

**CITY OF WOODLAND
CITY COUNCIL AGENDA**

**MONDAY, JANUARY 14, 2013
7:00 P.M.**



1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. OATH OF OFFICE

Newly Elected Council Members

Mayor James Doak

Council Member Sliv Carlson

Council member Tom Newberry

3. ROLL CALL

4. CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no special discussion of these items unless a Councilmember or Citizen so requests, in which event will be removed from the Consent Agenda and will be considered separately under New Business.

- A.** Minutes December 10, 2012; Regular Council Meeting
- B.** Set Date of Annual Board of Appeals & Equalization – April 8, 2013
- C.** Adopt Resolution No. 01-2013; Annual Meeting Calendar for 2013
- D.** Adopt Resolution No. 03-2013; Administrative Fees
- E.** 2013 Wayzata Fire Service Contract

5. PUBLIC COMMENTS

Individuals may address the Council about any item not contained on the regular agenda. Limit comments to 5 minutes. The Council may ask questions for clarification purposes but will take no official action on items discussed with the exception of referral to staff or with the agreement of the Council may be scheduled on the current or future agenda.

6. NEW BUSINESS

- A.** Adopt Resolution No. 02-2013; Annual Appointment & Assignments for 2013
- B.** Review Fee Schedule in the Code of Ordinances, Chapter 3, Section 300
- C.** Adopt Resolution No. 05-2013; Appointing James Doak as the LMCD representative
- D.** Adopt Resolution No. 06-2013; Approving the 2013 Enterprise Fund Budgets (Water & Sewer)
- E.** Adopt Resolution No. 06-2013; Approving Water and Sewer Rates for 2013

7. OLD BUSINESS

- A.** Coal Tar Sealant Ordinance 04-14; (Second Reading)
- B.** Adopt Resolution No. 04-2013; Summary of Coal Tar Sealant Ordinance No. 04-14 for publication
- C.** Continued Load Limit Discussion – Permitted Axel Weight
- D.** Review Zoning Language (Chapter 9) updates; Construction Management Amendments, Requiring Contractors to Make Road Repairs and Adding a Construction Escrow Fee

8. MAYOR'S REPORT

9. COUNCIL REPORTS

- A.** Council Member Newberry – Ordinances & Septic Ordinance & Inspections
- B.** Council Member Rich - Roads, Signs & Trees
- C.** Council Member Carlson - Finance, Enterprise Funds, Intgov. Relations & MCWD
- D.** Council Member Massie - Public Safety & Deer Management

10. ACCOUNTS PAYABLE

11. TREASURER'S REPORT

12. ADJOURNMENT

- 15 minutes will be allotted for public comments. If the full 15 minutes is not needed, the City Council will continue with the agenda.
- Next meeting: February 11, 2013

**WOODLAND
CITY COUNCIL MINUTES
Monday, December 10, 2012**

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Doak called the meeting to order at 7:00 P.M.

ROLL CALL

Present: Mayor Jim Doak; Council Members Sliv Carlson, John Massie, Mike Jilek and Chris Rich

Staff: Chief of Police Cory Johnson, City and City Clerk Shelley Souers

Guests: Fred Meyer and Jan Callison

CONSENT AGENDA

A. Minutes November 13, 2012; Regular Council Meeting

B. Multiple Dog Permit Renewal

- Ciampa - 18150 Shavers Lane
- Skalle - 17650 Breezy Point Road
- Johnson - 2855 Breezy Heights Road

C. Resolution No. 28-2012; 17737 Maple Hill Road, Chris & Mindy Keenan

Council Member Carlson moved and Council Member Rich seconded the motion to approve the consent agenda as presented. Motion carried 5-0.

PUBLIC COMMENTS

None.

PUBLIC HEARING

A. Budget Hearing to Adopt the 2013 General Fund Budget and Tax Levy

- Resolution No. 29-2012; Adopting the Final 2013 Budget
- Resolution No. 30-2012; Adopting the Final Tax Levy collectible in 2013

Mayor Doak opened the public hearing at 7:03PM to consider the budget and levy for 2013.

Mayor Doak reported that the 2013 General Fund budget reflects a 2% increase in expenditures from 2012. The property tax levy represents 95% of the total General Fund revenue. The tax levy required to fund the 2013 budget is \$320,228, an increase of 3.2%. Woodland's tax capacity has decreased from 2012 as a result of property assessment decreases. The 2013 tax capacity rate will be 10.5%, reflecting a modest increase from 2012. Mayor Doak reported that Hennepin County and the Minnetonka School District have done a good job controlling the increase in their expenditures.

There being no public comments, Mayor Doak closed the public hearing.

Council Member Jilek moved to adopt Resolution No. 29-2012; approving the 2013 General Fund balanced budget. Council Member Carlson seconded the motion. Motion carried 5-0.

Council Member Rich moved to approve Resolution No. 30-2012; approving the 2013 levy. Council Member Massie seconded the motion. Motion carried 5-0.

Mayor Doak noted that the 2012 projected expenditures are below the budget by over \$30,000. Mayor Doak suggested that the Council consider a transfer of funds from the General Fund into the Road Improvement Fund during the current fiscal year to provide for major road renovation in the year ahead.

NEW BUSINESS

A. County Commissioner Jan Callison – Annual Updates

Mayor Doak welcomed Hennepin County Commissioner Jan Callison and congratulated her on her reelection.

Commissioner Callison distributed a handout highlighting a history of revenue sources and outlays over the past several years.

Commissioner Callison reported that 40% of the County's expenses are directed to health and human services. The largest increase in expenditures occurred in medical and food support services. The County experienced a significant increase in the number of families in need of shelters during 2012. The County provides shelter for 400 to 500 children each night.

Commissioner Callison reported that the County's budget for 2013 will increase 1.2% and the levy will increase 1.5% from 2012. The County has achieved cost savings by redesigning a number of service programs and by shifting to self insurance. Several facilities have closed and many buildings have undergone energy efficiency improvements.

Commissioner Callison reported that uncompensated care is estimated to cost \$24 million in 2013. The County's goal is to attract more patients with private insurance coverage at HCMC to boost revenues. The County also plans to add a new ambulatory facility in the City of Minnetonka in an effort to create a more competitive clinic in the private market and will be working to make it a choice for paying and insured users.

Commissioner Callison provided a summary report of Commissioner Jeff Johnson's Water Management proposal. The proposal is to combine the four existing watershed districts and seven watershed management organizations into three watershed organizations. The proposal will use the watershed boundaries as a guiding principle. Each municipality would appoint an elected official to serve on the watershed district.

Council Member Carlson stated that the responsibilities of the watershed board members are very time consuming and did not believe the board position would be best served as a volunteer position.

Mayor Doak stated that the Minnehaha Creek Watershed District has a good understanding of the needs of the municipalities they serve and cautioned that changes could create a very large organization that loses sight of the issues that are unique to each city.

Commissioner Callison reported that the variance requests for County Road 101 improvements will be considered at the hearing on December 27.

Mayor Doak noted that the City of Woodland does not have the financial resources to bury power lines along County Road 101, as proposed by other cities.

Council Member Jilek asked about the future of the public libraries.

Commissioner Callison responded that the County operates 41 libraries and has started evaluating the locations, facilities and overall operating costs of several of libraries to determine their long term future.

Council thanked Commissioner Callison for her work and her monthly newsletter that keeps Cities informed on County issues.

B. Fred Meyer; LMCD Update & AIS Control Plan

Mr. Meyer reported that the LMCD will conduct a public hearing on Wednesday to discuss the Comprehensive Eurasian Watermilfoil and Curly Leaf Pondweed Plan. The purpose of the hearing is to gather feedback from Lake Minnetonka stakeholders regarding the plan. The AIS Task Force has recommended that the LMCD budget an additional levy of \$75,000 on the 14 Lake Minnetonka Communities. The milfoil plan, if approved, will cost Woodland several thousand dollars. Mr. Meyer stated that management of the milfoil benefits the lake and surrounding communities he supports the milfoil program.

The LMCD owns and operates the weed harvesters. The herbicide operation was coordinated by the LMA and funded by both the LMCD and private homeowners. Bay captains have helped to raise money for the herbicide treatments. Harvesting is useful in open channels and herbicide applications tend to work better in contained bay areas.

Mayor Doak agreed that each method has a rational use and supports a dual approach of harvesting and herbicide in the appropriate places.

C. Minnehaha Creek Watershed District AIS Plan

Mayor Doak reported that the MCWD has adopted a 2013 "stop-gap" AIS management program. There will be no direct cost to the City. The management program includes early detection monitoring, watercraft operator education and

inspection program, MCWD clean boat program, legislation regarding compliance and enforcement, water access improvement grants and a self certification program.

Mayor Doak stated that he, on behalf of the Council, will endorse the plan for AIS stop-gap programs.

D. Tree Service Contract for 2013

Council Member Rich reported that he interviewed two contractors: Emery's Tree and Shorewood Tree Service. He also contacted their references. Shorewood Tree Service revised their pricing. Both contract service bids are competitive. Woodland has been working with Shorewood Tree Service in the period after Aaron's Services was no longer available and the experience has been highly satisfactory.

Council Member Rich moved to approve a 2013 tree service contract with Shorewood Tree Service. Council Member Jilek seconded the motion. Motion carried 5-0.

OLD BUSINESS

Mayor Doak removed himself from the Council discussion and yielded the Chair of the meeting to Council Member Jilek designated Mayor Pro Tem.

Council reviewed two resolutions approving the Preliminary and Final Plats of the Felton Welch Estate.

Mayor Pro Tem Jilek stated that Council had held a public hearing on the subdivision and approved the plat creating four single family lots. Staff has prepared resolutions for the preliminary and final plats.

A. Resolution No. 26-2012; Felton Welch Estate Preliminary Plat

Council Member Carlson moved to adopt Resolution No. 26-2012; approving the Preliminary Plat. Council Member Massie seconded the motion. Motion carried 4-0.

B. Resolution No. 27-2012; Felton Welch Estate Final Plat

Council Member Carlson moved to adopt Resolution No. 27-2012; approving the Final Plat. Council Member Rich seconded the motion. Motion carried 4-0.

Mayor Doak resumed the chair position to continue the meeting.

C. Load Limit Discussion

Mayor Doak reported that all City streets are designated 9 ton per axel weight limit, the same as Hennepin County. The limit is reduced to 4 ton per axel from March 1 to May 1.

Council discussed whether a reduced axel limit from 9 ton to a weight consistent and more appropriate for Woodland's residential streets, based on their age, width and present condition.

Council agreed that it would be useful to have documentation to support a decision to reduce the road limits. Staff will consult with the City Engineer to outline a basis to determine a practical road limit for Woodland's streets.

D. Road Use Surcharge Fee Discussion

Council continued discussion regarding a construction traffic surcharge fee to be charged in conjunction with construction permits.

Mayor Doak noted that the City would have to reduce overall weight limits to less than the County limits in order to justify a fee for "overweight" loads. He reminded the Council that the City Attorney had advised that there a road surcharge must be based on tangible evidence of road use and not simply a percentage of building permit fees.

Mayor Doak suggested that as a first step the Council consider adding language to the construction management ordinance to hold contractors responsible for demonstrable damage to City streets. This often occurs when off loading heavy, tracked equipment or turning trucks in tight areas.

Council Member Rich suggested that the staff document the road condition on Maple Hill Road prior to the start of the proposed new construction.

E. Coal Tar-based Sealant Ordinance 04-14; First Reading

Council Member Carlson reported that she spoke with the MCWD and they support cities' regulating the use of coal tar-based sealers. Council Member Carlson stated that she also spoke with several contractors and many no longer use coal tar-based products. Mayor Doak asked that the relative cost of coal tar sealers versus alternative products be discussed at the second reading of the ordinance.

Council Member Carlson moved to approve the first reading of Ordinance No. 04-14; regulating the use of coal tar-based sealers and directed staff to provide an ordinance summary for review in January. Council Member Rich seconded the motion. Motion carried 5-0.

MAYOR'S REPORT

Mayor Doak presented Council Member Jilek with Resolution No. 31-2012; recognizing his eight years of dedicated service to the City.

Council thanked Council Member Jilek for his years of service and his commitment to improving the quality of Woodland.

Council Member Carlson moved and Council Member Rich seconded resolution No. 31-2012. Motion carried 4-0. Council Member Jilek abstained.

Council Member Jilek stated that it has been an honor to work with the Council and staff and was grateful for the privilege to serve the City of Woodland.

Mayor Doak reported that the South Lake Fire Chief Scott Gerber provided a National Incident Management (NIMS) training for City officials. The session was attended by himself and Council Members Carlson and Rich. Mayor Doak reported that he also participated in a League of Minnesota Cities webinar that covered multiple topics regarding the State's revenue forecast, ground water usage, the impact of agricultural activity on water quality and pollution, tax reform, internet purchases, election reform, and the issue of police and fire pensions, both of which are underfunded.

Mayor Doak reported that the expenditures in the Woodland's General Fund are less than expected for 2012 creating a projected budget surplus of \$36,000. Mayor Doak recommended Council approve a transfer of \$30,000 from the General Fund to the Road Improvement Fund to continue to accrue funds for future major road improvements.

Council Member Carlson moved to approve a transfer of \$30,000 (thirty thousand dollars) from the General Fund to the Road Improvement Fund during the 2012 calendar year. Council Member Massie seconded the motion. Motion carried 5-0.

COUNCIL REPORTS

A. Ordinances, Website & LMCC:

Council Member Jilek reported that franchise renewal negotiations have started with Mediacom and should be completed by July.

B. Roads, Signs & Trees:

Council Member Rich reported that a tree in the fire lane at the end of Breezy Heights Road had been cabled to prevent it from splitting and to increase its longevity.

C. Finance, Enterprise Funds, Intgov. Relations & MCWD:

Council Member Carlson reported that the water maintenance costs have exceeded revenues, causing a negative fund balance. This will require an increase in maintenance fees in 2013. The City has moved away from the 2010 rate analysis projections and has increased utility fees to manage the fund balance. A utility rate increase will go into effect with the January billing.

D. Public Safety & Deer Management:

Council Member Massie reported that two deer were removed from the City. Chief of Police Johnson reported that over 6200 vehicle speeds were recorded on the speed trailer during November 14-29. The ranges of speeds were virtually identical to the March study with 68% of the traffic under the speed limit.

ACCOUNTS PAYABLE

Council Member Jilek moved to approve the accounts payable as presented. Council Member Carlson seconded the motion. Motion carried 5-0.

TREASURER'S REPORT

Council Member Massie moved to approve the accounts payable as presented.
Council Member Jilek seconded the motion. Motion carried 5-0.

ADJOURNMENT

Council adjourned by consent at 9:30 P.M.

ATTEST:

Shelley J. Souers, City Clerk

James S. Doak, Mayor

LOCAL BOARD OF APPEAL AND EQUALIZATION
SUMMARY OF DUTIES AND RESPONSIBILITIES

Most of the responsibilities listed under the Local Board of Appeal and Equalization are statutory, primarily found in Minnesota Statutes 274.01.

- The first responsibility is attendance. The Local Board of Appeal and Equalization is an official public meeting similar to a City Council meeting and cannot convene without a quorum. In addition to the local assessor, the county assessor, or one of his/her assistants is required to attend.
- At least one member must be present at each meeting of the Local Board of Appeal and Equalization (beginning in 2006) that has attended an appeals and equalization course as developed and approved by the Commissioner of Revenue.
- The valuation notices shall be in writing and be sent by ordinary mail at least ten calendar days before the meeting of the board. The valuation notice will include the dates, places and times set for the meetings of the Local Board of Appeal and Equalization as well as the Hennepin County Board of Appeal and Equalization.
- The meetings must be held between **April 1 and May 31** each year, including reconvene meetings. The County Assessor shall fix a day and time when the Local Board of Appeal and Equalization shall meet. The board must complete its work and adjourn within 20 days from the time of convening stated in the notice of the clerk, i.e. calendar days – original night is day one.
- The clerk shall give published and posted notice of the meeting at least ten days before the date of the meeting.
- Local Boards of Appeal and Equalization must see that all taxable property is properly valued and classified for the current assessment year only. The board may consider both real and personal property, and both estimated and taxable value. Personal property is limited to mobile homes and their storage sheds, decks and other improvements located in a manufactured home park, structures on leased public lands and RR operating ROW, and leased buildings located on land owned by the occupant and used as their homestead.
- If any property has been omitted, the board must correct the assessment by adding it to the list of assessments along with its market value.
- The board may not increase or decrease by percentage all assessments in a district of a given class of property. Changes in the aggregate to assessments are by class and are made by the county board of equalization.
- The board may not make an individual market value adjustment or classification change that would benefit the property in cases where the owner or other person having control over the property will not permit the assessor to inspect the property and the interior of any buildings or structures.

Resolution 01-2013
City of Woodland Dates for 2013

Be it resolved that the City Council of the City of Woodland, Minnesota approves the following dates for City Council meetings, and variance / special use permit / subdivision applications:

APPLICATION DATE	PUBLISH DATE	COUNCIL MEETING
1st Thursday	Sun Sailor Thursday	Public Hearing 7 PM, 2nd Mondays
December 13, 2012	December 27, 2012	January 14, 2013
January 3, 2013	January 17, 2013	February 11, 2013
February 7, 2013	February 21, 2013	March 11, 2013
March 7, 2013	March 21, 2013	April 8, 2013
April 4, 2013	April 25, 2013	May 13, 2013
May 2, 2013	May 23, 2013	June 10, 2013
June 6, 2013	June 20, 2013	July 8, 2013
July 3, 2013	July 25, 2013	August 12, 2013
August 1, 2013	August 22, 2013	September 9, 2013
September 5, 2013	September 26, 2013	October 14, 2013
October 3, 2013	October 24, 2013	November 12, 2013 (Tuesday)
November 7, 2013	November 21, 2013	December 9, 2013
December 5, 2013	December 19, 2013	January 13, 2014

City Council meetings are held in the Deephaven council chambers, 20225 Cottagewood Road, Deephaven, MN 55331. Meetings may be changed due to lack of quorums.

Be it resolved that the City Council of the city of Woodland, Minnesota approves the following additional dates:

	Date	Time	Notes
Local Board of Appeal & Equalization Meeting	April 8, 2013	7:00 PM	Property Value Review
Budget Discussions (2014)	July 8, 2013	7:00 PM	Preliminary Budget Review
Budget Discussions (2014)	August 12, 2013	7:00 PM	Preliminary Budget Review
Adopt Preliminary Budget	September 9, 2013	7:00 PM	Adopt Preliminary Budget and Levy
Adopt Final Budget (Public Comment Opportunity)	December 9, 2013	7:00 PM	Adopt Final Budget

Holiday Schedule	Date
New Year's Day	Tuesday, January 1 st
Martin Luther King Day	Monday, January 21 st
President's Day	Monday, February 18 th
Good Friday	Friday, March 29 th
Memorial Day	Monday, May 27 th
Independence Day	Thursday, July 4 th
Labor Day	Monday, September 2 nd
Veterans Day	Monday, November 11 th
Thanksgiving	Thursday, November 28 th
Christmas	Wednesday, December 25 th

ADOPTED by the City Council of the City of Woodland, Minnesota, this 14th day of January 2013.

CITY OF WOODLAND

By: _____
James S. Doak, Mayor

Attest: _____
Shelley J. Souers, City Clerk

**CITY OF WOODLAND
RESOLUTION NO. 03-2013**

A RESOLUTION ESTABLISHING A SCHEDULE OF ADMINISTRATIVE FEES

WHEREAS, Section 305.03 of the Woodland City Code requires Woodland to establish a schedule of fees for miscellaneous item and administrative services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodland, Minnesota that the following schedule of administrative fees will be in effect for 2013

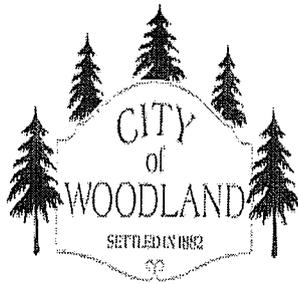
a. Copies	\$0.25 per page
b. Copies (11" x 17")	\$0.50 per page
c. Maps – from Engineer	Cost +10%
d. Computer labels	\$1.50 per page
e. Full City Code book	\$50.00
f. Police reports	\$0.25 per page
g. Return check	\$25.00
h DVD /VHS Tape	\$25.00
i. Audio tape	\$15.00 per cassette
j. Photos	\$2.00 per photo / \$15.00 minimum
k. Police Officer	\$80.00 / hour (3 hour minimum)
l. Impound Fee	\$ 50.00 / upfront and \$5.00 / day
m. Mileage reimbursement	IRS Business rate per mile

Adopted by the City Council of the City of Woodland this 14th day of January, 2013.

James S. Doak, Mayor

ATTEST:

Shelley J. Souers, City Clerk



WOODLAND CITY COUNCIL

MEETING DATE: January 14, 2013
 FROM: Shelley Souers, City Clerk
 SUBJECT: Wayzata Fire Service Agreement

Attachment

- 2013 Wayzata Protection Agreement

OVERVIEW

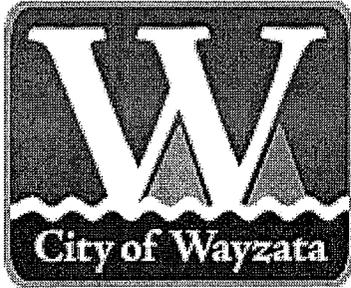
The Wayzata Fire Department has provided fire protection service to Woodland for many years. The Fire Protection Agreement is attached and is unchanged from past years.

The annual service charge for fire protection service is based upon the percentage of calls in Woodland for the preceding three-year period.

	<u>Calls in Woodland</u>	<u>Other Calls</u>	<u>Total Calls</u>
June 1, 2009 – May 31, 2010	14	237	251
June 1, 2010 – May 31, 2011	13	255	268
June 1, 2011 – May 31, 2012	<u>16</u>	<u>283</u>	<u>299</u>
	43 (5.26%)	775 (94.74%)	818

2012 Fire Dept. Operating Budget: (\$397,528)
 $\$467,528 - 445,000$ (2% State Aid) - $425,000$ (Bldg. CIP) x 5.26% = $\$20,910$
 Less difference in 2011 budget actual $\$9,170$ x 5.25% - 481
 2013 Fire Contract Amount $\$20,429$

Year	Wayzata Fire Budget From previous year	Woodland % of Calls	Woodland Annual Expense
2013	\$397,528	5.26%	\$20,429
2012	\$388,358	5.25%	\$20,388
2011	\$386,100	6%	\$23,166
2010	\$391,800	6%	\$23,508
2009	\$349,781	6%	\$25,653
2008	\$293,900	6%	\$20,987



City of Wayzata
600 Rice Street
Wayzata, MN 55391-1734

Mayor:
Ken Willcox
City Council:
Jack Amdal
Mary Bader
Tom Tanner
Andrew Mullin
City Manager:
Heidi Nelson

2013

July 18, 2012

Shelley Souers
City of Woodland
20225 Cottagewood Road
Excelsior, MN 55331

Dear Shelley,

For budgeting purposes here is the breakdown used to calculate your annual charge for fire service. Based upon the percentage of calls in Woodland for the preceding three-year period, \$20,429 will be your 2013 fire contract amount. The following is a breakdown of calls from June 1, 2009 to May 31, 2012:

	<u>Calls In</u> <u>Woodland</u>	<u>Other</u> <u>Calls</u>	<u>Total</u> <u>Calls</u>
June 1, 2009 – May 31, 2010	14	237	251
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	43 (5.26%)	775 (94.74%)	818

2012 Fire Dept. Operating Budget: \$397,528
\$467,528 - \$45,000 (2% State Aid) - \$25,000 (Bldg. CIP line item) x 5.26% = \$20,910
Less difference in 2011 budget to actual \$9,170 x 5.25% - 481
2013 Fire Contract amount \$20,429

If you have any questions, feel free to call.

Sincerely,


Kathy Ovshak
Finance Manager

CITY OF WAYZATA

2012 BUDGET

Allan Orsen
City Manager

CITY OF WAYZATA

General Fund Expenditures by Dept - Budget

Dept	Object	Object Descr	2009 Amount	2010 Amount	2011 Budget	2012 Budget
Dept Descr Fire						
42200	103	Part-Time Employees	\$90,859.30	\$94,851.12	\$97,778.00	\$100,278.00
42200	122	FICA	\$6,220.25	\$6,523.43	\$7,480.00	\$7,650.00
42200	200	Office Supplies (GENERAL)	\$12.82	\$0.00	\$0.00	\$0.00
42200	210	Operating Supplies (GENERAL)	\$5,446.93	\$5,412.24	\$5,500.00	\$7,000.00
42200	212	Motor Fuels	\$1,484.02	\$2,658.66	\$2,000.00	\$3,000.00
42200	217	Uniforms	\$7,752.15	\$8,087.15	\$8,500.00	\$10,000.00
42200	240	Small Tools and Minor Equip	\$3,351.86	\$3,097.45	\$5,000.00	\$7,000.00
42200	241	Safety equip/testings	\$3,065.68	\$4,552.24	\$5,000.00	\$7,000.00
42200	306	Personnel Expense	\$8,091.57	\$8,406.50	\$8,500.00	\$8,500.00
42200	323	Radio Units	\$17,558.27	\$16,262.43	\$20,000.00	\$20,000.00
42200	331	Mileage & Expense Account	\$1,407.39	\$1,302.72	\$2,000.00	\$2,500.00
42200	381	Electric Utilities	\$3,700.00	\$4,000.00	\$4,000.00	\$4,000.00
42200	383	Fuel, oil and natural gas	\$7,860.83	\$5,871.38	\$15,000.00	\$15,000.00
42200	404	Repairs/Maint - Machin/Equip	\$13,587.43	\$13,986.92	\$15,000.00	\$17,000.00
42200	409	Maint services & Improv	\$1,860.00	\$1,990.00	\$2,000.00	\$2,000.00
42200	433	Mandated Dues & Licensing	\$1,778.00	\$1,730.69	\$2,500.00	\$3,000.00
42200	434	Training and schools	\$6,064.81	\$9,340.40	\$7,500.00	\$8,000.00
42200	437	Payments to Organizations	\$90,143.00	\$92,036.00	\$45,000.00	\$45,000.00
42200	438	Payment to Fire Relief 2% Aid	\$0.00	\$0.00	\$45,000.00	\$45,000.00
42200	499	Miscellaneous	\$4,077.40	\$3,235.81	\$3,000.00	\$3,500.00
42200	540	Equipment	\$135,326.40	\$0.00	\$0.00	\$0.00
42200	720	Operating Transfers - Equip.	\$114,955.00	\$132,600.00	\$132,600.00	\$127,100.00
42200	721	Operating Transfers - Building	\$0.00	\$0.00	\$25,000.00	\$25,000.00
Dept Descr Fire			\$524,603.11	\$415,945.14	\$458,358.00	\$467,528.00

6A

CITY OF WOODLAND
RESOLUTION NO. 02-2013

A RESOLUTION DESIGNATING ASSIGNMENTS AND APPOINTMENTS FOR 2013

BE IT RESOLVED, by the City Council of the City of Woodland that the following appointments and designations are approved for 2013:

- Mayor: James S. Doak
The annual salary shall be \$80.00.
- Council Members: Sliv Carlson, Chris Rich, John Massie and Tom Newberry
The annual salary for each Councilmember shall be \$40.00.
- James Doak Deephaven & Wayzata Contracts
Weed Inspector
- Chris Rich Roads & Signs
Public Works operations (road repairs/mowing)
Trees
- Sliv Carlson Finance & Audit
Intergovernmental Relations
- Tom Newberry Ordinances
Septic System Rules & Issues
- John Massie Public Safety - Police & Fire
Deer Management
- Mayor Pro Tem Sliv Carlson (January – June)
Chris Rich (July – December)

RESOLVED: That the salaries of the coming year of 2013 are established for Council Members, such salaries to be payable in one sum at the time of the regular meeting of the City Council in December 2013.

- Clerk/Treasurer: The City of Deephaven will provide clerical & treasurer services; the annual service charge, per the contract, will be paid to the City of Deephaven in monthly installments.
- Police: The City of Deephaven will provide Police services; the annual service charge, per the contract, will be paid to the City of Deephaven in monthly installments.
- Fire: The City of Wayzata Fire Department is designated as Woodlands' fire service agency; and will be paid an annual charge based upon the percentage of calls in Woodland for the preceding three-year period, calculated against the Wayzata Fire Department's operating budget for the contract year.

- City Assessor: Dan Distel
- City Attorney: Campbell Knutson – Joel Jamnik & Andrea McDowell Poehler Lead Attorneys
- Prosecuting Attorney: Tallen & Baertschi – Steve Tallen Lead Prosecutor
- City Auditor: Abdo, Eick and Meyers – Andy Berg Lead Auditor
- City Engineer: Bolton & Menk, Inc. – Dave Martini

Ad

Chief of Police:	Cory Johnson
Fire Chief	Kevin Klapprich
Zoning Administrator:	City of Deephaven – Gus Karpas Zoning Administrator
Building Inspection:	Minnetonka Building Department (Building Official Bob Manor)
LMCC Liaison	Mike Jilek
LMCD Representative:	Representative appointed by Council Resolution
Insurance Agency:	League of MN Cities Insurance Trust – Agent Representative Northern Capital Insurance (Carl Bennetsen)
Official Newspaper:	Minnesota Sun Publications
Septic Inspector:	Kurt Larsen – Annual Review (existing systems)
System Inspector:	Metro West Inspections – New System Inspections
Health Officer:	Dr. Bruce Shilling & Hennepin County
Assistant Weed Inspector	Zoning Administrator Gus Karpas

RESOLVED, FURTHER: That the City Officers shall be paid mileage at the rate determined by the IRS standards for each mile necessarily traveled in carrying out the duties of the officers; and

RESOLVED, FURTHER: That State Statutes require the City to designate general depositories for City monies, therefore the following Depositories/Investment Vendors, be designated as official depositories for the City of Woodland for the funds of the City and that the Treasurer be, and hereby is authorized to continue an account or accounts in the name of the City in said depositories on the terms usually required of its customers, and to deposit in such account or accounts any money; and that two required signatures be mandatory on bank checks withdrawing money from the bank, and that these signatures may be any one of the elected officials and/or the City Clerk.

- Beacon Bank (Municipal water bond)
- TCF Banks (Official Depository)

Adopted by the City Council of the City of Woodland this 14 day of January 2013.

James S. Doak, Mayor

ATTEST:

Shelley Souers, City Clerk

SECTION 305 FEES

305.01 License Fees. The fee for any license, permit or application required under this Code will be the amount stated in Section 305.02, which amount will be paid by the applicant at the time the application is submitted to the Clerk. All fees paid are non-refundable if the license has been correctly issued.

305.02 Establishment of Fee Amounts. The dollar amounts of fees required by this Code are as stated in the following table.

Animal Licenses & Fees				
Fee No.	Code No.	Purpose of Fee	Item	Amount
1	405.03	Dog license – Multiple Dog	Annual license	\$ 25.00
2	405.03	Release of impounded dog	0 impounds last 12 months	\$ 40.00
			1 impound last 12 months	\$ 65.00
			2 or more impounds last 12 months	\$ 90.00
3	405.03	Impounded animals	Monthly retainer fee	\$100.00
			Euthanasia & disposal	\$ 75.00
			Cremation only	\$ 60.00
			Daily fee for boarding of cats	\$ 23.00
			Daily fee for boarding of dogs	\$ 25.00
			Minimum daily fee per animal	\$ 25.00
4	406.02 Subd. 5	Dangerous Dog Annual Fee	Certification of Registration of Dangerous Dog Annual fee	\$500.00

Building Permit Fees				
Fee No.	Code No.	Purpose of Fee	Item	Amount
5	700.03	Minimum Building Permit Fee		\$23.50
6		All Building Permit Fees based on 2008 UBC/SBC Standards	Fee per Building Valuation Standards per Current I.C.B.O. Data (Building Fee Table)	
7		Plan Review Fee	65% of Building Permit Fee	
8	705.05	Individual Sewage Treatment Permit SSTS (New or Repair)	Fee per Building Valuation Standards per Current I.C.B.O. Data (\$50 minimum)	
9		State Surcharge Fee for building, heating, HVAC, and Septic permits	Surcharge (minimum \$.50) .0005 x job valuation	\$0.50 (min)

Contractor's Licenses				
Fee No.	Code No.	Purpose of Fee	Item	Amount
10	315.01	Annual Tree Trimming / Removal		\$ 50.00
11	314.02	Gas Fitter's License	Class A	0
12	314.02	Heating/ventilation installer	Class B	0
13	313.01	Plumbers License (registration)		0

Electrical Permit Fee				
Fee No.	Code No.	Purpose of Fee	Item	Amount
14	312.03	Minimum Residential Fee		\$40.00
15		Swimming pool flat rate		\$45.00

False Alarm Fees & Fire Call Charges				
Fee No.	Code No.	Purpose of Fee	Item	Amount
16	445.02	3-6 false alarms	Within one calendar year	\$50.00
17		7-10 false alarms	Within one calendar year	\$100.00
18		In excess of 10 false alarms	Within one calendar year	\$150.00
19	430.02	Fire Call Charge Minimum (false alarm, unintentional call or actual fire)	First Summons within one calendar year	\$250.00
20	430.02	Fire Call Charge	Second and subsequent summons within one calendar year	\$500.00
21	430.02	Delinquent Fire Call Charge	Per each unpaid Fire Call Charge within one calendar year	\$100.00

Heating and Gas Fitting Permit Fees				
Fee No.	Code No.	Purpose of Fee	Item	Amount
23	415.08	Central System	2% of estimated job cost with a minimum of	\$40.00
24		Additions, Alterations & Repairs	2% of estimated job cost with a minimum of	\$40.00
25		Addition of A/C to heating system	2% of estimated job cost with a minimum of	\$40.00

26		Furnace or boiler replacement	1.25% of estimated job cost with a minimum of	\$40.00
27		Gas Piping	First (3) units	\$ 7.50
28		Gas Piping	Each additional unit	\$ 4.50

Parking Permits				
Fee No.	Code No.	Purpose of Fee	Item	Amount
29	500.05	Temporary on-street parking permits (designated zones)	Per Day All purpose Contractors or residents	\$5.00
30		Temporary on-street parking permits (designated zones)	Monthly (30 day period) Contractors or residents	\$25.00
31	500.03	Load Limit Permit	Permit to exceed the road load limit by 2 ton per axel - May 1 to February 28 (per round trip)	\$ 50.00
32	500.04	Seasonal Load Limit Permit	Permit to exceed the posted seasonal road load limit of 4 ton per axel by 2 ton per axel – March 1 to May 1 (per round trip)	\$500.00

Planning and Zoning Fees				
Fee No.	Code No.	Purpose of Fee	Item	Amount
33	800.05	Subdivision	Filing fee plus direct costs incurred by City related to consultant review and publication of hearing notices	\$150.00
34	900.06	Alteration of Nonconforming Use	Filing fee	\$250.00
35	900.14	Variance	Filing fee	\$400.00
36	900.15	Special Use Permit	Filing fee	\$400.00
37	900.16	Application for Wetland Alteration	Filing fee	\$ 50.00
38	900.17	Land Alteration Permit	Filing fee	\$200.00
39	900.19	Permit for Vegetation Clearing	Filing fee	\$ 25.00
40	900.06 900.14 900.15	Renewal of zoning permits	Filing fee	\$ 50.00
41	900.01 Subd. 9 900.24 Subd. 2	Security Fee/Construction Deposit New homes/additions/new structures and land alterations	Escrow Fee in conjunction with a Bldg. or land alteration permit to be used for costs related to building construction, land alterations, and repair of road damage (refund of unexpended balance not to include earned interest)	\$2,500.00

42	700.03 Subd. 3 (e)	As-built Survey Deposit	Escrow fee for issuance of temporary occupancy pending completion of as-built surveys per 700.03	\$2,500.00
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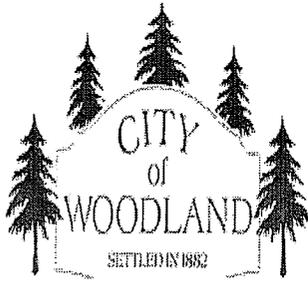
Plumbing Fees				
Fee No.	Code No.	Purpose of Fee	Item	Amount
43	313.04	Residential plumbing fee	Minimum fee	\$40.00
44	313.04	Residential plumbing fee	Fee per fixture	\$8.50
45	313.04	Water softener	Minimum fee/per fixture	\$15.00
46	313.04	Water heater	Minimum fee/per fixture	\$15.00
47		State Surcharge Fee for plumbing permits	Surcharge (minimum \$5.00)	\$5.00

Police Service Fees & Other Fees				
Fee No.	Code No.	Purpose of Fee	Item	Amount
48	215.03	Release of impounded property	Fee includes cost + \$5.00 per day	\$50.00
49	320.07	Peddler, solicitors and transient merchant - photograph	2 photographs provided by Police Dept. to be used for peddler, solicitors and transient merchant application	\$5.00
50	320.01	Peddler, solicitors and transient merchant	Per applicant for 14 consecutive day period	\$50.00

Water & Sewer Utility Fees and Permits				
Fee No.	Code No.	Purpose of Fee	Item	Amount
51	1205.03	Sewer Use Rates	130% of current Minnetonka Rate Per quarter, 15,000 gallon minimum	Set by Mtka
52	1205.04	Sewer Use - Past Due	Delinquent sewer bill charge / per quarter (3 calendar days past due)	\$ 5.00
53	1205.01	Sewer Connection Permit Fee	Stub in	\$50.00
54	1205.01	Sewer Disconnect Permit Fee (CAP)	Physical disconnect from main service line	\$50.00
55	1200.02	New Sewer Connection Charge	Fees based on Minnetonka Trunk and Lateral Charge (Agreement)	Per Agreement
56	1205.02	Sewer Availability Charge	Met Council - charge calculated annually	Met Council Fee

57	1210.01	User Fee Charge	1997 water and sewer project fee / per quarter; adjusted annually by Resolution	Res.
58	1210.02	Maintenance Charge	Water and sewer system maintenance fee per quarter; adjusted annually by Resolution	Res.
59	1200.06	Water System Use Rates	130% of current Minnetonka Rate Per quarter, 15,000 gallon minimum	Set by Mtka
60	1200.06	Water Use – Past Due	Delinquent water bill charge / per quarter (3 calendar days past due)	\$5.00
61	1200.05	Water Service Charge	Turning water service on or off per request of property owner (charge added to quarterly utility bill)	\$15.00
62	1200.06 (Subd. 8)	Annual safe water surcharge per State Statute	Calculated by MN Department of Health annually; adjusted annually by Resolution	
63	1200.08	Water Meter Charge (new/replacement)	City's cost of meter plus 15%	
64	1200.10	Water Connection Permit Fee	Stub in	\$50.00
65	1200.05 (Subd. 2)	Water Disconnect Permit Fee	Physical disconnect from main service line (excavation permit)	\$50.00
		Water Meter	5/8" meter deposit	\$90.00
		Water Meter	Larger than 1" service	\$50.00
66			Fire sprinkler with service connect	\$50.00
67	1200.04	New Water Connection Charge	Fee based on Minnetonka Trunk and Lateral Charge (Agreement)	
68		State Surcharge Fee for permits water/sewer connect and disconnect permits	Surcharge (minimum \$.50)	\$0.50

305.03 Fees Established by Resolution. Fees other than those set forth in Section 305.02 will be payable to the City in amounts established by resolution of the Council for miscellaneous items and administrative services, including without limitation, special assessment searches, accident reports, copying, ordinances, maps, minutes of Council and various commission meetings, printed forms, and certified copies.



WOODLAND CITY COUNCIL

MEETING DATE: January 14, 2013
FROM: Shelley Souers, City Clerk
SUBJECT: Resolution No. 05-2013; Appointment of James Doak to the LMCD

OVERVIEW

The City of Woodland has an appointed resident that serves on the board of the LMCD.

The LMCD Board is comprised of a representative from each of the 14 surrounding Lake Minnetonka area communities.

Council appointed Fred Meyer in May 2012 to serve as the LMCD representative for the City of Woodland. Mr. Meyer travels during a portion of the year which will limit his participation in the LMCD Board meetings over the winter and spring months. State Statute allows Cities to appoint persons to serve on the Board at their discretion. A member of the Council or another volunteer resident may serve in Mr. Meyer's absence, with approval of the City Council via Resolution.

RECOMMENDED COUNCIL ACTION:

Motion to approve Resolution No. 05-2013; recalling Fred Meyer's appointment and appointing Mayor James Doak to the LMCD Board for an interim period.

**CITY OF WOODLAND
RESOLUTION NO. 05-2013**

**A RESOLUTION RECALLING FRED MEYER AS WOODLAND'S
REPRESENTATIVE TO THE LMCD BOARD OF DIRECTORS AND
APPOINTING JAMES DOAK TO THE LMCD BOARD**

WHEREAS, the Woodland City Council appointed Fred Meyer to serve as the City of Woodland's representative on the Lake Minnetonka Conservation District (LMCD) Board of Directors by Resolution No. 09-2012 on May 14, 2012; and

WHEREAS, Fred Meyer will be unable to serve as Woodland's LMCD Representative for a portion of the year during a period of time he travels outside the country; and

WHEREAS, Section 103B.611 Subdivision 2 of the LMCD's enabling legislation states that "The term of office of each board member is three years unless the appointing municipality recalls the member and either appoints another member for the balance of the term or leaves the office vacant for the balance of the term"; and

WHEREAS, the Woodland City Council intends to retain representation on the LMCD Board during Fred Meyer's absence.

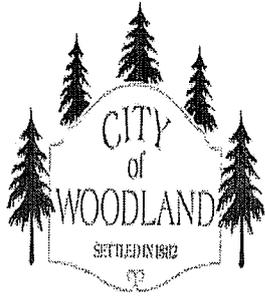
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodland, Hennepin County, Minnesota, that Fred Meyer is hereby recalled from his appointment as Woodland's representative to the LMCD Board of Directors and James Doak is hereby appointment to fill Fred Meyer's term of office from January 1, to April 1, 2013.

Adopted by the Council of the City of Woodland this 14 day of January 2013.

James S. Doak, Mayor

ATTEST:

Shelley Souers, City Clerk



WOODLAND CITY COUNCIL

MEETING DATE: January 14, 2013
FROM: Shelley Souers, City Clerk
SUBJECT: Adopt 2013 Water & Sewer Fund Budgets. Resolution No. 06-2013
Change in municipal water and sanitary sewer rates: Resolution No. 07-2013

Attachments

- Annual Water & Sewer Rate Projection through 2019
- 2010 Rate Analysis summary
- Example Utility Bill for 2013
- Resolution No. 06-2013; 2013 Water & Sewer Fund Budget Adoption
- Resolution No. 07-2013; rate increase
- Water & Sewer Fund budget projection 2013-2019

OVERVIEW

Each year the Council examines the Water and Sewer Fund budgets. The budget needs are largely impacted by maintenance costs. In 2012 there were several maintenance repairs that caused the water fund maintenance expenses to exceed the revenues.

The 2010 Rate Analysis, prepared by the City's Auditor, had delineated an increase in quarterly maintenance and user fees each year in an effort to provide adequate funds to cover projected maintenance costs through 2018.

The Council has had to reevaluate the Rate Analysis based on actual and projected maintenance costs. In an effort to balance the water and sewer fund budgets and ensure that the bond payments are fulfilled, the water user fees have been increased significantly from the rate analysis projection.

The City will apply the maintenance and use fee increases beginning with the January 2013 billing invoice (2012 fourth quarter use).

The City of Minnetonka increases water and sewer rates annually. The rate increase for water and sewer is directly passed through from Minnetonka based on gallons used. The City of Minnetonka is finalizing their rate increase for actual water use. Minnetonka's rate increase will go into effect with the April 2013 billing. Which means the quarterly bill may increase slightly between the January billing (2012) and the first quarter billing in April (2013).

COUNCIL ACTION: Motion to approve Resolution No. 06-2013; approving the 2013 water and sewer fund budgets. And motion to approve Resolution No. 07-2013; approving an increase in the quarterly maintenance fee and user fee for 2013, effective with the January 2012 billing.

CITY OF WOODLAND

RESOLUTION NO. 06-2013

A RESOLUTION ADOPTING THE 2013 WATER & SEWER BUDGET

WHEREAS, The City Council of Woodland has prepared a line item budget based on expected revenues and expenditures for 2013 (Exhibit A), and

WHEREAS, The Water and Sewer Funds are designed to account for business type activities in the City. These funds do not receive any property tax revenue.

THEREFORE BE IT RESOLVED, That the City Council of the City of Woodland, County of Hennepin, Minnesota hereby approves and adopts the 2013 Enterprise Fund budgets (Water and Sewer) for 2013.

Adopted this 14th day of December, 2013 by the City Council of the City of Woodland.

ATTEST:

James S. Doak, Mayor

Shelley Souers, City Clerk

A	B	F	G	H	I	J	J	I	J	J	K
2	WATER Utility Charges (pass through to Mtk)		\$35.40		\$37.00	\$38.50	\$39.50	\$41.00	\$43.00	\$45.00	\$47.00
3	Revenues	2012 Budget	2012 YTD	2012 Projection	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget	2019 Budget
4	Use Charge \$37/HH/Qtr 48HH (min.use)	\$ 7,260	\$ 9,117	\$ 9,200	\$ 7,104	\$ 7,392	\$ 7,584	\$ 7,872	\$ 8,256	\$ 8,640	\$ 9,024
5	Delinquent Utilites	\$ -	\$ 131	\$ 478							
6	TOTAL	\$ 7,260	\$ 9,248	\$ 9,678	\$ 7,104	\$ 7,392	\$ 7,584	\$ 7,872	\$ 8,256	\$ 8,640	\$ 9,024
7											
8	Expenditures	2012 Budget	2012 YTD	2012 Projection	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget	2019 Budget
9	Water Use Charge \$37 /HH/Qtr	\$ 7,260	\$ 9,455	\$ 9,455	\$ 7,104	\$ 7,392	\$ 7,584	\$ 7,872	\$ 8,256	\$ 8,640	\$ 9,024
10	TOTAL	\$ 7,260	\$ 9,455	\$ 9,455	\$ 7,104	\$ 7,392	\$ 7,584	\$ 7,872	\$ 8,256	\$ 8,640	\$ 9,024
11											
12	WATER Assessment / User fee & Bond payment	\$22.05/HH	\$22.05		\$26.39	\$27.55	\$28.77	\$29.54	\$30.86	\$32.24	\$0.00
13	Revenues	2012 Budget	2012 YTD	2012 Projection	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget	2019 Budget
14	Tax Settlement (1997 Spec. Assess.) 75%	\$ 13,172	\$ 8,075	\$ 13,172	\$ 12,020	\$ 11,480	\$ 10,939	\$ 10,399	\$ 9,860	\$ 747	\$ 720
15	Water User Fee	\$ 4,145	\$ 3,900	\$ 4,000	\$ 4,961	\$ 5,179	\$ 5,409	\$ 5,554	\$ 5,802	\$ 6,061	
16	Interest Earnings / cash balance	\$ 30	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
17	Delinquent Use fee		\$ 146	\$ 146	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
18	TOTAL	\$ 17,347	\$ 12,121	\$ 17,318	\$ 16,981	\$ 16,659	\$ 16,348	\$ 15,953	\$ 15,661	\$ 6,808	\$ 720
19											
20	Expenditures	2012 Budget	2012 YTD	2012 Projection	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget	2019 Budget
21	Water Bond Principal	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ -
22	Water Bond Interest-2payments	\$ 4,569	\$ 4,570	\$ 4,570	\$ 3,867	\$ 3,164	\$ 2,461	\$ 1,758	\$ 1,055	\$ 352	\$ -
23	TOTAL	\$ 17,069	\$ 17,070	\$ 17,070	\$ 16,367	\$ 15,664	\$ 14,961	\$ 14,258	\$ 13,555	\$ 12,852	\$ -
24					\$ 614						
25	WATER System Maintenance	\$45.53/HH	\$45.53		\$75.35	\$75.35	\$76.35	\$76.35	\$76.35	\$77.00	\$77.00
26	Revenues	2012 Budget	2012 YTD	2012 Projection	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget	2019 Budget
27	water permits / misc	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
28	Water Maintenance Fee	\$ 8,560	\$ 7,990	\$ 8,200	\$ 14,165	\$ 14,166	\$ 14,354	\$ 14,354	\$ 14,354	\$ 14,476	\$ 14,476
29	Delinquent Mtnc		\$ 143	\$ 143	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
30	TOTAL	\$ 8,560	\$ 8,133	\$ 8,343	\$ 14,165	\$ 14,166	\$ 14,354	\$ 14,354	\$ 14,354	\$ 14,476	\$ 14,476
31											
32	Expenditures	2012 Budget	2012 YTD	2012 Projection	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget	2019 Budget
33	Operational Supplies/ forms/Equip-meters	\$ 500	\$ 22	\$ 30	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 400
34	P/W & Engineer	\$ 1,500	\$ 2,004	\$ 2,200	\$ 2,500	\$ 2,800	\$ 2,800	\$ 3,000	\$ 3,200	\$ 3,500	\$ 3,500
35	Curb Stops - Mtnc. & repairs (in driveway)	\$ 1,000	\$ -	\$ -	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
36	Fire Hydrant mtnc/repairs	\$ 2,000	\$ 8,546	\$ 8,550	\$ 4,000	\$ 4,000	\$ 5,000	\$ 5,500	\$ 5,500	\$ 6,500	\$ 6,500
37	Gate Valve Mtnc & Repair	\$ 1,000	\$ -	\$ -	\$ 2,400	\$ 2,400	\$ 2,400	\$ 2,400	\$ 2,400	\$ 2,800	\$ 2,800
38	Postage (portion of 4 mailings)	\$ 60	\$ 32	\$ 45	\$ 62	\$ 65	\$ 68	\$ 70	\$ 72	\$ 74	\$ 77
39	1/3 of 2011 revenue shortfall over 3 years	\$ 2,500	\$ -	\$ -	\$ 2,700	\$ 2,700	\$ 2,700				
40	2012 excess Mtnc Expense				\$ 1,000	\$ -	\$ -		\$ -	\$ -	\$ -
41	TOTAL	\$ 8,560	\$ 10,604	\$ 10,825	\$ 14,162	\$ 13,465	\$ 14,468	\$ 12,470	\$ 12,672	\$ 14,374	\$ 14,277
			\$ (2,472)	\$ (2,482)							
			2012 YTD	2012 Projection	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget	2018 Budget
	Water Cash In (Assess. & Mtnc)	\$ 25,907	\$ 20,253	\$ 25,661	\$ 31,146	\$ 30,825	\$ 30,702	\$ 30,306	\$ 30,015	\$ 21,284	\$ 15,196
	Water Cash Out (Assess. & Mtnc)	\$ 25,629	\$ 27,674	\$ 27,895	\$ 30,529	\$ 29,129	\$ 29,429	\$ 26,728	\$ 26,227	\$ 27,226	\$ 14,277
	Net Cash	\$ 278	\$ (7,421)	\$ (2,234)	\$ 617	\$ 1,696	\$ 1,273	\$ 3,579	\$ 3,788	\$ (5,941)	\$ 919
	Fund Balance		\$ (11,241)	\$ (5,844)	\$ (5,227)	\$ (3,532)	\$ (2,259)	\$ 1,320	\$ 5,108	\$ (834)	\$ 85

SEWER Utility Charges (pass through to MTKA)		\$60.45	\$60.45		\$63.45	\$65.50	\$68.50	\$70.00	\$72.00	\$72.00	\$75.00
48	Revenues	2012 Budget	2012 YTD	2012 Projection	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget	2019 Budget
49	Use Charge \$63.45/HH/Qtr	\$ 11,702	\$ 12,399	\$ 13,200	\$ 12,182	\$ 12,576	\$ 13,152	\$ 13,440	\$ 13,824	\$ 13,824	\$ 14,400
50	Delinquent utilites	\$ -	\$ -	\$ 489	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
51	TOTAL	\$ 11,702	\$ 12,399	\$ 13,689	\$ 12,182	\$ 12,576	\$ 13,152	\$ 13,440	\$ 13,824	\$ 13,824	\$ 14,400
52											
53	Expenditures	2012 Budget	2012 YTD	2012 Projection	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget	2019 Budget
54	Sewer Charge \$63.45/HH/Qtr	\$ 11,702	\$ 13,174	\$ 13,200	\$ 12,182	\$ 12,576	\$ 13,152	\$ 13,440	\$ 13,824	\$ 13,824	\$ 14,400
55	TOTAL	\$ 11,702	\$ 13,174	\$ 13,200	\$ 12,182	\$ 12,576	\$ 13,152	\$ 13,440	\$ 13,824	\$ 13,824	\$ 14,400
56											
57	SEWER Assessment / User fee & Bond payment	\$60.45/HH	\$61.74		\$64.83	\$68.07	\$71.47	\$75.04	\$78.79	\$82.73	\$0.00
58	Revenues	2012 Budget	2012 YTD	2012 Projection	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget	2019 Budget
59	Tax Settlement (1997 Spec. Assess.)	\$ 4,391	\$ 2,692	\$ 4,391	\$ 4,007	\$ 3,827	\$ 3,647	\$ 3,467	\$ 3,286	\$ 249	\$ 240
60	Prepayment of assessment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
61	Interest Earnings / cash balance	\$ 100	\$ -	\$ 30	\$ 30	\$ 15	\$ 15	\$ 15	\$ 15	\$ 15	\$ -
62	Sewer User Fee	\$ 11,607	\$ 10,919	\$ 11,300	\$ 12,188	\$ 12,797	\$ 13,436	\$ 14,108	\$ 14,813	\$ 15,553	\$ -
63	Delinquent Use fee			\$ 409	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
64	TOTAL	\$ 16,098	\$ 13,611	\$ 16,130	\$ 16,225	\$ 16,639	\$ 17,098	\$ 17,589	\$ 18,114	\$ 15,817	\$ 240
65											
66	Expenditures	2012 Budget	2012 YTD	2012 Projection	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget	2019 Budget
67	Sewer Bond Principal	\$ 33,612	\$ 33,404	\$ 33,404	\$ 33,502	\$ 34,372	\$ 35,265	\$ 36,180	\$ 37,120	\$ 37,220	
68	Sewer Bond Interest	\$ 6,196	\$ 6,146	\$ 6,146	\$ 5,298	\$ 4,428	\$ 3,535	\$ 2,620	\$ 1,680	\$ 716	
69	TOTAL	\$ 39,808	\$ 39,550	\$ 39,550	\$ 38,800	\$ 38,800	\$ 38,800	\$ 38,800	\$ 38,800	\$ 37,936	\$ -
70											
71	SEWER System Maintenance	\$38.12	\$38.12		\$41.93	\$46.12	\$50.73	\$55.80	\$61.38	\$67.52	\$74.27
72	Revenues	2012 Budget	2012 YTD	2012 Projection	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget	2019 Budget
73	Permits	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
74	Sewer Mtn Fee	\$ 7,167	\$ 6,742	\$ 6,800	\$ 7,883	\$ 8,671	\$ 9,537	\$ 10,490	\$ 11,539	\$ 12,694	\$ 13,963
75	Delinquent Mtn fee		\$ 212	\$ 239	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
76	TOTAL	\$ 7,167	\$ 6,954	\$ 6,800	\$ 7,883	\$ 8,671	\$ 9,537	\$ 10,490	\$ 11,539	\$ 12,694	\$ 13,963
77											
78	Expenditures	2012 Budget	2012 YTD	2012 Projection	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget	2019 Budget
79	Operational Supplies/ forms	\$ 50	\$ 22	\$ 22	\$ 50	\$ 50	\$ 50	\$ 50	\$ 50	\$ 50	\$ 50
80	PW & Engineer	\$ 1,500	\$ 1,133	\$ 1,133	\$ 1,500	\$ 1,500	\$ 1,500	\$ 2,000	\$ 2,400	\$ 2,600	\$ 2,600
81	Postage	\$ 60	\$ 32	\$ 44	\$ 62	\$ 65	\$ 68	\$ 70	\$ 72	\$ 74	\$ 74
82	Jet Clean Sewer / Mtn manholes	\$ 2,500	\$ 2,290	\$ 2,290	\$ 3,200	\$ 3,200	\$ 5,000	\$ 3,200	\$ 4,000	\$ 5,000	\$ 5,000
83	Infiltration (I&I) repair/mtn	\$ 3,000	\$ -	\$ -	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,500	\$ 4,000	\$ 4,000
84	TOTAL	\$ 7,110	\$ 3,477	\$ 3,489	\$ 7,812	\$ 7,815	\$ 9,618	\$ 8,320	\$ 10,022	\$ 11,724	\$ 11,724
			Jet cleaning			Jet cleaning			Jet cleaning		Jet cleaning
			2012 YTD	2012 Projection	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget	2019 Budget
	Sewer Cash In (Assess. & Mtn)	\$ 23,265	\$ 20,564	\$ 22,930	\$ 24,107	\$ 25,309	\$ 26,635	\$ 28,079	\$ 29,653	\$ 28,511	\$ 14,203
	Sewer Cash Out (Assess. & Mtn)	\$ 46,918	\$ 43,027	\$ 43,039	\$ 46,612	\$ 46,615	\$ 48,418	\$ 47,120	\$ 48,822	\$ 49,660	\$ 11,724
	Net Cash	\$ (23,653)	\$ (22,463)	\$ (20,109)	\$ (22,505)	\$ (21,306)	\$ (21,783)	\$ (19,041)	\$ (19,169)	\$ (21,149)	\$ 2,479
	Fund Balance		\$ 138,871	\$ 141,593	\$ 119,088	\$ 97,783	\$ 76,000	\$ 56,959	\$ 37,790	\$ 16,641	\$ 19,120

CITY OF WOODLAND

RESOLUTION NO. 07-2013

**RESOLUTION PROVIDING FOR A CHANGE IN MUNICIPAL WATER RATES
AND SANITARY SEWER SERVICE CHARGES**

BE IT RESOLVED by the City Council of the City of Woodland, Minnesota as follows:

Section 1. Background.

1.01. Municipal water and sewer service was established in 1997 with service provided by the City of Minnetonka. Per the agreement between the City of Minnetonka and the City of Woodland, Minnetonka sets the annual municipal water rates and sanitary sewer service charges.

1.02. The City of Minnetonka passes an annual rate increase along to Woodland each year for water and sewer usage based on a 1000 gallon charge with a minimum of a 15,000 gallon charge per quarter.

The City of Woodlands adds a maintenance charge and user fee to all quarterly bills in order to sustain the current level of maintenance, bond payments and capital improvements in the utility fund.

The City Council, upon recommendation of the auditor's rate analysis projection and following budget expectations for the forthcoming year, deems it proper and in the public interest to increase the maintenance charge and user fee.

Section 2. Council Action.

2.01. The municipal water rates and sanitary service charges will be established as follows:

1. Residential water and sewer charges:

The quarterly use charge will be 130% of the current rate of the City of Minnetonka. The minimum billing for water and sanitary sewer service for all users will be based on water usage for each billing period per thousand gallons with a 15,000 gallon minimum usage. The municipal sanitary sewer charge for each user will be based on water consumed during the winter quarter, (15,000 gallon minimum).

2. The State of Minnesota testing fee will be determined annually by the State and divided between four quarters and applied to each quarterly billing to residential customers.

3. A system maintenance fee will be charged quarterly
Quarterly Water Maintenance Fee \$75.35
Quarterly Sewer Maintenance Fee \$41.93

4. A project user fee will be charged quarterly
Quarterly Water Use Fee \$26.39
Quarterly Sewer Use Fee \$64.83

5. A late payment fee of \$10.00 will be charged to quarterly bills more than 3 calendar days past due, with \$5.00 applied to the water balance and \$5.00 applied to the sewer balance.

2.02. The municipal water and sanitary sewer service charges contained herein will become effective for billings prepared on or after January 1, 2013.

Adopted by the City Council of the City of Woodland, Minnesota, on this 14th day of January, 2013.

James S. Doak, Mayor

ATTEST:

Shelley Souers, City Clerk

**City of Woodland
Utility Invoice**

Phone: 952-474-4755

SAMPLE UTILITY BILL

Billing Name NAME
XXXX EAST ROAD
WOODLAND, MN 55391

2013 billing

Due Date Balance Due \$ 310.54
February 1, 2013

Billing Period Sept. - Dec
Current Use - gallons 8000

* residents are charged for a minimum of 15,000 gallons

PLEASE RETURN THIS TOP PORTION WITH YOUR PAYMENT

Previous Bill \$ 264.88
Late Penalty \$ -
Payments \$ 264.88
Previous Balance \$ -

		Increase from 2012
Water	\$ 37.00	\$ 1.60 *
Sewer	\$ 63.45	\$ 3.00 *
Water User Fee	\$ 26.39	\$ 4.34
Sewer User Fee	\$ 64.83	\$ 3.09
Water Maintenance	\$ 75.35	\$ 29.82
Sewer Maintenance	\$ 41.93	\$ 3.81
State Surcharge	\$ 1.59	\$ -
TOTAL DUE	\$ 310.54	\$ 45.66

* Amount subject to Minnetonka's rate increase- not determined yet

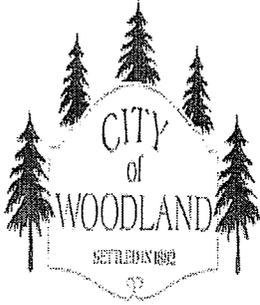
\$10.00 late charge will be added to this account after the due date

Remit To: City of Woodland
Mail To: 20225 Cottagewood Road
Deephaven MN 55331

NAME
XXXX EAST ROAD

Due Date Balance Due \$ 310.54
February 1, 2013

City Use		
Water & state surcharge	601-37101	\$ 38.59
Sewer	601-37170	\$ 63.45
Water User Fee	602-34401	\$ 26.39
Sewer User Fee	602-37170	\$ 64.83
Water Maintenance	601-37172	\$ 75.35
Sewer Maintenance	602-37172	\$ 41.93
Total		\$ 310.54



WOODLAND CITY COUNCIL

MEETING DATE: January 14, 2013

FROM: Shelley Souers, City Clerk

SUBJECT: Second Reading: Ordinance No. 04-14;
regulating the use of coal tar-based sealer
products

Resolution No. 04-2013; Authorizing
Summary Publication of Coal Tar Ordinance
No. 04-14

Overview

The City Council discussed regulations on coal tar sealants in November and again in December. Council approved the first reading of Ordinance No. 04-14; regulating the use of coal tar-based sealer products. The language will prohibit the use of coal tar based driveway sealers. The Ordinance language was prepared and provided by the League of Minnesota Cities.

Summary Publication

State law requires that ordinance be published in the City's official newspaper. However, in the case of lengthy ordinances, the law allows publication of a summary of the ordinance to fulfill this requirement. The summary publication would result in a cost savings to the City.

To publish the summary instead of the full ordinance, the Council must (1) approve the text of the summary and determine that the publication of the title and summary would clearly inform the public of the intent and effect of the ordinance. (2) four-fifths vote of Council Members is required to approve publication of summary ordinances.

Recommendation / Action

- Approve the second reading of the Ordinance No. 04-14; Regulation of coal tar based sealers with the City of Woodland, and
- Adopt Resolution No. 04-2013; authorizing the summary publication of Ordinance No. 04-14.

MN Pollution Control Agency

Restriction on Coal Tar-Based Sealants

Coal tar-based sealant is widely used to recondition asphalt surfaces, but there are serious environmental concerns with its use. The 2009 Legislature enacted a bill pertaining to use of coal tar-based asphalt sealants. The bill restricts state agencies from purchasing undiluted coal tar-based sealant, directs the MPCA to develop a model ordinance for cities considering local restrictions on coal tar-based sealants, and directs the MPCA to study its environmental effects and develop management guidelines.

City restrictions

In the years since the 2009 legislation, several Minnesota cities have passed local bans on coal tar-based sealants. A list of those cities based on the most recently-available information is available on the following fact sheet:

The MPCA and League of Minnesota Cities developed a model ordinance for use by cities that may wish to restrict the use of coal tar-based sealants.

The following information was taken from "Coal Tar Free America" Blog.

What is pavement sealant?

"Pavement sealcoat (also called sealant) is a black liquid that is sprayed or painted on some asphalt pavement. It is marketed as protecting and beautifying the underlying pavement, and is used commercially and by homeowners across the Nation. It is applied to parking lots associated with commercial businesses, apartment and condominium complexes, churches, schools, and business parks, to residential driveways, and even to some playgrounds. Most sealcoat products have a coal-tar-pitch or asphalt (oil) base. Coal-tar-based sealcoat is commonly used in the central, southern, and eastern United States, and asphalt-based sealcoat is commonly used in the western United States." Source: USGS

What is coal tar?

"Coal tar is a thick, black or brown liquid that is a byproduct of the carbonization of coal for the steel industry or the gasification of coal to make coal gas. Coal tar is a byproduct of the coking of coal for the steel industry and coal-tar pitch is the residue remaining after the distillation of coal tar. Coal-tar pitch is 50 percent or more PAHs by weight and is known to cause cancer in humans (International Agency for Research on Cancer, 1980)." Source: USGS

What's the problem with coal tar sealants?

"Coal-tar-based sealcoat products typically are 20 to 35 percent coal-tar pitch. Product analyses indicate that coal-tar-based sealcoat products contain about 1,000 times more PAHs than sealcoat products with an asphalt base (City of Austin, 2005)." Source: USGS

What effect does coal tar sealant have on the environment?

"Some PAHs are toxic to mammals (including humans), birds, fish, amphibians (such as frogs and salamanders), and plants. The aquatic invertebrates—insects and other small creatures that live in streams and lakes—are particularly susceptible to PAH contamination, especially those that live in the mud where PAHs tend to accumulate. These invertebrates are an important part of the food chain and are often monitored as indicators of stream quality (analogous to the "canary in the coal mine" concept). Possible adverse effects of PAHs on aquatic invertebrates include inhibited reproduction, delayed emergence, sediment avoidance, and mortality. Possible adverse effects on fish include fin erosion, liver abnormalities, cataracts, and immune system impairments." Source: USGS

How does coal tar sealant enter the environment?

"Friction from vehicle tires abrades pavement sealcoat into small particles. These particles are washed off pavement by rain and carried down storm drains and into streams. Other sealcoat particles adhere to vehicle tires and are transported to other surfaces, blown offsite by wind, or tracked indoors on the soles of shoes. Some of the PAHs in sealcoat volatilize (evaporate), which is why sealed parking lots and driveways frequently give off a "mothball" smell. Sealcoat wear is visible in high traffic areas within a few months after application, and sealcoat manufacturers recommend reapplication every 2 to 4 years." Source: USGS

Does product type really matter?

"PAH concentrations in the coal-tar-based sealcoat product are about 1,000 times higher than in the asphalt-based product (more than 50,000 milligrams per kilogram [mg/kg] in coal-tar-based products and 50 mg/kg in asphalt-based products [City of Austin, 2005])." Source: USGS

ORDINANCE NO. 04-14

AN ORDINANCE REGULATING THE USE OF COAL TAR-BASED SEALER PRODUCTS
WITHIN THE CITY OF WOODLAND MINNESOTA

The City Council of the City of Woodland ordains:

SECTION 1. Chapter 4 of the Woodland City Code is hereby amended to add a new Section 465 as follows:

SECTION 465 COAL TAR-BASED SEALER PRODUCTS

465.01 PURPOSE.

(a) The City of Woodland understands that lakes, rivers, streams and other bodies of water are natural assets which enhance the environmental, recreational, cultural and economic resources and contribute to the general health and welfare of the community.

(b) The use of sealers on asphalt driveways is a common practice. However, scientific studies on the use of driveway sealers have demonstrated a relationship between stormwater runoff and certain health and environmental concerns.

(c) The purpose of this ordinance is to regulate the use of sealer products within the City of Woodland, in order to protect, restore, and preserve the quality of its waters.

465.02 DEFINITIONS.

Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. For the purpose of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

Subd. 1. Asphalt-Based Sealer. A petroleum-based sealer material that is commonly used on driveways, parking lots, and other surfaces and which does not contain coal tar.

Subd. 2. Coal Tar. A byproduct of the process used to refine coal.

Subd. 3. Undiluted Coal Tar-Based Sealer. A sealer material containing coal tar that has not been mixed with asphalt and which is commonly used on driveways, parking lots and other surfaces.

Subd. 4. City. The City of Woodland

Subd. 5. MPCA. The Minnesota Pollution Control Agency.

Subd. 6. PAHs Polycyclic Aromatic Hydrocarbons. A group of organic chemicals formed during the incomplete burning of coal, oil, gas, or other organic substances. Present in coal tar and believed harmful to humans, fish, and other aquatic life.

465.03 PROHIBITIONS.

- (a) No person shall apply any undiluted coal tar-based sealer to any driveway, parking lot, or other surface within the City of Woodland.
- (b) No person shall contract with any commercial sealer product applicator, residential or commercial developer, or any other person for the application of any undiluted coal tar-based sealer to any driveway, parking lot, or other surface within the City.
- (c) No commercial sealer product applicator, residential or commercial developer, or other similar individual or organization shall direct any employee, independent contractor, volunteer, or other person to apply any undiluted coal tar-based sealer to any driveway, parking lot, or other surface within the City.

465.04 EXEMPTION.

Upon the express written approval from both the City and the MPCA, a person conducting bona fide research on the effects of undiluted coal tar-based sealer products or PAHs on the environment shall be exempt from the prohibitions provided in Section 3.

465.05 ASPHALT-BASED SEALCOAT PRODUCTS.

The provisions of this ordinance shall only apply to use of undiluted coal tar-based sealer in the City and shall not affect the use of asphalt-based sealer products within the City.

465.06 PENALTY.

Any person convicted of violating any provision of this ordinance is guilty of a misdemeanor and shall be punished by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment for not more than ninety (90) days, or both, plus the costs of prosecution in either case.

465.07 SEVERABILITY.

If any provision of this ordinance is found to be invalid for any reason by a court of competent jurisdiction, the validity of the remaining provisions shall not be affected.

SECTION 2. EFFECTIVE DATE.

This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat. § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, subd. 10, as it may be amended from time to time.

Adopted by the Woodland City Council on January 14, 2013, and published in the Minnesota Sun Publications on _____.

ATTEST:

James S. Doak, Mayor

Shelley J. Souers, City Clerk

CITY OF WOODLAND
HENNEPIN COUNTY, MINNESOTA

RESOLUTION NO. 04-2013

**A RESOLUTION APPROVING PUBLICATION OF
ORDINANCE 04-14 BY TITLE AND SUMMARY**

WHEREAS, on January 14, 2013, the City Council of the City of Woodland Ordinance No. 04-14 entitled "An Ordinance Regulating the Use of Coal Tar-based Sealer Products within the City of Woodland, Minnesota.

WHEREAS, because of the length of Ordinance No. 04-14, the City Council has directed that a title and summary be prepared for publication.

WHEREAS, the City Staff has prepared a summary of Ordinance No. 04-2013 as follows:

1. This ordinance adopted by the City Council amends Chapter Four of the City Code adding language regarding new definitions, prohibitions, exemptions and penalties associated with the use of coal-tar based sealer products within the City of Woodland, Minnesota. The purpose of this ordinance is to regulate the use of coal tar based sealer products within the City of Woodland, in order to protect, restore and preserve the quality of its waters.

**NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE
CITY OF WOODLAND:**

1. The City Council finds that the above title and summary of Ordinance No. 04-14; clearly informs the public of intent and effect of the Ordinance.
2. The City Clerk is directed to publish the Ordinance No. 04-14 by title and summary, pursuant to Minnesota Statutes, Section 412.191, subdivision 4.
3. A full printed or electronic copy of the ordinance is available for review by any person at the Woodland City Hall.

ADOPTED for publication by the City Council of the City of Woodland this 14 day of January, 2013.

CITY OF WOODLAND

James S. Doak, Mayor

ATTEST:

Shelley Souers, City Clerk

Published: Sun Sailor, January 24, 2013



Minnesota
Pollution
Control
Agency

Coal Tar-based Sealcoat

Environmental concerns

wq-strm4-12 • September 2009

If you decide to sealcoat your asphalt driveway this year, there are a few things you should know. Sealcoating makes old asphalt look new and protects its surface, but there are serious environmental concerns with its use.

Sealcoat comes in two basic varieties: coal tar-based and asphalt-based. The coal tar variety is more resilient, but it contains much higher levels of a class of chemicals called PAHs (polycyclic aromatic hydrocarbons) that harm fish, and with prolonged exposure, pose a risk of cancer in humans (see Figure 1).

Environmental problems

Coal tar is a waste material generated in the conversion of coal to coke. Manufacturers choose coal tar for sealcoat because of its resistance to petroleum products like gasoline and oil, which drip from cars and deteriorate asphalt surfaces. In time, sunlight and vehicle traffic wears down sealcoat and sealcoat flakes are washed away by rain or carried away by wind, contaminating stormwater ponds, streams and lakes with PAHs.

PAHs cause tumors in some fish, disrupts the reproduction of aquatic organisms, and causes some water-bottom species to avoid sediment altogether. Health risks to humans related to PAHs are based on the length of exposure to vapors or sediments contaminated with PAHs.

PAH Concentrations

Coal tar contains as much as 30 percent PAHs by weight. A study in Austin, Texas, compared the level of PAHs in water coming off parking lots without sealcoat to

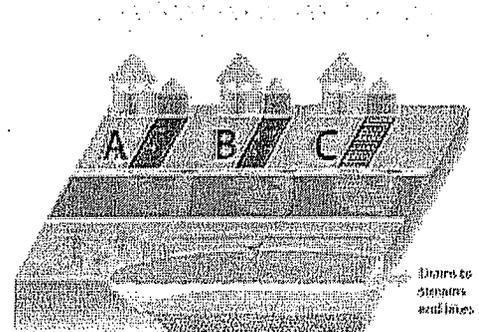
water coming off parking lots coated with asphalt- and coal-tar sealcoat (Figure 2).

Figure 1: Relative amounts of PAHs in sealcoat products



An Austin, Texas, study determined that sealcoat products based on coal tar contained up to 1,000 times more PAHs than asphalt-based products. Consider asphalt-based sealcoat if you choose to coat your driveway.

Figure 2: Concentrations of PAHs in runoff



Asphalt-based sealcoat runoff (B) can contain 10 times more PAHs than an uncoated driveway (A) and runoff from a coal-tar sealcoated driveway (C) may have concentrations of PAH 65 times higher than an uncoated driveway.

The study revealed that the asphalt-based sealcoat runoff contained 10 times more PAH than the uncoated parking lot and the coal-tar sealcoat runoff had concentrations of PAH that were 65 times higher than the uncoated lot.

Maintenance expenses

Besides the health effects and the danger to the environment, PAHs are making routine maintenance of stormwater ponds by cities and townships many, many times more expensive because sediment with high-enough concentrations of PAHs must be disposed of differently.

In Minnesota, when some cities removed sediment from their stormwater ponds as part of regular maintenance, they found elevated levels of PAHs. This discovery required them to find special disposal areas, costing them many thousands of dollars more.

Current regulation

Because of the environmental problems associated with PAHs, the City of Austin, Texas, Dane County, Wisconsin, and Washington D.C. have banned use of coal tar-based sealcoat in their jurisdictions (asphalt-based sealcoat may still be used).

Recent legislation passed in Minnesota bans the purchase of coal-tar sealcoat products by state agencies by July 1, 2010. Recently, two national home-

improvement retailers, Lowe's and Home Depot, took coal tar-based sealcoat off their shelves. Check with your local unit of government to see if there are any restrictions.

Make the right choice

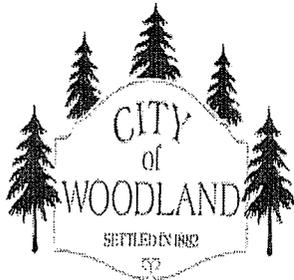
The best choice may be to not sealcoat your driveway at all. But if you do choose to sealcoat, study labels carefully to be sure to find an asphalt-based product. Lower concentrations of PAHs in waterways will prevent costly maintenance for your city and keep waterways safe for fish and other aquatic organisms.

If you have leftover material after sealing your driveway, you can re-use or recycle it at your community's household hazardous waste facility. To find your local facility, visit: www.pca.state.mn.us/waste/hhw

References

Van Metre, P.C., Mahler, B.J., Scoggins, M., and Hamilton, P.A., 2006. Parking Lot Sealcoat: A Major Source of Polycyclic Aromatic Hydrocarbons (PAHs) in Urban and Suburban Environments. A USGS report prepared in cooperation with the City of Austin, Texas.





WOODLAND CITY COUNCIL

MEETING DATE: January 14, 2013
FROM: Shelley Souers, City Clerk
SUBJECT: Road Restrictions and Load Limits

BACKGROUND

Council has had several discussions regarding road load limits and a road use surcharge related to building projects. State Statute 169.87 allows municipalities, by ordinance to prohibit the operation of trucks or other commercial vehicles, or may impose limitations as to the weight.

Staff had proposed a road use surcharge fee tied to the value of construction projects. A road use surcharge would be applied to all building permits greater than \$20,000 in value. Council agreed that this method does not provide a direct link to vehicle weight and road use. Council agreed not to implement the surcharge fee based on permit value.

Council discussed reducing the road limit to all streets throughout the City to less than 9 ton during May 1 to Feb 28 and continuing with the spring limit of 4 ton March 1 to May 1.

The engineer has noted that the strength of the roads vary with seasonal conditions and multiple factors can contribute to the deterioration of the pavement. Poor drainage, unstable subsoils and heavy truck loads all factor in to the break down of the roads.

Woodland roads have been designated to permit 9 ton per axel year round with the exceptions of spring restrictions. The current road limit restrictions are in effect from March 1 to May 1, limiting axel weight to 4 ton per axel.

In 2011, Council amended section 500.03 of the code to allow a permit to be obtained to exceed the restricted seasonal limit by 2 ton per axel (over the 4 ton limit) with a permit issued by the City Zoning Administrator. The permit fee is \$500 per truck per trip during the spring restriction.

The City allows exemption to posted weight limits for utility company service vehicles namely Xcel Energy, CenterPoint, Century Link Telephone, Mediacom Cable, or other companies providing utility service with the City when responding to an emergency. An emergency response shall include power outages, gas leaks, emergency communication, lines down or severed. An exemption to posted weight

limits is also allowed for septic tank service companies, well drilling and service companies and companies delivering fuel for heating purposes.

City of Wayzata

7 ton

301.07. Restrictions on Trucks. No truck in excess of 14,000 pounds gross weight per axle shall travel on any street within the City, other than designated truck routes, unless a permit therefore first has been obtained from the Director of Public Works. Said permit shall be issued subject to such restrictions and conditions as the Director deems appropriate, including the posting of a cash deposit or performance bond to guarantee the repair of any damages resulting therefrom.

a. Designated truck routes. All U.S. Highways, State Highways and County Roads within the City hereby are designated as truck routes. The City Council by motion may designate any other street or highway as a truck route.

III-2

b. Exempted vehicles. The provisions of this Section shall not apply to the following vehicles: emergency vehicles; trucks owned or operated by the City; school buses, when engaged in transporting pupils to or from school; trucks owned or operated by utility companies, when engaged in the construction or repair of utility company facilities; and refuse collection vehicles, when engaged in the collection of refuse from homes within the City.

(7-21-81 Code; Ord. 437 [4-2-1985])

301.08. Seasonal weight restrictions. During the spring of each year no vehicle in excess of 8,000 pounds gross weight per axle shall travel on any street within the City, other than U.S. Highways, State Highways and County Roads, unless a permit therefore first has been obtained from the Director of Public Works. Said permit shall be issued subject to such restrictions and conditions as the Director deems appropriate, including the posting of a cash deposit or performance bond to guarantee the repair of any damages resulting therefrom. The dates and duration of the City's seasonal weight restrictions shall be as set by the Director of Public Works. The only vehicles exempted from the provisions of this Section shall be those enumerated in Section 301.07.b.

4 ton

City of Minnetrista

aton

915.07. Permit to exceed weight limit.

The public works director may, upon application and a showing of reasonable necessity, issue a permit for use of any road under the jurisdiction of the city by vehicles exceeding the load limit otherwise applicable to the road. The permit shall be issued only after approval by the public works director of the route to be traveled. The permit shall be issued upon the condition that the applicant assumes all responsibility for damages caused to any road by such excess load and agrees to reimburse the city for all reasonable and necessary expenditures to repair and replace the road to its former condition. ~~The permit shall be valid~~ only over such road or segment thereof as is reasonably necessary to travel to and from the designated point of pick up or delivery. A decision by the public works director regarding a waiver may be appealed to the city council. The fee for the issuance of the permit shall be as specified in the city's fee ordinance.

Tonka Bay

*all Streets
4 ton
all year*

950.08 LIABILITY FOR DAMAGE

Any person violating this ordinance shall be liable for all damage to the public highway.

When said person is not the owner of said vehicle but is operating or parking the same with the express or implied permission of the owner, then the owner and said person shall be jointly and severally liable for any such damage. Any person who by his willful acts or failure to exercise due care damages any public highway shall be liable for the amount of said damage. Damages under this section may be recovered in a civil action brought by the City of Tonka Bay. In addition, said person or persons shall be liable for a civil penalty as follows:

- a. If the total gross excess weight is not more than 1,000 pounds, one cent per pound for each pound in excess of the legal limit;
- b. If the total gross weight is more than 1,000 pounds but not more than 3,000 pounds, \$10 plus five cents per pound for each pound in excess of 1,000 pounds;
- c. If the total gross excess weight is more than 3,000 pounds but not more than 5,000 pounds, \$110 plus ten cents per pound for each pound in excess of 3,000 pounds;
- d. If the total gross excess weight is more than 5,000 pounds but not more than 7,000 pounds, \$310 plus 15 cents per pound for each pound in excess of 5,000 pounds;
- e. If the total gross excess weight is more than 7,000 pounds, \$610 plus 20 cents per pound for each pound in excess of 7,000 pounds.

Any penalty imposed upon a defendant under this section shall not exceed the penalty prescribed by this ordinance. Any fine paid by the defendant in a criminal overweight action that arose from the same overweight violation shall be applied toward payment of the civil penalty under this section. A peace officer who cites a person for a violation of the weight limitations established by this ordinance shall give written notice to the driver that the person or another may also be liable for the civil penalties provided herein in the same or separate proceedings.

950.09 PENALTIES

Any person, firm or corporation who commits a violation of this Ordinance shall be guilty of a misdemeanor. Each vehicle load carried in violation of this Ordinance shall be a separate violation.