

WOODLAND
BOARD OF REVIEW & CITY COUNCIL MINUTES
Monday, April 9, 2007
7:00 P.M.

BOARD OF APPEAL AND EQUALIZATION

CALL TO ORDER

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

ROLL CALL

Present: Chairperson Jean Stark; Board Members Jim Doak, Michael Jilek, Mark Evenstad and Tom Newberry.
Staff: City Assessor Dan Distel, and Clerk Shelley Souers
Others: County Assessor LuAnn Hagan, Mr. Herb Suerth, Ms. Joy Fruen, Mr. Mark Anderson

BOARD OF APPEALS & EQUALIZATION

Chairperson Stark welcomed the guests, and introduced City Assessor Dan Distel and County Assessor LuAnn Hagan. The Board of Equalization is the forum for owners to appeal their property valuations.

City Assessor Dan Distel summarized the Appeal and Equalization process stating that his job is to estimate property values based on comparable sales and property qualities.

Mr. Distel noted that he is required to have property valued at 95% of the sale price.

Woodland's average growth over a 10 year period was 10.8%, which is lower than surrounding Lake Minnetonka communities. Mr. Distel stated that there were numerous sales in Woodland, including a sale for \$9 million dollars.

Board Member Evenstad inquired about the overall market value growth.

Mr. Distel stated that he adjusts property based on sales not new home growth. Overall market value growth in Woodland depends heavily on lakeshore property sales. The market value increases have been slow because the market valuations have been close to the actual sales.

As a comparison, Mr. Distel reported that Deephaven's lakeshore property increased 12.5%. Woodland received less than a 5% valuation increase in lakeshore property. The sales ratio for lake property is 5.7% and 2.9% off lake.

In answer to Mr. Suerth's question regarding the sale value of lakeshore property, Mr. Distel noted that lakeshore property is selling for \$17,000 to \$20,000 for a lineal foot of shoreline.

Ms. Fruen asked if there is a cap on market values.

Mr. Distel stated that the limited market value formula has restricted annual increases to 15%, protecting property from large increases over a short period of time. This market value limitation will be phased out in 2009.

ADJOURNMENT

Board Member Jilek moved to adjourn the Board of Appeals and Equalization meeting at 7:23 PM. Board Member Doak seconded the motion. Motion carried 5-0.

MINUTES OF THE CITY COUNCIL MEETING

CALL TO ORDER

Mayor Stark called the meeting to order at 7:24 P.M.

ROLL CALL

Present: Mayor Jean Stark; Councilmembers Jim Doak, Michael Jilek, Mark Evenstad and Tom Newberry.

Staff: Police Chief Virgil Gustafson, Sergeant Corey Johnson and Clerk Shelley Souers

Guests: Joy Fruen, Herb Suerth and Mark Anderson.

CONSENT AGENDA

A. Minutes – March 12, 2007

B. 2007 Bid Street Sweeping

Councilmember Doak moved to approve the consent agenda and the items contained within. Councilmember Evenstad seconded the motion. Motion carried 5-0.

OLD BUSINESS

Councilmember Doak asked if Xcel Energy had provided the City with a letter regarding the tree trimming policy, as they had stated at the March Council meeting.

Clerk Souers reported that she received an email from Michelle Swanson confirming the tree trimming policy would be forthcoming.

NEW BUSINESS

A. Herb Suerth – Lake Minnetonka Conservation District (LMCD) Updates

Mr. Herb Suerth, 2850 West Road, Woodland's representative to the LMCD reported that the LMCD is concerned with the increasing size of the watercraft on Lake Minnetonka.

Mr. Suerth stated that he supports reducing the boat slip size allowed for new developments around the lake. This would be one way to help control the watercraft size on the lake.

Councilmember Jilek reported that 15 years ago average boat on Lake Minnetonka was 18 feet and today the average length is 24 feet.

Mr. Suerth reported that a primary concern with Minnesota lakes and specifically Lake Minnetonka is the infestation of aquatic and invasive species (AIS). The LMCD has had some success in managing the milfoil in Lake Minnetonka through annual harvesting, management practices and education. The DNR provides some monetary support for the milfoil program. The LMCD will be speaking to homeowners associations to educate groups about invasive species. The LMCD is also working on a program to get volunteers to help monitor the public landings for AIS.

Councilmember Jilek asked if any solutions exist to stop the spread or eliminate Zebra Mussel.

Mr. Suerth stated that there is no known method to eliminate the Zebra Mussel once they enter a lake.

Councilmember Doak asked how anyone can fully check watercraft for Zebra Mussel since the larvae are very small and can be in the bilge water.

Mr. Suerth stated that the only way to prevent the spread of AIS is to restrict any boat that has been in infested waters from entering another body of water for at least seven days. The boat needs to dry out to kill the larvae.

Mayor Stark reported that a resolution will be presented to the Lake Minnetonka cities to support a program to prevent aquatic species invasion.

Mr. Suerth noted that the financial cost to continue education and inspection programs for milfoil and AIS, will need to come from the cities.

Councilmember Jilek thanked Mr. Suerth for his time and effort on the LMCD.

Mayor Stark thanked Mr. Suerth for coming to the meeting.

B. Consider “Mansion Policy” Guidelines

Mayor Stark reported that the City of Minnetonka recently adopted a mansion policy, restricting the square footage allowed for a new home or construction that requires variance. Mayor Stark asked if a similar policy, separate from the zoning code, would be appropriate for Woodland.

Councilmember Newberry noted that Woodland’s structure height limitation of 35 feet does limit the home size.

In answer to Councilmember Newberry’s question regarding staff’s opinion of the mansion policy, Clerk Souers noted that she and Zoning Coordinator Karpas looked at Minnetonka’s policy and agree that Woodland’s current zoning limitations including; structure setback, height and hardcover maximums are appropriate for the average property size in Woodland. The structure square footage is limited to 10% of the lot area. Souers noted that Groveland Homeowners Association may benefit from additional or modified restrictions. Staff can work with the board to develop additional structure limitations if the association desires.

Councilmember Doak noted that floor area ratio in Minnetonka applies only to homes seeking variance. The Groveland Homeowners Association is a unique area and more control on structure size could be achieved by reducing the height allowance. He stated that he had spoken with former Councilmember Shilling about structure size and noted that at one time, Groveland Homeowners Association was approached about reducing the structure height allowed. The Association was not interested in changing the height. Councilmember Doak noted that reducing height allowance can control mass and may be a consideration for the neighborhood.

Councilmember Doak stated that limiting building structure may encounter resistance because it can have an impact on the re-sale value. Doak suggested that the city work with the Groveland Association Board to determine if there is a need to modify the zoning restrictions for their district. Resident support is valuable because zoning changes may impact resale values.

Mayor Stark noted that there is an issue with the way that structure height is measured. Some definitions do not calculate the walk out level when measuring overall height.

Ms. Fruen, 2820 East Road, stated that the City of Minneapolis is considering reducing the structure height maximum to 30 feet measured from a specific point regardless of a walkout style design.

Mayor Stark learned that the board will contact city staff when and if they have a desire to change zoning restrictions.

C. Traffic control measures – Breezy Point Road & Maplewood Road

Chief Gustafson reported that Shorewood will lend Woodland the speed trailer. The trailer will be set, out weather permitting.

Chief Gustafson responded to several comments and suggestions that were received regarding traffic control options along Breezy Point Road and Maplewood Road.

He stated that there can be liability issues with speed bumps. It is not permissible to install stop signs as speed control devices. Stop signs need to be installed at intersections.

Chief Gustafson stated that the officers do not give preferential treatment to any resident and do not check the drivers address before deciding to cite the driver.

Chief Gustafson suggested one option to slow traffic is to paint fog lines along Breezy Point and Maplewood Roads. The fog lines help to delineate the traffic lane and create a visual reminder of the lane. There is evidence that drivers travel slower with painted centerlines and fog lines. This option may be a starting point and a cost effective measure.

Councilmember Doak asked if a fog line may cause drivers to be less courteous to pedestrians under the guise that they have a designated lane.

Mayor Stark suggested staff get quotes on the cost of painting a fog line and re-painting the center stripe.

Council will review this matter at the regular meeting in May.

Police Chief Retirement

Chief Gustafson reported that he will be retiring at the end of June after 31 years in law enforcement.

The Police Civil Service Commission has recommended that Sergeant Corey Johnson be promoted to Police Chief. The Civil Service will make formal recommendation to the Deephaven Council on Monday, April 16. An officer will also be promoted to the position of Sergeant.

The Civil Service Commission consists of three Deephaven residents who are appointed to review police matters and make recommendations to the City Council.

D. Approve Monetary Limits on Tort Liability for 2007 Insurance

Councilmember Newberry moved to not waive monetary limits on tort liability and accept the statutory limits of \$300,000 and \$1,000,000 per occurrence. Councilmember Doak seconded the motion. Motion carried 5-0.

MAYORS REPORT

Mayor Stark reported that a Lake Area Mayor's breakfast is scheduled for Tuesday, April 10.

Mayor Stark stated that at a recent school district meeting she learned that the City of Chanhasen has an email alert system, sent out by the police department, notifying school officials and parents of any child abduction or abuse information within the community or school district. Mayor Stark asked Chief Gustafson if the police department has a similar notification policy.

Chief Gustafson stated the department does not send out an email or an electronic alert, but would canvass the city by going door-to-door to inform residents of similar situations in the area. The police department does notify other government agencies.

Mayor Stark stated that she will be attending an Emergency Management meeting in Mound on April 12. The lake area communities network with each other and create a plan to share common equipment and resources in the event of a local disaster.

COUNCIL REPORTS

Finance – no report

Roads and Signs

Councilmember Doak reported that there will be some road repairs this spring and he will speak to the engineer regarding quotes for repainting the center line and adding fog lines.

Website & Ordinance – no report

Ordinances – no report

TREASURER’S REPORT

Councilmember Evenstad moved approval of the Treasurer’s Report as submitted.
Councilmember Doak seconded the motion. Motion carried 5-0.

ACCOUNTS PAYABLE

Councilmember Jilek moved approval of the Accounts Payable as submitted. Councilmember Newberry seconded the motion. Motion carried 5-0.

ADJOURNMENT

Council unanimously moved to adjourn the regular meeting at 8:47P.M.

Respectfully submitted,
Shelley Souers