

WOODLAND CITY COUNCIL MINUTES
Monday, January 9, 2006
7:00 p.m.

CALL TO ORDER

Mayor Jean Stark called the meeting to order at 7:00 p.m.

Present: Mayor Jean Stark; Councilmembers Jim Doak, Mark Evenstad and Michael Jilek
Absent: Councilmember Steve Hornig
Staff: Zoning Coordinator, Gus Karpas and City Clerk, Shelley Souers
Others: Mr. Eric Johnson

MINUTES OF DECEMBER 12, 2005

Councilmember Doak moved approval of the December 12, 2005 minutes subject to corrections. Councilmember Jilek seconded the motion. Motion carried 4-0.

OLD BUSINESS

A. Building Permit Process & Fees

Zoning Coordinator Gus Karpas summarized the building permit process and fee schedule. All building permits are required to include the gross total value of the construction project, including the cost of the plumbing, heating, and electrical work. Even though the building permit includes these costs, the State also requires a separate permit for plumbing, heating, and electrical. The permit fee is based on the fee schedule established in the Uniform Building Code, which has been adopted by the City. The State has established a minimum square-foot charge for all construction to ensure honesty in reporting the value. The building inspectors verify the value of construction complies with the State's minimum square-foot charge. The State limits the use of revenue generated from permit fees. Cities must demonstrate that all permit fees are used in the administration of the Uniform Building Code, which includes operation costs, plan review and inspections.

Councilmember Doak expressed concern that some projects are given a small value in relation to the size and type of project and in comparison to other projects within the city. Zoning Coordinator Karpas noted that establishing the project value is based on the honor system of the builder. The minimum fees established for plumbing, electrical and heating permits were increased to cover the cost of inspections.

Mayor Stark asked if there was a spreadsheet that delineates the project value and permit fees. Zoning Coordinator Karpas stated that there is a range and formula to calculate the fees. The City has the option to adopt their own fee schedule, and would need to demonstrate the use of fees in relation to the cost of the administration.

Councilmember Doak suggested that there is a measure of protection by using the States permit fee schedule, as it has already has been justified as equitable. Councilmember Evenstad thanked Zoning Coordinator Karpas for the report.

NEW BUSINESS

Council agreed to address Item 4 E, New Business, first to accommodate Mr. Johnson.

E. Repair to Accessory Structure – 17820 Breezy Point Road, Eric Johnson

Mr. Johnson addressed the City Council regarding a storage building located on the south side of his property. Mr. Johnson stated that his structure has a roofed overhang and partially extended wall on the west side. Last spring there was storm damage to the structure which needed repair. The builder recently extended the west wall to enclose the space beneath the overhang to prevent further storm damage to the structure. Mr. Johnson stated that Zoning Coordinator Karpas sent him a letter stating that he needed a building permit and a Special Use Permit to expand the accessory structure. Mr. Johnson stated that he believes the wall was extended within his rights according to the zoning code.

Zoning Coordinator Karpas reported that Mr. Johnson has an accessory structure that was constructed several years before size restrictions were adopted. Zoning Coordinator Karpas stated that he visited that site after receiving a call about the structure. The structure consists of two enclosed garage bays and a roof overhang with support posts. A wall was recently dropped on the open side. In reviewing the structure, Zoning Coordinator Karpas felt that enclosing the open area changed and expanded the use, requiring a Special Use Permit. Mr. Johnson did not agree with the interpretation and was directed to speak with the Council to address the matter. The Council has a number of options; 1) Agree with Mr. Johnson's interpretation and allow construction to be completed with the necessary building permits; 2) Require a Special Use Permit and necessary building permits; 3) Agree that in this case the ordinance is vague and allow the construction subject to necessary building permits and penalty.

Mr. Johnson noted that he has used the open area used for storage of boats and a recreational vehicle. Mr. Johnson noted that $\frac{3}{4}$ of the area is enclosed with walls. Councilmember Doak confirmed that the space will continue to be used as a storage area. Councilmember Evenstad agreed that from a usability standpoint the structure had not changed, however, he expressed concern with the process in which the construction was done; given the fact the city has sent previous correspondence regarding any work on the structure. Councilmember Doak agreed that the footprint has not changed and the intended use is not changing therefore, in his opinion it would not require a Special Use Permit, but would require the necessary permits and paying penalties as required.

Councilmember Jilek moved that a Variance or Special Use Permit not be required, but a building permit and penalties be paid as required. Councilmember Evenstad seconded the motion. Motion carried 4-0.

Zoning Coordinator Gus Karpas asked Mr. Johnson to submit appropriate drawings and permit applications for the accessory structure.

Mr. Johnson thanked the council for their time and consideration.

- A. Adopt Resolution 1-06 Annual Appointments and Assignments Mayor Stark noted that Woodland needs a representative to the Lake Minnetonka Communications Commission (LMCC). Councilmember Doak stated that the LMCC's focus is on providing public access, and with that in mind, there may be a resident who would have an interest in becoming Woodland's representative. Councilmember Evenstad stated that he would represent the City

in the interim while a resident is found who is interested in representing Woodland. Councilmember Jilek offered to split the responsibilities with Councilmember Evenstad. Councilmember Doak moved to approve Resolution 1-06, adopting the Annual Appointments and Assignments. Councilmember Evenstad seconded the motion. Motion carried 4-0.

B. Set Date for Annual Appeals and Equalization

Councilmember Doak moved to set the 2006 Local Board of Appeals for Monday, April 10, 2006. Also that another Council member receive training in assessments procedures and rules. Councilmember Evenstad seconded the motion. Motion carried 4-0.

C. Adopt Investment Policy

Council considered adopting an Investment Policy. Councilmember Evenstad stated that the policy may not be necessary given Woodland's limited investment options. Councilmember Doak moved to adopt the investment policy as presented (striking the date, 2006, from the policy). Councilmember Jilek seconded the motion. Motion carried 4-0.

Councilmember Jilek stepped away from the meeting at 7:55pm for several minutes.

D. Approve Hennepin County Lease Agreement for Election Equipment and AVT Equipment

Councilmember Evenstad moved to approve the Lease Agreements with Hennepin County for the Election and Assisted Voting Technology (AVT) equipment. Councilmember Doak seconded the motion. Motion carried 3-0.

F. Adopt Ordinance No. 2-3 Combining the Offices of Clerk-Treasurer

Councilmember Evenstad moved to adopt Ordinance No. 2-3, waiving the seconded reading, to combine the office of Clerk and Treasurer, effective immediately. Councilmember Doak seconded the motion. Motion carried 3-0.

Councilmember Jilek returned to the meeting.

MAYOR'S REPORT

Light Rail Meeting

Mayor Stark reported that there will be a meeting on January 12 at the Shorewood City Hall regarding the future of the transit light-rail system.

Community Services

Mayor Stark reported that the Groveland Homeowners Association had some questions concerning use of the general fund to cover the costs of the annual septic system reviews. All of Groveland has municipal sewer and water, which was entirely funded by the homeowners with no monetary assistance from the general fund. Councilmember Doak stated that he understood the Groveland Homeowners' concern, but he believed that expenses of great importance to maintaining the health and safety of the community as a whole would best be covered by general funding rather than user fees. The inspection program is critical to the quality of life in all of Woodland.

Mayor Stark reported that several neighbors in the Groveland Association have expressed concern with the cost of the utility charges. A summary explaining the project and charges will be included with the next utility bill.

Light out on Maple Hill Road

A pole mounted security light, located at the intersection of Maple Hill Road and County 101, recently went out. This light was installed by Xcel Energy at the request of a resident of Maple Hill Road who also paid for its maintenance. That resident moved and the new owner has agreed to pay for the light. The light will be operational shortly. Mr. Peter Davis assisted the staff in resolving the matter.

Minnetonka Mayor Anderson

The Minnetonka Mayor has retired and a program honoring her service will be held at the Minnetonka Community Center, January 25 from 7:00- 9:00 PM.

Treasurer Grace Norris

Mayor Stark introduced a Resolution recognizing Grace Norris for her 18 years of service as the Treasurer. Council Approved Resolution No. 2-06 in recognition of Grace Norris. Mayor Stark will present the Resolution, card and gift certificates to Grace later this month.

COUNCIL REPORTS

A. Public Safety & Finance

Council reviewed the TCF Business Account Application and Agreement included in the Council packet.

Councilmember Evenstad moved to accept the Agreement with TCF Bank and to close and liquidate all existing accounts with US Bank. Councilmember Evenstad will be authorized to sign all agreements and transact all matters regarding the banking services with TCF Bank. Councilmember Jilek seconded the motion. Mayor Stark, Councilmembers Evenstad and Jilek voted aye. Councilmember Doak abstained, citing potential conflict of interest. Motion carried 3/0/1.

Councilmember Evenstad reported that he spoke with Linda Koblick's assistant Tammy to request Ms. Koblick attend an upcoming Council meeting. Councilmember Evenstad stated that he is planning on meeting with Ms. Koblick prior to her attending the Council meeting to review some of the concerns and questions Woodland has regarding availability of grant monies, the distribution of tax dollars and road projects that affect Woodland.

Police report

Chief Gustafson stated that the holidays were uneventful. The wetland matter on Breezy Point Road is near resolution. There is a turkey that is creating a nuisance. The intent is to relocate the turkey as soon as possible.

B. Roads & Signs

Councilmember Doak reported he will ask the County to re-evaluate the road transition from Breezy Point Road to County Road 101 in the spring.

The Waste Management recycling calendar that was distributed with the carts listed some incorrect information. Staff contacted Sheldon Swenson regarding this matter. If problems arise, Waste Management will be expected to correct the information.

Snow plowing is going well and there are no concerns or issues to date.

Councilmember Doak suggested that the 2006 December newsletter remind residents that Christmas tree removal is arranged with each resident's private refuse hauler. There is not a city-wide collection of discarded trees.

Councilmember Doak reported that Mr. Peter Davis, 17901 Maple Hill Road, would be happy to work with Council and Lake Marion residents to develop a neighborhood group to voluntarily manage the use of Lake Marion.

C. Website & Deer Management

Councilmember Jilek reported that deer traps have been removed from the City. Four deer were removed from Woodland this year. Thirty-four deer were removed from Deephaven.

D. Ordinance

No report

TREASURER REPORT

Councilmember Evenstad moved approval of the Treasurer's Report. Councilmember Jilek seconded the motion. Motion carried 4-0.

ACCOUNTS PAYABLE

Councilmember Evenstad moved approval of the accounts payable as presented.

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

ADJOURNMENT

Councilmember Jilek moved to adjourn. Councilmember Evenstad seconded the motion. Motion carried 4-0. Meeting adjourned at 9:25PM.

Respectfully submitted,

Shelley Souers, City Clerk