

# Greenwood City Council Meeting

Tuesday, June 2, 2009

Council Chambers 20225 Cottagewood Road Deephaven, MN 55331 Phone: 952.474.6633

## AGENDA

*Welcome to the Greenwood City Council Meeting. We are glad you are here! Members of the public are invited to address the Council regarding any item on the agenda. If your topic is not on the agenda, you may speak during Matters from the Floor. See the back of this page for Public Comment Guidelines. And, as a friendly reminder, please turn off your cell phones.*

- 7:00 PM 1. Call to Order - Roll Call - Approve Agenda
- 7:00 PM 2. Approve Consent Agenda
- A. Recommendation: Approve minutes of 4-30-09 Board of Review Reconvene
  - B. Recommendation: Approve work session minutes of 5-5-09
  - C. Recommendation: Approve Council minutes of 5-5-09
  - D. Recommendation: Approve April Treasurer's Report
  - E. Recommendation: Approve May payables **\$30,193.05**
- 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. (see the back for Public Comments Guidelines)*
- 7:10 PM 4. Announcements, Presentations and Staff Reports
- A. Dave Martini, 2009 sewer project quotes
  - B. Dave Martini, 2009 road project quotes
  - C. Presentation by Dave Callister, Ehlers Public Finance Advisors
- 7:50 PM 5. Public Hearings - NONE
- 7:50 PM 6. Unfinished Business
- A. Remove from table: First Reading of Construction Management Ordinance #168
  - B. Lakeshore Market
  - C. Second reading of Ordinance #166 Amend Section 820 Liquor fees
  - D. Second reading of Ordinance #167 updating section 510 Licenses, Permits & Fees
  - E. Discuss Meadville Fire Lane
- 8:20 PM 7. New Business
- A. First reading of ordinance #169 repealing various City licenses
  - B. Discuss new community survey
  - C. Consider establishing an administrative hearing process
  - D. Discuss donation for South Lake Excelsior 4th of July Celebration
  - E. Discuss Old Log Theater's 70th Anniversary
  - F. Approve memo of understanding between the Minnehaha Creek Watershed District and the City of Greenwood for Local Water Planning and Regulation
  - G. First Reading of ordinance #170 Tree Preservation
- 9:00 PM 8. Other Business
- A. None
- 9:00 PM 9. Council Reports
- A. Rose: Fire Department report
  - B. Kind: Consultants report
  - C. Fletcher: Planning Commission report
  - D. Page: Lake Minnetonka Conservation District report
- 9:20 PM 10. Adjournment

2A

# City of Greenwood - Reconvene Board of Appeal & Equalization

Thursday, April 30, 2009

Council Chambers 20225 Cottagewood Road Deephaven, MN 55331 Phone: 952-474-6633

## Minutes

### 1. Call to Order/Roll Call

Mayor Kind reconvened the Local Board of Appeal and Equalization at 6:30 PM

Council present: Page, Rose, Fletcher, Kind and Quam

Council absent: none

Staff present: Clerk Whipple

Staff absent: Attorney Kelly

### 2. Approve Agenda

Councilmember Quam moved to approve the agenda. Second by Councilmember Fletcher.

Motion carried 5-0

### 3. Approve Minutes

Councilmember Rose moved to approve the minutes from the April 16, 2009 Local Board of Appeal and Equalization meeting. Second by Councilmember Page. Motion carried 5-0

### 4. Review appeals from 4-16-09

Mayor Kind reviewed the procedure for the review of the valuations. Residential lakeshore in Greenwood, according to the sales study by Hennepin County, should have gone down an average of 5.96%

#### 1. Jack Strothman 4636 Linwood Circle

Councilmember Rose moved to reduce the land value to \$1,260,000. Second by Councilmember Fletcher. Motion passes 4-1 with Page voting nay.

#### 2. Joyce Agnew 6 MacLynn Road

The Council felt it was one of the nicest lots on the south side of the bay.

Councilmember Quam moved to reduce the value of the building by \$10,000 to \$237,000.

Second by Councilmember Rose. Motion carried 5-0

#### 3. Todd Palmberg 21320 Excelsior Blvd

Mr. Palmberg did not appear, he is reserving his right to appeal to the County Board.

#### 4. William Rose 5190 Meadville

As he is a Councilmember, Mr. Rose will make his appeal to the County Board.

#### 5. Mike Farahar 21230 Excelsior Blvd.

Motion by Councilmember Rose to reduce the land value by \$52,000 - the building value will remain as assessed. Second by Councilmember Quam Motion carried 5-0

#### 6. Robert Burns 5080 Meadville Street

Councilmember Fletcher moved to keep the building value as assessed, but reduce the land value by \$125,000. Second by Councilmember Quam Motion carried 5-0

7. Jeff Sagal 21420 Excelsior Blvd.

Councilmember Quam moved to lower the land by \$60,000 and the building by \$30,000. Second by Councilmember Fletcher. Motion carried 5-0

8. Ernest Pivec 5060 Meadville

Motion by Councilmember Quam to reduce the land by \$76,000 (from the original valuation before the assessor's reduction) and also reduce the building by \$7,000. Second by Councilmember Fletcher. Motion passed 4-1 with Councilmember Page voting nay

9. Jae and Julie Lew 10 MacLynn Road

The property owners withdrew their name from the agenda after meeting with the assessors.

10. Dennis Regnier 5115 Greenwood Circle

The property owner withdrew his name from the agenda after meeting with the assessors.

11. John Musgierd 5145 Curve Street

Councilmember Fletcher moved to lower the land value to \$793,300 and the building to \$332,000 Second by Councilmember Rose Motion carried 5-0

12. Frank Brixius 21720 Fairview Street

Councilmember Rose moved to reduce the land value by \$170,000 but no change to the building.

Councilmember Quam stated the building should be lowered to the average reduction. Second by Councilmember Page Motion passed 4-1 with Quam voting nay

13. Ted Hanna 4960 Meadville Street

Councilmember Quam moved to reduce the land value by \$60,000 and the building value by \$9,000. Second by Councilmember Page. Motion carried 5-0

Councilmember Fletcher complimented Nate Stulc on the good job and work he put in assessing Greenwood. It was a tough year to be an assessor.

5. Adjournment

Councilmember Page moved to adjourn at 7:20. Second by Councilmember Rose

Respectfully submitted,

Roberta Whipple  
Greenwood City Administrator

# Greenwood City Council Worksession

Tuesday, May 5, 2009

Council Chambers 20225 Cottagewood Road, Deephaven, MN 55331 Phone: 952.474.6633

## DRAFT MINUTES

### 1. Call to Order/Roll Call/Approval of Agenda

Mayor Kind called the worksession to order at 6:00 PM.

Council present: Mayor Kind, Councilmembers Page, Fletcher and Quam

Council absent: Rose

Staff present: City Administrator Whipple

### 2. Discuss Greenwood Survey

The Southshore Center survey results were in with a 44% response rate. There seemed to be a common theme that residents would not support additional costs or taxes to fund the Center. Councilmember Page stated there were no assurances that the new company hired to manage the Center would be successful.

Mayor Kind suggested that a general community survey be done soon and reviewed a draft she had prepared. The Council discussed the draft and pared down the number of questions. The Mayor will provide the Council with the revised draft for consideration at a later meeting.

### 3. Discuss Year - To- Date Expenses

Councilmember Fletcher suggested we get the most current information on the police and fire pension funds and discuss this at the June council meeting. He went on to say that we need to watch our engineering and attorney fees as they are getting high compared to what was allocated in the budget. Councilmember Quam noted that we do not have staff to handle the engineering or legal questions.

### 4. Adjournment

~~Councilmember Quam moved to adjourn at 6:58 PM.~~ Second by Councilmember Page.  
Motion carried 4-0

Respectfully submitted,

Roberta Whipple  
Greenwood City Administrator

2c

## Greenwood City Council Meeting

Tuesday, May 5, 2009 7:00 PM

Council Chambers 20225 Cottagewood Road Deephaven, MN 55331 #952-474-6633

### 1. Call to Order - Roll Call - Approval of Agenda

Mayor Kind called the meeting to order at 7:02 PM

Council present: Page, Fletcher, Kind and Quam

Council absent: Rose

Staff present: Attorney Kelly and Administrator Whipple

Councilmember Page moved to approve the agenda with a friendly amendment by Fletcher to add Lakeshore Market as item 8A. Second by Councilmember Quam  
Motion carried 4-0

### 2. Approve Consent Agenda

Councilmember Page asked to have item 2F moved to 8B

Page moved to approve the consent agenda as amended. Second by Fletcher

Motion carried 4-0

### 3. Matters from the Floor

None

### 4. Announcements, Presentations and Staff Reports

A. Discuss 2009 Sewer Project: City Engineer, Dave Martini, reviewed the report included in the packet. His presentation included a background on prior sewer work and the Inflow & Infiltration (I & I) project. He suggested the City continue with sewer rehabilitation in 2009 by addressing manhole and pipe issues in districts 3 & 4 for an estimated cost of \$50,995.35.

Councilmember Quam moved to approve spending \$50,995.35 for manhole improvements as identified by Dave Martini's letter dated April 29, 2009, and pipe improvements as identified in Dave Martini's letter dated March 23, 2009.

Second by Councilmember Fletcher Motion carried 4-0

B. Discuss 2009 Street Project: Mr. Martini reviewed street projects. Five sections of Greenwood roads were identified as needing repair: Greenwood Circle, Highview Place, Maple Heights Road, Meadville Street and Fairview Street. Greenwood Circle has poor drainage but there are two existing catch basins which could be reconstructed. If this area is repaired, it could remove up to 1.1 pounds of phosphorus per year which is required to comply with the Stormwater Management Plan. A rain garden in the grassy area near the city docks was discussed.

If Greenwood Circle was repaired, the road needs to be raised because of poor drainage.

Councilmember Fletcher moved to approve going ahead with the Greenwood Circle project with an estimated cost of \$60,540 subject to Mr. Martini bringing back separate bids for Greenwood Circle and Meadville Street and also a bid for the Greenwood structure option for the June Council meeting. Second by Councilmember Quam

Motion carried 4-0

C. Administrator Whipple asked for someone to volunteer to organize the Greenwood 4th of July parade this year. Getting volunteers may be a factor in whether there is a parade this year.

5. Public Hearings

A. First reading of ordinance #166 Amend Section 800, 820 and 520 Liquor Fees  
Attorney Kelly reviewed proposed changes in ordinance #166. Currently, the Old Log Theater is the only liquor license holder in Greenwood.

Fletcher moved to open the public hearing. Second by Quam. Motion carried 4-0  
Don Stolz, owner of the Old Log Theater stated he serves liquor on a very limited basis. In his conversation with someone from the State, he was told his fee for a license was the most expensive in the state based on the limited hours the Old Log served liquor. The Council felt a delimited license fee should be based on the number of hours liquor is served.

Councilmember Page moved to close the public hearing. Second by Quam.  
Motion carried 4-0

Page moved to approve Ordinance #166 changing a delimited license to a maximum of 656 hours per year. Second by Fletcher Motion carried 4-0

6. Unfinished Business

A. Second reading of ordinance #165 establishing use of fire lanes

Quam moved to approve the second reading of Ordinance #165. Second by Councilmember Fletcher. Motion carried 4-0

B. Review letter to LMCD regarding expansion of Excel Marina docks

Councilmember Quam reminded the Council that public safety is their first duty and encouraged signage in the channel at the St. Albans Bridge.

Quam moved to approve the letter as written and mail to parties as noted in the letter.  
Second by Fletcher Motion carried 4-0

7. New Business

A. Approve Excelsior's request for seasonal park and dock patrol services

Mayor Kind explained this needed to be approved as per the Joint Powers Agreement and there is no additional expense to Greenwood.

Fletcher moved that the Greenwood City Council approve the South Lake Minnetonka Police Department providing seasonal park and dock patrol services for the City of Excelsior as stipulated in the 2009 proposal.

Second by Quam Motion carried 4-0

B. Approve resolution #10-09 approval of Lake Minnetonka Communications Commission purchase of building

The LMCC has decided to purchase the building they've been renting the last 10 years. The LMCC is not asking for funding, only permission to purchase.

Councilmember Page moved to adopt resolution #10-09 approving the acquisition of real estate by the Lake Minnetonka Communications Commission as set forth in a pro-forma basis without change. Second by Fletcher Motion carried 4-0

C. Determine next steps for the SouthShore Center

Mayor Kind reviewed what's transpired in SouthShore meetings up to this point.

Greenwood residents received a survey drafted by Mayor Kind and Councilmember Page relating to the SouthShore Center. There was a 44% response rate. She wants Council direction on how to proceed with upcoming discussions.

Bob Newman 5230 Meadville Street spoke to the Council as a member of the newly-formed Advising, Directing, Honoring Our Community (ADHOC) Committee which is made up of concerned citizens with the desire for long-term stability of the Center. He suggested the five Cities seek common ground to make the Center a successful enterprise.

Mayor Kind suggested there were 4 things to be considered tonight

1. Approve the hiring of Community Rec Resources to manage the Center
  2. Support Shorewood with sole oversight of the Center
  3. Decide what to do if no agreement for the Center is reached by June 30, 2009
  4. Determine how to respond if we receive a 20% interim share for costs for the Center
- Councilmember Fletcher suggested adding another item as to how cosmetic costs are dealt with. The CRR had made a city subsidy request of around \$24,000.

**Councilmember Page moved, to facilitate a smooth transition, Greenwood supports contracting with the Community Rec Resources to begin on July 1, so a manager is in place when the SSSP interim contract expires on June 30. Second by Fletcher.**

Motion carried 4-0

Councilmember Fletcher felt the Council should wait to make a decision on Shorewood's decision to manage the center until Shorewood had acted. We may call a special meeting to address it.

Councilmember Fletcher is not in favor of opting out of the agreement at this time and favors using population to determine financial obligation to the center which would be roughly 5% of expenses.

The question of 20% split for expenses was discussed.

**Councilmember Fletcher suggested adding another item as to how cosmetic costs of the Center, our expected plan is that we will pay 3-5% of the costs. However, the City may make an additional voluntary contribution to show appreciation to Shorewood for acting as fiscal agent for the Center as well as willingness to be host and coordinator for meetings of the five cities. Second by Quam. Motion carried 3-1 with**

Page voting Nay

**Councilmember Fletcher moved that we, the City Council of the City of Greenwood, support the use of the SouthShore Community Center and pledge to seek common ground with the other owner Cities to secure a vibrant, active, and successful enterprise, herein. Second by Quam. Motion carried 4-0**

Recess at 8:52 and Reconvene at 8:59

D. Approve Resolution #09-09 MN Wetland Conservation Act.

Administrator Whipple explained this was something that should have been approved in 1992 as part of the City Comprehensive Plan.

**Councilmember Page moved to adopt Resolution #09-09 of the City Council of the City of Greenwood, Minnesota regarding the administration of the Wetland Act of 1991.**

Second by Councilmember Quam. Motion carried 4-0

E. Discuss Tour de Tonka bicycle ride

Mayor Kind has been in contact with Chief Litsey and learned the SLMPD does not get paid by Tour de Tonka for its help. A lot of volunteers are used, but he feels the event planner should pay for some of the policing costs. Councilmember Quam felt it's a wonderful community event.

**Quam moved to accept Tour de Tonka route map as presented.** Second by Councilmember Fletcher. Motion carried 4-0

F. Consider construction management ordinance

In 2005, this ordinance was considered but was not adopted. This ordinance has been approved, 4-0, by the Planning Commission and they would like the Council to act on it.

**Councilmember Page moved to table this discussion until the June meeting.** Second by Quam. Motion passed 3-1 with Fletcher voting nay.

G. Consider revised variance application form

The proposed application is an upgrade from the existing application and requires that the specific hardship criteria be addressed and includes a check-list of submittal material to insure completeness of the application. The Planning Commission approved this form 4-0.

**Councilmember Fletcher moved to approve the proposed variance application with Item #2 under City of Greenwood - Variance Application Filing Requirement deleted.** Second by Quam. Motion carried 4-0

H. Consider designating City right-of-way land by the City docks as park land  
Park funds may be used to improve this area if it's dedicated as a City park.

**Councilmember Quam moved to designate this right-of-way land as City park land in a formal resolution which includes a legal description to be approved at the June, 2009 Greenwood City Council meeting.**

I. Consider using park funds to install canoe/kayak racks or a stormwater buffer at the new City park

Councilmember Page wondered if a permanent structure could be located here and if Greenwood is the actual fee owner of this property. This item was tabled until the June meeting.

J. Consider posting LMCD rules signs at public docks and Meadville launch

Mayor Kind has talked to Judd Harper regarding free signs explaining 'summer/winter' rules on Lake Minnetonka. Greenwood would pay for the posts and their installation, the rest would be taken care of by the LMCD.

**Councilmember Page moved to approve the posting of the LMCD summer & winter rules at the Meadville fire lane and city dock location.** Second by Councilmember Quam. Motion carried 4-0

Administrator Whipple will arrange for Deephaven public works to meet with Jed Harper to determine the best location for the posts.

K. First reading of Ordinance #167 updating section 510 licenses, permits, and fees and related sections to the code

The fees have been removed from all sections of the code book and put in one location,



section 510. Councilmember Fletcher noted that the gasoline pump licensed should be changed to zero. The ordinance changes were discussed and changes will be reflected on the document at the second reading in June.

Councilmember Quam moved to approve the first reading of Ordinance #167 updating sections 510 Licenses, permits, and fees and related sections of the code with changes as discussed. Second by Councilmember Page Motion carried 4-0

#### 8. Other Business

A. Lakeshore Market Councilmember Fletcher noted that the Zoning Coordinator has sent letters to the owner of the Lakeshore Market regarding violations of hardcover, car sales and items stored on the exterior of the property. The letters have not produced compliance by Mr. Kwara. Attorney Kelly stated the City may pursue administrative fines and hearings as neighboring Cities have done. Our zoning code gives the City the right to issue a citation with each day being a separate misdemeanor offense but Ridgedale Court does not like these citations. We could treat this as a civil case, but it's very expensive. The City could also create a convenience store license. This will be discussed again at the June Council meeting.

B. Approve new trash hauler - Blackowiak - Mound, MN

Councilmember Quam wanted to make sure this new hauler was complying with using small garbage trucks and picking up trash only on Thursdays. Administrator Whipple said this hauler verbally agreed to those terms. It was also explained that Blackowiak is one of many approved trash haulers in Greenwood.

~~Councilmember Fletcher moved to approve the Blackowiak trash hauler application.~~

Second by Councilmember Quam Motion carried 4-0

#### 9. Council Reports

A. Planning Commission Report

Councilmember Fletcher reported that the lighting ordinance is still being discussed and are uncertain which way to go.

A public hearing for the tree preservation ordinance will be held at the Planning Commission meeting on Wednesday, May 20, 2009.

B. Lake Minnetonka Conservation District

Councilmember Page noted that the LMCD is hoping to have more inspectors for zebra mussels at some of the boat landings.

#### 10. Adjourn

Page moved to adjourn at 9:55 pm Second by Quam Motion carried 4-0

Respectfully submitted,

Roberta Whipple  
Greenwood City Administrator

City of Greenwood Treasurer's Report  
April 2009

	Fund	Assets	Liabilities	Total Fund Balance
101	General	-\$61,108.35	\$25,845.56	-\$86,953.91
401	Park Improvement	\$27,054.92	\$0.00	\$27,054.92
402	Road Improvement	\$17,649.15	\$0.00	\$17,649.15
602	Sewer	\$866,983.66	\$520,235.83	\$346,747.83
605	Marina	\$57,401.76	\$0.00	\$57,401.76
		\$907,981.14	\$546,081.39	\$361,899.75
	Bridgewater Bank - Ckg.	\$201,304.14		
	Bridgewater Bank - MM	\$159,539.16		
		\$360,843.30		
	2008 Ending Reserve Fund Bal	\$130,336.00		
	2007 Ending Reserve Fund Bal	\$90,125.00		
	2006 Ending Reserve Fund Bal	-\$1,787.00		
	2005 Ending Reserve Fund Bal	-\$55,378.00		
	2004 Ending Reserve Fund Bal	-\$61,445.00		

2E

CITY OF GREENWOOD

## Check Register - Summary

Page: 1

May 27, 2009 09:20am

Check Issue Date(s): 05/01/2009 - 05/31/2009

Per	Date	Check No	Vendor No	Payee	Amount
05/09	05/14/2009	9629	51	BOLTON & MENK, INC.	2,492.50
05/09	05/14/2009	9630	615	Cardmember Services	64.38
05/09	05/14/2009	9631	99	LAKE MTKA CONSERVATION DISTRIC	1,528.35
05/09	05/14/2009	9632	105	METROPOLITAN COUNCIL ENV SERV	3,113.87
05/09	05/14/2009	9633	68	ONE CALL CONCEPTS	39.15
05/09	05/14/2009	9634	701	Popp Telecom	117.37
05/09	05/14/2009	9635	38	SOUTH LAKE MINNETONKA POLICE	12,519.00
05/09	05/14/2009	9636	136	Sun Newspapers	64.36
05/09	05/14/2009	9637	145	XCEL	252.69
05/09	05/27/2009	9644	9	CITY OF DEEPHAVEN	6,345.14
05/09	05/27/2009	9645	3	KELLY LAW OFFICES	2,185.00
05/09	05/27/2009	9646	742	Marco, Inc.	224.69
05/09	05/27/2009	9647	578	Minnesota Life	5.55
05/09	05/27/2009	9648	600	Union Security Insurance Compa	112.25
05/09	05/27/2009	9649	745	Vintage Waste Systems	1,128.75
Totals:					<u>30,193.05</u>

GL Acct No	Vendor	Vendor Name	Description	Invoice No	PO No	Inv Date	Amount
101-41400-139	GENERAL FUND - COUNCIL - ADMINISTRATION - CLERKS INSURANCE						
	578 Minnesota Life		Clerk's Life Insurance	0609		05/14/2009	5.55
	600 Union Security Insurance Compa		Clerk's long-term disability	0609		05/15/2009	98.75
	600 Union Security Insurance Compa		Clerk's short-term disability	0609		05/15/2009	13.50
							117.80 *
101-41400-201	GENERAL FUND - COUNCIL - ADMINISTRATION - OFFICE SUPPLIES						
	615 Cardmember Services		Credit Card - office supplies	0509		05/04/2009	64.38
101-41400-310	GENERAL FUND - COUNCIL - ADMINISTRATION - CLERKS CONTRACTURAL						
	9 CITY OF DEEPHAVEN		DEPUTY CLERK	0509		05/27/2009	34.07
101-41400-311	GENERAL FUND - COUNCIL - ADMINISTRATION - OFFICE-RENT						
	9 CITY OF DEEPHAVEN		RENT & EQUIPMENT	0509		05/27/2009	942.68
101-41400-321	GENERAL FUND - COUNCIL - ADMINISTRATION - COMMUNICATIONS-TELEPHONE						
	701 Popp Telecom		Local, Long dist. & DSL	1779924		04/30/2009	117.37
101-41400-322	GENERAL FUND - COUNCIL - ADMINISTRATION - POSTAGE						
	9 CITY OF DEEPHAVEN		Postage	0509		05/27/2009	22.04
101-41400-351	GENERAL FUND - COUNCIL - ADMINISTRATION - PRINTING-LEGAL NOTICES						
	136 Sun Newspapers		Conrad Vacation	1178732		05/07/2009	32.18
	136 Sun Newspapers		TRee Ord	1178733		05/07/2009	32.18
							64.36 *
101-41400-411	GENERAL FUND - COUNCIL - ADMINISTRATION - RENTALS-OFFICE EQUIPMENT						
	742 Marco, Inc.		Copier lease	124324559		05/14/2009	224.69
101-41600-304	GENERAL FUND - COUNCIL - LEGAL SERVICES - LEGAL SERVICES-GENERAL						
	3 KELLY LAW OFFICES		May General Legal	5579		05/26/2009	1,495.00
	Total COUNCIL						3,082.39
101-42100-304	GENERAL FUND - LAW ENFORCEMENT - LAW ENFORCEMENT - LEGAL SERVICES-PROSECUTIO						
	3 KELLY LAW OFFICES		LAW ENFORCE PROSECUTION	5579		05/26/2009	690.00
101-42100-310	GENERAL FUND - LAW ENFORCEMENT - LAW ENFORCEMENT - LAW ENFORCEMENT-CONTRACT						
	38 SOUTH LAKE MINNETONKA POL		June Operating Budget	0609		05/14/2009	12,519.00
101-42400-308	GENERAL FUND - LAW ENFORCEMENT - ZONING - ZONING CONTRACT						
	9 CITY OF DEEPHAVEN		May Zoning	0509		05/27/2009	439.55
	9 CITY OF DEEPHAVEN		April Zoning	0509		05/27/2009	275.65
							715.20 *
101-42500-381	GENERAL FUND - LAW ENFORCEMENT - CIVIL DEFENSE - UTILITY SERVICES-ELECTRIC						
	145 XCEL		SIREN	269851971		04/24/2009	3.71
101-42600-303	GENERAL FUND - LAW ENFORCEMENT - ENGINEERING - ENGINEERING FEES						
	51 BOLTON & MENK, INC.		ENGINEER FEES	0124665		04/30/2009	97.00
	51 BOLTON & MENK, INC.		ENGINEER FEES	0124666		04/30/2009	120.00
	51 BOLTON & MENK, INC.		Road Engineering	0124668		04/30/2009	1,081.00
							1,298.00 *
	Total LAW ENFORCEMENT						15,225.91
101-43100-381	GENERAL FUND - CONTRACT UTILITY AND ROADS - CONTRACT UTILITY AND ROADS - S&R-UTILITY SERVICES-ELE						
	145 XCEL		Street Light -Meadville	269851970		04/24/2009	9.17

GL Acct No	Vendor	Vendor Name	Description	Invoice No	PO No	Inv Date	Amount
	145	XCEL	Street Light - Sleepy Hollow	270063817		04/27/2009	9.15
							18.32 *
101-43900-310	GENERAL FUND - CONTRACT UTILITY AND ROADS - PUBLIC WORKS - STREETS-CONTRACTURAL						
	9	CITY OF DEEPHAVEN	reimburse for street sweeping	0509		05/27/2009	2,083.98
	9	CITY OF DEEPHAVEN	STREET	0509		05/27/2009	532.39
							2,616.37 *
101-43900-313	GENERAL FUND - CONTRACT UTILITY AND ROADS - PUBLIC WORKS - TREE/WEED-CONTRACT						
	9	CITY OF DEEPHAVEN	WEED & TREE	0509		05/27/2009	1,620.89
101-43900-315	GENERAL FUND - CONTRACT UTILITY AND ROADS - PUBLIC WORKS - TAR BIKE PATH-CONTRACT.						
	9	CITY OF DEEPHAVEN	BIKE PATH	0509		05/27/2009	152.11
Total CONTRACT UTILITY AND ROADS							4,407.69
101-49000-310	GENERAL FUND - MISCELLANEOUS - MISCELLANEOUS - RECYCLING CONTRACT						
	745	Vintage Waste Systems	City Recycling Contract	0509		05/21/2009	1,128.75
101-49000-433	GENERAL FUND - MISCELLANEOUS - MISCELLANEOUS - MISC.-DUES & SUBSCRIPTION						
	99	LAKE MTKA CONSERVATION DIST	2nd Quarter Levy	209		05/14/2009	1,528.35
Total MISCELLANEOUS							2,657.10
Total GENERAL FUND							25,373.09
602-43200-303	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - ENGINEERING-SEWER						
	51	BOLTON & MENK, INC.	Sewer Engineering	0124667		04/30/2009	1,194.50
602-43200-309	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - PROFESSIONAL SVCS-METRO W						
	105	METROPOLITAN COUNCIL ENV	Monthly wastewater Charge	0000898185		05/01/2009	3,113.87
602-43200-310	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - SEWER-CONTRACTURAL						
	9	CITY OF DEEPHAVEN	SEWER	0509		05/27/2009	241.78
602-43200-381	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - UTILITY SERVICES-ELECTRIC						
	145	XCEL	LIFT STATION #4	269920792		04/26/2009	27.48
	145	XCEL	LIFT STATION #1	269924128		04/26/2009	87.61
	145	XCEL	LIFT STATION #2	269924228		04/26/2009	30.52
	145	XCEL	LIFT STATION #6	269954167		04/26/2009	65.09
	145	XCEL	LIFT STATION #3	269963206		04/26/2009	19.96
							230.66 *
602-43200-439	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - MISCELLANEOUS						
	68	ONE CALL CONCEPTS	Gopher State One Call	9040540		04/30/2009	39.15
Total SEWER FUND EXPENSES							4,819.96
Total SEWER FUND							4,819.96

GL Acct No	Vendor	Vendor Name	Description	Invoice No	PO No	Inv Date	Amount
Grand Total:							30,193.05

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

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

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

\_\_\_\_\_

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

City Treasurer: \_\_\_\_\_

2E

CITY OF GREENWOOD

## Check Register

Page: 1

Check Issue Date(s): 05/01/2009 to 05/31/2009

May 27, 2009 09:23am

Pay Per Date	Jrnl	Check Date	Check Number	Payee	Emp No	Amount
05/10/09	PC	05/11/09	9628	WHIPPLE, ROBERTA L.	21	1,573.00
05/24/09	PC	05/25/09	9638	Debra J. Kind	34	277.05
05/24/09	PC	05/25/09	9639	Fletcher, Thomas M	33	84.70
05/24/09	PC	05/25/09	9640	H. Kelsey Page	35	184.70
05/24/09	PC	05/25/09	9641	Quam, Robert	32	184.70
05/24/09	PC	05/25/09	9642	WHIPPLE, ROBERTA L.	21	1,484.25
05/24/09	PC	05/25/09	9643	William Rose	36	184.70
Grand Totals:						<u>3,973.10</u>

PAYROLL

## Report Criteria:

Account.Acct No = All  
Account Detail

Acct No	Account Description	01/08-05/08 Pri YTD Actual	01/08-05/08 Pri YTD Budget	01/09-05/09 Cur YTD Actual	01/09-05/09 Cur YTD Budget	Unexpended Amount
<u>GENERAL FUND</u>						
<u>TAXES</u>						
101-31010	CURRENT AD VALOREM	2,634	641,696	8,820	687,057	678,237
101-31020	DELINQUENT AD VALOREM	261	1,000	0	1,000	1,000
101-31040	FISCAL DISPARITIES	14	3,500	0	2,200	2,200
101-31800	SUR-CHARGE REVENUE	12	34	6	25	19
101-31910	PENALTIES	0	200	0	100	100
TAXES Totals:		2,921	646,430	8,826	690,382	681,556

LICENSES & PERMITS

101-32110	3.2 BEER, LIQ & CIGARETTE LICE	7,735	7,302	3,250	2,965 (	285 )
101-32180	OTHER BUSINESS LICENSES/P	1,584	1,500	1,984	1,600 (	384 )
101-32210	BUILDING PERMITS-PUBLIC W	10,133	68,500	4,737	28,000	23,263
101-32211	ELEC PERMIT	815	3,000	579	2,000	1,421
101-32215	MANAGEMENT REVIEW-BLDG	0	1,000	0	200	200
101-32240	ANIMAL LICENSE	40	0	0	0	0
LICENSES & PERMITS Totals:		20,307	81,302	10,550	34,765	24,215

Revenues



## CITY OF GREENWOOD

## Budget Worksheet - Ytd Budget Comparison

Page: 2

May 31, 2009 (5/09)

May 27, 2009 12:26pm

## INTERGOVERNMENTAL AID

Acct No	Account Description	01/08-05/08 Pr YTD Actual	01/08-05/08 Pr YTD Budget	01/09-05/09 Cur YTD Actual	01/09-05/09 Cur YTD Budget	Unexpended Amount			
101-33400	HOMESTEAD CREDIT	0	0	0	0	0	0	0	0
101-33423	OTHER STATE GRANTS/AIDS	0	2,000	0	2,000	2,000	0	2,000	2,000
101-33610	HENNEPIN COUNTY ROAD AID	0	1,675	0	1,675	1,675	0	1,675	1,675
101-33630	AID FROM OTHER LOCAL GOV'	0	0	0	0	0	0	0	0
INTERGOVERNMENTAL AID Totals:		0	3,675	0	3,675	3,675	0	3,675	3,675

## GENERAL FUND

## PUBLIC CHARGES FOR SERVICE

## INTERGOVERNMENTAL AID

101-34103	ZONING & SUBDIVISIONS	0	500	0	500	500	0	500	1,500
101-34107	ASSESSMENT SEARCHES	0	0	0	0	0	0	0	0
101-34207	FALSE ALARM FEE	0	50	0	50	50	0	50	0
101-34304	LOAD LIMITS	0	1,400	0	1,400	1,400	0	1,400	3,425
101-34409	RECYCLING FEES	0	1,675	0	1,675	1,675	0	1,675	7,222
101-34960	REFUNDS	0	4,884	0	4,884	4,884	0	4,884	0
INTERGOVERNMENTAL AID Totals:		0	8,559	0	8,559	8,559	0	8,559	12,147

## PUBLIC CHARGES FOR SERVICE

101-34103	ZONING & SUBDIVISIONS	300	5,000	0	1,500	1,500	0	1,500	1,300
101-34107	ASSESSMENT SEARCHES	0	0	0	0	0	0	0	0
101-34207	FALSE ALARM FEE	0	50	50	50	50	0	50	0
101-34304	LOAD LIMITS	1,400	3,500	75	3,500	3,425	0	3,425	7,222
101-34409	RECYCLING FEES	5,625	12,094	6,256	13,478	7,222	0	7,222	0
101-34960	REFUNDS	504	0	0	0	0	0	0	0
PUBLIC CHARGES FOR SERVICE Totals:		7,829	20,644	6,381	18,528	12,147	0	12,147	0

## FINES &amp; FORFEITURES

101-35101	COURT FINES	4,140	5,300	2,415	5,300	2,885	0	2,885	0
FINES & FORFEITURES Totals:		4,140	5,300	2,415	5,300	2,885	0	2,885	0

Revenues

Acct No	Account Description	01/08-05/08 Pri YTD Actual	01/08-05/08 Pri YTD Budget	01/09-05/09 Cur YTD Actual	01/09-05/09 Cur YTD Budget	Unexpended Amount
<u>GENERAL FUND</u>						
<u>SPECIAL ASSESSMENTS</u>						
101-36100	SPECIAL ASSESSMENTS	0	0	0	1,500	1,500
101-36101	SA - PRINCIPAL	0	0	0	0	0
101-36102	INTEREST	2,695	7,000	909	7,000	6,091
101-36201	COPIES	37	50	0	50	50
101-36220	OTHER INCOME	0	19,500	0	20,100	20,100
101-36230	DONATIONS	0	0	0	0	0
SPECIAL ASSESSMENTS Totals:		2,732	26,550	909	28,650	27,741

OTHER FINANCING SOURCES

101-39200	INTERFUND OPERATING TRANS	0	0	20,100	0 (	20,100 )
OTHER FINANCING SOURCES Totals:		0	0	20,100	0 (	20,100 )

COUNCIL

101-41100-103	COUNCIL SALARIES	6,600	13,200	6,600	13,200	6,600
101-41100-122	FICA CONTRIBUTIONS	409	975	409	975	566
101-41100-123	MEDICARE CONTRIBUTIONS	96	220	96	220	124
101-41100-209	OFFICE SUPPLIES	0	50	0	150	150
101-41100-309	MISC PROFESSIONAL SERVICE	0	0	0	0	0
101-41100-371	TRAINING/CONF-REGISTRATIO	0	300	855	1,325	470
101-41100-372	MEALS/LODGING	0	110	0	110	110
101-41100-433	MISC-DUES & SUBSCRIPTIONS	0	50	0	50	50

*Revenues**Expenses*

Acct No	Account Description	01/08-05/08 Pri YTD Actual	01/08-05/08 Pri YTD Budget	01/09-05/09 Cur YTD Actual	01/09-05/09 Cur YTD Budget	Unexpended Amount
<u>GENERAL FUND</u>						
<u>COUNCIL (Cont.)</u>						
101-41100-439	MISCELLANEOUS-OTHER	0	0	0	0	0
	COUNCIL Totals:	7,105	14,905	7,960	16,030	8,070
<u>ELECTIONS</u>						
101-41200-103	ELECTION SALARIES-PART TM	0	1,700	0	0	0
101-41200-122	FICA CONTRIBUTIONS	0	0	0	0	0
101-41200-123	MEDICARE CONTRIBUTIONS	0	0	0	0	0
101-41200-214	OPERATIONAL SUPP.-FORMS/P	0	500	0	0	0
101-41200-219	ELECTION OPERAT. SUPP.-OT	0	135	0	0	0
101-41200-249	MINOR EQUIPMENT-OTHER	0	80	0	0	0
101-41200-309	PROFESSIONAL SERVICES	0	0	0	0	0
101-41200-319	EQUIPMENT MAINTENANCE-OTH	0	292	161	400	239
101-41200-322	POSTAGE-ELECTION	0	360	0	40	40
101-41200-372	MEALS/LODGING	0	35	0	0	0
101-41200-438	MISCELLANEOUS-SALES TAX	0	0	0	0	0
101-41200-439	MISCELLANEOUS-OTHER	0	0	0	0	0
	ELECTIONS Totals:	0	3,102	161	440	279
<u>ADMINISTRATION</u>						
101-41400-101	CLERKS SALARIES-FULL TIME	25,714	63,000	27,354	71,000	43,646
101-41400-121	PERA CONTRIBUTIONS	1,671	4,095	1,840	4,795	2,955

Expenses

Acct No	Account Description	01/08-05/08 Pri YTD Actual	01/08-05/08 Pri YTD Budget	01/09-05/09 Cur YTD Actual	01/09-05/09 Cur YTD Budget	Unexpended Amount
<u>GENERAL FUND</u>						
<u>ADMINISTRATION (Cont.)</u>						
101-41400-122	FICA CONTRIBUTIONS	1,594	3,906	1,696	4,410	2,714
101-41400-123	MEDICARE CONTRIBUTIONS	373	914	397	1,030	633
101-41400-125	OTHER RETIREMENT	0	0	0	0	0
101-41400-139	CLERKS INSURANCE	704	1,430	589	1,440	851
101-41400-149	UNEMPLOYMENT COMPENSATION	0	0	0	0	0
101-41400-201	OFFICE SUPPLIES	92	800	136	800	664
101-41400-202	DUPLICATING	808	5,000	128	500	372
101-41400-203	OFFICE SUPPLIES-COMPUTER	0	0	0	0	0
101-41400-204	STATIONARY	0	300	0	400	400
101-41400-209	OFFICE SUPPLIES-OTHER	0	0	0	200	200
101-41400-214	FORMS/PRINTING	54	200	17	150	133
101-41400-249	MINOR EQUIPMENT-OTHER	70	100	0	400	400
101-41400-309	PROFESSIONAL SERVICES-OTH	2,046	820	75	3,500	3,425
101-41400-310	CLERKS CONTRACTURAL	430	800	873	8,500	7,627
101-41400-311	OFFICE-RENT	3,691	11,100	4,713	11,500	6,787
101-41400-313	PROFESSIONAL SERVICES-COM	1,833	3,710	1,880	3,900	2,020
101-41400-321	COMMUNICATIONS-TELEPHONE	576	1,550	617	1,500	883
101-41400-322	POSTAGE	260	1,300	530	1,400	870
101-41400-331	TRANSPORTATION-TRAVEL EXP	182	275	40	300	260
101-41400-334	FREIGHT & EXPRESS	0	0	0	0	0
101-41400-339	OTHER	10	0	0	25	25
101-41400-349	ADVERTISING-OTHER	0	0	0	0	0
101-41400-351	PRINTING-LEGAL NOTICES	862	2,200	4,240	2,000 (	2,240 )
101-41400-352	GENERAL NOTICES & PUBLIC	0	0	0	0	0
101-41400-353	ORDINANCE PUBLICATIONS	0	0	0	0	0
101-41400-359	OTHER	0	0	0	0	0
101-41400-371	TRAINING	200	300	0	0	0

Expenses

Acct No	Account Description	01/08-05/08 Pri YTD Actual	01/08-05/08 Pri YTD Budget	01/09-05/09 Cur YTD Actual	01/09-05/09 Cur YTD Budget	Unexpended Amount
<b>GENERAL FUND</b>						
<b>ADMINISTRATION (Cont.)</b>						
101-41400-372	MEALS/LODGING	207	450	0	50	50
101-41400-411	RENTALS-OFFICE EQUIPMENT	0	0	1,017	2,280	1,263
101-41400-433	MISC-DUES & SUBSCRIPTIONS	35	100	0	100	100
101-41400-437	BANK SERVICES	0	50	0	50	50
101-41400-438	MISCELLANEOUS-SALES TAX	0	0	0	0	0
101-41400-439	MISCELLANEOUS-OTHER	1,393	2,200	65	400	335
101-41400-530	CAP OUTLAY-IMP OTHER THAN	0	0	0	0	0
101-41400-560	CAP OUTLAY-FURNITURE-FIXIT	0	0	0	0	0
101-41400-570	OFFICE EQUIP & FURNISHING	0	300	0	0	0
101-41400-590	CAPITAL OUTLAY-OTHER	0	0	0	0	0
ADMINISTRATION Totals:		42,805	104,900	46,207	120,630	74,422

**ASSESSOR**

101-41500-209	ASSESSORS SUPPLIES	0	100	0	100	100
101-41500-309	ASSESSORS-CONTRACT	0	13,400	0	13,500	13,500
101-41500-439	ASSESSORS-OTHER	11	50	12	25	13
ASSESSOR Totals:		11	13,550	12	13,625	13,613

**LEGAL SERVICES**

101-41600-304	LEGAL SERVICES-GENERAL	7,788	25,000	11,914	20,000	8,086
101-41600-308	LEGAL SERVICES-PROJECTS	0	0	0	0	0

Expenses

Acct No	Account Description	01/08-05/08 Pri YTD Actual	01/08-05/08 Pri YTD Budget	01/09-05/09 Cur YTD Actual	01/09-05/09 Cur YTD Budget	Unexpended Amount
<u>GENERAL FUND</u>						
<u>LEGAL SERVICES (Cont.)</u>						
101-41600-309	LEGAL SERVICES-SPECIAL	0	0	0	0	0
	LEGAL SERVICES Totals:	7,788	25,000	11,914	20,000	8,086
<u>AUDITING</u>						
101-41700-301	AUDITING	11,000	10,000	12,855	13,000	145
	AUDITING Totals:	11,000	10,000	12,855	13,000	145
<u>LAW ENFORCEMENT</u>						
101-42100-304	LEGAL SERVICES-PROSECUTIO	1,847	6,000	2,737	6,000	3,263
101-42100-310	LAW ENFORCEMENT-CONTRACT	70,878	139,500	75,114	150,232	75,118
101-42100-311	POLICE SIDE LEASE	23,698	46,000	23,824	47,649	23,825
101-42100-439	PUBLIC SAFETY-OTHER	968	700	0	0	0
	LAW ENFORCEMENT Totals:	97,391	192,200	101,675	203,881	102,206
<u>FIRE</u>						
101-42200-309	FIRE PROTECTION	25,993	51,986	29,199	58,314	29,115
101-42200-311	FIRE SIDE LEASE	26,821	53,642	27,152	55,825	28,673

Expenses

Acct No	Account Description	01/08-05/08 Pri YTD Actual	01/08-05/08 Pri YTD Budget	01/09-05/09 Cur YTD Actual	01/09-05/09 Cur YTD Budget	Unexpended Amount
<u>GENERAL FUND</u>						
<u>FIRE (Cont.)</u>						
	FIRE Totals:	52,814	105,628	56,351	114,139	57,788
<u>ZONING</u>						
101-42400-308	ZONING CONTRACT	1,896	2,400	1,423	4,000	2,577
101-42400-309	PUBLIC NOTICES	0	0	0	0	0
101-42400-310	BLDG. INSPECTIONS-CONTRAC	20,286	57,000	7,590	30,000	22,410
101-42400-438	MISCELLANEOUS-SALES TAX	0	400	0	400	400
	ZONING Totals:	22,182	59,800	9,013	34,400	25,388
<u>CIVIL DEFENSE</u>						
101-42500-310	CIVIL DEFENSE	21,484	25,000	0	0	0
101-42500-381	UTILITY SERVICES-ELECTRIC	17	350	14	100	86
	CIVIL DEFENSE Totals:	21,501	25,350	14	100	86
<u>ENGINEERING</u>						
101-42600-303	ENGINEERING FEES	910	6,000	9,044	8,000 (	1,044 )

Expenses

Acct No	Account Description	01/08-05/08 Pri YTD Actual	01/08-05/08 Pri YTD Budget	01/09-05/09 Cur YTD Actual	01/09-05/09 Cur YTD Budget	Unexpended Amount
<u>GENERAL FUND</u>						
<u>ENGINEERING (Cont.)</u>						
	ENGINEERING Totals:	910	6,000	9,044	8,000	( 1,044 )
<u>ANIMAL CONTROL</u>						
101-42700-309	ANIMAL CONTROL	0	3,600	0	0	0
	ANIMAL CONTROL Totals:	0	3,600	0	0	0
<u>CONTRACT UTILITY AND ROADS</u>						
101-43100-229	R&M SUPPLIES-OTHER	0	0	0	0	0
101-43100-309	PROFESSIONAL SVCS-OTHER	0	500	0	500	500
101-43100-381	S&R-UTILITY SERVICES-ELEC	1,812	4,400	1,254	4,600	3,346
101-43100-409	R&M CONTRACTURAL-OTHER(RE	0	75,000	0	75,000	75,000
	CONTRACT UTILITY AND ROADS Totals:	1,812	79,900	1,254	80,100	78,846
<u>PUBLIC WORKS</u>						
101-43900-219	OPERATIONAL SUPPLIES-OTHE	0	0	0	0	0
101-43900-226	SIGNS	853	1,025	0	1,000	1,000
101-43900-309	PROFESSIONAL SERVICES-OTH	0	2,000	0	2,000	2,000
101-43900-310	STREETS-CONTRACTURAL	3,986	8,000	3,301	8,350	5,049

Expenses



Acct No	Account Description	01/08-05/08 Pri YTD Actual	01/08-05/08 Pri YTD Budget	01/09-05/09 Cur YTD Actual	01/09-05/09 Cur YTD Budget	Unexpended Amount
<u>GENERAL FUND</u>						
<u>PUBLIC WORKS (Cont.)</u>						
101-43900-311	STORM SEWER-CONTRACTURAL	1,469	2,750	380	2,750	2,370
101-43900-312	SNOW PLOWING-CONTRACUTRAL	7,850	12,875	9,679	12,500	2,821
101-43900-313	TREE/WEED-CONTRACT	0	7,500	3,104	12,000	8,896
101-43900-314	TENNIS COURTS-CONTRACTURA	0	200	0	200	200
101-43900-315	TAR BIKE PATH-CONTRACT.	367	1,000	342	1,000	658
101-43900-438	MAINTENANCE CONTRACTURAL	0	0	0	0	0
PUBLIC WORKS Totals:		14,525	35,350	16,806	39,800	22,994

OUTSIDE CONTRACTORS

101-45100-225	R&M SUPPLIES-LANDSCAPING	11	0	0	0	0
101-45100-309	PARKS-PROFESSIONAL SVCS-O	0	0	0	0	0
101-45100-310	TREE/WEED/MOWING-CONTRACT	0	1,000	0	1,000	1,000
101-45100-311	TENNIS COURTS-CONTRACTURA	0	0	0	0	0
101-45100-312	TAR BIKE PATH-CONTRACT.	0	0	0	0	0
101-45100-313	PARKS-CONTRACTURAL	0	0	0	0	0
101-45100-438	MISCELLANEOUS-SALES TAX	0	0	0	0	0
OUTSIDE CONTRACTORS Totals:		11	1,000	0	1,000	1,000

Expenses

Acct No	Account Description	01/08-05/08 Pri YTD Actual	01/08-05/08 Pri YTD Budget	01/09-05/09 Cur YTD Actual	01/09-05/09 Cur YTD Budget	Unexpended Amount
<u>GENERAL FUND</u>						
<u>DEPARTMENT 101-49000</u>						
101-49000-000	MISCELLANEOUS	0	200	0	0	0
101-49000-310	RECYCLING CONTRACT	2,684	8,400	5,644	13,185	7,541
101-49000-311	GARBAGE-CLEAN UP	0	4,500	0	4,500	4,500
101-49000-369	MISCELLANEOUS-INSURANCE	0	6,800	280	7,000	6,720
101-49000-433	MISC.-DUES & SUBSCRIPTION	3,092	8,100	3,057	11,213	8,156
101-49000-439	OTHER-3% Contingency	1,200	23,000	100	22,757	22,657
101-49000-440	RESERVE REPLENISHMENT	0	57,500	0	57,500	57,500
101-49000-720	OPERATING TRANSFER	0	0	75,000	0 (	75,000 )
DEPARTMENT 101-49000 Totals:		6,976	108,500	84,081	116,155	32,075
GENERAL FUND Totals: (		248,902 )	0 (	308,166 )	0	308,165

Expenses



# BOLTON & MENK, INC.®

## Consulting Engineers & Surveyors

2638 Shadow Lane, Suite 200 • Chaska, MN 55318-1172

Phone (952) 448-8838 • Fax (952) 448-8805

www.bolton-menk.com

May 28, 2009

City of Greenwood  
Attn: Bob Quam  
20225 Cottagewood Rd.  
Deephaven, MN 55331

RE: 2009 Sanitary Sewer Improvements  
City of Greenwood

Dear Mr. Quam:

As requested, we have recieved quotes for sanitary sewer rehabilitation in Sewer Districts 3 and 4 from three contractors. The following quotes were received:

Midwest Trenchless Technologies	\$34,369.50
Infratech	\$39,461.10
Pipe Services	Incomplete Bid

As you note by looking at the bid abstract, the quote submitted by Pipe Services was incomplete since unit prices were not provided for all of the elements of work. Midwest Trenchless Technologies has provided the lowest responsible quote of \$34,369.50. Our cost estimate for the project was \$42,500. Therefore, we recommend awarding the project to Midwest Trenchless Technologies.

Please let me know if you have any questions or need additional information.

Sincerely,  
BOLTON & MENK, INC.

David P. Martini, P.E.  
Project Manager

# ABSTRACT OF BIDS

2009 SEWER IMPROVEMENTS  
CITY OF GREENWOOD MINNESOTA  
BMI PROJECT NO. C12.100902

ITEM NO.	BID ITEM	APPROX. QUAN.	UNIT	1		2		PIPE SERVICES (INCOMPLETE BID)	
				TRENCHLESS TECHNOLOGIES	UNIT PRICE	AMOUNT	INFRA TECH	UNIT PRICE	AMOUNT
MANHOLE IMPROVEMENTS									
1	MOBILIZATION	1	LS						
2	REPLACE ADJUSTMENT RINGS & INSTALL CHIMNEY SEAL	15	EA						
3	INSTALL EXTERNAL CHIMNEY SEAL	1	EA						
4	SEAL MANHOLE JOINTS & PLUG LIFT HOLES	2	EA						
5	RECONSTRUCT MANHOLE BOTTOM	2	EA						
6	REPLACE CASTING WITH WATERTIGHT ASSEMBLY	1	EA						
7	REPAIR AND SEAL DOGHOUSE	3	EA						
PIPE IMPROVEMENTS									
8	SEAL LATERAL CONNECTION JOINT	1	EA						
9	SEAL PIPE JOINT	5	EA						
10	CLEAN & TELEWISE SEWER LINE	1,090	LF						
11	CLEAN & TELEWISE SEWER LINE WITH PORTABLE EQUIPMENT	525	LF						
TOTAL BID:									
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**Greenwood City Council Agenda Item  
May 5, 2009**

**Agenda Item:                      Construction Management Ordinance**

**Summary:**

The Planning Commission re-visited the issue of adopting a Construction Management Ordinance. The ordinance regulating construction within the city was passed on to the City Council originally in 2005. The Council reviewed the ordinance, but did not take official action.

The Commission has taken up discussion about the proposed ordinance on numerous occasions in the past. I have attached a copy of that original ordinance, amended at the Commission's April 15<sup>th</sup> meeting for discussion, the minutes from the Planning Commission's meetings of August, September and October 2005 discussing the ordinance and the minutes from November 2006 and April 2009 discussing the Commission's desire to have the ordinance adopted.

**Planning Commission Action:**

***Motion by Commissioner Paeper to recommend the Council approve the ordinance amendment creating provision regulating construction within the city. Commissioner Spiers seconded the motion for discussion.***

***(Actual discussion included in attached minutes)***

***Chairman Beal called the question on Mr. Paeper's motion to approve, with the amendments that the notification range be increased to two hundred feet, that the hours permitted for construction be 7 a.m. and 9 p.m., Monday through Friday and 8 a.m. to 9 p.m. on weekends and holidays and that the Commission requests the Council to take official action on the proposed amendment.***

***The motion carried 4-0.***

**Action Required:**

**Review and discuss proposed ordinance. Council action could include; 1) Approval of the proposed ordinance, 2) Direction to Staff to further amend the ordinance and bring it back for Council review, 3) Reject the proposed ordinance.**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE GREENWOOD CITY CODE TO ADD  
REGULATION OF CONSTRUCTION SITES**

The City Council of the City of Greenwood, Minnesota, ordains:

Section 1. Section 305 of the Code of the City of Greenwood is amended by the addition of the following section:

**SECTION 305:00 Construction Site Management** The purpose of these requirements is to ensure preparation and implementation of construction site management plans in order to limit the impact of construction on the immediate neighborhood.

Subdivision 1. General Regulations. All residential and commercial construction sites shall comply with the following:

- (a) Prior to issuance of a building permit, the applicant will be required to provide proof that they have contacted all adjacent property owners within two hundred (200) feet of the applicant's property to make them familiar with the proposed construction and to provide them with contact information for the applicant and their contractor.
- (b) Work at construction sites shall be limited to 7:00 a.m. to 9:00 p.m. Monday through Friday and 8:00 a.m. to 9:00 p.m. on weekends and holidays.
- (c) The applicant shall submit a Construction Site Management Plan as outlined in Subdivision 2 of this Section.
- (d) Onsite parking of construction vehicles and equipment will be provided. If on street parking is demonstrated to be necessary, it may be done only by parking permit first obtained in coordination with the city. The city may impose such conditions on said parking permit as city Zoning Administrator or City Clerk deems necessary. Any street parking will be limited to one side of the street, preferably adjacent to the construction site.
- (e) All equipment shall be stored within the confines of the construction site. If necessary, a property line fence will be required to ensure that no construction vehicles, materials or other debris encroaches onto adjacent properties.
- (f) A functioning enclosed toilet and a minimum of one dumpster are required on the site prior to commencement of construction activity. These are to be considerably placed in relation to adjacent properties.
- (g) Daily site clean up of debris and garbage is required.
- (h) Weekly street cleaning is required to remove all dirt, mud and debris from public streets caused by construction project. City staff will monitor the condition of public streets and may require more frequent street cleaning.

Subdivision 2. Construction Site Management Plan. The Construction Site Management Plan is a stand-alone document and shall include the following:

- (a) A site plan showing:
  - 1) Site address.
  - 2) Names, addresses and telephone numbers of construction manager responsible for preparing the construction site management plan.
  - 3) Site property lines.
  - 4) Location of proposed buildings and structures on site.
  - 5) Identification and location of all significant natural boundaries/buffers to neighboring properties.
  - 6) All property line fencing and erosion control fencing.
  - 7) Location of soil stockpiling.
  - 8) Locations of the temporary toilet, if required, and dumpster.
  - 9) Site entrance and on-site parking areas, and/or proposed street parking plan.
- (b) A completed Tree Preservation Plan as required by Section 1140:80(6) of the Zoning Ordinance.
- (c) A completed Shoreland Management worksheet.
- (d) Water Management Plan. Prior to commencing construction, the applicant shall prepare and submit a water management plan. The plan shall a) illustrate silt fencing and describe plans to implement Watershed regulatory requirements, (all applicable regulations shall be itemized in an addendum); b) illustrate before and after construction grades, water drainage patterns, and estimated volume and direction/path of water emanating from the property during typical heavy seasonal rains; c) describe and illustrate engineering necessary to manage, contain, or redirect water to prevent water from being concentrated, increased or accelerated onto neighboring properties, both during and after the conclusion of the planned construction. The City Engineer may require of the applicant a) additional engineering or survey data, b) water plan management revisions, c) temporary or final grade changes, d) drainage control structures, and e) such other requirements as the City Engineer, in their sole discretion, may deem necessary. No construction activity or grading which in the opinion of the City Engineer will significantly increase, concentrate, or accelerate water onto neighboring properties, either during or after construction, shall be permitted.
- (e) Site Policing and Notice Statement:
  - 1) A statement that all garbage/debris on the site will be picked up daily.
  - 2) A statement that the street will be swept clean once per week, and that the applicant will endeavor to have sweeping take place on Friday, so the street is clean for the weekend.
  - 3) A statement that the applicant has communicated with adjacent property owners that the project will be commencing and have provided them with contact information.

(f) Notification and Inspection. The applicant or its authorized agent shall notify the City on completing the installation of all property line and silt fencing. The applicant shall not proceed with site activity until the City has been notified and allowed two full business days to inspect the site and, as necessary, confer with applicant. Specific provisions of the construction site management plan and general regulations may be waived by City Staff based on the scope, grade change and duration of the specific construction project.

Subdivision 3. Enforcement. The City Zoning Official or City Clerk-Administrator shall have authority to issue a stop work order (red-tag) on the building permit issued for the project in the event the owner, his general contractor or owner's agents, contractors or sub-contractors fail to comply with a directive issued under this ordinance by the City Officials. Any person, firm, or corporation who shall violate any of the provisions hereof or who shall fail to comply with an order of the City Zoning Official or City Clerk-Administrator related to provisions hereof shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed one thousand dollars (\$1,000) and/or by imprisonment for not to exceed ninety (90) days. Each day that a violation continues shall constitute a separate offense.

Section 2. Effective Date. This Ordinance shall be effective as of its date of publication.

Enacted by the Greenwood City Council on \_\_\_\_\_, 2005.

\_\_\_ Ayes      \_\_\_ Nays

\_\_\_\_\_  
Robert Newman, Mayor

ATTEST:

\_\_\_\_\_  
Roberta Whipple, Clerk-Treasurer



### **A statement of compliance with the Construction Management Plan**

The undersigned has read the Construction Management ordinance and agrees to abide by all the conditions and requirements set forth in the ordinance and specifically agrees to adhere to the following ordinance requirements;

1. The applicant agrees to contact adjacent neighbors prior to the commencement of construction and provide them with contact information. The applicant is required to address concerns raised by adjacent neighbors and make every effort to eliminate any nuisances caused by their construction project.
2. The construction site, and if necessary, adjacent properties, will be cleaned daily to remove any and all garbage and debris caused either directly or indirectly by the applicant's construction project.
3. All city streets affected by the construction project will be cleaned a minimum of once per week, preferably on Friday so that streets are clean for the weekend. The applicant agrees that additional cleaning, at the direction of city staff, may be necessary to maintain a debris free environment.

The applicant acknowledges that a violation of any portion of the Construction Management Ordinance or this statement will result in the placement of a stop work order on their project until such time as the applicant is considered, by city staff, in compliance with the requirements of the Construction Management Ordinance and this statement.

\_\_\_\_\_  
Contractor

\_\_\_\_\_  
Zoning Coordinator

\_\_\_\_\_  
Date



May 22, 2009

Lake Shore Market  
Attn: Mohamed Kwara  
21380 State Highway 7  
Greenwood, MN 55331

Mr. Kwara,

Thank you so much for meeting with Councilman Kelsey Page, Zoning Coordinator Gus Karpas, and me at the Greenwood City Office on 5/21/09. Here is a recap of the results of our meeting:

1. You agreed to remove the large coolers, horse trailer, and snow plow by 6/2/09.
2. Gus will arrange for removal of the aluminum can collection bin by 6/2/09.
3. Regarding the gravel area on the west side of your building ... It turns out the vast majority of this area is city road right of way. Kelsey and I will recommend the council approve the city getting bids to remove the gravel and replace it with topsoil and sod. A small part of the gravel area is on your property and you agreed to allow the city to replace that area with sod as well. So the plan is for the city to replace the entire gravel area with grass right up to your building.

We believe these changes will greatly improve the gateway to Greenwood and will help your business by making it more inviting for customers.

Thank you for your help in keeping Greenwood beautiful.

Sincerely,

Debra J. Kind  
Mayor, City of Greenwood

**Roberta Whipple**

**From:** cjc7a@aol.com  
**Sent:** Wednesday, May 27, 2009 10:23 AM  
**To:** administrator@greenwoodmn.com  
**Subject:** LAKESHORE MARKET

## Lakeshore Market

21380 hwy 7

Greenwood MN

May 27, 2009

Greenwood city

Dear Mr. Gus

This is Mohamed Kwara from the Lakeshore Market; I would love to attend the meeting on June 2nd to talk to the city council about my food section again. Since most of our customers and neighbors are asking for it and support the idea so we can serve hot sandwich and they are waiting eagerly for us. We will also be bringing ethnicity into the city of greenwood. I would also like to bring up the idea of a tire shop in the west side of the gas station where we have our bait right now. Due to the bills we have and the bad economy we really need one of these ideas to be placed to help us stay open as well as pay our bills.

Sincerely  
Mohamed Kwara

Dinner Made Easy - Get meal ideas and money-saving coupons! [Get Recipe Ideas!](#)

5/27/2009

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA  
AMENDING LIQUOR FEES IN CODE SECTIONS 800, 820, AND 510; AND AMENDING THE DEFINITION  
AND TERMS DELIMITED LIQUOR LICENSES under SECTION 820:40.**

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

**SECTION 1.**

Greenwood Ordinance Code Section 510:00 is hereby amended to add the following:

“

Liquor: Off-Sale Non-Intoxicating License	800:15	\$100	Annual
Liquor: Off-Sale Non-Intoxicating, Investigation Fee	800:30	\$500 plus all costs and expenses associated with investigation outside of MN as allowable by state statute	
Liquor: On-Sale Intoxicating License	820:40	\$10,000 per state statute	Annual
Liquor: On-Sale Intoxicating, Wine License	820:40	\$2,000	Annual
Liquor: On-Sale Intoxicating, Sunday License	820:40	\$200	Annual
Liquor: On-Sale Intoxicating, Delimited License	820:40	\$2,500	Annual
Liquor: On-Sale Intoxicating, Investigation Fee	820:35	\$500 plus all costs and expenses associated with investigation outside of MN as allowable by state statute	
Liquor: On-Sale Intoxicating, Renewal Applications or Change of Status Fee	820:35	\$250 per person to be investigated (not to exceed \$500)	Annual
Liquor: On-Sale Surety Bond	820:45	\$1,000	In conjunction w/application
Liquor: On-Sale Intoxicating Civil Fine, 1st Offense	820:70	\$500	Per 24-month period
Liquor: On-Sale Intoxicating Civil Fine, 2nd Offense	820:70	\$750	Per 24-month period
Liquor: On-Sale Intoxicating Civil Fine, 3rd Offense	820:70	\$1,500	Per 24-month period
Liquor: On-Sale Intoxicating Civil Fine, 4th Offense	820:70	\$2,000	Per 24-month period

”

**SECTION 2.**

Greenwood Ordinance Code Section 800:30 Investigation is hereby amended to read as follows:

“Section 800:30 Investigation. On receipt of an initial application for an off-sale non-intoxicating malt liquor license, the City shall cause an investigation to be had by the police department of all facts set forth in the application. The applicant must cooperate with the investigating officer in the solicitation of necessary information in preparation of the report for recommendation or denial of the license. The investigation shall include a preliminary background and financial investigation of the applicant as permitted under Minnesota Statutes Section 340A.412, as amended. A one time investigation fee in an amount required or authorized but not greater than permitted under Minnesota Statutes Section 340A.412, as amended, and set forth in Section 510 shall be charged to the applicant by the City. If investigation is required outside the State of Minnesota, the costs shall be payable by the applicant as a condition of issuance of the license, in an amount as required or authorized, but not greater than permitted under Minnesota Statutes Section 340A.412, as amended.

In the event that a corporate license holder has a change of ownership constituting a transfer of 10% or more of the stock of the corporation, such transaction must be reported in writing to the City within 10 days of the transfer, and the City may at its election demand a supplemental investigation then be undertaken, and all application and investigation forms necessary for that investigation shall be completed by the applicant within 30 days and the applicant shall pay an additional investigation fee in the amount set forth in Section 510, but not greater than permitted under Minnesota Statutes Section 340A.412, as amended.”

**SECTION 3.**

Greenwood Ordinance Code Section 820.10, Subdivision 2 is hereby amended to read as follows:

“Subd. 2. There shall be the following types of intoxicating liquor licenses:

- a. On-Sale Intoxicating Liquor License
- b. On-Sale Intoxicating Liquor License - Delimited

- c. On-Sale Wine License
- d. Sunday On-Sale Intoxicating Liquor License"

#### SECTION 4.

Greenwood Ordinance Code Section 820:35 Investigation Fees is hereby amended to read as follows:

"Subd. 1. Initial Application Investigation Fee. At the time of each application for a license, the applicant shall pay in full an investigation fee in an amount required or authorized, but not greater than permitted by Minnesota Statutes Section 340A.412, as amended, as set forth in Section 510. Provided however, should the investigation be required outside of the State of Minnesota, all costs and expenses associated shall be charged to and paid by the applicant, in an amount required or authorized, but not greater than permitted by Minnesota Statutes Section 340A.412, as amended. Investigation fees are not refundable. All applications shall state that the applicant agrees to assume and pay all costs associated with the investigation to be conducted as provided under this subdivision and the laws of the State of Minnesota.

Subd. 2. Renewal Applications/Change of Status. If at the time of a license renewal application a change of ownership or control of the licensee or a change of the manager of the premises is identified, the licensee shall pay a supplemental investigation fee in the amount set forth in Section 510, but not greater than permitted under Minnesota Statutes Section 340A.412, as amended.

Subd. 3. Investigation of Change of Status. All licensees as a condition of holding their license shall advise the City of Greenwood within ten (10) days of a change in the ownership interest of the licensee, be it a natural person or a partnership interest change. In the case of corporation licenses, a change of ownership of ten percent interest of the stock of the corporation must be reported in writing to the City Clerk/ Administrator within ten days of the transfer. A change of manager must be reported in writing to the City Clerk/ Administrator within ten days of the change. The licensee shall then pay to the City the fee in the amount set forth in Section 510, but not greater than permitted under Minnesota Statutes Section 340A.412, as amended."

#### SECTION 5.

Greenwood Ordinance Code Section 820:40 License Fees is hereby amended to read as follows:

"Section 820:40 License Fees and Delimited Licenses.

- Subd. 1. Liquor License Fees. The annual fee for the various types of liquor licenses are set forth in Section 510. The Council may adjust these fees after public hearing as required by Minnesota Statutes Chapter 340A and then memorialize the fee in Section 510 of this code.
- Subd. 2. Delimited Licenses.
  - A. Public Purpose. The City Council finds that it is beneficial to the public welfare that liquor sales be limited within the City of Greenwood by encouraging shorter periods in which on-sale liquor sales may occur.
  - B. Delimited License Established. A delimited intoxicating liquor/ wine license is established wherein the applicant for On-Sale intoxicating liquor/ wine license is restricted to providing service no more than 656 hours per year.
  - C. Delimited License Fee and Business Hours. An applicant for a delimited license shall not operate more than 656 hours per year. The licensee shall state in the application the opening and closing times to be adopted by the business for liquor sales during the license term. Opening and closing times may vary to accommodate seasonal business demand three times during the license term. (For example: a business may have differing sets of business hours for Winter/Spring-Summer/ and Fall). In addition to the investigation fee, the applicant shall pay an annual delimited license fee in an amount set from time to time and as memorialized in Section 510 of this Code. Sunday service hours under a delimited license may not exceed six (6) hours. The hours of operation for liquor service may not be increased during the term of the license without an amended license first obtained. Hours of liquor service operation may be reduced during the license term. A delimited license may be issued in conjunction with any other license provided for under City Ordinances including Sunday On-Sale Intoxicating Liquor license, provided that Sunday is included in the five service days listed in the delimited license application.

SECTION 6.

Greenwood Ordinance Code Section 820:45 Security. Subdivision 1 is hereby amended to read as follows:

"Subd. 1. Bond. Each application for a license shall be accompanied by a surety bond or, in lieu thereof, cash or United States government bonds of equivalent market value. Such surety bond or other security shall be in the sum set forth in Section 510 for an applicant for an on-sale license (or an on-sale wine license)."

SECTION 7.

Greenwood Ordinance Code Section 820:70 Revocation and Suspension. Subdivision 1 is hereby amended to read as follows:

"Subd. 1. Fine, Suspension and Revocation.

Upon evidence that a licensee has failed to comply with any applicable statute, regulation, or ordinance relating to sale or transfer of alcoholic beverages to an inebriated or under-age individual, the City Clerk/ Administrator shall impose the following civil penalties and requirements on the licensee:

First violation in a 24-month period:

a. Civil fine in the amount set forth in Section 510.

Second violation in a 24-month period:

a. Civil fine in the amount set forth in Section 510; and  
b. Requirement that licensee enroll all employees of licensee in an alcohol merchant/employee training program, and provide proof of completion of same to Clerk within ninety (90) days of City demand for civil fine.

Third violation in a 24-month period:

a. Civil fine in the amount set forth in Section 510; and  
b. requirement that licensee enroll all employees of licensee in an alcohol merchant/employee training program, and provide proof of completion of same to Clerk that within ninety (90) days of City demand for fine; and  
c. schedule a hearing before the City Council for the purpose of determining whether or not to suspend or revoke the license as provided in Subd. 2 below.

Fourth violation in a 24-month period:

a. Civil fine in the amount set forth in Section 510; and  
b. Requirement that licensee enroll all employees of licensee in an alcohol merchant/employee training program, and provide proof of completion of same to Clerk within ninety (90) days of demand for civil fine; and  
c. schedule a hearing before the City Council for the purpose of determining whether or not to suspend or revoke the license as provided in Subd. 2 below."

SECTION 8.

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 \_\_\_\_\_, 2009.

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

CITY OF GREENWOOD

Attest:

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

\_\_\_\_\_  
Roberta L. Whipple, City Administrator

## Ordinance #167

### AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA UPDATING SECTION 510 LICENSES, PERMITS, AND FEES AND RELATED SECTIONS OF THE CODE

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

#### SECTION 1.

The Greenwood Ordinance Code Section 510 is hereby amended to read as follows:

“

#### Section 510:00 Greenwood Licenses, Permits, and Fees

Subd. 1. No person, partnership, corporation, or other association shall engage in the following types of activity without first paying the fee listed.

Type of License or Permit	Section	Fee	Conditions & Terms
Animal: Dog-At-Large Fee, 1st Offense	445:30	TBD	In addition to impound fees
Animal: Dog-At-Large Fee, 2nd Offense	445:30	TBD	In addition to impound fees
Animal: Dog-At-Large Fee, 3+ Offenses	445:30	TBD	In addition to impound fees
Animal: Dog License	445:10	\$25	Every two years
Animal: Potentially Dangerous Animal License	445:25	\$500	Plus proof \$1 million insurance
Animal: Private Kennel License	445:05	\$50	Annual
Animal: Wild Animal Permit	445:15	\$10	72-hour limit
Building Moving Permit	300:20	Per building code	Required per structure
Building Permit	300:10	Per building code	Required per structure
Docks: Commercial Marina License, Base	430:10	\$110	Base per year
Docks: Commercial Marina License, Per Slip	430:10	\$5	Per slip, per year
Docks: Municipal Watercraft Space Permit	425:10	\$850	Per slip, per season
Docks: Municipal Sailboat Space Permit	425:10	\$300	Per slip, per season
Docks: Municipal Canoe/Kayak Permit		\$60	Per space, per season
Duplicating Fee		\$0.25	Per copy
Excavation/Filling Permit	440:00	Per building code	Per instance
False Alarm Permit: Fire (after 2nd Offense in 12 mo. period)	1051:03	\$75	
False Alarm Permit: Police (after 3rd Offense in 12 mo. period)	1050:10	\$75	
Fire/Police Alarm Non-Compliance Fine	1050.35 & 1051:07	\$1,000	According to state statute
Garbage/Refuse Collector License	475:20	\$150	Annual
Liquor License: Off-Sale Non-Intoxicating	800:15	Per ordinance 166	Annual
Liquor License: Off-Sale Non-Intoxicating, Investigation Fee	800:30	Per ordinance 166	Annual
Liquor License: On-Sale Intoxicating	820:40	\$10,000	Annual
Liquor License: On-Sale Intoxicating, Wine	820:40	Per ordinance 166	Annual
Liquor License: On-Sale Intoxicating, Sunday	820:40	Per ordinance 166	Annual
Liquor License: On-Sale Intoxicating, Reduced Hours	820:40	Per ordinance 166	Annual
Liquor License: On-Sale Intoxicating, Investigation Fee	820:35	Per ordinance 166	Annual
Liquor License: On-Sale Surety Bond	820:45	Per ordinance 166	In conjunction w/application
Load Limit Fee	740:00	\$50	Per instance
Peddler Permit	465:10	\$70	For 6 months
Plumbing Permit	410:25	Per building code	Required per structure
Recycling: Collection Fee	475:30	\$11.50	Quarterly
Rental Property License	320:30	\$50 first unit, \$20 per additional unit	Annual
Sewer Rates: Residential	520:10	\$75 per residential sanitary service unit	Quarterly
Sewer Rates: Commercial	520:10	\$75 per commercial sanitary service unit	Quarterly
Sewer: Lateral Connection Fee		\$5,120	Per instance
Sewer: Metro Waste Fee		As set by Metro Waste Control	
Sewer: Cap Fee		\$75.00	Per instance
Sewer: Re-Connection Fee		\$75.00	Per instance
Sewer/Recycling: Delinquent Accounts	525:15	\$20, plus 20%	Certified to county annually
Stormwater Management Utility Fee	525:00	\$12	Quarterly
Street Excavation Permit	640:30	\$75	Per site
Tobacco License	415:04	\$50	Annual
Tree Trimming/Removal Permit		To Be Determined	Per application
Zoning: Code Amendment Application Fee	1160:05	\$400	Per application
Zoning: Conditional Use Permit	1150:15	\$400 first item, \$300 per additional item	Per application
Zoning: Shoreland Compliance Review Fee	1176:03	\$200	Per application
Zoning: Simple Suidivision Fee	600:07	\$150	Plus publication cost
Zoning: Variance Application Fee	1155:20	\$400 first item, \$300 per additional item	Per application

”

## SECTION 2.

Greenwood Ordinance Code Section 300:40. Violations and Penalties is hereby amended to read as follows:

“Section 300:40 “Violations and Penalties. The penalty described in the SBC, Section 205, as amended shall be in keeping with Minnesota Statutes 609.033 to 609.034.”

## SECTION 3.

The Title of Greenwood Ordinance Code Section 310, to wit: “Sewers, Connections, Permits and Fees” is hereby amended to read as follows: “Section 310 - Sewers, Connections, and Permits”

## SECTION 4.

Greenwood Ordinance Code Section 415:04 Fees. is hereby amended to read as follows:

“Section 415:04 Fees. No license shall be issued under this ordinance until the appropriate license fee shall be paid in full. The fee for a license under this ordinance shall be set forth in Section 510.”

## SECTION 5.

Greenwood Ordinance Code Section 475:30 Subd. 3 “Delinquent Bills is hereby amended to read as follows:

“Section 475:30 Subd. 3 Delinquent Bills. If recyclable collection charges are not paid within 30 days of the date of the City statement, a delinquency charge may be added. All unpaid charges plus the delinquency charges which remain unpaid on September 15, annually, may, together with an assessment fee, be assessed by the City against the property served and shall become a lien upon the property assessed. The fees shall be set forth in Section 510. The Clerk shall prepare an assessment roll each year which provides for assessment of the delinquent recyclables collection charges plus the additional charges against the respective properties served. The assessment roll shall be submitted by the Clerk to the Council for adoption on or before October 10 of each year.”

## SECTION 6.

Greenwood Ordinance Code Section 1050:35 is hereby amended as follows:

“Section 1050:35 Criminal Penalties.

- Subd. 1. Any alarm user who continues to use an alarm system after receiving notice of revocation or suspension by the Public Safety Department shall be guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine as provided by state statute and/or by imprisonment not to exceed ninety (90) days.
- Subd. 2. Any person required by this ordinance to obtain an alarm user's permit who knowingly fails to do so shall be guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine as provided by state statute and/or by imprisonment not to exceed ninety (90) days.
- Subd. 3. Any permit holder who fails to comply with an order or directive of the Fire Chief, shall be punishable by a fine as provided by state statute and/or by imprisonment not to exceed ninety (90) days.”

## SECTION 7.

Greenwood Ordinance Code Section 1051:07 is hereby amended to read as follows:

“Section 1051:07 CRIMINAL PENALTIES.



- Subd. 1. Any alarm user who continues to use an alarm system after receiving notice of revocation or suspension by the Fire Department shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine as provided by state statute and/or by imprisonment not to exceed ninety (90) days.
- Subd. 2. Any person required by this section to obtain an alarm user's permit who knowingly fails to do so shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine as provided by state statute and/or by imprisonment not to exceed ninety (90) days.
- Subd. 3. Any permit holder who fails to comply with an order or directive of the Fire Chief shall be punishable by a fine as provided by state statute and/or by imprisonment not to exceed ninety (90) days."

#### SECTION 8.

Greenwood Ordinance Code Section 1176:03 is hereby amended by the addition of the following:

"Subd. 10. Shoreland Compliance Review Fee. Applicants for conditional uses, variances, permits, or plats shall pay, in addition to fees required by the underlying zoning Ordinance, upon filing an application for the same an additional Shoreland Compliance Review Fee listed on the fee schedule in Section 510 to cover the costs of notices and review by the City of standards established and required by this Ordinance."

Section 1176.07 Subd. 6 Application Fee is hereby repealed.

#### SECTION 9.

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 \_\_\_\_\_, 2009.

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

CITY OF GREENWOOD

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

Attest: \_\_\_\_\_  
Roberta L. Whipple, City Administrator

Greenwood/Ordinance 167 Fees Draft 5-21-09

May 28, 2009

## Meadville Fire Lane Bollard Options

I checked on the web and TrafficGuard Direct and Cal Pipe Bollards have similar products, which should meet Greenwood's needs. Their prices are fairly close. However, Rob the salesperson at Cal Pipe was more knowledgeable and gave me some good options to meet Greenwood's needs. My recommendation would be to purchase the bollards from Cal Pipe.

He recommended their 4 inch diameter 36" above ground and 12" below ground Carbon Steel light security bollard. There would be two fixed bollards at \$250 each with a 19 foot separation. They would weld a fire department Knox Box into one of the fixed bollards. The Knox Box would have a key in it for the center removable bollard. The center removable bollard at \$500 would have an internal lock and a flip top stainless steel lid to cover the open sleeve when the bollard is removed.

The plus of the internal lock is that it is 30 inches above ground and hence above the snow and ice.

Rob recommended that the bollards be painted yellow for visibility. We can order extra keys for the internal lock and I would suggest having a lifting handle on the removable bollard. I would suggest a half-dome cap for the bollards.

With shipping, the Knox Box (about \$350), and sales tax I would estimate a total cost of about \$1,600. Deephaven Public Works can install the bollards for us. They have not provided an estimate, but I would expect that their charges would be in the \$700 to \$1,400 range for this project. I would suggest that it be assumed that the cost of the project will be about \$3,000 if the Council wants to pursue this project.

Tom Fletcher

ORDINANCE NO. 169

AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA  
REPEALING CITY LICENSES and REGULATIONS REGARDING MOBILE  
HOMES (SECTION 405 ET SEQ); PLUMBING AND PLUMBERS (SECTION 410 ET  
SEQ); VENDING MACHINES, JUKE BOXES, MECHANICAL AND VIDEO  
AMUSEMENT DEVICES (SECTION 480 ET SEQ); TAXI CABS (SECTION 485 ET  
SEQ) AND LICENSING OF PRIVATE BOTTLE AND LIQUOR CLUBS (SECTION  
810 ET SEQ)

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

SECTION 1.

Greenwood Ordinance Code Section 405 Mobile Homes and its Subsections is hereby repealed.

SECTION 2.

Greenwood Ordinance Code Section 410 Plumbing and Plumbers and its Subsections is hereby repealed.

SECTION 3.

Greenwood Ordinance Code Section 480 Vending Machines, Juke Boxes, Mechanical and Video Music Devices and its Subsections is hereby repealed.

SECTION 4.

Greenwood Ordinance Code Section 485 Taxi Cabs and its Subsections is hereby repealed.

SECTION 5.

Greenwood Ordinance Code Section 810 Private Bottle and Liquor Clubs and its Subsections is hereby repealed.

SECTION 6.

The Table of Contents of the 1996 Ordinance Code of the City of Greenwood shall be amended to reflect the repeal of Sections 405, 410, 480, 485 and 810 of the City Code accordingly.

SECTION 7.

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 \_\_\_\_\_, 2009.

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

CITY OF GREENWOOD

Attest:

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

\_\_\_\_\_  
Roberta L. Whipple, CLERK/ ADMINISTRATOR

7B



# 2009 COMMUNITY SURVEY

Your opinions are needed to help guide the future of Greenwood. Please complete this quick survey and return to: Greenwood City Office, 20225 Cottagewood Road, Deephaven, MN 55331. Deadline: July 17, 2009. Your input is appreciated!

## TAXES

Greenwood city taxes are about 18% of your property tax bill. In other words, for every \$1,000 paid in property taxes \$180 goes to the city (\$70 police/fire, \$40 admin/legal/auditor, \$30 roads/engineering, \$30 reserve replenishment, \$10 zoning).

I get good value for my city tax dollar.

Strongly Agree  
Agree  
Neutral  
Disagree  
Strongly Disagree

☐ ☐ ☐ ☐ ☐

## POLICE

The South Lake Minnetonka Police Department's strategic plan indicates a need for adding 1-2 police officers to improve officer safety.

Greenwood feels like a safe community.

I support raising taxes (\$30-60 per household per year) to add police officers.

☐ ☐ ☐ ☐ ☐

☐ ☐ ☐ ☐ ☐

## ROADS

My road is in acceptable condition.

I support the city paying cash to improve 1-3 roads each year.

Note: taxes may increase to keep up with rising construction costs.

I support city bonding (getting a loan) to improve all roads now.

Note: this means there would be no tax increases for roads for 10 years.

I am satisfied with the quality of snow plowing on my road.

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## DOCKS

The city owns a Public Marina on St. Alban's Bay. The 2009 slip fee is \$750 (same as it was in 2007 and 2008). In 2010 the fee will be \$850. There are 26 slips and 38 people on the waiting list. Note: Marina Funds may be used for any city purpose.

The \$850 slip fee is about right.

The slip fee should be the average of Excelsior's, Deephaven's, and Tonka Bay's rates (approx. \$1,400).

☐ ☐ ☐ ☐ ☐

☐ ☐ ☐ ☐ ☐

## MISC.

I support using Marina Fund money to help pay for milfoil treatment on St. Alban's Bay.

I support regulation of tree trimming/removal in Greenwood.

Current outdoor lighting in my neighborhood is too bright.

☐ ☐ ☐ ☐ ☐

☐ ☐ ☐ ☐ ☐

☐ ☐ ☐ ☐ ☐

Your Name (optional)

Phone (optional)

Email Address (optional)

☐ Please add my email to the list to receive city council agendas and news

Your Age Group ☐ 18-39 ☐ 40-64 ☐ 65 plus

Want to make additional comments? Please use the space below or back ...

7D

**Roberta Whipple**

**From:** Linda Murrell [eacc@isd.net]  
**Sent:** Thursday, May 14, 2009 3:21 PM  
**To:** Roberta Whipple  
**Subject:** 4th of July Proposal attached  
**Importance:** High

Roberta,

My apologies for not sending sooner. Too much going on!  
To date, we have received the following commitments from the cities:  
Excelsior: \$2,100  
Deephaven: \$1,200  
Tonka Bay: \$1,500  
Shorewood: \$2,500

I would like to ask Greenwood to match Tonka Bay. It sure would be appreciated!!

Thanks much,  
Linda Murrell

2009 4th of July Budget \$1200

## **MEMORANDUM of UNDERSTANDING**

### **Between the Minnehaha Creek Watershed District and the City of Greenwood for Local Water Planning and Regulation**

This Memorandum of Understanding (MOU) is made by and between the Minnehaha Creek Watershed District, a watershed district with purposes and powers as set forth at Minnesota Statutes Chapters 103B and 103D ("MCWD"), and the City of Greenwood, a body corporate and politic and a statutory city in the State of Minnesota ("City").

#### **Recitals and Statement of Purpose**

WHEREAS in 2007, the MCWD revised its comprehensive watershed management plan under Minnesota Statutes § 103B.231, which details the existing physical environment, land use and development in the watershed and establishes a plan to regulate water resource use and management to protect water resources, improve water quality, prevent flooding and otherwise achieve the goals of Minnesota Statutes Chapters 103B and 103D;

WHEREAS the MCWD's comprehensive watershed management plan incorporates the Rules adopted by the MCWD to protect water resources, improve water quality, prevent flooding and otherwise achieve the goals of Minnesota Statutes Chapters 103B and 103D;

WHEREAS the City has developed a local water management plan under Minnesota Statutes §103B.235 that describes the existing and proposed physical environment and land use within the City and sets forth an implementation plan for bringing local water management into conformance with the MCWD's comprehensive watershed management plan;

WHEREAS on May 14, 2009, the MCWD Board of Managers conditionally approved the City's local water management plan by adoption of Resolution 09-038, which resolution is attached and incorporated herein;

WHEREAS the City wishes to continue to authorize MCWD permitting authority with respect to all areas regulated by the MCWD including the Minnesota Wetland Conservation Act;

WHEREAS MCWD approval of a local plan requires a finding that the official controls of the local government are at least as protective of water resources as the MCWD Rules;

WHEREAS the finding by the MCWD Board of Managers in this regard rests on the City's authorization of the MCWD's continued exercise of regulatory authority within the City in accordance with Minnesota Statutes §103B.211, subdivision 1(a)(3);

WHEREAS the MCWD and City desire to memorialize their respective roles in implementing water resource protection and management within the City;

NOW THEREFORE it is mutually agreed by and between the parties that they enter into this MOU in order to document the understanding of the parties as to the roles and responsibilities of each party.

## **1.0 Responsibilities of the City**

1.1 The City may exercise all present and future authority it otherwise may possess to issue permits for and regulate activities affecting water resources within the City.

1.2 The City will meet at least annually with the MCWD to review the implementation of the City's local water management plan.

1.3 Annually, by the date specified for the City's submittal of its annual report under its NPDES municipal stormwater permit, the City will submit to the MCWD a concise but specific report describing:

- a. Progress on the local water management plan implementation program.
- b. Progress on meeting phosphorus load reduction requirements of the WMP.
- c. Any adjustments to the implementation and/or capital improvement program in the local water management plan.
- d. A listing, with further specific information as the MCWD may request, of grading and structural alterations approved or occurring within city boundaries since the last annual report (both private and public alterations) that could measurably affect hydraulic and hydrologic model outcomes.

The City may incorporate its annual report into its NPDES MS4 annual report, provided it addresses the above items with specificity.

## **2.0 Responsibilities of the MCWD**

2.1 The MCWD will continue to apply and enforce its Rules, as they may be amended from time to time, within the City.

2.2 The MCWD will meet with the City at least annually to review the annual report submittal as described in item 1.3.

2.3 The MCWD retains all authority that it may possess under Minnesota Statutes Chapters 103B and 103D or any other provision of law, except as explicitly reposed in the City under this MOU, including but not limited to authority set forth at Minnesota Statutes §§103B.211, subdivision 1(a); 103D.335 and 103D.341.

## **3.0 General**

3.1 The MOU is effective on the date that it has been executed by both parties, will remain in effect for five years, and will be extended automatically for five-year terms unless terminated by



agreement of the parties. Notwithstanding, the City will continue to be subject to applicable statutes and rules requiring that it revise its local water management plan in response to MCWD revisions of the WMP.

3.2 This MOU may be amended only by a writing signed by both parties.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding.

**CITY OF Greenwood**

**MINNEHAHA CREEK WATERSHED DISTRICT**

By \_\_\_\_\_  
Mayor

By \_\_\_\_\_  
President, Board of Managers

By \_\_\_\_\_  
City Manager

Date:

Date:

APPROVED AS TO FORM AND  
EXECUTION

APPROVED AS TO FORM AND  
EXECUTION

By \_\_\_\_\_  
Its Attorney

By \_\_\_\_\_  
Its Attorney

## ORDINANCE NO. 170

### AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA AMENDING GREENWOOD ORDINANCE CODE SECTION 1140:80, TREE PRESERVATION.

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

#### SECTION 1.

Greenwood Ordinance Code Section 1140:80 is amended to read as follows:

"Section 1140:80 Tree Preservation.

##### Subdivision 1. Public Purpose.

The protection of the public welfare requires the preservation of an urban forest in and amongst the commercial buildings, homes, and streets of the City. Among the benefits of an urban forest are soil stabilization, control of water pollution, tempering noise, provision of a habitat for wildlife, and shade and beauty. Indiscriminate removal of trees deprives the community of these benefits. It is in the interest of the general public welfare, the City and its residents to prevent the indiscriminate removal of trees and the unregulated clearing of vegetation.

##### Subdivision 2. Definitions.

- A. Arborist. – An Arborist is a person certified by the International Society of Arboriculture.
- B. Annual Permitted Tree Harvest – The cutting or harvesting of up to two (2) Significant Trees in a single calendar year constitutes the “Annual Permitted Tree Harvest”.
- C. Bluff Impact Zone. -- As defined under the Shoreland District Management Ordinance, Greenwood Ordinance Code Section 1176 et. seq.
- D. Conifer. – Examples of conifer trees are include cedar, douglas-fir, cypress, larch, pine, redwood, and spruce.
- E. Cut or Harvest. - To “cut” or “harvest” shall mean the cutting, damaging, harvesting, killing, poisoning, trimming or the causing of disease or other act intended to cut down, damage, disease, or kill a tree.
- F. Hardwood. - Examples of hardwood deciduous trees include but are not

limited to, ash, birch, catalpa, elm, hickory, ironwood, maple (hard), oak, and walnut.

- G. Heritage Tree(s). - A "Heritage Tree" is a hardwood, softwood, or conifer tree, meeting the following circumference measured at forty-eight inches (48") above grade or, if cut or harvested, the stump thereof which wholly encompasses a circle of like circumference.

- (1) Hardwood Trees: hardwood trees over ninety-five inches (95") in circumference, or
- (2) Softwood Trees: softwood trees over one hundred thirty inches (130") in circumference, or
- (3) Conifer Trees: conifer trees over sixty inches (60") in circumference.

- H. Intentional Harm. - "Intentional harm" means to "cut" or "harvest" shall mean the cutting, damaging, harvesting, killing, poisoning, trimming or the causing of disease or other act intended to cut down, damage, disease, or kill a tree without a required permit under this code or in excess of the permitted tree cutting or harvesting permitted under a permit issued pursuant to this code.

- I. Licensed Tree Trimmer. - A person or company providing tree trimming services who also holds an Arborist certification and a Tree Trimmer license from the City of Greenwood.

- J. Noxious Trees. Buckthorn, Sumac, Box Elder, Siberia Elm, Green Ash, and Prickly Ash

- K. Property - Property means a parcel of land identified by a property tax identification number owned by a "property owner" as defined herein.

- L. Property Owner - A "property owner" as used shall mean the holder of fee title to a parcel of real estate and their tree trimmers (licensed and unlicensed), employees, independent contractors, and agents.

- M. Shore Impact Zone. - As defined under the Shoreland District Management Ordinance, Greenwood Ordinance Code Section 1176 et. seq. (50' back from the ordinary high water mark of Lake Minnetonka)

- N. Significant Tree - A "Significant Tree" is a hardwood, softwood, or conifer tree, meeting the following circumference measured at forty-eight inches (48") above grade or, if cut or harvested, the stump thereof which wholly encompasses a tree of like circumference.

- (1) Hardwood Trees: hardwoods over thirty-two inches (32") in circumference, or

- (2) Softwood Trees: softwood over forty-four inches (44") in circumference, or
- (3) Conifer Trees: conifer over thirty-eight inches (38") in circumference.

O. Softwood - Examples of softwood deciduous trees include but are not limited to, cottonwood, poplars, aspen, silver maple, basswood and willow.

P. Tree - "Tree or Trees" as used herein includes:

- (1) A conifer/evergreen tree, being a woody plant of at least 6 feet in height which at maturity is at least twelve (12) feet or more in height, having foliage at the outermost portion of the branches year round; or
- (2) A deciduous tree, either hardwood or softwood, being a woody plant of 3" or greater in trunk diameter for hardwood, 4" or greater in trunk diameter for softwood, which at maturity is at least fifteen (15) feet or more in height, having a defined crown and which loses leaves annually. The trunk diameter shall be measured at 48".

Q. Tree Trimming. - To prune or trim a tree in such a manner as to manage its growth, improve its appearance, or eliminate branches which encroach upon structures and improvements, provided that such trimming does not cause the tree to become diseased or will likely cause the tree to die.

R. Tree Preservation Plan - A listing/survey by location, type, size, and approximate height of all trees on a parcel of land with accompanying illustration showing all trees 3" or larger in trunk diameter for hardwood, 4" or larger in trunk diameter for softwood and conifer/evergreens six feet or taller in height together with a written plan to protect same from harm.

### Subdivision 3. Permitted Tree Cutting, Harvesting, and Trimming.

A. Tree Cutting. -

(1) A Property owner may cut or harvest without limit or need of permit first obtained (a) Noxious Trees, (b), trees which do not meet the definition of "Significant Tree" or "Heritage Tree" hereunder, (c) dead trees, and (d) fatally diseased trees which do not meet the definition of "Significant Tree" or "Heritage Tree" hereunder.

(2) A Property Owner may cut or harvest up to two (2) Significant Trees upon their property in any one calendar year without a permit first obtained pursuant to Subdivision 4A(1).

(3) No Property Owner may cut or harvest a Heritage Tree upon their property without a variance first obtained pursuant to Subdivision 4B.

- B. Tree Trimming - A property owner may trim an otherwise healthy tree, including a Heritage Tree, in such a manner as to manage its growth, improve its appearance, or eliminate branches which encroach upon structures and improvements without permit first obtained, provided, however, that such trimming does not cause the tree to become diseased or will likely cause the tree to die. In the event such trimming involves a Significant Tree or Heritage Tree and may cause the Significant Tree or Heritage Tree to become diseased or die, a Conditional Use Permit shall be first obtained.

Subdivision 4. Restrictions on Cutting or Harvesting of Significant Trees and Heritage Trees.

- A. Significant Trees – Maximum Permitted Annual Harvest. No property owner shall cut or harvest more than two (2) Significant Trees upon their property in any one calendar year without an Administrative Tree Harvesting Permit first obtained pursuant to Subdivision 4A(1).

(1) Administrative Tree Harvesting Permit. An “Administrative Tree Harvesting Permit” to cut or harvest more than two (2) Significant Trees to a maximum of five (5) Significant Trees on a property in a single calendar year may be issued on written application to the Zoning Administrator. No more than one “Tree Harvesting Permit” in any five (5) year period may be issued for any one property.

(2) Application Contents. The Applicant for an “Administrative Tree Harvesting Permit” shall identify the tree variety, trunk diameter (measured at 48 inches above grade), and provide a lot diagram locating the trees to be cut under the permit. Applications shall be signed by the Property Owner.

- B. Heritage Trees – Cutting, or Harvesting Regulations. No property owner shall cut, or harvest a Heritage Tree, without a Variance first obtained pursuant to Greenwood Code Section 1155 et. seq.

(1) Application Contents. In addition to the Application requirements imposed under Greenwood Code Section 1155 et. Seq. the Applicant for a variance to cut or harvest a Heritage Tree hereunder shall identify the tree variety, trunk circumference (measured at 48 inches above grade), and provide a lot diagram locating the structures, (existing and proposed), and the tree to be cut under the permit, and a written professional opinion from an Arborist supporting the necessity of the requested action.

Applications shall be signed by the Property Owner.

- C. Bluff Impact Zone and Shore Impact Zone Trees – Cutting, or Harvesting Regulations. No property owner shall cut or harvest trees located in (a) “Shore Impact Zone” or b) a “Bluff Impact Zone”, without a Conditional Use Permit first obtained pursuant to Greenwood Code Section 1150 et. seq.
- D. It shall be a violation of Subdivision 11B for property owners and/or their agents to exceed the maximum number of trees permitted to be cut or harvested on a given property under an Administrative Tree Harvesting Permit or Conditional Use Permit issued hereunder.

Subdivision 5. Building Permit Tree Preservation Orders.

As a condition to the grant of any building or zoning code permit, the City building official or City Zoning Administrator may order affirmative protective action be taken, or otherwise impose restrictions, on construction related activity as deemed necessary to protect trees, including any Significant Trees and Heritage Trees, on a property or an adjacent property, from harm or injury, or unauthorized trimming, cutting, harvesting, or killing. Such tree protection orders may require, but are not limited to, the wrapping of trees, restrictions on soil disturbance, grading, deposits of soil and debris, and controls on excavation, watering, use of protective fencing, and such other action necessary to protect a Significant Tree, Heritage Tree or any other tree.

- (1) Significant Trees or Heritage Trees which are intentionally or unintentionally injured or die due to construction related activity shall be replaced by the property owner/developer in accordance with the tree replacement schedule per Subdivision 8.

Subdivision 6. Construction Related Tree Cutting Permits.

If proposed improvement of property necessitates the removal of trees for construction purposes the property owner/developer shall be limited to the annual permitted tree harvest, except as allowed under an “Administrative Tree Harvesting Permit” or a “Construction Tree Cutting Permit” first obtained.

- A. Tree Preservation Plan Required. No building permit application or a zoning code review application shall be complete unless and until a tree preservation plan as required under Subdivision 6 has been submitted by the property owner, developer, or its agent.
- B. Construction Related Tree Cutting Permit. An “Administrative Construction Related Tree Cutting Permit” may be issued on application to the City Zoning Administrator and may be issued only in conjunction with an approved building permit, subject to the following limitations:

(1) Home Addition/Accessory Structure Construction - In conjunction with an approved building permit for the expansion of an existing residence and/or the construction of an otherwise code permitted accessory structure, the Administrative Construction Related Tree Cutting Permit may authorize a property owner/developer to cut or harvest up to 10% of the total trees on a property.

(2) New Home Construction/Property Redevelopment - In conjunction with an approved building permit for a new home construction and/or the razing of a building and the construction of a new home thereat, the Administrative Construction Related Tree Cutting Permit may authorize a property owner/developer to cut or harvest up to 20% of the total trees on a property.

C. "Administrative Construction Related Tree Cutting Permit" Application Contents. The Applicant for an "Administrative Construction Related Tree Cutting Permit" shall prepare and submit a Tree Preservation Plan as required under Subdivision 6, identifying the tree variety, trunk diameter (measured at 48 inches above grade), and provide a lot diagram locating the trees to be cut under the permit. Applications shall be signed by the Property Owner.

D. Variance - In the event planned construction under an authorized building permit would necessitate the cutting or harvesting of more trees than may be permitted under an administrative permit authorized hereunder, the property owner shall not proceed with tree cutting or harvesting without a variance pursuant to Section 1155 first obtained. The variance, if approved, shall be conditioned upon the planting of replacement trees in accordance with the tree replacement schedules of this Code.

(1) Variance Application Contents. The Applicant for a variance to the maximum permitted tree cutting or harvest allowed under an "Administrative Construction Related Tree Cutting Permit" shall, in addition to all information required from an applicant for a variance under Greenwood Code Section 1155, prepare and submit a Tree Preservation Plan as required under Subdivision 6 and identify the tree variety, trunk diameter (measured at 48 inches above grade), and provide a lot diagram locating the trees to be cut under the variance and the construction project in general. Applications shall be signed by the Property Owner.

#### Subdivision 6. Tree Preservation Plan Requirements.

A property owner seeking a building permit or approval of a simple or full

subdivision shall prepare and submit to the City a Tree Preservation Plan in conjunction with a building permit application or subdivision application. A Tree Preservation Plan shall include the following:

- A. A map (scale not less than 1" to 30') designating all existing structures, roads, utilities, driveways, and illustrating by species:
  - (1) All deciduous trees on the property greater than a) 3 inches in diameter for hardwood trees, or b) 4 inch in diameter for softwood trees, (measured at 48" above grade); and
  - (2) All coniferous trees greater than six feet in height; and
  - (3) All significant trees and heritage trees, including their circumference and variety.
- B. A written narrative describing specific activities proposed for the property and the trees that will be affected by the proposed development.
- C. A written inventory of all trees by type, size, and species that would be at risk or will be lost to grading and construction activities.
- D. A separate inventory and description of "significant trees" and "heritage trees".

The tree preservation plan shall be prepared by a licensed land surveyor, civil engineer, arborist, landscape architect, or other person whose credentials are deemed acceptable by the City Zoning Administrator.

#### Subdivision 7. Subdivision Approval - Tree Replacement.

No simple subdivision, or full plat subdivision, shall be approved by the City Council except on condition that:

- A. All "Significant Trees",
- B. All "Heritage Trees"; and
- C. All trees to be cut down in excess of the maximum permitted under an Administrative Construction Related Tree Cutting Permits,

shall be replaced in accordance with the tree replacement schedule of this code section.

#### Subdivision 8. New Home Construction/Property Redevelopment Tree Replacement Schedule:



A. Replacement Trees Size Categories Defined:

	<u>Size of Replacement Trees Required</u>		
	<u>Per Category</u>		
	<u>A</u>	<u>B</u>	<u>C</u>
Deciduous Trees	Not less than 2" in diameter	Not less than 2.5" in diameter	Not less than 3" in diameter
Coniferous Trees	Not less than 6' in height	Not less than 8' in height	Not less than 10' in height

B. Replacement of "Trees", "Significant Trees" or "Heritage Trees" - Where replacement of a tree, "significant tree", or "heritage tree" is required, the Property Owner, and its Agent, shall be responsible for furnishing and planting the size of tree(s) identified Paragraph A above, in Category A, Category B, or Category C of the following schedules:

Tree Replacement Schedule for  
"Significant Trees"

<u>Size of "Significant Tree" or "Heritage Tree"</u> <u>Damaged or Destroyed</u>	<u>Number of Replacement Trees Required Per</u>		
	<u>Category A</u>	<u>Category B</u>	<u>Category C</u>
Coniferous greater than 38 inches in circumference	8	4	2
Hardwood deciduous greater than 32 inches in circumference	4	2	1
Softwood deciduous greater than 44" in circumference	8	4	2

Tree Replacement Schedule for "Trees"  
Other Than "Significant Trees" or "Heritage Trees"

<u>Size of "Tree"</u> <u>Damaged or Destroyed</u>	<u>Number of Replacement Trees Required</u>		
	<u>Category A</u>	<u>Category B</u>	<u>Category C</u>
Coniferous trees 1-1/2" in diameter but less than 6 feet in height	1	-	-
Coniferous trees 6' or greater but not a "Significant Tree"	2	1	-
Deciduous trees 1-1/2" diameter (48" above grade) but less than six inches in diameter.	3	2	1
Deciduous trees 6" diameter or greater (48" above grade) But not a "Significant Tree"	4	3	2

C. Type of Replacement Trees to be Chosen. Replacement trees shall be of a species similar to the trees which are lost or removed or species deemed acceptable to the City.

- D. Alternate Site. In the event a property does not offer a reasonable site for planting of replacement trees on the property, the owner shall pay to the City Park Fund the fair market value of each replacement tree required per the Tree Replacement Schedule.
- E. Source of Replacement Trees. Replacement trees shall consist of “certified nursery stock” or state inspected transplant stock as defined by Minnesota Statutes 18.46.
- F. Tree Survival. Replacement trees shall be chosen with consideration given to the available soil types and available space such as to accommodate the anticipated natural growth and survival of the replacement tree.

Subdivision 9. Property Owner/Developer Warranties of Replacement Trees.

The property owner shall warrant to the City the survival of replacement trees planted pursuant to this ordinance for a term of two years from the date of planting. The property owner, their successors and assigns shall be responsible for the replanting of replacement trees which die during the two years following initial planting or replanting. The property owner shall be responsible to remove and restore any replacement tree which is not alive and healthy two (2) years after the date that the replacement tree was planted, unless such tree was planted on public lands. In the event a dead or unhealthy tree is not replaced on 30-day written demand to the owner from the City, the property owner shall pay to the City a civil fine in the amount of \$200.00. In the event the civil fine is not paid on 30 days written demand from the City, the City may assess said amount to the property.

Subdivision 10. Property Owner/Developer’s Security for Replacement Trees Planted.

The owner shall provide security to the City for the performance of obligations imposed under this code section as follows:

- A. Form. Security may consist of a bond, letter of credit, or cash in such form and substance as shall be approved by the City Clerk Administrator.
- B. Amount of Security. The amount of security until modified by subsequent City Council resolution shall be 125% of the estimated cost to furnish and plant replacement trees as required in conjunction with any building permit. The estimated cost shall be at least as much as the reasonable amount charged by local nurseries for furnishing and planting of the requisite number of replacement trees. The estimated cost shall be at the sole discretion of the City.
- C. Release of Security. The security deposit shall be retained for the two-year period from the date that the last replacement tree has been planted. Security may be released only to the party that made the deposit with the

City, the City may retain such portion of the security deposit as is equal to the cost of:

- (1) Removing dead and unhealthy trees and planting new replacement trees; or
- (2) Replacing any tree on which protective fencing has been encroached upon.

Subdivision 11. Enforcement.

- A. Intentional Harm of Tree. It shall be a misdemeanor to:
  - (1) cause Intentional Harm to a tree; or
  - (2) cut or harvest a tree, Significant Tree, or Heritage Tree, without a permit, Conditional Use permit, or Variance required hereunder.
- B. Violation of a Tree Permit. It shall be a misdemeanor for property owners to exceed the maximum number of trees permitted to be trimmed, cut or harvested on a given property under an Administrative Tree Harvesting Permit, Construction Related Tree Cutting Permit, Conditional Use Permit or Variance issued hereunder.
- C. Harvesting without a Permit. It shall be a misdemeanor for a property owner to cause or allow the removal of a tree from their property or the trimming, cutting, or harvesting of a tree which requires a permit hereunder. It is not unlawful nor shall a permit be required to cut or remove a dead tree.

Subdivision 12. Ordinance Administration.

The administration of this ordinance shall be through the offices of the City Zoning Administrator. In exigent circumstances, for the preservation of public safety, the City Zoning Administrator has the authority to waive strict compliance with the requirements of this ordinance. The City Zoning Administrator has the authority to sign complaints for violation of this Code section. Fees for permits hereunder shall be set by the City Council from time to time and memorialized in Chapter V of the City Code."

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 \_\_\_\_\_, 2009.

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

CITY OF GREENWOOD

Attest:

By:

\_\_\_\_\_  
Debra R. Kind, Mayor

\_\_\_\_\_  
Roberta A. Whipple,  
CLERK/ ADMINISTRATOR

1/ordinanc.tree PreservationREVISED.4.20