

WAYZATA CITY COUNCIL
WORKSHOP MEETING MINUTES
July 7, 2015

5:00 PM DISCUSS LONG LAKE POLICE CONTRACT

Mayor Willcox called the workshop meeting to order at 5:00 pm in the Community Room at Wayzata City Hall. Council Members present: Anderson, McCarthy, Mullin, and Tyacke. Also present: City Manager Nelson, Director of Planning and Building Gadow, Director of Administrative Services Uram, City Attorney Schelzel, Management/Planning Intern Peters, and Police Chief Risvold.

Ms. Nelson stated that in 2010, the City entered into a contract with Long Lake to provide Law Enforcement Services. Two key provisions in the contract include the term of the contract and compensation. Ms. Nelson reviewed the terms of the contract, and the compensation received since 2011. She said the 2015 contract amount is \$311,427.

Ms. Nelson said that recently, staff met with the Long Lake City Administrator Scott Weske to discuss any concerns or needs that Long Lake may have that could be addressed via a contract amendment. According to Mr. Weske, the law enforcement services that Wayzata provides are exceptional but that cost is a concern. Ms. Nelson said that in response, staff did an analysis of Wayzata's costs to provide the service to Long Lake. With five years of contract experience, the Wayzata's cost data indicated that the City could provide this service to Long Lake beginning in 2016 for \$285,000. Ms. Nelson said a contingency has also been established that would allow Wayzata to deal with any changes or a termination of the contract. She said they also discussed Wayzata's offer to assist Long Lake with ordinance preparation and updates including a Crime Free Multi-Family Housing ordinance and with regulations governing massage oriented businesses. This service would be an added value and may help Long Lake manage their code enforcement costs.

Ms. Nelson said that based on the discussion, a term sheet was prepared that proposed a revision to the terms and compensation. In general, the proposal reduces the cost of the contract for Long Lake, increases the length of the contract, freezes the cost for either two or three years (depending on term), and reduces the minimum amount of increase going forward from 3% to 2%. Staff is also proposing to reduce Long Lake's responsibility for the payment of unemployment insurance from 100% currently to 50% with a 6 year contract and to 0% with a ten year contract. The other provision in the contract that staff is recommending be changed is the notice of termination. Staff is recommending a three year notice. A three year notice is preferable because it coincides with equipment purchases.

Mayor Willcox expressed a concern about limiting the maximum increase to 5% with a ten year contract. He indicated that inflation has exceeded that in the past. Councilmember Tyacke expressed the same concern. Staff suggested that language could be included in the contract addressing this issue. Councilmember Anderson asked Chief Risvold if the reduction in the amount of the contract would reduce the amount of funding available for the department. Staff indicated that the funds are part of the overall general fund and not specific to the Police department.

Ms. Nelson and Chief Risvold reviewed the advantages to both communities of an amended contract per the term sheet.

The Council expressed a preference for a six year contract and pending the outcome of the Long Lake Council discussion directed staff to continue to pursue a mutually agreeable contract revision.

5:30 PM DISCUSS S. HIGHWAY 12 FRONTAGE ROAD RIGHT-OF-WAY ISSUES & UUCM OUTLOT SITE

Mayor Willcox called the workshop meeting to order at 5:30 pm in the Community Room at Wayzata City Hall. Council Members present: Anderson, McCarthy, Mullin, and Tyacke. Also present: City Manager Nelson, Director of Planning and Building Gadow, Management/Planning Intern Peters, Director of Administrative Services Uram, and City Attorney Schelzel.

City Attorney Schelzel provided a summary on recent developments related to the property along the Highway 12/I-394 frontage road. He said the City's interests in the property relate to (1) "turn back" obligations of MnDOT under a 1985 Construction Cooperative Agreement; (2) recent discussions about possible new locations for cell towers, including the east end lift station parcel; and (3) the City's litigation settlement obligations to help facilitate the transfer of certain MnDOT-owned property to the Unitarian Universalist Church of Minnetonka (UUCM). He said City staff has had discussions and meetings with key MnDOT personnel, including those working on the turn back and the sale of the property that UUCM is interested in acquiring.

Mr. Schelzel said MnDOT has reaffirmed its obligation under the 1985 Cooperative Construction Agreement to turn back the right of way associated with the frontage road to the City. He explained the process involved and that the turnback probably won't go through until spring 2016 unless there was real need to expedite the process. Mr. Schelzel said MnDOT would also like to cover with this turn back to the City of Wayzata any other areas of "MnDOT roadway" within the City that the City has been maintaining. MnDOT's turn back obligations do not include all of the property that was acquired by MnDOT as part of the original 394 project; it will only include the roadway and whatever right of way is needed to maintain the road going forward.

Regarding the UUCM Settlement parcels, Mr. Schelzel stated an offer from MnDOT to sell the larger east parcel should be received within the next week or so. The offer has been approved as of July 1, 2015, and the formal offer is being put together. He noted that the offer price will likely be the \$212,000 appraisal figure. He explained that MnDOT won't sell just a piece of the property because it would make the remaining parcel unbuildable. He also explained the issues associated with the west parcel that preclude MnDOT from selling that parcel until issues with the title are cleared up via a preceding subsequent that is being handled by the MN Attorney General's Office.

Mr. Schelzel said that regarding the East end lift station parcel, part of the City's lift station falls on the Hwy 12 ROW that will be transferred to the City, and part falls in a larger easement area that MnDOT may transfer to Lake West Development, LLC. MnDOT has told staff that any conveyance to Lake West would be subject to an easement for existing utilities. Mr. Schelzel said that if the City wishes to use part of the property for a cell tower site, the City would need buy any additional, necessary property rights from the current property owner.

The Council had discussion on this item. Mr. Schelzel answered questions from the Council.

6:30 PM LAKE WEST DEVELOPMENT CONCEPT

Mayor Willcox called the workshop meeting to order at 6:30 pm in the Community Room at Wayzata City Hall. Council Members present: Anderson, McCarthy, Mullin, and Tyacke. Also present: City Manager Nelson, Director of Planning and Building Gadow, Management/Planning Intern Peters, Director of Administrative Services Uram, and City Attorney Schelzel. Curt Fretham of Lake West Development Co., LLC and Reid Schulz of Landform were also in attendance.

Mr. Gadow stated that in January of 2014, the City Council approved an application for a three (3) lot subdivision, with conditions, of 1409 Holdridge Terrace by Lakewest Development Co, LLC. Lakewest

1 Development Co, LLC has requested a workshop with the City Council to discuss a potential concept
2 plan for the lots on 1405 and 1407 Holdridge Terrace for a ten (10) unit detached townhome project.
3 These lots face the frontage road and the adjacent MnDOT ROW. Lakewest Development Co, LLC is
4 requesting City Council feedback as they determine whether to pursue a formal application. Mr. Gadow
5 said the area is guided for low density single family in the Comprehensive Plan, and zoned R-2A.
6

7 Mr. Gadow said that if this potential concept were to move forward, the application would need to include
8 a request for amendment to the Comprehensive Plan to Medium Density Multiple Family, a rezoning to
9 the medium density zoning category, approval of a replatting of the lots for the ten townhomes, design
10 review, and site plan review.
11

12 The Council provided feedback to Mr. Fretham and Mr. Schulz that the proposed concept plan had too
13 many units for the site and was out of harmony with the existing zoning of the neighborhood. The
14 Council expressed concern that the proposed level of density would creep to other parts of the single
15 family neighborhood, which would impact neighborhood character. The Council encouraged Mr.
16 Fretham to reconsider single family homes at a lesser density than the concept plan.
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18 The Workshop meetings were adjourned at 6:55 pm.
19

20 Respectfully submitted,

21 *Becky Malone 07-21-2015*
22

23 Becky Malone

24 Deputy City Clerk