WAYZATA CITY COUNCIL
MEETING MINUTES
JANUARY 6, 2026

AGENDA ITEM 1. Call to Order.
Mayor Mullin called the meeting to order at 7:00 p.m. Mayor Mullin shared the multiple options for joining remotely and submitting comments or questions.

AGENDA ITEM 2. Pledge of Allegiance.

AGENDA ITEM 3. Roll Call.
Council Members present: Mullin, Sorensen, MacDonald, Plechash, and Koch. Also present: Interim City Manager Yager, Public Works Director/City Engineer Kelly, Community Development Director Sharpe, City Attorney Schelzel, and Litigation Attorney Jason Kuboushek (Closed Session).

Mayor Mullin noted earlier this evening, the City Council, pursuant to State Statute 13D.05, subdivision 3(b), participated in a Closed Special Meeting. The following items were on the agenda:

- Lake West Development, LLC, 200 Lake Street East LLC, and Curt Fretham, Plaintiffs, vs. City of Wayzata, Defendant
- Dray Trustee, LLC, vs. City of Wayzata, Defendant
- DLC 2020 Revocable Trust, Plaintiff, vs City of Wayzata, Kyle Hunt & Partners Artisan Homes, Laurie S. Headrick, Karin S. Webster, and Craig B. Swanson, Defendants
- Adlon C. Adams, 225 Manitoba Ave LLC, Olivia A. Adams, Wayzata Cottage, LLC, and Robert C. Fisher, as Trustee of the Robert C. Fisher Trust dated July 8, 2016, Plaintiffs/Petitioners, vs. City of Wayzata, Defendant
- Jeffrey Lee Holmers, 306 Barry Ave N LLC, Scott Tripps, 1020 Lake Street E LLC, Anna Ovsyannikova, and Yevgeniy Ogranovich, Plaintiffs/Petitioners, vs. City of Wayzata, Defendant

AGENDA ITEM 4. Approve Agenda.
Ms. MacDonald made a motion, seconded by Mr. Koch, to approve the agenda, as presented. The motion carried 5/0.

AGENDA ITEM 5. Public Forum.
Mayor Mullin noted that one card was turned in with a request to speak during the Public Forum and invited Mr. Peterson to address the Council.

Kevin P. explained that he was not a Wayzata resident but lives in the Ferndale North neighborhood with his wife and 3 daughters. He stated that he owned multiple businesses in Minnesota and Wisconsin and planned to visit all the cities within Hennepin County over the next 90 days. He explained that his goal with the visits was to encourage the cities to have a coordinated effort to achieve specific goals during the truth-in-taxation period. He shared the goals that he would like them to accomplish, including review and reform of property tax assessment policies/practices, and to conduct an audit of County spending, focusing on health and human services spending. He shared examples of information he had received from a data practices request he had submitted to the County regarding their spending related to non-profit organizations.

a. Swearing in Police Officer Omarr Wallace, Police Sergeant Kyle Kirschner, and Deputy Chief Brad Schoenherr

Police Chief Baker introduced Officer Omarr Wallace and shared details on his education, background, and experience.

Officer Wallace was sworn in by Interim City Manager Yager.

Officer Wallace expressed his appreciation to the City for allowing him to serve the community, his family, and support from the officers within the Department that have supported his journey.

There was a round of applause for Officer Wallace.

Police Chief Baker introduced Sergeant Kyle Kirschner and shared details on his education, background, and experience.

Sergeant Kirschner was sworn in by Interim City Manager Yager and expressed his appreciation to the City. He noted that to serve as a police officer, the entire family needed to be on board with their profession and thanked his family, friends, and peers for their ongoing support.

There was a round of applause for Sergeant Kirschner.

Police Chief Baker introduced Deputy Chief Schoenherr and shared details about his education, background, and experience.

Deputy Chief Schoenherr was sworn in by Interim City Manager Yager and explained that he was honored and grateful for the opportunity to serve in this role within the City. He expressed his appreciation to members of the Department, Council, staff, and his family for their support. He briefly outlined his planned focus as Deputy Chief for the Wayzata Police Department.

Mayor Mullin stated that he was grateful to the first responders for their commitment to the City and thanked them for stepping up to serve the community. He stated that he was very proud that the Council chambers were full tonight in honor of the incoming Police Officers.

Mr. Plechash stated that Wayzata is a welcoming and nurturing place for law enforcement, and they truly value what they do in serving the community.

Mayor Mullin recessed the meeting at 7:24 p.m. and reconvened at 7:33 p.m.

<u>AGENDA ITEM 6. New Agenda Items.</u>

<u>AGENDA ITEM 7. Consent Agenda.</u>

Mayor Mullin read the items on the consent agenda and asked if any Council member wished to pull an item for further discussion.

Mr. Koch noted that he had some questions regarding item e.

Hearing no additional requests, he asked for a motion to approve the Consent Agenda, with item e. removed for separate discussion. Mr. Plechash made a motion, seconded by Ms. MacDonald, to approve the consent agenda, with the removal of item e:

a. Approval of City Council Regular meeting minutes of December 16, 2025

b. Approval of Check Register
c. Approval of Municipal Licenses
d. Approval of 2026-2035 Capital Improvement Plan
~~e. Approval of 2026 Lease Agreement with the Greater Wayzata Area Chamber of Commerce~~ (removed for separate discussion)
f. Approval of Letter of Agreement with Merrily Borg Babcock for the Maple Tree Tapping Program
g. Approval of April 7, 2026, 5:30 p.m., as the time and date for the 2026 Local Board of Appeals and Equalization meeting
h. Approval of Professional Services Agreement between the City of Wayzata and Abdo Financial Solutions for Financial Consulting Services for 2026

The motion carried 5/0.

Former Consent Agenda Item e: Approval of 2026 Lease Agreement with the Greater Wayzata Area Chamber of Commerce
Mr. Koch explained that he had pulled this item because he had concerns about the significant increase in the lease rate that was being charged. He stated that one of the reasons given was to cover the City's costs and asked for an explanation from staff about those costs.

Ms. Yager gave a brief explanation on how staff had looked into actual costs for things like utilities, trash, snow removal, and repairs/maintenance.

Mr. Koch stated that he understood the City was trying to cover its costs, but his opinion is that the Chamber was a unique tenant and not just a 'market' tenant. He stated that the Chamber was a valuable member of the community, and it would be justified if they were to get a rate better than the market rate for the rental, and cautioned the City against further rent increases for them.

Mayor Mullin noted that he had similar concerns and suggested that the City keep a watchful eye on this situation.

Mayor Mullin asked for a motion. Ms. MacDonald made a motion, seconded by Mr. Plechash, to Approve the 2026 Lease Agreement with the Greater Wayzata Area Chamber of Commerce, as presented. The motion carried 5/0.

AGENDA ITEM 8. Public Hearings.

AGENDA ITEM 9. New Business.

a. Recognize Resigning Board and Commission Members

Mayor Mullin listed off the Board and Commission members who were leaving their seats in 2026 and expressed appreciation to: Bianca Jensen – Parks & Trails; Sarah Randolph, Parks & Trails; David Kirkland – Energy & Environment; KC Chermak – Energy & Environment; Kent Howe – Charter Commission; Dan Koch – Housing and Redevelopment Authority; Kelly Gratton – Heritage Preservation Board; and Judy Starkey – Heritage Preservation Board.

b. Consider Approval of the First Reading of Ordinance No. 855 Authorizing the Issuance of General Obligation Equipment Certificates for Fire Department Ladder Truck and Adoption of Resolution 03-2026, Authorizing the Issuance and Sale of General Obligation Equipment Certificates, Series 2026A

Ms. Yager explained that the goal of this item was to issue debt to purchase a ladder truck for the Fire Department. She shared background on the existing ladder truck, the impact of debt, and outlined the next steps in the process.

Ms. MacDonald asked when the City can expect to receive the new ladder truck, if this action is approved by the Council.

Ms. Yager explained that they have been told that delivery would be in late March or early April.

Mayor Mullin asked for a motion. Mr. Plechash made a motion, seconded by Mr. Koch, to Approve the First Reading of Ordinance No. 855 Authorizing the Issuance of General Obligation Equipment Certificates for a Fire Department Ladder Truck. The motion carried 5/0.

Mayor Mullin asked for a motion on the draft resolution. Mr. Sorensen made a motion, seconded by Mr. Plechash, to Adopt Resolution No. 03-2026, Authorizing the Issuance and Sale of General Obligation Equipment Certificates, Series 2026A. The motion carried 5/0.

a. Consider Adoption of Resolution 02-2026 Approving a Variance for Lot Width and CUP for a Two-Family Home at 220 Central Avenue S

Community Development Director Sharpe gave an overview of the variance request for lot width and a CUP for a two-family home at 220 Central Avenue S. He reviewed the project location, land use guidance, zoning, details of the request and proposed plan, existing conditions, the comments from the Engineering Department, and the two public comments that were received. He outlined the discussion and recommendation from the Planning Commission.

Mr. Plechash asked about the placement of the existing detached garage structure and its proximity to the lot line.

Mr. Sharpe explained that the detached garage building was very close to the lot line, but cautioned that the aerial photograph and the depicted property lines were from an outside service and were not as accurate as they would be through the County. He noted that he believed the detached garage was within 5 feet of the property line.

Mr. Plechash asked if the Council would be considering this item if everything about the plans were the same, other than it just being one home and not a two-family home.

Mr. Sharpe answered that both the CUP and the variance request were related to the two-family home. Ms. MacDonald asked about the property to the south of this parcel and noted that she believed it was also a multi-family unit. She asked if this building pre-dated the City's restrictions for having lots that were 100 feet deep as well as 100 feet wide.

Mr. Sharpe stated that the property to the south is 100 feet wide and exceeds 100 feet in depth, and noted that the home on the property to the south was closer than the 10-foot setback to this property. He noted that the subject property was about 300 feet deep.

Ms. MacDonald asked if any of these style townhomes were already in the City.

Mr. Sharpe explained that he was not aware of any that had this same design in the City, but he had seen similar designs in other communities.

Ms. MacDonald stated that she would like to know what the applicant could have done within the City's Accessory Dwelling Unit (ADU) code.

Mr. Sharpe gave a brief overview of the City's ADU code and noted that the ADU would need to be secondary to the primary unit and could not be the same size.

Mr. Koch asked about the minimum lot width for a single-family home.

Mr. Sharpe stated that for a single-family home, it would be 60 feet.

Mayor Mullin asked if the garage on the back of the first building was connected or if there would be a separation.

Mr. Sharpe stated that the applicant could give specific information, but noted that his understanding is that there was a shared wall between the two units.

Todd Polifka the owner of Custom One Homes, stated that their proposal was to attach the two units, but they were open to them being detached as well. He gave a brief review of their plans and goals for this project.

Mr. Sorensen asked if the intent was to build both units at the same time.

Mr. Polifka stated that they would building both units at the same time.

Mr. Sorensen asked if he had been aware when they first started this process that they may need a variance and a CUP.

Mr. Polifka stated they had the understanding that they would be able to go to three units on this parcel.

Mr. Koch asked if there would be a way to flip the plans and move the driveway to the south side of the property so there would be more of a buffer.

Mr. Polifka stated that the property on the north side was a multi-unit dwelling and explained that they have position this proposal to be centered on the lot. He noted that one of their other considerations in their plans was the topography of the lot and water runoff. He noted that their plans were to bring this to the center, and explained that they were planning to provide some additional screening on the south. He gave a brief overview of their plans to capture water runoff to ensure it will drain properly.

Mr. Koch asked if these units were sold as two separate units, if they created a lot split, and two separate legal descriptions.

Mr. Sharpe explained that various ways this could be set up by the applicant.

Mr. Polifka clarified that the existing driveway sits on the north property line and their plans would also make the driveway more centered.

Ms. MacDonald asked if the homes would have a porch or deck space.

Mr. Polifka stated that they will be on grade-level and would have porch and patio space.

Mr. Plechash asked if they had considered making these two separate structures.

Mr. Polifka stated that they had considered that and discussed that option with previous City staff who had recommended that they keep the structure together because of the City code.

Mr. Sharpe noted that he believed there could be some clarification in the City code regarding attached and detached homes.

Mr. Plechash asked if the applicant would have preferred to have two separate structures on this parcel.

Mr. Polifka stated that being detached was probably always preferred, but there were some efficiencies within the cost structure by keeping them together. He reiterated that what had been communicated to them by City staff was that this approach was the correct path for them to follow.

Ms. Yager noted that there was someone in the audience who would like to speak on this item.

Mayor Mullin stated that the City had received communication in their packet from Jeff N., as well as a phone call on this item. He noted that this communication made reference to traffic on Central Avenue but had also referenced challenging the practical difficulties standard being solely economic in nature. He explained that the City had received other feedback, independent of this application, about parking issues on Central Avenue.

Josh C. Central Avenue S, stated that they want to be good neighbors and explained that they welcome this project. He noted that he would like to reaffirm item 3 from the proposed Resolution, that there be further discussion between themselves and the applicant about potential water issues, because the boundary is sensitive. He noted that, thus far, there had only been an introductory conversation, but no detailed discussions had taken place yet.

Mr. Sharpe explained that the meeting referenced would be something that staff would check into at the time of the building permit application, when there were more detailed plans.

Mr. Koch noted that he felt this language was a bit wishy-washy, that they should meet and try to come up with a solution. He asked if the City felt like they had enough control over this situation to ensure it was an acceptable plan through the permitting process.

Mr. Sharpe stated that he was confident that the City had the tools in place to address stormwater management. He noted that the City's authority would be to regulate this lot.

Mayor Mullin explained that he felt the Council was calling out a concern regarding language and intent, which he felt was valid. He suggested that they bring the conversation back to the application to determine whether or not they were heading towards approval, and then could revisit the proposed resolution language.

Mr. Plechash explained that he did not have a problem with this application and noted that if this had the same footprint in the plans but was a single-family home, the Council wouldn't even need to discuss this. He stated that the discussion around item 3 has been put on the record, and there has also been agreement between the parties that the meeting would take place. He noted that he did not have a problem with the existing language and felt it was clear that they needed to meet and come up with a plan.

Mr. Sorensen stated that this application relies on the City's interpretation and felt there were strong arguments for both sides. He briefly reviewed the criteria the Council should consider when looking at this application. He noted that if the City approves this, he believed it would be important that there is compliance with the site plan that is developed. He noted that the applicant was very creative in how they positioned the home on the lot so it looks like one house. He stated that he would like to see them include some conditions that this is the site plan that will actually be developed.

Ms. MacDonald stated that he agreed with some of the concerns shared by Mr. Koch related to practical difficulty considerations. She stated that she liked the condition proposed by Mr. Sorensen related to the site plan and agreed that it was important that this would look like a single-family home from the street. She noted that she had been a bit worried for the neighbors, but with Mr. Curb sharing that they supported the project, made her feel better. She stated that because the City needed more diversity in housing and creative approaches, she planned to vote in favor of this request.

Mr. Koch stated that he agreed with much of what had already been shared by the Council. He noted that he liked that the neighbors came out to support the overall project, and he was also generally supportive of it.

Mayor Mullin asked some clarifying questions of City Attorney Schelzel regarding some of the language included in the findings of fact.

City Attorney Schelzel briefly reviewed the findings of fact and the language used.

Mayor Mullin asked the Council to weigh in on the suggestion from Mr. Sorensen for additional conditions related to the site plan and for the structures to be built at the same time.

Mr. Koch stated that he would be okay with the suggestions.

Mr. Schelzel noted that a significant change to the plans would require a new application. He stated that they could add a condition that the project be built in substantial conformance with the site plan depicted on page 138 of the packet and be attached to the resolution as an exhibit.

Mayor Mullin asked the applicant to address the suggestion regarding building the units at the same time.

Mr. Polifka stated that he would agree to the condition that the units be built at the same time with a 'yes', with an asterisk, because they could be in a situation where the foundation and the shell goes up but the interior may not be finished on the second home because the buyer may want to finish it the way they want to. He clarified that the structure and envelope of the structure would be built at the same time.

Mr. Plechash pointed out that the existing structures are non-conforming, so this plan improves on that situation related to setback. He stated that he did feel that the proposed plans would change the essential character of the neighborhood, but believed that it would improve things for the better. He reiterated that if this were just one building with one family, the Council would not even be talking about it, and the proposed plans, visually, are essentially the same thing.

Mayor Mullin asked for a motion on the draft resolution. Mr. Plechash made a motion, seconded by Ms. MacDonald, to Adopt Resolution No. 02-2026 Approving a Variance for Lot Width and CUP for a Two-Family Home at 220 Central Avenue S, with the additional condition that the project be built in substantial conformance with the site plan depicted on page 138 of the packet and be attached to the resolution as an exhibit. The motion carried 5/0.

b. Consider Adoption of Resolution 01-2026 Designating Appointments and Assignments for 2026

Ms. Yager reminded the Council that appointments and assignments for the year were something the Council undertook on an annual basis.

Mayor Mullin noted that the Council had a brief discussion before the meeting with a proposed change to the appointments for the Panoway Partnership Team from Ms. MacDonald to Mr. Koch.

Mayor Mullin asked for a motion on the draft resolution. Mr. Koch made a motion, seconded by Mr. Sorensen, to Adopt Resolution No. 01-2026 Approving Designating Appointments and Assignments for 2026, with the change to appoint Mr. Koch to the Panoway Partnership Team. The motion carried 5/0.

AGENDA ITEM 10. City Manager's Report and Discussion Items.

Mayor Mullin gave a brief update on the City's search for a new City Manager and explained that Interim City Manager Yager had done an excellent job. He explained that the City would be going through the process of reviewing internal and external candidates throughout January and February. He explained that the hope was that there would be a recommended candidate for the City Manager position by the end of February. He reminded residents that the State of the City would be on February 26, 2026, beginning at 6:30 p.m.

a. Upcoming Events/Announcements

- Opening celebration for Klapprich Park is rescheduled from January 10, 2026, to February 7, 2026, from 1:00 to 3:00 p.m.

b. Council Member Updates/Announcements

Mayor Mullin expressed appreciation to the Public Works/Parks staff for their dedication to getting the rink open.

AGENDA ITEM 11. Public Forum Continued (if necessary).

There were no comments.

AGENDA ITEM 12. Adjournment.

There being no further business, Mayor Mullin asked for a motion to adjourn. Mr. Plechash made a motion, seconded by Ms. MacDonald, to adjourn. Mayor Mullin adjourned the meeting at 9:00 p.m.

Respectfully submitted,

Kathy A. Leervig

Kathy Leervig
City Clerk

Drafted by Kayla Rokosz

TimeSaver Off Site Secretarial, Inc.