

**Minutes
Minnetonka City Council
Monday, November 14, 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 Kissy Coakley, Brian Kirk, Rebecca Schack, Kimberly Wilburn, Deb Calvert, Bradley Schaeppi and Brad Wiersum were present.

Wiersum asked for a moment of silence for Keith Clark, the Senior Diversity, Equity and Inclusion Coordinator, who recently passed away unexpectedly.

4. Approval of Agenda

Calvert moved, Kirk seconded a motion to accept the agenda as presented. All voted "yes." Motion carried.

5. Approval of Minutes: None.

6. Special Matters:

A. Minneapolis Regional Chamber update

Minneapolis Regional Chamber Representative Grace Waltz discussed the efforts being pursued by the chamber.

Wiersum thanked Ms. Waltz for her continued partnership with the City of Minnetonka and stated he appreciated the chamber's priorities.

B. State Highway 7 MnDOT Safety Audit

Public Works Director Will Manchester and MNDOT State Traffic Engineer Derek Leuer gave the staff report.

Schaeppi asked what the top priorities were from this study. City Engineer Phil Olson commented on the results from the safety audit and noted several intersections in Minnetonka stand out. He reported having battery backup at

some intersections would be key, along with addressing pedestrian movements. He stated as intersections are replaced going forward, further safety and pedestrian improvements would be considered.

Schaeppi questioned if state grants could be pursued for corridor improvements. Olson explained this corridor has been identified for more intensive study. He commented further on how and when the city would work with MNDOT on corridor improvements.

Schaeppi stated he was happy the city was working with MNDOT to improve safety along this corridor. He discussed how Highway 7 was a physical barrier in Minnetonka, especially for Minnetonka residents that live to the north. He supported the city rediscussing an underpass in the community.

Kirk agreed Highway 7 was a barrier in Minnetonka, especially where the LRT crosses into the community at Minnetonka Boulevard. He discussed how Shady Oak Road was a mess and this roadway was realigned. He commented on how important it was for roadways to have 90 degree intersections.

Calvert explained there were many communities impacted by Highway 7. She stated now may be the time for the city to pursue a Highway 7 Coalition with surrounding communities. Leuer discussed the coalition that was created for Highway 12. He reported this coalition has been instrumental in getting people to the table while also securing funding for the corridor.

Wiersum supported the city forming a Highway 7 Coalition as well. He understood there were real needs for this corridor, which included improving pedestrian safety. He indicated he would be happy to assist with creating this coalition.

City Manager Mike Funk suggested the council continue this conversation through the strategic profile. He noted staff was creating action steps for 2023 and this item could be brought back to the council for further discussion at a future meeting.

Manchester reported there was a caller on the line that would like to speak to this topic.

Luke Van Santen was not able to connect with the council at this time. Wiersum encouraged Mr. Van Santen to send the council an email regarding his comments or questions on this topic.

C. 2022 Small Business Saturday Proclamation

Wiersum read a proclamation in full for the record declaring Saturday, November 26 to be Small Business Saturday in the City of Minnetonka.

7. Reports from City Manager & Council Members

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

Schack stated the Spooktacular event was very well done again this year. She thanked staff for all of their efforts.

Schack thanked all of the staff members and election judges who worked on the election this year.

Wilburn explained she had the privilege of attending the service for the Hopkins Assistant Fire Chief who passed away. She offered her condolences to his family and colleagues. She also sent her condolences to the family and friends of Keith Clark.

Calvert stated several months ago she attended a fundraiser for the organization that was providing prosthetics to the soldiers that were in Minnetonka from Ukraine. She indicated her heart continues to be with the Ukrainian people.

Calvert thanked staff for another well run election and thanked all of the residents who served as election judges. She stated she also appreciated the fact that 74.86% of registered voters took the time to engage in the community by voting in this year's election.

Schaeppi thanked staff and all who served on election day for their efforts.

Schaeppi reported city leadership was looking into the concerns that have been raised about the Marsh.

Wiersum thanked the election judges and city staff for another well run election in Minnetonka. He thanked residents for being patient and respectful throughout the voting process.

Wiersum stated that today he attended a Vantage Class at the high school with City Manager Mike Funk.

Wiersum extended his deepest sympathies to Keith Clark's family, friends and staff members.

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

Brad Buscher, 13939 Emerald Ridge, stated he was the victim of a recent crime, noting his home was broken into and his vehicle was stolen. He explained he was a single father with eight daughters and three of his daughters were at home. He reported this created a horrific stir in his home. He thanked the Minnetonka Police Department for their tremendous response to this event. He indicated there were nine other homes that were vandalized the same night as his. He stated Detectives Pat Eggleston and Samantha Johnson were miraculous and noted the chief even took the time to speak to him personally. He thanked the evidence department for being amazing. He appreciated the fact his Navigator was found in nine hours, but it had over \$25,000 worth of damage to it after being returned. He reiterated that the response time and work done by the Minnetonka Police Department was exemplary. He explained he was interested in looking into why this type of crime was occurring by juveniles in the community. He stated last time he looked, 1900 vehicles had been stolen in the city. He reported there needed to be more accountability for the actions of these juveniles than the current "catch and release". He stated this system was not working and noted all communities were being impacted by rising crime. He recommended the county attorney's office be addressed, along with the State Capitol. He reported he would like to work in concert with Minnetonka, Wayzata, Plymouth and Medina in order to address this concern. He anticipated this issue was not going to go away and the city would have to keep talking about it. He believed the police department needed more tools in order to keep these criminals off the street and stated he was willing to work with the city to advocate for change.

Wiersum thanked Mr. Buscher for coming forward and speaking to the council. He stated the city needed support from judges, the court system and new solutions for juvenile offenders. He reported the council was committed to addressing this issue. He understood that public safety was job one for the city council and he understood there was work to do.

Tom Madden, e-Cig Pod of Minnetonka, explained he has been a small business owner in Minnetonka for the past nine years. He provided the council with packets of information regarding THC. He discussed how .3 THC was now legal in all 50 states. He commented on how Minnesota State Statute addresses THC. He reported he tests all of the products he sells to ensure they were meeting proper standards. He stated 85% of his customers were using THC products to help with anxiety and sleep.

Wiersum encouraged Mr. Madden to attend the Monday, November 28 city council meeting where the THC ordinance will be addressed.

9. Bids and Purchases:

A. Bids for the Water Treatment Plant #14 Generator Project

Public Works Director Will Manchester gave the staff report.

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

10. Consent Agenda – Items Requiring a Majority Vote:**A. Revised purchase agreement for 1809 Welland Avenue and 10505 Belmont Road**

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

B. Certification of delinquent utility charges to the Hennepin County Auditor

Wilburn moved, Calvert seconded a motion to adopt Resolution 2022-104. All voted "yes." Motion carried.

C. Conditional use permit for The Social Kitchen & Libations, a restaurant with an outdoor patio at 12411 Wayzata Boulevard

Wilburn moved, Calvert seconded a motion to adopt Resolution 2022-105. All voted "yes." Motion carried.

D. Solar energy systems ordinance update

Wilburn moved, Calvert seconded a motion to adopt Ordinance 2022-18. All voted "yes." Motion carried.

E. Resolution approving the final plat for CUMMINGS HOMESTEAD at 5024 Sparrow Road

Wilburn moved, Calvert seconded a motion to adopt Resolution 2022-106. All voted "yes." Motion carried.

F. Ordinance prohibiting unauthorized possession of catalytic converters

Wilburn moved, Calvert seconded a motion to adopt Ordinance 2022-19. All voted "yes." Motion carried.

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

12. Introduction of Ordinances: None.

13. Public Hearings:

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

City Planner Loren Gordon gave the staff report.

Wiersum opened the public hearing.

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

Schack reported she received some emails from people in the neighborhood. She explained she did not realize Racks was a “Hooters-type” restaurant. She stated it was disappointing this neighborhood restaurant would rely on the objectification of women as part of their marketing tactics, especially given the fact this restaurant was in close proximity to a middle school and high school.

Calvert stated she shared Councilmember Schack’s sentiments. She indicated she also feared how the existing mom and pop restaurant would fair after this new restaurant as open. She questioned if this was a business model that was needed in Minnetonka.

Wiersum concurred this concept was not Minnetonka-like. He encouraged the applicant to consider a new business model for the sports bar proposed in this community.

Schack moved, Wilburn seconded a motion to grant the license. All voted “yes.” Motion carried.

14. Other Business: None.

15. Appointments and Reappointments: None.

16. Adjournment

Calvert moved, Kirk seconded a motion to adjourn the meeting at 7:57 p.m. All voted “yes.” Motion carried.

Respectfully submitted,

A handwritten signature in black ink that reads "Becky Koosman". The signature is written in a cursive, flowing style.

Becky Koosman
City Clerk