

# AGENDA

## Greenwood City Council Meeting

Wednesday, February 1, 2012  
20225 Cottagewood Road, Deephaven, MN 55331



*Welcome! The public is invited to address the council regarding any agenda item.  
If your topic is not on the agenda, you may speak during Matters from the Floor.*

- 7:00 PM 1. CALL TO ORDER ~ ROLL CALL ~ APPROVE AGENDA
- 7:00 PM 2. CONSENT AGENDA  
*Council members may remove consent agenda items for discussion. Removed items will be put under Other Business.*  
A. Recommendation: Approve 01-04-12 City Council Minutes  
B. Recommendation: Approve December Cash Summary Report  
C. Recommendation: Approve January Verifieds, Check Register, Electronic Fund Transfers  
D. Recommendation: Approve February Payroll Register
- 7:05 PM 3. MATTERS FROM THE FLOOR  
*This is an opportunity for the public to address the council regarding matters not on the agenda. The council will not engage in discussion or take action on items presented at this time. However, the council may ask for clarification and may include items on a future agenda. Comments are limited to three minutes.*
- 7:10 PM 4. ANNOUNCEMENTS, PRESENTATIONS & REPORTS  
A. Report: Lieutenant David Pierson and Sergeant Mark Geyer, Quarterly Police Update  
B. Presentation: St. Alban's Bay Captain Rob Roy, Baywide Milfoil Treatment Program  
C. Report: City Clerk Gus Karpas, Hennepin County Recycling Program and Grant Application
- 7:45 PM 5. PUBLIC HEARINGS  
A. None
- 7:45 PM 6. UNFINISHED BUSINESS  
A. 2nd Reading: Ordinance 207, Amending Code Section 510, Fees (updating various application fees)  
B. 1st Reading: Ordinance 208, Temporary Parking Permits (allowing temporary parking in no-parking zones)
- 8:00 PM 7. NEW BUSINESS  
A. Consider: Estimates for Clean Up of Greenwood Park Pond  
B. 1st Reading: Ordinance 202 Amending Code Section 1102, Shore Impact Zone Definition  
C. Consider: Authorization of Recycling Request for Proposals  
D. Discuss: Potential Sump Pump Program
- 8:30 PM 8. OTHER BUSINESS  
A. None
- 8:30 PM 9. COUNCIL REPORTS  
A. Fletcher: Planning Commission, Lake Minnetonka Communications Commission  
B. Kind: Police, Administration, Freshwater Society Mayor's Meeting  
C. Page: Lake Minnetonka Conservation District  
D. Quam: Roads & Sewer, Minnetonka Community Education  
E. Rose: Excelsior Fire District
- 8:45 PM 10. ADJOURNMENT

*Agenda times are approximate. Every effort will be made to keep the agenda on schedule.*



Agenda Number: **2A-D**

**Agenda Item:** Consent Agenda

**Summary:** The consent agenda includes the most recent council minutes, cash summary report, verifieds report, electronic fund transfers, and check registers. Council members may remove consent agenda items for further discussion. Removed items will be placed under Other Business on the agenda.

**Council Action:** Required. Possible motion ...

1. I move the council approves the consent agenda items as presented.

**GREENWOOD CITY COUNCIL MEETING**  
**Wednesday, January 4, 2012, 7:00 P.M.**  
**Council Chambers, 20225 Cottagewood Road, Deephaven, MN 55331**

**1. CALL TO ORDER – ROLL CALL – APPROVAL OF AGENDA**

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

Members Present: Mayor Kind; Councilmembers Fletcher, Page, Quam and Rose

Others Present: City Attorney Kelly and City Zoning Administrator/City Clerk Karpas

Members Absent: None

**Quam moved, Rose seconded, approving the agenda as presented. Motion passed 5/0.**

**2. CONSENT AGENDA**

Mayor Kind reviewed the items on the Consent Agenda.

**Fletcher moved, Quam seconded, approving the items contained on the Consent Agenda.**

- A. December 6, 2011, City Council Meeting Minutes**
- B. November 2011 Cash Summary Report**
- C. December 2011 Verifieds, Check Register, Electronic Fund Transfers**
- D. January 2012 Payroll Register**

**Motion passed 5/0.**

**3. MATTERS FROM THE FLOOR**

There were no matters from the floor presented this evening.

**4. ANNOUNCEMENTS, PRESENTATIONS & REPORTS**

- A. Hennepin County Update from Commissioner Jan Callison**

Mayor Kind introduced Hennepin County Commissioner Jan Callison who was present to give an update on what is happening in Hennepin County.

Commissioner Callison provided Council with a Hennepin County Fast Facts sheet. It contains some basic statistics, information about governance and information about programs the County runs. She also provided Council with a document titled Change in Hennepin County Population and Income Cities Under 20,000. She noted it pertains to Greenwood. She stated Greenwood's population dropped 5.6 percent between 2000 and 2010, and that is fairly consistent with cities within her district. It also shows

that the median family income and median household income both went up, and that is not characteristic of many cities during the recession.

Commissioner Callison explained that Hennepin County tax levy is staying flat for 2012. Unfortunately, in 2012, many Hennepin County property owners will see a rise in taxes due to the State Legislature's change to the market value homestead exclusion. The Hennepin County budget for 2012 reflects a reduction of approximately \$1.65 billion when compared to the 2011 adopted budget. For the last few years the budget has declined and property taxes have remained relatively flat. Because property taxes fluctuate between commercial and residential and higher and lower valued homes an individual property tax statement may not always reflect that.

Commissioner Callison noted that 2012 is a redistricting year for Hennepin County. She explained that similar to the State Legislature and cities, the County has to balance its seven district boundaries based on the 2010 census. It results in her having to gain approximately 7,000 people in District 6 which she represents. District 6 should have a population of about 167,000. The decision about how to increase the population will be made by the Hennepin County Board of Commissioners. Before the Board can take any action, the State Legislature has to take action. After that the cities in the County have to take action because city precinct boundaries cannot be broken up. Based on that timeline, County district boundaries will probably not be set until April of 2012. There will be elections for commissioners for at least three County districts including District 6, and that filing opens in May.

Commissioner Callison stated the County Board has approved construction of a new communications facility for the Hennepin County Sheriff's Office. The current facility, which was built over 50 years ago, is very outdated. The estimated cost to build the new facility is around \$30 million. With regard to the Excelsior Library project, she explained the Commissioners have created a task force with the help of the City of Excelsior to help ensure all parties have a common understanding of what the residents and the Commissioners envision for the replacement library. The hope is to get to a state where the County is ready to seek approval from Excelsior for the new library in 2012. She noted there are no drawings for people to look at yet. If an agreement is reached about a new library, construction would not begin until 2013 and hopefully be completed in 2014. She noted the budget for that project has been reduced a little.

Commission Callison thanked Council for the opportunity to speak to them.

Mayor Kind thanked Commissioner Callison for all that she does for District 6.

Councilmember Quam asked how the County's redistricting works. Commissioner Callison explained that Hennepin County hired a consultant to make a recommendation on how to redraw the district boundaries. Callison noted the boundaries are out of sync in the northwest corner of Hennepin County. District 7 has around 20,000 too many people in it. The Board of Commissioners will ultimately make the decision on where to set the boundaries. Quam asked if that process is very contentious. Callison responded it can be. Callison explained that boundaries for four of the seven districts are fairly close to what they need to be today so there is really no need to adjust them very much. By state law, if a district's population changes by 5 percent (that includes moving out and in to the district) a commissioner will have to run again for reelection and that can increase the level of contentiousness. She stated she thought how the boundaries need to be adjusted is quite clear.

Mayor Kind asked if there are rules about the boundaries having to be contiguous. Or, can they be cherry picked. Commissioner Callison stated they pretty much have to be contiguous. There is an expectation that cities would not be broken up across districts, unless there is no other way to do it. Callison noted there are two partial cities in District 6.

Councilmember Fletcher stated with regard to the Hennepin County budget and looking forward he asked if expenditures were pushed off into the future in order to keep the tax levy flat. He questioned if things were pretty solid. Commissioner Callison stated from her vantage point things are pretty solid. Callison noted that one of the changes made was related to Hennepin Council Medical Center, noting that is also impacted by state and federal budgets. That portion looks like it increased but it will be funded with Medicaid dollars. She stated the Board of Commissioners has a solid understanding of what the issues are and it clearly understands that property values are not going to be increasing for quite some time in the County. She noted that in 2011 Hennepin County saw a reduction of approximately \$20 million in state aid and it will see another \$30 million in 2012 (she clarified she may have those two figures reversed). She also noted the Board made decisions that will be helpful for the long term.

Fletcher noted that the City received a letter from the Hennepin County Sheriff's department stating that the per diem rates are increasing about 50 percent. Commissioner Callison stated she sees that from a state perspective. Callison explained that about one year ago the State cut the reimbursement for people the State housed at the County jail. That was not supposed to be repeated, but it was. She stated the County charges for actual costs. Mayor Kind stated the City didn't receive notification of that until December 2011 after the budget was already developed. Kind asked if cities could be notified earlier in the year about changes for the upcoming budget year. Callison encouraged Kind to ask Sheriff Stanek about that. Callison noted the Hennepin County Sheriff is an elected official and the Sheriff's Office budget flows through the Board of Commissioners. But, Stanek is the expert on the finances of his Department. Callison commented that she did not think that would be a big expense for Greenwood. She noted the County sets its maximum levy in September.

Mayor Kind thanked Commissioner Callison for coming to the meeting.

**B. Kristi Conrad, Ice Skating Rink at Greenwood Park**

Mayor Kind stated Kristi Conrad, a resident, is present to ask Council about ice skating at Greenwood Park.

Kristi Conrad, 21780 Fairview Street, stated she and other residents around Greenwood Park would like Council to consider allowing flooding the drainage area in the Park so people could skate on it. She asked what Council would be willing to authorize the City to do to start such a project. Having access to water is the largest hurdle. The owner of a property located close to the site would be willing to supply the water. The council discussed potential liabilities. Attorney Kelly recommended that the City take "ownership" of this. If it is going to allow it, he suggested that the city should flood the area and maintain it since the City has the liability insurance. He suggested Council consider this for the 2012/2013 winter season. He stated the City could accept a donation from the residents.

Councilmember Fletcher asked if the residents flood the area would the liability would be on their end? Attorney Kelly explained the residents would set themselves up as a potential defendant if there is an injury resulting from a fall on the ice rink they helped create. Kelly noted the residents are at liberty to accept that liability. It would not be the City's issue. If the residents were to do that on their own he recommended the City contact the League of Minnesota Cities Insurance Trust to find out if the City would be stepping outside of coverage by doing that.

Fletcher expressed concern that if it becomes a City project it may make it too costly to do. Ms. Conrad stated if the residents were to take responsibility for the rink she asked Attorney Kelly if the residents would be responsible if someone outside of the area used the rink and injured them self while doing so.

Kelly stated residents could not prohibit some one from outside of the area from using the rink because it would be on public land.

Ms. Conrad stated that the neighbors only want enough water to cover the area and make it level. She noted that currently there is trash and some other things in that area. The area would have to be cleaned up. She stated all that is needed is some water to flood the area.

Councilmember Page asked Ms. Conrad if she was referring to the existing pond in the Greenwood Park. Ms. Conrad responded she is and clarified it is actually referred to as wetland. Page noted Council has previously discussed having Public Works personnel remove the debris. Mayor Kind stated it is currently a dry pond. Kind asked if the residents could clear the area. Ms. Conrad stated there are trees that go from one side of the area to the other that would require some effort to remove.

The Council discussed getting bids to remove the debris. Zoning Administrator/Clerk Karpas stated he could solicit bids for cleaning out the wetland area.

**Page moved, Rose seconded, directing Staff to obtain bids to clean out the wetland area in Greenwood Park.**

Councilmember Fletcher asked if Staff could have a bid by the next meeting.

Keith Stuessi, 5000 Meadville Street, stated he is very familiar with the pond as is his four-year-old dog. The pond is approximately 14,000 square feet. He noted that his children learned to skate on that pond during the late 1970s and early 1980s. Back then the pond held water even during dry years. He explained he is concerned about the fact that the pond hasn't had water in it over the last 7 – 8 years even during very rainy times. Part of the reason could be that it has been filling up with debris and leaves. He stated he would not be surprised if it would take three tanker trucks full of water to fill it up. In his opinion running water from a resident's house will not do the job. He stated he and his wife are in favor of having an ice rink there and they would contribute a goal that they had manufactured about 30 years ago. It is in perfect condition. He commented that years back residents in the area would saw up the debris and have a large bonfire. He stated the residents could again take care of disposing of the wood, which worked for many years. The question is how much water will be required to soak through the debris and fill it to a level where there can be an ice rink.

Mayor Kind asked Zoning Administrator/Clerk Karpas to follow up with Mr. Stuessi to see if Mr. Stuessi's approach to ridding the wetland of debris is a workable option. Kind stated it would be nice to have the debris cleaned up and then once that is done it would open up the opportunity to possibly consider having a rink there.

**Motion passed 5/0.**

**C. Greenwood Night at the Old Log Theater, 8:00 P.M. Friday, January 13, 2012**

Mayor Kind stated Greenwood Night at the Old Log Theater is scheduled for January 13, 2012. This is an opportunity for residents to support the Theater, which is a landmark in the City. She noted she planned on attending the event. She encouraged residents to get their tickets soon. She stated because a quorum of Councilmembers may attend a public notice will be posted and emailed to the City's broadcast list.

**5. PUBLIC HEARING**

**A. None.**

**6. UNFINISHED BUSINESS**

**A. Request for Compliance Extension, re: Right-of-Way Encroachment, 21580 Fairview Street**

Mayor Kind noted Woody Love is present to address Council regarding a right-of-way (ROW) encroachment at 21580 Fairview Street.

Mr. Love thanked Council and Staff for the opportunity to address them this evening. He noted that Cathy Maes, one of the owners of the estate of which the property is part of, is also present this evening. He explained he is simply the real estate agent for the property. He thanked Council for considering their application for a permit during its December 6, 2011, meeting. He noted the request was not granted. He explained they were now asking for an extension until such time the property is sold. He distributed a copy of a photo, which indicated the asphalt pad on which a boat is parked appears to be a remnant of an old foundation of a garage that had been there in a 1974 survey of the property. The garage was moved in 1977 to its current location. The owners of the estate and he have not had anyone look at it from an structural engineering perspective to assess what will happen if that pad is taken out.

Mr. Love noted the reason the owners of the estate want an extension until the property sells is because they are not in the position of being able to spend funds to remove the pad until the property is finally sold. He stated he is willing to answer any questions Council may have.

Councilmember Page asked what the requirements are of the property owners at this time. Mayor Kind explained the boat and asphalt pad are to be removed right away from the public ROW.

Mr. Love stated that although the property is not currently on the market it will be placed on the market closer to spring. He noted his desire is to expedite the sale of the property. He reiterated they are not asking for a permit just an extension of when the requirements have to be satisfied. He explained assessing the impact of removing the asphalt pad cannot be determined until weather conditions allow for that.

Councilmember Page asked what it will cost to remove the asphalt pad. Mr. Love stated he did not know and he explained he thinks there could be concrete footing underneath the asphalt pad.

Councilmember Rose stated it's his recollection that during its December 6<sup>th</sup> meeting Council was provided with pictures that showed the area where the pad is was at one time covered with grass.

Mayor Kind asked Council if they had any additional questions for Mr. Love at this time. There were none.

Jeannie Bowers, 21600 Fairview Street, stated she has lived next to the 21580 Fairview Street property since 1973. She noted she supported the previous property owner being granted a variance to build the garage. Having the boat parked where it is will not help the sell the property at all.

Mayor Kind clarified the only thing being asked for is an extension.

Ms. Bowers stated she did not understand why the boat should continue to stay where it is parked when aesthetically it doesn't look good, it's a safety and a welfare issue for the City. She then stated she

understands delaying the removal of the hardcover until spring but she didn't think there is any reason to delay removing the boat. The neighborhood would look more pleasing if the boat were removed.

Councilmember Quam asked Ms. Bowers if she is opposed to allowing the hardcover to remain until the 21580 property is sold. Ms. Bowers thought it would be fairer to allow it to remain until the ground thaws. Ms. Bowers commented that there are properties for sale in the City that have been on the market for 3 – 4 years. She thought a better compromise is to require the hardcover to be removed from the ROW when the ground thaws. Quam again asked Ms. Bower if she would be opposed to waiting to removing the hardcover until the property sells. Ms. Bowers stated from her perspective she did not think that would achieve the goal for the City. Until the impervious surface is removed, there is still a problem with the flow of stormwater.

Cathy Maes, 4019 Thrushwood Lane, Minnetonka, noted that she is the executor of the estate which includes the 21580 Fairview Street property. Councilmember Fletcher asked if the estate has funding to remove the asphalt pad in the spring if the property does not sell by then. Ms. Maes explained the estate is waiting for the property to sell and the property has been taken off the market in order to do some work on the financing of the property. The property will be put back on the market as soon as possible. Fletcher asked again whether the estate has funding to pay for removal of the asphalt pad. Ms. Maes responded that is not where the estate would put any of its money at this time. She noted that the boat has been stored in its current location for 10 years and her aunt passed away during this last year. Up until recently there have not been any complaints from any of the neighbors.

Mr. Love noted that from his perspective as a real estate agent it would be tidier to have this on a HUD statement and have it removed at the time of the sale of the property. The HUD statement is a tally of all expenses incurred in the sale of a property. Mr. Love clarified the purpose of being here this evening is the ROW issue. He explained the pervious / impervious surface is a difficult issue because if the abutting property is considered that is also impervious.

Councilmember Page asked what the refinancing is intended to achieve. Ms. Maes stated the objective is to be able to have enough funds to be able continue to fund the home until it sells. A property cannot be on the market when it is being refinanced.

Mayor Kind asked Council how it would like to proceed.

**Page moved, Fletcher seconded, requiring the estate of the 21580 Fairview Street property to remove the boat from the public right-of-way by May 15, 2012, and removing the impervious surface located in the public right-of-way by July 1, 2012.**

Mayor Kind commented that she thought that timeline makes sense.

Mr. Love requested that the date for removal of the impervious surface be changed to 2013 or the time of sale which ever comes first, and that the disclosure for the property reflect the order of the City for removing the impervious surface from the public ROW.

Councilmember Page noted that he did not vote in favor of the action Council took on this matter during its December 6<sup>th</sup> meeting. This evening Council is just putting some further clarification on the decision it made during that meeting. That decision requires both the boat and hardcover to be removed. He stated the hardcover has to be removed some time. He noted the City received a complaint and it operates on a complaint-based system. He explained that during its December 6<sup>th</sup> meeting Council assessed the complaint and the majority of the Council did not support granting a permit for private use of the public



right-of-way. He stated from his perspective he does think the estate can generate the money to remove the impervious surface in the ROW.

Mr. Love asked if it is the intent of the Council to address the hardcover violations in front of residential properties. He views that as a policy discussion. He stated quite candidly the property next to the 21580 Fairview Street property (Ms. Bowers' property) has hardcover all the way down the ROW next to that property and it covers a much larger area than the asphalt pad next to the 21580 property. Councilmember Page stated if the City receives a complaint about that it will have to investigate it.

Mayor Kind duly noted that.

Councilmember Quam stated he intends to vote against this because he believes a longer extension should be granted for removing the impervious surface.

**Motion passed 4/1 with Quam dissenting.**

**B. Old Log Theater Site Rezoning (to allow cluster-style development in the future)**

Mayor Kind explained that during Council's December 6, 2011 meeting, Don Stolz, the owner of the Old Log Theater property, and Jon Monson, the owner of Landschute, presented a concept plan for potential a cluster-style redevelopment of that property. The property is currently zoned for single-family residential homes with the Theater allowed as a conditional use. Mr. Stolz and Mr. Monson do not have an agreement or formal application at this time. They would like the City to consider rezoning the property to allow for the possibility of a cluster-style redevelopment in the future. During its December 6<sup>th</sup> meeting Council considered sending the cluster-style redevelopment concept to the Planning Commission for review and comment. Council decided it wanted more time to think about things so it continued the rezoning discussion to this meeting.

Kind stated there are three questions she thought Council should consider. They are as follows.

1. Should the City require an official zoning amendment application before considering rezoning?
2. Should the City consider rezoning without an official zoning amendment application in order to set expectations for future development of the property?
3. What is the best way to get community input? Some options are: having the Planning Commission hold a public hearing; allowing for public comment opportunities at City Council meetings for a proposed zoning amendment; holding an open house at the Old Log Theater.

There was Council consensus to hear public comment before it discussed this further.

Jeannie Bowers, 21600 Fairview Street, stated she thought it's wonderful that the Old Log Theater property could be redeveloped while Mr. Stolz is still alive and that a legacy for him could be created. It's important for Mr. Stolz to have an imprint on the redevelopment. That is also important for the City and its history. She encouraged Council to consider rezoning that property. She commented that had been done for Kent Carlson when he wanted the marina area to be rezoned. She expressed her hope that Mr. Monson's firm will do the redevelopment because his concept plan for that property would enhance the value of Greenwood.

Councilmember Quam asked Ms. Bowers if she has any recollection of a council or planning commission taking rezoning action before a site plan was presented. Ms. Bowers explained that Mr. Carlson went house to house to present his plan but residents didn't always hear the same thing. She stated she thought the way Council is handling the discussion about the possibility of rezoning is respectful to residents because people get information at the same time and in the same manner. She then stated based on the December 6<sup>th</sup> discussion it appears that the residents on Meadville Street support the concept idea. But, there is one obstacle and that is stormwater management. She went on to state that she respects how Council is handling this situation.

Attorney Kelly explained that eleven years ago when Mr. Carlson came forward with a plan he informed the then council and City staff what he wanted to do. The City crafted a new ordinance for that new C-2 District with Mr. Carlson's plan in mind. He noted the City recently tweaked that ordinance. He explained that Mr. Carlson's application was processed somewhat in tandem with the crafting and approval of that new ordinance. Considerable public comment was heard and there was a lot of opposition expressed by the owners of the residential properties located nearest the redevelopment area regarding the perceived impact. When the Lyman Lodge property was redeveloped into Lyman Woods it was handled in a similar manner. Mayor Kind asked whether there was a formal application or final site plan submitted before the Code was changed. Kelly stated an application wasn't submitted but the City did have the trust in the applicant as to what the City would expect. The applicant submitted a proposal that complied with the revised Code. Kelly explained with the C-2 District the City made one half of the development a conditional use and the other half a variance. There were many conditions tied to that redevelopment.

Attorney Kelly noted he had indicated to the Planning Commission that the redevelopment of the Old Log Theater property could be handled using the conditional use process. That would allow the City much greater control.

Mayor Kind asked who paid for the zoning administrator costs, attorney costs and so forth associated with the creation of the C-2 District. Attorney Kelly responded he thought the City basically covered that cost. Kelly explained the City's sophistication in recovering some of its costs has grown in the last decade, noting that has grown even more since Mayor Kind has been in her position.

Mayor Kind noted that later on the agenda Council is going to have the first reading of Ordinance 207, amending Ordinance Code Section 510 updating fees for variances, conditional use permits, and zoning code amendment applications. The purpose of the amendment is to ensure the City is reimbursed for costs incurred to process those items.

There was no one else present in the audience wishing to comment on this item.

Councilmember Quam asked Councilmember Fletcher if he thought the Planning Commissioners would look favorably on considering a rezoning request before a site plan has been submitted for the Old Log Theater property. Fletcher first noted that Attorney Kelly and Zoning Administrator/Clerk Karpas were at the Planning Commission when that topic was briefly discussed. Fletcher then noted the Commissioners were not specifically asked that question. Fletcher stated he thought a few of the Commissioners would like to be provided with a little more detail first. Karpas agreed with that statement.

Quam then asked if Mr. Monson and Mr. Stolz have any idea when they may have a site plan to submit.

Tom Stolz, 5090 Covington Street, stated it was sad for the Stolz family to have to be in the position to have to sell the Old Log Theater property, but it can't be avoided. With regard to the timeframe, he stated it won't be soon enough, yet he wishes it wouldn't have to happen at all.

Mayor Kind asked the Councilmembers if they want to be presented with a site plan before it considers amending the Code. Does the Council want to gather more community input first before sending a potential rezoning of the property to the Planning Commission for review and comment?

Councilmember Fletcher expressed his preference to do nothing at this time. He encouraged there to be some type of open house to which both Councilmembers and members of the community would be invited. The concept could be presented and people could comment on and ask questions about the concept. He stated he doesn't think there is value in drafting ordinance amendments to fit something when there isn't a clear understanding of what that something is.

Mr. Tom Stolz stated he hopes that Council doesn't keep putting off the rezoning to the future because that makes decisions more difficult to make for the Stolz family. He asked Council to continue to make progress with this.

Councilmember Rose stated the Stolz family owns the Old Log Theater property and the family should be able to do what it wants with the property. Council needs to know what the family wants to do before it gets the Planning Commission involved to determine if that is allowable with the current Code.

Mayor Kind stated she thinks the Stolz family and Mr. Monson want to know if Councilmembers are open to the concept of a cluster-style development. From her vantage point she stated that she thinks Council is open to the concept, noting that no Councilmember has stated they disapprove of the cluster-style development idea. But, the Council needs more detail before it can consider amending the Code.

Councilmember Quam commented to date Council hasn't received any negative feedback from the public and that's good.

Councilmember Page stated there is a process to follow when someone wants the Code to be amended. They have to apply for a Zoning Code amendment. He then stated it makes no sense to have Council and the Planning Commission spend time theorizing about what might happen. He suggested Mr. Monson and/or the Stolz family present an idea and apply for a zoning change. He expressed his agreement that there hasn't been much opposition expressed to date about a cluster-style development. He stated it is going to cost money to get the required decisions made.

Mayor Kind asked Council what the City requires for a zoning amendment application. Does a site plan have to be submitted before an application would be considered? Is a concept sufficient? Attorney Kelly stated someone can make an application to rezone a property but it would obviously be tied to a concept. Kind clarified a concept plan and a site plan are two different things. Councilmember Rose stated when the marina rezoning was considered it was a concept.

Jon Monson, 20260 Lakeview Avenue, expressed his appreciation and the appreciation of the Stolz family for Council hearing about the cottage cluster-style development idea. He explained that when they came before Council in December their hope was only that it was an opportunity to see if there would be any possibility that the property could be developed differently than the current zoning. Council needs to consider if it would like to have a cottage cluster-style development on that property. He then stated his biggest concern is making the Stolz family happy by bringing back the original Old Log Theater as the next chapter. He noted the Stolz family is not ready to agree to anything at this time. He stated the Stolz family would like to gain some idea about what direction it should be taking. He commented that Don Stolz had indicated to him how pleased he had been with the attendance at the Theater last December and if that could continue he would be willing to keep the Theater operating the way it is. He stated the Stolz

family wants to have a plan in place for when the time is right to move forward. He then stated it has been valuable to have this discussion.

Councilmember Quam stated from his vantage point Council is not opposed to a cottage-style development. He then stated if that is what Mr. Monson and the Stolz family is looking for it has its answer.

Councilmember Fletcher stated he would like to gain a better understanding of how the property owners along Meadville Street feel about a cottage-style development. He noted he is not opposed to that concept. He stated he does have concern about the City assuming responsibility for a community center on the property; an idea spoken about during the December 6<sup>th</sup> Council meeting.

Mayor Kind reviewed the six items that are needed for a zoning amendment petition as indicated in Section 1160.10 Petition for Amendment. They are as follows.

Subd. 1. A petition for amendments contain the following: the name and address of the petitioner and the petition shall be signed by each of them.

Subd. 2. A description of the area proposed to be rezoned, and the names and addresses of all owners within 300 feet of the property involved.

Subd. 3. The present and proposed zone classification of the area.

Subd. 4. The present use of each separately owned tract within the area, and the intended use of any tract of land therein, if any change in use is proposed.

Subd. 5. Describe the manner in which the proposed rezoning will fit in with the general zoning pattern of the neighborhood, and the zoning and comprehensive plan of the entire city.

Subd. 6. The petition shall be accompanied by 3 copies of a map at a scale of 100 feet to the inch showing the property to be rezoned, the present zoning of the surrounding area, and other information requested by the zoning administrator.

Kind noted the zoning administrator can request additional information be submitted with the application. She stated it is not clear to her if a site plan must be submitted with the application.

Councilmember Fletcher stated submitting more information about the potential zoning plan with an application will help in creating a case for rezoning.

Mr. Monson thanked Council for the opportunity to get it involved very early on in the process.

Mayor Kind thanked the Stolz family and Mr. Monson for getting Council involved early.

There was Council consensus to do nothing more unless the City receives an official application for a zoning amendment for the property.

#### **C. Resolution 01-12, Findings of Fact, Cook Variances, 5195 Greenwood Circle**

Mayor Kind noted that during its December 6, 2011, meeting Council approved the variance requests for Bill and Tish Cook, 5195 Greenwood Circle. The Cooks proposed building a deck that will encroach into the minimum east and west side yard setbacks and exceed the maximum permitted impervious surface area. During that meeting Council also directed Staff to prepare findings of fact for approval this evening.

Councilmember Fletcher explained Findings of Fact #12 states "*The existing house as built defines the City's reasonable expectation for west and east side yard setback.*" Fact #13 states "*The applicant's*

*plight is not created by the applicant but a function of the size and dimensions of the lot.*" He asked if they are needed. Attorney Kelly responded they could be removed at Council's discretion. Kelly stated #13 goes to the heart of the application; it's one of the essential elements of the test. Fletcher explained when the current house was built it reduced the amount of nonconformity on the property. Fletcher expressed concern that by leaving those two facts in that could set a precedent for the future. Fletcher recommended they be removed if they are not necessary for the case.

Councilmember Page stated he thought #13 is necessary and leaving #12 in doesn't hurt anything.

Councilmember Fletcher stated part of the reason for granting the variance requests is because the applicants reduced the amount of nonconformity when they built the current house on the property. The previous house had more nonconformity. Fact #4 states *"In support of the request, the applicant represents that although the property was originally issued a variance allowing a lakeside deck, when the city approved needed variance for the house constructed in 1999, the deck was not then constructed and the variance has since expired. The Cook homestead was a replacement of a home that had substantial encroachments on required side yards and greatly exceeded minimum permitted hardcover and the Cook home as built reduced and minimized those encroachments."* He again stated he did not think #12 and #13 were needed.

Councilmember Page stated #6 states *"The present proposed deck is slightly smaller than that originally approved by the City."* Councilmember Fletcher stated that already explains why the City granted the variances.

Councilmember Fletcher stated #4 and #6 are the reasons he supported granting the variances. Not #12 and #13. He then stated from his perspective #12 and #13 both imply that anyone with the similar size and dimension lot can request and be granted similar variances.

Attorney Kelly recommended adding *"as built"* to the end of #13. That small addition would tie it back into #4.

Mayor Kind stated she has no problem removing #12 and #13 in the Findings of Fact. Her reasons for approval are expressed in #4 and #6.

Councilmember Page stated the reason for someone approving a variance request doesn't mean it meets the legal language requirements. He stated #13 should remain in there to ensure there is a non-challengeable variance. Mayor Kind noted that earlier Attorney Kelly indicated #12 and #13 could be removed. Page responded they could be but they shouldn't be. Councilmember Quam stated he thought a variance has to say the applicant's plight is not created by the applicant.

Councilmember Fletcher asked when the Findings of Fact have to be approved. Attorney Kelly explained there is a statutory requirement that the Findings should be approved at the time the variance is granted. Mayor Kind stated her understanding writing Findings are required at the time if a variance request is denied, but that Findings can be verbal if the variance is approved. Verbal Findings are then converted to written Findings which are approved at a future date. Kind was not sure if there was a time limit for the written Findings for approval. The City has already given verbal findings. Councilmember Page expressed his disagreement with Kind's view point. Page stated written Findings and Conclusions of Law should be included in the variance approval.

There was ensuing discussion about the potentiality of #13 establishing a precedent for a similar size and dimension vacant lot and how to revise the wording of it.

Councilmember Page asked Councilmember Fletcher if he would be more comfortable if #13 were changed to say *“The applicant’s plight is not created by the applicant but a function of previous approvals and development of the lot.”*

There was Council consensus to go with Councilmember Page’s recommended change for #13.

Councilmember Fletcher stated #12 talks about defining expectations, yet the expectations are stipulated in the City Code. Attorney Kelly stated #4 talks about the City setting expectations in 1999 for this property.

**Fletcher moved, Page seconded, Adopting RESOLUTION NO. 01-12, “A Resolution of the City Council of the City of Greenwood, Minnesota Acting as the Board of Appeals and Adjustments, for real property located at 5195 Greenwood Circle” setting out the findings of fact and conclusions of law regarding the William B. Cook and Laticia A. Cook variance requests subject to deleting #12 and changing #13 to read *“The applicant’s plight is not created by the applicant but a function of previous approvals and development of the lot.”* Motion passed 5/0.**

**Fletcher moved, Page seconded, moving the discussion to Item 7.A on the agenda and returning to Item 6.D after that discussion. Motion passed 5/0.**

Discussion moved to Item 7.A on the agenda.

**D. Second Reading: Ordinance 199 an Ordinance Amending Code Section 1102, Definitions (adding illustrations and clarifying the definitions for yards), Resolution 02-12, Summary of Ordinance 199**

This was discussed after Item 7.A on the agenda.

Mayor Kind stated this is the second reading of Ordinance 199 amending the Ordinance Code Section 1102 clarifying the definitions of yards and adding illustrations. During its November 1, 2011, meeting Council had the first reading of this Ordinance. It continued the reading to its December 6, 2011, meeting. During its December meeting Council asked that the illustrations be revised to reflect the intent of the definitions. She noted the illustrations have been revised, but that no changes have been made to the language since the first reading.

**Quam moved, Fletcher seconded, Approving Ordinance NO. 199, “An Ordinance Amending the Greenwood Ordinance Code Section 1102 regarding yard definitions and including the illustrations included in the January 4, 2012, City Council meeting packet.” Motion passed 3/2 with Page and Rose dissenting.**

Councilmember Page noted his reasons for dissenting are the same as they were during the December 6, 2011, Council meeting.

Councilmember Rose stated he still doesn’t know what a side yard is.

**Quam moved, Fletcher seconded, Adopting Resolution NO. 02-12, “A Resolution Approving Publication of Ordinance 199 by Title and Summary.” Motion passed 3/2 with Page and Rose Dissenting.**

**E. Second Reading: Ordinance 203, Amending Code Section 910, Prohibit Activities Affecting Health and/or Property (changing language to allow for the civil citation process)**

Mayor Kind stated this is the second reading of Ordinance 203, amending the Ordinance Code Section 910.60 subd. 2 Public and Private Properties / Prohibited Activities Affecting Health and/or Property. This amendment is to make the code consistent with the civil citation process. Council approved the first reading of the Ordinance during its December 6, 2011, meeting. No changes have been made since then.

**Page moved, Fletcher seconded, Approving Ordinance NO. 203, "An Ordinance Amending Section 910 Permitting the Civil Citation Process for Violations of Prohibited Activities Affecting Health and/or Property." Motion passed 5/0.**

**F. Second Reading: First Reading: Ordinance 204, Licensing of Commercial Tree Contractors**

Mayor Kind stated this is the second reading of Ordinance 204, amending Ordinance Code Chapter 4 to establish a requirement that commercial tree contractors be licensed and insured. Council approved the first reading of the Ordinance during its December 6, 2011, meeting. No changes have been made to it since the first reading.

**Fletcher moved, Adopting Ordinance NO. 204, "An Ordinance Amending the Greenwood Ordinance Code Chapters 4 and 5 and Section 1140.80 Requiring the Licensing of Tree Contractors Working Within the City" subject to the licensing fee being set to \$25."**

Councilmember Fletcher stated the City is small and he thought a \$25 fee would cover administrative costs.

Zoning Administrator/Clerk Karpas stated there are also administrative costs incurred to send out the annual licenses, entering the information into the computer and so forth. The \$50 fee originally proposed is to cover all of the administrative costs. Councilmember Quam asked Karpas if he thought that is a fair cost. Karpas noted it is what the other cities charge.

**Motion failed for lack of a second.**

**Quam moved, Rose seconded, Adopting Ordinance NO. 204, "An Ordinance Amending the Greenwood Ordinance Code Chapters 4 and 5 and Section 1140.80 Requiring the Licensing of Tree Contractors Working Within the City." Motion passed 4/1 with Fletcher dissenting.**

**7. NEW BUSINESS**

**A. Appointments and Assignments for 2012**

This was discussed after Item 6.C on the agenda.

Mayor Kind stated the meeting packet contains a draft resolution making appointments and assignments for 2012, noting this is a routine resolution. Two changes have been made to the 2011 appointments. Jerry Hudlow retired from the Deephaven Public Works Department in May 2011. Certified Arborist Manuel Jordan has been filling in since that time and his name is now on the appointment and assignment list as the Forester / Tree Inspector for 2012. Lake Bechtell resigned from the Lake Minnetonka

Communications Commission as a Council appointed representative so his seat is listed as vacant in the list. She noted the Planning Commission seats that expire in March 2012 have not been updated in the list. They will be updated when new appointments are made.

Kind then noted that Councilmember Page is listed as the alternate to the Excelsior Fire District (EFD) Board. She explained the EFD Board meets every other month on the fourth Wednesday of the month and the Lake Minnetonka Conservation District (LMCD) meets on the second and fourth Wednesday of each month. Page is the representative to the LMCD. She stated that she thought it would make sense for the Council to choose a different alternate to the EFD Board unless Page wants to skip an LMCD meeting if he is needed to attend an EFD Board meeting. Page suggested a different alternate be appointed to the EFD Board. She asked Councilmembers Fletcher and Quam if either wanted to be the alternate. Quam stated he has been appointed to the School Board for District 287 and will have additional meetings to attend. Therefore, he is not in a position to serve as the alternate. Fletcher expressed his willingness to serve as the alternate.

City Engineer Martini thanked Council for giving him the opportunity to work with the City for another year. He noted that Bolton & Menk, the firm he works for, does not take this reappointment for granted.

Mayor Kind thanked Engineer Martini for the work he and Bolton & Menk do for the City. Councilmember Quam echoed Kind's comments.

**Page moved, Quam seconded, Adopting RESOLUTION NO. 01-11, "A Resolution Making Appointments and Assignments for January 1, 2012 through December 31, 2012" as identified in the resolution subject to appointing Councilmember Fletcher as the alternate to the Excelsior Fire District (EFD) Governing Board. Motion passed 5/0.**

Discussion returned to Item 6.D on the agenda.

**B. First Reading: Ordinance 207, Amending Code Section 510, Fees (updating fees for variances, conditional use permits, and zoning code amendments)**

Mayor Kind stated this is the first reading of Ordinance 207, amending Ordinance Code Section 510 updating fees for variances, conditional use permits, and zoning code amendment applications. The purpose of the amendment is to ensure the City is reimbursed for costs incurred to process those items. The meeting packet contains a copy of the draft Ordinance including the proposed fee schedule. The language for each of those items includes "*plus consultant fees incurred by the City.*"

There was consensus to change "*Zoning: Conditional Use Permit*" to "*Zoning*" *Conditional Use Permit Application Fee*" for consistency reasons.

Councilmember Fletcher stated consultant fees are vague to him. He asked if it would be appropriate to change it to say "*plus consultant fees including, but not limited to, city attorney, city engineer, and zoning administrator expenses incurred by the city.*"

Attorney Kelly stated that clearly the city attorney and city engineer are contract service providers. At times, the same can be said about the services provided by the City of Deephaven. Kelly suggested the public be informed that it will have to pay for those related contract services provided by Deephaven. He then suggested the language be changed to say " ... *consultant and contract service provider fees* ... " He noted the City no longer has any employees and this change would mean the City is going to pass on all costs.



Zoning Administrator/Clerk Karpas stated the Cooks paid about a \$1000 fee to have their variance requests processed. He asked what that fee is for if they are to be charged an additional amount for review by the city attorney, city engineer and zoning administrator. He suggested eliminating the “\$300 *per additional item*” fee for conditional use permit and variance application fees and having the main fee amount be \$500, so the new language would read, “\$500 *plus consultant and contract service provider fees incurred by the city in excess of \$500.*”

Attorney Kelly stated that in the past he has expressed support for a fixed fee to avoid an accounting demand. Otherwise, the City has to be able to demonstrate and justify what the fees are for. Kelly cautioned Council against creating an opportunity for someone to ask for a full accounting of the costs to justify the charge. He explained a fixed fee is an approximation of the average cost the City incurs. Kind asked how that works when there is something very complicated to process. Zoning Administrator/Clerk Karpas stated the “*plus consultant and contract service provider fees above the upfront \$500 fee*” would address that. Kelly stated that would require itemized billings from people like the city attorney and city engineer and other consultants. Karpas stated that most of the costs for variances for the city attorney, the city engineer and his services won’t reach \$500.

Councilmember Page stated the Lake Minnetonka Conservation District (LMCD) sets its fees and then it has a clause in its ordinances that states fees may be refunded if not used. The fees charged are based on the LMCD’s hourly rates. He then stated he was not bothered by the fact that the Cooks had to pay \$1000 to get multiple variances for their deck. Councilmember Fletcher clarified the cost was \$1200. Page stated variances are expensive because they take a lot of time to process.

Mayor Kind suggested the following language for conditional use permit and variance applications fee – “\$400 *first item, \$300 per additional item plus consultant and contract service provider fees incurred by the City if they exceed the base fee amount.*” Councilmember Page suggested changing “*if they exceed*” to “*as they exceed*”.

Attorney Kelly suggested the base fee for processing conditional use permit and variance applications should be what the typical administrative cost is. He stated the \$400 base fee can easily be justified based on that. In certain situations such as complicated variances the costs can be significantly more. He suggested either going with an additional \$300 per item or with \$400 plus consultant and contract service provider fees. Councilmember Fletcher stated he prefers the second option.

Mayor Kind and Councilmember Fletcher supported changing the language for the code amendment, conditional use permit and variance applications fee to – “\$400 *plus consultant and contract service provider fees incurred by the City as they exceed the base fee amount.*”

Mayor Kind stated the plus consultant fees language came from the administrative review section of the Code. She suggested that each instance where “*plus consultant fees incurred by the City*” is used in the fee section of the code, should be reviewed and modified as appropriate to reflect the new proposed language. Councilmember Fletcher agreed to add that language for the second reading of the Ordinance.

**Fletcher moved, Page seconded, adopting the first reading of Ordinance 207 amending Section 510 updating fees for variances, conditional use permits and zoning code amendment applications subject to changing “*conditional use permit*” to “*conditional use permit application fee*,” and changing the fee for code amendment, conditional use permit and variance applications to “\$400 *plus consultant fees incurred by the City as they exceed the base fee amount.*” Motion passed 5/0.**

**C. Temporary parking Permits**

Mayor Kind explained that currently the City Code requires a parking permit for on-street parking of construction vehicles at a price of \$50 per project (Section 305.00 and Section 510.00). The Code does not allow for temporary parking permits in no parking zones for parties and similar events. However, in the past the City has issued permits for things such as parties and special events. If the City wishes to continue with the practice of issuing these types of temporary parking permits, the Code should be revised accordingly. The meeting packet contains excerpts from the Cities of Deephaven and Woodland City Code regarding temporary parking permits.

Councilmember Fletcher stated he did not want to make the fee punitive.

There was Council consensus to have Staff draft a temporary parking permit ordinance for a first reading during the February 1, 2012, Council meeting.

**8. OTHER BUSINESS**

**A. None.**

**9. COUNCIL REPORTS**

**A. Fletcher: Planning Commission, Excelsior Boulevard Street and Water Project, Lake Minnetonka Communications Commission**

With regard to the Planning Commission, Councilmember Fletcher stated the Commissioners did discuss the shore impact zone changes and their recommended changes will come before Council for consideration during its February 1, 2012, meeting. He noted that two Planning Commissioners expressed concern about potential rezoning and redevelopment of the Old Log Theater property.

**B. Kind: Police, Administration, Updated Code Books**

With regard to the South Lake Minnetonka Police Department (SLMPD), Mayor Kind noted the SLMPD Coordinating Committee has not met since Council's last meeting. She stated negotiations with the union continue.

With regard to Administration, Kind stated the meeting packet contains a copy of a site statistics report on access to the City's website. A copy of the report will be included in each regular meeting packet. A VIBES report about citation revenue will also be included in the packet on a regular basis.

Kind asked the other Councilmembers if they received updates to the Code Book. Kind stated the plan is for them to receive an updates once a year to save on printing costs.

**C. Page: Lake Minnetonka Conservation District**

Councilmember Page stated he had nothing to report.

**D. Quam: Roads & Sewer, Minnetonka Community Education**

Councilmember Quam stated he has nothing to report.

**E. Rose: Excelsior Fire District**

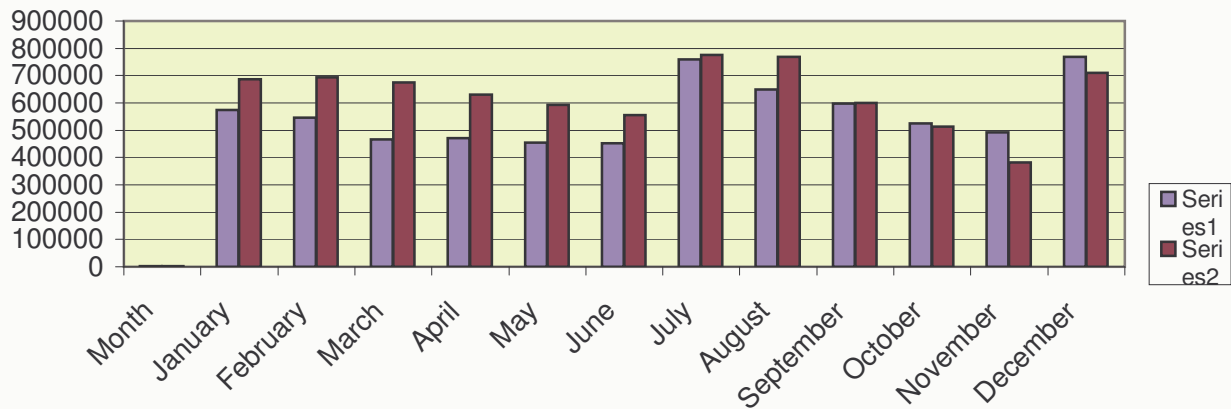
Councilmember Rose stated there has not been an Excelsior Fire District (EFD) Board meeting since the last Council meeting.

**10. ADJOURNMENT**

**Page moved, Rose seconded, Adjourning the City Council Regular Meeting of January 4, 2012, at 9:00 P.M. Motion passed 5/0.**

**RESPECTFULLY SUBMITTED,**  
**Christine Freeman, Recorder**

## City of Greenwood Monthly Cash Summary



Month	2010	2011	Variance with Prior Month	Variance with Prior Year
January	\$573,056	\$686,781	-\$80,855	\$113,725
February	\$545,897	\$693,859	\$7,078	\$147,962
March	\$466,631	\$675,719	-\$18,140	\$209,088
April	\$472,069	\$629,569	-\$46,150	\$157,500
May	\$454,955	\$593,928	-\$35,641	\$138,973
June	\$453,487	\$555,064	-\$38,864	\$101,577
July	\$759,701	\$776,650	\$221,586	\$16,949
August	\$648,560	\$768,223	-\$8,427	\$119,663
September	\$597,536	\$599,139	-\$169,084	\$1,603
October	\$523,980	\$512,188	-\$86,951	-\$11,792
November	\$491,216	\$380,946	-\$131,242	-\$110,270
December	\$767,636	\$709,119	\$328,173	-\$58,517

Bridgewater Bank Money Market	\$563,135
Bridgewater Bank Checking	\$2,954
Beacon Bank Money Market	\$142,930
Beacon Bank Checking	\$100
	<b>\$709,119</b>

### **ALLOCATION BY FUND**

General Fund	\$272,375
General Fund Designated for Parks	\$27,055
Bridge Capital Project Fund	\$59,970
Stormwater Special Revenue Fund	\$3,664
Sewer Enterprise Fund	\$323,581
Marina Enterprise Fund	\$22,474
	<b>\$709,119</b>

Pay Per Date	Jrnl	Check Date	Check Number	Payee	Emp No	Description	GL Account	Amount
02/01/12	PC	02/01/12	2011201	Debra J. Kind	34		001-10101	277.05
02/01/12	PC	02/01/12	2011202	Fletcher, Thomas M	33		001-10101	84.70
02/01/12	PC	02/01/12	2011203	H. Kelsey Page	35		001-10101	184.70
02/01/12	PC	02/01/12	2011204	Quam, Robert	32		001-10101	184.70
02/01/12	PC	02/01/12	2011205	William Rose	36		001-10101	184.70
Grand Totals:								915.85

Check Issue Date(s): 01/01/2012 - 01/31/2012

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
01/12	01/11/2012	10491	738	AVENET, LLC	101-20100	65.00
01/12	01/11/2012	10492	51	BOLTON & MENK, INC.	602-20100	3,571.00
01/12	01/11/2012	10493	762	CATALYST GRAPHICS INC	101-20100	44.41
01/12	01/11/2012	10494		Information Only Check	101-20100	.00 V
01/12	01/11/2012	10495	9	CITY OF DEEPHAVEN	101-20100	10,681.95
01/12	01/11/2012	10496	594	CITY OF EXCELSIOR	602-20100	1,886.38
01/12	01/11/2012	10497	792	CORNERSTONE INDUSTRIES INC	101-20100	385.00
01/12	01/11/2012	10498	761	DEBRA KIND	101-20100	173.27
01/12	01/20/2012	10499	581	VOID - EMERY'S TREE SERVICE, INC.	101-20100	.00 M
01/12	01/11/2012	10500	52	EXCELSIOR FIRE DISTRICT	101-20100	31,610.94
01/12	01/11/2012	10501	68	GOPHER STATE ONE CALL	602-20100	13.05
01/12	01/11/2012	10502	766	HENNEPIN COUNTY TREASURER	101-20100	301.00
01/12	01/11/2012	10503	3	KELLY LAW OFFICES	101-20100	1,265.00
01/12	01/11/2012	10504	742	Marco, Inc.	101-20100	212.15
01/12	01/11/2012	10505	105	METROPOLITAN COUNCIL ENV SERV	602-20100	2,598.16
01/12	01/11/2012	10506	701	Popp Telecom	101-20100	41.88
01/12	01/11/2012	10507	38	SO LAKE MINNETONKA POLICE DEPT	101-20100	25,743.58
01/12	01/11/2012	10508	745	Vintage Waste Systems	101-20100	1,568.40
01/12	01/11/2012	10509	145	XCEL	101-20100	612.70
01/12	01/20/2012	10510	581	VOID - EMERY'S TREE SERVICE, INC.	101-20100	.00
01/12	01/23/2012	10511	10	AMERICAN SOLUTIONS BUSINESS	101-20100	15.13
01/12	01/23/2012	10512	586	CIVIC SYSTEMS, LLC	101-20100	982.00
01/12	01/23/2012	10513	68	GOPHER STATE ONE CALL	602-20100	100.00
01/12	01/23/2012	10514	742	Marco, Inc.	101-20100	230.97
01/12	01/23/2012	10515		Void Check	101-20100	.00 V
00/00	01/23/2012	10516	136	VOID - Sun Newspapers	101-20100	.00 M
01/12	01/23/2012	10517	136	Sun Newspapers	101-20100	428.64
Totals:						<u>82,530.61</u>

Dated: \_\_\_\_\_

Mayor: \_\_\_\_\_

City Council: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

City Recorder: \_\_\_\_\_

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
<b>AMERICAN SOLUTIONS BUSINESS</b>					
10	AMERICAN SOLUTIONS BUSINESS	INV01003246	W-2 & 1099 FORMS	01/10/2012	15.13
	Total AMERICAN SOLUTIONS BUSINESS				15.13
<b>AVENET, LLC</b>					
738	AVENET, LLC	30113	WEB-BASED EMAIL SVC - 2012	01/05/2012	65.00
	Total AVENET, LLC				65.00
<b>BOLTON &amp; MENK, INC.</b>					
51	BOLTON & MENK, INC.	0144522	2011 STREET IMPROVEMENT	12/29/2011	90.00
		0144523	2011 MISC ENGINEERING FEES	12/29/2011	220.00
			2011 MISC ENGINEERING FEES		30.00
			2011 MISC ENGINEERING FEES		30.00
		0144524	MS4 INSPECTIONS & MAPPING	12/29/2011	146.50
		0144525	2011 SANITARY SWR REHAB	12/29/2011	3,054.50
	Total BOLTON & MENK, INC.				3,571.00
<b>CATALYST GRAPHICS INC</b>					
762	CATALYST GRAPHICS INC	76768	CITY NEWSLETTER	12/19/2011	44.41
	Total CATALYST GRAPHICS INC				44.41
<b>CITY OF DEEPHAVEN</b>					
9	CITY OF DEEPHAVEN	JAN 2012	Clerk Services	01/01/2012	3,052.00
			ZONING		169.25
			4TH QTR. BLD. PERMITS		2,748.11
			RENT & EQUIPMENT		542.95
			Postage		31.89
			COPIES		8.70
			SEWER		627.52
			SNOW PLOWING/SANDING/SALT		2,266.93
			STREETS		156.88
			WEED/TREE/MOWING		705.96
			PARK MAINTENANCE		313.76
			SHREDDING DOCUMENTS		58.00
	Total CITY OF DEEPHAVEN				10,681.95
<b>CITY OF EXCELSIOR</b>					
594	CITY OF EXCELSIOR	010112	1st qrt joint sanitary sewer use	01/01/2012	1,886.38
	Total CITY OF EXCELSIOR				1,886.38
<b>CIVIC SYSTEMS, LLC</b>					
586	CIVIC SYSTEMS, LLC	CVC8898	Semi-Annual Support Fee	01/11/2012	982.00
	Total CIVIC SYSTEMS, LLC				982.00
<b>CORNERSTONE INDUSTRIES INC</b>					
792	CORNERSTONE INDUSTRIES INC	999	SLEEPY HOLLOW SIGN POST MNTCE	01/01/2012	385.00
	Total CORNERSTONE INDUSTRIES INC				385.00
<b>DEBRA KIND</b>					
761	DEBRA KIND	121611	REIMBURSE - FEDEX	12/16/2011	173.27

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
Total DEBRA KIND					173.27
<b>EMERY'S TREE SERVICE, INC.</b>					
581	EMERY'S TREE SERVICE, INC.	017004	TREE MAINTENANCE	01/01/2012	375.46
			TREE MAINTENANCE		375.46 -
		17004	TREE MAINTENANCE	01/01/2012	1,340.94
			TREE MAINTENANCE		1,340.94 -
Total EMERY'S TREE SERVICE, INC.					.00
<b>EXCELSIOR FIRE DISTRICT</b>					
52	EXCELSIOR FIRE DISTRICT	12-009	1st Quarter - Buildings	11/21/2011	15,001.20
			1st Quarter - Operations		16,609.74
Total EXCELSIOR FIRE DISTRICT					31,610.94
<b>GOPHER STATE ONE CALL</b>					
68	GOPHER STATE ONE CALL	29087	Gopher State calls	12/31/2011	13.05
		30742	ANNUAL FEE	01/12/2012	100.00
Total GOPHER STATE ONE CALL					113.05
<b>HENNEPIN COUNTY TREASURER</b>					
766	HENNEPIN COUNTY TREASURER	12 06 11	AUTOMARK MNTNCE	12/06/2011	160.00
			M100 MNTNCE		141.00
Total HENNEPIN COUNTY TREASURER					301.00
<b>KELLY LAW OFFICES</b>					
3	KELLY LAW OFFICES	5946	GENERAL LEGAL	12/27/2011	1,092.50
		5947	LAW ENFORCE PROSECUTION	12/29/2011	172.50
Total KELLY LAW OFFICES					1,265.00
<b>Marco, Inc.</b>					
742	Marco, Inc.	192599058	Copier lease	12/14/2011	212.15
		194944070	Copier lease	01/14/2012	230.97
Total Marco, Inc.					443.12
<b>METROPOLITAN COUNCIL ENV SERV</b>					
105	METROPOLITAN COUNCIL ENV SE	0000978917	Monthly wastewater Charge	01/04/2012	2,598.16
Total METROPOLITAN COUNCIL ENV SERV					2,598.16
<b>Popp Telecom</b>					
701	Popp Telecom	991994572	Local, Long dist. & DSL	12/31/2011	41.88
Total Popp Telecom					41.88
<b>SO LAKE MINNETONKA POLICE DEPT</b>					
38	SO LAKE MINNETONKA POLICE DE	010112	1ST QTR 2012 LEASE PMT	01/01/2012	11,367.00
		JAN 2012	2012 OPERATING BUDGET EXP	01/01/2012	14,376.58
Total SO LAKE MINNETONKA POLICE DEPT					25,743.58
<b>Sun Newspapers</b>					
136	Sun Newspapers	01086524	Budget Summary	01/05/2012	71.94



Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
		0187621	Ord #199	01/12/2012	116.90
		0187623	Ord #203	01/12/2012	68.94
		0187624	Ord #204	01/12/2012	170.86
	Total Sun Newspapers				428.64
<b>Vintage Waste Systems</b>					
745	Vintage Waste Systems	122611	City Recycling Contract	12/26/2011	1,568.40
	Total Vintage Waste Systems				1,568.40
<b>XCEL</b>					
145	XCEL	122211	Street Lights *	12/22/2011	415.15
			SIREN		3.68
			4925 MEADVILLE STREET *		9.74
			Sleepy Hollow Road *		9.80
			LIFT STATION #1		34.26
			LIFT STATION #2		30.65
			LIFT STATION #3		22.07
			LIFT STATION #4		28.74
			LIFT STATION #6		58.61
	Total XCEL				612.70
Total Paid: 82,530.61					
Total Unpaid: -					
Grand Total: 82,530.61					



**Agenda Item:** Quarterly Police Update

**Summary:** Per the city council's request, representatives from the South Lake Minnetonka Police Department will attend 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 will be an opportunity for the council to dialog with SLMPD representatives regarding police issues and concerns. Quarterly police updates will be presented at the February, May, August, and November council meetings.

**Council Action:** None required.



**Agenda Number: 4B**

**Agenda Date: 02-01-12**

**Agenda Item:** St. Alban's Bay Captain Rob Roy, Baywide Milfoil Treatment Program

**Summary:** St. Alban's Bay Captain Rob Roy will attend the 02-01-12 council meeting to present the results of the 2011 Baywide Milfoil Treatment Program and the plans for 2012 treatment. He also will request the city contribute to the funding of the 2012 treatment program. The 2012 city budget includes a \$5000 contribution from the marina fund towards milfoil treatment on St. Alban's Bay.

**Council Action:** None required. Possible motions ...

1. I move the council approves payment of \$\_\_\_\_\_ from the marina fund for 2012 St. Alban's Bay milfoil treatment and directs the city treasurer to send the funds to the Lake Minnetonka Association, managers of the treatment program, by \_\_\_\_\_, 2012.
2. Do nothing.



**Agenda Number: 4C**

**Agenda Date: 02-01-12**

**Agenda Item:** Gus Karpas Report, Hennepin County Recycling Program and Grant Application

**Summary:** On 01-12-12 City Clerk Gus Karpas attended a meeting conducted by Hennepin County Environmental Services regarding the new county recycling program. Attached is a document outlining the program. If the council desires to apply for a grant, it must be completed online using the county's Re-TRAC report and planning documents. Gus will give a brief overview of the program at the 02-01-12 council meeting.

**Council Action:** None required. Possible motions ...

1. I move the council directs the city clerk to apply for the Hennepin County Recycling Program Grant program and include a resolution for a recycling contract with the county on the March council agenda for the council's consideration.
2. Do nothing.

# **Hennepin County Residential Recycling Funding Policy**

**January 1, 2012 – December 31, 2015**



**Hennepin County**  
Environmental Services

Adopted November 29, 2011

## **I. Policy Description**

The Hennepin County Board of Commissioners has determined that curbside collection of recyclables from Hennepin County residents is an effective strategy to reduce reliance on landfills, prevent pollution, reduce the toxicity of waste, conserve natural resources and energy, improve public health, support the economy, and reduce greenhouse gases. Therefore, the County adopted the goals established by the Minnesota Pollution Control Agency (MPCA) in its Metropolitan Solid Waste Management Policy Plan and developed a Residential Recycling Funding Policy to help reach a 45% recycling rate by 2015.

The County will distribute all SCORE funds received by the County to municipalities for curbside collection of residential recyclables. Municipalities are expected to fulfill the conditions of the funding policy and begin implementation as soon as possible. The County has designated the first year as a transition period. Municipalities will have until January 1, 2013, unless otherwise negotiated with the County, to implement components of the funding policy that are unable to be put into practice immediately.

### **A. Length of Residential Recycling Funding Policy**

Hennepin County is committed to implement this policy and continue distributing all SCORE funds received from the State for the purpose of funding curbside residential recycling programs from January 1, 2012 through December 31, 2015. The County may revise this policy if it determines changes are needed to assure compliance with state law and MPCA goals established for metropolitan counties. In the event that SCORE funds are eliminated from the State budget or significantly reduced, the County will consult with municipalities at that time and develop a subsequent recommendation to the County Board on continuation of this policy and future funding of curbside recycling programs.

### **B. Fund Distribution**

The County will distribute to Hennepin County municipalities one hundred percent (100%) of SCORE funds that the County receives from the State. SCORE funds are based on revenue received by the State of Minnesota from a sales tax on garbage collection and disposal fees. SCORE funds are subject to change based on actual revenue received by the State and funds allocated by the legislature. Funds distributed to municipalities for the current calendar year will be based on SCORE funds received by the County in the State's corresponding fiscal year. The following formula will be utilized to determine a City's SCORE grant for each year.

# of Households Served  
Curbside by CITY

Total # of Households Served  
Curbside in COUNTY

X

Total SCORE Revenue  
Received by COUNTY  
from State of Minnesota

=

Grant Funds  
Distributed to  
a Municipality

Eligible residential households are defined as single family through eight-plex residential buildings or other residential buildings where each housing unit sets out their own refuse and recycling container for curbside collection. The number of eligible households will be determined by counting the number of eligible households on January 1<sup>st</sup> of each funding year. The number will be reported in the application for funding.

The funds can be used for all recycling program expenses including capital and operating costs. Expenses associated with residential collection of organics are considered eligible recycling program expenses. However, yard waste expenses are not eligible. If organics and yard waste are commingled, the organics expenses must be tracked separately.

## **II. Responsibilities of Municipalities**

### **A. Grant Agreement**

Each municipality seeking funding under the terms of the Residential Recycling Funding Policy must enter into a Recycling Grant Agreement with the County for a term concurrent with the expiration of this policy, December 31, 2015. The grant agreement must be accompanied by a resolution authorizing the city to enter into such an agreement.

### **B. Application for Funding**

Each municipality must complete an annual application by February 15<sup>th</sup> to receive funding for that year. The application consists of the Re-TRAC web-based report and a planning document submitted to the County describing the programs or activities the applicant will implement to increase recycling and make progress toward County goals.

### **C. Minimum Program Performance Requirements**

1. Collection of Recyclables. Municipalities that contract for curbside recycling services will require a breakout of the following expenses when renewing or soliciting bids for new recycling services:
  - a.) containers – if provided by the hauler
  - b.) collection service
  - c.) processing cost per ton
  - d.) revenue sharing
2. Materials to be Collected. At a minimum, the following materials must be collected curbside:
  - a.) Newspaper and inserts;
  - b.) Cardboard boxes;
  - c.) Glass food and beverage containers;
  - d.) Metal food and beverage cans;

- e.) All plastic containers and lids, #1 – Polyethylene Terephthalate (PET, PETE), #2 High Density Polyethylene (HDPE), #3 – Vinyl Polyvinyl Chloride (PVC), #4 – Low Density Polyethylene (LDPE) and #5 – Polypropylene (PP) plastic bottles, except those that previously contained hazardous materials or motor oil;
- f.) Magazines and catalogs;
- g.) Cereal, cracker, pasta, cake mix, shoe, gift, and electronics boxes;
- h.) Boxes from toothpaste, medications and other toiletries;
- i.) Aseptic and gable-topped containers; and
- j.) Mail, office and school papers.

The County may add materials to this list and require municipalities to begin collection within one year of receiving notification from the County. Municipalities will notify the County if materials not found on this list will be collected.

3. Collection Methods. Municipalities must use one of the following systems to collect materials at the curb:
  - a.) single sort system - all materials combined in one container; or
  - b.) dual sort system - glass, metal and plastic together with paper separate

If one of these two systems is not currently in place, the municipality must submit a plan with their 2012 application for converting to a single or dual sort system by December 31, 2012. If the municipality is unable to meet this deadline, an alternative implementation schedule must be negotiated with the County.

4. Education and Outreach.

- a.) County Responsibilities

- 1) Coordinate meetings of the communications committee, which will be composed of County, municipal, and other stakeholders.
    - 2) Produce education material templates and print the template materials for municipalities. Materials will also be available online for partners to download.
    - 3) Provide a minimum of eight partner promotions resources that will include a newsletter article, a web story, social media posts, and printed promotional materials for municipalities on a variety of waste reduction, reuse, recycling and proper disposal messages.
    - 4) Develop an annual priority message campaign. The campaign will be one main message to promote throughout the year, for example "recycle magazines". The message and the materials will be developed with the communications committee. The county will be responsible for primary distribution of the campaign through direct mail, advertising, and public relations. The municipalities will be



required to support the campaign through their own communication channels.

b.) Municipal Requirements

- 1) Use County terminology when describing recycling guidelines (i.e. description of materials accepted and not accepted, preparation guidelines, etc.)
- 2) Use images provided by the County or the SWMCB if using images of recyclables.
- 3) Use the County's terminology, preparation guidelines and images on the city's website.
- 4) Mail a recycling guide once a year to residents using a template developed jointly through a communications committee and produced and printed by the County at the County's expense. If a municipality does not want to use the template produced by the County, the municipality may develop its own guide at the municipality's expense, but it must be approved by the County. If the municipality relies on the hauler to provide the recycling guide, this guide would also require approval by the County.
- 5) Complete two additional education activities from a menu of options developed by the communications committee to support the priority message campaign. Templates will be provided by the County.

Any print material that communicates residential recycling guidelines that were not provided by the County template will require County approval. This does not apply to waste reduction and reuse, articles on recycling that do not include guidelines, and social media posts. The County will respond within five business days to any communication piece submitted.

5. Use of Funds.

- a.) All grant funds accepted from the county must be used for waste reduction and recycling capital and operating expenses in the year granted. Recycling programs will not be reimbursed any funds in excess of actual expenses.
- b.) A municipality or township may not charge its residents through property tax, utility fees or any other method for that portion of the costs of its recycling program funded by county grant funds.
- c.) Municipalities must establish a separate accounting mechanism, such as a project number, activity number, or fund that will separate recycling revenues and expenditures from other municipal activities, including solid waste and yard waste activities.
- d.) Recycling and waste reduction activities, revenues, and expenditures are subject to audit.
- e.) Municipalities that do not contract for curbside recycling services will receive grant funds provided that at least ninety percent (90%) of the grant funds are

credited back to residents and the city meets all minimum program requirements. The additional ten percent (10%) may be used for municipal administrative and promotional expenses.

6. Reporting Requirements.

- a.) An annual recycling report must be submitted electronically to the County utilizing the Re-TRAC web-based reporting system by February 15 of each year. If a municipality is unable to access the Re-TRAC system, the County must be contacted by February 1 to make arrangements for alternative filing of the required report.
- b.) The municipality must calculate its participation rate in the curbside recycling program during the month of October. The participation rate will be reported in Re-TRAC. The methodology for measuring participation must be provided to the County upon request.
- c.) An annual planning document must be submitted to the County describing the programs or activities the applicant will implement to increase recycling and make progress toward County goals.

7. Recycling Performance. On an annual basis, municipal recycling programs must demonstrate that a reasonable effort has been made to maintain and increase the average amount of recyclables collected from their residential recycling program to at least 725 pounds per household or a minimum recovery rate of 80%, by December 31, 2015. An alternative performance option for municipalities with organized waste collection is to validate that their municipality has at least a 35% recycling rate. To ensure the accuracy of data for these metrics municipalities will be required, upon request, to provide documentation on the methodology used to calculate performance. To the extent practicable, the results should rely on actual data rather than estimates.

Failure by a municipality to demonstrate measureable progress towards one of these goals will result in the requirement that a Recycling Improvement Plan be submitted by the municipality within 90 days of being notified by the County. The Recycling Improvement Plan must be negotiated with the County and specify the efforts that will be undertaken by the municipality to improve its recycling program to yield the results necessary to achieve the 2015 goals. The plan should focus on the following areas: type of container, sort method, materials collected, frequency of collection, education and outreach, performance measurement, and incentives. Funding will be withheld until the municipality's Recycling Improvement Plan is approved by Hennepin County.

In cooperation with the County, the municipality may be required to participate in waste and recycling sorts to identify recovery levels of various recyclables in their community. Based on the results of the study, the County and municipality will collaborate to increase the recovery of select recyclable materials being discarded in significant quantities.

#### **D. Partnership**

The partnership between the County and municipalities has been highly effective in educating and motivating behavior of residents resulting in significant amounts of waste being reduced and recycled. In order to continue this partnership and increase these efforts, program activities of municipalities must be coordinated with County and regional efforts. Municipalities are responsible for cooperating with the County in an effort to reach the County's goals for recycling and organics recovery. Quarterly recycling coordinator meetings are an opportunity to share resources and facilitate the coordination of efforts.

### **III. Responsibilities of Hennepin County**

#### **A. Application Form**

Hennepin County will provide an application form by December 15<sup>th</sup> that each municipality will use to report on their recycling program and request grant funding for that respective year.

#### **B. Payments**

Grant payments will be made to a municipality in two equal payments. One payment will be made after the County receives the application, which consists of the Re-TRAC report and the planning document. A second payment will be made after the report has been approved, measurable progress toward the 2015 goal has been confirmed, and, if necessary, a Recycling Improvement Plan has been approved by the County. If the municipality meets the County requirements, both payments will be made during the same calendar year.



**Agenda Number: 6A**

**Agenda Date: 02-01-12**

**Agenda Item:** 2nd Reading, Ordinance 207, Amending Code Section 510, Fees

**Summary:** To ensure the city is reimbursed for costs incurred to process various city applications, some fees in code section 510 need to be revised. Ordinance 207 was drafted for and approved at the 01-04-12 council meeting with the direction to revise the "consultant expenses" language to say "plus consultant and contract service provider expenses incurred by the city as they exceed the base fee amount." The council also directed that other appropriate application fees be added to the ordinance for the 2nd reading. Therefore the following application fees have been added to the ordinance:

- Misc. Petitions to the City for Legal Consent or Releases Application Fee
- Zoning: Misc. Administrative Review Fee
- Zoning: Preliminary Plat Application Fee

Since the January council meeting Councilmember Fletcher noted that other cities require escrows to ensure reimbursement for city expenses to process applications. This is a concept the council may want to consider. Therefore, attached is a 2nd option of ordinance 207 that includes escrow language. This language has been reviewed by the city attorney who advises that the escrow fund should have a trigger exercised at the discretion of the city clerk (subject to appeal to city council ... but if so appealed, the city must reject application for processing until \$\$\$ issue resolved.) The trigger could be multiple variance/CUP requests, or matters involving wetland/lakeside setback encroachments, or full plat subdivisions, etc. The city attorney advises that the code should authorize a policy permitting escrow of money, with the policy set by resolution from time to time. Such language is included in the option 2 ordinance attached. If the council decides to approve option 2, the council may wish to direct that a resolution setting an escrow policy be included on the next council agenda.

**Council Action:** None required. Possible motions ...

1. I move the council approves the 2nd reading of ordinance 207 Greenwood ordinance code section 510 fees, Option 1 as presented.
2. I move the council approves the 2nd reading of ordinance 207 Greenwood ordinance code section 510 fees, Option 1 with the following revisions: \_\_\_\_.
3. I move the council approves the 2nd reading of ordinance 207 Greenwood ordinance code section 510 fees, Option 2 as presented.
4. I move the council approves the 2nd reading of ordinance 207 Greenwood ordinance code section 510 fees, Option 2 with the following revisions: \_\_\_\_.
5. I move the council directs that a draft of a resolution setting an escrow policy be on the March 7, 2012 council agenda for council consideration.
6. Do nothing.

# OPTION 1

## ORDINANCE 207

### AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA AMENDING GREENWOOD ORDINANCE CODE SECTION 510 TO UPDATE VARIOUS FEES

THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA DOES ORDAIN:

#### SECTION 1.

Greenwood ordinance code section 510.00 fees are amended as follows:

“

Type of License, Permit, or Fee	Section	Fee	Conditions & Terms
Zoning: Code Amendment Application Fee	1160.05	<del>\$400</del> <u>plus consultant and contract service provider expenses incurred by the city as they exceed the base fee amount</u>	Per application
Zoning: Conditional Use Permit <u>Application Fee</u>	1150.15	<del>\$400 first item, \$300 per additional item</del> <u>plus consultant and contract service provider expenses incurred by the city as they exceed the base fee amount</u>	Per application
Zoning: Variance Application Fee	1155.20	<del>\$400 first item, \$300 per additional item</del> <u>plus consultant and contract service provider expenses incurred by the city as they exceed the base fee amount</u>	Per application
Misc. Petitions to the City for Legal Consent or Releases <u>Application Fee</u>		<del>\$200 plus consultant fees incurred by the city</del> <u>plus consultant and contract service provider expenses incurred by the city as they exceed the base fee amount</u>	<u>Per application</u>
Zoning: Misc. Administrative Review Fee	Chapter 11	<del>\$200 plus consultant fees incurred by the city</del> <u>plus consultant and contract service provider expenses incurred by the city as they exceed the base fee amount</u>	<u>Per application</u>
Zoning: Preliminary Plat <del>Down</del> <u>payment Application Fee</u>	600.10	<del>\$500</del> <u>plus consultant and contract service provider expenses incurred by the city as they exceed the base fee amount</u>	Per instance

”

#### SECTION 2.

Effective Date. This ordinance shall be effective upon publication according to law.

Enacted by the city council of the city of Greenwood, Minnesota, this \_\_\_ day of \_\_\_\_\_ 2012.

Ayes \_\_\_\_\_, Nays \_\_\_\_\_.

CITY OF GREENWOOD

By: \_\_\_\_\_  
Debra J. Kind, Mayor

Attest: \_\_\_\_\_  
Gus E. Karpas, City Clerk

# OPTION 2 (ESCROW LANGUAGE)

## ORDINANCE 207

### AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA AMENDING GREENWOOD ORDINANCE CODE SECTION 510 TO UPDATE VARIOUS FEES

THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA DOES ORDAIN:

#### SECTION 1.

Greenwood ordinance code section 510.00 fees are amended as follows:

“

Type of License, Permit, or Fee	Section	Fee	Conditions & Terms
Zoning: Code Amendment Application Fee	1160.05	\$400 <u>plus a cash escrow to cover city expenses*</u>	Per application
Zoning: Conditional Use Permit <u>Application Fee</u>	1150.15	<del>\$400 first item, \$300 per additional item</del> <u>plus a cash escrow to cover city expenses*</u>	Per application
Zoning: Variance Application Fee	1155.20	<del>\$400 first item, \$300 per additional item</del> <u>plus a cash escrow to cover city expenses*</u>	Per application
Misc. Petitions to the City for Legal Consent or Releases <u>Application Fee</u>		<del>\$200 plus consultant fees incurred by the city</del> <u>plus a cash escrow to cover city expenses*</u>	<u>Per application</u>
Zoning: Misc. Administrative Review Fee	Chapter 11	<del>\$200 plus consultant fees incurred by the city</del> <u>plus a cash escrow to cover city expenses*</u>	<u>Per application</u>
Zoning: Preliminary Plat <del>Downpayment</del> <u>Application Fee</u>	600.10	\$500 <u>plus a cash escrow to cover city expenses*</u>	Per instance

\* Escrow Procedure: The amount of the cash escrow shall be determined by the city clerk based on a policy set by council resolution from time to time. Costs for city consultants, city contract service providers, and materials expended in reviewing and processing the application above the base fee amount shall be charged against the escrow account and credited to the city. If at any time the balance in the escrow account is depleted to less than 20% of the originally required escrow amount, the applicant shall deposit additional funds in the escrow account as determined by the city clerk. If escrow funds are not deposited as required, the application will be deemed incomplete and processing will not proceed. Any balance remaining in the escrow account upon the completion of the application review process shall be returned to the applicant.”

#### SECTION 2.

Effective Date. This ordinance shall be effective upon publication according to law.

Enacted by the city council of the city of Greenwood, Minnesota, this \_\_ day of \_\_\_\_\_ 2012.

Ayes \_\_\_\_\_, Nays \_\_\_\_\_.

CITY OF GREENWOOD

By: \_\_\_\_\_  
Debra J. Kind, Mayor

Attest: \_\_\_\_\_  
Gus E. Karpas, City Clerk



Agenda Number: **6B**

Agenda Date: 02-01-12

**Agenda Item:** 1st Reading: Ordinance 208, Temporary Parking Permits

**Summary:** Currently the city code requires a parking permit for on-street parking of construction vehicles at a price of \$50 per project (section 305.00 and section 510.00). The city code does not allow for temporary residential parking permits in no-parking zones for parties and similar gatherings. However, in the past the city has issued such permits. If the city wishes to continue with the practice of issuing these types of temporary parking permits, the code needs to be revised accordingly. This item was on the January council agenda. At that time the council directed staff to draft an ordinance to help focus discussion. Attached is an ordinance for the council's consideration.

**Council Action:** None required. Possible motions ...

1. I move the council approves the first reading of ordinance 208 regarding temporary parking permits as presented.
2. I move the council approves the first reading of ordinance 208 regarding temporary parking permits with the following revisions: \_\_\_\_\_.
3. Do nothing.

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA  
AMENDING GREENWOOD ORDINANCE CODE SECTIONS 510 AND 710  
TO ADD TEMPORARY PARKING PERMITS**

THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA DOES ORDAIN:

**SECTION 1.**

Greenwood ordinance code section 710 is amended to add the following subsection:

**“710.05. Temporary Parking Permits.**

Upon the request of a resident holding a party or similar event, the city clerk may issue a permit for the parking of vehicles in a no-parking zone for a limited time period during the event if no other feasible alternative exists. Permits may be issued for a maximum of 24 hours and no more than 2 permits may be issued to the same property per year. Persons requesting a permit shall submit the following to the city clerk:

- (a) Written statement that includes the reason for the request and lists the date and time period vehicles will be parked in the no-parking zone.
- (b) A map indicating the area and number of parking spaces that will be utilized.
- (c) Payment of the permit fee set forth in chapter 5.

The city clerk may deny the permit request or revoke an approved permit if it is found there is endangerment to public safety or if inclement weather such as a heavy snowfall makes roadside parking unsafe. If the city clerk approves the request, a hard copy or electronic copy of the permit will be issued. The permit holder may make copies of the permit as needed. Permits must be displayed on the driver's side dash of each vehicle during the time permitted. Vehicles must be parked in a manner that allows space for the unimpeded passage of emergency vehicles. The city clerk shall notify the fire chief and police chief regarding the date, location, and duration of approved temporary parking permits.”

**SECTION 2.**

Existing subsections in Greenwood ordinance code section 710 shall be renumbered to reflect the above addition.

**SECTION 3.**

Greenwood ordinance code section 510 is amended to add the following new fee:

“

Type of License, Permit, or Fee	Section	Fee	Conditions & Terms
Parking Permit: Temporary	710.05	\$25	Charged on a per event basis. Fee will be refunded in cases where the permit is revoked due to inclement weather.

”

**SECTION 4.**

Effective Date. This ordinance shall be effective upon publication according to law.

Enacted by the city council of the city of Greenwood, Minnesota, this \_\_\_ day of \_\_\_\_\_ 2012.

Ayes \_\_\_\_\_, Nays \_\_\_\_\_.

CITY OF GREENWOOD

By: \_\_\_\_\_  
Debra J. Kind, Mayor

Attest: \_\_\_\_\_  
Gus E. Karpas, City Clerk





Agenda Number: **7A**

Agenda Date: 02-01-12

**Agenda Item:** Greenwood Park Pond Clean-Up Estimates

**Summary:** At the 01-04-12 council meeting the city council directed the city clerk to secure estimates for the cost to clean up the pond at Greenwood Park. At the time of the council packet deadline no estimates had been received. If estimates are received before the 02-01-12 council meeting, they will be forwarded to the council by email. If no estimates are received by 02-01-12 the council could authorize the clerk to approve an estimate on a "not to exceed" basis.

**Council Action:** None required. Suggested motions ...

1. I move the council approves the estimate from \_\_\_\_\_ in the amount of \$\_\_\_\_\_ to be paid from the general fund for clean up of the pond at Greenwood Park.
2. I move the council authorizes the city clerk to approve an estimate not to exceed \$\_\_\_\_\_ to be paid from the general fund for the clean up of the pond at Greenwood Park.
3. Do nothing.



Agenda Number: **7B**

Agenda Date: 2-01-12

**Agenda Item:** 1st Reading: Ordinance No. 202; Amendment of Section 1102 of the Zoning Ordinance Redefining Shore Impact Zone.

**Summary:** At the November 1, 2011 council meeting the city council directed the planning commission to consider amending the definition of Shore Impact Zone included in section 1102 of the city code. The current code definition as written can be interpreted to mean a line that is 50% of the distance between the lakeshore and the building, with the minimum building setback being 50 feet. Or it could be interpreted to mean that the minimum Shore Impact Zone is 50 feet. Staff recommends that the definition be clarified for enforcement purposes. Below are the state definition, existing definition, and proposed definition for Shore Impact Zone.

**Minnesota State Definition:**

6120.2500 Subp. 14c. "Shore impact zone" means land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50% of the structure setback.

**Current Greenwood Code Definition:**

Shore Impact Zone means the land located between the ordinary high water level for Lake Minnetonka and a line parallel to it, setback 50% of the building setback line that is a minimum of 50 feet from the ordinary high water level.

**Proposed Greenwood Code Definition:**

Shore Impact Zone means the land located between the ordinary high water level of Lake Minnetonka and a line parallel to it at a setback of 25 feet from the ordinary high water level of the lake.

**Planning Commission Action:** A public hearing notice was published in the Sun-Sailor on December 8, 2011 and the planning commission held a public hearing and reviewed the draft ordinance on December 21, 2011. The planning commission approved the following motion on a 4 to 1 vote: To recommend the city council adopt ordinance 202, amending section 1102 of the zoning ordinance, redefining the definition of Shore Impact Zone to mean "The land located between the ordinary high water level of Lake Minnetonka and a line parallel to it at a setback of 25 feet from the ordinary high water level of the lake." Brian Malo voted "nay" and did not state a reason.

**Council Action:** None required. Suggested motions ...

1. I move the council approves the first reading of ordinance 202, amending the section 1102 definition of Shore Impact Zone.
2. Do nothing.

ORDINANCE NO. 202

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA  
AMENDING GREENWOOD ORDINANCE CODE SECTION 1102  
DEFINITION OF "SHORE IMPACT ZONE"**

THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA DOES ORDAIN:

**SECTION 1.**

Greenwood ordinance code section 1102 Definitions is amended to redefine the term "Shore Impact Zone" to read as follows:

"Shore Impact Zone" means the land located between the ordinary high water level of Lake Minnetonka and a line parallel to it at a setback of 25 feet from the ordinary high water level of the lake."

**SECTION 2.**

Effective Date. This ordinance shall be effective upon publication according to law.

Enacted by the city council of the City of Greenwood, Minnesota, this \_\_ day of \_\_\_\_\_ 2012.

Ayes \_\_\_\_\_, Nays \_\_\_\_\_.

CITY OF GREENWOOD

By: \_\_\_\_\_  
Debra J. Kind, Mayor

Attest: \_\_\_\_\_  
Gus E. Karpas, City Clerk



**Agenda Number: 7C**

**Agenda Date: 2-01-12**

**Agenda Item:** Authorization of Recycling Request for Proposals

**Summary:** The city's contract with Vintage Waste Systems began on September 1, 2009 and included the option for two 1-year extensions if agreed upon by both parties. Last year the city council approved the second of the two 1-year extensions for service to be provided from September 1, 2011 through August 31, 2012. There are no more options for extension in the current contract. Therefore a draft of a proposed request for proposals (RFP) for citywide recycling services is attached for the council's consideration.

**Council Action:** Required. Possible motions ...

1. I move the council approves the request for proposals for citywide recycling services as presented in the 02-01-12 council packet.
2. I move the council approves the request for proposals for citywide recycling services as presented in the 02-01-12 council packet, with the following revisions \_\_\_\_\_.

# Request for Proposals For Citywide Recycling Services

For September 1, 2012 through August 31, 2013  
With the option for two 1-year renewals



The city of Greenwood, Minnesota, population 688, is seeking proposals for its residential recycling program. Proposals must include the following:

- Collection operations shall be weekly (Thursdays), beginning no earlier than 7:00 AM and end by 6:00 PM.
- Curbside service shall be provided for approximately 290 single-family homes and one 17-unit apartment complex (commercial properties arrange for private recycling). Proposer shall show a breakdown of cost per unit. The proposer also shall show the cost with and without door-side residential recycling service for approximately 10 homes.
- Per Hennepin County requirements, the proposer also must provide a breakout of the following expenses:
  - a.) Containers
  - b.) Collection Service
  - c.) Processing Cost Per Ton
  - d.) Revenue Sharing
- Per Greenwood code, the proposer shall agree to the following business practices:
  - a.) Thursday will be trash and recycling pick-up day except for normal holiday adjustments.
  - b.) The maximum total load weight of trucks will be 11 gross tons. Trucks with one wheel per side of the rear axle can weight up to 5 tons per axle. Trucks with two wheels per side of the rear axle can weigh up to 7 tons per axle.
- Collection method must be by "single sort system" – all materials are combined into one container.
- Proposer must provide 35-gallon containers (64-gallon upon request of the homeowner) for single-family homes, and three \_\_\_\_-gallon containers for the 17-unit apartment complex.
- Per Hennepin County requirements the minimum materials eligible for recycling must include:
  - a.) Newspaper and inserts;
  - b.) Cardboard boxes;
  - c.) Glass food and beverage containers;
  - d.) Metal food and beverage containers;
  - e.) All plastic containers and lids' #1 - Polyethylene Terephthalate (PET, PETE), #2 - High Density Polyethylene (HDPE), #3 - Vinyl Polyvinyl Chloride (PVC), #4 - Low Density Polyethylene (LDPE) and #5 - Polypropylene (PP) plastic bottles, except those that previously contained hazardous materials or motor oil;
  - f.) Magazines and catalogs;
  - g.) Cereal, cracker, pasta, cake mix, shoe, gift, and electronic boxes;
  - h.) Boxed from toothpaste, medications and other toiletries;
  - i.) Aseptic and gable-topped containers; and
  - j.) Mail, office and school papers.
- The proposer shall collect additional materials within one year of the city receiving notification from the county. The city also will accept recommendations for additional recycling materials from the proposer.
- As per city code, all trash and recycling vendors must meet the application requirements for the annual trash haulers license.
- At the end of each year, the proposer shall provide the city with a written report detailing types of recycling and tonnage as required by the Hennepin County Residential Recycling Program.
- The term of the contract will be for one year, with the option for two one-year renewals if no changes are made to the contract and the renewal(s) are agreed to by both the city and the proposer.
- There will be no obligation for the city of Greenwood to reimburse proposer for any expenses incurred in preparing a proposal in response to this request.
- Final selection of the vendor will take place on or before \_\_\_\_, 2012. Please submit an electronic copy of the proposal by 4:30 PM on \_\_\_\_, 2012 to:

Gus Karpas, City Clerk, [administrator@greenwoodmn.com](mailto:administrator@greenwoodmn.com)



Agenda Number: **7D**

Agenda Date: 2-01-12

**Agenda Item:** Potential Sump Pump Program

**Summary:** In light of the recent excess water flow problem on Channel Drive, the council may want to consider conducting a new sump pump program. The last program was conducted in 2006. For the council's reference the program is outlined in section 310.30, subd. 5(d) of the city code (attached). In 2006 it is believed that property owners were asked to complete a form to certify that their sump pump was not hooked up to the sewer system, but there was no follow up with onsite inspections of properties that did not return the certification form. The city attorney recalls that in-home inspections were seen as intrusive and costly by the council at that time, so the council chose to focus on repairing manholes, etc. instead.

If the council desires to conduct a new sump pump program, section 310.30, subd. 5(d) of the code would need to be revised.

**Council Action:** None required.

public property disturbed in the course of the work shall be restored in a manner satisfactory to the city by the person making the installation.

Subd. 4. Prohibited Discharges Into Sanitary Sewer System and Natural Outlets.

- (a) No person shall discharge or cause to be discharged any substance not requiring treatment or any substance not acceptable for discharge, as determined by the city, Metropolitan Council, or the Minnesota Pollution Control Agency, into the sanitary sewer system. Only sanitary sewage from approved plumbing fixtures may be discharged into the sanitary sewer system.
- (b) Storm water, ground water, roof runoff, surface water, or unpolluted drainage shall be discharged only to specifically designated storm drains or to a natural outlet approved by the city engineer.
- (c) No person shall discharge or cause to be discharged any of the following waters or wastes to any public sewer:
  - 1) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquids, solids or gases.
  - 2) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, to constitute a hazard to humans or animals, to create a nuisance or to create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of 2 milligrams per liter as CN in the wastes as discharged to the public sewer.
  - 3) Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works or the sewage treatment plant.
  - 4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works or sewage treatment plant such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, garbage, whole blood, manure, hair and fleshing, entrails, and any paper dishes, cups, or other paper containers or paper products, whether whole or ground by garbage grinders.
  - 5) Other substances in amounts in excess of the concentrations permitted under rules and regulations of the metropolitan sewer board.
- (d) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer unless such person has obtained a permit from the Metropolitan Council specifically authorizing the discharge of such water or waste and unless the conditions, if any, set forth in the permit have been and are complied with by such person:
  - 1) Any waters or other liquid or vapor having a temperature higher than 150° Fahrenheit (65°C).
  - 2) Any waters or wastes containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 milligrams per liter or containing substances which may solidify or become viscous at temperatures between 32° and 150° Fahrenheit (0°C and 65°C).
  - 3) Any garbage that has not been properly shredded.
  - 4) Any waters or wastes containing pickling wastes or concentrated plating solutions.
  - 5) Any waters or wastes containing iron, chromium, copper, zinc and similar substances in such concentration so as to cause the waters or wastes to be objectionable or toxic.
  - 6) Any waters or wastes exerting a chlorine requirement or demand such that when the waters or wastes are received in the composite sewage at the sewage treatment plant, the chlorine requirement or demand of the composite sewage exceeds reasonable limits.
  - 7) Any waters or wastes containing phenols or other taste or odor producing substances in concentrations which exceed reasonable limits in view of the applicable requirements of the state, federal or other public agencies having jurisdiction over effluent discharge to the receiving waters.
  - 8) Any radioactive wastes or isotopes of such half-life or concentration as may exceed reasonable limits in view of the applicable state or federal regulations.
  - 9) Any waters or wastes having a pH in excess of 9.5.
  - 10) Materials that exert or cause: i.) concentrations of inert suspended solids, such as, but not limited to, fullers earth, sand, lime, slurries and lime residues, or of dissolved solids, such as, but not limited to, sodium chloride and sodium sulfate, which are likely to be harmful to the sewer, sewer works or sewage treatment plant. ii.) excessive discoloration, such as, but not limited to, dye wastes and vegetable tanning solutions. iii.) unusual BOD or chemical oxygen demand in such quantities as to constitute a significant load on the sewage treatment plant. iv.) unusual volume of flow or concentration of waters or wastes constituting "slugs" as defined herein.

- (e) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes utilized by sewage treatment plants, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of the state, federal or other public agencies having jurisdiction over effluent discharge to the receiving waters.
- (f) Where pretreatment or flow-equalization facilities and/or where grease, oil or sand interceptors are provided for any waters or wastes, such facilities and/or interceptors shall be maintained continuously in satisfactory and effective operation by the user thereof and at no expense to the city.
- (g) The owner of any property having a building sewer into which industrial wastes are discharged or caused to be discharged, shall install a suitable control structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the industrial wastes. Such structure, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the city engineer. The structure shall be installed by the owner at their expense, and shall be maintained by them so as to be safe and accessible at all times. The owner shall pay all city engineer fees to review the plan.
- (h) All measurements, tests and analyses of the waters and wastes discharged or caused to be discharged to a public sewer shall be determined in accordance with the latest edition of "Standard Methods of the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control structure provided, or in the event that no special control structure has been provided, at the nearest downstream manhole in the public sewer from the point at which the building sewer is connected to the public sewer. Sampling shall be carried out by customarily accepted methods under the direction of the city engineer to reflect the effect of the waters and wastes upon the sewers, sewage works and the sewage treatment plant and to determine the existence of hazards to public health, safety and welfare.
- (i) Notwithstanding any other provision hereof, the city may enter into a valid agreement with any person whereby industrial wastes and/or sewage of unusual strength or character may be discharged to a public sewer and accepted by the sewage treatment plant, subject to the payment of special charges to the city thereof by the person; and provided that the city shall give its prior, written approval to the special agreement.

Subd. 5. Prohibited Discharges of Stormwater, Surface Water, Groundwater, Roof Runoff, Subsurface Drainage, or Cooling Water and Discharge to Any Sanitary Sewer.

- (a) No person shall discharge or cause to be discharged, directly or indirectly, any stormwater, surface water, groundwater, roof runoff, subsurface drainage, foundation drain systems, or cooling water to any sanitary sewer. Any person having a roof drain, sump pump, unauthorized swimming pool discharge, cistern overflow pipe or surface drain connected and/or discharging into the sanitary sewer shall disconnect and remove any piping or system conveying such water to the sanitary sewer system.
- (b) All construction involving the installation of clear water sump pits shall include a sump pump with minimum size 1-1/2 inch diameter discharge pipe. The pipe attachment must be a rigid permanent type plumbing such as PVC or ABS plastic pipe with glued fittings, copper or galvanized pipe. All discharge piping shall be installed in accordance with the building code. Discharge piping shall start at the sump pit and extend through the exterior of the building and terminate with not less than 6 inches of exposed pipe. Sump pump discharge location and flow shall be consistent with the approved development drainage plan for the lot. The discharge may not be pumped directly onto any public right-of-way unless approved by the city engineer or their designee. Any disconnects or openings in the sanitary sewer shall be closed and repaired in compliance with applicable codes.
- (c) Every person owning improved real estate which discharges into the city's sanitary sewer system shall allow inspection by authorized city employees or its agents of all properties or structures connected to the sanitary sewer system to confirm there is no sump pump or other prohibited discharge into the sanitary sewer system. Any persons refusing to allow their property to be inspected shall immediately become subject to the surcharge as described in subsection (f) hereinafter.
- (d) Every person owning improved real estate that discharges into the city's sanitary sewer system shall submit to the city clerk on or before March 31, 2006 certification that their real estate is not in violation of section 310.30, subdivisions 4 and 5. Any owner of any property in violation of section 310.30, subdivisions 4 or 5 shall a) on or before March 31, 2006 notify the city clerk of the violation, b) make the necessary changes to comply with section 310, and c) schedule an inspection of their property to be conducted on or before June 30, 2006 by authorized city employees or its agents to verify that the violation has been ended. Any property or structure not inspected or not in compliance by June 30, 2006, shall, following notification from the city, comply within 14 calendar days or be subject to the surcharge as provided in subsection (f) hereinafter.



- (e) Upon verified compliance with this section, the city reserves the right to re-inspect such property or structure at least annually to confirm continued compliance. Any property found not to be in compliance upon re-inspection or any person refusing to allow their property to be re-inspected shall, following notification from the city, comply within 14 calendar days or be subject to the surcharge as provided in subsection (f) hereinafter.
- (f) A stormwater surcharge per quarter is hereby imposed and shall be added to every residential utility billing, to property owners who are found not in compliance with this section; a surcharge per quarter is hereby imposed and shall be added to every commercial or industrial sewer billing, to property owners who are found not in compliance with this section. The surcharge shall be added every quarter until the property is verified to be in compliance through the city's inspection program. The stormwater sewer non-compliance surcharge fee amount shall be determined by the city council and set forth in chapter 5 of this code book.
- (g) The city council, upon recommendation of the city engineer, shall hear and decide requests for temporary waivers from the provisions of this section where strict enforcement would cause a threat to public safety because of circumstances unique to the individual property under consideration. Any request for a temporary waiver shall be submitted to the city engineer in writing. Upon approval of a temporary waiver from the provisions of this section, the property owner shall agree to pay an additional fee for sanitary sewer services based on the number of gallons discharged into the sanitary sewer system as estimated by the city engineer.
- (h) Violation of this section is a misdemeanor and each day that the violation continues is a separately prosecutable offense. The imposition of the surcharge shall not limit the city's authority to prosecute the criminal violations, seek an injunction in district court ordering the person to disconnect the nonconforming connection to the sanitary sewer, or for the city to correct the violation and certify the costs of connection as an assessment against the property on which the connection was made.

#### **Section 310.35. Right to Enter.**

The duly authorized employees or representatives of the city bearing proper credentials and identification shall have the right to enter all properties served by the city's sewer system for the purpose of inspection, observation, measurement, sampling and testing in accordance with and for the purpose of enforcing the provisions of this ordinance. The employees or representatives shall have the power and authority to obtain a warrant to secure entry onto a property and shall obtain a warrant to enter any property upon which entry is or has been refused. The employees or representatives shall have no authority to inquire into any industrial processes beyond that point in the process having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for treatment.

#### **Section 310.40. Discontinuance of Service.**

Sewer service shall be discontinued when it is determined that a sum equal to the portion of the cost of constructing the sewer system attributable to the parcel or property as determined by the assessment proceedings or pursuant to the provisions of this code has not been paid or is not in the process of being paid in regular installments.

#### **Section 310.45. Liability.**

Each user or owner shall be responsible for maintaining and cleaning their sewer connection from the house to the sewer main. The city shall not be liable for any stoppages in the sewer system. Each user should provide a suitable backwater valve to prevent flooding of basements in the event of sewer stoppage.

#### **Section 310.50. One House Per Connection.**

Not more than one house or building shall be supplied from one sewer connection, except with the permission of the city engineer.

#### **Section 310.55. Building Sewers.**

Subd. 1. All building sewer connections must be made to the wye or riser provided for that purpose. No sewer connection shall be laid in the same trench with water, gas or any other pipe, and all sewer connections must be laid far enough from all others to permit the repair or removal or relaying of any one without disturbing the other, unless an alternate method is approved by the city engineer.

Subd. 2. At the time any connection is made to the city sanitary sewer system, all cesspools, septic tanks, or other sewage disposal facilities existing on the property that is connected shall be pumped and then filled to earth level with suitable material. Piping through cesspools or septic tanks will not be permitted, and connections to buildings with



Agenda Number: **9A-E**

**Agenda Item:** Council Reports

**Summary:** This is an opportunity for each council member to present updates and get input regarding various council assignments and projects. Related documents may be attached to this cover sheet.

**Council Action:** None required.

January 9, 2012

Deb Kind, Mayor  
City of Greenwood  
20225 Cottagewood Road  
Deephaven, MN 553311

Dear Ms. Kind:

We are pleased to confirm our understanding of the services we are to provide City of Greenwood (“you” or “your”) for the year ended December 31, 2011.

**Scope**

We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, which collectively comprise the basic financial statements of City of Greenwood as of and for the year ended December 31, 2011. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management’s discussion and analysis (MD&A), to supplement City of Greenwood’s basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board (GASB) who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to City of Greenwood’s RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management’s responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by U.S. generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management’s discussion and analysis – MD&A (If management elects not to prepare this financial narrative, our report will indicate this information is omitted, however, this omission will not affect our auditor’s opinion as to whether the financial statements are fairly stated in accordance with U.S. generally accepted accounting standards.)
2. Budgetary comparison schedules.
3. GASB-required supplementary pension, OPEB information, if any.

We have also been engaged to report on supplementary information other than RSI that accompanies City of Greenwood’s financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in

accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole:

1. Detailed Budgetary Comparison Schedule – General Fund Revenues and Expenditures

**Audit objectives**

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the third paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of the accounting records and other procedures we consider necessary to enable us to express such opinions. If our opinions on the financial statements are other than unqualified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

**Management responsibilities**

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. You are also responsible for making all management decisions and performing all management functions; for designating an individual who possesses suitable skill, knowledge, or experience to oversee our assistance with the preparation of your financial statements and related notes and any other nonattest services we provide; and for evaluating the adequacy and results of those services and accepting responsibility for them.

Management is responsible for establishing and maintaining effective internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; and for the fair presentation in the financial statements of the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Greenwood and the respective changes in financial position and where applicable, cash flows, in conformity with U.S. generally accepted accounting principles.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. Management's responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud or illegal acts affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws and regulations. You are responsible for

the preparation of the supplementary information in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon or make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon.

We will prepare a general ledger trial balance for use during the audit. Our preparation of the trial balance will be limited to formatting information in the City of Greenwood's general ledger into a working trial balance. As part of the audit, we will prepare a draft of your financial statements and related notes. You will be required to review, approve, and accept responsibility for those financial statements prior to their issuance and have a responsibility to be in a position in fact and appearance to make an informed judgment on those financial statements. Further, you are required to designate an individual who possesses suitable skill, knowledge, or experience to be responsible and accountable for overseeing our services.

As part of our engagement, we will also prepare the depreciation schedules for City of Greenwood for the year ended December 31, 2011. You are responsible for making all management decisions and performing all management functions; for designating an individual who possesses suitable skill, knowledge, or experience to oversee these services; for evaluating the adequacy and results of the services performed and accepting responsibility for the results; and for determining the method and rate of depreciation and salvage value of the assets.

#### **Audit procedures - general**

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity.

Because an audit is designed to provide reasonable, but not absolute, assurance and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors and any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform you of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as

part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about the financial statements and related matters.

#### **Audit procedures - internal control**

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards.

#### **Audit procedures - compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of City of Greenwood's compliance with applicable laws and regulations and the provisions of contracts and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

As part of our audit, we will also perform the appropriate procedures and reporting as required by the *Minnesota Legal Compliance Audit Guide for Political Subdivisions*.

#### **Engagement administration**

We understand that your employees will prepare all cash or other confirmations we request and will locate any documents selected by us for testing.

Jen Foley is responsible for supervising the engagement and signing the report or authorizing another individual to sign it. We expect to begin our audit on approximately January 30, 2012.

#### **Use of financial statements**

If you and your management intend to reproduce and publish the financial statements and our report thereon, they must be reproduced in their entirety. Inclusion of the audited financial statements in a document you prepare, such as an annual report, should be done only with our prior approval of the document.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in those sites or to consider the consistency of other information in the electronic site with the original document.

#### **Mediation**

Any disagreement, controversy, or claim ("Dispute") that may arise out of any aspect of our services or relationship with you, including this engagement, shall be submitted to non-binding mediation by written notice ("Mediation Notice") to the other party. In mediation, we will work with you to resolve any differences voluntarily with the aid of an impartial mediator. The mediator will be selected by mutual agreement, but if we cannot agree on a mediator, one shall be designated by the American Arbitration Association ("AAA").

The mediation will be conducted as specified by the mediator and agreed upon by the parties. The parties agree to discuss their differences in good faith and to attempt, with the assistance of the mediator, to reach an amicable resolution of the Dispute.

Each party will bear its own costs in the mediation. The fees and expenses of the mediator will be shared equally by the parties.

### **Time limitation**

The nature of our services makes it difficult, with the passage of time, to gather and present evidence that fully and fairly establishes the facts underlying any Dispute. We both agree that, notwithstanding any statute or law of limitations that might otherwise apply to a Dispute, any action or legal proceeding by you against us must be commenced within twenty-four (24) months ("Limitation Period") after the date when we deliver our final audit report under this agreement to you, regardless of whether we do other services for you relating to the audit report, or you shall be forever barred from commencing a lawsuit or obtaining any legal or equitable relief or recovery.

The Limitation Period applies and begins to run even if you have not suffered any damage or loss, or have not become aware of the existence or possible existence of a Dispute.

### **Fees**

Our fees for the audit will be \$9,300, including expenses and production costs of producing 15 copies of the City's financial statements. The fee estimate is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 60 days or more overdue and will not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed even if we have not issued our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination.

You also agree to compensate us for any time and expenses, including time and expenses of legal counsel, we may incur in responding to discovery requests or participating as a witness or otherwise in any legal, regulatory, or other proceedings that we are asked to respond to on your behalf. You and your attorney will receive a copy of every subpoena or request we are asked to respond to so you can control the costs of any discovery process or document request.

### **Subcontractors**

CliftonLarsonAllen LLP (CliftonLarsonAllen) may, at times, use subcontractors to perform services under this agreement, and they may have access to your information and records. Any such subcontractors will be subject to the same restrictions on the use of such information and records as apply to CliftonLarsonAllen under this agreement. CliftonLarsonAllen will be as responsible for any act done by these subcontractors as it is for its personnel under this agreement.

**Agreement**

Annually, we assemble a variety of benchmarking analyses using client data obtained through our audit and other engagements. Some of this benchmarking information is published and released publicly. However, the information that we obtain is confidential, as required by Section ET301 of the AICPA Code of Professional Conduct. Your acceptance of this engagement letter will serve as your consent to use of City of Greenwood's information in these cost comparison, performance indicator, and/or benchmarking reports.

We appreciate the opportunity to be of service to City of Greenwood and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Sincerely,

**CliftonLarsonAllen LLP**



Jennifer Foley, CPA  
Partner  
612-376-4773  
jennifer.foley@cliftonlarsonallen.com

Enclosure

**Response:**

This letter correctly sets forth the understanding of City of Greenwood.

Authorized Signature: \_\_\_\_\_

Title: Mayor, City of Greenwood

Date: January 18, 2012



**From:** Debra Kind [mailto:dkind100@gmail.com]  
**Sent:** Monday, January 09, 2012 14:58  
**To:** David Hohertz  
**Subject:** Speed Trailer in Greenwood

Dave --

In early November I requested deployment of the speed trailer on Excelsior Blvd. and / or St. Alban's Bay Road in Greenwood. You said that you would be able to make that happen before the snow flies. I have not seen a report from you, so I thought I better follow-up to see what happened. I don't recall seeing the speed trailer in Greenwood since November. But I have been out of town recently, so maybe I missed the deployment? Let me know the status. Thanks!

**Debra J. Kind**  
Mayor, City of Greenwood  
[dkind100@gmail.com](mailto:dkind100@gmail.com)  
[www.greenwoodmn.com](http://www.greenwoodmn.com)  
H 952.401.9181  
C 612.718.6753  
Cell rolls to house

---

On Jan 13, 2012, at 11:06 AM, David Hohertz wrote:

Hi Deb,

I apologize up front...it hasn't been deployed in Greenwood since late Fall. I have had numerous requests to try to fill in response to citizen complaints throughout the South Lake area. Additionally, the recording feature was giving us some problems, but Larry Brown was able to resolve that so we are back in business! I was able to work with the manufacturer and we are now able to record data with the display on or off.

On another note, my daily work load often is so demanding that details like the speed trailer (unfortunately) get pushed to the "back burner" as there simply isn't any time left in my day to take it out and set it up. To remedy this, I will be training all of the part-time CSOs in the deployment of the unit. They will then be able to set it up and maintain it at those times when I am unable to. Requests can still be routed through me.

Thanks to you and your council for your patience and understanding. Please feel free to share this message with your council.

Take care,

Dave

David E. Hohertz  
Community Service Supervisor  
Emergency Management Coordinator  
South Lake Minnetonka Police Department  
24150 Smithtown Road  
Shorewood, MN 55331  
(952) 474-3261

---

**Shelley Souers**

---

**From:** Utley, John C. [jutley@Kennedy-Graven.com]**Sent:** Wednesday, January 18, 2012 7:14 PM**To:** shelley@cityofwoodlandmn.org**Cc:** Utley, John C.**Subject:** Financing of Wayzata Bay Project

Shelley Souers  
 City Clerk  
 City of Woodland  
 20225 Cottagewood Road  
 Excelsior, Minnesota 55331-6700

Ms. Souers:

Wayzata Bay Senior Housing, Inc., a Minnesota nonprofit corporation (the "Corporation"), was formed by Presbyterian Homes & Services (also a Minnesota nonprofit corporation) to undertake a major development in the downtown area of the City of Wayzata ("Wayzata") comprised of multifamily housing developments for seniors and commercial retail facilities (the "Wayzata Bay Project"). The Corporation is proposing to finance the construction of a substantial portion of the Wayzata Bay Project through the issuance of tax-exempt conduit revenue bonds (the "Bonds") in a total aggregate principal amount of approximately \$60,000,000. (The technical name for such obligations is "qualified 501(c)(3) bonds.") The proposed purchaser(s) of the Bonds are banks. Banks generally purchase only tax-exempt bonds that are "bank qualified." Every political subdivision in Minnesota is permitted to designate up to \$10,000,000 of tax-exempt bonds per calendar year as "qualified tax-exempt obligations" (more commonly referred to as "bank qualified bonds") as long as the political subdivision does not reasonably expect to issue more than \$10,000,000 of tax-exempt bonds in that calendar year. Both governmental bonds (typically general obligation bonds) and private activity bonds that are designated as "qualified 501(c)(3) bonds" must be included in determining whether an issuer is within the \$10,000,000 limit for bank-qualified bonds. Wayzata has agreed to issue a portion of such bank-qualified Bonds but cannot issue more than \$10,000,000 of such Bonds. Therefore, requests are being made to several other issuers to participate in the financing of the Wayzata Bay Project through the issuance of bank-qualified Bonds by such other issuers.

Minnesota law and federal tax law permit a city to issue tax-exempt bonds for a facility located in another city, such as the Wayzata Bay Project, if the issuing city is authorized to do so by the city in which the facility is located and if the issuing city is located within the market area of the facility to be financed. The City of Woodland ("Woodland") is located within the market area of the Wayzata Bay Project and Wayzata has expressed its willingness to authorize the issuance of such Bonds by other cities.

It is our understanding that Woodland has no plans to issue any tax-exempt bonds in calendar year 2012. If this is correct, then Woodland could issue \$10,000,000 of bank-qualified bonds in calendar year 2012 to assist in the financing of the Wayzata Bay Project for the Corporation. The bank-qualified Bonds would be issued under Minnesota Statutes, Chapter 462C, as amended, or Minnesota Statutes, Sections 469.152-469.1651, as amended (collectively, the "Act"). The Bonds would be issued under the Act as revenue bonds and, as such, will be secured solely by the revenues derived from the Wayzata Bay Project and any additional security provided by the Corporation. The Bonds would not constitute general or moral obligations of Woodland and would not be secured by the taxing powers of Woodland or be payable from any funds, assets, or other property of Woodland. In addition to assisting the development of senior housing facilities in a neighboring city that will be available to the residents of Woodland, an additional benefit to Woodland would come in the form of an administrative fee payable by the Corporation as compensation for the use of Woodland's authority to issue bank-qualified bonds. The Corporation is proposing a payment in the amount of one-eighth of one percent (0.125%) of the principal amount of Bonds issued by Woodland. If Woodland issues \$10,000,000 of Bonds, the administrative fee would be equal to \$12,500. The administrative fee would be payable on the date of issuance of the Bonds.

1/19/2012

The Corporation would propose that Kennedy & Graven, Chartered, act as bond counsel on behalf of Woodland in connection with the proposed financing. The Corporation would be responsible for the payment of all fees of Kennedy & Graven. The Corporation would also pay any other out-of-pocket costs paid or incurred by Woodland, including any fees of the Woodland City Attorney, although it is not anticipated that Woodland will be required to pay or incur any such costs.

In order to proceed with this financing, it will be necessary for the Woodland City Council to conduct a public hearing on the proposed financing (preceded by publication of a notice of public hearing in the Woodland official newspaper at least fifteen days prior to the date of the public hearing) and to adopt a resolution approving the documentation for the financing and authorizing the issuance of the bank-qualified Bonds. These two actions can be accomplished at a single meeting of the City Council. A representative of the Corporation and I would appear at the public hearing to answer any questions that the City Council or members of the public may have regarding the Wayzata Bay Project or the legal aspects of the proposed financing.

If you have any questions regarding the foregoing, please contact me at your earliest convenience. Also, if you wish to speak to a representative of the Corporation, please let me know and John Mehrkens or another representative of the Corporation will contact you.

John Utley  
Kennedy & Graven, Chartered  
470 U.S. Bank Plaza  
200 South Sixth Street  
Minneapolis, MN 55402-1458  
612-337-9270  
Fax: 612-337-9310  
Email: [jutley@kennedy-graven.com](mailto:jutley@kennedy-graven.com)

---

This notice is required by IRS Circular 230, which regulates written communications about federal tax matters between tax advisors and their clients. To the extent the preceding correspondence and or any attachment is a written tax advice communication, it is not a full "covered opinion." Accordingly, this advice is not intended and cannot be used for the purpose of (1) avoiding penalties that may be imposed under the Internal Revenue Code of 1986, as amended, or (2) promoting, marketing, or recommending to another party any matters addressed herein.

This message (including any attachments) is from a law firm and may contain confidential client information or an attorney-client communication that is confidential and privileged by law. The information is intended only for the use of the individual or entity to whom it is addressed. If you are not the addressee or the employee or agent responsible to deliver this e-mail to its intended recipient, please delete this message (and any attachments) without any review, distribution, or copying and notify the sender of the inadvertent transmission.



Agenda Number: **FYI**

**Agenda Item:** FYI Items in Council Packet

**Summary:** The attached items are included in the council packet for your information (FYI) only. FYI items typically include planning commission minutes, ViBES (Violations Bureau Electronic System) report of traffic citations processed by Hennepin County District Court, monthly report of activity on the Greenwood website, and other items of interest to the council.

**Council Action:** No council action is needed for FYI items.



## Site Statistics

Use this reporting tool to see your site statistics for your public site for this month or the previous month. Statistics for the Administration (or "admin") side of your site are not included in this report. Additionally, visits you make to your own site while administering it are not included in these statistics. All data collected before the previous month has been purged from our system and is not available for use; therefore, we recommend printing this report each month for your records.

The first report - Page Views by Section - shows total page views for each section. The second report - Unique Visitors by Section - shows the total page views for each section without the return visitors (showing only views from unique IP addresses). For example, if you browse to a page today, and then browse to that same page tomorrow, your viewing of that page would only be counted once in the unique (second) report.

Each report lists sections in page view order (highest number of page views first) and only lists sections that have had traffic within the reporting period. It does not list those sections without traffic.

<b>Begin Date</b>	12/15/2011
<b>End Date</b>	1/15/2012
<b>Report Name</b>	Page Views (Default)
<a href="#">Get Report</a>	

### Page Views by Section

Section	Page Views	Percent of Total
<a href="#">Default Home Page</a>	939	46.17%
<a href="#">Agendas, Packets &amp; Minutes</a>	230	11.31%
<a href="#">City Departments</a>	68	3.34%
<a href="#">Welcome to Greenwood</a>	59	2.9%
<a href="#">Planning Commission</a>	52	2.56%
<a href="#">Photo Gallery</a>	45	2.21%
<a href="#">Mayor &amp; City Council</a>	44	2.16%
<a href="#">Meetings</a>	43	2.11%
<a href="#">Events</a>	36	1.77%
<a href="#">Search Results</a>	36	1.77%
<a href="#">Docks</a>	34	1.67%
<a href="#">RFPs &amp; Bids</a>	33	1.62%
<a href="#">Comprehensive Plan &amp; Maps</a>	32	1.57%
<a href="#">Assessments &amp; Taxes</a>	31	1.52%
<a href="#">Old Log Greenwood Night</a>	30	1.47%
<a href="#">Forms &amp; Permits</a>	29	1.43%
<a href="#">Budget &amp; Finances</a>	29	1.43%
<a href="#">Code Book</a>	27	1.33%
<a href="#">What's New?</a>	26	1.28%
<a href="#">Links</a>	25	1.23%
<a href="#">Garbage &amp; Recycling</a>	24	1.18%
<a href="#">Email List</a>	23	1.13%
<a href="#">Xcel Project</a>	17	0.84%
<a href="#">Southshore Center</a>	16	0.79%
<a href="#">Meetings on TV</a>	16	0.79%



### Quick Tips

The reports offered in your Site Statistics tool only track activity on the public side of your site.

In each report, a section named "Default" and a section named "Home" may appear.

A page view gets attributed to "Default" when a visitor to your site types your URL into his or her Web browser. In most cases, the "Default" section is your Home Page.

A page view gets attributed to "Home" each time a visitor clicks the "Home" button on your Web site.

In the Page View (Default) report, only sections with Web traffic are reported and they are listed in page view order.

In the Page View by Section report, sections are listed in the order they appear in the navigation menu and are reported regardless of their traffic level.

In the Referrers report, it is important to remember that your own site acts like a referrer. So, don't be surprised if you see your own Web address(es) listed -- this tracks the number of times people went from one part of your site to another.

<a href="#">Well Water</a>	15	0.74%
<a href="#">Milfoil Project</a>	14	0.69%
<a href="#">Animal Services</a>	11	0.54%
<a href="#">Emergency Preparedness</a>	11	0.54%
<a href="#">Community Surveys</a>	9	0.44%
<a href="#">Lake Minnetonka</a>	8	0.39%
<a href="#">Unsubscribe</a>	6	0.29%
<a href="#">Spring Clean-Up Day</a>	6	0.29%
<a href="#">Missing Section</a>	4	0.2%
<a href="#">Swiffers NOT Flushable</a>	3	0.15%
<a href="#">Health &amp; Safety</a>	2	0.1%
<a href="#">Elections</a>	1	0.05%
<b>TOTAL</b>	<b>2034</b>	<b>100%</b>

### Unique IPs by Section

Section	Unique IPs	Percent of Total IPs
Default Home Page	346	32.92%
Agendas, Packets & Minutes	71	6.76%
City Departments	50	4.76%
Welcome to Greenwood	44	4.19%
Photo Gallery	33	3.14%
Meetings	31	2.95%
Mayor & City Council	29	2.76%
Planning Commission	29	2.76%
Old Log Greenwood Night	28	2.66%
Comprehensive Plan & Maps	27	2.57%
Links	25	2.38%
What's New?	24	2.28%
Docks	23	2.19%
Code Book	23	2.19%
Events	23	2.19%
Forms & Permits	22	2.09%
Garbage & Recycling	21	2%
Assessments & Taxes	20	1.9%
Budget & Finances	17	1.62%
Email List	16	1.52%
Xcel Project	15	1.43%
Well Water	15	1.43%
Southshore Center	15	1.43%
RFPs & Bids	14	1.33%
Search Results	12	1.14%
Meetings on TV	12	1.14%
Milfoil Project	12	1.14%
Animal Services	9	0.86%
Emergency Preparedness	9	0.86%
Community Surveys	8	0.76%
Lake Minnetonka	8	0.76%
Spring Clean-Up Day	6	0.57%
Unsubscribe	4	0.38%
Missing Section	4	0.38%
Swiffers NOT Flushable	3	0.29%
Health & Safety	2	0.19%
Elections	1	0.1%
<b>TOTAL</b>	<b>1051</b>	<b>100%</b>

Generate Download File (.csv) for the current report: [Generate and Download](#)