Administrative Specialist to Office Manager
Maintain 4FF/24 hours per week
Maintain overnight duty crew to 7 days per week
Maintain Duty Officer pay \$90

		Salary					TOTALS
101	Fire Chief (C. Mackey)	112,243					
	Fire Inspector (K. Murphy-Ringgate)	64,964					
	Office Manager (A. Fatturi)	58,240					
	Total						235,447
103	PT Employees						
	PT Fire Inspector (T. Brown)	22.08	Hrs/Wk 15	Wks 52			
						17,225	
						0	
						17,225	
106	Firefighters Salary						
	<u>Station 1 Call Pay</u>	Rate	Calls	FF's	Hrs		
		(formula) 13.66	256	15	1	52,454	
	<u>Station 2 Call Pay</u>	Rate	Calls	FF's	Hrs		
		13.66	144	10	1	19,670	
	<u>All Call Pay</u>	Rate	Calls	FF's	Hrs		
		13.66	50	20	1.5	20,490	
	<u>Station 1 Drill Pay</u>	Rate	Weeks	FFs	Hrs		
		13.66	50	25	2	34,150	
	<u>Station 2 Drill Pay</u>	Rate	Weeks	FFs	Hrs		
		13.66	50	12	2	16,392	
	<u>Duty Officer Pay</u>	Rate	Days				
	\$90.00 per day x 365	90	365			32,850	
	\$26.52 per call x 120	Rate	Calls		Hrs		
		13.66	120		1.5	2,459	
	<u>Evening Duty Crew Pay</u>	Rate	Weeks	FFs	Hrs		
		13.66	52	4	24	68,191	
	Night Time Duty Crew Staffing	Rate	Weeks	FFs	Days		
		60	52	4	7	87,360	
	Exceptional Service Award	10,000					10,000
							344,016
107	Fire Officer's Salaries						
	Assistant Chief	2.0%	5,593				
	Battalion Chiefs (2)	2.0%	9,436				
	Captains (5)	2.0%	14,849				
	Apparatus Coordinator	2.0%	2,292				
	Coordinators (8)	2.0%	8,718				
							40,888
121	PERA						
	Fire Chief	Formula	19,025				
	Fire Marshal	Formula	11,011				
	Admin Specialist	Formula	9,872				
	PT Fire Inspector	Formula	0				
							39,908
122	FICA						
	Firefighters	Formula	21,329				
	PT Fire Inspector	Formula	1,068				
	Admin Specialist	Formula	3,611				
	Admin 2	Formula	0				
	Fire Officers	Formula	2,535				
							28,543
123	Medicare						
	Fire Chief	Formula	1,628				
	Fire Marshal	Formula	942				
	PT Fire Inspector	Formula	250				
	Firefighters	Formula	4,988				
	Admin 2	Formula	0				
	Fire Officers	Formula	593				
	Admin Specialist	Formula	844				
							9,245
	Total FICA/MC						37,788
131	Health Insurance						
	Total	10.0%	50,460				
	Dental Insurance	5.0%	4,933				
							55,393
133	Life Insurance						
	3 employees	3.00%	34.92				
							419.00
151	Workers Compensation	5.70%	36,342				
							36,342
	TOTAL PERSONNEL SERVICES						807,426

**Excelsior Fire District
2020 - 2040
Capital Improvement Program**

1st Draft Request CIP May 20, 2020

Equipment Item	Date Acquired	Original Cost	Life Bench mark	Proj Repl Date	Proj Equip Costs	Proj Finance Costs	Proj Apparatus Costs	Total Cost of Apparatus	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040			
Beginning Apparatus/Equip Balance									143,750	142,004	204,555	250,146	169,649	168,542	82,313	53,159	200,414	185,815	174,723	(189,791)	(152,094)	(130,061)	(78,288)	(19,478)	5,507	(32,508)	4,565	46,878	(17,567)	(9,167)	(9,167)	(9,167)	65,734			
APPARATUS																																				
#30 - Chief Vehicle	2016	39,500	10 yrs	2026	11000	0	28500	39500	39,085								7000	7000	7,000	7000																
#23 - Inspector Vehicle	2008	31,805	12 yrs	2022	12900	0	31000	43900				53,000		5800	5800	5,800	5800	5,800								57,500										
#25 - Command Utility Vehicle	2010	32,500	12 yrs	2019	10500	0	30000	40500									6,000	6000	6,000																	
#30 - Duty Vehicle	2018	37,744	14 yrs	2032	11000	0	30500	41500			41,500					6,000	6,000	6,000	6,000															59,500		
#21 - Rescue/Utility 21	2005	40,000	18 yrs	2023	4000	0	44000	48000						6,300	6,300	6,300	6,300	6,300																		
#31 - Rescue 12 - Excursion	2002	37,500	17 yrs	2019	3500	0	42000	45500				63,500					6,300	63,000	6,300	6,300	6,300													45,500		
#17 - Utility 11 -P/U Truck	2002	37,500	18 yrs	2020	0	0	42000	42000					42,000		6,000	6,000	6,000	6,000																		
#24 - Heavy Rescue/Rescue 11	2009	284,688	24 yrs	2033	25000	60185	430000	515185									35,000								103,037	103,037	103,037	103,037	103,037							
#27 - Engine 22	2013	425,000	25 yrs	2038	35000	95000	620000	750000	87,337	87,337											35,000															
#29 - Ladder 11	2018	762,000	25 yrs	2043	35000	97225	1200000	1332225			164,500	164,500	164,500	164,500	164,500																			150,000	150,000	150,000
#18 - Engine 11	2002	327,000	21 yrs	2023	30000	63540	595000	688540								133,708	133,708	133,708	133,708	133,708																
#22 - Engine 21	2007	309,000	21 yrs	2028	35000	68125	600000	703125							35,000							140,625	140,625	140,625	140,625	140,625										
#19 - Tanker 11	2002	181,000						0																												
Tank for Rescue 21	2008	5,000						0																												
Hazmat / LSU Trailer	2017	12,000	20 yrs	2037	15000	0	14000	29000		7,952																								29,000		
ATV - John Deere Gator - Utility 21	2014	17,663	15 yrs	2029	0	0	20000	20000														20,000														
Boat 11	2016	27,000	10 yrs	2026	0	0	72000	72000	42,014																											
Boat 12		8,000		2024	0	0	0	0																												
Boat 21	2007	31,380						0																												
Boat Trailer - #11	2016	5,000		2026	0	0	0	0	5,000																											
Boat Trailer - #12		2,000		2024	0	0	1500	1500																												
Boat Trailer - #21	2008	2,860						0																												
ATV - Mule - Utility 12	2006	12,000	15 yrs	2021	0	0	17000	17000							35,000																					
ATV - Mule Trailer	2006	1,700	15 yrs	2021	0	0	2000	2000																												
Total Apparatus Expenses									173,436	95,289	206,000	281,000	206,500	176,600	246,800	163,808	221,608	226,808	233,008	140,008	181,925	160,625	140,625	140,625	198,125	138,037	103,037	207,037	183,037	132,037	209,500	150,000	150,000			
EQUIPMENT																																				
Air Pack (SCBA) Replacement	2011	166,000	10 yrs	2021	180000	16600		196600																												
SCBA Compressor Station 1	1991			2021	55000			55000																												
Extraction Tool (Station #2)	2007	28,000	15 yrs	2021				30000							30,000																					
Extraction Tool (Station #1)	2009	29,239	15 yrs	2023				32000																												
Defibrillators (10)		8,000		2025				20000																												
Communications (Radios/Headsets)																																				
AutoPulse CPR Device	2013	12,000	6 yrs	2019				15000																												
Lucas CPR Device	2016	17,052	10 yrs	2026	18,500			18500			13,500																									
Miscellaneous Equip. (TIC)								45000		15,000		5,000		5,000		5,000					15,000	15,000		15,000			20,000							25,000		
Training Equipment								10000																												
Total Equipment Expenses									-	15,000	13,500	5,000	-	25,000	30,000	5,000	32,000	20,000	345,000	38,500	-	15,000	19,000	40,000	40,000	45,000	60,000	65,000	19,500	-	25,000	-	-			
Total Building Expenses																																				
Total Expenses									173,436	110,289	219,500	286,000	206,500	201,600	276,800	168,808	253,608	246,808	578,008	178,508	181,925	175,625	159,625	180,625	238,125	183,037	163,037	272,037	202,537	132,037	234,500	150,000	150,000			
REVENUES																																				
Interest Income									790	2,840	4,091	5,003	3,393	3,371	1,646	1,063	4,008	3,716	3,494	(3,796)	(3,042)	(2,601)	(1,566)	(390)	110	110	(650)	91	938	938	938	938	(351)			
Sale of Used Equipment									900		91,000	20,500	12,000	7,000	6,000	70,000		7,000	10,000	20,000	7,000	30,000	20,000	6,000		20,000	6,000	7,500	10,000	6,000	6,000					
Donations / Transfers																																				
Equipment Lease Proceeds																																				
Cities Contribution									170,000	170,000	170,000	180,000	190,000	105,000	240,000	245,000	235,000	225,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000			
Total Revenues									171,690	172,840	265,091	205,503	205,393	115,371	247,646	316,063	239,008	235,716	213,494	216,204	203,958	227,399	218,434	205,610	200,110	220,110	205,350	207,591	210,938	206,938	206,938	200,938	199,649			
Year End Apparatus/Equip Balance									142,004	204,555	250,146	169,649	168,542	82,313	53,159	200,414	185,815	174,723	(189,791)	(152,094)																

**Excelsior Fire District
2020 - 2040
Building Projects - Building Improvement Program (Fund 250)**

1st DRAFT Requested - May 20, 2020

Facility Items	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040
Beginning Building Maintenance Balance	0	60,486	62,716	14,309	8,381	4,402	29,424	29,072	3,585	(46,697)	(54,931)	(63,425)	(50,742)	(30,496)	(40,149)	(55,849)	(34,129)	(15,299)	1,124	17,130	12,216	(82,723)	(96,662)	(100,101)
Maintenance Items - Station 1																								
Roof Repairs																								
Landscaping			\$ 2,694					\$ 2,000					\$ 2,000					\$ 2,000				\$ 60,000		
Painting				\$ 2,500					\$ 2,500					\$ 2,500					\$ 2,500				\$ 2,500	
TV replacement											\$ 4,500													
Caulking outside						\$ 2,000						\$ 3,000							\$ 4,000					
Floor Sealing in Bays														\$ 15,000										
Concrete for station apron				\$ 100,000							\$ 16,000												\$ 20,000	
Seal Coating in parking lots						\$ 4,500						\$ 5,000						\$ 5,500						
UPS Batteries / Replacement	\$ 6,261				\$ 9,020						\$ 9,720				\$ 10,500							\$ 11,000		
Carpet Replacement								\$ 35,632														\$ 36,000		
Office Furniture - offices																								
Office furniture - conference rooms																								
Office furniture - training room / EOC																								
Appliances (Kitchen and Wash Room)		\$ 2,808								\$ 2,000							\$ 5,000							
Radiant Heaters in Garage									\$ 58,800															
Fitness Equipment		\$ 5,769		\$ 3,500					\$ 3,500					\$ 4,000						\$ 9,000				
Generator																								
Server						\$ 25,000																		
Phone System				\$ 15,000																				
Gear Washers / Extractors										\$ 18,000														
Professional Services		\$ 12,051																						
Gear Dryer				\$ 7,000																				
Station Remodel for Sleep Rooms				\$ 129,968																				\$ 16,000
Station 1 Expenses	\$ 6,261	\$ 20,628	\$ 132,662	\$ 28,000	\$ 109,020	\$ 2,000	\$ 29,500	\$ 37,632	\$ 64,800	\$ 20,000	\$ 30,220	\$ 8,000	\$ 2,000	\$ 21,500	\$ 10,500	\$ -	\$ 5,000	\$ 7,500	\$ 6,500	\$ 25,000	\$ 107,000	\$ -	\$ 22,500	\$ -
Maintenance Items - Station 2																								
Roof Repairs																								\$ 35,000
Station Siding															\$ 25,000									
Landscaping																								
Painting				\$ 2,000					\$ 2,000					\$ 2,000							\$ 4,000			
TV replacement									\$ 1,500										\$ 1,500					
Caulking outside																								
Floor Sealing in Bays														\$ 10,000										
Seal Coating in parking lots	\$ 4,273					\$ 2,000					\$ 2,000					\$ 2,000								
Carpet Replacement								\$ 12,000																\$ 12,000
Office Furniture - offices																								
Office furniture - conference rooms																								
Appliances (Kitchen and Wash Room)													\$ 1,500											\$ 5,000
Radiant Heaters in Garage									\$ 12,000															
Fitness Equipment		\$ 1,500											\$ 3,000											\$ 3,000
Generator																								
Bathroom countertops																								
Phone System Replacement				\$ 4,000																				
Gear Washers / Extractors										\$ 18,000														
Gear Dryer				\$ 7,000																				
Station Remodel for Sleep Rooms				\$ 69,983																				
Station 2 Expenses	\$ 4,273	\$ 1,500	\$ 69,983	\$ 13,000	\$ -	\$ 2,000	\$ -	\$ 12,000	\$ 15,500	\$ 18,000	\$ 2,000	\$ 3,000	\$ 1,500	\$ 12,000	\$ 29,000	\$ 2,000	\$ -	\$ -	\$ 1,500	\$ 4,000	\$ 12,000	\$ 38,000	\$ 5,000	\$ -
Total Building Expenses	10,534	22,128	202,645	41,000	109,020	4,000	29,500	49,632	80,300	38,000	32,220	11,000	3,500	33,500	39,500	2,000	5,000	7,500	8,000	29,000	119,000	38,000	27,500	-
Revenues																								
Interest Income	378	358	382	72	42	22	147	145	18	(233)	(275)	(317)	(254)	(152)	(201)	(279)	(171)	(76)	6	86	61	61	61	(414)
Sale of Used Equipment																								
Donations / Fund Transfers	70,642	-	129,856	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Cities Contribution	-	24,000	24,000	35,000	105,000	29,000	29,000	24,000	30,000	30,000	24,000	24,000	24,000	24,000	24,000	24,000	24,000	24,000	24,000	24,000	24,000	24,000	24,000	24,000
Total Revenues	71,020	24,358	154,238	35,072	105,042	29,022	29,147	24,145	30,018	29,767	23,725	23,683	23,746	23,848	23,799	23,721	23,829	23,924	24,000	24,086	24,061	24,061	24,061	23,586
Year End Building Maintenance Balance	60,486	62,716	14,309	8,381	4,402	29,424	29,072	3,585	(46,697)	(54,931)	(63,425)	(50,742)	(30,496)	(40,149)	(55,849)	(34,129)	(15,299)	1,124	17,130	12,216	(82,723)	(96,662)	#####	(76,515)

EXCELSIOR FIRE DISTRICT

Proposed Budget 2021

Allocation by City using Joint Powers Agreement 2010 Funding Formula

Proposed 2021 Budget

\$1,882,858

	<u>Tax Capacity</u>		<u>Cities' Calculated Share of Cost</u>		
	<u>Dollars</u>	<u>Percent</u>	<u>Operations</u>	<u>Facilities</u>	<u>Total</u>
Deephaven	\$15,768,253	29.22%	\$333,054	\$217,145	\$550,199
Excelsior	\$7,128,340	13.21%	\$150,563	\$98,164	\$248,728
Greenwood	\$4,524,938	8.39%	\$95,575	\$62,313	\$157,888
Shorewood**	\$19,557,292	36.24%	\$413,085	\$269,324	\$682,409
Tonka Bay	\$6,982,370	12.94%	\$147,480	\$96,154	\$243,635
	<u>\$53,961,193</u>	<u>100%</u>	<u>\$1,139,758</u>	<u>\$743,100</u>	<u>\$1,882,858</u>

(Using 2020 Hennepin County Assessors' valuations)

**Total 2020 Tax Capacity less reduction for The Islands served by the Mound FD.

Quarterly Billings

	<u>Operations</u>	<u>Buildings</u>	<u>Total</u>
Deephaven	\$ 83,263.51	\$ 54,286.18	\$ 137,549.69
Excelsior	\$ 37,640.86	\$ 24,541.11	\$ 62,181.96
Greenwood	\$ 23,893.72	\$ 15,578.24	\$ 39,471.96
Shorewood**	\$ 103,271.35	\$ 67,330.90	\$ 170,602.25
Tonka Bay	\$ 36,870.07	\$ 24,038.57	\$ 60,908.64
			\$ 470,714.50

2021 Allocation by City Compared to 2019 & 2020

2021 Operating Budget and Capital less Reserves Use and Other Income

City	2019 Budget	2020 Budget	Increase	Inc %	2021 Proposed	Increase	Inc %
Deephaven	\$ 516,565.00	\$541,503.00	\$ 24,938.00	4.83%	\$550,198.76	\$ 8,695.76	1.61%
Excelsior	\$ 221,100.00	\$230,802.00	\$ 9,702.00	4.39%	\$248,727.86	\$ 17,925.86	7.77%
Greenwood	\$ 146,435.00	\$148,549.00	\$ 2,114.00	1.44%	\$157,887.83	\$ 9,338.83	6.29%
Shorewood	\$ 651,969.00	\$668,296.00	\$ 16,327.00	2.50%	\$682,409.00	\$ 14,113.00	2.11%
Tonka Bay	\$ 240,428.00	\$239,754.00	\$ (674.00)	-0.28%	\$243,634.55	\$ 3,880.55	1.62%
Total Contribution	\$ 1,776,497.00	\$1,828,904.00	\$ 52,407.00	2.95%	\$1,882,858.00	\$ 53,954.00	2.95%



Agenda Number: **4C**

Agenda Date: **07-24-20**

Prepared by *Deb Kind*

Agenda Item: Authorization for City Engineer to Apply for CAMA Funds

Summary: City Engineer Dave Martini will attend the city council meeting to discuss 2020 engineering projects.

Below are city fund balances as of **06-30-20** that may be used for any city purpose:

- \$355,094** *Sewer Enterprise Fund* (interfund transfer OUT code 602-43200-720, capital outlay code 602-43200-530, engineering code 602-43200-303)
- \$38,415** *Stormwater Special Revenue Fund* (interfund transfer OUT code 502-43200-720, interfund transfer IN code 502-34405, capital outlay code 502-43200-530, engineering code 502-43200-303)
- \$191,244** *Bridge Capital Project Fund* (general fund transfer OUT to bridge fund code 101-49000-500, interfund transfer IN code 403-39200, capital outlay 403-45100-530, engineering code 403-45100-303)
- \$155,988** *Road Improvement Fund* – Includes \$124,000 from **2020** general fund budget to be transferred to the road improvement fund plus the **\$31,988** current road improvement fund balance (general fund transfer OUT to road fund code 101-43200-500, interfund transfer IN code 404-36230, capital outlay 404-45100-100, engineering code 404-45100-303)
- \$4,000** *2020 Contingency Budget* (general fund code 101-49000-439)

In addition, below is the General Fund Reserve balance as of 12-31-19. Reserve funds may be used for any city purpose:

- \$505,443** *General Fund Reserves* (interfund transfer OUT code 101-43200-500) – This number is approximately 65.01% of operating expenditures. Goal is 35-50%.

County Aid to Municipalities: In 1957, Hennepin County established a County Aid to Municipalities (CAM) program to provide financial assistance for roadways and bridges to cities with populations under 5,000. Typically, the funding is between \$1,000 and \$3,000 per year. The city must submit a project approval form to receive the funds.

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

1. I move the city council approves the bid in the amount of \$_____ from _____ for _____ project.
2. I move the city council authorizes the city engineer to submit the project approval form to receive County Aid to Municipalities (CAM) program money for 2020.
3. Do nothing or other motion ???



Agenda Number: **7A**

Agenda Date: **08-05-20**

Prepared by *Deb Kind*

Agenda Item: Consider: Res 07-20, Findings for CUP Request, Cory and Denae Martilla, 21750 Byron Circle

Background: Notice of the public hearing was published in Finance & Commerce on 12-21-19. The planning commission held a public hearing at their 01-09-20 meeting. The planning commission considered public comment, applicant's comments, application materials, and staff reports when making their recommendation (see planning commission action below). The city council **must** incorporate city code sections 1150.20 CUP criteria and 1155.20 variance criteria as well as any conditions in the findings.

01-09-20 Planning Commission Action: The planning commission held a public hearing at their 01-09-20 meeting. The planning commission recommended denial of the variance and conditional use permit requests based on the recommendation and findings of staff.

02-05-20 City Council Action: Based on input from the planning commission, the applicant submitted design revisions on 1-24-20. The revised drawings appeared to remove the variance request items from the proposal. In the opinion of staff, the submitted revisions were not suitable for decision-making purposes but may be appropriate for discussion purposes in order to provide the applicant input. At the 02-02-20 meeting, the city council approved the following motion:

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 and conditional use permit application of Cory and Denae Martilla, 21750 Byron Circle, 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 to allow the applicant time to bring a more refined revised plan to the planning commission for their review and recommendation. Second by Cook. Motion passed 5-0.

02-12-20 Planning Commission Action: The planning commission recommended approval of the revised landscaping proposal as submitted on a 3-0 vote. The commission didn't object to the 2-foot retaining wall that encroaches into the 50-foot setback as the plan would remove all other retaining walls within the setback area. In addition, the 2:1 slope that is provided by the installation of the retaining walls allows for native plantings and would help to prevent erosion of the hillside. See the 02-12-20 planning commission minutes in the FYI section of the packet for the discussion.

At the 03-04-20 City Council Meeting, the council reviewed the revised plans, discussed the planning commission's recommendation, and discussed the plans with the applicant. During the discussion, the council expressed concern regarding the tall retaining wall facing the neighbor's property and determined that the proposed underground storage unit was a 2nd accessory structure (only 1 accessory structure is allowed on a property). At the meeting, the applicant also submitted a handwritten withdrawal of the variance request. The council approved the following motion ...

Motion by Fletcher that the city council continues action on the findings resolutions for the variance and conditional use permit applications of Cory and Denae Martilla, 21750 Byron Circle, to the 04-01-20 council meeting to give the applicant time to revise plans based on the council discussion. Second by Conrad. Motion passed 3-0.

On 03-30-20, the applicant submitted a written withdrawal of the variance requests, a request to extend action until 05-17-20, and a request to be placed on the 05-06-20 council agenda.

On 03-30-20, the applicant submitted a written the council approved the following motion with the direction that the applicants can only have one accessory structure.

Motion by Kind to continue action to the 06.03.20 council meeting unless the council does not receive a written extension from the applicant, in which case the city council will hold a special meeting to take action. Second by Cook. Motion passed 5-0 on a roll call vote.

On 05-28-20, the applicant submitted a written extension to 09-01-20.

At the 08-05-20 City Council Meeting, the applicant will present their revised plan. The plan was not submitted in time to be included in the council packet. If staff receives the revised plan, it will be emailed to the city council. **The attached resolution includes this language ... "The project must be completed according to the specifications and design requirements in the grading plan, planting plan, and shoreland renderings presented at the August 5, 2020 council meeting."**

Key Dates:

Application Complete: December 19, 2019
Notice of Public Hearing Published: December 21, 2019
Planning Commission Public Hearing: January 9, 2020
City Council Discussion: February 5, 2020
2nd Planning Commission Review: February 12, 2020
60-Day Deadline: February 17, 2020
City Council Discussion: March 4, 2020
Applicant Submitted Written Request
to Extend Deadline to May 17, 2020: March 30, 2020
Original 120-Day Deadline: April 17, 2020
City Council Discussion: May 6, 2020
Applicant Submitted Written Request
to Extend Deadline to June 3, 2020: May 7, 2020
Applicant Submitted Written Request
to Extend Deadline to 09-01-20: May 28, 2020
City Council Discussion: August 5, 2020
Deadline Extended by Applicant: September 1, 2020

Council Action: The applicant has submitted a written request to extend the action deadline to 09-01-20. The council must take action by 09-01-20 unless the applicant grants an extension in writing. Potential motions ...

1. I move the city council (1) adopts resolution 07-20 laying out the findings of fact as written / as revised per the council discussion **APPROVING** the conditional use permit requests of Cory and Denae Martilla, 21750 Byron Circle, to install retaining walls within the lake yard setback and to regrade the lake yard area; and (2) 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.
2. I move the city council directs staff to draft **FINDINGS FOR DENIAL** for the conditional use permit requests of Cory and Denae Martilla, 21750 Byron Circle, to be considered by the city council at __ pm on _____, 2020.
3. Other motion ???

Note: MN statue 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).

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



APPROVING

the application of Cory and Denae Martilla for the property at 21750 Byron Circle for a conditional use permit under Greenwood ordinance code sections 1140.19(3), 1176.04(7), and 1150.20 to permit grading or site / lot topography alterations that increase or decrease the average grade (existing compared to final conditions) by more than 1 foot in a 300 square foot area and the installation of retaining walls within the lake yard setback.

WHEREAS, Applicants Cory and Denae Martilla (hereinafter 'Applicant') is the owner of property commonly known as 21750 Byron Circle, Greenwood, Minnesota 55331 (PID No. 26-117-23-34-0055) being real property located in Hennepin County, Minnesota and legally described below; and

That part of Lot 19, Solberg's Point, that lies northwesterly of the following described line:

Commencing at the most westerly corner of said Lot 19; thence on an assumed bearing of South 43 degrees 16 minutes 00 seconds East along the southwesterly line of said Lot 19, a distance of 115 feet to the point of beginning of the line to be described; thence North 37 degrees 39 minutes 58 seconds East a distance of 54.38 feet; thence North 75 degrees 38 minutes 41 seconds East a distance of 133 feet more or less to the shoreline of Lake Minnetonka and there terminating, EXCEPT the northwest 7 feet thereof.

ALSO: That part of Lot 188, "Auditor's Subdivision Number 141", which lies Southeast of the Southwesterly extension of the Southeast line of the Northwest 7 feet of Lot 19, Solberg's Point.

That part of Lot 19, Solberg's Point, described as follows:

Commencing at the most westerly corner of said Lot 19; thence on an assumed bearing of South 43 degrees 16 minutes East, along the southwesterly line of said Lot 19, a distance of 115.00 feet; thence North 37 degrees 39 minutes 58 seconds East, a distance of 8.83 feet to the point of beginning of the land to be described; thence South 43 degrees 43 minutes 04 seconds East, a distance of 3.80 feet; thence North 20 degrees 21 minutes 44 seconds East, a distance of 12.62 feet; thence South 37 degrees 39 minutes 58 seconds West, a distance of 11.48 feet to the point of beginning.

and

That part of Lot 19, Solberg's Point described as follows: Commencing at the most westerly corner of said Lot 19; thence on an assumed bearing of South 43 degrees 16 minutes East, along the southwesterly line of said Lot 19, a distance of 115.00 feet; thence North 37 degrees 39 minutes 58 seconds East, a distance of 8.83 feet; thence North 37 degrees 39 minutes 58 seconds East, continuing on the last described course, a distance of 33.36 feet to the point of beginning of the land to be described; thence North 54 degrees 12 minutes 24 seconds East, a distance of 19.69 feet; thence South 75 degrees 38 minutes 41 seconds West, a distance of 9.11 feet; thence South 37 degrees 39 minutes 58 seconds West a distance of 11.69 feet to the point of beginning, Hennepin County, Minnesota.

WHEREAS, the applicant proposes to regrade the property and install retaining walls within the lake yard setback; 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, there was an opportunity for the public to comment in writing and in person at the public hearing held by the planning commission on January 9, 2020; and

WHEREAS, no public comments were submitted in writing or in person; and

WHEREAS, the city council received the staff report and the recommendation of the planning commission; and

WHEREAS, the city council considered the application and the comments of the applicant.

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 21750 Byron Circle, Greenwood, Minnesota 55331 (PID No. 26-117-23-34-0055) is a single-family lot of record located within the R-1 district.
2. The applicant is proposing to alter site / lot topography that increases or decreases the average grade (existing compared to final conditions) by more than 1 foot in a 300 square foot area in conjunction with a lake yard landscaping project. Pursuant to Greenwood ordinance code 1140.19(3), the increase or decrease the average grade (existing compared to final conditions) by more than 1 foot in any 300 square foot area requires a conditional use permit.
3. Pursuant to Greenwood ordinance code 1176.04, subd. 7, retaining walls shall not be placed within the shore setback zone without a conditional use permit. Applicant proposes the installation of a 2-foot high retaining wall within the shore setback.
4. Pursuant to Greenwood ordinance code section 1150.20, subd. 3, 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.
5. Pursuant to Greenwood ordinance code section 1150.20, subd 1, the planning commission shall make findings and recommendations to the city council. The council may then authorize a conditional use by resolution.
6. The planning commission discussed the CUP request and on a 3-0 vote recommended the council approves the CUP requests based on the following findings pursuant to the CUP standards in Greenwood ordinance section 1150.20 subd 1:
 - (a) The proposed use will comply with the regulations specified for the R-1 zoning district.
 - (b) The use is one of the conditional uses permitted for the R-1 zoning district.
 - (c) The use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or city since the impacts from regrading steep slope areas on the property may improve the stability of the bluffs and steep slopes of this property and / or adjacent properties. The plan removes the rotting existing retaining walls within the lake setback area. In addition, the 2:1 slope in the plan will allow for plantings to help prevent erosion of the hillside.
 - (d) The proposed use will be harmonious with the objectives of the comp plan, particularly the objective of meeting or exceeding the Department of Natural Resources shoreline standards to protect the shoreland from undue hardcover and protecting the shore impact zone from adverse consequences of development.
 - (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.

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 made an adequate demonstration of facts meeting the standards of sections 1125.05(3)(c) and 1150.20 necessary for the granting of a CUP.

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 **APPROVES** the Conditional Use Permit for the subject property to alter site / lot topography that increases or decreases the average grade (existing compared to final conditions) by more than 1 foot in a 300 square foot area and to place a retaining wall within the shore setback zone, subject to the following conditions:

- (a) The project must be completed according to the specifications and design requirements in the grading plan, planting plan, and shoreland renderings presented at the August 5, 2020 council meeting.

- (b) The project must comply with the city engineer's requirements:
 - I. Perimeter erosion control measures must be installed and inspected by the city prior to any other work. A minimum of 24-hours notice is required prior to inspection.
 - II. Retaining walls 4 feet or greater in height must be designed by a licensed Professional Engineer. Wall plans must be submitted for review and approval prior to construction.
 - III. Perimeter control measures must be installed for the bluff along the south side of the lot to prevent any disturbance of this area.
 - IV. Control measures must be taken to prevent of erosion on steep slopes.
 - V. Clear-cutting of natural vegetation is prohibited.
 - VI. Vegetation must be restored to preserve screening of structures, vehicles, and other facilities as viewed from the surface of Lake Minnetonka.
 - VII. Clear drive lanes must be maintained on Byron Circle at all times.
 - VIII. A Minnehaha Creek Watershed District permit must be obtained and a copy of the permit must be provided to the city before the project may commence.
- (c) A certified copy of this resolution must be filed with the Hennepin County Register of Titles and proof of filing provided to the city before the project may commence.

ADOPTED this ____ day of _____, 2020 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: **08-05-20**

Prepared by *Deb Kind*

Agenda Item: Res 18-20, CUP Amendment Findings (grading), Alvin McQuinn, 4900 Meadville Street

Summary: See the attached staff report that was originally presented at the 06-03-20 council meeting.

At the 06-03-20 City Council Meeting, the council approved the below motion ...

Motion by Fletcher that the city exercises its option to take an additional 60 days to give the applicant time to come back with a revised plan that includes removal of the catch basin. Second by Cook. Motion passed 4-1 on a roll-call vote with Kind voting nay.

At the 08-05-20 City Council Meeting, the applicant will present their revised plan. The plan was not submitted in time to be included in the council packet. If staff receives the revised plan, it will be emailed to the city council. The attached resolution includes additional language (red) that was added to the draft presented by staff at the 06-03-20 council meeting. This draft is in support of staff's recommendation to approve the CUP Amendment.

Council Action: The council must take action by 08-06-20 unless the applicant grants an extension in writing. Potential motions ...

1. I move the city council (1) adopts resolution 18-20 laying out the findings of fact as written / as revised per the council discussion **APPROVING** the conditional use permit amendment request of Alvin McQuinn, 4900 Meadville Street; and (2) 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.
2. I move the city council directs staff to draft **FINDINGS FOR DENIAL** for the conditional use permit amendment request of Alvin McQuinn, 4900 Meadville Street, to be considered by the city council at ___ pm on _____, 2020.
3. Other motion ???

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).



Agenda Item: Public hearing to consider the conditional use permit amendment request of the Alvin E. McQuinn Revocable Trust, property owners, to regrade the property 4900 Meadville Street.

Summary: Applicants purchased the property in June of 2018. A demolition permit was issued to remove the existing house on the property. The demolition permit allowed the applicants to backfill the area left by the house and driveway and generally bring up the grade of the demolition areas to that of the adjacent grade. Subsequent to demolition, the applicants brought in fill in excess of that which would have been permitted under the demolition permit or without a conditional use permit. The property is currently in an interim condition with some new fill brought in, but some top soil yet to be brought in as well. The grade for existing conditions is not final. Final grade will match that shown on the submitted site plan.

On May 1, 2019, the City Council approved a Conditional Use Permit to alter the site by more than 1 foot in a 300-square-foot area for the subject property. One of the conditions of the Conditional Use Permit was that the applicant remove the catch basin along Meadville Street. The applicant has designed an alternative grading plan that keeps the catch basin in place. The revised grading plan creates a swale along the north side of Meadville Street. If the existing catch basin is ever clogged with leaves or debris the stormwater will flow through the new swale and out down to Lake Minnetonka. The City Engineer has reviewed and approved the grading plan.

On May 13, 2020, the Planning Commission recommended that the City Council approve the amendment to the Conditional Use Permit (3-0 vote)

Staff Recommendation:

Staff recommends approval with conditions of the conditional use permit amendment request of Alvin E. McQuinn Revocable Trust, property owners, to regrade the property at 4900 Meadville Street. Staff findings based on the CUP review criteria found in city code section 1155.20:

- a) The proposed use will comply with the regulations specified for the R-1 zoning district.
- b) The use is one of the conditional uses permitted for the R-1 zoning district.
- 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 proposed use will be harmonious with the objective(s) of the comp plan, particularly the objective of: Maintaining the overall pattern of drainage from the property and not increasing stormwater runoff.
- 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.

And subject to the following conditions:

- A. Applicants will comply with the recommendations of the city engineer.

Key Dates:

Application complete: April 8, 2020
Notice of Public Hearing published: May 21, 2020
Planning Commission Public Hearing: May 13, 2020
City Council Consideration: June 3, 2020
60-Day Deadline: June 7, 2020
120-Day Deadline: August 6, 2020

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).

Location Map



From
Mathews Vasek Construction
1040 Adams St. SE, Suite 2
Hutchinson, MN 55350

To
City of Greenwood, Planning & Zoning Division
20225 Cottagewood Road
Deephaven, MN 55331

As representation for the property owners of 4900 Meadville Street, we are requesting an amendment to the existing Conditional Use Permit approved in 2019.

It was brought to our attention that the catch basin on the north side of Meadville Street, in the dead end portion of roadway, needs to have an overflow location if it were to back up with leaves or ice. Between the catch basin and the Eastern end of the road there is a slight crown, preventing the water from flowing adequately to the rock swale at the end of the street. After meeting with neighboring property owners, city engineer, and city planner, we will hereby propose creating more fall and a deeper waterway, or swale, along the north side of Meadville Street. The attached survey will illustrate the current conditions along with the proposed location of swale. The swale will be sodded up until the point where it enters the East rock swale.

With proper stormwater mitigation along the North side of Meadville Street, we can prevent a pooling of water if the said catch basin were to back up. Between the catch basin and now this swale, all water will be directed across the 4900 Meadville Street property, filtering out down to the lake, and have zero effect on neighboring properties. Thank you for your consideration.

Sincerely,

Andrew Vasek

TOPOGRAPHIC SURVEY FOR AL MCQUINN

Address: 4900 meadville Street
Greenwood MN 55331

LAKE MINNETONKA

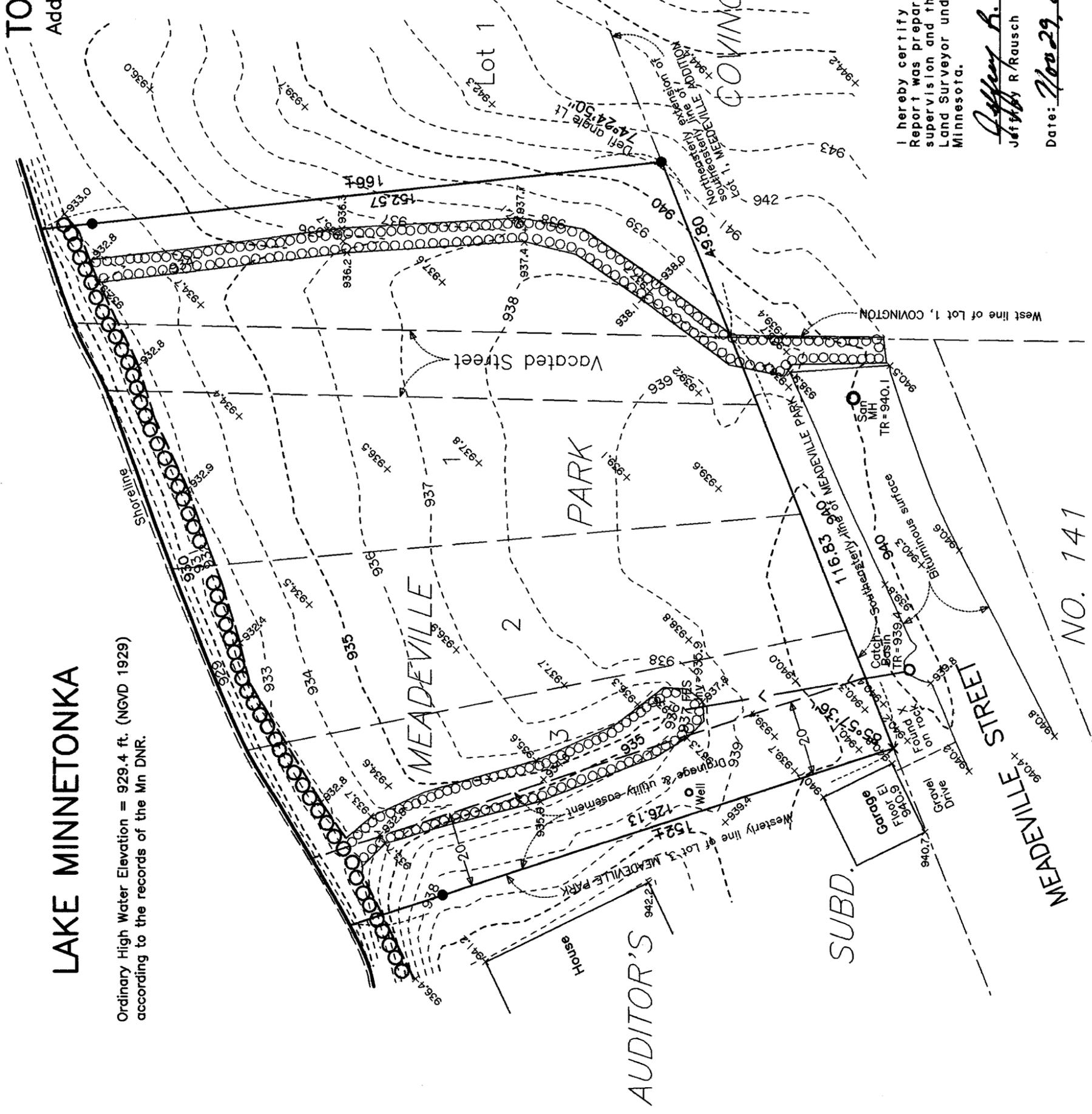
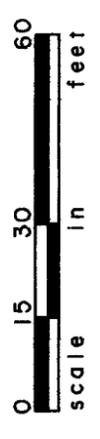
Ordinary High Water Elevation = 929.4 ft. (NGVD 1929)
according to the records of the Mn DNR.

DESCRIPTION

Lots 1, 2 and 3, Meadville Park, Hennepin County, Minnesota, including the adjacent vacated street; and also that part of Lot 1, Covington, in the Town of Excelsior, described as follows: Beginning at the point of intersection of the West line of said Lot 1, Covington, with the Northeastly extension of the Southerly line of said Lot 1, Meadville Park; thence Northeastly along said extension a distance of 49.80 feet; thence deflecting to the left 74 degrees 24 minutes 50 seconds and running Northwestly to the shore of Lake Minnetonka; thence Southwestly along said shore to the intersection of the West line of said Lot 1, Covington, and its extensions; thence South along said West line to the point of beginning.

Parcel Area to OHW = Approx 28700 Square Feet

- Denotes iron monument found
- x-936.4 Denotes existing spot elevation
- - - - - 937 Denotes existing contour line
- ○ ○ ○ ○ Denotes rock swale
- ○ ○ ○ ○ Denotes rip rap along shoreline



I hereby certify that this Survey, Plan or Report was prepared by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Minnesota.

Jeffrey R. Rausch
Jeffrey R. Rausch

Date: Nov 29, 2019 Lic. No. 24329

PELLINEN LAND SURVEYING, INC
P O Box 35
Hutchinson, Minnesota 55350
Phone (320) 587-4789
Fax (320) 587-3752
JOB NO 19177 BK P-410 Pg 42

NO. 141

TOPOGRAPHIC SURVEY FOR AL MCQUINN

Address: 4900 meadville Street
Greenwood MN 55331

LAKE MINNETONKA

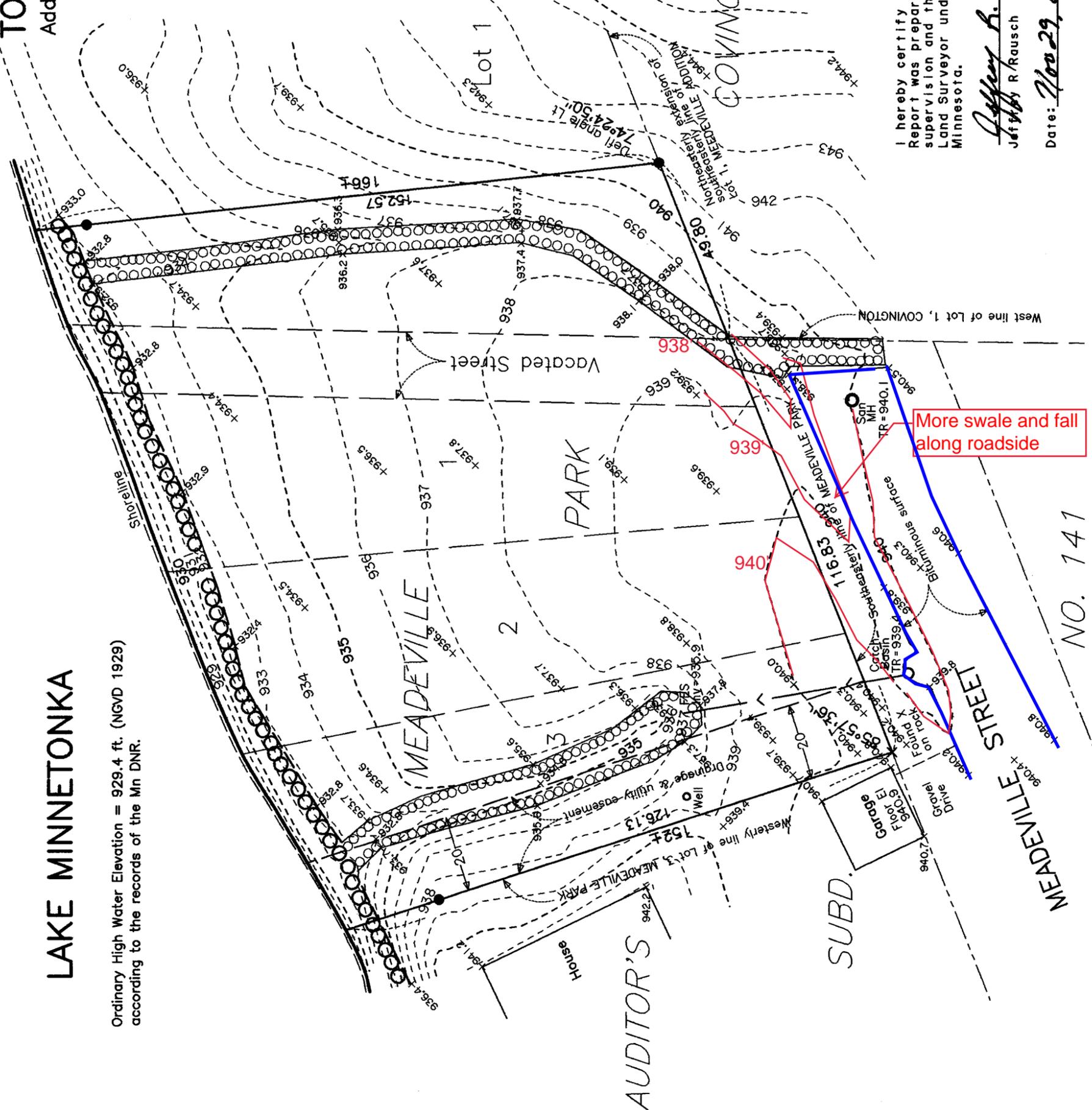
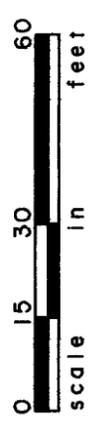
Ordinary High Water Elevation = 929.4 ft. (NGVD 1929)
according to the records of the Mn DNR.

DESCRIPTION

Lots 1, 2 and 3, Meadville Park, Hennepin County, Minnesota, including the adjacent vacated street; and also that part of Lot 1, Covington, in the Town of Excelsior, described as follows: Beginning at the point of intersection of the West line of said Lot 1, Covington, with the Northeastly extension of the Southerly line of said Lot 1, Meadville Park; thence Northeastly along said extension a distance of 49.80 feet; thence deflecting to the left 74 degrees 24 minutes 50 seconds and running Northwestly to the shore of Lake Minnetonka; thence Southwestly along said shore to the intersection of the West line of said Lot 1, Covington, and its extensions; thence South along said West line to the point of beginning.

Parcel Area to OHW = Approx 28700 Square Feet

- Denotes iron monument found
- x-936.4 Denotes existing spot elevation
- - - 937 Denotes existing contour line
- Denotes rock swale
- Denotes rip rap along shoreline



I hereby certify that this Survey, Plan or Report was prepared by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Minnesota.

Jeffrey R. Rausch
Jeffrey R. Rausch

Date: Nov 29, 2019 Lic. No. 24329

PELLINEN LAND SURVEYING, INC

P O Box 35
Hutchinson, Minnesota 55350

Phone (320) 587-4789
Fax (320) 587-3752

JOB NO 19177 BK P-410 Pg 42

NO. 141

Pat Smith

From: Bob Bean <Robert.Bean@bolton-menk.com>
Sent: Friday, May 8, 2020 11:54 AM
To: Pat Smith
Subject: RE: 4900 Meadville

Pat,

I have completed review of the information provided. Following are my comments for City consideration:

1. The design of the swale is adequate to route runoff to the north and remove ponding potential at the existing catchbasin location.
2. The grading of the swale must be confirmed by the City prior to restoration.
3. An escrow of \$2,000 must be provided to allow for the City to complete the work if it is not completed satisfactorily by the applicant.

If you have any questions or comments, please contact me to discuss further.

Thanks,

Robert E Bean Jr. P.E.
Water Resources Project Engineer
Bolton & Menk, Inc.
2638 Shadow Lane
Suite 200
Chaska, MN 55318-1172
Phone: 952-448-8838 ext. 2892
Mobile: 612-756-3184
Bolton-Menk.com

From: Pat Smith <pat@cityofdeephaven.org>
Sent: Thursday, May 7, 2020 4:53 PM
To: Bob Bean <Robert.Bean@bolton-menk.com>
Subject: 4900 Meadville

Hey Bob,

Here is that grading plan. Could you review it tomorrow and provide comments?

I'm trying to track down their payment. Not sure if it's going to be able to make next Wednesday's Planning Commission meeting or not.

Thanks,
Pat

Patrick Smith, AICP

Planning Director
Deephaven • Greenwood • Woodland

20225 Cottagewood Road
Deephaven, MN 55331

RESOLUTION NO **XX-20**

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

APPROVING

In Re: Application of Alvin E. McQuinn Revocable Trust for the property at 4900 Meadville Street for an amendment to the conditional use permit under Greenwood ordinance code sections 1140.19(3) and 1150.20 to permit grading or site / lot topography alterations that increase or decrease the average grade (existing compared to final conditions) by more than 1 foot in a 300 square foot area.

WHEREAS, Applicants Alvin E. McQuinn Revocable Trust (hereinafter 'Applicant') is the owner of property commonly known as 4900 Meadville Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-24-0033) being real property located in Hennepin County, Minnesota and legally described as:

lots 1, 2 and 3, Meadville Park, Hennepin County, Minnesota, including the adjacent vacated street; and also that part of Lot 1, Covington, in the Town of Excelsior, described as follows: Beginning at the point of intersection of the West line of said Lot 1, Covington, with the Northeasterly extension of the Southerly line of said Lot 1, Meadville Park; thence Northeasterly along said extension a distance of 49.80 feet; thence deflecting to the left 74 degrees 24 minutes 50 seconds and running Northwesterly to the shore of Lake Minnetonka; thence Southwesterly along said shore to the intersection of the West line of said Lot 1, Covington, and its extensions; thence South along said West line to the point of beginning.

; and

WHEREAS, on May 1, 2019, the Greenwood City Council approved a Conditional Use Permit to grade the subject property that would increase or decrease the average grade by more than 1 foot in a 300-square-foot area; and

WHEREAS, the applicant proposes to change the grading plans that were approved by the Greenwood City Council under Resolution No. 21-19; 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 May 13, 2020; 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 4900 Meadville Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-24-0033) is a single-family lot of record located within the R-1A district.
2. The applicant is proposing to alter the grading plan approved by the City Council on May 1, 2019, which requires an amendment to the approved Conditional Use Permit.
- 3.
4. 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.

5. 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 amendment request complies with CUP standards in Greenwood ordinance sections 1140.19 and 1150.20, Subd 1.

7. The Planning Commission held a public hearing and discussed the CUP amendment request and on a 3-0 vote recommended approval because the proposed CUP amendment request complies with the CUP standards in Greenwood ordinance sections 1140.19 and 1150.20, Subd 1. The approval recommendation is subject to the following conditions:

- (a) Applicants will comply with the recommendations of the city engineer.

8. Based on the foregoing, the City Council determined that the proposed CUP amendment request complies with the CUP standards in Greenwood ordinance sections 1140.19 and 1150.20 subd 1, subject to the conditions noted in the above findings of fact.

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 1140.19, and 1150.20 necessary for the granting of a CUP amendment.
- 2. The approval recommendation is subject to the following conditions:

- (a) Applicants will comply with the recommendations of the city engineer.

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 amendment to alter site/lot topography that increases or decreases the average grade (existing compared to final conditions) by more than 1 foot in an area greater than 300 square for the property at 4900 Meadville Street. The granting of the CUP amendment is subject to the following conditions:

- (a) Applicants will comply with the recommendations of the city engineer.

PASSED this 3rd day of June, 2020 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

RESOLUTION NO 18-20

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

APPROVING

In Re: Application of Alvin E. McQuinn Revocable Trust for the property at 4900 Meadville Street for an amendment to the conditional use permit under Greenwood ordinance code sections 1140.19(3) and 1150.20 to permit grading or site / lot topography alterations that increase or decrease the average grade (existing compared to final conditions) by more than 1 foot in a 300 square foot area.

WHEREAS, Applicants Alvin E. McQuinn Revocable Trust (hereinafter 'Applicant') is the owner of property commonly known as 4900 Meadville Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-24-0033) being real property located in Hennepin County, Minnesota and legally described as:

lots 1, 2 and 3, Meadville Park, Hennepin County, Minnesota, including the adjacent vacated street; and also that part of Lot 1, Covington, in the Town of Excelsior, described as follows: Beginning at the point of intersection of the West line of said Lot 1, Covington, with the Northeasterly extension of the Southerly line of said Lot 1, Meadville Park; thence Northeasterly along said extension a distance of 49.80 feet; thence deflecting to the left 74 degrees 24 minutes 50 seconds and running Northwesterly to the shore of Lake Minnetonka; thence Southwesterly along said shore to the intersection of the West line of said Lot 1, Covington, and its extensions; thence South along said West line to the point of beginning.

; and

WHEREAS, on May 1, 2019, the Greenwood City Council approved a Conditional Use Permit to grade the subject property that would increase or decrease the average grade by more than 1 foot in a 300-square-foot area; and

WHEREAS, the applicant proposes to change the grading plans that were approved by the Greenwood City Council under Resolution No. 21-19; 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 May 13, 2020; 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 4900 Meadville Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-24-0033) is a single-family lot of record located within the R-1A district.
2. The applicant is proposing to alter the grading plan approved by the City Council on May 1, 2019, which requires an amendment to the approved Conditional Use Permit.
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 amendment request complies with CUP standards in Greenwood ordinance sections 1140.19 and 1150.20, Subd 1.

7. The Planning Commission held a public hearing and discussed the CUP amendment request and on a 3-0 vote recommended approval because the proposed CUP amendment request complies with the CUP standards in Greenwood ordinance sections 1140.19 and 1150.20, Subd 1. The approval recommendation is subject to the following conditions:

- (a) Applicants will comply with the recommendations of the city engineer.

8. Based on the foregoing and the May 8, 2020 email from the city engineer stating that “The design of the swale is adequate to route runoff to the north and remove ponding potential at the existing catchbasin location,” the City Council determined that the proposed CUP amendment request complies with the CUP standards in Greenwood ordinance sections 1140.19 and 1150.20 subd 1, subject to the conditions noted in the above findings of fact.

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 1140.19, and 1150.20 necessary for the granting of a CUP amendment.
- 2. The approval recommendation is subject to the following conditions:
 - (a) Applicants will comply with the recommendations of the city engineer’s email of May 8, 2020.
 - (b) Applicants will complete and properly maintain the swale and other work according to the plan submitted with their CUP amendment application.
 - (c) This CUP amendment together with the original and amended plans be recorded with Hennepin County and a recorded copy be provided to the City.

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 amendment to alter site/lot topography that increases or decreases the average grade (existing compared to final conditions) by more than 1 foot in an area greater than 300 square for the property at 4900 Meadville Street. The granting of the CUP

amendment is subject to the following conditions:

- (a) Applicants will comply with the recommendations of the city engineer's email of May 8, 2020.
- (b) Applicants will complete and properly maintain the swale and other work according to the plan submitted with their CUP amendment application.
- (c) This CUP amendment together with the original and amended plans be recorded with Hennepin County and a recorded copy be provided for the City.

PASSED this 5th day of August, 2020 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: 08-05-20

Prepared by Deb Kind

Agenda Item: Potential Ordinance for Code Clean-Up (Building Perimeter Grade Definition, Wall Height Rules, Planning Commission Meeting Dates)

Summary: When reviewing recent variance applications, council and staff have discussed the need to simplify the Building Perimeter Grade definition and clarify Wall Height rules. When researching the planning commission process regarding ordinances, an additional clean-up need was discovered to address planning commission meetings dates. Attached is a potential ordinance for the council to review and discuss.

Timeline:

- 08-05-20 The city council discusses the proposed ordinance and considers sending it to the planning commission.
- 09-09-20 The planning commission reviews the ordinance and makes a recommendation.
- 10-07-20 City council considers 1st reading of the ordinance (may make revisions / may waive 2nd reading).
- 10-08-20 If the 2nd reading is waived, the ordinance is submitted to the Sun-Sailor for publication.
- 10-15-20 If the 2nd reading is waived, the ordinance is published in the Sun-Sailor (goes into effect on this date).
- 11-04-20 City council considers 2nd reading of the ordinance (may make revisions).
- 11-05-20 The ordinance is submitted to the Sun-Sailor for publication.
- 11-12-20 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 draft of the clean-up ordinance regarding the definition of Building Perimeter Grade, Wall Height rules, and planning commission meeting dates; and (2) directs that the planning commission review the ordinance and make a recommendation to the city council.
2. 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. In order to publish an ordinance by title and summary the ordinance must be approved by a 4/5ths vote. 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. ____

**AN ORDINANCE OF THE
CITY OF GREENWOOD, MINNESOTA**



**AMENDING GREENWOOD ORDINANCE CODE CHAPTER 11
TO SIMPLIFY THE BUILDING PERIMETER GRADE DEFINITION AND
CLARIFY WALL HEIGHT RULES; AND AMENDING CHAPTER 2
REGARDING PLANNING COMMISSION MEETING DATES**

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

SECTION 1.

Greenwood ordinance code section 1102 definition for Building Perimeter Grade is amended to read as follows:

“Building Perimeter Grade (BPG) 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.”~~

SECTION 2.

Greenwood ordinance code section 1120.20 Subd 1 is amended to read as follows:

“Section 1120.20. R-1 Minimum Building Standards.

Subd. 1. Principal structures in the district shall:

- (a) not exceed 28 ft in building height and 42 ft in structure height;
- (b) not have ~~a any~~ wall heights that exceeds 1.5 times the ~~wall's applicable~~ side yard setback distance within 20 ft of the side property line. Example: The maximum wall height for a principal structure wall located 15 ft from the side property line is 22.5 ft. ~~If there is a second wall located above this first wall but set back an additional 3 feet (18 feet from the side property line), the maximum wall height is 27 ft for the second wall.~~

Note: It is very important to refer to the Wall Height and Building Perimeter Grade definitions in section 1102 when calculating measurements;

- (c) have a minimum width of 25 ft;
- (d) have a minimum footprint area of 800 sq ft;
- (e) be served by an attached or detached garage and a hard-surfaced driveway to the public street (see section 1140.46); and
- (g) meet all current standards of city building codes and appendices.”

SECTION 3.

Greenwood ordinance code section 220.10 Subd 1 is amended to read as follows:

“Section 220.10. Organization.

Subd. 1. Rules, Meetings and Officers. The planning commission shall determine its own rules of order and elect its own officers. Regular meetings of the planning commission shall be held ~~monthly as set by city council resolution each year on the third Wednesday of each month, as business may require,~~ and ~~such~~ additional meetings as may be required at the call of the chair or at the request of a majority of the members of the planning commission. All hearings conducted by the planning commission shall be open to the public. Alternate members shall be able to participate in consideration and deliberation of planning commission agenda items, but shall not vote thereon, except in the absence of a planning commission member.”

SECTION 4.

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: _____, 2020
Second reading: _____, 2020
Publication: _____, 2020



Agenda Number: 9A

Agenda Date: 08-05-20

Prepared by Deb Kind

Agenda Item: Funding Request from Excelsior - Lake Minnetonka Chamber of Commerce

Summary: See the attached letter from Jennifer Weiss, Membership & Marketing Director, on behalf of the 2020 Excelsior - Minnetonka Chamber of Commerce Board of Directors. The city council budgeted \$1500 for donating to the Chamber for July 4th fireworks and did not disburse those funds due to the cancellation of the fireworks.

Council Action: None required. Potential motions ...

1. I move the city council directs the city treasurer to disburse \$_____ to the Excelsior - Lake Minnetonka Chamber of Commerce.
2. Do nothing or other motion ???



**EXCELSIOR-LAKE
MINNETONKA**
Chamber of Commerce

Monday, July 20, 2020

Dear Mayor Kind, Greenwood City Council and City Staff,

The Excelsior-Lake Minnetonka Chamber of Commerce serves the South Lake area which includes Greenwood, Deephaven, Excelsior, Shorewood, Tonka Bay, and beyond. We have been acting on behalf of businesses, organizations and residents since the first developments appeared on the shores of Lake Minnetonka.

2020 has been an unprecedentedly hard year for many businesses, and The Chamber is no exception. Our financial operational model is based on a mixture of dues paying memberships and revenue from events – to be specific, 23% of our operations are paid for by membership dues and 77% of our operations are paid for by event revenue. With the onset of the COVID-19 pandemic, events were not recommended by the CDC and, later, not allowed via Executive Orders from Governor Walz. While we fully support these efforts and ordinances, the lack of events took a direct hit to our budget. During 2020 we have had to cancel all events to-date. The Excelsior-Lake Minnetonka Chamber currently has a run rate through July 31, 2020. After that date, the Excelsior-Lake Minnetonka Chamber of Commerce will be forced to close down all operations and cease to exist.

In order to continue to serve the businesses, members, and community at large, we are needing to raise \$130,000 to get us through December 2021. This amount is 33% of our 2019 operating budget, includes just 2 part-time employees and assumes no events offered in 2021 given the ongoing uncertainty.

As you know, over the years, The Chamber has brought many community events enjoyed by all to the area, such as Luck o' the Lake, Art on the Lake, Lake Minnetonka 4th of July Celebration, Crazy Days, Apple Day, Halloween in Excelsior and Christmas in Excelsior. During the trying times of COVID, The Chamber rallied around the business community offering weekly Supporting Small Business During Uncertain Times meetings to share best practices, worked diligently with the SBA and DEED regarding EIDL and PPP funding as well as other grants offered for our local businesses, we created the Lake Minnetonka Business Grant – fundraising and giving away \$7,876 to 21 businesses, offered Bridge Memberships to get membership benefits to businesses immediately but invoicing them at a later date, formed the Safe & Open Initiative providing guidelines for all businesses to operate safely and welcome back customers, and coordinated messaging and information dissemination efforts with cities, the state and SLMPD. It's these services and impact in our community we are at risk of losing.

We are asking that the Greenwood City Council consider using some of the CARES Act Funds the City of Greenwood received to help the Excelsior-Lake Minnetonka Chamber of Commerce remain open and serving the community, businesses, and constituents of the City of Greenwood.

Please don't hesitate to contact me to discuss the issue further.

Sincerely,

Jennifer Weiss, Membership & Marketing Director, on behalf of the 2020 Excelsior-Lake Minnetonka Chamber of Commerce Board of Directors



Agenda Number: 9B

Agenda Date: 08-05-20

Prepared by Deb Kind

Agenda Item: Landscaping the City Right-of-Way by Greenwood Market / Arco

Summary: Councilman Roy requested that this topic be included on the council agenda for discussion.

Council Action: None required. Potential motions ...

1. I move the city council authorizes staff to secure estimates to landscape the right of way adjacent to Greenwood Market / Arco per the council discussion.
2. Do nothing or other motion ???



Agenda Number: 9C

Agenda Date: 08-05-20

Prepared by Deb Kind

Agenda Item: Discuss Minnehaha Creek Watershed District Capital Improvement Plan

Summary: The following items are attached ...

07-10-20 letter from Greenwood to the MCWD regarding their 5yr CIP.

07-24-20 response from the MCWD to Greenwood with an extended deadline of 08-06-20.

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

1. I move the city council authorizes the mayor to send a letter to the MCWD on behalf of the city council based on the council discussion.
2. Do nothing or other motion ???



July 10, 2020

Minnehaha Creek Watershed District Board
Attn: Michael Hayman
15320 Minnetonka Blvd
Minnetonka, MN 55345

SENT VIA EMAIL
mhayman@minnehahacreek.org

Re: Comments Regarding MCWD 10-Year CIP

Dear MCWD Board,

The city of Greenwood received the request for comments regarding the MCWD 10-year CIP.

The city of Greenwood is not aware of any MCWD support for programs to prevent, detect, or control aquatic invasive species other than a common carp control program that is funded by the Lessard-Sams Outdoor Heritage Council. While efforts to monitor and prevent the introduction of invasive species into Lake Minnetonka may not be as visible as the MCWD's capital projects, it is possible that they may do as much or more to protect the natural lake and creek environment. It is quite conceivable that ongoing MCWD support for existing and new programs such as flowering rush control, monitoring for stary stonewort, public launch monitoring and inspections, and milfoil control would take the watershed to new levels and have a dramatic long-term positive affect on lake and creek environments.

City Councilmember Tom Fletcher contacted MCWD Project Planning Manager Michael Hayman on 06.29.20 and asked if the MCWD had any data available on downstream water quality improvements from prior projects. Michael stated that the MCWD did have data available, which he would provide. As of our 07.07.20 city council meeting this data has not been received. Therefore, we respectfully request that the MCWD extend its CIP comment period to 08.06.20 to allow the Greenwood city council to review the requested MCWD data and discuss CIP comments at our next council meeting on 08.05.20 or that MCWD reallocate 10% (\$600,000) from its approximately \$6M annual capital project spending (not including \$2.75M in capital financing) to existing and new aquatic species prevention, detection, and control efforts in the watershed.

Thank you for providing the city of Greenwood with the opportunity to provide comments regarding the 10-year CIP.

Sincerely,

A handwritten signature in black ink that reads "Debra J. Kind".

Debra J. Kind
Mayor, City of Greenwood
on behalf of the Greenwood City Council

CC: LMCD Board, LMA Board



July 24, 2020

The Honorable Debra Kind
Mayor of City of Greenwood
20225 Cottagewood Rd.
Deephaven, MN 55331

Re: Comments Regarding MCWD 10-Year CIP

Dear Mayor Kind,

Thank you for your letter regarding the Minnehaha Creek Watershed District's (MCWD) 10-Year capital improvement plan (CIP). MCWD is committed to protecting and improving the health of Lake Minnetonka, one of the state's treasured water resources, which underpins the quality of life of its surrounding communities. We recognize that our work is only possible in close collaboration with our communities, and value our partners' input, including on the annual review of our CIP.

I am writing to respond to the following points and questions raised in your letter:

1. Request for data on the effectiveness of MCWD's work in the Minnehaha Creek Greenway
2. MCWD's strategy for protecting and improving Lake Minnetonka
3. MCWD's work in managing aquatic invasive species for ecological health
4. Request for an extension on the comment period deadline for the CIP

Request for data on the effectiveness of MCWD's work in the Minnehaha Creek Greenway

As your letter notes, on June 29, 2020, councilmember Fletcher contacted MCWD Project Planning Manager Michael Hayman seeking data from MCWD's website regarding the Minnehaha Creek Greenway. Mr. Hayman promptly responded that, while raw data wasn't available on the website, he was happy to provide any data that would be useful if Mr. Fletcher could be more specific in his request. While we remain happy to provide any data that the council would find educational on this topic, below is information related to your question regarding the District's sustained effort to restore the most degraded section of Minnehaha Creek.

Minnehaha Creek appears on Minnesota's §303(d) list of impaired waters due to impaired fish and macroinvertebrate communities, low dissolved oxygen, chloride, and fecal coliform bacteria. The downstream receiving water body, Lake Hiawatha, is impaired for excess nutrients. The total maximum daily load (TMDL) study approved by the Environmental Protection Agency (EPA) identifies that the most pronounced increases in total phosphorus come from the stretch of creek between West 34th Street and Excelsior Boulevard in Hopkins and St. Louis Park.

For those reasons MCWD has focused in this geography, now known as the Minnehaha Creek Greenway, to achieve the following goals: (1) improve water quality by building systems to treat urban stormwater from the surrounding region; (2) improve biological communities and stream function by restoring channel geomorphology and habitat; (3) expand, connect and enhance riparian greenspace for the benefit of the Minnehaha Creek system and the surrounding communities.

We collaborate with public and private partners to protect and improve land and water for current and future generations.

In aggregate, this work will treat stormwater from 520 acres of the surrounding region and reduce pollutant loading by over 300 pounds per year. When finished, almost 9,000 lineal feet of Minnehaha Creek will have been restored from a ditched condition to a more historic and natural alignment, with the integration of hundreds of habitat features. The restored stream system has been reconnected to its floodplain and 38 acres of restored wetlands, with over 5,000 cubic yards of new floodplain storage created to mitigate flooding. The entire system is connected by more than 66 acres of newly accessible greenspace that includes more than 100,000 new native plantings, and serves to also connect housing, transit, and jobs.

There has been a measurable increase in the quality of Minnehaha Creek and downstream Lake Hiawatha since work began a decade ago. Phosphorus concentrations at sampling sites within the Greenway have significantly improved relative to those directly upstream. In Lake Hiawatha, the downstream receiving water body of Minnehaha Creek, phosphorus concentrations have improved by 19 percent and the average chlorophyll-a concentrations have improved to meet the state standard over the same period. Because there is a predictable lag between management inputs and system response, we anticipate these outcomes will compound in the coming years.

More granular information is available through the Minnesota Pollution Control Agency website, which is the centralized database for water quality monitoring data in the Twin Cities, including data collected by MCWD: <https://webapp.pca.state.mn.us/surface-water>

These results were made possible by a diverse coalition of public and private partners that provided more than \$7.5 million in outside funding to advance the goals for this restored corridor, which has recently been profiled by the National American Planning Association, the National Stream Restoration Symposium, and others.

Building off of the success and lessons learned in the Minnehaha Creek Greenway, MCWD is excited to be actively working with partners to implement a parallel data-driven strategy to protect and improve Lake Minnetonka.

MCWD's strategy for protecting and improving Lake Minnetonka

As detailed in our 2017 Watershed Management Plan, which received broad support from our communities and partners, our strategy for protecting and improving Lake Minnetonka is two-fold: 1) Focusing on addressing the most significant sources of pollution to achieve long-term measurable results; and 2) Responding to partnership opportunities to integrate clean water benefits into public and private investments in the built environment.

Addressing the most significant sources of pollution

The largest and most focused source of pollution in Lake Minnetonka is not the immediate surrounding landscape that drains into the lake. It is the major tributaries that flow into the lake. As a regional agency, MCWD is uniquely positioned to address these upstream sources of pollution.

The data shows that the three largest outside pollutant sources for Lake Minnetonka are the Six Mile Creek, Long Lake Creek, and Painter Creek systems. These systems bring nearly three times as much nutrient pollution into Lake Minnetonka as the entire direct drainage area of the lake combined. As such, we have focused our Capital Improvement Plan largely around addressing these principal sources. This strategy is consistent with the EPA-approved TMDL for the upper Minnehaha Creek watershed, which identified upstream lakes as a significant source of downstream pollutant loading. To reflect these needs, 60% of the funds in MCWD's 10-year CIP are dedicated to addressing issues in these three systems to directly improve the water quality and ecological health of Lake Minnetonka.

We collaborate with public and private partners to protect and improve land and water for current and future generations.

Our first area of sustained focus is in the Six Mile Creek-Halsted Bay subwatershed, a complex system of 14 lakes that represents one of the largest sources of pollutants into Lake Minnetonka, in an area experiencing rapid development and land-use change. Work to date has included restoring 104 acres of wetlands, treating 22 acres of regional stormwater, reducing carp populations by 142,000 pounds, and creating 30 acres of newly-accessible public green space.

By 2021 the work is projected to reduce nutrient loading by 545 pounds per year throughout the system. We're already seeing results: In the past 10 years, nutrient concentrations at the outlet of Six Mile Creek into Lake Minnetonka have improved by 25 percent. The work has been supported by a strong partnership of local communities, Hennepin and Carver counties, Three Rivers Park District, the Lessard Sams Outdoor Heritage Council, and others, and has leveraged more than \$1 million in outside capital for work to date.

Responding to opportunities

In addition to proactively addressing the main drivers of Lake Minnetonka's issues through long-term planning of our capital project spending and program activities, we also recognize that land-use change can happen quickly. Therefore, the District has positioned itself to remain responsive to opportunities to integrate clean water infrastructure into public and private investments in the built landscape. In recent years we have responded to a number of such opportunities within the Lake Minnetonka direct drainage area, on projects and plans to improve water quality, including:

- Integrating stormwater improvements into transportation and development in the City of Wayzata
- The preservation and restoration of Big Island in partnership with the City of Orono
- Collaboration with Hennepin County to enhance the shoreline of the Highway 101 causeway
- Integrating stormwater infrastructure into transit projects and development in the City of Mound
- Implementing numerous shoreline restoration demonstration sites across the Lake
- Working to develop conservation easements that preserve the natural environment
- Collaborating with municipal partners on long-range infrastructure planning

MCWD's work in managing aquatic invasive species for ecological health

In addition to landscape-driven water quality issues, MCWD recognizes aquatic invasive species as one of many factors that influence the ecological health of water resources. In cases where a species is identified as a driver of poor water quality in a system, and science-backed, cost-effective measures exist to manage it with a predictable response, we have pursued these management activities in coordination with, and funding from, our partners.

As you mentioned in your letter, we are in the midst of implementing one of the most comprehensive carp management strategies in the state within the Six Mile Creek-Halsted Bay subwatershed. This program was launched after the EPA-approved TMDL identified carp-driven internal nutrient loading as a major driver of water quality impairment across the system. Using evidence-based management techniques developed at the University of Minnesota, MCWD has invested more than \$1 million to sustainably reduce populations of this invasive fish throughout the system by more than 142,000 pounds, over half of the reduction goal for the subwatershed. This work has enjoyed broad support from Hennepin and Carver Counties, Three Rivers Park District, surrounding communities, and \$567,000 in legislative funding provided by the Lessard Sams Outdoor Heritage Council.

As part of its holistic and data-driven approach to ecological health, MCWD has sunset its former AIS pilot programs for activities such as watercraft inspection grants, rapid response, and applied research. Funding from these programs has been refocused and aligned to more directly address the biggest sources

We collaborate with public and private partners to protect and improve land and water for current and future generations.

of pollutants degrading Lake Minnetonka. This shift has been conducted gradually and in close coordination with our partners on the work.

These efforts have judiciously aligned MCWD's resources with organizational capabilities, and have maximized effectiveness and overall watershed benefit, while also thoughtfully responding to the statewide framework that has evolved since we first launched our AIS pilot programs. As MCWD has adjusted its approach, research has since been centralized through the University of Minnesota's Aquatic Invasive Species Research Center, rapid response activities are led and coordinated by the Department of Natural Resources, and grants for prevention and inspection are funded annually by the state legislature and distributed locally through counties.

Request for an extension on the CIP comment period deadline

Your letter requests an extension on the 10-year CIP comment period until August 6, 2020, in order to allow for further council discussion at its next meeting. MCWD will grant that extension.

Please note that most activities listed in your letter are not capital improvement projects, and thus would not be candidates for inclusion in the CIP. As we value open dialog with our communities, we will also be reaching out to pursue a meeting between MCWD and the City of Greenwood.

Lake Minnetonka is a complex system that requires the earnest effort of multiple agencies, institutions, and individuals working together to protect and improve its natural qualities, and we are committed to playing a key role in that stewardship. On behalf of the MCWD Board of Managers, I look forward to continuing our science-driven work in partnership with our communities to enhance this iconic resource.

Sincerely,



Sherry White
President, Board of Managers
Minnehaha Creek Watershed District

CC: Lake Minnetonka Conservation District
Lake Minnetonka Association

We collaborate with public and private partners to protect and improve land and water for current and future generations.



Agenda Number: **9D**

Agenda Date: **08-05-20**

Prepared by Deb Kind

Agenda Item: Signage for Shuman Woods Park

Summary: At the 06-03-20 council meeting, the council approved the below motion ...

Motion by Cook that the city council approves the \$3750 estimate for Bolton & Menk to survey Shuman Woods Park as the first step towards creating a minimalist park setting. Second by Kind. Motion passed 5-0 on a roll-call vote.

The survey is now complete and short 4 x 4 wood posts have been installed along the perimeter of the park. 3 x 3 horizontal markers (see attached) for the tops of the posts have been ordered.

Also attached is a larger 30 x 30 sign for the council's consideration. The proposed location would be parallel to St. Alban's Bay Road. The cost of the installed sign is approximately \$150.

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

1. I move the city council authorizes the installation of the proposed 30 x 30 Shuman Woods Park sign parallel to St. Alban's Bay Road with the cost to be paid from the Park Fund.
2. Do nothing or other motion ???

30"

30"

Shuman
Woods Park

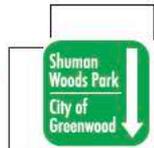
City of
Greenwood

QTY 1

CR 1.875"

3"

3"



QTY 16

.5"CR



Agenda Number: **9E**

Agenda Date: **08-05-20**

Prepared by Deb Kind

Agenda Item: Signage for Shuman Woods Park

Summary: At the 06-03-20 council meeting, the council approved the below motion ...

Motion by Kind that the city council authorizes Councilman Fletcher to coordinate the inspection of Georgetown Manor. Second by Roy. Motion passed 5-0 on a roll-call vote.

Due to the backlog in inspections because of COVID-19, the city's usual building inspector from the city of Minnetonka is not available. Councilman Fletcher also contacted a private building inspection company and they are experiencing backlog issues as well.

On 07-16-20, Chief Meehan requested a meeting with the administrative committee (Mayor Kind and Councilman Fletcher) to discuss officer-observed conditions at Georgetown Manor. Chief Meehan requested that the city inspect the apartment building as soon as possible.

Mayor Kind consulted with the city attorney and he advised that under the circumstances, it would be acceptable for Councilman Fletcher to conduct the inspection along with the fire marshal. As the owner of apartment buildings himself and because of his familiarity with the International Property Maintenance Code, Fletcher is qualified to conduct the inspection. In order for Councilman Fletcher to serve as a building official for the city, the council should appoint him to that role.

An inspection date has been set for 08-12-20.

Council Action: None required. Potential motion ...

1. I move the city council approves the attached resolution appointing Tom Fletcher as a building official.
2. Do nothing or other motion ???

Resolution XX-20 – City of Greenwood 2020 Appointments & Assignments

Be it resolved that the city council of Greenwood, Minnesota approves the following appointments and assignments for 08-05-20 through 01-01-21.

OFFICE & DESIGNATIONS	2019 HOLDER	2020 HOLDER
Administrative Committee	Deb Kind, Tom Fletcher	Deb Kind, Tom Fletcher
Accountant	CliftonLarsonAllen	CliftonLarsonAllen
Animal Enforcement Officer	South Lake Police Department	South Lake Police Department
Assessor	Hennepin County	Hennepin County
Attorney	Bob Vose	Bob Vose
Attorney - Conduit Financing Projects	Jennifer Hanson	Jennifer Hanson
Attorney - Prosecutor	Ken Potts	Ken Potts
Bank Signatures	Kind, Fletcher, Courtney	Kind, Fletcher, Courtney
Building Official	Lenny Rutledge (City of Minnetonka)	Lenny Rutledge (City of Minnetonka) Tom Fletcher
City Administrator	Deb Kind	Deb Kind
City Clerk	Dana Young	Dana Young
Depositories	Bridgewater Bank, Allerus Bank	Bridgewater Bank, Allerus Bank
Engineer	Bolton & Menk (Dave Martini)	Bolton & Menk (Dave Martini)
Fire Board Representative – 4th Wednesdays (Jan, Mar, May, Jul, Sep, Nov)	Tom Fletcher, Rob Roy (alt.)	Tom Fletcher, Rob Roy (alt.)
Forester / Certified Tree Inspector	Manuel Jordan	Manuel Jordan
Lake Minnetonka Communications Commission (LMCC) Representative - 2 reps (1 elected official), meets 2nd Thursdays (Feb, Apr, May, Jul, Aug, Oct, Dec)	Tom Fletcher, Deb Kind	Tom Fletcher, Deb Kind
Lake Minnetonka Conservation District (LMCD) Rep - 2nd & 4th Wednesdays	Bill Cook (3yr term expires 1/31/20)	Bill Cook (3yr term expires 1/31/23)
Marina Clerk	Dana Young	Dana Young
Mayor Pro-Tem	Tom Fletcher	Tom Fletcher
Minnetonka Community Education (MCE) Advisory Council Representative – meets 5 Mondays (Jan, Mar, May, Oct, Nov)	Rob Roy	Rob Roy
Newspapers	Sun-Sailor Finance & Commerce (alternate) Star Tribune (alternate)	Sun-Sailor Finance & Commerce (alternate) Star Tribune (alternate)
Planning Commissioners and City Council Liaison – 3rd Wednesdays	A-1 Dean Barta (6/18-3/20)	A-1 Vacant (___-3/22)
	A-2 David Steingas (10/16-3/20)	A-2 David Steingas (10/16-3/22)
	A-3 Kelsey Nelson (11/18-3/20)	A-3 Kelsey Nelson (11/18-3/22)
	B-1 Pat Lucking (2/01-3/21)	B-1 Pat Lucking (2/01-3/21)
	B-2 Vacant (___-3/21)	B-2 Julie Getchell (1/20-3/21)
	Alt-1 Vacant (___-3/20)	Alt-1 Vacant (___-3/22)
	Alt-2 Vacant (___-3/21)	Alt-2 Vacant (___-3/21)
	Alt-3 Kristi Conrad (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.)	Deb Kind, Bill Cook	Deb Kind, Bill Cook
Responsible Authority (Govt. Data Practices Act)	Dana Young	Dana Young
St. Alban's Bay Lake Improvement District Ex-Officio Director	Bill Cook	Bill Cook
South Lake Minnetonka Police Department (SLMPD) Coordinating Committee Representative (must be mayor, meets quarterly)	Deb Kind, Tom Fletcher (alt.)	Deb Kind, Tom Fletcher (alt.)
Treasurer	Mary Courtney	Tracy Gustafson
Utility Billing Clerk	Deborah Hicks	Deborah Hicks
Weed Inspector (must be mayor), Assistant Weed Inspector	Deb Kind, John Menzel (assistant)	Deb Kind, John Menzel (assistant)
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 4th day of March, 2020.

There were 3 AYES and 0 NAYS.

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

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



Agenda Number: 9F

Agenda Date: 08-05-20

Prepared by Deb Kind

Agenda Item: Contracts for 2021 City Services

Summary: The city council is looking at new contracts for all city services in light of Deephaven's decision to not provide public works and zoning administration services for Greenwood beginning 01-01-21. Currently, Greenwood contracts for most services through the city of Deephaven. In addition to public works and zoning services, Deephaven provides bookkeeping, utility billing, dock coordination, counter service, elections, physical space (meetings, storage, mail, posting notices), and more.

At worksessions on 05-06-20, 06-03-20, 06-18-20, 07-07-20, and 07-20-20, the city council discussed various options for providing public works and zoning administration services – contracting with Shorewood, Excelsior, or a private contractor for public works; and contracting with Bolton & Menk, WSB, or a freelance contractor for zoning administration. The council also discussed ideas for other services.

Council Action: Decisions regarding contracts or agreements must be made at a city council meeting, not at a worksession. As of the council packet deadline, no contracts or agreements have been received or drafted. If contracts are received or drafted prior to the council meeting, they will be emailed to the city council.

1. I move the city council authorizes the mayor and city clerk to sign the agreement with _____ to provide _____ services to begin on 01-01-21.
2. I move the city council authorizes the mayor to send a letter to _____ that outlines an agreement to provide _____ services to begin on 01-01-20. The content of the letter shall be based on the discussion at the 08-05-20 city council meeting.
3. Do nothing or other motion ???



Agenda Number: 9A

Agenda Date: 08-05-20

Prepared by Deb Kind

Agenda Item: Potential Comments, Lake Mtka Conservation District Proposed Deicing Rule Changes

Summary: See the attached letter from Vickie Schleuning, Executive Director, on behalf of the Lake Minnetonka Conservation District Board of Directors. If the city council wishes to respond, the deadline has been extended to 08-07-20.

Council Action: None required. Potential motions ...

1. I move the city council authorizes the mayor to send comments to the Lake Minnetonka Conservation District Board of Directors regarding their proposed deicing regulation revisions as discussed by the city council.
2. Do nothing or other motion ???

From: Vickie Schleuning vschleuning@lmcd.org 
Subject: Input Regarding De-icing Regulations
Date: July 24, 2020 at 5:47 PM
To: Vickie Schleuning vschleuning@lmcd.org
Cc: LMCD lmcd@lmcd.org, A Rehm arehm@lmcd.org, M Cook mcook@lmcd.org



Hello Honorable Mayors, City Managers, Administrators, and Clerks,

Lake Minnetonka is a great recreational resource in winter for fishing, snowmobiling, snowshoeing, and other types of activities. LMCD regulations balance the importance of protecting people who recreate on the lake with the requests to protect dock structures using de-icing/aeration systems. According to the *Preliminary 2020 Minnesota Boating Accident and Drowning Summary Prepared by Minnesota Department of Natural Resources – Boat and Water Safety as of 7/5/2020*, a man drowned this winter on Olson Lake after the snowmobile he was operating went into open water near an aeration system. A workgroup was created to review de-icing regulations; and consider technology, best practices, inspection observations, and general environmental issues. As a result, some changes to the code are being suggested.

Your input is requested regarding the proposed code changes. More information about this project can be found in the De-icing Operations Project Outline [HERE](#). The draft code amendment can be viewed [HERE](#). Please provide any feedback to the LMCD office by August 2, 2020.

Thank you for helping to preserve and enhance the Lake Minnetonka experience!

Vickie Schleuning

Executive Director | Lake Minnetonka Conservation District
5341 Maywood Road, Suite 200 | Mound, MN 55364
Ph 952-745-0789 | Fx 952-745-9085 | vschleuning@lmcd.org
www.lmcd.org

CONNECT WITH US  



To preserve and enhance the Lake Minnetonka experience



PROJECT OUTLINE

DE-ICING Operations (2020) *Updated 07172020*

Project Definition

A workgroup was formed to review de-icing best management practices (BMPs) in an effort to provide safety before general freeze up of the Lake, during ice in, and after general thaw in the spring. De-icing regulations are in place to protect the Lake, its winter users, and property (dock damage). Because of the impact to a variety of stakeholders, it is important to have efficient and effective processes and procedures. Workgroups do not have the authority to make changes, but instead gather and review information and report back to the Board.

Project Objectives

- To consider best management practices to maximize efficiency of implementation of de-icing permittees.
- To review feedback and obtain additional feedback from stakeholders regarding permitted de-icing operations.
- To enhance communication efforts with the stakeholders and public regarding de-icing operations.
- To give the staff and Board a detailed summary regarding the workgroup findings and any actions for Board consideration.

Project Background

During the generally accepted freeze and then thaw, Lake Minnetonka remains open for public access and use. To ensure the safety of the Lake's winter users, as well as to protect property, best management practices for de-icing require review, including clarification of de-icing areas. Another area for consideration is what, if any, additional requirements or actions should be implemented where repetitive noncompliance is found.

Workgroup & Members

The High Water Declaration Workgroup was created in February 2020 with the following members.

- Rich Anderson, LMCD
- Gary Hughes, LMCD
- Bill Cook, LMCD
- Vickie Schleuning, Executive Director

Deliverables

Provide a detailed summary for Board consideration regarding suggested BMP's, regulations, processes, procedures, etc.

Key Stakeholders and Communications Audiences

- Current de-icing permittees
- Licensees such as marina owners and operators
- Municipalities and other government agencies
- Property owners adjacent to deicing operations
- General public users of Lake Minnetonka
- Hennepin County Sheriff's Office Water Patrol

Project Development Steps and Time Frame

The following is a tentative process and timeline for this workgroup project. It is subject to change depending on needs.

1. Gather Existing Information
 - Tour existing de-icing operations - January 2020: **Completed**
 - Seek comments from current de-icing licensees and other stakeholders- **July 22, 2020**
 - LMCD staff discussion with HCSO Water Patrol Lieutenant: **July 2020**
2. Review Information and Discuss
 - Hold initial meeting - Presented to the board on **February 26, 2020**
 - i. Present to LMCD board on February 26, 2020 Board Director and staff observations, and other information
 - ii. Summarized information as attached regarding the Code Clarifications and Application form
 - iii. Identified key areas of need for policy change based on gathered information
 - iv. Identify key areas of need for procedural change based on gathered information
3. Board Review and Potential Adoption of Recommendations As Applicable: **June 2020, August 12, 2020**

**LAKE MINNETONKA CONSERVATION DISTRICT
STATE OF MINNESOTA**

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE LAKE MINNETONKA CONSERVATION
DISTRICT CODE OF ORDINANCES REGARDING DEICING**

THE BOARD OF DIRECTORS OF THE LAKE MINNETONKA CONSERVATION
DISTRICT ORDAINS:

Article I. Deicing Equipment License. Article 6, Chapter 5, Section 6-5.09 of the LMCD Code is hereby amended as follows:

6-5.09. Deicing Equipment License. An applicant for a deicing equipment license shall be submitted, processed, and acted on in accordance with this Section.

Subd. 1. Application. An application for a deicing equipment license shall, in addition to the information required in Section 6-1.03, contain the following information:

- (a) A general description of the deicing equipment, its location, and general purpose; and
- (b) Identify the proposed authorized deicing fence area.

Subd. 2. Issuing Authority.

- (a) Generally. The Board determines whether to issue a deicing equipment license. A public hearing is not required, but the Board may elect to hold a public hearing regarding the requested license.
- (b) Municipal License. Where a person has been issued a license to install and operate deicing equipment by a municipality, and satisfactory proof thereof is presented to the Executive Director, the application shall so state. The Executive Director shall thereupon issue a license and attach whatever additional conditions the Executive Director deems necessary to ensure compliance with this Section and Article 10, Chapter 3.

Subd. 3. Review Criteria. When considering an application, the Board shall consider, together with any other factors it determines are relevant, the following:

- (a) The proximity of public access points;
- (b) The size and configuration of adjacent and nearby properties;
- (c) The use of the surface of the Lake in the vicinity of the deicing equipment by the general public and other riparian owners;

- (d) The proximity of channels;
- (e) The effect on the public and adjacent riparian owners of any failure to confine deicing to the authorized ~~deicing~~ fence area; and
- (f) The past history of deicing operations by the applicant.

Subd. 4. Authorized Deicing Fence Area. All licenses issued under this Section shall identify the authorized ~~deicing fence~~ area, which must be within the extended side site lines of the site as adjusted by variance or other Board approvals, and less than 100 feet beyond the end of the dock structure at the site. If the approved dock structure is within 10 feet of the extended property lines or extends over the extended site line, the boundary of the authorized fence area shall be 10 feet from the dock structure, with a baffle installed two feet from the dock structure. All deicing and safety materials and equipment must be located entirely within the authorized fence area. The issuing authority may establish a smaller authorized ~~deicing fence~~ area than requested if it deems such adjustment reasonable or prudent in the interest of public safety or protection of reasonable access to, and use of, the Lake by the public and other riparian owners. An authorized ~~deicing fence~~ area larger than the dimensions established in this subdivision may only be allowed through the issuance of a variance in accordance with Section 6-5.01.

Subd. 5. ~~Limitations~~ Minimum Standards and Requirements. In addition to any conditions imposed by the Board at the time of issuing a deicing equipment license, all such licenses issued under this Section are subject to the following conditions:

- (a) ~~The area to be deiced open water resulting from deicing shall be no greater than is necessary to prevent damage to the installation dock structure and shall not extend nor affect areas beyond~~ be controlled so there is no open water within 10 feet of the perimeter fence and sound ice is maintain at the limits of the authorized deicing fence area;
- (b) ~~The area to be deiced shall be enclosed by a snow fence or approved alternative four feet in height and a minimum of six reflectorized "Thin Ice" signs and at least one sign for every 50 feet. The signs must be in a form approved by the Executive Director~~ The authorized fence area shall be enclosed by a snow fence, or an alternative approved by the Executive Director, four feet in height, with at least 2 x 4 wooden posts anchored vertically into the ice at least every 12 feet. Fence fabric shall be mounted to the posts with metal wire ties. There shall be a minimum of six reflectorized "Thin Ice" signs, each containing at least eight inches of reflectorized surface that is visible from 50 feet, around the perimeter of the authorized fence area, with at least one sign every 50 feet;
- (c) Deicing shall only occur within the fenced area;
- (d) If open water or weakened ice occurs within 10 feet of the fence line or outside of the authorized ~~deicing fence~~ area, or if water is pumped by deicing equipment onto the surface of the ice outside of the authorized ~~deicing fence~~ area, all deicing

equipment shall be turned off until sound ice is reestablished ~~outside at the boundary of the authorized deicing fence area, and~~ During the reestablishment of sound ice, all open water or weakened ice is shall be enclosed by the fence required by this subdivision;

- (e) The licensee ~~will~~ shall maintain fencing and signs around all open water or weakened ice at all times. Fencing installed temporarily outside of the authorized ~~deicing fence area~~ shall be removed when sound ice is reestablished outside of the authorized fence area;
- (f) The ~~installation including the perimeter fence and the entire fenced area will~~ shall be adequately lighted from one-half hour before sunset to one-half hour after sunrise to protect the public. Use of a photocell switch to control the lighting is allowed if it provides for lighting during approximately the same period;
- (g) The ~~applicant~~ licensee shall maintain liability insurance covering claims for death, injury or damage to property arising out of the operation of the deicing equipment. Such insurance shall be in the amount of at least \$1,500,000 for persons and \$50,000 for property. In the case of insurance for commercial facilities, the insurance shall name the LMCD as additional insured and shall provide that the insurance will not be amended or canceled without first giving 30 days' written notice to the LMCD;
- (h) ~~The applicant will, by the installation of adequate screening, signing, or other means, effectively prevent the feeding and congregation of waterfowl and other animals and the creation of conditions constituting health hazards or public nuisances within the authorized deicing area;~~
- (~~h~~)(h) The installation ~~will~~ shall be supervised ~~at all times daily~~ and the ~~applicant~~ licensee ~~will~~ shall provide the LMCD with a primary telephone number and a 24 hour emergency telephone number;
- (~~h~~)(i) The installation shall include an easily identifiable on-off switch located near the deicing unit on the dock and the licensee shall notify the LMCD of its location;
- (i) During the entire period of deicing, the licensee shall maintain all fencing, posts, warning signs, lighting, and other materials and equipment required by this Section in a good condition, properly functioning, and as otherwise may be required to accomplish their intended purposes;
- (k) The ~~applicant~~ licensee shall consent to permitting officers and agents of the LMCD to shut off or remove the equipment if deicing extends beyond the authorized ~~deicing fence area~~ or if water is pumped by deicing equipment onto the surface of the ice outside of the authorized ~~deicing fence area~~. Deicing activities shall not resume at the site unless authorized in writing by the Executive Director; and

- (l) The license shall terminate on the date indicated in the license, but in no event shall it extend beyond ~~April 20th~~ three days after the Minnesota Department of Natural Resources requires fish houses to be off the ice in any year.

Subd. 6. Additional Conditions. Notwithstanding anything to the contrary in this Code, if the LMCD determines a licensee is not fully complying with the requirements of this Section, the Executive Director may place additional conditions on the license. The Executive Director shall provide the licensee written notice of the additional conditions and may require the licensee to comply with a performance plan to bring the site back into compliance. One of the additional conditions the Executive Director may impose is to require the use of a floating baffle to contain the open water area. If a floating baffle is required, it shall be installed in a fixed position, perpendicular to the shoreline, extending to the bottom of the Lake, all mechanical equipment shall be installed within the boundaries of the baffle, and the deicing equipment at the outer edges of the baffle shall be turned toward the deicing area. Nothing in this subdivision shall limit the authority of the LMCD to suspend or revoke a deicing equipment license.

Subd. ~~67~~. License Renewals. Deicing equipment license shall be renewed annually in accordance with this Subdivision.

- (a) Submission Deadline. An application for a renewal of a deicing equipment license shall be submitted no later than October 1st of the year of the beginning of the winter season during which the applicant wishes to operate the deicing equipment. The Executive Director shall not accept a renewal application received after October 1st unless it is accompanied by the required late fee.
- (b) Issuing Authority. For docks that were issued deicing license for the winters of 2002/2003, 2003/2004, or 2004/2005, any renewal licenses requiring an enlargement of a proposed authorized ~~deicing~~ fence area or license for deicing enlarged or reconfigured docks may be granted only by the Board. In other cases, the Executive Director may issue renewal licenses administratively without action by the Board, provided there were no violations or alleged violations during the term of the prior seasonal license and a full deposit refund was given for the prior seasonal license. The Executive Director may issue new licenses without action by the Board upon determining that the applicant agrees through the application process to comply fully with the requirements of this Section and Article 10, Chapter 3. In the case of all other applications, and in cases in which the Executive Director declines or fails to issue a license for any reason, the application shall be referred to the Board.
- (c) Conditions. Additional or modified conditions may be imposed upon the renewal of a deicing equipment license. If the applicant objects to any additional or modified conditions placed on the license by the Executive Director, the Executive Director shall refer the license to the Board for review and a final decision.

Article II. License Exceptions. Article 10, Chapter 3, Section 10-3.05 of the LMCD Code is hereby amended as follows:

10-3.05. Licensing Exceptions.

~~Subd. 1. Use After March 1st Fish House Removal. No license shall be required for installation and operation of deicing equipment during that part of the winter season ~~occurring after March 1st starting three days after the Minnesota Department of Natural Resources requires fish houses to be off the ice, provided warning signs with the message "Thin Ice", of a size and type approved by the Executive Director, and fencing consistent with the standards established in Section 6-5.09 are installed and maintained at least each 50 feet along the affected shoreline with warning signs at least every 50 feet along the fence. After that date, licensees may remove the perimeter fence, but must continue to maintain the fencing and signs along the shoreline. Shoreline fencing is no longer required once ice is out for the season. Anyone initiating the operation of deicing equipment between March 1st and March 15th under this exception shall, prior to such operations, entirely enclose the area to be deiced with snow fence that is at least four feet in height and place at least six reflectorized "Thin Ice" signs on the fence with a minimum of one sign for every 50 feet.~~~~

~~Subd. 2. Permanent Dams. Permanent dams which are licensed by the Department of Natural Resources and operated by a municipality or political subdivision of the state shall not be required to secure a special license under this Section providing the following conditions are met:~~

- ~~(a) — A snow fence four feet in height shall be provided which encloses all open water or dangerously thin ice in the vicinity of the dam;~~
- ~~(b) — A minimum of six reflectorized warning signs shall be provided at intervals not exceeding 75 feet; and~~
- ~~(c) — Appropriate steps shall be taken, either by obtaining insurance or otherwise to hold the LMCD and its officers and employees harmless from any damage or injury arising out of the operation of the dam.~~

~~Subd. 2. Gray's Bay Dam. A deicing equipment license is not required for deicing operations conducted by the Minnehaha Creek Watershed District at the Gray's Bay Dam.~~

Article III. Hazards. Article 10, Chapter 3, Section 10-3.07 of the LMCD Code is hereby amended as follows:

10-3.07. Hazard. It is unlawful for any person to install, operate, maintain, or use deicing equipment on the Lake, with or without a license therefor, which constitutes a hazard to the safety of persons on the Lake. For purposes of this Section, any failure by a licensee to comply with the minimum standards and requirements in Section 6-5.09, Subdivision 5, the conditions placed on a deicing equipment license, any additional conditions imposed by the Executive Director, or failure to comply with any other requirement in Section 6-5.09 regarding deicing operations shall constitute a hazard to the safety of persons on the Lake and is a violation of this Code. deicing equipment shall be deemed to constitute such hazard whenever any of the following circumstances exist without being specifically authorized in a current or valid license for the facility:

- (a) ~~Except as provided in paragraph (d) of this Section, the entire area of open water or weakened ice is not enclosed by a semi opaque fence which is at least four feet in height;~~
- (b) ~~The entire fence, the area enclosed by the fence and the area deiced is not lighted from one-half hour before sunset to one-half hour after sunrise;~~
- (c) ~~The entire fenced area is not marked by reflectorized warning signs at least every 50 feet around the perimeter of the fence; or~~
- (d) ~~During the periods prior to the generally accepted total Lake freezeover in the fall and following the beginning of the final thaw in the spring, the shoreline along the area deiced is not fenced with a semi opaque fence which is at least four feet in height and marked by reflectorized warning signs visible from 50 feet and installed every 50 feet along the shoreline.~~

Article IV. Definitions. Article 1, Chapter 3, Section 1-3.01 of the LMCD Code is hereby amended by adding the following definition and renumbering the subdivisions in the section as needed:

Subd. . Floating Baffle. “Floating baffle” means a flexible, impermeable curtain extending down from floats in the water and weighted at the bottom, which is used to encircle and contain the open water resulting from deicing operations. This device is sometimes referred to as a turbidity curtain.

Article V. Incorporation of Amendments. The LMCD Attorney is authorized to incorporate these amendments into the LMCD Code and is authorized to make such corrective changes as may be needed to correct formatting, maintain internal consistency, renumber sections, and as may otherwise be needed to implement the changes intended by this ordinance.

Article VI. Declaration. This enactment is adopted by a majority vote of all the members of the Board, has the effect of an ordinance, and is in effect on the first day of publication after adoption.

Adopted this 22nd day of July 2020.

BY THE BOARD OF DIRECTORS

Gregg Thomas, Chair

ATTEST:

Dan Baasen, Secretary

Date of Publication: _____, 2020.

New material is double-underlined and removed material is ~~stricken~~.

DRAFT



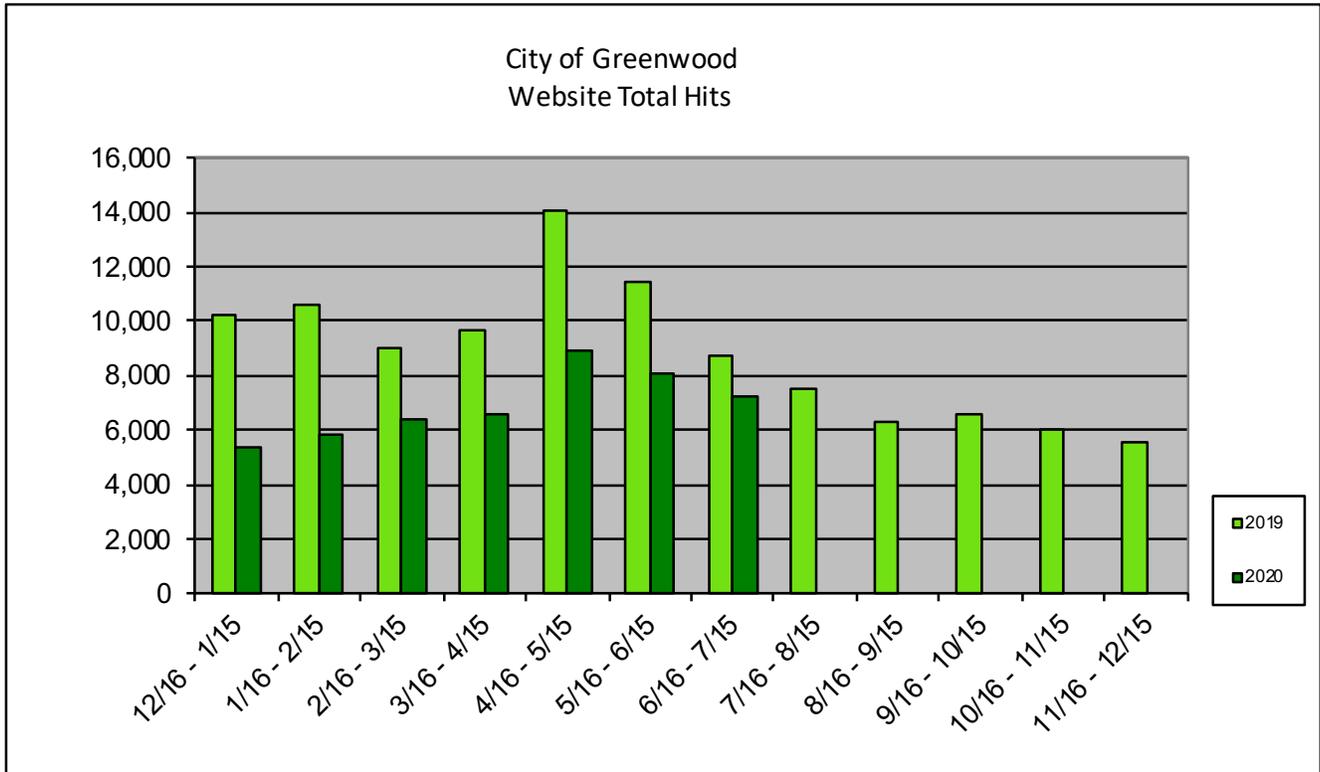
Agenda Number: **11A-E**

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	2019	2020	Variance with Prior Month	Variance with Prior Year	Bulk Email List
12/16 - 1/15	10,255	5,355	-211	-4,900	176
1/16 - 2/15	10,576	5,853	498	-4,723	175
2/16 - 3/15	9,038	6,408	555	-2,630	159
3/16 - 4/15	9,638	6,597	189	-3,041	159
4/16 - 5/15	14,074	8,890	2,293	-5,184	159
5/16 - 6/15	11,420	8,063	-828	-3,358	161
6/16 - 7/15	8,766	7,235	-828	-1,531	161
7/16 - 8/15	7,489	-	-7,235	-7,489	
8/16 - 9/15	6,326	-	0	-6,326	
9/16 - 10/15	6,531	-	0	-6,531	
10/16 - 11/15	6,049	-	0	-6,049	
11/16 - 12/15	5,566	-	0	-5,566	
AVERAGE	8,811	6,914			

POPULATION: 708
EMAIL ADDRESSES % OF POPULATION: 22.90%

Population source: www.metrocouncil.org, Data & Maps, Download Data, Population and Household Estimates
 Population figure updated: 05.19.20

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

[Get Report](#)

Page Views by Section

Section	Page Views	Percent of Total
Default Home Page	2197	30.37%
Agendas, Public Notices, Minutes, Meeting Packets	776	10.73%
City Departments	336	4.64%
RFPs & Bids	275	3.8%
Planning Commission	272	3.76%
Welcome to Greenwood	266	3.68%
Code Book of Ordinances	232	3.21%
Forms, Permits, Licenses	188	2.6%
Mayor & City Council	166	2.29%
Photo Gallery	152	2.1%
Community Surveys	145	2%
Budget & Finances	132	1.82%
Agendas, Public Notices, Minutes, Meetings	132	1.82%
Assessments & Taxes	116	1.6%
Parks, Trails & Watercraft Amenities	95	1.31%
Public Safety	88	1.22%
Meetings	84	1.16%
Lake Minnetonka	84	1.16%
Garbage & Recycling	83	1.15%
St. Alban's Bay Lake Improvement District	80	1.11%
July 4th	75	1.04%
Search Results	73	1.01%
Watercraft Spaces	71	0.98%
City Newsletters	63	0.87%
Links	63	0.87%
Meetings on TV	61	0.84%
Elections, Voting	60	0.83%
Comp Plan	60	0.83%
Spring Clean-Up Day	59	0.82%
Emergency Preparedness	58	0.8%
Coyotes & Animal Services	55	0.76%

Homesteading	50	0.69%
Sewer, Stormwater, Water, Garbage, Recycling	49	0.68%
Tree Contractors	48	0.66%
Email Sign-Up	42	0.58%
Fire Department	42	0.58%
News, Events	42	0.58%
Recreation, Amenities	42	0.58%
Toilet Drain Guide	38	0.53%
Tour de Tonka	37	0.51%
Finances, Taxes, Assessments	36	0.5%
SABLID Email Sign-Up	35	0.48%
Old Log Events	34	0.47%
Luck O' the Lake	31	0.43%
Smoke Testing	29	0.4%
Well Water	29	0.4%
Christkindlsmarkt	27	0.37%
Library Events	25	0.35%
Unsubscribe	2	0.03%
TOTAL	7235	100%

Unique IPs by Section

Section	Unique IPs	Percent of Total IPs
Default Home Page	992	26%
City Departments	232	6.08%
Agendas, Public Notices, Minutes, Meeting Packets	219	5.74%
Welcome to Greenwood	162	4.25%
Photo Gallery	128	3.35%
Forms, Permits, Licenses	121	3.17%
Code Book of Ordinances	121	3.17%
Mayor & City Council	113	2.96%
Planning Commission	93	2.44%
Agendas, Public Notices, Minutes, Meetings	78	2.04%
Parks, Trails & Watercraft Amenities	69	1.81%
Public Safety	68	1.78%
Meetings	65	1.7%
Lake Minnetonka	64	1.68%
St. Alban's Bay Lake Improvement District	60	1.57%
City Newsletters	57	1.49%
Garbage & Recycling	56	1.47%
Community Surveys	53	1.39%
July 4th	52	1.36%
Elections, Voting	50	1.31%
Watercraft Spaces	49	1.28%
Assessments & Taxes	48	1.26%
Coyotes & Animal Services	46	1.21%
Meetings on TV	46	1.21%
RFPs & Bids	45	1.18%
Links	44	1.15%
Comp Plan	43	1.13%
Sewer, Stormwater, Water, Garbage, Recycling	42	1.1%
Emergency Preparedness	41	1.07%
Tree Contractors	41	1.07%
Homesteading	39	1.02%
Search Results	37	0.97%
Budget & Finances	36	0.94%
Fire Department	35	0.92%
News, Events	33	0.86%
Recreation, Amenities	33	0.86%
Spring Clean-Up Day	32	0.84%
Email Sign-Up	32	0.84%

Finances, Taxes, Assessments	29	0.76%
SABLID Email Sign-Up	28	0.73%
Toilet Drain Guide	27	0.71%
Tour de Tonka	25	0.66%
Old Log Events	24	0.63%
Well Water	24	0.63%
Luck O' the Lake	23	0.6%
Smoke Testing	21	0.55%
Christkindlsmarkt	20	0.52%
Library Events	19	0.5%
Unsubscribe	1	0.03%
TOTAL	3816	100%

Generate Download File (.csv) for the current report: [Generate and Download](#)

Done



Agenda Number: 12

Agenda Date: 08-05-20

Prepared by Deb Kind

Agenda Item: Closed Session with City Attorney Bob Vose to Discuss Land Title Application for Registration of Land, Excelsior Entertainment, LLC

Summary: On 06-24-20, the city received a Land Title Application for Registration of Land from Excelsior Entertainment, LLC (Old Log Theatre). On 07-07-20, the city council met with the city attorney in a closed session to discuss the application and determine next steps. If there is anything new to report at the 08-05-20 meeting, the city council and city attorney will meet in a closed session.

Council Action: The city council must take action to convene and adjourn the closed session. Suggested motions ...

1. I move the city council convenes a Closed Session 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.
2. I move the city council adjourns the Closed Session.

13D.05 Subd. 3(b) is for closed meetings for attorney-client privilege. 13D.05 Subd. 1(d) All closed meetings, except those closed as permitted by the attorney-client privilege, must be electronically recorded.



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.

From: Eric Evenson evensoneric@comcast.net 
Subject: RE: 10-Year CIP Comments from Greenwood
Date: July 10, 2020 at 2:47 PM

To: Debra Kind dkind100@me.com

Cc: Amanda.Walsh@bowmanandbrooke.com, deannepaschke@aol.com, denisewestman@gmail.com, evensoneric@comcast.net, Josh Leddy cleanbeaches@gmail.com, josh@lifesabeachmn.com, judd@imagewearpromos.com, leeharren@gmail.com, lrobroy@msn.com, Rod Kern Rod@northlandresources.com, terryb@tbryce.com, tfracm@mediacombb.net

EE

Mayor Kind,

Excellent letter! I am cc'ing a copy of it to my Board.

I wholeheartedly agree with the City of Greenwood's request for the MCWD to put some resources into controlling AIS in Lake Minnetonka. The MCWD has spent millions of dollars helping downstream communities develop parks and trails. Almost ½ of the MCWD's levy comes from Lake Minnetonka communities and Lake Minnetonka is the most significant natural, cultural, and recreational resource in the district. An annual allocation of \$600,000 to address AIS will help restore the ecology of the lake, improve fisheries, and make recreation more enjoyable. Lake Minnetonka is a resource used by people throughout watershed and state – the burden of protecting this resource should not be borne solely by the residents around the lake. Your request is both wise and appropriate.

Eric



Eric Evenson, Director
Lake Minnetonka Association
Mobile: 612-250-5514 (preferred)
Office: 763-458-0568

www.LMAssociation.org

From: Debra Kind [mailto:dkind100@me.com]

Sent: Friday, July 10, 2020 1:41 PM

To: Eric Evenson <info@lmassociation.org>; Vickie Schleuning <vschleuning@lmcd.org>

Subject: Fwd: 10-Year CIP Comments from Greenwood

Eric & Vickie —

Please distribute the attached letter to your respective boards.

— Deb

DEBRA J. KIND
Mayor, City of Greenwood
20225 Cottagewood Road
Deephaven, MN 55331
www.greenwoodmn.com
Main: 952.474.6633
Direct:
612.718.6753
Email: dkind100@me.com

Begin forwarded message:

From: Debra Kind <dkind100@me.com>
Subject: 10-Year CIP Comments from Greenwood
Date: July 10, 2020 at 1:32:50 PM CDT
To: mhayman@minnehahacreek.org

Michael —

Please distribute to the attached letter to the MCWD Board regarding 10-year CIP comments from Greenwood.

Thank you!

— Deb

DEBRA J. KIND
Mayor, City of Greenwood
20225 Cottagewood Road
Deephaven, MN 55331
www.greenwoodmn.com
Main: 952.474.6633
Direct:
612.718.6753
Email: dkind100@me.com

July 10, 2020

Minnehaha Creek Watershed District Board
Attn: Michael Hayman
15320 Minnetonka Blvd
Minnetonka, MN 55345

Re: Comments Regarding MCWD 10-Year CIP

Dear MCWD Board,



SENT VIA EMAIL
mhayman@minnehahacreek.org

The city of Greenwood received the request for comments regarding the MCWD 10-year CIP.

The city of Greenwood is not aware of any MCWD support for programs to prevent, detect, or control aquatic invasive species other than a common carp control program that is funded by the Lessard-Sams Outdoor Heritage Council. While efforts to monitor and prevent the introduction of invasive species into Lake Minnetonka may not be as visible as the MCWD's capital projects, it is possible that they may do as much or more to protect the natural lake and creek environment. It is quite conceivable that ongoing MCWD support for existing and new programs such as flowering rush control, monitoring for starry stonewort, public launch monitoring and inspections, and milfoil control would take the watershed to new levels and have a dramatic long-term positive affect on lake and creek environments.

City Councilmember Tom Fletcher contacted MCWD Project Planning Manager Michael Hayman on 06.29.20 and asked if the MCWD had any data available on downstream water quality improvements from prior projects. Michael stated that the MCWD did have data available, which he would provide. As of our 07.07.20 city council meeting this data has not been received. Therefore, we respectfully request that the MCWD extend its CIP comment period to 08.06.20 to allow the Greenwood city council to review the requested MCWD data and discuss CIP comments at our next council meeting on 08.05.20 or that MCWD reallocate 10% (\$600,000) from its approximately \$6M annual capital project spending (not including \$2.75M in capital financing) to existing and new aquatic species prevention, detection, and control efforts in the watershed.

Thank you for providing the city of Greenwood with the opportunity to provide comments regarding the 10-year CIP.

Sincerely,



Debra J. Kind
Mayor, City of Greenwood
on behalf of the Greenwood City Council

CC: LMCD Board, LMA Board



Coronavirus Relief Fund Certification Form

The Coronavirus Relief Fund (CRF) Certification Form must be submitted prior to disbursement of the funds. Submit by email to proptax.admin@state.mn.us or by mail to Property Tax Division, Mail Station 3340, St. Paul, MN 55146

Name of Local Government (if city or town include county)	SWIFT Supplier ID # (if known)	Phone Number
Name and Title of Person Filling Out Form		Email Address

By submitting this application, the above-named local government (“local government”) certifies that it will honor all commitments in the statements below and the Information and Requirements document.

1. The distributed funds will be used by the local government only to cover those costs that:
 - a. Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) (“necessary expenditures”), as described and defined by official federal guidance on section 601(d) of the Social Security Act, as added by section 5001 of Public Law 116-136 (“federal guidance”);
 - b. Were not accounted for in the budget most recently approved as of March 27, 2020, for the local government; and
 - c. Were or will be incurred during the period that begins on March 1, 2020, and ends on December 1, 2020. A cost is incurred when the local government has expended funds to cover the cost.
2. The funds distributed pursuant to this certification will not be used by the local government in any manner contrary to federal guidance. This includes, but is not limited to:
 - a. As a revenue replacement for lower than expected tax or other revenue collections; and
 - b. For expenditures for which the local government has received other emergency COVID-19 supplemental funding for that same expense, regardless of the funding source.
3. The local government is responsible for repayment of any funds used by the local government in any manner contrary to federal or State of Minnesota guidance.
4. The local government will periodically report expenditures from the Coronavirus Relief Fund as required by Minnesota Management and Budget.
5. Any aid amount remaining unexpended by an eligible city or town on November 15, 2020, must be sent to the home county in which the city or town is located. For cities located in Hennepin County the funds must be transferred to Hennepin County Medical Center or granted to another hospital in the county’s boundaries. For the cities or towns located in Ramsey County the funds must be granted to Regions Hospital or another hospital in the county’s boundaries. The transfer must be made no later than November 20, 2020. Any amount of aid remaining unexpended by an eligible county by December 1, 2020 must be returned to Minnesota Management and Budget by December 10, 2020.
6. The local government will maintain copies of any agreements to share Coronavirus Relief Funds pursuant to a joint powers agreement under Minn. Stat. § 471.59. Copies of such agreements and accounting records must be sufficient to document the funds distributed to other local governments.
7. The local government is responsible for FEMA nonfederal share, increased workers compensation costs, and costs of supporting its Community Health Board COVID-19 response, and should not anticipate additional state funds for these purposes.
8. The local government understands that these funds are subject to the requirements under the Single Audit Act (31 U.S.C. §§ 7501-7507) and the related provisions of the Uniform Guidance, 2 C.F.R. § 200.303 regarding internal controls, §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

I certify that I have the authority to complete this certification on behalf of the local government.

Signature of Chief Executive of Local Government	Title	Date
--	-------	------

LETTER TO BE A PART OF THE NEXT
SCHEDULED CITY COUNCIL MEETING AND
INCORPORATED INTO THE MINUTES.

3 PAGES

July 15, 2020

Re: Meadville ROW (Fire Lane) access located between 5120 Meadville Street and
5130 Meadville Street Greenwood Minnesota

Mayor and City Council Members,

I am writing to you again regarding the Meadville ROW (Fire Lane) located between
5120 & 5130 Meadville Street. I have watched the video of the council meeting of July
8, 2020 pertaining to this matter.

First, it has become very clear to me that Greenwood ("City On The Lake") needs to
be a lot more user friendly regarding the multiple ROW accesses to the lake for both
lake residents and non lake residents. These accesses are a wonderful amenity for
Greenwood residents and they deserve maintenance to be attractive looking for
everyone to use and enjoy. I am requesting that the city take action and complete the
following as soon as possible:

1. SURVEY - Complete a survey with properly marked lath stakes and PERMANENT
pin markers so that people can see where the ROW is located. The ROW is 50
feet in width at the lake shore. Currently the ROW has the appearance of private
property for anyone looking to enjoy this ROW.

The ROW Area

2. **DELINEATION OF ROW** - After #1 above, the city needs to look at proper delineation of the ROW area so that people know exactly where the ROW is located. This could be some low profile shrubs planted along both sides located on the property lines of the ROW. This will allow residents to know where the ROW is located and help keep people off of neighboring private property. In fact, this will help keep persons from accidentally or intentionally entering private property. Currently, it seems that both of the immediately adjoining private properties have substantially encroached into the ROW thus making the ROW look "private".

Signage

3. **SIGNAGE FOR ROW** - A nice "Greenwood - City On The Lake" style would be appropriate. Small and unobtrusive signage. This will allow people to identify the ROW lake access area properly. A fun name for each ROW would be appropriate.

4. **DRAINAGE SWALE** - The city needs to maintain the drainage swale in a proper manner. This probably needs regular maintenance every year in the spring after the sand & salt have washed into the drainage area.

5. **GENERAL MAINTENANCE** - The city needs to perform regular General maintenance of the ROW to keep it attractive looking at all times. This is not a big deal, but rather some general maintenance such as trimming of trees/shrubs etc.

Greenwood

Phone # 123 4567

I am not suggesting that the city make any grand improvements to the ROW area, but rather that the city keep up with some basic maintenance of the ROW area so that residents may enjoy this amenity.

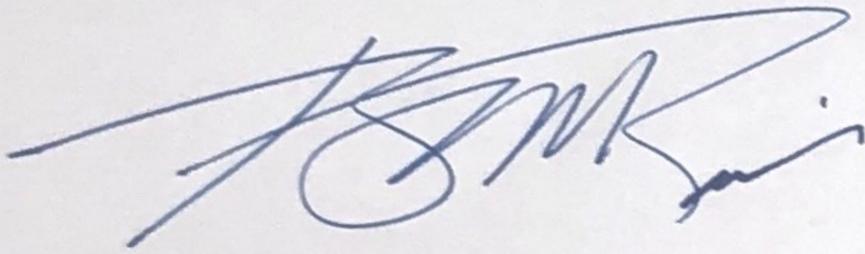
Comments

I have also noticed that resident neighbors are misguided in thinking that mobs of people will start visiting the ROW and enjoying sunsets. I doubt very much that more than one or two persons at a time will ever sit and enjoy the sunset with or without a bench. I also believe that 99.99% percent of the people will be respectful of the neighbors and ROW property.

The ROW must remain fully open and unobstructed for emergency personnel to access the lake both during the summer and winter seasons. It is critical that emergency responders have proper access to the lake for emergency situations.

Finally, the City should look at the ROW (Fire Lane) accesses in Cottagewood for excellent examples of how these accesses should be made more user friendly for all residents. The accesses along Lakeview Avenue in Cottagewood are a great example. There is Sandy Beach, Rocky Beach, along with several other ROW areas which are VERY user friendly for persons to access the lake and go swimming. Greenwood is currently very non-user friendly. In fact, some neighbors discourage others from enjoying this public property. We all need to remember that this is in fact public ROW property and the ROW's existed long, long before any of the neighbors decided to purchase their property adjacent to the ROW.

I appreciate your time and consideration to maintain these wonderful city owned lake access points so that residents may enjoy the lake.



July 15, 2020

BRIAN H. [REDACTED] TRISHA BURDICK
4950 Sleepy Hollow Road
Greenwood, MN 55331
Phone: 612-801-0568
Email: bburdick@burdickproperties.com

PS. I visited the Curve Street ROW, the other Meadville ROW, and the Greenwood Circle ROW too. All of these ROW's need similar regular maintenance such as trimming of bushes/trees etc.....The Curve Street ROW was a complete disaster as branches were actually blocking the stairs/walkway!!

From: Debra Kind dkind100@me.com
Subject: Stop Sign Request
Date: July 24, 2020 at 2:02 PM
To: betsy.bain37@yahoo.com
Cc: Bill Cook billandtishcook@msn.com, Dana Young danayoung@mchsi.com



Betsy —

City Clerk Dana Young shared your email regarding your request to install stop signs at the Minnetonka Blvd & Curve Street intersection.

We share your concern regarding safety in that area, but want you to know that stop signs must meet certain “warrants” in order to justify installation and to be enforceable. The installation of a warranted stop sign must be based on an engineering study that meets Minnesota Manual on Uniform Traffic Control Devices standards.

The MUTCD states that ...

Multi-way stop control is used where the volume of traffic on the intersecting roads is approximately equal.

The following criteria should be considered in the engineering study for a multi-way STOP sign installation:

A. Five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions.

B. Minimum volumes

1. The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day; and

2. The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour; but

3. If the 85th-percentile approach speed of the major-street traffic exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the values provided in Items 1 and 2.

As you can see, the Minnetonka Blvd & Curve Street intersection would meet none of this criteria.

The MUTCD also states, “Stop signs should not be used for speed control.”

This excerpt from a 2016 streets.mn article explains why ...

The discouragement of stop signs for speed control is pretty clear. It breeds disrespect for all traffic signs and is counterproductive and even dangerous as motorists can tell when their time is being wasted and impatiently stomp on the gas between signs, then start doing “rolling stops,” then finally just blow through them. Meanwhile, pedestrians are lulled into a false sense of security.

The city council agrees that the Minnetonka Blvd section of trail / road shoulder near Curve Street needs to be widened to provide better safety for pedestrians. This project is on our list for planning the fall of 2020 and construction in 2021.

In addition, in response to your email, we put in a work order for public works to clear the site lines at the Minnetonka Blvd & Curve Street intersection. And the work has already been done!

Sincerely,

Mayor Deb Kind
Councilman Bill Cook
(Greenwood Public Works Committee)

City of Greenwood
20225 Cottagewood Road
Deephaven, MN 55331
www.greenwoodmn.com
952.474.6633

-----Original Message-----

From: Betsy Bain <betsy.bain37@yahoo.com>

Sent: Wednesday, July 22, 2020 1:48 PM

To: danayoung@mchsi.com

Subject: Stop sign inquiry

Hello Dana,

I'd like to inquire about getting a stop sign placed on the intersection of Minnetonka Blvd and Curve St. Please see the attached photo. The red indicates the intersection.

There are many reasons for this inquiry and a few are listed below:

A. The speed limit is 30mph and cars are observed consistently 40+

B. Cars use even this stretch of road to rev engines and get up to 60+.

C. The yellow indicated in the attached photo is also an area along the walking/biking trail that has zero protection from cars and is just on the shoulder. It then meets back up with a side walk.

As someone who often walks this path, I see children biking and families walking. This would be a proactive measure to aid cars in slowing down and pay attention at an area where pedestrians and the road meet. Otherwise there is a long stretch of road along Minnetonka Blvd without any stops allowing drivers to become more easily distracted.

Please let me know what the next steps are into this inquiry.

Warm regards,

Betsy Bain

612-802-7905

<image0.jpeg><Untitled attachment 00013.txt>