

WAYZATA CITY COUNCIL

Meeting Agenda

Wayzata City Hall Community Room, 600 Rice Street

Thursday, November 2, 2023

5:00 PM

ZOOM INFORMATION

[Click here to join Zoom Mtg](#)

[Meeting ID: 883 0418 7379](#) [Passcode: 044678](#)

Members of the public may watch and listen remotely by viewing the meeting on Channel 8, WCTV, and at the City's website at www.wayzata.org/WCTV.



Public comment during the Public Forum and/or Public Hearing portions of the meeting may be provided in person at the meeting, in advance, or by logging into the zoom call and raising your hand during the public hearing. **When your name is called in the meeting, you will be seen and heard in our Council Chambers and the cable channel.** You will be asked to unmute and then you may begin your comment. All public comments must include your full name and address.

The City encourages comments or questions about items on the agenda and, when possible, requests that you submit them in advance by emailing PublicComment@wayzata.org, calling City staff at 952-404-5323, or mailing Wayzata City Hall at 600 Rice St E, Wayzata, MN 55391 (Attn: Public Comment).

5:00 PM - CITY COUNCIL MEETING

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **New Business**
 - a. Consider Approval of Amendments to Panoway Dock Design
 - b. Consider Authorizing Staff to Approve Change Order Request for Value Engineering Options for the Panoway Docks
5. **Adjournment**

Meeting Rules of Conduct:

Turn in white card for public forum and blue card for agenda item
Give name and address
Indicate if representing a group
Limit remarks to 3 minutes

Upcoming Meetings:

City Council - November 14, 2023

Members of the City Council and some staff members may gather at the Wayzata Bar and Grill immediately after the meeting for a purely social event.
All members of the public are welcome.



City of Wayzata City Council Agenda Report

MEETING DATE: November 2, 2023	AGENDA ITEM: 4.a
TITLE: Consider Approval of Amendments to Panoway Dock Design	
PROPOSED MOTION: To Approve the Amended Design for the Panoway Docks	
PREPARED BY: Jeffrey Dahl, City Manager	
REVIEWED BY: N/A	

ACTION REQUESTED:

Staff and the Dock Design Working Group recommend approval of amended Panoway dock design.

FINANCIAL OR BUDGET CONSIDERATION:

The design amendments should have minimal impact on the estimated cost of the construction.

BACKGROUND:

The proposed Panoway dock design, which was approved by the City Council earlier this year, needed a variance in order to extend 190 feet into the lake. LMCD limit is 150 feet. The LMCD actually approved the variance request earlier this year when it approved the lakewalk width variance but requested the City go back through the process as the application did not go through the appropriate public notification process.

Staff reapplied this summer. However, the variance application was recently denied by the LMCD as the City's argument for practical difficulties was not compelling enough for the board. As a result, the City's dock design now must meet the 150 feet requirement.

Lead designer, Civitas, has worked with staff, consultants, as well as the Dock Working Group, to come up with a design alternative that meets both the intent of the original design (increased capacity, floating, ADA accessibility, allowing for vessels of different sizes, no conflict with lakewalk) while meeting the applicable code requirements.

Civitas will be presenting the attached updated dock design at the Council Meeting. This design was reviewed by the Dock Working Group on Tuesday, October 31. An updated design needs to be determined at the beginning of this month in order to ensure all materials can be ordered and the docks can be constructed before Memorial Day.

ATTACHMENTS:

1. Dock Working Group Communication
2. 2023.10.31 Panoway- Dock 150' Setback Studies43

Jeffrey Dahl

From: Scott Jordan <sjordan@civitasinc.com>
Sent: Friday, October 27, 2023 7:08 PM
To: Jeffrey Dahl; phitch@wayzataconservancy.org; hjohnson@hajohnson.com; sarah@randolphid.com; bpierson@wayzatachamber.com; matthew@wayzatasailing.org; boater100@aol.com; dave@twincitiescruises.com; George.sayer@howardspoint.com; Rick.Born@rbaconsulting.com; jay@al-almas.com; Mcculloughbc@msn.com; tmcskipper@gmail.com; lance.hw@icloud.com; Dennis Marhula
Cc: Mike Kelly; Emily Goellner; Juliana de Affonseca; Dan Baasen; Jeffrey Parkhill; Jessie Houlihan; Nick Kieser; Kurt Klapprich; Scott Jordan
Subject: Re: Dock Working Group Update---City's Variance Request to be Considered by the LMCD at the Wednesday, October 25th Meeting
Attachments: 2023.10.26 Panoway- Dock 150' Setback Studies[4][39].pdf

Dock Working group, while we are disappointed that the dock layout that we all worked so hard to create was not approved, we have listened to the questions and concerns that were raised during the LMCD Board meeting and have prepared the attached revised layout that responds to the concerns, meets code, while retaining the intent of what this working group established through our process. The attached PDF includes the previous layout followed by the current suggested layout for both the Depot and Broadway Docks.

Per the attached revised plans, we are proposing the following changes.

Depot Docks

Original Plan - 17 transient slips, with places for 2 vessels in loading zones (19 total vessel)

Current Plan – 18 transient slips, with places for 2 vessels in loading zones (20 total vessels)

1. Shifted the location of the largest vessels to the west to fit within the 150' distance.
2. Shifted the loading zone to the east to create a single straight 70' long loading area that will accommodate larger commercial vessels during certain wind conditions. This shift ensures we can maintain the same number of slips on the north-side of the dock. An added benefit is that it allows us to add an additional 16' x 32' slip on the southside to mitigate the loss of a slip at the Broadway Docks
3. Replace one 32'-40' vessel sized slip with one 22'-32' vessel sized slip, to keep all structures and vessels within the 150' limit.

Broadway Docks

Original Plan - 30 transient slips, with places for 2 vessels in loading zones (32 total vessel)

Current Plan – 29 transient slips, with places for 2 vessels in loading zones (31 total vessels)

1. Shortened the loading zone on the east to fit within the 150' limits.
2. Designated one transient slip as a loading zone, to mitigate the reduced loading zone. (Note an additional transient slip was added at the Depot to mitigate the loss of this slip).
3. Reduced the gangway walk (Walk between Lake Walk and the Docks) to be 8' to eliminate the need for an additional variance that would allow the original 10' width.
4. Shifted larger vessels slips to the west to fit within the 150' limit. Note we only shifted these as far west as required, as the water gets deeper closer to the shore as you go west.
5. Rotated the angle of the overall dock geometry to increase the opening between the Lake walk and the docks at its narrowest location. Note: in determining the angle we factored in maximizing the distance between the dock and the lake walk, and limiting the length of piles required as the water depth increase significantly as we move further west and south.

Total All Docks

Original Plan - 47 transient slips, with places for 4 vessels in loading zones (51 total vessel)

Current Plan – 47 transient slips, with places for 4 vessels in loading zones (51 total vessels)

We feel these changes retain the desired diversity of boat slips sizes being offered, maintains a similar number of total slips, and eliminates the need for any variance from the LMCD allowing the dock construction to proceed. We look forward to meeting with as many of you as possible on Tuesday. If you cannot attend the meeting and have any comments or suggestions, please do not hesitate to send them via email or to give me a call.

Have a great weekend.

SCOTT JORDAN

PRINCIPAL

(O) 303.571.0053 X162

(D) 720.769.9371

(C) 303.903.2598

From: Jeffrey Dahl <jdahl@wayzata.org>

Date: Thursday, October 26, 2023 at 3:19 PM

To: phitch@wayzataconservancy.org <phitch@wayzataconservancy.org>, hjohnson@hajohnson.com <hjohnson@hajohnson.com>, sarah@randolphid.com <sarah@randolphid.com>, bpierson@wayzatachamber.com <bpierson@wayzatachamber.com>, matthew@wayzatasailing.org <matthew@wayzatasailing.org>, boater100@aol.com <boater100@aol.com>, dave@twincitiescruises.com <dave@twincitiescruises.com>, George.sayer@howardspoint.com <George.sayer@howardspoint.com>, Rick.Born@rbaconsulting.com <Rick.Born@rbaconsulting.com>, jay@al-almas.com <jay@al-almas.com>, Mcculloughbc@msn.com <Mcculloughbc@msn.com>, tmcskipper@gmail.com <tmcskipper@gmail.com>, lance.hw@icloud.com <lance.hw@icloud.com>, Dennis Marhula <dfmarhula44@gmail.com>

Cc: Mike Kelly <mike@wayzata.org>, Emily Goellner <egoellner@wayzata.org>, Scott Jordan <sJordan@civitasinc.com>, Juliana de Affonseca <jaffonseca@civitasinc.com>, Dan Baasen <dbaasen@gmail.com>, Jeffrey Parkhill <jeffreyparkhill@wayzata.org>, Jessie Houlihan <jessie@onyxsp.com>, Nick Kieser <nkieser@wayzata.org>, Kurt Klapprich <kurtklapprich@wayzata.org>

Subject: RE: Dock Working Group Update---City's Variance Request to be Considered by the LMCD at the Wednesday, October 25th Meeting

Hi All,

Happy Thursday!

If you haven't heard, unfortunately the Dock-Working-Group designed and City approved dock variance request was denied by the LMCD last night. As I mentioned in my note below, the City will need to approve an amended and code compliant design by next week's special City Council meeting on November 2nd.

Civitas has been working on an amended and code compliant design that appears to meet most of the intent of the previous design. Either, Scott, Juliana or Mike will send that out at the end of the day tomorrow, at the latest, for your review. Then, I propose we hold a hybrid meeting on Tuesdays AM to discuss any feedback the group has.

I know this is last minute---but following this email I'll send a calendar invite for 9:30 am on Tuesday, Oct 31. Feel free to wear a costume 😊

The meeting will be conducted at the Community Room or via Microsoft Teams. I hope y'all can make it.

Thanks!

Jeff

From: Jeffrey Dahl

Sent: Friday, October 20, 2023 10:22 AM

To: phitch@wayzataconservancy.org; hjohnson@hajohnson.com; sarah@randolphid.com; bpierson@wayzatachamber.com; matthew@wayzatasailing.org; boater100@aol.com; dave@twincitiescruises.com; George.sayer@howardspoint.com; Rick.Born@rbaconsulting.com; jay@al-almas.com; Mcculloughbc@msn.com; tmcskipper@gmail.com; lance.hw@icloud.com; Dennis Marhula <dfmarhula44@gmail.com>

Cc: Mike Kelly <mike@wayzata.org>; Emily Goellner <egoellner@wayzata.org>; Scott Jordan <sjordan@civitasinc.com>; Juliana de Affonseca <jaffonseca@civitasinc.com>; Dan Baasen <dbaasen@gmail.com>; Jeffrey Parkhill <jeffreyparkhill@wayzata.org>; Jessie Houlihan <jessie@onyxsp.com>; Nick Kieser <nkieser@wayzata.org>; Kurt Klapprich <kurtklapprich@wayzata.org>

Subject: Dock Working Group Update---City's Variance Request to be Considered by the LMCD at the Wednesday, October 25th Meeting

Hello Dock Working Group,

Long time, no talk! I hope all is well. A couple of updates for you----the City and consultants has been working hard on the construction of the lakewalk and are making progress as you can clearly see by looking at the activity along our beautiful shoreline. Over the past month or so, staff and consultants have been working to start construction on the docks as designed by this group and approved by the Council. Through this process, two significant issues still need action:

- Dock length variance approvals by the LMCD
- Value Engineering options to get the dock component of the project at budget

Before Value Engineering options can be considered by the City Council, we still need to get the final design approved, with the variance, by the LMCD. Unfortunately, what we thought would be a pretty straightforward task, has met some resistance with LMCD staff as they are not convinced that the current design warrants a variance. As a result, we have put together the attached information to be considered by the LMCD.

If we do not receive approval, we will need to amend the design in order to meet the requirements from the LMCD---an amended design can still meet most of the objectives of this group, but for a variety of reasons, is not preferred. All of this will need to be accomplished within the next few weeks in order to ensure the new docks will be up and operational by Spring of 2024.

The LMCD will be considering our request through a public hearing at their Wednesday, October 25th meeting at 7:00 pm in the Community Room at Wayzata City Hall if you wish to attend. If you plan to speak in support of the request, please do so when the public hearing is opened, and make sure you identify yourself appropriately.

Feel free to let me know if you have any questions. Staff will be at the meeting as well.

Have a great weekend!



Jeffrey Dahl

City Manager

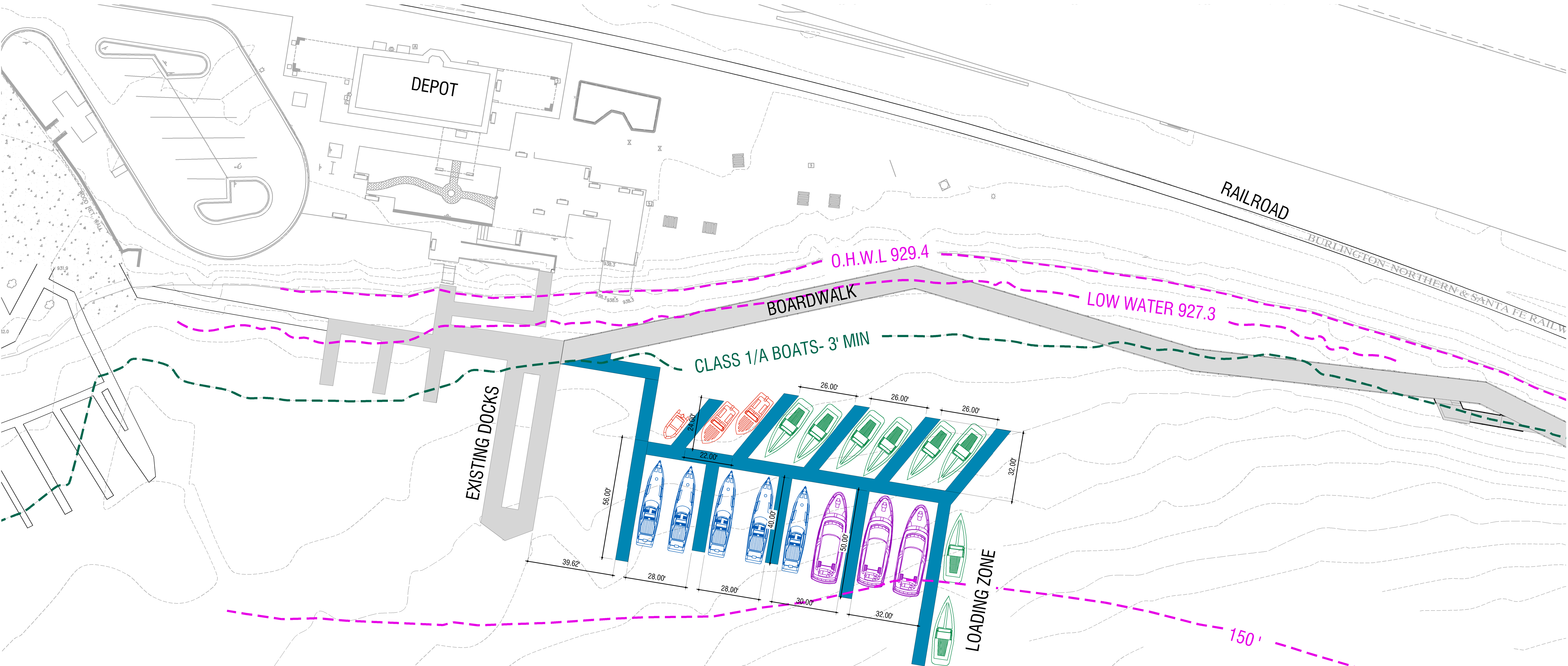
jdahl@wayzata.org | 952-404-5309

600 Rice St E | Wayzata, MN 55391

www.wayzata.org



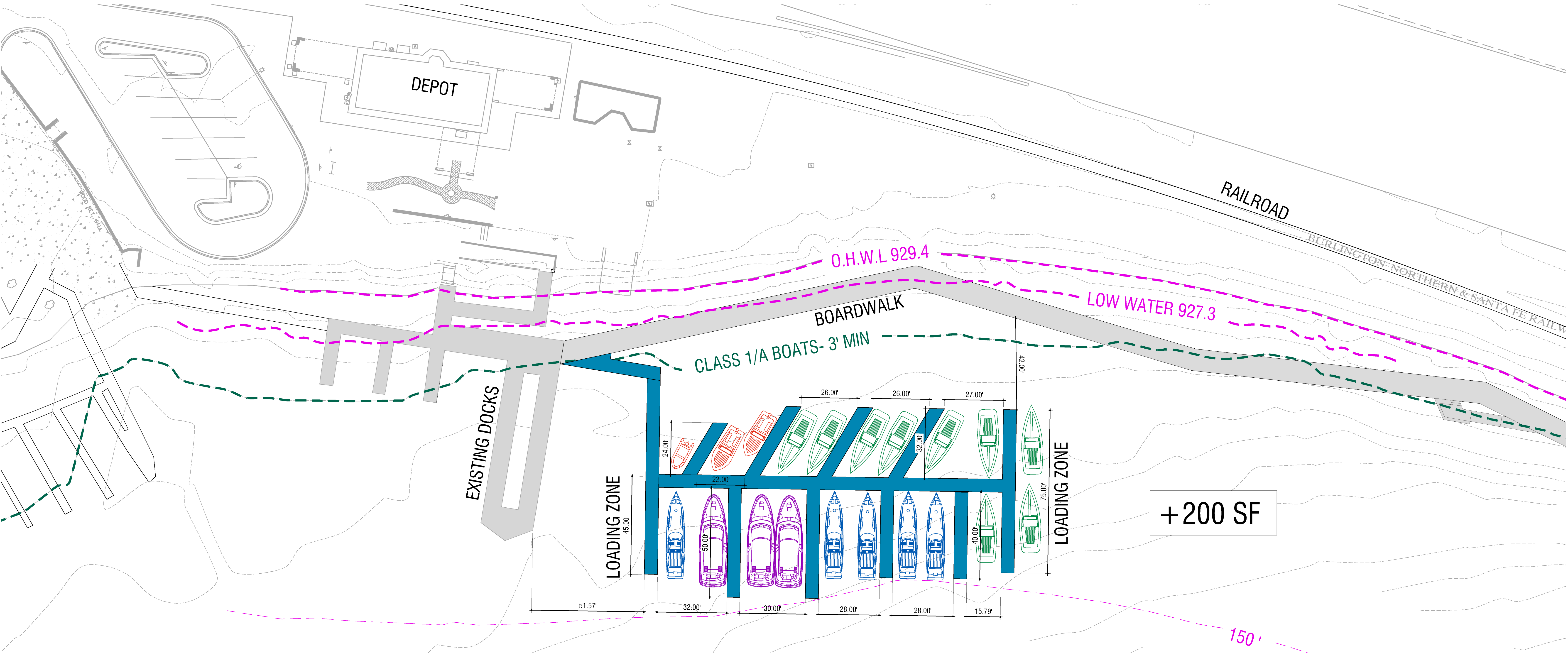
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DEPOT DOCKS

TOTAL 17 BOATS + 2 LOADING ZONE = 19 BOATS

- 50' - 80' 0 BOAT
- 40' - 50' 3 BOATS
- 32' - 40' 5 BOATS
- 22' - 32' 6 BOATS
- 6' - 22' 3 BOATS

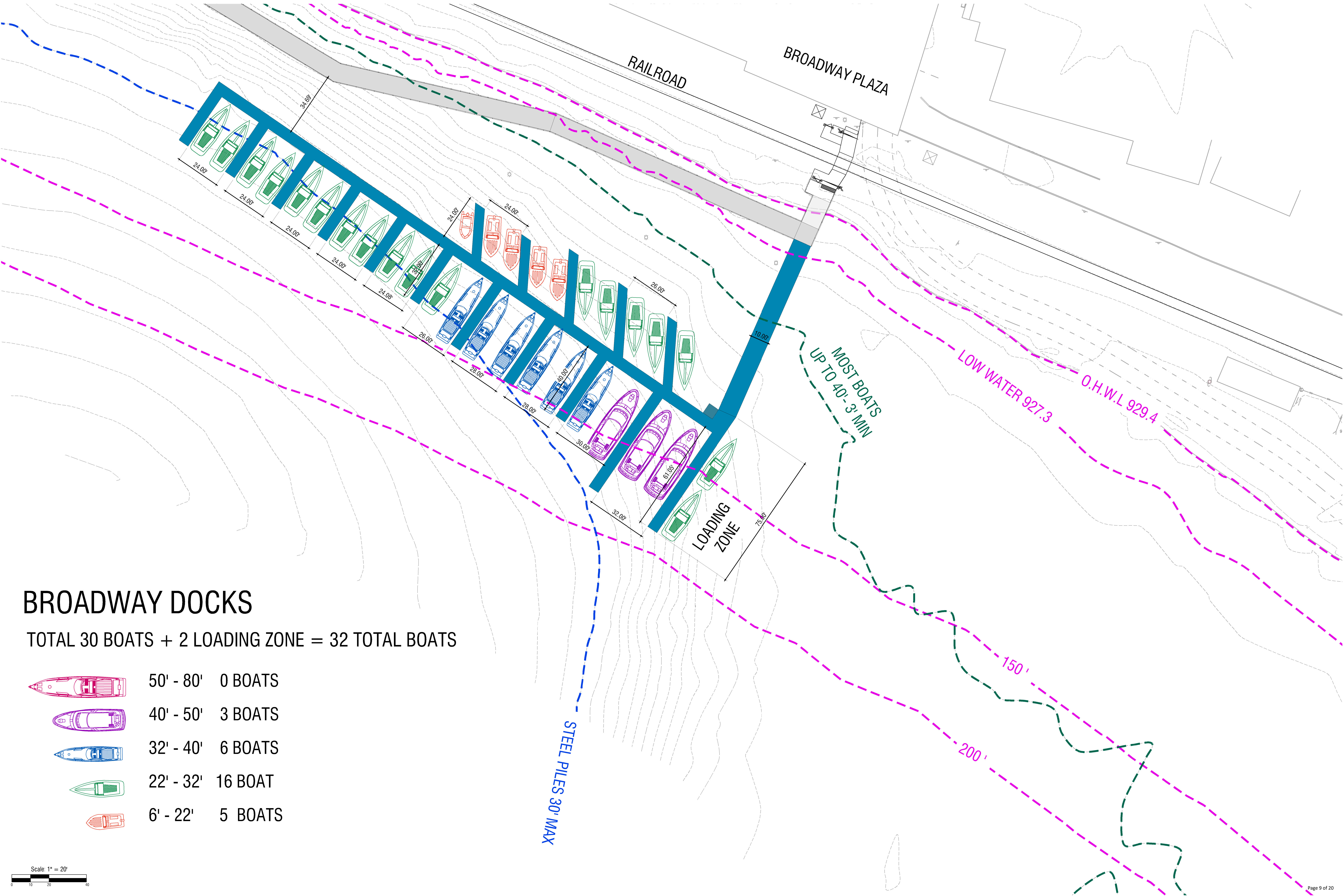


DEPOT DOCKS WITHIN 150'

150' SETBACK STUDY

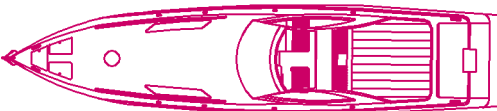
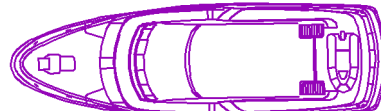
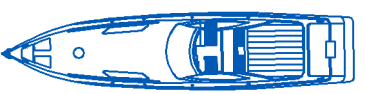
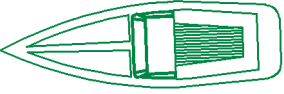
TOTAL 18 BOATS + 2 LOADING= 20 TOTAL

- 50' - 80' 0 BOAT
- 40' - 50' 3 BOATS
- 32' - 40' 5 BOATS
- 22' - 32' 7 (+1) BOATS
- 6' - 22' 3 BOATS



BROADWAY DOCKS

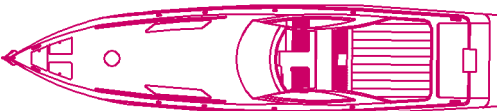
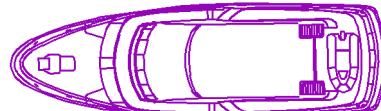
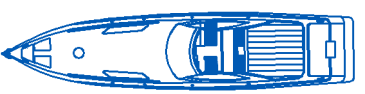
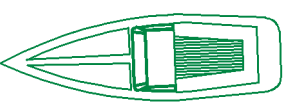
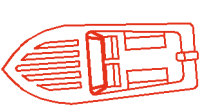
TOTAL 30 BOATS + 2 LOADING ZONE = 32 TOTAL BOATS

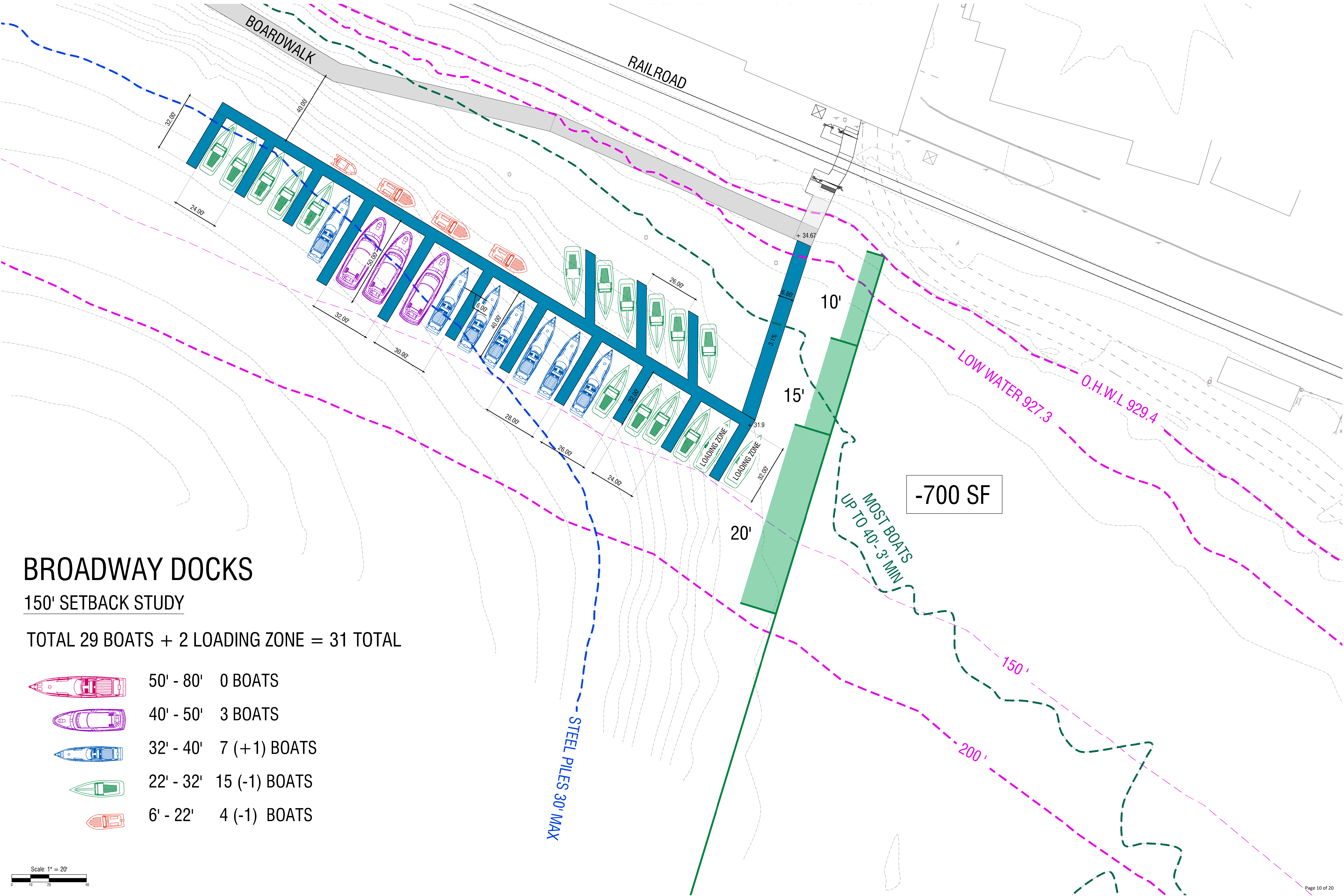
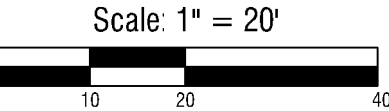
-  50' - 80' 0 BOATS
-  40' - 50' 3 BOATS
-  32' - 40' 6 BOATS
-  22' - 32' 16 BOAT
-  6' - 22' 5 BOATS

BROADWAY DOCKS

150' SETBACK STUDY

TOTAL 29 BOATS + 2 LOADING ZONE = 31 TOTAL

-  50' - 80' 0 BOATS
-  40' - 50' 3 BOATS
-  32' - 40' 7 (+1) BOATS
-  22' - 32' 15 (-1) BOATS
-  6' - 22' 4 (-1) BOATS





City of Wayzata City Council Agenda Report

MEETING DATE: November 2, 2023	AGENDA ITEM: 4.b
TITLE: Consider Authorizing Staff to Approve Change Order Request for Value Engineering Options for the Panoway Docks	
PROPOSED MOTION: To Authorize Staff To Approve a Change Order Request for Value Engineering Options for the Panoway Docks	
PREPARED BY: Jeffrey Dahl, City Manager	
REVIEWED BY: N/A	

ACTION REQUESTED:

Staff recommends approval of a change order request to allow for non-skid aluminum decking surface for the Panoway Docks.

FINANCIAL OR BUDGET CONSIDERATION:

Three alternatives are presented that would bring the project back to the planned budget. The second option, which would be to delay construction of the Depot Docks, would mean a separate project for the Depot Docks would have to be added to the Capital Improvements Plan for a future date.

BACKGROUND:

As the construction project team continues to make progress on the lakewalk, key decision points are needed to commence construction of the docks. When the dock bid was accepted by the City in the late spring, the City's Construction Manager Kraus Anderson had determined a potential savings of \$200,000 to the dock design if pilings were more efficiently placed. This \$200,000 was planned in order for the project to stay on budget.

Recently, after working with the dock contractor, Brennan Construction, Kraus Anderson has indicated that piling savings will be minimal. As a result, the project as approved is currently approximately \$200,000 over budget. In order to keep the project on budget, the City Council has three options:

- Authorize staff to enter into Change Order Agreement to use alternate decking material for an approximate savings of \$250,000.
- Authorize staff to enter into Change Order Agreement to omit Depot Dock construction for an approximate savings of \$450,000.
- Direct Staff to work with the Wayzata Conservancy on a Memorandum of Understanding committing to funding any budget overage.

Attached for your review is a budget summary, more details on the three aforementioned alternatives, as well as samples of decking materials that the project team, as well as the Panoway Partnership Committee, has been reviewing.

Civitas will be present to provide commentary about the decking options as it relates to aesthetics, function, and durability. Bob Janssen of Kraus Anderson and Jessie Houlihan, the City's Owners Representative, will be on hand to lead the Value Engineering Options.

Ultimately, a decision needs to be made in early November so the completion date prior to Memorial Day is not in jeopardy.

ATTACHMENTS:

1. October Panoway Budget
2. Dock Options
3. Civitas Recommendation on Dock Materials

4. Dock Photos
5. TimelineProgress20231017

City of Wayzata Panoway Project		
Description	Awarded	Remarks
PROJECT REVENUE / FUNDING		
Operating Capital	\$11,463,000.00	That amount is up to date as of 7.26.23
TOTAL PROJECT REVENUE	\$11,463,000.00	
CONSTRUCTION COSTS		
Work Scope 3A - Precast	\$288,028.00	
Work Scope 5A - Steel Material	\$1,985,931.00	
Work Scope 6A - Carpentry	\$693,200.00	
Work Scope 26A - Electrical	\$96,000.00	
Work Scope 31A - Sitework and Structural Install Package	\$4,370,000.00	
Work Scope 32A - Docks	\$2,590,000.00	Engineers Estimate \$2,050,000, Bid Day: \$2,590,000
Value Engineering / Outstanding Scopes of Work		
Steel Material VE	(\$204,688.00)	Per CSI email 9.6.23
VE to Switch Dock Decking to Painted Non Slip Aluminum		Estimated \$288k Savings
VE to Delay Depot Docks		Estimated \$450k Savings
Decrease Amount of Dock Piling	(\$20,000.00)	Working with Contractor to determine actual savings & other Dock VE
Total Bid Day Hard Construction Costs	\$9,798,471.00	
Contingency		
Remaining Contingency	\$215,000.00	6% at 50% CD Estimate Changed to 4% after bid Day
Recommend NTP with Added Barge & Crane	\$175,000.00	KA to track and CO issued as cost are incurred NTE
Construction Management		
General Conditions - Based on 8 Month Schedule	\$189,770.00	Budget Est -Communication, temp Fence, toilets, dumpsters, Misc
Site Services & Reimbursable - Based on 8 Month Schedule	\$310,128.00	Modified to move reimbursables into General Conditions
CONSTRUCTION COSTS SUB TOTAL	\$10,688,369.00	
SOFT COSTS		
Design Fees and Reimbursable		
A/E Fee - Civitas	\$494,000.00	Confirmed 12/7/2022 Only Construction Admin.
Construction Management Pre Construction Fee	\$45,000.00	Not to Exceed
Construction Management Fee	\$208,423.20	1.95% of Cost of Work
Permits, Plan Reviews & Fees		
City of Wayzata Permit & Plan Review	\$10,000.00	Based on 7.26.23 discussion
Testing & Inspections		
Construction Testing & Inspections - Braun Intertec	\$139,889.00	Quote provided to City week of 5.8.23
Archaeological Observations - Group 106	\$18,250.00	Quote provided to City week of 4.26.23
Bidding, Legal, Finance & Misc.		
Builders Risk Insurance	\$6,000.00	Budget - City to Purchase
Owner Purchase Orders		
Soft Cost Contingency	\$25,000.00	Contingency
FF&E Expenses		
Furnishings / Consultant Fees	\$25,000.00	Trash receptacles / benches
SOFT COSTS SUB-TOTAL	\$971,562.20	
TOTAL PROJECT COSTS	\$11,659,931.20	Constr. Cost + Soft Costs
VARIANCE (OVER) / UNDER	(\$196,931.20)	Total Project Revenue / Total Project Costs
PERCENTAGE OVER/UNDER BUDGET	-1.7%	

Dock Value Engineering Options						
Decking Material Alternate	Cost	Savings	Aesthetic	Availability	Durability	Warranty (Longevity)
Kebony (current)	\$ 412,300	\$ -	Matches lakewalk finishes	Limited availability/ long lead time	durable	no warranty
Painted Aluminum Non-Skid	\$ 123,690	\$ 288,610	Would contrast with lakewalk	Readily available in beige or white, 2 weeks	most durable	limited
Other Value Engineering						
Dock Piling Redesign		\$ 20,000		As of 9/15, need to confirm for steel fabrication timeline		
Depot Dock Delay		\$ 450,000				

October 9, 2023

RE: Panoway Dock Material Alternative Considerations

Throughout the Panoway Phase 2 design phases and the community dock working group sessions, it became clear to the design team that the Panoway docks should reflect the high quality of materials used in both Phase 1 and 2 of the projects. Kebony wood decking was thus selected for the docks to match the Panoway boardwalk.

If Wayzata City Council deems it appropriate to select an alternative decking material to Kebony as the decking material for the Panoway Phase 2 community docks, Civitas recommends the non-slip aluminum decking. It is our opinion that painted aluminum non-skid product is the preferred alternative from a durability and aesthetics standpoint. It would make the dock material clearly different, which will look intentional, whereas the alternative wood products would highlight the fact that a more cost effective (i.e., cheaper product) was selected as a cost savings. The nonslip aluminum also provides the most savings for the project. The product comes in beige and white. Civitas recommends the white as it looks more refined and reflects the overall quality of the project.

Key Factors

1. Durability & Maintenance

The painted aluminum non-skid product is the most durable material of the value engineering options. It is also readily available when replacement is needed.

2. Aesthetics

The painted aluminum non-skid product would make the dock material clearly different, which will look intentional, whereas the alternative wood products would highlight the fact that a more cost effective (i.e., cheaper product) was selected as a cost savings. Selecting the nonslip aluminum would also avoid the potential warping of the composite lumber. The nonslip aluminum will also age better alongside the Kebony as distinct materials as opposed to different woods which age at different rates.

3. Color

The nonslip aluminum product comes in beige and white. We would recommend the white as it looks more refined and reflects the overall quality of the project.

4. Cost

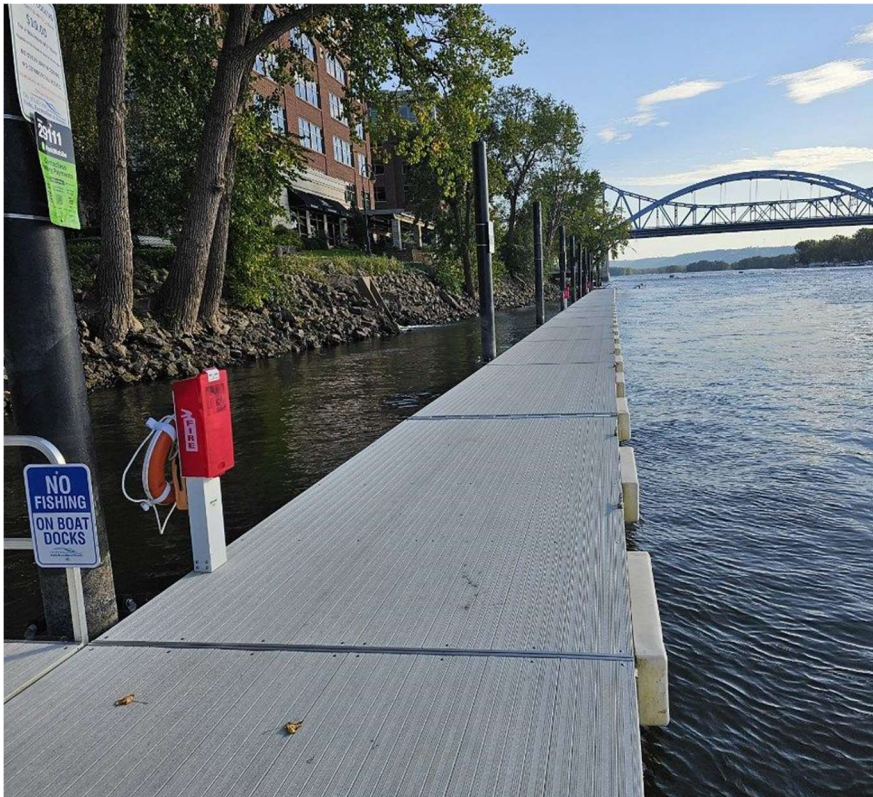
The nonslip aluminum product offers the most cost savings for the project.

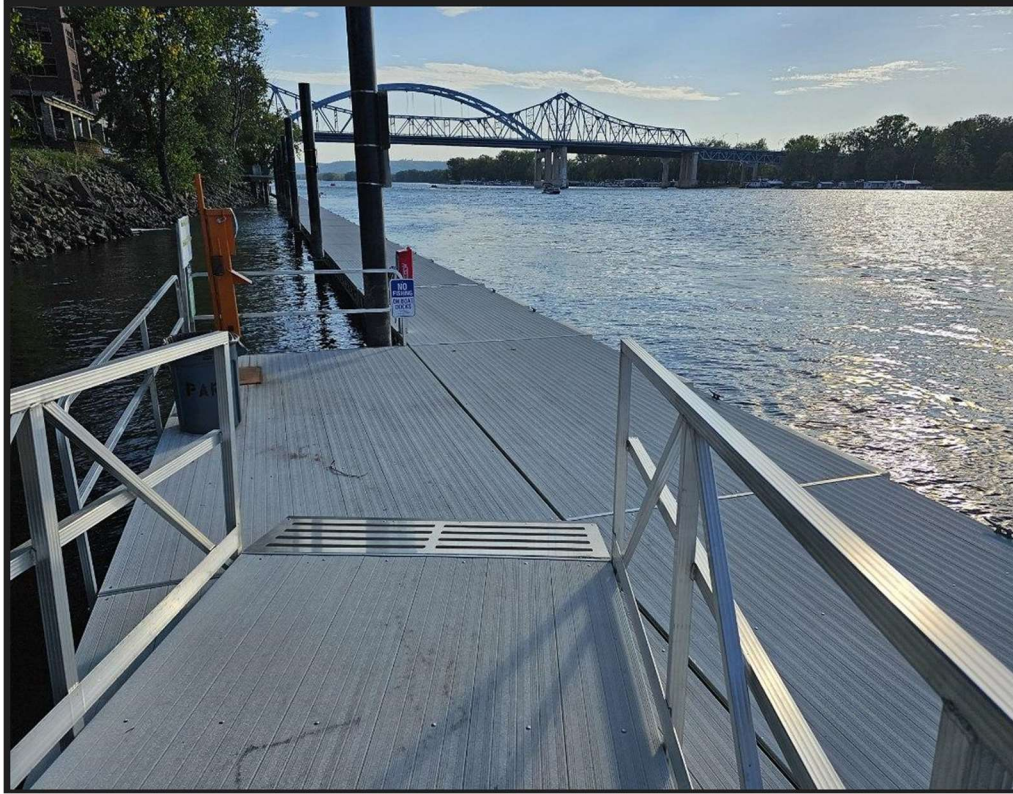
Newer Kebony Systems



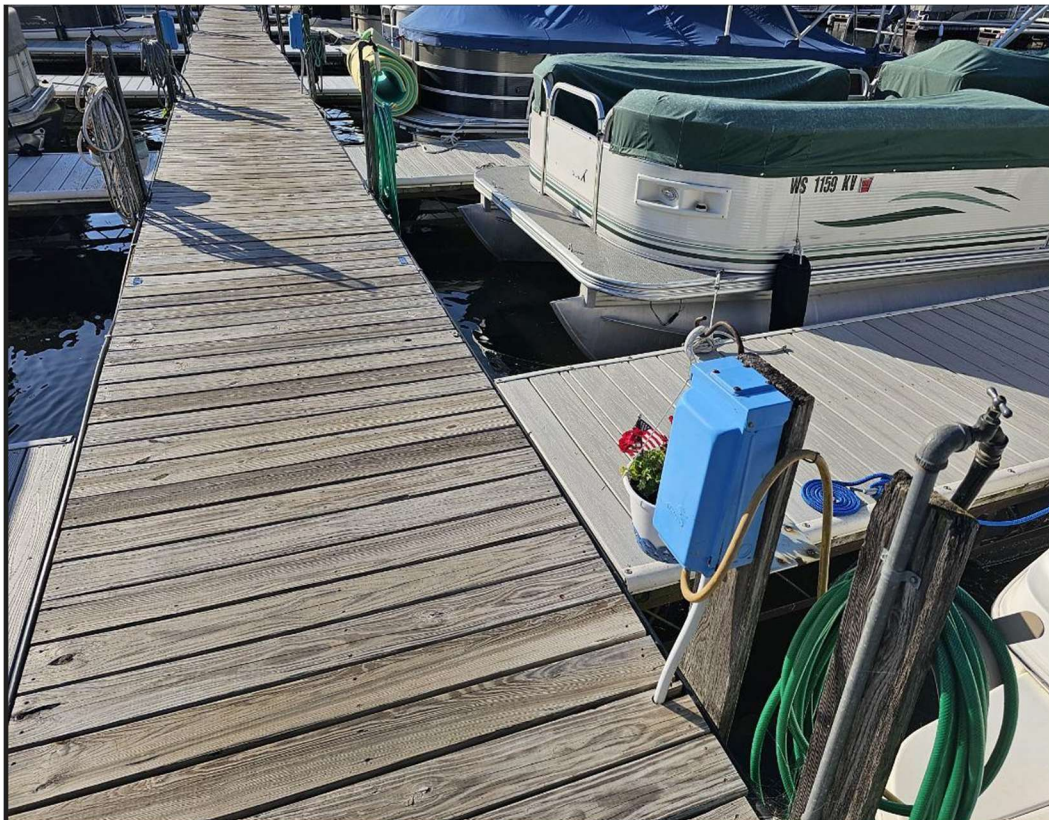


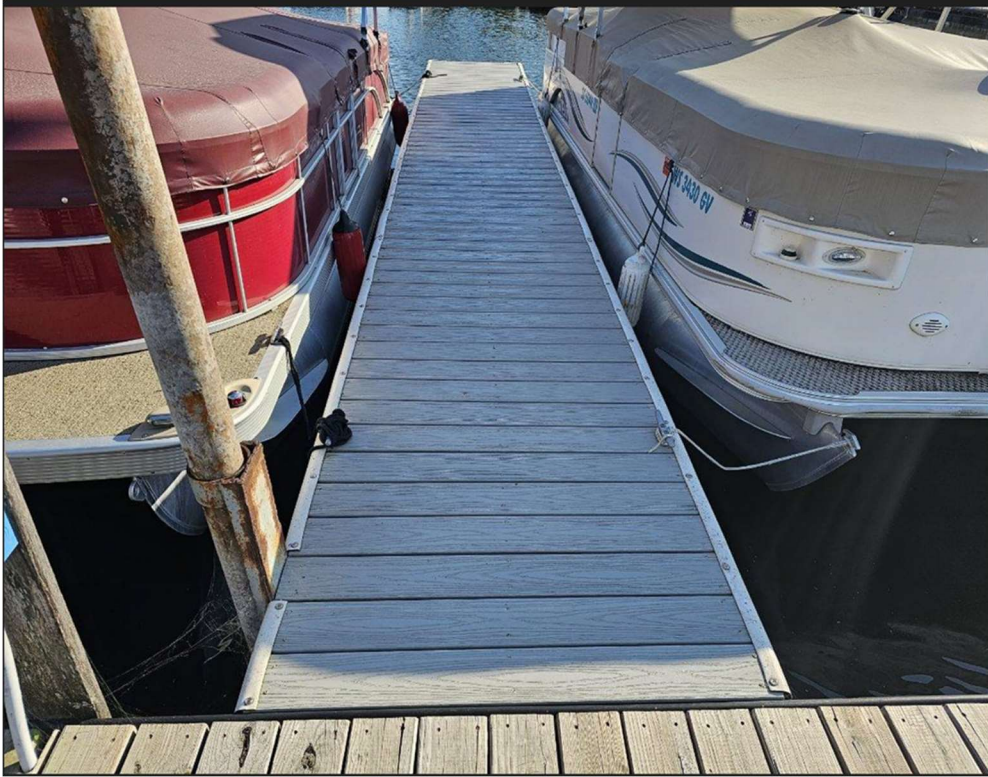
Non-Skid Aluminum (8- years old)

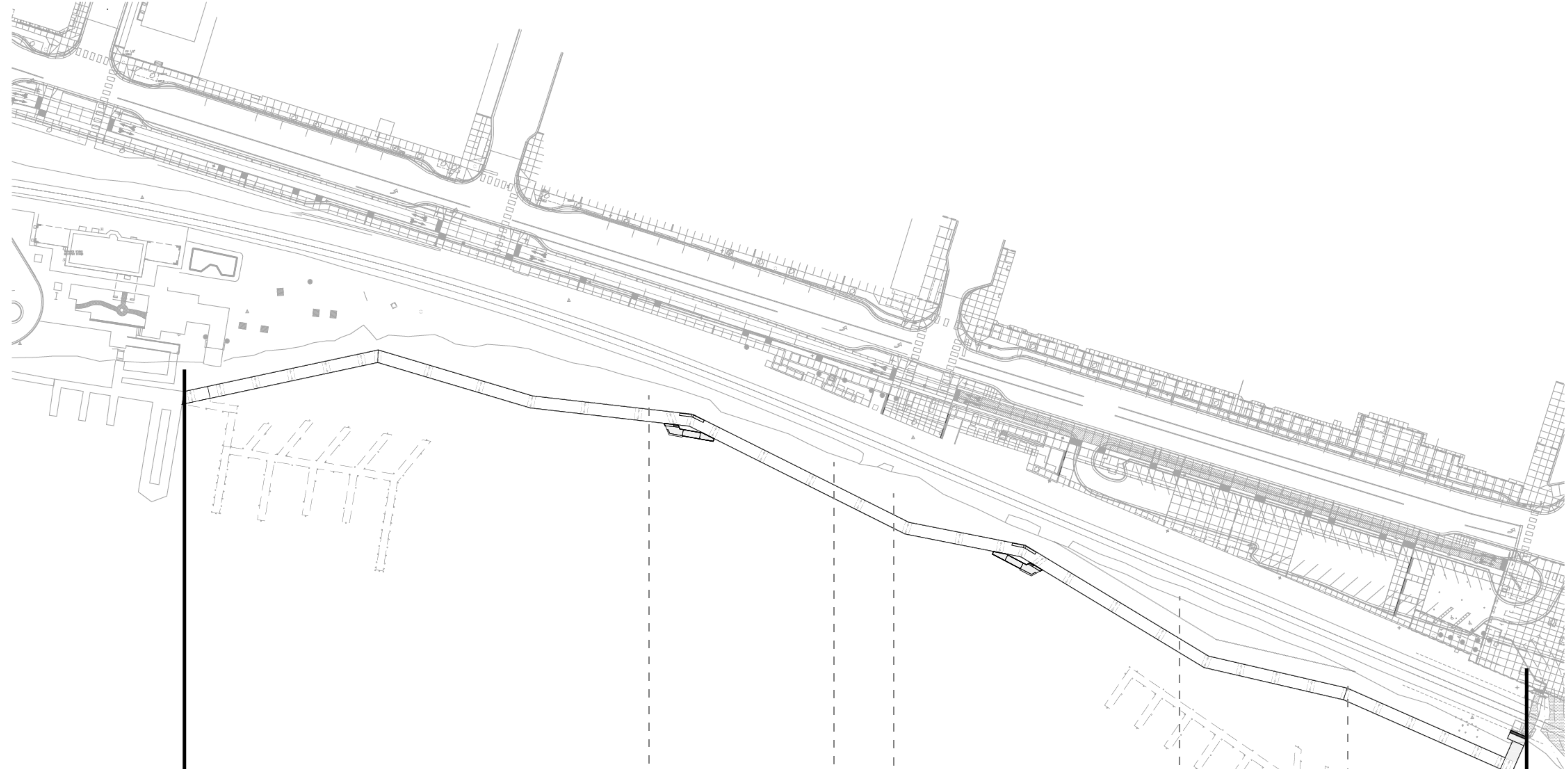




Composite and Treated Lumber (10 years old)







PILE PROGRESS		SEPT. 01, 2023	SEPT. 08, 2023	SEPT. 15, 2023	OCT. 20, 2023	OCT. 27, 2023	COMPLETED NOV. 03, 2023
PRECAST PROGRESS	START NOV. 15, 2023		NOV. 24, 2023				COMPLETED DEC. 15, 2023
STRUCTURAL STEEL PROGRESS	START OCT. 09, 2023						COMPLETED NOV. 17, 2023
DOCK PROGRESS	START JAN. 2024						COMPLETED MAY 27, 2024