

**CITY OF WOODLAND  
COUNCIL MEETING  
July 8, 2013**

**CALL TO ORDER & PLEDGE OF ALLEGIANCE**

Mayor Doak called the meeting to order at 7:00 P.M.

**ROLL CALL**

Present: Mayor James Doak; Council Members Sliv Carlson, Chris Rich, Tom Newberry and John Massie

Staff: City Clerk Shelley Souers

Guests: Greg Brown, Craig Twinem, Kurt Larsen, Dean Breitbach, Kris Seehof, Charles Bisanz, Fred Meyer and Chris Keenan

**CONSENT AGENDA**

**A. Minutes, June 10, 2013; Regular Council Meeting**

**B. Resolution No. 16-2013; Arundel Variance**

**C. Authorize Payment to JBT Blacktopping**

Council Member Carlson moved to approve the consent agenda. Council Member Rich seconded the motion. Motion carried 4-0.

**PUBLIC COMMENTS**

None.

Council Member Newberry arrived at the meeting

**OLD BUSINESS**

**A. Continued discussion regarding County Road 101 Improvements and a Sidewalk**

Hennepin County Design Division Manager Craig Twinem reported that he and Greg Brown, Project Engineer with URS have met with several residents along County Road 101 regarding the sidewalk plan to discuss their concerns and possible solutions.

Mayor Doak noted that the cross section plans provided by the County for each address along County Road 101 were helpful. Mayor Doak recapped the previous discussions regarding the sidewalk and county road improvements, noting the Council is sensitive to the abutting owners' concerns. The projected cost of the sidewalk has been reduced, with the entire 101 project improvements, including a concert sidewalk, are estimated to be \$36,037 or less, which represents a significant decrease from the original estimates. Mayor Doak stated that Council had decided the maintenance of the sidewalk, if approved, would be the City's responsibility at its last meeting.

Mayor Doak stated that key benefits of a sidewalk would be added safety for pedestrians and the integration of residents along the east side of the City into the mainstream off City activity. The City has received emails, letters and a petition from residents on Maple Hill Road in support of a sidewalk. Several responses were also received opposing the sidewalk.

Council Member Carlson asked how the County would construct the road through the low narrow area south of the Maple Hill Road intersection.

Mr. Brown stated the County will construct a retaining wall along both sides of County Road 101 to support the road and walkway. Mr. Brown noted that if Woodland chooses not to include a sidewalk, the sidewalk would end at the Cooperwood neighborhood in Minnetonka.

Mayor Doak noted that the proposed sidewalk will be located entirely in the County's right-of-way.

Council Member Carlson asked if the telephone lines will be relocated along County Road 101.

Mr. Twinem stated that burying utilities was not planned, but placing utilities under a sidewalk is a safer alternative for residential neighborhoods, because it reduces the risk of homeowners' damaging power lines by landscaping or digging. The County has been working with the power company to bury the lines at Xcel's expense; however, it has not succeeded in this request. The power lines serve both Woodland and Minnetonka residents and the County is looking at other avenues for burial of the power lines.

Mayor Doak stated that Woodland supports road beautification, but there is a practical limit to what the City can fund.

In answer to Council Member Massie's question regarding the cross-section scenarios provided by the County, Mr. Brown stated that the scenarios depict each property; one with a grass boulevard and another with a concrete sidewalk.

Mr. Charlie Bisanz, 17745 Maple Hill Road, presented a petition from all nine Maple Hill residents in support of the sidewalk. Mr. Bisanz stated the residents have some concerns with the 101 improvements in terms of the design and the possible increase of truck traffic. Mr. Bisanz also stated that the speed limit on County Road 101 makes entrance from Maple Hill Road challenging. The residents of Maple Hill believe a marked cross walk at the Maple Hill Road intersection would create a safer option.

Mr. Brown responded noting that the sight lines should be improved with the lowering of the hill and the rework of the Maple Hill Road intersection. The center lane will add an element of safety as a turn lane and a shoulder along 101 should also help with visibility when entering the roadway.

Mr. Twinem stated that the speed limit along 101 will not change. The County does not set the speed limit of the road.

Mayor Doak agreed that the traffic speeds and numbers may not be reduced, but the visibility should improve and the center lane will provide a safer turn.

Council Member Rich noted that an unintended consequence may be the traffic speed will inevitably be faster with a wider road.

Council Member Massie stated that the main issue is access out of Maple Hill Road traveling north bound. Council Member Massie asked if the center lane can be used to pause prior to pulling into the traffic lane to travel north bound. A cross walk at Maple Hill Road does not seem to be a safe alternative and believes that residents should go to the designated crossings at the round-about as a safer alternative.

Mr. Twinem stated that the center lane is designed for turning left, not technically an area to pause on the road to merge into traffic.

Mayor Doak stated that he appreciates the issues mentioned; however, the focus at this time is the sidewalk and other issues have been the subject of extensive discussion over several years of planning and public information sessions.

Chris Keenan, 17737 Maple Hill Road, stated that he is new to the neighborhood and feels strongly that a sidewalk is an upgrade from the current situation. The stormwater runoff is the main concern for property around Shavers Lake.

Mayor Doak stated that the City will support the lake owners' efforts with the best alternative possible to manage the stormwater run-off.

Mayor Doak stated that the Council is concerned about how the County will work with the residents along County Road 101 during the improvements and will monitor this program closely.

Council Member Carlson stated that she supports the sidewalk from a safety point of view, but is concerned by the budget impact. Council Member Carlson stated that she is also concerned with the access of several homes that abut County Road 101.

Mayor Doak stated that he hopes the residents along County Road 101 and on connecting streets understand that the Council has given extensive consideration to all aspects of the project, with safety for vehicle traffic and pedestrians being of great importance.

A resolution, supporting the County's plan for the 101 renovation, including a sidewalk, will be prepared for discussion and approval at the next Council meeting.

#### **B. Discussion Regarding Backyard Chickens**

Mayor Doak reported that he and Council Member Newberry met with resident Doug Gustner to discuss issues regarding keeping chickens and coop locations. Council will continue discussion to the September Council Meeting.

## **NEW BUSINESS**

### **A. 2013 Septic Reviews, Kurt Larsen - Septic Inspector**

Septic Inspector Kurt Larsen reported on the 2013 Septic System reviews. Mr. Larsen stated that each year he meets more residents and is able to educate them on the operation of their system. When residents understand their systems they follow better maintenance practices. A principal goal with the septic program is educating septic owners on how to maintain their systems. The Council thanked Mr. Larsen for his excellent service to the City.

### **B. 2014 Preliminary Budget Review:**

Council reviewed a draft budget for 2014.

Mayor Doak noted that the City will need to budget for an election in 2014 which always creates a bump in expenses every other year. The City should also continue to build the road fund for a major restoration project on Breezy Point Road and expenses associated with the 101 project.

### **C. Resolution No.18-2013; Model Resolution Supporting the Viability of the Lake Minnetonka Communications Commission (LMCC)**

Council reviewed an alternative resolution supporting the LMCC. Mayor Doak stated that several member cities are seeking to have a portion of franchise fees rebated for their general city use. Of greater significance is the impending withdrawal of several large Cities from the LMCC. The apparently believe it advantageous to bargain with Mediacom directly.

Mayor Doak stated that he would not support using franchise fees for general City purposes and thinks that any reduction in fees should be rebated to cable subscribers. The loss of LMCC membership weakens the bargaining power of the LMCC in franchise negotiations and contract enforcement. This is not in Woodland's best interest.

Council will continue discussion to the August meeting and review a draft resolution, supporting the LMCC.

### **D. Discussion of Proposed Permanent Dock on Woolsey Pond.**

Woodland's LMCD Representative Fred Meyer was present to hear the discussion regarding the request to the LMCD for a permanent dock.

Mayor Doak noted that Woodland received a notice from the LMCD of an application for a permanent dock in Woolsey Pond. Woodland has no regulatory authority over the lake; however, it does have the right to comment on requests for dockage. Mayor Doak noted that the proposed permanent dock for 2765 Maplewood Circle East conforms to the LMCD guidelines. The existing permanent dock is about 40 feet long. The applicant is proposing a permanent dock 82 feet long.

Mayor Doak stated that the City should consider the environmental and aesthetic impact of a very long dock on Woolsey Pond. Woolsey pond is unique because it is one of very few small open water bodies, connected to Lake Minnetonka, that are not crowded by docks and retain great natural beauty. There is also a possible issue with navigational safety. The LMCD mailed information on the dock request to residents along the south end of the Pond, although

their ability to object is questionable, in that the dock conforms to the LMCD Code. The City received comments from Mr. and Mrs. Tattersfield, 2825 Maplewood Circle East, expressing concern with the dock placement and impact to their property and their dockage.

Mayor Doak stated that the Council's job is to preserve the aesthetic value of the Lake and Woolsey Pond. These are natural assets of the City and all its residents, whether shoreline owners or not. He believes viewing Woolsey Pond as simply a dock use area is unacceptable and disrespects the goal of preserving the City's natural beauty for future residents.

Council Member Newberry stated that the Comprehensive Plan supports the preservation of open area, scenic views, natural topography and habitat.

Council Member Rich agreed that blocking sight lines has a negative impact.

Council agreed the proposed permanent dock is in contradiction to Woodland's Comprehensive Plan and aesthetic qualities. Woodland's LMCD Representative Fred Meyer will convey the Council's concerns and disapproval at the upcoming LMCD meeting on July 10. Mayor Doak will write the LMCC to register the City's position.

#### **MAYORS REPORT**

Mayor Doak reported that there was significant storm damage throughout the City. Historically, Woodland has not picked up residential tree debris from storms. The City does clear and remove tree debris from the right-of-ways. Woodland's philosophy of limited services and thus, low taxes, supports looking to residents to accept responsibility for clean up on their own properties. If the majority of the residents want a tree/brush collection service, the Council can consider this service but it will come with a cost and higher taxes.

The MCWD is conducting a test project on Zebra Mussels in Robinsons Bay. The MCWD will notify affected homeowners.

The LMCD adopted the 2014 "Option 1" Budget.

Mayor Doak suggested that the Council review the nuisance ordinance regarding noise from generators.

Mayor Doak reported that water runoff along Maplewood Circle East from Cedar Point Drive caused some overflow onto private property. The french drain does allow water to dissipate into the ground, but this does take time, especially when the water table is high. Residents need to understand that water will stand on the road until it can be absorbed the french drain along the pavement edge. Alternative drainage options are very costly and would likely involve taking private property for drainage lines and a settling pond.

The Maplewoods Homeowners Association is working on a video surveillance plan at the entrance to Maplewoods.

Mayor Doak reported that Xcel Power Company did a good job, given the magnitude of the storm damage. The City will send a note of appreciation for their unusually hard work on behalf of residents.

## **COUNCIL REPORTS**

### **A. Ordinances & Septic Ordinance & Inspections**

No report

### **B. Roads, Signs, Trees, & Website**

Council Member Rich reported that the website data will be transferred in August. JBT Blacktopping has completed the patching and repairs to the City streets. Cornerstone will sweep up the sand that has washed onto the roads and make some repairs to the road shoulders. Shorewood Tree will be back to finish the clean up of the tree branches along the rights-of-ways.

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

Council Member Carlson reported on recent legislative actions. A copy of her report will be circulated to all interested.

### **D. Public Safety & Deer Management**

No report.

## **ACCOUNTS PAYABLE**

Council Member Carlson moved to approve the accounts payable as presented. Council Member Newberry 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 at 9:35 P.M.

## **ATTEST:**

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Shelley J. Souers, City Clerk

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James S. Doak, Mayor