

# MINUTES

## Greenwood City Council Meeting

Wednesday, November 6, 2024  
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 7:04 pm.**

Members Present: Mayor Fletcher and Councilmembers Jennifer Gallagher, Kristi Conrad, Brian Malo, Mike Marti  
Staff Present: Zoning Administrator Scott Richards

**Motion by Malo to approve and amend meeting agenda to add 9D to the agenda to discuss the LMCD review of Bean's Greenwood Marina reconfiguration. Second by Conrad. Motion passed 5-0.**

### 2. CONSENT AGENDA

- A. Approve: 09.04.2 City Council Meeting Minutes
- ~~B. Approve: 10.02.24 City Council Meeting Minutes (moved to 10A)~~
- C. Approve: September Cash Summary
- D. Approve: September Profit & Loss
- E. Approve: YTD Profit & Loss Budget vs. Actual
- F. Approve: October Check Detail
- G. Approve: November Payroll Report

**Motion by Marti to approve and amend the consent agenda to move 2B to 10A. Second by Conrad. Motion passed 5-0.**

### 3. MATTERS FROM THE FLOOR - NONE

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

- A. Guests: Hennepin County EMS Chief, Martin Scheerer & Medical Director, Dr. Nick Simpson – Annual Update

Martin Scheerer and Dr. Simpson presented an annual update to the city council about Hennepin County EMS and answered council questions. **No council action taken.**

- B. Guest: South Lake Minnetonka Police Department Chief, Brian Tholen – Quarterly Update

SLMPD Chief Brian Tholen 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. **No council action taken.**

- C. Guest: Campbell Knutson, Alina Schwartz – Annual Prosecution Update

Alina Schwartz, Campbell Knutson, presented an annual prosecution update and answered council questions. **No council action taken.**

- D. Announcement: Election Canvassing Meeting, 11.13.24, 6pm, Deephaven City Hall

- E. Announcement: Fall Sales Ratio Worksession with Assessors, 6pm on 12.04.24, Deephaven City Hall

### 5. PUBLIC HEARINGS – NONE

- 6. ACTION RELATED TO PUBLIC HEARINGS - NONE
- 7. PLANNING, ZONING & SUBDIVISION ITEMS - NONE
- 8. UNFINISHED BUSINESS

A. Discuss: Draft Cannabis Ordinance

Zoning Administrator Scott Richards discussed the draft cannabis ordinance (included in council packet) and will also present this to the Planning Commission at their next meeting on Wednesday, November 13.

This agenda item has been continued from the October council meeting. The Minnesota Office of Cannabis Management published their First Draft of Proposed Cannabis Rule on 07.31.24, and a Guide for Local Governments on Adult-Use Cannabis. The City's Attorney has provided information on the Regulatory Decisions that the Council should make in preparation for their preparing a draft Cannabis Ordinance.

The proposed schedule for a Cannabis Ordinance is:

~~October 2, 2024 Council reviews the attached Memorandum from Kennedy and Graven attorney Joseph Sathe and provides the requested feedback so that he can draft a Cannabis Ordinance for the City. The draft Ordinance will need to be completed and published in time for a Public Hearing at the November 13 Planning Commission meeting.~~

November 6, 2024 City Council reviews draft Cannabis Ordinance. The Council should also consider the proposed agreement with Hennepin County for oversight of Cannabis retail and compliance checks within Greenwood. To date no other South Lake Cities have entered into an agreement with Hennepin County. However, based on informal discussions it appears likely that all South Lake Cities will be delegating their Cannabis retail oversight to Hennepin County subject to the requirements in each City's Ordinance.

November 13, 2024 Planning Commission holds the Public Hearing and provides its recommendations to the Council regarding the draft Cannabis Ordinance

December 4, 2024 The City Council has its first and potentially second reading of the Cannabis Ordinance. The second reading can either be at the December 4 meeting if there is unanimous Council Agreement on the Ordinance or at a Special meeting on another date before the end of the year.

**No council action taken.**

B. Discuss: City Street Signposts – Metal or Wood

Cornerstone Industries has installed and maintained signs with wood posts for Greenwood for several years. An invoice from Cornerstone Industries (attached to council packet) indicates that the annual cost for this work is about \$2,000. Deephaven's Public Works Department can also maintain Greenwood's signs as part of the services that they provide for Greenwood. However, Deephaven uses metal signposts and their Public Works Department's preference is to also use metal posts for Greenwood sign maintenance.

City Council direction is requested as to whether there is a preference for wood or metal signposts in the City.

**Motion by Malo to authorize Mayor Fletcher and Councilman Marti to negotiate for wooden sign posts to be used in the city. Amended by Marti to include that Cornerstone Industries be notified that their services are no longer needed to maintain city sign posts. Second by Conrad. Motion passed 5-0.**

9. NEW BUSINESS

A. Consider: Res 18-24 St. Alban's Bay Lake Improvement District 2025 Tax Levy, Budget, Assessment Roll

At their annual meeting on **10.15.24 (rescheduled from 10.08.24)**, the St. Alban's Bay Lake Improvement District board and district property owners present at the meeting approved the **2025** budget and tax levy. Per the Joint

Cooperation Agreement, the cities of Excelsior and Greenwood are required to approve the budget and levy. The JCA allows either Excelsior or Greenwood to reduce the levy by up to 25%. The **2025 SABLID** budget was included in the council packet.

The county also requires the city to approve the assessment roll for certification to the county. Copies of the assessment roll and the resolution authorizing certification were included in the council packet.

**Motion by Conrad to move that the Greenwood city council (1) accepts the St. Alban's Bay Lake Improvement District (SABLID) board and property owner's recommendation and approves the 2025 levy; (2) approves the \$20,860 levy amount as presented; (3) approves resolution 18-24 which includes the assessment roll and authorization to certify the assessment roll to the county; and (4) directs staff to email a copy of resolution 18-24 to the SABLID secretary. Second by Malo. Motion passed 5-0.**

B. Discuss: City ROW Retaining Wall Replacement – 4950 Meadville Street (**presented before item 8A**)

Zoning Administrator Scott Richards and Kurt Schwartz (of Schwartz Builders) addressed the council concerning the proposed retaining wall replacement and the application for the right of way permit for council consideration.

Jack Schwarz of Schwarz Builders Inc. and Jill and Reid Trautz, property owners, applied for a Right of Way Encroachment Permit for a retaining wall replacement in the right-of-way at 4950 Meadville Street. The existing concrete retaining wall/steps along the driveway and the cobble stone wall in the right of way are failing. The owners plan to replace the walls with a Techo-Bloc concrete retaining wall block and a new set of steps will be included.

The property is zoned R-1, Single Family Residential District. The City Council, at their February 1, 2023, meeting approved a Conditional Use Permit to exceed the grading limits for the plan to replace the wall and create new steps. The new wall will not exceed the grading limits set within the Code and does not require a Conditional Use Permit. The wall has been engineered and subject to Building Permit review.

Any person may apply to the City Council for a ROW permit and the permit fee shall be determined by the City Council. The City Council may grant the permit if it is determined that the use applied for is incidental and not inconsistent with safe and efficient public use.

**Permit Fee:** The City Council shall determine a permit fee, if any, for this request.

**Impervious Surface:** The current hardcover is at 25.5 percent and the improvements will result in a slight increase in the percentage of hardcover for the steps. No permanent stormwater management will be required in that the hardcover increase is less than 200 square feet.

**Setbacks:** The improvements are compliant with setback standards.

**City Engineer:** The City Engineer has reviewed the plans and has provided comments as follows:

*I have completed a review of the information submitted. I do not have any comments requiring revisions. I assume this will still need to be submitted through the Minnetonka Building Dept, so I can provide erosion control / construction coordination notes at that time.*

**Motion by Fletcher to move that the city council approve the right of way permit for retaining wall replacement in the right of way at 4950 Meadville Street with the condition that the retaining wall materials be approved by Zoning Administrator Scott Richards and Councilmember Jennifer Gallagher with a fee of \$500 for the Right of Way Encroachment Permit. Second by Gallagher. Motion passed 3-2 with Malo and Marti voting nay.**

C. Consider: Res 28-24 Support for Exploring a Transit Mgt. Org. (TMO) for the Hwy 7 Corridor

The State Legislature allocated \$200,000 for a Transit Management Organization or TMO for the Highway 7 corridor. The City of Shorewood has taken the lead on moving forward with the process for establishing the TMO and is requesting that cities along the corridor in Hennepin County consider adopting a resolution stating their interest in exploring forming the TMO. Shorewood has provided a Sample Resolution which is Resolution 28-24 for council consideration (included in council packet).

**Motion by Conrad to move that the city council adopt Resolution 28-24 (i.e. the Sample Resolution provided by the City of Shorewood) authorizing the participation in the process of exploring the formation of a Transit Management Organization along Trunk Highway 7. Second by Gallagher. Motion passed 4-1 with Marti abstaining from the vote.**

- D. Discuss: Lake Minnetonka Conservation District (LMCD) – Bean’s Greenwood Marina dock reconfiguration plans (added to agenda)

Councilman Malo asked that this item be added to the agenda. Documents related to this topic were emailed to council members as these were received after the council packet deadline. These documents are also posted as supplemental items at <https://www.greenwoodmn.gov/agendasandminutes>.

The LMCD has requested that the city review and provide comments about the dock reconfiguration application submitted by Bean’s Greenwood Marina for a new commercial marina multiple dock license.

**No council action taken.**

## 10. OTHER BUSINESS

- A. Approve: 10.02.24 City Council Meeting Minutes (moved from 2B)

Councilman Marti asked to move this from the consent agenda to other business. Marti was absent from the 10.02.24 council meeting.

**Motion by Conrad to approve the 10.02.24 City Council Meeting Minutes. Second by Gallagher. Motion passed 4-1 with Marti abstaining from the vote.**

## 11. COUNCIL REPORTS

- A. Conrad: Administrative Committee, LMCC, Park

**No report. No council action taken.**

- B. Gallagher: Fire Board

**No report. No council action taken.**

- C. Fletcher: Administrative Committee, Mayors’ Meetings, SLMPD Coordinating Committee

**Motion by Malo to authorize Jeffrey Solum (5280 Meadville Street) to remove an ash tree in the city right-of-way to allow for the installation of a new well on the property. Second by Marti. Motion passed 5-0.**

*View report online at [www.lmcc-tv.org](http://www.lmcc-tv.org).*

- D. Marti: Planning Commission, Public Works

**No council action taken.**

*View report online at [www.lmcc-tv.org](http://www.lmcc-tv.org).*

- E. Malo: City Docks, LMCD, Minnetonka Community Education, SABLID

**No council action taken.**

*View report online at [www.lmcc-tv.org](http://www.lmcc-tv.org).*

## 12. ADJOURNMENT

**Motion by Malo to adjourn the meeting at 10:02pm. Second by Marti. Motion passed 5-0.**

*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](http://lmcc-tv.org) for 1 year.*