

WOODLAND
CITY COUNCIL MINUTES
Monday, March 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, Tom Newberry
Sliv Carlson and John Massie
Staff: Chief of Police Cory Johnson, Fire Chief Kevin Klapprich and City Clerk
Shelley Souers
Guests: Peter Davis, Alan Shefland, Charlie Bisanz and Andy Berg

CONSENT AGENDA

A. Minutes February 11, 2013; Regular Council Meeting

B. Street Sweeping Agreement

Council Member Rich moved to approve the consent agenda. Council Member Massie seconded the motion. Motion carried 5-0.

PUBLIC COMMENTS

No comments.

PUBLIC HEARING

A. Storm Water Pollution Prevention Program (SWPPP) – Annual Public Hearing

Mayor Doak opened the annual public hearing at 7:04PM to hear and accept public comments regarding Woodland's storm water practices and prevention program. The State requires cities to seek public feedback on their Storm Water Pollution Prevention Program. All cities are required to implement, enforce and reduce discharge of pollutants to protect water quality within their communities. Woodland currently mandates and controls storm water pollution through best management practices.

There being no public comments, the hearing was closed at 7:08PM.

NEW BUSINESS

A. Shavers Lake Preservation Association

Mr. Peter Davis, 17901 Maple Hill Road, addressed the Council and distributed a "State of the Lake Discussion" report regarding Shaver's Lake. Mr. Davis reported that Shaver's Lake is recreationally impaired. The Shaver's Lake Association was formed in 1986 and reactivated in 2009. The lake borders three municipalities; Deephaven, Minnetonka and Woodland. Mr. Davis reported that the mounting intensification of cattails along with the influx of unfiltered stormwater from five separate stormwater drains are factors that have accelerated the decline of the lake shore and water quality. The Association is interested in developing a partnership with all the neighboring communities to preserve the lake. Mr. Davis stated that both Senator Bonoff and Senator Benson support measures to protect the water quality of Shaver's Lake. The rapid

spread of cattails has been a contributing factor to the decline of the Lake. The Association is currently working to have cattails declared as an invasive species. Cattails are not native plants.

Mayor Doak reported that the County Road 101 improvements should include a stormwater management plan and address how the untreated water from the road improvement project will be handled.

Mr. Davis stated that the County is considering adding a 31 inch stormwater drain into Shaver's Lake. The Association believes the County should create a stormwater retention pond to filter water prior to it entering into Shaver's Lake.

Mayor Doak recommended that the Association, along with all three cities, the MCWD and the MPCA get involved in a collaborative effort to review the water quality.

Mr. Charles Bisanz, 17759 Maple Hill Road, stated the Shaver's Lake Association is seeking support from each City as a "partner" to endorse the efforts of the Shaver' Lake Association to improve the lake quality.

Mayor Doak stated that the Council will discuss a partnership with the Association and create a resolution of support to consider at the April meeting.

Mr. Davis stated that the Association is in favor of stormwater diverted into Shaver's Lake to maintain the water level; however, he believes it must be filtered and treated prior to entering the lake to reduce the phosphorous and sediment content.

Mr. Davis stated that the Minnesota House is considering Bill HF461, and if the Bill passes, it would permit residents to harvest cattails without a permit. Removing the cattails will reduce the build up of the biomass of weeds that settles to the bottom of the Lake and contribute to the decline of the water.

Mr. Bisanz reported that studies show that there is nine feet of sediment at the bottom of the Lake.

Council Member Carlson urged the Association to continue working with the MCWD. Council Member Carlson stated that she will pass along information on stormwater from the U of M.

B. Abdo, Eick & Meyers - 2012 Annual Financial Report

Mr. Andy Berg presented a summary of the financial statements for the year ended 2012. The League of Minnesota Cities compliance and internal control standards are used in completion of the audit. Mr. Berg reported the year-end unreserved cash balance was 79% of the 2013 budgeted expenditures. The General Fund cash balance does not include the reserve cash from the Street Improvement Fund.

Mayor Doak stated that Woodland's budget is modest in absolute dollar terms and carrying a smaller fund balance could put the City in a vulnerable position relative to the cost of any major

repair issues. The auditor recommends that Woodland maintain a minimum cash reserve of 50% of budgeted expenditures. Council has taken the position that it is appropriate to sustain a cash reserve greater than 50% in an effort to have funds available for unforeseen repairs or emergency situations.

Mr. Berg reported that property taxes accounts for 92% of General Fund revenue. The 2012 expenditure transfers increased due to an additional transfer of surplus General Fund revenue to the Street Improvement Fund in December. Mr. Berg reported that the Sewer Fund continues to have a substantial cash balance relative to operating costs. Mr. Berg noted that although the Water Fund improved from the prior year, it did not generate sufficient cash flow to cover operations and debt service. The auditors recommend review of water rates annually and evaluation of cash flows to set fees at a prudent level. Council approved a water rate increase for 2013. Council accepted the 2012 Financial Report and thanked Mr. Berg for his work and report on the fiscal condition of the City

C. Fire Department Updates

Fire Chief Klapprich reported that the fire department celebrated its 100th year in 2012. Four Firefighters were hired in 2012 and two new pieces of equipment were purchased. June and August were the busiest months with 37 calls for service in each month. The department started a duty officer program whereby an officer will arrive at the scene to assess the situation prior to fire trucks arriving.

Chief Klapprich reported that the new pumper truck carries 750 gallons of water and 20 gallons of foam. The fire department budgets every year for equipment modernization.

Council thanked Chief Klapprich for the Fire Department's service and commitment to Woodland.

D. Resolution No. 09-2013; Approve Monetary Limits on Tort Liability Insurance

Council Member Newberry moved to approve Resolution No. 09-2013; approving the monetary limits on tort liability and does not waive the monetary limits on tort liability established by Minnesota Statutes. Council Member Rich seconded the motion. Motion carried 5-0.

E. Resolution No. 10-2013; Consider an Agreement with Schneider Excavating and Grading for Water and Sewer Maintenance Needs (routine and emergency work)

Council reviewed a quote from Schneider Excavating and Grading to provide routine and emergency service and to be the designated on-call contractor for all sewer and water related issues.

Council Member Carlson moved to approve Resolution No. 10-2013. Council Member Newberry seconded the motion. Motion carried 5-0.

Staff will contact Schneider Excavating to learn if they can also conduct the annual fire hydrant flushing.

F. Coyotes in Woodland

Chief of Police Johnson reported that one or more coyotes have been regularly walking through the Groveland neighborhood and appear to be undeterred by human encounters. The police will attempt to dispose of the nuisance coyote if appropriate.

G. Web Host Discussion

Council Member Rich reported that he has reviewed several options for a new City website host provider. GovOffice is a webhost that several neighboring cities are using. The first year cost would be \$1200, plus an additional \$900 one-time charge to transfer data. The annual web service cost would be \$400, after the initial first year costs.

Council Member Newberry stated that he would abstain from discussion and any vote on the matter because his employer is associated with this service provider.

OLD BUSINESS

A. Review of Planned Zoning Ordinance Revisions

Council Member Newberry summarized several amendments to the zoning code that he and staff are recommending to improve clarity in the code. 1) Amend the language regarding the purpose of the zoning code to directly relate it to and make it cohesive with the Comprehensive Plan. 2) A new definition would be added for conditional use replacing the term special use throughout the code. The Municipal Land Use Planning Act no longer uses the terminology special use. 3) Determine what should count towards impervious cover limitations and clarify which structures are included in the 10% sub-limit. 4) Findings of fact relating to variances actions by the Council are strengthened to require that all specified matters be considered and that an affirmative finding on each finding be made prior to the granting of a variance. 5) The construction site management language include a road damage deposit to be held throughout construction until final review of the road conditions and used for road repairs if necessary.

Mayor Doak stated that it was his recollection that the 10% impervious cover limitation was intended to apply to main buildings, accessory buildings, tennis courts and pools. The proposal was intended to limit the number of permitted structures on one property or at least bring them up for Council and neighborhood examination in the variance process.

Council Member Newberry noted that the 10% sub-limit was also to limit massing of structures.

Staff will prepare draft zoning language for review and a possible hearing on the suggested amendments in April.

MAYOR'S REPORT

Mayor Doak reported that the City's insurance covered a claim relating to the inadvertent use of copyrighted photo on the City's website. The City will pay a small deductible on the LMC's settlement of the claim.

Mayor Doak cautioned Council on the open meeting rules regarding email correspondence with residents and limiting responses between council members to avoid any serial violation of the

open meeting law. Mayor Doak noted that Council members recently received an email from a property owner requesting the Council's consideration of a apparent zoning violation outside of an posted open meeting. The property owner's as-built survey did not match the original building permit and plan submitted. The Zoning Administrator required the applicant to re-submit the plans and correct the grade prior to the building permit going forward. The applicant has agreed to correct the grade alteration and will not be seeking a variance.

Mayor Doak reported that the LMCD has outlined a Draft Comprehensive Eurasian Watermilfoil and Curly Leaf Pondweed Management Plan. Mayor Doak will convey that the City of Woodland supports the proposed AIS plan.

COUNCIL REPORTS

A. Ordinances & Septic Ordinance & Inspections

No report

B. Roads, Signs, Trees, & Website

Council Member Rich reported that Breezy Point Road has numerous pot-holes and he will work with the City Engineer on a restoration plan. The culvert under Maplewood Circle East will also need to be reviewed for repairs or possible reconstruction.

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

Council Member Carlson reported that she will be attending a meeting at the Capital next week through the League of Minnesota Cities.

D. Public Safety & Deer Management

No report.

ACCOUNTS PAYABLE

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

TREASURER'S REPORT

Council Member Newberry moved to approve the Treasurer's Report as presented. Council Member Massie seconded the motion. Motion carried 5-0.

ADJOURNMENT

Council adjourned by consent 9:30 P.M.

ATTEST:

Shelley J. Souers, City Clerk

James S. Doak, Mayor