

CITY COUNCIL
CITY OF WOODLAND
MEETING OF JANUARY 12, 2015

Agenda Item 5. C.

Consent Agenda

TO: Honorable Mayor and Members of the City Council
FROM: Kathyne McCullum, City Clerk
SUBJECT: Approval of a permit to keep multiple dogs

Background

City Ordinance 405.03 allows two dogs per household and allows residents to keep more than two dogs, subject to an annual permit approved by the City Council. Each year residents in Woodland that have more than two dogs residing at their property must obtain a multiple dog permit and renew that permit. The annual permit fee is \$25.

Mr. Bob Ripley, 2730 Breezy Heights Road, has applied for a multiple dog permit. To date the City has not received any calls of complaint regarding the dogs residing at Mr. Ripley's property. The three dogs are current on their vaccinations.

Recommendation

Approve the permit for Bob Ripley, 2730 Breezy Point Road, to keep multiple dogs in 2015.

CITY COUNCIL
CITY OF WOODLAND
MEETING OF JANUARY 12, 2015

Agenda Item 5. D.

Consent Agenda

TO: Honorable Mayor and Members of the City Council
FROM: Kathyne McCullum, City Clerk
SUBJECT: Resolution No. 06-2015 approving variances and a conditional use permit for Boris Ninkovic for the property located at 2800 East Road

Background

On December 8, 2014, the City Council held a public hearing on items pertaining to the property located at 2800 East Road for Boris Ninkovic. Those items include variances to encroach into the required rear yard setback, exterior east side yard setback, and required structure separation along the west property line. In addition a Conditional Use Permit for the placement of impervious surface above forty percent for the construction of a new single family home was also reviewed. At the meeting, Resident Brian Jackson who is Chair of the Groveland Homeowners Association Architectural Committee, said that both the Association and the Committee approved the plans and supported the proposal. The Council unanimously approved the requests.

Recommendation

Adopt Resolution No. 06-2015 approving variances and a conditional use permit for Boris Ninkovic for the property located at 2800 East Road.

WOODLAND RESOLUTION NO. 06 - 2015

IN RE: The application of Boris Ninkovic for a Variance and a Conditional Use Permit for the construction of a new single family home at 2800 East Road, Woodland, Minnesota (PID No. 07-117-22 44 0146)

LEGAL: LOT 032, BLOCK 001, METHODIST LAKESIDE ASSEMBLY IN WOODLAND

WHEREAS, the applicant has made application to the City for a Variance to encroach into the required rear and exterior east side yard setbacks; and

WHEREAS, the applicant has made application to the City for a Variance to encroach into the minimum required structure separation in the Groveland Assembly Grounds; and

WHEREAS, the applicant has made application to the City for an Conditional Use Permit to exceed the maximum permitted impervious surface area in the Groveland Assembly Grounds for the construction of a new single family home; and

WHEREAS, notice of public hearing was published; notice given to neighboring property owners; and a public hearing held before the City Council to consider the application; and

WHEREAS, public comment was taken at the public hearing before the City Council on December 8, 2014; and

WHEREAS, the City Council has received the staff report, and considered the application and comments of the applicant and the public.

NOW, THEREFORE, the City Council of the City of Woodland, Minnesota does hereby make the following:

FINDINGS OF FACT

1. That the real property located at 2895 West Road, Woodland, Minnesota (PID No. 07-117-22 44 0146) is a single lot of record located within the R-G Residential Groveland. This property is used for single family residential purposes.
2. The applicant submitted an application for a Variance to encroach into the minimum required rear yard setback.
 - Ordinance Section 900.12(3)(a) requires a minimum rear yard setback of ten (10) feet. The applicant proposes a rear yard setback of four feet, six inches (4'-6") for the proposed single family home and is requesting a variance to encroach five feet, six inches (5'-6") into the required rear yard setback.

The proposed structure along the rear property line abuts a driveway accessing the home west of the subject home. The existing home is located two feet from the south property line, the proposed structure would be moved back to four feet, six inches.

3. The applicant submitted an application for a variance to encroach into the minimum required exterior east side yard setback.

- Ordinance Section 900.12(3)(a) requires an exterior east side yard setback of fifteen (15) feet. The applicant proposes an exterior east side yard setback of thirteen feet, one inch (13'-1") feet for the proposed single family home and is requesting a variance to encroach one foot, eleven inches (1'-11") into the required exterior east side yard setback.
4. The applicant submitted an application for a variance to encroach into the minimum setback from the nearest structure on an adjoining lot.
- Ordinance Section 900.12(3)(a) requires a minimum setback from the nearest structure on an adjoining lot of twenty (20) feet. The applicant proposes a structure separation along the west side property line of twelve feet, six inches (12'-6") for the proposed single family home and is requesting a variance to encroach seven feet, six inches (7'-6") into the required structure separation setback.

The proposed structure complies with the required ten (10) foot west side yard setback. The structure on the adjacent lot does not comply with the required side yard setback which creates the encroachment situation. The proposed structure increases the west side yard setback and structure separation by approximately two (2) feet.

5. The applicant submitted an application requesting a conditional use permit for an impervious surface area of 44.9%.
- Ordinance Section 900.10(2) permits a maximum impervious surface area of forty-five (45) percent of the lot area for lots less than 16,500 square feet serviced by municipal water and sanitary sewer with the issuance of a conditional use permit. The applicant proposes an impervious surface area of 44.9%.

The property currently has an impervious surface area of 44.9%. The applicant does not propose to exceed the existing percentage. Any excess impervious surface area over 45% requires a variance.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Woodland, Minnesota:

FINDINGS BASED ON THE REVIEW AND APPROVAL PROCESS IN SECTIONS 900.14 AND 900.10 OF THE ORDINANCE:

Councilmember Massie moved the council accept the recommendation of staff to approve *the application for variances of Woodland Ordinance Section 900.10(3)(a); to encroach five feet, six inches (5'-6") into the required ten (10) foot rear yard setback, to encroach one foot, eleven inches (1'-11") into the required fifteen (15) foot exterior east side yard setback and to encroach seven feet, six inches (7'-6") into the required twenty (20) foot structure separation and the application for a Conditional Use Permit to exceed the maximum permitted impervious surface area of 40% by 4.9%, for an overall impervious surface area on the property of 44.9% as presented for the proposed single family home at 2800 East Road.*

VARIANCE FINDINGS BASED ON THE REVIEW AND APPROVAL PROCESS IN SECTION 900.14 OF THE ORDINANCE:

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

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.

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.

- c) 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.

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 FINDINGS BASED ON THE REVIEW AND APPROVAL PROCESS IN SECTION 900.10 OF THE ORDINANCE:

(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.

Councilmember Carlson seconded the motion. Motion carried 4-0.

ADOPTED THIS 12th DAY OF JANUARY, 2015 BY THE CITY COUNCIL OF WOODLAND, MINNESOTA.

James S. Doak, Mayor

ATTEST:

Kathryne A. McCullum, City Clerk



Agenda Date: 01-12-15 CITY COUNCIL STAFF REPORT

Agenda Item: Request of Lecy Brothers Homes and Remodeling, 2515 Cedar Point Drive, for variances to encroach into the minimum required front and west side yard setbacks for the construction of a septic drain field.

Summary: Lecy Brothers Homes and Remodeling are constructing a new single family home at 2515 Cedar Point Drive which requires the construction of a new septic system.

Prior to the sale of the property the bank that held the mortgage verified a septic system could be placed on the property. A septic system plan was submitted in August 2013 and review by Metro West Inspection Services, the city's septic inspection contractor. The plan was structurally approved, but it was noted a variance would be required for its placement. The letter submitted by Metro West Inspection Services indicates they recommend approval for the setback variances.

The applicant was under the assumption they had an approved plan, which they do, and began construction. They were unaware a variance was not issued for the system and a stop work order was placed on the project by Metro West Inspection Services.

- **Minnesota State Rule 7080.2150(F) requires a minimum setback of ten (10) feet for any absorption area. Minnesota State Rule 7080.1200(3) permits local units of governments to issue variances to the dimensional standards.**
- **The applicants propose a front and west side yard setback of five (5) feet and seek variances of five (5) feet for both the front and west side yard setbacks.**

The property is low lying with limited area for the placement of a drain field as noted by the letter submitted by Metro West Inspection Services.

STAFF RECOMMENDATION:

1. *Staff recommends **Approval** for the application of Lecy Brothers Homes and Remodeling for variances of Minnesota State Rule 7080.2150(F) to encroach five (5) feet into the minimum required ten (10) foot front yard setback and five (5) feet into the minimum required ten (10) foot west side yard setback for the proposed septic drain field located at 2515 Cedar Point, based on the following findings:*

FINDINGS BASED ON THE REVIEW AND APPROVAL PROCESS IN SECTION 900.14 OF THE ORDINANCE:

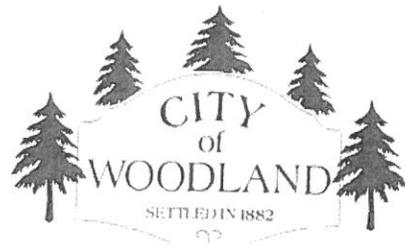
Findings:

The variances are in harmony with the purpose and intent of the ordinance; b) the variances are consistent with the comprehensive plan; c) the proposal put the property to use in a reasonable manner; (d) the natural topography creates a unique circumstance preventing compliance with the ordinance; e) the variances will not alter the essential character of the locality.

Variance Application

City of Woodland

20225 Cottagewood Road
 Deephaven, MN 55331
 952-474-4755
 www.cityofwoodlanmn.org



Applicant is (circle one) Owner ~~Developer~~ ~~Contractor~~ ~~Architect~~ ~~Other~~ _____

Property address for which variance is requested 2515 Cedar Point Drive _____

Applicant (individual or company name): Lecy Brothers _____

Contact for Business: Andy Johnsrud _____ Title: New Home Sales _____

Address: 15012 Highway 7 _____ City: Minnetonka State: MN Zip: 55345 _____

Wk Phone: 952-944-9499 _____ Home Phone: 612-703-2253 (cell) _____

Email address: andyjohnsrud@lecybros.com _____ Fax: 952-942-1068 _____

Present use of property: new home under construction (see approved building permit)

Property acreage: 2.01 _____ Acres 87,855.68 _____ Square Feet

Existing Variances: Yes X No _____

If yes, please explain: existing variance is for raising grade in order to construct home _____

Describe Request: Build New X (drain field) Add On _____ Remodel _____ Replace _____

What is the Variance being requested for: Code states drain fields must be 10' from lot lines. Due to existing grade only area suitable for required drain field is located 5' from south (side) property line & 5' from west (front) property line; see attached letter from Metro West Inspection Services, dated 8/28/13, issued in response to inquiry at the time regarding development of the lot.

Variance for:

| | Required | Proposed |
|--|----------------|---------------|
| Side Yard | <u>10</u> feet | <u>5</u> feet |
| Front Yard | <u>10</u> feet | <u>5</u> feet |
| Rear Yard | _____ feet | _____ feet |
| Lake setback | _____ feet | _____ feet |
| Building height | _____ feet | _____ feet |
| Structure height | _____ Feet | _____ feet |
| Wetland | _____ feet | _____ feet |
| Impervious Cover | _____ sq ft | _____ Sq ft |
| Shoreland | _____ feet | _____ feet |
| Massing | _____ volume | _____ volume |
| Other | _____ feet | _____ feet |
| If other, please <u>Underground drain field</u> | | |

METRO WEST INSPECTION SERVICES, INC.

Loren Kohnen, Pres.

(763) 479-1720
FAX (763) 479-3090
Mthrowst76@aol.com

August 28, 2013

Shelley Souers
City of Woodland
20225 Cottagewood Road
Deephaven, MN 55331

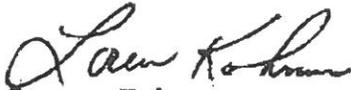
RE: 2515 Cedar Point Drive
Woodland, Minnesota
NEW SEPTIC SYSTEM

I have reviewed the proposed septic system design for the above-captioned address, and find the following:

- 1) There is only one (1) small area for the septic drainfield for the proposed home at this site. This will be a performance system (Type IV) pre-treatment.
- 2) It appears a 5 ft. variance is required for the drainfield; 5 ft. West x 5 ft. South property line.
- 3) The property and homeowner must sign a letter that he/she is aware that this is the only septic site available. If it should fail, holding tanks must be used from that time on.

I would recommend approval of the two (2) variances with the letter from the owner.

METRO WEST INSPECTION SERVICES, INC.


Loren Kohnen
Building Official

LK:jg

Emailed to Kyle Hunt Partners

MAKING YOUR CASE FOR THE GRANT OF A VARIANCE

STATE LAW: Minnesota Statutes 462.357 controls the grant of variances to established zoning codes. Before a variance can be granted the Applicant must establish to the satisfaction of the City that: A) Strict enforcement of the applicable code would cause a practical difficulty because of circumstances unique to the individual property under consideration, *and*, B) the grant of the requested variance will be in keeping with the spirit and intent of the ordinance.

"Practical Difficulty" as used in connection with the granting of a variance means: 1) the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls; 2) the plight of the landowner is due to circumstances unique to the property not created by the landowner, *and* 3) the variance, if granted, will not alter the essential character of the locality.

NOTICE: Simple inconvenience of a landowner or occupant, including self-created situations, are not considered a practical difficulty under Minnesota case law.

Economic considerations alone shall not constitute a practical difficulty if reasonable use of the property exists under the ordinance. (MN Statutes 462.357)

If you have difficulty is establishing an practical difficulty please consider alternatives to your construction plans that may remove the need for a variance.

The Applicant must respond fully and in detail to each of the following questions and data requests or the Application may be rejected as incomplete.

Establishing that the requested variance will be in keeping with the spirit and intent of the Zoning Code:

The requested variance, if granted, will be in keeping with the spirit and intent of the City Zoning because:

___ variance allows for correct placement of drain field given existing lot elevations _____

Establishing Practical Difficulty:

1. The landowner's (Applicant's) property cannot be put to a reasonable use if used under conditions allowed by the official controls because:

___ remainder of lot has too low an elevation (vs. elevation of lake) – designated area for drain field only suitable area

2. The plight of the landowner (Applicant) is due to circumstances unique to the property not created by the landowner property because:

_____ see answer to #1, above _____

3. The variance, if granted, will not alter the essential character of the locality because:

___ drain field is underground _____

Establishing the variance, if granted, will not adversely impact the rights of others:

Describe the effect of the variance, if granted, on neighboring properties and on the neighborhood in general:

_____ None _____

Describe the effect of the variance, if granted, on supply of light and air to adjacent properties.

_____ None _____

Describe the effect of the variance, if granted, on traffic congestion in the public street.

_____ None _____

Describe the effect of the variance, if granted, on the danger of fire.

_____ None _____

Describe the effect of the variance, if granted, on the danger to public safety.

_____ None _____

Describe the effect of the variance, if granted, on established property values in the surrounding area.

_____ None _____

Describe the effect of the variance, if granted, on the impairment of the public health, safety or welfare.

_____ None _____

Applicant(s) have determined that the following approvals may be necessary from other regulatory bodies:

_____ LMCD # 952-745-0789

_____ Watershed District # 952-471-0590

Applicant's Acknowledgement & Signature(s)

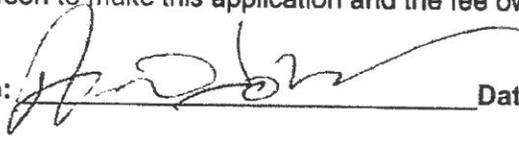
This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name, and I am the party whom the City should contact about this application. The applicant certifies that the information supplied is true and correct to the best of his/her knowledge.

The undersigned also acknowledges that she/he understands that before this request can be considered and/or approved, all required information and fees, including any deposits, must be paid to the City, and if additional fees are required to cover costs incurred by the City, the City has the right to require additional payment from one or more of the undersigned, who shall be jointly liable for such fees.

An incomplete application will delay processing and may necessitate a re-scheduling of the review time frame. The application time line commences once an application is considered complete when all required information and fees are submitted to the City. The applicant recognizes that he/she is solely responsible for submitting a complete application being aware that upon failure to do so, the staff has no alternative but to reject it until it is complete or to recommend the request for denial regardless of its potential merit.

A determination of completeness of the application shall be made within 15 business days of the application submittal. A written notice of application deficiencies shall be mailed to the applicant within 15 business days of application.

I am the authorized person to make this application and the fee owner has also signed this application.

Applicant's Signature:  **Date:** 11/20/14

Signature: _____ **Date:** _____

Owner's Acknowledgement & Signature(s)

I am / we are the fee title owner of the above described property. I / we further acknowledge and agree to this application and further authorize reasonable entry onto the property by City Staff, Consultants, agents, and City Council Members for purposes of investigation and verification of this request.

Owner's Signature:  **Date:** 11-20-14

Owner's Signature: _____ **Date:** _____

Note – Both signatures are required, if the owner is different than the applicant, before we can process the application, otherwise it is considered incomplete.



Agenda Date: 01-12-15 CITY COUNCIL STAFF REPORT

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STAFF RECOMMENDATION:

1. *Staff recommends **Approval** for the application of Lecy Brothers Homes and Remodeling for variances of Minnesota State Rule 7080.2150(F) to encroach five (5) feet into the minimum required ten (10) foot front yard setback and five (5) feet into the minimum required ten (10) foot west side yard setback for the proposed septic drain field located at 2515 Cedar Point, based on the following findings:*

FINDINGS BASED ON THE REVIEW AND APPROVAL PROCESS IN SECTION 900.14 OF THE ORDINANCE:

Findings:

The variances are in harmony with the purpose and intent of the ordinance; b) the variances are consistent with the comprehensive plan; c) the proposal put the property to use in a reasonable manner; (d) the natural topography creates a unique circumstance preventing compliance with the ordinance; e) the variances will not alter the essential character of the locality.



Agenda Date: 01-12-15
CITY COUNCIL MEMO
Deer Management Program

Deer Management Program:

The city has participated in the DNR's Deer Management Program since 2003 and has contracted with Laughlin's Pest Control for trapping services. The DNR has recently changed its permitting process for the Deer Management program which has made the current trapping system used by the city virtually obsolete. Due to the changes in the permit requirements our contractor has removed his un-baited traps and has informed me his company will no longer be offering the service to the city. Below are some of the issues that impeded Laughlin's ability to harvest deer as they had in the past;

- The weapon and ammo required by DNR for taking of the deer is overkill, not necessary and not used by their company.
- The time period permitted for trapping is ineffective since it is too late in the season.
- The restriction on the time that deer could be taken would limit it to hours that people would be awake and moving around. Previously the deer was disposed of and removed during the middle of the night so it was unknown to the homeowner and the neighbors that process was taking place.
- The contractor is responsible for the processing costs for all donated deer. This obviously will impact the costs they have to charge the cities.
- The requirement for contacting adjacent neighbors defeats the purpose of the anonymity of the program. If property owners know their neighbors are aware they have traps on their properties, they may be less likely to allow trapping on their properties.

The city has still been issued a permit to remove 12 deer and has been in contact with the U.S. Department of Agriculture (USDA) to discuss their harvesting program. The USDA does not operate a trapping program; rather they bait properties and monitor them for a number of days. After learning the habits of the herd, they schedule a number of nights in which they come to the city and actively hunt the deer on properties in which property owners have granted them permission to enter.

The USDA has said they average about five deer an evening. They work with the police to coordinate with them on nights they will be in the city.

As with Laughlin's, the city would enter into a service agreement (attached) with the USDA which includes the costs for services.

Possible Council Action: Possible motions on Deer Management Program include:

1. Direct Staff to enter into a Cooperative Service Agreement with the USDA to cooperate in a wildlife damage management project.
2. Direct Staff to enter into a Cooperative Service Agreement with the USDA to cooperate in a wildlife damage management project AS AMENDED.
3. Do Nothing



United States
Department of
Agriculture

Marketing and
Regulatory Programs

Financial
Management
Division

Minneapolis Financial
Services Branch, Claims Team
Butler Square West, 5th floor
100 North Sixth Street
Minneapolis, MN 55403

March 24, 2014

To Whom It May Concern:

The United States Department of Agriculture (USDA) as an agency of the Federal government is a self-insured entity.

The Federal Tort Claims Act (28 U.S. C. 1346(b), 2671 et seq) is the legal mechanism for compensating persons injured or property damaged by a negligent or wrongful act of a Federal employee, when committed within the scope of their employment.

Employees of the USDA are Federal employees and would be covered by Federal workers' compensation insurance if injured while in the performance of their duties.

I hope this information is satisfactory and meets your requirements for proof of insurance.

If you have any questions or concerns, you may contact me at Area Code (612) 336-3269.

Sincerely,

Elizabeth J Groth
Financial Management Analyst & Claim Specialist



APHIS - Protecting American Agriculture
(612) 336-3269, FAX: (612) 336-3549

An Equal Opportunity Employer

CITY COUNCIL
CITY OF WOODLAND
MEETING OF JANUARY 12, 2015

Agenda Item 8. B.

New Business

TO: Honorable Mayor and Members of the City Council

FROM: Kathyne McCullum, City Clerk

SUBJECT: Resolution No. 03-2015 designating appointments and assignments for 2015

Background

Each year, the City Council appoints individuals to represent the City in various positions. The Council is requested to review the attached resolution and make necessary revisions.

Recommendation

Adopt Resolution No. 03-2015 designating appointments and assignments for 2015.

CITY OF WOODLAND

Meeting Date: January 12, 2015
Motion:

Resolution No. 03-2015
Second:

**RESOLUTION NO. 03-2015 DESIGNATING
ASSIGNMENTS AND APPOINTMENTS FOR 2015**

WHEREAS, the City Council of the City of Woodland wishes to designate the official assignments and appointments for 2015; and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Woodland, Minnesota hereby approves the following appointments and designations for 2015:

| Official | Assignment/Appointment |
|-------------------------|---|
| Mayor | James S. Doak The annual salary for the Mayor shall be \$80.00 (Ordinance 200.10, Subdivision 1) |
| City Council Members | Sliv Carlson, John Massie, Tom Newberry, and Elizabeth Weiner The annual salary for City Council members shall be \$40.00 (Ordinance 200.10, Subdivision 2) |
| Mayor Doak | General Administration, Deephaven and Wayzata Contracts, Weed Inspector (State Statute 18.80, Subd. 2) |
| Council Member Weiner | Public Safety – Police and Fire, General Finance, Audit |
| Council Member Carlson | Intergovernmental Relations, Enterprise Finance and Operations |
| Council Member Newberry | Ordinances, Septic System Rules and Issues |
| Council Member Massie | Road and Right-of-way Maintenance, Trees, Deer Management |
| Council Member Carlson | Acting Mayor (State Statute 412.121) |

BE IT FURTHER RESOLVED, by the City Council of the City of Woodland:

That the salaries of the coming year of 2015 are established for the Mayor and Council members, such salaries to be payable in one sum at the time of the regular meeting of the City Council in December, 2015.

Clerk Treasurer: That the Clerk and Treasurer of the City of Deephaven will provide clerical and treasurer services; the annual service charge per the contract, will be paid to the City of Deephaven in monthly installments.

Police: That the City of Deephaven will provide Police services; the annual service charge, per the contract, will be paid to the City of Deephaven in monthly installments.

Fire Service: That the City of Wayzata Fire Department is designated as Woodland’s fire service agency; and will be paid an annual charge based upon the percentage of calls in Woodland for the preceding three-year period, calculated against the Wayzata Fire Department’s operating budget for the contract year.

City Assessor: Dan Distel

City Attorney: Campbell Knutson – Joel Jamnik and Andrea McDowell Poehler, Lead Attorneys
Prosecuting Attorney: Tallen & Baertschi – Steve Tallen, Lead Attorney
Animal Control: Police Chief Cory Johnson
City Auditor: Abdo, Eick, and Meyers – Andy Berg, Lead Auditor
City Engineer: Bolten & Menk, Dave Martini
Chief of Police/
Emergency Management Director: Cory Johnson
Fire Chief: Kevin Klapprich, Wayzata Fire
Zoning Administrator: City of Deephaven, Gus Karpas, Zoning Administrator
Building Inspection: Minnetonka Community Development, Building Division – Bob Manor, Building Official
LMCC Liaison: Mike Jilek, 2800 Center Road, Woodland, MN
LMCD Representative: Representative appointed by Council resolution
Insurance Agency: League of Minnesota Cities Insurance Trust – Agent Representative Northern Capital Insurance, Carl Bennetsen
Official Newspaper: Minnesota Sun Publications (State Statute 331A.04)
Septic Inspector: Kurt Larsen – annual review (existing systems)
System Inspector: Metro West Inspections (new system inspections)
Health Officer: Dr. Bruce Shilling and Hennepin County Environmental Services
Assistant Weed Inspector: Gus Karpas, Zoning Administrator (State Statute 18.80, Subd. 3)

BE IT FURTHER RESOLVED by the City Council of the City of Woodland:

- a) That the City Officers shall be paid mileage at the rate determined by the IRS standards for each mile necessarily traveled in carrying out the duties of the officers; and
- b) That the State Statutes require the City to designate general depositories for City monies, therefore, the following Depositories/Investment Vendors, be designated as official depositories for the City of Woodland for the funds of the City:
 1. That the depositories for the City of Woodland shall be Beacon Bank (Municipal Water Bond) and TCF Bank (Official Depository); and
 2. That the Treasurer be, and hereby is authorized to continue an account or accounts in the name of the City in said depositories on the terms usually required of its customers, and to deposit in such account or accounts any money; and

3. That two signatures shall be mandatory on bank checks withdrawing money from the bank, and that these signatures may be any one of the elected officials and/or the City Clerk.

ADOPTED BY the Woodland City Council on January 12, 2015 upon the following vote:

| | Yes | No | Abstain | Absent |
|--------------------|-----|----|---------|--------|
| Mayor Doak | | | | |
| Councilor Carlson | | | | |
| Councilor Massie | | | | |
| Councilor Newberry | | | | |
| Councilor Weiner | | | | |

State of Minnesota

County of Hennepin

CITY OF WOODLAND

By: _____
James S. Doak, Mayor

I, Kathryn A. McCullum, duly appointed City Clerk to the Council for the City of Woodland, County of Hennepin, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution or motion with the original minutes of the proceedings of the Woodland City Council, at their meeting held on January 12, 2015, now on file in my office and have found the same to be true and correct copy thereof.

Witness my hand and official seal at Woodland, Minnesota, the 13th day of January, 2015.

Attest: _____
Kathryn A. McCullum, City Clerk

CITY COUNCIL
CITY OF WOODLAND
MEETING OF JANUARY 12, 2015

Agenda Item No. 8. C.

New Business

TO: Honorable Mayor and Members of the City Council

FROM: Kathyne McCullum, City Clerk

SUBJECT: Resolution No. 05-2015 relating to the City of Woodland representation on the Lake Minnetonka Conservation District (LMCD) Board for 2015.

Description

State Statute 103B.611 regulates the Lake Minnetonka Conservation District which is governed by a Board comprised of members appointed by the governing bodies of the 14 member municipalities. The City of Woodland's most recent appointment to serve on the LMCD Board is resident Fred Meyer.

Background

Fred Meyer was appointed to the LMCD Board by the Woodland Council in January, 2012 for a one year term. Knowing that Mr. Meyer's travel schedule limited his participation on the Board between the months of February and April, the Council rescinded Mr. Meyer's term and appointed Mayor Doak to the Board for that interim period in 2012.

On January 14, 2013, the Woodland City Council re-appointed Mayor Doak to the LMCD Board for an interim period that extended from February to April, 2013, again due to the annual absence of Fred Meyer from the Board for that period of time.

On April 8, 2013, the Woodland City Council recalled Mayor Doak's appointment to the LMCD Board and re-appointed Fred Meyer to serve on the Board for the remainder of the term.

On January 13, 2014, the City Council adopted a resolution that appointed Mr. Meyer to the LMCD Board and also appointed Mayor Doak for the period of time Mr. Meyer is out of town.

Comment

The State Statute indicates that each Board member must serve the entire term unless recalled by the City Council by resolution. Mr. Meyer has served in that capacity; however, due to his travel schedule, he is not able to attend the LMCD Board meetings from January 15 through April 15. Mayor Doak has indicated that he is again willing to serve on the Board for that period of time in 2015. Staff discussed the appointment and recall with the LMCD Executive Director and he noted that it would be appropriate for the City Council to process the appointment/recall under one motion/resolution. The Council is requested to review the request and adopt the attached resolution.

Recommendation

Adopt Resolution No. 05-2015 relating to the relating to the City of Woodland representation on the Lake Minnetonka Conservation District (LMCD) Board for 2015.

CITY OF WOODLAND

Meeting Date: January 12, 2015
Motion:

Resolution No. 05-2015
Second:

RESOLUTION RELATING TO THE CITY OF WOODLAND REPRESENTATION ON THE LAKE MINNETONKA CONSERVATION DISTRICT (LMCD) BOARD FOR 2015.

WHEREAS, the Lake Minnetonka Conservation District is established by Minnesota State Statutes and is governed by a Board comprised of the fourteen member communities within the District;

WHEREAS, the City of Woodland has consistently sought to appoint a resident to serve as an officer on the Board of the LMCD; and

WHEREAS, the City Council has appointed Fred Meyer to serve as an officer on the Board; however, due to his travel schedule, Mr. Meyer is unable to attend the LMCD Board meetings from January 15, 2015 through April 15, 2015; and

WHEREAS, the Council wishes to appoint Fred Meyer for a one year term; and

WHEREAS, the Council wishes to recall Mr. Meyer's term for the period extending from January 15, 2015 to April 15, 2015; and

WHEREAS, the Council wishes to appoint Mayor Jim Doak to serve as an officer on the Board for an interim period from January 15, 2015 to April 15, 2015; and

WHEREAS, upon Mr. Meyer's return, the Council wishes to recall Mayor Doak from the LMCD Board and appoint Fred Meyer to complete the 2015 term on the LMCD Board.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Woodland, Minnesota hereby approves the following:

- a. That Fred Meyer is hereby appointed as the City of Woodland's representative to the Lake Minnetonka Conservation District for a one-year term.
- b. Because of expected absences, Fred Meyer is hereby recalled from the appointment as the City of Woodland's representative to the Lake Minnetonka Conservation District Board for a period that will extend from January 15, 2015 to April 15, 2015.
- b. That Mayor James Doak is hereby appointed as the City of Woodland's representative to the Lake Minnetonka Conservation District Board for the period extending from January 15, 2015 to April 15, 2015.
- c. That Mayor James Doak will be recalled from the Lake Minnetonka Conservation District Board on April 15, 2015.