Minutes
Minnetonka City Council
Monday, Aug. 26, 2019

1. Call to Order

Mayor Brad Wiersum called the meeting to order at 6:31 p.m.

2. Pledge of Allegiance

All joined in the Pledge of Allegiance.

3. Roll Call

Council Members Mike Happe, Tim Bergstedt, Bob Ellingson, Deb Calvert, Rebecca Schack, Susan Carter and Brad Wiersum were present.

4. Approval of Agenda

Schack moved, Calvert seconded a motion to accept the agenda with addenda to Items 10A, 10D, 14A, and 14B. All voted “yes.” Motion carried.

5. Approval of Minutes:

A. July 22, 2019 regular council meeting

Calvert moved, Schack seconded a motion to accept the minutes, as presented. Schack, Carter, Bergstedt, Ellingson, Calvert and Wiersum voted “yes”. Happy abstained. Motion carried.

6. Special Matters:

A. Recognition of Firefighter Alan Burton upon his retirement

Wiersum read a proclamation in full for the record recognizing Firefighter Alan Burton and thanked him for his 21 years of dedicated service to the City of Minnetonka. He presented Firefighter Burton with a plaque from the city and round of applause was offered by all in attendance.

Firefighter Burton thanked his family, the fire department and the city council for their support over the years.

Mayor and council recognized Alan Burton.
B. Recognition of Finance Director and City Treasurer Merrill Shepherd King upon her retirement

Wiersum read a proclamation in full for the record recognizing Finance Director and City Treasurer Merrill Shepherd King and thanked her for her years of dedicated service to the City of Minnetonka.

Calvert commended Ms. Shepherd King for sharing her time and talents with the council.

Carter thanked Ms. Shepherd King for being extraordinary and for working patiently with her to understand the budget and city finances.

Bergstedt thanked Ms. Shepherd King for her excellent service to the city and wished her well in her retirement.

Schack stated she appreciated the professional service Ms. Shepherd King provided to the city.

Happe thanked Ms. Shepherd King for all her hard work and wished her all the best in the future.

Ellingson stated only 6% of the cities in the country had a AAA bond rating. He commended Ms. Shepherd King for assisting the city in achieving this goal.

Wiersum presented Ms. Shepherd King with a plaque from the city and a round of applause was offered by all in attendance.

Ms. Shepherd King stated it has been an honor for her to serve the City of Minnetonka over the years. She explained she had worked for state and county organizations, but explained local government was her favorite place to be. She reported she has lived and worked in this community for the past 15 years and believed this is a great city. She stated she appreciated the integrity that was shown uniformly by every staff member in this organization and that every single person was valued. She was proud of the fact that everyone was respected from top to bottom and that every absence was felt. She thanked the council for reflecting the mutual desire to do the right thing for the community and she appreciated the opportunity to develop professionally within this organization. A round of applause was offered by all in attendance.

City Manager Geralyn Barone stated she appreciated Ms. Shepherd King, her passion, her creativity and for providing great leadership to the city.

Mayor and council recognized Merrill Shepherd King.
C. **Proclamation declaring Sept. 15 – 21 as Minnetonka Medicare Education Week**

Ellingson read a proclamation in full for the record declaring Sept. 15 through Sept. 21 to be Minnetonka Medicare Education Week in the City of Minnetonka.

D. **Proclamation declaring Sept. 9 – 15 as Direct Support Professionals Recognition Week**

Carter read a proclamation in full for the record declaring Sept. 9 through Sept. 15 to be Direct Support Professionals Recognition Week in the City of Minnetonka.

E. **Proclamation declaring Sept. 8, 2109 as Women’s Suffrage Ratification Centennial Day**

Schack read a proclamation in full for the record declaring Sept. 8 to be Women’s Suffrage Ratification Centennial Day in the City of Minnetonka.

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

City Manager Geralyn Barone reported on upcoming city events and council meetings. It was noted City Hall would be closed on Monday, Sept. 2 for Labor Day.

Calvert stated she attended two different committee meetings with Metro Cities and the League of Minnesota Cities.

Schack thanked the EDAC, planning department and planning commission for a great joint tour.

Wiersum reported he received a memo from Gary Carlson a Director of Intergovernmental Relations with the League of Minnesota Cities informing him State Representative Steve Elkins was being recognized by the League as a Legislator of Distinction. He read a portion of the letter in full for the record and commended Steve Elkins for his exemplary service pointing out the need for local control of cities.

8. **Citizens Wishing to Discuss Matters not on the Agenda: None.**

9. **Bids and Purchases:**

A. **Bids for the Crosby Road culvert project**

Director of Public Works Will Manchester gave the staff report.
Happe explained when this bridge collapsed it created a terrible situation for the homeowners. He appreciated the great work the city did to put in a temporary structure in order to create access. He thanked Mr. Manchester for working with the homeowners to resolve this issue.

Happe moved, Carter seconded a motion to award the contract and amend the CIP. All voted “yes.” Motion carried.

10. Consent Agenda – Items Requiring a Majority Vote:

A. Resolutions pertaining to levying the 2019 Special Assessments


B. Conditional use permit for a dental clinic at 11300 Wayzata Blvd

Ellingson moved, Calvert seconded a motion to adopt Resolution 2019-074 approving the permit. All voted “yes.” Motion carried.

C. Resolution approving a conditional use permit and an expansion permit for an accessory structure at 16913 Hwy 7

Ellingson moved, Calvert seconded a motion to adopt Resolution 2019-075 approving the request. All voted “yes.” Motion carried.

D. Resolution approving the final plat of LEGACY OAKS 4th ADDITION

Ellingson moved, Calvert seconded a motion to adopt Resolution 2019-076 approving the final plat as amended. All voted “yes.” Motion carried.

11. Consent Agenda – Items requiring Five Votes: None

12. Introduction of Ordinances: None

13. Public Hearings: None

14. Other Business:

A. Resolution approving the preliminary plat of BIRD SONG, a 13-lot subdivision of the existing property at 2410 Oakland Road
City Planner Loren Gordon gave the staff report.

Calvert commented the stock market was quite interesting at this time and there were talks of a looming recession. She questioned if it was the best move to grade one of the most pristine pieces of property in all of Minnesota this fall in hopes of developing the site with $1.5 to $2 million homes in the spring of 2020. Gordon deferred the home building plan to the developer. He commented on the protection measures that would be put in place to ensure the site would not become a hazard after it was graded.

Carter asked how long it would take to fully develop the site. Gordon explained the developer has estimated it would take three years to fully develop the site.

Eric Zehnder, Zehnder Homes, introduced himself to the council and explained he would be the developer for Bird Song. He explained there was a risk going into any development and noted he had completed quite a bit of research for this project. He reported he had one lot sold already and had another on hold. He stated this was a prime location and there was a great deal of interest.

Schack requested further information regarding the covenants that would be put in place. Mr. Zehnder explained this development would have a homeowners association in place and this organization would review an architectural review committee. He noted the plan was for him to build all of the homes in the neighborhood. He commented if the market did start to turn, he could sell lots to other builders.

Wiersum opened the meeting to public comment.

Lindsay Arthur, 2400 Oakland Road, stated he has lived in his home for the past 43 years. He reported he lived adjacent to the Bird Song property. He expressed concern with the proposed development and how it would drain. He commented the site had a great deal of lowland and wetlands. He believed the western one-third of the property was wetland and could not be developed. He feared that the 14 feet of fill being brought in on Lot 8 could push water onto his property. He commented further on a low spot within the development and feared a home built in this area would have a wet basement. He recommended the developer not be allowed the move the existing pond. He made several other recommendations about how homes should be shifted on lots in order to reduce the use of fill and need for grading. He reported he spoke to the watershed district and made them aware of his concerns. He encouraged the developer to respect the land as it is and reconsider his development. He explained his property was one of the last remaining lots in Minnetonka that does not have city sewer and water. He noted he could split his large lot into three parcels and noted a driveway and utility easement would be needed across Lot 8 of Bird Song at some point in the future.
Ellingson asked if the changes being proposed by Mr. Arthur would reduce the number of houses within the Bird Song development. Mr. Arthur explained he was not proposing to reduce the number of homes, but rather was asking the developer to shift Lot 8 to the west. He commented on how this shift would reduce the number of trees that would be lost. He recommended the pond remain as is. It was his opinion the lots would be improved through his suggestions.

Gordon commented on the proposed water and sewer connections. He reported typically connections are made through roadways in looped systems. He indicated if the system were extended through Lot 8 this would alter the grading in the area and several very large oak trees would be lost. He explained another option would be to bring the connections to the edge of the right of way with grading occurring in the future. He reported the driveway would be more problematic because the grade was quite steep.

Carter asked what would happen if the preliminary plat was approved. Gordon explained after a preliminary plat was approved final approval would be needed. City Attorney Heine advised once a preliminary plat is approved, if the final plat comes back consistent with the preliminary plat and meets all conditions, the developer is entitled to approval of the final plat.

Schack questioned if moving a great deal of earth and a pond was typical or if staff could reevaluate the grading plan. Gordon discussed how the street and utilities were laid out for this project explaining the proposed location was the most logical.

Wiersum commented he believed the preliminary plat looked the way it did for a reason. He stated he did not want to see a development design that had meaningful shortfalls. He indicated this was not the first development the council had considered where ponds were being moved or recreated. He requested further comment from staff regarding the drainage within the proposed development. Gordon explained this was not an easy drainage situation because of the topography within the property. He discussed the location of the three wetlands on the site and noted the wetlands would have the same water coming into them pre and post development. He reported the water would also have to flow out of the development in the same manner as it was today, to the west and out into the wetland complex along I-494. He reiterated that no wetlands on the site would be filled in.

Mr. Zehnder clarified this was a conforming plat that meets all city standards. He noted the pond that would be moved had a rubber liner and could be easily moved. He explained stormwater runoff was much more regulated after development and currently was unchecked. He reported the pond had to be
moved because of the utilities. He discussed the steep slope on Lot 8 and commented on the discussion he held with Mr. Arthur. He reported Mr. Arthur is not an engineer and indicated his proposed changes would not be conforming. Lastly, he noted he had been working with staff for the past year on this project.

Wiersum thanked Mr. Zehnder for responding to the questions that have been raised. He asked if the council had any other comments or questions for staff.

Bergstedt reported the city had very professional staff and understood the developer had been working with staff for the past year on Bird Song. He indicated this was a totally conforming preliminary plat that met all city standards. He stated he was not comfortable redesigning this project on the fly. He commented he would be supportive of the project as presented.

Schack stated having visited the site she had concerns with the drainage, but noted she was not an engineer. She indicated she would have to trust the drainage plans would work appropriately. She believed it was a shame the parcel could not be preserved, but she understood this was a private parcel and that the property owner had a right to develop the land. She also understood the proposed plan conformed with city code but encouraged Mr. Zehnder to work with staff in order to address some of Mr. Arthur’s concerns regarding future development of his property. She noted because the development met all city code requirements she would be supporting the project.

Calvert explained her general feeling was that it was time for the city council to start exercising some imagination and vision on the last large parcels in the city. She believed the city has missed the mark on this one. She understood the proposed project conformed but believed this was not the highest and best use for this site. She commented for legal reasons, whether she liked it or not, she would be compelled to vote yes. She implored the developer to treat this property with the reverence that it deserves.

Wiersum indicated this was a conforming proposal. He commented on the Crosby Cove project and how the council was uncomfortable with that development. He explained the council was compelled to follow the law, noting this was vitally important. He was of the opinion there would be a more opportune time to get utilities to the Arthur’s property in the future than through Bird Song. He reiterated this was a conforming project and the council had no legal reason to vote no. For this reason, he would be offering his support to the project.

Bergstedt moved, Happe seconded a motion to adopt Resolution 2019-077 approving the preliminary plat. All voted “yes.” Motion carried.
Wiersum recessed the city council meeting at 8:20 p.m.

Wiersum reconvened the city council meeting at 8:30 p.m.

**B. Mountain bike study and concept plan**

Kelly O'Dea, Jesse Izquierdo, Carol Hejl and Leslie Yetka gave the staff report.

Wiersum thanked staff for the thorough report.

Carter requested further information on what a “take” permit was. Yetka explained a take permit would be issued by the US Fish and Wildlife Service and was issued to non-federal entities that were doing lawful work. She reported it was her understanding a take permit was not required at this time.

Schack asked what the distance was from the proposed mountain biking trails to adjacent homes. Hejl explained the closest trail would be 25 to 30 feet from a property line. She indicated this distance was closer to 100 feet from actual structures.

Bergstedt questioned if e-bikes would be allowed on the mountain biking trails. Izquierdo reported e-bikes were a new recreational tool and explained land managers were trying to evaluate what the impact they would be on the community. He stated the City of Minnetonka would need to further discuss e-bikes in order to create a policy for best practices going forward.

Carter inquired if there were other parks in the metro area that allowed e-bikes. Izquierdo indicated he could not speak to this.

Calvert asked what the plan would be to reduce the spread of invasive species. Yetka commented on the city’s stewardship program and invasive species management plan. She reported the city was fortunate to have dedicated staff to deal with invasive species as well as seasonal staff and volunteers. She indicated the city was already addressing invasive species and would continue this practice throughout the mountain biking trails.

Calvert questioned if the trails would have a bike washing station to help minimize exposure to invasive species being spread. Izquierdo reported this expense was not included in the budget, but noted staff was discussing how to reduce the spread of invasive species in the best manner possible. He explained staff has discussed how to get water to the trailheads with the public works department.

Calvert indicated she has walked this park on numerous occasions. She inquired if off leash dogs degraded the environment or spread invasive species in the
same manner as mountain bikes. Yetka stated she was not aware of any studies that had been completed on how dogs were impacting trails or the spread of invasive species. Izquierdo reported the biggest spread of invasives came from off leash dogs.

Wiersum opened the meeting for public comment.

Jeff Greenwood, 6032 Pinewood Lane, explained he supported new mountain biking trails in Minnetonka. He stated he has been biking in Minnetonka since 1979. He discussed the trails he frequented in the community. He encouraged the council to support the trails and improve Lone Lake Park for the residents of Minnetonka. He reported mountain bikers loved the outdoors and were excellent stewards of the environment. He discussed how trail building was becoming popular throughout the State of Minnesota and country. He encouraged the council to build the trails and allow Minnetonka residents another way to enjoy the outdoors.

Shelby, 3181 Lakeshore Boulevard, reported she was beginning her second year on the Minnetonka mountain biking team. She encouraged the city council to build new trails in Lone Lake Park. She explained mountain biking was a great stress relief for her and noted this was a family sport. She indicated she liked mountain biking better than road biking because it was safer. She noted she would be more than happy to help in maintaining the trails in Lone Lake Park.

Ed Hassler, 5516 Sanibel Drive, explained he loved to mountain bike and stated he would like to see trails proliferate the metro area but not in Lone Lake Park. He commented on a walk he went on with staff last August in Lone Lake Park.

Wiersum interrupted and stated he had read Mr. Hassler’s email. He requested Mr. Hassler not criticize staff or create an item for debate.

Stewart Grub, Emmons & Olivier Resources at 7030 6th Street North in Oakdale, stated he was a professional geologist and environmental scientist. He explained he had been working with Protect our Minnetonka Parks for the last year doing an environmental assessment.

Wiersum questioned who was involved in the Protect our Minnetonka Parks group. Mr. Grub stated Maureen Hacket was the group’s president. He indicated he was not sure how many members the group had. He apologized for not knowing any names, but explained he was acting as their consultant. He continued with a presentation which addressed the environmental impacts of the proposed mountain biking trails. He reviewed a picture of the oak trees in the park and discussed how the trails would impact critical tree root zones. He reported he surveyed the trees along the proposed trail alignment and noted more than 100 trees would be impacted by the proposed trail. He was of the
opinion this impact had not been addressed through the previous studies. He reviewed the requirements for tree protection and mitigation per Minnetonka City Code. He reported 33 significant trees were located along the proposed trail and 17 high priority trees. He estimated the cost to replace these trees would cost $680,000 to $1.3 million. He noted Long Lake Park was a woodland preservation area and was designated as a DNR Big Woods remnant area. He commented further on how the park would be impacted if the large trees and their canopies were lost.

Mr. Grub reported he conducted a bird count and explained over 103 species were identified in Lone Lake Park with 10 species being on the greatest conservation need list. He feared the number of bird species and birds in general within the park would decline if the mountain bike trails were approved. He commented on the importance of the rusty patched bumble bee and feared the mountain bike trail would disturb their habitat.

Mr. Grub commented steep slopes through the park were a concern noting the trail areas with steep slopes would require a wider area of the park land to be disturbed. He explained per Minnetonka City Ordinance Section 300.28.20 with respect to steep slopes it states the development will not result in soil erosion, flooding, severe scarring, reduced water quality, inadequate drainage control or other problems. He provided further comment on the areas where erosion hazards would occur within the proposed mountain biking trails. He then discussed the areas within the proposed trails that would violate the Shoreland Ordinance with respect to soil erosion.

Mr. Grub stated patronage at Lone Lake Park would increase and described the number of new developments that were proposed within one mile of the park. He reported mountain bikes would limit the traditional opportunities for typical use of the park. He then commented on the archaeological, historical and cultural resources within the park. He explained MnSHPO has warned the city of Minnetonka that there was a very high potential for unrecorded archaeological and cemetery sites in this vicinity and recommended that the city plan to have the area surveyed by an archaeologist prior to development. He reported Protect our Minnetonka Parks requested permission to conduct a Phase I Archaeological Study and permission was denied by the city of Minnetonka. Mr. Grub discussed the cumulative impacts a mountain bikes course would have on Lone Lake Park and thanked the council for their time.

Linda Russell, 5423 Maple Ridge Court, indicated she has volunteered at this park over the years and walks there regularly. She thanked the council for the opportunity to speak. She understood this was a very difficult issue. She explained she represented the Friends of Lone Lake Park group. She stated she lived one mile from this park and was frustrated with the fact a meaningful neighborhood meeting was not held for this proposal. She questioned why the
city did not involve the neighbors as has been the process followed in the past, like for Big Willow Park. She understood an open house style meeting was held but believed this was not the same as a neighborhood meeting because no input was taken from the residents. She asked if the council was aware of the fact the park board did not allow residents to speak regarding this issue. She stated she was disappointed with the fact the park board would not take any comments. She believed it was vital for the city to take feedback from the neighbors prior to moving forward with any type of project. She encouraged the council to do this thing right and allow the neighbors to be a part of the process.

John Rocko, 5423 Maple Ridge Court, commented on the archeological study that was completed on the park. He noted he was an anthropologist with a PHD from the University of Minnesota. He discussed the insight of what “very high likelihood” meant within the archeological study. He reported the State Tribal Council was involved in an oversight capacity. He explained the Dakota typically buried their people on bluffs with the best views. He noted there were 12,500 documented native burials sites in Minnesota and a high percent were in the Lake Minnetonka area. He indicated the State Archeologist believes there was a high likelihood that when the land is surveyed the city will find artifacts and remnants of cemeteries. If the city were to find these things, he believed a more intensive second and third phase of the project would be required which would increase the project timeline and expense. He commented if burial mounds are found the entire project may have to be redesigned. He encouraged the council to consider how further expenses, archeological delays and the lasting ecological damage could impact this project. He questioned how much was too much and recommended the council vote no on the mountain bike trails.

Mary McKee, 3842 Baker Road, encouraged the council to remember Lone Lake Park was one 146 acres. She noted Carver Park had over 3,000 acres and mountain bike trails were being planned for this park. She believed this park could serve the high school students. She explained mountain bike trails were also being planned for Bren Mar Park. She was of the opinion the need for mountain bike trails had already been met.

Ann Gershone, 13111 April Lane, she stated she was a healthcare provider and stated she had concerns with the number of intersecting paths within the mountain biking trails. She believed these were safety hazards. She discussed the expense of a mountain bike and noted only the upper and middle class could afford this sport. She encouraged the council to pursue activities in Lone Lake Park that were for all people. She stated she was not against mountain biking and understood this was great exercise. However, she believed mountain biking required a specific designated space that was closed. She indicated she did not want to see the mountain biking course located within a preserve.
Samira Opti, 2828 Jordan Avenue South, explained she has been to Lone Lake Park on numerous occasions on walks. She believed mountain biking trails were available elsewhere and should not be located in Lone Lake Park.

Paulie Beard, 5353 Dominic Drive, stated she has lived at her home for the past 30 years and she loves Lone Lake Park. She explained she also loved mountain biking and believed this was a wonderful sport. She discussed the history of the park, noting in 1989 70% of residents supported preserving the city’s natural areas and 65% strongly opposed active development in Purgatory Park. She commented on an active use that was proposed at Lone Lane Park in 1990. She reported after much discussion, the ballfields in the western portion of the park the city did not move forward with the proposal. She indicated she served on the park board from 1992 to 2000. During this time and with council support the natural resources plan was created. She commented on the benefits of preserving the city’s natural areas. She encouraged the council to be good stewards of the city’s natural areas and not pursue an active development within Lone Lake Park. She reported this would deteriorate the park and feared the proposed use would create an imbalance within Lone Lake Park. She recommended the council not support the concept plan for mountain biking trails within Lone Lake Park. She stated she wanted to see the park preserved.

David Sanford, 1145 Bren Road, explained after reviewing the plans for the mountain bike trails he spoke with several other communities regarding their trails. He reviewed the questions and answers he received from staff at Edina, Woodbury, Lakeville, the Theodore Worth Park system, and the Three Rivers Park District. He indicated the number of trail crossings and trail design were a concern to him. In addition, he feared the city would not have enough volunteers to maintain the trails. He recommended the council reconsider their plans for Lone Lake Park and not pursue the mountain biking trails.

Mark Norquist, 14000 Brandbury Walk, stated he has been a resident of Minnetonka for the past 21 years. He explained he was raising his family and operated a business in Minnetonka. He indicated he was proud to live in Minnetonka and thanked the council for the great work they do on behalf of the community. He commented the city had 48 parks and these parks were dedicated to community based recreational needs as well as the preservation of unique landscapes and open spaces. He believed the plan before the council was for a sustainable and responsibly built mountain bike course. He stated he supported the proposed mountain bike trail as it would connect more people with the outdoors. He discussed the challenge people had connecting youth with the outdoors and noted mountain biking was one of the fastest growing sports among youth. He reported this was a silent sport that helped people pedal their way to a healthier lifestyle. He indicated there were tradeoffs to building anything but he believed the tradeoffs for the proposed trails would be minor, as was...
described by staff. He reported his son was requesting mountain biking trails in Minnetonka and it was his hope the council would support the project.

Talya Tapper, 4765 Maple Chase Drive, explained she currently lived in Deephaven. She encouraged the council to consider her future residence noting this would be based on what the community has to offer. She indicated she would base this decision on how close important amenities were to her home as this would reduce her need to drive everywhere. She wanted to live in a place where she could walk or bike to the bank, a health care provider, etc. She then discussed her experiences of biking in the community noting Minnetonka residents were not friendly to bicyclists. She explained she has been called rude and annoying for legally using the road and trails in the city. She was of the opinion this same bias was now being translated over to the proposed Lone Lake Park mountain biking trails. She believed the environmental studies completed by the city were sound and encouraged the council to support the proposed mountain biking trails.

Nadia, 4040 Highland Road, commented she learned to ride her bike when she was six years old and has been biking ever since. She reported her dad brought her to Theodore Worth Park when she was seven or eight and she fell in love with mountain biking. She explained she attended a fat tire bike festival and indicated this was a great community of people. She noted the closest mountain biking park to her home was Theodore Worth Park which was quite a drive during rush hour. She encouraged the council to pursue mountain biking trails in Lone Lake Park because this would allow her and other residents to bike from their homes to this park.

Jane Emkey, 5391 Maple Ridge Court, stated she has lived in her home for the past 30 years. She questioned why the city was so concerned with filling up all of the greenspace that was left in the community. She feared that recreation would take precedence over preserving sensitive habitat at Lone Lake Park. She believed the residents of Minnetonka could not afford to compromise any further greenspace in the city given its value to humans. She was of the opinion the current proposal did not take into consideration the value of preserving greenspace. She questioned why the neighbors of Lone Lake Park had not been contacted regarding this proposal and encouraged the council to preserve Lone Lake Park.

Laura Brill, 11700 Vista Drive, thanked the council for their service to the community. She reported Heather Holm, an award winning speaker on bees, recommends the council further consider how the rusty patched bee would be impacted by the proposed mountain biking trails. She believed the council had the responsibility to save the only endangered species known to occur in Minnetonka. She stated in 2018 the bee was documented in multiple locations on multiple occasions in Lone Lake Park. These findings were brought to the
council's attention. She indicated the bee was thriving in Lone Lake Park due to the excellent work completed by staff and volunteers to preserve the greenspace. She was bewildered why a recreational “want” by a relatively small portion of the population was more important than preserving the habitat of an endangered species. She stated if this proposal was approved it would not be in compliance with federal management guidelines and policies. She explained the proposed trails were quite dense and could deter nesting of the bees. She recommended more research be completed by qualified biologists and that best practices be followed to protect the rusty patched bee. She encouraged the council to vote no on the concept plan for the mountain biking trails.

Larry Wade, 15524 Day Place, stated he was a naturalist and noted he had been bringing students out to Lone Lake Park for the past two decades. He indicated he wrote a book about the nature in Minnetonka. He thanked the council for spending time with his group and for listening. He reported his goal was to convince the council to create a Big Woods Preserve at Lone Lake Park. He stated this was important because this was an endangered forest. He explained the west suburbs used to be covered with Big Woods and noted now there were only four remnants. He indicated he spoke with an individual from the DNR regarding the Big Woods at Lone Lake Park. He reported this rare forest was extremely valuable and encouraged the council to be good stewards of this land. He estimated the trees within Lone Lake Park was 70 to 80 years old. It was his hope his great grandkids could walk through this park having it still be protected. He recommended a small nature center be considered for this park. He believed the council had the wisdom to seize this opportunity and change the course for this park by preserving the Big Woods.

Veronica Smith, 13001 Orchard Road, stated in 1995 she began restoring a prairie remnant across the street from the Marsh Fitness Center along the Lake Minnetonka LRT. She indicated City Manager Geralyn Barone helped her begin this task. She commented on the value of having a Big Woods Preserve in the city and encouraged council to consider the wisdom in further preserving this area.

Lori Sylvester, 3716 Hill Top Road, stated she mountain bikes with her family.

Sylvester, 3716 Hill Top Road, believed the work the city has done was proposing a win for the city. He did not believe anybody had to lose in this situation. He commented on the numerous trails in the metro area that allowed for walking, hiking, mountain biking and bird watching. He was of the opinion the city of Minnetonka could have the same thing in Lone Lake Park.

Ruby Sylvester, 3716 Hill Top Road, stated she was 11 years old and enjoys mountain biking with her family. She explained this was an amazing sport.
Austin Roberts, 5512 Tamarac Circle, indicated he was a 17 year old Minnetonka High Schooler. He reported he was part of the vantage program at the school. He explained the vantage students proposed mountain biking trails to the park board two years ago. He thanked the council for hearing the voices of the youth. He was proud of what was started between the vantage program and the city of Minnetonka. He commented he was a runner and not a biker but it was his hope his friends could use the trails.

Sebastian Reusch Roman, 3642 Robinwood Terrace, stated he loved mountain biking with his grandpa. He commented he also loved Lone Lake Park the way it was. He explained he supported the mountain biking trails but noted he also liked the park as is.

Marianna Lennick, resident of St. Louis Park, indicated she grew up in Minnetonka. She reported she loved Lone Lake Park and the time she had spent enjoying nature with her family in this park. She discussed how the park was calming to her given how quiet and still this greenspace was. She described how amphibians would be adversely impacted by the mountain biking trails. She reviewed the distinction rate for amphibians and noted frogs would be at risk within Lone Lake Park. She commented further on how the bike trails would harm the park and urged the council to not support the concept plan.

Gary Peterson, Treasurer of the Vista Woods Homeowners Association, explained he sent a letter to the council previously. He commented on the setback requirements for park trails and stated he believed 25 feet was not acceptable. He recommended the city consider having a 100 foot setback. He stated he was concerned about liability issues as people had been riding on townhome property.

Angela Murr, 5554 Nantucket Place, stated she has lived in her home for the past 13 years. She explained she valued the city’s commitment to preservation noting she and her husband volunteered to assist with preservation work. She feared how the dense network of biking trails would adversely impact Lone Lake Park. She believed the proposed trails went against the park restoration work that has been done over the past 20 years. She understood the city needed to balance active and passive activities but she believed the mountain biking trails would upset the balance at Lone Lake Park. She believed it was more important to honor history and the dedication to land ethics than to give in to the demands of one specific group. She encouraged the council to not move forward with the proposed mountain biking trails.

Sam Nelson, 13001 Jane Lane, stated he has lived in his home for one year but in Minnetonka for the past six years. He discussed the culture of mountain bikers and noted there was great communication and safety on the trails. He reported mountain bikers loved nature and the environment too. He explained he was
proud of the youth that have come forward to speak. He indicated there was a lot of excitement about this sport. He believed Lone Lake Park was a perfect location for the trails and that the space should be utilized. He was of the opinion e-bikes would not be able to traverse the mountain bike trails. He did not anticipate the city would have to worry about ancient artifacts on this site. He discussed how the mountain biking culture was further and encouraged the council to support the concept plan for mountain biking trails at Lone Lake Park.

Jeff Engram, 14400 Linnell Drive, stated he has lived in Minnetonka for the past 26 years. He indicated he loves this city and everything about it. He reported he has conducted restoration work in the city and its parks. He noted he adopted a drain and was a proud steward of Victoria Park. He discussed the research he had done regarding the proposed mountain biking trails and commended staff on their tremendous efforts. He commented other parks successfully have mountain biking trails and rusty patched bees through land proper management. He was of the opinion Minnetonka could do the same. He encouraged the council to support the mountain biking trails.

Jessica Kurus, 4120 St. Mark’s Drive, explained she was a 15 year student in Minnetonka and was a mountain bike racer. She discussed her experience with mountain biking and stated this sport was extremely important to her. She indicated her mountain biking teammates have become a second family to her and offer her tremendous support. She recommended the council support the proposed trails as this would be a closer option for Minnetonka residents.

Dale Feste, 14014 Windsor Road, indicated he has been a resident of Minnetonka for 37 years. He stated he was amazed by how this city works. He believed this was a great community to live in and raise his family. He commented further on the dynamic strength of this community and how the city has been dedicated to enhance the quality of life for its residents. He encouraged the council to move forward with the proposed mountain biking trails as this would be one more thing that would enhance the quality of life in the city.

Trish Gardner, 14409 Orchard Road, stated she can't play soccer, football, or baseball anymore but she can go mountain biking. She explained she appreciated doing this activity with her grandsons. She hoped the council would vote yes on the concept plan for the mountain biking trails.

Ben Marks, 4362 Avondale Street, reported he has been a resident of Minnetonka for the past 23 years. He discussed the history of this topic and noted over 400 residents have participated in meetings. He commented Lone Lake Park met the requirements for proposed 4.7 miles of mountain bike trails. He described the difference between informal and sustainable trails. He reiterated that off road cycling was a silent sport similar to cross-country skiing and snowshoeing. He reported there were 140 paved parking spots at Lone
Lake Park which would adequately serve park visitors. He explained the Minnetonka Mountain Bike Trail Advocates have volunteered 244.25 hours helping city staff remove invasive species from the parks. He reported these volunteers would continue to assist with maintaining the proposed sustainable trails. He reported off road cycling was the fastest growing sport in Minnesota. He explained the residents advocating for the trails will not destroy Lone Lake Park but rather would build on all of the preservation that has occurred and will continue to build to improve the park. He stated this project has given youth and young families a reason to care and get involved with the city. He believed it would be valuable to have more people using Lone Lake Park. He was confident the city could work to make Lone Lake Park an even better park that was more inclusive for all of its residents. He ended his statement with a quote from Theodore Worth stating, “parks are for people”.

Grayden Betts, resident of Elk River, stated he was a representative from the Minnesota Off Road Cyclists. He explained his non-profit organization worked with 11 different land management agencies to provide recreational, multi-use trails at 13 different locations in the metro area. He reported he had over 100 volunteers that worked to maintain over 100 miles of single track in the area. He commented on the educational program available to train volunteers in the design, creation and maintenance of sustainable trails. He reported the trails in his area were some of the best maintained trails in the nation. He read a letter from the Wright County Parks and Recreation Manager discussing how well MORG worked to maintain trails. He stated his organization would be ready and willing to support the city’s efforts towards a single track in Minnetonka.

Valdo Calvert, 3814 Baker Road, explained he has worked for 40 years including at the US Fish and Wildlife Service as a member of the regional staff and prior to that he worked for the US Forestry Service. He reported in his job he worked on hundreds and hundreds of miles of trails in California and across the United States. He indicated his primary job was to maintain ecological soundness. He stated he has appreciated the passion that has been shared on both sides of this issue. He was of the opinion the work done by staff was as good as any he has seen and noted all biological needs have been covered. He assured the people that are concerned about the project to understand staff did a thorough job researching this project. He was of the opinion the concerns could be mitigated with sound trail management. He believed this was a sound project and there was no reason to disapprove it.

Grace Sheely, 14325 Grainier Road, explained she spent ten hours trying to document and photograph the rusty patched bumble bee, noting she was a beekeeper. She indicated people don’t understand insects and encouraged the council to consider the importance of insects further. She reported Lone Lake Park was the crown jewel of the community. She believed there were other
parks in Minnetonka that could be used for mountain biking trails and she encouraged the council to not pursue mountain biking trails at Lone Lake Park.

Steve Fillick, 4222 Oak Drive Lane, commented on how mountain biking has helped his son who was recently diagnosed with ASD (autism). He explained his son enjoys being out on the trails and being a part of nature. He anticipated there were many other sons or daughters that could truly benefit from the proposed mountain biking trails. He encouraged the council to support the proposed project at Lone Lake Park.

Dan Kromer, 3725 Elmwood Place, noted he has lived in his home for the past 22 years. He explained mountain bikers care deeply for the environment. He indicated the city needs to have people using its parks in order to properly protect the parks. He stated the city could reduce global warming by allowing residents to bike to trails in Minnetonka versus having to load up their vehicle and drive outside of the community. He reported mountain biking was a silent sport that allowed riders to get up close to nature. He encouraged the council to support the proposed trails at Lone Lake Park.

James W. Fallon, 4149 Baker Road, noted he has lived at his home in Minnetonka for the past 40 years. He stated he was an engineer and tradesman. He reported he was an avid cyclist and had worked on the velodrome in Blaine. He believed in being active noting he still completed marathons. He explained he was an advocate for keeping the park as is. He understood the council had a difficult decision before them as it would be difficult to appease both sides of this issue. He encouraged the council to consider locating the mountain biking trails within a vacant 47 acre lot that the city already owned.

Terry Neff, 5524 Dominic Drive, explained her husband, Tom, had sent a letter to the council. She read a portion of this letter to the council discussing the process that was followed for this project by the park board and city council. She questioned if this concept plan could be sent back to the park board in order to integrate the feedback received from the public. She reported the city would have to properly train its volunteers to ensure trail maintenance was being done properly.

Holden Pardel, 5509 Honey Avenue, stated he has lived in Minnetonka for the past 14 years. He explained he loved mountain biking and being out on the trails with his family. He indicated he was on the autism spectrum and encouraged the council to support the trails. He believed these trails would help other children get into this sport.

Rosanne Fisher, 5512 Bristol Lane, reported she has lived in Minnetonka for the past 25 years. She explained she volunteered with Helping Paws and indicated she worked with veterans suffering from PTSD and trauma. She commented she
took trained service dogs to Lone Lake Park because this park was quiet. She believed she would no longer be able to bring the dogs to the park for training purposes because the park would not be quiet. She stated she had nothing against mountain bikers but explained she was sad she would no longer be allowed in the park with her dogs. She encouraged the council to think of the dogs and the vets when considering the concept plan for Lone Lake Park.

City Manager Geralyn Barone explained the council had a rule that stated all meetings were to end by 12:00 midnight. She indicated meeting times could be extended by motion of the council to a time certain.

Honor Urbanis, 5512 Bristol Lane, explained she grew up going to Lone Lake Park. She reported this park had a great deal of serenity and meaning to her. She encouraged the council to keep this park as is and not approve the mountain bike trails.

Gerald Grishon, 13111 Hawthorne Lane, thanked the city of Minnetonka for showing a great deal of wisdom and foresight in the post plan. He was pleased the ecologically sensitive areas were designated as a preserve. He commented as the city becomes more and more subdivided he believed it was more important to preserve areas as greenspace. He noted he was a master naturalist volunteer with the city of Minnetonka and understood the importance of an intact ecosystem. He explained Lone Lake Park was a gem in the community. He commented on the value of the city having a nature center and natural spaces. He discussed the size of Carver Park and recommended mountain biking trails be located in this park. He believed it would be of value to the community for the council to preserve the natural legacy of Lone Lake Park. He requested the council keep the park passive with nature trails and not allow the mountain bike trails.

Jennifer Mundt, 5261 Beachside Drive, noted she has been a resident of Minnetonka for the past 22 years. She explained she has represented the city of Minnetonka with the Metropolitan Council for the past eight years. She commented as a policy maker she has walked in the council’s shoes. She valued the hard work being done by the council and the difficult decision before them. She congratulated staff for all of their hard efforts and for making Minnetonka a leader among cities. She indicated she was speaking now as a neighbor who fell in love with Lone Lake Park. She requested the council rethink the proposal to carve mountain biking trails into the Big Woods. She reported her family treasured the fact they were within walking distance of a big forest. She discussed how her family unplugged and was able to get lost in the woods away from screens, cell phones and cars. She noted her grandkids also enjoyed their time with nature. She commented on the importance of the rusty patched bumble bee. She expressed concern with having the mountain biking trails be shared paths with hikers and feared this would cause harm to hikers. She
understood there was a place for mountain bikes but recommended Lone Lake Park not be that place.

Julia McCohn, 5013 Crown Street, stated she about one mile from Lone Lake Park. She thanked the council for all of the time and consideration they are putting into this issue. She then thanked all of the residents in attendance for voicing their concerns. She explained this was not an either or situation. She noted all of the park amenities would still remain if the mountain bike trails were installed. She indicated no old growth trees would be removed. She commented that she had seen these trails work in other areas of the cities. She hoped Minnetonka could provide a park that residents could ride their bikes to and head home without having to load up a car. She reported the EPA identifies passive recreational activities as being hunting, camping, hiking, wild life viewing, observing nature, picnicking, walking, bird watching, historic archeological exploration, swimming, cross country skiing, running, bicycling, jogging, climbing, horse back riding and fishing. She believed that by adding mountain biking trails to Lone Lake Park the city would be adding one more passive amenity for residents of Minnetonka to enjoy.

John Layton, 5042 Manitou Road, stressed the longevity of riding single track. He noted he was over 75 and reported mountain biking was a sport that kept him moving as it was kind to the body and easy on the mind. He reported he was the designer and builder of 30 miles of mountain bike single track in the Schwamagan National Forest. He explained the trails he developed have been given epic status by the International Mountain Biking Association (IMBA). He noted he began this project some 18 years ago to defeat erosion and he reported the trail standards developed by IMBA are effective in that respect. In addition, trails are routed where they should be routed, which creates a very kind trail system for the environment. He commented further on how safe sustainable trails were because they took into account site lines. He explained if the council were to do nothing with the current trails at Lone Lake Park the city would be defeating the environment.

Igor Freedman, 5705 Lakewood Drive, stated he was an active cyclist and athlete. He explained he was typically pro-development and did not shy away from building on raw and untouched land. As an architectural designer he understood architects were to treat land with the utmost precision and consideration. He feared the proposed mountain biking trails did not adhere to these requirements and do not uphold the high standards. He believed Minnetonka was special because of its precious natural spaces. He encouraged the council take additional time to consider this project. For safety purposes, he also did not support mountain biking trails be located in Lone Lake Park. He feared there would be collisions between hikers and bikers. He recommended Lone Lake Park remain a natural greenspace both now and going into the future.
Luke VanSanten, 2148 Sheridan Hills Road, stated Lone Lake Park, a gem of solitude in the community borders an interstate highway with 100,000 vehicle trips per day and on the south it borders another highway with 35,000 vehicle trips per day. He explained the park also had 10 to 20 overflights per day. He understood residents were seeking the park for solitude but he found this to be incorrect. He explained he supported the mountain biking trails in Lone Lake Park and encouraged the council to support the plan.

Wiersum closed the meeting to public comments. He requested the council make a motion to extend the meeting to 12:30 a.m.

Calvert moved, Carter seconded a motion to extend the city council meeting to 12:30 a.m. Schack, Carter, Bergstedt, Ellingson, Calvert and Wiersum voted "yes". Happe voted "no". Motion carried.

Wiersum asked for follow up comments or questions from the council.

Calvert questioned how many high priority trees would be removed for this project. Yetka reported no high priority trees would be impacted.

Calvert asked how many significant trees would be taken out for this project. Yetka indicated no significant trees would be removed during the construction of this project.

Calvert inquired if a bike washing station condition could be set when approving this project. Barone reported the council could make this a condition for approval and staff would have to further investigate the expense.

Calvert commented she received a letter from the Minnesota High School League stating there will be no races conducted at this park. Barone explained this could be made a condition for approval.

Calvert questioned if the city understood the content of an MOU with MORC. Izquierdo reported staff had exchanged language surrounding an MOU with MORC.

Calvert asked if there was any flexibility with setbacks and if a condition could be set to require a setback of more than 25 feet. Hejl indicated there was no setback requirement at this time.

Carter inquired if there was a practice or precedent in creating quiet times in parks for specific time periods and how the city could enforce this. Izquierdo stated there was not a quiet time ordinance with respect to mountain biking. He commented this would be a difficult matter for the city to enforce. Barone
reported there would be a cost to the city in order to monitor and enforce quiet time hours.

Calvert questioned how bad behavior from mountain bikers would be addressed by the city. Barone explained the park board could revisit the use of the trails and would make a recommendation to the council.

Happe stated he stopped at Lone Lake Park prior to the meeting this evening. He explained this was a terrific park and he was struck by the balance of nature and recreation. He commented he did not want to wreck the park. He expressed frustration with the fact it did not seem there was any compromising on this issue. He understood the public was split on this issue but stated he was prepared to support the proposed trails with the understanding the council would review the trails annually at a joint meeting with the park board. He believed this would ensure there was good behavior and that MORC was following through on the trail maintenance.

Ellingson commented he was in favor of mountain biking. He believed the report from staff was very thorough and provided the council with a great deal of information. He did not agree with the fact mountain biking had to be allowed in Lone Lake Park because it could not be located anywhere else in the city. He expressed concern that there was no interest in compromise between the two sides of the issue. He was of the opinion the city would be better off by reaching a compromise. He indicated he did not believe mountain biking was a passive activity but rather was a very active sport. He noted he was a little concerned about safety given the fact the proposed trails were only 18 inches wide and would be shared between hikers and bikers. It was his hope the city could come up with other areas in the city for mountain bike trails because he believed Lone Lake Park was set aside for preservation and not further development. He reported this direction was made 20 years ago and he believed the city would be going back on its word by allowing this activity in Lone Lake Park.

Calvert indicated she has walked this park many times. One of the compromises the city may consider would be to reduce the density of the trails being proposed. She stated in terms of protecting the environment, staff was recommending approval of the trails. She noted this recommendation comes from a group of professionals that have taken into consideration the city’s natural resources and endangered species. She believed the city of Minnetonka was very special and had a wonderful staff that cared about this issue. She understood mountain bikers were just as environmentally passionate as those opposing this trail. She believed the mountain bikers would be good stewards of the park space. She was of the opinion there was also some blindness to the current use given the degradation of the current foot paths. She commented further on how unleashed dogs were spreading invasive species. She believed that having engineered trails that minimize erosion would be providing better care for the park.
Schack stated this was a difficult decision for her. She commented she was disappointed by the tenor of the conversations that have occurred over the past few months in the city. She believed that mountain bikers and those that love the environment should do better. She explained there were a lot of people that wanted mountain biking trails and she understood the council could not make a decision based on this type of activity because the majority wanted it. Rather, the council worked to provide a broad set of resources for the community. She reported Lone Lake Park would be good for mountain biking because it has varying terrain and did not have railroad tracks. She understood the city had to be good stewards of this park land but she believed staff has shown the economic impacts of the trails would be mitigated. She explained her dilemma with the proposed trails was the fact that they would be multi-use. She was concerned. She feared people walking with kids and dogs would conflict with mountain bikers.

Bergstedt commented one of the most frustrating things for him was he received 500 to 600 emails and he did not recall one where anyone was offering a compromise. He stated he has become more educated on sustainable mountain biking trails and he believed mountain bikers were being vilified. He explained mountain bikers cared about the environment and enjoyed being in nature. He understood change was always difficult and that it was hard to please everyone all the time. He indicated he could support the concept plan and recommended an annual update occur for these trails. He stated his only concern with the trails were the setbacks from property lines. He understood this was a smaller site but recommended this be looked at closer in order to make gains in the setbacks.

Carter stated most of what she was feeling has already been expressed. She indicated she appreciated the discussion that had been held tonight because it was exhibiting the best of Minnetonka. She explained she was extremely conflicted on this issue but understood she was being asked to make a decision that was bigger than herself. She believed the environmental impacts could be properly managed with diligence and accountability. She commented this would be a great amenity for Minnetonka residents and for this reason she was inclined to support the trails.

Wiersum stated throughout this process he has read a lot of emails and talked to a lot of people. He concluded that this was a great city, people love it and are passionate about it. He understood that while everyone may not agree on the conclusion, everyone in the room cared about the city. He was proud of this fact. He explained this was a challenging decision for him. He indicated he recently walked all of the formal trails at Lone Lake Park. He anticipated there would be traffic on the trails, but that it would not be that much. He commented weekends and Wednesdays may be busier. He explained the walking trails that were in the park today would continue to exist in the same form. He believed the mountain
biking trails would not be that visible from the walking trails. He was of the belief
the city should be working to get people into the parks and not out of the parks.
He understood that this park was a gem in the community. He was of the opinion
staff would work to ensure the mountain biking trails did not degrade the park. He
believed the park would only get better and not worse through the proposed
concept plan. He understood that people feared change but he trusted city staff
and the plans that were in place for Lone Lake Park.

Carter moved, Calvert seconded a motion to extend the city council meeting to
12:40 a.m. Schack, Carter, Bergstedt, Ellingson, Calvert and Wiersum voted
“yes”. Happe voted “no”. Motion carried.

Bergstedt thanked the mayor for complimenting staff. He took the time to also
thank the park board for their efforts on this matter.

Calvert commented the tenor of the debate had been disappointing in the past
and she thanked those present for keeping the comments made tonight civil.

Wiersum discussed his reasoning for asking Mr. Hassler to step away from the
podium noting this resident had accused one staff member of lying and then
assumed other staff members were lying. He did not believe this meeting was a
place for demeaning staff.

Happe questioned how the council should proceed with the motion. Barone
recommended the motion include instruction for staff to provide updates on a
yearly basis and that the setbacks be further considered.

Wiersum supported staff addressing the setback concerns.

Happe moved, Bergstedt seconded a motion to approve the concept plan for
mountain bike trails at Lone Lake Park requiring staff to provide the joint park
board and city council with annual updates on the trails. Carter, Bergstedt,
Calvert, Happe and Wiersum voted “yes”. Ellingson and Schack voted “no.”
Motion carried.
15. Appointments and Reappointments: None

16. Adjournment

Schack moved, Carter seconded a motion to adjourn the meeting at 12:35 a.m. All voted “yes.” Motion carried.

Respectfully submitted,

Becky Koosman
City Clerk