

**Minutes  
Minnetonka City Council  
Monday, January 27, 2020**

**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 Bradley Schaeppi, Kissy Coakley, Brian Kirk, Rebecca Schack, Susan Carter, Deb Calvert and Brad Wiersum were present.

**4. Approval of Agenda**

Calvert moved, Kirk seconded a motion to accept the agenda with addenda to Items 14.A, 14.E and 15.A. All voted "yes." Motion carried.

**5. Approval of Minutes:**

**A. December 16, 2019 regular council meeting**

Calvert requested a change to the minutes under Item 14 in the fifth paragraph noting her statement should read: Calvert stated that while she understood that City staff suggested \$250,000 for the proposed affordable housing she would like to better understand that figure as the original request was for \$4 million. She suggested a more realistic figure might lie somewhere in between and would like to explore that idea further.

Carter moved, Schack seconded a motion to accept the minutes, as amended. Schack, Carter, Calvert and Wiersum voted "yes". Schaeppi, Coakley and Kirk abstained. Motion carried.

**B. January 6, 2020 regular council meeting**

Calvert requested a change to the minutes on Page 3 in the third paragraph from the bottom stating the paragraph should read: Kirk inquired when meeting notifications were sent out to neighbors. Gordon discussed the process the city followed for meeting notifications. He explained postcards went out in December and would again in February. He also reminded council that the project website

was always being updated and encouraged people to subscribe to receive those notifications.

Kirk moved, Carter seconded a motion to accept the minutes, as amended. All voted "yes." Motion carried.

**6. Special Matters:**

**A. Recognition of Senior Advisory Board Members Bonnie Sussman and Wendy Woodfill**

Wiersum read a proclamation in full for the record recognizing Senior Advisory Board Members Bonnie Sussman and Wendy Woodfill. He presented Ms. Sussman and Ms. Woodfill with a framed picture and thanked them both for their dedicated service to the community. A round of applause was offered by all in attendance.

Wendy Woodfill stated she would miss serving on the Senior Advisory Board and she thanked the city for this opportunity.

Bonnie Sussman thanked the city for this recognition.

**B. Recognition of Park Board Member Cindy Kist**

Wiersum read a proclamation in full for the record recognizing Park Board Member Cindy Kist. He presented Ms. Kist with a framed picture and thanked her for her eight years of dedicated service to the community. A round of applause was offered by all in attendance.

Cindy Kist stated she enjoyed serving on the Park Board over the years and she thanked the city for this recognition.

**C. Retirement recognition of Larry Schnack**

Wiersum read a proclamation in full for the record recognizing Larry Schnack for his service as a volunteer with the Minnetonka Fire Department and service with the Public Works Department. He presented Mr. Schnack with a plaque and thanked him for his dedicated service to the community. A round of applause was offered by all in attendance.

Mr. Schnack thanked the city for the opportunity to work with the Public Works Department and as a volunteer with the Minnetonka Fire Department.

## 7. Reports from City Manager & Council Members

City Manager Geralyn Barone reported on upcoming city events and council meetings. She stated early absentee voting was underway for the Presidential Nomination Primary and would continue through Monday, March 2. She explained the election would occur on Tuesday, March 3.

Calvert indicated today was the 75 Anniversary of the liberation of Auschwitz Concentration Camp. She encouraged the residents of Minnetonka to keep in mind the privileges and freedoms they enjoy in this beautiful community.

Calvert commented she attended the League of Minnesota Cities training conference for new and experienced councilmembers. She thanked the other councilmembers for being in attendance at this event.

Calvert noted she attended the Funfest at the fire department and thanked all who were involved in planning this great family event.

Calvert stated she attended a gun violence prevention event at Bet Shalom Congregation with clergy members from every major religion along with local elected officials. She noted Commissioner Harrington was the main speaker.

Schack reported she attended the US Global Leadership Coalition luncheon which was a bipartisan group that addressed global issues. She noted the mayor was also in attendance at this event.

Schaeppi thanked staff for working with the Minnetonka School District to submit an application for planning assistance through the Safe Routes to School initiative.

Wiersum stated he attended the No Hate No Fear event at the Temple Israel in Minneapolis. He explained this was a moving event that encouraged attendees to stand up against hate and intolerance.

Wiersum reported he attended the League of Minnesota Leaders Institute Conference and stated the content at this event was outstanding. He thanked all of the Minnetonka Councilmembers for attending this event.

Wiersum thanked all of the fire fighters and staff members that worked to plan the Family Funfest event.

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

Sheriff Dave Hutchinson provided the council with an update from the Hennepin County Sheriff's Office. He discussed the work being conducted by the Sheriff's Department in Minnetonka which included water patrol. He explained the ice was extremely unsafe this winter due to the heavy rains and urged the public to stay off the ice. He described how he worked collaboratively with the 36 police chiefs in Hennepin County. He commended Minnetonka for having a great police chief and police department. He reported his goal was to have seven K-9's by the end of 2020 to assist with providing better coverage in Hennepin County. He commented on how the Sheriff's Department was addressing the opioid crisis and encouraged residents to turn in their unused prescriptions. He thanked the council for their time and asked for questions or comments.

Wiersum thanked Sheriff Hutchinson for his presentation and for his dedicated service to the community. He stated he appreciated the great collaboration the Sheriff's Department had with the Minnetonka Police Department.

**9. Bids and Purchases: None****10. Consent Agenda – Items Requiring a Majority Vote:****A. Funding Agreements for Metropolitan Council Local Housing Incentives Account (LHIA) funds for Homes Within Reach**

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

**B. Resolution appointing election judges and absentee ballot board for the March 3, 2020 Presidential Primary**

Schack moved, Calvert seconded a motion to adopt Resolution 2020-003. All voted "yes." Motion carried.

**C. Metropolitan Council Water Efficiency Grant Agreement**

Schack moved, Calvert seconded a motion to adopt Resolution 2020-004. All voted "yes." Motion carried.

**D. Legal services agreement with Zimmerman Reed LLP**

Schack moved, Calvert seconded a motion to authorize the city manager to execute the substitution of counsel agreement. All voted "yes." Motion carried.

**E. Resolution approving a Certificate of Plat Correction for HIGHCROFT MEADOWS**

Schack moved, Calvert seconded a motion to adopt Resolution 2020-005 approving the certificate. All voted "yes." Motion carried.

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

**A. Applications for renewed precious metal and secondhand dealer licenses for 2020**

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

**12. Introduction of Ordinances: None**

**13. Public Hearings:**

**A. On-sale liquor licenses for TOG Kona Sushi, LLC. dba Kona Grill, 12235 Wayzata Boulevard**

City Manager Geralyn Barone gave the staff report.

Wiersum opened the public hearing.

Nick Wells, manager of Kona Grill in Minnetonka, stated he was available for questions or comments from the council.

Wiersum closed the public hearing.

Calvert moved, Schack seconded a motion to continue the public hearing from December 16, 2019 and grant the license. All voted "yes." Motion carried.

**14. Other Business:**

**A. Resolution awarding the sale of approximately \$25,000,000 General Obligation Capital Improvement Plan Bonds, Series 2020A**

Finance Director Darren Nelson gave the staff report.

Paul Steinman, Baker Tilly, commended the city for receiving a AAA bond rating from Moody's. He explained this was the highest rating possible which reduces the cost of borrowing and reduces the tax payers burden. He discussed the bids received for the bond sale noting the low bid was submitted by Robert W. Baird

with an interest rate of 2.3%. He commented further on the bond sale and recommended adoption of the resolution.

Calvert noted there was a blank on the resolution. Mr. Steinman reported the blank should have the number \$24,390,000 filled in. City Attorney Heine reported she was comfortable with the council approving the resolution with this information included.

Wiersum questioned if these bonds were tax exempt. Mr. Steinman reported these bonds were tax exempt.

Carter stated she appreciated the financial diligence of the city and noted this diligence would save the city over \$1.5 million and would shorten the duration of the bond sale term by two years. Barone reported only 6% of the cities across the country have a AAA bond rating. She explained this rating was based on the city's strong economic base, its budget, fund balances, CIP and long-term spending.

Wiersum thanked staff for their great work on the bond sale. He stated these bonds would assist the city in providing a Public Safety Facility that would serve the public for the next 50 years.

Schack moved, Calvert seconded a motion to adopt Resolution 2020-006. All voted "yes." Motion carried.

## **B. Opus area placemaking and public realm guidelines**

Park and Trail Planner Carol HejlStone gave the staff report.

City Manager Geralyn Barone reported staff was seeking feedback from the council on this item and no formal action was required.

Schaeppi thanked staff for the thorough presentation. He agreed a walking loop would be valuable in this area of the city. He stated he supported the trails having way finding signs. He encouraged staff to consider there may be an increase in bike traffic in the future. He believed regional north and south trail connections would be valuable to these bikers.

Calvert commended staff for their efforts on this report. She stated there were a lot of exciting options to be considered for the Opus area. She asked if bike lanes would be considered further after a traffic study was complete. HejlStone reported a traffic study was completed several years ago and was referenced in the report. She stated additional traffic study would be completed going forward to better understand how vehicle and bicycle traffic interact.

Calvert indicated she was excited for this area to have homogenous park signage that would be branded and color-coded. She recommended dog hygiene amenities be considered. She suggested the proposed square tables have built in chess boards. She stated she appreciated the proposed landscaping plans and encouraged the use of pollinator friendly native plants or edibles. She indicated the bus stops would have to be well manicured in order to encourage ridership. She believed the list of native animals was somewhat limited as the area also had coyotes, deer, raccoons, opossums, and other animals.

Schack thanked staff for their efforts on the proposed plan. She commented she appreciated the proposed color palette for the Opus area. She understood there was enthusiasm from both the employees and visitors to the area to have these trails enhanced. She reported the way finding signs were critical.

Carter stated she appreciated staffs efforts on this report. She believed the proposed colors and way findings signs would greatly benefit this area. She hoped the revitalization of this area would breath life into the entire development. She asked if there were any barriers to moving this work forward. HejlStone stated the city has been investing in the area by repaving the trails. She explained she did not have a date specific on when the project would be completed but rather the project would be worked on over time. City Manager Geralyn Barone reported the city had funds set in the five year Capital Improvement Plan for Opus and some of the park amenities. She noted staff would have to decide what items were priorities in order to find funding and move some of these items forward.

Carter questioned if private development in this area would assist with providing public access. HejlStone reported this would occur.

Kirk commented this plan was a step in the right direction. He appreciated how staff had brought Minnetonka into Opus through its hopes and visions for this space. He indicated the proposed bike lanes would strengthen this development. He asked if the city would have to watch what happens near the LRT as development occurs in order to create public space. HejlStone commented the city would be watching projects in this area in order to move its visions forward. Community Development Director Wischnack stated staff would be speaking with developers about the city's vision for this area for any items that come before the city.

Kirk stated there was a need for Opus to have a parking infrastructure and connectivity.

Wiersum commended staff on a job well done. He stated this report had great vision and purpose. He indicated the presented report was very well done and he

was excited about the possibilities that exist for Opus. He believed there was a tremendous opportunity for this area especially if the light rail were completed in conjunction with additional commerce. He stated this would make the Opus area a destination for all residents in Minnetonka. It was his hope the city would be able to capture the beauty of the Opus area through this project for all residents.

Coakley thanked staff for the thorough report. She questioned how residents without transportation could take advantage of this space. HejlStone explained the city would be considering how to integrate transit into the development and what mobility options were available.

Carter questioned if bus lines ran through the Opus development. HejlStone stated existing bus service was provided by Metro Transit to this area.

Calvert recommended the city work to improve the condition of the bus stops in Opus in order to enhance ridership.

Schack moved, Carter seconded a motion to accept the Opus area placemaking and public realm guidelines report. All voted "yes." Motion carried.

**C. Discussion of an Alternative Urban Areawide Review (AUAR) study for the Opus area**

Community Development Director Julie Wischnack gave the staff report.

Schaeppi asked if energy benchmarking was something for the council to consider post development. Wischnack explained this was another area that would be a separate item for the council to consider in the future.

Schaeppi requested further comment on the stormwater modeling for Opus. Wischnack discussed the imperviousness of Opus and described the infrastructure that was already in place. Director of Public Works Will Manchester stated staff would compare the water resources management plan to any new requests for development.

Kirk explained development in this area of the community draws little public comment. He stated the proximity to LRT would make this area prime for more affordable housing in Minnetonka. While density would be important, he would also like to have some level of habitat and greenspace still protected. He also asked if there had been a similar evaluation to the AUAR being proposed for Opus that would help guide the development for the Shady Oak Station in collaboration with Hopkins. Wischnack stated that extensive evaluations were done with the Shady Oak Development Strategy in conjunction with Hopkins.



Calvert recommended future traffic patterns with bicycles and pedestrians be taken into consideration within the AUAR. She requested further information on the environmental work that would be completed within the AUAR study. Wischnack described the high level environmental work that would be completed within the AUAR and noted further investigation would occur in the future when the site develops.

Wiersum asked if an EAW would be completed for this site or would the AUAR have proper environmental information included within this study. Wischnack reported an EAW would not be conducted by the city.

Wiersum commented the AUAR would help facilitate development of the Opus site in the future. Wischnack reported this was the case.

Wiersum stated he supported the city moving forward with the AUAR.

Provided comment and feedback. (No formal action required).

**D. Preliminary plat of MOORE ADDITION, a two-lot subdivision with lot width at building setback variances, at 5024 Beacon Hill Road**

City Planner Loren Gordon gave the staff report.

Kirk commented on the tree loss. He explained there was a number of elms and ashes on the lot that would also be lost but these trees were not considered high priority trees. Gordon reported this was the case. He reviewed the species of trees (oaks, black walnuts) that were considered high priority for the city.

Schaeppi asked how the city valued a 42 inch willow tree. Gordon stated the city values all trees in terms of resource value. However in terms of code, the high priority trees represent the trees that were part of a larger ecosystem that existed more predominantly than they do today.

Wiersum commented staff supports the lot split with the high priority tree loss being limited to five trees. Gordon reported this was the case, noting this was consistent with city code.

Wiersum questioned if staff had worked with the applicant to develop a new grading plan and home placement that could accommodate removing only five high priority trees. Gordon explained this would be a good next step. He commented this new plan may not be created until a specific buyer was in place.

Carter inquired if the tree loss was considered over the entire parcel or per lot. Gordon stated the tree loss for the 1.5 acre entire parcel could be no more than five high priority trees.

Josh Moore, 5024 Beacon Hill Road, explained he was the son of the property owner. He noted this property has been in the family since 1976. He stated he and his wife would like to remain in Minnetonka and in order to accomplish this he would need to do a lot split. He indicated he loves trees and understood the importance of trees in Minnetonka.

Calvert thanked the applicant for being patient. She also thanked the planning commission for taking a thoughtful approach to the tree issue.

Calvert moved, Schack seconded a motion to adopt Resolution 2020-007 approving the preliminary plat, with variance.

Kirk encouraged staff to focus on saving the legacy trees on this site and to be lenient with the trees that are entangled in the structures on the property.

Wiersum commented on the value of trees and stated he wanted the city to remain protective of its trees. However, he understood if some of these high priority trees were entangled in buildings, they may have to be removed.

All voted "yes." Motion carried.

**E. Resolution supporting an application for a grant from Hennepin County's Transit Oriented Development Program and DEED Redevelopment Program for redevelopment at 4312 Shady Oak Road**

Community Development Director Julie Wischnack gave the staff report.

Kirk questioned what the typical protocol was for adding an item to the agenda after the meeting packet was distributed to the council. City Attorney Corrine Heine stated items are added from time to time and this determination was made by the City Manager. She reported this item did not require any particular notice to any individual or property owner because this was not a land use request. City Manager Geralyn Barone reported it was very rare that an item was added to the agenda after distribution to the council.

Schack stated she supported the city pursuing the requested grant opportunity.

Carter thanked staff for seeking and pursuing this grant opportunity.

Calvert concurred.

Wiersum stated he appreciated the city attorney's comment regarding this agenda item. He indicated he supported the city pursuing this grant opportunity.

Schack moved, Carter seconded a motion to adopt Resolution 2020-008 supporting the application for grant funds through the Hennepin County TOD program and Resolution 2020-009 supporting the application for grant funds through the DEED Redevelopment Grant Program. All voted "yes." Motion carried.

**15. Appointments and Reappointments:**

**A. Appointments and reappointments to Minnetonka boards and commissions**

City Manager Geralyn Barone gave the staff report.

Wiersum moved, Kirk seconded a motion to approve the recommended appointments and reappointments.

Carter commented she would like the council to continue to commit to gender balance (not at the exception of well qualified candidates) on its boards and commissions. She stated she supported the proposed appointments but encouraged the city to be intentional about balancing its appointments to better reflect the community.

Kirk agreed with Carter's comments. He explained the council had a great pool of candidates to interview for the opens board and commission seats. He stated he appreciated the effort that went into the interviews.

Coakley stated she appreciated the individuals that were selected but encouraged the council to be more open in the future and to consider other skill sets and experiences.

Schaeppi concurred with the statements that were made and stated he looked forward to more dialogue on this topic. He explained he was pleased the city would be appointing a student representative.

Calvert commented she affirmed what had been said by everyone. She noted she was the council liaison to the EDAC. She reported all applicants for that group were outstanding. She agreed it would benefit each of the boards and commissions to have greater diversity.

Schack stated she agreed with the comments that had been made and thanked all of the residents that were willing to serve.

Wiersum indicated the city had a great pool of candidates. He was confident the city would have a great group of residents on the board and commissions.

All voted "yes." Motion carried.

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

Wiersum noted the Southwest LRT Places Committee still needed a council representative.

Carter stated she would not be able to serve on this group but noted this committee would be serving a valuable purpose.

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

**16. Adjournment**

Kirk moved, Calvert seconded a motion to adjourn the meeting at 9:43 p.m. All voted "yes." Motion carried.

Respectfully submitted,



Becky Koosman  
City Clerk