

Wayzata Charter Commission Meeting Agenda
Wayzata City Hall Community Room, 600 Rice Street E., Wayzata, MN
Thursday, May 21, 2015
6:00 PM

1. Call to Order – Vice Chairman Botham
2. Roll Call
3. Approval of May 8, 2014 meeting minutes
4. New Business:
 - A. Acceptance of Steven Tyacke’s resignation
 - B. Election of Officers (Chair, Vice Chair and Secretary)
 - C. Policy for Communication Between Boards, Commissions, Committees and the City Council
 - D. City of Wayzata Charter
 - a. Review language around election of Mayor Pro-Tem (Section 16.)
 - b. Commission input after review of current charter
 - E. Next meeting date (spring 2016)
5. Adjourn

Members Present: Elaine Ambrose, Mary Bader, Brian Botham, David Hill, Paul Klapprich, David McGill, Todd Pearson, and Steven Tyacke. Members Absent: Mary Fadden, and Kent Howe.

City Staff preset: Deputy City Clerk Becky Malone.

Chair David McGill called the meeting of the Charter Commission to order at 6:35 p.m.

NEW BUSINESS

- a. Welcome and introduction of new Commissioners Ambrose and Bader: Reappointments Hill, Howe, McGill

Chair McGill welcomed new Commissioners Bader and Ambrose and recognized the reappointment of Commissioners Hill, Howe, and McGill.

ROLL CALL

Present at Roll call were: Elaine Ambrose, Mary Bader, Brian Botham, David Hill, Paul Klapprich, David McGill, Todd Pearson, and Steven Tyacke. Members Absent: Mary Fadden, and Kent Howe.

APPROVAL OF MINUTES – MINUTES OF July 11, 2013

Commissioner Tyacke made a motion, seconded by Commissioner Hill, to approve the July 11, 2013 meeting minutes as presented. The motion carried 6/0/2 (Bader and Ambrose abstained)

NEW BUSINESS

- b. Election of Officers (Chair, Vice Chair, Secretary)

Chair McGill solicited nominations for the Chair, Vice Chair and Secretary Positions. He stated Vice Chair Botham and Secretary Fadden agreed to continue to serve if that is the direction of the Commission.

Commissioner Hill nominated Dr. McGill for Chair, Botham for Vice Chair, and Fadden for Secretary.

Commissioner Bader asked if Dr. McGill was willing to continue as Chair.

Chair McGill suggested a change.

Commissioner Pearson suggested appointing someone whose term extends thru the next year.

Deputy City Clerk Malone stated there were no terms set to expire at the end of 2014. The next cycle of terms to expire would be at the end of 2015.

Commissioner Bader made a motion, seconded by Commissioner Pearson, to nominate Dr. McGill for Chair, Brian Botham as Vice Chair, and Mary Fadden as Secretary.

Commissioner Botham nominated Steven Tyacke as Chair.

There being no other nominations Chair McGill called for a vote.

Deputy City Clerk Malone read the results as follows: Commissioner Tyacke was elected Chair (5/3), Commissioner Botham was elected Vice Chair (8,0), and Commissioner Fadden was elected Secretary (8,0).

Chair McGill asked when the new Chair would take over. Commissioner Pearson suggested Chair McGill finish this meeting and the new Chair take over afterwards.

- c. Distribution of Revised Charter effective November 25, 2013, 90 days after passage and publication of two (2) ordinance amendments (third amendment failed to pass)

Chair McGill asked if all Commissioners had received the revised Charter and asked for comments.

There being no comments the Commission accepted the Charter as revised and effective November 25, 2013.

Commission Tyacke clarified the items that had been amended in the revised charter were Section 6 Candidates for Elective Office and Section 28 Department of Administration. Chair McGill stated this was correct.

- d. Next meeting date (spring 2015)

Chair McGill stated the Charter requires the Commission to meet once a year. The meeting will be held in the spring of 2015 and the date will be determined by e-mail survey unless something comes up before then.

OTHER ITEMS

Chair McGill reminded Commissioners that if something comes up or there are things in the news that they feel should be discussed or that affect the Charter these should be brought up to the Chair and Deputy Clerk Malone for discussion.

Commissioner Bader stated the revised Charter was nice to have. She asked for clarification on what items would be considered for discussion.

Chair McGill provided examples of what had been revised in the Charter including gender updates, adding definition for Administrative Code. This was something that was not defined previously and now that is defined in the Charter.

ADJOURNMENT

There being no further business, Commissioner Pearson made a motion, seconded by Commissioner Hill to adjourn the meeting. The motion carried unanimously. The meeting adjourned at 6:50 p.m.

Respectfully submitted,

Becky Malone, Deputy City Clerk
City of Wayzata

Drafted by Tina Borg
TimeSaver Off Site Secretarial, Inc.

Becky Malone

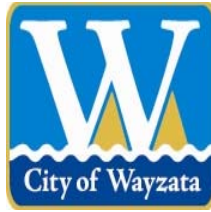
From: Steven Tyacke
Sent: Wednesday, January 14, 2015 1:41 PM
To: Brian Botham; Becky Malone; m.fadden@mchsi.com
Cc: ehambrose@gmail.com; kshortone@wayzata.org; Paul Klapprich; mcgil001@yahoo.com; toddpearson@gmail.com; toddcperson@gmail.com; Ken Willcox; Heidi Nelson

Dear Vice-Chair Botham, Secretary Fadden and Deputy Clerk Malone,

>
> Due to my recent swearing in for Wayzata City Council, I have decided to notify you that I am resigning from the Wayzata Charter Commission (the "Commission") effective close of business January 31.
>
> Pursuant to our discussion, Vice Chair Brian Botham will be acting Chair until a successor Chair is elected by the Commission.
>
>Becky, would you please send copies to the several members of the Commission who have not listed an email address.

I have enjoyed the privilege of serving on the Commission with you and the other members of the Commission.

>
> Respectfully submitted,
> Steven Tyacke
>
> Cc.
Members of Charter Commission
Mayor Wilcox
City Manager Nelson

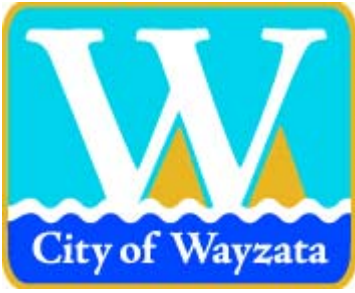


**CITY OF WAYZATA
POLICY FOR
COMMUNICATION BETWEEN BOARDS, COMMISSIONS, COMMITTEES
AND THE CITY COUNCIL**

Purpose: The City of Wayzata recognizes and appreciates the valuable service and contribution Board, Commission and Committee members make to the community in advising the city council with regard to redevelopment and land use, park and trail amenities, historical assets, oversight of the city charter, city communications and volunteer efforts. In an effort to support and stay apprised of the work and initiatives of the Boards, Commissions and Committees, the City Council desires to establish regular communication with the City's Boards, Commissions, and Committees.

Regular Communication: Board and Commission membership, via the Chair, shall establish a regular communication process with the City Council that shall include, but not be limited to, bi-annual reports to the City Council in the form of a mid-year joint workshop and an end-of-year report at a regular City Council meeting. City staff will coordinate with the Board Chair to provide reports and schedule city council and workshop meetings to facilitate the communication between the Board/Commission/Committee and the City Council.

Adopted by the Wayzata City Council at a meeting held February 17, 2015



City of Wayzata
600 Rice Street
Wayzata, MN 55391-1734

Mayor:
Ken Willcox

City Council:
Bridget Anderson
Johanna McCarthy
Andrew Mullin
Steven Tyacke

City Manager:
Heidi Nelson

MEMORANDUM

DATE: May 15, 2015

TO: Charter Commissioners

FROM: Becky Malone, Deputy City Clerk

RE: Review of Charter Section 16 on election of Mayor Pro-Tem

At the January 6, 2015 Wayzata City Council meeting, the Council requested that the Charter Commission review and provide additional guidance on the process for election of the Mayor Pro-Tem. Wayzata's Charter states "At the first regular meeting of the council, the council shall elect one of its own members as mayor pro-tem." The Mayor Pro-Tem has historically been appointed based on council seniority with the most senior council member being appointed by the Council. Attached is a copy of the City Council minutes for which the Council made this request.

1 **AGENDA ITEM 5. New Business.**

2 **a. Consider Scope of Work for Downtown Parking Improvements**

3 Ms. Nelson introduced Jim Lasher, a consultant for LSA Design. Mr. Lasher presented the
4 revised scope of work based on feedback from the December 16, 2014 Council Workshop. Mr.
5 Lasher reported that Stage One Services were completed. Stage Two Services consisted of six
6 projects including: 1) Plan of Finance; 2) Pilot Projects for Near Term Parking/Mobility
7 Management; 3) Parking District, Ordinance, and Management Tools; 4) Carisch Ramp
8 Renovation; 5) Mill Street Parking Ramp; and, 6) Wayfinding Signage. Work would begin on
9 the first four projects with the goal to bring preliminary information to the City Council at a
10 February, 2015 Work Session. The information and options would allow the Council to make
11 decisions on programming and financing of the last two projects. Mr. Lasher discussed the plan
12 of finance and shared that LSA Designs would work with City staff and the City's financial
13 planner (Ehlers).

14 The Council asked about deliverables and fees from Ehlers. Mr. Lasher answered that a
15 plan of finance document was the deliverable. The Council asked about the role of Mr. Uram.
16 Ms. Nelson further clarified how Ehlers, Mr. Uram, and other staff would be involved in the plan
17 of finance.

18 The Council asked questions concerning shared parking, data collection analysis and
19 application on pilot projects, and including action steps in the scope of work.

20 Ms. Nelson answered a question from Council, indicating that the funds for the project
21 would come from the General CIP Fund and that the City had spent approximately \$20,000 on
22 the project to date. Ms. Nelson also explained that surplus in 2014 could be designated for this
23 project.

24 Mr. Mullin made a motion, seconded by Mr. Willcox, to authorize staff to negotiate a
25 Not-to-Exceed Contract with LSA Design based upon the scope of work presented. The motion
26 carried 4/0.

27
28 **b. Consider Resolution No. 01-2015 Designating Appointments and Assignments for**
29 **2015**

30 Ms. Nelson presented the resolution, which included Mayor Pro Tem appointment; liaison
31 appointments for the Communications Board, Park and Trails Board, and Volunteer Committee;
32 Suburban Rate Authority Representative; and, City Attorney

33 The Council discussed the choice of Mayor Pro Tem, noting that it had previously been
34 based on seniority and decided to continue that method. The Council agreed to request the
35 Charter Commission to draft specific language on appointments in the future.

36 Mrs. McCarthy made a motion, seconded by Mrs. Anderson, to elect Council Member
37 Mullin as Mayor Pro Tem. The motion carried 4/0.

38 The Council noted that Mrs. Anderson would be second Mayor Pro Tem. Mrs. McCarthy
39 suggested Council Member Tyacke be third Mayor Pro Tem based on his place before her in the
40 election and that she be fourth Mayor Pro Tem.

41 The Council discussed liaison appointments for the Communications Board, Park and
42 Trails Board, and Volunteer Committee; and, committed to tackling it at a following meeting
43 when the entire Council could be present.

44 The Council named Council Member McCarthy as the Suburban Rate Authority
45 Representative.

46 The Council discussed legal services and whether to appoint City Attorney Schelzel as
47 the official City Attorney and have City Attorney Meller perform more of an advisory role. The
48 Council all agreed to appoint City Attorney Schelzel as the official City Attorney, but expressed
49 an interest in putting legal services out to bid at some point in the year to check the market. The
50 Council discussed instituting a timeline for bidding all services to ensure cost effectiveness.

1 Mrs. Anderson made a motion, seconded by Mr. Mullin, to Adopt Resolution No. 01-
2 2015, Designating the City Appointments and Assignments for 2015, as amended to allow staff to
3 correct the term expiration of the LMCD Board of Directors. The motion carried 4/0.

4
5 **c. Wayzata Yacht Club Dock Modification**

6 Ms. Nelson presented the request from the Wayzata Yacht Club that would be considered by the
7 Lake Minnetonka Conservation District to rebuild Dock D, replacing the existing 32 slips with 32
8 slips with a consistent dock finger length of 28 feet. The total number of Boat Storage Units for
9 the properties would not be affected by this request. The Council was requested to review the
10 request and draft a letter to the Lake Minnetonka Conservation District with its approval and/or
11 concerns

12 Jonathan McDonagh, Wayzata Yacht Club Rear Commodore, answered a question from
13 the Council, indicating that the same size boats would be using the slips as had in the past.

14 Mr. Mullin made a motion, seconded by Mrs. Anderson, to direct staff to draft a formal
15 letter to the Lake Minnetonka Conservation District stating the Council's approval. The motion
16 carried 4/0.

17
18 **AGENDA ITEM 6. City Manager's Report and Discussion Items.**

19 **a. Consider ULI MN Workshop – Navigating Your Competitive Future**

20 Ms. Nelson reported that the Urban Land Institute – Minnesota Chapter contacted staff regarding
21 a free workshop session that it was offering to local City Councils and Planning Commissions
22 called "Navigating Your Competitive Future." The session would be a two-hour workshop
23 including a short presentation, moderated panel discussion, and an interactive dialogue with the
24 City policymakers. Ms. Nelson noted that the tentative workshop date would be February 17,
25 2014 at 4:30 p.m. and asked if the Council would like to participate.

26 The Council was in favor of the workshop and asked to include the Heritage Preservation
27 Board along with the Planning Commission and the Housing and Redevelopment Authority.

28
29 **b. Consider Resolution Nominating Managers for the Minnehaha Creek Watershed
30 District**

31 The Council reviewed the requested nomination and explained that another City Council had put
32 forth a nomination essentially blocking anyone else from that city from applying. The statute that
33 applied stated that if a Council put forth a nomination, no other applicant could apply. This had
34 never been done before. Mr. Casale needed a nomination from a city council, but a nomination
35 required three names. Sherry White of Orono and Ron Anderson of Wayzata had agreed to
36 participate as the other two names.

37 Mr. Mullin wanted the City of Wayzata to remain silent and neutral and saw it as a bigger
38 policy issue. Mrs. McCarthy was not professionally familiar with Mr. Casale or Ms. White and
39 felt uncomfortable nominating them as a City Official. Mrs. Anderson supported the nomination
40 and encouraged the other Council Members to do the same. She pointed out that the nomination
41 only allowed Mr. Casale to be in the pool of nominees. Mayor Willcox stated that he did not
42 condone the tactics being used by other city councils and supported the nomination.

43 Mr. Casale noted that a letter of recommendation was in the Council's packet.

44 Mr. Schelzel answered a question from the Council, indicating that if there was a split
45 vote, the motion would fail and that staff had drafted an approval resolution if that was the
46 direction of the Council.

47 Mrs. Anderson made a motion, seconded by Mr. Willcox, to approve a resolution
48 nominating Ron Anderson, Jeff Casale, and Sherry White as managers for the Minnehaha Creek
49 Watershed District. The motion failed 2/2 (Voting nay-McCarthy, Mullin).

50