

**WOODLAND
CITY COUNCIL MINUTES
Monday, December 10, 2012**

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, John Massie, Mike Jilek and Chris Rich

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

Guests: Fred Meyer and Jan Callison

CONSENT AGENDA

A. Minutes November 13, 2012; Regular Council Meeting

B. Multiple Dog Permit Renewal

- Ciampa – 18150 Shavers Lane
- Skalle – 17650 Breezy Point Road
- Johnson – 2855 Breezy Heights Road

C. Resolution No. 28-2012; 17737 Maple Hill Road, Chris & Mindy Keenan

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

PUBLIC COMMENTS

None.

PUBLIC HEARING

A. Budget Hearing to Adopt the 2013 General Fund Budget and Tax Levy

- Resolution No. 29-2012; Adopting the Final 2013 Budget
- Resolution No. 30-2012; Adopting the Final Tax Levy collectible in 2013

Mayor Doak opened the public hearing at 7:03PM to consider the budget and levy for 2013.

Mayor Doak reported that the 2013 General Fund budget reflects a 2% increase in expenditures from 2012. The property tax levy represents 95% of the total General Fund revenue. The tax levy required to fund the 2013 budget is \$320,228, an increase of 3.2%. Woodland's tax capacity has decreased from 2012 as a result of property assessment decreases. The 2013 tax capacity rate will be 10.5%, reflecting a modest increase from 2012. Mayor Doak reported that Hennepin County and the Minnetonka School District have done a good job controlling the increase in their expenditures.

There being no public comments, Mayor Doak closed the public hearing.

Council Member Jilek moved to adopt Resolution No. 29-2012; approving the 2013 General Fund balanced budget. Council Member Carlson seconded the motion. Motion carried 5-0.

Council Member Rich moved to approve Resolution No. 30-2012; approving the 2013 levy. Council Member Massie seconded the motion. Motion carried 5-0.

Mayor Doak noted that the 2012 projected expenditures are below the budget by over \$30,000. Mayor Doak suggested that the Council consider a transfer of funds from the General Fund into the Road Improvement Fund during the current fiscal year to provide for major road renovation in the year ahead.

NEW BUSINESS

A. County Commissioner Jan Callison – Annual Updates

Mayor Doak welcomed Hennepin County Commissioner Jan Callison and congratulated her on her reelection.

Commissioner Callison distributed a handout highlighting a history of revenue sources and outlays over the past several years.

Commissioner Callison reported that 40% of the County's expenses are directed to health and human services. The largest increase in expenditures occurred in medical and food support services. The County experienced a significant increase in the number of families in need of shelters during 2012. The County provides shelter for 400 to 500 children each night.

Commissioner Callison reported that the County's budget for 2013 will increase 1.2% and the levy will increase 1.5% from 2012. The County has achieved cost savings by redesigning a number of service programs and by shifting to self insurance. Several facilities have closed and many buildings have under-gone energy efficiency improvements.

Commissioner Callison reported that uncompensated care is estimated to cost \$24 million in 2013. The County's goal is to attract more patients with private insurance coverage at HCMC to boost revenues. The County also plans to add a new ambulatory facility in the City of Minnetonka in an effort to create a more competitive clinic in the private market and will be working to make it a choice for paying and insured users.

Commissioner Callison provided a summary report of Commissioner Jeff Johnson's Water Management proposal. The proposal is to combine the four existing watershed districts and seven watershed management organizations into three watershed organizations. The proposal will use the watershed boundaries as a

guiding principle. Each municipality would appoint an elected official to serve on the watershed district.

Council Member Carlson stated that the responsibilities of the watershed board members are very time consuming and did not believe the board position, as proposed by Jeff Johnson, would be best served as a volunteer position.

Mayor Doak stated that the Minnehaha Creek Watershed District has a good understanding of the needs of the municipalities they serve and cautioned that changes could create a very large organization that loses sight of the issues that are unique to each city.

Commissioner Callison reported that the variance requests for County Road 101 improvements will be considered at the hearing on December 27.

Mayor Doak noted that the City of Woodland does not have the financial resources to bury power lines along County Road 101, as proposed by other cities.

Council Member Jilek asked about the future of the public libraries.

Commissioner Callison responded that the County operates 41 libraries and has started evaluating the locations, facilities and overall operating costs of several of libraries to determine their long term future.

Council thanked Commissioner Callison for her work and her monthly newsletter that keeps Cities informed on County issues.

B. Fred Meyer; LMCD Update & AIS Control Plan

Mr. Meyer reported that the LMCD will conduct a public hearing on Wednesday to discuss the Comprehensive Eurasian Watermilfoil and Curly Leaf Pondweed Plan. The purpose of the hearing is to gather feedback from Lake Minnetonka stakeholders regarding the plan. The AIS Task Force has recommended that the LMCD budget an additional levy of \$75,000 on the 14 Lake Minnetonka Communities. The milfoil plan, if approved, will cost Woodland several thousand dollars. Mr. Meyer stated that management of the milfoil benefits the lake and surrounding communities he supports the milfoil program.

The LMCD owns and operates the weed harvesters. The herbicide operation was coordinated by the LMA and funded by both the LMCD and private homeowners. Bay captains have helped to raise money for the herbicide treatments. Harvesting is useful in open channels and herbicide applications tend to work better in contained bay areas.

Mayor Doak agreed that each method has a rational use and supports a dual approach of harvesting and herbicide in the appropriate places.

C. Minnehaha Creek Watershed District AIS Plan

Mayor Doak reported that the MCWD has adopted a 2013 "stop-gap" AIS management program. There will be no direct cost to the City. The management program includes early detection monitoring, watercraft operator education and inspection program, MCWD clean boat program, legislation regarding compliance and enforcement, water access improvement grants and a self certification program.

Mayor Doak stated that he, on behalf of the Council, will endorse the plan for AIS stop-gap programs.

D. Tree Service Contract for 2013

Council Member Rich reported that he interviewed two contractors: Emery's Tree and Shorewood Tree Service. He also contacted their references. Shorewood Tree Service revised their pricing. Both contract service bids are competitive. Woodland has been working with Shorewood Tree Service in the period after Aaron's Services was no longer available and the experience has been highly satisfactory.

Council Member Rich moved to approve a 2013 tree service contract with Shorewood Tree Service. Council Member Jilek seconded the motion. Motion carried 5-0.

OLD BUSINESS

Mayor Doak removed himself from the Council discussion and yielded the Chair of the meeting to Council Member Jilek designated Mayor Pro Tem.

Council reviewed two resolutions approving the Preliminary and Final Plats of the Felton Welch Estate.

Mayor Pro Tem Jilek stated that Council had held a public hearing on the subdivision and approved the plat creating four single family lots. Staff has prepared resolutions for the preliminary and final plats.

A. Resolution No. 26-2012; Felton Welch Estate Preliminary Plat

Council Member Carlson moved to adopt Resolution No. 26-2012; approving the Preliminary Plat. Council Member Massie seconded the motion. Motion carried 4-0.

B. Resolution No. 27-2012; Felton Welch Estate Final Plat

Council Member Carlson moved to adopt Resolution No. 27-2012; approving the Final Plat. Council Member Rich seconded the motion. Motion carried 4-0.

Mayor Doak resumed the chair position to continue the meeting.

C. Load Limit Discussion

Mayor Doak reported that all City streets are designated 9 ton per axel weight limit, the same as Hennepin County. The limit is reduced to 4 ton per axel from March 1 to May 1.

Council discussed whether a reduced axel limit from 9 ton to a weight consistent and more appropriate for Woodland's residential streets, based on their age, width and present condition.

Council agreed that it would be useful to have documentation to support a decision to reduce the road limits. Staff will consult with the City Engineer to outline a basis to determine a practical road limit for Woodland's streets.

D. Road Use Surcharge Fee Discussion

Council continued discussion regarding a construction traffic surcharge fee to be charged in conjunction with construction permits.

Mayor Doak noted that the City would have to reduce overall weight limits to less than the County limits in order to justify a fee for "overweight" loads. He reminded the Council that the City Attorney had advised that there a road surcharge must be based on tangible evidence of road use and not simply a percentage of building permit fees.

Mayor Doak suggested that as a first step the Council consider adding language to the construction management ordinance to hold contractors responsible for demonstrable damage to City streets. This often occurs when off loading heavy, tracked equipment or turning trucks in tight areas.

Council Member Rich suggested that the staff document the road condition on Maple Hill Road prior to the start of the proposed new construction.

E. Coal Tar-based Sealant Ordinance 04-14; First Reading

Council Member Carlson reported that she spoke with the MCWD and they support cities' regulating the use of coal tar-based sealers. Council Member Carlson stated that she also spoke with several contractors and many no longer use coal tar-based products. Mayor Doak asked that the relative cost of coal tar sealers versus alternative products be discussed at the second reading of the ordinance.

Council Member Carlson moved to approve the first reading of Ordinance No. 04-14; regulating the use of coal tar-based sealers and directed staff to provide an ordinance summary for review in January. Council Member Rich seconded the motion. Motion carried 5-0.

MAYOR'S REPORT

Mayor Doak presented Council Member Jilek with Resolution No. 31-2012; recognizing his eight years of dedicated service to the City.

Council thanked Council Member Jilek for his years of service and his commitment to improving the quality of Woodland.

Council Member Carlson moved and Council Member Rich seconded resolution No. 31-2012. Motion carried 4-0. Council Member Jilek abstained.

Council Member Jilek stated that it has been an honor to work with the Council and staff and was grateful for the privilege to serve the City of Woodland.

Mayor Doak reported that the South Lake Fire Chief Scott Gerber provided a National Incident Management (NIMS) training for City officials. The session was attended by himself and Council Members Carlson and Rich. Mayor Doak reported that he also participated in a League of Minnesota Cities webinar that covered multiple topics regarding the State's revenue forecast, ground water usage, the impact of agricultural activity on water quality and pollution, tax reform, internet purchases, election reform, and the issue of police and fire pensions, both of which are underfunded.

General Fund Transfer

Mayor Doak reported that the expenditures in the Woodland's General Fund are less than expected for 2012 creating a projected budget surplus of \$36,000. Mayor Doak recommended Council approve a transfer of \$30,000 from the General Fund to the Road Improvement Fund to continue to accrue funds for future major road improvements.

Council Member Carlson moved to approve a transfer of \$30,000 (thirty thousand dollars) from the General Fund to the Road Improvement Fund during the 2012 calendar year. Council Member Massie seconded the motion. Motion carried 5-0.

COUNCIL REPORTS

A. Ordinances, Website & LMCC:

Council Member Jilek reported that franchise renewal negotiations have started with Mediacom and should be completed by July.

B. Roads, Signs & Trees:

Council Member Rich reported that a tree in the fire lane at the end of Breezy Heights Road had been cabled to prevent it from splitting and to increase its longevity.

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

Council Member Carlson reported that the water maintenance costs have exceeded revenues, causing a negative fund balance. This will require an increase in maintenance fees in 2013. The City has moved away from the 2010 rate analysis projections and has increased utility fees to manage the fund balance. A utility rate increase will go into effect with the January billing.

D. Public Safety & Deer Management:

Council Member Massie reported that two deer were removed from the City.

Chief of Police Johnson reported that over 6200 vehicle speeds were recorded on the speed trailer during November 14-29. The ranges of speeds were virtually identical to the March study with 68% of the traffic under the speed limit.

ACCOUNTS PAYABLE

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

TREASURER'S REPORT

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

ADJOURNMENT

Council adjourned by consent at 9:30 P.M.

ATTEST:

Shelley J. Souers, City Clerk

James S. Doak, Mayor