

MINUTES
CITY COUNCIL
CITY OF WOODLAND



MONDAY, DECEMBER 8, 2014

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE
2. ROLL CALL

Present: Mayor Doak, Council Members Carlson, Massie, and Rich

Excused: Council Member Newberry

Guest: Jan Callison, Hennepin County Commissioner

Staff Present: Gus Karpas, Zoning Administrator and Kathy McCullum, City Clerk

3. CONSENT AGENDA

- A. Minutes of the November 10, 2014 Canvassing Board meeting
- B. Minutes of the November 10, 2014 Regular City Council meeting
- C. Approval of the annual permits to keep multiple dogs

Carlson moved, seconded by Rich to approve the Consent Agenda as presented.
Motion carried 4-0.

4. PUBLIC COMMENT - NONE

5. PRESENTATIONS

- A. Presentation by Jan Callison, County Commissioner

Commissioner Callison presented information on the following items:

Hennepin County Budget

Commissioner Callison explained that the County levy would be increasing slightly due to cost of living raises for union members and the addition of staff members who work with the child welfare program. Ms. Callison noted that the County Board and staff will continue to look for ways to reduce the levy.

Hennepin and Ramsey Counties Partnership

Commissioner Callison said that the counties of Hennepin and Ramsey have partnered to develop a plan for a joint juvenile detention facility.

New 911 Dispatch Center

Commissioner Callison reported that the new 911 Dispatch Center had its grand opening in October.

County Road 101 Construction

Commissioner Callison said that the County Road 101 construction is well underway and will continue throughout the winter months. In response to a question from the Council, Commissioner Callison said that the archeological excavation of the property that may have been a Native American burial ground has been postponed because there has been no conclusion in the conversations with the Dakota Tribe representatives.

Enhanced Initiatives

Commissioner Callison said that the homeless youth and family and the low income health programs have been enhanced to meet the needs of people in the most cost effective manner.

In response to a question from Mayor Doak, Ms. Callison said that the County is not cutting back on spending as much as it is not growing. She noted that the County is short-staffed.

Mayor Doak explained that the Minnehaha Creek Watershed District (MCWD) is a very important partner with the City of Woodland. All jurisdiction over the City's wetlands was given to the MCWD and the City is dependent on the District's staff for expertise in dealing with wetlands. The City needs to know that the agency is working effectively in the best interest of City residents. Mayor Doak said that order needs to be restored in that agency particularly at the Board level. Commissioner Callison explained the County's role in the MCWD, noting that the County appoints six of the seven MCWD Board members. She noted that there are two vacancies on the Board coming up in 2015. The County Commissioners will review those appointments very closely and would welcome nominations from the communities in the District.

Council Member Carlson said that the reputation of the MCWD has been very good and a lot of positive collaboration with other agencies has occurred. She said she would like to get back to having all of the members working together to ensure that the MCWD does not lose its good reputation. She hoped that the MCWD will move forward in a positive manner. Council Member Carlson thought that the City should put forward names of residents who may be willing to serve on the MCWD Board.

- B. Presentation by Jon Applebaum, State Representative – Mr. Applebaum was not able to attend the meeting, but will reschedule to a later date.

6. PUBLIC HEARINGS

A. Public Hearing on items pertaining to the property located at 2800 East Road for Boris Ninkovic:

- 1) Variances to encroach into the required rear yard setback, exterior east side yard setback, and required structure separation along the west property line; and
- 2) Conditional Use Permit for the placement of impervious surface above forty percent for the construction of a new single family home.

Zoning Administrator Karpas presented an overview of the item and said staff recommended approval of both requests.

The Public Hearing was opened.

Mayor Doak noted that all members of the Council attended the Special Meeting on December 6 to view the subject property.

Mayor Doak invited Mr. Ninkovic to speak on his proposal.

Mr. Ninkovic thanked staff for guiding him through the process. He also thanked the Groveland Homeowners Association and Architectural Committee for their review and support of his proposal.

Resident Brian Jackson, Chair of the Groveland Homeowners Association Architectural Committee, said both the Association and the Committee approved the plans and support the proposal as the house fits the character of the neighborhood.

Resident Joy Fruen stated support for the plans and said that the home will be a great addition to the community.

Council Member Massie confirmed with the Zoning Administrator that the height of the structure is in compliance. He noted that the house has been positioned on the lot to be in line with the house to the south. He commended Mr. Ninkovic on his plans for the property.

In response to a question from the Council, Mr. Ninkovic said that he hopes to complete the demolition before March 1. He said that he did not expect any heavy machinery after the demolition. Mr. Ninkovic also said that he is aware of the road restrictions and will abide by the law.

The Public Hearing was closed.

Massie moved, seconded by Carlson to approve the items pertaining to the property located at 2800 East Road for Boris Ninkovic as follows:

- 1) Variances to encroach into the required rear yard setback, exterior east side yard setback, and required structure separation along the west property line; and
- 2) Conditional Use Permit for the placement of impervious surface above forty percent for the construction of a new single family home.

Based upon the following findings:

Variance

a. The variance will be in harmony and keeping with the spirit and intent of the zoning ordinance:

Section 900.01 outlines the purpose and intent of the ordinance as the principal means of attaining the goals and standards set forth in Woodland's Comprehensive Plan, including preservation of open space, scenic views, natural topography and habitat, wetlands, lakes, indigenous vegetation and trees, and rehabilitation of existing housing units on their present location.

The proposal seeks to remove an existing non-conforming structure and replace it with a new non-conforming structure which reduces the degree of two of the existing non-conformities. No encroachments are increased and the impervious surface area is maintained within the allowed conditional use limit.

b. The variance request is consistent with the comprehensive plan:

The request is consistent with the Comprehensive Plan in that it maintains the single family nature of the neighborhood.

c. The proposal puts the property to use in a reasonable manner:

The proposal puts the property to a reasonable use by replacing an existing home constructed in 1930 with a larger, new single family structure while not increasing the existing encroachments.

d. There are circumstances unique to the property not created by the landowner:

The subject property is about two-thirds the minimum required lot area for the Assembly Grounds, which limits the ability to construct within the required setbacks. The applicant was able to comply with two of the required setbacks and the impervious surface requirements permitted by the conditional use standards.

The existing structure does not have a garage and the addition of a garage on the proposed structure requires an enlarged footprint, making it difficult to comply with the all the required setbacks and the

40% impervious surface coverage.

e. The variance(s) will not alter the essential character of the locality:

The essential character of the neighborhood would not be impacted by the proposal since, even though the home would be larger than the existing home, it maintains essentially the same encroachments and impervious surface area. The plan has been reviewed and approved by the Architectural Committee of the Assembly Grounds.

Conditional Use Permit

- a. The proposed home will enhance the general character of the community;
- b. The magnitude of the proposed alteration is consistent with the surrounding area;
- c. There will no negative impact on the use and enjoyment of surrounding properties;
- d. Though the proposed structure is larger than the one that exists now, the amount of impervious surface is not increased;
- e. The location of the proposed home is further away from structures on adjacent properties than the current home;
- f. There would be no effect on the light and visibility available to the adjoining properties;
- g. There would be minimal impact of the existing vegetation;
- h. The proposal would not have a negative impact on property values; and
- i. There are no concerns related to fire safety in regards to the proposal.

Motion carried 4-0.

Council Member Massie's report was taken at this time.

D. Massie – Public Safety and Deer Management

Zoning Administrator Karpas said that the City received a permit from the DNR that contained numerous restrictions on the taking of deer. He noted the restrictions made the program cost-prohibitive. Mr. Karpas explained that he spoke with a representative from the United States Department of Agriculture (USDA) who said the USDA has a program that provides deer management services.

The Council directed Mr. Karpas to set up a meeting between the USDA representatives, Mayor Doak and Deephaven Mayor Paul Skrede to find more information on the program to potentially move forward.

B. Items pertaining to the City of Woodland 2015 Budget and Levy

- 1) Truth in Taxation Public Hearing relating to the City of Woodland 2015 Budget and Levy
- 2) Resolution No. 39-2014 approving the final Tax Levy to fund the 2015 General Fund Budget
- 3) Resolution No. 40-2014 approving the final 2015 General Fund Budget
- 4) Resolution No. 41-2014 approving the 2015 Enterprise Fund Budgets

The Public Hearing was opened.

Mayor Doak explained that the 2015 expenditures are projected to increase 7.9% from the 2014 budgeted level and 6.5% from the 2014 projection. The principal source of the increase is a substantial contribution to the road maintenance fund in anticipation of a resurfacing of Breezy Point Road. The increase was offset to some extent by the absence of election expenses. As a result of a significant increase in the budgeted revenue from building permits in 2015 the tax levy will increase 3.7% in the new year.

Mayor Doak said the City's taxes are only roughly 11% of a typical resident's total tax bill, which is much lower than other Lake Area cities.

The Public Hearing was closed.

Carlson moved, seconded by Rich to approve the items pertaining to the City of Woodland 2015 Budget and Levy as follows:

- Adopt Resolution No. 39-2014 approving the final Tax Levy to fund the 2015 General Fund Budget
- Adopt Resolution No. 40-2014 approving the final 2015 General Fund Budget
- Adopt Resolution No. 41-2014 approving the 2015 Enterprise Fund Budget

Motion carried 4-0.

7. NEW BUSINESS

- A. Consideration of quotes for 2015 tree trimming and removal services for the City of Woodland

Mayor Doak introduced the item.

Council Member Rich indicated that he reviewed the quotes and said that he recommended Shorewood Tree Service.

Rich moved, seconded by Massie to authorize the Mayor to execute an agreement between the City of Woodland and Shorewood Tree Service for 2015. Motion carried 4-0.

- B. Authorization for the City Engineer to prepare plans and specifications and advertise for competitive bids for the 2015 Breezy Point Road project

Doak moved, seconded by Rich to authorize the City Engineer to prepare plans and specifications and advertise for competitive bids for the 2015 Breezy Point Road project. Motion carried 4-0.

- C. Discussion relating to Metro Cities (Association of Metropolitan Municipalities) Legislative Policies

Council Member Carlson reviewed the Legislative issues that the Association of Metro Cities has taken a position on for 2015. The Council was provided a written summary of the issues with notations that emphasized those matters that were especially pertinent to the City of Woodland. Council Member Carlson highlighted several of the policies that could directly impact the City, such as levy limits, restrictions on local government aid, restrictions on private wells, affordable housing mandates, and various water pollution initiatives. The Council thanked Member Carlson for her time in preparing the summary and agreed that the City should keep a watchful eye on Legislative happenings in the coming year and on the activities of non-elected agencies such as the Metropolitan Council.

- D. Authorization for the Mayor to execute an agreement between the City of Woodland and Cornerstone Industries, Inc. for snow plowing, mowing, and brush trimming services for the remainder of 2014 and all of 2015.

Rich moved, seconded by Massie to authorize Mayor to execute an agreement between the City of Woodland and Cornerstone Industries, Inc. for snow plowing, mowing, and brush trimming services for the remainder of 2014 and all of 2015. Motion carried 4-0.

7. OLD BUSINESS – NONE

8. MAYOR'S REPORT

Mayor Doak reported that Council Member Newberry is working on a new definition of wetlands for the zoning ordinance. The new definition will replace obsolete language currently found in the ordinance.

Mayor Doak explained the current zoning ordinance contains language referencing incandescent light bulbs and thought that the ordinance should be revised to include new lighting options that are now available. Mayor Doak thought that Council Member Newberry should review the ordinance and make a recommendation on new language that includes the different kinds of bulbs that have been developed. The Council agreed.

Mayor Doak said that he attended a meeting at the Minnetonka School District and gave a brief overview of the items that were raised at the meeting.

The Council discussed hydrant and gate valve maintenance procedures. Council Member Carlson was asked to provide a list of the residents who have experience in turning the water on/off at the curb stops. After demonstrating an understanding of the correct procedures, these individuals will be noted in the City's Policy Manual and will be authorized to turn curb stops. Council Member Carlson said that she would organize a time for the residents to meet with the public works staff who will ensure that the residents are turning the water on/off properly. It was noted that Deephaven Public Works employees are also available to turn water on/off for a fee as specified by the Council.

9. COUNCIL REPORTS

A. Newberry – Ordinances, Septic Ordinance, and Inspections - NONE

B. Rich – Roads, Signs, Trees, and Website - NONE

C. Carlson – Finance, Enterprise Fund, Intergovernmental Relations, and MCWD - NONE

D. Massie – Public Safety and Deer Management

This item was taken out of order on the agenda and heard earlier in the meeting.

10. ACCOUNTS PAYABLE

Rich moved, seconded by Carlson to approve the Accounts Payable as presented. Motion carried 4-0.

11. TREASURER'S REPORT

Massie moved, seconded by Rich to approve the Treasurer's Report as presented. Motion carried 4-0.

12. ADJOURNMENT

Carlson moved, seconded by Rich to adjourn the December 8, 2014. Motion carried by consensus. The December 8, 2014 meeting of the Woodland City Council adjourned at 9:00 p.m.

ATTEST:

Kathryne A. McCullum, City Clerk

James S. Doak, Mayor