

# MINUTES

## Greenwood City Council Meeting

Wednesday, July 6, 2016

20225 Cottagewood Road, Deephaven, MN 55331



### 1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA

Mayor Kind called the meeting to order at 7pm.

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

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

**Motion by Kind to approve the agenda. Second by Quam. Motion passed 5-0.**

### 2. CONSENT AGENDA

A. Approve: 06-01-16 City Council Meeting Minutes

B. Approve: May Cash Summary Report

C. Approve: May Certificates of Deposit Report

D. Approve: June Verifications, Check Register, Electronic Fund Transfers

E. Approve: July Payroll Register

**Motion by Kind to approve the consent agenda items. Second by Roy. Motion passed 5-0.**

### 3. MATTERS FROM THE FLOOR

No one spoke during matters from the floor.

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

A. Guest: Senator David Osmek, Annual Legislative Update

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

B. City Engineer Dave Martini: Flow Allocation Process, St. Alban's Bay Rd Stormwater Project

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

C. Announcement: Night to Unite, Tue 08-02-16, contact Dave Hohertz (952.960.1619 dhohertz@southlakepd.com) to have an officer stop by your neighborhood gathering

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

D. Announcement: Budget & Fees Worksession, 6pm Wed 08-03-16 (before council meeting)

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

### 5. PUBLIC HEARING

A. Public Hearing: Conduit Financing for Eagle Ridge Academy

Before opening the public hearing, Mayor Kind stated the following: At the 06-01-16 city council meeting, the city council authorized 07-06-16 at the Deephaven Council Chambers as the date and place for a public hearing to be held on the proposal that the city of Greenwood undertake financing on behalf of Eagle Ridge Academy, a Minnesota nonprofit corporation (the "Borrower"), pursuant to Minnesota Statutes, Sections 469.152 through 469.165. The city clerk has certified that an affidavit is on file at the office of the city clerk showing publication of the notice of public hearing on June 16, 2016 in the *Sun-Sailor*, the official newspaper of the city and a newspaper of general circulation in the city. The certification is included the full hard copy of the council packet and in the electronic packet available for viewing at [www.greenwoodmn.com](http://www.greenwoodmn.com). In addition, hundreds of pages of other related documents are available for viewing at city hall. As of the council packet deadline, no written comments have been received by the city. Representatives from Dorsey & Whitney, Eagle Ridge Academy, and the underwriter (Piper Jaffray) are present at the city council meeting to answer questions.

The purpose of the hearing was explained, the nature of the proposed revenue bonds was discussed, the draft copy of the Application to the Minnesota Department of Employment and Economic Development with draft copies of all attachments and exhibits were available, and all persons who desired to do so were afforded an opportunity to express their views with respect to the proposal to undertake the financing.

Mayor Kind then called for a motion to open the public hearing on the proposal to undertake the financing on behalf of the Borrower.

**Motion by Fletcher to open the public hearing. Second by Quam. Motion passed 5-0.**

No one spoke during the public hearing.

**Motion by Fletcher to close the public hearing. Second by Roy. Motion passed 5-0.**

6. ACTION RELATED TO PUBLIC HEARING

- A. Consider: Joint Powers Agreement with Deephaven Regarding Conduit Financing for Eagle Ridge Academy

**Motion by Fletcher that the council approves the Joint Powers Agreement providing for the issuance of one or more tax-exempt bonds on behalf of Eagle Ridge Academy Affiliated Building Company and authorizes the mayor and city clerk to sign the agreement. Second by Roy. Motion passed 5-0.**

- B. Consider: Res 28-16, Relating to Conduit Financing for Eagle Ridge Academy

**Motion by Cook that the council (1) adopts resolution 28-16, relating to a project on behalf of Eagle Ridge Academy Affiliated Building company and its financing; and approving of certain documentation in connection therewith; and (2) directs the city clerk to complete a certification of minutes relating to approval of resolution 28-16. Second by Quam. Motion passed 5-0.**

7. PLANNING & ZONING ITEMS

- A. Consider: Res 29-16 and Res 30-16, Grading Conditional Use Permit Findings and Variance Findings, 5140 Weeks Rd

**Motion by Fletcher that the city council adopts resolution 29-16 laying out the findings of fact APPROVING the conditional use permit application of Steve Kleineman of SKD Architects, on behalf of the property owners of 5145 Weeks Road as written. I further move that the council directs the city clerk to mail a copy of the findings to the applicant and the DNR, and place an Affidavit of Mailing for each of the mailings in the property file. Second by Cook. Motion passed 5-0.**

**Motion by Fletcher that the city council adopts resolution 30-16 laying out the findings of fact APPROVING the variance application of Steve Kleineman of SKD Architects, on behalf of the property owners of 5145 Weeks Road with the following revision: Add "The required storm water management practices shall meet the requirements and specifications of the city engineer" to paragraph 8 and the "Be it Resolved" sections. I further move that the council directs the city clerk to mail a copy of the findings to the applicant and the DNR, and place an Affidavit of Mailing for each of the mailings in the property file. Second by Cook. Motion passed 5-0.**

- B. Review: Ord 259, Mandatory Update of Floodplain Ordinance

**Motion by Fletcher that the city council directs staff to submit the DRAFT Floodplain ordinance to the DNR as presented. Second by Cook. Motion passed 5-0.**

- C. Review: Ord 257, Amending Noxious Tree List in City Code Section 1140.80

**Motion by Fletcher that the city council directs the planning commission to hold a public hearing on 07-20-16 and make a recommendation to the city council regarding the proposed ordinance 257 amending the noxious tree list in city code section 10140.80. Second by Roy. Motion passed 4-0-1 with Cook abstaining.**

- D. Review: Ord 258, Regarding Temporary Family Health Care Dwellings

**Motion by Fletcher that the city council directs the planning commission to hold a public hearing on 07-20-16 and make a recommendation to the city council regarding the proposed ordinance 258 regarding temporary family health care dwellings. Second by Roy. Motion passed 5-0.**

8. UNFINISHED BUSINESS

- A. None.

9. NEW BUSINESS

- A. Consider: Maintenance Projects for the Fire Lane Between 5120 & 5130 Meadville

Joe Fronius 5140 Meadville Street and Jan Gray 5170 Meadville Street spoke in favor of maintenance projects for the fire lane. *View complete comments at LMCC-TV.org.*

**Motion by Fletcher to authorize up to \$1,500 from the general fund contingency and \$5,000 from the park fund for the following maintenance projects and new installations at the fire lane located between 5120 & 5130 Meadville Street: (A) Remove lilac bushes and replace with grass; (B) Clean out the existing drainage swale and install new river rock; (C) Install new rip-rap. Second by Cook. Motion passed 5-0.**

- B. 1st Reading: Ord 260, Amending City Code Section 1210.10 (6) to Include Suspension of Licenses

**Motion by Roy that the city council (1) approves the 1st reading of ordinance 260 regarding suspension of licenses; (2) waives the 2nd reading of ordinance 260; and (3) directs the city clerk to submit the ordinance to the city's newspaper for publication on 07-14-16. Second by Cook. Motion passed 5-0.**

- C. Consider: Authorization of Lake Minnetonka Communications Commission Audio-Visual Allowance for Upgrading City Council Chambers

**Motion by Cook to authorize the use of the city's \$2,400 Lake Minnetonka Communications Commission audio-visual allocation towards audio-visual upgrades for the Deephaven city council chambers. Second by Quam. Motion passed 5-0.**

- D. Consider: Res 31-16, Changing Fall Sales Ratio Meeting Date to 11-02-16

**Motion by Fletcher that the city council approves resolution 31-16 appointments and dates as written. Second by Cook. Motion passed 5-0.**

10. OTHER BUSINESS

- A. None.

11. COUNCIL REPORTS

- A. Cook: Planning Commission, Parks, Sewer Study, St. Alban's Bay Bridge, Traffic Committee
- B. Fletcher: Lake Minnetonka Communications Commission, Fire
- C. Kind: Police, Administration, Mayors' Meetings, Website
- D. Quam: Roads & Sewers, Minnetonka Community Education, Traffic Committee
- E. Roy: Lake Minnetonka Conservation District, St. Alban's Bay Lake Improvement District

**No council action was taken regarding any of the council reports. *View reports at LMCC-TV.org.***

12. ADJOURNMENT

**Motion by Roy to adjourn the meeting at 9:20pm. Second by Cook. Motion passed 5-0.**

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