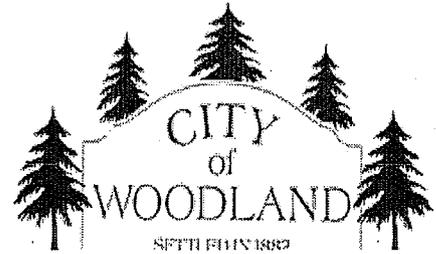


# **AGENDA**

## **WOODLAND CITY COUNCIL**

**MONDAY, FEBRUARY 13, 2012**  
**7:00 P.M.**



### **1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

### **2. ROLL CALL**

### **3. 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 January 9, 2012; Regular Council Meeting**

### **4. 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.

### **5. NEW BUSINESS**

- A. Resolution No. 03-2012; Recognition of Herb Suerth, Woodland's Representative to the LMCD**
- B. Wayzata Bay Senior Housing Project: Consider Tax- Exempt Revenue Bonding for the housing project (non-profit: Presbyterian Homes Project)**
- C. Review Ordinance 03-17; Amending Section 320 of the Code Regulating the Conduct of Peddlers, Solicitors and Transient Merchants.**
- D. Review Ordinance 03-18; Amending the Fee Schedule in the Code of Ordinances, Chapter 3, Section 320**
- E. Jeff Casale MCWD updates (8pm)**

### **6. OLD BUSINESS**

- A. Hennepin County Correctional Facility Costs**

### **7. MAYOR'S REPORT**

### **8. COUNCIL REPORTS**

- A. Council Member Jilek – Ordinances, Website & LMCD**
- 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**

### **9. ACCOUNTS PAYABLE**

### **10. TREASURER'S REPORT**

### **11. 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: March 12, 2012

WOODLAND  
CITY COUNCIL MINUTES  
MONDAY, JANUARY 9, 2012  
7:00PM

**CALL TO ORDER & PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

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

Guests: Tom Newberry

**CONSENT AGENDA**

- A. Minutes December 12, 2011; Regular Council Meeting**
- B. Set Date of Annual Board of Appeals & Equalization – April 9, 2012**
- C. Adopt Resolution No. 01-2012; Annual Meeting Calendar for 2012**

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

**PUBLIC COMMENTS**

None.

**NEW BUSINESS**

**A. Adopt Resolution No. 02-2012; Annual Appointment & Assignments for 2012**

Council reviewed the Annual Appointments and Assignments for 2012. Mayor Doak reported that Woodland resident Fred Meyer has agreed to serve as the representative to the Lake Minnetonka Conservation District. Mayor Doak noted that Mr. Meyer travels during a portion of the year and the LMCD appointment will need to be a shared responsibility between two or more residents once they have been determined who can fill the periods of vacancy. Council asked staff to gather more information in regard to the 2012 rate increases for the Hennepin County Correction facility.

Mayor Doak suggested a Council Member attend the Save the Lake Banquet, scheduled for February 15, as Woodland's representative Herb Suerth will be recognized for his 17 years of service.

Council Member Jilek agreed to attend the banquet.

*Council Member Rich moved to adopt Resolution No. 02-2012; Annual Appoints and Assignments for 2012. Council Member Carlson seconded the motion. Motion carried 5-0.*

**B. Adopt Resolution No. 03-2012; Administrative Fees**

Council reviewed Resolution No. 03-2010; delineating the administrative fees for 2012.

*Council Member Jilek moved to adopt Resolution No. 03-2012, approving the Administrative Fees for the City of Woodland. Council Member Rich seconded the motion. Motion carried 5-0.*

**C. Review Fee Schedule in the Code of Ordinances, Chapter 3, Section 300**

Council reviewed the fee schedule as delineated in Chapter 3 of the Code of Ordinances. Council made no changes to the fee schedule for 2012.

**OLD BUSINESS**

Council Member Jilek reported that he and Council Member Carlson reviewed the costs over a three-year period related to sewer and water versus costs related to the septic system reviews. Council Member Jilek reported that the costs are similar. Council Member Jilek will review the information with the Groveland Board to clarify the Council's practice that expenditures that benefit the general interest of the public are accounted for through the General Fund.

Mayor Doak stated that the Council is elected to manage the City funds in the best interest of the public and approves expenditures from the General Fund when they benefit the City as a whole. The Council's decision for the City to inspect individual septic systems serves in the best interest of the City.

**MAYORS REPORT**

Mayor Doak reported that Jeff Casale, the Minnehaha Creek Watershed District's (MCWD) liaison to the City of Woodland, will attend the February Council meeting to summarize issues and 2012 plans regarding the MCWD.

**COUNCIL REPORTS**

**Ordinance, LMCD and Website**

Council Member Jilek reported that the Lake Minnetonka Communications Commission (LMCC) continues to work on the franchise renewal agreement with Mediacom. The LMCC would to keep language in the franchise agreement that will hold Mediacom accountable for customer service and products. The old language also allows the LMCC to impose penalties. Mediacom has requested the contract be limited to 10 years.

Council Member Jilek reported that IPTV, a competing internet service provider, has expressed an interest with providing services to the Lake Minnetonka area market with a competitive product.

**Roads, Signs and Trees**

Council Member Rich reported that he looked at the current speed limit signs and identified four locations to install larger speed limit signs (30"x36") to replace the existing, smaller speed limit signs.

Council Member Rich also reported that he had contacted the Groveland School regarding the bus route. The bus company reviewed the route and agreed to change the direction of the route. The school bus will travel west bound into Woodland which will reduce the number of students that need to cross traffic to board or exit the bus.

Council Member Massie suggested that he would support a "school bus stop ahead" sign to be placed so as to be seen when traveling east bound as drivers approach the stop at East Road.

Council Member Carlson agreed that she would also support a "school bus stop ahead" sign for traffic traveling eastbound to designate the bus stop at East Road.

Chief Johnson reported that he had spoken with the residents that had expressed a concern with the traffic speeds along Breezy Point Road. One of the concerns was that students were excited to run out to the bus before the bus had engaged its lights and stop arm. This situation could present a danger for students if traffic was approaching. Chief Johnson agreed that redirecting the route improves the safety for the students.

Council Member Massie reported that he was not aware of any issues in the Maplewoods neighborhood.

Council Member Rich stated that he was not opposed to the "school bus stop ahead" sign, but whether additional signs need to be considered for every stop. Council Member Rich agreed that redirecting the route will be beneficial in addition to the continued police enforcement. The bus route will change beginning January 24. Parents will be notified that the change was made for improved safety.

Council Member Jilek agreed the route change will be an improvement and supports the increased speed enforcement along Breezy Point Road.

Council agreed to install four new large speed limit signs (30x36) and one school bus stop ahead sign. Staff will order all signs and necessary posts and contact Cornerstone to complete the installation.

#### **Finance, Enterprise Funds, Intergovernmental & MCWD**

Council Member Carlson reported that the water fund continues to have a negative balance. Council Member Carlson stated that if major repairs are not necessary in 2012 the water fund should become more solvent.

#### **Public Safety**

Council Member Massie reported that NARS removed two deer during the season. Council Member Massie reported that he and several other Police Department staff spent Saturday, January 7 interviewing 10 Police Officer candidates for the vacant position on the force.

Chief Johnson reported the field of Police Officer candidates was narrowed to one. The candidate will be presented with a conditional offer based on several more factors and could begin employment with the City by February.

Mayor Doak thanked Chief of Police Johnson and Council Member Massie for their time with the interview process.

Chief Johnson stated that he would like the Council to consider new ordinance language addressing peddlers and solicitors. Chief Johnson stated that Deephaven recently adopted the new language and recommends Woodland also review the proposed language because it has more criteria that the Police Department can use to restrict solicitors and revoke permits.

**ACCOUNTS PAYABLE**

*Council Member Jilek moved approval of the Accounts Payable as submitted. Council Member Massie seconded the motion. Motion carried 5-0.*

**TREASURER'S REPORT**

*Council Member Rich moved approval of the Treasurer's Report as submitted. Council Member Carlson seconded the motion. Motion carried 5-0.*

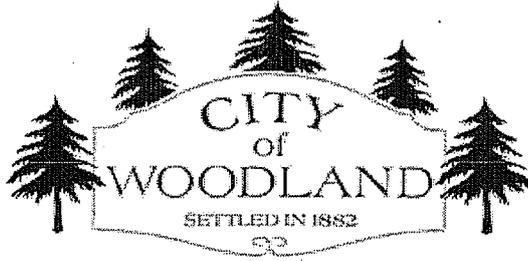
**ADJOURNMENT**

Council adjourned by consent at 8:25PM

**ATTEST:**

\_\_\_\_\_  
Shelley J. Souers, City Clerk

\_\_\_\_\_  
James S. Doak, Mayor



**RESOLUTION NO. 03-2012**

**A RESOLUTION OF APPRECIATION TO HERB SUERTH FOR  
OUTSTANDING SERVICE TO THE CITY OF WOODLAND**

WHEREAS, Herb Suerth has diligently served as Woodland's representative on the Lake Minnetonka Conservation District's Board of Directors for 17 years; and

WHEREAS, during his tenure Herb was instrumental in the creation of the Aquatic Invasive Species Task Force and served as their Chair of from 1995-2011, contributing countless hours to the management and eradication of aquatic species; and,

WHEREAS, Herb Suerth has devoted considerable energy to improving the quality of the water of Lake Minnetonka and administering its use to the benefit of all who enjoy the recreational benefits and natural beauty of the Lake; and,

WHEREAS, the Mayor and City Council wish to express their gratitude for his outstanding contribution and dedicated service to the City of Woodland.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WOODLAND THAT:

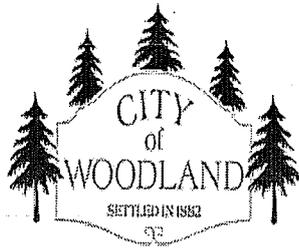
On behalf of all Woodland residents, the Mayor and City Council hereby express their appreciation to Herb Suerth for his outstanding service and wish him and his family a happy and prosperous future.

ADOPTED this 13 day of February 2012 by the Council of the City of Woodland.

\_\_\_\_\_  
James S. Doak, Mayor

Attest:

\_\_\_\_\_  
Shelley Souers, City Clerk



## WOODLAND CITY COUNCIL

MEETING DATE: February 13, 2012  
FROM: Shelley Souers, City Clerk  
SUBJECT: Revenue Bonding for The Wayzata Bay Housing Project

### OVERVIEW

Wayzata Bay Senior Housing, Inc., a Minnesota nonprofit corporation (the "Corporation"), was formed by Presbyterian Homes & Services to undertake a major development in the downtown area of the City of Wayzata ("Wayzata") comprised of multifamily housing developments for seniors and commercial retail facilities (the "Wayzata Bay Project").

- The Corporation is proposing to finance the construction of a substantial portion of the Wayzata Bay Project through the issuance of **tax-exempt conduit revenue bonds** (the "Bonds") in a total aggregate principal amount of approximately \$60,000,000. (The technical name for such obligations is "qualified 501(c)(3) bonds.")
- The proposed purchaser(s) of the Bonds are banks. Banks generally purchase only tax-exempt bonds that are "bank qualified."
- Every political subdivision in Minnesota is permitted to designate up to \$10,000,000 of tax-exempt bonds **per calendar year** as "qualified tax-exempt obligations" (more commonly referred to as "bank qualified bonds") as long as the political subdivision does not reasonably expect to issue more than \$10,000,000 of tax-exempt bonds in that calendar year. Both governmental bonds (typically general obligation bonds) and private activity bonds that are designated as "qualified 501(c)(3) bonds" must be included in determining whether an issuer is within the \$10,000,000 limit for bank-qualified bonds.
- Wayzata has agreed to issue a portion of such bank-qualified Bonds but cannot issue more than \$10,000,000 of such Bonds. Therefore, requests are being made to several other issuers to participate in the financing of the Wayzata Bay Project through the issuance of bank-qualified Bonds by such other issuers.

### Laws

- Minnesota law and federal tax law permit a city to issue tax-exempt bonds for a facility located in another city, such as the Wayzata Bay Project, if the issuing city is authorized to do so by the city in which the facility is located and if the issuing city is located within the market area of the facility to be financed. The City of Woodland ("Woodland") is located within the market area of the Wayzata Bay Project and Wayzata has expressed its willingness to authorize the issuance of such Bonds by other cities.
- If Woodland has no other plans to issue any tax-exempt bonds in calendar year 2012, then Woodland could issue \$10,000,000 of bank-qualified bonds in calendar year 2012 to assist in the financing of the Wayzata Bay Project for the Corporation.
- The bank-qualified Bonds would be issued under Minnesota Statutes, Chapter 462C, as amended, or Minnesota Statutes, Sections 469.152-469.1651, as amended (collectively, the "Act"). The Bonds would be issued under the Act as **revenue bonds** and, as such, **will be secured solely by**

**the revenues derived from the Wayzata Bay Project and any additional security provided by the Corporation.**

- **The Bonds would not constitute general or moral obligations of Woodland and would not be secured by the taxing powers of Woodland or be payable from any funds, assets, or other property of Woodland.**

**How Does Woodland benefit from issuance of Revenue Bonds**

- assisting the development of senior housing facilities in a neighboring city that will be available to the residents of Woodland,
- an additional benefit to Woodland would come in the form of an administrative fee payable by the Corporation as compensation for the use of Woodland's authority to issue bank-qualified bonds. The Corporation is proposing a payment in the amount of one-eighth of one percent (0.125%) of the principal amount of Bonds issued by Woodland. If Woodland issues \$10,000,000 of Bonds, the administrative fee would be equal to \$12,500. The administrative fee would be payable on the date of issuance of the Bonds.

**Bond Counsel for Woodland**

- The Corporation would propose that Kennedy & Graven, Chartered, act as bond counsel on behalf of Woodland in connection with the proposed financing.
  - The Corporation would be responsible for the payment of all fees of Kennedy & Graven.
  - The Corporation would also pay any other out-of-pocket costs paid or incurred by Woodland, including any fees of the Woodland City Attorney, although it is not anticipated that Woodland will be required to pay or incur any such costs.

**What Must the City Do to Begin**

- In order to proceed with this financing, it will be necessary for the Woodland City Council to conduct a **public hearing** on the proposed financing (preceded by publication of a notice of public hearing in the Woodland official newspaper at least fifteen days prior to the date of the public hearing).
- adopt a resolution approving the documentation for the financing and authorizing the issuance of the bank-qualified Bonds.

These two actions can be accomplished at a single meeting of the City Council. A representative of the Corporation and I would appear at the public hearing to answer any questions that the City Council or members of the public may have regarding the Wayzata Bay Project or the legal aspects of the proposed financing.

- Woodland Meeting: March 12, 2012
- Publish Notice of hearing: Publish February 23, 2012 (email notice to Paper Feb. 16<sup>th</sup>)

**Questions**

Legal Counsel:

John Utley

Kennedy & Graven, Chartered

470 U.S. Bank Plaza

200 South Sixth Street

Minneapolis, MN 55402-1458

612-337-9270 - Fax: 612-337-9310

Email: [jutley@kennedy-graven.com](mailto:jutley@kennedy-graven.com)

Wayzata Bay Senior Housing, Inc., a Minnesota nonprofit corporation

Representative of the Corporation

John Mehrkens

## **Questions that we asked Kennedy & Graven:**

**Q:** Is Woodland's ability limited to fund future obligations

**A:** The City will be asked to designate the Bonds as "qualified tax-exempt obligations" (more commonly known as "bank-qualified bonds").

- The issuance of the Bonds will **not** limit the ability of the City to fund future obligations.
- The only limitation that the issuance of the Bonds will impose on the City is that it will preclude the City from issuing additional bank-qualified bonds in calendar year 2012.

**Q:** Would these bonds show up as long term debt liability of the City

**A:** The City will have no pecuniary liability with respect to the Bonds. The Bonds will not constitute general or moral obligations of the City and are not secured by the taxing powers of the City or any assets or revenues of the City.

The financial statements of the City will not show the Bonds as indebtedness of the City. Rating agencies will not take the Bonds into account in establishing a rating for the City. A default on the Bonds will have not any adverse impact on the City, its rating (if any), or its ability to issue general obligation bonds in the future.

**Q:** What is Woodland's liability

**A:** In the event that a problem occurs with respect to the Wayzata Bay Project (such as, for example, a bankruptcy of the Corporation, a default by the contractor, or destruction or damage to the Project from fire or natural disaster), the City will have **no liability** whatsoever.

**Q:** What is Woodland's Exposure

**A:** The sole exposure of the City is that it will give up its ability to issue additional bank-qualified bonds in calendar year 2012. The City will be able to issue bank-qualified bonds in calendar years after 2012.

**Q:** What other Cities may contribute to the project

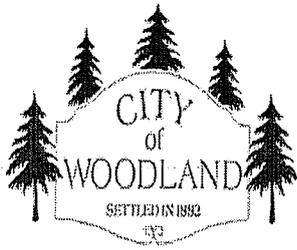
**A:** The total amount of Bonds needed to fully fund the Wayzata Bay Project is \$60,000,000. Since the largest amount of bank-qualified bonds that any one city can issue in a calendar year is \$10,000,000, several cities have been asked to assist in this financing.

- The following cities have expressed an interest in issuing Bonds: Minnetonka Beach; Minnetrista; Tonka Bay; Victoria; Deephaven; and Shorewood. The City of Minnetonka issued \$6,250,000 of bank-qualified bonds in December of 2011 for the Wayzata Bay Project.

**A representative of Kennedy & Graven will be at the City Council meeting to discuss this option and answer questions.**

## **COUNCIL ACTION:**

- Consider the issuance of revenue bonds for the Wayzata Bay Project. Formal action will be held at the March Council.



## WOODLAND CITY COUNCIL

MEETING DATE: February 13, 2012

FROM: Shelley Souers, City Clerk

SUBJECT: Ordinance No. 03-17; Amending Section 320 of the City Code Regarding Peddlers and Solicitors

Ordinance No. 03-18; Amending Section 305 of the City Code and Establishing Fees

### **OVERVIEW**

Section 320 of the Woodland Ordinances regulates peddlers and solicitors. The City issues permits to persons applying to solicit door-to-door in Woodland. The permits are reviewed by the Police Department prior to issuance. Woodland also established a do-not-solicit list (address list of residents who request that no solicitors come on to their property). This address list is given to persons that have been approved to solicit.

The Chief of Police Johnson has recommended that the City review and consider new ordinance language regulating peddlers and solicitors, creating more limitations on eligibility for permits and standard of conduct.

The proposed language has more regulations on standard of conduct which will allow the police to enforce and revoke permits of persons not following the rules of conduct.

This proposed language is similar to language adopted by the City of Minnetonka and recently adopted by the City of Deephaven.

- The fee is \$50 per applicant
- The permit application is valid for 1 calendar year
- The duration of soliciting within the City is 14 consecutive days at a time

### **COUNCIL ACTION:**

- Motion to approve Ordinance No. 03-17; Amending Section 320 of the City Code regarding peddlers and solicitors and to waive the second reading of the ordinance.
- Motion to approve Ordinance No. 03-18; amending section 305 of the City Code regarding fees relating to solicitor permits, and to waive the second reading of the ordinance.

**CITY OF WOODLAND  
HENNEPIN COUNTY, MINNESOTA  
ORDINANCE NO. 03-17**

**AN ORDINANCE AMENDING SECTION 320 OF THE WOODLAND CITY CODE  
REGULATING THE CONDUCT OF PEDDLERS, SOLICITORS, AND TRANSIENT  
MERCHANTS WITHIN THE CITY OF WOODLAND, MINNESOTA**

The City Council of the City of Woodland, Minnesota, does ordain:

**Section 1.** Section 320 of the Code of the City of Woodland pertaining to regulating the conduct of peddlers, solicitors, and transient merchants is amended by the following Section.

**SECTION 320 REGULATING PEDDLERS, SOLICITORS, AND TRANSIENT  
MERCHANTS**

**320.01 Definitions.**

Unless the context clearly indicates otherwise, the words below are defined for the purpose of this section as follows:

1. “Peddler” includes a person who goes from place to place on residential property exhibiting merchandise for sale, making sales, and delivering articles to purchasers.
2. “Solicitor” includes a person who goes from place to place on residential property soliciting orders for the sale of merchandise or personal services for future delivery or future performance, whether or not the person has a sample of the merchandise or is collecting advance payments for the orders. The word also includes activity that has as its ultimate purpose the obtaining of orders even though it may not initially purport to do so, but does not include soliciting donations for non-profit entities.
3. “Transient Merchant” includes a person who temporarily sets up business out of a vehicle, trailer, tent, other portable shelter, or empty store front for the purpose of exposing or displaying for sale, selling or attempting to sell, and delivering goods, wares, products, merchandise or other personal property and who does not remain in any one location for more than fourteen (14) consecutive days.
4. “Regulated activity” means the activity of a peddler, solicitor and transient merchant as defined above. The term only includes activities that involve the sale of a product or service. It does not include activities that involve only statements of opinion or belief or that request only a donation.
5. “Licensee” means an individual, partnership, corporation or association licensed within the City under this section and also includes a person who is or will be conducting the regulated activity on behalf of the licensee.

6. “Person” means any natural individual, group, organization, corporation, partnership, or similar association.

7. “Non-profit” means an organization that currently has tax-exempt status from either the state or federal government and provides written evidence of that status.

8. “Occupant” means a person living, staying, or working at a residence, including a guest.

9. “Do Not Solicit List” means a list maintained by the City of those residents who want to exclude peddlers, solicitors, and transient merchants from their property.

### **320.02 Regulation Established.**

A person engaging in a regulated activity within the City must comply with the provisions of this section. The person must also comply with any applicable zoning and health regulations.

### **320.03 License Required.**

A person engaging in a regulated activity within the City must first obtain a license and an identification card from the Police Department.

### **320.04 Exceptions.**

A person engaging in the following activities is not required to obtain a license and an identification card from the City:

1. selling personal property at wholesale to dealers of the articles;
2. selling newspapers;
3. selling products of the farm or garden grown or raised by the seller, including meat, but such activities must comply with applicable health regulations;
4. selling antiques, collectibles, or other products in a show or festival which lasts for five days or less and which involves two or more sellers or exhibitors;
5. calling upon residents in connection with a regular route service for the sale and delivery of perishable daily necessities of life such as bakery products and dairy products. This exception does not relieve that person of the duty to comply with other applicable City requirements; or
6. soliciting money, donations or financial assistance for a political, religious or non-profit tax-exempt organization, or selling or distributing literature or merchandise for which a fee is charged or solicited on behalf of such an organization.

### **320.05 Ineligible People.**

The following people are not eligible for a license and identification card from the City:

1. A person whose license and/or identification card for regulated activity was revoked by the City or another governmental body within three years before the application date;
2. A person who has been denied a license for regulated activity by the City or another governmental body because of circumstances that occurred within three years before the application date;
3. A person who has violated, or whose representative has violated, a provision of this section within three years before the application date, or who violates a provision of this section during the application period pending the issuance of the license;
4. A person who has been convicted within three years before the application date of a crime that adversely reflects on the person's ability to honestly safely, or lawfully conduct the regulated activities, unless the individual can show sufficient evidence of rehabilitation as defined in Minn. Stat. 364.03, subd. 3;
5. A person who has falsified information, or omitted material information, required by this section; or
6. A person who produces documentation of identification that is torn, pasted, peeled, or otherwise damaged or altered.

### **320.06 Application.**

Application for a license must be made at least five working days before the regulated activity is proposed to begin and must include an accurate, sworn statement in writing, on a form furnished by the City, that gives the information listed below and includes the required supporting documentation:

1. name and physical description of the applicant;
2. complete home and local address of the applicant;
3. a brief description of the proposed activity, its location, and the merchandise or service involved;
4. the dates and hours of the day during which the activity will be conducted;
5. name, address, and phone number of the person on whose behalf the orders are solicited, together with credentials establishing the applicant's relationship to the person;

6. the source of supply of merchandise proposed to be sold, where the goods are located at the time the application is filed and the proposed method of delivery;
7. whether or not the applicant has been convicted of any crime other than petty traffic violations, the nature, time and location of the offense and the punishment or penalty imposed;
8. the last cities or other localities, not exceeding five, where the applicant has conducted the proposed activity immediately preceding the date of the application and where within those areas the activity took place;
9. make, model, year, color, and state license number of each motor vehicle to be used in connection with this proposed activity;
10. social security number, date of birth, and driver's license or state or tribal identification card number;
11. passport information and visa status if the applicant is not a United States citizen;
12. the name, address, tax identification number and phone number of the person or company employing the individual, if different from the information in sub-paragraph 5 above; and
13. a copy of all documents to be used by the applicant in the regulated activity.

### **320.07 Photographs.**

Each individual applicant and person who will be conducting the regulated activity on behalf of the partnership or organizational applicant must submit two copies of a recent photograph of themselves approximately 1½ inches by 1½ inches, showing the head and shoulders of the person in a clear and distinguishable manner. If a recent photograph is unavailable, the Police Department will provide the applicant with two copies of a photograph at a fee specified in Section 305. An application is not complete until the required photographs are supplied.

### **320.08 Fees, Duration.**

The application must be accompanied by the required license and identification card fees specified in Section 305. A license or identification card is valid only for the calendar year in which it is issued. The fees are for a one year period and will not be prorated for periods less than one year. No fees are required of individuals taking orders for the shipment of goods through interstate commerce.

### **320.09 Investigation, Issuance, Denial.**

1. Within five working days after the application, the Police Department will conduct an investigation regarding the information provided in the application and the eligibility for a license and identification card. The Police Department will issue a license and identification

card only to eligible people. Each identification card will include a copy of the person's photograph.

2. The Police Department may not issue a license or identification card if there are circumstances indicating that the intended recipient may not honestly, lawfully, and safely conduct the proposed regulated activity. The Police Department must notify an applicant in writing of a denial of a license and/or identification card, specifying the reasons. The Police Department must comply with the provisions of Minn. Stat. Chapter 364 if the denial is based in whole or in part upon prior criminal convictions. The applicant may appeal the denial by submitting to the Police Department a written request within ten days after the denial asking to address the City Council. The City Council may deny a license and/or identification card when it is believed such action will protect the public health, safety, or welfare.

### **320.10 Standards of Conduct.**

1. Except for those people specified in Section 320.04, a person may conduct regulated activity in the City only if a valid City identification card identifying the person has been issued, is prominently displayed by attaching it to the front of the outermost clothing between the waist and neck, and has not been revoked, suspended, or impounded.

2. A licensee must not transfer a license or identification card to another person.

3. A person must not use a City identification issued to someone other than that person.

4. A City identification card must be displayed only while conducting the regulated activity in the City and must be used for no other purpose and in no other location.

5. A person must not be on a street, highway, or adjacent boulevard and direct regulated activity towards the occupants of any motor vehicle in transit and must not obstruct the free flow of vehicular or pedestrian traffic on any public street, sidewalk, or other public right-of-way.

6. A person must not conduct the regulated activity in a manner that creates a health or safety hazard.

7. A person must conduct the regulated activity in a reasonably courteous manner at all times, must not engage in offensive, obscene, or abusive language, must not push open a door not opened by an occupant, must not place any portion of the person's body through an opened doorway without the invitation of an occupant and must not physically attempt to stop an occupant from closing the door.

8. A licensee must immediately leave private property when requested to do so by an occupant or owner and must leave immediately upon completion of a transaction or an unsuccessful attempt to contact an occupant.

9. A licensee entering onto residential property must go directly to the front door of the house, unless there is an adult present outside the house or in an open garage. At no time may a licensee go to a window or to the back yard, unless invited to do so by the occupant.

10. A person conducting the regulated activity must not make untrue statements to the people contacted regarding the purpose of the contact, orders placed by the neighbors, or the goods and services offered.
11. A licensee must not make statements to the people contacted indicating or implying that the City identification card constitutes an endorsement of their activities or products by the City.
12. While conducting regulated activity, a licensee must not be accompanied by a person who is not licensed or not listed in the license application.
13. A licensee must not conduct the regulated activity before 10:00 a.m. or after 5:00 p.m.

#### **320.11 Exclusion of Peddlers, Solicitors, Transient Merchants from Private Property.**

1. A person conducting the regulated activity must not go onto private property for that purpose when there are signs prominently posted indicating that trespassing and/or solicitation is unwelcome or prohibited.
2. A person conducting the regulated activity must not go onto private property for that purpose when that property is listed on the Do Not Solicit List.

#### **320.12 Suspension; Revocation.**

1. The City may suspend or revoke an identification card and/or license if the person who is the subject of the card, a person acting on behalf of the licensee, or the licensee has:
  - a. violated a provision of this section, or other local laws governing the same activity, during the license period;
  - b. violated a criminal law during the license period that adversely reflects on the ability to honestly, safely, or lawfully conduct the regulated activity; or
  - c. submitted false information or omitted material information in the licensing process required by this section.
2. If a license is revoked or suspended, all identification cards issued to people acting on behalf of the licensee are automatically revoked or suspended.
3. The identification card or any person convicted of violating a provision of this section is automatically revoked. The license of the organization on whose behalf the person was acting and all other identification cards issued to people acting on behalf of that licensee are also automatically revoked upon that conviction.

#### **320.13 Penalty, Enforcement.**

1. A violation of a provision of this section is shall be guilty of a misdemeanor.

2. The Chief of Police or designees are authorized to enforce this ordinance. They may impound an identification card and license when a person has been found violating a provision of this section, when cause exists for suspending or revoking the identification card or license, or when the identification card or license has been suspended or revoked. When impounding a card or license, the official must send a notice to the licensee and the subject of the card at the address on the application form giving the parties ten days to submit a written request for a hearing before the City Council. Failure to timely request an appeal, constitutes a waiver of that appeal and results in automatic suspension of the license or card for three years.

**320.14 Effective Date.**

This ordinance becomes effective on the date of its publication.

Adopted by the Council this \_\_\_\_ day of March, 2012.

\_\_\_\_\_  
**James S. Doak, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Shelley Souers, City Clerk**

**CITY OF WOODLAND  
HENNEPIN COUNTY, MINNESOTA  
ORDINANCE NO. 03-18**

**AN ORDINANCE RELATING TO THE CITY OF WOODLAND FEE SCHEDULE  
AMENDING SECTION 305 AND ESTABLISHING CERTAIN FEES**

The City Council of the City of Woodland ordains:

Section 1. Section 305 of the City Code is hereby amended to add the following fees:

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

<b>Parking Permits</b>				
Fee No.	Code No.	Purpose of Fee	Item	Amount
30	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
31	320.01	Peddler, solicitors and transient merchant	Per applicant for 14 consecutive day period	\$50.00

Section 2. Section 305 existing fee numbers will be renumbered to reflect the amendment.

Section 3. Effective Date. This Ordinance shall become effective upon publication.

Adopted by the City Council of Woodland on \_\_\_\_\_, 2012 and published in the paper of the Minnesota Sun Publications on \_\_\_\_\_, 2012.

\_\_\_\_\_  
James S. Doak, Mayor

ATTEST:

\_\_\_\_\_  
Shelley Souers, City Clerk



**CITY OF WOODLAND - PEDDLER and SOLICITOR LICENSE APPLICATION**

This application form requests information that may be classified as private or confidential under the Minnesota Data Practices Act. This information is required by State law or City Ordinance. The information will be used to determine your eligibility for issuance of a license.

Failure to provide accurate information can result in a denial of the license.

City of Deephaven  
 20225 Cottagewood Road 55331  
 952-474-4755 Fax 952-474-1274

**APPLICANT INFORMATION**

Mr. / Ms. \_\_\_\_\_  
 (circle one) First Name FULL Middle Name Last Name

\_\_\_\_\_ ( ) \_\_\_\_\_

Complete Home Address (street address, city, state, zip) Home Phone Number  
 \_\_\_\_\_ ( ) \_\_\_\_\_

Address where you are staying locally (street address, city, state, zip) Local Phone Number  
 \_\_\_\_\_

Aliases or Maiden Name Social Security Number Date of Birth

\_\_\_\_\_ -OR- \_\_\_\_\_

State Driver's License Number State where the license or ID Passport Information and Visa Status  
 (OR State Issued ID Card Number OR Tribal ID Card #) was issued (if applicant is not a United States citizen)

Weight (lbs) Height (feet /inches) Eye Color Hair Color

Have you ever been convicted of any crime—other than petty traffic violation? (Circle One) YES NO  
 If YES, explain the nature, date and location of the offense(s). Also state the punishment or penalty imposed:

Have you applied for and been rejected, or received a peddler, solicitor, or canvassers license/permit and had it suspended or revoked — within the state of Minnesota in the past three years. (Circle One) YES NO  
 If YES, list and explain:

Are you familiar with the provisions of the Ordinance Section 320 of the City of Woodland—under which you will be operating? (see attached copy) (Circle One) YES NO

**When will your activity in Woodland occur? (Permit is valid for 14 days, between 10:00am to 5:00PM each day)**  
 Dates: \_\_\_\_\_  
 On what days of the week? \_\_\_\_\_  
 At what time on each day? \_\_\_\_\_

**Vehicle Information for each vehicle used in connection with the proposed activity (attach page if needed) :**

	<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>Color</u>	<u>License Number and State where issued:</u>
1.					
2.					

**BUSINESS INFORMATION**

The Company name that you work for (your employer) \_\_\_\_\_

Company address, city, state and zip \_\_\_\_\_ Company telephone \_\_\_\_\_

The company name whose products / services you sell: \_\_\_\_\_

Company address, city, state, zip: \_\_\_\_\_

Company telephone: \_\_\_\_\_

What type of merchandise or service are you selling: \_\_\_\_\_

1) The source of supply (where the goods are now) \_\_\_\_\_

2) How the goods will be delivered: \_\_\_\_\_

Your supervisor's name and telephone number—**this person must be available by phone during the hours of peddling**—a cell phone number is preferred:

A complete list of cities (or addresses within a larger city) where you or your company conducted business immediately preceding this application (maximum of 5). Include the year that you were in these cities:

1. \_\_\_\_\_ Year \_\_\_\_\_

2. \_\_\_\_\_ Year \_\_\_\_\_

3. \_\_\_\_\_ Year \_\_\_\_\_

4. \_\_\_\_\_ Year \_\_\_\_\_

5. \_\_\_\_\_ Year \_\_\_\_\_

**Sign below**

I hereby authorized the City of Woodland to have access to all sources of information that may be consulted to verify the information I have provided above. This includes authorization to check criminal history records if I have been asked to provide that information.

I agree to operate such business in accordance with the laws of Minnesota and the ordinances of the City of Woodland. A copy of the Woodland Ordinance has been provided in conjunction with the permit application. The foregoing statements are true and correct to the best of my knowledge and belief.

\_\_\_\_\_ **Date of application**

\_\_\_\_\_ **Signature of applicant**

**REMINDER, ATTACH THE FOLLOWING TO THE APPLICATION FORM:**

- 1. A copy of your credentials establishing your relationship to the company (business card or letter).
- 2. A copy of all company handouts, brochures, invoices, order forms, etc. to be used in this city.
- 3. A photocopy of your driver's license, state ID card, tribal card, or passport (lightened to show photo).

**License Fee of \$50.00 PER PERSON is paid once application has been approved.**

**License Valid for 14 CONSECUTIVE DAYS**

DEEPHAVEN /WOODLAND CHIEF OF POLICE \_\_\_\_\_

DATE \_\_\_\_\_

**DATA PRIVACY ADVISORY**

In accordance with Minnesota Statutes, Section 13.04, Subd. 2 "Rights of Subject of Data" we would like to inform you that your request for a permit, approval (variance, special use, subdivision and zoning requests) or license from the City of any of its departments may require you to furnish certain private or confidential information.

**YOU ARE NOTIFIED THAT:**

1. The information that you furnish will be used to determine your qualifications for a permit, approval or license requested.
2. You may refuse to supply data, but refusal may require that the City deny the permit, approval or license.
3. The information you provide may be shared with other local, state or federal agencies to the extent necessary to process the permit, approval or license.
4. If your requested permit, approval or license requires Council action, the information may become public. A copy of your application, permit, approval or license will be placed in your public property file.
5. You have certain rights under Minnesota Statute, Section 13.04 to review private data on yourself.
6. Your FULL name is required to process this application or permit.

---

FIRST NAME

FULL MIDDLE NAME

LAST NAME

---

ADDRESS

---

CITY

STATE

ZIP CODE

---

PHONE

**I UNDERSTAND MY RIGHTS AS STATED ABOVE**

---

SIGNATURE

DATE

**Sec. 13.04 RIGHTS OF SUBJECTS OF DATA**

Subdivision 1. **Type of data.** The rights of individual on whom the data is stored or to be stored shall be set forth in this section.

Subd. 2. **Information required to be given individual.** An individual asked to supply private or confidential data concerning himself shall be informed of: (a) the purpose and intended use of the requested data within the collecting state agency, political subdivision, or statewide system; (b) whether he may refuse or is legally required to supply the requested data; (c) any known consequence arising from his supplying or refusing to supply private or confidential data; and (d) the identity of other persons or entities authorized by state or federal law to receive the data. This requirement shall not apply when an individual is asked to supply investigative data, pursuant to section 13.82, subdivision 5, to a law enforcement officer.

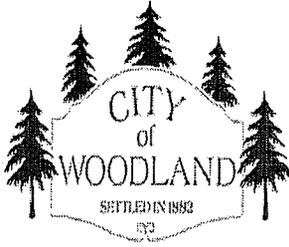
The commissioner of revenue may place the notice required under this subdivision in the individual income tax or property tax refund instructions instead of on those forms.

Subd. 3. **Access to data by individual.** Upon request to a responsible authority, an individual shall be informed whether he is the subject of stored data on individuals, and whether it is classified as public, private or confidential. Upon his further request, an individual who is the subject of stored private or public data on individuals shall be shown the data without any charge to him and, if he desires, shall be informed of the content and meaning of that data. After an individual has been shown the private data and informed of its meaning, the data need not be disclosed to him for six months thereafter unless a dispute or action pursuant to this section is pending or additional data on the individual has been collected or created. The responsible authority shall provide copies of the private or public data upon request by the individual subject of the data. The responsible authority may require the requesting person to pay the actual costs of making, certifying, and compiling the copies.

The responsible authority shall comply immediately, if possible, with any request made pursuant to this subdivision, or within five days of the date of the request, excluding Saturdays, Sundays and legal holidays, if immediate compliance is not possible. If he cannot comply with the request within that time, he shall so inform the individual, and may have an additional five days within which to comply with the request, excluding Saturdays, Sundays and legal holidays.

Subd. 4. **Procedure when data is not accurate or complete.** An individual may contest the accuracy or completeness of public or private data concerning himself. To exercise this right, an individual shall notify in writing the responsible authority describing the nature of the disagreement. The responsible authority shall within 30 days either: (a) correct the data found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, including recipients named by the individual; or (b) notify the individual that he believes the data to be correct. Data in dispute shall be disclosed only if the individual's statement of disagreement is included with the disclosed data.

The determination of the responsible authority may be appealed pursuant to the provisions of the administrative procedure act relating to contested cases.



## WOODLAND CITY COUNCIL

MEETING DATE: February 13, 2012  
FROM: Shelley Souers, City Clerk  
SUBJECT: Hennepin County Correction Facility  
2012 Daily Rates

### **OVERVIEW**

The Department of Community Corrections and Rehabilitation supervises and provides services for nearly 32,000 adult and juvenile offenders each day.

Historically known as the Workhouse, the facility provides short-term custody and programming for adult offenders who are convicted for felony, gross misdemeanor, and misdemeanor offenses. Nearly 6,000 men and women were booked into the ACF in 2010. The facility housed an average of 453 residents per day in the Men's Section (387) and Women's Section (66). Correctional staff also supervised more than 200 adults per day on the Electronic Home Monitoring Program (EHM). ACF employees partner with Community Offender Management to supervise EHM residents in the community.

Council had asked for more information on the rate increase. The rate schedule is attached for 2012.

- Dan Dykhoff, program manager, noted that the increase is due to the increased cost to house inmates 24 hours. Mr. Dykhoff stated that the formula is a bit complicated but includes multiple factors including the operation costs of the facility, 24 hour staffing, meals, and the number of bed bays available to inmates. Fees are dictated by state statute.
- Persons on work release and Electronic Home Monitoring pay a portion of the costs associated with their time in the facility, which is why the rate is lower.
- Persons housed 24 hours or more do not pay any portion of the incarceration.
- Persons with no ability to pay can apply for a waiver and then the County will cover the cost.

### **COUNCIL ACTION:**

- No action necessary



Hennepin County  
Adult Corrections Facility  
Administration

1145 Shenandoah Lane  
Plymouth, Minnesota 55447-3292

Phone: (612) 596-0001  
Fax: (763) 475-4266  
www.co.hennepin.mn.us

Date: December 8, 2011  
To: Jurisdictions Committing Inmates to the Adult Corrections Facility  
From: Dennis Gilbertson, Superintendent  
Subject: 2012 Daily Charges (Per Diem Rates)

Based on our actual operating expenses for fiscal year 2010 and the inflation rates from July 1, 2010 through June 30, 2011 the daily charges for 2012 will be:

*Residents pay a portion*

- \$122.00 per prisoner day for straight time inmates compared to \$90.00 in 2011
- \$99.00 per prisoner day for Work Release inmates compared to \$62.00 in 2011
- \$34.00 per prisoner day for Electronic Home Monitoring inmates

~~\$ 32 -~~  
~~\$ 37 -~~

The daily charge for Work Release inmates will be split:

- \$83.00 per prisoner day billed to the committing jurisdiction, and
- \$16.00 per prisoner day billed to the inmate

The daily charge for Electronic Home Monitoring inmates will be split:

- \$18.00 per prisoner day billed to the committing jurisdiction, and
- \$16.00 per prisoner day billed to the inmate

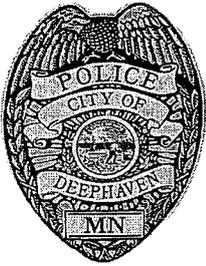
Additionally, please note that for any person committed for 48 hours for an alcohol related driving offense, the jurisdiction will be billed at the rate of \$81.33 per day for a total cost of \$244.00. The reason for this is that our computer billing system charges a daily rate each time the date changes (e.g., at midnight). If we did not make this adjustment, your jurisdiction would be billed at a rate of \$122.00 per day for three days for a total of \$366.00.

If there are any questions regarding the above, please call Dan Dykhoff at 612-596-0009.

Thank you.

DG/cg

cc: Thomas Merkel, DOCCR Director  
Greg Wagner, DOCCR Financial Officer  
Dan Dykhoff, Program Manager  
Kathi Tolan, Sr. Adm. Assistant  
Rita Beltrand, P.O.S.  
Micheal Smith, ITS  
ACF Mgmt. Team  
ACF Booking Offices  
file



## Deephaven Police Department

20225 Cottagewood Road  
Deephaven, MN 55331

CORY JOHNSON

Chief of Police

(952)474-7555 Office

(952)474-4564 Fax

# U.S. Department of Transportation Manual on Uniform Traffic Control Devices

### **STOP signs should not be used for speed control.**

***STOP signs should be installed in a manner that minimizes the numbers of vehicles having to stop. At intersections where a full stop is not necessary at all times, consideration should be given to using less restrictive measures such as YIELD signs (see Section 2B.08).***

***Once the decision has been made to install two-way stop control, the decision regarding the appropriate street to stop should be based on engineering judgment. In most cases, the street carrying the lowest volume of traffic should be stopped.***

***A STOP sign should not be installed on the major street unless justified by a traffic engineering study.***

#### ***Support:***

***The following are considerations that might influence the decision regarding the appropriate street upon which to install a STOP sign where two streets with relatively equal volumes and/or characteristics intersect:***

- A. Stopping the direction that conflicts the most with established pedestrian crossing activity or school walking routes;***
- B. Stopping the direction that has obscured vision, dips, or bumps that already require drivers to use lower operating speeds;***
- C. Stopping the direction that has the longest distance of uninterrupted flow approaching the intersection; and***
- D. Stopping the direction that has the best sight distance to conflicting traffic.***