WAYZATA CITY COUNCIL
MEETING MINUTES
August 18, 2015

AGENDA ITEM 1. Call to Order and Roll Call.

Mayor Willcox called the meeting to order at 7 p.m. Council Members present: Anderson, McCarthy, Mullin and Tyacke. Also present: City Manager Nelson, Director of Planning & Building Gadow, City Engineer/Assistant Director of Public Works Kelly, Management/Planning Intern Peters, and City Attorney Schelzel.

AGENDA ITEM 2. Approve Agenda.

Mr. Tyacke made a motion, seconded by Mrs. Anderson, to approve the agenda, as presented. The motion carried 5/0.

AGENDA ITEM 3. Public Forum – 15 Minutes (3 minutes per person).

a. Update on Bushaway Road Project

Trudy Richter, representative for Shafer Consulting Company, gave a brief update on the Bushaway Road project and reported the goal is to have a paved surface from the southernmost part of the project up to Eastman completed during this construction season. The railroad bridge will not be completed until the spring.

Mr. Kelly announced there will be a Resident Listening Session on Thursday, at 9:00 a.m., in Council chambers.

Mr. Willcox announced this is Mr. Gadow's last meeting, as he is moving to New Glarus, Wisconsin, to be the Village Administrator. He thanked Mr. Gadow for his work and announced a party for Mr. Gadow will be held on August 27, 4:30 p.m. to 6:30 p.m., at the Muni.

AGENDA ITEM 4. New Agenda Items.

Mrs. Anderson and Mr. Mullin requested review of the policy on how to notify residents of special events.

Messrs. Mullin and Tyacke requested the Council hold a Workshop to consider landscape manicuring along the lake edge at Lake Street.

Ms. Nelson announced there will be an event to share a report on progress in the community and a preview of McCormick's Beachside on Wednesday, August 19, 5-7 p.m. In case of inclement weather, the website should be checked for updated information on location of the event.

AGENDA ITEM 5. Consent Agenda.

Mrs. Anderson made a motion, seconded by Mr. Mullin, to approve the consent agenda:

a. Approval of City Council Workshop Meeting Minutes of August 5, 2015 and City Council Regular Meeting Minutes of August 5, 2015
b. Approval of Check Register
c. Approval of Municipal Licenses
d. Police Activity Report
e. Building Activity Report
f. Approval of Interim Planning Services Contract
g. Approval of Resolution No. 30-2015 Authorizing Amendment to Residential Recycling Grant Agreement with Hennepin County.

The motion carried 5/0.

AGENDA ITEM 6. New Business.

a. Consider Heritage Preservation Board (HPB) Plaque Request for Burial Mounds at City Hall

Sue Sorrentino, Wayzata Historical Society, reported a proposed plaque has been developed to be located between the Library and City Hall, in coordination with the State Archeologist's Office and Minnesota Indian Affairs Office. The HPB is requesting approval of the proposed plaque text in order to begin fabrication of the new plaque.

The Council asked if the Native American community has been consulted about the plaque text and suggested Ms. Sorrentino contact Trudy Richter and the Smithsonian in Washington D.C. for names of people to consult. Mrs. Anderson acknowledged the HPB for their work.

Mrs. Anderson made a motion, seconded by Mr. Tyacke, to approve the size, location, and language on the plaque contingent on the HPB seeking out the Native American community for further consultation. The motion carried 5/0.

b. Consider Approval of Resolution No. 29-2015 Approving Variance at 133 Ridgeview Drive East

Mrs. Anderson recused herself from this agenda item stating she lives within 350 feet of the proposed variance and had decided not participate in the discussion and vote on this matter.

Mr. Gadow reported the applicants, Graham and Nancy Gnos, are requesting approval of a variance in order to construct an expansion to an existing garage at 133 Ridgeview Drive East. The requested variance would allow them to encroach into the ten-foot sideyard setback to a distance of 5.6 feet. The Planning Commission recommends approval, on a 4-1 vote, with 1 Recusal (Mr. Gnos), and 1 Absence.

Graham Gnos, 133 Ridgeview Drive East, stated no additional driveway space is being added in connection with the addition to the garage. He stated that the house is for sale and the feedback is that the house is great except it needs a two-car garage.

Messrs. Tyacke Mullin stated their support for the application, while Mrs. McCarthy and Mr. Willcox stated why they do not support the application.

Mr. Schelzel advised that in order for this variance to be granted, an affirmative majority vote of Council is needed. If a motion to approve the draft resolution approving the application fails, he suggested the Council put forward a motion to direct staff to draft a different resolution for Council consideration.

Mr. Gnos stated they have talked to the neighbors to the east and they are supportive. They have also looked at other alternatives to this project, but have run into obstacles. Mrs. Gnos stated the home updates they have completed since moving to the home have stayed true to the neighborhood. There are other alternatives they could try in place of this proposed request, but it would significantly alter the look and feel of the home and not fit in with the neighborhood. He explained it is not about financial gain, it is about keeping up the value of the home and the neighborhood.

Mr. Mullin made a motion, seconded by Mr. Tyacke, to approve Resolution No. 29-2015 Approving Variance at 133 Ridgeview Drive East.

Mr. Gadow clarified that Section 1.4 of Resolution No. 29-2015 should read "15,000 SF minimum lots sizes", not 5,000 SF. Mr. Schelzel stated Section 4.1.A. of the Resolution should read "The Applicant must secure all necessary building permits for construction, and follow all laws and regulations applicable to the Project."

Mr. Mullin made a motion, seconded by Mr. Tyacke, to approve Resolution No. 29-2015 Approving Variance at 133 Ridgeview Drive East as revised to reflect the changes recommended by staff.

Mr. Schelzel advised if the vote on this Resolution is deadlocked, Council could direct staff to prepare an alternate resolution denying the variance request. If that motion fails, Council could table further action on the Application until the next meeting to see if any minds have changed but should take action within the timeline and requirements of the 60 Day Rule. If action is not taken as required by the rule, the request is automatically approved.

Upon a roll call vote, with Mr. Mullin and Mr. Tyacke voting yes, and Mrs. McCarthy and Mr. Willcox voting no, the motion failed.

Mrs. McCarthy made a motion, seconded by Mr. Willcox, to direct staff to prepare a resolution denying the Variance request at 133 Ridgeview Drive East.

Upon a roll call vote, with Mrs. McCarthy and Mr. Willcox voting yes, and Mr. Mullin and Mr. Tyacke voting no, the motion failed.

Mr. Mullin made a motion, seconded by Mr. Tyacke, to continue discussion of Resolution No. 29-2015 Approving Variance at 133 Ridgeview Drive East at the next Council meeting. The motion carried 4/0.

The Council recessed at 8:06 p.m.

Mrs. Anderson returned to the Council dais.

The Council reconvened at 8:10 p.m.

c. Update on 235-259 Lake Street E Redevelopment Project Concept

Mr. Gadow reported on May 19, 2015, a meeting was held with Mr. Brad Hoyt, property owner of 253 Lake Street, Mr. Pat Hughes, property owner of 239 Lake Street E., and Ms. Kim Erickson of Cambridge State Bank for 259 Lake Street, to discuss potential redevelopment options for the properties. Mr. Hoyt has worked with Mr. Neil Weber of Weber Architects and Planners to develop a site plan concept for the properties. Mr. Weber met with the Housing and Redevelopment Authority (HRA) who indicated they are supportive of the concept.

Mr. Weber presented the Council with two concepts for the Lake Street site. Concept No. 1 includes three different buildings and a three-level parking ramp. Concept No. 2 includes the development of three properties and would tie in four existing properties with a one-level parking ramp located behind the building.

Mrs. Anderson, Messrs. Tyacke, Mullin, and Willcox stated they are in favor of further exploring the plan for Concept No. 2. Mrs. McCarthy stated she is not open to the City owning, operating, and maintaining a parking ramp that is benefitting the businesses with the residents paying for it. Mr. Weber stated there may be some benefit to the City owning the parking ramp.

Jason Aarsvold, Ehlers and Associates, presented a TIF analysis based on the concept provided by Mr. Weber. The present value would be $3.2 million and when fully built it would generate $240,000 of tax increment annually for 26 years.

The Council asked what the next steps are to move this project forward. Ms. Nelson stated there needs to be an understanding of which property owners are interested before proceeding. The next step would be developing a Letter of Intent to outline the expectations from the City and from the developers.

Mr. Hoyt addressed the Council and stated the financing options need to be figured out so they know if the plans can be completed.

Mr. Mullin made a motion, seconded by Mrs. Anderson, to authorize staff to enter into discussion with one or four parties to frame a Letter of Intent and to extend internal and/or external resources to provide the direction that developers need to understand the finance options. The motion carried 4/1. (McCarthy)

<u>AGENDA ITEM 7. City Manager's Report and Discussion Items.</u>

a. Upcoming Dates

Ms. Nelson reported on September 1 there will be a Workshop with the Beltz group about the redevelopment concept along Broadway.

Ms. Nelson reported on September 15 a draft of the pre-design and program report for the Mill Street ramp will be presented.

Ms. Nelson announced on October 6, during the Workshop, there will be a report of the pilot programs from the summer that collected data about valet parking, enforcement, employee's use of parking, dock usage, trolley operation, and results from the survey on the website.

b. Update on Lake Effect

Ms. Nelson reported the Selection Committee's recommendations for Lake Effect will be presented at the September 15 Council meeting. Staff is working to incorporate the timeline of the parking ramp with the Lake Effect design.

c. Update on Construction Projects

Mr. Kelly gave an update on Ferndale Road.

Mr. Kelly announced the Bushaway Road Landscape Committee will meet on September 17 at 7:30 a.m.

Mr. Kelly reported there have been some reports of issues with the pedestrian crossing at Wayzata Boulevard and Central Avenue. All of the crossing timings in Wayzata have been updated to give pedestrians a longer amount of time to cross the street. Mr. Kelly indicated he will work with Mr. Mullin to get the other pedestrian crossing issue resolved.

Mrs. McCarthy requested staff look at the intersection at Lake and Superior to make sure the pedestrian light is working.

Mr. Kelly stated Eastman Lane is not yet finished. There have been some concerns as how to better access the boat launch. He proposed creating a lane for cars and trailers to access the ramp. The Council agreed with this proposal. There will also be some updates to show where the bike trail is and where parking is allowed.

c. Update on Long Lake Police Contracts

Ms. Nelson reported the City hopes to secure a longer-term contract with the City of Long Lake to provide police services. Long Lake will vote on the contract at their September 1 meeting.

d. Announcements

Mr. Willcox announced this is Mr. Gadow's last meeting. The Council acknowledged and thanked him for his work. Mr. Gadow expressed his appreciation.

<u>AGENDA ITEM 8. Public Forum Continued (if necessary).</u>

There were no comments.

<u>AGENDA ITEM 9. Adjournment.</u>

Mrs. McCarthy made a motion, seconded by Mr. Tyacke to adjourn. There being no further business, Mr. Willcox adjourned the meeting at 9:24 p.m.

Respectfully submitted,

Becky Malone 09-01-2015

Becky Malone
Deputy City Clerk

Drafted by Shannon Schmidt
TimeSaver Off Site Secretarial, Inc.