

MINUTES

Greenwood City Council Worksession & Regular Meeting

Wednesday, August 5, 2020

Via Zoom Video-Conferencing Technology Due to COVID-19



Worksession

1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA

Mayor Kind called the worksession to order at 6:30pm.

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

Members Absent: Councilmember Kristi Conrad

Motion by Roy to approve the worksession agenda. Second by Fletcher. Motion passed 4-0.

2. DISCUSSION: 2021 Budget & Fees

The council discussed the proposed 2021 budget and fee changes. The revised draft of the budget will be discussed further at the 6:30pm worksession before the 09-02-20 council meeting. The proposed tax levy is a slight decrease of -0.06%. The preliminary 2021 budget and levy will be approved during the regular meeting on 09-02-20. No changes were made to the proposed fee ordinance. The council will take action on the fee ordinance at the 10-07-20 council meeting.

3. ADJOURNMENT

Motion by Roy to adjourn the worksession at 6:57pm. Second by Cook. Motion passed 4-0.

Regular Meeting

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 (arrived at 7:10pm), Bill Cook, Tom Fletcher, Rob Roy

Members Absent: None

Staff Members Present: City Engineer Rep Jeff Weyandt

Motion by Kind to approve the agenda with the change to move the Georgetown Manor discussion (9E) to after Chief Meehan (4A). Second by Fletcher. Motion passed 4-0 on a roll-call vote.

2. CONSENT AGENDA

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

Consent Agenda Motion by Cook that the 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. Second by Roy. Motion passed 4-0 on a roll-call vote.

Motion by Cook to approve the consent agenda. Second by Roy. Motion passed 4-0 on a roll-call vote.

3. MATTERS FROM THE FLOOR

Penne Holt, 5110 West Street, shared that, along with the city, she and her husband received a summons from Taft law firm on behalf of the Old Log to register land that includes Minnetonka Blvd and about 400ft frontage on St. Alban's Bay. Penn is concerned that the Old Log or a future owner could put in docks. She stated that she recognizes that the city council's conversations with the attorney are private, but wanted to know what the city's position is regarding the

situation. Councilman Fletcher stated that the fact that we can't talk about it doesn't automatically mean that we don't share the same concerns and that input is always helpful.

Julie Ekelund, 5085 Meadville Street, asked what deems the information to be public? Mayor Kind stated that the city attorney will determine what information can be shared with the public and when.

Jan Gray, 5170 Meadville Street, also expressed concern regarding the Old Log having St. Alban's Bay lake access. She asked if there is existing title for the Old Log's property now? She stated that her brother-in-law has a historic plat book that might be helpful. She also stated that she would like the city path along that Minnetonka Blvd section of road to be improved. Mayor Kind stated that the Hennepin County Examiner has historic documents and that the application for land registration does not mention anything about lake rights. Later in the meeting during the discussion with the city engineer rep, Mayor Kind stated that the city path along Minnetonka Blvd is on the city's radar for improvements.

4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS

A. Police Chief Mike Meehan: Police Update and 2021 Budget

Motion by Fletcher that the Greenwood city council approves the 2021 South Lake Minnetonka Police Department operating budget and debt service payment amounts as presented. Second by Conrad. Motion passed 5-0 on a roll-call vote.

9E. Discuss: Georgetown Manor Inspection and Res 22-20 Appointment of Building Official

Motion by Conrad that the city council approves resolution 22-20 appointing Tom Fletcher as a building official. Second by Roy. Motion passed 4-0-1 with Fletcher abstaining on a roll-call vote.

B. Fire Chief Mackey: 2021 Excelsior Fire District Budget

Motion by Cook that the Greenwood city council approves the final recommended draft of the 2021 Excelsior Fire District operating budget and facilities / capital budget as presented. Second by Roy. Motion passed 5-0 on a roll-call vote.

C. City Engineer Rep Jeff Weyandt: 2020 Engineering Projects

Motion by Cook that the city council approves the bid in the amount of \$49,999 from Valley Paving for the Linwood Circle paving project and the stormwater improvement project along Minnetonka Blvd road / trail near Sleepy Hollow Road. Second by Roy. Motion passed 5-0 on a roll-call vote.

Motion by Fletcher that the city council authorizes the city engineer to submit the project approval form to receive County Aid to Municipalities (CAM) program money for 2020. Second by Cook. Motion passed 5-0 on a roll-call vote.

5. PUBLIC HEARINGS

A. None

6. ACTION RELATED TO PUBLIC HEARINGS

A. None

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

The council majority stated that the new plan includes a big enough change that it needs go to the planning commission for a public hearing, review, and recommendation.

B. Consider: Res 18-20, CUP Amendment Findings (grading), Alvin McQuinn, 4900 Meadville Street

Motion by Fletcher that the city council (1) adopts resolution 18-20 laying out the findings of fact as written per the resolution presented by Councilman Fletcher DENYING 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. Second by Cook. Motion passed 4-1 on a roll-call vote with Kind voting Nay because she supported Staff's recommendation.

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

Motion by Cook that 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. Second by Roy. Motion passed 5-0 on a roll-call vote.

8. UNFINISHED BUSINESS

- A. None

9. NEW BUSINESS

- A. Consider: Funding Request from Excelsior - South Lake Minnetonka Chamber of Commerce

Jan Weiss, Executive Director of the Chamber, stated that their goal is to raise enough money to carry the Chamber through December 2021. They already have cut 70% of the budget. The city of Excelsior has contributed 2 months run rate (\$33,192) and pledged to contribute an additional \$33,192 if Deephaven, Greenwood, Shorewood, and Tonka Bay contribute a total of \$33,192.

Angie Bean, Greenwood Resident, Chamber Member, and Co-Owner of Bean's Greenwood Marina, stated that any support the city can provide would be appreciated.

Motion by Fletcher that the city council commit up to \$4,000 if Deephaven, Shorewood, and Tonka Bay contribute the remaining \$29,192 or more to qualify for Excelsior's matching proposal. Second by Cook. Motion passed 5-0 on a roll-call vote.

- B. Discuss: Potential Landscaping the City Right-of-Way by Greenwood Market / Arco

Motion by Fletcher authorizing a subcommittee of Cook and Roy to look at options for improving the right-of-way by Greenwood Market / Arco and discuss with the property owner. Second by Kind. Motion passed 5-0 on a roll-call vote.

- C. Discuss: Potential Comments, Minnehaha Creek Watershed District's Capital Improvement Plan

Motion by Kind that the city council authorizes the mayor to send a letter to the MCWD on behalf of the city council based on the draft presented by Councilman Fletcher. Second by Cook. Motion passed 5-0 on a roll-call vote.

- D. Discuss: Signage for Shuman Woods Park

Motion by Fletcher that 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 and the location / height of the sign to be determined by Cook and Kind. Second by Cook. Motion passed 5-0 on a roll-call vote.

- E. Discuss: Georgetown Manor Inspection and Res 22-20 Appointment of Building Official

This item was discussed after 4A (see page 2).

- F. Consider: Contracts for 2021 City Services

Motion by Fletcher that the city council authorizes the mayor to sign the agreement with the city of Excelsior to provide clerk / counter services, election help, and physical space beginning on 01-01-21. Second by Conrad. Motion passed 5-0 on a roll-call vote.

Motion by Fletcher that the city council authorizes Councilman Cook and Mayor Kind to advertise for bids for public works services. Second by Cook. Motion passed 5-0 on a roll-call vote.

The consensus of the council was to include a discussion regarding city services at the 09.02.20 worksession.

- G. Discuss: Potential Comments, Lake Mtka Conservation District Proposed Deicing Rule Changes

Motion by Fletcher that the city council authorizes the mayor to send a letter of support for the LMCD's deicing rule changes to the LMCD Board. 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

Motion by Fletcher that the city council rescinds Mayor Kind's 05-30-20 Declaration of Local Emergency and Nighttime Curfew. Second by Roy. Motion passed 5-0 on a roll-call vote.

Motion by Roy that the council authorizes the removal of all shrubs at the fire lane between 5120 & 5130 Meadville Street. Second by Kind. Motion passed 4-1 on a roll-call vote with Cook voting nay because he supports honoring what the council told the neighbors at the last city council meeting.

The council consensus was for Mayor Kind to send letter to the Water Patrol to thank them for their extra efforts for recent rescues and for the extra patrol on St. Alban's Bay where there is more activity due to the pandemic.

- 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

There was no new information to report, so the council did not hold a closed session with the city attorney.

13. ADJOURNMENT

Motion by Roy to adjourn the meeting at 9:20pm. Second by Cook. 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.