

**MINUTES
MINNETONKA CITY COUNCIL
REGULAR MEETING, MONDAY, JANUARY 8, 2007**

1. CALL TO ORDER.

Mayor Callison called the meeting to order at 6:30 p.m.

2. PLEDGE OF ALLEGIANCE.

All joined in the Pledge of Allegiance.

3. ROLL CALL.

Councilmembers Al Thomas, Dick Allendorf, Bob Ellingson, Tony Wagner, Brad Wiersum, Terry Schneider, and Jan Callison were present.

4. APPROVAL OF AGENDA.

Assistant City Manager Geralyn Barone reviewed the changes and additional comments provided in the addendum dated January 8, 2007, which related to:

- o Item 14A, a proposed resolution with an added condition of approval of the parking variance for Jimmy's American Grill.

Thomas moved, Wiersum seconded a motion to accept the agenda with the addendum. All voted "yes." Motion carried.

5. APPROVAL OF MINUTES:

A. December 4, 2006 regular meeting.

Callison requested the language under item 12A be corrected to read "Callison requested that the city's website be updated so it is very clear to residents when permits are required."

Wiersum moved, Wagner seconded a motion to approve the minutes of the December 4, 2006 Minnetonka City Council regular meeting as corrected. All voted "yes." Motion carried.

6. SPECIAL MATTERS:

A. Mark Raquet swearing-in ceremony.

Callison read aloud the professional background of Chief of Police Mark Raquet.

City Attorney Desyl Peterson performed the swearing-in ceremony.

Raquet expressed he is honored for the opportunity to serve the city in this way. He indicated he is knowledgeable of the expectations of the city council and also of the public's expectations of the police department, and he will do his best to uphold those standards.

Raquet thanked City Manager John Gunyou, Mayor Jan Callison, former chief Joy Rikala, his wife Kathy, as well as a number of people who have mentored him throughout his law enforcement career. He stated past leaders have done such a great job in paving the way and setting the tone for the future of the Minnetonka Police Department that it would be easy for him to do nothing in this position. However, he believes there are a lot of things to be done, including traffic management, adapting to changing technologies, and developing relationships with neighboring communities.

Raquet added the officers, supervisors, and support staff are superb and are the reason the department receives such a high approval rate from the citizens of Minnetonka.

B. Demonstration of new city Web site.

Community Relations Manager Jacque Larson and Web Technologies Coordinator Marc Drummond presented the staff report and demonstrated the new city Web site.

7. REPORTS FROM CITY MANAGER & COUNCIL MEMBERS.

Barone introduced City Clerk David Maeda and also reported on the schedule for upcoming council meetings as well as the interview sessions for openings on a number of boards and commissions.

Wagner reported the Southwest Light Rail committee has provided recommendations to Hennepin County Rail Authority, and a public hearing will be held on January 23 at 1:30 p.m. He noted anyone interested in making a comment at the meeting should contact Carol Reeves to pre-register.

Callison reported she attended a meeting today with the Municipal Legislative Commission, composed of similar sized suburban cities, and Governor Pawlenty to discuss transportation funding, local control and accountability (specifically levy limits), and full reimbursement of the market value homestead credit. In the meeting, Pawlenty expressed support for the full reimbursement of the market value homestead credit

and noted he is looking into the possibility of accelerating those payments. He also expressed continued support for levy limits and indicated he will present a transportation funding package proposal on January 23.

Callison noted she has also met with state legislators about these issues as well as with U.S. Senator Norm Coleman and some mayors from west suburban cities. They discussed community development block grant funds as well as the desire to have the Glencoe railroad project move forward.

8. CITIZENS WISHING TO DISCUSS MATTERS NOT ON THE AGENDA.

Don Grabanski, 4250 Redding Ridge Drive, thanked the council and city for the quick, neat, and clean job on the cul-de-sac as well as on the watershed project.

9. BIDS AND PURCHASES: None.

10. CONSENT AGENDA (Items Requiring a Majority Vote):

A. Claims for council authorization – December 26, 2006.

Allendorf moved, Wagner seconded a motion to approve the December 26, 2006 claims which includes checks numbered 201251 through 201569, totaling \$1,124,139.08. All voted "yes." Motion carried.

B. Claims for council authorization – January 8, 2007.

Allendorf moved, Wagner seconded a motion to approve the January 8, 2007 claims which includes checks numbered 201577 through 201842, totaling \$940,579.31. All voted "yes." Motion carried.

C. Resolution designating an Acting Mayor and Alternate Acting Mayor for 2007.

Wiersum recommended designating Wagner as acting mayor and Allendorf as alternate acting mayor for 2007.

Wiersum moved, Thomas seconded a motion to adopt Resolution No. 2007-001 designating Council Member Wagner as Acting Mayor and Council Member Allendorf as Alternate Acting Mayor for the year 2007. All voted "yes." Motion carried.

D. Conveyance of tax-forfeited land within the city of Minnetonka.

Allendorf moved, Wagner seconded a motion to adopt the following resolutions pertaining to tax-forfeited land within the city of Minnetonka:

- 1) Resolution No. 2007-002 authorizing the reconveyance of certain tax-forfeited land originally conveyed to the city of Minnetonka to the state of Minnesota.
- 2) Resolution No. 2007-003 requesting the conveyance of certain tax-forfeited land originally conveyed to the city of Minnetonka, and now reconveyed, to the city of Minnetonka for public right-of-way for roadway, utilities and drainage purposes.
- 3) Resolution No. 2007-004 requesting the conveyance of certain tax-forfeited land originally conveyed to the city of Minnetonka, and now reconveyed, to the city of Minnetonka for drainage and storm water retention purposes.
- 4) Resolution No. 2007-005 requesting the conveyance of certain tax-forfeited land originally conveyed to the city of Minnetonka on September 5, 1980, and now reconveyed, to the city of Minnetonka for drainage purposes.
- 5) Resolution No. 2007-006 requesting the conveyance of certain tax-forfeited land originally conveyed to the city of Minnetonka on October 1, 1993, and now reconveyed, to the city of Minnetonka for drainage purposes.

All voted "yes." Motion carried.

E. Resolution accepting plans and specifications and authorizing the advertisement for bids for the CSAH 73 Trail Project No. 4766.

Allendorf moved, Wagner seconded a motion to adopt Resolution No. 2007-007 accepting the plans and specifications and authorizing the advertisement for bids for the CSAH 73 Trail Project No. 4766. All voted "yes." Motion carried.

F. Proposed Orders for Tobacco License Stipulations.

Allendorf moved, Wagner seconded a motion to approve issuing the enclosed Finding of Fact, Conclusion, and Order for each of the establishments listed below:

- | | <u>Licensee/Establishment/Offense/Fine</u> |
|-----------|--|
| <u>1)</u> | <u>Byerly Beverages Inc./Byerly's Wines & Spirits, 13081 Ridgedale Drive /1st/\$250</u> |
| <u>2)</u> | <u>Erickson Oil Products, Inc./Freedom Valu Center #57, 17516 Highway 7/1st/\$250</u> |

3) Glen Lake Amoco/Glen Lake Amoco/1st/\$250

All voted "yes." Motion carried.

G. Resolution authorizing an amendment to the city's Health Reimbursement Arrangement (HRA) summary description and plan document.

Allendorf moved, Wagner seconded a motion to adopt Resolution No. 2007-008 authorizing an amendment to the city's Health Reimbursement Arrangement (HRA) summary description and plan document. All voted "yes." Motion carried.

H. Agreements with Riley Purgatory Bluff Creek Watershed District.

Allendorf moved, Wagner seconded a motion to approve the agreements with the Riley Purgatory Bluff Creek Watershed District. All voted "yes." Motion carried.

I. Labor Agreement between the city of Minnetonka and International Union of Operating Engineers.

Allendorf moved, Wagner seconded a motion to approve the 2007 - 2008 labor agreement between the city of Minnetonka and the International Union of Operating Engineers (IUOE) Local 49. All voted "yes." Motion carried.

11. **Items requiring Five Votes:** None.

12. INTRODUCTION OF ORDINANCES:

A. Ordinance amending the massage regulations.

Community Development Director Ron Rankin presented the staff report.

Callison noted she appreciates the flexibility staff has shown in this ordinance.

Thomas moved, Allendorf seconded a motion to introduce an ordinance amending the massage regulations. All voted "yes." Motion carried.

B. Ordinance regulating dumpsters and portable storage containers.

Rankin provided an overview of the staff report.

Wagner asked that staff study the part of the ordinance related to the use of a driveway or garage, particularly as it affects those residents with single-car garages. He also has some concern about the prohibition of parking on the street overnight. Wagner asked about flexibility on staff approval for certain situations. He also inquired whether this will be expanded to apply to townhome or condo properties.

Rankin indicated townhome or condo homeowner associations tend to have more stringent requirements than the city, but he noted staff will look into it prior to the second reading of the ordinance to provide further clarification.

Schneider expressed agreement with Wagner's comments on flexibility for staff approval. He noted there are situations where driveways are too steep for the containers, and he would not like those situations coming back to the council for variances.

Wiersum noted portable toilets are often brought into a neighborhood for use by a construction crew during home renovation. He asked if those situations are covered by the city's ordinance.

Rankin responded staff will look into that situation and report back to the council.

Allendorf asked about staff's rationale for not including schools and churches under this proposed ordinance. Rankin indicated staff felt it was appropriate to make the distinction between single-family homes and duplexes and operations like churches, schools, and businesses. Staff believes they are more appropriately governed by commercial restrictions in the ordinance.

City Attorney Desyl Peterson added staff believes that generally speaking, those institutional uses tend to occur on larger pieces of property with more area and where it would be more appropriate to have those types of units. Staff thought it best to start first with the single-family and duplex properties and apply it on a larger scale later if necessary.

Allendorf asked whether there are time restrictions placed on dumpsters used by churches, schools, or businesses once construction is completed. Peterson responded no restrictions are

currently in place.

Allendorf asked whether complaints have been received regarding dumpsters used at schools, churches, or other permitted uses. Rankin responded staff has not received complaints.

Thomas stated he has received complaints from residents about dumpsters sitting on properties for as long as two or three years during a home remodel or reconstruction. He suggested staff look at the big picture and consider tying this in with the issuance of the building permit for a reconstruction project.

Rankin responded staff is trying to set some basic requirements for locating the dumpsters and portable storage containers and establish outside limits for how long they can be on the property. There are incidents where a dumpster can be on a property for a long time because the building permit remains in effect for a long time.

Callison asked whether there is a six-month limitation. Peterson indicated the nuisance ordinance requires that the exterior of the building be completed within 180 days of the issuance of the permit. Staff can go back and look at that and tie the dumpster into that kind of timeline.

Schneider commented the policy should not discourage the homeowner from doing his or her own remodeling work. What the ordinance should discourage is using the container as refuse storage without it actually being used. He suggested some guidelines about how long the container can be there over a 12-month period so it does not just sit there throughout the entire period of time.

Thomas concurred and noted the current language is too wide open as written.

Callison asked whether staff reviewed similar ordinances in other cities.

Rankin responded he is not aware of very many specific provisions on this, but staff will look into it further for other examples.

Callison noted staff intends to send this ordinance out to businesses to obtain further feedback, which will be helpful.

Wagner moved, Thomas seconded a motion to introduce an ordinance regulating dumpsters and portable storage containers. All voted "yes." Motion carried.

C. Ordinance regarding massage license fees.

Peterson presented the staff report.

Wiersum moved, Thomas seconded a motion to introduce an ordinance regarding massage license fees. All voted "yes." Motion carried.

13. PUBLIC HEARINGS: None.

14. OTHER BUSINESS:

A. Appeal of the planning commission's approval of a parking variance for Jimmy's American Grill at 11000 Red Circle Road for Three Putt, LLC.

City Planner Julie Wischnack presented the staff report.

Peterson added that staff is currently not issuing a building permit to True North Investments for its second building close to this access easement because currently the proposal is to build in that existing private access easement. The city code provides the right to deny building permits that could take place within private easements, and the other property owner is objecting to the issuance of that building permit. Staff is hoping that an agreement can be reached tonight, since both parties are present.

Wiersum asked what happens if the two parties do not agree.

Peterson explained if the two parties do not agree and the council adopts this as proposed, True North will not get their building permit. Additionally, Jimmy's ends up not having a valid variance for their parking, so staff would inform Jimmy's it has to close down part of the building in order to meet the required parking.

Schneider asked for clarification regarding the city having the right and authority to control the location and number of access points or curb cuts. He asked whether the council could decide the curb cut for both parties has to be at this location regardless of what else is approved. Peterson concurred.

Allendorf asked whether the access easement allows customers parking at Jimmy's to use the north exit and whether the exit will be visible enough. He stated it is a safety question to consider. He also asked whether the two sites will operate as one regarding access and egress.

Peterson responded she believes the cross-access easement did allow for the Jimmy's patrons to go out the northerly exit.

Wischnack added the point is well taken that the access easement needs to document that customers have the right to access another property at the entrance as well as the exit. She concurred with Peterson that it is documented in the agreement. She asked Gustafson to comment on the selection of the access point.

City Engineer Lee Gustafson indicated when this initially came to staff, all access points into this site were reviewed. The southerly access was moved further to the east. That was done for two reasons. The first reason was to line up the access with the access to the south to make it more conventional and reduce the conflict points in one area. The second reason for moving it is it allows people more of an opportunity to do a weave movement from the far south lane to the north lane in the eastbound direction. Staff also looked at doing the same thing to the north access point. However, moving the northerly access points further to the east created multiple site obstructions for people pulling out.

Allendorf commented if cooperation could be elicited from the two parties, it is in everyone's best interest to let people parking at Jimmy's know that the safest way to get to Shady Oak Road is at the point to the north and then proceed to the west.

Walter Rockenstein, Faegre and Benson, 2200 Wells Fargo Center, Minneapolis, indicated he represents the owners of Jimmy's restaurant. He indicated Jimmy's is in support of a parking variance for this restaurant and is in support of the resolution. However, Jimmy's has appealed the provision on the location of the access point. If Jimmy's is required to move the access and sign a new easement agreement to place the access where the city prefers, it requires Jimmy's to give up the current entry point. As part of that, Jimmy's has the right to have certain areas clear to preserve the sight line to the restaurant.

Rockenstein continued that Jimmy's previously suggested to the owners of True North that if they would move their building five feet north and five feet west, Jimmy's would give up the private

easement and agree to the easement the city prefers. True North came back to Jimmy's and indicated if it is moved more than three feet seven inches north and three feet west, it will be a hardship because they will have to re-engineer much of the site. Jimmy's accepts that. The second issue is the height of the plantings. He thought there was agreement that True North would have a chance to approve the lower plantings, and Jimmy's would incur any costs additional to what was proposed to the city.

Rockenstein continued that the third issue revolves around two light standards that light the Jimmy's parking lot and are actually located on the True North property. True North requested Jimmy's replace those poles in order to have uniformity with the rest of the poles in the parking lot, and Jimmy's agreed to do so. Rockenstein explained an easement form has been sent to the city attorney, who has requested that Jimmy's agree to replace those light standards at a future date should somebody once again relight the area. Jimmy's has agreed to that as well.

Rockenstein explained the point of difference has been the cross-parking easement, which Jimmy's believes should be there. It was required by the original plat, and both parties bought the properties knowing that requirement. A requirement to give up the private right by the council will result in a loss of visibility of Jimmy's restaurant, which is why an appeal was filed.

Rockenstein noted the council has approved both access agreements, so it is hard to argue one is superior to the other or that one is unsafe. He questioned whether this is a reasonable condition attached to the parking variance because it relates only to access, not the parking. He also noted it was Jimmy's that brought to the council's attention that there was more square footage than was originally thought.

Schneider noted the main concern for the access point is visibility, and that is determined by building location and height of the trees. He asked for clarification whether the proposed building location meets Jimmy's requirements.

Rockenstein stated the parties have agreed to certain points, but an overall agreement has not been met because Jimmy's wants a cross-parking easement and True North does not. Therefore, a full settlement of the issues has not been reached.

Schneider suggested that if the city demands the curb cuts be as shown on option B, and the location of the building has been

agreed upon, then there is no real need for the balance of the parking easement.

Rockenstein responded if the location of the building can be agreed on as well as the height of the plantings, Jimmy's is willing to remove the private easement. In fact, the reformulated easement Jimmy's sent to the city attorney does remove the easement and puts the access point where the city would like the access point.

Wischnack clarified the access points in option A and option B. She noted staff is in support of option A.

Rockenstein clarified option A has the access, but Jimmy's is also concerned about the building location. If the building moves three feet seven inches north and three feet west, Jimmy's is okay with the option A access.

Callison noted the council is not considering shifting the building tonight. She recalled council previously provided staff clear direction about where the access should go.

Peterson concurred. She noted staff previously decided that moving the building by three feet seven inches north and three feet west is a change that could be processed at an administrative level. As a result, staff did not feel a need to bring that issue back before the council tonight.

Wiersum asked whether moving the building by three feet seven inches and three feet would achieve the objective.

Rockenstein displayed an overhead pointing out the different sight lines to Jimmy's in options A and B. He noted Jimmy's would prefer a movement of the building of five feet and five feet, but would be satisfied with three feet seven inches and three feet. He added that Jimmy's is happy to work with the city engineer about signage to notify customers about an exit point to the north.

Peter Coyle, Larkin and Hoffman, 7900 Xerxes Avenue South, Bloomington, stated he respectfully opposes the variance as recommended by staff and by the planning commission. His objection is based solely on the illegal tie of the shared parking easement restriction on the True North site as a condition of approval of the variance. He noted True North was compelled by the city to reduce its buildable square footage to ensure it was fully self-parked. True North suffered a loss of about 3,000 square feet of buildable area. True North's only objection is the requirement to

provide a shared parking easement after staff recommended to the council this summer that that shared parking condition be removed. True North is surprised by that change of position by the staff, as it is contrary to the history of this project.

Coyle continued that True North is not an applicant for the building permit this evening. However, staff has tied that building permit, which is based on an approval given by the city four months ago, to the variance this evening. He suggested that is an illegal restriction on the building permit, and True North objects to that.

Coyle stated True North does not object to the variance, but they have been forced to comport to the city code, and they are surprised that the adjoining property owner has not.

Callison asked whether practically speaking True North prefers to enforce "no parking" of Jimmy's customers on True North lots. She noted staff is looking at this practically, and it is likely parking will occur. Rather than wasting time and effort of towing, it makes more sense to recognize the interconnection of these two properties and do it the right way.

Coyle stated this puts True North in a difficult spot because eight months ago, True North was a proponent of the shared parking requirement because staff insisted on it. However, there was objection to the plan by neighbors because there was potentially going to be parking on their site.

Allendorf questioned what the hardship is in this situation. He concurred with Callison's comments that there will be parking on the True North site whether there is a cross-parking easement or not.

Coyle stated the city required True North to reduce 3,000 square feet of its buildable area to conform to the city code; that is a hardship, but it was done because it was a condition for council approval. The idea that True North has been compelled to conform to the city code and Jimmy's has not because it will pose a hardship to them strikes True North as arbitrary and inconsistent.

Coyle noted if the city wants to go back and revisit the parking issue in its totality, True North believes legitimately that the parking and traffic studies support all parties getting the benefit of a larger parking allocation, which is what was originally proposed. That would mean another 3,000 square feet of building area for True North, which would mean net revenue for the project.

Allendorf asked whether True North could add the 3,000 square feet.

Coyle responded affirmatively, if that were the direction of the city council. He believes the city's traffic study would support the parking allocation necessary. Such a study has already supported it several times in the past, but there was opposition to that because Jimmy's felt it would put parking on their land.

Allendorf asked staff whether 3,000 square feet could be added in the manner Coyle has indicated.

Wischnack stated True North would have to backtrack through the process and go through the site and building plan review again. She stated it probably would not meet the parking requirements, which would require another variance application. Whether or not the parking study and traffic study would support that, she cannot speculate at this point. It is a possibility but one that would require another whole process.

Callison clarified Allendorf's question points out that if the issue really is fair treatment, staff should oppose the variance.

Coyle stated the only reason for the shared parking easement is the presumption that there will be parking on the True North property that exceeds the parking that will be available on the Jimmy's site. That begs the question as to why the variance is needed. Jimmy's obviously does not have enough parking, and they are looking to the True North site to solve that problem.

Schneider asked whether there is an agreeable location for True North's second building. He understands the permit is being withheld because it encroaches on an existing easement.

Coyle stated there is an agreement to shift the building, but he recalled the plan approved by the council was also recommended by staff, and there was no objection about encroaching on the easement at that time.

Peterson clarified that in the case of Jimmy's restaurant, it is a pre-existing building. The building, when originally put, in had significant portions not used for restaurant space. It was a micro-brewery. That is probably why it was allowed to be built larger than the parking spaces would seem to allow. Jimmy's is proposing to use the space not significantly different in terms of the amount of tables.

Staff felt it was a pre-existing building, and it is larger than what is normally needed for the service they are providing. As a pre-existing building, staff felt that was a hardship that has typically been recognized in other cases. In contrast, the True North property is basically bare land because they are tearing everything down and starting over again. With raw land, the expectation is that they should comply with the ordinance requirements.

Callison noted Coyle was correct in his comment that the council previously decided not to require the cross-parking easement. She asked why staff is now recommending that.

Peterson responded staff thinks perhaps the parties are closer to an agreement than was the case previously, so there is better leverage this time.

Schneider stated he believes that the proposed alignment of the road is the safest and best way to get into that site, so that access point should be required. He suggested the easement negotiations as to building size and plantings be left to the two applicants to figure out. He would prefer staff review the final agreement. The biggest issue is the parking access easement. In his opinion, the critical portion of that is a joint access easement that allows adequate circulation from both sides out both entrances. He believes people will park where they want to park, and there are compatible hours of operation between the two parties. He is not in favor of requiring a cross-parking easement between the two parties.

Callison commented another way to state Schneider's point is to question whether there is really a public interest in a cross-parking easement.

Wiersum concurred with Schneider's comments. He also noted Mr. Coyle made a number of valid points. The opportunity for cross-parking was not afforded them, and they reduced the size of their building. In that time, Jimmy's learned their building was larger than it was initially thought to be. At the same time, allowing True North a larger building will only increase the parking pressure already there. He believes True North has done a good job of doing their part to be flexible. The appropriate position for the access is further to the east on the property line. He does not think there is any room for any additional space in the new buildings, and the existing building is an existing building, so there is not a lot of flexibility to do more.

Allendorf stated the access presented in option A is the best access. He believes the cross-parking easement is a sour grapes type of argument. The outcome of having a cross-parking easement or not having a cross-parking easement will still have the same outcome; people will likely park there either way. He is willing to give up on the cross-parking because it helps both parties make the right decision.

Peterson noted if the council decides to delete the cross-parking requirement, there is nothing in the resolution that would bind the parties to come to an agreement on the relocated spot for the building. She suggested modifying the language if the council wants to bind the parties to that.

Wagner expressed agreement with Callison that the council has already dealt with the location of the building, and the focus tonight should be on the access and the parking variance.

Schneider concurred it appears to be in both parties' interest to reduce the easement and shift the building slightly, so they should be working that out on their own.

Allendorf asked Peterson to clarify how the resolution would read if it does not require movement of the building.

Peterson stated 4.01(2) could read "Three Putt, LLC must agree to the relocation of the southerly entrance to the property from Red Circle Drive as shown on Exhibit B of this resolution." The rest of the sentence would be deleted, and the last sentence would say "The document must be executed within 30 days of adoption of this resolution."

Callison asked whether council approval would be required if the building location is moved. Peterson responded that could be handled as an administrative approval.

Allendorf moved, Wiersum seconded a motion to adopt Resolution No. 2007-009 upholding the planning commission's decision adopting the resolution approving the parking variance from 196 spaces to 124 spaces at 11000 Red Circle Drive, and removing the requirement for the cross-parking easement. This resolution is based on the following findings:

- 1) A restaurant has operated out of the existing building and used the existing parking lot for nearly 20 years. Changing either the size of the building or the size of the parking lot would present a practical difficulty.

- 2) The variance would meet the intent of the ordinance since:
 - a. The building has a large amount of storage or "non-restaurant" space relative to other restaurants. This space does not contribute to parking demand.
 - b. A parking demand study conducted for the property determined 124 spaces would be sufficient to meet demand. There would be 124 spaces available on the site.
 - c. The variance would not result in any physical change to the building or parking lot. It would not alter the essential character of the neighborhood

Approval is based on the following conditions:

- 1) The basement and mezzanine levels must remain office and storage space only. No restaurant space, including kitchen or seating areas, are allowed.
- 2) Three Putt, LLC, must agree to the relocation of the southerly entrance to the property from Red Circle Drive as shown on Exhibit B of the resolution.
- 3) The parking lot must be restriped in conformance with the applicant submitted, and staff revised, plan date-stamped November 22, 2006. All stalls must meet minimum city code standard for width and depth. Restriping must be done by May 31, 2007.
- 4) The document must be executed within 30 days of adoption of this resolution.

All voted "yes." Motion carried.

15. APPOINTMENTS and REAPPOINTMENTS:

A. Appointment of representatives to various advisory boards, commissions and committees.

Callison moved, Wagner seconded a motion to approve the following appointments:

- Terry Schneider as the Minnetonka City Council Legislative Contact to the Association of Metropolitan Municipalities.
- Janis Callison as the Minnetonka City Council representative to the Municipal Legislative Commission Board of Directors.
- Dick Allendorf as the Minnetonka City Council representative to the I-494 Joint Powers Organization.
- Robert Ellingson as the Minnetonka City Council representative to the Southwest Suburban Cable Commission.
- Desyl Peterson as the Minnetonka City Council's appointed representative to the Suburban Rate Authority and GERALYN BARONE as the alternate.

- Brian Wagstrom as the Minnetonka City Council's appointed representative to the Bennett Family Park Board.
- Dave Johnson as the Minnetonka City Council's appointed representative to the Minnetonka School District Community Education Advisory Council.
- Dave Johnson as the Minnetonka City Council's appointed representative to the Music Association of Minnetonka.
- Terry Schneider as the Minnetonka City Council representative to the West Hennepin Affordable Housing and Land Trust (Homes Within Reach).
- Elise Durbin as the Minnetonka City Council's appointed representative to the Wayzata Schools Community Collaboration Council.

All voted "yes." Motion carried.

16. ADJOURNMENT.

Thomas moved, Allendorf seconded a motion to adjourn the meeting at 8:35 p.m. All voted "yes." Motion carried.

Respectfully submitted,

David E. Maeda
City Clerk