

CITY COUNCIL MINUTES
Monday, March 8, 2010
7:00 P.M.

Mayor Doak called the meeting to order at 7:00 PM.

ROLL CALL

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

Staff: Chief of Police Cory Johnson, Zoning Administrator Gus Karpas, City Clerk Shelley Souers.

Guests: Andy Berg and Patricia Nauman

CONSENT AGENDA

- A. Minutes February 8, 2010; Regular Council Meeting
- B. Resolution No. 03-2010; Adoption of Findings of Fact for the Special Use Permit at 2700 Stone Arch Road.
- C. Approve Street Sweeping with Reliakor Services for 2010

Councilmember Carlson moved to approve the consent agenda as submitted. Councilmember Jilek seconded the motion. Motion carried 5-0.

PUBLIC COMMENTS

Mayor Doak noted that the City received written comments from Mr. Steve Hornig regarding structure height and grade changes. Mr. Hornig's written comments will be read under item 5B.

NEW BUSINESS

A. Review of 2009 Annual Financial Report – Abdo, Eick & Meyer, Andy Berg

Mr. Andy Berg presented a summary of the financial statements for the year ended 2009.

Mr. Berg reported the year-end unreserved cash balance is 67% of the budgeted expenditures. The City has maintained a cash balance of 65-80% over the past several years. Mr. Berg agreed that the fund balance is acceptable given the small City budget, because expenditures are incurred evenly throughout the year and distribution of the majority of the revenue from property taxes is in the second half of the year.

Councilmember Newberry noted that the City does not have a line of credit and the only source of money is the fund balance.

Mr. Berg noted that the license and permit revenues were down considerably from 2008. The top expenditure continues to be public safety. Several other notable changes were interest earnings below the budgeted amount by \$4,300 and engineering was over budget by \$5,300.

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 six years. Mr. Berg noted

that the trend may result in insufficient cash flows to cover the bonds payable. Mr. Berg recommended the City conduct a utility rate analysis to ensure operating and debt service costs are covered by the rates charged for services. A rate increase may be likely in the near future.

Mayor Doak stated that the City will be looking at the overall condition of the system this spring. The likely finding may be that Woodland is not be reserving adequately for long term maintenance of the enterprise system, especially the water system. A fee increase will be determined after more evidence of the condition of the system is available.

Council thanked Mr. Berg for his work and report of the financial statements for 2009.

Councilmembers Jilek moved and Carlson seconded the motion to accept the 2009 Financial Statements, Management Letter and recommendations as presented. Motion carried 5-0.

B. Patricia Nauman, Executive Director of the Metro Cities

Ms. Nauman presented an overview of the Metro Cities services, noting that the Metro Cities represents 90% of the cities across the metro area. Ms. Nauman stated that a large portion of the Metro Cities work is spent lobbying the State Legislature and Metropolitan Council on behalf of the cities and monitoring legislative changes that directly impact cities.

Mayor Doak noted that cities are bearing more costs and greater cuts than other state entities.

Ms. Nauman agreed that the state cuts have not been equitable; noting that metro area cities have lost 50% or more of their LGA compared to greater Minnesota communities.

Council thanked Ms. Nauman for her time and information.

C. Curbstop key

Mayor Doak reported that the City will need to order a custom curbstop valve key to access the gate valves along Stone Arch Road. The current valve key cannot reach certain valves which are at considerable depths.

Councilmember Jilek moved to approve the purchase of a custom curbstop key with an approximate cost of \$200. Councilmember Carlson seconded the motion. Motion carried unanimously.

D. Zoning Review of Building Heights and Land Alteration Permits

Councilmember Newberry introduced several zoning amendments for discussion.

- Uses permitted 900.04, subd. 2 (11), striking “motors” from the subsection.
- 900.02 clarifying the height definition, establishing a spot elevation on the subject property as of April 12, 2010 or the building permit date, whichever is lower.
- 900.17 regulating land alteration permits by creating categories for grade changes that would include a Special Use Permit for grade elevation changes of 1-3 feet and a Variance for grade elevation changes greater than three feet.

Councilmember Newberry outlined the rationale for tightening the use of Special Use Permits for grade alterations and requiring a variance for grade changes over three feet.

Mayor Doak noted that poor soil conditions often require garden beds to be augmented with fill and suggested adding language to exclude minor land alterations for gardens and landscape beds, but not for structures, patios, decking or driveways.

Councilmember Newberry suggested that ordinance language be added so that for land alteration up to three feet for the purpose of installing one landscaping amenity, the City Engineer and Zoning Administrator are authorized to issue a land alteration permit without a Special Use Permit, provided the footprint of the amenity is less than 400 square feet and provided that no present or future structure or hard cover be within 12 feet of the amenity.

Zoning Administrator Karpas noted that such landscaping amenities might require adjacent hard cover to serve as a retaining wall. Zoning Administrator Karpas further noted that residents often wish to locate landscaping amenities adjacent to the Main building.

Councilmember Newberry noted that written comments were received from Mr. Steve Hornig regarding the draft ordinance language for structure height and land alterations. Mr. Hornig suggested that re-grading results in taller houses being built than permitted under the zoning code and that grading be permitted only by variance.

Councilmember Newberry noted that for measuring purposes a spot elevation taken on the natural slope of the land adjoining the house would restrict the structure and achieve the outcome Mr. Hornig proposes.

Council directed staff to prepare draft language for review in April.

PUBLIC HEARING

A. Public Hearing to receive comments on the Surface Water Pollution Prevention Program (SWPPP)

Mayor Doak opened the annual public hearing on the Surface Water Pollution Prevention Program at 8:25P.M. to hear public comments on Woodland's SWPPP program.

There being no public comments, Mayor Doak closed the public hearing at 8:26P.M.

Mayor Doak reported that staff will prepare a handout summarizing the various water management plans impacting the City, to be distributed at the April City Council meeting.

OLD BUSINESS

A. Minnehaha Creek Watershed District Rule D and Rule F Amendments

Mayor Doak reported that the proposed MCWD amendments to Rule D and Rule F will have the greatest impact to Woodland properties with wetlands. The Mayors, Councilmembers and staff of lake communities will meet to discuss the proposed amendments and develop coordinated responses if possible. In any event Woodland will have a defined position on the rules and has already written a letter to the MCWD outlining problems with the proposed changes.

MAYORS REPORT

LMCD Meeting

Mayor Doak reported that he and Councilmember Jilek attended an informational meeting with the technology committee of the Lake Minnetonka Conservation District regarding the ecological health of the lake, dock rights and rules dictating quiet waters. Concern with the health of the littoral portion of the lake is a high priority.

Construction Bonds

Mayor Doak suggested that the City consider requiring that contractors post a construction bond or execute a performance contract with the City to protect the City's streets during construction projects and ensure completion of projects in a timely manner. Staff will look into examples from other municipalities.

COUNCIL REPORTS

Public safety

Councilmember Jilek reported that NARS has removed all traps and no deer were taken this season.

Finance & Public Safety

No report.

Road & Signs

Councilmember Dowds noted that Aaron's Services removed two trees along Blaine Avenue and County Road 101. The stumps will be cut down to grade once the snow melts.

Ordinances

No report.

ACCOUNTS PAYABLE

Councilmember Newberry moved approval of the Accounts Payable as submitted.

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

TREASURER'S REPORT

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

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

ADJOURNMENT

Council unanimously moved to adjourn the regular meeting at 9:04 P.M.

ATTEST:

Shelley J. Souers, City Clerk

James S. Doak, Mayor