

MINUTES

Greenwood City Council

7pm, Wednesday, May 3, 2023

Deephaven Council Chambers

20225 Cottagewood Road, Deephaven, MN 55331



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

Mayor Kind called the meeting to order at 7:01pm.

Members Present: Councilmembers Tom Fletcher, Brian Malo, Bill Cook, Kristi Conrad, and Mayor Deb Kind

Staff Members Present: City Engineer Dave Martini and City Assistant Administrator Shanda Wilhelmy (via Zoom)

Motion by Kind to amend the agenda to add item 10A sign ordinance discussion and to move item 2I to 10B. Second by Malo. Motion passed 5-0.

2. CONSENT AGENDA

A. Approve: 04.05.23 City Council Meeting Minutes

B. Approve: March Profit & Loss

C. Approve: YTD Profit & Loss Budget vs. Actual

D. Approve: March Cash Summary

E. Approve: April Check Detail

F. Approve: May Payroll Report

G. Approve: Ordinance 330 Chapter 12 Commercial Marina removal

H. Approve: Public Access Procedures

~~I. Approve: Ordinance 331 Chapters 5 & 7 Emergency Load Limit Waivers (moved to 10B)~~

Motion by Kind to approve consent agenda items 2A-2H. Second by Cook. Motion passed 5-0.

3. MATTERS FROM THE FLOOR

A. NONE.

4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS

~~A. Guest: Senator Kelly Morrison, SF2613 & SF2790 (unable to attend)~~

B. Presentation: Chief Brian Tholen – Quarterly Police Update

SLMPD Chief Brian Tholen provided a quarterly update at the city council meeting. The SLMPD chief attends Greenwood council meetings on a quarterly basis to give the council a brief update regarding police activities in the city and South Lake area. This also is an opportunity for the council to have a discussion with him regarding issues and concerns. Quarterly police updates are presented at the February, May, August, and November council meetings.

Chief Tholen gave the council updates regarding quarter 1 2023 statistics, speed study on Minnetonka Blvd., staffing, and events.

In quarter 1 there were 136 calls, which is up from last year at this time. Of those calls there were 18 medical emergencies (3 were mental health), 10 speeding citations, 24 speed warnings, 12 stop sign violations, 15 alarms (residential, fire, business), 4 impaired driving, and 3 at rental properties.

The speed sign on Minnetonka Blvd. will be monitored for one month to verify that the speed sign actually reduces vehicle speed on that road. Cook mentioned that during the winter months the solar collector is in the shade.

SLMPD is fully staffed with 17 officers, with one more officer to begin in July to bring in a total of 18 officers. Traffic Safety Officer Jake Nelson has removed 32 impaired drivers from Hwy 7 since January of this year. Four of those impaired drivers were in Greenwood. He will be recognized at a M.A.D.D. ceremony for his efforts in making the roads safer in the community.

In the fall of 2023, the Citizens' Academy will be offered on Wednesdays starting Oct. 11 for six weeks. The "Cops and Bobbers" event is coming back. This is an event where the SLMPD take youth out fishing on the lake for the day.

There is a new graphic design for squad cars. Currently, there is only one squad car that has the new graphic design. Other squad cars will be updated as old are retired and new cars are purchased.

“Safe 7 Summer Initiative” on Highway 7 is being spearheaded by the Minnetonka Police Department. SLMPD along with St. Louis Park PD, Minnetonka PD, and Hopkins PD will be involved in this summer traffic safety initiative on Highway 7.

Councilman Cook discussed the issues related to the Luck of the Lake event and the proposed Special Events permit. Chief Tholen was out of town during that event and agreed that the issue was a SLMPD miscommunication issue. Excelsior has an extensive permit process for special events that includes police and fire in meetings to plan for the special event. Chief Tholen invited Greenwood to send a representative to the special events meetings in the future.

C. Presentation: City Engineer Dave Martini – Project Recommendations

City Engineer, David Martini, presented quotes for the:

Lodge Lane, Lyman Court, Woods Court project. The pavement in the Lodge Lane neighborhood is original to the early 1990s. The city has performed maintenance over the years in the form of minor patching and seal coating, which has prolonged the life of the pavement significantly. Based on its current age and condition, it is recommended that surface is milled and overlaid in 2023. Patching and structure repairs will also be performed as necessary. The estimated cost for these improvements was \$162,500.

Martini received quotes from five contractors for the Lodge Lane, Lyman Court, Woods Court project. Of those five quotes, Northwest Asphalt was the lowest at \$98,766.70. The council was emailed the cost of the quotes from all five of the contractors. Martini recommended awarding the project to Northwest Asphalt.

Motion by Fletcher to approve the Northwest Asphalt bid of \$98,766.70 contingent that all work is completed by September 30, 2023. Second by Cook. Motion passed 5-0.

Conrad asked Martini about the chip seal debris from last year’s road project. He stated all of the debris should have been cleaned up after the project, but will double check to see if that was completed. Chip seal debris could likely be from the excessive snow plowing activity this winter. Martini will also provide quotes for the proposed Minnetonka Blvd Trail and Meadville / Fairview Drainage projects at a future council meeting.

Motion by Kind to move item 10B to 4D. Second by Cook. Motion passed 5-0.

D. Discussion: Ordinance 331 Chapters 5 & 7 Emergency Load Limit Waivers (item 2I, 10B)

The council discussed the proposed ordinance to amend Chapters 5 and 7 to authorize the Administrative Committee to approve emergency load limit waivers during spring seasonal load restrictions. Ordinance 331 reflects the need for load limit waivers in emergency situations. It authorizes the Administrative Committee to approve emergency load limit waivers during spring seasonal load restrictions with a round-trip fee assessed at \$500.

Motion by Fletcher to move that the City Council (1) approves the 1st reading of Ordinance 331 with an amendment to include the city cost to repair any damage to city right-of-way from the activity; (2) waives the 2nd reading; and (3) directs that the City Assistant Administrator send the ordinance for publication to the City’s official newspaper. Second by Cook. Motion passed 5-0.

E. Announcement: City Council / Planning Commission Joint Worksession, Wed 05.10.23 7pm, Old Log’s Cast & Cru Restaurant (moved from 4D)

F. Announcement: Spring Clean-Up Day, Sat 05.20.23 (place items curbside by 7am) (moved from 4E)

5. PUBLIC HEARINGS

A. NONE

6. ACTION RELATED TO PUBLIC HEARINGS

A. NONE

7. PLANNING, ZONING & SUBDIVISION ITEMS

A. NONE

8. UNFINISHED BUSINESS

A. Consider: Greenwood Market Tobacco and Gas Station Licenses for May-Dec 2023, 21380 State Hwy 7

At the April city council meeting, the council approved the tobacco and gas station licenses for the Greenwood Market through May 4, 2023. This item was included on the May agenda for council consideration to extend the licenses beyond May 4, 2023. The goal was to give the property owner time to move the dumpster into its enclosure.

At the May council meeting, Councilman Fletcher provided an update. The dumpster on the property has been moved to its enclosure. A conditional use permit (CUP) for the property from 1982 was distributed to councilmembers. Fletcher outlined areas of the CUP that were currently not being followed. Some of the issues identified included the dumpster is not fully screened, there is no roof over the enclosure, earth tone colors are not used on the building and signs, \$2,000 annual bond was not received by the city, and removal of trash and debris from property is not happening daily. Other issues noted are a broken window has not yet been fixed and is boarded up, dead plants, and iron stains on the exterior of building.

Motion by Cook to authorize Councilman Fletcher to send a letter to Greenwood Market detailing council discussion regarding the tobacco and gas station licensure issues. Second by Conrad. Motion passed 5-0.

Motion by Fletcher to extend the tobacco and gas station license for the Greenwood Market until 06.08.23. Second by Cook. Motion passed 5-0.

9. NEW BUSINESS

A. Discussion: Special Event Form & Expectations

At the April city council meeting, issues with the Luck of the Lake event were discussed. Greenwood resident complaints with this event were due to lack of access to or from their residence for an excessive amount of time. All three access points to the city were shut down for about an hour and a half. Based on the council discussion, a draft special event form and expectations document was created for council consideration. The goal is to ensure that special events are fun, safe, and minimally disruptive for Greenwood residents and businesses.

Council discussion focused on the need to have a special event permit application, event expectations, and a fee collected for this permit. The city assistant administrator will review and approve special event application permits that comply with the application requirements. Discussion also focused on food truck inspections and requirements. The draft special event permit application will be revised based on the discussion and will be sent to South Lake Minnetonka Police Department, Excelsior Fire District, Chamber of Commerce, and Minnetonka Community Education for their input.

Motion by Kind to continue this item to the June agenda. Second by Malo. Motion passed 5-0.

10. OTHER BUSINESS

A. Discussion: Potential Changes to Sign Ordinances

City Zoning Administrator, Scott Richards, contacted Mayor Kind in regards to ordinances on signs. A new tenant at Bayside Office Building needs to change the sign on the building. Current code requires a conditional use permit for this purpose. Council discussion focused on whether Richards would be able to administratively approve sign changes that are compliant with city code standards.

Motion by Malo to move that the City Council authorize the City Zoning Administrator to draft an ordinance change and schedule a Planning Commission public hearing regarding a code change to allow administrative approval of code compliant signs. Second by Conrad. Motion passed 5-0.

~~B. Discussion: Ordinance 331 Chapter 5 & 7 Emergency Load Limit Waivers (moved to 4D)~~

11. COUNCIL REPORTS

A. Conrad: Lake Minnetonka Communications Commission, Park & Tennis Court

- LMCC – Conrad unable to attend the LMCC executive meeting. Fletcher was invited to attend this meeting as a resource.
- Park & Tennis Court – A failing retaining wall supporting the tennis courts needs to be assessed and fixed. The new trees planted will be blooming soon.

View report at LMCC-TV.org.

B. Cook: LMCD, SABLID, Public Works Committee, City Docks

- LMCD – LMCD published their summer rules and each city was allotted 10 copies. All residents living on the lake shore received a copy via US mail. The interim Executive Director is doing a great job, but is not interested in the permanent Executive Director position.
- SABLID – No report.
- Public Works – The city engineer provided the council with a report discussed at the meeting (4C). Fletcher inquired if the chip seal debris could be swept up along the Excelsior Blvd. sidewalk. Cook will evaluate and determine if public works needs to remove the chip seal debris. Malo was contacted by a resident concerning the drain/culvert on Channel Drive/Manor Road. The resident has cleaned this drain/culvert out when it gets plugged, and would like the city to clean it. Cook will coordinate with public works to assess. City should clean out any culverts that are plugged.
- City Docks – The docks have been installed. May 15 is the official beginning date for the city docks' boating season.

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

C. Fletcher: Fire, Administrative Committee

- Administrative Committee – No report.
- Fire – Fletcher attended the April board meeting. The Fire Relief pension was increased about \$200 per year of service and total Relief assets are currently greater than total liabilities. 2024 pay for firefighters will likely go from \$16/hr. to \$18/hr., and full-time staff will have a 5% increase in pay. The draft 2024 budget includes a full-time Assistant Chief and a full-time Battalion Chief.

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

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

- Police – In addition to Chief Tholen's update to the council (item 4B), Kind shared that officers also have lunch and hang out with the students at Excelsior and Minnewashta Elementary Schools, Kia and Hyundai locks are provided for free by the SLMPD (the SLMPD website and Facebook page has more details), the Emergency Operations Center will have some updates to improve technology, and she will attend Emergency Management Training this fall.
- Administrative Committee – Cannabis
An email from the city attorney was forwarded to the council. Kind stated Greenwood should consider adopting a moratorium prohibiting the operation of a cannabis business within the city to give the council time to decide if the city should or should not have an ordinance in regards to cannabis businesses. The moratorium should be on the agenda for the June council meeting, as the new cannabis legislation will go into effect on July 1. A public hearing would need to be scheduled at the next council meeting before the council can approve the moratorium.
- Public Works Committee – No report.
- Mayors' Meetings – Kind attended a meeting with the new school superintendent Mr. David Law. There are 190 students that signed up for courses on Aviation. The high school has three simulators that are also available to the public through Minnetonka Community Education. To comply with state law, the school district will be offering breakfast and lunch to students at no charge starting this fall. At the meeting, Kind also learned that Shorewood has taken the lead in establishing a Highway 7 Coalition. Funding is needed to hire an Executive Director for this new coalition. Shorewood also recently hired a new city administrator.

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

E. Malo: Planning Commission, Minnetonka Community Education

- Planning Commission – The April meeting was canceled.

- Minnetonka Community Education – The April meeting was canceled. Malo will notify MCE about the proposed special event permit that Greenwood will require for events that take place within city limits.

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

12. ADJOURNMENT

Motion by Kind to adjourn the meeting at 9:20pm. Second by Conrad. 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 at lmcc-tv.org for 1 year.