Minutes
Minnetonka City Council
Monday, April 30, 2018

1. **Call to Order**

   Mayor Brad Wiersum called the meeting to order at 7:45 p.m.

2. **Pledge of Allegiance**

   All joined in the Pledge of Allegiance.

3. **Roll Call**

   Councilmembers Deb Calvert, Tim Bergstedt, Tony Wagner, Bob Ellingson, Patty Acomb and Mayor Wiersum were present. Mike Happe was excused.

4. **Approval of Agenda**

   Bergstedt moved, Wagner seconded a motion to accept the agenda with addenda to items 9B and 10C. All voted “yes.” Motion carried.

5. **Approval of Minutes: March 19, 2018 regular council meetings**

   Wagner moved, Acomb seconded a motion to approve the minutes of the March 19, 2018 regular council meeting, as presented. All voted “yes.” Motion carried.

6. **Special Matters: None**

7. **Reports from City Manager & Council Members**

   City Manager Geralyn Barone reported on upcoming council meetings and city events. She noted the city recently was notified that it had attained step 3 in the Green Steps program. The voluntary program is meant to help cities achieve their sustainability and quality-of-life goals. She said the idea was to have a direct impact on reducing the city’s carbon emissions.

   Calvert reported she attended a Southwest Suburban Cable Commission meeting. Among the things the commission discussed was how the FCC’s net neutrality order would affect local communities.

   Acomb said she was in Washington DC to attend a meeting with the Environmental Protection Agency. She was appointed to an advisory committee by the National League of Cities. The committee discussed the issue of marine litter. There was also a lot of discussion about plastics.

   Wiersum said he attended a meeting with other metro mayors and Governor Mark Dayton about the governance structure of the Metropolitan Council. There are various bills being discussed at the legislature that would change the structure. He also attended Hennepin County Board Chair Jan Callison’s annual meeting with the Lake Minnetonka area mayors.
8. Citizens Wishing to Discuss Matters not on the Agenda

John Gunyou, chair of the Three Rivers Park District gave an update on the organization’s activities and programs.

Lucy Avenson, a Hopkins High School Student, said she was with a group of students from her school and the Minnetonka High School’s earth clubs wishing to address the council on the issue of climate change. She thanked the city for its natural resource programs. She said earth club had shown her ways to protect and not harm the earth such as turning off lights when leaving a room, and unplugging appliances not in use. Climate change was a systemic issue however.

Payton Frostad, a Minnetonka High School Student, said the students had taken on an important responsibility and decided to take their future into their own hands. The students hoped to collaborate with their government to make change. The earth clubs collaborated on creating a youth climate report card. The report card highlights the gap between what the city was currently doing, and what would be needed to scientifically address climate change. She said the city had taken some good steps related to sustainability but the students would like to use the report card as a springboard for more aggressive action. She reported the city received a “D-“ in the climate action plan section because it currently does not have such a plan. For the renewable energy section the city received a “C-." For the waste category, the city got a “B.” For carbon renewal the city was graded “F.” The overall grade was “D+.” She said the students hoped the city would show leadership in creating a climate action plan and work along with the students to do so.

Lia Harel, a Hopkins High School Student, said she originally joined the earth club on a whim. As she attended meetings and events she fell in love with the people in the club before she fell in love with the cause. She loved Minnetonka and wanted the city to use the report card as a way to get better and make the city a leader in preserving a livable future for the children in the city. The vision was for the city to create and implement a plan to achieve net zero emissions by 2040. She noted St. Louis Park had already adopted a climate action plan with goals identical to the plan the students were proposing. Other metro cities were also working on similar plans. She asked the council to adopt a climate inheritance resolution that would start the process in creating the climate action plan. The students want to work with the city to achieve its goals.

Wagner applauded the students for their presentation. He said the council was very committed to what the students presented. He noted two years ago the city committed to 100 percent solar power use in city facilities.

Patty O'Keefe, an organizing representative from the Sierra Club, said the Sierra Club is in support of what the students were asking from the city.

Wiersum thanked the students for their work. He appreciated and shared the students’ environmental concerns and awareness. He said if the students had the data the city had, the report card grade likely would have been better than a “D+.” Still, work was needed to be graded an “A.” He said the council would work with staff to decide the next steps.
Calvert said she was married to career wildland firefighter so she knew climate change was real. Fire behavior today is entirely different and more radical than when her husband began his career. She thanked the students for their work.

Wiersum called a recess at 8:33 p.m. He called the meeting back to order at 8:39 p.m.

9. Bids and Purchases:

A. Bids for Bren and Tanglen water storage tank rehabilitation and amendment to the 2018-2022 Capital Improvement Program

Barone gave the staff report.

Wagner moved, Bergstedt seconded a motion to award the utility project to Champion Tank Services in the amount of $1,073,100 and amend the 2018-2022 CIP to reflect the bid amount. All voted “yes.” Motion carried.

B. Bid for Plymouth Road trail (Phase 1) and agreement with Hennepin County

Barone gave the staff report.

Wagner moved, Bergstedt seconded a motion to award the contract for the Plymouth Road Trail Project No. 19206 to Bituminous Roadways, Inc. in the amount of $200,000, amend the CIP and approve the agreement with Hennepin County by adopting Res. 2018-049. All voted “yes.” Motion carried.

10. Consent Agenda – Items Requiring a Majority Vote:

A. Resolution concerning no parking sign on YMCA Lane

Ellingson moved, Calvert seconded a motion to adopt resolution 2018-050 authorizing a “No Parking” zone on YMCA Lane and installation of signs as needed in the following area: West side: Ridgedale Drive to the north end of the YMCA Lane cul-de-sac. All voted “yes.” Motion carried.

B. Resolution requesting a time extension for the comprehensive plan “decennial” review obligations

Ellingson moved, Calvert seconded a motion to adopt resolution 2018-051 approving the request for the extension. All voted “yes.” Motion carried.

C. Twelve-month time extension of site and building plan and subdivision approvals for Shady Oak Crossings located at 4312 Shady Oak Road

Ellingson moved, Calvert seconded a motion to approve the twelve-month time extension to Dec. 31, 2019. All voted “yes.” Motion carried.

D. Resolution approving the final plat of LEGACY OAKS 3rd ADDITION
E. Ordinance regarding massage license requirements

Ellingson moved, Calvert seconded a motion to adopt ordinance 2018-04. All voted “yes.” Motion carried.

11. Consent Agenda – Items requiring Five Votes:

A. Conditional use permit, with variances, for a daycare facility at 14410 Brunsvold Road

Ellingson moved, Acomb seconded a motion to adopt resolution 2018-053 approving the conditional use permit, with variances. All voted “yes.” Motion carried.

B. Items concerning the 2018-2022 Capital Improvements Program

Ellingson moved, Acomb seconded a motion to amend the 2018-2022 Capital Improvements Program as follows: (1) Add $140,000 from the Utility Fund for public works 800 MHz ARMER radios in 2018; (2) Advance $50,000 from 2020 to 2018 from the Capital Replacement Fund for the fuel pump and leak detection replacement at public works; (3) Add $75,000 from the Parks & Trails Improvement Fund for initial planning of the Ridgedale Area park improvements in 2018; and (4) Advance $75,000 from 2019 to 2018 from the Parks & Trails Improvement Fund for a community facility and programming space study. All voted “yes.” Motion carried.

12. Introduction of Ordinances:

A. Ordinance rezoning the properties at 12501 Ridgedale Drive

City Planner Loren Gordon gave the staff report.

Wagner said it was important for the planning commission and staff to evaluate the site circulation and how the existing office building would coexist with this development. Rarely had he seen a use of a site that was this intense that had a one way street. He said he would also have questions about a PUD within a PID when the proposal came back to the council. He would like the planning commission to discuss the public benefit required by the PUD. He commended the developer for listening to the feedback.

Tammy Diehm with Winthrop and Weinstine, appeared on behalf of the applicant. She said the applicant had been working hard with staff since the concept plan review to incorporate the feedback.

Dr. Mark Stesin, 2000 Norway Pine Circle, said he was speaking on behalf of a coalition of neighbors from several nearby neighborhood streets. The coalition
appreciated the developer decreasing the height of the building but the proposal did not address the core issues discussed at previous meetings. The site plan and footprint had not changed. The building was still too big and dense for the site. He shared Wagner’s concern with the circulation on the site. The building exceeded the allotted floor area ratio. The proposal was for 17 units per acre instead of 12 units for high density. There still was not an accurate buffering between the building and the neighboring properties. The coalition did not oppose high density and supported the Trammel Crow development on the mall site.

Acomb said she agreed with Wagner’s comments about the planning commission looking at the site circulation and the public benefit required by the PUD. She said those were important aspects of the project.

Wagner moved, Bergstedt seconded a motion to refer the ordinance to the planning commission. All voted “yes.” Motion carried.

B. Items concerning Bren Road Development, a multi-family residential development by Dominium, at 11001 Bren Road East

Land Use
1) Ordinance rezoning the property from I-1, industrial, to PUD, planned unit development;
2) Master development plan;
3) Final site and building plan review;
4) Lot division; and
5) Environmental Assessment Worksheet declaration,

Finance
1) Tax Increment Financing
2) Contract for Private Development

Gordon and Community Development Director Julie Wischnack gave the staff report.

Ryan Lunderby with Dominium, thanked the council and staff for all their feedback.

Wagner thanked Dominium for its forward thinking in terms of the parking.

Calvert agreed there was forward thinking with the parking but asked what the plan was if the SWLRT did not happen. Lunderby said other areas of the site would be looked at. He was confident however the SWLRT would happen.

Bergstedt said the architecture had greatly improved since the concept plan. He thought it was a good idea to split building A.

Calvert thanked Dominium for including the solar aspect.
Wiersum said the renderings were very attractive but it was a big complex that would be the largest in the city. He wanted to make sure the planning commission closely reviewed the scale and mass to see if it was appropriate for this area of the city.

Calvert moved, Bergstedt seconded a motion to refer the ordinance to the planning commission. All voted “yes.” Motion carried.

C. Ordinance granting an electric franchise to Northern States Power Company

City Attorney Corrine Heine gave the staff report.

Wiersum asked for more information about the rules regarding the city’s use of electric franchise fees. Heine said the general rule was there could not be a franchise fee unless the city imposed an equivalent fee on other utilities. There was an exception under the current ordinance and the proposed ordinance. For electric utility only, the city was allowed to charge a franchise fee without having an equivalent fee on CenterPoint Energy provided that the revenues generated by the franchise fee were specifically used for the betterment of electric facilities. Historically the city has used this for undergrounding lines and for streetlights.

Acomb moved, Bergstedt seconded a motion to introduce the ordinance. All voted “yes.” Motion carried.

13. Public Hearings: None

14. Other Business:

A. Resolution for the 201 Ridgedale Drive project

City Engineer Will Manchester gave the staff report.

Wagner said he spoke with staff earlier in the day about future capacity and was assured there was adequate capacity for the future although easements would be done for two lanes of the roundabout. Manchester confirmed this was correct. He said the roundabouts were set up to expand in the future. Wagner questioned if there were opportunities related to leveraging the stormwater in the future that should be designed for now. This would be looked at as part of the final design. He suggested also planning for a bus shelter for the high density that was likely to occur. Wischnack said Metro Transit had to give permission for bus stops.

Wiersum said this was a very exciting project that would dramatically change the whole atmosphere of the Ridgedale area. As the public realm improvements are discussed he said it was important to be mindful of future planning and maintenance.

Wagner moved, Acomb seconded a motion to adopt resolution 2018-054 ordering the improvements, authorizing preparation of plans and specifications.
and authorizing easement acquisition for the 2019 Ridgedale Drive Project No. 19501. All voted “yes.” Motion carried.

15. Appointments and Reappointments:

A. Appointment to the senior citizens advisory board

Wiersum moved, Bergstedt seconded a motion to approve the appointment of Bob Gilbertson and Patricia Baker to the senior citizens advisory board. All voted “yes.” Motion carried.

16. Adjournment

Acomb moved, Calvert seconded a motion to adjourn the meeting at 9:42 p.m. All voted “yes.” Motion carried.

Respectfully submitted,

David E. Maeda
City Clerk