

**Minutes
Minnetonka City Council
Monday, June 5, 2023**

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.

4. Approval of Agenda

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

5. Approval of Minutes:

A. May 15, 2023 study session minutes

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

B. May 22, 2023 regular meeting minutes

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

6. Special Matters:

A. Monarch and Pollinator Awareness Month proclamation

Wiersum read a proclamation in full for the record declaring July to be Pollinator Awareness Month in the City of Minnetonka.

B. Retirement recognition for police Sergeant Troy Denneson

Wiersum recognized Police Sergeant Troy Denneson and presented him with a plaque on behalf of the City of Minnetonka. He wished Sergeant Denneson a long and healthy retirement.

Sergeant Troy Denneson thanked the city council and staff for their tremendous support over the years. A round of applause and standing ovation was offered by all in attendance.

7. Reports from City Manager & Council Members

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

Calvert stated she participated in the drop off day. She thanked staff for all of their efforts at this great community event.

Calvert noted she attended the Jewish Community Relations Council Annual Event last night.

Calvert reported she attended the grand opening for Ridgedale Commons and she encouraged residents to visit an upcoming farmers market.

Schaeppi explained his family went to the Wayzata Beach on Wednesday morning. He encouraged all residents to consider the importance of water safety when visiting local beaches this summer.

Schack thanked staff for all of their efforts on Ridgedale Commons. She believed this park turned out even better than expected.

Wiersum stated this past weekend he attended the US Conference for Mayors in Columbus, Ohio. He indicated this was a very worthwhile event. He commented further on the panels and sessions he attended. He explained he discussed Ridgedale Commons at this event.

8. Citizens Wishing to Discuss Matters not on the Agenda

Tom Madden stated he was the owner of E-cig Pod in Glen Lake. He discussed how recent law changes have been impacting him and noted the sale of cannabis would now be legal in the state of Minnesota. He reported he provided staff with a short PowerPoint presentation to make the city aware of the changes he would be making at his shop.

9. Bids and Purchases: None.

10. Consent Agenda – Items Requiring a Majority Vote:**A. Resolution adopting the General Records Retention Schedule for Minnesota Cities for the disposition of city records**

Calvert moved, Wilburn seconded a motion to adopt Resolution 2023-034. All voted “yes.” Motion carried.

B. Cancel the public hearing for an on-sale wine and on-sale 3.2 percent malt beverage liquor licenses, and a conditional use permit for Kike Y Shamu Inc., dba Costa Brava at 17623 Minnetonka Boulevard

Calvert moved, Wilburn seconded a motion to cancel the public hearing. All voted “yes.” Motion carried.

11. Consent Agenda – Items requiring Five Votes: None.**12. Introduction of Ordinances:****A. Ordinance approving renewal of cable television franchise with Comcast of Minnesota, Inc.**

City Manager Mike Funk and Attorney Brian Grogan gave the staff report.

Calvert thanked Mr. Grogan for his clear and concise presentation. She stated it would be great to have programming in high definition going forward.

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

B. Ordinance repealing Ordinance No. 2023-01, related to THC edibles

Community Development Director Julie Wischnack gave the staff report.

Wiersum reported the League of Minnesota Cities hosted a webinar on the legislative session last week. He noted the league discussed cannabis regulations and he anticipated another webinar would be hosted in the near future on this topic.

Wilburn moved, Kirk seconded a motion to introduce the ordinance. All voted “yes.” Motion carried.

13. Public Hearings:**A. Temporary on-sale liquor license for Boom Island Brewing Company LLC, 5959 Baker Road**

Community Development Director Julie Wischnack gave the staff report.

Wiersum opened the public hearing.

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

Kirk moved, Schack seconded a motion to grant the license. All voted "yes."
Motion carried.

B. Temporary on-sale liquor license for BeliEve Foundation, for an event at 13008 Minnetonka Boulevard

Community Development Director Julie Wischnack gave the staff report.

Wiersum opened the public hearing.

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

Wiersum thanked this family for wanting to give back and help others who have experienced the loss of a child. He encouraged the residents of Minnetonka to attend this event.

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

14. Other Business:**A. Conditional use permit for an accessory structure in excess of 1,000 square feet and 12 feet in height at 12620 Orchard Road**

Community Development Director Julie Wischnack gave the staff report.

Calvert asked what would be allowed if the structure were connected to the home. Wischnack explained if the structure were connected the conditional use permit would not be required, but setback requirements would have to be met. She indicated the garage would then be subordinate to the house. Staff commented further on how the garage size would be askew to the house size.

Wiersum questioned if the city allowed multiple accessory buildings on the same lot. Wischnack stated an accessory building under 200 square feet would not

require a conditional use permit or building permit. She indicated a larger building would require a conditional use permit.

Wiersum requested the applicant to come forward at this time.

Scott Wothe, 12620 Orchard Rd., explained his dad had a small collection of cars and when he died in November of 2021, he inherited these cars. He stated when he purchased his home in 1990, he intentionally purchased a home with a large lot. He indicated he has not had a garage on his property since 1995. He reported the time has come for him to now build a garage for his property. He stated he was looking to build a nice garage structure for his property with high quality siding.

Kirk commented when he was on the planning commission the group struggled with these requests. He understood a variance could be granted, but feared this request was excessive. He feared a precedent would be set with this accessory structure. He explained he appreciated the attractive design of the garage, but he felt it was too big. He noted he could accept a two wide, two deep garage.

Coakley indicated the design of the garage was well done and she appreciated the story that went with the request. She stated she would be supporting this matter.

Calvert explained this was a home she walked past every week. She agreed this was an attractive building and she sympathized with why the applicant wanted to build a larger garage. She indicated she was also concerned about the number of trees that would be lost if this structure were approved. She noted she would not be able to support the request as presented because it was too big.

Schaeppi stated he appreciated the story behind the garage request and how the applicant was working to make the best use of his property. He was of the opinion the garage was too big for this lot and suggested the applicant consider a smaller building.

Schack explained she agreed with her colleagues noting this building was too large in relation to the house. She reported she would be comfortable with a structure that was smaller and more in line with the size of the house.

Wiersum agreed the garage was too big. It was his hope the garage could be consistent with the property owners vision while more carefully taking into consideration city ordinance. He encouraged the applicant to respect the spirit of the ordinances and to work further with city staff on the garage structure.

Wischnack suggested the council speak with the applicant to see if he would like action on this item tabled in order to allow him to revise the plans. She noted if

the item were tabled a 60 day waiver would be required from the applicant. She stated if the item were denied by the council, it would be another 60 to 90 days before revised plans could be considered by the city council.

Mr. Wothe supported the council tabling action on this item. He expressed frustration with the fact he was being penalized for having a smaller home. He stated he could have torn his home down and rebuilt, but he has not done this. He encouraged the city to reconsider the reasons why it matters to have the garage attached. He noted he would agree to a 60 day waiver in order to revise his plans for reconsideration by the city council.

Kirk moved, Calvert seconded a motion to table action on this item. All voted "yes." Motion carried.

B. 2024 budget kick-off

City Manager Mike Funk and Finance Director Darin Nelson gave the staff report.

Wiersum stated this was the start of a significant process and a lot of work has already gone into the 2024 budget. He asked for comments from the council.

Schack stated the biggest concern in her mind was with the open column as it relates to the fire and police expenses. She wanted to make sure the city was properly planning for these expenditures going forward. She was interested in learning more about The Marsh's financials. She explained she did not have a number in mind at this time for the proposed levy increase but looked forward to learning more from the police and fire studies.

Schaeppi commented it was super early and without having complete information on police and fire it would be difficult to set a limit. He explained he appreciated work staff has done so far. He noted his priorities were police, fire and all other essential services. It was his hope the city survey would assist the council with setting priorities within the 2024 budget. He indicated he would continue to be a big proponent for keeping a skate park in the CIP in order to get kids outdoors and off their screens.

Kirk stated he would also support getting kids of screens and outdoors. He supported the city holding a public hearing prior to September. He encouraged the city to properly plan for park space within Opus. In addition, he wanted a shared LRT station to be considered along Shady Oak Road. He understood there was a sense of urgency when it came to police and fire. He anticipated the city council had to be prepared to ramp up in order to fix matters over the next year or two. He understood it was difficult to throw a number out, but stated he would have a difficult time going from 6 to 7.

Coakley stated her priority would be to continue to invest in affordable housing. She commented she was also interested in programming for youth, while also finding new ways to work with community partners.

Calvert explained she believed the city did a good job using the strategic profile as a guideline for the budget. She believed public safety was a mandate for the city. She wanted the city to remain proactive when it comes to public safety and community programming. She hoped habitat restoration and other environmental initiatives would remain priorities for the city.

Wilburn agreed public input should be taken prior to September instead of in December. She supported the city continuing to focus on housing and sustainability. She noted she was a huge proponent of public safety.

Calvert commented on the technology development fund and stated she appreciated the fact the city was investing in technology, especially when it saves staff time and creates greater efficiencies.

Wiersum understood the wish list was long but he appreciated how the city prioritized when it comes to the budget. He explained public safety was at the top of his list. He appreciated how efficient both the police and fire departments were, but he understood the city would have to spend more money there in order to maintain and retain staff. He agreed housing was very important. He really wanted to push to leverage for state and federal funding that was available for housing. He supported the city finding appropriate programming for youth. He anticipated this would be a challenging budget year, which meant the council would have to prioritize and consider what the city could afford to not do. He stated The Marsh was a significant issue the city would have to address in 2024 noting he would like to see this facility become self-sustaining. He indicated he did not have a specific number, but he would like to see the number no higher than 6.2%. He ended his comments by thanking staff for their efforts on the 2024 budget.

C. Emergency Business Loan Fund

Community Development Director Julie Wischnack gave the staff report.

Calvert thanked staff for their good work on this resolution.

Calvert moved, Schack seconded a motion to adopt Resolution 2023-035. All voted "yes." Motion carried.

15. Appointments and Reappointments: None.

16. Adjournment

Calvert moved, Kirk seconded a motion to adjourn the meeting at 9:04 p.m. All voted "yes." Motion carried.

Respectfully submitted,

A handwritten signature in cursive script that reads "Becky Koosman".

Becky Koosman
City Clerk