

**MINUTES
MINNETONKA CITY COUNCIL
REGULAR MEETING, MONDAY, JANUARY 10, 2011**

1. CALL TO ORDER.

Schneider called the meeting to order at 6:33 p.m.

2. PLEDGE OF ALLEGIANCE.

All joined in the Pledge of Allegiance.

3. ROLL CALL

Council members Bob Ellingson, Dick Allendorf, Amber Greves, Brad Wiersum, James Hiller, Tony Wagner, and Terry Schneider were present.

4. APPROVAL OF AGENDA

Wiersum moved, Wagner seconded a motion to accept the agenda amending Item 12A. All voted "yes." Motion carried.

5. APPROVAL OF MINUTES:

A. November 15, 2010 special meeting

Greves moved, Allendorf seconded a motion to approve the minutes of the November 15, 2010 Minnetonka City Council special meeting, noting that Wagner was not in attendance at this meeting. Ellingson, Allendorf, Greves, Wiersum, Hiller and Schneider voted "yes." Wagner "abstained". Motion carried.

B. November 22, 2010 regular meeting

Greves moved, Allendorf seconded a motion to approve the minutes of the November 22, 2010 Minnetonka City Council regular meeting. All voted "yes." Motion carried.

C. December 6, 2010 regular meeting

Greves moved, Allendorf seconded a motion to approve the minutes of the December 6, 2010 Minnetonka City Council regular meeting. All voted "yes." Motion carried.

6. SPECIAL MATTERS:

A. Presentation of 2011 Reflections Award

Schneider presented the certificates to the following award recipients and thanked each for their contributions:

- Judy Elling, executive director of Resource West, and Cathy Maes, executive director of ICA Foodshelf;
- Jean McSwiggen, Minnetonka Senior Services volunteer; and
- Ruth Stricker, founder and owner of The Marsh: A Center for Balance and Fitness.

7. REPORTS FROM CITY MANAGER & COUNCIL MEMBERS

Gunyou reported on the schedule for upcoming council meetings.

Greves thanked the residents who turned out for the Reflections Award presentation and for the award winner's contributions to better the community. She also thanked staff involved with the Family Fire Day event over the weekend.

8. CITIZENS WISHING TO DISCUSS MATTERS NOT ON THE AGENDA

No one appeared.

9. BIDS AND PURCHASES: None

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

A. Claims for council authorization – December 27, 2010

Allendorf moved, Greves seconded a motion to approve the December 27, 2010 claims which includes electronic fund transfers (EFTs) numbered 1412 through 1423 and checks numbered 231695 through 232028 totaling \$2,342,473.49. All voted "yes." Motion carried.

B. Claims for council authorization – January 10, 2011

Allendorf moved, Greves seconded a motion to approve the January 10, 2011 claims which includes electronic fund transfers (EFTs) numbered 1424 through 1430 and checks numbered 232029 through 232350 totaling \$1,405,253.99. All voted "yes." Motion carried.

C. Resolution designating an Acting Mayor and Alternate Acting Mayor for 2011

Greves moved, Wagner seconded a motion to adopt Resolution No. 2011-001 designating Council Member Allendorf Acting Mayor and Council

Member Hiller as Alternate Acting Mayor for the year 2011. All voted "yes." Motion carried.

D. Designation of the city's official newspaper for 2011

Allendorf moved, Greves seconded a motion to designate Lakeshore Weekly News as the city's official newspaper for 2011. All voted "yes." Motion carried.

E. Agreement with Teens Alone for 2011

Allendorf moved, Greves seconded a motion to approve the contract renewal agreement for the year 2011, not to exceed \$2,000. All voted "yes." Motion carried.

F. Authorization of formal agreement with RELATE Counseling Center for 2011

Allendorf moved, Greves seconded a motion to approve the contract renewal for the year 2011, not to exceed \$18,000. All voted "yes." Motion carried.

G. Agreement with Sojourner Project Inc. for domestic services for 2011

Allendorf moved, Greves seconded a motion to approve renewing the agreement for the year 2011 with reimbursement not to exceed \$20,000. All voted "yes." Motion carried.

H. Agreement with Minnetonka School District #276 for police liaison services for 2011

Greves asked for the item to be pulled from the consent agenda. She asked for an update on the police liaison services at the middle school. Police Chief Mark Raquet explained the time spent at the middle school did not generate a large number of policing issues. However, it did provide time for valuable conversations, counseling and classroom training. He said the current services were adequate given what had been done in the past.

Allendorf asked for updates on the services provided to the Hopkins and Wayzata School Districts. Raquet said overall things were going well. He noted that there was more of an adjustment for the Hopkins School District given that two positions were reduced. Wagner noted that the decision to remove the two liaison officers was made by the Hopkins School Board. Raquet said the decision was an agreement between the school board and the city due to budget reasons.

Wiersum moved, Wagner seconded a motion to enter into an agreement with Minnetonka School District #276 to provide school liaison services. All voted "yes." Motion carried.

I. Extension to file the final plat of HELEN L. COOLEY ADDITION, a two-lot subdivision at 2202 Meeting Street

Allendorf moved, Greves seconded a motion to approve the twelve-month time extension. All voted "yes." Motion carried.

J. Proposed orders for tobacco license stipulations

Allendorf moved, Greves seconded a motion to approve issuing the enclosed Finding of Fact, Conclusion, and Order for LMV Corporation and Siri Enterprises LLC. All voted "yes." Motion carried.

K. Extension of previous final plat approval for BLACK OAKS ESTATES at 16611 Black Oaks Lane

Allendorf moved, Greves seconded a motion to approve the twelve-month time extension. All voted "yes." Motion carried.

L. Resolutions approving various agreements with MnDOT, approval of final plans and bid authorization for the TH 169/Bren Road interchange improvements

Allendorf moved, Greves seconded a motion to adopt the following resolutions and authorize the bids.

- 1) Resolution No. 2011-002 approving final plans and authorizing construction cooperative agreement No. 97691 with the Minnesota Department of Transportation.
- 2) Resolution No. 2011-003 authorizing traffic control signal agreement No. 98010M with the Minnesota Department of Transportation.
- 3) Resolution No. 2011-004 authorizing a master partnership contract with the Minnesota Department of Transportation.

11. Items requiring Five Votes: None

12. INTRODUCTION OF ORDINANCES:

A. Ordinance rezoning the property at 11809 Bren Road from R-1, low-density residential, to PUD, Planned Unit Development

Community Development Director Julie Wischnack gave the staff report.

Allendorf asked why the number of home sites had increased. City Planner Loren Gordon indicated originally the plan was for 19 home sites and 21 were now proposed to meet the medium density guidelines. The site had been totally reconfigured.

Greves questioned how the storm water management would be handled given the challenging topography. Gordon indicated the details of the storm water plans would become clearer as the process continued. He said generally what had been received from the developer met the city's storm water requirements as well as the Nine Mile Creek Watershed requirements. The watershed creek district had not reviewed the proposal and would do so after the city approved it. Greves said the issue would be a good area for the planning commission to spend time reviewing.

Wagner said he was also concerned about the topography on this site. He requested that the middle houses not be completely encircled by streets and asked what alternatives had been looked at to minimize that scenario. Gordon indicated staff had discussed the layout in detail with the developer. Wagner asked if the development would provide for single family homes or detached townhomes. Gordon explained this was a single family detached housing development as all lots would have side yards.

Wiersum requested the planning commission and council review the development critically to ensure that the site plan meets the city's standards given the uniqueness of the site and to ensure there were no unintended consequences.

The developer, Tom Gonyea, 15250 Wayzata Boulevard, indicated the two lots surrounded by the roadways were less than ideal, but the proposed design provided for the proper density. He further discussed the storm water management for the site. He noted the site was quite granular, which would assist with runoff.

Allendorf asked the price range of homes within the development. Gonyea indicated the homes would range from the mid to upper \$300,000's to the low \$500,000's.

Schneider said how the runoff was dealt with was a critical element. He noted that rain gardens and granular soils required long term maintenance and management.

Wagner said typically for medium density developments between ten to twenty units that the city required some affordable housing be included. He said the mix of housing types should be addressed by the EDAC and

the council. Schneider said those past developments had been tied to an increase in guiding and zoning or with a TIF subsidy. Wagner said he thought the EDA had a policy that any new developments have a 10-20 percent range. Wischnack said she would research the issue. She noted the council indicated during the discussion about the Applewood development that mid-range priced housing was something that should also be a goal.

Wiersum moved, Greves seconded a motion to introduce the ordinance and refer it to the planning commission. All voted "yes." Motion carried.

13. **PUBLIC HEARINGS:** None

14. **OTHER BUSINESS:** None

15. **APPOINTMENTS and REAPPOINTMENTS:**

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

Schneider thanked all for serving on the various groups and that the work reflected well on the city's willingness to be a regional partner.

Greves moved, Allendorf seconded a motion to approve the following appointments:

- Terry Schneider as the Minnetonka City Council Legislative Contact to Metro Cities.
- Terry Schneider 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.
- Perry Vetter 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 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.

B. Reappointments to Minnetonka boards, commissions and committees

Schneider reviewed the reappointments for the boards, commissions and committees with the Council.

Schneider moved, Wagner seconded a motion to approve the following reappointments to the Minnetonka Boards, Commissions and Committees:

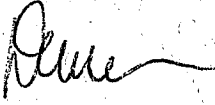
- Marli Komarek, to the community commission, to serve another two-year term as a student representative, effective February 1, 2011 and expiring on January 31, 2013.
- Patty Acomb, to the park board, to serve another two-year term, effective February 1, 2011 and expiring on January 31, 2013.
- Kyle Gallagher, to the park board, to serve another two-year term, effective February 1, 2011 and expiring on January 31, 2013.
- Denny Lambert, to the park board, to serve another two-year term, effective February 1, 2011 and expiring on January 31, 2013.
- Elise Raarup, to the park board, to serve another two-year term, effective February 1, 2011 and expiring on January 31, 2013.
- John Cheleen, to the planning commission, to serve another two-year term, effective February 1, 2011 and expiring on January 31, 2013.
- Amanda Daeges, to the planning commission, to serve another two-year term, effective February 1, 2011 and expiring on January 31, 2013.
- Paul Lehman, to the planning commission, to serve another two-year term, effective February 1, 2011 and expiring on January 31, 2013.

All voted "yes." Motion carried.

16. ADJOURNMENT

Wiersum moved, Wagner seconded a motion to adjourn the meeting at 7:17 p.m.
All voted "yes." Motion carried.

Respectfully submitted,



David E. Maeda
City Clerk