

**Minutes  
Minnetonka City Council  
Monday, February 22, 2021**

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

**4. Approval of Agenda**

Calvert moved, Kirk seconded a motion to accept the agenda with addenda to Items 6.A, 12.A, 12.B and moving Item 14.A to Item 13.B. All voted "yes." Motion carried.

**5. Approval of Minutes: None**

**6. Special Matters:**

**A. 2021 Empty Bowl Virtual Event Proclamation**

Wiersum read a proclamation in full for the record declaring March 2, 2021 through March 9, 2021 as Empty Bowl week in the City of Minnetonka. He encouraged the public to participate in this event virtually in order to assist with raising funds for the ICA food shelf and Resource West.

**B. Boards and Commissions interviews – Senior Advisory Board**

Wiersum stated the first candidate to be interviewed would be Erik Larson. He noted Mr. Larson was interviewed for the Park Board which meant the council would only be asking questions that were pertinent to the senior advisory board. But first, he asked Mr. Larson to tell the council a little bit about himself.

Erik Larson thanked the council for their time and this opportunity. He stated he has been a Minnetonka resident for the past 40 years and noted he worked at Honeywell during that time as a manufacturing engineer. He explained since retiring he has been looking for ways to impact the community. He indicated he was aware the city was working to broaden its diversity on boards and commissions. He stated he was not a diverse person, but rather was a 65 year

old white guy that has lived a good life in Minnetonka for the past 40 years. He explained he value diversity, was open minded and interacted with a wide range of people.

Wiersum asked when it comes to senior programing during the pandemic, are there ways the city could better support the senior community and post pandemic are there areas of focus the city should address.

Mr. Larson stated during the pandemic one thing that might be useful would be to contact as many seniors as possible to get input about new services they could benefit from. He commented this might be a good time for city staff to expand their senior contact list itself. He suggested additional shuffle board courts be considered in the community. Post pandemic, he recommended the city partner with other cities to allow for more diverse activities for seniors in the community. He discussed the city's mission and vision and stated what made this powerful to him was that Minnetonka was a place for everyone, even seniors. He suggested the city also work to partner seniors with other agencies in order for seniors to grow their community. He recommended more senior friendly group activities be sponsored by the city, such as snow bird groups, or shuffle board or horseshoe leagues.

Wiersum thanked Mr. Larson for his enthusiasm and for sharing his creative ideas. He explained the council would be working through the interview process and would be in touch in March. Wiersum stated the next candidate to be interviewed would be Heidi Weinberg. He asked Ms. Weinberg to tell the council a little bit about herself.

Heidi Weinberg explained she has a lot of background in working with seniors. She noted she had master's degree in public administration and worked for years with non-profits. She stated her last nonprofit was to coordinate social services for seniors. She indicated she also got to plan a huge health fair for seniors. After working that job, she went back to school to become a personal trainer and noted she focuses mostly on seniors and aging issues.

Wiersum asked what makes Minnetonka's mission or vision powerful.

Ms. Weinberg stated the quality and dependable city services were important to her. She explained she was aware of the surge that occur in the older adult population. She commented as the city navigates the older population there were a lot of things that had to be in place and planned for to handle this surge.

Wiersum questioned how the board or commissions purpose aligns with her interests and expectations.

Ms. Weinberg commented her passion was older adults. She stated her degree and working with non-profits has allowed her to work with seniors most of her

career. She explained she would love to help Minnetonka create new ideas and a new infrastructure on how to reach seniors in the community.

Wiersum asked what the most challenging aspect was of an increasingly diverse community.

Ms. Weinberg believed the most challenging aspect was creating opportunities for all and having access to everybody. She stated connecting with older adults that are not on the internet would be difficult for the city.

Wiersum asked when it comes to senior programming during the pandemic, are there ways the city could better support the senior community and post pandemic are there areas of focus the city should address.

Ms. Weinberg stated support services via Zoom would be important for seniors and a one stop shop for services. She understood a lot of seniors she deals with get lost when seeking services because things were piecemealed. She commented it was her dream to create a network for seniors to provide greater access and guidance. She commented webinars on topics may be valuable as well. She stated post-pandemic hiring an aging care manager or health coach would be beneficial. She feared the city was not prepared for the boom that would occur when it comes to seniors. She discussed the importance of getting seniors to exercise, eat well, and socialize. She explained doing a senior health fair would also benefit the community.

Wiersum questioned if there were any other boards or commissions she would like to serve on.

Ms. Weinberg indicated she may be interested in the planning commission.

Wiersum thanked Ms. Weinberg for sharing her background and interesting ideas. He explained the council would be working through the interview process and would be in touch in March. Wiersum stated the next candidate to be interviewed would be Jim Tift. He asked Mr. Tift to tell the council a little bit about himself.

Mr. Tift thanked the Council for the opportunity and stated he has been a Minnetonka resident for the past 36 years. He reported he has worked in senior services for a number of years. He explained he began working as a nursing assistant at the Oak Terrace Nursing Home in 1968 and 1969. He stated he went on to college where he received a degree in gerontology (the study of aging). He indicated this has been his career choice for close to 50 years, noting he was 71 years old. He commented he was a founding member of the Minnesota Gerontological Society. He explained he has worked in different government agencies, with non-profits, senior housing and have also taught for over 30 years in the metro area.

Wiersum asked what makes Minnetonka's mission or vision powerful.

Mr. Tift stated quality and dependable city services were important to him, along with this being a city for everyone. He explained the population of Minnetonka was just over 53,000 and over 20% of the city's population were 65 or older. These individuals have different needs in the community. He was of the opinion he could assist with advising on how to meet the needs of this group.

Wiersum questioned how the board or commissions purpose aligns with his interests and expectations.

Mr. Tift explained this has been his career. He indicated he has worked with senior centers, senior clubs, while also holding workshops for seniors and their families. He believed his background would be a good fit for the senior advisory commission.

Wiersum asked what the most challenging aspect was of an increasingly diverse community.

Mr. Tift commented this question gave him pause. He stated it was easy to make assumptions about what seniors need. However, in diverse communities, especially communities of color, there may not be a good understanding what their cultural needs may be. He discussed how he found it beneficial to attend workshops at the Wilder Foundation on cultural diversity to learn about different communities and their needs.

Wiersum asked when it comes to senior programming during the pandemic, are there ways the city could better support the senior community and post pandemic are there areas of focus the city should address.

Mr. Tift stated during the pandemic, one of the biggest issues, was to provide webinars focused towards seniors. He reported seniors were so isolated and communities need to reach out to them for socialization purposes. He commented on the benefit of a senior companion program, whether via Zoom or through phone calls in order to make connections with seniors. He indicated food insecurity was another concern for seniors. He stated post pandemic providing education to both seniors and caregivers would be important. He commented it would also be valuable for the city to create a resource guide for seniors.

Wiersum questioned if there were any other boards or commissions he would like to serve on.

Mr. Tift stated there were no other boards or commissions he was interested in serving on.

Wiersum thanked Mr. Tift for sharing his creative ideas. He explained the council would be working through the interview process and would be in touch in March. Wiersum stated the next candidate to be interviewed would be Lisa Lee. He asked Ms. Lee to tell the council a little bit about herself.

Lisa Lee thanked the council for their time and consideration. She explained she was born and raised in Minnesota and has lived in Minnetonka on two different occasions. She stated her interest in senior services began when she was in high school when she started working in a nursing home. She commented on the value of understanding that generation. She indicated she currently works for a senior living community called Ebenezer. She explained she feels drawn to the senior community and would like to be able to bring her work experience to this group.

Wiersum asked what makes Minnetonka's mission or vision powerful.

Ms. Lee stated the mission statement was the city's underlying and driving force. She believed the city's mission and vision was parallel with Ebenezer, which provided healthy and vibrant living for seniors. In addition, she appreciated the fact the city was striving towards excellence. She believed quality and dependable services were also important.

Wiersum questioned how the board or commissions purpose aligns with her interests and expectations.

Ms. Lee commented she has very high expectations for herself and in her profession. She discussed how she served families at Ebenezer. She described how she worked to meet the needs of seniors.

Wiersum asked what the most challenging aspect was of an increasingly diverse community.

Ms. Lee stated this was an interesting question. She commented when she looked at diverse communities, she thought about those 55 and older. She discussed the difference of being 55 years old to be 100 years old. She indicated there was a language and culture gap between the younger community and seniors.

Wiersum asked when it comes to senior programming during the pandemic, are there ways the city could better support the senior community and post pandemic are there areas of focus the city should address.

Ms. Lee reported she works with seniors every day. She explained the greatest challenge she has seen during the pandemic has been the technology gap and the understanding of technology. She stated social isolation was another big concern. She indicated the city should work to network and bring tools to these

individuals. She commented on the importance of partnership with other organizations in the community. She commented how a 14 day quarantine was impacting residents in her senior living community. She stated video conferencing has been extremely valuable. She indicated transportation was another concern of hers for seniors during COVID. She explained she would love to see better senior transportation in Minnetonka to get seniors to doctor appointments, to the senior center or to get groceries.

Wiersum questioned if there were any other boards or commissions she would like to serve on.

Ms. Lee stated she was not interested in serving on any other boards or commissions at this time.

Wiersum thanked Ms. Lee for her time. He indicated the council would be getting back to candidates in March.

## **7. Reports from City Manager & Council Members**

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

Calvert explained there were 500 virtual attendees for the virtual community town hall forum on policing. She thought this was a very illuminating event that had excellent questions that were well answered. She thanked Police Chief Boerboom for hosting this event.

Calvert indicated she had taken several courses with the League of Minnesota Cities through their Elected Leader Institute. She stated she appreciated the hope and valuable tools these courses provided.

Schack reported she was now the chair of the 494 Corridor Commission. She explained this group was started in order to address congestion on 494. She indicated with the pandemic, this congestion has lessened. She stated last week she testified before the Senate Transportation Committee requesting funding to keep doing good work for this corridor.

Kirk indicated he has been attending the neighborhood meetings for the Shady Oak outlet. He encouraged anyone with questions regarding this matter to contact him or city staff for further information.

Kirk commented on the town hall forum on policing and he agreed challenging questions were raised and answered.

Kirk discussed a fire that occurred on Robin Lane. He thanked the Minnetonka Fire Department and those that provided mutual aid for their tremendous efforts at this fire.

Wiersum stated he attended a panel of experienced elected officials for the Introductory Program with the League of Minnesota Cities. He noted he was paired with D. Love, mayor of Centerville and Andrea Lauer, mayor of Royalton.

Wiersum commented the United States reached 500,000 deaths due to COVID-19. He urged residents to stay vigilant, to continue to wear masks and stay distanced. He indicated these efforts were making a difference and COVID case numbers were down, but the risk was not over. He discussed the tragedy this pandemic represents to the society in terms of human life, human welfare, business vitality and the state of the economy. He encouraged all Minnetonka residents to be part of the solution and not part of the problem.

Carter reminded the public that municipal government and the City of Minnetonka does not have any power over whether or not vaccinations will be mandatory. She reported the distribution of the vaccination was being managed by the state.

Calvert explained because the COVID vaccines were fast tracked they must be voluntary until they are fully vetted by the FDA.

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

Bengt Fredrickson indicated he was an ambassador for the Borgen project. He discussed how the Borgen project works to address global poverty. He commented on how Minnetonka businesses that do e-commerce around the world have benefited from the Borgen project. He requested the city council send letters to Senator Amy Klobuchar, Senator Tina Smith and Representative Dean Philips urging them to consider supporting and increasing the international affairs budget.

Wiersum requested Mr. Fredrickson forward on his request to the city manager for staff to pass along to the city council for further consideration.

**9. Bids and Purchases: None**

**10. Consent Agenda – Items Requiring a Majority Vote:**

**A. Resolution for the Williston Road Lift Station Forcemain Rehabilitation Project**

Calvert moved, Kirk seconded a motion to adopt Resolution 2021-015. All voted "yes." Motion carried.

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

Wiersum recessed the city council meeting.

Wiersum reconvened the city council meeting.

**12. Introduction of Ordinances:****A. Ordinance implementing ranked choice voting**

City Attorney Corrine Heine gave the staff report.

Schaepi requested further information regarding the financial reports. Heine explained the financial reports are required to be filed within a specified period after dollars have been received or disbursed. Administration Manager Moranda Dammann discussed the candidate filing process noting candidates had to file up to 84 days before the election. She commented further on the \$50 threshold, the affidavit, the pre-primary report, the pre-general report, the post general report, and the final report. She explained all reports were available on the city's website for candidates.

Carter asked if candidates had to make a determination in the May timeframe or August timeframe. Dammann reported candidates generally had to file in May for a primary in August. However, with ranked choice voting (RCV) the primary has been removed. She explained candidates would now file from July 27, 2021 through August 10, 2021 and noted candidates have two days to withdraw.

Carter discussed how the candidacy would change in 2021 due to COVID. Dammann stated staff was not encouraging or discouraging anything. She commented the only action required from the city was for candidates to file reports once they hit the \$50 threshold.

Schaepi thanked staff for all of their work on this ordinance. He stated he preferred the city clerk and staff members to not modify a balance to anyone's favor or disfavor and for this reason, he supported staff's recommendation three rankings at this time. He discussed how local elections were conducted and how residents can opt to vote early. He recommended the city council have a conversation now or prior to the election about the voting timeline. He believed Minnetonka had a long and great non-partisan history. It was his hope this would continue with RCV. He wanted Minnetonka voters to trust the voting system.

Calvert thanked staff for their efforts and for addressing the council's questions. She believed three was a sensible number that would help staff manage ballot design and a whole new way of voting. She explained that forcing new candidates to file finance reports would ensure these candidates were on the



right path. She indicated she was leaning towards the 80 day mark in lieu of a preprimary report.

Kirk stated he appreciated all of staffs work on this ordinance and for addressing all of the council's concerns.

Coakley thanked staff for all of their work on RCV. She explained she leaned towards more rankings. She believed the council should decide how many folks are being ranked. She commented she appreciated the recommendations from staff regarding the financial reports.

Schack explained she was still comfortable at three. She did not support the city leaving the number of rankings open ended. She stated this number could be evaluated after an election if three did not seem appropriate. In addition, she supported 60 to 70 days for the financial report.

Carter commented she supported three ranking along with 60 to 70 days for the financial report.

Wiersum explained he believed three was the right way to go. He discussed the complexity of the proposed ordinance. He stated three was straightforward. He indicated he wanted RCV to be successful and not complex. He understood that some cities that have adopted RCV have made changes and noted this option does exist for Minnetonka. He believed the number one job in 2021 was for the city to hold a ranked choice election that was successful. He supported the city staying with three rankings. He commented on the required financial reporting and it was his hope partisan politics would remain outside city government. He stated he wanted to encourage transparency on campaign reporting so as not to repeat what occurred with FairVote Minnesota. He stated he would support 70 or 80 days for the financial report.

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

#### **B. Items concerning 5959 Shady Oak Road**

- 1) Rezoning from Office Business District (B-1) to Planned Unit Development;**
- 2) Master Development Plan**
- 3) Site and building plan review;**
- 4) Preliminary and final plat;**
- 5) Vacation of easements**

City Planner Loren Gordon gave the staff report.

Kirk requested further information regarding the notification area and asked how the Shady Oak Townhomes and other adjacent townhome associations have been interacting with developers. Gordon reported this townhome association has been pretty engaged in most of the concept plan reviews and some of the formal reviews over the past six months. He indicated the townhomes to the north have not contacted the city with comments or questions.

Schaeppi discussed the landscape plan. He understood the plans were preliminary but asked if the planning commission ever addressed this concern. Gordon commented on ordinance requirements with respect to the landscaping plan. It was noted the city requires 1% of the project value to be put into landscaping. He stated the developer estimated about \$500,000 would be spent on landscaping. He explained the finer details within the landscaping plan would be worked out with staff after the planning commission meeting.

Tony Kuechle, Doran Development, commented on the proposed site plan and stated it was consistent with what had been previously reviewed. He noted he has been focusing on the architecture, noting the façade facing the townhomes had been adjusted from 78 feet to 66 feet. He reported the setback was increased from 51 feet to 131 feet. He commented the building had been pulled towards Red Circle Drive to reduce the impact to the townhomes to the north. He reviewed the placement of the trail and requested feedback from the council on the trail location. He indicated the stormwater pond was being preserved and enhanced. He noted the pond would have pollinator friendly plants and he would be working with the University of Minnesota to introduce bees. He stated a community garden would be added along with a public art features.

Calvert explained she was pleased with the effort that was being put into the landscaping. She commented on how important the tree canopy was in Minnetonka and she questioned how this development would appear from Shady Oak Road. She stated it appears there would be no tree buffer in place. Mr. Kuechle discussed the tree survey and explained all trees between Shady Oak Road and the middle of the pond would be preserved. He anticipated the proposed building would not be visible from Shady Oak Road.

Schaeppi thanked the applicant for proposing a great looking project and for blending the urban/suburban architecture into this development. He thanked the applicant for providing bike storage and asked how the dog area would be managed. Mr. Kuechle indicated the dog area can be locked electronically from 10:00 p.m. to 8:00 a.m.

Wiersum inquired where the fence would be located to buffer the neighbors from the trail. Mr. Kuechle reported the fence would be on the north property line. He stated this was at the neighbor's request.

Wiersum asked how far the trail was from the property line. Mr. Kuechle estimated the trail would be 50 feet from the property line.

Wiersum thanked the applicant for doing a great job on this project, especially on the revised architectural plans.

Community Development Director Julie Wischnack requested the council offer up further comments or questions for the planning commission to consider regarding this development.

Schack discussed the easements and setbacks for this project. She indicated she would defer to staff but understood this could be a concern for this development. She commented it may be helpful for the planning commission to further consider the trail placement. She stated she likes how this development sits on the property.

Kirk commented on the AUAR and noted without mitigation in scenario two the intersections along Shady Oak Road would be going from D's to F's. He noted the storm project was not appearing in scenario two. He encouraged the council to take a real strong look at what the traffic study was showing and how the intersections along Shady Oak Road would be impacted. He recommended the planning commission take a look at the trees on the west side of the development to ensure a buffer remained in place. He indicated the trail was significant and without creating an opportunity for residents to get east to west, people would find a route through the neighborhoods. He suggested the planning commission do a height study for this development. He noted he was happy to see the building height had been reduced. He recommended the shadow study be cleaned up so the townhomes to the north can better understand how this building would impact them.

Calvert stated she had the same concerns as Councilmember Kirk. She appreciated how far this development had come along with the proposed architecture on the building. She thanked the developer for pursuing high energy standards and extra landscaping. She agreed the root zones and tree preservation along Shady Oak Road should be further considered in addition to the shadow study. She noted this was a lovely building, but it was a lot of building for where it was located within Opus. She commented further on how this development could create dangerous intersections along Shady Oak Road in the future.

Wiersum indicated the building was attractive, but it was a big building. He reported there was not a ton of green space and noted he looked forward to

seeing more details on the landscaping plan and proposed art for the development. He noted art was not greenspace and would not put oxygen into the atmosphere. He recommended the planning commission examine this issue further. He stated this development would have 500 parking spots but consideration should be made if this many spots was necessary given the changes occurring with transportation. He commented as more and more of these buildings are constructed this would have to be considered. He indicated he would like to understand the mature height for the trees within the development because he would like to see the building screened from Shady Oak Road. Lastly, he encouraged the planning commission to consider the mass of the building.

Kirk discussed the city's park dedication fees and noted this was different than the landscaping plan.

Wischnack asked if the council wanted to suggest something different for the affordable housing component.

Calvert stated she did discuss this matter with City Manager Barone. She appreciated the fact staff had talked Doran Development into a lower AMI in order to meet the city's housing policy. She reported the housing was in place for a reason and every unit of affordable housing Minnetonka was hard fought. She appreciated the fact that this development would have three bedroom affordable units because this would support families.

Kirk noted this development was meeting the minimum standards for affordable housing. He stated it was a shame that more affordable housing could not be provided.

Coakley agreed more affordable housing would be better, especially when considering how close it was to the LRT line. She discussed who would be living in this area and stated the city should continue to push for more affordable housing in this beautiful area.

Schack stated understood more affordable housing was better and stated perhaps the council had to discuss this further for Opus. She commented in the end, the developer was meeting the city's policy.

Calvert appreciated the comments being made by the council regarding the city's housing policy. She explained this situation points out the delicate balance of having the minimum and how to take advantage of transit oriented development. She also understood the city did not want to have a saturation of affordable housing within one specific area in the city. She commented on the previous Doran development that was completed in the city and noted it was quite large in size.

Wiersum indicated the city has an affordable housing policy in place. He explained a development that does not meet the policy would not be approved. He reported this was an intriguing proposal and the council had the final say on how the property develops. He indicated more work had to be done and the council may have to finesse the affordable housing policy based upon adjacency to amenities like light rail. He encouraged the council to not act like this project was done. He stated if more affordable housing was wanted now was the time to make that request or to challenge the planning commission on this matter.

Carter thanked the Mayor for his comments. She agreed if there was discomfort regarding the affordable housing that this should be further discussed given how close it was to light rail transportation. She acknowledged the fact that the council was often in his conundrum, with trees and group homes. She stated the council finds an area of discomfort but the ordinances says it's so. She reported if the council finds important components within the housing policy that need to be readdressed, this should be revisited. She did not believe the council had enough information to address this at its next meeting, but perhaps further guidance should be given for certain situations.

Schaeppi concurred with Councilmember Carter. He stated he was happy to have a robust conversation on affordable housing and recommended this be further discussed at a future council worksession. He did not believe each project should be reviewed on a case by case basis and he understood the applicant had made a good faith effort to meet the city's current affordable housing policy.

Mr. Kuechle explained it would help him to understand what the additional request would be for affordable housing. He reported increasing the affordable housing numbers may require a TIF district or some other subsidy.

Further discussion ensued regarding the city's affordable housing policy.

Carter commented the idea of revising the affordable housing policy was not to accommodate this request, or for the council to make changes on a project by project basis. She stated it would be unfair to keep having a moving target within this policy. Rather, she believed the council should take another look at the strategy within the affordable housing policy.

Wiersum stated this project currently meets the affordable housing policy. He noted policies were dynamic and can change over time. He explained there was competition for development and if the city was out of synch with nearby community's they may be more attractive for development.

Coakley reminded the council that the shovels were not in the ground yet and more affordable housing could still be requested. While she understood the developer had met the current policy, the council could always request more.

Carter moved, Calvert seconded a motion to introduce the ordinance and refer it to the planning commission.

Kirk questioned if the notification process should be changed. Wischnack reviewed the area that was notified for this project, along with the other projects occurring with Opus.

All voted "yes." Motion carried.

### 13. Public Hearings:

#### A. On-sale intoxicating liquor license for Duke's on 7, LLC., located at 15600 State Highway 7

City Manager Geralyn Barone gave the staff report.

Wiersum opened the public hearing.

David Benowitz discussed the vision for Duke's on 7. He reported he currently operates five different restaurant locations in the metro area. He stated he was excited to be coming to the City of Minnetonka. He noted all of his concepts were neighborhood oriented and family friendly, while also having a dog friendly patio. He indicated he was a resident of Minnetonka and he was excited to be moving forward with this project. He anticipated this restaurant would be open mid to late June.

Luke Derheim stated it has been a pleasure working with Minnetonka staff on this project.

Wiersum stated he was excited to see Duke's on 7 coming to Minnetonka.

Calvert commented she looked forward to visiting this dog friendly restaurant.

Carter explained she loved ordering from The Block and she was so pleased to see these owners coming into the City of Minnetonka.

Schaeppi noted the applicants reached out to him early on asking how they could fit into the community. He appreciated how well they have been collaborating with the city and wished them all the best with their new restaurant.

Wiersum closed the public hearing.

Schack moved, Calvert seconded a motion to open the public hearing and continue to March 22, 2021. All voted "yes." Motion carried.

**B. Items related to a multi-family residential development by Dominion, at 11001 Bren Road East**

Community Development Director Julie Wischnack gave the staff report.

Wiersum opened the public hearing.

Wiersum closed the public hearing.

Kirk moved, Carter seconded a motion to hold the public hearing and adopt Resolution 2021-016. All voted "yes." Motion carried.

Wiersum recessed the city council meeting.

Wiersum reconvened the city council meeting.

**14. Other Business:**

**A. Resolution approving participation in the Just Deeds coalition**

City Attorney Heine gave the staff report.

Calvert reported she grew up in a Jewish home that had covenants against Jews living in her home. She appreciated this aptly named coalition and thanked City Attorney Heine for her efforts on this matter.

Coakley asked if those living in land trust housing would be impacted. Heine reported the property owner would have to record the document. However, any person that has the land lease could be in touch with the land trust.

Schaeppi thanked City Attorney Heine for her work on this resolution. He apologized to those who have been impacted for decades by this injustice.

Carter commented when she was really little her parents told her that when she hurt someone, she had to go make it right. She explained she has lived by this rule her entire life. She believed this resolution was righting a wrong, which was commendable. She was proud of the fact the city was acknowledging the wrong and was working to make it right. She thanked the city attorney for being a leader in this area.

Schack agreed this was a necessary step for the city, but encouraged the council to not break their arms patting themselves on the back. She explained this was work for staff but noted this was the bear minimum the city could do.

Wiersum thanked the city attorney for her leadership on this. He thanked the City of Golden Valley for getting the ball rolling on this. He explained when the council

talked about this matter with respect to diversity, equity and inclusion efforts, he viewed the Just Deeds coalition as addressing institutional racism. He reported in the United States, in Minnesota, in Minnetonka there were policies and programs that institutionalized racism against groups of people that have had lasting impacts on the well-being of those people and their children and grandchildren. He agreed the council should not be overly patting themselves on the back because this was the appropriate and right thing to do. He commented it was embarrassing to him that these things policies existed in Minnesota and Minnetonka. He was proud the city was doing the right thing and was long overdue. He appreciated the fact that the wrong was being made right.

Carter moved, Schack seconded a motion to approve Resolution 2021-017. All voted "yes." Motion carried.

**B. Eagle to Bryant Lake Regional Trail Master Plan Route recommendations and Master Plan production**

Park and Trail Planner Carol Hejlstone gave the staff report.

Danny McCollough, Maggie Heurung and Kelly Grissman with the Three Rivers Park District provided the council with a presentation on the Eagle to Bryant Lake Regional Trail Master Plan route recommendations and master plan production.

Schaeppi stated he looked forward to this connection being completed because it will provide increased safety to bicyclists. He commented on an email he received from Luke VanSaten and noted this email was forward to the Three Rivers Park District staff members. He encouraged the Three Rivers team to continue to think outside the box in order to keep cyclists safe in Minnetonka.

Calvert reported she lives on Baker Road. She stated after reading the packet, she believed it made sense to have the trail on the west side of the roadway noting the power poles were on the east side of the street. She asked how the proposed bicycle lane would impact existing lawns. Mr. McCollough reported when it comes time for construction, there would not be any significant impacts to private property. He stated there may be some tree loss in the right-of-way but noted the Three Rivers Park District would work with neighbors to find a solution or screening where it makes sense. He indicated there were areas where utilities would be moved from above ground to underground. He reported he would work with the city on this matter.

Kirk explained he attended the neighborhood meeting regarding this project. He stated he was supportive of this trail. He asked if Three Rivers would use the right of way on both the east and west sides of this roadway in order to have enough room for the trail. Mr. McCollough commented a lot of the work would be restriping and not a total road reconstruction. He indicated the lines would be



shifted because the lanes were being narrowed in order to make room for the trail.

Kirk stated he lives 100 feet from Baker Road. He commented on some of the dangerous intersections at Baker Road. He appreciated the fact that the bypass lanes would be eliminated for safety purposes. He questioned how the trail would be maintained in the winter months. Mr. McCollough stated once the master plan is approved, Three Rivers would be responsible for constructing, maintaining and removing snow from the regional trail. He reported at times, Three Rivers partners with a city in order to have the snow removed with the expense covered by Three Rivers.

Kirk indicated he agreed with the proposed trail alignment but noted there were a number of homes that were fairly close to the road that would be impacted.

Wiersum stated looking at the alignment, he believed Three Rivers had done a great job mitigating risk and minimizing the cross streets. He reported he knows this area very well because he used to live in this neighborhood. He indicated this amenity would improve the quality of life for many people, especially the young people needing a safe route to school. He understood some neighbors may have a hard time getting used to having a trail in their front yard, but indicated this would be a great amenity for the neighborhood. He thanked staff and the Three Rivers Park District for their work on this item.

Provided comment and feedback.

**C. Concept plan review for Wooddale Builders at 16509 McGinty Road West**

City Planner Loren Gordon gave the staff report.

Audrey Ice explained she was the great granddaughter of Charles Ice who relocated to this area from Kentucky shortly after the Civil War. She indicated she was the grand-daughter of Joseph and Margaret Ice who in 1905 purchased the property that was being discussed this evening. She stated her father was Michael Ice, who was the oldest of 13 children born and raised on McGinty Road. She reported her dad's youngest sister was Betty Ice and Betty lived on the property at 16509 McGinty Road for 98 years. She explained she was a retired licensed realtor and noted her aunt Betty, appointed her the executor of her estate to carry out her final wishes for the property. She stated early on Betty had a strong connection to her home and her 12 siblings. As a young adolescent she felt the grief of a loving mother that was forced to say goodbye to her six eldest sons who served in World War II. Fortunately, each of these six sons returned home after their service abroad. Betty was so happy to have her entire family together again that she devoted the rest of her life to keeping the property available for all family members to visit as often as they desired. She reported

Betty had a rewarding 40 years career with Northwestern Bell. She commented on how Betty was overwhelmed by how her surrounding landscape changed over the past 98 years, noting she had concerns with lost privacy, impacted wetlands, increased traffic, and decreased wildlife. In Betty's final will, her aunt states the land must be sold upon her death. She stated the heirs were committed to working with Paul Robinson, Steve Schweiters and Mike Steadman to transform the site to meet modern day demands. She has found the highly regarded Wooddale team to be true professionals and deeply respected within their field. She was confident Wooddale Builders was the perfect choice to deliver a distinguished project that was highly desirable within the City of Minnetonka. She believed Betty would be proud to work with this professional company. She explained she fully supported Wooddale Builders development and zoning request. She thanked the council for listening to her brief history.

Paul Robinson, Steve Schweiters, and Mike Steadman provided the council with a detailed presentation on the Wooddale Builders project.

Schaeppi stated he had a conversation with the developer prior to this meeting and had his questions answered during this meeting.

Coakley requested further information regarding the proposed dredging. Mr. Robinson discussed the depth of the current channel, which was two to three feet, and stated ideally in order to get boats in and out of the channel the depth should be five to six feet. He reported the dredge would remove some of the built up sediment out of the channel to make it more navigable.

There was a technical difficulty with the video streaming. All video and sound was lost for the meeting. Meeting attendees logged back in and the meeting resumed.

Wiersum stated he too met with the applicant to have his questions answered. He suggested the council take comments from the public at this time.

John Hinnenthal explained his property abuts the area proposed for dredging. He urged the council and planning commission to stay with the standard zoning and not approve the PUD. He believed the PUD allowed for more small homes to be constructed. He discussed the flooding that occurred in his neighborhood noting this would be further exacerbated by more homes and hardscape. He commented Minnetonka does have a say in the dredging matter and requested the city council not disturb the wetland.

Martin Schuster stated he represented the Grays Landing homeowners association, noting he lived directly across from the Hidden Falls and would be looking at the proposed docks. He explained it would be difficult to turn a boat around in the proposed dock area. He reported the dredging and docks would be a huge disruption to this area. He suggested only four or five homes be

constructed and not eight. He recommended the PUD not be approved because it would be cramming too many homes into a small area. He commented further on how the docks would negatively impact the surrounding neighbors.

Don Amorosi explained he lives in Grays Landing and noted he lives directly across from the area proposed for dredging. He stated he was concerned that the docks would be vandalized noting this has occurred at his dock. He requested the city council influence the decision regarding the dredging to ensure it does not occur. He commented further on how the additional eight docks would increase traffic in the channel. He discussed the public good that would be created by the PUD and stated saving some trees should not be a sufficient answer to this question.

Calvert stated after reviewing the proposal, she understood this was a housing type the city did not have enough of. She applauded the developers desire to save trees. However, she also believed the development seemed like a lot of homes and hardscape in a sensitive wetland area. She questioned where cars would park within the proposed development if someone were to have a gathering. While the product may be lovely, she indicated she was struggling with the public good from this development. In addition, she believed the dredging would be extremely disruptive. She wanted to see the city following better environmental practices, which included a thorough examination of land use, the best treatment of wetlands and consideration on the percentage of hardscape. She understood the land would be developed, but she questioned if eight homes should be constructed.

Schaeppi thanked staff and the developer for their efforts on this development. He reported he drove to the site and understood Bantis Bay Road had very little parking because it was narrow. He explained the size of the lots in the area was quite mixed, which led him to believe the proposed lot sizes were reasonable. However, the other impacts should be taken into consideration, such as buffering, dredging and the wetland impacts. He commended the developer for working with the neighbors. He stated he has received feedback from the neighbors regarding the capacity of Bantis Bay Road and how this street would handle guest parking. He commented he did not believe it was his role as a councilmember to deny something preapplication. Rather, he believed this development appeared to be possible and he would look for further feedback from staff and the planning commission. He stated the neighbors would like to hear how the city perceives its role with the channel dredging. He indicated this was a beautiful wetland area and the proposed docks would impact the sightlines for the neighbors. He understood there were a lot of other agencies that would be reviewing and addressing the dredging issue. Overall, he stated he supported the application being submitted to the city with more feedback to follow.

Schack explained she understood eight homes were being proposed with a large number of trees being preserved. She too questioned what the public good was

within this development. She stated six larger lots on the parcel may be better for the public good. She reported the developer was proposing a much needed housing type but she also understood the homes would be very expensive. She indicated she would like to better understand the impact on the land for eight homes compared to six or seven. She stated if only six or seven units were pursued a parking area could be provided. She commented on how the channel would be impacted and stated this was a complicated matter. She reported the channel dredging matter would be worked out by other agencies.

Kirk stated the thing that bothered him most about the channel dredging was that the people calling in to complain about it was coming from people who were already using and benefiting from this channel. He explained he was not advocating for dredging but noted this has occurred in the area. He reported precedent may have been set regarding PUD's, such as the Locust neighborhood, noting developers were reviewing what has been approved by the council in the past. He reported the proposed development was coming in high and could be pared back by the council and planning commission. He stated he was comfortable with parcels seven and eight. However, he was struggling with how tight parcels one through six were. He feared that the developer was trying to fit ten pounds of potatoes in a five pound sack. He recommended that the developer consider paring down the development to six lots.

Calvert commented she did not want the existing lot sizes on Bantis Point to be setting a precedent for all future development. She explained these lots were constructed well before the city had lot size regulations in place. Rather, she recommended the council consider what was best for the wetlands and this property.

Wiersum agreed eight lots may not be the answer for this development. He discussed the average lot size if eight lots were pursued, versus seven lots and six lots. He recommended the developer consider six or seven lots going forward. He was of the opinion lot four, the triangular lot, did not make any sense. He stated it would be important for this development to have adequate parking. He suggested the developer continue to work with staff to address the public good criteria. He understood Minnetonka was in a position to say "no" on dredging, but was not in a position to say "yes" on dredging. He reiterated that there were a lot of other agencies that would address the dredging request. He recommended the applicant be allowed to make his best request with those entities. He stated this type of housing was in demand in Minnetonka for baby boomers that want to remain in the community. He anticipated the developer would have no problem selling these housing units. He explained the developer would still have to address the PUD concerns in order to prove the public good. He indicated he was open to this type of housing with a greater density than R-1 so long as it makes sense for the property. He stated if staff comes back and recommends six homes on this lot, he would give it serious consideration. He

commented with respect to the dredging this was a really long putt and he understood why the developer would want to give it a shot.

Discussed concept plan with the applicant. No formal action was required.

**15. Appointments and Reappointments:**

**A. Appointments to the Minnetonka Sustainability Commission**

Wiersum read the appointments to the Minnetonka sustainability commission in full for the record.

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

**16. Adjournment**

Kirk moved, Calvert seconded a motion to adjourn the meeting at 11:58 p.m. All voted "yes." Motion carried.

Respectfully submitted,



Becky Koosman  
City Clerk