

**Minutes  
Minnetonka City Council  
Monday, October 3, 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 Schack, Kimberly Wilburn and Brad Wiersum were present.

**4. Approval of Agenda**

Calvert moved, Kirk seconded a motion to accept the agenda as amended removing Item 10.B and with addenda to Item 14.F. All voted “yes.” Motion carried.

**5. Approval of Minutes:**

**A. September 12, 2022 regular meeting minutes**

Calvert moved, Wilburn seconded a motion to approve the minutes. All voted “yes.” Motion carried.

**6. Special Matters: None.**

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

Assistant City Manager Moranda Dammann reported on upcoming city events and council meetings. She noted city hall was now open for absentee voting.

Calvert explained she attended a National League of Cities Energy, Environment and Natural Resources Committee meeting where the group finalized its legislative recommendations and policies.

Calvert commented on a wall raising ceremony she attended for an affordable home in Minnetonka.

Schaeppi reported on Sunday, October 9 at 12:00 p.m. a buckthorn event would be held at Linner Park.

Wiersum discussed the Music Association of Minnetonka (MAM) concert that was held at the art center. He encouraged the public to attend these free concerts.

Wiersum reported this past weekend he attended the Homes Within Reach Annual Meeting in Watertown, Minnesota.

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

Bob Rezner, 3615 Westmark Drive, stated he addressed the council on February 23 regarding a residential buckthorn pickup program. He anticipated the cost for such a program to be between \$6,000 and \$8,000. He stated he took this number from Maplewood and Burnsville and he has since confirmed this number. He commented further on how this type of program was administered by the cities of Maplewood and Burnsville, noting select pickup sites could be designated by the city. He requested the city consider instituting such a program for the residents of Minnetonka.

Wiersum explained there has been further conversation on this issue and staff was investigating such a program.

Michael Brufoldt, 16018 Gleason Lake Road, stated he had not received any notification that the Gleason Lake Road project had been pulled from the agenda. He asked how he should look for further information on this topic.

Wiersum reported this project would be addressed at the October 24 city council meeting.

Tom Stockert, 5524 Dominic Drive, stated he supported the buckthorn pickup program. He explained he was able to dispose of the buckthorn he removes from his yard, but noted some of his neighbors cannot. He thanked the city for all of their efforts to address buckthorn, and recommended a pickup program be considered.

## **9. Bids and Purchases:**

### **A. Bids for the Carlson and Cheshire Parkway Improvements Project**

Public Works Director Will Manchester gave the staff report.

Wiersum explained this project was moving forward due to the watermain breaks in this area. He questioned how much a watermain break costs the city. Manchester estimated each break was \$10,000 or more.

Kirk moved, Calvert seconded a motion to award the contract, authorize to expend the costs and amend the CIP. All voted "yes." Motion carried.

**10. Consent Agenda – Items Requiring a Majority Vote:**

**A. Resolution regarding Minnetonka Firefighters Relief Association bylaws**

Schack moved, Coakley seconded a motion to adopt Resolution 2022-089. All voted "yes." Motion carried.

**B. Intersection Concept for Gleason Lake Road and Vicksburg Lane**

This item was removed from the agenda.

**C. Resolution approving purchase agreements for 10505 Belmont Road and 1809 Welland Avenue**

Schack moved, Coakley seconded a motion to adopt Resolution 2022-090. All voted "yes." Motion carried.

**D. Resolution appointing election judges and absentee ballot board for the Nov. 8 General State Election**

Schack moved, Coakley seconded a motion to adopt Resolution 2022-091. All voted "yes." Motion carried.

**11. Consent Agenda – Items requiring Five Votes:**

**A. Amend Budgets for Hennepin County Projects**

Calvert moved, Wilburn seconded a motion to amend the project budgets. All voted "yes." Motion carried

**12. Introduction of Ordinances:**

**A. Ordinance prohibiting unauthorized possession of catalytic converters**

City Attorney Corrine Heine gave the staff report.

Calvert commented this was a national problem and she was glad the city was working to address this concern. She questioned what the penalty would be if an individual was found with a catalytic converter and had no proof of ownership. Heine explained this would be misdemeanor offense, which was punishable by a \$1,000 and up to 90 days in jail.

Wilburn explained she has personal experience with a relative who had a catalytic converter stolen while parked at Ridgedale. She stated she appreciated staff's efforts on this ordinance and hoped these regulations helped address this growing concern.

Kirk reported catalytic converters were very valuable. He suggested a person holding a number of or trunk full of catalytic converters be held to a higher punishment. Captain Tate stated he stopped an individual last year that had several catalytic converters and discussed how this ordinance would help the police charge these individuals.

Wiersum suggested the city hold additional catalytic converter events, given the demand for these events. Captain Tate noted the scheduled event filled up in hours. He explained the Minnetonka Police Department had free kits in their lobby that would allow residents to mark their own catalytic converters.

Calvert recommended this ordinance also address criminals that steal a catalytic converter and remove the etching. Heine explained that the ordinance would allow the city to prosecute anyone who is possession of a catalytic converter that cannot prove ownership, whether the catalytic converter was etched or not etched.

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

#### **B. Ordinance establishing Juneteenth, June 19 as a city holiday**

Assistant City Manager Moranda Dammann gave the staff report.

Calvert stated she fully supported Juneteenth becoming a city holiday in the City of Minnetonka.

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

#### **C. Renaming roadways in Opus area**

Public Works Director Will Manchester gave the staff report.

Kirk questioned how much of the work had been completed within Opus. Manchester discussed the timeline for this project and noted the city would be working with property owners as the roadways are renamed.

Wilburn stated she understood the burden a roadway name change would have on local businesses. She asked if the city could help with the financial burden this would be for businesses. Manchester reported the city did not have a large amount of money set aside for this. He explained these businesses could work with the Southwest LRT.

Kirk stated the property owners have not had a choice in the alignment of the LRT. He discussed all of the changes these business owners would have to undergo because of the name changes and asked the city to work with them through the address transitions.

Calvert hoped the Southwest LRT could do their best to make it right for these businesses. She discussed how difficult it was to change addresses and to get all emergency response agencies to understand the new addresses.

Schack encouraged staff to connect the impacted businesses with the Southwest LRT folks in order to assist with the address changes.

Wiersum stated he would be supporting the introduction of the ordinance but challenged the city and its staff to properly communicate with the properties that were impacted. He noted he sits on the corridor committee and he could raise this issue up at the next meeting.

Kirk commented on how this was one of the most extensive roadway realignments within the Southwest LRT.

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

#### **D. Ordinance regarding parking regulations**

City Planner Loren Gordon gave the staff report.

Coakley asked if this ordinance addressed street parking. Gordon reported there were areas in the city where street parking was allowed, but noted this ordinance was private development oriented.

Kirk stated in his seven years on the planning commission and city council he has talked a lot about parking. He anticipated the city needed to be fluid in how this ordinance was written because free parking was not free. He suggested staff

study areas in the community that have been a problem, such as Unmapped and Boom Island.

Schaeppi commented he appreciated the fact staff was reaching out to development and property owners. He asked if the city should be taking into consideration location differences and how this ties to parking requirements. He suggested the city further consider how it evaluated parking problems.

Coakley requested a future study session be held to address on street parking.

Schack thanked staff for all of their efforts on this ordinance. She commented on how the city may have to consider the reverse parking demands going forward as the community continues to encourage more walking and biking. Community Development Director Julie Wischnack discussed a session she attended with Tom Fischer with the University of Minnesota where future vehicle parking was discussed. She explained she could provide this information to the city council and planning commission.

Wiersum stated it would be valuable for the city to future proof and to consider alternatives for parking because transportation would be changing over time.

Schaeppi recommended the city take into consideration how curb-side pickup was impacting parking lots for retailers.

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

### 13. Public Hearings:

#### A. On-sale intoxicating liquor license for Racks II, INC, located at 11032 Cedar Lake Road

Community Development Director Julie Wischnack gave the staff report.

Wiersum opened the public hearing.

Kevin Martinez, 12201 17<sup>th</sup> Avenue South-Unit B in Burnsville, stated he would be the general manager of this scratch kitchen. He explained all food would be made inhouse. He noted his location in Burnsville has been in operation for the past nine years and he was looking forward to a new opportunity.

Kirk moved, Calvert seconded a motion to continue the public hearing to November 14. All voted "yes." Motion carried.

Wiersum recessed the city council meeting.

Wiersum reconvened the city council meeting.

**14. Other Business:**

**A. Ordinance amending Chapter 10 of the City Code by adding Section 1045.047, regarding third-party gift card sales**

Community Development Director Julie Wischnack gave the staff report.

Wilburn asked if there was a way to address the businesses that have agreements with the credit card companies that they can't ask for identification. Wischnack explained staff has heard this concern and noted staff would like to see the language within the contract. She suspected these establishments would stop selling the cards if these agreements were in place.

Wiersum thanked staff for all of their efforts on this ordinance. He stated it was his understanding the retailers association did not support or like this ordinance. Wischnack commented this was the case. She reported there were 13 different organizations that would agree to disagree on this matter.

Calvert requested further information regarding what constitutes employee interaction for verification purposes. She questioned if the city's ordinance would supersede an agreement between retailers and credit card companies. Wischnack stated this would be the case, the ordinance would be enforcement regardless of any agreements in place. She described the ordinance language with respect to how employees would interact with individuals looking to purchase credit cards at a third-party kiosk.

Schack commented one option for the ordinance would be to require an ID for a Visa gift card purchase. Wischnack stated the transaction with a credit card was the concern the city was trying to address, versus purchases made with cash.

Calvert discussed the penalties for retail violators noting she had concerns with the enforceability of this ordinance. Captain Tate stated in Shakopee, Target and Walgreens have pulled this product from their shelves. He anticipated this would occur in Minnetonka.

Bruce Nustad, President of the Minnesota Retailers Association, thanked Ms. Wischnack and Captain Tate for having a great dialogue with him on this issue. He appreciated how staff worked with him on the language within the ordinance. He stated he remains opposed to this being the manner in which we address this crime. He explained he was not against addressing the fraudulent crime, but he had problems with the fundamental approach. He discussed how the human interaction may be a good first step versus requiring an ID. He understood there

was a problem and he appreciated the fact law enforcement was invested in this crime.

Wiersum stated the council knew there was a problem and the council wants to help address this concern. He questioned how the council wanted to proceed.

Schaeppi explained his lens for city government was focusing in on the harms this ordinance would cause to small businesses. He believed the city had to find a balance to the harms between the crime and the burden being placed on businesses. He stated the ask was for retailers to complete one more step. He reported he did not see a Minnetonka small business owner in attendance, nor did he see social justice advocate. He explained the only representative in attendance represented big business saying there were small consumers he was concerned about. He stated he was not buying these concerns. He commented, at this time, he would be leaning towards the recommendations from the police department because they know this is a growing concern in the community. He believed the regulation was reasonable, and if the big box retailers can't complete this one additional step, they could stop selling pre-paid credit cards.

Wilburn questioned if crime was going down in Shakopee because this type of ordinance was in place, or was the crime just moving from one community to another. Captain Tate stated it was likely that criminals would move from one community to another, but stated this would take time, which allows victims the chance to shut down their credit cards before they are used. He noted he does not have any crime data statistics for the City of Shakopee. Wischnack explained Minnetonka was on the leading edge of this issue and stated it would be great if other cities participated because this would assist in greatly reducing this crime.

Schack thanked staff for all of their work on this ordinance. However, she noted she did not love it. She explained she wanted all businesses in Minnetonka to thrive. She feared how those who are unbanked would be impacted by this ordinance. She stated she would reluctantly support this ordinance.

Kirk stated he had several credit cards stolen last summer and he understood how important it was to have time in order to cancel or put a hold on the credit cards. For this reason, he would be supporting the proposed ordinance as recommended by the Minnetonka Police Department.

Calvert explained any unintended consequences from this ordinance would have to be revisited in the future. She commented on the letter from the Minneapolis Regional Chamber and noted the police department could not be at all places at all times. She stated if thieves cannot be caught at the point of the crime, this ordinance would be an opportunity for the police department to reduce additional crime.

Wilburn indicated she was struggling with this ordinance for the reasons Councilmember Schack mentioned. She questioned how the council will know the unintended consequences of this ordinance on the unbanked and underbanked individuals.

Wiersum stated he supported the ordinance because he believed the city needed to do something. He believed it was better for the city to do something versus doing nothing. He did not believe this was a perfect ordinance, but he wanted to make it difficult to complete this crime in Minnetonka. He appreciated the fact the dialogue between the city and the local retailers would continue and stated the council could revisit this matter in the future if necessary. He wanted to find the proper path to address this crime and he appreciated the fact the city took crime seriously.

Calvert moved, Schaeppi seconded a motion to adopt Ordinance 2022-14. Calvert, Schaeppi, Coakley, Kirk, Schack, and Wiersum voted "yes." Wilburn voted "no". Motion carried.

**B. Resolution transferring funds from the City's general fund to funds of the City and the Economic Development Authority in and for the City of Minnetonka, Minnesota for various loan programs**

Community Development Director Julie Wischnack gave the staff report.

Wilburn asked if the Minnetonka Down Payment Assistance Program had to be paid back the total amount if the home was sold before 30 years. Wischnack explained 1% interest was collected per year in addition to the principle amount if sold prior to 30 years.

Schack questioned if the Pathways to Home Ownership was also a forgivable loan. Wischnack reported this loan was not forgiven. She commented on how the payment was delayed for the Pathways to Home Ownership loan program.

Coakley stated she did not believe the Pathways to Home Ownership program was a wealth building program. Rather she believed this program was locking an individual into a home for 30 years. She anticipated most people refinance within 30 years. Wischnack explained there was a difference between the debate on wealth building. She indicated there was a benefit to this program and noted the issue may be the forgiveness. She stated if the Pathways to Home Ownership were forgivable, the homeowners using this program would accrue more wealth over time.

Coakley reported this program does not address dealing with disparities. She indicated she was not an expert in this but after talking with other elected officials, they did not see these programs as wealth building and neither did she.

Schaeppi requested further information regarding the original intent of this program, which was similar to St. Louis Park, to where we are now. Wischnack discussed the intent of the program, which was to provide assistance and wealth building options for homeowners. She explained it was her understanding there was not support to do a complete forgiveness program. She reported she could amend the program if direction was provided from the council.

Calvert commented on the Down Payment Assistance Program and the fees that were charged by CEE. She asked who paid the underwriting fees and \$5,000 annual fee. Wischnack stated the \$5,000 fee pays for all programs sponsored by the City. She explained the \$1,100 underwriting fee was paid for by the applicant.

Calvert questioned why a twinhome or mobile home would not be eligible for the proposed programs. Wischnack reported twinhomes would not be prohibited if separately owned. She commented the city does not have any manufactured homes. She indicated there were very not good loan products available for manufactured homes.

Calvert stated she was the council liaison to the EDAC. She indicated the EDAC supported keeping the amounts lower in order to help more people. However, she believed this would not get to the root of what the council was trying to do. She commented further on how the St. Louis Park housing program was working to plug into a very specific group of people who had not had the opportunity to acquire wealth from home ownership. She believed the city's program would help more people and was not devoid of wealth building opportunities. She stated there was merit in a balanced approach with this program and noted she was torn with how to best help families that have not been able to benefit from home ownership.

Wilburn commented she was in favor of forgiveness and increasing wealth building. She stated there were people who were prevented from building generational wealth through legal and illegal means. She encouraged the city to be serious about correcting that by helping people who have not had the opportunity to build generational wealth. She supported the city doing as much as possible to maximize wealth building.

Kirk indicated this was a complicated issue. He reported the two programs do not do everything for everybody. Rather, the goal was to provide opportunity for home ownership and not create a scenario where we are giving an individual \$50,000 and two years later they sell and leave the community. He stated there needs to be some mechanism in place to have the investment from the city to be

forgiven over a period of time. He explained he appreciated Councilmember Coakley's concerns. He commented further on how the proposed programs would assist with wealth building and reduced mortgage payments. He stated without these programs, individuals would not be able to afford to put down payments on their homes. He suggested the city consider another assistance program that was targeted at people making 80% AMI that allows for a greater and quicker forgiveness. He supported the two proposed programs moving forward and recommended the council consider another program for those making around 80% AMI.

Schack stated she largely agreed with Councilmember Kirk's comments. She explained she was surprised by the chart that came out in September with the sliding scale of forgiveness. She believed the city was proposing two tremendous programs that would positively impact homeowners. She supported the council further discussing a sliding scale for forgiveness within these programs for lower income families.

Schaeppi commented he learned a lot by speaking with a mortgage broker who originates a large number of loans. He suggested the council invite a mortgage broker in to speak at a future meeting in order to speak to the programs that are offered by other communities. He explained he appreciated the proposed programs, but he believed the city could do better to assist with providing affordable housing. He hoped the council could hear from local mortgage brokers and state officials on what was working best to address affordable housing needs.

Wiersum stated with these programs the city will have more people who own affordable homes in Minnetonka, then there would be without the programs. He believed no one in the state has figured out ownership affordable housing because this was a hard topic. He indicated the biggest question he had was if the city would be considering large increases in the HRA levy in the future. He supported the council approving these programs with the understanding more decisions would have to be made down the road.

Schack moved, Kirk seconded a motion to adopt Resolution 2022-xxx.

Coakley stated she supported tabling action on this item because there was still more work that needed to be done.

Calvert indicated she appreciated all of the comments made by Councilmember Kirk. She commented the provisions within the programs would help families move into a purchased home and that they would accumulate a financial benefit or wealth. For this reason, she was inclined to move forward with the vote.

Calvert, Schack and Wiersum voted “yes.” Schaeppi, Coakley, Kirk and Wilburn voted “no”. Motion failed.

Wischnack requested the council table action on this item and provide staff with direction on how to proceed.

Heine clarified there was not a need to table action on this item because the motion failed. She reported staff has direction from the council and this item would be brought back to the council at a future date.

**C. Resolution for the Water Treatment Plant #14 Generator Project**

Public Works Director Will Manchester gave the staff report.

Wilburn moved, Kirk seconded a motion to adopt Resolution 2022-092. All voted “yes.” Motion carried.

**D. Tax Increment Financing (TIF) Management Report**

Community Development Director Julie Wischnack and Stacie Kvilvang with Ehlers & Associates gave the staff report.

Calvert requested further information on how the negative TIF district would impact the city. Ms. Kvilvang reported this TIF district was created for the abatement of Ridgedale. She explained the council in their wisdom understood the importance of Ridgedale to the vitality of the community. She discussed how the mall was struggling due to Amazon and the pandemic, and commercial property values were declining. She stated even though the value for this TIF district was negative, this may not be a bad thing. She hoped this value would increase in the future as the economy moves further away from COVID.

Calvert questioned what staff meant by cash on cost. Ms. Kvilvang described how cash on cost was defined.

Calvert asked what the difference was between a TIF revenue bond and a taxable TIF revenue note. Ms. Kvilvang commented on the differences between these two TIF options.

Calvert moved, Wilburn seconded a motion to receive the Tax Increment Financing Management Report. All voted “yes.” Motion carried.

**E. Appeal the denial for a General Manager of a liquor establishment application for Julianna Grandbois**

Community Development Director Julie Wischnack gave the staff report.

Coakley asked if Ms. Grandbois had not lied on the application would the decision have been different. Wischnack stated this was a hard question to answer. She noted staff did not have an opportunity to speak with Ms. Grandbois about her background. She stated having four previous issues was considerable to staff.

Julianna Grandbois, 4749 Utah Avenue in New Hope, stated she was promoted in June, which came with a great deal of excitement. She explained when she filled out the application she read the question as, had she ever been convicted of a felony, which she had not. She reported she did not read the question in its entirety and this was a careless mistake on her part. She indicated the charges against her were from 2011 and 2012, when she was 19 years old. She noted she was now 30 years old. She explained she was a single mother and she just purchased her first home. She stated she has been working really hard for this and she deeply apologized for being dishonest because this was not her intention. She asked that the council allow her to refill out her application correctly.

Wiersum stated it was unusual for him to speak first. However, he explained he read Ms. Grandbois' letter and he found it compelling. He explained the City of Minnetonka had high standards and being a general manager of an establishment that sells liquor was something the city takes very seriously. He thanked Ms. Grandbois for writing a heartfelt letter to the council and for owning up to the mistakes that she made in the past. He stated he spoke to Ms. Wischnack about finding a middle ground and one of the things they discussed was providing Ms. Grandbois with a conditional license that would be in effect for a year and then after one year, Ms. Grandbois would have to reapply. He reported City Attorney Heine had drafted a resolution to this effect. He read this resolution in full for the record.

Wiersum moved, Schack seconded a motion to approve the employment of Juliana Grandbois as General Manager of the Olive Garden on a probationary basis for one year. The city council will review the probationary status no earlier than September 1, 2023 and no later than October 3, 2023. Prior to that meeting, the community development director must conduct a review of all liquor compliance checks, police calls for service and any other information that relates to the liquor operations of the licensed business in the past year, and make a recommendation to the city council as to whether Ms. Grandbois's employment as general manager should be approved or disapproved.

Coakley reported she liked the fact that the mayor was suggesting a middle ground for Ms. Grandbois. She explained she has worked with many folks that

have criminal backgrounds and most of these individuals were black or brown. She supported Ms. Grandbois getting a second chance. She hoped that the city would be offering the same second chance to Ms. Grandbois if she were a person of color. She feared that many times people of color do not get a second chance.

Calvert stated she appreciated all of the comments that had been said so far. She explained what the council was voting on was a gift. She commented on her time working in law school where her dean and president worked with reformed sex offenders. She discussed how important second chances were and encouraged Ms. Grandbois to partner with the city and use honesty as the best policy going forward. She indicated it has been ten years since Ms. Grandbois had a mishap and she was very anxious to see her move forward in a positive manner. She thanked the mayor for discussing this matter with staff and the city attorney prior to the meeting in order to find a middle ground.

All voted "yes." Motion carried.

Ms. Grandbois thanked the council for offering her this probationary term for her employment.

Wiersum stated Ms. Wischnack would be in touch with Ms. Grandbois and wished her only success in the coming year.

#### **F. Resolution for the Smetana Road Trail Project and Agreement with City of Hopkins**

Public Works Director Will Manchester gave the staff report.

Wilburn asked if the suggestions that have been sent in could be taken into consideration before the plans are final. Manchester stated staff would need more feedback as to which suggestions should be taken into consideration.

Wilburn suggested having the trail be ten feet wide given the fact a number of people made this suggestion. Manchester reported trails are limited to eight feet. He reported if the trail were made ten feet wide there would be more impacts on the wetlands.

Kirk discussed how the trail becomes more narrow between Sanibel and Shady Oak Road and asked if this was a concern. Manchester noted there were a number of areas throughout the community that served as transition areas for city trails and he was aware of these areas being a major encumbrance.

Kirk questioned if the safety setbacks were becoming a maintenance concern in the city. Manchester commented pavers have been used in limited areas, but this

increases the cost. He noted the city does go out and mow two or three times per summer.

Calvert discussed the letters the council received from the public and the concerns that were raised. She explained she appreciated all of the comments that were received. She suggested a ribbon gutter be used near the wetlands in order to ensure the wildlife can continue to access the wetland.

Wiersum commented on the letter from Mr. Van Santen and noted he was concerned with the trail width. He asked if the city ever striped its trails for safety purposes. Manchester stated the city has not generally done this in the past. He explained this could be done in the future if there were areas of concern on the city trails.

Wiersum discussed what a great benefit it was to have off-road trails for pedestrians and bikers in the community.

Calvert noted she just went for a walk in Carver Park, which has an extensive trail system. She commented on how fast the bikers were traveling past her on these trails. She encouraged the city to find ways to mitigate the points of contention in order to protect both walkers and bicyclists.

Linnea Sodergren, 5441 Pompano Drive, explained she sent a letter to the council asking that they not approve the Smetana Road trail as proposed by staff. She requested staff revise the plan in order to lessen the impact on the environment. She reviewed several photos with the council that highlighted areas where sidewalks would be used as a trail. She explained she welcomed a sidewalk on the south side of Smetana Road east of Sanibel Drive because this will help ensure the safety of pedestrians. However, she did not welcome an eight foot trail with a four foot grass boulevard intruding into her neighborhood. She questioned why the council held the public comment meeting in August, and expected to have substantial public comment. She commented on the meeting noting residents did not sign in or submit comments because they concluded their feedback would not be heard or considered. She discussed how the look of a 12 foot wide (an eight foot trail and four feet of grass) multi-purpose trail would negatively alter the area. She proposed the city install a six foot wide sidewalk east from Sanibel Drive from the current curb line with no four foot boulevard. She understood that Edina has done this successfully. She encouraged the city to consider how they can lessen the impact of the proposed trail on the surrounding residential community, as well as the tree canopy and wetlands. She asked that the council consider how a large span of asphalt would impact the residents along Smetana Road. She reviewed the city's goals and priorities and requested the council consider an alternative for bicyclists. She suggested bicyclists have designated striped lanes on the roadway, where they are used to riding. She respectfully requested the council not approve the project as

proposed, but instead that staff further examine alternatives and that staff seek additional feedback from the public before moving this item forward.

Wilburn thanked Ms. Sodergren for her comments, but noted the council has environmental concerns to take into consideration. She reported this trail was being constructed in order to encouraged residents to get to the light rail station. She understood nobody liked to see trees removed, but in her opinion, the trail did have an environmental benefit. She trusted that staff had designed the best and most environmentally viable solution for this trail.

Schack agreed with Councilmember Wilburn's comments. She discussed how time changes things and noted her yard was impacted by a 12 foot trail. She explained this trail has been a wonderful addition to her neighborhood. She stated she supported the trail moving forward as recommended by staff.

Schaeppi asked if the trees that are removed would be replanted. Manchester stated this was generally not written into the project, but noted public works has areas that are planted throughout the year.

Kirk explained he lived through the Excelsior Boulevard trail expansion. He suggested that the safety zone/boulevard area be reduced by the wetland in order to reduce the wetland impact. He commented further on how important it would be to keep this new trail free of snow in the winter months for pedestrians and bicyclists. Manchester explained the safety zone would be reduced near the wetland.

Wiersum stated he believed this trail was considerately designed and he liked the idea of adding pollinator friendly options in the safety/boulevard areas. He believed the city did a great job designing its trails and he supported this project moving forward.

Kirk moved, Calvert seconded a motion to adopt Resolution 2022-093 and Resolution 2022-094. All voted "yes." Motion carried.

**15. Appointments and Reappointments: None.**

**16. Adjournment**

Calvert moved, Kirk seconded a motion to adjourn the meeting at 10:40 p.m. All voted "yes." Motion carried.

Respectfully submitted,

*Becky Kinsman*

Becky Koosman  
City Clerk