WAYZATA CITY COUNCIL
WORKSHOP MEETING MINUTES
July 23, 2024

5:00 p.m. Discussion of the Establishment of Public Art Committee

Mayor Mouton called the meeting to order at 5:00 p.m. Council Members present in-person in the community room at City Hall offices: MacDonald and Plechash. Absent: Iverson and Parkhill. Also present: City Manager Jeff Dahl, Deputy City Manager Aurora Yager, Community Development Director Emily Goellner, Parks and Environment Planner Nick Kieser, City Attorney Schelzel, and Police Chief Marc Schultz.

Planner Kieser notes as part of our Strategic Planning process, the Council has identified the creation of a Public Art Committee as a key initiative aimed at installing public art throughout Wayzata. Currently, the city operates under a Public Art Policy enacted in 2015, which outlines procedures for proposing public art. This policy convenes an ad-hoc Committee for each proposal, typically tied to specific development or infrastructure projects. Kieser also noted the public process that the Big Water and Meyer Place public art pieces completed for their installation. Staff has also conducted additional research and held discussions with municipalities that have a Public Art Committee or Arts and Culture Commission which will help to determine how a similar group can be started in Wayzata.

Before discussing the details of a potential committee and specific projects that could be completed, the Council's vision for a public art committee needs to be aligned. Staff would like to have a clear understanding of the Council's priorities with this initiative and knowing the "why", which will help staff create a work plan and an estimated timeline for implementation.

The Council deliberated on the information presented and reached a consensus that a Public Art Steering Committee should be established. This Steering Committee will be responsible for developing a mission statement that delineates a clear and specific purpose for the Public Art Committee. The Council identified potential objectives for the Committee, such as invigorating the community, creating aesthetically pleasing art pieces, establishing "discovery" points within Wayzata, and broadly promoting various forms of art.

The composition of the Committee should include 5-7 dedicated and interested individuals. Potential members might comprise a Council Member, residents, business owners, a representative from the Chamber of Commerce, and stakeholders from art organizations like the Blue Water Theatre Company. This group would be tasked with brainstorming the general scope of art projects and identifying possible funding sources. After one year, staff and the Committee will assess the most effective strategies for implementing the public art initiatives and consider whether to continue the Committee.

Staff will proceed to develop a general framework for the Steering Committee, which will be presented to the Council at a forthcoming meeting. This framework will outline components related to the Committee's purpose, membership, funding, and meeting procedures. Once the framework is approved, the aim will be to advertise the Steering Committee positions alongside other city Boards and Commissions in the fall.

5:30 p.m. Discussion of Short-Term Rental Ordinance and Review of Draft Alternatives

Director Goellner noted that residents began expressing concerns about the number of homes being rented out on a short-term basis (less than one month) in two neighborhoods: Benton Avenue and the intersection of Central Avenue and Wise Avenue. She clarified that short-term rentals do not currently require a rental license and that this was last discussed by the City Council in 2018. At the time, the issue was not critical enough to address and was left unregulated, but the City still has authority to address

issues of safety and nuisances. She referred to an attached memo by the City Attorney noting that the City Council has the authority to regulate short-term rentals.

In 2023, the City Council established a strategic priority focused on addressing the concerns of short-term rentals in the community. City staff began researching options in early 2024 and have the capacity to adopt an ordinance by the end of 2024 if that is Council's direction. The length of the process will be determined by the amount of time devoted to community engagement, the intricacy of the regulatory framework proposed, and if the ordinance requires Planning Commission review. Below is a list of considerations in staff's analysis of short-term rentals.

She shared that staff has reviewed ordinances in several jurisdictions and that a comparison ranking the ordinances from most restrictive to least restrictive was included in the packet.

Goellner noted that while identifying the properties that are short-term rentals can be challenging, staff created a map with their best estimation. It includes approximately 18 homes.

Chief Schultz added that the Police Department has received several calls for service recently, primarily focused on parking on streets and suspicion of large parties.

Goellner noted that it is not yet clear to staff whether any of the homes being rented on a short-term basis are rented out throughout the entire year or if the owner is occupying the property for a portion of the year. Further research and outreach to owners could clarify this. This was the focus of the short-term rental ordinance discussion in the City of Excelsior earlier this year. Ultimately, the Excelsior City Council chose to limit short-term rentals to only homes that are occupied by the owner for a majority of the year rather than allowing the property to be used instead as an investment.

Goellner added her concern that the number of properties being used as investments in lodging opportunities has furthered the shortage of available housing within communities. While the percentage of homes in Wayzata being used for lodging is still relatively low, the conglomeration within a few neighborhoods has raised concerns. A conglomeration impacts the originally intended character for the neighborhood, which is residential. She noted that long-term rentals (over 30 days, but typically leased on an annual basis) are regulated by the Rental Licensing program. Issues of building and fire safety, noise, parking, traffic, and trash problems are readily addressed through the licensing program.

Goellner summarized staff's recommended priorities for a Short-Term Rental Ordinance, including the reduction of nuisances, party houses, and tensions between property owners. Preventing conglomeration, collecting fees or taxes, and ensuring building safety were also priorities.

She stated that the City has not yet contacted known operators within the City, but staff would recommend this as a next step in the process.

The Council agreed that this should remain a priority for 2024. The Council agreed with the recommended priorities for an ordinance and directed staff to prepare a simple ordinance the requires a rental license. After this additional step is taken, the Council was interested in returning to this topic to understand whether specific restrictions should be enacted through an ordinance amendment.

6:15 p.m. Discussion of Council Vacancy and Appointment Process

Mr. Dahl indicated that on July 18, Council Member Iverson submitted her intent to resign from the City Council, effective August 6, as a result of her residence moving outside the city limits of Wayzata. Because her term expires at the end of this year, the City's Charter indicates that the City Council should

move to appoint a resident to fulfill her seat as appropriately and quickly as possible. The Council has two primary process options in filling her vacancy after the effective date of resignation:

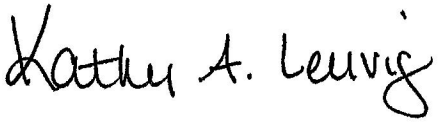
- The Mayor individually solicits and ultimately nominates an interested community member for discussion at a regular meeting and then the Council considers appointment. This action could be accomplished at the August 7 City Council Meeting.
- The Council directs staff to solicit applicants to fill the seat, interviews applicants at a workshop in August, and then considers the appointment at the August 7 or August 20 Council Meeting.

Mr. Dahl went over a few other points:

- Council Member Iverson would not be able to vote on the appointment as consideration cannot be made until the seat is officially vacant.
- If there is a 2-2 tie after three rounds of voting, the Mayor shall make the final determination.
- Typically, once the appointment is made, the new Council Member is sworn-in first thing at the subsequent meeting.
- The term, for whoever is appointed, will expire on December 31, 2024.
- This appointee is not obligated, through the City Charter or Code, to run or not run for City Council as a part of this year's general election.

The Mayor asked what the Council wanted to do. Given the amount of time remaining in the year, there was consensus to expedite the process, avoid a drawn-out solicitation and interview process, and consider making an appointment at the next meeting. Mr. Dahl added that the Council can still discuss appointment candidates at the August 7th Meeting.

Respectfully submitted,



Kathy Leervig, City Clerk