

MINUTES
CITY COUNCIL
CITY OF WOODLAND
THURSDAY, AUGUST 14, 2014

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. ROLL CALL

Council Present: Mayor Doak, Council Members Carlson, Massie, and Rich. Council Member Newberry arrived at 7:25 p.m.

Staff Present: Kathyne McCullum, City Clerk

3. CONSENT AGENDA

A. Minutes of the July 14, 2014 Regular City Council meeting

Carlson moved, seconded by Rich to approve the July 14, 2014 minutes as presented. Motion carried 4-0

4. PUBLIC COMMENT - NONE

5. PUBLIC HEARINGS – NONE

6. NEW BUSINESS

A. Continued discussion regarding a request from Richard Henry, 17960 Shavers Lane, relating to exceptions to the City of Woodland Noise Ordinance Section 455 and Nuisance Ordinance Section 415. Mr. Henry was not in attendance.

Mayor Doak explained the request for the Council Members, noting that Mr. Henry had attended the July meeting to request an exception to the City's ordinance. Specifically, Mr. Henry indicated that his daughter's wedding reception would have live music and may go until 2:00 a.m. which is past the 10:00 p.m. noise restriction.

It was noted that Mr. Henry had stated he would be making the same request to the cities of Deephaven and Minnetonka but no information had been provided regarding any response from those cities.

Mayor Doak requested input from the Council. The Council Members agreed that the noise ordinance should not be revised and no exception should be provided. Mayor Doak indicated that he had spoken with Council Member Newberry who although not present at the beginning of the Council meeting, wished to convey his opinion that the ordinance should not be amended. The Council Members agreed that there are alternatives for residents who may wish to have parties at their homes, such as moving the party inside the house at 10:00 p.m. By consensus, the Council decided to not move forward with any revisions to the ordinance.

- B. Introduction of an Ordinance No. 006-2014 amending Chapter 7, Section 705 relating to Subsurface Sewage Treatment Systems (SSTS).

This item was taken out of order on the agenda and considered later in the meeting.

- C. Consideration of Resolution No. 29-2014 concerning the addition of Policy No. 3-3 relating to showcase events

Mayor Doak stated that the City Council had reviewed and discussed this item at its July meeting. He reiterated that the new policy stresses to applicants that they are required to comply with existing City ordinances. All Council Members agreed.

Carlson moved, seconded by Rich to adopt Resolution No. 29-2014 concerning the addition of Policy No. 3-3 relating to showcase events. Motion carried 4-0.

- D. First Reading of an Ordinance No. 08-2014 amending Section 407 relating to backyard chickens

Mayor Doak explained that the Council had discussed this item at its July meeting and all members stated support for the amendments at that time.

Rich moved, seconded by Carlson to adopt Ordinance No. 08-2014 amending Section 407 relating to backyard chickens and to waive the Second Reading. Motion carried 4-0.

- E. Discussion relating to fire hydrant repairs and maintenance

Council Member Carlson presented an overview of the item. She explained the following:

- There are 15 fire hydrants in the Groveland Homeowner Association/Stone Arch Road system.
- Several of the hydrants needed repair due to the lack of routine maintenance.
- Preventative maintenance is needed to deter expensive repairs.
- The City has funds to cover annual preventative maintenance which has been quoted by the City Engineer to be approximately \$750 per year.
- It is best to take a proactive approach for hydrant maintenance to ensure that the hydrants are in working order when needed (public safety) and to save money in the future.

Mayor Doak stated that the budget has funds to ensure that preventative maintenance is performed on an annual basis. He said that a preventative maintenance policy should be developed to ensure the hydrants are in working order at all times. He suggested that he, Council Member Carlson, and staff develop the policy for future City Councils to follow.

- B. Introduction of an Ordinance No. 006-2014 amending Chapter 7, Section 705 relating to Subsurface Sewage Treatment Systems (SSTS).

This item was taken out of order on the agenda.

Council Member Newberry stated that he reviewed the City's ordinance against the ordinance that was approved by the County Board and made necessary revisions based on the County requirements and the City's needs. He noted that The Minnesota Pollution Control Agency reviewed the draft and had several comments that were addressed by the City Engineer.

Councilor Newberry stated that a request was made to the City Engineer to delete Section 705.13, but it had not be deleted. He noted that with that change, the draft is now ready for adoption by the City Council. The Council requested that Section 705.13 be deleted, the ordinance be renumbered, and that the ordinance be placed on the September agenda for First Reading.

- F. 2015 Draft Budget and Levy Discussion

Mayor Doak presented an overview of the draft budget and levy. He stated that there are no elections in 2015 which will reduce spending by \$4,350. He said that there will be an expected increase in estimated non-tax revenue for 2015. Those items will offset the increase in the allocation to the Street Maintenance Fund. As a result the levy would increase less than one percent.

Mayor Doak asked the Council if they believed the levy should be increased from the noted 0.68% to 2% (an additional \$5,000) to provide additional funding in the Street Fund. He stated that the increase would bring the amount added to the Street Fund to \$68,000.

The Council discussed the condition of Breezy Point Road and the need for reconstruction in the area that was flooded and the planned improvements for 2015. It was noted that approximately \$37,000 would be expended for the flood repair in 2014 and this portion of the road would not have any additional improvements in 2015. Council Member Carlson suggested the levy be increased by \$10,000 or 4% at this time to increase the available funds that are needed for the Breezy Point Road repair project in 2015. She noted that the Council could decrease the amount in December if it is found to be too high. The Council agreed with Council Member Carlson's recommendation.

The Council requested that staff revise the draft budget/levy to reflect a 4% increase in the levy and a contribution to the Street Fund of \$73,000 as discussed and place the item on the September agenda for consideration.

- 7. OLD BUSINESS – NONE
- 8. MAYOR'S REPORT

Mayor Doak reported the following:

Scenic Byway Concept

Mayor Doak stated that many of the Lakeshore communities decided against participating in the Scenic Byway program. As a result the Scenic Byway program was scrapped in favor of having the various Chambers of Commerce develop a brochure that included points of interest and amenities. That would bolster the marketing for the cities of Excelsior and Wayzata as “destination” cities. Mayor Doak explained that the concept that they are now reviewing includes promotion of historic, cultural, and business interests.

Sign Retroreflectivity

Mayor Doak stated that a comprehensive sign inventory was developed and now the signs need to be inspected for reflectivity. He noted that inspections should be performed on a periodic basis to ensure the signs are in compliance. Mayor Doak stated that some signs need to be removed and replaced with reflective signs and the City needs to log the sign warrantee dates which will assist with the replacement scheduling. Mayor Doak thought that the biggest challenge will be the replacement of the street name signs. He noted that special sign posts that are a breakaway design are required.

Lake Marion Setbacks

Mayor Doak stated that there was a request to increase the setback from 50' to 100' on Lake Marion. He noted that there are very few owners that abut Lake Marion and thought that in his opinion the City should obtain unanimous consent from all property owners who abut the Lake, before revising the setback. Mayor Doak suggested that the Council draft a letter to property owners to ask how they feel about increasing the setback. He suggested that the Council consider a setback that inconsistent with the Lake Minnetonka setback of 75'. The Council members agreed that the question to the property owners should state a setback revision from 50' to 75' and that a letter should be drafted to the Lake Marion property owners to obtain their input.

Fire Lanes

Mayor Doak explained that a tree fell over one of the City's fire lanes and he contacted the City Attorney regarding the ownership of the fire lanes. The City Attorney indicated that fire lanes are considered easements. When a tree falls across a fire lane, the City is responsible for the portion that is in the fire lane/easement and the adjacent property owner is responsible for removal of the remainder of the tree. Mayor Doak indicated that the City is only responsible for maintaining clear access through the fire lane.

Mail Box – Chowen's Corner

Mayor Doak explained that the Postal Service gave notice that it was going to remove the two mailboxes that are currently located at Chowen's Corner. After complaints by the City of Deephaven, a compromise was reached and only one mailbox will be removed. The Post Office representatives noted that they found justification for keeping one mailbox at that location.

9. COUNCIL REPORTS

- A. Newberry – Ordinances, Septic Ordinance, and Inspections – NONE.
- B. Rich – Roads, Signs, Trees, and Website

Council Member Rich described the City Engineer's estimate for reconstruction of the flooded portion of Breezy Point Road. He stated that the project includes a mill and overlay and raising the road by 6".

The Council agreed that the road should have immediate attention and should be reconstructed as soon as possible. The Council requested that Council Member Rich work with the City Engineer to move forward with the project if the cost is close to the estimate of approximately \$37,000.

It was noted that this portion of the road would not need any additional attention once repaired and would not be included in the 2015 Breezy Point Road project.

- C. Carlson – Finance, Enterprise Fund, Intergovernmental Relations, and MCWD

Council Member Carlson presented brochures regarding winter road maintenance, hiring a snow removal service, and improving lakes, rivers and streams. She asked that the road maintenance and snow removal brochures be forwarded to the City's street maintenance contractor.

Council Member Carlson provided a brief update regarding the firing of Eric Evenson-Marden, the former Minnehaha Creek Watershed District administrator.

- D. Massie – Public Safety and Deer Management

Council Member Massie stated that he met with Mayor Doak regarding the 2014/2015 Deer Management Program. He said that there are three residents who are willing to place traps on their properties.

10. ACCOUNTS PAYABLE

Carlson moved, seconded by Massie to approve the Accounts Payable as presented.
Motion carried 5-0.

11. TREASURER'S REPORT

Massie moved, seconded by Newberry to approve the Treasurer's Report as presented.
Motion carried 5-0.

12. ADJOURNMENT

Rich moved, to adjourn the August 14, 2014 meeting. Motion carried by consensus. The meeting adjourned at 8:34 p.m.

ATTEST:

Kathryne A. McCullum, City Clerk

James S. Doak, Mayor