

**CITY OF WOODLAND**

**Special Closed Session & Regular Meeting of the City Council**

**Date: Monday, December 13, 2004**

**Time: 6:30 P.M.**

**Location: Council Chambers – 20225 Cottagewood Road**

**AGENDA**

**Council Meetings are Open to the Public**

**EXECUTIVE CLOSED SESSION – 6:30 PM – Lawsuit  
CITY COUNCIL – 7:00 PM**

- 1. CALL TO ORDER**
- 2. MINUTES OF November 4, 8 & 15, 2004**
- 3. UNFINISHED BUSINESS**
  - A. Adopt Resolution No. 18-04 – Lifting the stay on Ordinance No. 600.01 regarding dock non-compliance**
  - B. Waste Management Contract for Recycling Services – Sheldon Swenson**
- 4. PUBLIC HEARING**
  - A. Subdivision/Combination, 18150 Breezy Heights Road & 18070 Breezy Heights Road- Jim Hillegass and Peter Pflaum**
  - B. Variance, 18400 Maple Ridge Road, Daniel Bartus and Shirley Shawd for the required lot area.**
- 5. NEW BUSINESS**
  - A. Prosecution Services – Steven Tallen**
  - B. Authorize Eide Bailly to conduct audit for 2004 Financial Statements – Dave Stene**
  - C. Adopt 2005 Tax Levy, Resolution No. 15-04 and adopt 2005 Final Budget**
  - D. Adopt Resolution No. 16-04 – A Resolution of Appreciation to Tom Newberry**
  - E. Adopt Resolution No. 17-04 – A Resolution of Appreciation to Bruce Shilling**
- 6. MAYOR'S REPORT**
- 7. COUNCIL REPORTS**
  - A. Public Safety & Environment – Shilling**
  - B. Roads & Signs – Doak**
  - C. Finance – Newberry**
  - D. Ordinances – Hornig**
- 8. TREASURER'S REPORT – Grace Norris**
- 9. ACCOUNTS PAYABLE**
- 10. ADJOURN**

**Future Meetings:**

**Monday, - January 10, 2005 – City Hall Council Chambers**

WOODLAND CITY COUNCIL  
MINUTES OF THE CITY COUNCIL  
MONDAY, DECEMBER 13, 2004  
7:00 P.M.  
PAGE 1

**CLOSED EXECUTIVE SESSION – 6:30 PM**

The Council held an Executive Session at 6:30 PM with our City Attorney Jerry Gilligan to discuss the Newell v. Woodland litigation..

**CALL TO ORDER:** Chairperson Mayor Stark called the meeting to order at 7:10 PM.

**PRESENT:** Jean Stark, Jim Doak, Steve Hornig, Tom Newberry and Bruce Shilling

**GUESTS:** Mark Evenstad, Jim Hillegass, Mr. & Mrs. Peter Pflaum, Deb Nelson, Sheldon Swensen, Paul Rosland, Chris Reinhardt, Mary & Bill Dolan, Jack Perry, Matthew A. Anderson, Dan Bartus, Shirley Shawd, Steve Tallen, David Stene, Andrea Bassett, Don Gibbons, Bob Solum, Sil Carson, Richard Henry, Deborah & Robert Johnson, Jon Galloway, Steve Moss, Gus Bolles, Scott Benner, Sharon Hawkins, Jim Hornig, Tim Griffin, Peter Davis, Judy Lampert, Chris Sigfrid, Denny and Mary Newell

**STAFF:** City Attorney Jerry Gilligan, Zoning Coordinator Gus Karpas, City Treasurer Grace Norris and City Clerk Sandy Langley

**MINUTES of November 4, 8 & 15, 2004**

Motion by Councilmember Hornig, seconded by Councilmember Doak to approve the minutes of November 4 & 15 as submitted and November 8<sup>th</sup> as amended. Motion carried 5-0.

**UNFINISHED BUSINESS**

- A. Adopt Resolution No. 18-04 – Lifting the stay on Ordinance No. 600.01 regarding dock non-compliance. Councilmember Newberry moved to adopt Resolution No. 18-04 lifting the stay on enforcement of Ordinance No. 600.01 in the interest of public safety as it relates to watercraft and snowmobile traffic along Woolsey Pond. Councilmember Doak seconded. Upon roll call vote Stark, Doak, Hornig and Newberry voted aye. Shilling abstained. Resolution No. 18-04 was adopted.
- B. Waste Management Contract for Recycling Services – Sheldon Swensen, District Sales Manager, was present and stated Waste Management would like to continue serving the City of Woodland. His letter was in the Council packet offering to keep the weekly two-sort bin service at the rate of \$4.51 for the upcoming three-year period. He stated the Single Sort Recycling could be introduced at anytime in the future at the same rates with a bi-weekly schedule upon the Council's request. Chris Reinhardt was present with a proposal from E-Z Recycling at a cost of \$4.05 per month. Paul Rosland was present from BFI and presented a bid for \$4.30 per month. Councilmember Shilling moved to approve a one-year contract for weekly recycling services from E-Z Recycling at a rate of \$4.05 per month per household with the option to renew the contract for two years at the same rate. Councilmember Newberry seconded. Councilmember Doak amended the motion to include using small trucks appropriate to the size of Woodlands streets.. Newberry seconded. Motion carried 5-0.

**PUBLIC HEARING**

- A. Subdivision/Combination, 18150 Breezy Point Road & 18070 Breezy Point Road – Jim Hillegass and Peter Pflaum

WOODLAND CITY COUNCIL  
MINUTES OF THE CITY COUNCIL  
MONDAY, DECEMBER 13, 2004  
7:00 P.M.  
PAGE 2

Mayor Stark convened the public hearing. Jim Hillegass presented the request to subdivide a 30' X 218' portion of his property and combine it with an adjacent property, owned by Peter Pflaum.

Mr. Hillegass stated that he owns 3.4 acres not enough to divide into two lots. His adjoining neighbors, the Pflaums, were interested in buying a ten-foot strip of property to create a buffer beside their home. This would make the Pflaums substandard lot into a standard lot abiding by the City Ordinance.

Zoning Coordinator Karpas stated the survey was provided showing the subdivision/combination and the new legal descriptions.

Mayor Stark opened the hearing to the public, there being no public comment the hearing was closed.

Councilmember Newberry moved to adopt Resolution No. 19-04 approving the subdivision/combination of lots 18150 and 18170 Breezy Heights Road. Councilmember Doak seconded. Motion carried 4-0-1. Hornig abstained.

- B. Variance, 18400 Maple Ridge Road, Daniel Bartus and Shirley Shawd for the required lot area – Mayor Stark convened the public hearing for the variance request to construct a home on a lot, which does not meet the minimum required lot area.

Matthew Anderson, Attorney for Daniel Bartus and Shirley Shawd presented the request for the applicants who are proposing to construct a single-family walkout on a non-conforming lot. Mr. Anderson believes the proposed structure complies with all setback and height requirements. Of the total lot area of 1.51 acres, only 1.02 acres (.81 acres in Woodland and .21 acres in Deephaven) are considered "upland" and developable. Although in two cities the area is platted as a single lot.

Mayor Stark stated that under Woodland's current Ordinance the minimum requirement for a single-family lot is two acres. This property was platted in 1961, and received Woodland's approval in December of that year. The approval created a non-conforming lot under the current Zoning Ordinance.

City Attorney Jerry Gilligan reviewed the exception to the two-acre minimum specified in City Ordinance No. 900.07 (f). He was of the opinion that the exception did not apply in this case as less than one acre of land was in Woodland. A variance from the two-acre minimum lot size requirement would be needed in this case to commence construction.

Councilmember Hornig asked what rights an individual has to replat a lot to make it buildable? He also asked if this lot would be considered a corner lot?

Zoning Coordinator Karpas stated the lot would be considered a corner lot. He went on to say that the property is unique with land both in Deephaven and in Woodland. It could not be put to a reasonable use without the variance. At the time it was platted, there was no recorded indication by the City that it would be considered an unbuildable piece of property. The property shares similar dimensions as those lots included in the original plat located to the west and south of it.

WOODLAND CITY COUNCIL  
MINUTES OF THE CITY COUNCIL  
MONDAY, DECEMBER 13, 2004  
7:00 P.M.  
PAGE 3

Mr Karpas believes that the request is consistent with the city's Comprehensive Plan in the sense it would be used for single family purposes. By meeting the required setbacks and hardcover criteria the proposed use is uniform in massing aspects through the city.

Councilmember Doak noted that the issue was better dealt with as an interpretation of the 900.07 (f) exception, despite the staff finding that it did not apply. The variance would require the Council to make a major departure from the two acre minimum that is amply supported in the City's land use plan.

Mayor Stark opened the meeting for public comment.

Jon Galloway, 2925 Maplewood Road, asked how long Woodland has had the two-acre requirement. He feels that by granting this variance request it would set a bad precedent.

Andrea Bassett, 2670 Woolsey Lane, asked the Council to carefully consider the standards for granting a variance. She recommended that this variance not be granted.

Steve Moss, 18240 Shavers was concerned that the proposed construction would diminish property values of the neighbors.

Deborah Johnson, 2800 Woolsey Lane, asked if this was a platted lot and if there were many homes, built on multiple platted lots that can they be broken up into separate parcels?

Zoning Coordinator Karpas stated Section 900.07(f) is to prevent the development of smaller properties with their own property identification numbers (PID), a situation which is common in Woodland. It prevents a property owner from removing a home and approaching the city for separate buildable lots.

Robert Johnson, 2800 Woolsey Lane, questioned the variance request and asked how a variance could be granted without seeing plans for the house that would be built on the lot. He asked the City to consider all aspects of the proposed construction.

Zoning Coordinator Karpas stated the variance was for lot size only. The City could not control the nature of the construction so long as it complied with setbacks and other requirements.

Gustav Boller, 18250 Shavers Lane, stated he would like to sell 1.9 acres of his property but was told he could not because he needed to have 2 acres. If that were the case how could a variance be granted to this piece of property.

Zoning Coordinator Karpas noted the difference in granting the requested lot variance was that this was a lot of record prior to 1961. But for the city line running through it would have been developable under Section 900.07 (f).

WOODLAND CITY COUNCIL  
MINUTES OF THE CITY COUNCIL  
MONDAY, DECEMBER 13, 2004  
7:00 P.M.  
PAGE 4

Bill Dolan, 3100 Maplewood Road, submitted a file for the record on behalf of himself and his wife, Mary. Mr. Dolan presented five reasons why the variance request should be denied.

1. The exception to Woodland's two acre minimum R-1 zoning contained in Code Section 900.07, subd. (f) requires the applicant to have "at least one acre" of dry land in the lot on which his building would be constructed, i.e., his Woodland lot, independent of any adjoining property owned by him. The applicant does not.
2. It is not within the scope of Woodland's powers either under Code Section 900.14, subd. 2 (a), or otherwise, to aggregate land in Deephaven with the applicant's Woodland land for granting a permit for construction.
3. The applicant has not proved all four of the factual requirements of the "undue hardship" test contained in Code Section 900.14, subd. 2 (b).
4. The required setback for a house facing Maplewood Road is 50 feet, not 40 feet as proposed by the applicant.
5. A variance from the minimum lot size, or the building setback, or both, would not be "in keeping with the spirit and intent of the Code and consistent with the City's Comprehensive Plan," under Code Section 900.14, subd. 2 (d).

Mr. Dolan urged the Council to interpret Woodland's Zoning Ordinance strictly, which it is required to do under Code Section 900.01, subd. 3.

Craig Kipp, a Deephaven resident at 18450 Maple Ridge Road, owns the adjacent property spoke to the Council. He is opposed to the application and to proposed Maple Ridge Road address. The living quarters of this home would look right into his property and there would be no privacy. He is also concerned with the width of a proposed driveway and parking issues. He is also concerned with the position of the building and the amplification of noise as it would be a hard surface on a bowl of land.

Jack Perry, Attorney from Briggs and Morgan, stated that in reviewing the variance request there is no practical, public policy, or legal reason for Woodland to grant this variance. He noted that the City has three key objectives in determining land use decisions, namely, (1) avoiding suit; (2) avoiding bad policy precedent; and (3) applying the relevant legal standards. He said all three objectives compel denial of the variance request.

Mr. Matthew Anderson stated Mr. Bartus did not know prior to the purchase the property that this was a nonbuildable lot.

Councilmember Doak noted a letter was submitted from Kristine Cashman, 3103 Maplewood Road, stating her opposition to the variance request.

Mayor Stark closed the public hearing.

Councilmember Shilling asked Mr. Bartus several questions regarding the purchase of the property. He stated he had several different plans to fit a house on the footprint without variances in the setbacks. He also stated he had no problems with having a driveway on Maple Ridge Road.

WOODLAND CITY COUNCIL  
MINUTES OF THE CITY COUNCIL  
MONDAY, DECEMBER 13, 2004  
7:00 P.M.  
PAGE 5

Zoning Coordinator Karpas stated Woodland Ordinance has made prior exceptions which created lots smaller than two acres.

Mr. Dolan stated the prior owners never made a formal variance approach to the City of Deephaven or to have the lot be annexed into Deephaven.

Councilmember Hornig moved to adopt Resolution No. 20-04, denying the variance to construct a new structure on a lot which does not meet the minimum required lot area in the R-1 District, at 18400 Maple Ridge Road. The request would alter the essential character of the locality and the proposal is not in keeping with the spirit and intent of the City Code or the Comprehensive Plan. Councilmember Doak seconded. Upon roll call vote Newberry, Doak, Hornig and Stark voted aye. Shilling abstained. Resolution No. 20-04 was adopted.

**NEW BUSINESS**

A. Prosecution Services – Steve Tallen, Prosecuting Attorney for the City requested an increase in his fees for prosecution services. He stated that he has not sought an increase for several years. He discussed having a flat rate of \$100.00 per month. This would cover all office phone calls, all office conferences, all arraignment and pretrial court appearances, and any jury trial matter up to the point at which the parties are sent to the Government Center to actually pick a jury for a case that has not been settled. For that portion of the handling of a jury trial, he would ask to be compensated at the rate of \$103.50 per hour. The City will also compensate for any appeal work and/or forfeitures initiated by the Police Department which would accrue to the benefit of the City. Tallen and Baertschi will be responsible for the first \$200.00 per year of any expenses necessary because of a conflict occurring either within the City or within their office in the prosecution of a misdemeanor criminal case. After the first \$200.00 has been paid, the conflict prosecutor will bill the City directly at the regular rate of \$103.50. The bills would be handled on a quarterly basis starting around April 1<sup>st</sup>, covering the months of January, February and March.

Mayor Stark moved to approve the new fee schedule as stated above. Councilmember Hornig seconded. Motion carried 5-0.

City Council adjourned to Executive Session at 9:50 PM to discuss possible litigation.  
City Council reconvened the regular meeting at 10:00 PM.

B. Authorize EideBailly to conduct audit for 2004 Financial Statements – David Stene of EideBailly discussed questions the City Council had regarding the budget and the adequacy of the general fund reserves. He explained that that new accounting standards, per GASB 34, would be required this year. Mr. Doak alerted Mr. Stene that he expected a written discussion of the City's financial condition to be submitted with the audit report. This discussion would form the basis for a report to City residents, possibly in the newsletter. Councilmember Hornig moved to authorize EideBailly to conduct the audit for 2004 Financial Statements. Councilmember Newberry seconded. Motion carried 5-0.

WOODLAND CITY COUNCIL  
MINUTES OF THE CITY COUNCIL  
MONDAY, DECEMBER 13, 2004  
7:00 P.M.  
PAGE 6

- C. Adopt 2005 Tax Levy, Resolution No. 15-04 and to adopt the 2005 Final Budget –  
Councilmember Hornig moved to adopt Resolution No. 15-04 to levy \$208,748 for the current year, collectible in 2005. Councilmember Doak seconded. Upon roll call vote Stark, Doak, Hornig, Newberry and Shilling voted aye. Resolution No. 15-04 was adopted.  
Councilmember Hornig moved to approve the 2005 Budget in the amount of \$232,229 as presented. Councilmember Doak seconded. Motion carried 5-0.
- D. Adopt Resolution No. 16-04 – A Resolution of Appreciation to Tom Newberry  
Councilmember Doak moved to adopt Resolution No. 16-04 for the outstanding service Tom Newberry has given to the City of Woodland during his ten years on the City Council. Councilmember Hornig seconded. Upon roll call vote Stark, Doak, Newberry, Hornig and Shilling voted aye. Resolution No. 16-04 was adopted.
- E. Adopt Resolution No. 17-04 – A Resolution of Appreciation to Bruce Shilling  
Councilmember Doak moved to adopt Resolution No. 17-04 for the outstanding service Tom Newberry has given to the City of Woodland during his six years on the City Council. Councilmember Hornig seconded. Upon roll call vote Stark, Doak, Newberry, Hornig and Shilling voted aye. Resolution No. 17-04 was adopted.

#### **MAYOR'S REPORT**

Mayor Stark reported the City's surveyor would be doing elevations on the log home under construction in the Groveland Homeowners Association to make sure it is in compliance with our Ordinance.

Mayor Stark reported she has talked to Minnetonka School Administration that Woodland is looking for a representative to serve on the MCES Advisory Council. She has volunteers to sit on the Advisory Council until someone can be appointed. Councilmember Hornig asked if there was a way to find out how many Woodland students are enrolled in the Minnetonka District and the relationship of taxes paid to the School District versus enrollment. Mayor Stark stated she would look into getting an answer to that question.

#### **REPORTS**

- A. Public Safety & Environment – Councilmember Shilling noted that five deer have already been trapped.
- B. Roads & Signs – Councilmember Doak reported that our snow contractor is all set for the season. He noted that he is still working on the issues related to the pillars at the entrance to Maplewoods.
- C. Finance/Septic Systems – Councilmember Newberry reported he has redrafted the guidelines for additional sanitary sewer and water connections. Councilmember Newberry moved to approve the Guidelines as amended. Councilmember Doak seconded. Motion carried 5-0.

WOODLAND CITY COUNCIL  
MINUTES OF THE CITY COUNCIL  
MONDAY, DECEMBER 13, 2004  
7:00 P.M.  
PAGE 7

Councilmember Newberry also stated he wrote a letter to League of MN Cities Insurance Trust on behalf of the City Council thanking Kim Kozar and Hoff, Barry and Kruderer, PA for excellent representation in the Newell litigation.

Councilmember Newberry thanked everyone for the opportunity to serve on the Council and left the meeting.

- D. Ordinances – Councilmember Hornig stated the rough draft of the Ordinance Amendment for alteration of non-conforming properties was before them. He requested a public hearing for the Amendment in January.

**TREASURER'S REPORT**

Councilmember Hornig moved to approve the Treasurer's Report as submitted. Councilmember Doak seconded. Motion carried 4-0.

**ACCOUNTS PAYABLE**

Councilmember Hornig moved to approve the verified accounts in the amount of \$22,087.66 dated December 13, 2004. Councilmember Shilling seconded. Motion carried 4-0.

Council asked if it was possible to get additional bids for attorneys? Staff will explore the offerings of other vendors.

**ADJOURNMENT**

Mayor Stark adjourned the meeting at 11:15 PM.

Respectfully submitted,

Sandra R. Langley, City Clerk

**CITY OF WOODLAND**  
**Regular Meeting of the City Council**

**Date:** Monday, October 11, 2004  
**Time:** 7:00 P.M.  
**Location:** Council Chambers – 20225 Cottagewood Road

**AMENDED AGENDA**  
**Council Meetings are Open to the Public**

- 1. CALL TO ORDER**
- 2. MINUTES OF September 13 & 16, 2004**
- 3. PUBLIC HEARING**
  - A. Assessment of Delinquent Sewer & Water Charges – Resolution No. 12-04**
- 4. NEW BUSINESS**
  - A. Resolution No. 13-04, Approving Election Judges for 11/2/04 General Election**
  - B. Adoption of the LMCC Budget for 2005**
  - C. Assessor Contract for 2005-06**
- 5. MAYOR'S REPORT**
- 6. COUNCIL REPORTS**
  - A. Public Safety & Environment – Shilling**
  - B. Roads & Signs – Doak**
  - C. Finance – Newberry**
  - D. Ordinances – Hornig**
- 7. TREASURER'S REPORT – Grace Norris**
- 8. ACCOUNTS PAYABLE**
- 9. ADJOURN**

**Future Meetings:**

**Wednesday, November 3, 2004 – City Hall Council Chambers – Canvas Election Results.**  
**Monday, - November 8, 2004 – City Hall Council Chambers**

WOODLAND CITY COUNCIL  
MINUTES OF THE CITY COUNCIL  
MONDAY, OCTOBER 11, 2004  
7:00 P.M.  
PAGE 1

**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:** Denny Newell, Mark Evenstad  
**STAFF:** Police Chief Gustafson, City Treasurer Grace Norris and City Clerk Sandy Langley

**MINUTES of September 13 & 16, 2004**

Motion by Councilmember Hornig, seconded by Councilmember Doak to approve the minutes of September 13 & 16, 2004 as corrected. Motion carried 5-0.

**PUBLIC HEARING**

A. Assessment of Delinquent Sewer & Water Charges – Resolution No. 12-04 Mayor Stark convened the public hearing to hear, consider and adopt assessments for delinquent sewer and water charges. Currently the City has one delinquent account on file. There being no public comment, the hearing was declared closed. Councilmember Hornig moved to adopt Resolution No. 12-04 to approve the assessment roll, as prepared by the City Clerk. Councilmember Newberry seconded. Upon roll call vote Stark, Doak, Hornig, Newberry and Shilling voted aye. Resolution No. 12-04 was adopted.

**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.

**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.

WOODLAND CITY COUNCIL  
MINUTES OF THE CITY COUNCIL  
MONDAY, OCTOBER 11, 2004  
7:00 P.M.  
PAGE 2

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.

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 4<sup>th</sup> at 4:30 PM.

#### **ADJOURNMENT**

Mayor Stark adjourned the meeting at 7:55 PM.

Respectfully submitted,  
Sandra R. Langley, City Clerk