WAYZATA CITY COUNCIL
MEETING MINUTES
May 6, 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.

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. Presentation of Chamber Exceptional Service Award

Becky Pierson, Wayzata Chamber of Commerce, described the Exceptional Service Award and presented it to Judd Frost Clothier. Mr. Willcox added his congratulations to Judd and Jessie Frost. Mr. Frost thanked the community and City for this recognition.

b. Presentation of 2013 Fire Department Annual Report and Update on Second Call Fire Department

Fire Chief Klapprich presented the Fire Department's 2013 Annual Report reflecting 279 calls. He described how the Fire Department responds to calls and recognized three retirements that occurred in 2013 that totaled 98 years of service to Wayzata. Fire Chief Klapprich provided a presentation on the history and activity of the Second Call Department, which provides support for unbudgeted fire equipment. He announced membership options and the May 19, 2014, Annual Meeting and thanked all current members.

Fire Chief Klapprich explained that in 1989, the Fire Relief Association and Wayzata Lions started charitable gambling (pull tabs) in Wayzata, splitting the profits 50%/50%. He reviewed a list of activities and equipment funded by those profits.

The Council agreed to hold a Workshop discussion whether there should be better signage at the Muni to explain how pull tab funds are used and to consider additional gaming choice sets (i.e., bingo) to drive revenue. The Council commended Fire Chief Klapprich and the Fire Department for the exceptional service provided to Wayzata's citizens and encouraged all to consider Second Call membership.

Fire Chief Klapprich thanked the Council, staff, and citizens for their support.

c. Presentation of Centennial House Awards

Kim Anderson, Vice Chair of the Heritage Preservation Board (HPB), and Elissa Madson, HPB Member, described the 2014 Centennial House recognition and presented Awards to the following properties: 738 East Lake Street, the Section Foreman's House, presented to Mayor Willcox; 435 Far Hill Road presented to Bob and Angela Poorman; 223 Gleason Lake Road presented to Krista Johnson and John Pfluger; 206 Minnetonka Avenue So. to Gil Gehle; 236 Minnetonka Avenue South to Eugenie Villamil; and, 308 Hampton Street South to Cindy Warnert. Lunds was thanked for providing cakes to each Award recipient. Mr. Willcox added the Council's congratulations.

d. Water Tower Site

Mark Hughes, 415 East Gardner Street, referenced the Comprehensive Plan, 2013 Housing Chapter, relating to the preservation of single-family neighborhoods and emphasized that North Klapprich Park is officially zoned and guided as a park. He asked the Council to be proactive by preparing a business plan/model to move the telecommunication site out of Klapprich Park and to another site(s). Mr. Hughes stated support for a consultant study, as there are seven impacted homes around this venue

Lucy Bruntjen, 402 Gardner Street, stated why she believed that Klapprich Park is not a viable location for a robust telecommunication site as it disrespects a multigenerational neighborhood, disregards an historic park gifted to the City, and condemns a public park to the status of an industrial park without due process. She displayed bags of debris that had been collected from the area around the water tower, including her garden, noting there is no safe debris fall zone. Mr. Bruntjen displayed pictures of vehicles associated with the cellular towers, size of the easement under winter snow conditions, and objected to the proposal to use the water treatment plant driveway for access. She raised questions relating to the City's intent.

Mr. Willcox stated the study that was ordered is the last piece that, once completed, will allow the Council to make a final decision. Mr. Mullin stated his commitment to improve Park conditions on the current site.

AGENDA ITEM 4. Consent Agenda.

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

a. Approval of Workshop Minutes of April 15, 2014, and Minutes of April 15, 2014
b. Approval of Check Register
c. Municipal Licenses which Received Administrative Approval (Informational Only)

The motion carried 5/0.

AGENDA ITEM 5. New Business.

a. 2013 Audit Report presented by Bill Lauer, MMKR

Bill Lauer, MMKR, described their role in preparing the 2013 Audit Report. He stated MMKR has issued a clean/unmodified opinion on the basic financial statements, the highest opinion they can give. Two special purpose audit reports were issued: report on compliance and internal control; and, report on compliance with State Law. Mr. Lauer completed presentation of the Report and answered questions of the Council relating to the City's bond rating and how to address the segregation of duties comment by hiring an Administrative Services Director if mitigating controls are put into place.

The Council thanked Mr. Lauer for his work on the Audit Report.

b. Consider Resolution No. 12-2014 Final Plat Wayzata Junction Residential Homes

Mr. Gadow presented the request of NLD Wayzata LLC for approval of a Final Plat for a new three-lot subdivision; Variance for street frontage for Lot 2; Variance for impervious surface coverage; and, review of Residential Design for Lot 2.

Mr. Gadow indicated the Planning Commission considered this application and held a Public Hearing at its April 7, 2014. At that meeting, there was unanimous support of the Planning Commission to direct staff to draft a Planning Commission Report and Recommendation to recommend approval of the application subject to conditions. At its April 21, 2014, meeting, the Planning Commission adopted that Report and Recommendation on a 5/0 vote.

Mr. Gadow answered questions of the Council relating to the design of the other two homes that would follow at a later date.

David Steingas, Steiner & Koppleman Design, 21500 Fairview Street, Greenwood, described the exterior materials, noting they are similar to the house they constructed on Barry Avenue.

Mr. Kelly stated the drainage plan will use an infiltration system and is highly rated. The Council discussed the use of pervious pavers even if outside of the Shoreland Overlay District.

Mr. Gadow explained the Subdivision Ordinance requirement for frontage on a public street. However, there are circumstances (i.e., tree preservation) where it is beneficial to have a private road. In this case, the neighborhood did not support a formal public road to access the three new homes.

Mr. Tanner made a motion, seconded by Mr. Amdal, to Adopt Resolution No. 12-2014 Approving Final Plat Subdivision, Variances, and Proposed Design for Residence on Lot 2 at 141 and 1155 Central Avenue North. The motion carried 5/0.

c. Consider Roundabout Design

Mr. Kelly reviewed the Council's past consideration and survey results relating to the design of the East Lake Street/Arlington Circle/Circle Drive roundabout that restricted access to the north and from the east. He displayed diagrams of the roundabout showing the current restricted access and another that allowed full access. Mr. Kelly requested Council direction relating to the design of this roundabout and whether there was support for the requested modification.

The Council acknowledged that tonight's discussion is a result of several residents voicing concerns with the current design and requesting a modification to provide full access on each side of the roundabout. However, subsequent to the last meeting, several residents have come forward and voiced support for the current design, to make no change, and to complete the final lifts and islands.

The Council discussed the functionality of the roundabout as designed. Messrs. Amdal, Tanner, Willcox, and Mrs. Anderson voiced support to make no change to the roundabout design at this time and revisit the issue after the Bay Center is developed. Mr. Willcox stated his position that if the roundabout design is to change, now is the time prior to it being finished. He stated he would like to hear from the neighbors on how it is working so he would favor a postcard survey to gain additional input.

The Council agreed to hold a discussion on future traffic patterns, stop sign enforcement, potential adjustment to the right turn at the bottom of Central Avenue, increased safety to the school bus stop, and option of additional signage at the roundabout and nearby intersections.

Mr. Amdal made a motion, seconded by Mr. Tanner, to direct staff to make no change to the roundabout design at this time and to proceed with plans as established. The motion carried 4/1 (Willcox).

Mr. Willcox recessed the meeting at 8:51 p.m. The meeting was reconvened at 8:54 p.m.

d. Discuss Sidewalk Right-of-Way Policy and Fees

Mr. Gadow reviewed the Council's past consideration relating to use of sidewalk and rights-of-way (ROW) by commercial/private use and desire to allow flexibility for innovation yet also provide protection to the City's public ROW infrastructure. It was noted the City currently presents permits sidewalk cafés on ROW through an initial Conditional Use Permit approval process and annual license renewal process. The current annual sidewalk café license fee is $144 and the Council has asked staff to research similar policies and associated fees used by other communities.

The Council noted the use of sidewalks was considered several years ago when the economy was depressed in an attempt to help local businesses and to attract people to Wayzata. It was discussed whether to attach additional fees considering what businesses already pay in taxes and whether there could be a negotiation with a minimal fee and some additional non-financial consideration that would enliven downtown in exchange for using public sidewalks.

Mr. Gadow suggested considering nonfinancial contributions such as picking up trash within so many yards of their establishment and hours of operation. The Council expressed support for creating a partnership program with businesses that use sidewalks and rights-of-way.

The Council agreed with the importance of assuring proper distribution of handicapped parking spaces along Lake Street. It was noted that examples obtained from other communities reflected low cost fees with the exception of one that charged a $7,500 downtown development account for each space permanently eliminated in front of the establishment.

The Council considered the benefit of determining the 600 Block redesign and asked staff to develop a synthesis and strawman scenario including a recommendation on the amount of fees/rentals, concession for taking a parking space, and a per chair fee for use of rights-of-way (with the fee being used to promote downtown), for discussion at a future Workshop.

e. Discuss 2014 Wayfinding Projects

Mr. Kelly displayed photographs of the City's wayfinding signage and locations scheduled for installation in 2014. He indicated staff would present the City's suggested wayfinding signage related to City parks at the May 21, 2014 Parks and Trails Board meeting. Mr. Kelly advised of staff's discussions with Hennepin County and Mn/DOT and why it is not an option to post a "To Downtown Wayzata" sign on the highway because there was no location in the westbound direction.

The Council noted areas of concern relate to cut through traffic in Holdridge because people are looking for Lake Street. Staff was asked to hold conversations with Hennepin County about how to better sign Highway 101 to direct people downtown.

The Council acknowledged the discussion has focused on hard signage; however, there are multiple options such as smart telephone technology that is used by many people seeking a location. Mr. Kelly reviewed the Council's past decision to not use signage with pictograms. Staff was asked to take advantage, when feasible, of universal signage, consolidating signage and locations. Staff was also asked to consider the definition of 'parking.'

f. Consider Council Liaison Policy

Ms. Nelson referenced the draft Policy for City Council Liaison to a Board or Commission and requested Council direction with regard to designating a Council liaison to the Park and Trails Board.

The Council discussed that the City's Boards/Commissions were created in reaction to an issue raised and it should be considered whether that mission had completed its course and should be redirected.

The consensus of the Council was to delay action to allow time for a broader review of the Board's/Commission's role, to assure that each works together, and to gain feedback from each Board/Commission. It was noted that Boards/Commissions with Statutory authority would take on a different form and function.

Mrs. Anderson offered to serve as the Council Liaison to the Parks and Trails Board.

The Council asked staff to tweak the definition of Council Liaison because there is interaction and communication between the Council Liaison and Board Members/ Commissioners. Because of that, the Council Liaison is not just a passive observer. The Council agreed with the importance of taking care that the Council Liaisons not become the de facto Board/Commission chair. Staff was asked to obtain additional information from the League of Minnesota Cities on Council Liaisons and schedule discussion for a future Workshop.

g. Discuss Watering City Adopt-A-Gardens

Ms. Nelson reported that the Volunteer Committee raised a concern relating to ongoing maintenance of the City's Adopt-A-Gardens program that promoted the planting, watering, and maintenance of flower gardens. The Volunteer Committee is asking the Council to consider taking on the watering responsibilities for the gardens as there are challenges associated with access to water and labor to water the 13 Adopt-A-Garden beds on a regular basis.

Ms. Nelson indicated staff estimated labor cost to take on this task on a weekly basis to be in the range of $3,500 to $6,000. If approved, staff recommended the funds be allocated from the 2014 General Fund Contingency and that this cost be considered as part of the 2015 General Fund budget process.

The Council discussed this request and acknowledged feedback from garden sponsors relating to the burdensome task of watering. It was noted that the volunteers would still plant the gardens.

Mr. Tanner made a motion, seconded by Mrs. Anderson, to authorize staff to water the 13 Adopt-A-Garden beds. The motion carried 5/0.

h. Consider First Reading of Ordinance #745 – Mayor and Council Wage Increase

Ms. Nelson reference the draft ordinance granting a salary adjustment for the Mayor and Councilmembers. She stated these salaries have not been increased since 1995. If adopted, the Mayor's salary will increase from $4,500 to $6,000 and the Councilmember's salary will increase from $3,000 to $4,500. If this ordinance is adopted, it would take effect on January 1, 2015, following the next election.

Mr. Tanner stated his concern that even though there had not been a salary increase in 19 years, a 50% increase may play havoc when negotiating staff contracts. Mr. Tanner stated he does not support a wage increase and raised the option to instead consider an incremental increase over the next four years.

Mr. Amdal made a motion, seconded by Mrs. Anderson, to approve the First Reading of Ordinance No. 745, an Ordinance Adopting Annual Salary for Mayor and Council Members.

Mrs. Anderson asked about the option of a COLA increase. Ms. Nelson stated staff found several examples of a COLA increase; however, does not recommend that option from a management perspective.

Mr. Mullin stated he was neutral on this matter and noted that in the past, he had supported a wage reduction.

Mr. Willcox stated the wages had been reduced about one-third during the recession and then were increased back to what they had been. He felt the wages were a 'marker' of the value the community places on the Council and pointed out that over the last 20 years, the responsibilities placed on the Council have greatly increased. Mr. Willcox stated for those reasons, he supported the wage increase.

Mr. Amdal thanked staff for providing information that is comparable to Wayzata. He stated there has been 19 years since an adjustment and agreed with Mr. Willcox that the roles have changed considerably.

Roll call vote, the motion carried 4/1 (Tanner). It was noted that second reading was scheduled for the May 20, 2014, meeting.

<u>AGENDA ITEM 6. City Manager's Report and Discussion Items.</u>

Ms. Nelson announced upcoming events and encouraged participation.

Mr. Kelly reported the bids for the Peavey Road bridge project were about 70% higher than anticipated. At this time, staff is in discussion with the State about whether they will fund those additional costs. If not, staff will consider whether the project should be re-bid next spring.

Ms. Nelson stated staff continues to work with the County on the Bushaway Road project and it is expected that a Cooperative Agreement will be received shortly. She advised of upcoming Workshop topics relating to the east neighborhood and access connections.

Ms. Nelson reported staff is quantifying costs for an electrical service upgrade to accommodate kitchen equipment for beach concessions.

a. Next Steps for Lake Effect

Mr. Gadow reported on information gained from Mary deLaittre relating to the Minneapolis Park Board and Minneapolis Park Foundation on their organizational structure and how it could benefit the Lake Effect.

The Council discussed this opportunity to gain valuable information from Ms. deLaittre and supported inviting her to a future Workshop to discuss options to execute the Lake Effect Plan. It was noted that the Council should not lose sight of the four-point plan that had been agreed upon as logical first steps. The Council asked staff to schedule Ms. deLaittre's attendance at a future Workshop.

Ms. Nelson provided an update on Interim Transient Dock options and indicated the business community is interested in moving this initiative forward. The Council asked staff to schedule this topic for a future Workshop. With regard to LMCD approval, Ms. Nelson reviewed the two-step application process that could be accomplished in about four weeks. That process can start once the layout is determined. The Council emphasized the importance of assuring the Interim Transient Dock Program is properly structured. While concern was expressed whether this Program can be completed for this season, it was noted that the Program will not be the final solution and can be changed the following season. The consensus of the Council was to move forward with the Interim Transient Dock Program, for staff to determine costs, and to initiate the LMCD application process.

Mr. Gadow stated staff has been in contact with Jeff Speck about scheduling an appearance. He estimated the cost to have Mr. Spec conduct a more robust session would cost \$10,000 to \$12,000. Mrs. Anderson asked staff to obtain a scoping document for that price point.

Mrs. Anderson reported on opportunities to volunteer.

Mr. Willcox stated Spring Park passed a resolution in support of the Scenic Byway. Mr. Gadow stated he will provide that information to the Council.

<u>AGENDA ITEM 7. Public Forum Continued (if necessary).</u>

There were no comments.

<u>AGENDA ITEM 8. Adjournment.</u>

Mr. Tanner made a motion, seconded by Mr. Amdal to adjourn. There being no further business, Mr. Willcox adjourned the meeting at 10:33 p.m.

Respectfully submitted,

Becky Malone

Becky Malone
Deputy City Clerk

Drafted by Carla Wirth
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