WAYZATA CITY COUNCIL
MEETING MINUTES
March 18, 2014

AGENDA ITEM 1. Call to Order and Roll Call.

Mayor Willcox called the meeting to order at 7 p.m. Council Members present: Amdal, Anderson, Mullin and Tanner. Also present: City Manager Nelson, City Planner Gadow, City Engineer Kelly, and City Attorney Schelzel.

Mr. Willcox announced that prior to tonight's meeting, the Council met in Workshop with the Heritage Preservation Board and to discuss East Lake Street landscaping.

AGENDA ITEM 2. Approve Agenda.

Mr. Tanner made a motion, seconded by Mr. Amdal, to approve the agenda, as presented. The motion carried 5/0.

AGENDA ITEM 3. Public Forum – 15 Minutes (3 minutes per person).

a. Heritage Preservation Board Annual Report Update

Judy Starkey, Heritage Preservation Board (HPB), introduced Board Members and described their work relating to preservation. Irene Stemmer, HPB, presented their 2013 annual report and indicated a copy had been mailed to the State Historic Preservation Office. Ms. Stemmer described events that occurred during May, which is Heritage Preservation Month, including five Centennial House Awards and Best Preserved House Award. She then described the Trapper's Cabin and thanked the developer for donating it, sponsors for restoring it, and the City Council for accepting it. Ms. Stemmer reported on the four homes that had been torn down and work of the Board to document the homes through photographs. She reviewed the location of where bronze history plaques will be installed and thanked the Council for installing an iron fence around First Cemetery. Ms. Stemmer stated they had a large response at their James J. Hill Days booth. She listed sites within Wayzata that had been preserved including the Depot, the Gee House, the Ferrell Braastad House, and the Big Woods.

Mr. Willcox thanked members of the Heritage Preservation Board for their work on behalf of the City.

AGENDA ITEM 4. Consent Agenda.

With regard to item 4.c., Ms. Nelson explained the City has been in negotiation with Mediacom for some time in an effort to exact improvements to infrastructure and customer service. She explained that Mediacom owns the infrastructure in the ground and requests a franchise to operate from the City. Ms. Nelson explained the City had reached out to Comcast about their interest in acquiring this market but Comcast indicated it was not within their current business plan.

Mr. Amdal made a motion, seconded by Mr. Tanner, to approve the consent agenda:

a. Approval of Minutes of March 4, 2014
b. Approval of Check Register
c. Consider Resolution No. 08-2014 Extending Franchise Agreement with Mediacom
d. Municipal licenses which received administrative approval (informational only)
e. Police Activity Report
f. Building Activity Report

The motion carried 5/0.

AGENDA ITEM 5. New Business.

a. Consider Resolution No. 09-2014 Adoption of Lakefront Framework & Plan

Mr. Gadow noted the St. Paul Riverfront Corporation had presented the final draft of the Lake Effect Framework and received additional Council feedback at the March 4, 2014, Council meeting. The Framework document and draft resolution have now been updated to incorporate that feedback.

Patrick Seeb, St. Paul Riverfront Corporation, noted many members of the Steering Committee, Advisory Committee, and jurisdictional agencies were in attendance.

Mr. Willcox invited audience comment.

Bob Ambrose, 15803 Holdridge Road, commended the Council and City staff for its vision to enter this process and select a group that has proven to be a class act, and the community for its high level of involvement, resulting in a tremendous outcome. Mr. Ambrose referenced Page 41 and commented on the importance of stewarding this dynamic and challenging Plan.

Jim McWethy, 1150 LaSalle Street, thanked the Messrs. Seeb and Griffin for guiding the Framework and the Council and City staff for its vision and getting this initiative off the ground. He stated if approved, the Framework will transfer vision into reality, decide what is worth preserving, and guide change towards the City's vision of the future. Mr. McWethy stated most will agree there is room to improve Lake access, vehicle and bicycle access, and traffic flow within Wayzata and this Framework will help guide future projections and development in a measured and responsible way. He stated he hopes the St. Paul Riverfront Corporation will remain involved to maintain vitality and move priority items within this Plan forward into reality.

Terri Huml, 293 Grace Point Court, commented on the importance of remembering the past so the Plan would be a success in the future. She read the four guiding tenants that were always considered over this long process and to assure all Wayzata residents had the opportunity to provide input. Because there will be 1,900 restaurant seats in the next 12 months in Wayzata, she believed the hierarchy of need was boat docks, parking, and safety in crossing the railroad. Ms. Huml thanked the St. Paul Riverfront Corporation for their excellent assistance throughout this process and applauded the Council for its support of the Framework.

The Council voiced support for the Framework and expressed its thanks to the St. Paul Riverfront Corporation, City staff, Lakefront Task Force members and co-chairs (Messrs. Tanner and Mullin), Steering Committee, Advisory Committee, all citizens who participated in the process, and jurisdictional agency partners. The Council referenced Framework elements and indicated it looks forward to the next phase of stewardship, priorities, and budgets through a balanced perspective.

Mr. Willcox read the "Now Therefore Be It Resolved" paragraphs of the draft resolution.

Mr. Tanner made a motion, seconded by Mr. Mullin, to Adopt Resolution No. 09-2014 Adopting Lake Effect Framework and Report. Upon a roll call vote, the motion carried 5/0.

Mr. Willcox declared a recess at 8:02 p.m. The meeting was reconvened at 8:21 p.m.

b. Consider Anchor Bank / Walgreens Development Agreement

Mr. Gadow explained that on January 21, 2014, the Council adopted Resolution No. 05-2014, approving a package of development and land uses for the redevelopment of the existing Anchor Bank site into a new Anchor Bank, a new Walgreens, and three single-family residential lots. On February 18, 2013, the Council adopted Resolution No. 07-2014 and granted first reading of Ordinance No. 744 to authorize vacation of Elm Lane as part of this redevelopment project. Ordinance No. 744 was then adopted on March 4, 2014. Mr. Gadow noted one of the conditions of approval is that the applicant and City enter into a Development Agreement to be recorded against the properties and codify the City's approval and terms of approval. The draft Development Agreement has been prepared and is now available for the Council's consideration.

With regard to synchronization of the signals to ease access on Benton Avenue, Mr. Kelly advised that SRF Consulting will evaluate that traffic controller and staff will meet with Hennepin County relating to the timing of the two traffic signals. He explained the goal is to gain temporary access from Central Avenue into the site so grading can begin. Mr. Gadow stated the applicant has sent a letter to adjoining residents about the construction schedule and another letter will be sent relating to the closure of Elm Lane.

Mr. Amdal made a motion, seconded by Mr. Tanner, to approve the Anchor Bank/Walgreens Development Agreement. The motion carried 5/0.

c. Consider Wayzata Yacht Club Development Agreement

Mr. Gadow described the Council's past actions relating to approval of development and land use changes for the Wayzata Yacht Club (WYC) and Wayzata Community Sailing Center (WCSC). One of the approval conditions was that the Applicant and City enter into a Development Agreement to be recorded against the properties and codify the City's approvals and terms of approval. Mr. Gadow presented the draft Development Agreements for the WYC and for the WCSC, noting they are essentially the same document but reference each organization individually. This will allow each organization's governing body to review and approve separately. Once approved by the Council, the Development Agreements will be recorded at Hennepin County.

Mrs. Anderson asked whether she should abstain since she was not on the Council when this item was discussed in 2012. Mr. Schelzel advised she would not have to abstain.

Mr. Mullin made a motion, seconded by Mr. Amdal, to approve the Wayzata Yacht Club Development Agreement and the Wayzata Community Sailing Center Development Agreement. The motion carried 5/0.

AGENDA ITEM 6. City Manager's Report and Discussion Items.

Ms. Nelson advised of activity in the Big Woods to tap Maple Trees. The Council indicated no objection to that activity.

Ms. Nelson reported on Legislative action relating to liquor operations and minimum wages and stated that information will be presented at the April 1, 2014, Workshop. Another issue that will be discussed relates to Excelsior's bonding request for improvements to its downtown area.

Ms. Nelson and Mr. Willcox reported on upcoming meetings related to rail safety.

Ms. Nelson asked for feedback on the letter prepared by staff summarizing the Council's concerns about a recent trend of absenteeism on Boards and Commissions. The Council discussed the level of allowed absences at four per year and the City's ability of enforcement. The Council considered the wording of the letter and revisions to include a message to the Chair expressing the Council's concern with absenteeism and to ask the Chair to facilitate more active participation to assure quorums to move along the City's business or to ask the Commissioner to step down. Mr. Gadow explained the Planning Commission bylaws relating to special, regular, and workshop meetings. Following discussion, the Council supported release of the letter.

AGENDA ITEM 7. Public Forum Continued (if necessary).

There were no comments.

AGENDA ITEM 8. Adjournment.

Mr. Tanner made a motion, seconded by Mrs. Anderson to adjourn. There being no further business, Mr. Willcox adjourned the meeting at 8:55 p.m.

Respectfully submitted,
Becky Malone
Becky Malone
Deputy City Clerk

Drafted by Carla Wirth, *TimeSaver Off Site Secretarial, Inc.*