Minutes
Minnetonka City Council
Monday, December 5, 2016

1. Call to Order

Mayor Terry Schneider called the meeting to order at 6:34 p.m.

2. Pledge of Allegiance

All joined in the Pledge of Allegiance.

3. Roll Call

Council Members Patty Acomb, Brad Wiersum, Tim Bergstedt, Tony Wagner, Bob Ellingson, Dick Allendorf, and Terry Schneider were present.

4. Approval of Agenda

Wiersum moved, Bergstedt seconded a motion to accept the agenda, with addenda to items 14B, 14C, and 14D. All voted "yes." Motion carried.

5. Approval of Minutes: October 10, October 24, and November 14, 2016 regular council meetings

Acomb moved, Allendorf seconded a motion to approve the October 10, 2016 regular council meeting minutes, as presented. All voted "yes." Motion carried.

Acomb moved, Allendorf seconded a motion to approve the October 24, 2016 regular council meeting minutes, as presented. All voted "yes." Motion carried.

Acomb moved, Allendorf seconded a motion to approve the November 14, 2016 regular council meeting minutes, as presented. Acomb, Wiersum, Wagner, Ellingson, Allendorf, and Schneider voted "yes." Bergstedt abstained. Motion carried.

6. Special Matters:

A. Recognition of former EDAC members Benita Bjorgo and Kate Aanenson

Schneider read the recognitions.
7. **Reports from City Manager & Council Members**

City Manager Geralyn Barone reported on upcoming events and meetings.

Schneider reported that he along with Wiersum and Barone attended the League of Minnesota Cities Annual Meeting. There were good presentations about the dynamics of the elections and what might be expected during the next legislative session.

8. **Citizens Wishing to Discuss Matters not on the Agenda**

Hennepin County Commissioner Jan Callison reported on the county's activities and proposed budget. She said the Ridgedale Library would close next spring for renovations. The renovations will take up to a year to complete. The service center and courts will remain open. Discussions continue with Ramsey County about a joint facility for the home school. The county is changing its organics policy in response to the state's requirements to increase recycling. She said the SWLRT continues to move along. Three major road projects being worked on include 101 south of Highway 7; a possible reconfiguration of Minnetonka Boulevard between Tonkawood Road and Big Willow Park; and the feasibility of an off road trail along Plymouth Road between Ridgedale and Minnetonka Boulevard.

Callison said the preliminary county levy was set at a 4.49 percent increase even though it was expected the overall budget would decrease. This indicates that the areas of the budget expected to go down are not supported by property taxes. The increase is due to several things including the purchase of 40 body cameras for the sheriff's office. She noted as jurisdictions in the county purchase body cameras it impacts the county's budget. The county attorney and courts have to store, maintain and transcribe the videos. It is anticipated that over the next several years the cost to the county as other jurisdictions implement body cameras will be in the range of $5 million to $6 million. She reported the budget for child protection services is also increasing. In 2008 11,000 cases were reported to the county. In 2016, the number of cases was 22,000. The proposed budget includes adding around 200 staff in the child protection area. She said MNsure also is impacting the county budget. The state's computer system remains a system that is not very robust.

Wiersum thanked Callison and the county for the Highway 101/Bushaway Road improvements.
Schneider said one of the characteristics of a county commissioner is persistence and patience and that Callison had earned her stripes for her work on the SWLRT.

Ben Jacobs, coach of Rolling Thunder, said the Minnetonka club began in March. Jay, a club member, spoke about his experiences in the club. He thanked the city for supporting Rolling Thunder and providing the Lindbergh Center as the club’s practice facility. Jacobs presented a plaque to Schneider.

9. Bids and Purchases: None

10. Consent Agenda – Items Requiring a Majority Vote:

A. General services agreements with consulting engineering firms for the period of 2017-2019

Allendorf moved, Acomb seconded a motion to authorize mayor and city manager to enter into general services agreements for the three-year period of 2017-2019 with Bolton & Menk, Inc.; Hansen Thorp Pellinen Olson, Inc.; Sambatek; Short Elliott Hendrickson, Inc.; SRF Consulting Group, Inc.; WSB & Associates, Inc.; Barr Engineering Company; ISG, Inc.; Kiolhuag Environmental Services Company; American Engineering Testing, Inc.; Advanced Engineering and Environmental Services, Inc.; and In-Control, Inc. All voted “yes.” Motion carried.

B. Twelve-month time extension of site and building plan and conditional use permit approval for Bauer’s Custom Hitches at 13118 Excelsior Boulevard

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

C. Order for tobacco license violation for Scoreboard, Inc. (dba Scoreboard Grill & Bar)

Allendorf moved, Acomb seconded a motion to approve issuing the Finding of Fact, Conclusion, and Order. All voted “yes.” Motion carried.

D. Resolution to adjust 2017 non-union employee salaries and benefits

Allendorf moved, Acomb seconded a motion to adopt resolution 2016-131 authorizing the 2017 non-union employee salary and benefit adjustments. All voted “yes.” Motion carried.
11. Consent Agenda – Items requiring Five Votes: None

12. Introduction of Ordinances:

A. Ordinance amending section 2.06 of city charter

City Attorney Corrine Heine gave the staff report.

Bergstedt noted the staff report indicated the charter commission felt the proposed language was flexible enough so if the mayor or a council member knows he/she will be gone for 90 days or more, the council, with the agreement of that council member, could make the appointment for the 90 day period. Heine confirmed that was correct.

Wiersum moved, Bergstedt seconded a motion to introduce the ordinance. All voted "yes." Motion carried.

B. Items concerning Crest Ridge Senior Living at 10955 Wayzata Boulevard:

1) Comprehensive guide plan amendment;
2) Major amendment to an existing master development plan; and
3) Site and building plan review

City Planner Loren Gordon gave the staff report.

Wagner said historically, because the project had been somewhat controversial, the notification area included the southwest area of the Sherwood Forest neighborhood. He questioned if notices should be sent to those residents. He indicated he could inform the homeowner association.

Allendorf said residents' comments indicated a request for screening to the east. He said it appeared the proposed building appeared friendlier to those neighbors than the parking structure that was in the approved plan. Gordon agreed and said the neighbors have always had concerns about the buffer edge along the common property line. The previous approvals included a 50 foot landscape area. This plans removes the parking ramp.

Bergstedt said when the concept plan was reviewed he thought it was a great proposal by a well-respected developer. There definitely was a need for this type of housing. The proposal would have less traffic than many other uses, would have a much more residential look, and was close to many needed services.
Wiersum said the choice of use was between an office building, and none had come forward, and senior living. The challenge looking forward was the need for more senior living space and where it would be located. This use would generate far less traffic than an office would. He thought it was a great site and it would be a very nice facility that would be gentle to the neighbors to the east.

Acomb said she had received comments from residents about the need to add another senior building. She asked staff earlier in the day to provide information about the number of Minnetonka residents moving into some of the other senior facilities that were being built. She was happy to hear that 40 percent of the residents due to move into the Applewood development were Minnetonka residents. This indicated that senior living facilities were fulfilling a need for residents.

Schneider noted that some of the senior living facilities with services had a long waiting list.

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

13. Public Hearings:

A. On-sale 3.2% malt beverage license for The Bunker Indoor Golf Center

Barone gave the staff report.

Schneider opened the public hearing at 7:13 p.m. No one spoke.

Bergstedt moved, Allendorf seconded a motion to continue the public hearing to January 9, 2017. All voted "yes." Motion carried.

14. Other Business:

A. Resolution amending council policy 12.5 regarding antennas on water towers

Heine gave the staff report.

Allendorf moved, Wiersum seconded a motion to adopt resolution 2016-132 amending the policy. All voted "yes." Motion carried.
B. Applications for renewed liquor licenses for 2017

Community Development Director Julie Wischnack gave the staff report.

Allendorf said the one number that jumped out at him was the number of calls to the Lakeshore Grill. He asked if the number included all the calls to Macys. Wischnack said that was the difficulty with the numbers for the liquor licenses for establishments at Ridgedale. That data needed to be looked at more closely to determine what the calls were in response to. She said this was likely the case for the Lakeshore Grill.

Wagner moved, Acomb seconded a motion to approve the licenses. All voted “yes.” Motion carried.

C. Concept Plan for development of the properties at 1911 and 1935 Linner Road

Zehnder Homes withdrew the plan.

D. Items relating to the 2017 operating budget and tax levies

Barone gave the staff report.

Dave Paulson, a Minnetonka resident, asked if it was correct the Municipal Cost Index over the last 20 years had increased around half of what Minnetonka’s budget or levy had increased over the same period of time. Staff confirmed this was correct. He suggested the index might be a good benchmark to use. He noted the Community Investment Fund was up $1.7 million from the last budget document available on the city’s website. He asked if the fund was being fully exploited for what it could be used for such as paying off the bonds for the voter approved park referendum. Schneider said the Community Investment Fund was basically an endowment fund and was not meant to reduce property taxes. It was meant to be available for special projects that normally wouldn’t be paid for by property taxes.

Paulson said he spent time searching the city’s website for information to answer some of his questions. He said the information he found was more promotional than informational. There was a chasm between the explanations staff provided and what he could find easily on the website. He suggested adding something between the entire budget document and information comparing the cost of city services with a resident’s cable bill.

Schneider said he appreciated Paulson’s comments. He noted most residents don’t want to dig into the details of the budget and that at one
time a committee was setup to review and comment on the budget. People did not attend the meetings. He suggested Paulson sign up for the city's citizen academy, which provides detailed presentations from each department. He said another alternative was for Paulson to meet with city staff to walk through the budget details.

Paulson noted there were only a few other residents in the council chambers as the budget was being discussed. People did not want to invest the time. He hoped for a little more analysis on the website geared toward the average resident. He thought there was a gap that could be filled by a little more data that was easier to find on the website.

Wiersum said he had read Paulson's emails and the part that resonated most with him was the subject of informing versus persuading. He said as the city tries to explain property taxes and the budget to its residents he liked the idea of informing and explaining versus selling an increase. He thought the city did a pretty good job explaining why the property tax increase was reasonable but it did not do a good job explaining how the complicated property tax system works.

Paulson said paying $54 more in property taxes would hurt those on a fixed income or in a tight situation. He questioned had the money used to establish the Community Investment Fund years ago, been invested instead for the purchase of land, if the appreciation on the land may have been more than the interest rate.

Wiersum moved, Bergstedt seconded a motion to adopt the resolution 2016-133 adopting a budget for the Year 2017, a revised budget for 2016, amending the current Capital Improvement Program to be consistent with these budgets, and setting a tax levy for the Year 2016, collectible in 2017; and resolution 2016-134 setting a tax levy in the Bassett Creek Watershed Management Tax District for the Year 2016, collectible in 2017.

Bergstedt noted the action being taken was the end of a long budget process. He said he hoped that given the small turnout and lack of council questions didn't leave people with the impression that the budget was being approved rapidly or cavalierly. He said approving the budget was arguably the most important decision the council makes every year. The city was trying to provide all the services residents expect and deserve at a fiscally responsible cost.

All voted "yes." Motion carried.

15. Appointments and Reappointments: None
16. Adjournment

Acomb moved, Wiersum seconded a motion to adjourn the meeting at 8:00 p.m. All voted "yes." Motion carried.

Respectfully submitted,

[Signature]

David E. Maeda
City Clerk