

**Minutes
Minnetonka City Council
Monday, October 24, 2022**

1. Call to Order

Mayor Brad Wiersum called the meeting to order at 6:31 pm

2. Pledge of Allegiance

All joined in the Pledge of Allegiance.

3. Roll Call

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

4. Approval of Agenda

Calvert moved, Wilburn seconded a motion to accept the agenda with addenda to Items 10K, 14A, 14B and removing Item 6B. All voted "yes." Motion carried.

5. Approval of Minutes:

A. October 3, 2022 regular meeting minutes

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

B. September 29, 2022 special meeting minutes

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

6. Special Matters:

A. Retirement recognition for Police Reserve Officer Billy Gerard

Wiersum read a proclamation in full for the record recognizing Police Reserve Officer Billy Gerard and thanked him for his many years of dedicated service to the City of Minnetonka. A standing ovation and round of applause was offered by all in attendance. He then presented Police Reserve Officer Gerard with picture frame and picture of Minnehaha Creek.

Police Reserve Officer Gerard stated he has seen it all, done it all and heard it all, with the only problem of not remembering it all. He thanked the city for the recognition.

B. Minneapolis Regional Chamber update

This item was pulled from the agenda.

C. Sustainability Minnetonka awards

Wiersum presented the Sustainable Minnetonka Awards that recognized five community members for their sustainability work in the fields of energy, landscape, water, waste and young adult.

D. Police update

City Manager Mike Funk explained Police Chief Boerboom had a presentation from the Minnetonka Police Department. He thanked the community and the council for their continued support of the police department.

Police Chief Boerboom provided the council with an update from the police department. He discussed the crime patterns and property crime trends in the community noting his officers were working diligently to be part of the solution. A crime map for 2022 was reviewed. He commented further on the number of thefts that had occurred year to date, noting theft from motor vehicles was a growing concern. He described the initiatives that were in place to assist with deterring motor vehicle thefts and thefts from vehicles. He explained 6,170 spot checks have proactively been conducted by Minnetonka Police Officers in 2022. He discussed how his office was directing patrols based on intelligence in order to address areas of concern. He commented on how the license plate readers and camera trailers were deployed to assist the department.

Wiersum thanked Police Chief Boerboom for this thorough report. He explained his wife had her car broken into in another community and had her wallet stolen. He discussed how this event made his wife feel less safe. He was of the opinion that public safety was job one for the city and he wanted the residents of Minnetonka to feel safe. He believed the city needed partners at the prosecution and judge level in order to properly handle criminals in the community. In addition, the city needed programs in place to help kids or adults that need help. He concluded by stating he was very proud of the work being done by the Minnetonka Police Department.

Calvert agreed the city need programs in the schools and for parents to help the children who have landed themselves in trouble. She indicated there was also a need for more mental health services. She supported the city and its residents

providing more funding for schools and youth programming to address this growing concern.

7. Reports from City Manager & Council Members

City Manager Mike Funk reported on upcoming city events and council meetings. He commented on the upcoming election and encouraged residents to vote early or on the day of the General Election, which was Tuesday, November 8.

Schaeppi thanked staff for their assistance with the buckthorn removal event that was held at Linner Park on Sunday, October 9.

Schaeppi thanked all of the city staff and community members that participated in the Groveland walk and bike to school day which was held on Wednesday, October 12.

Schaeppi explained he was up to 2,000 miles on his e-Bike in the community over the past two years. He noted these miles per put on bringing his daughters to school, running errands or biking to city council meetings. He indicated this has been a life changing mode of transportation for him and his family. In addition, he appreciated being outside more for both himself and his family. He encouraged residents to consider purchasing an e-Bike for themselves or a loved one when the weather gets warmer to get around town.

Calvert thanked the city manager for mentioning the voting numbers and encouraged all residents to get out and vote on or before Tuesday, November 8.

Wiersum explained the city open house was very well attended. He thanked city staff for all of their hard work on this event.

Wiersum noted he attended the recent ICA fundraiser. He reported this organization was in need. He urged residents in need to consider visiting the ICA food shelf and for those that have enough to consider contributing to the ICA food shelf.

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

9. Bids and Purchases:

A. Bids for the Minnetonka Community Center project

Public Works Director Will Manchester gave the staff report.

Calvert commented on the current bidding environment and stated she wanted to get this project done right without breaking the bank and she understood this project may need to be put on hold for a small time period in order to receive more cost effective bids. City Manager Mike Funk reported the rebidding would occur in one month.

Kirk explained construction costs were rising on a monthly basis. He was hopeful the city would receive more favorable bids in November in order to move this project forward.

Schack moved, Calvert seconded a motion to reject all bids and authorize a new advertisement for bid. All voted "yes." Motion carried.

10. Consent Agenda – Items Requiring a Majority Vote:

Wiersum explained he sent a letter to the Met Council requesting grant funds to assist business and properties within Opus with the expense of having their roadways renamed. City Manager Mike Funk indicated staff would be available to discuss these costs with local business and property owners.

A. Resolution concerning "no parking" zones on Fairfield Road, Covington Lane and Covington Terrace

Calvert moved, Kirk seconded a motion to adopt Resolution 2022-095 and Resolution 2022-096. All voted "yes." Motion carried.

B. Commercial Code Compliance Loan Program for Minnetonka businesses

Calvert moved, Kirk seconded a motion to adopt Resolution 2022-097. All voted "yes." Motion carried.

C. Resolution supporting an application to Metropolitan Council Livable Communities Act – Affordable Homeownership Pilot Grant Program

Calvert moved, Kirk seconded a motion to adopt Resolution 2022-098 All voted "yes." Motion carried.

D. Resolution approving a conditional use permit for a detached accessory dwelling unit at 3274 and 3305 Fairchild Avenue

Calvert moved, Kirk seconded a motion to adopt Resolution 2022-099 All voted "yes." Motion carried.

E. Energy Action Plan (EAP) addendum

Calvert moved, Kirk seconded a motion to adopt Resolution 2022-100. All voted "yes." Motion carried.

F. 2023-2027 Public Health Mutual Aid Agreement

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

G. Ordinance establishing Juneteenth, June 19 as a city holiday

Calvert moved, Kirk seconded a motion to adopt Ordinance 2022-15. All voted "yes." Motion carried.

H. Renaming roadways in Opus area

Calvert moved, Kirk seconded a motion to adopt Ordinance 2022-16. All voted "yes." Motion carried.

I. Ordinance regarding storage of deicing material

Calvert moved, Kirk seconded a motion to adopt Ordinance 2022-17. All voted "yes." Motion carried.

J. Strategic profile quarter three report

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

K. 2023 city calendar

Calvert moved, Kirk seconded a motion to adopt Resolution 2022-103. All voted "yes." Motion carried.

11. Consent Agenda – Items requiring Five Votes: None.

12. Introduction of Ordinances:

A. Ordinance establishing licensing requirements for the sale or disposal of edible products containing tetrahydrocannabinol (THC)

Community Development Director Julie Wischnack gave the staff report.

Coakley asked if THC would be allowed in food products or juices. She commented how people of color has been criminalized for selling and using

marijuana products. She explained she did not want this to occur in this community with THC products. City Attorney Corrine Heine reported the THC products have very specific limitations. She indicated this bill slipped through legislation and would be further reviewed by the legislature in 2023. She stated only a very narrow array of products could be sold at this time and the proposed ordinance does not prohibit the sale of THC products, but rather requires a license and does not allow for the sale to minors. Wischnack commented she had data from state regarding cottage products.

Coakley questioned why the city was restricting mobile and vending sales of THC. Wischnack reported this was done to assist with properly tracking vendors and sales. She explained the city does not allow for the sale of alcohol or tobacco from mobile or vending machines.

Calvert asked if the city received any feedback from local retailers. Wischnack stated staff held a meeting with local business owners and there were questions about what the fee would be for the THC license and there were concerns about how highly regulated this product was.

Wilburn inquired if this ordinance required THC vendors to be a certain distance from schools. Wischnack commented there were no location or geography types of regulations within this ordinance. She indicated this was done because there was a large number of businesses that could sell THC, such as Target, drug stores, gas stations, etc. and these types of establishments were already located near schools.

Schaeppi commented people could already order THC from businesses in Minnesota or through the mail. He questioned if the ordinance addressed these types of sales. Heine reported the ordinance does require sales in Minnetonka to be person to person, which meant orders by mail were prohibited. She indicated it would be difficult to enforce people ordering a THC product over the internet or through the mail.

Wiersum discussed how the city did not allow the sale of flavored cigarettes. He asked if the city could only allow for the sale of edibles that were unflavored in order to reduce the appeal of gummies to minors. Heine commented staff was still working through what they could and could not regulate, with the understanding the legislature would be revisiting this topic next year. She reported the state did have very specific restrictions regarding how edibles could be packaged.

Wiersum inquired if edibles could be sold at a restaurant or bar. Wischnack stated there would be more learning as sales occur and after the legislature addresses this issue in 2023. She noted the city could revisit this ordinance again in the future if concerns with sales were to occur.

Schack thanked staff for all of their work on this ordinance. She requested staff seek feedback from local businesses regarding issues they were facing.

Coakley stated she would be interested to know if there had been any arrests related to edibles.

Schaeppi explained he supported adult use of THC edible products. However, he was concerned with how these products would impact underage minors, if they were to get their hands. He anticipated there would be unintended consequences by allowing THC products to be sold in Minnetonka. He stated it would be nice to focus on the impact on children and recommended instore advertising be addressed.

Calvert stated at a committee meeting with the League of Minnesota Cities she received an eye opening presentation on edibles. She explained edibles appeared like a lot of other products and she was concerned with how they would get into the hands of youth. She anticipated regulating the sale of these products would be a heavy burden on staff and law enforcement. In addition, there would be challenges for parents in the community. She thanked staff for all of their efforts on this ordinance, given the fact this topic was a moving target.

Kirk stated he would like additional information on what THC was and the amount of milligrams it takes to get a high.

Wiersum commented the approval at the state level was rife with confusion because it was passed as part of an omnibus bill. He understood that the city's ordinance was not going to be perfect, but he appreciated the fact the city was putting regulations in place. He stated as the legislature works to address the error that was made, this will impact the city.

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

B. Solar energy systems ordinance update

Associate Planner/Sustainability Coordinator Drew Ingvalson gave the staff report.

Wiersum explained some neighborhood associations had more restrictive covenants than what the city allows. He asked if neighborhood associations could disallow solar installations. Ingvalson stated this was something the city ran into and noted private organizations would have to come to an agreement on solar installations.

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

13. Public Hearings: None.

Wiersum recessed the city council meeting.

Wiersum reconvened the city council meeting.

14. Other Business:

A. Preliminary and final plat of DUNIBAR COURT, a five-lot subdivision, at 17809 Ridgewood Road

Community Development Director Julie Wischnack gave the staff report.

Coakley explained she met with residents in this neighborhood and they spoke to her about why this project should not move forward. She stated she was concerned with how vehicle would have to maneuver into the new cul-de-sac. She understood this project met the ordinance, but asked if the neighbor's concerns have been addressed. Wischnack explained she understood there was neighbor opposition and staff has reviewed the letters that have been sent to the city. She empathized with their points of issue as this was a secluded area. She noted staff responded to requests for information and staff has weighed in on the snow concerns. She reported staff respected the concerns that have been raised and noted the final decision on this matter rested with the city council.

Calvert noted she visited the site and understood this was a hard to develop area. She commented on the tree inventory on the site and requested further information from staff on where the trees were located on the site. Wischnack reviewed the location of the trees on the property and noted the trees that were located within the wetland.

Calvert indicated she was deeply uncomfortable with the amount of tree loss proposed within this development. She noted she was also concerned about how this project was building into a steep slope. Wischnack explained staff was requiring the developer to readdress the grading in the southern area of the development to address this concern. She noted the proposed home locations on the lot were proposed and not set.

Calvert stated in talking with the neighbors there was talk about giving up property to allow the cul-de-sac to move northward. She commented if a property owner was willing to do this, how should this project move forward. Wischnack stated this would create other tree implications that would have to be considered.

Schack asked if restricting the number of lots would be considered a taking of the property. City Attorney Heine stated this would not become a takings analysis issue. She reported if an application for a plat meets all city ordinance requirements the property owner was entitled to plat approval. She commented if the council believed three lots fit better than four, the council would have to consider what portions of city code were not being met and why the developer was not entitled to four lots.

Kirk indicated he visited the site today. He requested further information regarding the right of access to this property. Heine stated this property does have a legal right of access because it fronts on Ridgewood Road. She explained the property also has access on Dunibar Court.

Wilburn stated she had visited the site and met with the residents. She commented if the safety concerns are valid, was the city obligated to alter the cul-de-sac. Wischnack reported if the council had safety concerns, the cul-de-sac could be altered. However, she reported city staff believed the cul-de-sac was not a safety concern as proposed.

Wiersum explained the city's degrees of freedom on conforming proposals was really quite constrained. He understood the developer worked with staff on this proposal, but asked if this conforming proposal could be made better. Wischnack stated this proposal meets city ordinance. She commented on how staff always pushes for more than was required in terms of regulations. She believed this plan was the best plan to move forward. She indicated the city would save every tree that they could and noted the house locations would be adjusted.

Wiersum discussed how challenging it was to snow plow cul-de-sacs. He requested staff speak to how difficult it would be to plow the proposed cul-de-sac. Public Works Director Will Manchester stated the city has 581 cul-de-sacs and the city does find itself in situations where snow is hauled away. He noted staff does not have any concerns with the proposed cul-de-sac.

Wiersum requested the applicant come forward at this time.

Eric Zehnder, Zehnder Homes, thanked the council for their time and consideration. He commented on the rights of property owners and noted he had worked very hard to meet all of the city's ordinances through the proposed plat. He reported he has been working with staff for over a year to complete this plat. He commented on the snow removal plan for the development. He discussed how the neighborhood would add more traffic to the neighborhood, but stated this increase would be minimal. He noted he spoke with the neighbors at a community meeting and suggested a consolidated garbage service be considered by the neighbors. He indicated the existing cul-de-sac did not have a lot of on-street parking and noted the new houses would have longer driveways,

which meant they would have more off-street parking. He discussed how the existing driveway at the end of the cul-de-sac was not a problem he created, but rather was already in place. He reported the cul-de-sac would be 80 feet in diameter per city code requirements. He reiterated that this was a conforming R-1 plat and noted he was available for comments or questions.

Wiersum opened the meeting for public comments.

Dan Schoenecker, 4525 Dunibar Ridge Road, stated he lives adjacent to the proposed development. He indicated he was not opposed to the property being developed, but he was opposed to how it has been passed to the council without the neighbors concerns regarding roadway safety, parking and snow removal being addressed. He indicated when he purchased his land in 2001 he asked the city what the plans were for this land and he was told the land would sell at some point, but there were no proposed plans. He expressed concern with the fact the site would now have five homes that were being accessed through the bulb of his cul-de-sac. He indicated he was later told by staff that this had been the plan for the site since 1999, and there was previously a clerical error. He reviewed the proposed cul-de-sac plans stated he understood there were three other balls off of a ball in the city. He commented on the current proposal and noted most cul-de-sacs service three to five properties. He explained his cul-de-sac would now service nine properties. He noted there was not another cul-de-sac in Minnetonka that serviced nine properties. He anticipated it would not be safe to back into a bulb that served nine homes. He stated these dangers would be magnified when the cul-de-sac was surrounded by snow banks. He commented his last concern was with the proposed tree loss, especially with the significant, mature trees. He understood that the developer owned the property and could do what he wants, but he asked that the buffer pine trees located on his developments property remain in place or that the buffer be replanted at the developers expense. He encouraged the council to not dismiss the concerns of the nine families that were located Dunibar Ridge. He respectfully requested the council hold off on taking action on this plan and that the proposed plan from 1999 be further considered.

Karen Evenson, 4478 Dunibar Ridge, thanked the council for their time and for hearing her concerns. She stated she was the first home in her neighborhood in 2000. She explained she liked the location because it was safe and on a cul-de-sac. She reported her boys used this cul-de-sac well. She understood the proposed plat somehow met all of the city's requirements, but noted there was concerns with how the property would be accessed via Dunibar Ridge Road. She read through how city ordinance defines a cul-de-sac. She noted Dunibar Ridge Road already has one road extension. She asked how adding yet another extension to the cul-de-sac conforms with city ordinance. She explained the neighbors had asked the developer to create a separate access roadway to the development that does not disrupt the existing townhomes, church or Dunibar

Ridge Road. She noted the neighbors have come up with multiple solutions, with the most viable option coming along the eastern property line adjacent to the church. She commented on the history of the property, noting the neighbors were not wetland delineation experts. However, the neighbors did believe there were viable options for accessing the development other than using Dunibar Ridge Road and requested the council pursue these options further with the developer.

Laurie Schoenecker, 4525 Dunibar Ridge Road, stated there were safety problems with the proposed access for the Dunibar Court development. She noted the planning commission was aware of these concerns. She summarized the concerns that were voiced at the planning commission meeting. She did not want there to be an accident on her cul-de-sac before the concerns of the neighbors were taken seriously. She did not like the fact the city was creating a bulb on bulb cul-de-sac and recommended another entry point be considered.

Bobbie Rochlin, 4445 Dunibar Ridge, stated her home was the home on the corner of Ridge Road and Dunibar Ridge Road. She reported she currently had roads on two sides of her triangular lot and with the proposed development she would now have another maintenance driveway abutting her property. She explained this would put her property on an island of pavement. She requested the council take this into consideration, along with the other concerns that have been voiced by her neighbors. She recommended another access point be considered.

Rajesh Nagalla, 4502 Dunibar Ridge Road, thanked the council for making kids safety a focus. He reported he had young children and requested the proposed plans be further vetted for safety purposes.

Wiersum closed the meeting for public comments.

Wiersum asked if there were any comments from staff based on the statements made by the public. Wischnack stated many of these issues were discussed at the planning commission.

Calvert reported she watched the planning commission meeting. She indicated the legal definition of a cul-de-sac was being brought into question. She inquired if the city had to legally redefine what a cul-de-sac was. She asked if the electrical box was located within the delineated wetland area. Wischnack stated the electrical box was within the delineated wetland area. She commented this happens from time to time. Heine explained she was of the opinion the definition of a cul-de-sac was not being violated with this plat because there was one point of entry at Ridgewood Road and there would be a cul-de-sac off of a cul-de-sac. She reported the city has several cul-de-sacs off of cul-de-sacs already in place. Public Works Director Will Manchester concurred with these comments.

Kirk requested further confirmation on the tree count. Wischnack reviewed the tree inventory in further detail with the council. She reported the trees in question in the buffer area were planted on city right of way.

Kirk commented there were two cul-de-sacs in his ward that have been abandoned through roadway extensions. He asked if the new cul-de-sac would be called Dunibar Ridge Road. Wischnack explained the cul-de-sac would be named Dunibar Court. Heine discussed how some of these abandoned cul-de-sacs were intended to be removed and extended, but rather were simply extended for new developments.

Wiersum questioned if the ghost plat was considered a proposal. Wischnack described what was viewed as a proposal and what was not viewed as a proposal by the city. She noted a concept was provided for this property for future subdivision and road alignments, however she noted there were no proposals. She stated a concept becomes a proposal when the applicant applies for something. Further discussion ensued regarding the application process for official proposals, which included the payment of fees and filling out of a complete application.

Schaeppi thanked the neighbors that came in to speak regarding the proposed plat. He discussed the request before the council and noted the plat was conforming. He indicated it was not the role of the council to add additional conditions because this would become problematic. He explained he understood the concerns of the neighbors and stated he also lives at the end of a cul-de-sac. He explained this plat was not intending to store snow on the existing cul-de-sac. He acknowledged the applicant for meeting the city's requirements with respect to steep slopes and the tree ordinance. He stated he also acknowledged the loss of trees, but did not see how the council could put additional conditions on this conforming project.

Schack stated she agreed with most of what Councilmember Schaeppi said. She commented this parcel was vacant and the property owner had the right to develop this land. She reported if this lot were geographically different, the site would be able to hold even more homes. She indicated she would be offering her support to the proposed plat.

Kirk explained she was on the planning commission for seven years. During this time he did not he did not recall approving a long drive with four homes at the end, which would be the alternative to the proposed cul-de-sac off a cul-de-sac. He stated the long driveway option would not be safe. He believed the proposed access point was the most logical access point. He indicated the cul-de-sac was already compromised with a through street. He noted this turn would change the character of the existing cul-de-sac, but he believed it made sense. He encouraged the developer to reconsider the tree inventory and the trees that

could be saved. He reported he would be supporting the proposed plat. He encouraged the developer to keep the access/maintenance drive vegetation.

Coakley commented she appreciated the neighbors coming out and voicing their concerns regarding the proposed development. She believed the project would create safety concerns and for this reason she would not be offering her support to the proposed plat.

Calvert stated this was a difficult project for her. She thanked the neighbors for being thoughtful and engaged. She explained she served on the planning commission for many years and reported this group made recommendations to the city council and did not make final decisions. She commented if a develop meets city ordinances, it restrains whether or not the council could deny the request. She understood the developer had the lots and setbacks fully conforming. In addition, the proposed plat minimally meets the steep slope ordinance. She indicated the tree ordinance was being met, but the sense of tree loss would be significant. She encouraged the developer to consider a better configuration for the road and buildings in order to address the tree loss. She understood that nobody on the planning commission felt good about this plat even though it checked the right boxes. She stated she felt much the same way about this project.

Wilburn commented she was struggling with this request. She explained she visited the site and she has safety concerns. She did not believe city staff was dismissing the neighbors concerns, but she feared traffic safety would be an issue. However, she also understood the plat met city requirements.

Calvert reported one of her biggest concerns was with vehicular circulation in the bulb because there were no clear lanes for traffic.

Wiersum thanked the neighbors for coming forward and clearly articulating their concerns. He explained the council was torn on this plat because this was not an easy development. He understood this plat took creativity because the property was landlocked. He commented he believed in the rule of law and that Mr. Zehnder, the property owner, has property rights. He stated the council cares about all of the things the neighbors care about and the council has put ordinances in place to guide future developments. He reported Mr. Zehnder had brought a conforming plat to the city. For this reason, he would be offering his support to the request.

Schaeppi moved, Kirk seconded a motion to adopt Resolution 2022-101.

Schaeppi, Kirk, Schack, Wilburn and Wiersum voted "yes." Coakley and Calvert voted "no". Motion carried.

B. Intersection concept for Gleason Lake Road and Vicksburg Lane

Public Works Director Will Manchester gave the staff report.

Kirk commented the flashing beacon was not warranted at this time. He understood the traffic in this area was difficult at certain times during the day because of the school. He asked if these peak moments were being taken into consideration for the flashing beacons. Manchester stated cameras were installed to monitor this intersection and it was determined warrants were not met for the flashing beacons.

Wilburn requested further comment from staff on the difficulties of working the County on this project. Manchester stated the county looked into the warrants at this intersection in order to not set a precedent when moving forward with improvements at this intersection. He explained he spoke with Plymouth further and noted they would consider improvements if Minnetonka wanted to move forward with this project.

Wilburn questioned how much property would be lost along Towns Road. She then inquired if Plymouth could move forward with this project without approval from the City of Minnetonka given the fact the majority of the intersection land was in Plymouth. City Engineer Phil Olson reported there was a fair amount of right of way along Towns Road and only one property on the south side of Towns Road would be impacted by snow storage. Manchester explained Plymouth could choose to move forward without the City of Minnetonka's approval, but they preferred to work with the city.

Schaeppi asked if the proposed roundabout would have a curb. Manchester stated the center of the roundabout would have a surmountable curb.

Schaeppi explained he looked forward to hearing from the neighbors in attendance and thanked staff for all of their work on this project.

Wiersum opened the meeting for public comments.

Judy Wright, 303 Townes Lane, explained she lived a few doors down from Councilmember Schaeppi. She believed it feels as if this project was being dictated by Plymouth and that the concerns of the residents of Minnetonka were not being considered. She noted she sent a letter to the city and she read this letter in full for the record. She encouraged the council to reconsider the project and the problems associated with the proposal.

John Remakel, 150 Townes, stated he was a father to young boys and he understood the neighbors would have differing opinions regarding the roundabout. He discussed how roundabouts were the wave of the future. He commented on how roundabouts were becoming more popular in the suburbs.

He stated his main concern was with losing the RFB's and discussed how these flashing beacons provide safety for children crossing the street. He feared that with the roundabout, pedestrian safety would be compromised. He commented on how Plymouth was focused on getting traffic through the area to their business district, but he wanted Minnetonka's voices and concerns to be heard for the safety of his children.

Gervaise Peterson, 212 Townes Lane, commented she was surprised there was no one from the City of Plymouth in attendance. She stated she appreciated the stop signs that were in place now. She indicated she was concerned with pedestrian safety given the number of children that walked to school. She supported flashing lights being installed. She believed there had to be a safer way for the residents to leave the neighborhood and she did not see the roundabout being an option. She thanked the council for listening and requested the roundabout not move forward.

Tim Engel, 350 Townes Road, stated his neighborhood has discussed this topic and he believed the main concern was safety and children walking to school. He discussed how the point of land was used for children catching buses to other schools and noted this property had good access at this time. He indicated if this property goes away, so does the safe pickup and drop off location for these students. He believed the crosswalk system that was in place now served the students well and he did not want to see this go away. He expressed concern with how the neighbors were being dismissed by the City of Plymouth. He discussed how difficult it was to get out of his neighborhood already and he feared how this would be impacted by the proposed changes.

Colette Sulser, 259 Townes Road, explained that she did not see how safety would be improved through the proposed roundabout. She discussed how well the existing stop signs and crosswalks work. She commented on how many children were in her neighborhood and all of these kids had to cross the street to get to school. She urged the council to keep the four stop signs in place for the safety of these children.

Mike Sulser, 259 Townes Road, stated there was a lot of speeding south on Vicksburg and Gleason. He discussed how the stop sign slows this traffic down. He anticipated the roundabout would validate and encourage speeding south through the intersection because cars would not have to stop. He reported this was a big concern for him, along with the safety of the children trying to cross the street.

Matt Michaels, 600 Townes Road, explained he understood this was a problematic intersection. He discussed the traffic forecasts and stated they were hard to believe. He anticipated the roundabout would move through, but he

recommended the flashing lights be required for the safety of pedestrians crossing this intersection.

Michael Bruflodt, 16018 Gleason Lake Road, indicated he lived on the corner and had a great view of the intersection. He believed the previous comments were very valid. He recommended a beacon be installed for the safety of the children crossing this roadway. He noted he was not a fan of the roundabout, but she could live with it if the safety concerns were taken into consideration.

Wiersum closed the meeting for public comments.

Wiersum indicated Councilmember Schaeppi has been working with the neighbors on this issue and allowed him to speak first.

Schaeppi stated he lives on Townes Lane and would be impacted by this project. He thanked his neighbors for coming in to speak. He thanked staff who have been working behind the scenes on this project. He commented on the calls he has been making to learn more about roundabouts and mini-roundabouts. He discussed how a flashing beacon could be part of this project. He explained he had two young daughters that would be walking and biking through this intersection. He indicated the intersection was oddly shaped, took some time to cross, and was between two different cities. He summarized the feedback that has been received regarding this intersection noting he understood there was a lot going on at this intersection. He reported he valued the stop signs that were in place because they slowed traffic. He commented the challenge of the intersection was the different angles of the turns. He reviewed the discussions that were held today between Minnetonka and Plymouth staff regarding a flashing beacon. He stated staff was recommending the roundabout move forward with a flashing beacon. He reported if the council supported this recommendation he would also be making a motion direction staff to coordinate with Hennepin County and the City of Plymouth to include the RFB at the intersection through a right-of-way permit. He reiterated that he has a very strong concern about the children walking and biking to school that have to use this intersection. He discussed the manner in which traffic and pedestrians would move through the proposed roundabout with the flashing beacon and noted he would be offering his support for this project.

Schack thanked the neighbors for coming in and speaking. She explained their were professionals that study safety and she would have to defer to the professionals for this project. She agreed with Councilmember Schaeppi that there would be tradeoffs and noted she would support this project moving forward with beacons.

Kirk explained he lived on Excelsior and Baker Road which has a similar angle to this intersection. He believed the proposed roundabout would address the safety

concerns and noted the roundabout would address the log jam and sharp angle concerns. He stated he supported the roundabout moving forward with the RFB's.

Calvert commented change was really hard and it would take some time to get used to a roundabout. She noted traffic could only drive so fast through a roundabout and were viewed as a traffic calming measure. She believed the roundabout would assist with slowing traffic down. She supported the roundabout moving forward and believed it would create safer conditions for pedestrians with the RFB's. She understood the city was dealt a difficult hand and she appreciated the comments from Councilmember Schack that even if the council doesn't like all of the outcomes, Minnetonka had a voice in shaping the outcome of this project. She indicated she would be offering her support for this project.

Wilburn explained the RFB's had to be a part of this project for the safety of the pedestrians in the area.

Wiersum stated the multi-jurisdictional aspect of this project was tricky. He discussed how it benefited the city to work with the City of Plymouth. He understood that residents don't like traffic and they don't like change. He understood the proposed roundabout was a proposed change, but he believed over time, this change would improve safety for the community. He discussed how the roundabout would improve traffic flow. He commented on how important public safety was to the city council, especially for the children in the community. He stated traffic slows down through roundabouts. He thanked Councilmember Schaeppi for all of his efforts and involvement on this project and for getting the RFB's a part of this project.

City Manager Mike Funk summarized the comments from staff noting the recommended action was to approve the concept plans and the joint powers agreement with the City of Plymouth. He stated the RFB was not included in the proposed design, but would be included in a second motion from the council requiring the RFB through a right-of-way permit.

Schaeppi moved, Kirk seconded a motion to approve the concept, joint powers agreement and direct staff to coordinate with Hennepin County and the City of Plymouth to include RRFB's at the intersection of Gleason Road and Vicksburg Lane through a right-of-way permit. All voted "yes." Motion carried.

C. Resolution approving a 10-year commitment for the LOGIS enterprise resource planning and utility billing software applications

Finance Director Darin Nelson gave the staff report.

Calvert reported she engages with an ERP system on a daily basis. She indicated she was in the middle of updating at her place of employment. She asked how confident staff was that the proposed program would meet the city's needs. Nelson explained LOGIS would aid the city along with the transition, which would make it successful. City Manager Mike Funk stated both of the software programs were known quantities and were industry leaders.

Wiersum anticipated the transition would be hard, but would be well worth the upgrade.

Calvert moved, Wilburn seconded a motion to adopt Resolution 2022-102. All voted "yes." Motion carried.

15. Appointments and Reappointments: None.

16. Adjournment

Calvert moved, Schack seconded a motion to adjourn the meeting at 11:34 pm. All voted "yes." Motion carried.

Respectfully submitted,



Becky Koosman
City Clerk