

**Minutes
Minnetonka City Council
Monday, June 22, 2020**

1. Call to Order

Mayor Brad Wiersum called the meeting to order at 6:32 p.m. Due to the COVID-19 pandemic this meeting was held virtually.

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 and Brad Wiersum were present. Council Member Susan Carter was excused.

4. Approval of Agenda

Kirk moved, Schack seconded a motion to accept the agenda with addenda to Item 14.B. All voted "yes." Motion carried.

5. Approval of Minutes:

A. May 18, 2020 regular council meeting

Calvert commented on a change to the minutes on page 5 noting her comment should also reflect concerns regarding RCV included financial burdens.

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

6. Special Matters:

A. Proclamation declaring July 2020 as Monarch and Pollinator Awareness Month

Kirk read a proclamation in full for the record declaring July to be Monarch and Pollinator Awareness month in the City of Minnetonka.

Read the proclamation.

B. Three Rivers Park District Regional Park Search and Regional Trail Master Plan

Park and Trail Planner Carol HejlStone reported representatives from the Three Rivers Park District had a presentation for the council on the Regional Park Search and Regional Trail Master Plan. She explained the Three Rivers Park District was established in 1957 by the State legislature. This organization was tasked with preserving and developing large park reserves and regional trails for the residents of suburban Hennepin County. She commented on how city staff has been collaborating with Three Rivers to discuss the West Metro Regional Trail Study. The findings of this study were discussed with the council.

John Gunyou, Chair of the Three Rivers Park Board, thanked the council for their time. He discussed the process that has been followed for the regional park and trail search. He explained Minnetonka was not well served by the Three Rivers Park District and for this reason new parks were trying to be identified. The focus for a new park has been on Minnehaha Creek. It was noted the second focus for the Three Rivers Park District has been a trail from Eagle to Bryant Lake Regional Trail. Further comment ensued regarding this 16 mile regional trail.

Kelly Griffman, Director of Planning at the Three Rivers Park District, discussed the regional park and trail planning to implementation process. She described how Three Rivers coordinated with the Met Council to identify regional parks and trails. She explained the next step was for Three Rivers to enter into cooperative agreements with cities while working to secure funding.

Danny McCollough, Three Rivers Park District, provided further discussion on the Minnetonka park and trail search area. He described the process that was followed for the proposed alignment of the Eagle to Bryant Lake Regional Trail. It was noted Three Rivers has 165 miles of existing trail with 58 miles of additional trails being planned. He commented on the outreach efforts that occurred for the trails study. The general alignment of the proposed trail was discussed in further detail.

Maggie Sherone, Three Rivers Park District, commented on the proposed timeline for the Eagle to Bryant Lake Regional Trail. She stated the project was being introduced this evening and public engagement would continue throughout the remainder of the summer.

Mr. Gonyu explained the Three Rivers Park District was very excited to complete both of these projects in Minnetonka.

Schack stated these projects were very exciting and she appreciated the efforts of all involved in the planning process. She questioned how the stretches with no

trails would be addressed. Mr. McCollough reported Three Rivers would seek to build a trail within the existing road right-of-way if a trail segment was not available on park land.

Schack reported this trail would be a welcome addition to Minnetonka.

Kirk commented the trail along Baker Road runs through Ward 1. He discussed how close the homes were to Baker Road and noted there was a fair amount of bikers and pedestrians using this roadway. He anticipated this trail would improve pedestrian safety along Baker Road.

Calvert stated she was excited to see the Three Rivers Park District plans for the regional trail. She asked when the trail along Baker Road would be constructed and where would it be located. HejlStone reported staff would be evaluating which side of Baker Road the trail should be located.

Calvert questioned if there has been any thought about burying power lines or additional roadwork along Baker Road. HejlStone explained the city would be considering efficiencies while partnering with related agencies on this project.

Calvert indicated Baker Road was becoming increasingly dangerous because of the traffic levels. She stated it was an exciting prospect for Baker Road to have a designated trail for safety purposes. She discussed the comments that were included in the packet and noted she respected the First Amendment. She indicated there were some troubling comments that she believed were extremely inappropriate. She explained she read all of the comments received from the public and read two of the comments aloud for the record. She encouraged residents to be appropriate when making statements to the city and to not disparage certain groups.

Schaeppi stated this presentation from Three Rivers was exciting. He indicated he supported the proposed trail alignment. He appreciated the community engagement that was being conducted by the Met Council and the Three Rivers Park District. He requested further comment from staff on how the trail will move forward where existing infrastructure was already in place and asked if the city would be funding a portion of this project. Mr. McCollough explained where existing trail infrastructure was in place this would remain and Three Rivers would enter into an agreement with the city to have the regional trail located along these pathways. It was noted eight feet was the minimum trail width for regional trails. Ms. Sherone reported Three Rivers would have the trail segments broken down for the council to further review in July and August.

Wiersum commended Three Rivers Park District on the thorough report. He stated he valued the trails that run through the community and he appreciated the fact that a northwest connection was being pursued. He encouraged the

park district to not delay the Dakota Trail extension. He indicated there was a desire to have this trail connection completed sooner rather than later. He understood this connection should not be completed before the north/south connection, but should be on par with this project.

City Manager Geralyn Barone commented the Three Rivers Park District was looking for a letter of support from the city. Ms. Griffman explained this letter should state Minnetonka supports exploring a new regional park and was willing to serve as a partner in order to work through the planning process. She commented no financial commitment had to be made in this letter.

The council directed staff to draft a letter of support on behalf of the City of Minnetonka.

Heard the presentation and provided feedback.

C. Review of the 2019 financial report with the City's audit firm of BerganKDV

Finance Director Darin Nelson gave the staff report.

Steve Wischman, Partner with BerganKDV, explained 2020 has been a unique year to conduct an audit and he thanked city staff for being flexible while working through this process.

Andy Grace, BerganKDV, provided the council with a presentation on the city's 2019 audit. He reported the City of Minnetonka received a clean or unmodified opinion on the city's basic financial statements. He reviewed the city's general fund budget to actual for both revenues and expenditures. He commended the city on its financial health and for meeting the desired general fund balance policies. A summary of the city's enterprise funds was provided to the council. The city's tax levy, capacity and rates were reviewed in further detail. He then asked for comments or questions from the council.

Schaeppi requested further comment on the unrestricted net position of the enterprise funds. Nelson provided further comment on the city's unrestricted balance.

Wiersum reported the city has made a concerted effort to increase utility rates in order to build up funds to assist with covering the expense of major infrastructure replacements that need to occur in the coming years.

Kirk questioned if the city always budgeted for full staffing or if the city planned for attrition. Nelson reported the city budgeted for full staffing and noted this

provided the city with a buffer in the event of attrition. City Manager Geralyn Barone explained the city did not have a large contingency fund.

Schack commended Finance Director Nelson and his staff for their tremendous efforts.

Calvert thanked Finance Director Nelson for stepping in and keeping the city on course.

Wiersum stated he was proud of how efficiently the city was running through the COVID-19 pandemic. He appreciated the manner in which the city's fiscal conservatism shows through this report. He was proud of the fact the city could help local businesses and renters even during times of financial strain.

Coakley commented she believed the city's finance team was doing a great job on behalf of the community.

Nelson thanked the council for the kind words and noted he would be passing along these sentiments to his staff.

Informational presentation only.

7. Reports from City Manager & Council Members

City Manager Geralyn Barone reported on upcoming city events and council meetings.

Schack thanked staff for working so diligently on the recent tree sale. She also thanked the group of residents that support the Ann Cullen Smith Preserve.

Coakley thanked the council for sharing the survey and appreciated the residents that have provided community engagement regarding race and equity. She explained she has attended several virtual events and was taking a great deal of comment from the public regarding race and inclusion.

Calvert thanked Councilmember Coakley for her dedicated service to the community.

Calvert thanked the city's communications division for winning an award from the Minnesota Association of Government Communicators for Best City Website.

Calvert noted she served on the National League of Cities Energy, Environment and Natural Resources Committee. She noted this group recently met virtually due to the pandemic and this committee was working to incorporate more equity into their policies.

Calvert explained she also attended an event with the lieutenant governor last week with several councilmembers and community members to talk about policing, community relationships and racism.

Kirk stated it was great to have Councilmember Coakley's voice on the city council.

Kirk reported he attended several meetings in the last couple of weeks with community members. He commented on the incident that occurred at the 3600 block of Shady Oak Road within a group home. He recommended the council hold a future discussion regarding group homes.

Kirk stated the second group he has been meeting with was with concerned citizens and Friends of Lone Lake Park. He explained the topic of concern was if the bike trails could be mitigated without impacting the rusty patch bumblebee. He thanked staff for working diligently with this group and to alleviate their concerns. He recommended city staff work to bring the Friends of Lone Lake Park together with the mountain biking group for future discussions.

Schaeppi thanked staff for assisting a resident in Ward 3 with some erosion control fencing concerns. He thanked staff for working to provide additional parking at Sunset Ridge. He supported creating a stakeholder group for the mountain biking group along with the Friends of Lone Lake Park.

Schaeppi thanked Councilmember Coakley for all of her efforts throughout the community.

Wiersum supported the council holding a conversation regarding group homes at a future worksession meeting.

Wiersum discussed how Minnetonka was being impacted by COVID-19 and understood the State of Minnesota was opening more slowly than other states. He commented this virus has not gone away. He encouraged residents to follow CDC guidelines and to be considerate of those who are vulnerable.

Wiersum thanked Councilmember Coakley for her efforts and explained the concerns regarding race and equity needed to be addressed overtly by the council. He understood these would be difficult conversations but they had to be held. He stated he was proud of Minnetonka's Police Officers but he also understood there was always room for improvement.

Wiersum stated that on Thursday, June 25 the League of Minnesota Cities would be holding its first every virtual Annual Meeting. He noted this meeting was free of charge and would begin at 1:00 p.m. Barone reported that Mayor Wiersum

would be moving from First Vice President to President of the League of Minnesota Cities on Thursday afternoon.

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

Wiersum recessed the city council meeting.

Wiersum reconvened the city council meeting.

9. Bids and Purchases:

A. Quotes for the Woodgate Lift Station

Public Works Director Will Manchester gave the staff report.

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

10. Consent Agenda – Items Requiring a Majority Vote: None

11. Consent Agenda – Items requiring Five Votes:

A. Park building architectural design fees for the new park at Ridgedale

Schaeppi stated after giving this item a lot of thought he remained the lone voice of dissent. He understood staff was working hard on this project and that Ridgedale had positive momentum. He thanked Ms. Barone for educating him on how the funding for this project works. He commented on other park amenities that were in need of repair in the community. He believed that this project was a discretionary issue and he would not be offering his support.

Calvert stated she appreciated Schaeppi's attention to this expenditure, however, she understood there was a need for people, now more than ever, to recreate outdoors. She discussed the need to keep this area vital and how it would be important to have the area walkable. She believed the proposed project would be a positive investment in the community.

Kirk appreciated Schaeppi's concerns and understood there were park amenities that have fallen into disrepair. However, at the same time he believed the park at Ridgedale was important to the community. For this reason, he supported this matter moving forward. He was of the opinion the design fees were high for this project at just over 11%.

Schaeppi commented to his knowledge there were zero dollars committed towards new Lone Lake Park signage. He recommended this be discussed by

the council at a future meeting. City Manager Geralyn Barone clarified the funding source for this item was the Park Dedication Fund. She reported these funds could not be used for routine maintenance. She indicated the interpretive signs at Lone Lake Park are in the process of being removed because they were in disrepair. Staff was recommending the park board discuss the future of these signs.

Schack indicated she hated the fact that one agenda item was being hijacked by another issue in the community. She understood there were people in the community that were not happy, but she anticipated some of the pressure would be taken off of Lone Lake Park by getting other amenities developed in the city.

Schack moved, Kirk seconded a motion to amend the 2020 CIP.

Wiersum stated he had the same questions as Schaeppi noting he was concerned about optics. At the same time, he was reminded these were Park Dedication Funds that would be expended. He reported Park Dedication Funds could not be used for maintenance. He appreciated the comment from Schack and understood this area was in need of additional park features.

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

12. Introduction of Ordinances: None

13. Public Hearings: None

14. Other Business:

A. Body-Worn Camera Draft Policy Public Comment

Police Chief Scott Boerboom gave the staff report.

Coakley reported she had a conversation with Chief Boerboom regarding the body worn camera policy. She asked who would be in charge of making changes to the policy. She questioned if her recommendations were taking into consideration in the draft policy. Boerboom reported any feedback will be reviewed and considered for the policy because it was still in draft form. City Manager Geralyn Barone commented this was a departmental operational policy. She explained the city was taking feedback at this time and noted the Police Chief would be responsible for implementing this policy.

Coakley indicated if this was the case, it may not make any sense to provide feedback. Boerboom stated he would be taking any and all comments from the

public very seriously. He reported he would also be researching what other cities were doing.

Schaeppi thanked Police Chief Boerboom for his efforts on this policy. He stated he welcomed hearing feedback from Councilmember Coakley. He discussed the general guidelines for recording and encouraged staff to expand on this language.

Schack commented she appreciated the policy. She stated she was struggling with the fact cameras were always rolling and encouraged staff to monitor if “officers discretion” was working.

Coakley indicated she discussed the discrepancy on when officers would and would not be recording with Police Chief Boerboom. She commented if it was her son that was being pulled over by the police she would want the interaction to be recorded. She explained she would like recordings to continue through the entire time of arrest or custody to ensure police officer’s actions are being held accountable. She leaned more towards recording versus not recording. Boerboom thanked Councilmember Coakley for her comments. He noted cameras would not be turned off until they were in a secure area. He stated during any traffic stop, the cameras are required to be on. He explained he had made a change to the sallyport language to ensure cameras were turned on.

Calvert stated this was an important discussion and she appreciated the concerns and feedback that had been shared from Councilmember Coakley. She reiterated that this was a dynamic working document that could be changed, if deemed necessary. She indicated there was a delicate balancing act between having cameras rolling in order to protect the officers and to honor those involved with the police. She supported Councilmember Coakley’s request to have more recording versus less.

Wiersum stated he appreciated the fact that this policy was built from the League of Minnesota Cities framework, while also taking feedback from the public. He appreciated the comments from Councilmember Coakley that the department should work to record more versus less. He anticipated this document would be molded to work best for this community. He reported the city would continue to take public comment on this policy. Boerboom encouraged the public to contact him directly or Captain Andy Gardner with any comments or feedback they have regarding the body-worn camera policy. He explained it would be his job to ensure the policy was being followed by his officers for the city.

Received public comment.

B. Resolution accepting the Energy Action Plan contingent upon 2021 budget approval

Community Development Director Julie Wischnack, City Planner Loren Gordon, Planner Drew Ingvalson, gave the staff report.

Wiersum thanked staff for the impressive presentation on the Energy Action Plan.

Coakley commented on a visit she had from Xcel Energy. She asked when residents use the recommendations from the plan, will the city be following up. Ingvalson stated Xcel has many different energy programs to assist with making homes more energy efficient. He reported this plan was separate from home energy squad. Wischnack reported the home energy squad audits have been widely accepted by the community and were of value to homeowners.

Schack questioned how the city would determine the success of the city in implementing energy saving measures. Ingvalson reported Xcel would be providing information to the city on energy usage and if there are energy reductions.

Calvert thanked staff and the Energy Action Team for putting this plan together. She commented she would like to see the city focus on commercial energy use reduction. She questioned how longer term energy goals would be folded into this plan. Ingvalson stated when staff went through this plan the team was focused on short and quick actions that could be done immediately. He explained long term goals would be addressed by the Energy Action Team in 2021. Wischnack indicated staff has learned that commercial and industrial users already have action plans or initiatives in place to reduce energy use.

Calvert inquired how often the city would be reviewing the benchmarks and regional indicators. Ingvalson stated regional data was collected by outside sources and noted B3 benchmark data was up to date for the City of Minnetonka.

Calvert asked how some of the comments from the Energy Action Team could be incorporated into this plan. Wischnack stated when she participates in a group like this she respects the work that is completed and was reflected in the plan presented to the council. She reported the additional comments could be attached to the plan for the public to review.

Schaepi believed this plan was a positive first step. He appreciated the efforts of staff and the Energy Team members. He explained he has received a cross-section of comments and indicated one of the comments he has heard was why was the city spending money on a program that was already being provided by Xcel. He inquired what Xcel's role was in this program. Tammy, Xcel Energy, discussed the Partners in Energy Program. She described how Xcel works with communities in order to reduce energy use. Wischnack commented on the

benefit of residents receiving information on this program from the city versus a utility provider and stated there was better buy in from residents.

Kirk thanked staff for all of their efforts on this plan. He stated he would like to see more of a marketing push that addresses the return on investments for homeowners and new construction builders.

Schack commented from a historical perspective it was easier to address the low hanging fruit. She indicated she did not want to get too discouraged that this was a simple first few steps. She stated this plan was critical to set the right things in motion. She believed the city had accomplished a whole lot and more work was yet to be completed going into the future.

Wiersum explained he was very impressed by this report. He appreciated all of the work that was completed by staff and the Energy Team members. He discussed the benefits of the Partners in Energy Program and noted this was a step that was pursued prior to completing the Energy Action Plan. He recommended the comments be included as an attachment to the plan and these comments can be further considered next week by the council.

Calvert moved, Kirk seconded a motion to adopt Resolution 2020-050 including the addendum. All voted "yes." Motion carried.

C. Subordinate Funding Agreement No. 7 with the Metropolitan Council and Joint Cooperative Agreement with the City of Hopkins related to the Green Line Extension (Southwest LRT)

Community Development Director Julie Wischnack gave the staff report.

Kirk asked if future development would see savings because of the development of this pond. Wischnack stated she could not answer this question at this time, but this was the concept on how the city wants to move forward with development.

Kirk explained he was pleased this project was oversized and noted he supported the proposed agreements.

Calvert commented given the amount of pollution in this area would it be better to have a storage chamber versus a stormwater pond. Wischnack indicated this was a complicated question. Public Works Director Will Manchester explained both options settle out contaminants and can be equally good while meeting the proper requirements.

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

15. Appointments and Reappointments: None

16. Adjournment

Schack moved, Kirk seconded a motion to adjourn the meeting at 10:47 p.m. All voted "yes." Motion carried.

Respectfully submitted,



Becky Koosman
City Clerk