

MINUTES
CITY COUNCIL
CITY OF WOODLAND



MONDAY, JANUARY 13, 2014
7:00 P.M.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Doak called the meeting to order at 7:00 p.m.

2. ROLL CALL

Present: Mayor Doak, Councilor Carlson, Councilor Massie, Councilor Newberry,
Councilor Rich

Staff: City Clerk Kathyne McCullum

Mayor Doak requested that Item Number 6. A., under New Business, be considered at this time. The agenda was reordered by consent of the City Council.

6. A. Resolution No. 09-2014 recognizing Shelley Souers for her years of service with the City of Woodland

Mayor Doak explained that Resolution No. 09-2014 was read at the reception that was held prior to the regular City Council meeting earlier in the evening. He again thanked Ms. Souers for her years of service and asked for a motion from the Council to adopt the resolution.

Carlson moved, seconded by Rich to adopt Resolution No. 09-2014 recognizing Shelley Souers for her years of service with the City of Woodland. Motion carried (5-0).

3. CONSENT AGENDA

- A. Minutes of the December 9, 2013 Regular City Council meeting
- B. Adopt Resolution No. 01-2014 – Annual Meeting Calendar for 2014
- C. Adopt Resolution No. 02-2014 – Establishing Administrative Fees

Council Member Massie moved, seconded by Rich to approve the consent agenda as presented. Motion carried (5-0).

4. PUBLIC COMMENT

None.

5. PUBLIC HEARINGS

- A. Bruce and Judy Barnett, 2856 Gale Road, request for variance to exceed the maximum permitted grade alteration in the conjunction with the construction of a new single family home.

Mayor Doak opened the public hearing and requested that Zoning Administrator Karpas present the staff report.

Mr. Karpas presented an overview of the item, explaining that the applicants have requested variances to both increase and decrease the existing grade on two areas on the property. He noted that the request complies with height, setback, and impervious surface requirements, and the design appears to enhance the topography as a retaining wall system would be removed.

Mr. Karpas stated that the house design and placement on the lot ensured that the house fit on the lot rather than there being a need to reshape the lot to fit the house. He noted that the removal of the retaining wall system ameliorates the concept of fitting the house to the lot.

Mr. Karpas stated that he recommended approval of the variance with no conditions based on the findings noted in the staff report.

Bruce Barnett, 2856 Gale Road, approached the Council and introduced Gabriel Keller of Peterssen/Keller Architecture and Travis Van Liere, of Travis Van Liere Studio Landscape Architecture.

Mr. Keller explained that the new house is lower in height than the existing house and the design of the home respects the required setbacks. He noted that an existing retaining wall system would be removed which follows the intent of the ordinance by restoring the natural grade of the property.

Mr. Van Liere reiterated that the house design was developed to fit the lot. He noted that the drainage plan was approved by the City Engineer.

Mayor Doak thought that the plan would improve the drainage and stability of the slope. Mr. Van Liere explained that the drainage will be improved because the water will drain to the sides of the property rather extending directly to the lake.

Councilor Carlson noted that it appeared that the vegetative buffer would remain to keep erosion under control. Mayor Doak agreed and stated that bluffs are generally unstable and the buffer will help with erosion. He stated that moving the house away from the lakeshore would also mitigate erosion.

In response to a question from Councilor Massie, Mr. Van Liere indicated that the septic type would be a drainfield that would not disturb the southwest portion

of the property. He stated that care was taken to preserve mature trees and other valuable assets inherent to the property.

The public hearing was closed.

Mayor Doak and Council members stated support for the request.

Rich moved, seconded by Newberry to approve the variance as requested

based on the following findings:

1. The variance is in harmony with the purpose and intent of the ordinance.

Finding: Section 900.01 (a) outlines the purpose of the ordinance as the principal means of attaining the goals and standards set forth in Woodland's Comprehensive Plan, including the preservation of open space, scenic views, natural topography and habitat, wetlands, lakes, indigenous vegetation and trees, rehabilitation of existing housing units on their present location.

The proposal seeks to alter the topography which is currently created by the use of retaining walls and create a more natural flow to the terrain while maintaining the low lying style of the home which has been present on the property since 1967.

The home currently under construction on the lot uses a retaining wall to hold back the grade in the same fashion as the existing home, the proposal would remove the retaining wall.

2. The variance is consistent with the comprehensive plan.

The request is consistent with the comprehensive plan in that the alteration restores the topography to a more natural looking state on the lake side of the home while removing retaining walls out of the required lake yard setback.

3. The proposal puts property to use in a reasonable manner.

The proposal puts the property to a reasonable use through the restoration of a natural-looking grade, removing existing retaining walls, while permitting the construction of a new home that maintains the same level elevation as the previous home on the site.

4. There are unique circumstances to the property not created by the landowner.

The plight of the homeowner is created by the need to move the proposed home into compliance with the required lake yard setback, while maintaining the floor elevations of the previous home. The intent was to fit the home as low onto the property as possible.

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

The essential character of the neighborhood is not impacted. Only a minimal area of the grade alteration would be visible to adjacent properties and the design of the home is low-lying to minimize the impact on the lake views.

Motion carried (5-0).

Mayor Doak indicated that a resolution approving the variance would be considered at the February 10, 2014 City Council meeting.

B. Anthony and Mary Miller, 3100 Maplewood Road, request for subdivision of existing three lots into new buildable lots: Preliminary Plat Review

Mayor Doak announced that the applicant has requested that this item be continued to the February 10, 2014 meeting. He asked for a motion to continue the matter to the February meeting.

Massie moved, seconded by Rich to continue the item until the February 10, 2014 City Council meeting. Motion carried 5-0.

6. NEW BUSINESS

A. Resolution No. 09-2014 recognizing Shelley Souers for her years of service with the City of Woodland

This item was moved to the beginning of the agenda by consent of the Council.

B. Resolution No. 03-2014 Designating Annual Appointments and Assignments for 2014.

Mayor Doak explained that the resolution was developed with the same appointments and assignments as 2013. Councilor Carlson indicated that she favored the same assignments as Council members improve in their roles with time.

Newberry moved, seconded by Massie to adopt Resolution No. 03-2014 Designating Annual Appointments and Assignments for 2014. Motion carried (5-0).

C. Resolution No. 05-2014 Relating to the to the City of Woodland representation on the Lake Minnetonka Conservation District (LMCD) Board for 2014.

Mayor Doak introduced the item to the Council. Councilor Rich thanked Mayor Doak for his willingness to serve on the Lake Minnetonka Conservation District Board while Mr. Meyer was not available.

Carlson moved, seconded by Rich to adopt Resolution No. 04-2014 relating to the to the City of Woodland representation on the Lake Minnetonka Conservation District (LMCD) Board for 2014. Motion carried (5-0).

- D. Review of the 2014 Municipal Fee Schedule and potential additions to Chapters 3 and 9 of the City of Woodland Code of Ordinances

Mayor Doak explained the reason for amending the ordinance was to ensure that the City is compensated for the cost of having the City Engineer inspect roads for damage before and after construction.

Councilor Carlson noted an inaccuracy on the fee schedule. She said that Number 45 on the list should be \$50, rather than \$15 as approved by the City Council in 2013. Staff noted that this would be amended to reflect that change.

The Council agreed that moving forward with the draft ordinance language would be appropriate and directed staff to publish for a public hearing and place the first reading of the ordinance draft on the February 10, 2014 City Council meeting agenda.

7. OLD BUSINESS
None.

8. MAYOR'S REPORT

Mayor Doak stated that he would be working with Councilor Newberry and staff on revisions to the septic ordinance. He thought that the amendments would not be too onerous, but must be in-line with the County's ordinance.

Mayor Doak stated that the City now has the capability to place audios on the City's website. After brief discussion, the Council decided that the audios should not be placed on the website. Council members agreed that if residents are interested in the meetings, they would attend the meetings.

9. COUNCIL REPORTS

- A. Newberry – Ordinances, Septic Ordinance, and Inspections
None.

- B. Rich – Roads, Signs, Trees, and Website

Councilor Rich reported that he had received several compliments on the condition of the roads.

- C. Carlson – Finance, Enterprise Fund, Intergovernmental Relations, and MCWD

Councilor Carlson noted the informational item that was provided to the Council relating to County Commissioner Jan Callison's responses to questions

regarding the Highway 101 construction project. She asked the Council if she could forward that information to her neighbors. The Council agreed that it would be appropriate to forward the information. Mayor Doak thought that it would be important to note that the responses were only estimates and may change as the project moves forward.

Councilor Carlson reported that the Minnehaha Creek Watershed District (WCWD) adopted two new State of Minnesota water quality regulations. The regulations pertain to dumping of pollutants and use of water from lakes for specific uses such as lawn sprinkling. She noted that, under the new regulations, residents would need to obtain permits from the WCWD to draw water from the lakes for lawn sprinkling.

Council members stated concern about the new regulations and requested that staff obtain additional information.

D. Massie – Public Safety and Deer Management

Councilor Massie reported that three deer were taken so far this year.

Mayor Doak thought that locations for deer traps should be reviewed in the spring to ensure that placement for the traps is known in advance so more deer may be taken.

Councilor Massie noted that the City of Minnetonka has taken numerous deer which is lessening the deer population in the City of Woodland.

10. ACCOUNTS PAYABLE

Newberry moved, seconded by Council Massie to approve the Accounts Payable as presented. Motion carried (5-0).

11. TREASURER'S REPORT

Carlson moved, seconded by Newberry to approve the Treasurer's Report subject to distribution of the full treasurer's report at the February 10, 2014 City Council meeting. Motion carried (5-0).

12. ADJOURNMENT

Council adjourned by consent at 7:57 p.m.

ATTEST:

Kathryne A. McCullum, City Clerk

James S. Doak, Mayor