

WOODLAND
CITY COUNCIL MINUTES
MONDAY, MARCH 9, 2009
7:00PM

CALL TO ORDER & PLEDGE OF ALLEGIANCE

ROLL CALL

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

Absent: Mike Jilek

Staff: City Attorney Cynthia Kirchoff, Police Chief Cory Johnson, City Engineer Dave Martini, Fire Chief Kevin Klapprich and City Clerk Shelley Souers.

Guests: Andy Berg

CONSENT AGENDA

Councilmember Carlson moved and Councilmember Newberry seconded the motion to approve the consent agenda as presented to include items A-E. Motion carried 4-0.

NEW BUSINESS

A) Fire Chief Kevin Klapprich provided an overview of the Fire Department staff, service and equipment. Chief stated they are working closely with the Excelsior Fire District for mutual aid support. Mutual aid service is provided at no cost to communities.

Chief Klapprich stated that fire fighters are required to live within eight minutes of the fire department, which opens up more area for eligible candidates. Chief Klapprich reported that he applied for and received a grant to cover 95% of the cost of new breathing apparatus for the fire fighters. Chief Klapprich reported that 33% of all calls to the fire department are filed as good intent calls (false alarms, reports of smoke by passer-bys), 19% of the calls are related to alarm malfunction, 11% are hazard calls (chemical spills, vehicle accidents), 11% of the calls are fire and/or smoke related, and 25% are medical calls.

B) 2008 Annual Financial Report – Andy Berg auditor with Abdo, Eick and Meyers, LLP.
Item B, discussed later in the agenda.

C) Accessory Structure Standards

Councilmember Newberry reported that the current ordinance relating to accessory structures allows these structures to be considered part of the principal structure when they are connected to the main structure by only a passageway. Under the current language, a homeowner can circumvent the size limitation and maximum number of accessory structures by making a simple connection of the accessory structures to the main structure thereby making it part of the main structure. The consensus was Woodland is a community of single family homes, not rambling semi-detached residences. With large lots the risk is a change in the character of the community by exploiting a weakness in the Zoning Ordinances. There is no intent to dictate style of single family homes, but there is interest in preserving the basic quality of the city's housing stock.

Zoning language should probably focus on the connecting element, but limits on electric or sewer/water hookups could be explored.

Council discussed options to limit the means of connecting accessory structures. One limitation would be to restrict the dimensions of the connecting piece and require that the connector be fully enclosed with frost footings.

Discussion will continue in April.

D) Social Host Ordinance

Councilmember Carlson reported that she represented the City at a forum that outlined the dangers of underage drinking and encouraged communities to establish a social host ordinance.

Chief Johnson reported there has not been an issue regarding under age drinking over the last five years. Chief Johnson stated that 99% of the time when the police discover underage drinking, adults are not present and the parents are not aware. The call usually involves a noise complaint. Council agreed that the issue was one of parental responsibility and the need to effectively supervise and communicate with their children. There was concern that a social host ordinance seemed redundant given existing State and local alcohol control laws. The City will use the newsletter to provide resources to parents and teens on the problem of underage drinking.

E) Draft Review of a Stormwater Management Ordinance Regarding Construction Site Runoff

Item E, discussed later in the agenda.

OLD BUSINESS

A) Surface Water Management Plan.

City Engineer Dave Martini presented the Council with an amended Surface Water Management Plan, following review by and a meeting with the Minnehaha Creek Watershed District (MCWD). Discussion quickly focused on the MCWD's requirement that Woodland eliminate 10 pounds of phosphorous runoff per year within 10 years. Phosphorous reduction methods were discussed with the conclusion that the science in this area is rapidly changing and rather imprecise. The plan outlined alternatives for meeting the MCWD goals and the financial impact to implement procedures and improvements to achieve the required levels. With limited public property available for such devices a rain gardens, it was apparent that the bulk of phosphorous reduction would fall upon future development of private property. The pace of this development is a function of the private economy, thus highly variable.

Mayor Doak stated that he supported phosphorous mitigation and all future road improvement projects needed to take into consideration the best means to achieve maximum phosphorous reduction. He also asked for the phosphorous reduction goals for neighboring communities and when disclosed, he noted that the MCWD goal for Woodland seem disproportionately aggressive given the City's small size and its infrastructure which is almost entirely roads and very limited right of ways. He also noted the City's strict control of impervious surface and large lot size requirement in zoning. This contrasts markedly to the dense development and heavy impervious

surface coverage of neighboring communities that appear to have relatively less onerous phosphorous reduction targets despite their apparent potential for significantly greater storm water and phosphorous run off.

Mayor Doak asked Mr. Martini to have the MCWD provide, in writing, clarification on how the 10 pound minimum phosphorous reduction for Woodland was determined. Possible approaches to phosphorous reduction might be revealed if the methodology for assessing targets were disclosed. Mr. Martini was to discuss this situation with MCWD and report back as soon as possible.

PUBLIC HEARING

A) Annual Hearing for the Storm Water Pollution Prevention Program (SWPPP)

Mayor Doak opened the public hearing at 8:36 P.M. to hear any public comments regarding the SWPPP.

There being no comments; Mayor Doak closed the hearing at 8:38P.M.

Council took no action.

NEW BUSINESS - continued

B) 2008 Annual Financial Report – Andy Berg auditor with Abdo, Eick and Meyers, LLP

Mr. Andy Berg presented a summary of the financial statements for the year ended 2008. As part of his firm's auditing mandate, Mr. Berg recommended implementing additional segregation of duties in the accounting procedures relating to the utility billing. Mr. Berg suggested a separate staff person review the quarterly utility billing registers, receipts and billings. This procedure has already been implemented. Under State accounting statutes for small cities, Woodland's financial statements fairly and accurately reflect the City's financial position.

Mr. Berg reported the year-end unreserved cash balance is 72% of the budgeted expenditures. A benchmark fund balance for cities is 50%. The City has maintained a cash balance of 65-85% over the past five years. Mr. Berg agreed that the fund balance is acceptable given the small size of the City's budget and that the expenditure are incurred evenly throughout the year, but the property tax and state aid revenues are not received until the second half of the year.

Mr. Berg reported that the activity in both the Water Fund and Sewer Fund has shown a consistent pattern of slowly increasing operating losses over the last five years. Mr. Berg suggested that the City consider a utility rate analysis to ensure operating and debt service costs are covered by the rates charged for services.

Council thanked Mr. Berg for his work and report on the financial statements for 2008.

Councilmember Newberry moved to accept the financial statements, Management Letter and recommendations as presented. Councilmember Carlson seconded the motion. Motion carried 4-0.

E) Draft Review of a Stormwater Management Ordinance Regarding Construction Site Runoff

The Minnesota Pollution Control and Minnesota State Statute mandate every City adopt a Stormwater Management Ordinance. Council reviewed a proposed Stormwater Management

Ordinance that would regulate land-disturbing activities that may impact local drainage patterns and impact the water quality. This language would become part of the zoning ordinance.

Staff will answer questions by Councilmembers on threshold acreage and penalties and bring the proposed ordinance back to Council for consideration at a public hearing in April.

MAYOR'S REPORT

A) Agenda format to include Public Comments - Mayor Doak recommended that the Council agenda include a public comments section so that residents may bring matters to the full Council's attention at the public meetings. The recommendation was accepted and the agenda change will be publicized in the Newsletter before implementation in the April meeting.

B) Mayor's Role - Woodland is a statutory City with a "weak mayor", meaning that the mayor is spokesperson, coordinator, and chair of the Council, but can take no policy or financial action without full Council approval. The mayor has but one vote on the Council. Mayor Doak noted that the requirement fits nicely with the team oriented approach that the Council has always taken to City business.

C) Open meeting rules – Mayor Doak reminded Council of the open meeting rules and that Council must be careful not to inadvertently create a quorum for discussion of city business in person or by email exchanges.

Mayor Doak suggested email correspondence be sent through the clerk with a copy to the mayor.

D) Other Matters

Mayor Doak reported that the Lake Minnetonka Conservation District is considering access fees on the boat ramps. Council will report on this matter as more is decided.

Mayor Doak, on behalf of the Council, thanked Chief Johnson and Administrative Assistant Pat Thiede for their work on the Annual Police Department Report. Mayor Doak stated that the Council appreciates the Police Department's involvement in the community and their dedication to public safety.

COUNCIL REPORTS

Finance & Intergovernmental Relations

Councilmember Carlson reported on several new legislative initiatives of possible significance to Woodland and will follow the development of these bills and report back to Council.

Roads and Signs

Councilmember Dowds reported that several street signs were destroyed along Breezy Point Road on February 20 by an intoxicated driver. The driver will be billed for restoration. Staff has ordered replacement signs and the public works department will install the signs as soon as possible.

Mayor Doak stated that he will work with Councilmember Dowds on prioritization of this year's road maintenance projects.

Deer Management and Website

No report

Police Report

Chief Johnson reported that the department will be hiring a new officer. Chief Johnson also reported that there were several incidence of vandalism in both Deephaven and Woodland over a recent weekend.

Ordinances

No report.

TREASURER'S REPORT

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

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

ACCOUNTS PAYABLE

Councilmember Newberry moved approval of the Accounts Payable as submitted. Mayor Doak seconded the motion. Motion carried 4-0.

ADJOURNMENT

Councilmember Newberry moved and Carlson seconded the motion to adjourn the regular meeting at 9:28P.M. Motion carried 4-0.

ATTEST:

Shelley J. Souers, City Clerk

James S. Doak, Mayor