

MINUTES

Greenwood City Council Meeting

Wednesday, April 2, 2025

Deephaven City Council Chambers

20225 Cottagewood Road, Deephaven, MN 55331



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

Mayor Fletcher called the meeting to order at 7:00 pm.

Members Present: Mayor Fletcher and Council Members Jennifer Gallagher, Brian Malo, Mike Marti

Members Absent: Council Member Kristi Conrad

City Staff Present: Engineer David Martini, Zoning Administrator Scott Richards

Motion by Malo to approve the meeting agenda. Second by Gallagher. Motion passed 4-0.

2. CONSENT AGENDA

- A. Approve: 03.05.25 City Council Worksession Minutes
- B. Approve: 03.05.25 City Council Meeting Minutes
- C. Approve: February Cash Summary
- D. Approve: February Profit & Loss
- E. Approve: YTD Profit & Loss Budget vs. Actual
- F. Approve: March Check Detail
- G. Approve: April Payroll Report

Motion by Marti to approve the consent agenda. Second by Gallagher. Motion passed 4-0.

3. MATTERS FROM THE FLOOR

- A. Aaron and Angie Bean, owners of Bean's Greenwood Marina at 21945 Minnetonka Boulevard, addressed the council. They were inquiring if the council had any updates for them concerning their marina and the proposed ordinances from the March council meeting that would impact their marina operations. Ordinances 346 and 347 were on the agenda at the March meeting, but no council action was taken on these specific ordinances. Mayor Fletcher said that he did not have an update for them at this time. He was not aware if the city's attorney had met with the Bean's attorney either. He wants the attorneys to meet first before any council decision(s) are made regarding the proposed marina ordinance changes.

4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS

- A. Guest: Hennepin County Sheriff's Office Sgt. Troy Kostohryz – Water Patrol Annual Update

Sargent Troy Kostohryz of the Hennepin County Sheriff's Office addressed the council with an annual update on water patrol statistics over the last year on Lake Minnetonka. Sgt. Kostohryz has been a Deputy for six years and a Sargent for three years.

Updates provided in his report:

- 9 Deputies are slated to work on Lake Minnetonka patrols this year.
- Patrol Hours on Lake Minnetonka: 2022 – 5,681 hours, 2023 – 5,090 hours, 2024 – 8,178 hours
- Violations on Lake Minnetonka: 2022 – 1,701 violations, 2023 – 2,280 violations, 2024 – 3,252 violations
- DWI Violations on Lake Minnetonka: 2022 – 15 DWIs, 2023 – 41 DWIs, 2024 – 14 DWIs
- DWI Violations on lakes in Minnesota (statewide): 2022 – 42 DWIs, 2023 – 100 DWIs, 2024 – 53 DWIs
- Saint Alban's Bay calls (most noise related complaints): 2022 – 12 calls, 2023 – 26 calls, 2024 – 18 calls
- "Ice-Out" this year: 1:32pm on March 29, 2025

Council Members did have follow-up questions and concerns for Sgt. Kostohryz regarding the buoys' placement and repairs. The Water Patrol is responsible for installing the buoys each year. This work is contracted out by the Water Patrol and will be done around April 15 this year. Installation is done by GPS location. There will not be buoys placed to mark the 300-foot point from the shoreline (no-wake zone). The Lake Minnetonka Conservation District (LMCD) works with the Water Patrol when buoy lights are out and need to be repaired. The Water Patrol is also available to give Council Members a "ride-along" on one of their patrols. If there is any interest in that, Council Members can contact the Water Patrol directly to get that arranged.

B. Guest: City Engineer David Martini – Public Works Update

David Martini provided the City Council with a public works update. Martini, along with Council Member Marti, have been in discussions about planning for future road repairs and maintenance needs for Greenwood's roads. The "Spring Road Tour" will be conducted shortly to evaluate the current state of all city roads. Council Members Marti and Gallagher will accompany Martini on this year's tour. After the tour, Martini will come back to the council with his recommendations for this year's road repairs and/or maintenance needs.

Updates provided in his report:

- The 10-year vision plan for city road repairs and maintenance will also be revisited this year.
- Last year's road work was a seal coating project.
- Manor Road: This road is in need of repairs, but since it is shared with the City of Shorewood, it is not likely to be on the project list for this year. There are also safety concerns with this road, and traffic calming measures should be considered in the maintenance plan.
- Crack Sealing: This year's recommendation will likely be crack sealing of all city roads, which is about 5.6 miles. The approximate cost for this would be around \$65,000 - \$75,000.
- Saint Alban's Bay Bridge: Excelsior received Federal Government funding for the front-end planning work for bridge repairs and/or replacement project that will likely not be constructed until 2028. MN DOT did approve an RFP for engineering work, with Excelsior administering this process. Martini is unsure at this time of the cost that Greenwood may incur for the bridge project.
- Christmas Lake Road: Excelsior is taking the lead on storm sewer improvements that are needed. There is an agreement between MN DOT and Excelsior, but it is not clear the financial responsibilities for the maintenance needs that are required now. Greenwood may incur some costs associated with this project. Estimated cost is \$200,000. The Watershed District has not been contacted yet.
- Sewer: City sewer televising is outdated. Deephaven is on a 5 year cycle and Greenwood may want to consider adopting a similar schedule. Martini will discuss this with Public Works Director Jeff Kask, and come back to the council with a recommendation.
- 5280 Meadville Street: There are run-off and erosion concerns on a new construction project at this property. Engineer Rober Bean and Zoning Administrator Scott Richards have been working on getting temporary measures in place before this project is finished. Minnetonka's Inspector may issue a stop work order due to this. The builder has delayed corrections.

C. Announcement: Local Board of Appeal & Equalization (LBAE) Meeting Convenes, 6pm on April 10, 2025.

D. Announcement: CliftonLarsonAllen, Status of Required Reports to the Office of the State Auditor

Reports were submitted to the Office of the State Auditor on March 31, 2025. These reports are also posted on the city's website at <https://greenwoodmn.gov/budgets?def2=U0BKdWhZwcsSsE7R0yvcww%3D%3D>.

E. Announcement: City Council & Planning Commission Joint Worksession on 05.14.25 – location and time TBD

The tentative plan is to meet at the Deephaven City Council Chambers after the Public Commission meeting on May 14, 2025.

5. PUBLIC HEARINGS - NONE

6. ACTION RELATED TO PUBLIC HEARINGS - NONE

7. PLANNING, ZONING & SUBDIVISION ITEMS

A. Consider: Resolution 07-25, Conditional Use Permit for 5170 Queens Circle

City Zoning Administrator, Scott Richards, provided the summary, ordinance and summary resolution, which was included in the council packet.

Summary: Nathan Erickson, Robert Fowler, Max Levine and Ron Weseman are requesting consideration of a conditional use permit to allow placement of a primary accessory structure on a lot without a principal structure at 5170 Queens Circle, Greenwood, MN 55331. PID 26-117-23-42-0051. The property is zoned R-1, Single Family Residential District.

The proposed accessory structure will be 10ft x 16 feet or 160 square feet to be used for storage by four families that jointly own the lot. The property is on St Albans Bay and the families use the lot for recreational purposes. Section 1140.10 Subd 9 of the Greenwood Code allows for primary and secondary accessory structures on lots without a principal structure. A building permit is not required if the shed is less than 200 square feet. This structure will be built off site.

The project narrative from Nathan Erickson is as follows:

- The walk down to the lake is over 1/4 mile for some of the lakeshore owners so the shed will be very beneficial.
- The lot is shared by four families/properties. The size shed we proposed will give each family a small amount of space to use.
- We currently leave water tubes, paddle boards, lawn mower, rakes, gas cans, fishing equipment, water skis, etc. scattered down by the lake. We believe a nice maintenance free shed would make the property look much cleaner and be much more environmentally friendly.

Planning Commission Recommendation: The Planning Commission, at their March 12, 2025, public hearing and meeting recommended the conditional use permit for placement of a primary accessory structure on a lot without a principal structure at 5170 Queens Circle, Greenwood with the following conditions:

1. The project must be completed according to the plans reviewed by the Planning Commission at their March 12, 2025, meeting and the City Council at their April 2, 2025, meeting.
2. The condition of Queens Circle must be verified prior to placement of the structure.
3. Clear drive lanes must be always maintained on Queens Circle.
4. If required by the City Engineer, perimeter erosion control must be installed by the Contractor and inspected by the City prior to any other work.
5. 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.
6. The conditional use permit shall expire one year from the date of adoption of the resolution if not acted upon. City approval will be required for any subsequent extension.

Robert Fowler, owner of 5170 Queens Circle, addressed the council. He clarified that he is the owner of the property for the CUP request. There is no formal agreement between the four families that use this property.

Motion by Fletcher to move the city council adopts resolution 07-25 laying out the findings of fact approving a conditional use permit for placement of a primary accessory structure on a lot without a principal structure at 5170 Queens Circle, Greenwood, as written. I further move that the council directs the city clerk to mail a copy of the findings to the applicant and place an Affidavit of Mailing for each of the mailings in the property file. Second by Malo. Motion passed 4-0.

8. UNFINISHED BUSINESS - NONE

9. NEW BUSINESS

A. Consider: July 4 Contribution to the Excelsior-Lake Minnetonka Chamber of Commerce

Each year the City Council approves a contribution for the Excelsior – Lake Minnetonka Chamber of Commerce July 4th Celebration Fund. The City's 2025 budget includes \$1,500 for the City's annual July 4th contribution.

Motion by Malo to move that the Greenwood City Council directs the City's Assistant Administrator to disburse a check in the amount of \$1,500 to the Excelsior – Lake Minnetonka Chamber of Commerce for the 2025 July 4th Celebration Fund from account 4900437. Second by Gallagher. Motion passed 4-0.

B. Consider: Resolution 08-25 Supporting Retention of City Zoning Authority

Mayor Tom Fletcher received an 'Action Alert' from the League of Minnesota Cities (LMC) regarding four bills being considered by the Senate State and Local Government Committee. The bills will limit local control on city zoning and land use authority. The LMC provided a template of a resolution that cities may consider adopting in support of local zoning and land use authority. Resolution 08-25 was included in the packet for council consideration.

Mayor Fletcher suggested to amend Resolution 08-25 to remove the following paragraph:

"Supports constructive policy alternatives that provide cities with performance-based standards to guide development—while maintaining local decision-making and flexibility—and incentivize and bolster city efforts for addressing housing challenges;"

Motion by Fletcher to move the City Council (1) approves Resolution 08-25, supporting the retention of Greenwood's zoning authority with the following amendments: remove paragraph "Supports constructive policy alternatives that provide cities with performance-based standards to guide development—while maintaining local decision-making and flexibility—and incentivize and bolster city efforts for addressing housing challenges;"; (2) directs the City's Assistant Administrator to send a signed copy of the amended Resolution 08-25 to State Representative Andrew Myers and State Senator Ann Johnson Stewart; and (3) directs the City's Assistant Administrator to send a signed copy of the amended Resolution 08-25 to the LMC at advocacy@lmc.org. Second by Gallagher. Motion passed 4-0.

C. Consider: Planning Commission Application – Daniel Pearson

The council typically approves appointments and assignments at their January council meeting. This item was added to the April agenda, as a planning commission application was submitted to the city by resident Daniel Pearson.

Motion by Marti to move that the city council approves Resolution 09-25 "2025 Appointments and Assignments". Second by Malo. Motion passed 4-0.

Swearing in of Daniel Pearson by Mayor Fletcher.

10. OTHER BUSINESS - NONE

11. COUNCIL REPORTS

A. Conrad: Administrative Committee, LMCC, Park, Minnetonka Community Education

No report.

B. Gallagher: Fire Board

No council action taken.

View report online at www.lmcc-tv.org.

C. Fletcher: Administrative Committee, Mayors' Meetings, SLMPD Coordinating Committee

No council action taken.

View report online at www.lmcc-tv.org.

D. Marti: Planning Commission, Public Works

No council action taken.

View report online at www.lmcc-tv.org.

E. Malo: City Docks, LMCD, SABLID

No council action taken.

View report online at www.lmcc-tv.org.

12. ADJOURNMENT

Motion by Marti to adjourn the meeting at 8:17pm. Second by Malo. Motion passed 4-0.

This document is intended to meet statutory requirements for 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.