

**DEEPHAVEN CITY COUNCIL MEETING
THURSDAY, MAY 4, 2017
MINUTES**

1. **CALL MEETING TO ORDER:** Mayor Paul Skrede called the meeting to order at 7:00 p.m.

PRESENT: Mayor Paul Skrede, Councilmember's Kent Carlson, Darel Gustafson, and Tony Jewett

ABSENT: Councilmember Steve Erickson

STAFF: Police Chief Cory Johnson, Zoning Coordinator Dale Cooney, and City Administrator Dana Young

2. **PLEDGE OF ALLEGIANCE**

The Council recited the Pledge of Allegiance.

3. **APPROVE CONSENT AGENDA**

Motion by Councilmember Gustafson to approve the Consent Agenda, consisting of the following items:

- A. Approve April 17, 2017 City Council Minutes
- B. Approve Verifieds

Seconded by Councilmember Carlson. Motion carried 4-0.

4. **MATTERS FROM THE FLOOR**

There were no Matters from the Floor this evening.

5. **PLANNING & ZONING REQUESTS**

- A. **Variance Request of Bill Rowe to encroach into the front yard setback for a home addition at 3570 Deephaven Avenue.**

Zoning Coordinator Cooney presented the staff report. He said that Billy Rowe, contractor for the property owners at 3570 Deephaven Avenue, is requesting variances to build a home addition onto a legal non-conforming house. He stated that the addition creates the need for a variance from the minimum front yard setback. Cooney noted that the footprint, height and massing of the house will increase; however, with two minor exceptions explained below, the encroachments

into the front setback are not being increased. He said that the property is a 14,452 square foot R-3 lot.

Cooney said that Section 1302.05(3) of the zoning ordinance requires a front yard setback of 35 feet. He said that the applicant proposes a front yard setback of 20 feet, 4 inches and is seeking a variance of 14 feet, 8 inches from the minimum required front yard setback. He said that the existing house is 23 feet, 10 inches off of the front property line and the house will maintain the same footprint in this area of the addition with two minor exceptions: 1) the 21 square foot cantilever proposed for the front stoop which would create an additional 3 foot, 6 inch encroachment in this area; and 2) the proposed covered porch for the new addition, which will not encroach any further than the current front of the house.

Cooney said that the overall height and massing of the house will increase particularly in the area over the existing garage. He pointed out that other areas of the house are expanding or being added to, however those areas do not encroach into the setbacks. Cooney stated that at 26 feet, 3 inches, the height of the house is well below the 33 foot height limitation for the property.

Cooney said that the proposal complies with the remaining setback requirements, building coverage limitations, and maximum permitted grade alteration. He also pointed out that while the impervious area on the property is being reduced from existing, the property is not subject to the 25% impervious surface limitation of the Shoreland Overlay District.

Cooney said that he recommends approval of the variance request to encroach 14 feet, 8 inches into the minimum required front yard setback, for the proposed home addition at 3570 Deephaven Avenue, as presented based on the following findings:

Is the variance in harmony with the purpose and intent of the ordinance?

Yes. The applicant is seeking to vary from the stated setback and dimensional standards of the ordinance in order to modify a non-conforming house built in 1941, according to Hennepin County records.

Is the variance consistent with the comprehensive plan?

Yes. The request is consistent with the Comprehensive Plan's Housing Elements Goals and Policies which encourage residents to maintain and/or improve older homes which will promote diversity of housing in Deephaven.

Does the proposal put property to use in a reasonable manner?

The proposal puts the property to use in a reasonable manner. But for the existing non-conforming setback, the scale of the house is consistent with zoning limitations for the property.

Are there unique circumstances to the property not created by the landowner?

Yes. The 1941 house was built prior to the city's zoning requirements. The narrow front yard setback impedes work on much of the house without requiring the need for a variance.

Will the variance, if granted, alter the essential character of the locality?

The proposal would not alter the essential character of the locality. The proposal is consistent with the single-family character of the neighborhood.

Cooney said that the Planning Commission held a public hearing at their April 18 meeting. He said that at the meeting the Planning Commission expressed concerns about the elimination of the garage on the property and how this might precipitate a future variance request. He said that the applicant was not in attendance at the meeting to answer these concerns and therefore the Planning Commissioners recommended that the city extend the 60-day time limit so that the applicant can come before the Planning Commission to address these issues. Cooney noted that the zoning code does not require that a single family residence be served by a garage, but rather that the single family residence accommodate two off-street parking spaces at 300 square feet per space and that the current driveway on the property accommodates this requirement.

Cooney concluded his staff report.

Councilmember Jewett said that city code does not require a garage, but asked the property owner how they would handle the issue now and in the future.

Joe Conlin, property owner, said that there is an area in the rear yard for a garage without a variance and that is in the long-term plans for the property, but not something they are able to do under their current circumstances.

Councilmember Carlson said that he would like to have that plan shown to the Planning Commission and give them a chance to comment on the application.

Conlin said that there are no plans to build a garage soon. Mayor Skrede said that the garage is not phase two of the project.

Conlin said that they are expanding the house to meet the needs of their family, not their cars, and that they did not park in the existing garage. He said that he understands the market desire of having a garage and that in the future they may need to build one.

Councilmember Gustafson said that it is likely that people would request more later and claim a hardship that the house does not have a garage. He said that the Planning Commission was trying to think ahead.

Conlin said that the City Council can accept or reject that argument when it occurs. He said that the living space could be converted back to a garage. He said that this does not have anything to do with the variance request which is about the fact that his house was built to close to the front property line.

Mayor Skrede said that he is hesitant to move forward without having input from the Planning Commission and that no one was at that meeting to answer their questions.

Conlin said that they have parted ways with Mr. Rowe who completed the variance application. Mayor Skrede said that is even more reason to have the Planning Commission talk with someone involved with the project.

Councilmember Carlson said that he would recommend that the project go back to the Planning Commission. Conlin asked if the Planning Commission would make a decision. Mayor Skrede said that they would make a recommendation and that the application would come back to the City Council next month.

Conlin said that the garage situation is legal and that this has big impacts on the timing of the project. Mayor Skrede said that the Planning Commission meets 12 days from now and the City Council would hear the application on June 5 and that is not such a long delay.

Conlin asked which Councilmember came to the property and talked with his wife? Mayor Skrede said that it must have been Councilmember Erickson who is not at the meeting tonight.

Motion by Councilmember Jewett to direct staff to draft written notice to Joe Conlin, property owner, stating the City of Deephaven needs to extend the 60-day time limit to July 18, 2017 to provide more information to the Planning Commission since no representative was available to answer questions at the April 18 public hearing. Motion was seconded by Councilmember Carlson. Motion carried 4-0.

B. Variance requests of Matt Hendricks to encroach into the minimum front and exterior side yard setbacks, to exceed the maximum permitted accessory structure footprint, and to exceed the maximum permitted accessory structure height in order to rebuild a non-conforming accessory structure at 19865 Lakeview Avenue.

Cooney presented the staff report. He said that Matt Hendricks, property owner at 19865 Lakeview Avenue, is requesting several variances in order to build a new accessory structure that would replace two smaller, legal, non-conforming structures on the property. He said that the non-conforming accessory structures were recently removed from the property. Cooney noted that the proposal improves on the non-conforming setbacks from the previous structures.

Cooney said that statute allows nonconformities to be continued through repair, replacement, restoration, maintenance, improvement, but not including expansion. He said that Mr. Hendricks has the legal right to replace the structures in their current location at the same size. Cooney said that Mr. Hendricks is proposing to resituate the structures 15 feet back from the property line, and is also requesting a slightly larger footprint for the proposed garage.

Cooney noted that Section 1302.05(3) of the zoning ordinance requires a front yard setback of 35 feet and an exterior side yard setback of 25 feet. He said the applicant proposes a front yard setback of 15 feet and an exterior side yard setback of 15 feet and that the applicant is seeking a variance of 20 feet from the minimum required front yard setback and 10 feet from the exterior side yard setback. Cooney pointed out that the nonconforming structures were located as close as 10 inches from the lot line. He said that while still non-conforming, in both cases the setbacks have been significantly improved from previously existing conditions.

Cooney said that Section 1302.05(4) of the zoning ordinance limits the height of accessory structures to 15 feet and that the applicant is proposing an accessory structure height of 20 feet tall and is seeking a variance of 5 feet from the maximum permitted accessory structure height. He said that, since the non-conforming structures were removed last fall, staff was unable to measure the previously existing conditions. He said that based on photographs provided by the applicant and comparisons with nearby structures, staff estimates the height of the tallest previously existing accessory structure to be no taller than 20 feet. Cooney noted that the previous structure was a 1 ½ story garage which is what the applicant is proposing for the new structure.

Cooney said that Section 1310.10 of the zoning ordinance limits the accessory structure footprint of R-3 properties to 700 square feet and that the previously existing accessory structures had a square footage of 793 square feet, exceeding the 700 square foot limit within the zoning district. He said that the applicant is requesting a garage footprint of 864 square feet and is requesting a variance to exceed the maximum allowable accessory structure footprint by 164 square feet. Cooney said that the previous garage footprint would accommodate a 24 x 33 garage, and the applicant is requesting a 24 x 36 garage which would accommodate the inclusion of an interior stair to the second floor storage area.

Cooney noted that the proposal complies with the remaining setback requirements and building coverage limitations outlined in Section 1302.05, and the maximum permitted grade alteration permitted in Section 1312.04 and that no stormwater mitigation requirements are triggered by the proposal.

Cooney said that he recommends approval of the variance requests to encroach 20 feet into the minimum required front yard setback, to encroach 10 feet into the minimum required exterior side yard setback, to exceed the maximum permitted accessory structure height by 5 feet, and to exceed the maximum permitted accessory structure footprint by 164 square feet for the proposed accessory structure at 19865 Lakeview Avenue, as presented based on the following findings:

Is the variance in harmony with the purpose and intent of the ordinance?

Yes. The applicant is seeking to vary from the stated setback standards of the ordinance to improve existing, legal, non-conforming structures. The proposal reduces the encroachment into the front and exterior side yard setbacks from existing conditions.

Is the variance consistent with the comprehensive plan?

Yes. The request is consistent with the Comprehensive Plan which seeks to encourage re-investment in existing single family housing.

Does the proposal put property to use in a reasonable manner?

Yes. The replacement the nonconforming structures is comparable in size and scale to the previously existing structures while also greatly improving visibility at the intersection by setting the structure back 15 feet from the property line.

Are there unique circumstances to the property not created by the landowner?

Yes. The property hosts two existing structures, which are considered legal non-conforming structures due to their location, size, and height.

Will the variance, if granted, alter the essential character of the locality?

No. The size of the structure is comparable to what existed on the property as well as other similar legal non-conforming structures within the community.

Cooney said that the Planning Commission held a public hearing on the request at their April 18 meeting and on a 6-0 vote recommended approval of the request based on the recommendation and findings of staff.

Cooney concluded his staff report.

Mayor Skrede said that he would want to make sure that the building did not have plumbing to ensure that it would not become an accessory dwelling unit.

Shane Hudella, representative for the applicant, said that the proposal creates a safer intersection. He said that the lot is unique and that complying with the setback requirements would put the structure in the middle of the back yard.

Councilmember Jewett asked if Hudella was a builder. Hudella said that he was just a friend with building experience. He said there were no plans to put plumbing in the structure.

Councilmember Gustafson said that he understands the improvement for the neighborhood and the visibility increase for the intersection. He said that the building was a story and a half and asked if they needed a shed that big. Councilmember Gustafson said it was bigger than what existed before.

Hudella said that the owners have a decent sized boat they would like to store and also allow access to the upstairs via a stairway.

Councilmember Gustafson said that he questioned the reasons driving the variances and they could be offset by better choices. He said that this is an owner-made situation.

Councilmember Jewett said that he likes the plan and understands combining the sheds to one 20 foot high shed. He said that he has a little heartburn about the extra square footage and said that a boat would fit in a 22 foot wide garage, which would also match the existing nonconforming square footage. He said he would prefer to keep the total square footage at 792.

Councilmember Carlson said that there is the right to replace or maintain the structures and the new building enhances the look and safety of the corner. He said that he does not have an issue with the larger footprint but would condition any approval motion that the structure not include plumbing.

Mayor Skrede said that a boat might fit in a 22 foot wide garage but not two cars, which is how future owners might want to use the structure.

Hudella said that the size was also chosen since it is standard for the required building materials.

Mayor Skrede said that he might have more issue about the size of the structure if there were a hardcover issue on the property.

Councilmember Gustafson said that the justification for the approval cannot simply be the nonconforming structures since this is larger and not within the same footprint. Mayor Skrede said that this proposal strikes a balance with safety and visibility improvements.

Motion by Councilmember Carlson to recommend approval of the variance requests at 19865 Lakeview Avenue based on the findings of staff and conditioned that the structure not be allowed to include plumbing. Motion was seconded by Councilmember Jewett. Motion carried 4-0.

C. Variance request of John Kosmas to encroach into the side yard setback and to exceed the maximum permitted impervious surface area for a home addition at 19365 Lake Avenue.

Zoning Coordinator Cooney summarized the staff report. He said that John Kosmas, the architect for the property owner at 19365 Lake Avenue, is requesting variances to build a home addition onto a legal non-conforming house. Cooney said that the addition creates the need for a variance from the minimum side yard setback and the maximum permitted impervious surface area. He said that the footprint, height and massing of the house will increase. Cooney said that the applicant proposes to remove several areas of impervious area such that the overall impervious area for the property will be slightly reduced. Cooney noted that the property is a 16,104 square foot R-3 lot.

Cooney said that Section 1302.05(3) of the zoning ordinance requires a side yard setback of 15 feet. He said that the applicant proposes a side yard setback of 2 feet, 6 inches and is seeking a variance of 7 feet, 6 inches from the minimum required side yard setback. He said that the existing house is 2 feet, 7 inches off of the side property line and the house addition maintains the existing line of the house. Cooney said that the house and lot line are not perfectly square with each other and therefore the encroachment will increase by 1 inch from existing conditions.

He said that the overall height and massing of the house will increase significantly, since the building will be enlarged from a 1.5 story house to two full stories with a larger footprint.

Cooney stated that the current height of the house (measured from the highest adjoining grade elevation for non-lookout/walkout houses) is 18 feet, 6 inches and the proposed house height is 29 feet. He noted that the height limit for this property is 34 feet.

Cooney said that the two properties to the east (19355 Lake Avenue, and 3840 Northome Avenue) that share the non-conforming lot line would be most impacted by the addition and increase in massing. He said that with rough measurements using aerial imagery, staff estimates

that 19355 Lake Avenue is 35 feet from the existing house, while 3840 Northome Avenue is 45 feet from the proposed addition.

Cooney said that Section 1302.05(2) of the zoning ordinance limits the maximum allowable impervious surface area on the property to 25%. He said that the applicant proposes an impervious surface area of 33.38% and is seeking a variance of 8.38% from the maximum allowable impervious surface area. Cooney said that currently the property is at 33.68% impervious surface area and the applicant is proposing to remove a number of impervious areas to reduce the overall impervious to less than existing in spite of the house addition. He said that the property drains away from the principal structures on the adjacent properties to the east and towards Lake Minnetonka.

He said that the variance triggers the city's stormwater mitigation requirements. He said that the property will be required to provide mitigation to the equivalent of 25% impervious surface area. Cooney said that the property owner will be required to enter into a stormwater maintenance agreement, which will be recorded against the property. He said that the applicant is proposing underground storage/infiltration to accommodate the stormwater mitigation requirements. Cooney said that the City Engineer has reviewed the proposed mitigation plans and has asked for more detail on the proposal. Cooney noted that, as of this writing, he has not received enough additional information to approve the mitigation proposal as presented.

Cooney noted that the property is host to two non-conforming (in terms of setbacks and combined footprint) garages which are not proposed to be modified as a part of this request. He said that the proposal complies with the remaining setback requirements, building coverage limitations, and maximum permitted grade alteration.

Cooney said that his biggest concern is the overall increase in height and massing for what is an extremely narrow side yard setback. He said that while the height and massing are zoning code compliant, one cannot ignore the impacts to neighboring property owners who share the narrow setback. He said that his concerns are mostly allayed by the fact that the principal structures of the neighbors who share the setback are an estimated 35 feet and 45 feet away from the proposed house. Cooney pointed out that a theoretically zoning code compliant combined setback for two similarly oriented R-3 properties could have the principal structures located as close as 25 feet from each other.

Cooney said that he recommends approval with conditions of the variance requests to encroach 7 feet, 6 inches into the minimum required side yard setback and to exceed the maximum allowable impervious surface area by 8.38% for the proposed home addition at 19365 Lake Avenue, as presented.

He said that his approval recommendation was conditioned that the applicants complete the stormwater management improvements to meet the requirements and specifications of the city engineer and that the applicants enter into a maintenance agreement with the city to ensure the long-term operation and maintenance of the stormwater management improvements. The maintenance agreement shall be executed and recorded against the parcel.

Cooney said that he based his recommendation on the following findings:

Is the variance in harmony with the purpose and intent of the ordinance?

The purpose and intent of the ordinance is to allow the orderly development and redevelopment of property within the city and when the ordinance standards cannot be met, it outlines the procedures to vary from these standards. The applicant is seeking to vary from the stated setback and dimensional standards of the ordinance in order to modify a non-conforming house built in 1918, according to Hennepin County records.

Is the variance consistent with the comprehensive plan?

The request is consistent with the Comprehensive Plan's Housing Elements Goals and Policies which encourages safe, healthy, and quality housing that respects the natural environment of the community.

Does the proposal put property to use in a reasonable manner?

The proposal puts the property to use in a reasonable manner. But for the existing non-conforming setback, the scale of the house is consistent with zoning limitations for the property.

Are there unique circumstances to the property not created by the landowner?

Yes. The 1918 house was built prior to the city's zoning requirements. The narrow side yard setback prevents expansions to much of the house without requiring the need for a variance.

Will the variance, if granted, alter the essential character of the locality?

The proposal would not alter the essential character of the locality. The proposal is consistent with the single-family character of the neighborhood.

Cooney said that the Planning Commission held a public hearing on this item at their March 21 meeting and on a 6-0 vote the Planning Commission recommended denial of the proposal as presented, based on the following findings:

(a) Is the variance in harmony with the purpose and intent of the ordinance?

The purpose and intent of the ordinance is to allow the orderly development and redevelopment of property within the city and when the ordinance standards cannot be met, it outlines the procedures to vary from these standards. By expanding house along the non-conforming narrow setback where other less burdensome options exist, the variance is not in harmony with the purpose and intent of the ordinance.

(b) Is the variance consistent with the comprehensive plan?

Yes. The request is consistent with the Comprehensive Plan's Housing Elements Goals and Policies which encourage residents to maintain and/or improve older homes, which will promote diversity of housing in Deephaven.

(c) Does the proposal put property to use in a reasonable manner?

No. The further compounding of the already very extreme side yard encroachment is not putting the property to use in a reasonable manner and burdens neighboring property owners.

(d) Are there unique circumstances to the property not created by the landowner?

Yes. The 1918 house was built prior to the city's zoning requirements and the narrow side yard setback is an existing condition not created by the landowner.

(e) Will the variance, if granted, alter the essential character of the locality?

Yes. The proposal would alter the essential character of the locality by creating a much larger house along a very narrow setback line. The scale of the proposed home renovation is out of scale with the existing narrow setback for the more modest 1918 house.

Cooney concluded his staff report.

Mayor Skrede asked the property owner if they considered offsetting the second floor.

Kirk Mitchell, property owner, said that they are doing this expansion for their family. He said they currently have two children sharing a bedroom. He said that there are not any extravagances such as bonus rooms in the proposed expansion, and that they are trying to build the simplest, least disruptive expansion they can. He said that he understands and respects the neighbor's issues with the project. Mitchell said that the Planning Commission made some challenges to the plan regarding stormwater mitigation. He said that he does not care where the mitigation goes and is willing to work with city requirements in that respect.

Mayor Skrede asked if any of the neighbor's concerns have been addressed. Mitchell said that no, they have not. He said that there are concerns about the height of the wall. He said that the privacy concerns are not as problematic since the windows on that side are bathroom windows and raised up pretty high on the wall. He said that he understands the concerns of the St. Martins and their view.

Councilmember Gustafson said that the maintenance of the home is an issue now and will continue to be an issue regardless of the variance. He said that he understands the concerns regarding trees but you can't predict that the future.

Councilmember Jewett asked about the maintenance issue. Joseph St. Martin of 3840 Northome Avenue said that when they painted the house, the Mitchells had to have a ladder in their yard. Kirk Mitchell said that was true.

John Beckman, builder for the property owner, said that they would communicate with the neighbors and be respectful of their property. He said that there were ways to help eliminate having workers in their yard.

Councilmember Carlson said that this is a challenging situation because of the narrow setback. He said that there are trees nearby on the neighboring property. He said that there not a lot of alternatives for the property. He said that the proposal meets the city's stormwater requirements.

Police Chief Johnson said that the project by Lucid Builders created a great deal of parking issues for the area and that cannot happen again on this project. Julie Mitchell, property owner, said that Susan Hamel, who had called about parking issues on the Lucid project, was supportive

of this project. Julie said that she assured Susan the builder would be able to be reached to address issues. Kirk Mitchell said that parking was one of the top issues they raised when discussing the project with the builder.

Beth Burgan of 19355 Lake Avenue said that she did not hear about the project until she received a letter from the city. She said that the Planning Commission recommended denial on a 6-0 vote and said that there were still some issues that needed to be worked out. She said that she is not hearing the same concerns raised by the City Council. Burgan said that she was required to adhere to setback regulations when she had asked for her garage variance. She said that at the time, the City Council said that trees can always be replaced but that buildings will be around for a hundred years. Burgan said that the proposal will affect the light to her property, and that there are no barriers between her and her neighbors. She said that her privacy would be impacted as well as the aesthetics of her property. Burgan asked who will maintain the 2 foot alley way that is not maintained today. She said that this will impact her property values.

Mayor Skrede said that, if the variance is approved, the city understands the issues raised and does not simply think everyone will eventually be okay with the decision.

Joseph St. Martin said that the Mitchells are putting an additional 10 more feet of building close to their property line. He said that, right now, they can see down to the tennis courts but this will block the view to all but a small portion of their rear yard. He said that there is a 300 year old tree on this property line that would be impacted. St. Martin said that the project will impact their property values. Barbara St. Martin said that there has been no communication with them on the project.

Julie Mitchell said that she did not intend any disrespect to the St. Martins, but that the Mitchells were naïve and did not think that there would be objections to the proposal. She also said that there was a death in the family that had taken priority. Mitchell said that the Burgan household is moving. She said that the builder will be in communication with the neighbors on the project. Mitchell said that she knows the neighbors are not happy.

Mayor Skrede said that he is not surprised that the public hearing notice was the first the neighbors had heard on the project. He said that he wishes neighbors would communicate on these things but that they typically do not.

John Beckman said that there are methods to preserve the tree. He said that they can put a French drain in on the narrow setback to collect stormwater.

Councilmember Carlson said that this is a challenging situation, but that it is not a condition created by the homeowner. He said it is a difficult decision.

Jewett said that the house is currently situated at the midpoint between the two adjacent houses. He said that he was not sure that a teardown would be a better situation.

Mayor Skrede said that since there were only 4 councilmember's present, a tie vote would be a denial of the request. A denial would mean that the applicant could not return with a similar request for 6 months.

Motion by Councilmember Carlson to approve the request at 19365 Lake Avenue based on the findings and conditions of staff. Motion was seconded by Councilmember Jewett. Motion carried 3-1 with Mayor Skrede voting against.

6. NEW BUSINESS

A. Approve Special Event Permit from Minnetonka Yacht Club

Rick Kotovic was present to represent Chrisy Hughes and the Minnetonka Yacht Club in their request for a Special Event Permit. He stated that the Minnetonka Yacht Club (MYC) will be hosting the A Scow Nationals from June 22-25. Registration and set-up will be at the MYC facility on Carson's Bay. He stated that the MYC is requesting permission to park approximately 20 trailers in the Village Hall hockey rink or at the Platform Tennis parking lot.

He stated that MYC would also like to use Cottagewood Children's Park for the award ceremony on Sunday, June 25th from 1:00 p.m. – 3:30 p.m. The Cottagewood Store will be providing burgers for the participants and beer will be available for any adult who would like one. MYC will not be charging for the beer.

Administrator Young suggested that the Yacht Club coordinate with Police Chief Johnson on the trailer parking at Village Hall or the Platform Tennis lot.

Motion by Councilmember Carlson to approve the Special Event Permit for the Minnetonka Yacht Club for the use of the Village Hall hockey rink or the parking lot at Haralson Park (Platform Court Area) for trailer storage, the use of Cottagewood Children's Park, and permission to consume beer at the park. Seconded by Councilmember Gustafson. Motion carried 4-0.

B. Adopt Resolution No. 20-17, Approving Master Subscriber Agreement

Police Chief Johnson stated that the Police Department needs to have electronic access to the court record system to obtain case records. He stated that the old computer system will soon be terminated and a new Master Agreement is needed now that the courts are switching to a new system. He stated that he would like to continue to access the courts in order to get dispositions on criminal cases and the resolution and agreement are needed in order to continue to obtain court record access.

Mayor Skrede asked if there are any issues with the agreement.

Chief Johnson stated that a number of municipalities have already approved the agreement and he hasn't heard of any issues with the agreement. He added that, at least at the present time, no fees are charged for this service.

Motion by Councilmember Carlson to adopt Resolution No. 20-17 to approve the Master Subscriber Agreement and to allow the Chief of Police to execute the Master Subscriber Agreement. Seconded by Councilmember Jewett. Motion carried 4-0.

7. UNFINISHED BUSINESS

A. Other

There was no other Unfinished Business this evening.

8. DEPARTMENT REPORTS

A. Excelsior Fire District

Administrator Young stated that there is nothing new to report on the Excelsior Fire District.

B. Police Department

Police Chief Johnson reviewed the April 2017 Incident Report.

C. Public Works

Administrator Young provided an update on recent and upcoming public work activities.

D. Administration

Administrator Young provided a brief summary on the following items:

- Summer Hours
- Part-Time Summer Help
- State Audit Report
- Street Sweeping
- City Cleanup Day
- LED Street Lighting Conversion
- Deer Management
- Platform Tennis Fundraiser
- South Lake Neighbors – new publication

9. ADJOURNMENT

Motion to adjourn by Councilmember Gustafson, seconded by Councilmember Carlson. Motion carried 4-0. The meeting adjourned at 9:00 p.m.

Respectfully submitted,
Dana H. Young
City Administrator