

PUBLIC WORKS & SAFETY COMMITTEE MEETING
Wednesday, November 4, 2015
Minutes

Call Meeting to Order

The meeting was called to order at 1:30 p.m.

Members Present

Paul Skrede, Police Chief Cory Johnson, Teresa Pendleton, Public Works Foreman John Menzel, Jeff Kask, and City Administrator Dana Young

Discuss Operating a Chain Saw on Shaver's Lake Drive

Discussion was held on the frequent use of a chainsaw on Shaver's Lake Drive. Also in attendance to participate in the discussion were Jerry Sirjord (3300 Shavers Lake Road) and Leslie Ackerberg (17952 Shavers Lake Drive).

Police Chief Johnson stated that his department has received five complaints since December 2014 from two individuals regarding the on-going issue of excessive use of a chainsaw at Mark Weber's residence. He stated that his officers made contact with Mark following the complaint to discuss complaints about him cutting wood a couple of hours a day. He stated that Mr. Weber asked the officers if he was in compliance with the ordinance and was told he was.

Dana Young stated that he discussed this matter with the City Attorney, who thought the City could use the provisions of Section 535.01 (a) to eliminate the persistent operation of the chain saw. He stated that the City Attorney acknowledged, however, that he is not a prosecuting attorney.

Chief Johnson stated that he discussed this matter with the City Prosecutor who did not think that the City Code was adequate to address this issue. He stated that he didn't know how you could restrict someone from using a chainsaw since you can't legislate common courtesy. He recommended obtaining statements from a number of residents in the area willing to complain about the excessive use of the chainsaw and he can file these statements with the City Prosecutor. He stated that he needs more than just two people complaining about this operation, one of which was unanimous.

Leslie Ackerberg stated that the police have already had a conversation with Mr. Weber and nothing has been done. She stated that no one objects to the ordinary use of a chainsaw but she considers it excessive when someone uses a chainsaw for 27 days within a five month period. She stated that he has wood brought in by the truck load and stores it in the back of his yard.

Jerry Sirjord stated that Mark does do some burning of the wood and also may use it for wood-working. He stated that the large woodpile is a concern for him due to the accumulation of rodents. He stated that the use of the chainsaw is relatively quiet now but is concerned that it could start up for a couple of hours a day in December.

Paul Skrede stated that a solution may be to differentiate between maintenance and recreational use of this type of equipment. He stated that the problem with writing an ordinance is that the more precise the language, the more difficult it can be to enforce. He stated that it would be very helpful to have a number of residents show an interest in this issue so that it doesn't seem like a neighbor vs. neighbor issue.

Dana Young stated that the City should be able to address the large woodpile.

Paul Skrede stated that he is sympathetic to the situation and recommended that a larger group of neighbors submit their concerns to staff and state how the noise has specifically affected them.

Discuss Lower Speed Limit & Stop Sign on Linwood Road (John Studer)

Discussion was held regarding a request from John Studer (19155 Azure Road) to lower the speed limit on Linwood Road and add a stop sign on Linwood Road at the Bayview Court intersection. Also in attendance to participate in the discussion were Jessica Otis (20705 Linden Road), Suzanne Kickhaefer (20650 Bayview Court) and Darcy Westlind (20485 Linden Road).

Chief Johnson stated that a stop sign is not a deterrent to speeding. It simply annoys motorists by inconveniencing them. He stated that people are generally going to drive the speed that they comfortable with and are not that influenced by speed limit signs.

He presented that results of the speed monitoring survey on Linwood Road and noted that while you are never going to get rid of everyone who drives excessively fast, only 0.89% traveled in excess of the speed limit from 35-39 mph. He acknowledged that the City could do a better job with some of the signage along Linwood Road, particularly with the posted speed limit signs. However, he added that the results of the speed monitor are not those that he would expect from a "problem" street. He reiterated that people are going the speed where they are most comfortable and the number of lowered speed limit signs does not impact the speed of traffic.

Darcy Westlind stated that he thought the results were likely skewed by the presence of the speed trailer itself, because so many people slow down when they see the trailer.

Suzanne Kickhaefer asked what is the advantage of maintaining a 30 mph speed limit?

Paul Skrede stated that another benefit of the speed trailer is that it provides timelines and time of day data. The police can use this information to determine the time when most people are speeding.

Jessica Otis stated that she has two kids and is very nervous about the steepness of her driveway and the speed of vehicles on Linwood Road. She stated that there have been several instances when she and her kids have nearly been hit by vehicles. She stated that there are a lot of children in the neighborhood.

John Studer stated that lowering the speed limit to 20 mph would generally lower the overall speed of vehicles.

Darcy Westlind stated that he and several other residents had this same conversation with the City Council back in 1999. He stated now that cities are in control of establishing their own speed limit, he wouldn't mind looking at signage. He stated that he would also recommend striping around the sharp corner on Linwood.

At the conclusion of the discussion, it was the recommendation of the Committee to replace speed limit signs with cautionary 20 mph signs and to re-stripe Linwood Road next year.

Paul Skrede stated that the City wants to be as receptive as possible but we want to do what is right not necessarily what is popular.

Discuss Request for 20 MPH Speed Limit in Deephaven (Jeff Richards)

Dana Young stated that he received a request from Jeff Richards (3635 James Avenue) to lower the speed limit throughout Deephaven to 20 mph as a way to address excess speeding. It was the consensus of the Committee that you can't lower the speed limit arbitrarily throughout Deephaven due to the unique characteristics of each street, particularly with side streets vs. thoroughfares.

Discuss Request for Downcast Street Lighting (Jeff Richards)

Dana Young stated that he received a request from Jeff Richards (3635 James Avenue) to contract with Xcel Energy to install downcast lighting on all the street lights in Deephaven. Dana Young stated that he would obtain more information on downcast lighting from Xcel Energy.

Other

Dana Young stated that he received a complaint from Faye Stillman about the effectiveness of the concave mirror located near the Vine Hill Bridge. He stated that Faye thought the mirror was an actual hazard for motorists. Paul Skrede noted that it is absolutely fine if Faye and other residents chose not to use the mirror but the mirror might still hold some value for other motorists.

The Commission reviewed a site plan showing four posts and five trees on top of CenterPoint Energy's gas main along the Elementary School and Education Center on Vine Hill Road that CenterPoint would like removed. Further discussions will be held with the CenterPoint Energy and the School District.

Adjournment

Motion to adjourn by Dana Young, seconded by Jeff Kask. Motion carried 5-0. The meeting adjourned at 3:20 p.m. The next regularly scheduled meeting of the Public Safety & Public Works Committee will be held on Tuesday, December 1, 2015.