

WOODLAND CITY COUNCIL  
MINUTES OF THE BOARD OF APPEALS & CITY COUNCIL  
MONDAY, JULY 12, 2004  
7:00 P.M.  
PAGE 1

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

The Council had an Executive Session at 6:30 PM with our Attorney Kim Kozar to discuss the litigation process in the City vs. Newell.

**CALL TO ORDER:** Chairperson Mayor Stark called the meeting to order at 7:05 PM.

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

**GUESTS:** Mark & Shannon Evenstad, Richard Salmela, Tom Lutgen

**STAFF:** Zoning Coordinator Gus Karpas, Interim Police Chief Virgil Gustafson,  
Treasurer Grace Norris and City Clerk Sandy Langley

**MINUTES of May 10, 2004**

Motion by Councilmember Doak, seconded by Councilmember Newberry to approve the minutes of May 10, 2004 as corrected. Motion carried 5-0.

**MATTERS FROM THE FLOOR**

Shannon & Mark Evenstad, representing the Maplewood's Association, explained that the Association would like to replace galvanized steel road-side reflective warning posts with white wooden posts that are in character with the appearance of the neighborhood. The Association will install the posts themselves. The Evenstad's asked the Council to credit the Association for the salvage value of the galvanized posts, once they are removed and returned to the City. The funds would be used to partially offset the cost of the white posts. Councilmember Shilling moved to have the galvanized posts and reflectors removed by the Deephaven Public Works when the Association is ready to install the wooden posts and to credit the Association with their salvage value. Councilmember Hornig seconded. Motion carried 5-0.

Mayor Stark introduced Interim Police Chief Virgil Gustafson. Chief Gustafson updated the Council on the thefts that has happen over the past few weeks.

**PUBLIC HEARING**

A. Ordinance repealing the existing Floodplain Management Ordinance and adopting a new Model Floodplain Ordinance 10-01.

Mayor Stark convened the public hearing for the new model Floodplain Ordinance reflecting changes in the Federal Emergency Management Agency's regulations.

Zoning Coordinator Karpas introduced Tom Lutgen, MN DNR representative. He explained that communities, participating in the National Flood Insurance Program (NFIP) are required to adopt a flood plain ordinance that is compliant with state and federal standards within six months from the formal notification from the Federal Emergency Management Agency (FEMA). The Ordinance adoption must be done in advance of the September 2, 2004 deadline date or a community will face suspension from the Flood Insurance Program. No flood insurance policies can be written or renewed in a suspended community. This would have a serious impact on people exposed to flood damage or who are trying to purchase homes in designated 100-year floodplains where flood insurance is a requirement of the loan.

Mayor Stark opened the public hearing to the public.

WOODLAND CITY COUNCIL  
MINUTES OF THE BOARD OF APPEALS & CITY COUNCIL  
MONDAY, JULY 12, 2004  
7:00 P.M.  
PAGE 2

There being no further public comment the public hearing was closed.  
Councilmember Newberry moved to adopt Ordinance No. 10-01 relating the regulation of the floodplain; repealing the existing Chapter 10 of the City Code and adding a new Chapter 10 to the Woodland City Code. Councilmember Hornig seconded. Upon roll call vote Stark, Doak, Hornig, Newberry and Shilling voted aye. Ordinance No.10-01 was adopted.

### **NEW BUSINESS**

- A. Resolution No. 06-04, Requesting Notice from the LMCD - Councilmember Shilling moved to adopt Resolution No. 06-04 requesting advance notice of LMCD policy decisions. Councilmember Newberry seconded. Upon roll call vote Stark, Doak, Hornig, Newberry and Shilling voted aye. Resolution No. 06-04 was adopted.
- B. Resolution No. 07-04, Request a Review on Milfoil Management – Councilmember Shilling moved to adopt Resolution No. 07-04 requesting a review on milfoil management. Councilmember Newberry seconded. Upon roll call vote Stark, Doak, Hornig, Newberry and Shilling voted aye. Resolution No. 07-04 was adopted.
- C. Adopt 2005 LMCD Budget – Mayor Stark stated Council will table action on the 2005 LMCD Budget until the August meeting when a LMCD representative could be present.

### **MAYOR'S REPORT**

Mayor Stark stated she would like the Council to adopt Resolution No. 8-04 expressing appreciation to Police Chief Harlan Johnson. Councilmember Shilling moved to adopt Resolution No. 8-04. Councilmember Newberry seconded. Upon roll call vote Stark, Doak, Hornig, Newberry and Shilling voted aye. Resolution No. 8-04 was adopted.

### **COUNCIL REPORTS**

**Public Safety & Environment** – Councilmember Shilling reported an inspection needed to be done on a possible failing septic system. Clerk Langley reported the septic inspector would be in town within the next couple of weeks.

Councilmember Shilling reported the fuel tank of the Sigfrid property was moved from the driveway to the woods in back of the house. Chief Gustafson reported documentation is being collected for enforcement of the City's ordinance on fuel storage and a search warrant would be obtained.

Councilmember Shilling stated a question has risen to who owns the stone pillars at the entrance to Maplewoods. The Association wanted to install new lanterns on the pillars and clarification is needed. Staff will review the records and see what they can find.

**Roads & Signs** – Councilmember Doak stated that he has been working with the road erosion and drainage problems and would be meeting with the City Engineer this week.

Councilmember Doak reported a street maintenance recommendation, prepared by our City Engineer, was in the Council packets. The City would solicit competitive quotes and apply for County Aid reimbursement at the Council's direction.

Councilmember Newberry moved to direct Bolton & Menk, Inc. to prepare the documentation to solicit competitive quotes for sealing and crack filling on Breezy Point Road, Maplewood Road and Maplewood Circle. Councilmember Shilling seconded. Motion carried 5-0.

**Finance** – Councilmember Newberry had no report.

WOODLAND CITY COUNCIL  
MINUTES OF THE BOARD OF APPEALS & CITY COUNCIL  
MONDAY, JULY 12, 2004  
7:00 P.M.  
PAGE 3

**Ordinances** – Councilmember Hornig stated that he was in the process of reviewing the Conditional Use Permit and how it relates to construction projects where existing homes that are totally torn down versus renovations or added to.

**TREASURER’S REPORT – Grace Norris**

Councilmember Newberry moved to approve the Treasurer’s Report as presented.  
Councilmember Doak seconded. Motion carried 5-0.

**ACCOUNTS PAYABLE**

Councilmember Newberry moved to approve the accounts payable in the amount of \$20,418.49 dated 7/12/04. Councilmember Hornig seconded. Motion carried 5-0.

**ADJOURN**

There being no further business, Mayor Stark adjourned the meeting at 9:00 PM.

Respectfully submitted,

Sandra R. Langley, City Clerk