

WOODLAND
CITY COUNCIL MINUTES
MONDAY, OCTOBER 12, 2009
7:00PM

CALL TO ORDER & PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Mayor Jim Doak; Councilmembers, Tom Newberry, Mike Jilek, Troon Dowds,
and Sliv Carlson

Staff: Chief of Police Cory Johnson and City Clerk Shelley Souers.

Guests: None

CONSENT AGENDA

- A) Minutes September 14, 2009; Regular Council Meeting**
- B) Resolution No. 24-2009; Approve the final payment to Pearson Brothers, Inc.
(2009 Road repair and seal coat project).**
- C) Approve the 2009 Deer Management Permit**

Councilmember Jilek moved and Councilmember Carlson seconded the motion to approve the consent agenda; items A through C. Motion carried 5-0.

PUBLIC COMMENTS

None.

PUBLIC HEARING

- A) Resolution No. 25-2009; Approving Certification of Delinquent Water and Sewer Charges to be Placed on the 2010 Property Tax Rolls.**

Mayor Doak opened a public hearing to review delinquent utility account balances, apply penalties and approve assessment of unpaid charges to the 2010 tax rolls. There being no public comments, Mayor Doak closed the hearing.

Councilmember Jilek moved and Councilmember Carlson seconded the motion to approve Resolution No. 25-2009; approving penalties and certification of delinquent water and sewer charges to be placed on the 2010 property tax rolls. Motion carried unanimously.

NEW BUSINESS

- A) Discuss Ordinance Language Regarding As-built Surveys**

Councilmember Newberry noted that Woodland's property values contribute to a greater likelihood of owners and builders maximizing the construction envelope, creating an increased risk for intrusion into the setback. Several cities require as-built surveys when the foundation is completed and at the completion of the full construction project. Councilmember Newberry stated that the presumption being, an error of encroachment in a setback would be corrected prior to completion of construction.

Mayor Doak cautioned that the City not impose a hardship on property owners unless there is a strong suspicion that the construction project risks violation of zoning provisions. Mayor Doak agreed that errors could be detected and corrective action taken if an as-built survey is submitted at the completion of the foundation. The City Ordinance requires a grading permit and engineer review; however, Mayor Doak suggested that an as-built survey for grade changes, relating to drainage, would also be beneficial.

Council directed staff to prepare draft language for the Council's review at the November Council meeting.

Councilmember Dowds suggested that as-built surveys not be required for interior remodel work and minor construction that clearly would not infringe upon setbacks.

OLD BUSINESS

A) Disease Tree Program & City Wide Brush Collection

Councilmember Dowds reported that he had spoken with Woodland's tree contractor regarding the possibility of a curb-side collection of brush. Several cities provide a curb-side collection program for yard compost and brush using very specific dimensional guidelines. Woodland properties have extensive woodlands and a brush collection program could result in excessive quantities of brush set out for removal by a service provider.

Mayor Doak stated that the unknown factor with this type of service is the unexpected and potentially large volume of brush that may be set out for collection, which could prove to be cost prohibitive for the City and difficult for a service provider to estimate the costs.

Councilmember Dowds stated that many private tree services offer brush collection because garbage haulers have stopped offering the service.

Diseased tree program

Mayor Doak reported that the City continues to work on a disease tree program and to determine the best means for the City to identify diseased trees on private property. The City needs to have a written program with clear parameters for inspection, identification and an appeal process. Mayor Doak suggested the tree program be similar to the procedure for the annual septic reviews. A clearly defined procedure should be provided to residents.

Councilmember Newberry agreed that the City use a parallel process for all inspections.

Council agreed to create a procedural plan and divide the community into sections to conduct an annual disease tree inspection starting in the spring 2010.

Councilmember Dowds reported that Woodland's tree contractor has identified and reported to the City a stand of diseased elm trees located on private property. The trees are clearly visible from the road. Councilmember Dowds measured the public right-of-way to confirm that the diseased trees are fully located on private property and not in the right-of-way.

Council directed staff to notify the property owner of the diseased trees and the requirement by ordinance to remove the trees within 30 days.

MAYORS REPORT

Real Estate Signage - Mayor Doak reported that there are a number of properties in Woodland for sale and suggested Council review the language relating to sign restrictions and clarify any ambiguities regarding the total sign area permitted.

Council directed staff to enforce the real-estate sign limits. Council will review the language relating to sign limitation at the November Council meeting.

Parking Restrictions - Mayor Doak reported that he had received a request from a resident asking Council to consider ordinance language that prohibits or restricts parking vehicles within 10-15 feet of a lot line or an adjoining house. Council did not express any interest in exploring amendments to the zoning ordinance or nuisance ordinance regarding this matter.

County Road 101 - Mayor Doak reported that Hennepin County Transportation will host a public informational meeting regarding the proposed improvements to County Road 101, Thursday October 29 from 6-8 P.M. at the Wayzata City Offices.

Minnetonka School District - Mayor Doak reported that he attended a recent Minnetonka School District meeting and would like the Council to consider hosting an open forum with superintendent Dr. Dennis Peterson to provide a question / answer session addressing the district's plans for 2010 and provide information to explain the impact the school district has on property taxes. Mayor Doak reported that the district's students have shown superior academic performance and the results have improved significantly under Dr. Peterson's leadership.

MCWD - Mayor Doak stated that the Minnehaha Creek Watershed District (MCWD) provides educational opportunities to assist cities in achieving phosphorous reduction goals.

Councilmember Carlson suggested soliciting feedback from the community and to encourage participation in the MCWD's studies to reduce phosphorous runoff.

COUNCIL REPORTS

Public Safety

Councilmember Jilek reported that Council approved the agreement with NARS for deer removal.

Chief of Police Johnson had no report.

Finance & Intergovernmental Relations

Councilmember Carlson reported that she attended a recent Metropolitan Council meeting and would like to extend an invitation to District 3 Representative Robert McFarland to attend a City Council meeting.

Councilmember Carlson stated that the Metropolitan Council is using a grant to study the use of algae as a source of fuel.

The Groveland Homeowners Association hosted the National Night Out. County Commissioner Callison, Senator Olson and Legislative Representative Doepke all participated, along with Councilmembers and many residents.

Roads and Signs

Councilmember Dowds reported that the 2009 Road improvements are complete.

Ordinances

No report.

TREASURER'S REPORT

Councilmember Newberry moved approval of the Treasurer's Report as submitted.

Councilmember Jilek seconded the motion. Motion carried 5-0.

ACCOUNTS PAYABLE

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

ADJOURNMENT

Council adjourned by consent at 8:26PM. The next regular Council meeting will be held on Monday, November 9th.

ATTEST:

Shelley J. Souers, City Clerk

James S. Doak, Mayor