



**Agenda
Minnetonka City Council
Regular Meeting
March 21, 2022
6:30 p.m.
Council Chambers**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call: Schaeppi-Coakley-Kirk-Schack-Wilburn-Calvert-Wiersum
4. Approval of Agenda
5. Approval of Minutes:
 - A. February 28, 2022 regular meeting minutes
 - B. March 7, 2022 regular meeting minutes
 - C. February 14, 2022 study session minutes
 - D. March 2, 2022 study session minutes
6. Special Matters: None.
7. Reports from City Manager & Council Members
8. Citizens Wishing to Discuss Matters Not on the Agenda
9. Bids and Purchases:
 - A. Bids and Resolution for the Tonka-Woodcroft Improvements Project

Recommendation: Award the contract, execute the agreements and adopt the resolution (5 votes)
10. Consent Agenda - Items Requiring a Majority Vote:
 - A. Amira Minnetonka "The Pointe" at 801 Carlson Parkway

Recommendation: Adopt the resolution (4 votes)

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11. Consent Agenda - Items Requiring Five Votes: None.
12. Introduction of Ordinances:
 - A. Ordinance Amending City Code Section 625 Regarding Tobacco Sales
Recommendation: Introduce the ordinance and provide feedback (4 votes)
 - B. Items Relating to the Lindbergh Center
Recommendation: Adopt the resolution and introduce the ordinance (4 votes)
13. Public Hearings:
 - A. Items related to redistricting of ward and precinct boundaries
Recommendations: Hold the public hearing and adopt the ordinance and resolution (4 votes)
14. Other Business:
 - A. Concept plan for Minnetonka Woodland Preserve at 2511 and 2615 Plymouth Road
Recommendation: Discuss the plan with the applicant and provide feedback
 - B. Diversity, Equity and Inclusion
Recommendation: Motion to affirm shared vision statement and to reconvene the task force as identified (4 votes)
15. Appointments and Reappointments: None.
16. Adjournment

**Minutes
Minnetonka City Council
Monday, February 28, 2022**

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 Kimberly Wilburn, Deb Calvert, Bradley Schaeppi, Kissy Coakley, Brian Kirk, Rebecca Shack and Brad Wiersum were present.

4. Approval of Agenda

Calvert moved, Kirk seconded a motion to accept the agenda with addenda to Item 14.A. All voted "yes." Motion carried.

5. Approval of Minutes:

A. February 7, 2022 regular meeting minutes

Calvert noted she had spoken to staff regarding a typo in the minutes.

Calvert moved, Schack seconded a motion to approve the minutes, as amended. All voted "yes." Motion carried.

B. February 17, 2022 special meeting minutes

Calvert moved, Schack seconded a motion to approve the minutes, as presented. All voted "yes." Motion carried.

6. Special Matters: None.

7. Reports from City Manager & Council Members

Acting City Manager Mike Funk reported on upcoming city events and council meetings.

Coakley reported she would be a panelist on the MCI Climate Action Event on March 6 at 4:00 p.m. In addition, she noted she would be speaking at the Capitol

through a Zoom link on March 1 in regard to a Second Chance to Heal for the Clean Slate Act, a juvenile justice package, and amending the DHS disqualifying youth for offenses.

Calvert stated she served on the Minnetonka Family Collaborative which was administered through Minnetonka schools that serves children and families at risk. She noted this group met last week for the first time this year.

Calvert reported her heart went out to the people of Ukraine.

Schaeppi commended the Minnetonka High School boys and girls alpine teams for winning state. In addition, he noted the girls hockey team took second place. He congratulated Hopkins High School student Sydney Drevlo for winning the girls Nordic. He commended the Wayzata High School boys Nordic team for finishing third in state.

Schack reported the Wayzata High School girls dance team took second in state.

Wiersum reported he wore yellow and blue in solidarity with Ukraine. He stated the people of Ukraine were in his thoughts and prayers. He noted freedom was not free and democracy was at risk in this country. He encouraged Americans to appreciate the freedoms they have in this country and to defend democracy always. He noted he received a call from the public asking what they can do to help the people of Ukraine. He referred the public to an article from the *Star Tribune* on ways Minnesotans can help the people from Ukraine.

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

Bob Fowan, 2204 Totem Trail, noted he uses the ice rinks in Minnetonka with his grandchildren and he appreciated the city's efforts to maintain these rinks. He then clarified several matters regarding the emergency ordinance. He discussed the press release from last week noted the Council's decision was linked to the decline of COVID infections as reported by the CDC and not the feedback that was provided by Minnetonka citizens or small business owners. He found this curious because on January 14 the city manager noted this issue had more input from the public than any other matter in the history of the city. He understood there were over 300 emails that were sent to the city and were posted on the council's website. He reported he summarized the comments in the emails into a spreadsheet and shared this spreadsheet with the council. He stated 4 out of 5 of the responses opposed the mask mandate and questioned why it was put in place. He encouraged the city council to hear residents when they take the time to speak. He was pleased the mask mandate was no longer in place. He encouraged residents and small business owners to continue to find ways to be heard. He stated he respected the work of the city council but recommended they take the time to hear from the people who elected them. He suggested that

those people who were letter writers to use their words carefully, in order to not be disrespectful.

Carl Nelson, 5541 Nantucket Place, provided the council with a handout. He noted he spoke with City Manager Funk today along with Public Works Director Manchester. He reviewed the packet of information he presented to staff stating he would like the city to use less salt in the community. He discussed how an operator error or equipment malfunction was leading to excessive salt on Nantucket Road/Place. He reported the pond in his neighborhood had a high saline level, which was impacting the reptiles in the community. He encouraged the city to do its part to not poison the communities reptiles by oversalting.

Heather Holm, 15327 Lakeshore Avenue, stated she supported her neighbor Carl Nelson and her friends on Nantucket Place. She discussed a salting event that occurred on her cul-de-sac. She noted a "No Salt Sign" has been posted on her street and she appreciated the fact that the city was respecting this request. She encouraged the city to use less salt in the community and suggested the sustainability commission consider addressing this topic in further detail.

Bob Resner, 3615 Westmark Drive, discussed the amount of buckthorn in the community. He reported it was a difficult task to remove buckthorn and then haul it to public works unless a resident owns a truck. He discussed a photo from his neighbor who had hired a contractor to remove the buckthorn from their property. He estimated three acres of land was cleared of buckthorn. He discussed how this work would assist in creating a more parklike setting for the neighborhood. He noted the best time to trim the buckthorn plant was in the fall. He requested the city consider creating a collection program for buckthorn and that it be collected on an annual basis. He stated several other cities have created such a program and encouraged the city to speak with Maplewood or Burnsville. He commented further on how the proposed program would benefit the community.

9. Bids and Purchases: None.

10. Consent Agenda – Items Requiring a Majority Vote:

Coakley requested Item 10.A be pulled from the consent agenda for further discussion.

A. Resolution supporting Habitat for Humanity for an Affordable Housing Incentive Fund (AHIF) grant through Hennepin County

This item was removed from the consent agenda for further discussion.

B. City Manager Recruitment Brochure

Schack moved, Calvert seconded a motion to approve the recruitment brochure. All voted "yes." Motion carried.

A. Resolution supporting Habitat for Humanity for an Affordable Housing Incentive Fund (AHIF) grant through Hennepin County

Coakley requested further information regarding this grant. She indicated she was at a standstill regarding this matter because she wants to see more affordable housing in the community, but was uncertain what type of housing would be provided in Minnetonka. Community Development Director Julie Wischnack explained this was a resolution of support but and noted if the resolution were not approved, Hennepin County would not issue this money. She reported the Habitat for Humanity organization can purchase any home within the city in order to make it a Habitat for Humanity home. She stated if the council does not support this activity, the resolution of support could be denied.

Coakley asked if the grant were approved, could Habitat for Humanity do whatever they wanted in the community. Wischnack explained without the grant in place, the council does not get involved in Habitat for Humanity transactions, unless a building permit was requested. She reported if the council supported Habitat for Humanity in the community then the resolution of support should be approved.

Wiersum commented the way he read this resolution was the grant enables Habitat for Humanity to qualify them for the grant dollars, but does not obligate the city to approve a proposal. He explained if the council did not support this resolution of support, Habitat for Humanity would not be able to pursue this grant funding. Wischnack stated this was correct. She indicated if there was a larger proposal from Habitat (more than two single family homes) a bigger land use approval process would come before the city.

Coakley moved, Kirk seconded a motion to approve Resolution 2022-013. All voted "yes." Motion carried.

11. Consent Agenda – Items requiring Five Votes:

Wilburn requested item 11.A be removed from the consent agenda for further discussion.

A. Items concerning Unmapped Brewing at 14625 Excelsior Boulevard

This item was removed from the consent agenda for further discussion.

B. Conditional use permit, with variance, for a detached accessory dwelling unit at 17503 Bridgewater Circle

Schack moved, Calvert seconded a motion to approve Resolution 2022-017. All voted "yes." Motion carried.

A. Items concerning Unmapped Brewing at 14625 Excelsior Boulevard

Wilburn asked if vehicles turning onto Eden Prairie Road from Unmapped Brewing had obstructed views. She understood comments and concerns had been raised by the public regarding this matter and asked if the city would be addressing this concern. City Planner Loren Gordon reported the city was aware of the concern at this intersection and traffic studies have been done on this property for many years. He stated at this time there was not a significant issue that needed correction. He indicated the wall was constructed by Hennepin County many years ago and was a known condition. Community Development Director Julie Wischnack reported a solid double yellow line would have to be painted from Eden Prairie Access into the first row of the Unmapped parking lot.

Wilburn commented there were noise concerns with the rooftop amenity that was being proposed. She questioned if there was a process in place to allow residents to bring their concerns to the city if the rooftop became too noisy for the surrounding neighborhood. Gordon explained staff has quite a bit of experience with noise in Glen Lake over the years. He discussed how the Dairy Queen menu board had to be addressed. He commented on how this business has evolved over time and has worked to mitigate noise for the neighbors. He understood the business owner was very willing to address these concerns, should the need arise.

Coakley noted she received several calls from neighbors in her ward. She indicated one resident was concerned with how people with disabilities would have access to the rooftop. She commented she also received calls regarding the noise and number of people that would be allowed on the rooftop. She reported she spoke with Megan at Unmapped and understood they were reaching out to the neighbors to address the noise concerns.

Wiersum indicated he reviewed the plan and read the letters from residents. He stated the majority of the letters were in support and appreciate the vitality Unmapped has brought to the community. However, he also understood this was a meaningful expansion to the business and there was some cause for concern because parking was already tight in Glen Lake. He commented how patrons walk, bike and drive to this property and he feared that the proposed expansion would exacerbate the parking concerns in Glen Lake. Gordon reported staff has been addressing the parking concerns in Glen Lake for several years. He stated the vitality of the area has drawn customers and new businesses to this area. Over the years staff has provided the council with

updates on this area, detailing how the site has evolved and noted staff has found there were always spaces available. He indicated the concern at times, has been where these spaces were available. He reminded the council that the rooftop deck would only be used for half the year and noted 29 overflow parking spaces would be provided from Prestige Academy. He stated without the parking agreement in place, this request would not have come forward.

Schaeppi commented he was excited to see Unmapped Brewing pushing the envelope for the parking issue. He anticipated a lot of residents were looking for places to spend their money locally and supported walking, biking or taking an Uber to this location. He believed this expansion was a positive step forward and he was happy to see Unmapped Brewing expanding in the community.

Coakley asked if there was a lift within the building. Gordon reported the rooftop patio requires full accessibility. He stated the lift or elevator would be located on the east side of the building.

Kirk commented the city has made a substantial investment in the sidewalks that connects this property all the way to Hopkins. He believed this may assist in promoting the rooftop amenity/walkability of the community. He asked if this item did not have five votes in favor, if the council could circle back at a future meeting in order to allow the applicant to be present. Wischnack reported the applicant was in attendance.

Wilburn moved, Calvert seconded a motion to approve Resolutions 2022-014, 2022-015 and 2022-016. All voted "yes." Motion carried.

12. Introduction of Ordinances:

A. Ordinance amending the existing Minnetonka Corporate Center master development plan as it pertains to 6000 Clearwater Drive

City Planner Loren Gordon gave the staff report.

Schaeppi stated he was excited to see new businesses and investment in the community. He indicated he would still like to see a tree canopy or some level of trees planted on this property. He looked forward to reviewing these plans further as these plans move along.

Calvert commented she was very intrigued by these plans because they were very creative. She asked if the parking spaces that were being converted into office could be converted back to parking in the future. Gordon stated this would be allowed.

Schack moved, Calvert seconded a motion to introduce the ordinance and refer the matter to the Planning Commission. All voted "yes." Motion carried.

13. Public Hearings:

A. 2022-23 Community Development Block Grant Funds – Urban Hennepin County Allocation

Community Development Director Julie Wischnack gave the staff report.

Schaeppi asked what the city could do to assist more people with the Home Rehabilitation Loan Program, as there were currently 79 people on the wait list. Wischnack stated with the HR levy program, the city could forgive that money. She indicated the intent was for these dollars to be recycled over time with 1% interest.

Wiersum stated there were 79 people on the wait list and the city could help 9 people a year. He questioned what happened to the people on the wait list over time. Wischnack commented most of the people who do not get funded right away were patient and would wait. However, some residents flip to another program depending on the circumstances that they were in.

Schack inquired if a reset could be made to the waiting list. Wischnack stated this would be nice, but noted the county manages the list and commented the challenge would be to manage all of the projects at one time.

Wiersum opened the public hearing.

There being no further comments from the public, Wiersum closed the public hearing.

Kirk moved, Calvert seconded a motion to adopt Resolution 2022-018. All voted "yes." Motion carried.

14. Other Business:

A. Concept plan review for residential redevelopment of the properties at 3928 and 3930 Shady Oak Road

City Planner Loren Gordon gave the staff report.

Jonathan Bladvik, landscape architect for the project, he reported the one level living was desirable and work well on this property. He discussed the approach for development noting he was doing all he could to make it as beautiful as

possible. He thanked the council for their consideration and stated he looked forward to seeing what type of feedback the council had on this project.

John Hink, Solution Blue, explained he was the civil engineer for the project. He stated in developing this project he took into consideration how the project would work with respect to the amount of useable land, while also taking into consideration the city's tree preservation, stormwater management, and setback requirements.

Wiersum opened the meeting for public comments at this time.

Craig Hedberg, 3902 Willmatt Hill, stated he understood there was a need for affordable housing in Minnetonka as well as one level living. He understood one level living was attractive for those in retirement. He indicated he had three areas of concern with this project, the first being the project density. He noted the nine buildings that were proposed seemed to be too much. He explained this was a heavily wooded lot and this development would hollow out the trees on the property. He recommended the letter of the law be applied to with respect to tree preservation. He commented there were also concerns for safety as there was difficulty with getting vehicles out onto Highway 7. He indicated he also had concerns for wildlife in the area and how they would be impacted by the proposed project.

Sharon O'Brien, 3829 Willmatt Hill, thanked the mayor and council for allowing her to speak. She indicated she sent a letter to Councilmember Kirk and copied Councilmember Calvert and Councilmember Wilburn. She reviewed the key points from this letter stating she has lived on Willmatt Hill for the past 35 years. She explained after looking into the concept plan she had concerns with the density, how the natural resources would be impacted and if there would be runoff from this site onto adjacent properties. She expressed concern with how wildlife and wildlife habitat would be impacted. She believed the proposed development did not fit the site, but was too dense. She feared how the neighborhood would be impacted once the ponds and canopy were lost. She discussed the eight year climate assessment and commented on what was happening to the planet. She encouraged the city to protect the natural resources within the community. She recommended the footprint of this project be made smaller for the 3.6 acre site.

Mr. Hink noted Dave Carlson was on the line but was muted at this time. He clarified for the record that the two properties together were 6 acres in size. He reported Solution Blue would be doing its best to tread lightly on the property.

John Hobday, 3917 Willmatt Hill, explained he lived closest to the proposed development. He requested clarification on the size of the project area because he believed it was closer to 3.5 acres than 6 acres due to the amount of

wetlands/ponds. He discussed the property lines on the subject property and noted an adjustment had been made. He was of the opinion Mr. Carlson had brought forward a very attractive housing project. He reported the neighborhood supported replacing the two homes with four homes instead of nine homes or 18 units. He indicated his biggest concern was traffic safety. He feared how the new 18 units would be able to enter and exit the development on a blind curve. He discussed an accident he was in on this curve where he hit a flock of geese. He encouraged the council to drive this curve and to recognize the danger in this area. He then reviewed a video of himself driving down the curve with the council. He suggested the entrance into the neighborhood be reconsidered for safety purposes and that it be moved away from the blind curve. He commended the city for its tree preservation efforts. He discussed how the property could probably be clear cut so long as the rear of the site remained untouched, noting this would greatly impact the neighbors. He encouraged the developer to consider meeting with the neighbors prior to this item moving forward in order to address the concerns the neighbors have with the project.

John Walker, 4001 Auburn Drive, stated he was concerned with the size of the plan because this impacts density. He noted the developer is claiming one of the lots is .61 acres while the other is 2.95 acres, which was roughly 3.5 acres. He questioned why the right information was not available to the public. He stated he moved to Minnetonka because the lots sizes were bigger and he questioned why the developer was proposing to place 18 units on 3.5 acres. He asked what the developer has done with the feedback that was provided at the last meeting regarding density. He recommended the developer work to keep this project more in line with the adjacent neighborhood.

Wiersum closed the meeting for public comments.

Dave Carlson, Gate House Properties and representative for the applicant, thanked the council for considering his concept plan. He stated some of the benefits of this project was the one level living and was very forward thinking. He indicated he would be willing to discuss the density further with the neighbors. He reported the affordability would go away if the number of units were decreased.

Wiersum asked for comments from the council.

Kirk reported the Peterson property was .61 acres and the Vanderholt property was 2.95 acres which totals 3.85 acres which meant the density was roughly four units per acre. He indicated the engineer has stated this property was closer to 6 acres. He requested staff speak to this further. Gordon explained the north property is .64 acres and the south property was 2.95 acres including the pond.

Kirk clarified that stormwater management has to be completed on the property and could not be done using the pond. Gordon reported this was correct.

Schack commented in order to get different housing stock, different types of houses have to be built in Minnetonka. She understood this created tension in the community. But as the population increases, people have to go somewhere. She stated she struggled with this request, because she understood the density concerns of the neighbors. However, the city needed to have pockets with increased density, whether this was in apartment buildings or townhomes/condos. She believed this development was moving in the right direction and was close to arterial roadways. She was of the opinion nine was too many, but anticipated the number of units would be more than four. She indicated there was more work to do, but stated the development as on the right track.

Schaeppi thanked the residents who were in attendance and took the time to voice their concerns. He reported the council learned a lot about the safety concerns and dangerous curves in this neighborhood. He stated he struggled with concept plan reviews because not all the details were in place. He supported the community having a conversation about allowing modest density housing along major thoroughfares in the city. He stated he was open to seeing more density on properties like this. He noted Minnetonka was predominantly single family homes, the new ones being very expensive and large. The other option in the city was apartments. He believed the city needed more housing options and types to meet the needs of Minnetonka residents. He stated he was generally open to allowing a project like this with the proposed density. He encouraged the city and the county to look into the access point for the proposed development to ensure the curve was not too dangerous.

Calvert thanked all of the neighbors for their feedback. She stated she shared all of the emails that were sent to her with the entire city council. She noted she watched the planning commission meeting and read the notes. She indicated there were a lot of places where developments are shoehorned in and they work out. She understood that change was hard and she heard the concerns regarding density. She commented she often thought about a project that was constructed on the corner of Highway 7 and I-494, and the need for a tree buffer. She reported the proposed density concerned her because it would impact the tree canopy. She indicated the city needs one level housing and she appreciated the fact the developer was proposing to construct affordable units. She understood that as the density went down the price for the units would increase. She questioned if the development would have adequate visitor parking or proper places for snow storage. She noted she was concerned about the placement of two of the units because they were too close to the roadway.

Kirk commented Dave Carlson reached out to him six to eight weeks ago to talk about this project. He believed Mr. Carlson was a reputable developer and he was of the opinion the engineers would provide all the answers the council

needed. He stated he was concerned with the degradation of the city's residential neighborhoods. He has learned over the years that these definitions are defined by the people that live in the neighborhood. He indicated the people who live in this area find it to be a special neighborhood. He explained if this project were to move forward, he would want to understand if the housing type was isolated enough from the other things going on around it. He discussed how these nine duplexes would impact the adjacent properties. He commented on how the two existing lots could be subdivided to allow for more homes which would create some degree of tree removal. He stated he was sensitive to the tree cover and wildlife and he did not want to see this go away. However, he also understood that the property owner had some rights to develop their property. He explained he was concerned with the proposed density on this site but noted he did not understand what was the right number. He encouraged the neighbors to visit the Solbekken development because it was very much like the housing type that was being proposed. He recommended the developer reconsider the density when this item comes back for consideration.

Wiersum stated he agreed with much of what has been said but he understood the developer would bring forward a good product. He explained he has never seen a concept plan come forward where the council has asked for more density, but rather has asked for less density. He commented he was not certain what this number would be, but he anticipated the density would have to be lowered. He reported the city needed affordable housing and noted the city was also working to diversify its housing. He indicated the population of the community was growing and the city has to figure out how to meet this need. He explained all members of the community had to get comfortable with growth and change. He believed this was an intriguing proposal so long as the density was adjusted, the units were reconfigured with the developer assuring that the ponds will be protected.

Mayor Wiersum recessed the city council meeting.

Mayor Wiersum reconvened the city council meeting.

B. 2022 Assessment Report

Principle Appraiser Melanie Putz gave the staff report.

Kirk stated he was shocked by the inflation value that was being seen in single family residential homes. He asked if the value of a home increases by 15% does the tax burden also increase by 15%. Putz reported it was too soon to tell what the percentage increase would be for single family homes. Finance Director Darin Nelson discussed how the tax levy had an impact on property taxes and how the dollars collected were distributed. He explained the tax capacity for

residential homes was increasing while it was decreasing for commercial properties.

Wiersum commented if someone's property value goes up 15% and the overall value of property in the city goes up 15% there will be little change to taxes.

Calvert explained residential rates were also going up slightly because commercial property rates were going down. She asked if this was something the city would be grappling with long term. Putz stated it was too soon to tell, but noted staff was looking at sales data for the past year. She indicated there was a strong trend in industrial/warehouse space.

Wiersum thanked Ms. Putz for her detailed report to the council.

Calvert moved, Kirk seconded a motion to accept the assessment report for 2022. All voted "yes." Motion carried.

C. Items concerning Minnetonka Public Schools Vantage/Momentum facility at 5735 County Road 101

City Planner Loren Gordon gave the staff report.

Calvert requested further information regarding the staggering of hours and how this would impact traffic. Gordon reported there was capacity along Highway 101, and at the intersection at Hanus Rd. He explained the Vantage students would come to the site before parent drop off traffic starts to build at the elementary school. He noted the staggered hours would help this site in the afternoon as well. He commented further on the intersection at Excelsior Boulevard and Highway 101. It was his understanding this intersection was mostly a concern when events were scheduled and not on a daily basis. He reported the city would continue to monitor this intersection.

Coakley applauded the new traffic flow within this project. She appreciated the fact that the city would continue to monitor these intersections because this area does back up.

Paul Bourgeois, Executive Director of Finance and Operations, thanked the council for considering the school district's request. He stated he was looking forward to building a landmark building for this part of the city. He offered to give the council a tour of the facility in August when the site was open for students.

Schaepfi thanked the applicant for thinking outside of the box for students and helping to prepare them for their future. He appreciated how the Minnetonka School District has been proactively working with the city to collaborate on safer walking and biking. He stated this project was great and he hoped a conversation

would continue with the district regarding pedestrian safety. He encouraged the school district to continue to work with the city and to apply for grants for sidewalks or crossings.

Kirk reported he was a Minnetonka grad. He stated he was happy to see the aesthetics of this building in that it looked like and mimicked the high school building. He commended the school district for coming up with a proper site circulation and for working with a tight site.

Calvert agreed this was a really great building and would be a great addition to the Minnetonka School District.

Wiersum indicated the programs that would be housed here would be really exciting. He commended the school district for mimicking the design of the high school. He stated this was a great look. He encouraged the school district to continue to enhance pedestrian safety and to encourage pedestrians walk to school facilities. He anticipated the new building would draw people to it from within the district and perhaps outside of the district.

Kirk moved, Coakley seconded a motion to adopt Resolution 2022-019 and Resolution 2022-020. All voted "yes." Motion carried.

15. Appointments and Reappointments:

A. Appointments to Minnetonka boards and commissions

Wiersum gave the staff report.

Wiersum moved, Calvert seconded a motion to approve the appointments. All voted "yes." Motion carried.

16. Adjournment

Wilburn moved, Schack seconded a motion to adjourn the meeting at 9:48 p.m. All voted "yes." Motion carried.

Respectfully submitted,

Becky Koosman
City Clerk

**Minutes
Minnetonka City Council
Monday, March 7, 2022**

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, Deb Calvert, Bradley Schaeppi, Kissy Coakley, Brian Kirk, Rebecca Shack, Kimberly Wilburn and Brad Wiersum were present.

4. Approval of Agenda

Kirk moved, Calvert seconded a motion to accept the agenda with addenda to Items 10.A and 15.B. All voted "yes." Motion carried.

5. Approval of Minutes: None.

6. Special Matters: None.

7. Reports from City Manager & Council Members

Acting City Manager Mike Funk reported on upcoming city events and council meetings.

Coakley reported she served as a panelist for the MCI (Minnetonka Climate Initiative) event that was held this past weekend. She commented on the matters that were discussed which included the need for climate justice which takes a human centered approach that safe guards the rights of low wealth residents and communities of color which are hardest hit by the climate crisis. She explained she appreciated the 70 participants that took part in this event.

Schaeppi discussed the pulled application for Eagle Brook Church. He thanked the applicant for their interest in the community. He understood the feedback was not overly supportive from the neighborhood, but noted the applicant was always welcome to submit a formal application. He indicated there was a lot of smart people on staff that worked with applicants to best shape projects from concept to formal application. He reported Minnetonka was always open for business and encouraged the applicant to come back with a revised project. He commented he

appreciated the feedback of the neighborhood and encouraged them to understand a new use would be coming to this site. His hope was that this neighborhood would be able to have a conversation when this occurs without such a strong media presence.

Wiersum commented on the church application that was pulled. He indicated he was encouraged by the concept review process that was followed for this request. He stated this process created public awareness and public engagement and possibly saved the church a great deal of money.

Wiersum asked that people continue to support, give and pray for the people of Ukraine.

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

9. Bids and Purchases:

A. Bids for the Ridgedale Drive Trail Project

Public Works Director Will Manchester gave the staff report.

Schack moved, Kirk seconded a motion to award the contract, amend the CIP and authorize the city engineer to expend the allocated funds for the project costs. All voted "yes." Motion carried.

B. Bids and Resolution for the Opus Area Bridge Improvements – Phase III Project

Public Works Director Will Manchester gave the staff report.

Kirk explained he remembered when these bridges were installed and he stated he was very impressed by the fact the city was interested in making Opus a top notch area for the community. He thanked staff for all of their efforts on this project.

Wiersum agreed stating over the past 10 years the aesthetics of concrete work has been improved.

Kirk moved, Calvert seconded a motion to award the contract, authorize the city engineer to expend the allocated funds and adopt Resolution 2022-021. All voted "yes." Motion carried.

10. Consent Agenda – Items Requiring a Majority Vote:**A. Ordinance amending the existing Minnetonka Corporate Center master development plan as it pertains to 6000 Clearwater Drive**

Wiersum reported garage space was being converted into R&D space for a water treatment company. He explained he learned that the water being treated on this site was going into the sanitary sewer system and that this was happening through a permit with the MPCA.

Calvert moved, Schack seconded a motion to adopt Ord. 2022-03. All voted "yes." Motion carried.

11. Consent Agenda – Items requiring Five Votes: None.**12. Introduction of Ordinances:****A. Ordinance establishing ward boundaries**

City Clerk Becky Koosman and City Attorney Corrine Heine gave the staff report.

Coakley asked why it was fair to keep the population in each ward close in number. Heine reported there was a requirement in city charter and in state law that the population among wards needs to be as equal as practical. She indicated the city has four wards and the idea was to provide residents with equal representation.

Kirk commented on the population growth that would be occurring in Opus. He questioned what the population increase would be for this area of Minnetonka. Community Development Director Julie Wischnack stated the current Opus population within the 640 acres was 2,678. She noted the Dominion project had 482 units and the city would assume there was 2.19 persons per household. She indicated the Wellington project would have an additional 270 units and Minnetonka Station would have 250 units.

Wiersum estimated there would be an additional 2,000 residents once all of these units were constructed.

Wilburn inquired if there would be changes to precincts in ward 2. Koosman explained the city would be shifting from 23 to 21 precincts. She reported ward 2 would continue to have five precincts.

Calvert noted ward 3 would be on the higher side and ward 4 would be on the lower side. She thanked staff for working diligently to get the wards as equal as possible. She asked if the legislative lines complicated matters for the city.

Koosman discussed the legislative lines within the community and how this impacted the city's wards. She noted ward 3 has historically been the city's largest ward.

Wiersum explained he lived in ward 3 and indicated this was the incredibly shrinking ward due to population growth. He discussed how the census numbers were a snapshot and thanked staff for all of their efforts on the redistricting on behalf of the community.

Schack stated she was comfortable with the wards as presented by staff. She thanked staff for their efforts and believed this made a lot of sense.

Calvert agreed stating the shapes of the wards was showing the effects of the redistricting. She indicated she appreciated staffs efforts on the redistricting.

Kirk commented on the growth that has occurred in ward 1 and discussed how the area would look in 10 years. He explained he appreciated all of staff's efforts on the wards and districts.

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

B. Items concerning Glen Lake Apartments at 14317 Excelsior Boulevard

City Planner Loren Gordon gave the staff report.

Kirk asked if development rights go to the property owner when an easement is vacated or does the land remain undevelopable right of way. Gordon reported this was Hennepin County road right of way and was not the city's vacation request. He explained the turn back would become part of the project site and would have development rights on it.

Kirk questioned if the project were not to move forward, would all of the development rights be lost for the property owner. Gordon indicated this would be a condition for approval noting the county would not release the land to a future owner if the future owner walks away.

Wiersum explained this was an ordinance introduction. He questioned if there were questions or issues the planning commission should investigate further as this project moves forward.

Kirk requested the planning commission address the mass and number of the units within this project, to consider if not this housing then what, and to look at the buffer between the Oaks and the Glen Lake Apartments.

Wiersum agreed the challenge of mass should be considered. He challenged the planning commission to challenge the developer to do what they can to give the city a sense of mass compared to the building to the west and compared to the townhomes to the east.

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

13. Public Hearings: None.

14. Other Business: None.

15. Appointments and Reappointments:

A. Appointment of Advisors for the 2022 Local Board of Appeal and Equalization

Acting City Manager Mike Funk gave the staff report.

Calvert moved, Schack seconded a motion to approve the appointments. All voted "yes." Motion carried.

B. Appointments of representatives to various advisory boards, commissions and committees

Acting City Manager Mike Funk gave the staff report.

Coakley asked if the city was still using the Northern Star juvenile diversion program. Funk stated he would have to investigate this further and would report back to the council.

Wiersum moved, Calvert seconded a motion to approve the appointments. All voted "yes." Motion carried.

16. Adjournment

Calvert moved, Kirk seconded a motion to adjourn the meeting at 7:41 p.m. All voted "yes." Motion carried.

Respectfully submitted,

Becky Koosman
City Clerk

**Minutes
City of Minnetonka
City Council Study Session
Monday, February 14, 2022**

Council Present: Deb Calvert, Kissy Coakley, Brian Kirk, Rebecca Schack, Bradley Schaeppi, Kimberly Wilburn and Mayor Brad Wiersum.

EDAC Present: Lee Jacobsohn, Melissa Johnston, Steven Tyacke, Charlie Yunker

Staff: Mike Funk, Moranda Dammann, Corrine Heine, Julie Wischnack, Alisha Gray

EDAC Commissioners Ann Duginske Cibulka, Maram Falk, and Jay Hromatka were excused from the meeting.

Wiersum called the meeting to order at 5:31 p.m.

1. Joint EDAC/CC Wealth Building Discussion

Community Development Director and Housing and Economic Development Director Alisha Gray gave a report on the item.

The EDAC and city council offered their questions and comments on the topic.

Staff was directed to work with the EDAC to develop a hybrid program and return to the council with a proposal.

2. Boards & Commissions Interviews

The city council interviewed candidates for the Senior Advisory Board and Sustainability Commission.

3. 2022 Community Survey review

Acting Assistant City Manager Moranda Dammann gave a report on the topic.

The city council provided comments and feedback on the question topics covered in the annual Community Survey.

Acting City Manager Mike Funk thanked Dammann for her work on leading the Community Survey project, and indicated staff will bring the council's feedback to the survey consultant.

4. Reports from City Manager & Council Members

Funk reported on recent COVID-19 trends, and on the statistical measures related to Ordinance 2022-01, the emergency ordinance that instituted a citywide mask mandate.

Councilmembers offered their questions and comments on COVID-19 statistics and on the ordinance.

**Minutes
City of Minnetonka
City Council Study Session
Monday, February 14, 2022**

The city council agreed to hold a virtual special meeting on Thursday, Feb. 17 at 1:30 p.m. to revisit the citywide mask mandate and consider suspending enforcement. Funk indicated the most current COVID-19 data and a resolution to suspend enforcement will be presented to council at this meeting.

5. March Study Session – topics and date

Funk highlighted the topics scheduled for the March 14 study session. He noted there is now a scheduling conflict on that day for three members of the council, and asked for direction on whether to proceed with the study session as scheduled or to reschedule. The city council agreed to reschedule the study session. Funk indicated an availability poll will be sent out to council.

Funk also noted that a special study session to discuss diversity, equity and inclusion, and police policy is being considered for the week of Feb. 28. An availability poll will be sent out to council.

6. Adjournment

Wiersum adjourned the meeting at 9:22 p.m.

Respectfully submitted,

Kyle Salage
Elections Specialist

**Minutes
City of Minnetonka
City Council Special Study Session
Wednesday, March 2, 2022**

Council Present: Deb Calvert, Kissy Coakley, Brian Kirk, Rebecca Schack, Bradley Schaeppi, Kimberly Wilburn, Mayor Brad Wiersum.

Staff: Scott Boerboom, Moranda Dammann, Sarissa Falk, Mike Funk, Andy Gardner, Corrine Heine, Rachel Meehan, Dawn Pearson, Shelley Peterson,

Guests: Alex Clark, Delaine Thomas

1. Call to Order

Wiersum called the meeting to order at 5:03 p.m.

2. Introductions/Roll Call

The city staff, councilmembers, and guests in attendance introduced themselves. All councilmembers were present.

3. Diversity, Equity and Inclusion

Funk introduced the topic and thanked staff for their diversity, equity and inclusion efforts over the last several years. He noted Clark and Thomas, Turnlane consultants, were in attendance. Funk gave a report on the background on the topic and the city's recent DE&I efforts.

Clark and Thomas gave a presentation and led a discussion with councilmembers. Funk thanked Clark and Thomas for their presentations and comments, and summarized the next steps in the process. City staff will regroup with the Diversity, Equity, and Inclusion Task Force, share the council's vision with them, and adjust the task force's work plan accordingly. The task force will review the results of the community survey at their next meeting, and a recommendation based on those survey results will be presented to the council. The membership of the task force will be reevaluated as part of its regroup.

Funk indicated the city would begin the process of establishing a DEI Commission. This would ultimately replace the existing task force. The process of creating the commission is expected to take 8-9 months.

4. Police policy and training discussion

Chief Scott Boerboom introduced captains Gardner, Meehan, and Peterson. He then gave a presentation on department police policy and the training that officers undergo.

Councilmembers offered questions and comments.

Boerboom and Funk thanked council for their feedback.

**Minutes
City of Minnetonka
City Council Special Study Session
Wednesday, March 2, 2022**

5. Adjournment

Wiersum adjourned the meeting at 8.17 p.m.

Respectfully submitted,

Kyle Salage
Elections Specialist



**City Council Agenda Item 9A
Meeting of March 21, 2022**

Title: Bids and Resolution for the Tonka-Woodcroft Improvements Project

Report From: Mitch Hatcher, P.E., Engineering Project Manager

Submitted through: Mike Funk, Acting City Manager
Corrine Heine, City Attorney
Darin Nelson, Finance Director
Will Manchester, P.E., Public Works Director
Phil Olson, P.E., City Engineer

Action Requested: Motion Informational Public Hearing
Form of Action: Resolution Ordinance Contract/Agreement Other N/A
Votes needed: 4 votes 5 votes N/A Other

Summary Statement

The Tonka-Woodcroft Improvements Project proposes street and utility improvements to correct deficiencies of the aged street and underlying utilities. The project also includes the Minnetonka Boulevard Trail project, from Woodlawn Avenue to Tonkawood Road.

Recommended Action

1. Award the contract for the Tonka-Woodcroft Improvements Project to R.L. Larson Excavating, Inc. in the amount of \$23,227,889.57 and amend the Capital Improvements Program (CIP).
2. Authorize the city engineer to expend the allocated funds for project costs, without further council approval, provided the total project costs do not exceed the project budget of \$29,700,000.
3. Authorize the mayor and acting city manager to execute an agreement with Xcel Energy, subject to non-material changes as approved by the city engineer and city attorney, in the amount of \$740,000.00 for the Tonka-Woodcroft Improvements Project No. 22401.
4. Authorize the mayor and acting city manager to execute an agreement with Hennepin County, subject to non-material changes as approved by the city engineer and city attorney.
5. Adopt the resolution authorizing a “No Parking” zone and the installation of “No Parking” signs on Woodlawn Avenue.

Strategic Profile Relatability

- | | |
|---|---|
| <input type="checkbox"/> Financial Strength & Operational Excellence | <input type="checkbox"/> Safe & Healthy Community |
| <input type="checkbox"/> Sustainability & Natural Resources | <input type="checkbox"/> Livable & Well-Planned Development |
| <input checked="" type="checkbox"/> Infrastructure & Asset Management | <input type="checkbox"/> Community Inclusiveness |
| <input type="checkbox"/> N/A | |

Statement: The Tonka-Woodcroft Improvements Project includes the replacement of street and utility infrastructure to ensure reliable services to residents and includes construction of a top-priority trail, enhancing the trail network connectivity and infrastructure.

Financial Consideration

- Is there a financial consideration? No Yes \$29,700,000
- Financing sources: Budgeted Budget Modification New Revenue Source
 Use of Reserves Other [Enter]

Statement: The Tonka-Woodcroft Improvements Project is budgeted in 2022 and 2023 of the 2022 – 2026 Capital Improvements Program. A CIP amendment is required to obligate the 2023 CIP funding sources as well as to align with the types of work being completed. The amendment will also provide additional utility funds to the project while reducing funding to the street improvement, trail expansion, and electric franchise fee funds. This revision does not increase the overall budgeted amount for the project.

Background

On Aug. 9, 2021, the city council adopted a resolution accepting the feasibility report, authorizing the preparation of plans and specifications and authorizing easement acquisition for the Tonka-Woodcroft Improvements Project. At that time, council discussed combining the Tonka-Woodcroft Improvements Project with the adjacent trail project on Minnetonka Boulevard as a way help reduce costs and allow for better coordination between the projects.

On Sept. 13, 2021, the city council adopted a resolution accepting the feasibility report and authorizing the preparation of plans and specifications for the Minnetonka Boulevard Trail Project.

On Jan. 10, 2022, the city council adopted a resolution accepting plans and specifications and authorizing the advertisement for bids for the Tonka-Woodcroft Improvements Project No. 22401 and Minnetonka Boulevard Trail Project No. 22206, combined to be bid as one project and named Tonka Woodcroft Improvements Project No. 22401.

The Tonka-Woodcroft Improvements Project area includes all streets south of Minnetonka Boulevard from Larchwood Drive to Steele Street, including:

- | | | |
|------------------------|--------------------|--------------------|
| ▪ Larchwood Drive | ▪ Fairlawn Drive | ▪ Linden Drive |
| ▪ Croftview Terrace | ▪ Hazelmoor Place | ▪ Tonka Lane |
| ▪ Druid Lane | ▪ Elmwood Place | ▪ Larchwood Circle |
| ▪ Meadow Lane | ▪ Moorland Road | ▪ The Strand |
| ▪ Woodcroft Drive | ▪ Steele Street | ▪ Moorland Circle |
| ▪ The Mall | ▪ Hillside Terrace | ▪ Tonkaway Road |
| ▪ Minnetonka Boulevard | | |

A new trail is proposed along the north side of Minnetonka Boulevard from Woodlawn Avenue to Tonkawood Road and an enhanced pedestrian crossing at Groveland Elementary School. A project location map is attached.

Private Utilities

Burial of overhead power lines in conflict with the proposed trail is needed along Minnetonka Boulevard before the installation of the new trail. Staff has been coordinating with Xcel Energy and other utility companies along the corridor. It is anticipated that the burial of overhead power and other utility improvements and relocations will occur for a majority of the construction season in 2022, ahead of trail construction in 2023.

Xcel Energy has prepared the attached statement of work, which requires city payment of 50 percent of the estimated costs up-front before work begins. Once the project is complete, Xcel Energy bills the city for the remainder of the actual project costs. These costs are proposed to be paid from the city's Electric Franchise Fee Fund and are already included within the city's adopted CIP. Xcel Energy is requesting execution of their standard agreement for the statement of work, which outlines the conditions for overhead power line burial along the corridor. The city attorney has reviewed this standard agreement.

It is anticipated that CenterPoint Energy will replace gas mains ahead of street and utility construction in 2022 for select areas of the project.

Easement Acquisition

Permanent and temporary easements are required from five properties in the Tonka-Woodcroft neighborhood and twenty properties along Minnetonka Boulevard. Property owners within the Tonka-Woodcroft neighborhood have been contacted directly and the easement acquisition process is ongoing. Trail easements along Minnetonka Boulevard are not needed until 2023 and the easement acquisition process will continue throughout 2022.

No Parking

Comments regarding parking along Woodlawn Avenue were received during the Minnetonka Boulevard Trail public process. Parking issues are related to student drop-off/pick-up at Groveland Elementary School. Staff is proposing a new "No Parking" area along the west side of Woodlawn Avenue from Minnetonka Boulevard to the northern cemetery driveway, approximately 500 feet, as detailed in the resolution and figure.

Bid Opening

Bids were opened electronically for the project on Feb. 23, 2022. Six bids were received in response to the call for bids, and the results are as follows:

Contractor	Total Bid
RL Larson Excavating, Inc.	\$23,227,889.57
SM Hentges & Sons, Inc.	\$24,110,284.09
Ryan Contracting Co.	\$24,811,532.20
Bituminous Roadways, Inc.	\$25,124,076.94
Geislinger & Sons, Inc.	\$25,186,752.24
Northwest	\$26,233,701.63
<i>Engineers Estimate</i>	<i>\$21,790,584.50</i>

The low bidder, RL Larson Excavating, Inc. has satisfactorily completed similar projects.

Estimated Project Costs and Funding

The total estimated construction cost, including engineering, administration and contingency, is \$29,700,000. Project funding is included in 2022 and 2023 within the 2022 – 2026 Capital Improvements Program (CIP). A CIP amendment is required to obligate the 2023 CIP funding sources and increase utility funding for the project. Savings from prior projects and projected fund balances are proposed to cover the increased utility funding without impacting other projects. The budgeted amounts for the project are shown below and the fund balances currently can support the estimated project costs.

Staff has been working with Hennepin County regarding funding for a portion of the project with a grant from the Hennepin County Bikeway Participation program. The grant provides \$135,000 of funding, the maximum amount possible for this grant. A letter and cooperative agreement outlining funding support from Hennepin County is attached to this report for consideration. The city attorney has reviewed this agreement.

	Budget Amount	Proposed Funding	Tonka-Woodcroft Expense	Minnetonka Blvd Trail Expense	Total Project Expense
Construction Costs			\$20,000,000	\$3,300,000	\$23,300,000
Contingency			\$1,600,000	\$400,000	\$2,000,000
Easements			\$100,000	\$500,000	\$600,000
Engineering, Admin, and Indirect Costs			\$2,200,000	\$400,000	\$2,600,000
Overhead Power Burial			\$200,000	\$1,000,000	\$1,200,000
Street Improvement Fund	\$12,400,000	\$11,600,000			
Utility Fund	\$6,000,000	\$7,800,000			
Storm Water Fund	\$4,600,000	\$4,600,000			
Trail Expansion Fund	\$4,430,000	\$4,365,000			
Hennepin County	\$135,000	\$135,000			
Electric Franchise Fund	\$2,200,000	\$1,200,000			
Total Budget	\$29,765,000	\$29,700,000	\$24,100,000	\$5,600,000	\$29,700,000

Schedule

If the recommended actions are approved by council, construction will begin this spring and is planned to be completed in multiple phases over two construction seasons, 2022 and 2023. Staff would work with the contractor further to set the project schedule. Detailed construction related information and phasing will continue to be communicated through the project communications plan.

Resolution No. 2022-

Resolution authorizing a "No Parking" zone and the installation of "No Parking" signs on Woodlawn Avenue

Be it resolved by the City Council of the City of Minnetonka, Minnesota as follows:

Section 1. Background.

1.01. Through staff recommendation, a "No Parking" zone is required at the following location:

a. West side of Woodlawn Avenue from Minnetonka Boulevard to 500 feet north.

Section 2. Council Action.

2.01. The request and recommendation is hereby received and the City Council does authorize the installation of "No Parking" signs at the following location:

a. West side of Woodlawn Avenue from Minnetonka Boulevard to 500 feet north.

Adopted by the City Council of the City of Minnetonka, Minnesota, on March 21, 2022.

Brad Wiersum, Mayor

ATTEST:

Becky Koosman, City Clerk

Action on this resolution:

Motion for adoption:

Seconded by:

Voted in favor of:

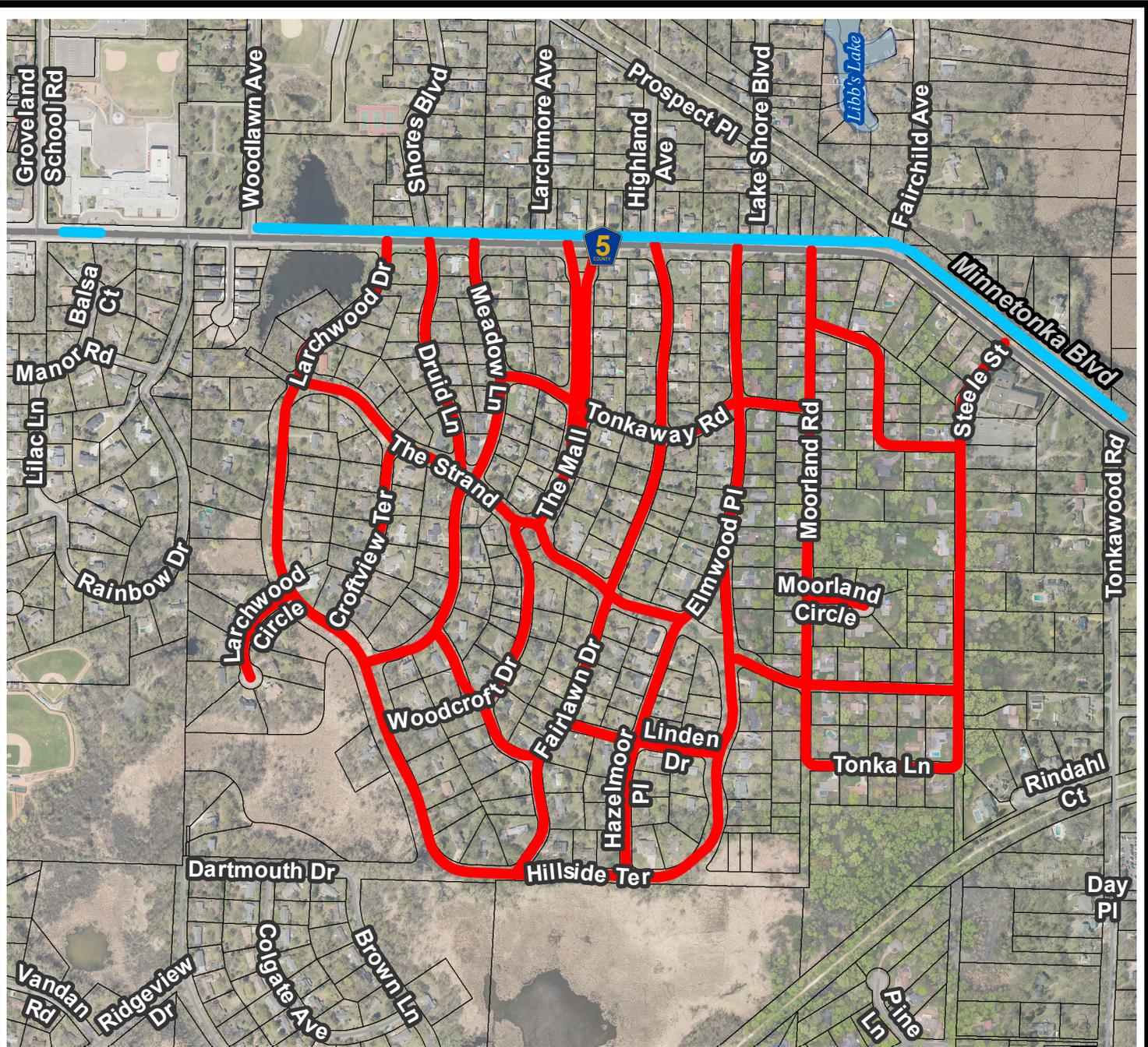
Voted against:

Abstained:

Absent:

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a duly authorized meeting held on March 21, 2022.

Becky Koosman, City Clerk



Tonka-Woodcroft Improvements Project

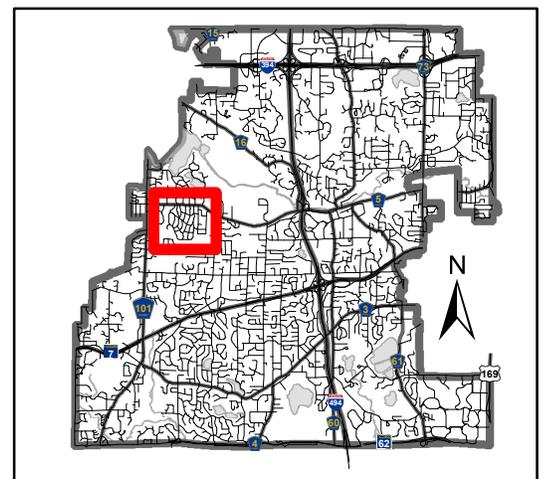
Type

 Street and Utility Construction

 Trail Construction



CITY OF
MINNETONKA



This map is for illustrative purposes only.

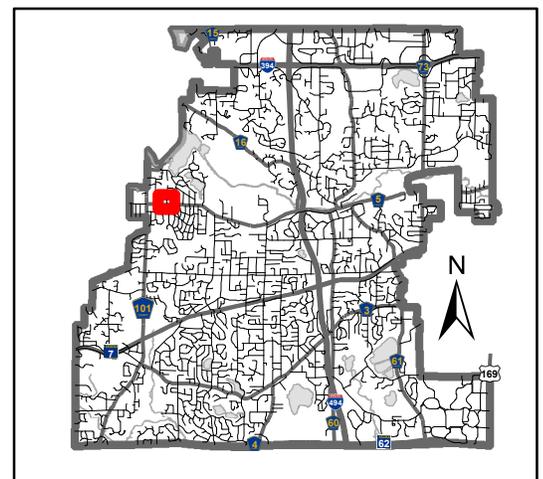
2022 & 2023 Funding Summary

Funding Sources						Proposed Funding				Balance
	Local Street Rehabilitation & Electrical System Enhancements		Trail Improvement Plan			CIP Total	Tonka-Woodcroft	Minnetonka Blvd Trail	Smetana Road Trail	
	Tonka-Woodcroft		Minnetonka Blvd Trail	Groveland Crossing	Smetana Road Trail					
	2022 CIP	2023 CIP	2023 CIP							
Street Improvement Fund	\$ 6,200,000	\$ 6,200,000				\$ 12,400,000	\$ 11,600,000			\$ 800,000
Utility Fund	\$ 3,000,000	\$ 3,000,000				\$ 6,000,000	\$ 7,800,000			\$ (1,800,000)
Storm Water Fund	\$ 2,300,000	\$ 2,300,000				\$ 4,600,000	\$ 4,600,000			\$ -
Trail Expansion Fund			\$ 4,250,000	\$ 180,000	\$ 550,000	\$ 4,980,000		\$ 4,365,000	\$ 550,000	\$ 65,000
Park & Trail Improvement Fund					\$ 350,000	\$ 350,000			\$ 350,000	\$ -
Hennepin County			\$ 135,000			\$ 135,000		\$ 135,000		\$ -
Electric Franchise Fund	\$ 100,000	\$ 100,000	\$ 2,000,000		\$ 800,000	\$ 3,000,000	\$ 200,000	\$ 1,000,000	\$ 800,000	\$ 1,000,000
Total Project Cost	\$ 11,600,000	\$ 11,600,000	\$ 6,385,000	\$ 180,000	\$ 1,700,000	\$ 31,465,000	\$ 24,200,000	\$ 5,500,000	\$ 1,700,000	\$ 65,000



Woodlawn Ave

 No Parking



This map is for illustrative purposes only.

Account No. _____
Job No. **12759635**
Job Address **14600 MINNETONKA BLVD**
MINNETONKA, MN 55345-1502



Northern States Power Company - Minnesota
5505 COUNTY ROAD 19
SHOREWOOD, MN 55331

March 11, 2022

Dear Mitch,

Thank you for choosing Xcel Energy to be your energy provider. We appreciate your business, and our goal is to deliver you reliable service at an affordable price.

This letter contains important information about your requested service. Please read all details below as well as any accompanying information and respond accordingly to ensure your project is completed accurately and timely.

This letter relates to your request for:



Your portion of the cost of this project is **\$740,000.00**. A hard copy invoice will be sent to you via U.S. Mail Postal Service in the coming days. Please see the attached payment options document for more instructions. Upon receipt of payment and other required documentation as noted below, your project will be scheduled and you will be notified of the scheduled date. If paying by check, please note the account number identified at the top of this letter on your check to ensure accurate and timely payment processing.

Below is a list of additional documentation that you will need to review, sign, and return to the Xcel Energy Designer by email or U.S. Postal Service to their address listed at the bottom of the letter. Please retain a copy of all documentation for your records.

➤ **Documents to be returned to Xcel Energy:**

- Government Statement of Work

➤ **Additional enclosures:**

- Payment Options

If you have any questions about the enclosures or about your specific job, please contact **Kurt Guthmueller** at **952-470-3342** and reference your account number and/or job number above.

We look forward to being your energy provider.

Sincerely,
Kurt Guthmueller
DESIGNER*ASSOC
5505 COUNTY ROAD 19
SHOREWOOD, MN 55331
Xcel Energy
Kurt.L.Guthmueller@xcelenergy.com



Customer Payment Options

Xcel Energy offers seven payment options to pay for your construction project. Please select the payment options that work best for you.

Payment options listed in order of quickest processing

MyAccount/eBill™

Register at xcelenergy.com to make a payment from your checking account. You can also enroll in eBill and an email will let you know your bill is ready to view at the MyAccount site in place of receiving a mailed paper bill statement. MyAccount also provides a convenient list of your bill statement and payment history and retains your banking information for future use. Each additional account number will have to be added to your list of managed accounts within MyAccount.

Pay by Phone

Make payment from your checking or savings account at no charge by using our automated phone system. Please call us at 800.895.4999.

Credit/Debit Card Payment

All Xcel Energy residential and business customers are now eligible for payment via credit or debit card. Most major credit and debit cards accepted. Apple Pay or Google Pay is available to customers with a mobile device.

To pay by phone, call our payment processing partner, Kubra EZ Pay, at **833.660.1365**

To pay online, visit www.xcelenergy.com/billing_and_payment and click on the **Pay with credit/debit card** link to make an online credit/debit card payment through Kubra EZ Pay.

Please note the current fees along with payment information:

- *Residential Customer Accounts*
 - *Payments accepted for up to \$1,000 in a single transaction*
 - *There is a \$1.50 fee per transaction*
 - *No fee for Wisconsin residential customer accounts*
- *Non-Residential Customer Accounts*
 - *Payments accepted for up to \$100,000 in a single transaction*
 - *There is a 2.2% fee per transaction.*

All credit/debit card types allow a maximum 25 credit/debit card payments in a 28-rolling-day period, per Xcel Energy account, per credit/debit card.

*If you receive this message: "The information provided does not match our records please try again," while trying to make a payment, please try again the following day after 8am CST.

Overnight Payment Delivery Options

Send your payment and remittance stub including **account number (written on the memo line of your check)** via FedEx, UPS or USPS overnight delivery to:

Xcel Energy Attn: Remittance Processing
414 Nicollet Mall, 3rd Floor
Minneapolis, MN 55401-1993
Overnight delivery contact phone number: 612.330.5593

The following alternate zip-codes are also valid:

Minneapolis, MN 55401-1927
Minneapolis, MN 55401-4993

In-Person Pay Stations

Pay in-person at a location near you by visiting xcelenergy.com for pay station locations. **Please include the account number on the memo line of your check.**

Please note: A \$1.50 transaction fee applies. (\$1.45 for Western Union only in Colorado)

Pay by U.S Postal Service

When sending payment by U.S. mail, **please include the account number on the memo line of your check.** Do not combine this payment with any other Xcel Energy bill payments. Mail check payments to:

Xcel Energy
P.O. Box 9477
Minneapolis, MN 55484-9477

Electronic Funds Transfer (EFT) (Only available to business)

The Electronic Funds Transfer (EFT) payment process allows business customers to pay via Corporate Trade Exchange (CTX) formatted Automated Clearing House (ACH) (also referred to as EDI-820), the ability to electronically remit payment. The payments to Xcel Energy's bank accounts are initiated by the customer through a series of steps linked to the billing system. The CTX addenda records included with the funds transfer allow the posting of the payments to occur electronically to the account numbers provided by the customer. To obtain Xcel Energy's EFT bank account numbers and to provide transfer confirmation, please email CustReceive@xcelenergy.com.

Helpful hints to ensure accurate and timely processing of your payment:

- For all payment options, please have your account number available and note on any payment documentation.
- The hard copy invoice will be sent to you via U.S mail in the coming days. If you would like an electronic copy of our invoice prior to receiving the hard copy, please contact your Designer who is identified in the attached letter.
- In order to apply payment to the correct account and avoid unnecessary delays, please make separate payments for each individual project or invoice.
- Please note that depending on payment selection, it may take up to a few days to process your payment.

**STATEMENT OF WORK REQUESTED
BY COUNTY, CITY, TOWN OR TOWNSHIP
FOR PROJECTS WITH ESTIMATED
CONSTRUCTION COSTS OVER \$25,000**

DATE: March 11, 2022

WORK REQUESTED BY: City of Minnetonka
(“Municipality”)

WORK LOCATION: Minnetonka Blvd between Woodlawn Ave and Tonkawood Dr

ADDRESS: 14600 MINNETONKA BLVD
MINNETONKA, MN 55345-1502

CONSISTING OF:

The following shall constitute the "Work" to be performed by Xcel Energy:
Conversion of overhead electrical facilities to underground facilities along Minnetonka Blvd, from Woodlawn Ave to Tonkawood Dr. Work will consist of adding padmount transformers, LBC, PHM and capacitor cabinets, underground to overhead looping poles, feeder and primary tap conductors.

Municipality agrees to pay Xcel Energy for Xcel Energy's actual total cost of the Work, subject to the Municipality's right of cost review in accordance with the terms of this Statement of Work ("Statement"). The current estimate for the Work is \$ 740,000.00 ("Estimate").
The estimate is comprised of the following major components:

Component	Sub-estimate
50 kVA and 25 kVA padmount transformers, PHM and capacitor cabinet to PMH cabinet for underground feeder, adding underground to overhead looping poles for primary taps to existing overhead lines, underground service connections to house and commercial meters. City to cover cost of meter socket conversions from overhead to underground.	

Total:

The undersigned hereby requests and authorizes Xcel Energy to perform the Work. In consideration thereof and in lieu of a City Requested Facilities Surchage, the City agrees to pay Xcel Energy on the ("Statement"). The current estimate for the Work is (\$ 370,000.00) which is fifty (50) percent of the Estimate ("Down Payment").

All Work shall be performed pursuant to good utility practice (as that term is generally understood in the utility industry) utilizing Xcel Energy's commercially reasonable efforts to complete the Work within the Estimate under Xcel Energy's then current design standards, operating procedures, and safety procedures. The facilities installed or removed by Xcel Energy shall be the property of Xcel Energy and any payment by Municipality shall not entitle Municipality to any ownership interest or right therein. Municipality's and Xcel Energy's rights and obligations with respect to the facilities and services provided through the facilities are subject to the terms of this Statement, as well as the additional terms and conditions provided in the Xcel Energy Electric Rate Book, as now exists or may hereafter be changed, on file with the Minnesota Public Utilities Commission.

In advance of the Work, Municipality agrees to inform Xcel Energy of any Municipality-related or other projects that may affect the Work. During the Work, Xcel Energy agrees to provide the Municipality notice of any proposed change orders increasing the cost of the Work. Municipality acknowledges that change orders that result from request of Municipality with respect to the performance of the Work or the scope of the Work may increase Xcel Energy's actual cost of the Work. Upon Completion of the Work, Xcel Energy agrees to provide Municipality with final detail of the actual work performed and the actual costs of such work performed. Xcel Energy will identify any information included in such information that is non-public pursuant to Minn. Stat. Ch. 13. Upon request by Municipality, Xcel Energy shall provide Municipality the opportunity to review more detailed documentation of the Work performed and related costs.

Xcel Energy agrees to keep Municipality reasonably informed with respect to Xcel Energy's performance of the Work, consistent with good utility practice and will, at minimum, apprise Municipality when half of the Estimate has been spent and when ninety percent of the Estimate has been spent. Xcel Energy also agrees to timely notify the Municipality when the Work is substantially complete.

Upon receipt of the invoice for the cost balance, the City shall have the right to require that Xcel Energy provide reasonable cost support documentation, including change orders, for its actual total cost of the Work. The Municipality shall pay the balance of cost not subject to reasonable dispute within the timeframe set forth in the Minnesota Municipal Prompt Payment Act, Minn. Stat. 471-425. Xcel Energy and Municipality shall reasonably try to resolve any disputes with respect to costs incurred in performance of the Work in good faith. In the event Xcel Energy and Municipality are unable to resolve any such disputes, the parties may seek redress in a forum with jurisdiction over the dispute.

This Statement of Work is agreed to by Xcel Energy and Municipality and receipt of the above Down Payment of \$ _____ is hereby acknowledged on behalf of Xcel Energy.

Northern States Power Company
a Minnesota corporation ("Xcel Energy")

[Municipality]

Print Full Name and Title

Mitch Hatcher, Project Manager
Print Full Name and Title (if applicable)

Signature

Signature of Authorized Representative

Address:

Address: 14600 MINNETONKA BLVD, MINNETC

Phone:

Phone: 952-939-8232

E-mail:

E-mail: mhatcher@minnetonkamn.gov

Xcel Energy Work Order # 12759635

Estimated Construction \$ _____

Estimated Removal \$ _____

Estimated Total \$ _____

HENNEPIN COUNTY

MINNESOTA

March 4, 2022

Phil Olson, P.E.
City Engineer
City of Minnetonka
14600 Minnetonka Blvd
Minnetonka, MN 55345

Re: Minnetonka Boulevard (CSAH 5) Multi-Use Trail Project – Request for County Cost Participation

Mr. Olson:

This letter is in response to the city's request for county cost participation in the city's multi-use trail project along Minnetonka Boulevard (CSAH 5). County staff support requesting board approval to cost participate in the construction of this multi-use trail along Minnetonka Boulevard between Woodlawn Avenue and Tonkawood Road, as well as the construction of a raised median and enhanced crossing at Groveland Elementary School. Note that county staff propose a revised share as outlined in Table 1 that limits county cost participation in construction activities only. If approved, a cooperative agreement will be executed to specify scope, funding, ownership, and maintenance responsibilities. If the county's funding source is state aid, the city will need to satisfy state aid requirements.

Table 1 | County Proposed Cost Participation

Activity	Construction Cost Estimate	Design Engineering (10%)	Construction Engineering (8%)	Contingency (10%)	Total County Cost Participation
Multi-use trail construction	\$100,000	\$0	\$0	\$0	\$100,000
Enhanced pedestrian crossing	\$35,000	\$0	\$0	\$0	\$35,000
Total	\$135,000	\$0	\$0	\$0	\$135,000

County staff look forward to continued coordination with city staff throughout the remainder of project development.

Sincerely,



Carla Stueve, P.E.
Transportation Project Delivery Director and County Engineer



Agreement No. PW _____
County Project No. _____
County State Aid Highway No. 5
City of Minnetonka
County of Hennepin

COOPERATIVE AGREEMENT

This Agreement is made between the **County of Hennepin**, a body politic and corporate under the laws of the State of Minnesota, hereinafter referred to as the “County,” and the **City of Minnetonka**, a Minnesota home-rule charter city, under the laws of the State of Minnesota, hereinafter referred to as the “City.” The County and the City collectively are referred to as the “Parties.”

Recitals

The following Recitals are incorporated into this Agreement:

1. The City and the County have been collaborating to close long stretches of multi-use trail gaps along the north side of County State Aid Highway (CSAH) 5 (Minnetonka Boulevard) from Woodlawn Avenue to Tonkawood Road. The multi-use trail project (“Trail Project”) is scheduled for completion in 2023.
2. Additionally, the City plans to install a push-button rectangular rapid flashing beacon, median, pavement, signing, and striping at CSAH 5 at Groveland Elementary School.
3. The Parties have agreed to enter into this Agreement to memorialize the partnership and to outline each party’s ownership and financial responsibilities, maintenance responsibilities, and associated costs for the Trail Project in the city of Minnetonka, as shown in City Project No. 22401, under County Project (CP) No. _____, and which collectively shall hereinafter be referred to as the “Project”.
4. The City shall be the lead agency in Project design, construction administration, and engineering and it shall be responsible for acquiring all governmental permits required for the Project.
5. The Trail Project is eligible for participation under Hennepin County’s bikeway cost participation policy and the County has indicated its willingness to cost participate in the Trail Project as detailed herein.
6. The Project will be carried out by the Parties under the provisions of Minnesota Statutes, Section 162.17, Subdivision 1, and Section 471.59.

Agreement

NOW, THEREFORE, the Parties agree as follows:

1. Term of Agreement, Survival of Terms, and Exhibit.

- 1.1. Effective Date.** This Agreement is effective as of the date of the final signature.
- 1.2. Expiration Date.** This Agreement will expire after all obligations have been satisfactorily fulfilled.
- 1.3. Survival of Terms.** Provisions that by their nature are intended to survive the term, cancellation or termination of this Agreement do survive such term, cancellation or termination. Such provisions include but are not limited to: Maintenance Responsibilities, Records/Audits, Indemnification, Insurance, Worker Compensation Claims, Cancellation, Termination, and Minnesota Laws Govern.
- 1.4. Exhibit.** A copy of the Minnesota Department of Transportation (MnDOT) Americans with Disabilities Act (ADA) Compliance Checklist (Curb Ramp) form marked Exhibit "A" is attached and incorporated into this Agreement.

2. Project Construction.

- 2.1. Contract Award and Administration.** The City or its agents shall prepare the necessary plans, specifications, and proposal; obtain approval of the plans and specifications from the County; advertise for bids for the work and construction; receive and open bids pursuant to the advertisement; enter into a contract with the successful bidder at the unit prices specified in the bid of such bidder; administer the contract; and perform the required engineering and inspection; all in accordance with the plans and specifications set forth below. In the event that the City does not award the Project due to higher than expected bid or due to lack of funding or a force majeure event, the City will consult with the County on the possibility of rebidding or cancelling the Project completely. The City shall have the final decision on awarding or rejecting bids. If the bids are rejected, either party may terminate this Agreement, or the Parties may agree to rebid the Project.

2.2. Plans and Specifications.

2.2.1. Design Work. All design work performed by the City and its agents that is to be incorporated into the bidding documents for the Project shall be prepared and certified by a Professional Engineer licensed in the State of Minnesota. All designs which affect County facilities shall conform to MnDOT Design Standards applicable to County State Aid Highways and to ADA requirements, and be approved by the County Engineer. Attached as Exhibit "A" is a copy of the MnDOT ADA Compliance

Checklist (Curb Ramp) form. The City or its agents shall complete the form for each curb ramp constructed as part of the Project and submit the forms by using the “Asset Management” site, which requires registration to access. The City understands and agrees that payment will not be made by the County until all required ADA certification forms have been received and verified by the County. (For instructions on how to fill and submit the form, visit:

<https://www.hennepin.us/residents/transportation/ada-transition-plan>.

2.2.2. Request for Copies of Plans. At the request of the County, the City or its agents shall furnish the County with any working copies of any plans, designs or reports at any time during the Project design process.

2.2.3. Plan Review and Approval. The City shall furnish the County with plans and specifications for review and approval as follows: electronic submittals at 60%, 90%, and 100%; comment response letter with 90% and 100% package; electronic copy of plans at 100% with title sheet for County signature. The City must provide the title sheet for County signature, with the City signature affixed to the title sheet. The as-designed plans, specifications and as-built plans for the Project shall be provided by the City at no cost to the County. All designs and plans shall be submitted to Public Works Transportation Project Delivery Design Division Manager.

2.2.4. Permits and Approvals. The City shall obtain, and comply with, any and all permits and approvals required from other governmental or regulatory agencies to accomplish the Project. The permits and approvals shall be obtained prior to the start of any construction and made available to the County upon request.

2.3. Construction Supervision and Inspection. The City or its agents will administer the construction contract, and perform all necessary engineering, inspection and testing of all the contract work. All work for the Project shall be completed in compliance with the County approved plans and specifications. The County Engineer or a designated representative shall have the right, as the work progresses, to enter upon the job site to make any inspections deemed necessary and shall cooperate with the City Engineer and staff at their request to the extent necessary, but will have no responsibility for the supervision of the work.

2.4. Plan Changes and Additional Construction.

2.4.1. Plan Changes. The County agrees that the City may make changes in the plans or in the character of the contract construction that are reasonably necessary to cause the construction to be in all things performed and completed in a satisfactory manner. It is further agreed by the County that the City may, subject to the County’s rights under Subsection 2.3 and the County’s cost participation limits under Section 3, enter into any change orders or supplemental agreements with the City’s contractor for the performance of any additional construction or construction occasioned by any necessary, advantageous or desirable changes in plans, within the original scope of the Project.

2.4.2. Review Proposed Changes. The County shall have the right to review and approve any proposed changes to the plans and specifications as they relate to the County's cost participation prior to the work being performed, and in those instances where the proposed changes necessitate a re-engineering of the design and/or specifications, the City shall submit the re-engineered design and/or specifications to the County. The County Engineer or designated representative shall respond to the City's request for approval to authorize the issuance of any negotiated change orders or supplemental agreements prepared by the City that affect the County's share of the construction cost within a reasonable time frame.

3. Cost Participation. The County will cost participate in the Trail Project under this Agreement as follows:

3.1. County's Cost Participation. The County's cost participation in the Trail Project shall be a not to exceed, lump sum amount of One Hundred Thirty-five Thousand Dollars and No Cents (\$135,000.00) for the construction of the Trail Project ("County Cost Participation").

4. Payment.

4.1. Amount Due. The amount due by the County shall be equal to the County Cost Participation amount of \$135,000 (One Hundred Thirty-five Thousand Dollars and No Cents). Notwithstanding any other provision to the contrary, the County Cost Participation under this Agreement shall not exceed \$135,000.

4.2. When to Invoice. Upon completion of the Project, the City shall notify the County and submit an invoice for a lump sum amount of \$135,000 as the County's share of the costs for the Trail Project.

4.3. What to Include in the Invoice. The invoice shall include: date of invoice, invoice number, name of the project manager (_____), project name, county project number (CP _____), contract number, and purchase order number. The City shall include one project per invoice, provide the County with complete as built plans, and before and after photographs of the Project.

4.4. Where to Send Invoice. Invoices and supporting documentation should be mailed to: Hennepin County Accounts Payable, P.O. Box 1388, Minneapolis, MN 55440-1388. An electronic copy of all invoices and project documentation should also be submitted to bikeplan@hennepin.us

4.5. Approval and Payment. Upon approval and acceptance of the completed Project as well as all MnDOT ADA Compliance Checklist forms by the County Engineer or designated representative and within forty-five (45) days of receipt of the invoice, the County shall reimburse the City for the County's share of the costs for the Project, subject to provisions set forth in Subsection 3.1 and 4.6.

- 4.6. Funds Availability.** It is understood by the City that the funds the County has set aside for the Project will be available for payment to the City until three (3) years from _____, the date of the County Board resolution approving the funding of the Project. It is further understood and agreed by the City that the County will not participate in the Project costs as set forth herein if the City has not invoiced the County within the three year period.
- 5. The City's Maintenance Responsibilities.** Upon completion of the Project, the City shall, at no cost to the County, provide maintenance of the improvements as follows:
- 5.1. Multi-use trails.** Maintenance of the multi-use trails constructed as a part of the Project. Maintenance includes, but is not limited to sweeping, debris removal, snow and ice removal, and any other maintenance activities according to accepted City maintenance practices. Any and all future maintenance, restoration or repair required thereafter shall be performed by the City.
- 5.2. Sidewalks and Pedestrian Ramps.** Routine maintenance of sidewalks and pedestrian ramps reconstructed as a part for the Project. Maintenance includes, but is not limited to, sweeping, debris removal, snow and ice removal, resurfacing and seal coating, and any other maintenance activities according to accepted City maintenance practices.
- 5.3. Crosswalk and Stop Bar Markings.** Maintenance of the newly installed durable crosswalk and stop bar markings.
- 5.4. Landscaping/Street Scaping.** After Project completion, any landscaping/streetscaping constructed as a part of the Project shall be owned and maintained by the City. This includes but not limited to trimming, mowing, watering, irrigation maintenance and replanting/replacing, and trash removal.
- 6. The County's Maintenance Responsibilities.** Upon completion of the Project, the County shall, at no cost to the City, provide maintenance of the improvements as follows:
- 6.1. Roadway Signs.** The County shall thereafter maintain and repair all roadway signs installed on the segment of CSAH 5 as a part of the Project in accordance with the requirements of the Minnesota Department of Transportation Manual on Uniform Traffic Control Devices (MUTCD).
- 6.2. Curbs and Gutters.** The County shall thereafter maintain and repair all curbs and gutters constructed on the segment of CSAH 5 as a part the Project according to accepted County maintenance practices, except those portions intersecting municipal streets and private entrances, which shall be the responsibilities of the City and the property owners.
- 6.3. Medians.** The County shall thereafter maintain and repair all medians constructed on the segment of CSAH 5 as a part the Project according to accepted County maintenance practices, except those special features requested by the City, such as colored concrete,

brick pavers,...etc. which shall be the responsibilities of the City.

6.4. County Road Pavement Striping. The County shall thereafter maintain and repair all pavement striping for roadway users installed as a part of the Project.

7. Authorized Representatives. In order to coordinate the services of the County with the activities of the City, and vice versa so as to accomplish the purposes of this Agreement, the Hennepin County and the City Engineers, or their designated representatives shall manage this Agreement on behalf of the County and the City.

County of Hennepin, Public Works Transportation

Carla Stueve
County Highway Engineer
1600 Prairie Drive, Medina, MN 55340
Office: 612-596-0356
Carla.Stueve@hennepin.us

City of Minnetonka:

Phil Olson, PE
City Engineer
14600 Minnetonka Blvd., Minnetonka, MN 55345
952-939-8239
polson@eminnetonka.com

8. Assignment, Amendments, Default, Waiver, Agreement Complete, Cancellation or Termination.

8.1. Assignment. The City shall not assign, subcontract, transfer or pledge this Agreement and/or the services to be performed hereunder, whether in whole or in part, without the prior written consent of the County.

8.2. Amendments. Any alterations, variations, modifications or waivers of provisions of this Agreement shall only be valid when they have been reduced to writing as an amendment to this Agreement and signed by the Parties hereto.

8.3. Default. If a party fails to perform any of the provisions of this Agreement or so fails to administer the work as to endanger the performance of the Agreement, this shall constitute a default. Unless the default is excused by the non-defaulting parties, the Parties may upon written notice immediately cancel this Agreement in its entirety.

8.4. Waiver. The Parties' failure to insist upon strict performance of any provision or to exercise any right under this Agreement shall not be deemed a relinquishment or waiver of the same, unless consented to in writing. Such consent shall not constitute a general waiver or relinquishment throughout the entire term of the Agreement.

8.5. Agreement Complete. The entire Agreement between the Parties is contained herein

and this Agreement supersedes all oral agreements and negotiations between the Parties relating to the subject matter hereof. All items referred to in this Agreement are incorporated or attached and are deemed to be part of this Agreement.

- 8.6. Cancellation or Termination.** This Agreement may be terminated or cancelled by either party with or without cause upon thirty (30) day written notice. This Agreement shall be terminated or cancelled by either party upon a material breach by the other party that is not waived by the non-breaching party. In the event of a termination or cancellation, the Parties will remain responsible for cost participation as provided in this Agreement for obligations incurred up through the effective date of the termination or cancellation, subject to any equitable adjustment that may be required to account for the effects of a breach.
- 8.7. Force Majeure.** Neither party shall be responsible to the other party for a failure or delay to perform under this Agreement, if such failure or delay is due to a force majeure event, which is defined as an event beyond a party's reasonable control, including but not limited to, unusually severe weather, fire, floods, other acts of God, labor disputes, acts of war or terrorism, or public health emergencies.

9. Indemnification.

8.1. The City Indemnifies the County. The City agrees to defend, indemnify and hold harmless the County, its officials, officers, agents, volunteers, and employees from any liability, claims, causes of action, judgments, damages, losses, costs or expenses, including reasonable attorneys' fees, resulting directly or indirectly from any act or omission of the City or the City's consultant or sub consultant, anyone directly or indirectly employed by them, and/or anyone for whose acts and/or omissions they may be liable in the performance of the services required by this contract, and against all loss by reason of the failure of the City to perform fully, in any respect, all obligations under this contract. The City's liability shall be governed by the provisions of Minnesota Statutes, Chapter 466 or other applicable law.

8.2. The County Indemnifies the City. The County agrees to defend, indemnify and hold harmless the City, its officials, officers, agents, volunteers, and employees from any liability, claims, causes of action, judgments, damages, losses, costs or expenses, including reasonable attorneys' fees, resulting directly or indirectly from any act or omission of the County or the County's consultant or sub consultant, anyone directly or indirectly employed by them, and/or anyone for whose acts and/or omissions they may be liable in the performance of the services required by this contract, and against all loss by reason of the failure of the County to perform fully, in any respect, all obligations under this contract. The County's liability shall be governed by the provisions of Minnesota Statutes, Chapter 466 or other applicable law.

- 10. Insurance.** The City agrees that any future contract let by the City for the performance of any of the work included hereunder shall include clauses that will: 1) Require the contractor to indemnify and hold the County, its commissioners, officers, agents and employees harmless from any liability, claim, demand, judgments, expenses, action or cause of action of any kind or character arising out of any act or omission of the contractor, its officers, employees, agents

or subcontractors; 2) Require the contractor to be an independent contractor for the purposes of completing the work provided for in this Agreement; and 3) Require the contractor to provide and maintain the following insurance so as to assure the performance of its indemnification and hold harmless obligation:

	<u>Limits</u>
(1) Commercial General Liability on an occurrence Basis with contractual liability coverage:	
General Aggregate	\$2,000,000
Products - Completed Operations Aggregate	\$2,000,000
Personal and Advertising Injury	\$1,500,000
Each Occurrence - Combined Bodily Injury and Property Damage	\$1,500,000
Hennepin County shall be named as an additional insured for the Commercial General Liability coverage with respect to operations Covered under this Agreement.	
(2) Automobile Liability:	
Combined Single limit each occurrence coverage or the equivalent covering owned, non-owned, and hired automobiles:	\$1,500,000
(3) Workers' Compensation and employer's Liability:	
Work Workers' Compensation:	Statutory
If the contractor is based outside the State of Minnesota, coverage must apply to Minnesota laws.	
Employer's Liability. Bodily injury by:	
Accident – Each Accident	\$500,000
Disease – Policy Limit	\$500,000
Disease - Each Employee	\$500,000
(4) Professional Liability – Per Claim and Aggregate:	\$2,000,000

The above listed Professional Liability insurance will not be required in any construction contract let by the City if the City's contractor is not required to perform design engineering as part of the construction contract.

An umbrella or excess policy over primary liability coverages is an acceptable method to provide the required insurance limits.

The above subparagraphs establish minimum insurance requirements. It is the sole responsibility of the City's contractor to determine the need for and to procure

additional insurance which may be needed in connection with the Project and any subsequent maintenance work covered under this Agreement.

All insurance policies shall be open to inspection by the County and copies of policies shall be submitted to the County upon written request.

11. Worker Compensation Claims.

11.1. City's Employees. Any and all employees of the City and all other persons engaged by the City in the performance of any work or services required or provided for herein to be performed by the City shall not be considered employees of the County, and any and all claims that may or might arise under the Workers' Compensation Act or the Unemployment Compensation Act of the State of Minnesota on behalf of the employees while so engaged and any and all claims made by any third parties as a consequence of any act or omission on the part of the employees while so engaged on any of the work or services provided to be rendered herein shall in no way be the obligation or responsibility of the County.

11.2. County's Employees. Any and all employees of the County and all other persons engaged by the County in the performance of any work or services required or provided for herein to be performed by the County shall not be considered employees of the City, and any and all claims that may or might arise under the Workers' Compensation Act or the Unemployment Compensation Act of the State of Minnesota on behalf of the employees while so engaged and any and all claims made by any third parties as a consequence of any act or omission on the part of the employees while so engaged on any of the work or services provided to be rendered herein shall in no way be the obligation or responsibility of the City.

12. Records/Audits. The City agrees that the County, the State Auditor or any of their duly authorized representatives at any time during normal business hours, and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt and transcribe any books, documents, papers, records, etc., which are pertinent to the Project and maintenance work, and the accounting practices and procedures of the City which involve transactions relating to this Agreement.

13. Nondiscrimination. The provisions of Minnesota Statute Section 181.59 and of any applicable local ordinance relating to civil rights and discrimination and the Affirmative Action Policy statement of Hennepin County shall be considered a part of this Agreement as though fully set forth herein.

14. Counterparts/Electronic Signatures. This Agreement may be executed in one or more counterparts, each of which will be deemed to be an original copy of this Agreement and all of which, when taken together, will be deemed to constitute one and the same agreement. The facsimile, email or other electronically delivered signatures of the Parties shall be deemed to constitute original signatures, and facsimile or electronic copies hereof shall be deemed to constitute duplicate originals.

15. Minnesota Laws Govern. The laws of the State of Minnesota shall govern all questions and interpretations concerning the validity and construction of this Agreement and the legal relations between the Parties and their performance. The appropriate venue and jurisdiction for any litigation will be those courts located within the County of Hennepin, State of Minnesota. Litigation, however, in the federal courts involving the Parties will be in the appropriate federal court within the State of Minnesota.

(This space left intentionally blank)

DRAFT

IN TESTIMONY WHEREOF, The Parties hereto have caused this Agreement to be executed by their respective duly authorized officers and agree to be bound by the provisions herein set forth.

CITY OF MINNETONKA

(Seal)

By: _____
Mayor
Date: _____

And: _____
Manager
Date: _____

COUNTY OF HENNEPIN

ATTEST:

By: _____
Deputy/Clerk of the County Board
Date: _____

By: _____
Chair of its County Board
Date: _____

And: _____
County Administrator
Date: _____

**REVIEWED BY
THE COUNTY ATTORNEY'S OFFICE:**

By: _____
Assistant County Attorney
Date: _____

And: _____
Assistant County Administrator, Public Works
Date: _____

RECOMMENDED FOR APPROVAL

By: _____
County Highway Engineer
Date: _____

RECOMMENDED FOR APPROVAL

By: _____
Department Director, Transportation
Operations

Date: _____

EXHIBIT "A"

IT IS OK TO SUBMIT SCANNED COPIES

MnDOT ADA Compliance Checklist (Curb Ramp)

SP: City: District:

Intersection: Quadrant:

Ramp Type: Const. Year:

Compile all relevant documents (photos, checklist, notes, etc) of the completed quadrant and upload them using the HennPlace Asset Management Site. Registration is required. To create an account, please register for an account and use the following step-by-step reference guide on our ADA transition plan page under "checklist guide."

(1) Minimum 4' wide pedestrian access route (PAR) maintained? Yes No

(2) Landing meets min. 4'x4' and perpendicular grade break(s)? Yes No

(3) Are landing(s) located at the top of each ramp and at change(s) in direction and at inverse grades? Yes No

(4) Landing slopes (%): (TH) (TH) (SS) (SS)

(5) Ramp's running slope (%): TH Initial TH Secondary SS Initial SS Secondary

(6) Ramp's cross slope (%): TH Initial TH Secondary SS Initial SS Secondary

(7) Gutter flow line slope (%): TH SS

(8) Gutter inslope (%): TH SS

(9) Roadway cross slope (%): TH SS

TH = Trunk Highway
 SS = Side Street

(10) Do truncated domes cover the entire curb opening and are they properly oriented? Yes No

(11) Are gutter line and ramps draining properly? Yes No

(12) Are there any vertical discontinuities greater than 1/4"?" Yes No

(13) Do ramps comply with Spec 2521.3? Yes No

(14) Are ramps **fully compliant**? Yes No

If **NO**, check the reason(s) below. Explain why the ramp didn't meet compliance and how the ramp has been improved from the pre-construction condition (see ADA Compliance Checklist Guidance for more info and attach pages if needed).

Hennepin
 Topography Structure(s) Utilities Contractor County

(15) Was the curb ramp able to be built according to the plan details? Yes No

If **NO**, please explain:

Printed Name: Date (mm/dd/yyyy):

I certify that the information entered on this form is accurate to the best of my knowledge and that I fully understand the checklist standards and am qualified to carry out the inspection.

FILL OUT FORM AND SUBMIT TO HENNEPIN COUNTY



**City Council Agenda Item 10A
Meeting of March 21, 2022**

Title: Amira Minnetonka “The Pointe” at 801 Carlson Parkway
Report From: Alisha Gray, Economic Development and Housing Manager
Submitted through: Mike Funk, Acting City Manager
Julie Wischnack, AICP, Community Development Director

Action Requested: Motion Informational Public Hearing
Form of Action: Resolution Ordinance Contract/Agreement Other N/A
Votes needed: 4 votes 5 votes N/A Other

Summary Statement

This action modifies the funding source of the \$400,000 loan for Amira Minnetonka “The Pointe”.

Recommended Action

Adopt the resolution.

Strategic Profile Relatability

Financial Strength & Operational Excellence Safe & Healthy Community
 Sustainability & Natural Resources Livable & Well-Planned Development
 Infrastructure & Asset Management Community Inclusiveness
 N/A

Statement: N/A

Financial Consideration

Is there a financial consideration? No Yes
Financing sources: Budgeted Budget Modification New Revenue Source
 Use of Reserves Other [Enter]

Statement: This action modifies the funding source for the \$400,000 approved loan to Amira Minnetonka.

Background

On June 8, 2020, the [city council](#) and [EDA](#) approved the contract for private development and a \$400,000 loan for the Pointe, now named “Amira Minnetonka,” located at 801 Carlson Pkwy. The developer, United Properties, agreed to provide 19 affordable units, and the city committed \$400,000 in assistance through the development fund to assist with maintaining the affordability of the units for 30 years.

On [Nov. 23, 2020](#), the city council approved the establishment of the affordable housing trust fund and transferred nearly \$5 million in accrued tax increment financing, pooling dollars for affordable housing efforts. Staff recommends that the council and EDA approve the attached resolution to change the funding source for the project from the development fund to the affordable housing trust fund. The use of the affordable housing trust fund balance preserves the development fund utilized for redevelopment studies, reports, consulting fees and other uses not allowed through the affordable housing trust fund. The affordable housing trust fund has a balance of \$6.2 million.

Resolution No. 2022-

Resolution changing the source of funds for a \$400,000 loan from the Economic Development Authority in and for the City of Minnetonka to The Pointe of Minnetonka LLC in connection with a multifamily housing development

Be it resolved by the City Council (the "Council") of the City of Minnetonka, Minnesota (the "City") as follows:

Section 1. Background.

- 1.01. The Economic Development Authority in and for the City of Minnetonka, Minnesota (the "Authority") and the City have undertaken a program to promote economic development and job opportunities, promote the development and redevelopment of land which is underutilized within the City, and facilitate the development of affordable housing.
- 1.02. On June 8, 2020, the Council adopted Resolution No. 2020-049 (the "Original Resolution"), which approved the execution and delivery of the Contract for Private Development, dated November 12, 2020 (the "Contract"), between the Authority and The Pointe of Minnetonka LLC, a Minnesota limited liability company (the "Developer"). Pursuant to the terms of the Contract, the Developer agreed to develop approximately 186 units of rental housing, with at least 5% of the units to be affordable to individuals and families at or below 50% of the area median income and at least 5% of the units to be affordable to individuals and families at or below 60% of the area median income (the "Minimum Improvements"), and the Authority agreed to provide a loan to the Developer in the principal amount of up to \$400,000 (the "Authority Loan") from the Authority's Development Fund to make the Minimum Improvements economically feasible. The Authority will disburse the Authority Loan in accordance with Section 3.3(b) of the Contract.
- 1.03. The City has heretofore created an Affordable Housing Trust Fund, which is funded with pooled tax increment derived from property within certain tax increment financing districts within the City.
- 1.04. The Authority has proposed to make the Authority Loan from the Affordable Housing Trust Fund instead of the Development Fund. On the date hereof, the Board of Commissioners of the Authority will consider a resolution providing clarification of the source of funds for the Authority Loan.

Section 2. Approval.

- 2.01. The Council approves the use of funds within the Affordable Housing Trust Fund for the purpose of making the Authority Loan to the Developer.
- 2.02. The Mayor and City Manager are authorized and directed to execute any documents or certificates necessary to carry out the transactions described therein.

Adopted by the City Council of the City of Minnetonka, Minnesota, on March 21, 2022.

Brad Wiersum, Mayor

Attest:

Becky Koosman, City Clerk

Action on this resolution:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on March 21, 2022.

Becky Koosman, City Clerk



**City Council Agenda Item 12A
Meeting of March 21, 2022**

Title: Ordinance Amending City Code Section 625 Regarding Tobacco Sales

Report From: Julie Wischnack, AICP, Community Development Director

Submitted through: Mike Funk, Acting City Manager
Corrine Heine, City Attorney

Action Requested: Motion Informational Public Hearing
Form of Action: Resolution Ordinance Contract/Agreement Other N/A
Votes needed: 4 votes 5 votes N/A Other

Summary Statement

On [Nov. 22, 2021](#), the city council imposed a moratorium on issuing new tobacco licenses in the City of Minnetonka. The moratorium allowed staff time to consider additional ordinance provisions.

Recommended Action

Introduce the ordinance and provide feedback.

Strategic Profile Relatability

- | | |
|--|--|
| <input type="checkbox"/> Financial Strength & Operational Excellence | <input checked="" type="checkbox"/> Safe & Healthy Community |
| <input type="checkbox"/> Sustainability & Natural Resources | <input type="checkbox"/> Livable & Well-Planned Development |
| <input type="checkbox"/> Infrastructure & Asset Management | <input type="checkbox"/> Community Inclusiveness |
| <input type="checkbox"/> N/A | |

Financial Consideration

Is there a financial consideration? No Yes [Enter estimated or exact dollar amount]
Financing sources: Budgeted Budget Modification New Revenue Source
 Use of Reserves Other [Enter]

Background

The city made changes to its tobacco licensing in 2018 and 2020. The city has 27 active tobacco licenses. A majority of tobacco licenses are secondary to a primary use:

- 13 – gas stations
- 4 – off-sale liquor establishments
- 2 – on-sale liquor establishments
- 2 – retail (Cub & Walgreens)

A smaller number of licenses (6) have been issued for exclusive tobacco sales. The moratorium was adopted because the city has concerns about the number of licenses and locations. The moratorium is in effect until Mar. 30, 2022. Since the moratorium, staff looked at the following:

- Density of tobacco licensing
- Location and proximity to youth (i.e., schools)
- Research about exclusive tobacco stores
- Any additional retail changes in types of tobacco products or how they are sold

The location of the six exclusive tobacco stores can be found [here](#).

Tobacco Store	13025 Ridgedale Dr.
Lake Side Tobacco	4789 Co Rd 101
Cigar Lounge	17740 State Hwy 7
Cigar Jones	17643 Minnetonka Blvd
E-Cig Pod	14645 Excelsior Blvd
Cloud X Vapes	10988 Cedar Lake Rd

Proposed Revisions

Staff also reviewed other city ordinances to review if additional provisions regarding exclusive tobacco have been implemented. The most pertinent information is the [City of Bloomington](#) which has implemented a total ban on issuing new tobacco licenses. The ban is for all licenses, including exclusive tobacco stores. Other cities have placed a limit on the number of exclusive tobacco stores allowed. So there are multiple possible ordinance amendments to address tobacco sales in the city:

- Ban additional tobacco licenses in the city.
- Ban additional exclusive tobacco licenses in the city. (Eventually, as business cease to exist, the result would be that there would be no exclusive tobacco stores in the city.)
- Cap the number of exclusive tobacco licenses (existing tobacco locations could continue; new locations would be allowed only if an existing location ceases to exist. Additional locational standards may be added to the ordinance).

Staff has prepared two ordinances for the city council to consider. The first would ban additional licenses for exclusive licenses, and the other would introduce a cap on the total number of tobacco licenses.

Future Considerations

The City of Bloomington updates also included more control of the sale of flavored tobacco products. The council had previously (2020) considered those types of provisions, and the majority of the council did not support the changes. Staff will provide more research at a future time to address additional tobacco-related city ordinance provisions.

Ordinance No. 2022-

**An Ordinance amending sections 625.005 and 625.030 of the
Minnetonka City Code; relating to tobacco licenses;
imposing restrictions on licenses for exclusive tobacco stores**

The City of Minnetonka Ordains:

Section 1. Section 625.005 of the Minnetonka City Code, relating to definitions, is revised by adding a new subdivision 2 to read as follows and renumbering subsequent subdivisions accordingly:

2. “Exclusive tobacco store” means a retail store that derives at least 90 percent of its gross annual revenue from the sale of tobacco-related products in which the majority of the products sold or offered for sale are tobacco-related products.

Section 2. Section 625.030 of the Minnetonka City Code is amended to read as follows:

625.030. Restrictions. The following restrictions apply to tobacco licenses in the city.

1. No license may be issued to a person not of good moral character.
2. No license may be issued for the sale of tobacco-related products at a movable place of business.
3. A separate license is required for the sale of tobacco-related products at each place of business.
4. A license is not transferable from one person to another.
- 4.5. No license, either new or renewal, may be issued to an exclusive tobacco store after [date].

Section 3. A violation of this ordinance is subject to the penalties and provisions of Chapter XIII of the city code.

Section 4. This ordinance is effective 30 days after publication.

Adopted by the city council of the City of Minnetonka, Minnesota, on

The ~~stricken~~ language is deleted; the underlined language is inserted.

Brad Wiersum, Mayor

Attest:

Becky Koosman, City Clerk

Action on this Ordinance:

Date of introduction:

Date of adoption:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Ordinance adopted.

Date of publication:

I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota, at a meeting held on

Becky Koosman, City Clerk

Ordinance No. 2022-

**An Ordinance amending sections 625.005 and 625.030 of the
Minnetonka City Code; relating to tobacco licenses;
imposing restrictions on licenses for exclusive tobacco stores**

The City of Minnetonka Ordains:

Section 1. Section 625.005 of the Minnetonka City Code, relating to definitions, is revised by adding a new subdivision 2 to read as follows and renumbering subsequent subdivisions accordingly:

2. “Exclusive tobacco store” means places of business that is primarily dedicated to the sale of tobacco or tobacco–related devices or products

Section 2. Section 625.030 of the Minnetonka City Code is amended to read as follows:

625.030. Restrictions. The following restrictions apply to tobacco licenses in the city.

1. No license may be issued to a person not of good moral character.
2. No license may be issued for the sale of tobacco-related products at a movable place of business.
3. A separate license is required for the sale of tobacco-related products at each place of business.
4. A license is not transferable from one person to another.
5. No license may be issued to an exclusive tobacco store after [effective date of ordinance] if any of the following circumstances exist:
 - (a) issuing the license would cause the total number of exclusive tobacco stores in the city to exceed six; (If more than six applications are received in a single year, priority will be given to establishments that were licensed as of [effective date of ordinance]; or
 - (b) the premises for which the application is being made sought is less than 2,000 feet away from the property line of a school; or
 - (c) there is a licensed exclusive tobacco store located on the same property as the premises for which the application is being made.

The ~~stricken~~ language is deleted; the underlined language is inserted.

Section 3. A violation of this ordinance is subject to the penalties and provisions of Chapter XIII of the city code.

Section 4. This ordinance is effective 30 days after publication.

Adopted by the city council of the City of Minnetonka, Minnesota, on

Brad Wiersum, Mayor

Attest:

Becky Koosman, City Clerk

Action on this Ordinance:

Date of introduction:

Date of adoption:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Ordinance adopted.

Date of publication:

I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota, at a meeting held on

Becky Koosman, City Clerk



**City Council Agenda Item 12B
Meeting of March 21, 2022**

Title: Items Relating to the Lindbergh Center

Report From: Moranda Dammann, Acting Assistant City Manager
Will Manchester, P.E., Public Works Director

Submitted through: Mike Funk, Acting City Manager
Kelly O'Dea, Recreation Services Director

Action Requested: Motion Informational Public Hearing
Form of Action: Resolution Ordinance Contract/Agreement Other N/A
Votes needed: 4 votes 5 votes N/A Other

Summary Statement

The Hopkins School Board voted on March 15, 2022 to rename the Lindbergh Center to the “Royals Athletic Center.” In conjunction with this action, the city is proposing to rename the affiliated Lindbergh Drive to “Royals Drive.”

Recommended Action

By motion:

1. Adopt the resolution accepting the renaming of the Lindbergh Center to “Royals Athletic Center.”
2. Introduce the ordinance renaming Lindbergh Drive to “Royals Drive.”

Strategic Profile Relatability

- | | |
|--|---|
| <input type="checkbox"/> Financial Strength & Operational Excellence | <input type="checkbox"/> Safe & Healthy Community |
| <input type="checkbox"/> Sustainability & Natural Environment | <input type="checkbox"/> Livable & Well-Planned Development |
| <input type="checkbox"/> Infrastructure & Asset Management | <input checked="" type="checkbox"/> Community Inclusiveness |
| <input type="checkbox"/> N/A | |

Statement: Renaming Lindbergh Drive to “Royals Drive” enhances and reaffirms the community’s commitment to inclusivity in tandem with the decision to rename the Lindbergh Center to the “Royals Athletic Center.”

Financial Consideration

Is there a financial consideration? No Yes [Enter estimated or exact dollar amount]
Financing sources: Budgeted Budget Modification New Revenue Source
 Use of Reserves Other [Enter]

Statement: The renaming of Lindbergh Drive to Royals Drive will require street sign replacement. This would be included in the city's general operating budget for annual signage updates and replacements and is minimal cost. Funding for the renaming of the building is also included in the city's portion of annual operating costs for the facility and is not proposed to increase budgeted costs due to this action.

Background

The City of Minnetonka and Hopkins School District jointly own and operate the activity center known as the Lindbergh Center, pursuant to a joint powers agreement that dates back to 1994. The city owns 29 percent of the facility and holds a joint ground lease for the land on which the facility is located. The agreement dates back to 1994 and was most recently restated in 2019.

In 2021, the Hopkins School Board directed the school administration to establish a committee for the purposes of renaming the Lindbergh Center. The director of community education, Alex Fisher, and the district facilities use coordinator, Dre Jefferson, formed a collaborative steering committee consisting of administrative staff from the City of Minnetonka and Hopkins Public Schools. The committee met several times and determined that the process should include three phases: an initial survey, an evaluation by a larger representative committee and a final survey.

City Staff Involvement

City staff on the steering committee included Acting City Manager Mike Funk, Acting Assistant City Manager Moranda Dammann, Recreation Services Director Kelly O'Dea, Communications and Marketing Manager Andrew Wittenborg, and Community Facilities Superintendent Mike Pavelka. Committee members from Hopkins included Director of Community Education and Engagement Alex Fisher, Director of Communications and Marketing Jolene Goldade, Learning & Instructional Systems Data Scientist Dr. Abby Holm, and District Facilities Use Coordinator Dre Jefferson. The larger representative committee consisted of Hopkins Public Schools parents, scholars, and staff; community faith leaders; district residents; and city staff.

Public Involvement

The final survey received over 600 responses from the community and "Royals Athletic Center" received the most votes. Committee members, including those from Hopkins Schools and the city, are supportive of the "Royals Athletic Center" name.

Street Renaming

In addition to the facility name change, the steering committee suggested renaming the street on which the facility is located, Lindbergh Drive. In reviewing overall city street systems and relation to the facility, city staff recommends renaming Lindbergh Drive to "Royals Drive" to match the newly renamed athletic center.

Five residential properties in Minnetonka currently have an address on Lindbergh Drive. The street name change would require these properties to change their addresses to Royals Drive. City staff have notified these property owners of the proposed name change and received follow up from one property owner, which is attached. Staff would work with these properties to assist with the change.

The name change will also change the street address of the polling place. The city clerk will notify the county auditor of the change, and the county auditor will update voting records. State law prohibits a city from changing the name of a street within 45 days prior to any election which includes the affected residence(s). The proposed ordinance will be brought back to the council for adoption at its April 11 meeting, which will comply with the statutory time restriction.

Schedule

If the recommended actions are approved by council, staff would work with property owners this spring and replace street signage. Hopkins Schools would lead the efforts in the facility name change.

Resolution No. 2022-

Resolution accepting the renaming of the Lindbergh Center

Be it resolved by the City Council of the City of Minnetonka, Minnesota as follows:

Section 1. Background.

1.01. The City of Minnetonka and Hopkins School District jointly own and operate an activity center known as the Lindbergh Center.

1.02. As the result of a community engagement process, a steering committee recommended that the name of the facility be changed to the Royals Athletic Center.

1.03. March 15, 2022, the Hopkins School Board voted to change the name of the Lindbergh Center to the Royals Athletic Center.

Section 2. Council Action.

2.01. The City Council hereby approves changing the name of the Lindbergh Center to the "Royals Athletic Center."

Adopted by the City Council of the City of Minnetonka, Minnesota, on March 21, 2022.

Brad Wiersum, Mayor

Attest:

Becky Koosman, City Clerk

Action on this resolution:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on March 21, 2022.

Becky Koosman, City Clerk

Ordinance No. 2022-

Ordinance for the purpose of renaming Lindbergh Drive

The City of Minnetonka Ordains:

Section 1. Background.

- 1.01. Lindbergh Drive is a local street, approximately 2,070 feet in length that connects Hillside Lane West on the north and Minnetonka Boulevard (CSAH 5) on the south. The street shares its name with the Lindbergh Center, which is located at 2400 Lindbergh Drive.
- 1.02. At the conclusion of a community engagement process, the Hopkins School Board approved the renaming of the Lindbergh Center to Royals Athletic Center. By resolution, the City of Minnetonka city council also approved the name change.
- 1.03. The steering committee for the renaming of the athletic facility has recommended that Lindbergh Drive be changed to Royals Drive.
- 1.04. The recommended name change will provide wayfinding assistance to visitors to the Royals Athletic Center and also reaffirms the City of Minnetonka's commitment to inclusivity and maintaining a welcoming community.

Section 2. Council Action.

- 2.01. The City Council hereby approves changing the street name of Lindbergh Drive to Royals Drive.

Adopted by the City Council of the City of Minnetonka, Minnesota, on March 21, 2022.

Brad Wiersum, Mayor

Attest:

Becky Koosman, City Clerk

Action on this Ordinance:

Date of introduction:

The ~~stricken~~ language is deleted; the underlined language is inserted.

Date of adoption:
Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:
Ordinance adopted.

Date of publication:

I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota, at a meeting held on March 21, 2022.

Becky Koosman, City Clerk



14600 Minnetonka Blvd. | Minnetonka, MN 55345 | 952-939-8200 | eminnetonka.com

Dec. 28, 2021

An Zheng Qi & Chi Chang Wang
2505 Lindbergh Drive
Minnetonka MN 55305

**RE: Potential Street Name Change Consideration
PID #12-117-22-13-0061**

Dear Property Owners:

Hopkins Schools are considering a name change to the Lindbergh Center which may also impact the name of Lindbergh Drive. The city wanted to make certain to notify you in advance of these discussions and will keep you informed of this process as it progresses.

If you have any questions or concerns, please feel free to contact me at wmanchester@minnetonkamn.gov or (952) 988-8403.

Sincerely,

Will Manchester
Director of Public Works
City of Minnetonka

Hi Mr Will

We've lived here over 30 years,

just don't understand, why the schools wants
to change the Lindbergh center's name.

Minnetonka...where quality is our nature

It's just waste tax money, also impact
ous, will cause lots of problems.

We don't like this !! Thank you!



**City Council Agenda Item 13A
Meeting of March 21, 2022**

Title: Items related to redistricting of ward and precinct boundaries

Report From: Becky Koosman, City Clerk

Submitted through: Mike Funk, Acting City Manager
Moranda Dammann, Acting Assistant City Manager
Corrine Heine, City Attorney

Action Requested: Motion Informational Public Hearing
Form of Action: Resolution Ordinance Contract/Agreement Other N/A
Votes needed: 4 votes 5 votes N/A Other

Summary Statement

The following items will complete the redistricting process, based upon the 2020 federal census:
1. Ordinance amending section 105.010 establishing ward boundaries
2. Resolution adopting precincts and polling places

Recommended Action

Hold the public hearing and adopt the ordinance and resolution

Strategic Profile Relatability

Financial Strength & Operational Excellence Safe & Healthy Community
 Sustainability & Natural Environment Livable & Well-Planned Development
 Infrastructure & Asset Management Community Inclusiveness
 N/A

Statement: The proposed ordinance and resolution reflect the city's strategic priorities of ensuring fair and safe elections with access for all voters.

Financial Consideration

Is there a financial consideration? No Yes [Enter estimated or exact dollar amount]
Financing sources: Budgeted Budget Modification New Revenue Source
 Use of Reserves Other [Enter]

Background

The City of Minnetonka is required to redistrict due to the changes in population reflected in the 2020 U.S. Census. The council took the first step in this process on March 7, 2022, when it introduced an ordinance establishing new ward boundaries.

Minnetonka's population is now 53,776. Based on census data the equal number is 13,444. Staff proposed a minor adjustment to achieve wards as equal in population as practical and wards that are composed of compact and contiguous territory. In the proposed adjustment, a section of Ward 3 lying west of County Road No. 101, between Valley Cove Court on the north and Minnetonka Regional Trail on the south, would move into Ward 4. It is a section of 269 residents.

By making the proposed adjustment, the new ward population numbers are:

Ward 1: 13,582
Ward 2: 13,368
Ward 3: 13,735
Ward 4: 13,091
Total: 53,776

Council is asked to hold a public hearing on the proposed changes, and then to adopt the ordinance establishing ward boundaries that was introduced on March 7.

The council will then need to adopt the resolution to establish the precinct boundaries and designate polling places for the precincts. The key factors that control precinct boundaries are:

- Precinct boundaries cannot divide federal census blocks
- Precinct boundaries cannot cross congressional, legislative or ward lines
- There must be a polling place for each precinct
- The polling place must be located within one mile of the precinct boundaries
- Polling places must meet Americans with Disabilities Act requirements for access

The attached chart and map show the proposed precinct and polling place plan. The number of polling places would shift from 23 precincts to 21. Due to increased absentee voting, both in person and through mail, staff feels confident that the precinct sizes will accommodate voters on Election Day. The largest precinct size is 2A at 2,308. Hennepin County recommends not having precincts larger than 3,500, if possible.

The city has traditionally used city-owned facilities, school district centers, and places of worship for polling places because a long-term commitment is needed and adequate parking is important.

Hennepin County will be mailing notices to all residents advising them of their polling locations for the 2022 election. The city will also publicize this information through the Minnetonka Memo, city website and social media platforms.

Ward/Precinct	Polling Place
1A	Immaculate Heart of Mary 13505 Excelsior Blvd.
1B	Old Apostolic Lutheran Church 5617 Rowland Road
1C	Cross of Glory Baptist Church 4600 Shady Oak Road
1D	Destiny Hill Church 13207 Lake St Ext.
1E	Minnetonka Community Center 14600 Minnetonka Blvd.
1F	Minnetonka Public Works Facility 11522 Minnetonka Blvd.
2A	Minnetonka Community Center 14600 Minnetonka Blvd.
2B	St. David's Episcopal Church 13000 St. David's Road
2C	Oak Knoll Lutheran Church 600 Hopkins Crossroad
2D	Ridgedale Hennepin County Library 12601 Ridgedale Drive
2E	Royals Athletic Center 2400 Lindbergh Drive
3A	Ridgedale Hennepin County Library 12601 Ridgedale Drive
3B	Minnetonka Community Center 14600 Minnetonka Blvd.
3C	Bethlehem Lutheran Church 16023 Minnetonka Blvd
3D	St. Luke Presbyterian Church 3121 Groveland School Road
3E	Minnetonka United Methodist Church 17611 Lake Street Extension
4A	Ridgewood Church 4420 County Road 101
4B	Minnetonka School District Service Center 5621 County Rd 101
4C	All Saints Lutheran Church 15915 Excelsior Blvd

4D	Redeemer Bible Church 16031 Woodland Curve
4E	Bethlehem Lutheran Church – Glen Lake 5701 Eden Prairie Road

Ordinance No. 2022-

**An Ordinance amending Minnetonka City Code
Section 105.10; establishing ward boundaries**

The City of Minnetonka Ordains:

Section 1. Preamble. In accordance with the United States Constitution and laws, the United States Census Bureau has completed the 2020 federal census. In accordance with the Minnesota Constitution and state laws, the State of Minnesota has completed the process for redistricting congressional and state legislative districts. In accordance with Section 2.04 of the Minnetonka City Charter, the city council is required to change the boundaries of wards within the city to achieve a population in each ward that is as equal as practical. The difference in population between the wards with the highest and lowest populations may not be greater than 10 percent of the total city population, divided by the number of wards. Based on the 2020 census results, the city council has determined that the existing boundaries for Ward 1 and Ward 2 continue to satisfy the charter requirements, but that the boundaries of Ward 3 and Ward 4 require adjustment.

Section 2. Section 105.010 of the Minnetonka City Code, a copy of which is attached, is repealed in its entirety and replaced with the following:

105.010. Wards.

1. Ward No. 1 consists of all that part of the city of Minnetonka lying within the following described area:

Commencing at the intersection of Interstate Highway 494 and County Road 5 (Minnetonka Boulevard); thence easterly along County Road 5 to a point approximately 364 feet east of Honeywood Lane, where County Road 5 forms a part of the city's border; thence continuing in a generally clockwise direction along the easterly border to the southeast corner of the city, near the intersection of U.S. Highway 169 and County Road 62; thence westerly along County Road 62 and the city's southerly border to County Road 4 (Eden Prairie Road); thence northerly along County Road 4 to its intersection with County Road 3 (Excelsior Boulevard); thence northeasterly along County Road 3 to its intersection with Woodhill Road; thence northerly along Woodhill Road to its intersection with State Highway 7; thence westerly along State Highway 7 to its intersection with Williston Road; thence northerly along Williston Road to its intersection with Lake Street Extension; thence easterly along Lake Street Extension to its intersection with Spring Lake Road; thence northerly along Spring Lake Road to the point where Spring Lake Road turns to the west; thence easterly along the easterly extension of Spring Lake Road to its intersection with the westerly right-of-way line of Interstate Highway 494; thence northeasterly to a point of intersection of Interstate

The ~~stricken~~ language is deleted; the underlined language is inserted.

Highway 494 and the westerly extension of Smith Drive; thence northerly along Interstate Highway 494 to the point of commencement and there terminating.

2. Ward No. 2 consists of all that part of the City of Minnetonka lying within the following described area:

Commencing at a point on the city's northerly border that is the intersection of Ridgemount Avenue and Park Lane South; thence easterly along the northerly border to the city's northeast corner; thence continuing along the city's easterly border in a generally clockwise direction to a point on County Road 5 (Minnetonka Boulevard), approximately 364 feet east of Honeywood Lane, where County Road 5 forms a part of the city's border; thence westerly along County Road 5 to its intersection with Interstate Highway 494; thence northerly along Interstate Highway 494 to its intersection with Interstate Highway 394; thence easterly along Interstate Highway 394 to its intersection with the southerly extension of Park Lane South; thence northerly along Park Lane South and its southerly extension to the point of commencement and there terminating.

3. Ward No. 3 consists of all that part of the city of Minnetonka lying within the following described area:

Commencing at the northwesterly corner of the city of Minnetonka boundary, which lies within Gleason Lake; thence easterly along the city's northerly boundary to Park Lane South; thence southerly along Park Lane South and its southerly extension to a point of intersection with Interstate Highway 394; thence westerly along Interstate Highway 394 to its intersection with Interstate Highway 494; thence southerly along Interstate Highway 494 to its intersection with the westerly extension of Smith Drive; thence southwestly to a point on the westerly right-of-way line of Interstate Highway 494 that intersects with the easterly extension of Spring Lake Road; thence westerly along the easterly extension of Spring Lake Road to a point where Spring Lake Road turns south; thence south along Spring Lake Road to its intersection with Lake Street Extension; thence westerly along Lake Street Extension to its intersection with Williston Road; thence southerly along Williston Road to its intersection with State Highway 7; thence westerly along State Highway 7 to its intersection with County Road 101; thence northerly along County Road 101 to Valley Cove Court, where County Road 101 becomes the westerly border of the city; thence continuing along the westerly border of the city in a generally northerly and clockwise direction to the point of commencement and there terminating.

4. Ward No.4 consists of all that part of the city of Minnetonka lying within the following described area:

Commencing at the intersection of Valley Cove Court and County Road 101; thence southerly along County Road 101 to its intersection with State Highway 7; thence easterly along State Highway 7 to its intersection with Woodhill Road; thence southerly along Woodhill Road to County Road 3 (Excelsior Boulevard); thence westerly along County Road 3 to its intersection with County Road 4 (Eden Prairie Road); then southerly along

County Road 4 to the southern border of the city; thence westerly along the city's southern border to the southwest corner of the city's boundary; thence northerly along the western border to the point of commencement and there terminating.

5. To the extent that there is any ambiguity in discerning the boundaries of any ward, it is the intention that no ward boundary may divide a census block as determined by the United States Census Bureau in the 2020 census.

Section 3. This ordinance is effective for the primary election to be conducted Aug. 9, 2022 and for all ballots to be printed and submitted for that election and subsequent elections.

Adopted by the city council of the City of Minnetonka, Minnesota, on March 21, 2022.

Brad Wiersum, Mayor

Attest:

Becky Koosman, City Clerk

Action on this Ordinance:

Date of introduction:

Date of adoption:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Ordinance adopted.

Date of publication:

I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota, at a meeting held on March 21, 2022.

Becky Koosman, City Clerk

EXHIBIT A
Ordinance to be repealed

105.010. Wards.

1. Ward No. 1 consists of all that part of the City of Minnetonka lying easterly and southerly of the following described boundary:

Point of beginning commencing at the intersection of County Road 62 with County Road 4; thence northerly along County Road 4 to its intersection with County Road 3; thence northeasterly along County Road 3 to its intersection with Woodhill Road; thence northerly on Woodhill Road to its intersection with Highway 7; thence westerly along Highway 7 to its intersection with Williston Road; thence northerly to Lake Street Extension; thence easterly to its intersection with Interstate Highway 494; thence northerly on Interstate Highway 494 to its intersection with County Road 5; thence easterly on County Road 5 to the municipal boundary located at the southeast corner of city's Public Works facility on County Road 5; then following the city boundary in a clockwise manner to the southeast corner of the city; thence westerly along the southern boundary of the City of Minnetonka and there terminating at point of beginning.

2. Ward No. 2 consists of all that part of the City of Minnetonka lying easterly and northerly of the following described boundary:

Point of beginning commencing at the intersection of Interstate Highway 494 and County Road 5 traveling eastbound to municipal boundary located at the southeast corner of the city's Public Works facility on County Road 5; thence following the City of Minnetonka's boundary in a counterclockwise manner generally northerly and easterly to the northeast corner of the city; thence westerly along Ridgemount Avenue to Park Lane South; thence southerly on Park Lane South and the extension of Park Lane South to Interstate Highway 394; thence west on Interstate Highway 394 to its intersection with Interstate Highway 494; thence southerly to County Road 5 and there terminating at the point of beginning.

3. Ward No. 3 consists of all that part of the City of Minnetonka lying westerly and northerly of the following described boundary:

Point of beginning commencing at the intersection of Interstate Highway 494 and Lake Street Extension; thence northerly to Interstate Highway 394; thence easterly to the southerly extension of Park Lane South; thence northerly to the northern city boundary; thence westerly along the northern boundary line of the City of Minnetonka to the northwest corner of the city; thence southerly along the western boundary of the City of Minnetonka to the legislative boundary between state legislative districts 48 and 44; then easterly to the intersection of County Road 101; thence southerly to Highway 7; thence easterly to Williston Road; thence northerly to Lake Street Extension; thence easterly to Interstate Highway 494 and there terminating at the point of beginning.

4. Ward No.4 consists of all that part of the City of Minnetonka lying southerly and westerly of the following described boundary:

Point of beginning commencing at the intersection of Highway 7 and Woodhill Road traveling southbound on Woodhill Road to County Road 3; thence westerly on County Road 3 to County Road 4; thence southerly on County Road 4 to the southern border of the City of Minnetonka; thence westerly along the southern border of the City of Minnetonka to the southwest corner of the city's boundary; thence northerly along the western boundary of the City of Minnetonka to the legislative boundary between state legislative districts 48 and 44; thence easterly along the legislative boundary to the intersection of County Road 101; thence southerly on County Road 101 to Highway 7; thence easterly on Highway 7 to Woodhill Road and there terminating at the point of beginning.

Resolution No. 2022-

Resolution adopting revised precinct boundaries and establishing polling place locations

Be it resolved by the City Council of the City of Minnetonka, Minnesota as follows:

Section 1. Background

- 1.01. According to the 2020 U.S. Census data, the current City of Minnetonka ward configuration no longer complies with the requirements of the City Charter and State Law.
- 1.02. As a result of this imbalance, the city council adopted an ordinance on March 21, 2022 to redistrict the city's four wards to provide an approximate equal population of distribution.
- 1.03. As part of the redistricting process, the city council is required to adopt new precinct boundaries within the newly established ward boundaries, and to designate polling place locations for each precinct.

Section 2. Council Action.

- 2.01. The city council designates the boundaries for the city's precincts as shown on the attached map as the official precinct boundaries for the City of Minnetonka.
- 2.02. The Minnetonka City Council hereby designates the following as the city's polling place locations:

Ward 1	A	Immaculate Heart of Mary Catholic	13505 Excelsior Blvd
	B	Old Apostolic Lutheran Church	5617 Rowland Rd.
	C	Cross of Glory Baptist Church	4600 Shady Oak Rd
	D	Destiny Hill Church	13207 Lake St Extension
	E	Minnetonka Community Center	14600 Minnetonka Blvd
	F	Minnetonka Public Works Facility	11522 Minnetonka Blvd
Ward 2	A	Minnetonka Community Center	14600 Minnetonka Blvd
	B	St. David's Episcopal Church	13000 St. David's Rd.
	C	Oak Knoll Lutheran Church	600 Hopkins Crossroad
	D	Ridgedale Library	12601 Ridgedale Drive
	E	Royals Athletic Center	2400 Lindbergh Drive
Ward 3	A	Ridgedale Library	12601 Ridgedale Drive
	B	Minnetonka Community Center	14600 Minnetonka Blvd
	C	Bethlehem Lutheran Church	16023 Minnetonka Blvd
	D	St. Luke Presbyterian Church	3121 Groveland School Rd.
	E	Minnetonka United Methodist Church	17611 Lake St Extension

Ward 4	A	Ridgewood Church	4420 County Rd. 101
	B	Minnetonka School District Service	5621 County Rd. 101
	C	All Saints Lutheran Church	15915 Excelsior Blvd
	D	Redeemer Bible Church	16205 Highway 7
	E	Bethlehem Lutheran Church- Glen Lake	5701 Eden Prairie Rd

Adopted by the City Council of the City of Minnetonka, Minnesota, on March 21, 2022.

Brad Wiersum, Mayor

Attest:

Becky Koosman, City Clerk

Action on this resolution:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on March 21, 2022.

Becky Koosman, City Clerk

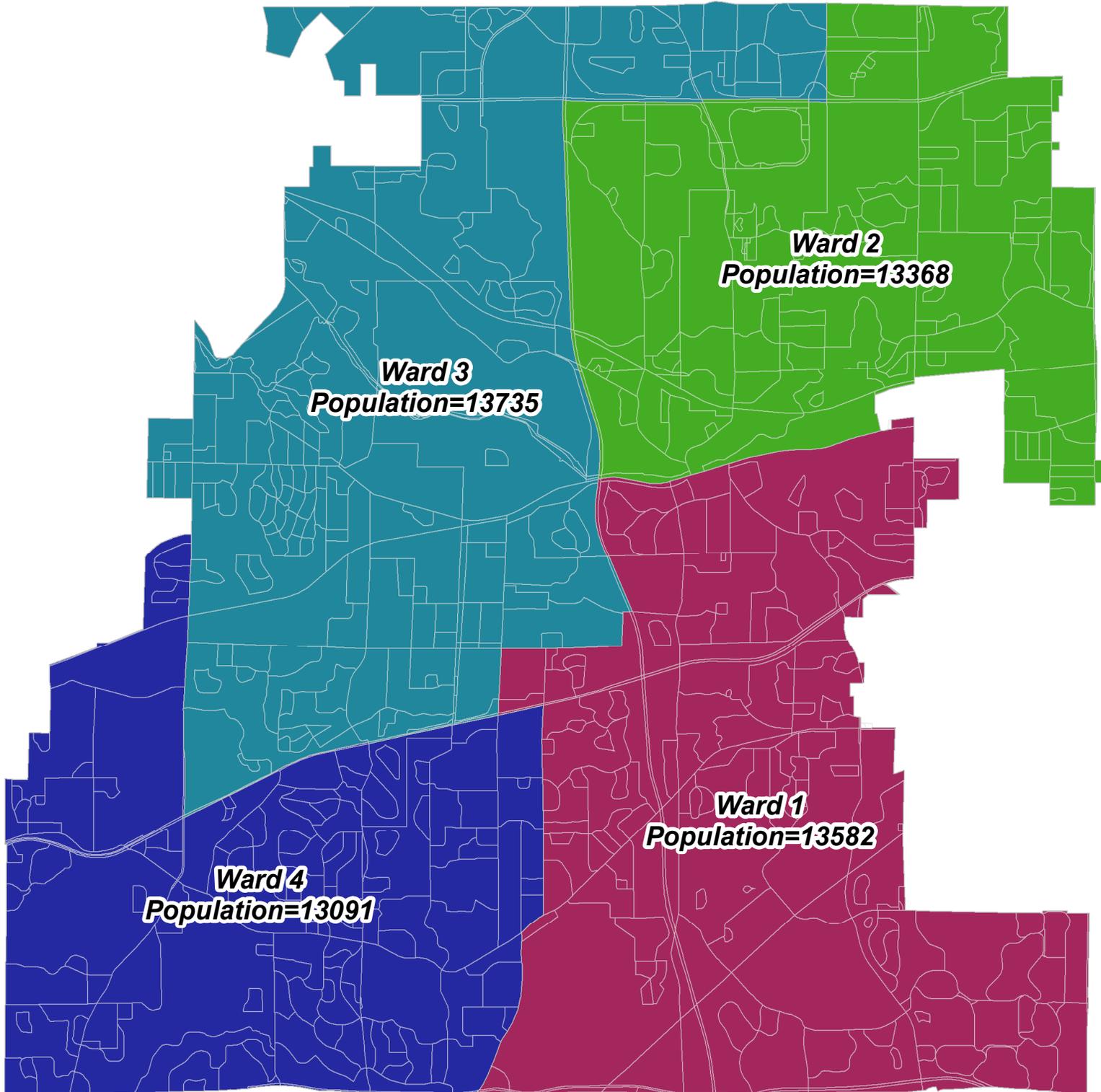


CITY OF
MINNETONKA

Legend

- Ward 1, Pop 13,582
- Ward 2, Pop 13,368
- Ward 3, Pop 13,735
- Ward 4, Pop 13,091

Total Population=53,776



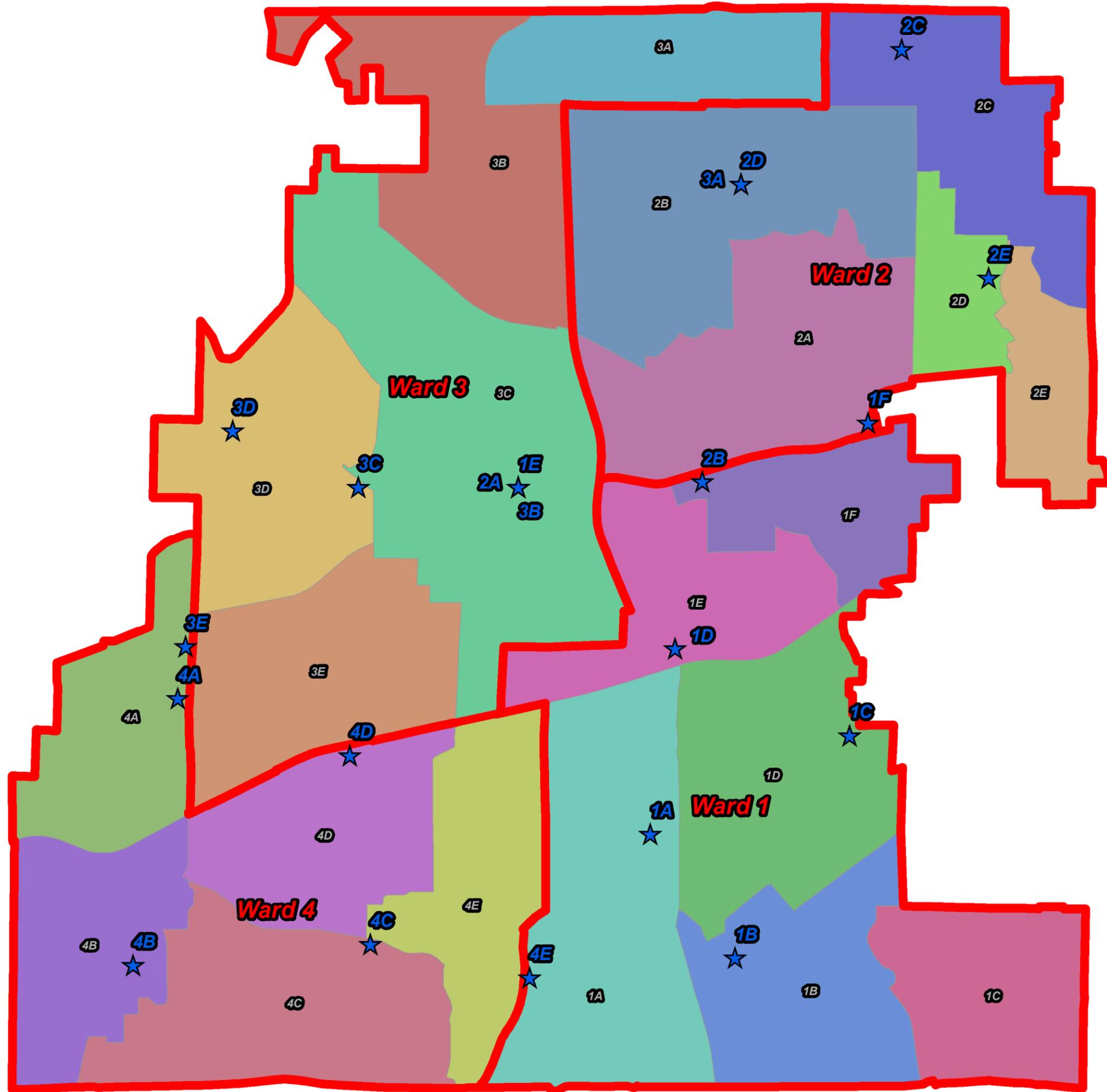
N



DISCLAIMER

The GIS Data was developed for internal business purposes. The City of Minnetonka does not represent or warrant that the GIS Data or the data documentation are error free, complete, current, or accurate. You are responsible for any consequences resulting from your use of the GIS Data or your reliance on the GIS Data.

**Proposed
Council Wards**



Legend

- ★ Polling Place
- ▬ Wards Proposed (Ideal Pop=13,444)

Precincts

- 1A
- 1B
- 1C
- 1D
- 1E
- 1F
- 2A
- 2B
- 2C
- 2D
- 2E
- 3A
- 3B
- 3C
- 3D
- 3E
- 4A
- 4B
- 4C
- 4D
- 4E



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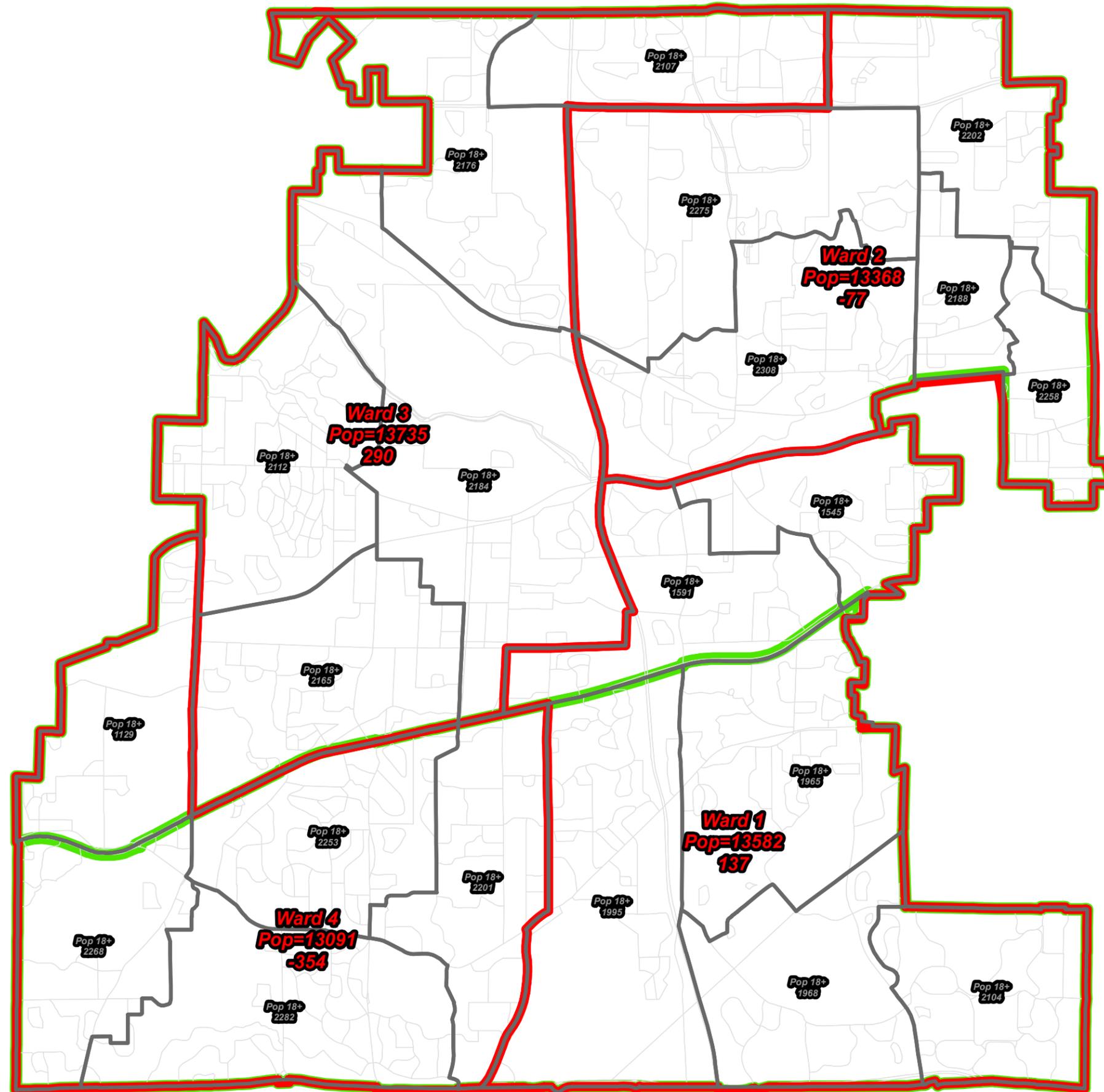
Redistricting



CITY OF
MINNETONKA

Legend

- Preposed Precincts (Ideal Pop 18+=2061)
- Wards Proposed (Ideal Pop=13,444)
- Census Block
- House_2022_Clip



DISCLAIMER

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Redistricting

ELECTION PRECINCT MAP

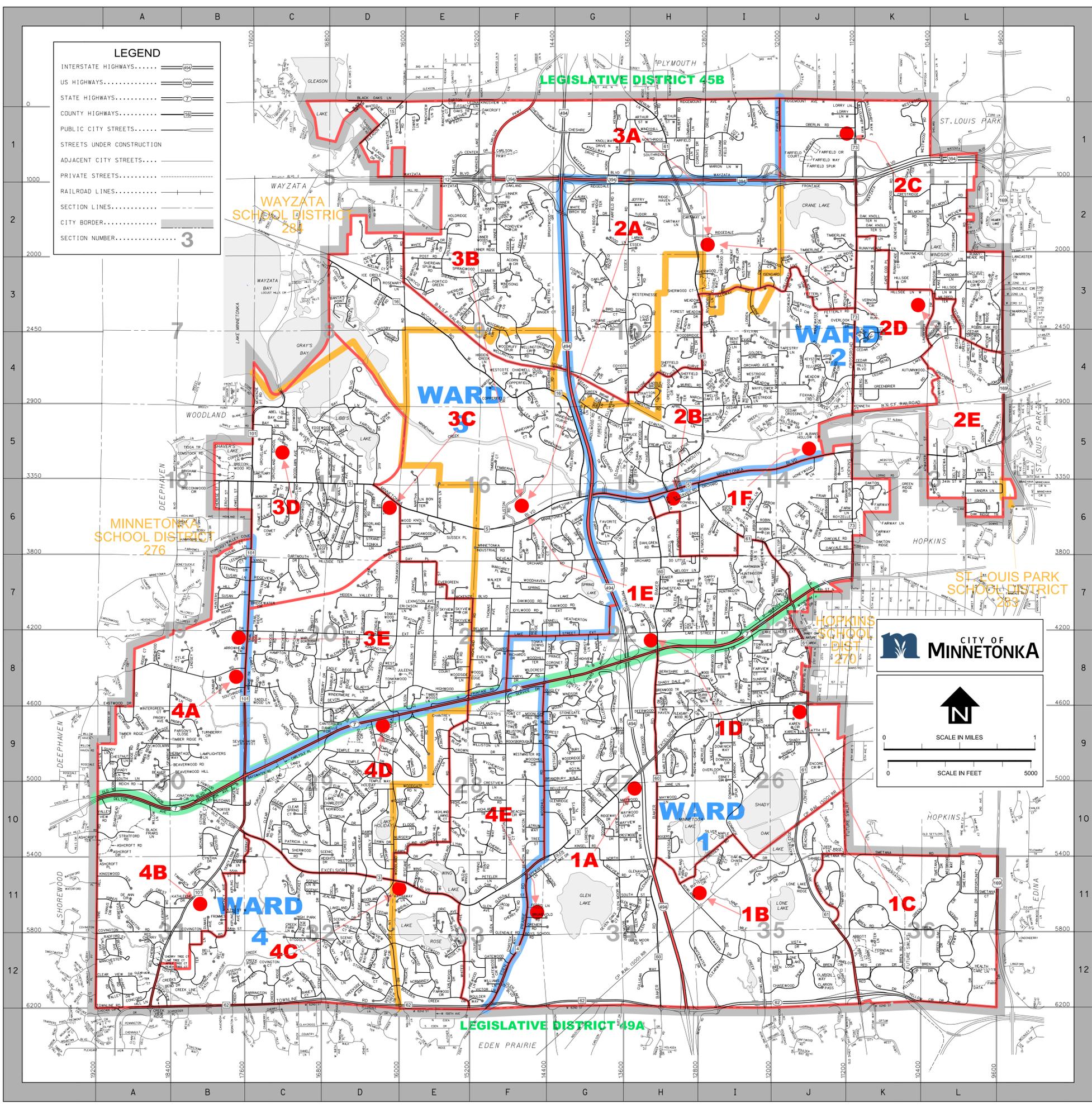
LEGEND

- INTERSTATE HIGHWAYS.....
- US HIGHWAYS.....
- STATE HIGHWAYS.....
- COUNTY HIGHWAYS.....
- PUBLIC CITY STREETS.....
- STREETS UNDER CONSTRUCTION.....
- ADJACENT CITY STREETS.....
- PRIVATE STREETS.....
- RAILROAD LINES.....
- SECTION LINES.....
- CITY BORDER.....
- SECTION NUMBER..... **3**

KEY

- WARD BOUNDARIES (FOUR)
- PRECINCT BOUNDARIES (TWENTY THREE)
- LEGISLATIVE DISTRICT BOUNDARIES (THREE)
- SCHOOL DISTRICT BOUNDARIES (FOUR)
- POLLING PLACE (ADDRESS BELOW)

- 1A IMMACULATE HEART OF MARY
13505 EXCELSIOR BLVD
- 1B OLD APOSTOLIC LUTHERAN CHURCH
5617 ROWLAND ROAD
- 1C CROSS OF GLORY BAPTIST CHURCH
4600 SHADY OAK ROAD
- 1D DESTINY HILL CHURCH
13207 LAKE STREET EXTENSION
- 1E MINNETONKA COMMUNITY CENTER
14600 MINNETONKA BLVD
- 1F MINNETONKA PUBLIC WORKS FACILITY
11522 MINNETONKA BLVD
- 2A MINNETONKA COMMUNITY CENTER
14600 MINNETONKA BLVD
- 2B ST. DAVID'S EPISCOPAL CHURCH
13000 ST. DAVID'S ROAD
- 2C OAK KNOLL LUTHERAN CHURCH
600 HOPKINS CROSSROAD
- 2D RIDGEDALE HENNEPIN COUNTY LIBRARY
12601 RIDGEDALE DRIVE
- 2E ROYALS ATHLETIC CENTER
2400 LINDBERGH DRIVE
- 3A RIDGEDALE HENNEPIN COUNTY LIBRARY
12601 RIDGEDALE DRIVE
- 3B MINNETONKA COMMUNITY CENTER
14600 MINNETONKA BLVD
- 3C BETHLEHEM LUTHERAN CHURCH
16023 MINNETONKA BLVD
- 3D ST. LUKE'S PRESBYTERIAN CHURCH
3121 GROVELAND SCHOOL ROAD
- 3E MINNETONKA UNITED METHODIST CHURCH
17611 LAKE STREET EXTENSION
- 4A RIDGEWOOD CHURCH
4420 COUNTY ROAD 101
- 4B MINNETONKA SCHOOL DISTRICT SERVICE CENTER
5621 COUNTY ROAD 101
- 4C ALL SAINTS LUTHERAN CHURCH
15915 EXCELSIOR BLVD
- 4D REDEEMER BIBLE CHURCH
16205 HIGHWAY 7
- 4E BETHLEHEM LUTHERAN CHURCH - GLEN LAKE
5701 EDEN PRAIRIE ROAD



CITY OF MINNETONKA

SCALE IN MILES
0 1

SCALE IN FEET
0 5000



**City Council Agenda Item 14A
Meeting of March 21, 2022**

Title: Concept plan for Minnetonka Woodland Preserve at 2511 and 2615 Plymouth Road

Report From: Loren Gordon, AICP, City Planner

Submitted through: Mike Funk, Acting City Manager
Julie Wischnack, AICP, Community Development Director

Action Requested: Motion Informational Public Hearing
Form of Action: Resolution Ordinance Contract/Agreement Other N/A
Votes needed: 4 votes 5 votes N/A Other

Summary Statement

Rachel Development and Charles Cudd have submitted a concept plan to redevelop the properties at 2511 and 2615 Plymouth Road. The concept plan contemplates 18 single-family lots, a public road with access from Plymouth Road, two private common driveways serving four lots, and the preservation of 3.6 acres of woodland and natural topographic features. Density is 1.89 housing units per acre, with lots averaging approximately 10,000 sq. ft.



Minnetonka Woodland Preserve

Recommended Action

Provide feedback intended to assist the applicant in preparing more detailed development plans. No formal action is required.

Strategic Profile Relatability

- | | |
|--|--|
| <input type="checkbox"/> Financial Strength & Operational Excellence | <input type="checkbox"/> Safe & Healthy Community |
| <input type="checkbox"/> Sustainability & Natural Resources | <input checked="" type="checkbox"/> Livable & Well-Planned Development |
| <input type="checkbox"/> Infrastructure & Asset Management | <input type="checkbox"/> Community Inclusiveness |
| <input type="checkbox"/> N/A | |

Statement: N/A

Financial Consideration

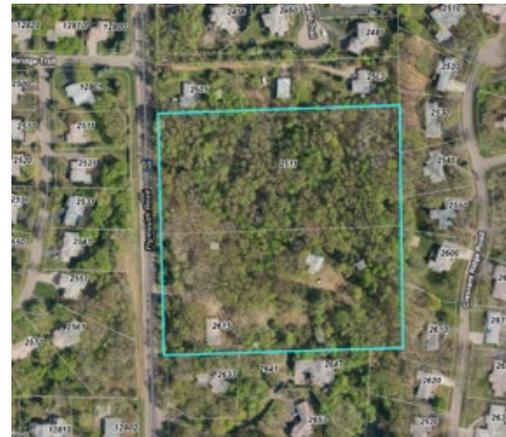
Is there a financial consideration? No Yes [Enter estimated or exact dollar amount]
 Financing sources: Budgeted Budget Modification New Revenue Source
 Use of Reserves Other [Enter]

Statement: N/A

Background

The site is comprised of two properties containing 9.51 acres. The properties at 2511 and 2615 Plymouth Road have long been used as a single-family home site. Site environmental features include large mature trees (including a woodland preservation area) and sloped areas. Access is from Plymouth Road.

The surrounding single-family neighborhoods were developed in the 1970s, 1980s, and 2000s.



2511 and 2615 Plymouth Rd.

Concept Plan Review Process

Staff has outlined the following Concept Plan Review process for the proposal. At this time, a formal application has not been submitted.

- **Neighborhood Meeting.** A virtual neighborhood meeting was held on Jan. 27, 2022. The development team overviewed the property history and project details. Approximately 17 neighbors attended, asking questions and providing comments on the following topics:
 - Can the stormwater pond include a fountain to keep the pond cleaner?
 - Would site access come from Crescent Ridge Road.? Can the site be accessed from the north?
 - Would ash trees be protected?
 - Would there be a traffic signal on Plymouth Road.? Would a traffic study be required?
 - Could there be a park in the preserve area?
 - Could there be public trails in the wooded area?
 - Can there be less density?
 - Consider trees or fencing to buffer adjacent neighborhoods; matching lot sizes of surrounding lots.
 - Can we tour the property?
- **Planning Commission Concept Plan Review.** The planning commission reviewed the concept plan on March 3, 2022. The planning commission had mixed opinions about the concept plan. Some commissioners commented that the layout and approach to tree preservation were a benefit. Some commissioners commented that there were too many large homes and wondered about tree impacts. The meeting minutes are attached.

A neighborhood spokesperson provided public input.

- **City Council Concept Plan Review.** The city council concept plan review is intended to follow the planning commission meeting and follows the same format. No staff recommendations are provided, the public is invited to offer comments, and council members are afforded the opportunity to ask questions and provide feedback without any formal motions or votes.

Key Topics

Staff requests council provide feedback on the following key topics.

- **Site Plan.** Does the council have comments on the overall project layout? Approach to land and tree preservation?
- **Lot Size and Home Design.** Does the council have comments on lot size, location, or home design considerations?
- **Other Considerations.** What other land use-related items would the council like to comment on?

Next Steps

- **Formal Application.** If the developer/applicant chooses to file a formal application, notification of the application would be mailed to area property owners. Area property owners are encouraged to view plans and provide feedback via the city's website. Through recent website updates: (1) staff can provide owners with ongoing project updates, (2) owners can "follow" projects they are particularly interested in by signing up for automatic notification of project updates; (3) owners may provide project feedback on the project; and (4) staff can review resident comments.
- **Council Introduction.** The proposal would be introduced at a city council meeting. At that time, the council would be provided another opportunity to review the issues identified during the initial concept plan review meeting and provide direction about any refinements or additional issues they wish to be researched and for which staff recommendations should be prepared.
- **Planning Commission Review.** The planning commission will review and subsequently make a recommendation to the city council on land use matters.
- **City Council Action.** The city council would take final action based on input from the planning commission, EDAC, professional staff, and the general public,

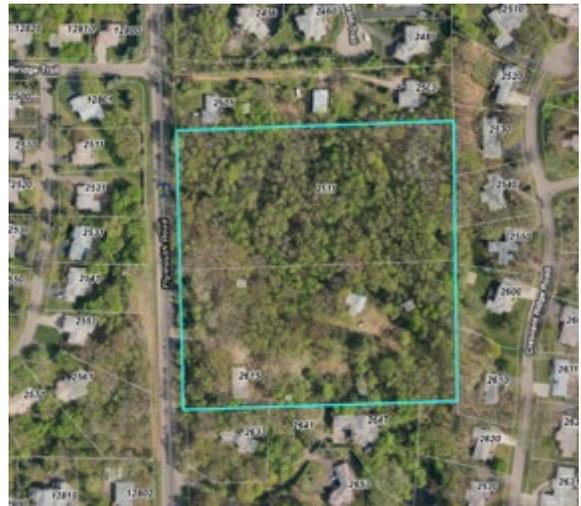
MINNETONKA PLANNING COMMISSION
March 3, 2022

Brief Description	Concept plan for Minnetonka Woodland Preserve at 2511 and 2615 Plymouth Road
Action Requested	Discuss concept plan with the applicant. No formal action is required.

Background

The properties at 2511 and 2615 Plymouth Road have long been used as single-family homesite. The site is comprised of two properties containing 9.51 acres. Site environmental features include large mature trees (including a woodland preservation area) and sloped areas. Access is from Plymouth Road.

The surrounding single-family neighborhoods were developed in the 1970s, '80s, and 2000s.



2511 and 2615 Plymouth Rd.

Proposal

Rachel Development and Charles Cudd have submitted a concept plan to redevelop the properties at 2511 and 2615 Plymouth Road. The concept plan contemplates 18 single-family lots, a public road with access from Plymouth Road., two private common driveways serving four lots, and the preservation of 3.6 acres of woodland and natural topographic features. Density is 1.89 housing units per acre, with lots averaging approximately 10,000 sq. ft.



Minnetonka Woodland Preserve Concept Plan

Concept Plan Review Process

The staff has outlined the following Concept Plan Review process for the proposal. At this time, a formal application has not been submitted.

- **Neighborhood Meeting.** A virtual neighborhood meeting was held on Jan. 27, 2022. The development team overviewed the property history and project details. Approximately 17 neighbors attended, asking questions and providing comments on the following topics:
 - Can the stormwater pond include a fountain to keep the pond cleaner?
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 - Would there be a traffic signal on Plymouth Road.? Would a traffic study be required?
 - Could there be a park in the preserve area?
 - Could there be public trails in the wooded area?
 - Can there be less density?
 - Consider trees or fencing to buffer adjacent neighborhoods; matching lot sizes of surrounding lots.
 - Can we tour the property?
- **Planning Commission Concept Plan Review.** The purpose of concept plan review is to give commissioners the opportunity to identify – for the developer and city staff – what they see as the positive components of a development concept, and any issues or challenges they foresee. The concept plan review meeting will include a presentation by the developer of conceptual sketches and ideas but not detailed engineering or architectural drawings. No staff recommendations are provided, no motions are made, and no votes will be taken.
- **City Council Concept Plan Review.** The city council concept plan review is intended as a follow-up to the planning commission meeting and would follow the same format. No staff recommendations are provided, the public is invited to offer comments, and council members are afforded the opportunity to ask questions and provide feedback without any formal motions or votes.

Key Topics

The staff has identified and requests the planning commission feedback on the following key topics.

- **Site Plan.** Does the commission have comments on the overall project layout? Approach to land and tree preservation?
- **Lot Size and Home Design.** Does the commission have comments on lot size, location, or home design considerations?

- **Other Considerations.** What other land use-related items would the commission like to comment on?

Staff Recommendation

Staff recommends the planning commission provide feedback on the key topics identified by staff and any other land use-related items that the commission deems appropriate. This discussion is intended to assist the applicant in the preparation of more detailed development plans.

Originator: Loren Gordon, AICP, City Planner

ADDITIONAL INFORMATION

Next Steps

- **Formal Application.** If the developer/applicant chooses to file a formal application, notification of the application would be mailed to area property owners. Area property owners are encouraged to view plans and provide feedback via the city's website. Through recent website updates: (1) staff can provide owners with ongoing project updates, (2) owners can "follow" projects they are particularly interested in by signing up for automatic notification of project updates; (3) owners may provide project feedback on the project; and (4) staff can review resident comments.
- **Council Introduction.** The proposal would be introduced at a city council meeting. At that time, the council would be provided another opportunity to review the issues identified during the initial concept plan review meeting and to provide direction about any refinements or additional issues they wish to be researched and for which staff recommendations should be prepared.
- **Planning Commission Review.** The planning commission will review and subsequently make a recommendation to the city council on land use matters.
- **City Council Action.** Based on input from the planning commission, professional staff, and the general public, the city council would take final action.

Roles and Responsibilities

- **Applicants.** Applicants are responsible for providing clear, complete, and timely information throughout the review process. They are expected to be accessible to both the city and the public and respect the integrity of the public process.
- **Public.** Neighbors and the general public will be encouraged and enabled to participate in the review process to the extent they are interested. However, effective public participation involves shared responsibilities. While the city has an obligation to provide information and feedback opportunities, interested residents are expected to accept the responsibility to educate themselves about the project and review process, provide constructive, timely, and germane feedback, and stay informed and involved throughout the entire process.
- **Planning Commission.** The planning commission hosts the primary forum for public input and provides clear and definitive recommendations to the city council. To serve in that role, the commission identifies and attempts to resolve development issues and concerns prior to the council's consideration by carefully balancing the interests of applicants, neighbors, and the general public.
- **City Council.** As the ultimate decision-maker, the city council must be in a position to equitably and consistently weigh all input from their staff, the general public, commissioners, applicants, and other advisors. Accordingly, council members

traditionally keep an open mind until all the facts are received. The council ensures that residents have an opportunity to participate in the process effectively.

- **City Staff.** The city staff is neither an advocate for the public nor the applicant. Rather, staff provides professional advice and recommendations to all interested parties, including the city council, planning commission, the applicant, property owners, and residents. Staff advocates for its professional position, not a project. Staff recommendations consider neighborhood concerns but necessarily reflect professional standards, legal requirements, and broader community interests.



LOCATION MAP

Project: Minnetonka Woodland Preserve
Location: 2511 and 2615 Plymouth Rd.



Minnetonka Woodland Preserve

Examples of Home Detailing



Minnetonka Woodland Preserve

PUD Concept Plan



	Preserved Woodland	- 3.6 acres
	Ponding	- 0.3 acres
	Lotted Area	- 4.1 acres
	Right of Way (inc. grading)	- 1.5 acres
	Total Area	- 9.5 Acres

Total Custom Homes - 18

Density - 1.89 unit/acre

CHARLES CUDD CO.
Architectural Design • Build

RACHEL
DEVELOPMENT

NOTE: ponding is conceptual, areas, while accurate, may change, total area used came from the Hennepin County property tax information.

Public Comments Received

From: [dmbrown University of Minnesota](#)
To: [Loren Gordon](#)
Subject: We wish to request that the development project at 2615 Plymouth Rd have an environmental impact review of the site.
Date: Wednesday, February 23, 2022 1:08:24 PM

an environmental impact review.

David M. Brown
Sandra M. Brown
2571 Abbey Hill Dr/
Minnetonka, MN 55305

From: [Bryan Badzin](#)
To: [Loren Gordon](#)
Subject: 2615 Plymouth Road development
Date: Tuesday, February 22, 2022 10:33:04 AM

Dear Loren,

My name is Bryan Badzin and I live at 2600 Crescent Ridge Road which borders the area considered for development on 2615 Plymouth Road. I'm writing to request that the Planning Commission require Charles Cudd to conduct a full environmental impact study to make sure we understand the impact, deny the request to rezone the area to a PUD due to the lack of public benefit, and require whatever development does happen conforms to the surrounding neighborhoods and area in general in terms of natural preservation and general quality of life. To be clear, I have no issue that the area is developed, we're just asking that it be done in line with the requests above.

Thank you very much for your consideration.
Bryan



14600 Minnetonka Blvd. | Minnetonka, MN 55345 | 952-939-8200 | eminnetonka.com

To: Planning Commission
From: Loren Gordon, AICP, City Planner
Date: March 3, 2022
Subject: Change Memo for the March 3rd Planning Commission Agenda

**ITEM 9A – CONCEPT PLAN FOR MINNETONKA WOODLAND PRESERVE, 2511 and 2615
Plymouth Road**

The following comments were received after the distribution of the packet.

ITEMS 10 OTHER BUSINESS AND 11 ADJOURNMENT

- Staff is requesting the addition of Item 10 – Other Business to provide a presentation of the 2021 Community Development annual report.
- Item 11 - Adjournment

Petition from Citizens of Minnetonka

February 24, 2022

Minnetonka Planning Commission
Attn: Mr. Loren Gordon, City Planner
14600 Minnetonka Blvd.
Minnetonka, MN 55345

Dear Planning Commission and Mr. Gordon,

Rachel Development has proposed a development ("Minnetonka Woodland Preserve") at 2615 Plymouth Road for 18 single family homes on 9.5 acres designed and built by Charles Cudd. The project is just east of Plymouth Road, south of Amy Lane, and directly to the west of Crescent Ridge Road. The current concept proposal is to build the 18 single family homes on 4.1 of those acres (~.23 acres/lot).

We have several concerns about the development as currently proposed and would like to share our perspective with the Minnetonka Planning Commission and City Council. Our concerns relate to the negative impact the proposed development may have on the local community and environment, not only on the immediate land to be developed but in our local surroundings as a whole, including but not limited to:

1. **Destruction of mature trees.** While the proposal ultimately must meet the City of Minnetonka Tree Ordinance, it would inevitably result in removal of a high volume of mature growth trees.
2. **Destruction of wildlife habitat.** One of the things that makes our area so remarkable is the tremendous wildlife, including but not limited to bald eagles, great horned owls, multitude of birds, coyotes, deer, foxes, ducks, and more. This development would substantially and adversely impact this unique ecosystem.
3. **Environmental impact.** The impact on water supply, soil erosion, surrounding ponds, drainage, and runoff are unknown and are yet to be quantified and understood.
4. **Consistency with surrounding area.** The proposed concept design does not match the R-1 low density residential zoning for housing and development of the surrounding neighborhoods, including Amy Lane and Bent Tree.
5. **Quality of life.** Long-term, the current concept would undoubtedly impact privacy, noise, and traffic for those adjacent to and surrounding the proposed development. In the short term, construction would impact noise and traffic and impede access to local walking and biking paths.

We respectfully request the following:

1. **We request that this project receive a comprehensive environmental review** to assess the impact to plants, trees, wildlife, water, soil, and air quality as well as traffic, drainage, and runoff before the proposal is formally reviewed or approved.
2. **We request that the proposal to rezone to a Planned Unit Development (PUD) district in the midst of an R-1 low density residential area be denied due to lack of material public benefit.** There are no PUD zoning districts surrounding this development proposal. Moreover, the proposal does not meet the requirements for public benefits set forth in Section 300.22 of the City ordinances, especially with respect to preservation of existing natural resources, provision of affordable housing, or compatibility with surrounding development types.

In support of our concerns outlined above, we attach a petition signed by members of the surrounding and affected neighborhoods for your consideration.

Sincerely,

Citizens of Minnetonka

Petition from Citizens of Minnetonka

Timestamp	First Name	Last Name	Street Address	City	Zip Code	Phone	E-mail
2-24-2022 21:09:44	Steve	Borowsky	2630 Crescent Ridge Rd	Minnetonka	55305-280	[REDACTED]	[REDACTED]
2-25-2022 9:56:52	Jesse	Kibort	2531 Abbey Hill Drive	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 9:57:24	Yalda	Olcott	11705 Meadow Ln W	Hopkins	55305	[REDACTED]	[REDACTED]
2-25-2022 9:58:15	Cally	Prunty	2741 Crescent Ridge Road	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 9:58:44	Katie	Stern	2830 Danbury Way	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 10:00:35	Andrew	Prunty	2741 Crescent Ridge Road	Minnetonka	55305-280	[REDACTED]	[REDACTED]
2-25-2022 10:01:53	Jamie	Heiligman	11829 meadow ln	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 10:01:57	Cody	Berra	2325 Rivendell Ln	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 10:05:45	Emily	Anthony	12610 Bent Tree Road	Minnetonka	55035	[REDACTED]	[REDACTED]
2-25-2022 10:06:28	Greg	Anthony	12610 Bent Tree Road	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 10:07:36	Elissa	Light					
2-25-2022 10:11:12	Elizabeth	L'Heureux	2610 Crescent Ridge Road	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 10:12:08	Andre	L'Heureux	2610 Crescent Ridge Road	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 10:17:12	Jacey	Siedband	2621 Crescent Ridge Road	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 10:19:13	Dennis	Mulvey	2620 Sylvan Rd S	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 10:19:40	James	Pedersen	2500 Crescent Ridge Road	Minnetonka, M	55305	[REDACTED]	[REDACTED]
2-25-2022 10:30:34	Derek	Dorr	2641 Plymouth Road	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 10:31:30	Shana	Melendez	11658 Meadow Lane W	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 10:33:01	Iris	Borowsky	2630 Crescent Ridge Road	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 10:47:49	Richard	Bloomfield	9908 St. Johns Road	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 10:49:01	Ross	Paskoff	2485 Emerald Trail	Hopkins	55305-191	[REDACTED]	[REDACTED]
2-25-2022 11:03:34	Margaret Jane	Weissenborn	2740 Crescent Ridge Road	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 11:17:23	Joshua	Weiser	2607 Sylvan Rd S	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 11:18:58	Abby	Badzin	2515 Mayflower Ave.,	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 11:19:53	Marnie	Marmet	12111 Golden Acre Drive	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 11:23:55	Lucinda	Cummings	2633 Plymouth Rd	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 11:25:18	Robert	Segal	2633 Plymouth Rd	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 11:38:47	Wendy	Ringer	2711 Bent Tree Circle	Mtka	55305	[REDACTED]	[REDACTED]
2-25-2022 11:39:23	Jeff	Ringer	2711 Bent Tree Circle	Mtka	55305	[REDACTED]	[REDACTED]
2-25-2022 11:43:18	Michelle	Goldstein	2510 Crescent Ridge Road	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 12:11:28	Jason	Marx	2651 Crescent Ridge Road	Minnetonka	55305	[REDACTED]	[REDACTED]
2-25-2022 12:14:25	Julie	Engle	12212 Westridge Lane	Minnetonka	55305	[REDACTED]	[REDACTED]

Petition from Citizens of Minnetonka

2-25-2022 12:37:19	Lauren Weiser	2607 Sylvan Rd S	Minnetonka	MN	[REDACTED]
2-25-2022 12:55:01	Julie Burton	11482 Cedar Pass	Minnetonka	55305	[REDACTED]
2-25-2022 12:58:38	Nina Badzin	2600 Crescent Ridge Road	Minnetonka	55305	[REDACTED]
2-25-2022 15:19:28	Jonathan Eisenberg	2721 Bent Tree Circle	Minnetonka	55305-3804	[REDACTED]
2-25-2022 15:40:40	Judy Mulvey	2620 Sylvan Road S	Minnetonka	55305	[REDACTED]
2-25-2022 19:56:24	John Drewitz	2600 Sylvan Road S	Minnetonka	55305	[REDACTED]
2-25-2022 22:45:12	Elizabeth Isaacson	12711 Bent Tree Road	Minnetonka	55305	[REDACTED]
2-26-2022 7:06:54	Steven Tuschman	12620 Bent Tree Road	Minnetonka	55305	[REDACTED]
2-26-2022 8:01:49	Bard Borkon	12212 Orchard Ave W	Minnetonka	55305	[REDACTED]
2-26-2022 9:27:40	Pamela Rients Tuschman	12620 Bent Tree Road	Minnetonka	55305	[REDACTED]
2-26-2022 12:17:23	Sara Memmen	4779 Coventry Rd W	Minnetonka	55345	[REDACTED]
2-26-2022 12:19:39	Robert Memmen	4779 Coventry Rd W	Minnetonka	55345	[REDACTED]
2-26-2022 13:06:38	Maureen Drewitz	2600 Sylvan Rd S	Minnetonka	55305	[REDACTED]
2-26-2022 18:27:34	Carrie Bloomfield	9908 st. Johns Road	Minnetonka	55305	[REDACTED]
2-27-2022 14:41:25	Patty Chodosh	2520 crescent ridge rd	Minnetonka	55305	[REDACTED]
2-27-2022 15:05:20	Margareth Pierre-Louis	2731 Crescent Ridge Road	Minnetonka	55305	[REDACTED]
2-27-2022 15:06:08	Mark Chodosh	2520, Crescent Ridge Road	Minnetonka	55305	[REDACTED]
2-27-2022 15:06:26	Graham Gaya	2731 Crescent Ridge Road	Minnetonka	55305	[REDACTED]
2-27-2022 16:00:48	Jessica May	2620 crescent ridge rd	Minnetonka	55305	[REDACTED]
2-27-2022 16:31:27	Restor Johnson	2700 CRESCENT RIDGE ROAD	MINNETONKA	55305	[REDACTED]
2-27-2022 16:32:05	Sally Johnson	2700 CRESCENT RIDGE ROAD	MINNETONKA	55305	[REDACTED]
2-27-2022 16:40:55	Bob Cohen	2640 Sylvan Rd S	Mtka	55305	[REDACTED]
2-27-2022 16:52:57	Matt May	2620 Crescent Ridge Rd	Minnetonka	55305	[REDACTED]
2-27-2022 18:44:53	Allison Gelfman	12420 Bent Tree Lane	Minnetonka	55305	[REDACTED]
2-27-2022 19:37:05	Emily Pickar	2530 Crescent Ridge Road	Minnetonka	55305	[REDACTED]
2-27-2022 19:37:54	Taylor Pickar	2530 Crescent Ridge road	Minnetonka	55305	[REDACTED]
2-27-2022 19:38:47	Jill Schwab				[REDACTED]
2-27-2022 19:46:54	Robin Engelso	2720 Crescent Ridge Rd	Minnetonka	55305	[REDACTED]
2-27-2022 20:00:00	Nancy Fink	11530 Cedar Pass	Hopkins	55305	[REDACTED]
2-28-2022 8:08:50	Sarah Norsted	2640 SYLVAN RD S	Minnetonka	55305	[REDACTED]
2-28-2022 10:24:15	Samantha Tuschman	12620 Bent Tree Rd	Minnetonka	55305	[REDACTED]
2-28-2022 10:52:00	McKenna Ahlm	9610 Sandra La	Minnetonka	55305	[REDACTED]
2-28-2022 19:34:57	Emma Nigon	12401 Bent Tree Ln.	Minnetonka	55305	[REDACTED]

Petition from Citizens of Minnetonka

2-28-2022 20:01:33	Deb	Stein	2461 Emerald Trail	Minnetonka	55305	[REDACTED]
2-28-2022 20:02:06	Michael	Stein	2461 Emerald Trail	Minnetonka	55305	[REDACTED]
2-28-2022 22:51:27	Kay	Goldstein	2110 Austrian Pine Lanr	Minnetonka	55305	[REDACTED]
3-1-2022 8:35:14	Lorraine	LaRoy	2701 Crescent Ridge Rd	Minnetonka	55305	[REDACTED]
3-1-2022 8:36:17	James	LaRoy	2701 Crescent Ridge Rd	Minnetonka	55305	[REDACTED]
3-1-2022 9:59:15	Gary	Ahlm	9610 Sandra lane	Minnetonka	55305	[REDACTED]
3-1-2022 13:35:05	Mary	Idzik	2710 Bent Tree Cir	Minnetonka	55305	[REDACTED]
3-1-2022 19:56:19	Samuel	Segal	2633 Plymouth Rd	Minnetonka	55305	[REDACTED]
3-2-2022 15:50:49	Paul	Idzik	2710, Bent Tree Circle	Minnetonka	55305	[REDACTED]
3-2-2022 18:16:56	Gaven	Dorr	2647 Plymouth Road	Minnetonka	55305	[REDACTED]
3-2-2022 18:17:41	Aydin	Dorr	2647 Plymouth Road	Minnetonka	55305	[REDACTED]
3-3-2022 7:59:56	John	Bonczyk	2550 Crescent Ridge Rd	Minnetonka	55305	[REDACTED]
3-3-2022 8:01:05	Cynthia	Bonczyk	2550 Crescent Ridge Rd	Minnetonka	55305	[REDACTED]

Woodbridge Trail Woodbridge Trail Woodbridge Trail

Community Feedback on Minnetonka Woodland Preserve Concept Plan

March 3, 2022

 2615 Plymouth Rd,
Hopkins, MN 55305
5 min walk - home

61

Crescent Ridge Rd

Crescent Ridge Rd

Crescent Ridge Rd

Bent Tree

Outline

- 1 Executive Summary
- 2 Minnetonka Strategic Priorities
- 3 Community Perspectives
- 4 Petition for Neighborhood Requests
- 5 Beyond the Petition: Creative Alternative

Executive Summary

- Rachel Development has proposed a development ("Minnetonka Woodland Preserve") at 2615 Plymouth Road for 18 single family homes on 9.5 acres designed and built by Charles Cudd. The current concept proposal is to build the 18 homes on 4.1 of those acres (~0.23 acres/lot).
- The City of Minnetonka Strategic Priorities emphasize the importance of community, sustainability, environment, and trust. We believe the current concept plan contradicts those priorities.
- Community members and Minnetonka citizens in surrounding neighborhoods (n=78 petition signatures) have concerns about the current concept plan and proposal related to preservation of trees, potential for adverse environmental impact and disruption of the local ecosystem, as well as implications quality of life for the surrounding area.
- We argue that the concept plan is inconsistent with the Strategic Priorities of the City, and we are requesting the following:
 - We request a comprehensive environmental review to the development concept plan;
 - We request that the proposal to rezone to a Planned Unit Development (PUD) district in the midst of an R-1 low density residential area be denied due to lack of material public benefit.
- Alternatively, we would like to put forward a creative alternative: connecting the property at 2615 to the Minnetonka Trail system from Plymouth Road and Minnetonka Boulevard, which would amplify public good and city planning to make the area more walkable and pedestrian friendly, consistent with the City Strategic Plan.

Minnetonka Strategic Priorities



Minnetonka Strategic Priorities



CITY OF MINNETONKA STRATEGICPROFILE

Who we are

Minnetonka is an inclusive community committed to excellence where all residents, workers and visitors are welcome in a beautiful, sustainable place, supported by quality, dependable city services.

VISION STATEMENT

Provide **quality public services**, while striving to preserve and enhance the distinctive character to make Minnetonka a **special place for everyone**.

MISSION STATEMENT



OUR GUIDING PRINCIPLES

- We earnestly commit to a **beautiful, sustainable and healthy environment** as a vital part of a stable, prosperous and thriving community.
- We responsibly deliver **excellent public services** and **provide affordable opportunities** to ensure access to all we serve.
- We ethically uphold **community trust** through proactive, inclusive public engagement, transparent communications, and the careful stewardship of our financial, natural, and capital assets.
- We nimbly **lead our city into the future** by anticipating community needs, pursuing service innovation and adoption of new technologies, and forging collaborative partnerships with all sectors of society.

Focus on community, inclusion, sustainability

Minnetonka Strategic Priorities

STRATEGIC PRIORITIES	KEY STRATEGIES		
<p>Financial Strength and Operational Excellence</p> <p>Maintain a long-term positive financial position by balancing revenues and expenditures for operations, debt management and capital investments. Provide innovative, responsive, quality city services at a level that reflects community values and is supported by available resources.</p>	<ul style="list-style-type: none"> • Maintain the city's AAA bond rating. • Develop an annual budget that meets community needs with the strategic plan and financial policies. • Provide excellent, meaningful programs and services to our community. 	<p>Sustainability and Natural Environment</p> <p>Support long-term and short-term initiatives that lead to the protection and enhancement of our unique and natural environment while mitigating climate change impacts.</p>	<ul style="list-style-type: none"> • Carefully balance growth and development with preservation efforts that protect the highly valued water and woodland resources of our community. • Develop and implement long-term plans to mitigate threats to water quality, ecosystems, urban forests and the unique natural character of Minnetonka. • Take an active role in promoting energy and water conservation, sustainable operations and infrastructure, recycling and environmental stewardship.
<p>Safe and Healthy Community</p> <p>Develop programs, policies and procedures that enhance the community's well-being and partner with the community to provide engagement opportunities and build trust. Sustain focus on prevention programs, education, hazard mitigation and rapid emergency response.</p>	<ul style="list-style-type: none"> • Identify and adapt to public safety service needs in service delivery expectations. • Identify safety strategies and practices that enhance community well-being. • Collaboratively review current integrated protocols and implement appropriate changes. • Provide a full range of recreational programs and services. 	<p>Livable and Well-Planned Development</p> <p>Balance community-wide interests and respect Minnetonka's unique neighborhoods while continuing community reinvestment.</p>	<ul style="list-style-type: none"> • Implement programs and policies to diversify housing and increase affordable housing options. • Support business retention and expansion and attract new businesses. • Manage and promote the Opus area as a unique mix of uses and increased development reinvestment.
<p>Sustainability and Natural Environment</p> <p>Support long-term and short-term initiatives that lead to the protection and enhancement of our unique and natural environment while mitigating climate change impacts.</p>	<ul style="list-style-type: none"> • Carefully balance growth and development with preservation efforts that protect the highly valued water and woodland resources of our community. • Develop and implement long-term plans to mitigate threats to water quality, ecosystems, urban forests and the unique natural character of Minnetonka. • Take an active role in promoting energy and water conservation, sustainable operations and infrastructure, recycling and environmental stewardship. 	<p>Infrastructure and Asset Management</p> <p>Provide safe, efficient, sustainable, cost-effective and well-maintained infrastructure and transportation systems. Build, maintain and manage capital assets to preserve long-term investment and ensure reliable services.</p>	<ul style="list-style-type: none"> • Provide and preserve a quality local street and trail system. • Ensure connectivity through increased access to local and regional means of transportation (new mobility options). • Develop an annual capital improvement plan that supports the sustainable maintenance and replacement of assets. • Expand and maintain a trail system to improve safe connectivity and walkability throughout the community.
<p>Livable and Well-Planned Development</p> <p>Balance community-wide interests and respect Minnetonka's unique neighborhoods while continuing community reinvestment.</p>	<ul style="list-style-type: none"> • Implement programs and policies to diversify housing options. • Support business retention and expansion and attract new businesses. • Manage and promote the Opus area as a unique mix of uses and increased development reinvestment. 		
<p>Infrastructure and Asset Management</p> <p>Provide safe, efficient, sustainable, cost-effective and well-maintained infrastructure and transportation systems. Build, maintain and manage capital assets to preserve long-term investment and ensure reliable services.</p>	<ul style="list-style-type: none"> • Provide and preserve a quality local street and trail system. • Ensure connectivity through increased access to local and regional means of transportation (new mobility options). • Develop an annual capital improvement plan that supports the sustainable maintenance and replacement of assets. • Expand and maintain a trail system to improve safe connectivity and walkability throughout the community. 		
<p>Community Inclusiveness</p> <p>Create a community that is engaged, tolerant and compassionate about everyone. Embrace and respect diversity, and create a community that uses different perspectives and experiences to build an inclusive and equitable city for all.</p>	<ul style="list-style-type: none"> • Develop and implement inclusive recruiting, application, hiring and retention practices to attract excellent, qualified and diverse candidates from all backgrounds. • Foster an inclusive boards and commissions recruitment and appointment process to increase diversity. • Actively engage the community by working collaboratively to broaden policy outcomes and respond to community's needs, views and expectations. • Remove identifiable barriers to create equal opportunity for accessing programs and services. 		

Key strategies highlight sustainability, preservation, unique neighborhoods, trails and connectivity

Community Perspectives



4 Areas of Community Concern

We believe that the current concept plan proposed by Rachel Development at 2615 Plymouth Road for Minnetonka Woodland Preserve is inconsistent with the Strategic Priorities set forth by the city. Seventy-eight citizens of Minnetonka signed a petition expressing concerns about the following:

**Tree
Preservation**

**Ecosystem
Disruption**

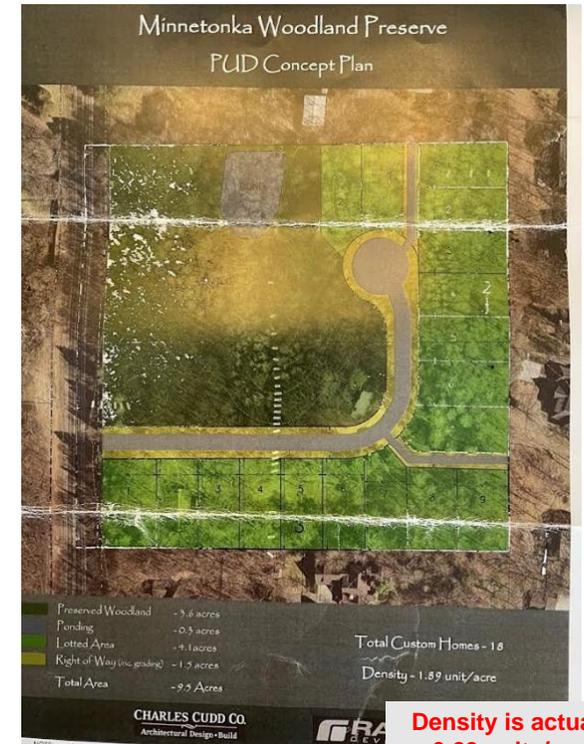
**Environmental
Impact**

**Quality
of Life**

Tree Preservation

Current Proposal would require removal of significant mature growth trees, even with compliance with City of Minnetonka Tree Ordinance

While “Preserved Woodland” would maintain some trees, 18 houses on 4.1 acres would require clear cutting trees on area under construction



Density is actually 0.23 units/acre

“ One thing that distinguishes Minnetonka from surrounding suburbs is the prominence of old growth, mature trees.

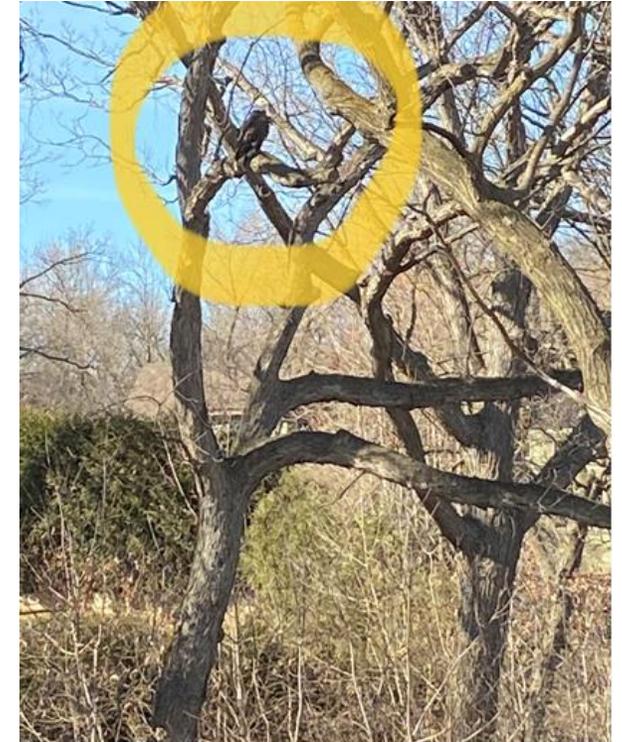
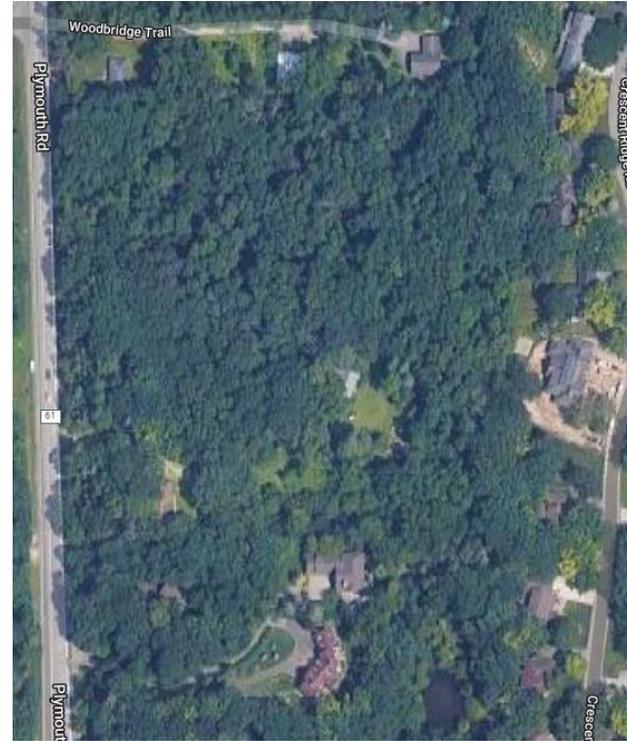
“ Our family picked this neighborhood and community in part because of the beautiful canopy oaks, our neighborhood plan placed a high value on trees.

“ Minnetonka has taken a strong stance with its renewed Tree Ordinance and has an opportunity to lead in sustainability.

Wildlife Ecosystem Disruption

Woods and ponds surrounding proposed development are home to the following:

- Bald eagles, mature and adolescent
 - Great horned owls
 - Multiple species of ducks
 - Coyote
 - Foxes
 - Deer
 - Rabbits
 - And more!
-



“ Last week I was working from home on a Zoom call and saw an adolescent bald eagle coming from the direction of the development!

“ We often enjoy the company of a beautiful great horned owl with breakfast who clearly lives in the woods surrounding this development concept

“ Has Rachel Development fully evaluated the impact of ecosystem disruption in their proposal? I am concerned this is not well-understood.

Environmental Impact

0.71

Density of surrounding lots

0.23

Density of current concept plan proposal (4.1 acres / 18 homes)

Lots surrounding proposal



“ Soil erosion and runoff are some of our greatest concerns. Are these potential risks clearly understood?”

“ Branding this as a “woodland preserve” is disingenuous. The density does not match the R-1 low density area surrounding the proposal.”

Quality of Life



Highcroft Meadows Case Study



- “ Has anyone evaluated the traffic, noise, and impact to privacy of this concept plan?
- “ We have seen the Charles Cudd development on Orchard Road, and we are concerned about the similarities in the concept plan. Yet this a forest, not a horse farm and pastures.
- “ Looking at Highcroft Meadows, it's undeniable that the current concept plan will adversely impact quality of life, both in the short term and the long term.

Petition for Neighborhood Requests

Neighborhood Requests

Our requests to the Planning Commission and City Council are simple. Our neighbors and citizens of Minnetonka (n=78) kindly request the following:

1

We request a comprehensive environmental review to the development concept plan **before** formal review

2

We request that the **proposal to rezone to a Planned Unit Development (PUD) district in the midst of an R-1 low density residential area be denied** due to lack of material public benefit.

Beyond the Petition: Alternative Proposal

Ridgedale Redevelopment Principles

Ridgedale Southwest Sector Guiding Principles

The following guiding principles were developed to further inform potential redevelopment that may occur in the southwest sector of the Ridgedale village center area. These guiding principles are the result of community engagement meetings during the winter of 2015, serving as supplemental information to the Ridgedale Vision 2012 document. As redevelopment occurs in the southwest sector, these principles, along with the vision document, will be used to help evaluate projects. Although not requirements for project approval, the principles are intended to provide guidance to the city's decision makers.

1. *All development should follow the Planned I-394 District zoning regulations.*
2. *Create a sense of place for the entire Ridgedale Village that would make it a distinctive destination and instill pride.*
3. *Reinforce the identity of Minnetonka - using signage and other markings to highlight key values such as commitment to natural resources, livable community, and not "intense" like places that are in the urban core.*
4. *Building height should transition from taller closer to the mall to shorter closer to neighborhoods. Establish a building height limit.*
5. *Provide a good separation and transition between commercial uses and residential areas.*
6. *Modify, if necessary, the current vision to keep space available that is on street front and visible for local and small businesses that make living in the area more convenient and add to the overall livability of the neighborhood.*
7. *If additional green space, public spaces etc. are made available when/if redevelopment occurs - make sure there is good access for neighborhood people to benefit.*
8. *Don't design something that would "overuse" the natural areas. Keep preservation and care of the environment as a key factor in planning and development.*
9. *Dampen road traffic in and around the residential areas.*
10. *Improve access and safety for pedestrians and bikers. Incorporate best practices into the design of these improvements.*
11. *Increase family friendly/youth opportunities as feasible.*
12. *Listen to the community input and use it for decision-making. Involve people proactively in things that impact them.*
13. *Evaluate and address parking needs when considering redevelopment proposals.*

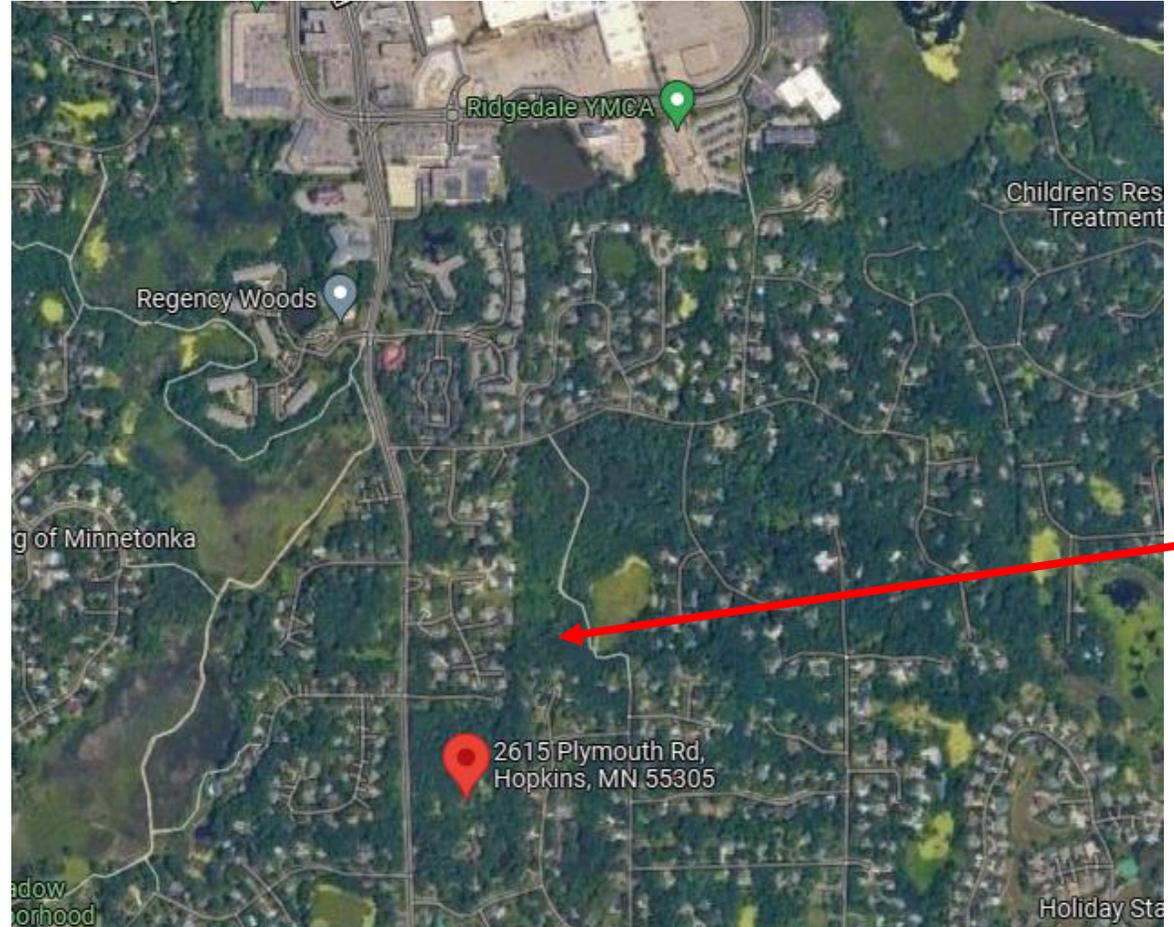
Ridgedale Commons Concept



Alternative Proposal

How might the City of Minnetonka leverage the property at 2615 Plymouth Road to extend the vision of Ridgedale Commons and further connect trails and pedestrian routes through the city?

**City of Minnetonka
could purchase 2615
Plymouth Road and
connect from
Minnetonka
Boulevard to
Ridgedale and
Hilloway Park**



“ These amazing new trails are right in our backyard. How could the City leverage this land to extend the evolving trail system?

“ Is there an opportunity to connect this land to Hilloway Park and the new sidewalk system on Plymouth Road from Minnetonka Boulevard to Ridgedale?

Neighborhood Requests

Our requests to the Planning Commission and City Council are simple. Our neighbors and citizens of Minnetonka (n=78) kindly request the following:

1

We request a comprehensive environmental review to the development concept plan **before** formal review

2

We request that the **proposal to rezone to a Planned Unit Development (PUD) district in the midst of an R-1 low density residential area be denied** due to lack of material public benefit.

Thank You



**Unapproved
Minnetonka Planning Commission
Minutes**

March 3, 2022

9. Other Business

**A. Concept plan for Minnetonka Woodland Preserve at 2511 and 2615
Plymouth Road.**

Chair Sewall introduced the proposal and called for the staff report.

Gordon reported. Staff recommends the planning commission provide comments and feedback on the identified key issues and any others the planning commission deems appropriate.

Paul Robinson, development director for Rachel Development, representing the applicant, provided a presentation. He stated that:

- Rachel Development completed Highcroft Meadows in Minnetonka and over 70 residential housing projects consisting of 5,000 housing units.
- The site is 9.5 acres in size and 90 percent of it is covered with trees.
- The site was previously a farm.
- There is a 43-foot decrease in elevation across the property. Most of the drainage travels from the north to the south. The center of the property is considered a steep slope by ordinance.
- The applicant worked to create a conservation design to work with the topography of the site and cluster the houses to reduce the overall footprint and save a large, contiguous area of trees.
- Two to four units per acre would equal 19 units.
- The proposal would leave 41 percent of the land open space.
- A planned unit development (PUD) would be the only way to utilize the conservation approach and reduce the footprint of the development.
- In response to the initial concept plan, he received calls from neighbors concerned with buffering. The location of the south road was modified and the number of units changed to 17 to allow more buffering on the south and west. A strip of trees would be preserved behind all of the lots.
- Utilizing a PUD would provide greater preservation of existing natural resources; many people, including neighboring residents, want this product and there is none available in the area; and it would show that a project could be viable and successful and still meet the city's stringent tree protection and steep slope ordinances.
- The units would be custom, single-level living residences with a homeowners association to provide exterior maintenance and sell for \$1.2 million to \$1.3 million.
- A development that would follow R-1 zoning requirements would not do as good of a job protecting the environment.

-
- The entire site could use a private drive which would allow the units to be moved closer together and protect more of the woodland area.
 - He looks forward to hearing feedback from commissioners.

Powers appreciated the applicant's presentation. He asked for the estimated size of the houses. Mr. Robinson stated that the footprints in the concept plan would accommodate a 3,500-square-foot to 4,000-square-foot house. Most of the living space would be on the main floor. The topography would allow for walk-out basements.

Waterman appreciated the thorough presentation which answered most of his questions. He asked for the width of the lots in Revision Two. Mr. Robinson answered 65 feet in width. He would be willing to install a fence if that would help provide a buffer from the neighbors.

Banks asked how a public street would impact the concept plan. Mr. Robinson said that a private drive would allow a street to be 25 feet wide rather than 50 feet wide and save 25 feet of trees. The open space could be an area controlled by the homeowner's association (HOA) or public trail.

Chair Sewall invited public comments.

Emily Anthony, 12610 Bent Tree Road, stated that she spoke on behalf of several neighbors. She stated that:

- She collected 87 signatures on a petition.
- The concept plan is at odds with the strategic priorities as defined by the city and listed on the website.
- She has four areas of concern: tree preservation, runoff and water treatment, impact to the environment and quality of life.
- The concept plan would build 18 houses on 4.1 acres of the site to equal .23 acres per unit.
- She chose to live in Minnetonka for the trees.
- Bald eagles, owls, deer and other animals live in the area.
- There has been no environmental assessment.
- She liked seeing the elevation and drainage pattern detail on the concept plan. There is already concern for soil erosion and runoff in the area.
- The average surrounding density is .71 acres per lot.
- Highcroft Meadows looks beautiful and elegant and has a lot of space between the trees, but she did not think the impact on the quality of life was fully appreciated or assessed.
- It is harder to develop a site that has trees than convert a meadow into a development.
- She requested an independent, comprehensive, environmental review be done before a proposal would be formally considered and reviewed by the planning commission and city council.

-
- She requested the idea of rezoning the site to a PUD be denied due to the lack of a public benefit.
 - She suggested the city purchase the property and use it for a park and to construct a trail from Ridgedale to Hilloway Park and Big Willow Park.

No additional comments were submitted.

Waterman stated that:

- He appreciates the detail provided in the applicant's presentation and Ms. Anthony's presentation.
- He understood the environmental and traffic concerns which would be reviewed thoroughly if a formal application would be submitted.
- He would be curious to know how many trees would be removed from the site for a housing development that would meet R-1 zoning requirements.
- There is not a lot of this type of housing stock in Minnetonka. It could be a beneficial use of the property. It would create natural affordable housing by seniors who want to stay in Minnetonka moving out of their older, less expensive, single-family houses to move into new single-level living houses. There would be a benefit to Minnetonka to provide this type of housing.
- Any variance to the tree ordinance would have to be pretty limited. He appreciated the concept plan being created to try to save as many trees as possible.
- As much buffering as possible should be done to the adjacent properties. The natural elevation may cause the new houses to look over properties on the east and south sides.
- He was not sure if it would be possible to have 16 lots.
- Meeting the tree protection ordinance requirements is a high priority.

Hanson stated that:

- He thought 16 lots would look crowded.
- He did not see the concept plan providing much of a public benefit or fitting a housing need since people with \$1.2 million could remodel their existing house.

Powers stated that:

- He appreciated Ms. Anthony's presentation.
- He did not like the idea. It would be a dramatic change for the neighbors to the south and east.
- He did not see much of a public good yet.
- He likes the lot sizes. Minnetonka does need smaller lots. He likes the 65-foot lot width.

-
- He thought the houses would be too big.
 - There is a big market for residents who want to stay in Minnetonka, but need to move to one-level living.
 - The costs for development are so extraordinarily high that he could understand why the price would be \$1.2 million.

Banks stated that:

- He appreciated the presentations.
- This is a good starting point for a concept plan.
- He likes the lot sizes, but would prefer fewer lots.
- He appreciated the plan preserving over a third of the trees.
- Only one house and an access to the property would be visible from Plymouth Road by preserving the wooded area and tucking houses behind the trees which is a fabulous idea.
- The price point for houses is expensive. He would like to see more affordable houses, but he understood the cost challenges.
- He would like to see fewer lots to preserve more trees and woodland area and make the houses more affordable if possible.

Maxwell stated that:

- She lives very close to the site, attended the neighborhood meeting and toured the gorgeous property with Mr. Robinson to get a feel for the steep slopes and tree coverage.
- She appreciated the level of detail with the topography and tree survey provided with the concept review.
- Meeting and exceeding the tree protection ordinance would provide a public benefit.
- This type of housing may have to work a little more to be considered a public benefit to justify PUD zoning.
- Donating the remaining land to the city or adding publically-accessible trails through the wooded area may provide a public good.
- Preserving the ecosystem may be considered providing a public good.
- She appreciates the proposed smaller lots, but the houses would be too big on the lots. She suggested having either large houses on fewer lots or smaller houses on the current lots. The villa-style house has a larger footprint to fit more on the main level than a standard two-story house.
- She knows the city prefers streets that meet public-street standards.
- The big wooded space with trees clustered together needs to be preserved rather than scattering homes throughout the property. That would be healthier for the ecosystem. It would keep the gorgeous view for residents overlooking the pond.

-
- The road access on Plymouth Road would be located on a hill and visibility would not be good at that location. The sight lines need to be studied.

Chair Sewall stated that:

- He was less swayed by the argument that the housing would provide a public good since it would not be affordable housing.
- He would consider the environmental benefits of a PUD as a public benefit. He would like to hear more information on the differences between the environmental benefits of the site being developed as a PUD and R-1 zoning.
- He would defer to staff's recommendation regarding a private or public road.
- This property is regulated and guided by the tree ordinance, so he would like that to be followed and create the parameters for the rest of the development.
- He was fine with the proposed smaller lots, but not with houses 4,500 square feet to 5,000 square feet in size.
- He noted that neighbors who oppose a property's development usually propose that the city buy the proposed site and turn it into a park, but, unfortunately, the city's budget is not able to do that and the property is not zoned for a park.

Gordon appreciated the input. The concept plan is scheduled to be reviewed by the city council at its meeting on March 21, 2022.



**City Council Agenda Item 14B
Meeting of March 21, 2022**

Title: Diversity, Equity and Inclusion
Report From: Moranda Dammann, Acting Assistant City Manager
Submitted through: Mike Funk, Acting City Manager
Corrine Heine, City Attorney

Action Requested: Motion Informational Public Hearing
Form of Action: Resolution Ordinance Contract/Agreement Other N/A
Votes needed: 4 votes 5 votes N/A Other

Summary Statement

At the March 2, 2022 special study session, members of the Minnetonka city council participated in a robust diversity, equity and inclusion conversation. This discussion led to a drafted shared vision statement and support for a dual-track approach to creating a permanent city commission while simultaneously regrouping the task force.

Recommended Action

Motion to affirm shared vision statement and to reconvene the task force as identified.

Strategic Profile Relatability

Financial Strength & Operational Excellence Safe & Healthy Community
 Sustainability & Natural Environment Livable & Well-Planned Development
 Infrastructure & Asset Management Community Inclusiveness
 N/A

Statement: Create a community that is engaged, tolerant and compassionate about everyone

Financial Consideration

Is there a financial consideration? No Yes
Financing sources: Budgeted Budget Modification New Revenue Source
 Use of Reserves Other [Enter]

Statement: Diversity, Equity and Inclusion efforts have a budget of \$175,000

Background

At the [March 2, 2022 special study session](#), members of the Minnetonka city council participated in a robust diversity, equity and inclusion conversation. Alex Clark and Delaine

Thomas from Turnlane facilitated the exercises and discussion, ultimately drafting a shared vision statement.

Following the March 2Special City Council Study Session, Turnlane provided the following summary of discussion points.

Appreciating Our Wins: Council members highlighted the following wins related to the city's DEI efforts.

- DEI work seems to be moving forward
- The City council is willing to have the conversation
- A vehicle exists (i.e., the task force) to create forward momentum and focus on issues related to DEI
- Participation in community conversations
- There is more open communication on DEI than in the past
- The city is active in seeking input from underrepresented people
- Revamping the recruiting process for boards and commissions to increase applicant diversity was significant

Pair and Share Reflections:

What excites you most about what you see showing up from your fellow council members?

- Everyone says “yes” to the question of whether community problems exist
- We are unified around this being a priority for us as a council, all are committed to and value this work
- All council members shared similar responses about our community problems and a commitment to addressing those problems
- The council is now being more public and transparent with this work
- There is a broad array of ideas for which DEI priorities should be pursued

Where do we have agreement?

The council has agreement on:

- The DEI coordinator role needs to be filled
- The work will continue with a collective, shared commitment to progress
- More community conversations are needed given the importance of community voice
- Transparency of data and evidence will help the city make progress

Where is more clarity or discussion needed?

The council needs more discussion on:

- Role clarity
 - Who is responsible for what across the council, task force, IDC?
- Community problem definition
 - A clear process is needed to identify community problems and then develop changes/solutions to those problems
 - Who decides? There is agreement that this is an important issue but how do we agree on what the problems are? Requires engagement beyond the council but from where?
- Collaboratively coming up with clear actions and tasks – go beyond conversations

- Outstanding questions about how to transition from the task force to a commission
 - What infrastructure and scope is appropriate for action and effectiveness?
 - What is a commission going to do to advance council action?
- How we lift up what's going well as a way to boost momentum

Shared Vision: Based on council member input, Turnlane drafted the following shared vision during the meeting for council reactions and feedback.

We will foster a more inclusive and equitable Minnetonka by rooting out bias, intolerance, and racism wherever it exists in our community.

Council feedback on the shared vision

- The statement is clear and strong
- It's a good thing that it identifies the issues, which can help us get to action
- "More" eludes to the ongoing nature of this work
- Verbiage might be harsh to some but it's what needs to be stated
- "Rooting out" bias seems impossible
 - Change it to one of the following: identifying, recognizing, addressing

Proposed revised shared vision based on council feedback

We will foster a more inclusive and equitable Minnetonka by addressing bias and rooting out intolerance and racism wherever it exists in our community.

The city council is asked to affirm the proposed shared vision statement.

In part of this conversation regarding DEI in Minnetonka, the city council considered the staff recommendation of a dual-track approach that includes both creating a permanent city commission and using a modified version of the task force to do interim work.

The purposes of a permanent city commission would include promoting understanding and tolerance, as well as encouraging participation by under-represented groups. The commission's primary functions might include education/outreach, public policy development and discrimination response.

However, because it may require 6-8 months for this commission to be created, staff recommended the task force continue in a smaller focused group. This regroup of the task force would: include members who have been actively engaged in the work of the task force; remove council members from the task force; and continue to use the services of Turnlane Consulting.

The original task force consisted of 16 community members, two of whom were council members. The task force was asked to formulate and present recommendations to the city council for discussion and action. The task force held its first meeting on May 11, 2021 and also held six subsequent meetings. The task force has not met since October 2021. Based on discussions with staff since March 2, some members have withdrawn and several have recommitted to the work of the task force. The regrouped task force includes the following community members:

- Mary Pat Blake
- Rickey Brown
- Dr. Tyrone Carter

- Dr. Nerita Hughes
- Elena Imaretska
- Sandy Johnson
- Mary Pat Noonan
- Todd Schoolman
- Karyn Sciortino-Johnson

The Minnesota Open Meeting Law applies to state and local public bodies, including boards, commissions, committees and subcommittees of those public bodies. Therefore, open meeting law requirements will apply to the DEI task force.

The DEI Task Force will develop a regular meeting schedule, which will work within a concentrated window of time in the coming months to wrap up all work by mid-summer. Once a meeting schedule is approved by the task force, public meeting notice requirements will be followed.

Meeting details will be as follows:

- All meetings will be in person
- Meeting location is the Minnetonka Community Center, 14600 Minnetonka Boulevard
- Task force meetings are open to the public and will be audio recorded
- Meeting length is anticipated to be 2 to 3 hours
- Agenda packets will be electronically distributed to task force members the week prior to each meeting
- The city's website does include a page dedicated to the task force, where task force membership and meeting packets, including minutes, will continue to be posted.
- COVID-19 safety protocols will be observed

Key objectives of the group are to:

- Share and explore existing DE&I efforts and activities already occurring in Minnetonka
- Gain an understanding of community views and expectations on DE&I using community survey results and the tools available through the community engagement platform
- Review best practices in other communities
- Identify potential community partners for DE&I activities to leverage resources (e.g., nonprofits, faith community, schools, businesses)
- Identify short and long term goals
- Report recommendations to the city council by mid-summer 2022

The city council is asked to support the reorganization of the task force as identified.