

CITY COUNCIL MINUTES
Monday, April 12, 2010

Mayor Doak called the meeting to order at 7:46 PM.

ROLL CALL

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

Absent: Councilmember Michael Jilek

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

Guests: Fire Chief Kevin Klapprich, Ron Youngdahl and Carl Bennetsen

CONSENT AGENDA

A. Minutes March 8, 2010; Regular Council Meeting

B. Annual Fire Protection Contract with Wayzata

Councilmember Carlson moved to approve the consent agenda as submitted. Councilmember Dowds seconded the motion. Motion carried 4-0.

PUBLIC COMMENTS

None.

Council moved the new business items ahead of old business to accommodate the guests present.

NEW BUSINESS

C. Approve Monetary Tort Limits.

Mayor Doak moved to approve the limits of tort liability and to not waive the monetary limits on municipal tort liability. Councilmember Newberry seconded the motion. Motion carried 4-0.

Insurance Representative

Mayor Doak introduced Mr. Ron Youngdahl and Mr. Carl Bennetsen, representing agents from Northern Capital Insurance. Mr. Youngdahl and Mr. Bennetsen provided a brief overview of their company and services. Insurance coverage would continue through the League of Minnesota Cities. The agent's commission would remain the same at 10% of the policy. Mr. Youngdahl stated that their agency represents 25 communities, including Deephaven and believes working with both Deephaven and Woodland would be beneficial because of the shared services.

Mayor Doak recommended that Northern Capital represent Woodland for a one year to coincide with the 2010 renewal.

Councilmember Carlson moved to change representing agents and accept Northern Capital Insurance for municipal insurance coverage. Councilmember Dowds seconded the motion. Motion carried 4-0.

A. County Road 101 Improvements

Council received a letter from Mr. David Zesbaugh, 3000 County Road 101, opposing the proposed sidewalk to be placed along the west side of County Road 101.

The Council discussed the merits of having both a sidewalk and a multi-use trail on the same road. The consensus was that the proposed sidewalk would be beneficial and provide a measure of safety to persons who need to walk along County Road 101. A separate path for bicyclists was also seen as necessary to promote general pedestrian safety.

Staff will send a copy of Mr. Zesbaugh's letter to Hennepin County Project Engineer Nick Peterson as well as a letter to Mr. Zesbaugh that explains the Council's thinking.

B. Performance Agreement

Council discussed the merits of requiring a performance agreement to be used in conjunction with building permits for large scale improvements to make sure that contractors are responsible for damage the public roadways and complete projects in a timely manner.

Council tabled this matter to the May 10, 2010 meeting.

E. Hydrant Flushing for 2010

Council reviewed the 2010 quote for hydrant flushing. The rate will remain the same as 2009. *Councilmember Carlson moved to approve the quote from Infratech for the hydrant flushing. Councilmember Dowds seconded the motion. Motion carried 4-0.*

F. Sewer and Water Fund Balance

Mayor Doak reported that the sewer and water fund cash balances have decreased over the past six years. The auditor recommended that a cash flow projection and a rate study be completed to make sure that sufficient resources would be available to cover operations, future repairs, and payment of the outstanding bonds.

Mayor Doak reported that the engineer will provide an estimate on the cost to inspect and exercise all household curb stops. The consensus was to proceed with the inspection, if the estimate was reasonable.

G. Septic Inspection and Disease Tree Inspection

Council discussed creating a policy for septic and diseased tree inspection. The key problem rests with the authority of City inspectors to enter properties without the expressed consent of the owners or a warrant in the case of an emergency. Other cities seem to do inspections without notice or consent and apparently have not been challenged. The Council supports the City Attorney in his concern that this practice exposes the City and its inspectors to multiple legal risks. A process that incorporates obtaining approval from property owners seems highly desirable.

Councilmember Dowds suggested that in addition to approval the septic inspector wear a bright colored vest and carry identification when making all inspections.

D. Fire Service - Wayzata Fire Chief Kevin Klapprich

Chief Klapprich reported that the Fire Department recently purchased new equipment with grant money. The Department is waiting to hear on a possible grant to be used towards the purchase of a new fire truck. Chief Klapprich reported that Hennepin County encourages mutual aid support between emergency response departments using computer aided dispatch. As a result, fire alarm calls are now mutually supported by the Wayzata, Excelsior, and Minnetonka Departments. Each City covers their own costs associated with a mutual aid response to another community for all support less than 12 hours.

Council thanked Chief Klapprich for his leadership and support of Woodland.

OLD BUSINESS

A. Ordinance Amendments

Council continued discussion of zoning amendments for land alteration. Any excavation, filling or grading that would increase or decrease, by up to 3 feet, any ground level existing as of May 10, 2010 or the date of the application, whichever ground level is lower at any point, requires a written permit from the City Engineer and Zoning Administrator. Any such land increase or decrease of more than 3 feet at any point would require a variance.

Zoning Administrator Karpas noted that modest grade alterations to property within the Groveland Homeowners Association could have a greater impact due to the lot area. Council may wish to consider a variance for alterations less than three feet in the Groveland Homeowners Association.

Staff will schedule a public hearing for the May 10 City Council meeting.

B. MCWD Rule D & Rule F

Mayor Doak reported that he has attended several lake community meetings regarding the proposed Minnehaha Watershed District rule changes. The proposed language regarding wetland buffers creates significant restrictions on the use of private property that extend beyond protecting the quality of water and move to creating wildlife habitat. Monuments will be required to designate the wetland buffers. The consensus of the cities is that although the goals of the MCWD are understandable, the buffering requirements are excessive and an unnecessary burden on property owners. Mayor Doak also noted that under the proposed ordinances, repair of existing shoreline riprap will be subject to new conditions including designated access corridors and the installation of bio-engineered buffers beyond the corridors.

Mayor Doak noted that the City will prepare a second letter to the Minnehaha Creek Watershed District addressing Woodland's concerns with the revisions to the proposed rules and to go on record that Woodland does not fully agree with the proposed measures due to the social and financial costs associated with the mandates.

MAYOR'S REPORT

Mayor Doak reported that he participated in a tour of the new Target Stadium. The structure is beautiful, as it should be given the significant tax burden it imposes on metropolitan residents.

COUNCIL REPORTS

Public Safety

Chief Johnson reported that the 2009 year end report was distributed in the packet for review.

Chief Johnson noted that the department received 1500 radio calls in 2009. Traffic citations and DWI arrest were up from previous years. An emphasis is placed on frequent patrols and community contact. Personnel are working well and he is pleased with the composition of the force.

Roads – no report

Finance

Councilmember Carlson reminded the council that the date of the Primary Election is officially moved to August 10.

Ordinance – no report

ACCOUNTS PAYABLE

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

TREASURER'S REPORT

Councilmember Carlson moved approval of the Treasurer's Report as submitted. Councilmember Newberry seconded the motion. Motion carried 4-0.

ADJOURNMENT

Council unanimously moved to adjourn the regular meeting at 9:46 P.M.

ATTEST:

Shelley J. Souers, City Clerk

James S. Doak, Mayor