

# MINUTES

## Greenwood City Council

### Regular Meeting

7pm, Wednesday, February 1, 2023  
Deephaven Council Chambers  
20225 Cottagewood Road, Deephaven, MN 55331



### Regular Meeting

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

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

Members Present: Mayor Deb Kind, Councilmembers Tom Fletcher, Brian Malo, Bill Cook, Kristi Conrad (arrived at 7:05pm)

Staff Members Present (via Zoom): City Zoning Administrator Scott Richards and City Assistant Administrator Shanda Wilhelmy

**Motion by Kind to approve the agenda. Second by Cook. Motion passed 4-0.**

#### 2. CONSENT AGENDA

- A. Approve: 01.04.23 City Council Meeting Minutes
- B. Approve: Dec Profit & Loss
- C. Approve: YTD Profit & Loss Budget vs. Actual
- D. Approve: Dec Cash Summary
- E. Approve: Jan Check Detail
- F. Approve: Feb Payroll Report
- G. Approve: Ord 328 SWPPP Code Book Updates, Res 07-23 Summary Ord 328
- H. Approve: Res 03-23 Prosecuting Attorney JPA, Res 06-23 MSA for MGA
- I. Approve: Res 08-23 2023 Dates (updated)

**Motion by Kind to approve consent agenda. Second by Malo. Motion passed 4-0.**

#### 3. MATTERS FROM THE FLOOR

- A. NONE

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

- A. Presentation: South Lake Minnetonka Police Chief Brian Tholen, Quarterly Police Update

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

Chief Tholen introduced three new officers to the council: Officers Zach, Allie, and Mike. Officer Ben was also introduced, but was unable to attend the meeting. After introducing the new officers, Chief Tholen recapped 2022 police activity in the City of Greenwood.

There were 579 calls in 2022 compared to 534 calls in 2021. May was the busiest month, followed by July. 25 of the 28 calls from rental properties were from Georgetown Manor Apartments at 5205 Greenwood Circle.

Currently the department is fully staffed with 17 officers. By mid-year 2023 there will be an additional officer coming on staff to bring SLMPD to 18 officers. The new hire for the Drug Task Force is a position that was approved by the Coordinating Committee. An additional officer will be funded through a Federal and State grant. A sergeant will be retiring from the SLMPD this fall, and this position will need to be filled as well. Coming back this year in the fall will be the SLMPD Citizens' Academy.

*No council action taken.*

- B. Announcement: Pre-Board Worksession with Assessors 03.01.23 at 6:00pm

5. PUBLIC HEARINGS

A. NONE

6. ACTION RELATED TO PUBLIC HEARINGS

A. NONE

7. PLANNING, ZONING & SUBDIVISION ITEMS

A. Consider: Res 04-23 Findings for CUP Requests, 4950 Meadville Street

City Zoning Administrator Scott Richards presented his report concerning the consideration of a conditional use permit to exceed grading limits for landscaping and retaining wall replacement at 4950 Meadville Street.

Jill and Reid Trautz, property owners, have applied for a Conditional Use Permit to exceed grading limits for landscaping and retaining wall replacement in the right-of-way at 4950 Meadville Street. The existing concrete retaining wall along the driveway and the cobble stone wall in the right of way are failing. The owners plan to replace the walls with a dry stack stone and obtain access to their elevated lawn, that is currently accessible only by concrete stairs, with a grass ramp between the new walls. The walls will be less than 4 feet in height. The front entry stairs will be more visible from the street with easier access.

The property is zoned R-1, Single Family Residential District. Section 1140.19, subd 3 of the Greenwood Code requires a Conditional Use Permit for any grading or site/lot topography alteration request increasing or decreasing the average grade by more than 1 foot in any 300 square foot area. The applicant is proposing to alter grades by more than 1' in a 300 square foot area requiring a conditional use permit. A Right-of-Way Encroachment Permit has also been applied for in that the retaining wall replacement and landscaping will be within the Meadville Street right-of-way.

The City Council, at their December 7, 2022, meeting continued the discussion of the conditional use permit and requested that additional drainage information be provided as it relates to impacts on the street adjacent to neighboring property owners. The information has been provided and reviewed by the City Engineer.

**Motion by Fletcher that the city council adopts resolution 04-23 laying out the findings of fact approving the request for a conditional use permit to exceed grading limits for landscaping and retaining wall replacement in the right of way at 4950 Meadville Street with the following modifications to the conditions: Item 1 'the project must be completed and maintained', and item 8 'certified copy of this resolution and plans included in the city council packet dated 02.01.23'. I further move that the council directs the city clerk to mail a copy of the findings to the applicant and the DNR and place an Affidavit of Mailing for each of the mailings in the property file. Second by Cook. Motion passed 5-0.**

B. Consider: Res 05-23 Concurrent Detachment From Deephaven & Attachment to Greenwood, 4632 Linwood Circle

City Zoning Administrator Scott Richards presented his report concerning the proposed detachment of a property from Deephaven and the concurrent annexation to the City of Greenwood at 4632 Linwood Circle. If approved by Greenwood, this will then be presented this month at the next Deephaven City Council Meeting for approval. If approved by both cities, the 2 PIDs would become 1 PID.

David and Alyson Strothman, property owners of 4636 and 4632 Linwood Circle, are in the process of constructing a single-family dwelling on the subject property. The City Council approved Resolution 12-21 in May of 2021 that included a conditional use permits to exceed grading limits and for a pool, a variance to exceed the maximum wall height, and a variance to encroach five feet within the wetland buffer setback. As part of those approvals, a condition was placed that the two lots would need to be combined. Additionally, it was recommended by staff that the property at 4632 Linwood Circle be annexed into the City of Greenwood, which the property owner has petitioned for.

The property at 4632 Linwood Circle is 8,171 square feet in size. The property lies northeast of the primary lot at 4636 Linwood Circle which is 41,195 square feet. All the new construction on the lot is at 4636 Linwood Circle and the smaller lot is grass and trees.

The Strothman's have provided a petition for concurrent detachment and annexation of the property into the City of Greenwood. A signed copy of this petition was provided to the council in the council packet.

**Motion by Fletcher that the city council adopts resolution 05-23, A Joint Resolution Requesting Concurrent Detachment from the City of Deephaven and Annexation into the City of Greenwood of Certain Lands**

**Pursuant to Minnesota Statutes Section 414.061, for 4632 Linwood Circle as written. I further move that the council directs the city clerk to mail a copy of the petition and resolution to the applicant and the City of Deephaven. Second by Malo. Motion passed 5-0.**

8. UNFINISHED BUSINESS

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

At the January city council meeting, the council approved the tobacco and gas station licenses for the Greenwood Market through March 2, 2023. Extension of the licenses beyond March 2, 2023 will require the removal of the additional dumpster on the property.

Councilmember Fletcher provided a brief update on the current status of the Greenwood Market. Currently there are still 2 dumpsters on the property. The owner of the property was informed again on 02.01.23 of the requirement to have the additional dumpster removed from the property.

**Motion by Kind that the city council continue this item to the March meeting agenda for consideration. Second by Cook. Motion passed 5-0.**

9. NEW BUSINESS

- A. NONE

10. OTHER BUSINESS

- A. NONE

11. COUNCIL REPORTS

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

- LMCC – No report.
- Park & Tennis Court – No report.

*No council action taken.*

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

- LMCD – The new interim director is Jim Brimeyer, who has previously served as an interim director at the LMCD. There is also a new attorney representing the LMCD. The hiring process for a new director is currently underway.
- SABLID – No report.
- Public Works – No report.
- City Docks – No report.

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

- C. Fletcher: Fire, Administrative Committee

- Planning Commission – No report.
- Fire – Fire department calls are turning more into medical calls vs. actual fire calls. EMS lengthy response times are still a concern in Greenwood and surrounding communities. Fletcher asked if the council will support local control over EMS services in Greenwood. He will contact state legislators and senators about this issue if supported by the council.

**Motion by Kind that the city council support local control of Emergency Management Services and directs that Mayor Kind and Councilman Fletcher draft a letter to be sent by Mayor Kind on behalf of the city council. Second by Cook. Motion passed 5-0.**

- Administrative Committee – No report.

*View report at LMCC-TV.org.*

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

- Police – Police reports were emailed to councilmembers and provided in the council packet for the February meeting. Chief Tholen provided his quarterly update at the beginning of the meeting.
- Administrative Committee – Resident Julie Ekelund of 5085 Meadville Street emailed the city to request that the city have no parking signs on both sides of Meadville Street near the boat launch. Councilmembers did not express interest in prohibiting parking on both sides of Meadville Street at this time.
- Public Works Committee – No report.
- Mayors' Meetings – Councilmember Fletcher attended the School District Mayors' Meeting on behalf of Mayor Kind.
- Other – Kind asked the council for their support for boater education requirements for all boat operators. She asked the council to consider sending a Greenwood letter of support for SF553 / HF949 legislation to ensure boaters are responsible and educated on safety, operational, and conservation best practices.

**Motion by Conrad that the city council sends a letter of support for SF553 / HF949 legislation to Greenwood's state senator and representative to require boater education certification for all boat operators. Second by Cook. Motion passed 4-1 with Malo voting nay.**

*View report at LMCC-TV.org.*

E. Malo: Planning Commission, Minnetonka Community Education

- Planning Commission – February meeting has been canceled. Election for officers will be held in March.
- Minnetonka Community Education – Their next meeting will be held in March. MCE has provided 50 years of service to the community. Since the COVID-19 pandemic, the MCE has seen a decline in adult participation in community education activities. The Tour de Tonka is scheduled for August 5, 2023.

*No council action taken.*

12. ADJOURNMENT

**Motion by Cook to adjourn the meeting at 7:53pm. Second by Conrad. Motion passed 5-0.**

*This document is intended to meet statutory requirements for city council meeting minutes. A video recording was made of the meeting which provides a verbatim account of what transpired. The video recording is available for viewing at [lmcc-tv.org](http://lmcc-tv.org) for 1 year.*