

# MINUTES

## Greenwood City Council Meeting

Wednesday, March 5, 2025  
Deephaven City Council Chambers  
20225 Cottagewood Road, Deephaven, MN 55331



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

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

Members Present: Mayor Fletcher and Council Members Kristi Conrad, Brian Malo, Mike Marti

Members Absent: Council Member Jennifer Gallagher

City Staff Present: Attorney Robert Vose

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

### 2. CONSENT AGENDA

- A. Approve: 02.05.25 City Council Meeting Minutes
- B. Approve: January Cash Summary
- C. Approve: January Profit & Loss
- D. Approve: YTD Profit & Loss Budget vs. Actual
- E. Approve: February Check Detail
- F. Approve: March Payroll Report
- G. Approve: Resolution 05-25 Planning Commission Appointments
- H. Approve: 2025 Weed Removal – City Docks and Meadville Launch

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

### 3. MATTERS FROM THE FLOOR - NONE

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

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

SLMPD Chief Brian Tholen attends Greenwood council meetings on a quarterly basis to give the council a brief update regarding police activities in the city and South Lake area. The Chief was unable to attend the February council meeting and provided his first quarterly report at the March council meeting. He announced his upcoming retirement from the SLMPD effective 5/23/25. He has served for 29 years, with 3.5 of those years serving as the Chief of SLMPD.

Updates provided in his report for Greenwood:

- Calls to police – 587 in 2024 vs. 812 in 2023
- Calls to police for all four cities served by the SLMPD – 11,164 in 2024 vs. 12,000 in 2023
- Part 1 crimes (i.e. homicides, rapes, robberies) – 0 in 2024 vs. 3 in 2023
- Part 2 crimes (less serious crimes) – 30 in 2024 vs. 51 in 2023
- Police Stops – 222 traffic speed violations, 176 verbal warnings given, education is the goal
- Vehicle crashes – 10 crashes with the Christmas Lake Road and Hwy 7 intersection noted as a crash zone
- Hwy 7 Safety - \$450,000 awarded with \$200,000 for police enforcement and \$250,000 for road improvements
- AI Acusensus being used to identify distracted drivers and no seat belt use
- 1 officer position currently open, 2 with the chief's upcoming retirement
- Admin. Assistant leaving, replacement already found
- New officer work schedule of 5 days on/5 days off, and 2 days on/2 days off – working well
- Chief Tholen will attend the May council meeting

- B. Guest: Hennepin County Commissioner of District 6, Heather Edelson

New District 6 County Commissioner, Heather Edelson, attended the council meeting. Hennepin County District 6 includes the following cities: Deephaven, N. Eden Prairie, Edina, Excelsior, Greenwood, Hopkins, Long Lake, Minnetonka, Minnetonka Beach, N. Mound, Orono, Shorewood, Spring Park, Tonka Bay, Wayzata, and Woodland. Commissioner gave a presentation to the city council, which was included in the council packet.

Updates provided in her report:

- Currently 9 months on the job as Hennepin County District 6 Commissioner
- Previously served 6 years on the Legislature, representing Edina
- Goal – additional water patrol on Lake Minnetonka
- HERC closure – debate ongoing regarding its closure
- No landfills in Hennepin County, 75% of county waste is from Minneapolis
- Approximately 50% of Minnesota children are unable to read
- Involve her any future applications for a Hennepin County Youth Sports Grant
- No enough staff in law enforcement - \$14 million over budget last year
- Supportive of efforts that Hennepin County take back jurisdiction over Minnetonka Boulevard
- Plans to attend a Greenwood Council Meeting every year

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

5. PUBLIC HEARINGS - NONE

6. ACTION RELATED TO PUBLIC HEARINGS - NONE

7. PLANNING, ZONING & SUBDIVISION ITEMS

A. Consider: Ordinance 345, Summary Resolution 06-25 Chapter 11 Zoning Amendments

City Attorney, Robert Vose addressed the council concerning the proposed ordinance and summary regarding Chapter 11 zoning amendments.

City Zoning Administrator, Scott Richards (not present), provided the summary, ordinance and summary resolution, which was included in the council packet.

**Summary:** With recent City Council discussions regarding parking spaces for marinas, it has been recognized that a definition of slip should be included in Section 1102.00 Definitions and Section 1205.00 Definitions and Rules of Construction of the City Code. Additionally, within Section 1140.45 Subd 11.b. Required Number of On-Site Parking Spaces should be amended so that the number of required stalls refers to slips, and not to docks. The proposed amendments were reviewed by the City Council. Council Members Mike Marti and Brian Malo were tasked at the February 5, 2025, meeting to work on potential modifications to the draft ordinance for discussion of the Planning Commission. The language provided below was presented to the Planning Commission.

**Proposed Amendments:**

Greenwood ordinance code section 1140.45 Subd. 11.b. Required Number of On-Site Parking Spaces would be amended to read as follows:

Subd. 11. Required Number of On-Site Parking Spaces. On-site parking areas of sufficient size to provide parking for patrons, customers, suppliers, visitors and employees shall be provided on the premises of each use. The minimum number of required on-site parking spaces for the following uses shall be as follows:

- b. Marinas – 6 spaces for every 10 ~~docks~~ slips or other designated locations for the mooring of boats including tie-up spaces on docks or floating mooring devices.

Greenwood ordinance code sections 1102.00 Definitions and 1205.00 Definitions and Rules of Construction would be amended to include the following:

**Slip.** A boat slip is a designated space or area in a marina, dock or waterfront facility where a boat can be moored or docked. Typically consists of narrow, water filled space, often between two piers or docks, that allows boats to be securely tie up while providing access to water.

**Planning Commission Recommendation:** The Planning Commission, at their February 12, 2025, meeting, opened the public hearing. Susan Freeman, 21995 Minnetonka Blvd indicated that she was in favor of the proposed amendment. The Planning Commission recommended the language as found in the ordinance (included in council packet).

**Motion by Malo to move that the City Council (1) approves the 1st reading of Ordinance 345; (2) waives the 2<sup>nd</sup> reading; (3) approves summary resolution 06-25; and directs that the summary ordinance is published in the City's official newspaper. Second by Marti. Motion passed 4-0.**

## 8. UNFINISHED BUSINESS

- A. Consider: ~~2025 Greenwood Market Gas Station License Extension, Resolution 03-25~~ (moved to 10A)

**Motion by Fletcher to move agenda item 8A to 10A. Second by Conrad. Motion passed 4-0.**

## 9. NEW BUSINESS

- A. Consider: Ordinance 346 & 347, Summary Resolution 07-25 – Commercial Marina Licensing

Prior to August 2022, Section 430 of the City Code provided for the licensing of Marinas and Section 510 of the City Code included a Commercial Marina license fee of \$110 plus \$5 per slip. Section 430 of the Code and the Commercial Marina License Fees were removed from the Code by the City Council in August 2022 based on the fact that the city at that point was collecting a fee but providing essentially no oversight of its marinas. In recent discussions with the Lake Minnetonka Conservation District staff and attorney it appears that their oversight of marinas is focused on public safety and navigation and that the LMCD does not consider other issues such as the impact of commercial marina docks on the views of neighboring properties as well as parking and land-based safety concerns. Thus, for the reasons stated in Section 430.00 Findings of draft **Ordinance 346** (included in council packet) Council may wish to consider reinstating the licensing of Commercial Marinas. The Council may also consider reinstating Commercial Marina Licensing Fees, draft **Ordinance 347** (included in council packet), such as the 2022 \$110 base fee plus \$5 per slip if it adopts a Commercial Marina licensing Ordinance. Draft ordinance 346 were drafted jointly by Mayor Tom Fletcher and City Attorney Bob Vose. Draft ordinance 347 setting Commercial Marina License fees was drafted by Mayor Tom Fletcher.

The following addressed the council concerning these proposed ordinances:

- Greenwood City Attorney - Robert Vose
- Bean's Greenwood Marina owners – Aaron & Angie Bean  
The Bean's requested the council make a final decision at the meeting. The Bean's expressed their opposition to the draft ordinances, felt it was a way to "double dip", and that they are being targeted since their LMCD variance request.
- Attorney representing Bean's Greenwood Marina - Bradley Robertson
- LMCD Chair - Ann Hoelscher
- Attorney representing LMCD - Joseph Langel
- LMCD Manager of Code Enforcement - Tom Tully
- St. Alban's Bay Villas resident – Kevin Menk
- Resident at 21925 Byron Circle – Adam Rodriguez

**Motion by Malo to move that the Council tables discussion of Ordinances 346 and 347 until the May City Council meeting. Second by Marti. Motion passed 4-0.**

- B. Discuss: Draft Letter to Lake Minnetonka Conservation District (LMCD) Chair

Greenwood City Attorney Bob Vose had requested a meeting with the LMCD Attorney to better understand his and the LMCD's position on discussions related to the Greenwood Marina. Greenwood Councilmember and LMCD Board Member Brian Malo was asked at the February 5 Council meeting to assist in setting up a meeting with the LMCD. The Zoom meeting took place on February 13 and included LMCD Chair Ann Hoelscher, LMCD Manager of Code Enforcement Thomas Tully, LMCD Attorney Joseph Langel, LCD Interim Executive Director Jim Brimeyer who did not speak, Greenwood City Attorney Bob Vose, Greenwood Councilmember Mike Marti, and Greenwood

Mayor Tom Fletcher. At Joseph Langel's request Bob Vose provided a list of questions (included in council packet) in advance of the meeting. Following the meeting Bob Vose drafted the attached letter to the LMCD Chair Ann Hoelscher. Council approval is requested to send the letter to LMCD Chair Ann Hoelscher.

Greenwood Marina owner Aaron Bean stated at the LMCD Meeting where he withdrew the marina's dock reconfiguration that he would review future proposals with residents and the City before bringing them back to the LMCD. The Council may wish to consider establishing an ad hoc committee with two Councilmembers to be available to review future dock and boat slip reconfiguration plans that the Greenwood Marina may bring forward, discuss the plans with the Marina and concerned residents, and provide informal feedback on the plans to the Marina.

**After previous council discussion in 9A above, the council voted to do nothing regarding this agenda topic.**

C. Consider: Resolution 04-25, Minnetonka Boulevard & Vine Hill Road back to Hennepin County Control

The City of Deephaven has approved a resolution returning jurisdiction over Minnetonka Blvd. and Vine Hill Rd. from the Cities of Deephaven, Excelsior, Greenwood and Shorewood to Hennepin County. Deephaven's memorandum and resolution were included in the council packet. The council discussed approving Resolution 04-25, which is the same resolution that has been approved by Deephaven.

Mayor Fletcher discussed how these two roads were previously maintained by Hennepin County, but are now currently under local city government control. There will be significant road work repairs needed in the near future, and this effort to ask that the county take jurisdiction back over these roads was initiated by Deephaven's Mayor, Kent Carlson. If the county does agree to this proposal, Deephaven would save a significant amount of money. Council discussion concerns were focused on the loss of control over the condition of these roads, if the county would maintain them adequately, and if there would be a public works cost savings for Greenwood.

**Motion my Fletcher to move that City Council approves Resolution 04-25, and authorize the Mayor to sign Resolution in the Council Packet mirroring those being considered by the Cities of Deephaven, Excelsior, and Shorewood to return jurisdiction over Minnetonka Blvd. and Vine Hill Rd. to Hennepin County; and further authorizes the Mayor to communicate with the city of Deephaven regarding a reduction of public works funds paid to Deephaven if Hennepin County agrees to have jurisdiction over these roads. Second by Conrad. Motion passed 4-0.**

## 10. OTHER BUSINESS

A. Consider: 2025 Greenwood Market Gas Station License Extension, Resolution 03-25 (moved from 8A)

At its February 5, 2025 meeting the City Council provisionally extended the Greenwood Market's gas station license until the March 5, 2025 meeting. This was based on the recommendation of the City Attorney, Bob Vose. Since the February meeting, the city has received a \$10,000 letter of credit as required by the council. This letter is included in the council packet. Negotiations to finalize a settlement agreement with Kathryn Haertzen are still ongoing. The council will consideration Resolution 03-25, drafted by the City Attorney, approving the gas station license for the remainder of 2025, and outlining the conditions required to be in compliance.

Mayor Fletcher provided an update at the council meeting. Kathryn Haertzen has signed the settlement agreement. Greenwood Market owner Harsh Patel needs to sign. Resolution 03-25 does provide a condition of the license approval on the city receiving the fully executed, signed settlement agreement within 5 days.

**Motion by Marti to move that Council approves Resolution 03-25, approving the 2025 Gasoline Station License for the Greenwood Market for the remainder of 2025. Second by Conrad. Motion passed 4-0.**

## 11. COUNCIL REPORTS

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

**No council action taken.**

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

B. Gallagher: Fire Board

**No report.**

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

**No council action taken.**

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

- D. Marti: Planning Commission, Public Works

**No council action taken.**

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

- E. Malo: City Docks, LMCD, SABLID

**No council action taken.**

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

**12. ADJOURNMENT**

**Motion by Marti to adjourn the meeting at 10:11pm. Second by Malo. Motion passed 4-0.**

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