1. Call to Order

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

2. Pledge of Allegiance

All joined in the Pledge of Allegiance.

3. Roll Call

Council Members Tony Wagner, Bob Ellingson, Patty Acomb, Deb Calvert, Tim Bergstedt, and Mayor Wiersum were present.

4. Approval of Agenda

Acomb moved, Wagner seconded a motion to accept the agenda with an addendum to item 14B. All voted “yes.” Motion carried.

5. Approval of Minutes: None

6. Special Matters:

A. Recognition of 2018 Citizen Academy graduates

The graduates were recognized and given certificates.

7. Reports from City Manager & Council Members

City Manager Geralyn Barone reported on upcoming council meetings and city events.

Acomb said the previous week she attended the National League of Cities Conference in Washington DC. She serves on a policy committee on energy, environment, and natural resources. The theme for the National League of Cities this year is about infrastructure. The policy committee discussed water infrastructure and trying to partner with the Trump administration. She said she also attended several interesting workshops including one on affordable housing.

Calvert said she attended the same conference. One thing she learned was that people from all over the country know Minnetonka. Former Mayor Karen Anderson served as the President of the National League of Cities. She also attended the affordable housing workshop and one on the effect of some of the higher court decisions on cities.

8. Citizens Wishing to Discuss Matters not on the Agenda
Kim Wilson, candidate for the vacant Ward 3 councilmember seat, said there was an issue involving campaign signs. Many of the candidates had placed signs around the city. She said when she was planning her campaign, she and her committee did extensive research on campaign rules so they were informed and prepared to run an effective and efficient campaign. Staff had given the candidates information on campaign rules and specifically the rules about campaign signs. She and her committee decided due to the restrictions of sign placement, that most campaign signs would be ineffective and not worth the investment to reach the voters. She said over the past two weeks she had seen many campaign signs that violated the city’s ordinance. Specifically signs had been placed in the right-of-way and not placed within the required 10 feet from the lot line. While campaigning, she had heard from several Ward 3 residents with concerns about campaign sign placement. She said she was not only representing her interests as a candidate, but also for the residents who were complaining. She said she was willing to campaign vigorously and wanted to represent the residents of Ward 3, but the campaign process needed to be fair. She asked the council to address the issue to ensure local elections were fair.

Wiersum said Wilson had made a fair point. City Clerk David Maeda said that earlier in the afternoon he had sent an email to all the candidates reminding them of the city’s ordinance requirement. He asked the candidates to move any of their signs that were not in compliance. Violations of the city’s sign ordinance were dealt with on a complaint basis. City staff would follow up in the next few days to look at the placement of signs.

9. **Bids and Purchases:**

   **A. Bids for the Ridgehaven Lane/Ridgedale Drive (Cartway Lane) and Plymouth Road Improvements**

City Engineer Will Manchester gave the staff report.

Wagner said that with the redevelopment in the area, and with daily challenges, he was happy to see the bid come in below the engineer’s estimate. He said this project would provide multiple decades of payback for residents and for the region.

Bergstedt said this would be a very extensive project with a lot of disruption but the Ridgedale area was the key economic driver in the city. When the reconstruction was complete the improvements would serve residents of the city for decades.

Wiersum asked what the hours would be for the construction work. Manchester said the plan was for the work to be conducted from 7 a.m. to 10 p.m. Monday through Friday and from 8 a.m. to 6 p.m. on Saturdays. The contractor has indicated they would like to potentially work longer hours on work that didn’t make a lot of noise. Staff would review this if the contractor formally made that request.
Wiersum said Minnetonka was exceedingly fortunate to have such a vital shopping mall area because a lot of shopping malls were no longer vital. He anticipated with some of the changes the area would become even more important. It was an expensive and intrusive project, but it was the right thing to do. He said the city would be seeing the fruits of this effort fifty years into the future.

Wagner moved, Acomb seconded a motion to award the contract for the Ridgedale Drive/Ridgehaven Lane Project No. 16501 to C.S. McCrossan Construction, Inc. in the amount of $7,899,724.61 and amend the CIP; and to adopt resolutions 2018-020 authorizing a Municipal Federal Project Advance and resolution 2018-021 authorizing execution of a Limited Use Permit. All voted “yes.” Motion carried.

10. Consent Agenda – Items Requiring a Majority Vote:

A. Resolution appointing election judges for the April 10, 2018 Ward 3 Special Election

Ellingson moved, Bergstedt seconded a motion to adopt resolution 2018-022 appointing the election judges for the April 10, 2018 Special Election. All voted “yes.” Motion carried.

B. Resolution approving a fire sprinkler retrofit at 5445 Eden Prairie Road for Copper Cow Restaurant

Ellingson moved, Bergstedt seconded a motion to adopt resolution 2018-025 and to approve the Petition and Waiver Agreement for Installation of Fire Protection Improvements. All voted “yes.” Motion carried.

C. Ordinance repealing and replacing City Code 300.34, Telecommunication Facilities

Ellingson moved, Bergstedt seconded a motion to adopt ordinance 2018-03 repealing and replacing City Code 300.34, Telecommunication Facilities. All voted “yes.” Motion carried.

D. Resolution approving an Interim Use Permit for Garden City, a seasonal flower market, at 11400 Highway 7

Ellingson moved, Bergstedt seconded a motion to adopt resolution 2018-026 approving an interim use permit for a seasonal flower market at 11400 Highway 7. All voted “yes.” Motion carried.

E. Resolutions requesting the sale of certain tax-forfeited land to the City of Minnetonka, pursuant to Minn. Stat. § 281.01, subd. 1a(c)

Ellingson moved, Bergstedt seconded a motion to adopt resolutions 2018-027 and 2018-028. All voted “yes.” Motion carried.
F. Order for liquor license stipulation

Ellingson moved, Bergstedt seconded a motion to issue the Findings of Fact, Conclusion, and Orders for Tonka Bottle Shop. All voted “yes.” Motion carried.

11. Consent Agenda – Items requiring Five Votes:

A. Items concerning Eden Prairie Islamic Community Center at 5620 and 5640 Smetana Dr.:

1) Resolution amending and replacing Resolution No. 2016-064 for a conditional use permit, with a parking variance, at 5620 Smetana Dr.
2) Resolution approving a conditional use permit, with a parking variance, for a banquet facility at 5640 Smetana Dr.

Ellingson moved, Wagner seconded a motion to adopt resolutions 2018-029 amending and replacing Resolution No. 2016-064 for a conditional use permit, with a parking variance, for Eden Prairie Islamic Community Center at 5620 Smetana Dr. and 2018-030 approving a conditional use permit, with a parking variance, for a banquet facility at 5640 Smetana Dr. All voted “yes.” Motion carried.

B. Resolution approving a conditional use permit, with variances, for a fast food restaurant at 17603 Minnetonka Blvd.

Ellingson moved, Wagner seconded a motion to adopt resolution 2018-031 approving a conditional use permit, with variances, for a fast food restaurant at 17603 Minnetonka Blvd. All voted “yes.” Motion carried.

12. Introduction of Ordinances: None

13. Public Hearings:

A. Resolution vacating public right-of-way at 11706 Wayzata Blvd.

Barone gave the staff report.

Wagner asked if the easement was an unbuildable area due to the sanitary sewer on top. City Planner Loren Gordon said the area being vacated was an area that a structure could not be built on. Things like parking lots or a driveway could be built on it.

Wiersum opened the public hearing at 7:02 p.m. No one spoke. He closed the public hearing at 7:02 p.m.

Wagner moved, Bergstedt seconded a motion to adopt resolution 2018-032 vacating he right-of-way, but reserving a drainage and utility easement over the entire area of vacated right-of-way. All voted “yes.” Motion carried.
B. Resolution approving vacation of a drainage and utility easement at 3533 and 3535 Orchard Lane

Gordon gave the staff report.

Wiersum opened the public hearing at 7:04 p.m. No one spoke. He closed the public hearing at 7:04 p.m.

Acomb moved, Wagner seconded a motion to adopt resolution 2018-033 vacating the easements on the properties at 3533 and 3535 Orchard Lane. All voted “yes.” Motion carried.

C. Temporary on-sale liquor license for Bet Shalom Congregation, 13613 Orchard Road

Barone gave the staff report.

Wiersum opened the public hearing at 7:05 p.m.

A representative from Bet Shalom gave information about the event.

Calvert said Bet Shalom was her congregation and she encouraged people to attend the event.

Wiersum closed the public hearing at 7:07 p.m.

Calvert moved, Wagner seconded a motion to grant the license. All voted “yes.” Motion carried.

14. Other Business:

A. Resolutions for the Plymouth Road trail project (Amy Lane to Hilloway Road)

Manchester gave the staff report.

Wagner noted there was a bus that goes down Plymouth Road. He asked staff to look at the possibility of benches along the trail given the length of the trail.

Acomb said she appreciated Wagner’s suggestion. If the city wanted to encourage more use of public transit, it had to make it easier to do so. She sees people standing in the snowbank on Plymouth Road waiting for the bus. When the city was doing the Imagine Minnetonka engagement process, residents indicated the desire for more trails. She appreciated staff’s work on this project. Wagner said Three Rivers Park District was still exploring north/south connections. He asked staff for an update and if this project was being considered. Manchester said staff has had discussions with the Three Rivers Park District staff. This particular project was not on their list. They are looking at a north/south connection in other areas. Wagner encouraged staff to continue to discuss this project with the district. He said trails were a very valued amenity in
the city. He thanked the Hilloway Road and Amy Lane residents for continuously pushing for the trail. He thanked the council for funding the first major trail that was not connected to a county road reconstruction.

Bergstedt thanked staff for all the work done partnering with Hennepin County. Working with the Three Rivers Park District would be great as well. Over the years, the council has been very supportive of north/south trails. He commended Wagner for fighting long and hard for this trail.

Calvert said she lives on a busy north/south corridor and she applauded this project. One of the wonderful things about city government was if people really wanted something, the council was responsive. She thought this project would help the city achieve other goals of a more livable community as well as adding vitality to the Ridgedale area.

Wiersum said this was an exciting project. Getting a north/south trail was no small achievement. He said the thing that excited him most was what this meant for walkability and bikeability from key areas in the city. Having north/south trails would create the opportunity of getting cars off the road.

Wagner moved, Acomb seconded a motion to adopt resolutions 2018-034 accepting plans and specifications and authorizing the advertisement for bids for the Plymouth Road trail project from Hilloway Road to Amy Lane, Project No. 19206 and resolution 2018-035 supporting the construction of a trail on Plymouth Road, from Amy Lane to Minnetonka Blvd. All voted “yes.” Motion carried.

B Appeal of peddler/solicitor license denial for Steven J Brown

The item was pulled from the agenda. Brown withdrew his appeal.

15. Appointments and Reappointments: None

16. Adjournment

Wagner moved, Calvert seconded a motion to adjourn the meeting at 7:27 p.m. All voted “yes.” Motion carried.

Respectfully submitted,

David E. Maeda
City Clerk