

WOODLAND CITY COUNCIL
MINUTES OF THE CITY COUNCIL
MONDAY, NOVEMBER 8, 2004
7:00 P.M.
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CALL TO ORDER: Chairperson Mayor Stark called the meeting to order at 7:00 PM.
PRESENT: Jean Stark, Jim Doak, Steve Hornig, Tom Newberry and Bruce Shilling
GUESTS: Mark Evenstad, Jim Hillegass, David Stengass, Jim Dowds, Peter & Lawny Pflaum, Deb Nelson, Fred & Christine Meyer, Sheldon Swensen, Sandy Swenson
STAFF: Zoning Coordinator Gus Karpas, City Treasurer Grace Norris and City Clerk Sandy Langley

MINUTES of October 11, 2004

Motion by Councilmember Doak, seconded by Councilmember Newberry to approve the minutes of October 11, 2004 as submitted. Motion carried 5-0.

NEW BUSINESS

A. Waste Management Contract for Recycling Services – Sheldon Swensen, District Sales Manager, would like to continue the partnership with the City of Woodland. A letter was in the Council packet regarding the implementation of a Single Sort Recycling opportunity for residents. This would allow homeowners to simply co-mingle recyclables in one container. The program would create less wear and tear on streets, and is much safer for everyone involved. The Contract would be effect January 1, 2005 at no additional costs with the Single Sort Recycling to begin on or before April 1, 2005. Councilmember Newberry asked about price increase for 2006 & 2007. Mr. Swensen stated the price increase would not be any more than the cost-of-living increase. The Single Sort Recycling would be once every two weeks and recycling containers with covers and wheels would be provided to every household.

Councilmember Shilling asked about the benefit to the City when the trucks would be running half of the time and residents would have to hold onto the recyclables twice as long and then try to remember what Thursday that it needs to be out for pickup. He did not think the City was getting any bargain.

Councilmember Newberry asked if there would be an increase if we kept the service just as it is today and if the City could extend this contract for another year? He also wanted to know if a maximum cap could be placed on the increase for 2006 and 2007.

Mark Evenstad stated that the Single Sort Recycling bin would be a benefit to wheel out to the corner versus carrying out the weekly containers.

Council asked Mr. Swensen for a price of weekly pick-up with the new single sort containers and to move this items to the December Agenda for further consideration.

Mayor Stark stated a letter was before the Council regarding the Stone pillars into the Maplewoods Association. She noted that this item would not be discussed tonight since it was just placed before them and it may be placed on a future Agenda.

PUBLIC HEARING

A. Alteration of non-conforming structure request of Jim Hillegass, 18150 Breezy Point Road to demolish an existing structure and construct a new two-story dwelling within the side yard setback; and a variance request of the required side setback to construct a new swimming

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pool. The applicant is also requesting to subdivide a portion of his property and combine in with an adjacent neighbor.

Mayor Stark convened the public hearing. Mr. Hillegass asked if the Council would consider taking the request to subdivide a portion of his property and combine it with property owned by Mr. & Mrs. Peter Pflaum separately and the variances for new construction separately.

Mr. Hillegass stated that he owns 3.4 acres not enough to divide into two lots. He talked to his adjoining neighbors and the Pflaum stated they were interested in buying a ten-foot strip of property to create a buffer between the homes. This would also make an substandard lot to a standard lot abiding by the Ordinance.

Zoning Coordinator Karpas stated that a survey was needed showing the subdivision and the combination and more information was needed to proceed. A 30-day submittal for a subdivision/combination is required and it was not met.

Mr. Hillegass stated that the request is a rearrangement of lot lines to make a substandard lot standard. He did not feel he had to go through the subdivision procedures.

Council could do one of three items: 1. Table action until the next meeting. 2. Deny the request. 3. Approve the request subject to the City Attorney opinion and submission of final plat for subdivision/combination.

Sandra Swenson asked to address the Council stating she has a signed contract agreement on this property and was not made aware of the request before the Council and has concerns with the legal aspects of this transaction.

Council stated this was very unusual and complicated. Councilmember Horning recused himself. As a neighbor he stated he would not like to see a much larger house on the Pflaum property if it was made into a standard lot and could be subdivided.

Councilmember Doak was concerned with maintaining the character of the neighborhood. The value of the property and the future holdings of bigger houses are being built to justify the value in the land. It is the Council's job to manage these narrow lots. He is not opposed to taking property and adding it to another lot to make it standard. He would rather manage change and progress than keep shoe-fitting with variances.

NEW BUSINESS

- A. Resolution No. 13-04, Approving Election Judges for 11/2/04 General Election – Councilmember Hornig moved to adopt Resolution No. 13-04 approving the Election Judges for the 11/2/04 General Election. Councilmember Doak seconded. Upon roll call vote Stark, Doak, Hornig, Newberry and Shilling voted aye. Resolution No. 13-04 was adopted.
- B. Adoption of the LMCC Budget for 2005 – Councilmember Hornig moved to approve the 2005 Budget for LMCC as proposed. Councilmember Newberry seconded. Motion carried 5-0.
- C. Assessor Contract for 2005-2006 - Councilmember Newberry moved to approve a two-year contract extension with Dan Distel for assessing services that includes increasing Dan's compensation 3% for 2004 and 3% for 2006. Councilmember Hornig seconded. Motion carried 5-0.

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MAYOR'S REPORT

Mayor Stark reported that there would be a temporary semaphore light placed on Hwy 101 and McGinty Road within the next few months. She attended Wayzata's Council meeting where the issue was discussed.

Mayor Stark updated the Council regarding the Mayor's Breakfast she attended where the LMCD issues regarding six-mile creek were discussed by area Legislatures.

Mayor Stark reminded everyone of the Candidates Forum scheduled for Woodland on October 21, 2004 at 7 PM in the Council Chambers in Deephaven.

REPORTS

A. Public Safety & Environment – Councilmember Shilling gave a quick update on the deer permit from DNR. Trapping will be starting when Minnetonka starts their program. Mayor Stark asked Police Chief Gustafson if he had anything to report. Chief Gustafson reported that preparations are being made with the Prosecuting Attorney to seize the gas tank that is sitting on a property in Woodland. He also reported that three juveniles implicated in recent thefts, have been moved from the State.

B. Roads & Signs – Councilmember Doak stated the street improvements were all done for this season. He reported that he has discussed preparing the area under the Stone Arch for plantings with Aaron Smith. He said the costs would run around \$1,000 to remove the asphalt. We will need to add topsoil for plantings. It was recommended that a sign “No Motor Vehicles” be placed under the Arch.

Councilmember Shilling moved to approve up to \$1500 for the removing asphalt and bringing in black dirt for plantings under the Stone Arch. Councilmember Doak seconded. Motion carried 5-0.

Councilmember Doak stated he is working with the Maplewood Association on issues with the pillars going into Maplewoods.

Denny Newell, 2670 Marshland Rd, asked if there was a road program set up for maintenance throughout the City? Councilmember Doak stated we work with the City Engineer to evaluate the roads on an ongoing basis. The focus will probably be on surrounding roads in the new year.

C. Finance – Councilmember Newberry had no report.

D. Ordinances – Councilmember Hornig stated he would have a rough draft of the Ordinance Amendment for Council's review at the November meeting and the public hearing will be called for in December.

TREASURER'S REPORT

Councilmember Newberry moved to approve the Treasurer's Report as submitted.

Councilmember Shilling seconded. Motion carried 5-0.

ACCOUNTS PAYABLE

Councilmember Shilling moved to approve the verified accounts in the amount of \$43,318.65 dated October 11, 2004. Councilmember Newberry seconded. Motion carried 5-0.

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Mark Evenstad, 2860 Gale Road, thanked the City for the help with the posts being installed in the Maplewood Association.

Council will hold a Special Council meeting to canvas election results on November 4th at 4:30 PM.

ADJOURNMENT

Mayor Stark adjourned the meeting at 7:55 PM.

Respectfully submitted,
Sandra R. Langley, City Clerk