

WAYZATA CITY COUNCIL
MEETING MINUTES
October 20, 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, City Engineer/Assistant Director of Public Works Kelly, Interim Planner Zweber, and City Attorney Schelzel.

AGENDA ITEM 2. Approve Agenda.

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

Mr. Willcox reported Council met in Workshop prior to the City Council meeting and reviewed a redevelopment concept for the Meyer Brothers Dairy Site.

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

a. Commissioner Jan Callison's Annual Hennepin County Update

Ms. Jan Callison, Hennepin County Commissioner, gave a brief update on the Bushaway Project and the youth sports grant process. Ms. Callison also gave an update on service demands, stating that caseloads are up 42% for Hennepin County, cash assistance is down 26%, SNAP clients are down 19%, and health care clients are up 38%. She reported the proposed property tax levy increase is 4.5% for 2016 with a median valued home in Wayzata receiving a 4.5% property tax increase.

b. Bushaway Road Update

Ms. Trudy Richter, representative for Shafer Consulting Company, reported the status of the Bushaway Road project. She gave an update on the railroad bridge, curbing on the causeway, and the Indian burial site.

The Council suggested asking Hamline University to give a report on what was found at the Indian burial site and how it was managed.

c. Introduction of Jeff Thomson, Director of Planning and Building

City Manager Nelson introduced Jeff Thomson, the City's new Director of Planning and Building.

d. Boy Scout Troop 283 Presentation

Mr. Scott McCullough, Senior Patrol Leader, announced that Troop 283 is celebrating their 100 year anniversary. He requested that November 15 be designated by the City as Troop 283 Day, and announced they will have a 100 year anniversary celebration on that day from 5:00 p.m. to 8:00 p.m. at Wayzata Community Church.

The Council thanked Mr. McCullough and Troop 283 for their work in the community.

e. The Gold Mine Antiques

Ms. Kim Anderson, Chair of the Heritage Preservation Board (HPB), gave a brief history of The Gold Mine Antiques building located at 332 Broadway Avenue South, stating it is the oldest building left standing in Wayzata.

AGENDA ITEM 4. New Agenda Items.

None.

AGENDA ITEM 5. Consent Agenda.

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

- a. Approval of Joint Wayzata Planning Commission and City Council Workshop Meeting Minutes of August 17, 2015, and City Council Regular Meeting Minutes of October 5, 2015 and October 6, 2015
- b. Approval of Check Register
- c. Municipal licenses which received administrative approval (informational only)
- d. Police Activity Report
- e. Building Activity Report
- f. Resolution No. 35-2015 Adopting Municipal Fees for 2016

The motion carried 5/0.

AGENDA ITEM 6. Public Hearing.

a. Public Hearing on Special Assessment Roll for Unpaid Delinquent Utility Bills and Approval of Resolution No. 38-2015 approving Special Assessment Roll

City Manager Nelson reported the total unpaid utility bills thus far for 2015 is \$21,000.

The Council asked for clarification on the process for collecting. Ms. Nelson stated the amount owed is assessed to the property and collected from the owner with taxes owed in 2016.

The Council asked if there could be a process for rental property owners to confirm they have paid their utility bills on time before rental licenses are issued. City Attorney Schelzel stated he would look into that option.

Mayor Willcox opened the public hearing at 7:51 p.m. There being no comment, Mayor Willcox closed the public hearing at 7:52 p.m.

Mr. Mullin made a motion, seconded by Mr. Tyacke, to Adopt Resolution No. 38-2015 Certifying to the County Auditor Assessments for Unpaid Delinquent Utility Bill Charges. The motion carried 5/0.

AGENDA ITEM 7. New Business.

a. Review DRAFT Term Sheet for Public/Private Partnership (P3) with Beltz for Mill Street Ramp/Commercial Corner and Consider Proceeding with the Entitlement Process for Mill Street Area

City Manager Nelson reported the Beltz group is interested in pursuing an agreement with the City, but nothing formal has taken place yet. Staff is proposing to proceed with the entitlement process for the land in and around Mill Street by initiating the review and approval process for re-platting, re-zoning and Comp Plan amendment for the area north of Mill Street and east of Broadway as needed to allow for the construction of the Mill Street ramp.

Ms. Stacie Kvilvang, Ehlers & Associates, reported on the draft terms and conditions for the possible public/private partnership with Beltz for the Mill Street ramp and commercial corner. The proposal is for the Beltz group to construct a parking ramp with Mill Street improvements on behalf of the City.

The Council asked what the cost savings are by doing this project with a public/private partnership. Ms. Kvilvang stated because a significant portion of this project is a public project, there may not be a significant amount saved.

The Council asked questions about the specifics of the ramp. Ms. Nelson stated if there is going to be a commercial corner, it requires the larger ramp. If the Council does not want the larger ramp, staff recommends not having the commercial corner.

The Council asked about a cost benefit analysis for a roof on the ramp with a wall or security fencing because of the neighborhoods adjacent to the parking ramp. The Council also asked about solar alternative energy for the ramp, a traffic study for one-way traffic on Mill Street, and the Wayzata Parking and Mobility Management District Ordinance. In reference to the District Ordinance, Ms. Kvilvang clarified the Beltz group would need to negotiate what the

1 lease is going to be for any leased parking stalls in the ramp, as well as any operations and
2 management costs they would be responsible for, whether or not the City has a Parking District
3 Ordinance.

4 The Council asked if staff explored a public/private partnership model that required the
5 Beltz group to be responsible to operate and maintain of the ramp. Ms. Nelson stated it had not
6 been explored.

7 The Council asked if this was a TIF eligible expense. Ms. Kvilvang stated they had not
8 explored that option, but it could be possible.

9 Ms. Nelson stated she sees the benefit of efficiencies in utilizing one construction
10 manager for all of these projects and could get the percentages for the Council's consideration.

11 Mr. Mullin stated he understands why the adjacent residents are having difficulty
12 understanding why the Council would even explore a public/private partnership and has heard
13 some feedback that it was about the commercial edge. One reason he was more open to it is
14 because it screened the potential concrete albatross from view. He also thought the project could
15 be delivered more efficiently, with more of the cost being pushed on to the commercial district
16 and off the residents. Just because there is money available from Presbyterian Homes does not
17 mean it should all go into a parking ramp, and Council should be fiscally responsible and explore
18 all cost saving measures. He is more confused now more than ever, because the facts presented by
19 the City's consultant are inconsistent with the statements he just made.

20 By request of the Council, Ms. Nelson clarified the difference between a construction
21 manager and a construction manager at risk project.

22 Ms. Nelson stated she will continue in conversation with the Beltz group and discuss the
23 concerns and questions that were brought forth by the Council.

24 Mr. Schelzel stated to prepare for a variety of possibilities for the Mill Street Ramp, the
25 best scenario for the entitlement process would be to combine the parcels through the platting
26 process, approve any necessary Comp Plan and zoning amendments for the contemplated use.

27 Mr. Tyacke made a motion, seconded by Mr. Mullin, to direct staff to proceed with the
28 entitlement process for the land in and around Mill Street by initiating the re-platting, re-zoning
29 and Comp Plan amendment process for the area north of Mill Street and east of Broadway to
30 allow for the construction of the Mill Street Ramp. Upon roll call vote, with Messrs. Mullin,
31 Willcox, and Tyacke voting yes, and Mrs. McCarthy and Mrs. Anderson voting no, the motion
32 carried 3/2.

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34 The Council recessed at 8:49 p.m.

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36 The Council reconvened at 9:02 p.m.

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38 **b. Establish Committee and Board Structure, and Membership for Lake Effect Next**
39 **Steps**

40 Ms. Mary deLaittre, Lake Effect Project Coordinator, reported on the proposed Technical
41 Committee members and Steering Committee members for the Lake Effect: Signature Project and
42 the schedule of the meetings to take place from November through April. The first community
43 meeting is scheduled to be held on November 9, tentatively at the Depot.

44 The proposed Technical Committee members are: Renae Clark, Minnehaha Creek
45 Watershed District; Andrew Gillett, Hennepin County; Greg Nybeck, Lake Minnetonka
46 Conservation District; Jonathan Vlaming, Three Rivers Park District; pending for the DNR; and,
47 pending for the Met Council.

48 The proposed Steering Committee Members are: Dan Baasen, Board Chair, Lake
49 Minnetonka Conservation District and Senior VP Northland Securities; Janis Callison, Chair,
50 Hennepin County Board of Commissioners; Sherry Davis White (pending), President, Board of
51 Managers, Minnehaha Creek Watershed District; Holly Evans, Board Member, Wayzata Park and

Trails Board and Owner, Wai Nani; Tom Fisher, Director, Metropolitan Design Center College of Design, University of Minnesota; Lynn Gruber, Planning Commissioner, Wayzata Planning Commission and President, Summit Solutions; Susan Johnson, Community Leader; Jennifer Munt, Council Member Metropolitan Council; John Nolan, Principal Nolan Properties Group; David Osmek, State Representative; Keith Parker (or appointee) Regional Director, DNR; Sue Sorrentino, Board Member, Wayzata Heritage Preservation Board and Wayzata Historical Society; Boe Carlson, Superintendent, or Penny Steele, Commissioner Three Rivers Park District; Kenneth Willcox, Mayor, City of Wayzata; BNSF and two citizen representatives, pending.

Mr. Mullin made a motion, seconded by Mr. Tyacke, to approve the Technical Committee members and Steering Committee members for the Lake Effect: Signature Project and the tentative meeting dates.

Mrs. Anderson requested her following statement be made a part of the record verbatim: "I am going to vote against this because I do not feel that this is necessarily open enough or contains enough members of the actual community within our Steering Committee. I think it could have been structured in a little bit different way. All due respect to Mary and all the work she has put in to it, but this Committee has been working hard to be open and transparent about this process and the Lake Effect is supposedly the biggest thing that we are going to undertake with the biggest price tags. I don't see enough representation for our community to actually speak and be part of the actual input and process, and so I have concerns and reservations around that. I am not against the individuals that will be working on this, but for the structure and the openness of representation of the actual community that lives here."

The motion carried 4/1. (Anderson)

c. Heritage Preservation Board Update on Request for Burial Mounds Plaque at City Hall

Ms. Sue Sorrentino, Heritage Preservation Board representative, reported that on August 18, 2015 the Heritage Preservation Board (HPB) received Council approval for the placement of a plaque for the former burial mounds located at the City Hall campus site. Since that time, she has consulted with various individuals regarding the plaque text, including several with the Native American Community, and is requesting approval for the proposed revised text for the plaque.

The Council noted there are three different titles that referred to Native Americans. Ms. Sorrentino said she will look into possibly only using one of those titles. The Council thanked Ms. Sorrentino and the HPB for all of their research.

Mrs. Anderson made a motion, seconded by Mr. Tyacke, to approve the text on the Burial Mound Plaque to be located at City Hall. The motion carried 5/0.

d. Consider Approval of Transaction with MnDOT for Acquisition of Outlot and the Subsequent Sale to Unitarian Universalist Church of Minnetonka – per Settlement Agreement

City Attorney Schelzel reported Minnesota Department of Transportation (MnDOT) has offered to sell one of the two properties that the City is obligated to negotiate for under the City's settlement agreement with the Unitarian Universalist Church of Minnetonka (UUCM). UUCM has indicated it will purchase the property that is being offered to the City by MnDOT for \$211,279.20. Staff recommends approving the purchased agreement, subject to City Attorney final approval, and directing staff to proceed with the purchase of the property from MnDOT upon UUCM's execution of the purchase agreement.

Mr. Schelzel noted they are still waiting for feedback from UUCM's attorneys on the purchase agreement and do not have the final form of the deeds from MnDOT.

The Council asked if this sale would completely satisfy all the obligations under the previous settlement agreement. Mr. Schelzel stated it will satisfy the City's obligations with

1 respect to this particular piece of property, but the settlement agreement also obligates the City to
2 negotiate for a parcel that is on the other side of the UUCM property.

3 The Council asked if it would be prudent to ask the Church to put the money in escrow.
4 Mr. Schelzel stated the purchase agreement was not structured that way because of the quick
5 timing of the sale and the unique context of the transactions and the terms of the settlement
6 agreement, which make the risks to the City of default by UUCM under the purchase agreement
7 very low.

8 Mrs. Anderson made a motion, seconded by Mr. Tyacke, to Adopt Resolution No. 40-
9 2015 Approving Purchase and Sale of Property Pursuant to Settlement Agreement with Unitarian
10 Universalist Church of Minnetonka, with the inclusion that the purchase agreement attached to
11 the resolution is subject to final revisions that are acceptable to the City Attorney that do not
12 make any material changes to the terms of the purchase agreement. The motion carried 5/0.

13 14 **e. Ferndale Road Construction Project Update**

15 City Engineer/Assistant Director of Public Works Kelly reported on the pace and staging of
16 construction for the Ferndale Road and Bovey Road reconstruction project. After the project had
17 started, CenterPoint Energy told the City of some facilities that had to be replaced, and this
18 delayed the scheduled work. CenterPoint Energy's work is now done and the road construction
19 project should be completed by October 30.

20 Mr. Kelly reported on the measures in place to ensure projects get done on time. Placing
21 penalties on the contractor is the best way to get a project completed on time.

22 The Council stated the timing of the project was not the issue. It was the long amounts of
23 time with no work being done and equipment parked where it should not have been. Mr. Kelly
24 stated it may have appeared at times that no work was being done, but City staff was working
25 behind the scenes trying to push the contractor to get on site to perform some type of work.

26 The Council stated there was a lack of information to the residents and suggested sending
27 an email updating them on the project. Mr. Kelly said an email is sent weekly to the surrounding
28 neighborhood, but only about 30 of the residents had requested to be on the email list.

29 The Council suggested a written form of the report that Mr. Kelly just gave be sent to the
30 residents. It was also suggested that in the future the Council be made aware of email updates on
31 projects so they can direct residents to participate in receiving the updates.

32 33 **f. Consider Grant Applications for the 2016 Hennepin County Youth Sports Program**

34 City Engineer/Assistant Director of Public Works Kelly reported on two proposed applications:
35 one is for a sailboat for the Community Sailing School; and, one is for skating equipment at
36 Klapprich Park. The applications have been reviewed by the Chair of the Parks and Trails Board
37 and are consistent with the Lake Effect Design Framework. Staff is requesting that Council
38 review the applications and provide direction to execute the agreement and submit the
39 applications.

40 Mrs. Anderson requested the Parks and Trails Board review the applications to gain an
41 understanding of what the process is for future requests. She also asked who the equipment was
42 for and who was going to coordinate the use of it, since it is not the responsibility of the Parks
43 and Trails Board.

44 Mr. Tyacke supported approval as this is benefitting a lot of kids.

45 Mr. Mullin summarized the process that took place for this request.

46 Mr. Kelly stated due to the approval process of grant applications, this equipment will not
47 be available for this winter season.

48 Mr. Tyacke made a motion, seconded by Mr. Mullin, to approve the Grant Applications
49 for the 2016 Hennepin County Youth Sports Program with the guidance of the Parks and Trails
50 Board. The motion carried 5/0. The Council requested a verbatim transcript of this discussion:

1 Nelson: Mayor, members of the Council, included in your packet was some information
2 about the 2016 Grant Solicitation for Hennepin County's Youth Sports Program. This is a
3 program that the City has participated in the past. If you recall, the City made application and
4 received some funding for some improvements on Klapprich Field for some lights and some
5 equipment around the ice skating/hockey program. So, it's a program that City is familiar with.
6 The timeline for this grant application is...they are due in early November, November 2nd. So,
7 the timeline is coming here quickly so this did come on to the agenda kind of because of that
8 timeline for getting the applications submitted. I know Councilmember Mullin did do some work
9 on this item with our Parks and Trails Board Chair. I did send out an email earlier today from the
10 Chair of the Board, and I did have some further conversations with him as well. In brief, the two
11 applications that are included are one that would be sort of a collaborative effort with the
12 Wayzata Sailing School and then two for some additional ice hockey related equipment, skating
13 related equipment for the little beach area, which is next to the Sailing School area down there on
14 the lake.

15 Mullin: Actually it's at the Klapprich Park and the Wayzata Beach for the skating side of
16 it.

17 Anderson: So, is the little beach involved at all?

18 Mullin: No.

19 Willcox: It is a sailboat for the Sailing School and hockey equipment for Klapprich.

20 Nelson: Sorry about that. I misstated that little beach versus regular beach. So, those two
21 applications are included. In my discussions with Chair Baasen with the Parks and Trails Board,
22 he noted that if the Council is open to considering these applications, that these could be
23 forwarded on to the Parks and Trails Board. Their meeting has been scheduled for this month. It's
24 on October 28. It was moved a week because of some folks being out of town and so they would
25 be willing to take a look at that there. One of the requirements is that we do have to sign off on
26 these applications as the LGU, the Local Government Unit. So we have to say that yes we've
27 reviewed it and we are committed to providing the match and supporting the program and so
28 that's why they need to come in front of the Council body for approval. I think with that, I can
29 stand for any questions or I know Councilmember Mullin is more familiar with the applications
30 themselves and might be able to provide any comment.

31 Mullin: The only thing I would add is I started this process back in August I believe, late
32 August, early September, trying to work with Chair Baasen. Unfortunately, I don't believe it ever
33 reached the agenda of that particular group. But I was also approached by the President and
34 another Board member of the Sailing School because they were made aware of that grant
35 application, and helped them just facilitate through the process. In addition to that, I worked with
36 Dave Dudinsky and I went through the prioritized project list that the Parks and Trails Board had
37 already approved. And we went through a process based on the ranking criteria from the
38 Minnesota Amateur Sports Commission, which is the grant administrator on behalf of the
39 County, and we just did a ranking on what would be eligible for fall. And the only thing that was
40 on the Parks and Trails' prioritized list that was provided to all of Council some time ago was a
41 concept that they had to add skating to Wayzata Beach which is in front of the...where the H
42 dock is and whatnot.

43 So to further provide you some more context and information, Commissioner Callison,
44 today I asked her to make some comments on this. Since we last applied for this program there
45 are two grant cycles, a fall grant cycle and a spring grant cycle. In both cases, a local government
46 unit alone or a local government unit in partnership with a non-profit, can apply for either
47 facilities or equipment, or both. And if you had time to go to their website, it explains it in a lot of
48 detail. To further educate you, Commissioner Callison is correct, that there is another grant cycle
49 that begins in the spring. What they've done is they've parsed out playground equipment and
50 water into the spring and kind of gave it a standalone review process. So, there are other projects
51 on the Park and Trails Board list that meets that criteria for spring.

1 My last comment would be the last time I walked through this exercise with Mr. Kelly
2 back in '09 or '08 or whenever it was, we actually had two applicants at the time. We had one for
3 the City who was acting alone and then we had one from a non-profit organization that wanted to
4 build a skate park, like you know for skateboarding or whatever. And the Council went through
5 that review process and ultimately decided that they didn't favor the skate park application and
6 they shelved it. They did like the Klapprich Field and they actually built was lights, boards,
7 equipment and a pedestrian access way for a safer way for kids to go use the warming house.

8 So with all of that said, I think it is at this body's discretion to decide if we would like to
9 support these applications, would be one step, or we can choose to send it to the Parks and Trails
10 Board. The only thing that is confusing for me about that, is that I didn't know it was in their
11 purview to review non-profit applications. I mean we get non-profit applications for all kinds of
12 things from Blake School to Hammer to the Trolley group, etc., and that typically has been dealt
13 with on the Council level. I defer to your guys' judgement on how you'd like to handle it. The
14 last piece of information...the Sailing Center is requesting no funds from the City of Wayzata.
15 They are pledging their own grant dollars. The City is just acting as a pass through to administer
16 the grant on behalf of the Minnesota Sports Commission and Hennepin County. So we can
17 choose to do that or we can choose to say we choose not to do that. It's up to you guys.

18 Willcox: A question I have related to that...if we were to, as a point of courtesy, pass this
19 through the Parks Board, would we have enough time to do that and get back as a body to
20 approve this? We wouldn't, would we?

21 Nelson: No. So passing that along would have to come with some sort of direction that
22 with Parks and Trails Board review, that what you see here wouldn't increase, but maybe they
23 could adjust it a bit, but maybe you were fine with submitting the applications. I would need that
24 authority to do that because you are sort of committing yourselves. But, if you wanted to send it
25 to them to say yes this seems to be in alignment and we support it, but it couldn't be greater than
26 what you see here, but it could be less than what you see here I guess. I think that those would be
27 some good parameters to consider.

28 Willcox: The Parks and Trails Board is an advisory board. They give us their opinions,
29 but we actually make the decisions here. I mean generally if we were doing this according to the
30 way I would prefer, I would draw this thing up, and I send it to the Parks and Trails and say what
31 do you think and they would say what they thought. And, we would then make a decision based
32 partly on that. In this case I don't think we have the luxury of doing that. This was a little bit
33 opportunistic. At the last minute, we had to scramble to pull this together, and we did. Or,
34 Andrew did with Dave and Mike's help. So here we are and I think we can certainly pass this by
35 the Parks and Trails Board, but at this stage it is more a courtesy than anything. And I think we
36 just need to deal with it here tonight. That's my sense.

37 Mullin: Yeah, and just one other thing that popped into my head. Like I said, I was trying
38 to work through the Board Chair, but I also consulted Parks Board member Jim McWethy as well
39 as Randolph as well as Holly Evans just to get their perspective and they were all generally
40 favorable. I think it's unclear about what their role is in this type of process. So again, completely
41 up to this Council on how they'd like to handle it.

42 Anderson: I do have a little bit of an issue with this simply because it's not so much
43 whether they would approve a grant. No one's questioning that. Obviously, that's coming to the
44 Council, we give final approval. Their role is to basically make recommendations and advise and
45 focus on our parks and trails and programming for those areas. They have started looking at
46 programming. They've requested from this body, dollars to have a shared program director.
47 They've started down that path. They were working on items like this and this feels like stepping
48 on toes because we don't know what they are working on, what they are trying to do, priorities,
49 and what recommendations they are making back to us. So, I can see where they would a little bit
50 taken aback by how this process went forward. I don't know if I feel comfortable either that Parks
51 Board members were talked to individually to get a consensus so to speak without it being

presented to them as an agenda item. I understand the timetable crunch. But, stuff happens sometimes and you miss deadlines. So, I understand we are acting basically as an agent for the Sailing School, so be it. But, the issue around the equipment and programming...what happens if this does get approved? Is the Parks and Trails Board supposed to roll this into their recommendations and how they are going to program things? That's still up in the air on what they are doing. I feel comfortable in putting the language in that says if the Parks and Trails Board feels comfortable with this, they know what to do with it, they can move forward with it. I'll give my sign of approval in advance. But, let them review it and see what they are working on. The Sailing School one, they are probably not going to have a problem with. But, the other one, how can they incorporate it into what they are working on and putting hours into? They are volunteering their time and it kind of makes them feel like they are spinning their wheels for nothing if this comes at them. And, give them the opportunity to review it. And then we come up with a better process maybe in the future. But that's where I stand on it. I want them to have the opportunity to review it, let them know how we feel about it, whether we are blessing it or not blessing it, whatever, and then understand what the process is going forward with something like this.

Tyacke: The fact that they've delayed their meeting from the 21st to the 28th of October does not help us. That is beyond our control. As I look at this, it seems to me that it is benefitting an awful lot of kids. I see a thousand kids annually for the hockey and there is three or four school districts that benefit from the sailing program. So, I see it as a very broad benefit for the Lake communities and I am comfortable with approving it but asking them to review it within the time constraints that they have. I think it needs to get in so that's why I think we should approve it.

Anderson: How is the hockey stuff going to be utilized? Has that been flushed out?

Mullin: I clarify this and I appreciate your concern but we need to work back from a factual representation of exactly what occurred. Please allow me to clarify. The recommendation for hockey and for skating aids was directly of the Parks and Trails prioritized list. One of their projects that they wanted to move forward that we all saw and reviewed, they even had a budget for it, was to open skating at the beach. The other projects on the list that they reviewed and that we have already reviewed, was the rehabilitation of playground equipment at Klapprich Field. And, it was to create, Mike you are going to have to help me out, some sort of water feature at the beach like a splash fountain or something. I forget what the terminology is, it's on their list. We reviewed it from Commissioner Baasen. I don't know what it's called.

Kelly: I'm not aware of that one, I'm sorry.

Mullin: I'm sorry I don't know the terminology, but as Commissioner Callison stated earlier today, those two projects are only eligible for spring applications. So, what Dave and I just brainstormed, and it's just simply an idea, that if you are going to put skating at Wayzata Beach, it would be helpful to have the skate trainers, some pond hockey nets and some hockey nets to facilitate some youth participation in skating and hockey. That's how we arrived at that conclusion. If this body doesn't support that, I completely understand and respect that. In no way was I intending, nor Dave, to usurp anyone's authority. In fact, I've been attempting to communicate through Commissioner Baasen since late August and into early September. And, when we were running out of air speed and altitude, for lack of a better term, I took it upon myself to work with Dave to just surface this for your review. And, if you choose to support it, great, and if you don't, I completely understand.

Anderson: I'm not saying we wouldn't support it. My question is what do we have set up to actually utilize this equipment. This involves organizing, somebody being there offering up the equipment, recruiting children, plowing the beach area so there is actually a rink. That is what I'm talking about. Just because you supply the equipment doesn't mean that it is going to happen automatically. So, that's just not something that I heard anyone discuss that's in the scope of anything taking place. So, we could have this equipment and that would be great for the season,

1 but there may not be recruitment. How do we get the kids there. Who is going to organize the
 2 kids. I mean, it's that sort of stuff. I'm just talking about the nuts and bolts. That's why I am
 3 trying to understand because I don't think that falls into the Parks and Trails Board responsibility
 4 either, and they are trying to get someone in place as a shared part-time program coordinator. I
 5 just don't know what the timing is of that either. So I'm not against it or saying I don't support it.
 6 I'm simply saying we don't have things in place to make it happen. And, that's my concern is we
 7 may be rushing it and I think it's a great idea. I'm not against kids playing hockey or having free
 8 equipment, for the love of Pete. I'm simply saying we don't have the things in place to make it
 9 happen.

10 Kelly: At least from my past experience from the grant program that we had back in
 11 2009, the application deadline is here in November. They have a process of reviewing those
 12 applications and selecting projects at the County Board level. I would highly doubt that these
 13 pieces of equipment would be available for this winter season. What it does is it gives us the
 14 opportunity to get that equipment and replace some equipment at the Klapprich Park facility that
 15 could definitely be used next season. I just wanted to let you know that that review process and
 16 approval process of these grant applications will likely happen into late winter into early spring
 17 before we find out a determination. So if that helps you at all. We are not forcing programs on
 18 anyone or any board or Public Works staff to do maintenance this season.

19 Anderson: Okay. Thank you. That's helpful.

20 Willcox: Other comments?

21 Tyacke: The application, it is just acknowledging that the City, the local government unit,
 22 is prepared to be the fiscal agent for the award to disperse funds and ensure the funds are used for
 23 the programming indicated. I think we can involve the Parks and Trails Board in the disbursement
 24 of the funds also and approve that. We are just taking that step to apply for the grant. We haven't
 25 actually disbursed the funds. I think they would have the opportunity to approve it but they
 26 wouldn't have to slow up this process if they could look at it during the period that the grant is
 27 under review.

28 Willcox: Well, I think it is opportunistic and as Councilmember Tyacke said, it benefits a
 29 lot of kids and it's worth pursuing. I think, unfortunately, we don't have the luxury of having it go
 30 through the Parks and Trails the way we might otherwise prefer, but I think we send it to them for
 31 them to review on the 28th. And, if they have a showstopper, I'd like to know about that, but
 32 otherwise I think that they could probably accommodate it. And in any event, Klapprich for sure
 33 needs it and the sailboat, I'm sure can use it as well. Would someone like to make a motion to
 34 approve these applications with the guidance that we will pass it through the Parks and Trails
 35 Board for their comment? And, unless we hear something of a showstopper, we will proceed to
 36 submit these to the County.

37 Tyacke: So moved.

38 Mullin: Second.

39 Willcox: Further discussion? All in favor say aye.

40 Council: Aye.

41 Willcox: Opposed? Okay. Thank you very much.

42 43 **AGENDA ITEM 8. City Manager's Report and Discussion Items.**

44 **a. City of Wayzata 2015 System Statement**

45 Interim Planner Zweber reported on the City of Wayzata 2015 System Statement. This statement
 46 included an overview of each of the system plan updates and specific system changes that affect
 47 the community. The systems included are: 1) Transportation, including highways, aviation and
 48 transit; 2) Water Resources, including wastewater, surface water and water supply planning; and
 49 3) Regional parks and trails. Mr. Zweber stated he has not identified any item that needs to be
 50 appealed.

1 By request of the Council, Mr. Zweber defined affordable housing. He explained it is
2 based on the area median income, so it will be different between cities.
3

4 **b. Highway 12 Corridor Safety Coalition**

5 City Manager Nelson stated there will be meeting November 2 at 10:00 a.m. at the West
6 Hennepin Public Safety Department.
7

8 **c. Update on Board and Commission Vacancies**

9 City Manager Nelson reported there is one position open for the Housing and Redevelopment
10 Authority, two for Planning Commission, two for Heritage Preservation Board, five for Charter
11 Commission, one for Communications Board, and two for the Parks and Trails Board.
12

13 **d. Update on MCS Project**

14 City Engineer/Assistant Director of Public Works Kelly reported on the details of the MCS
15 project that will begin in January 2016 and be completed in December of 2016. It extends from
16 Orchard Road in Orono to the west side of Ferndale Road in Wayzata. This information will be
17 available on the website. There will be a meeting at Orono City Hall on November 5 at 6:30 p.m.
18

19 **e. Update on East Block of Presbyterian Homes Project**

20 City Engineer/Assistant Director of Public Works Kelly reported on the proposed tree removal
21 for this project.

22 The Council stated it does not recall that this many trees were to be removed. Mr. Kelly
23 stated it is consistent with the East Block plan approved by the Council.

24 Mrs. Anderson, Mr. Mullin, and Mrs. McCarthy agree that out of respect for the
25 neighborhood, it is important to save the buffer through the winter.

26 Mr. Tyacke suggested only removing the trees needed for construction and then
27 removing the wetland trees at a later date.
28

29 **AGENDA ITEM 8. Public Forum Continued (if necessary).**

30 There were no comments.
31

32 **AGENDA ITEM 9. Adjournment.**

33 Mr. Tyacke made a motion, seconded by Mrs. McCarthy to adjourn. There being no further
34 business, Mr. Willcox adjourned the meeting at 11:04 p.m.
35

36 Respectfully submitted,
37

38 *Becky Malone 11-17-2015*
39

40 Becky Malone
41 Deputy City Clerk
42

43 Drafted by Shannon Schmidt
44 *TimeSaver Off Site Secretarial, Inc.*