

CITY OF WOODLAND
BOARD OF EQUALIZATION AGENDA

MONDAY, APRIL 11, 2011
7:00 P.M.

BOARD OF APPEALS & EQUALIZATIONS

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. BOARD OF APPEALS & EQUALIZATION
 - A. Assessor Recommendation and Board Action
4. ADJOURNMENT

REGULAR COUNCIL MEETING

MONDAY, APRIL 11, 2011
Immediately following the Board of Appeals Meeting

1. CALL TO ORDER
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.

 - A. Minutes of March 14, 2011
4. PUBLIC COMMENTS
5. NEW BUSINESS
 - A. Approve 2011 Hydrant Flushing
 - B. Approve Cornerstone, Inc. Quote for Street Patching
6. OLD BUSINESS
 - A. Continue Discussion, Ordinance No. 04-14; Amending Section 415 of the City Code, Prohibiting Depositing of Snow or Ice on City Streets and rights-of-ways.
 - B. Resolution No. 06-2011; Expressing the Intent to Consider Separate Future Enterprise Funds.
 - C. Update MCWD Stormwater Management Rule Revision
7. MAYOR'S REPORT

REGULAR COUNCIL MEETING

MONDAY, APRIL 11, 2011

8. COUNCIL REPORTS

- A. Council Member Jilek – Ordinances, Website & LMCD
- B. Council Member Rich - Roads, Signs & Trees
- C. Council Member Carlson - Finance, Enterprise Funds, Intergovernmental Relations & MCWD
- D. Council Member Massie - Public Safety & Deer Management

9. ACCOUNTS PAYABLE

10. TREASURERS 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.

THE BOARD OF REVIEW PROCESS

The City Council must convene as the local Board of Review each year to examine the Tax Assessor's market value list to determine if it accurately lists all taxable property.

The meeting must meet between April 1 and May 31 each year

Assessment of Property by Assessor

Four steps to property assessment

- 1) Appraising Property to determine full value
- 2) Classifying the property to establish its tax capacity
(lakeshore, non lakeshore, residential, commercial, agricultural etc...)
- 3) Equalizing valuations to reduce inequities
- 4) Reassessing property as necessary

The Assessor must value all property at its market value, which is basically the usual selling price.

The governing body checks the assessor's list for accuracy, hears individual complaints and makes necessary adjustments.

The Board of Review Has Three Main Functions

- 1)** Review the assessors list to ensure all taxable property has been properly placed on the list
- 2)** Review the Assessor's valuations, striving to standardize the ratio between market value and adjusted market value for each property.
- 3)** Must hear and settle complaints of individual property owners regarding the valuation of their property.

2011 ASSESSMENT GROWTH

RESIDENTIAL PROPERTIES

| CITY | OFF LAKE | LAKE SHORE |
|------------------|----------|------------|
| DEEPHAVEN | -0.8% | -5.5% |
| EXCELSIOR | -4.5% | -0.6% |
| GREENWOOD | -2.1% | -6.2% |
| MINNETONKA BEACH | -6.6% | -2.0% |
| MINNETONKA | -2.4% | 0.0% |
| MINNETRISTA | -5.2% | -4.8% |
| MOUND | -7.4% | -11.2% |
| ORONO | -5.3% | -8.2% |
| SHOREWOOD | -3.9% | -4.3% |
| SPRING PARK | -5.2% | -8.2% |
| TONKA BAY | -1.7% | -4.9% |
| WAYZATA | -0.8% | -0.3% |
| WOODLAND | -4.0% | -6.4% |

CITY COUNCIL MINUTES
Monday, March 14, 2011
7:00 P.M.

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, Michael Jilek, Sliv Carlson, and John Massie.

Absent: Council Member Chris Rich

Guests: Andy Berg, Doug Carter, Kevin Klapprich

CONSENT AGENDA

A. Minutes of the Council Meeting, February 14, 2011.

B. 2011 Street Sweeping Agreement / Allied Blacktop Company

Council Member Jilek moved and Council Member Carlson seconded the motion to approve the consent agenda as submitted. Motion carried 4-0.

NEW BUSINESS

A. Andy Berg, Abdo, Eick & Meyers – 2010 Annual Financial Report

Mr. Andy Berg presented a summary of the financial statements for each major fund for the year ended 2010. Mr. Berg reported the year-end unreserved cash balance was 73% of the budget. The cash balance is desirable because disbursements are incurred evenly throughout the year, and Woodland's main source of revenue, property taxes, is not received until the second half of the year. This cash balance provides the necessary cash to finance the general fund disbursements in the first half.

Mr. Berg stated that the license and building permit revenues as well as court fines were up from 2009. The top expenditure continues to be public safety.

The City had a water/sewer rate study/cash flow projection completed in 2010. As a result, Council approved a resolution to allocate 75 percent of assessment revenue to the Water Fund, as opposed to 25 percent in the past and to allocate 25 percent of assessment revenue to the Sewer Fund, as opposed to 75 percent in the past. The Council also approved a utility fee increase to help insure that the Water and Sewer Funds continue to have an adequate to meet operating and debt service requirements.

Council Member Carlson noted that there was an error in the notes on page 32, item C. Mr. Berg confirmed that the notes were in error and will send a corrected page.

Mayor Doak stated that the detailed notes to the financial statements serve as a good reference when reviewing the financial report.

Council thanked Mr. Berg for his work and report on the financial condition of the City.

AE

Woodland Council Minutes

March 14, 2011

Page 2 of 6

Council Member Carlson moved and Council Member Jilek seconded the motion to approve the 2010 Financial Statements, Management Letter and recommendations as presented, with the correction to page 32 as noted. Motion carried 4-0.

B. Fire Chief Kevin Klapprich.

Chief Klapprich presented the annual financial report for the fire department. Chief Klapprich noted that the department has five fire fighters who have served over 30 years. The department received a total of 272 calls in 2010, up 20 calls from 2009. The fire department serves the cities of Wayzata, a portion of Orono, Woodland and a small portion of Plymouth. Several notable incidents in 2009 included the train derailment in downtown Wayzata and an apartment fire in which the building was lost.

Chief Klapprich stated that the engine and rescue trucks will both get GPS devices. All fire hydrant locations will be logged into the GPS devices.

In answer to a question about the products and chemicals that the train hauls through Wayzata, Chief Klapprich stated that the department is not notified of the chemicals the train carries, but that all fire fighters are trained in chemical spills and procedures every year.

Council thanked Chief Klapprich for his leadership and support of Woodland.

C. Doug Carter – Water Specialist – Bolton & Menk.

Bolton & Menk's Water Specialist, Doug Carter provided an overview of the MS4 requirements for Woodland. Carter stated that Woodland is classified as a municipal separate storm sewer system or MS4 by the Minnesota Pollution Control Agency (MPCA) because its stormwater discharges to Lake Minnetonka and the Minnehaha Creek, which is classified as impaired water by the MPCA. The MS4 classification requires Woodland to develop and implement a Stormwater Pollution Prevention Program (SWPPP) to reduce the discharge of pollutants from its storm sewers.

The MCWD assigned a waste load calculation to all communities that discharge to the Minnehaha Creek. Woodland's current five-year permit with the MPCA is valid until June of 2011. After June 2011 the MPCA will implement a new MS4 permit, valid until 2016, building on the data collected in the previous permit period of 2006 to 2011. The permit requires Woodland to address six minimum control measures. One of the control measures requires the City to inventory and inspect stormwater outfalls, basins and ponds and determine whether they are functioning as designed. Woodland is also required to map all storm sewer conveyance elements (pipes, ditches, ravines) by the end of the 2011 permit cycle.

Bolton & Menk has provided the City with a proposal to perform a best management practices, outfall, and conveyance inventory to bring the City into compliance with the current MS4 permit. This work will bring Woodland into compliance with the current laws and develop an inspection tool for future evaluations.

Water Specialist Carter stated that Woodland does not have any holding ponds, however, if roads have shallow ditches, those ditches become part of the storm water system. Topographical maps

will be used to determine the ditches and the direction of the water flow. The MCWD assigned Woodland a 12 pound waste load to be removed annually. Because Woodland is a MS4, the Federal Government can require removal of phosphorous quantities and hold the City accountable to achieve those levels.

Mayor Doak asked how these requirements tie into the watershed's requirements and whether the data that is collected can be provided for more than one study.

Water Specialist Carter stated that the MCWD has agreed to work cooperatively with cities and not to further burden cities with added costs and reports. The MS4 mapping will bring cities up to date in the current permit cycle and provide the city with a map of the storm water. The mapping and data collection will take place from the lakeshore as well as throughout the City. The engineer's proposal is based on an hourly rate, not a lump sum.

Council Member Jilek moved to accept the proposal from Bolton & Menk for city-wide inventory of MS4 outfalls, conveyances and existing BMPs, not to exceed \$3,900. Council Member Carlson seconded the motion. Motion carried. 4-0.

Street Sweeping

Doug Carter stated the new sweeping technology provides better sweeping results. The sweeping results can be used for the reports to the MS4. Findings from 2009 sweeping results indicated that Woodland exceeded the phosphorous load level reduction that was assigned at 12 pounds.

MCWD Rules Update

Doug Carter stated that the MCWD storm water management rule that is in development is modest in regard to amendments and they have nothing to contest at this time. The MCWD is not getting involved with single-family residential development. Doug Carter stated that he will put together a short letter regarding their involvement and reiterate they have no further comments on the proposed amendment.

Public Hearing

A. Public Hearing to receive comments on the Surface Water Pollution Prevention Program (SWPPP)

Zoning Administrator Karpas reported that Woodland is required to hold an annual hearing for public participation on Surface Water Pollution Prevention.

Mayor Doak opened the annual public hearing on the Surface Water Pollution Prevention Program at 8:48P.M. to hear public comments on Woodland's SWPPP program.

Doug Carter, stated that the MPCA is required to audit the permit holders and we can expect that Woodland will be audited at some point to confirm that it is maintaining adequate records, following best management practices and that minimum control measures are in place.

There being no public comments, Mayor Doak closed the public hearing at 8:57P.M.

D. Resolution No. 04-2011; Restricting Transfer of Property within the City.

Zoning Administrator Karpas presented a Resolution restricting the County from accepting and recording land transfers within the municipal boundaries without prior approval from the City. Hennepin County requires municipalities to submit a resolution stating the City's intent and clarifying the prohibition of land transfers without prior municipal approval.

Council Member Carlson moved to approve Resolution No. 04-2011; a resolution restricting the transfer of property through the County with out City approval. Council Member Massie seconded the motion. Motion carried 4-0.

E. Approve Monetary Tort Limits.

Council reviewed the annual statutory tort liability limitations for Woodland and moved to not waive the limits. Woodland will insure up to the limit with the LMCIT.

Council Member Jilek moved to approve the limits set by the LMCIT and to not waive the monetary limits on municipal tort liability. Council Member Massie seconded the motion. Motion carried 4-0.

OLD BUSINESS

A. No-fault sewer back-up coverage.

Council reviewed Resolution No. 05-2011; establishing limited no-fault property damage protection for sewer back-ups and water main breaks whether or not the backup was caused by City negligence.

Council Member Jilek moved to approve Resolution No. 5-2011; establishing a limit of \$40,000 per occurrence for clean up costs and property damage resulting from sewer back-ups and water main breaks. Council Member Massie seconded the motion. Motion carried 4-0.

NEW BUSINESS

F. Public Nuisance Discussion

Council reviewed a draft nuisance ordinance and discussed potential issues resulting from snow removal from private property that is pushed into the City streets or rights-of-ways. The primary concern being safety for traffic and pedestrians.

Mayor Doak suggested addressing the issue in the City Newsletter as the first step. Council agreed to table discussion to the April Council meeting.

G. Parking Zones

Council reviewed the current parking zones and discussed whether any changes were warranted. Council agreed to measure the designated parking areas to determine the number of cars that can fit into each zone. The number of cars would be given to permit applicants as a guideline. Council agreed to make no changes to the size or number of parking zones at this time.

B. Recycling Collection Delay

Recycling collection was recently delayed due to a snow storm. In an effort to better notify the residents, Woodland's contracted service provider, Waste Management, has offered an optional "dial out" call to residents to notify them of delays in the recycling service schedule.

Waste Management will mail the form to each homeowner to collect phone numbers to be used for delays in the recycling service. The forms would be sent back to the City Hall via mail, email or fax.

Staff will also include information on the optional dial out in the April newsletter as an additional reminder to residents.

C. Resolution Clarifying the Intent of the 1997 Enterprise Funds and to Maintain Separate Future Enterprise Funds

Council reviewed a draft resolution stating the intent of the present Council to encourage future Councils to consider creating separate user funded enterprise funds for new water or sewer projects in the City. The self funding character of the 1997 Enterprises could be considered as a possible model for the financial structure of future enterprises in the City.

Council Member Jilek stated that from a practical standpoint, a new enterprise fund makes sense for new improvements.

Staff will forward the draft resolution to the City Attorney for review. Discussion will continue to the April meeting.

MAYOR'S REPORT

Mayor Doak reported that Senator Gen Olson is working to clarify statutory language with the State Legislature regarding municipal variance authority.

Mayor Doak reported that staff is looking into options to allow residents to recycle organics. Discussion will continue to the April meeting.

Mayor Doak distributed a list of invasive species and plants and reported that he attended a meeting on aquatic invasive species hosted by the MCWD. The watershed district is leading an effort to control the spread of aquatic invasive species that is hoped to have a state-wide impact.

COUNCIL REPORTS

Public Safety

Council Member Massie reported that no deer were removed from Woodland as part of the 2010 DNR permit.

Roads, Signs and Trees

Mayor Doak reported that he spoke with City Engineer Dave Martini regarding concerns with forecasted high water levels and possible impact to the water and sewer system. Mr. Martini confirmed the manhole covers are water tight and the mains are in good shape and did not believe there would be any issues resulting from the high water levels.

Finance, Enterprise Funds, Intergovernmental & MCWD

Council Member Carlson distributed information from a recent Minnehaha Creek Watershed District meeting that she participated in.

Ordinance, LMCD and Website

Council Member Jilek reported that he spoke with Woodland's LMCD liaison Herb Suerth. Mr. Suerth is willing to continue as the liaison and will meet with the Council during the year to report on issues. Council Member Jilek stated that he will also assist with reporting on LMCD issues to the Council.

ACCOUNTS PAYABLE

Council Member Jilek moved approval of the Accounts Payable as submitted. Council Member Massie seconded the motion. Motion carried 4-0.

TREASURER'S REPORT

Council Member Carlson moved approval of the Treasurer's Report as submitted. Council Member Jilek seconded the motion. Motion carried 4-0.

ADJOURNMENT

Council adjourned by consent at 10:00 P.M.

ATTEST:

Shelley J. Souers, City Clerk

James S. Doak, Mayor

REQUEST FOR ACTION**WOODLAND CITY COUNCIL**

MEETING DATE: April 11, 2011
 FROM: Shelley Souers, City Clerk
 SUBJECT: Annual Hydrant Flushing

OVERVIEW/BACKGROUND

Per our agreement with the City of Minnetonka for maintenance on the sewer and water system, Woodland must flush the fire hydrants each year to coincide with Minnetonka's flushing schedule.

Quote

Infratech Technologies
 Hourly rate of \$210 per hour (an increase of \$10 from 2010)
 Estimated time 4-5 hours
 * hydrant repairs will require additional hours and parts etc..

History of Charges for flushing hydrants with Infratech

2006 - \$525 (\$175/hour)
 2007 - \$740 (\$185/hour)
 2008 - \$1,072 (\$195/hour)
 2009 - \$615 (\$205/hour) + \$1635 - 2 hydrants repairs
 2010 - \$2480 (\$205/hour) – also vacuumed out & exercised water gate valves

BUDGET IMPACT

The 2011 budget includes \$1,800 for hydrant flushing and \$1,590 to exercise gate valves and make repairs as needed.

COUNCIL ACTION: Motion to approve the quote from Infratech for water hydrant flushing in Woodland to coincide with the hydrant flushing schedule in Minnetonka.

Infratech

Infrastructure Technologies
21040 Commerce Blvd.
Rogers, MN 55374-9341
Phone 763 428 6488 / Fax 763 428 6489
Web Site www.infratechcatalog.com

April 5, 2011

Shelly Sours
City of Woodland

RE: Quote
Project: Hydrant Flushing
Bid Date: 4-5-11

Infratech is pleased to present this proposal for **Hydrant Flushing** as required for this project.

Woodland – 15 hydrants
Flushing Hydrants @ \$210.00 Per Hour Estimate 4-5 Hours

Deephaven - 18 Hydrants
Flushing Hydrants @ \$210.00 Per Hour Estimate 5-6 Hours

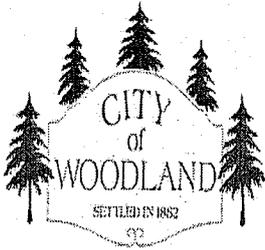
The above price includes all tools, labor and per diem to perform hydrant flushing for this project.

Please phone with any questions or concerns. Thank you for considering Infratech.

Greg Ranta
Project Administrator
Infratech



Woodland – Deephaven 4-5-11

REQUEST FOR ACTION**WOODLAND CITY COUNCIL**

MEETING DATE: April 11, 2011

FROM: Shelley Souers, City Clerk

SUBJECT: Routine street maintenance, mowing and miscellaneous work to the public roads, signs and rights-of-way throughout Woodland.

OVERVIEW/BACKGROUND

The City of Woodland has a contract with the City of Deephaven for routine road maintenance and public works service on an as-needed basis and as requested by the City Council. The 2011 rate for services provided by the Deephaven Public Works Department would be \$78.89 per hour (man & vehicle)

The City of Woodland has a contract with Cornerstone Industries for snow plowing service. Woodland has asked Cornerstone Industries to provide the City with a bid for routine street maintenance, mowing and miscellaneous work to the public roads, signs and rights-of-way throughout Woodland.

Cornerstone has provided the City with a bid for maintenance services as delineated in the Agreement (Exhibit A).

| <u>Year</u> | <u>Vehicles</u> |
|-------------|--------------------|
| 2011 | \$66/hr all trucks |

* Asphalt patching will be a 2 hour minimum charge
All necessary materials for repair and maintenance will be an additional charge based on the market rate.

2011 ROAD MAINTENANCE

Following review of the City Streets, Cornerstone has provided a quote for the asphalt patching of potholes throughout Woodland.

COUNCIL ACTION Motion to approve the quote from Cornerstone for road patching per standards of the agreement.

PURCHASING POLICY – adopted March 2007

The City adopted a policy whereby services with an existing contractor may be renewed at Council's discretion without seeking additional quotes, upon demonstration of satisfactory performance and reasonable price.

Proposal

Cornerstone Industries Inc.
 PO Box 374
 Excelsior, MN 55331

| | |
|----------|------------|
| Date | Estimate # |
| 3/6/2011 | 1744 |

| |
|---|
| Name / Address |
| City of Woodland 20225 Cottagewood Rd Deephaven, MN 55331 |

| Item | Description | Qty | Rate | Total |
|--------------------|---|-----|-------------------------|-----------|
| Asphalt Mainten... | Asphalt patching for potholes on all city streets and roads in woodland. Includes clean-out and removal of all loose asphalt and debris, asphalt binder applied with brush and commercial-grade hot-mix installed and compacted. Includes cutting out one large pothole on Breezy Pt Rd, and cutting out a few other small potholes on Stone Arch Rd and throughout the streets. All other potholes will be filled to their natural shape. Includes all labor, equipment, materials, signage and signals. | 1 | 3,810.00 | 3,810.00T |
| Asphalt Mainten... | Option: Install granite rock chips over all patchwork prior to compaction to match the current road surface and extend wear-life of the patch. | 1 | 645.00 | 645.00T |
| | | | Sales Tax (6.9%) | \$307.40 |

Customer Signature _____

| |
|--------------|
| Phone # |
| 612-226-8344 |

| |
|-------------------------|
| E-mail |
| cslandscaping@yahoo.com |



CORNERSTONE INDUSTRIES, LLC

PO Box 374
Excelsior, MN 55331

612 226 8344

City Clerk
City of Woodland

Right-of-Way Ditch Mowing, Asphalt Patching, Street Repair, and Other Summer Road Work Proposal- Summer of 2011

Right-of-Way Mowing

Right-of-way mowing of approximately 3.5 miles of streets in the City of Woodland as described by the City will be performed as follows:

Mowing of all right-of-way areas not normally maintained by residents in order to keep overgrowth clear of streets and to maintain visibility of corners, hills, and intersections. Will also include weed-whipping around signs, fire hydrants, etc. This service can be performed for \$66/man hour. (My best guess is between 4 and 6 hours each time this is performed, however, we won't really know until we have done it a couple of times. Cornerstone owns and maintains multiple sizes and styles of commercial lawn mowers, weed whippers, etc., and should have all the equipment necessary to perform the work.)

Asphalt Patching

Asphalt patching to be performed using commercial grade hot-mix and compacted using motorized plate compactors or rollers as necessary depending on the size of the patch. All pot-holes will be cleaned out, re-filled, and compacted, unless further cutting and/or milling is necessary depending on the condition of the street around the patch. These services can be performed for \$66/man hour with a 2 hour minimum in order to allow time to go and purchase asphalt hot-mix. Hot-mix will be charged to the city at the exact rate Cornerstone pays at the

plant as this price varies from day to day with oil pricing.

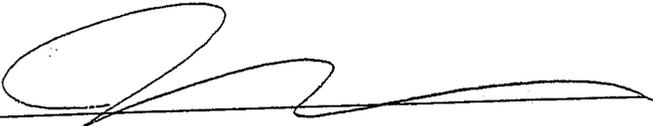
Other Street Work

Other Street Repair and Road Work such as sign repair installation, post repair and installation, shoulder, gravel, dirt work, and drainage projects, etc. can all be performed for \$66/man hour plus the cost of materials.

BY SIGNING BELOW, CUSTOMER AGREES TO PAY THE AGREED PRICE FOR THE AGREED SERVICES LISTED ABOVE. THIS IS AN AGREEMENT FROM DATE OF SIGNING, WITH PAYMENTS MADE AS DESCRIBED WITHIN. ANY CHANGES MADE IN PRICING OR SERVICES MUST BE ACCOMPANIED BY A SIGNED CHANGE ORDER TO THIS CONTRACT. CORNERSTONE INDUSTRIES, LLC. CARRIES FULL WORK COMPENSATION AND LIABILITY INSURANCE. OFFICIAL PROOF OF THIS INSURANCE WILL BE ISSUED TO YOU UPON REQUEST.

X _____
City of Woodland Representative

DATE _____

X 
Tim Lovett, President
Cornerstone Industries, LLC

DATE 7-12-10

CONTINUED DISCUSSION

WOODLAND CITY COUNCIL



MEETING DATE: April 11, 2011

FROM: Shelley Souers, City Clerk

SUBJECT: Ordinance No. 04-14; An Ordinance Relating To Public Nuisances Affecting Peace and Safety; Amending Section 415.01 and 415.04 of the City Code to address snow removal from private property.

OVERVIEW/BACKGROUND

Snow removed from private property, by an owner or their agent, should not be deposited on City property (fire alleys, public rights-of- way and public roadways).

The City Ordinance currently does not specifically include language to regulate or address this issue.

Staff prepared a draft ordinance for review and discussion. The ordinance amendment would be included in Chapter 4, addressing public safety issues, adding a new definition and subdivision.

COUNCIL ACTION:

Continue discussion and review. Direct staff to prepare an Ordinance for a first reading if the Council chooses to include specific language to address private snow removal.

BUDGET IMPACT:

Cost of City Attorney review and publication of the ordinance once approved.

DISCUSSION

ORDINANCE NO. 04-14

CITY OF WOODLAND
HENNEPIN COUNTY, MINNESOTA

AN ORDINANCE RELATING TO PUBLIC NUISANCES AFFECTING PEACE AND SAFETY;
AMENDING SECTION 415.01 and 415.04 OF THE CITY CODE

THE CITY COUNCIL OF THE CITY OF WOODLAND, MINNESOTA, ORDAINS:

Section 1. 415.01 is amended to add a new definition:

415.01 Definitions. For the purposes of this section, certain words and terms shall have the following meaning.

Subd. 4. Right-of-Way. Any property established for the use of the public for street, fire alley or highway purposes by any federal, state, county or local government, by dedication, gift or statutory use, whether developed or undeveloped, paved or unpaved.

Section 2. 415.04 is amended to read as follows:

415.04 Public Nuisances Affecting Peace and Safety. The following are declared to be nuisances affecting public peace and safety and shall be enforced by the police department and, or the zoning coordinator administrator:

(z) Subd. 5. Snow. It shall be unlawful for any property owner or their agent, not acting under specific direction from the City, to remove snow from private property, other public property regardless of the place of origin and to place the same upon a public street or other public property in such quantity, or in such manner, as to cause a hazard to travel, without adequate arrangement for the immediate removal thereof. The City requires removal of snow and ice deposited on public roads and right-of-ways within 24 hours. Any property owner or their agent violating this Subdivision shall be subject to an assessment equal to actual costs incurred for snow removal in order to reimburse the City for the cost of removing such snow from the public street or other public property. Such assessment shall be payable within 30 days of the date of billing by the City and, in default of payment, shall be extended as a special assessment against the property from which such snow was removed. Such special assessment shall, at the time of certifying taxes to the County Auditor, be certified for collection as other special assessments are so certified and collected. Alternatively, the City Clerk shall, upon direction from the City Council, bring suit in a Court of competent jurisdiction to recover such assessment and the costs and disbursements of said suit.

Section 2. Effective date. This ordinance shall become effective as of the date of publication.

Adopted by the City Council of Woodland on _____, 2011, and published in the Minnesota Sun Publications on _____, 2011.

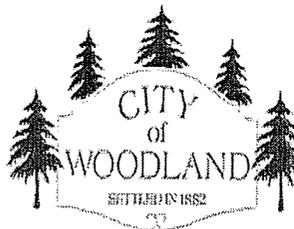
ATTEST:

Shelley Souers, City Clerk

James S. Doak, Mayor

REQUEST FOR ACTION

WOODLAND CITY COUNCIL



MEETING DATE: April 11, 2011
 FROM: Shelley Souers, City Clerk
 SUBJECT: Resolution No. 06-2011; expressing the intent of the 1997 Enterprise Funds and the Creation of Future Enterprise Funds.

Discussion continued from the March 14, 2011 Council meeting

OVERVIEW/BACKGROUND

The Sewer and Water Enterprise Funds were created at the beginning of the 1997 sewer and water system construction. These funds are separate from the General Fund.

When the 1997 sewer and water system was installed, there was a great deal of discussion regarding how all the costs would be covered and who would be responsible. It was decided that the benefitted properties would bear the full costs associated with the sewer and water construction and all subsequent operating expenses. The City assessed a portion of the costs to each user and the remaining costs were divided between users and applied to quarterly utility bills.

The sewer and water system continues to be self-supporting by the users with respect to purchased services, debt service and ongoing maintenance expenditures.

The present Council has expressed their intention that if future sewer and water improvements are created in other areas of the City, these improvements might be established by creating separate and additional enterprises for such improvements and the self funding character of the 1997 Enterprise Funds be considered as a possible model for the financial structure of any additional improvements.

COUNCIL ACTION: Motion to approve Resolution No. 06-2011; expressing the intent of the 1997 Enterprise Funds and the Creation of Future Enterprise Funds.

City Attorney's Comments: "I think the resolution is fine. It indicates that it isn't binding but rather an expression of the view of the current council and provides future council's with some historical context."

Joel J. Jamnik
 Campbell Knutson, P.A.

RESOLUTION NO. 06 -2011

A RESOLUTION DELINEATING THE INTENT THAT COUNCIL CONSIDER SEPARATE ENTERPRISE FUNDS BE ESTABLISHED FOR FUTURE IMPROVEMENTS OF SEWER AND WATER

WHEREAS, In 1997 the City of Woodland constructed a water and sewer system to serve residents located in the north eastern portion of the City; and

WHEREAS, the water and sewer utilities were organized as enterprises ("1997 Enterprises"), set apart from the general operation of the City of Woodland; and

WHEREAS, the 1997 Enterprises have been financially self supporting as to purchased services, debt service, and maintenance expenditures; that is, the enterprises have been funded by fees and assessments paid by the users of the utilities; and

WHEREAS, subsequent rate increase for water and sewer services were undertaken in 2011 to preserve the financially self supporting nature of the 1997 Enterprises; and

WHEREAS, in the future, the City of Woodland may create additional enterprises, should the need for water or sewer service arise in other areas of the City; and

WHEREAS, in the future, financial market conditions, regulatory requirements, and construction considerations may differ materially from current circumstances; and

WHEREAS, the Woodland City Council cannot mandate terms for the financing of future enterprises, but can offer suggestions;

NOW THEREFORE BE IT RESOLVED that the Woodland City Council requests that the self funding character of the 1997 Enterprises be considered as a possible model for the financial structure of enterprises undertaken by the City of Woodland in the future.

Adopted by the Council of the City of Woodland this _____ day of _____, 2011.

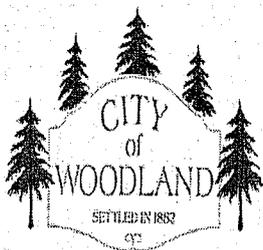
James S. Doak, Mayor

ATTEST:

Shelley Souers, City Clerk

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WOODLAND CITY COUNCIL



MEETING DATE: April 11, 2011
FROM: Shelley Souers, City Clerk
SUBJECT: MCWD DRAFT Stormwater Rule Revision and procedural requirements.
(Engineer's comments regarding the significant modification)

OVERVIEW/BACKGROUND

Bolton-Menk's Water Specialist Doug Carter represents Woodland, Deephaven and Greenwood and has been participating with the Technical Advisory Committee to provide comments and feedback to the MCWD during the development of the Draft Rule Revision.

The attached memorandums Dated March 21 and March 22, summarizes Bolton-Menk's review and involvement with the MCWD rule revisions.

COUNCIL ACTION None at this time.

Woodland did submit a letter (copy attached) to the MCWD to be included with the public comments regarding the Stormwater Management and Administrative Rules. Based on the engineer's review, Woodland did not suggest any changes to the proposed revisions to the rules.



BOLTON & MENK, INC.

Consulting Engineers & Surveyors

2638 Shadow Lane, Suite 200 • Chaska, MN 55318-1172

Phone (952) 448-8838 • Fax (952) 448-8805

www.bolton-menk.com

MEMORANDUM

Date: March 21, 2011
To: Cities of Deephaven, Greenwood, and Woodland
From: Douglas Carter, P.E., LEED AP
Subject: Minnehaha Creek Watershed District Draft Stormwater Management Rule Revision

This letter summarizes our involvement in the Draft Stormwater Management Rule Revision (Draft Rule) Process. We were a member of the Technical Advisory Committee (TAC) representing Deephaven, Woodland, and Greenwood that met and provided comments during the development of this Draft Rule revision. Copies of the TAC meeting minutes were previously distributed at the time the TAC meeting took place. The Draft Rule development process was administered by the Minnehaha Creek Watershed District (MCWD) and was reasonably well organized and well attended by all TAC members.

The Draft Rule appears to be a modest change from the existing stormwater management rule, given some of the revised rules from the MCWD we have reviewed in the past. The major modifications to the draft rule are summarized below.

The MCWD has included a section of definitions for all of the terms that are used within the rule. This will clear up any confusion as to rule applicability and assist our communities in applying the rules in a fair and equitable manner.

They have removed the table that identifies project types on one axis and project area on the other. In its place they propose to manage sites by whether or not they are decreasing or increasing net impervious surface and the area of overall site disturbance. The overall site area is no longer a factor in the stormwater management strategy. This modification is more in line with other metro-area watershed organizations.

Projects that result in an increase in impervious surface will be required to infiltrate or "abstract" 1-in of runoff from the sites impervious surface. The MCWD had volume control requirements in the previous Stormwater Management Rule but it was only applied to landlocked basins. This new application of volume control management is significant but it is in line with many other watershed and municipal requirements in the metro-area. Current volume control requirements in the metro-area range from 0.5-in to 2.8-in. Based on that range a 1-in abstraction requirement appears reasonable at this time.

For projects that increase overall impervious surface there can be no increase in total phosphorous load from the site. This is a modification to the existing rule, but reasonable in nature. There are very stringent requirements for farmed agriculture land that is to be developed but that requirement should not significantly affect your communities.

There is a new provision for regional stormwater management. This provision will benefit your

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communities by providing additional built-in flexibility for developing larger public improvement projects. Under the existing rule this process had to be negotiated on a one by one basis by city staff and was not always seen as fair and equitable.

The most significant modifications to the draft rule are the new exclusions. For our communities they appear to streamline the day-to-day building permit applications that we see most often. This should be a benefit to your communities. The following activities do not require a permit under the Draft Rules.

- Construction or reconstruction of a single-family home.
- New development for a residential, commercial, industrial, or institutional use that will result in less than 20% impervious surface over the site or on a site that is less than 1-acre in size.
- Redevelopment for a residential, commercial, industrial, or institutional use that is on a site of 1 to 5 acres that will result in at least a 10% reduction in impervious surface.
- Redevelopment for a residential, commercial, industrial, or institutional use that is on a site of 5-acres or greater where the proposed activity disturbs less than 40% of the site and results in at least 10% reduction in impervious surface.
- Construction of a new road or reconstruction of an existing road, trail, or sidewalk that will create less than 10,000 square feet of impervious surface.
- Construction of a trail, or sidewalk that will not exceed 12-ft in width and will be bordered on the downgradient side by a pervious buffer averaging at least one-half the width of the sidewalk or trail.

While the above-mentioned exclusions appear to benefit your communities, the Draft Rules overall may have the effect of increasing municipal project costs based on the new infiltration requirement. Additionally there may be additional staff time required for projects that are proposed in locations with minimal infiltration capacity. A consensus will have to be reached between the municipality and the MCWD as to how the abstraction requirement will be achieved in those situations.

Overall while the Draft Rules represent a modification to the regulations administered by the MCWD they are not out-of-line or significantly more restrictive than other metro-area watershed management organizations.

If you have any questions, give me a call to discuss.



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MEMORANDUM

Date: March 22, 2011
To: Dan Faulkner, P.E., David Martini, P.E., Jake Saulsbury, P.E., Kreg Schmidt, P.E.
From: Douglas Carter, P.E., LEED AP, Bolton & Menk, Inc.
Subject: Minnehaha Creek Watershed District (MCWD) Draft Procedural Requirements Rule Revision, MCWD Draft Enforcement Rule Revision, MCWD Draft Variance And Exception Rule Revision, MCWD Draft Permit Fees Rule Revision, MCWD Draft Financial Assurances Rule Revision

This letter summarizes our review of the above-mentioned Rule Revisions.

Procedural Requirements Rule Revision -The changes to the Procedural Rules are, for the most part, straight forward. The watershed is now requiring all exhibits to accompany permit applications. They are encouraging (in writing) applicants to submit their plans early in the project development process. They are clarifying that application for a permit is also an implied consent to entry and inspection of project area by MCWD staff. They specify that only MCWD forms will be accepted for permit applications. They specify that a permit application is incomplete if not accompanied by the required permit fees. They also specify in the Rule that permit renewals are not subject to changes in district requirements during the life of a permit.

Enforcement Rule Revision -The changes to the Enforcement Rule are also, for the most part, straight forward. The watershed has specified that an Administrative Compliance Order may include the applicant being required to seek an after-the-fact permit or the MCWD requiring that land disturbing activities cease on the property. The Administrative Compliance Order will also require the property owner to appear before the MCWD Board and explain the situation. The MCWD Board will now have the latitude to seek judicial enforcement of an Administrative Compliance Order and the property owner, if found in violation, will be responsible for all associated costs.

Variance & Exception Rule Revision -The changes to the Variance and Exceptions Rule are focused on establishing a checklist of requirements for granting a variance. If an applicant would like a variance or exception they must demonstrate to the MCWD Board that the following conditions are met.

- a) Special conditions inherent to the property exist and strict compliance will cause an undo hardship;
- b) The hardship was not created by the property owner;
- c) The variance is not a convenience to the property owner;
- d) There is no feasible alternative;
- e) The granting of a variance is not contrary to the intent of the Rules.



Permit Fees Rule Revision -The changes to the Permit Fees Rule are worth noting. The watershed has specified here, as well as the administrative rules, that a permit application will be considered incomplete without payment.

The other two revisions to this section of the administrative rules are most substantive. The MCWD will be charging for ALL permit-related services. This includes, but is not limited to, "...the District's actual cost of administrating and enforcing permits, as well as the actual costs of field inspections or investigations of the area affected by a proposed activity, analysis of the proposed activity, and engineering and other technical analysis, legal fees, and costs and administrative expenses, as well as any monitoring of permitted activities required." This requirement is waived for other state and federal government agencies.

This requirement would appear to be a revenue generator for the MCWD when combined with the initial request to get them involved early in the project development. That early involvement, will add to the overall permit costs. The final revision states that if invoices are not paid in 30 days an applicant will be in violation of their permit.

Financial Assurances Rule Revision -The changes to the Financial Assurances Rule are largely procedural detailing what types of surety will be accepted, when surety will be reduced, when it needs to be increased and when it will be refunded.

Overall I believe that the Administrative Rule Revisions will not change the manner in which cities interact with the MCWD. The changes to the fee structure for Permits are the most striking. I was under the assumption that the MCWD is funded through property tax assessments. I do not believe they should charge for all professional services and staff time related to permit management. That will have the adverse effect of potential applicants not using the District as a resource early in the project development process.

If you have any questions, give me a call to discuss.

March 27, 2011

Minnehaha Creek Watershed District Board of Managers
c/o James Wisker
18202 Minnetonka Boulevard
Deephaven, MN 55391

Re: City of Woodland's Comments on proposed revisions to the MCWD Stormwater Management and Administrative Rules

Dear Mr. Wisker and Managers:

The Woodland City Council would like to thank you for the opportunity to comment on your proposed changes to the Stormwater Management and Administrative Rules. We appreciate the significant effort of MCWD staff, the Rulemaking Task Force, the Technical Advisory Committee, and the Citizen Advisory Committee in refining these Rules.

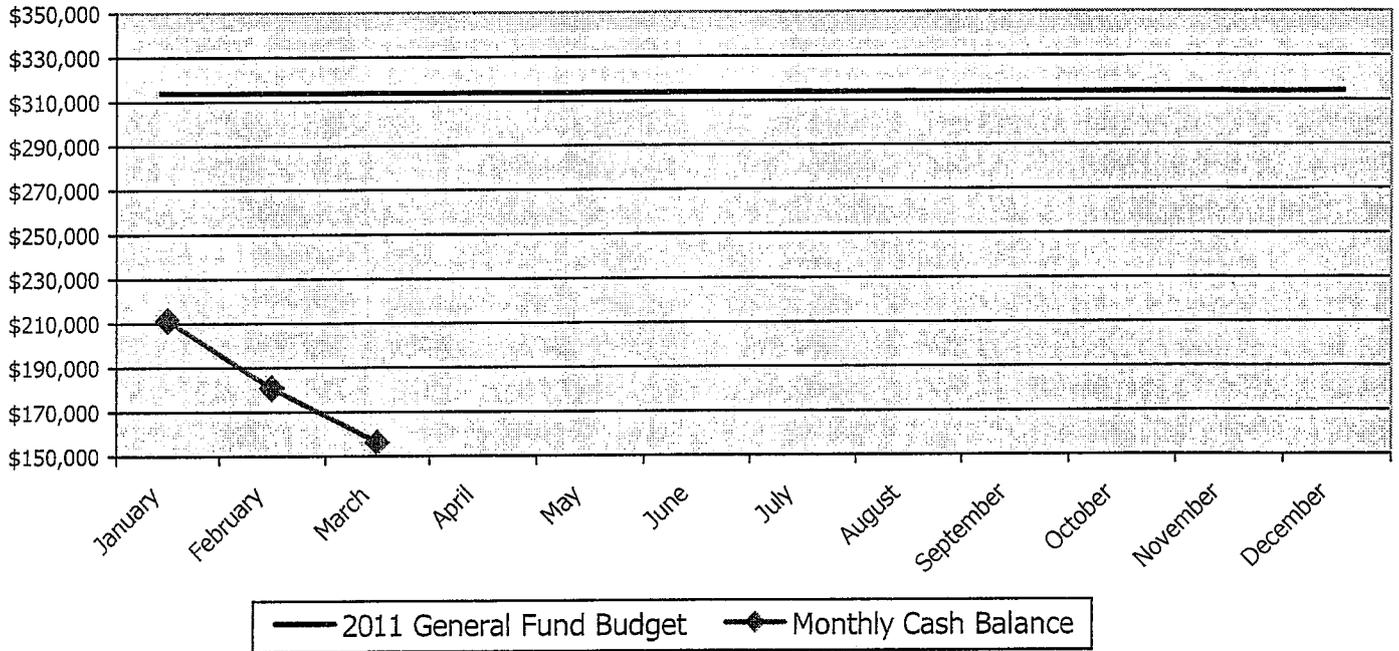
After consulting with our City Engineers, Bolton and Menk, Inc., we do not wish to suggest any changes to the proposed revisions to the Rules. We particularly appreciate the definitions and process clarification in the proposed Rules.

We look forward to continuing our partnership with the MCWD in the years ahead.

Sincerely,

James S. Doak
Mayor

City of Woodland General Fund Cash Balance vs. Budget



| Month | Cash Balance | General Fund Budget | % of Budget |
|-----------|--------------|---------------------|-------------|
| January | \$211,437 | \$313,903 | 67.36% |
| February | \$180,840 | \$313,903 | 57.61% |
| March | \$156,004 | \$313,903 | 49.70% |
| April | | \$313,903 | 0.00% |
| May | | \$313,903 | 0.00% |
| June | | \$313,903 | 0.00% |
| July | | \$313,903 | 0.00% |
| August | | \$313,903 | 0.00% |
| September | | \$313,903 | 0.00% |
| October | | \$313,903 | 0.00% |
| November | | \$313,903 | 0.00% |
| December | | \$313,903 | 0.00% |

CITY OF WOODLAND TREASURERS REPORT

MARCH 2011

| | | | | TOTAL |
|--------------------------|------------------|-----------------|---------------|-------|
| FUND | ASSETS | LIABILITIES | FUND BALANCE | |
| 101 GENERAL | \$ 156,004.01 | \$ - | \$ 156,004.01 | |
| 401 STREET IMPROVEMENT | \$ 30,843.91 | | \$ 30,843.91 | |
| 601 WATER | \$ 196,529.95 | \$ 105,843.00 | \$ 90,686.95 | |
| 602 SEWER | \$ 709,123.89 | \$ 283,767.64 | \$ 425,356.25 | |
| | \$ 1,092,501.76 | \$ 389,610.64 | \$ 702,891.12 | |
| EXCESS FUNDS | | \$ 702,891.12 | | |
| BALANCE | | \$ 1,092,501.76 | | |
| | | | | |
| | CHECKING ACCOUNT | SWEEP ACCOUNT | | |
| BEGINNING BALANCE | \$ 1,924.38 | \$ 357,765.72 | | |
| TOTAL DEPOSITS | \$ 2,909.21 | \$ - | | |
| COURT FINES - ACH DEP | \$ 53.60 | | | |
| ACH UTILITY PMTS | \$ - | | | |
| INTEREST | \$ 0.43 | \$ 29.41 | | |
| TRNFR - FUND TO CKG | \$ 33,198.98 | \$ (33,198.98) | | |
| TRNFR -CKG TO FUND | \$ (2,909.21) | \$ 2,909.21 | | |
| TOTAL CHECKS | \$ (25,181.86) | \$ - | | |
| ACH UTILITY BILL SVC FEE | \$ (3.50) | | | |
| ENDING BALANCE | \$ 9,992.03 | \$ 327,505.36 | | |
| | | | | |
| GENERAL FUND CASH | \$ 156,004.01 | | | |
| STREET IMPROVEMENT | \$ 30,843.91 | | | |
| WATER FUND CASH | \$ (11,735.51) | | | |
| SEWER FUND CASH | \$ 162,434.98 | | | |

CITY OF WOODLAND
 TREASURER'S REPORT
 FUND CASH BALANCES
 3/31/2011

| Fund | 2/28/2011 | Monthly | Monthly | Monthly | 3/31/2011 |
|-----------------------------------|----------------------|--------------------|---------------------|---------------|----------------------|
| | Cash Balance | Revenues | Expenses | * Liabilities | Cash Balance |
| General Fund | \$ 180,841.00 | \$ 348.00 | \$ 25,185.00 | \$ - | \$ 156,004.00 |
| Street Improvement | \$ 30,844.00 | \$ - | \$ - | \$ - | \$ 30,844.00 |
| Water * Water Loan - Principal | \$ (12,635.00) | \$ 900.00 | \$ - | \$ - | \$ (11,735.00) |
| Sewer * Sewer Loan - Principal | \$ 160,691.00 | \$ 1,744.00 | \$ - | \$ - | \$ 162,435.00 |
| Total | \$ 359,741.00 | \$ 2,992.00 | \$ 25,185.00 | \$ - | \$ 337,548.00 |