

## **CITY COUNCIL MINUTES**

Monday, September 12, 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 Sliv Carlson, Chris Rich and John Massie

Absent: Council Member Mike Jilek

Guests: Mr. Jon Sonnek and Mr. Rick Rud

### **CONSENT AGENDA**

**A. Minutes of the Council Meeting, August 8, 2011**

**B. Lake Minnetonka Communication Commission 2012 Budget**

*Council Member Carlson moved to approve the consent agenda as presented. Council Member Massie seconded the motion. Motion carried 4-0.*

### **PUBLIC COMMENTS**

None

### **PUBLIC HEARING CONTINUED**

**A. Special Use Permit Amendment, 2700 Stone Arch Road**

Mayor Doak opened the public hearing at 7:10PM.

Zoning Administrator Karpas reported that Steve and Tamala Schroll, 2700 Stone Arch Road, have requested an amendment to their previously approved Special Use Permit and site plan to add a 500 square foot parking pad. Zoning Administrator Karpas presented Resolution No. 15-2011; delineating the findings to approve an amendment to the Special Use Permit to add a parking pad along the driveway. Zoning Administrator Karpas reported that a revised hearing notice was sent to clarify the impervious cover increase requested.

The Council had previously approved a special use permit and site plan to alter the grade and construct a new home with 22.55% impervious surface. The addition of a flagstone walkway to the lake and the request to add a 25' x 25' parking pad would increase the impervious surface to 23.74% and requires an amendment to the previously approved special use permit to allow the requested change in the site plan.

Mayor Doak reported that the drain tile system installed on the Schroll property had drained rain water off Stone Arch Road and from the neighboring property during a recent storm and diverted it to the pond on the Schroll property. Mayor Doak noted that the installation of the drain system was above and beyond the original stormwater management plan and is a significant improvement to Stone Arch Road.

Council Member Carlson asked if a back up generator exists to operate sump pump on the drain system.

Mr. Sonnek confirmed that the pump system had a backup a generator. Mr. Sonnek reported that the stormwater management system on the property has enhanced the storm water handling capacity significantly.

There being no further comments or discussion, Mayor Doak closed the public hearing at 7:16P.M.

*Mayor Doak moved to approve Resolution No. 15-2011; amending the special use permit to allow the additional impervious cover as shown on the plan and noted that the storm water capacity has been significantly enhanced from the original plans. Council Member Rich seconded the motion. Motion carried 4-0.*

Mr. Sonnek reported that Charles Cudd-Denova Company will repair the asphalt on Breezy Point Road and Stone Arch Road adjacent to their construction projects.

## **OLD BUSINESS**

### **A. Stone Arch**

Council Member Massie reported that Valek Construction completed the arch restoration and has sealed the stone. Following consultation with the contractor, it was decided to omit the flashing at the top of the arch.

## **NEW BUSINESS**

### **A. Recycling Bid Review**

Council reviewed a bid from Waste Management for recycling collection through 2014.

Waste Management Representative Rick Rud presented a bid to continue recycling services for an additional three years. Mr. Rud reported that Waste Management proposes no rate increase for 2012, and a CPI increase, not to exceed 3%, in 2013 and 2014.

Mayor Doak stated that he appreciates the informational materials that Waste Management distributes to residents and the call feature to remind residents of service delays.

*Council Member Massie moved to approve the bid for recycling collection from Waste Management through 2014. Council Member Rich seconded the motion. Motion carried 4-0.*

### **B. Draft Amendments to Variance and Special Use Language**

Zoning Administrator Karpas reported that recent litigation challenged the prevailing interpretation of State Statutes governing variances. Municipal zoning language should be in compliance with the newly revised State Statutes specifying new criteria for granting variances. Zoning Administrator Karpas presented draft language regarding variances that incorporates the new criteria as recommended by the League of Minnesota Cities. The hardship criteria has been replaced with practical difficulty standards. Karpas stated that Cities now have the statutory

authority to add conditions to variances and may also collect from applicants for the costs incurred for review of the application by the engineer and legal counsel.

The Council will consider the amended language at a Public Hearing in October.

**C. Resolution No. 16-2011; Routine Road Maintenance**

Council Member Rich reported that Cornerstone Industries submitted a bid for routine road maintenance, mowing and minor street work in the City.

*Council Member Rich moved approval of Resolution No. 16-2011; authorizing the City to enter into an agreement with Cornerstone Industries for routine public works maintenance and mowing for 2012, according to the quote presented by Cornerstone. Council Member Carlson seconded the motion. Motion carried 4-0.*

**D. Resolution No. 17-2011; Snow Plow Agreement**

Council Member Rich reported that Cornerstone Industries submitted a bid for snow plow services for the 2011/2012 season. Council Member Rich stated that Bobcat and snow blower equipment was necessary to move snow from narrow streets. Council Member Rich noted that Cornerstone has suggested using salt only when sand may not be needed. The cost of salt is higher per ton than sand; however, Cornerstone believes that savings on spring cleanup should compensate for the added cost of the salt.

*Council Member Carlson moved approval of Resolution No. 17-2011; authorizing the City to enter into an agreement with Cornerstone Industries for snow plowing and salt/sanding services for the 2011/2012 season, according to the quote presented by Cornerstone. Council Member Massie seconded the motion. Motion carried 4-0.*

Mayor Doak stated that several years ago the City had used a 20/80 salt/sand mix. Disposing of large quantities of sand each spring became labor intensive and expensive. The City changed to a 50/50 salt/sand mix, which put less sand on the streets and improved ice melt.

Council Member Rich noted that Cornerstone will continue to use a 50/50 salt/sand mix as needed and will also apply a salt brine solution this season as temperatures permit.

Mayor Doak suggested that Cornerstone and two Council Members meet with the neighbors along Breezy Heights Road to discuss snow removal obstacles and challenges with the narrow roadway.

**E. Sewer Jet Cleaning**

Council reviewed two quotes for jet cleaning services. The cost was considerably higher than the cleaning in 2008. Council tabled a decision until the October Council meeting in order to seek a quote from the company who conducted the sewer jet cleaning in 2008 and was not represented in the current bidding.

#### **F. Gate Valve Repair**

Council reviewed two quotes for repair to a gate valve along Center Road. Council agreed that although the quote for repair exceeded the budget, postponing the repair was not feasible and would probably result in more cost later.

*Council Member Carlson moved to approve the quote from Schneider Excavating for repair to the gate valve. Council Member Rich seconded the motion. Motion carried 4-0.*

#### **G. Adoption of the Proposed 2012 Budget and Levy**

Council reviewed the proposed 2012 balanced budget and tax levy.

Council agreed to increase the snow plow budget to \$35,000, given the past history of snow plow expenses.

Mayor Doak stated that the modest increase in the budget is necessary to allow an adequate fund balance to ensure operating funds are available through the year. Mayor Doak noted that Woodland's tax rate is significantly lower than that of the neighboring cities.

The expenditures for 2012 will increase 5% from 2011 and the proposed levy will increase 3% from 2011.

*Council Member Carlson moved to approve Resolution No. 18-2011; adopting the 2012 budget as presented (Exhibit A). Council Member Massie seconded the motion. Motion carried 4-0.*

*Council Member Carlson moved to approve Resolution No. 19-2011; adopting the proposed property tax levy collectible in 2012. Council Member Rich seconded the motion. Motion carried 4-0.*

#### **H. Fund Balance Policy**

Council reviewed a Fund Balance Policy, as recommended by Woodland's auditors, to establish specific guidelines to maintain an adequate level of fund balance to meet cash flow requirements in the first half of the year. Major tax revenue is received the second half of the City's fiscal year.

Mayor Doak stated the goal is to maintain a minimum fund balance, (combined general fund and road fund), greater than 50% of next years anticipated expenditures.

*Council Member Rich moved to adopt the Fund Balance Policy. Council Member Massie seconded the motion. Motion carried 4-0.*

#### **I. Minnehaha Creek Watershed District (MCWD) – Management of Aquatic Invasive Species (AIS)**

Council reviewed a Resolution from the City of Shorewood supporting the MCWD's role in the management of aquatic invasive species. Shorewood is encouraging Lake Minnetonka communities to adopt similar resolutions to support the MCWD as the primary aquatic invasive species managers.

Mayor Doak expressed concern that, at times, there has been a lack of coordination and communication between the State, agencies such as the MCWD and city governments. Mayor Doak acknowledged that the MCWD has adequate funding and staff to manage AIS, however there is a long history of knowledge and effort from the Lake Minnetonka Conservation District (LMCD) that should be explicitly recognized and utilized.

Mayor Doak suggested that Woodland maintain some local control and supports the continued involvement of the LMCD in AIS management. Mayor Doak stated that he strongly encourages a more effective, state wide approach to the management of AIS from the DNR.

Council will consider drafting a resolution to support leadership of the AIS program by the MCWD, but also emphasizing local government and LMCD involvement at the October meeting.

#### **J. Brush collection and Debris Clean Up**

Mayor Doak stated that Woodland does not have a municipal location for residents to drop off brush and compost material. Residents must assume responsibility for disposal of their own brush and leaves.

Council Member Rich stated that given the size of many of the properties and the wooded nature of Woodland, a significant expense could be incurred if the City were to provide a curbside collection of brush and leaves.

Council agreed to place information in the next newsletter regarding options for pickup or drop off of miscellaneous household debris and options for disposal of brush and garden compost.

#### **MAYORS REPORT**

Mayor Doak reported that staff is working on an ordinance amendment for review in October regarding an increase in the load limit fees for vehicles exceeding 9 ton per axel and a blanket load limit fee for construction projects over \$20,000. Under the current system of relying on contractors to purchase permits for specific loads is not working, The City is losing significant revenue that could support the repair and maintenance of streets that are particularly vulnerable to heavy loads.

Mayor Doak reported that Council might consider the community impact of leasing or selling lakeshore easements by property owners.

Mayor Doak noted that the City is attempting to contact the owners or asset managers of property vacated as a result of foreclosure proceedings regarding maintenance of the yards. City Ordinance dictates specific procedures regarding abatement of nuisances, prior to the City entering the property to mow weeds and assess costs.

#### **COUNCIL REPORTS**

##### **Roads & Trees**

Council Member Rich reported that the Federal Mandate regarding retroreflectivity of signs has been modified and the deadline for compliance has been extended an additional two years.

Council Member Rich reported that Woodland's sign inventory was completed and several signs have been replaced and removed.

Cornerstone Industries will be repairing potholes on Stone Arch Road within the next couple weeks.

**Ordinance & LMCC**

Mayor Doak reported that the Fiber-to-the-Home initiative has been postponed indefinitely due to the absence of support from a number of communities in the LMCC service territory.

**Finance & Intergovernmental Relations**

No report.

**Public Safety**

No report.

**ACCOUNTS PAYABLE**

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

**TREASURER'S REPORT**

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

**ADJOURNMENT**

Council adjourned by consent at 9:30PM

**ATTEST:**

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Shelley J. Souers, City Clerk

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James S. Doak, Mayor