

**WOODLAND
CITY COUNCIL MINUTES
Monday, February 11, 2013**

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 Chris Rich and Tom Newberry
Absent: Council Members Sliv Council Member Carlson and John Massie
Staff: City Clerk Shelley Souers

CONSENT AGENDA

A. Minutes January 14, 2013; Regular Council Meeting

Council Member Rich moved to approve the consent agenda. Council Member Newberry seconded the motion. Motion carried 3-0.

PUBLIC COMMENTS

No comments.

NEW BUSINESS

A. Overview & Survey of MCWD Clean Water Conservation

Mayor Doak reported that the MCWD is seeking feedback from member cities relating to its future priorities and programs. The MCWD has requested that cities provide guidance on clean water issues affecting their communities by completing the “weigh in on clean water” survey. The MCWD provided each City with an overview on clean water objectives and challenges along with the survey. Council discussed the “weigh in on clean water” survey and prioritized issues relevant to Woodland. This consensus will be communicated to the MCWD.

Mayor Doak noted that the MCWD offers technical support and protection to cities through their review of land use applications. This is particularly useful to Woodland.

The Council recommended that the MCWD’s current pragmatic approach and level of funding be continued.

B. Update on Watershed Governance in Hennepin County (Johnson Proposal)

Mayor Doak reported that, following last months discussion of restructuring the water management governance districts, he sent an email to Commissioner Callison stating that the Council was not in support of Commissioner Johnson’s Watershed Management Proposal.

Council Member Rich noted that Commissioner Johnson’s concept appeared to be driven by potential cost savings to Hennepin County communities, but it was unclear if there would be any cost savings to the Minnetonka Lake area communities.

Mayor Doak noted that the Johnson proposal would give the revised watershed organizations taxing authority. By changing the district boundaries, the tax capacity of the Lake Minnetonka area will be included in an enlarged management district. that includes communities in western Hennepin County. There appears to be little justification for the revised watershed boundaries

from an ecological standpoint. The new district, containing the current MCWD, would likely drain resources from the Lake Minnetonka area to the benefit of other communities.

Mayor Doak suggested that the MCWD be maintained as configured and consideration be given to consolidating or reorganizing the other watershed management organizations in Hennepin County and to giving them taxing authority. The current Minnehaha Creek Watershed District works well for Woodland.

Council discussed the Watershed Governance Feedback Form and indicated that they do not support the proposal from Commission Johnson as it dilutes the technical and financial resources of the MCWD which is organized with sound ecological boundaries. A copy of the feedback form will be sent to Commissioner Callison's office.

C. Bow Fishing Regulations on Lake Minnetonka

Mayor Doak stated that Woodland's Ordinance does not specifically address bow fishing, or the territorial waters of the City, but does prohibit the discharge of a weapon, including a bow and arrow, within City limits. The City limits extend into Lake Minnetonka and Woolsey Pond. The Lake Minnetonka Conservation District (LMCD) has been approached by persons wanting to bow fish on Lake Minnetonka. The LMCD, given all the different municipal regulations, is considering creating an umbrella policy regarding bow fishing that would aid the water patrol with enforcement.

Council agreed that there is an ecological value to controlling the rough fish population in the lake. Council was not supportive of bow fishing, either by day or at night, along the shoreline of the City. Such fishing appears to be contrary to public safety and disrupts the peaceful use of lakeshore residences. Mayor Doak noted that Lake Minnetonka is a densely developed urban recreational lake that may be too busy for this type of fishing.

Mayor Doak suggested that the Council review the City's weapons ordinance for clarity. The City limits extend into the water and within those limits, bow fishing would be prohibited. Enforcement presents a practical problem as the City relies on the Water Patrol that is reluctant to enforce the ordinances that vary from city to city.

Council agreed to continue to operate as we currently do and prohibit the bow fishing in Woodland. Mayor Doak will draft a letter to the LMCD, explaining the City's position.

D. Discussion of Lake Minnetonka Communications Commission (LMCC) Franchise Negotiations

The LMCC's franchise renewal committee has been in franchise negotiations with Mediacom since December 2012. The current Mediacom franchise expires at the end of 2013.

The LMCC Executive Committee approved a model resolution and has sent it out to member cities for consideration and adoption to garner their support of exclusive representation by the LMCC in cable TV franchise negotiations with Mediacom.

Several member cities are considering direct negotiation with Mediacom and withdrawing from the LMCC. They may benefit from retaining franchise fees that could be used to fund cable build-out to the “underserved” areas of their cities.

Mayor Doak stated that the LMCC benefits the Woodland by handling all service related complaints and franchise negotiations.

Council reviewed the LMCC resolution and recommended minor changes.

Council Member Newberry moved to approve Resolution No. 08-2013; A Resolution in Support of Exclusive Representation By The Lake Minnetonka Communications Commission in Cable TV Franchise Negotiations, as revised by the Council. Council Member Rich seconded the motion. Motion carried 3-0.

OLD BUSINESS

None.

MAYOR’S REPORT

Mayor Doak reported that the City received a claim from an attorney, representing a photographic studio, regarding the use of a copyrighted photo on the City’s website. The City Attorney was contacted and the League of Minnesota Cities, the City’s insurer, is reviewing the matter. The City’s insurance covers this type of claim.

Mayor Doak reported that he attended an Open Meeting Law webinar, hosted by the League of Minnesota Cities. The law applies to any discussion about city business within a gathering of a quorum of the Council or Committees. The webinar addressed serial meetings which can occur through written correspondence or telephone conference calls. The webinar also covered electronic communications and the implication of a serial meeting via email. Staff will provide a copy of the materials to the Council in the March packet.

Mayor Doak reported that he attended the Mayors/Minnetonka School District meeting. The district has more open enrollment applications than available spaces. The open enrollment program is very attractive to the District, because without it, schools would have been closed and programs curtailed to reflect a declining local student population. The District has a financial rating of AAA and in academic quality is nationally ranked.

Mayor Doak reported that the Board of Equalization and Appeals Training will be held on Thursday, March 21 in Plymouth.

COUNCIL REPORTS

A. Ordinances & Septic Ordinance & Inspections

Mayor Doak reported that he attended a course on the Basics of Planning and Zoning that yielded ideas for constructive updates to the City’s Zoning Code.

The Council, led by Council Member, Newberry, will work on ordinance language to address the impact of construction traffic on City streets. The Council may also review the weapons ordinance to determine if any changes are warranted in view of the area-wide discussion of bow-fishing.

B. Roads, Signs & Trees

Council Member Rich reported that the City spent \$17,000 on snow plowing relative to the budget of \$35,000 in 2012. There were \$5,500 in snow plow costs from December that were received and paid for in February and will show up in the 2013 budget.

The tree removal costs were under budget during 2012.

The City sign at the entrance of Breezy Point Road is missing a piece off the top. The sign will be examined to make necessary repairs and may need to be repainted in the spring.

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

No report

D. Public Safety & Deer Management

Council Member Massie provided written comments in his absence. The deer traps have been removed due to lack of activity. Council Member Massie noted that he had spoken with the owners of the dog that had recently entered a deer trap.

ACCOUNTS PAYABLE

Council Member Newberry moved to approve the accounts payable as presented. Council Member Rich seconded the motion. Motion carried 3-0.

TREASURER'S REPORT

Council Member Newberry moved to approve the accounts payable as presented. Council Member Rich seconded the motion. Motion carried 3-0.

ADJOURNMENT

Council adjourned by consent at 8:30 P.M.

ATTEST:

Shelley J. Souers, City Clerk

James S. Doak, Mayor